MINUTES OF THE CITY OF BRISTOL, TENNESSEE
CITY COUNCIL MEETING

August 6, 2019

CALL TO ORDER:
The City of Bristol, Tennessee City Council meeting was called to order by Mayor Margaret Feierabend on Tuesday, August 6, 2019, at 7:00 P.M. in the Slater Center Auditorium.

ROLL CALL:
Present: Mayor Margaret Feierabend, Vice Mayor Mahlon Luttrell, Councilman Chad Keen, Councilwoman Lea Powers, and Councilman Vince Turner.

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

INVOCATION AND PLEDGE OF ALLEGIANCE:
Jack Young, former Mayor, Vice Mayor, and Councilman, gave the invocation and Councilman Vince Turner, led the pledge of allegiance.

AGENDA ADDITIONS AND / OR CHANGES: None.

PROCLAMATIONS AND RECOGNITIONS:
National Farmers Market Week – Councilwoman Lea Powers read a proclamation designating August 4-10, 2019 as National Farmers Market Week. Mike Musick, Recreation Superintendent, was in attendance to accept the proclamation.

Bristol First Program Award – Public Works Crew, Mr. Greg Cotter, Mr. Robert Bebber, Mr. Caleb Russell, and Mr. Jonathan Baumgardner, of the Department of Development Services, were nominated for the Bristol First Award by Ms. Sheryl Richmond. She and her neighbors watch out for each other by paying close attention to neighborhood activity. As such, they noticed when the Public Works Crew began replacing the sidewalks along Georgia Avenue. Ms. Richmond noticed the great care these employees took to get their work done effectively and efficiently, working as a team, and demonstrating respect for the private property adjacent to their work site. She said the crew was polite and professional and took time to answer questions from area residents as they worked. When the project was complete, these four individuals carefully inspected their work and cleaned up around the work site. Then they went the extra mile removing hedge trimmings from Ms. Richmond’s yard and rolling her trash cart from the curb back to her home. This small gesture made a huge impact on Ms. Richmond and reminds us all how important our good deeds can be. Ann Dunham, Community Relations Digital Media and Communications Manager, presented the award.

PRESENTATIONS: None.
PUBLIC HEARINGS:

Mayor Feierabend opened the Public Hearing.

Ordinance 19-5 – An Ordinance to Amend the Zoning Map of Bristol, Tennessee by Designating Certain Property as M-2 (General Industrial) 1 Centre Drive

City Manager Bill Sorah explained Ordinance 19-5, which was approved last month on first reading, amends the zoning map for the City of Bristol, Tennessee to address the proposed rezoning of property located at 1 Centre Drive. The property is part of the estate of Francis L. Leonard which submitted the request for the property to be rezoned from B-3 (General Business) to M-2 (General Industrial District). The uses permitted are significantly different between the two zones. Production, manufacturing and warehousing uses as well as a variety of more intense uses are found in an M zone that are not permitted in a business zone. Staff presented this request to the Bristol Regional Planning Commission at their June 17th meeting and received a unanimous favorable recommendation. This ordinance is on the agenda later this evening for second reading consideration. The City Manager then requested Ms. Cherith Young, Planning Services Manager to present further details.

Ms. Young stated this request is to rezone the property from B-3 (General Business District) to M-2 (General Industrial District). She presented maps of the area including the current zoning and surrounding structures and properties. The uses permitted in the B-3 district allows more of the highway and commercial type businesses such as retail businesses, banks, funeral homes, dry cleaners, daycare, single family and two-family residences. The M-2 zone includes manufacturing and warehouse uses, coal yards, motor fuel stations, truck terminals, as well as a variety of more intense uses not permitted in the current B-3 zone and does not include single family and two-family residences.

Ms. Young showed portion of the Future Land Use Map which is one of the tools used by staff when making a recommendation to the Planning Commission. Given the location of the subject parcel and the surrounding zoning, staff feels the rezoning request is suitable in this situation. Staff also considered the policies of the City’s Future Land Use Plan. The policies state that we should sustain existing commercial areas while providing for adequate and compatible growth and expansion, and provide land and infrastructure to sustain and promote industrial growth. Given the observance of these policies included in the City’s Future Land Use Plan, staff feels this rezoning is suitable. The Planning Commission heard the request at their June 17th meeting and voted unanimously to forward a favorable recommendation.

