

**MINUTES OF THE CITY OF BRISTOL, TENNESSEE
CITY COUNCIL MEETING**

June 5, 2018

CALL TO ORDER:

The City of Bristol Tennessee City Council meeting was called to order by Mayor Jack Young on Tuesday, June 5, 2018, at 7:00 p.m. in the Slater Center Auditorium.

ROLL CALL:

Present: Mayor Jack Young, Vice Mayor Margaret Feierabend, Councilman Chad Keen, Councilwoman Lea Powers, and Councilwoman Michelle Denise.

Others Present: City Manager William L. Sorah; City Attorney Danielle Kiser, City Recorder Tara Musick; and members of City staff.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mayor Jack Young, gave the invocation and Councilwoman Powers led the pledge of allegiance.

AGENDA ADDITIONS AND/OR CHANGES: None.

PROCLAMATIONS AND RECOGNITIONS:

Men's Health Week – Councilman Keen read a proclamation designating June 11 – 17, 2018 as Men's Health Week.

National Home Ownership Month – Councilwoman Lea Powers read a proclamation designating the month of June 2018 as National Home Ownership Month. Mr. Daniel Witcher, Chairman of the Community Development Advisory Committee, accepted the proclamation.

Appalachian League President Lee Landers – Councilman Chad Keen read a proclamation honoring Appalachian League President Lee Landers. Mr. Mahlon Luttrell, President, Bristol Baseball Inc., accepted the proclamation.

PRESENTATIONS: None

PUBLIC HEARINGS:

Mayor Young opened the Public Hearing.

Ordinance 18-7 – An Ordinance to Adopt a Budget and Appropriate Funds for the Fiscal Year July 1, 2018 through June 30, 2019

City Manager Sorah stated that Ordinance 18-7 is to formally adopt the Fiscal 2019 Budget and Appropriations for the fiscal year beginning July 1, 2018. The Fiscal 2019 Budget totals \$106,812,821. This reflects an increase of \$502,739 or .05% from the Fiscal 2018 Budget. In addition, Ordinance 18-7 establishes the property tax levy at the current rate of \$2.1612 per \$100 of assessed value. The proposed budget maintains the current solid waste fees, stormwater fees, and water and sanitary sewer rates.

The municipal government portion of the budget stands at \$58,377,260, a decrease of \$2,089,546 or 3.5% from the Fiscal 2018 Budget. The proposed budget focuses on the key themes of economic development, education, and infrastructure. The budget continues all city programs and services as in the past while making strategic capital investments to meet the future needs of the community. Major projects include the reconstruction of East Cedar Street, major improvements at the water filtration and wastewater treatment plants, and the resurfacing of approximately fourteen lane miles of roadway. Key partnerships include the development of Tri-Cities Airport's Aerospace Park, site development at Bristol Business Park, and improvements at Partnership Park II. The proposed budget includes a modest wage adjustment of 1.3% for city employees.

The school system portion of the budget totals \$48,435,561, an increase of \$2,592,285. This increase is primarily attributable to the \$4,250,000 of funds in the School Capital Facilities Fund. This fund accounts for the disbursement of proceeds from the Sullivan County school construction bonds and will be available for property acquisition and design of the new middle school.

The municipal government portion of the Fiscal 2019 Budget remains unchanged from that presented to City Council during the April 24th work session and approved on the First Reading during the City Council Meeting on May 8th.

Citizen Ron Crockett commended the City Manager, Council, and staff on the creation of a good balanced budget. However, he expressed concern of postponement of capital projects, dipping into city reserves, and no increase in school funding. He also expressed concerned about the percentage long-term growth of revenue versus the percentage of long-term growth of expenses. Mr. Crockett suggested raising property taxes back to the rate of \$2.25 per \$100 of assessed value.

Ordinance 18-8 – An Ordinance to Amend the Appropriation of Funds and Budget for the Fiscal Year July 1, 2017 through June 30, 2018

City Manager Sorah stated that Ordinance 18-8 amends the Fiscal 2018 Budget and Appropriation Ordinance for the Grant Fund, School Federal Projects Fund, School Capital Facilities Fund, and Capital Equipment Fund. The amendments reflect increased expenditures related to additional grant funding from other government agencies. In addition, the Capital Equipment Fund is increased to address higher than anticipated costs for public safety equipment. The School Capital Facilities Fund is increased to address anticipated property acquisition costs associated with the new middle school.