There was no public comment on this item.

Mayor Feierabend closed the public hearing portion of the meeting.

APPEARANCE OF CITIZENS:

Keith Yonker, 231 Oakview Circle and owner of Angry Italian on 6th Street, expressed concern over sidewalks. It is great the City of Bristol is trying to improve things for business owners on 6th Street, but parking is a major problem on 6th Street. He is asking people not to park on 6th Street, but some are parking there anyway causing others to drive on the newly installed sidewalk. He will not install tables on the sidewalk until there is assurance no one will drive there. While there is a parking lot across the street, it contains many no parking / towing zone signs. Mr. Yonker feels it should have been brought to the attention of the citizens as to what exactly was going to happen. There was a forum / breakfast in January and he also attended a later meeting with Council when the consultants presented information.
He interacted with the consultants and gave them information at that time. However, he feels things should have been thought out more.

Lewis Foreman, 6 6th Street, said after 30 years he is the longest paying tenant in the Central Building. He expressed appreciation for the changes in downtown Bristol and thanked the local leaders and local government for the decisions effecting those changes. However, parking on 6th Street has always been a problem especially as the downtown has grown, and now is even worse. He feels removal of the parking spaces to increase the sidewalk area for café use has been detrimental to the 6th Street businesses. People are driving on the sidewalk and parking where they are not supposed to park. Delivery vehicles are parking with two wheels on the sidewalk causing other vehicles to try to drive around them. The good decisions made by the elected officials on behalf of the local businesses far outweigh the bad ones, but this decision was not one of the good ones. He wants the new sidewalk to be removed.

Trevor Leonard with The Answer at 32 6th Street said the sidewalk is pretty but took away several parking spaces. A few months ago, he addressed Council at one of the meetings concerning parking on 6th Street and marking tires. At that time he was told he could park next to the post office either in front of or beside the building as there was no time limit there. Last week, signs were installed giving a time limit. He was told parking would be addressed later in the year, such as fall or winter. Now, parking around the post office has been limited to two hours and a new sign installed today stating parking in timed spaces gives consent to the tires of that vehicle being chalked for parking enforcement. He believes this is a violation of his Fourth Amendment right. He also believes these signs make tourists feel unwelcomed.

Robert Pilk of Mountain Empire Comics at 31 6th Street has operated his business somewhere in downtown Bristol for over 35 years. Parking has always been the biggest problem for those 35 years. He feels as though the City should inform the business owners what the plans are before they are implemented. He wants the parking back and better communication.

Valentina Rose is owner and operator of Valentina’s Design and Alterations at 8 6th Street for almost 20 years. Prior to the sidewalk construction people had a hard time finding parking spots and now it is a disaster. She said everyone coming to her shop is asking what is going on and she tells them she does not know as no one spoke to her and there was no public hearing. She said now her customers run in and out of her shop quickly as they are illegally parked. She feels the signage is confusing and sidewalk change was not a good decision.

Don Quinn, has two businesses in the Central Building, Post Acute Consultants of Tennessee (medical billing company) and the Quinn Organization (a small business network and education center). The businesses along 6th Street have formed a nice little community. There is one café that may use the sidewalk a few days out of the year, no one really knows. There is a medical clinic also on 6th Street that work with emotionally challenged children and families, many of which are disabled and do not have the ability to walk from around the corner. It was more convenient for them to park and walk into the Central Building from 6th Street. He thinks everyone is upset because they did not know the plans. He requested someone either this evening or at a later date please explain the plans, where it originated, who approved it, and what the goal for 6th Street is.

As no additional citizens wished to speak, Mayor Feierabend welcomed and complimented the downtown and 6th Street community for their expressing their concerns. She said the City felt there has
been communication, but maybe not the type of communication that was needed to be effective. Questions concerning the 6th Street parking problem were anticipated for this evening and City staff prepared in advance to address the issue.

City Manager Bill Sorah began by stating this concept came from a downtown redevelopment study that commenced last summer. Throughout the fall of 2018, there were multiple meetings with stakeholder groups and the downtown community was invited to participate in them. There were a number of recommendations that came from the study, one of which was this type of restaurant / sidewalk café venue on 6th Street. There were a number of opportunities for public input during that process. There was also a downtown meeting in January, which Mr. Yonker referenced earlier, that addressed this particular project. As the City moved toward the project, the Community Relations Department prepared press releases and the Bristol Herald Courier printed at least two articles on the project and maybe more.

City Manager Sorah presented a slide from a design document showing the project concept. This was always scheduled to be a Fiscal Year 2020 – 2021 project. Any project in the downtown area is always difficult as it impacts parking, the lives of the individuals downtown, the flow of traffic, and the City also has to work around the various festivals that occur downtown. In order to advance the project, work had to commence in July. The sidewalk had to have time to cure to the appropriate level that would not be damaged by the deicing salt used for winter snow and ice removal in the downtown area. This takes several months. Items that have been ordered to help with some of the issues Mr. Yonker referred to are planter boxes, which will help delineate the travel way from the sidewalk, and poles for decorative lighting similar to what is in front of Blackbird Bakery on Piedmont Avenue which will also feature and help to further define the sidewalk area. These items are anticipated to be received later this month and installed prior to the Rhythm and Roots Festival. This as well as several other strategies were recommended for downtown with this being an element for 6th Street and it was designed to create an opportunity for sidewalk café utilization. In order to widen the sidewalk, the traffic transition was necessary. Hopefully, over time people will begin to see the benefit to our downtown.

Mayor Feierabend stated this project was not only for the immediate café situation, but thinking ahead for future vitality. She said the City would be happy to have more conversations. Maggie Bishop with Believe In Bristol was in attendance to hear concerns and help communicate. The Mayor encouraged everyone to give it a chance for a little while and then go from there. She realizes there are parking concerns and would like to see an inventory conducted of how many work and live downtown and how many long-term parking places there are. She would like additional information gathered beyond what has already been obtained.

**APPOINTMENTS:**

**Bristol Public Library Foundation** – City Council addressed the vacancy of one seat on the Bristol Public Library Foundation for a term of office ending June 30, 2022. Mr. Michael Webb was unanimously appointed to the Library Foundation to serve a term of office ending June 30, 2022.

**Power Board** – City Council addressed the vacancy of one seat on the Power Board. Mr. Douglas Harmon was appointed to the Power Board to serve a term of office ending June 30, 2023. The vote was a follows:
ORDINANCES AND RESOLUTIONS:

A. First Reading of New Ordinances:

Ordinance 19-6 – An Ordinance to Abandon Certain Portions of Tremont Avenue, Oakland Drive, and Adjacent Unnamed Public Alleys as Public Rights-of-Way (Middle School Expansion)

City Manager Sorah said this was a topic discussed at the Council work session last week and deals with the abandonment of four public rights-of-way to facilitate the advancement of the new middle school. This involves Tremont Avenue, Oakland Drive, and two alleyways. This item is presented to Council this evening on first reading. If it is approved, then next month there will be a public hearing and a second reading. It was presented to the Bristol Regional Planning Commission at their July 15th meeting and received unanimous approval for recommendation of abandonment.

David Metzger, Transportation Engineer, provided additional information by presenting a map showing the location of the four public rights-of-way and the adjacent properties that are already municipally owned. Some of those properties are existing school properties, some are for other purposes such as the housing authority, and twenty-one (21) of the residential properties were those recently acquired by the City for the new middle school project. These properties fully encapsulate the four public rights-of-way within the block which are one block of Tremont Avenue, one block of Oakland Drive, and two sections of public alley within the block. As the City is the sole adjacent property owner, no additional input was required from adjacent properties concerning this ordinance. The abandonment is necessary to advance the project for expanding the middle school and the associated construction.

Mr. Metzger explained an unusual point with this abandonment in comparison to other abandonment ordinances is typically with a right-of-way abandonment there is a blanket easement for stormwater and utilities making the whole former right-of-way an easement. In this particular case, the individual easements will be dictated by the requirements of the new middle school as some of the footprint of the new building will be on top of where the rights-of-way are now.

The City’s ability to abandon a right-of-way is exclusive of the City’s ability to physically close the roadway. These roadways have been physically closed since the end of June for work zone safety as demolition of these properties continued. As previously stated by City Manager Sorah, this item was presented to the Planning Commission at their July meeting and they unanimously recommended approval of the abandonment ordinance.

Councilwoman Powers made a motion to approve the ordinance on first reading and Councilman Turner seconded. The motion passed unanimously by roll call vote.