<u>Fund</u>	<u>Increase</u>	<u>Revised Appropriation</u>
Grant Fund	\$318,911	\$ 450,000
School Capital Project Fund	\$150,157	\$2,353,785
School Capital Facilities Fund	\$500,000	\$1,500,000
Capital Equipment Fund	\$ 42,000	\$1,625,000

As in years past, this amendment is necessary as a “house-keeping” measure to ensure compliance with legal requirements for municipal budgets.

Mayor Young closed the Public Hearings.

APPEARANCE OF CITIZENS:

Diane Whitaker, 1628 6th Street Ext., voiced her concern that she wasn't being protected by the City Council.

Kyle Wampler, expressed concern over an increase in property taxes.

Eddie Mabry, 109 Sunnybrook Drive, voiced concern over the project in the Sunnybrook Subdivision being incomplete and the open construction site. He also expressed concern about the lack of industrial growth.

Lisa Lundberg questioned if Council was going to address the personal issue she discussed with them earlier.

Councilwoman Michelle Denise requested the Council address some of the concerns voiced by the citizens, beginning with Ms. Whitaker. City Manager Sorah stated that Chief Wade should be the one to address Ms. Whitaker's concerns, but since this was a police matter it may not be appropriate to openly address it further.

Councilwoman Denise requested an update on the status of the Intimate Treasures project in the Sunnybrook Subdivision. City Attorney Danielle Kiser responded that the City is being sued by the residents of the Sunnybrook Subdivision over the Board of Zoning Appeals and a representing attorney is being retained by the City's insurance company, which is standard procedure. Another lawsuit has been filed by the residents of Sunnybrook Subdivision against the owner of the property concerning restrictive covenants. The City is awaiting judicial action and the lawsuit concerning the restrictive covenants to be resolved before proceeding.

Councilwoman Denise requested further information concerning Ms. Lundberg's concern over the cheating scandal with the Police Department. City Manager Sorah stated that issue was addressed with a disciplinary action in 2016 and from a staff standpoint the issue is resolved.

Councilwoman Lea Powers questioned if Councilwoman Denise wanted to make a motion for further discussion on any of the issues at a work session.

Councilman Chad Keen suggested Human Resources and the Police Department brief the councilmembers on exactly what happened. City Manager Sorah stated since it is a personnel issue, it would be more appropriate for staff to brief each councilmember individually.

Mayor Young stated that Council members are only responsible for personnel matters related to the City Manager and the City Attorney and rely on staff to follow proper procedures and protocol in handling other personnel matters. Councilwoman Powers concurred with Mayor Young.

APPOINTMENTS: None

ORDINANCES AND RESOLUTIONS:

A. First Reading of New Ordinances:

Ordinance 18-9 – An Ordinance Changing the Name of a Public Street from Sprint Drive to Agero Drive

Ordinance 18-9 approves a request by Agero to rename *Sprint Drive* as *Agero Drive*. This a public street and intersects with Highway 394.

This action will cause the addresses of adjacent properties and businesses that currently use Sprint Drive to change their address. There are five parcels on Sprint Drive. Two parcels are undeveloped, therefore would only affect two other property owners along with Agero.

The Bristol Regional Planning Commission gave approval to the request at their May 21st meeting.

Transportation Planning Engineer David Metzger briefed City Council on the matter. Mr. Metzger stated that owners of the two properties affected had no objections to the name change. The other three properties already have Highway 394 addresses so the renaming would not affect them. If Ordinance 18-9 is approved on the Second Reading, the effective date would not be until the end of August which would allow sufficient time to make the necessary changes resulting from this action.

Councilman Keen made a motion to approve the ordinance on First Reading, and Councilwoman Powers seconded the motion. The motion passed unanimously by roll call vote.

B. Adoption of Ordinances (Second Reading):

Ordinance 18-7 – An Ordinance to Adopt a Budget and Appropriate Funds for the Fiscal Year July 1, 2018 through June 30, 2019

City Manager Sorah, reviewed this ordinance during the Public Hearing section of the agenda.