Ordinance 19-7 – An Ordinance to Amend the Access Control Standards Section of the Zoning Ordinance

City Manager Sorah said this was also discussed briefly at the Council work session last week. This is part of the plan of work for the Planning Commission and the staff of Development Services as they
have been working through various amendments to the zoning ordinance. The impetus for this change was developed through an appeal to the Board of Zoning Appeals earlier this year. The current access control regulations allow a maximum width of 20 feet for a driveway connection to the public street. An individual in error had constructed a driveway with a width of 24 feet and as a result, requested a variance. Staff has concluded that expanding the width of the driveway access from 20 feet to 24 feet would not create an unsafe condition or be detrimental to the purpose of the regulation. In researching the request, staff found other communities allowed 24-foot width. The proposed amendments were presented to the Planning Commission and unanimously approved by them at their July 15th meeting. The process for this ordinance is the same as Ordinance 19-6.

Jacob Chandler, City Engineer, further detailed the ordinance request. Over the last few months, a couple of cases were presented to the Board of Zoning Appeals where some property owners constructed their driveways in excess of the 20-foot standard currently in the ordinance. As such, the Board recommended staff look at the current ordinance. Staff looked at the standards for several communities including the Tennessee Department of Transportation and the Virginia Department of Transportation. One of the resulting recommendations is to change the driveway with from 20 feet to 24 feet. Staff then looked at that section in its entirety to see if further improvements could be made. One improvement is under Section 6A to clarify that this section of the ordinance applies to the driveway only inside the public right-of-way. Once the property owner is off the public right-of-way onto private property, the width can be widened beyond 24 feet as necessary for turning movements. The second improvement deals with circular, or U-shaped driveways. If it is a single driveway, the maximum width is 24 feet. However, if it is a circular driveway the combined width is also 24 feet so the maximum driveway width is 12 feet. In addition, for safety and access issues the distance between the two entrances should be at least 30 feet. The table has also been revised to include the access way for single family duplex uses, which increases the maximum driveway width to 24 feet. At the July Planning Commission meeting they voted unanimously to forward a favorable recommendation to City Council for adoption of the revised ordinance.

As there were no questions, Vice Mayor Mahlon Luttrell made a motion to approve the ordinance and Councilwoman Powers seconded. The motion passed unanimously by roll call vote.

B. Adoption of Ordinances (Second Reading):

Ordinance 19-5 – An Ordinance to Amend the Zoning Map of Bristol, Tennessee by Designating Certain Property as M-2 (General Industrial) 1 Centre Drive

The details of this ordinance were presented during the public hearing earlier on this agenda. Councilman Turner motioned to approve Ordinance 19-5 and Councilman Chad Keen seconded. As there was no further discussion, a roll call vote was taken and the ordinance passed unanimously on second reading.

CONSENT AGENDA:

City Manager Sorah presented the Consent Agenda to Council. Councilwoman Powers made a motion for approval and Vice Mayor Luttrell seconded the motion. The following items were approved by unanimous Council roll call vote:

- Minutes July 9, 2019 City Council Meeting
- Minutes July 29, 2019 Called City Council Work Session
Minutes

Resolution 19-82 A Resolution Approving a Grant Agreement with the Tennessee Department of Transportation for Transit Operating Assistance

Resolution 19-83 A Resolution Authorizing Participation in the PEP “Safety Partners” Matching Grant Program

Resolution 19-84 A Resolution Awarding a Bid for Ambulance Cot and Mounting System

Resolution 19-85 A Resolution Authorizing the City to Enter a First Amendment to a Lease Agreement with Tenneva, LLC

Resolution 19-86 A Resolution Authorizing the Use of Public Property and Public Right-of-Row for Temporary Service of Beer

Resolution 19-87 A Resolution Designating Members of the City Council to Serve on City Boards and Quasi-Municipal and Non-Municipal Agencies

Resolution 19-88 A Resolution Awarding a Bid for Fairmount Elementary School Sidewalk Pending TDOT Concurrence

Resolution 19-89 A Resolution Authorizing Entry into an Engineering Services Agreement for Fairmount Elementary School Sidewalk Project

Resolution 19-90 A Resolution Authorizing Entry into an Engineering Services Agreement for Bluff City Highway Sidewalk Design