Vice Mayor Feierabend asked if the property tax rate was set by this ordinance as well or if a separate action would be required. City Manager confirmed the tax rate would be established by

Ordinance 18-7, which is standard procedure. He explained that historically, separate action for adoption of the property tax rate only occurred during reappraisal years.

Councilman Keen made a motion to approve the ordinance on Second Reading, and Vice Mayor Feierabend seconded the motion.

Councilwoman Powers stated she is not voting for the FY 2019 Budget as she feels the tax rate needs to be addressed and increased incrementally to attain a stabilization tax rate. She feels this would help offset the deficit created by TIF revenues being included in the tax rate certified by the state and would allow for continued growth.

Councilman Keen discussed revenue sources. He voiced concern that the projected revenues from The Pinnacle have not been produced and that due to weather issues, the racing seasons for the last three years have been disappointing and also not produced the revenue expected. Councilman Keen expressed concern about how raising the tax rate would affect local businesses and the industrial sector. He then suggested reviewing expenditures, specifically overtime costs, but went on to say the City would dip into general fund reserves this coming year to purchase property downtown for redevelopment. This development could become a source of additional revenue. He stated that he would like future discussion on the educational financial situation, but at this time does not wish to increase the property tax rate and would also like some clarification from the state on the tax rate discrepancy caused by the TIF program.

Councilwoman Powers asked if there was a timeline for new development on the south pad at The Pinnacle. City Manager Sorah said the developer is still in the marketing phase and if construction were to commence this fall retail activity might begin the first quarter of 2020.

Vice Mayor Feierabend gave some history on the City government and prior accomplishments, but went on to say she does not support the FY 2019 Budget and would like to address the tax rate issue in the near future.

Councilwoman Denise stated the budget and the City are currently fiscally sound and does not feel it is necessary to raise property taxes at this time. However, increasing the sales tax rate might be a future consideration for additional revenues. Councilwoman Denise voiced her support for the FY 2019 Budget.

Mayor Young commented on the suggestion made by Councilwoman Denise to explore the option of a sales tax increase in that it would require a referendum to be enacted which would give the citizens a vote. Mayor Young also confirmed the City and budget are currently fiscally sound and continues to hold an AA rating. He stated the operational portion of the next year's budget has not been altered which allows for a consistent level of services provided to the public. Mayor Young voiced his support for the FY 2019 Budget.

Councilwoman Powers asked when some of the City's current major debt would roll off. City Manager Sorah stated bonded indebtedness will drop approximately \$1.5 million in years 2024 and 2025.

Ordinance 18-7 was approved by roll call vote with Mayor Young, Councilman Keen and Councilwoman Denise voting in favor of the motion. Vice Mayor Feierabend and Councilwoman Powers voted in opposition to the motion.

Ordinance 18-8 – An Ordinance to Amend the Appropriation of Funds and Budget for the Fiscal Year July 1, 2017 through June 30, 2018

City Manager Sorah reviewed this ordinance during the Public Hearing section of the agenda.

Mayor Young asked if the budgetary changes were due to the receipt of grant funds that were not anticipated. City Manager Sorah confirmed that additional grant funds were received for the City's Grant Fund and School Capital Project Fund. The change in the School Capital Facilities Fund resulted from a transfer of school construction funds housed by the City as required by statute.

Vice Mayor Feierabend made a motion to approve the ordinance on Second Reading, and Councilwoman Powers seconded the motion. The motion passed unanimously by roll call vote.

C. Resolutions:

Resolution 18-42 - A Resolution Appointing a Municipal Judge

City Manager Sorah stated the term of current Municipal Judge A.D. Jones, Jr. expires on June 30, 2018. Judge Jones has served in this capacity since appointment to his initial four-year term in 2014. The judge presides over municipal court hearing cases related to traffic citations and municipal code violations. Municipal court is held weekly on Monday and Thursday mornings. The position is proposed at an annual salary of \$17,550. In accordance with statute, the compensation is to remain fixed for the duration of the term of office. In addition to the annual salary, the position is entitled to participate in the TCRS retirement program and eligible for the health insurance benefits available for all city employees.

The City's Office of Human Resources advertised the position earlier this year and the lone applicant was A.D. Jones, Jr. If appointed, his four-year term of office will commence on July 1, 2018 and end on June 30, 2022.

Councilwoman Powers made a motion to approve the resolution, and Councilman Keen seconded the motion.

Councilwoman Powers commended Judge Jones for his service to the City and for his compassion.

Mayor Young also commended Judge Jones for his service.

Judge Jones addressed the Council and commended them, City staff, and City employees for the support and assistance they have provided to him in the position and pledged to continue to strive to uphold the duties and responsibilities of the office with honor, dignity, fairness, and impartiality.

The motion passed by a unanimous roll call vote.

Resolution 18-43 – A Resolution Naming a Private Road as Nicewonder Road

City Manager Sorah stated Resolution 18-43 approves a request by Bristol Regional Medical Center to name the circular road surrounding Bristol Regional Medical Center as *Nicewonder Road*. He explained this action is by resolution and requires only one reading as it is a renaming of a private road.

Transportation Planning Engineer David Metzger briefed the City Council on the matter.

The naming of the private road is necessary due to a re-subdivision on the eastern side of the campus which created a new parcel. The new parcel does not front Medical Park Boulevard. The Bristol Regional Medical Center proposed the name of *Nicewonder Road* be given to the circular road and will include the new parcel.

If approved, the Resolution would have an effective date of June 14, 2018, which allows sufficient time to make any necessary changes resulting from this action.

Resolution 18-43 will not change the status of the road as it will remain a private road and it will not change the base address of the Bristol Regional Medical Center. It also will not name the four-lane boulevard entryway to the hospital; that roadway will remain unnamed.

The Bristol Regional Planning Commission gave approval to the request at their May 21st meeting.

Mayor Young asked if snow removal or other maintenance would be provided by the City for Nicewonder Road. City Manager Sorah replied that as with all other private roadways in the City, named or unnamed, the City will not provide maintenance, repair work, or snow removal assistance.

Vice Mayor Feierabend made a motion to approve the resolution, and Councilwoman Denise seconded the motion. The motion passed unanimously by roll call vote.

Resolution 18-44 – A Resolution Approving the Acceptance of a Donation of Equipment and Exhibits from the Friends of Stacy Grayson Memorial Park at Steele Creek, Inc.

City Manager Sorah stated that over the past year, the Friends of Steele Creek Park and Nature Center have conducted a fund raising campaign to provide the resources necessary to expand the exhibit and learning spaces of the Nature Center. During this period, the “Friends” were able to secure funding to purchase and install equipment and exhibits to further enhance the educational opportunities at the Nature Center. Exhibits include new aquariums, dioramas, waterfowl displays, and a crawl-thru cave environment. The new exhibits have an estimated value of \$268,000.

The “Friends” have worked tirelessly in their pursuit of this project. It is appropriate to publicly recognize their efforts in providing this new resource. Resolution 18-44 formally acknowledges the contribution of the “Friends” and provides for the public donation of the equipment and exhibits provided by their efforts.

Parks and Recreation Director Terry Napier briefed City Council on additional exhibits that are under construction at the Nature Center.

Michelle Sparks and Rush Powers, representing the “Friends” thanked the City for the partnership in this endeavor.

Vice Mayor Feierabend commended the partnership with the “Friends”.

Councilwoman Powers made a motion to approve the resolution, and Councilwoman Denise seconded the motion.

Mayor Young recognized the many hours spent by numerous people on this endeavor and Vice Mayor Feierabend recognized exhibit designer Ed Hackley

The motion passed unanimously by roll call vote.

CONSENT AGENDA:

City Manager Sorah presented the Consent Agenda to Council. Councilman Chad Keen made a motion to approve the consent agenda, Vice Mayor Feierabend seconded the motion. The following items were approved by unanimous Council vote:

- Minutes May 8, 2018 City Council Meeting
- Resolution 18-45 A Resolution Approving a Grant Agreement with the Virginia Department of Transportation for the utilization of Federal Highway Administration funds for the Bristol Metropolitan Planning Organization
- Resolution 18-46 A Resolution Awarding Bid for the Purchase of Highway Salt
- Resolution 18-47 A Resolution Awarding a Bid for the Water Treatment Plant Traveling Screen Replacement

BOARD OF EDUCATION LIASON REPORT:

Dr. Gary Lilly stated activities this summer include grant-funded programs such as Read to be Ready for 75 select rising 1st, 2nd, and 3rd graders in the district that will be meeting throughout the month of June at Fairmount Elementary to participate in the literacy-focused summer camp. The purpose is to help keep them on task through the summer and give them a head start on the next

school year. The camp includes field trips and other enrichment activities.

Also operating out of Fairmount is a summer meals program which is reimbursement based through the National School Lunch Program. This year, the program is also being assisted by the Second Harvest Food Bank with a gift of 12 pallets of meal boxes received through FEMA relief. This program is feeding the children in the summer reading camp program, but also allows the school system to go into the community to help feed local children around 350 to 400 meals a day.

In addition, four times during the summer the school system will follow up the meal bus with a book bus. Amy Kimani with the Bristol Public Library helped the school system obtain book donations from all over the state, which will also help children with literacy and to stay on task with reading through the summer months.

There is a one-time funding opportunity from the state through \$3 million that was earmarked by Gov. Haslam for school safety initiatives. To be eligible, a school safety assessment must be performed by a school administrator and a police officer that have received specialized training for that purpose. School Resource Police Officers Jody Camper and Sherman Eury along with several school administrators were trained and have completed the assessment on all Bristol Tennessee Schools except one, which will be completed later this month. The monies received through this process will be used to enhance security for all the schools and the safety of all students.

CITY MANAGER'S REPORT:

City Manager Sorah reminded City Council of the Spring Nationals at Bristol Motor Speedway June 15th – 17th, and of the City Council Work Session on Tuesday, June 26th. The three Council members that were re-elected last year need to have the 12-hour utility financial training. There will be one of the three modules taught in Johnson City on June 28th or MTAS can be scheduled to provide on-site training. Sullivan NETWORKS Partnership will have their strategic planning session Thursday afternoon, June 21st and the morning of Friday June 22nd. There will be a Border Bash, Friday, June 15th in the 500 Block of State Street, and the Fourth of July Celebration will be in Cumberland Square Park.

Community Relations Director Terrie Talbert addressed Council concerning a flag retirement program. The Daughters of the American Revolution approached the City about the need for a depository for flags to be retired and properly disposed. A collection box will be dedicated in the Atrium of City Hall at 10 a.m. on June 14th, Flag Day.

CITY COUNCIL COMMENTS:

Vice Mayor Feierabend thanked Tammy Childress of the Bristol Herald Courier for media coverage of numerous Council meetings over the years and wished her well upon her resignation from the newspaper. Vice Mayor Feierabend applauded the summer programs reported by Dr. Lilly and commented there are additional summer activities available throughout city. She also thanked City staff for the budget meetings that were held to allow the public more involvement with the budget process. Vice Mayor Feierabend commented some of their grandchildren were

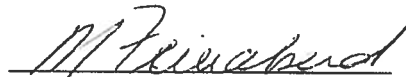
staying with them and they have enjoyed participating in various fun events in the area such as the Caterpillar Crawl and finding the Fairy Doors downtown.


Councilman Keen thanked City staff for all the efforts involved to present a balanced budget for the next fiscal year. He also expressed thanks to the Council for the comments, concerns, and cooperation of each one and for the leadership of City Manager Sorah and all the department heads. Councilman Keen then mentioned Andy Perry, a teacher at Anderson Elementary who passed away the day prior. He requested the family be remembered as they recover from the accident and during the difficult times ahead.

Councilwoman Powers expressed her thanks to Tammy Childress for the media coverage throughout the years. She also expressed her gratitude to Jack Young for his leadership as Mayor throughout the past year.

Mayor Young stated that he was reminded by Mr. Witcher's statements early in the meeting of some of the freedoms we enjoy, including freedom of the press and then he thanked Ms. Childress for her service. He also commented on, and encouraged everyone to take advantage of the various summer programs that are available in the community. He expressed thanks to all those involved that helped make the Job Fair and the Small Business Festival so successful. Mayor Young complimented the City of Bristol Virginia and the faith community of the area for support of the tent meetings being held in Bristol, Virginia and how he has been encouraged through their endeavors.

There being no further business, the meeting was adjourned at 8:54 p.m.


Mayor


Tara E. Musick, City Recorder