Resolution 19-91 A Resolution Authorizing Entry into a Commercial Lease Agreement for Office Space with City Centre, LLC

BOARD OF EDUCATION LIAISON REPORT:

Dr. Annette Tudor, Interim Director of Schools, mentioned the new school year began this week and they welcomed almost 4,200 students for the first half-day yesterday. She thanked the Bristol Tennessee Police Department for their assistance with traffic control around the Vance Middle School. The system has made some adjustments based on the support and feedback of the Police Department and hope the traffic situation will be a little smoother tomorrow. A diagram of traffic patterns is on the school website along with suggested flow for families to drop off and pick up. The afternoon dismissal procedures have been adjusted, including bus traffic at Tennessee High School, to help resolve issues with dismissal that occurred yesterday. School construction is making progress and a blog has been established on the school website. Residents in the area have been encouraged to give the school their cell phone number so the school system can send text messages of immediate construction updates giving advance notice of things such as blasting. The efforts to keep residents in the immediate area informed has received positive feedback. The director of the Career Technical Education (CTE) program applied to the state for grants for CTE opportunities. The school system has been awarded $60,000 in grant monies
consisting of $10,000 to start CTE programming in the middle school and allow for professional development opportunities for the middle school teachers; $35,000 for equipment at the high school which will focus on precision measuring instruments; and $15,000 for industry certifications which is used to help pay for student certifications so they do not have to incur that cost. The new school calendars are now available.

Councilwoman Powers asked Dr. Tudor if the school enrollment of approximately 4,200 indicated any change when compared with prior years. Dr. Tudor said this number showed a slight increase. They typically do not see a significant increase but rather a more steady increase. The high school numbers are higher overall this year than in previous years.

CITY MANAGER’S REPORT:

City Manager Sorah reminded Council of the following dates:

- August 7th – State of the Cities Luncheon at 11:30 a.m. at the Bristol Train Station
- August 14th-17th – Race Week, with Food City Family Race Night returning to downtown on Wednesday, the 14th; Thursday, the 15th is the Truck Race; Friday, the 16th is the Food City 300; and Saturday, the 17th the NRA Bass Pro Night Race
- August 27th – Council Work Session at 5:30 p.m. in the Annex
- August 28th – Chamber of Commerce Legislative Luncheon is 11:30 a.m. in the Bristol Train Station and is an opportunity for local officials to engage our state delegation for both Tennessee and Virginia
- September 10th – Regional Economic Forum (sponsored by ETSU) 9:00 a.m. until Noon at the Millennium Center in Johnson City

CITY COUNCIL COMMENTS:

Councilman Turner attended the National Night Out earlier in the evening and thanked the Police Department for hosting the event.

Councilwoman Powers mentioned upcoming events with Believe In Bristol and Bristol Country Music in addition to the races and that additional information is on each of the respective websites. She said it is good to see children going back to school and exciting things are going on with economic development. She expressed her appreciation for incredible staff across the board.

Councilman Keen expressed thanks to all the board members and volunteers and mentioned the large number of people it takes to serve on all of the boards and commissions. He talked about the huge task it was for staff to establish the Bristol First Award and how it helps recognize one of the main points for the Council which is the customer service provided by City employees. He thanked the recipients of the award earlier in the evening for their service to the community. Parking is a problem in downtown areas across the nation. Bristol is trying to address our parking problems and it will be an ongoing discussion. Many different forms of communication are utilized by the City, but we need to explore different options to help ensure the masses are informed of what is going on.

Councilwoman Powers thanked the persons that came out to speak with Council. She then talked about the 6th Street parking situation and mentioned the Downtown Study. Parking will eventually be forced to the outer perimeter and the 6th Street area was seen as a potential pedestrian walkway and attractive thoroughfare that would help draw people to the City’s epicenter. The study was conducted to help
address current situations while also thinking in terms of future growth. This was the intent of Council, but there needs to be some improvement in communicating that intent to the public.

Mayor Feierabend commented on the quick response to the severe storms that hit some parts of town last week. In regard to national news, thoughts, prayers, and hearts go out to Dayton, Ohio and El Paso, Texas and she expressed appreciation to our City employees for what they do every day to help protect the community and be ready to respond to any situation. Be mindful of school traffic and plan ahead. Changes are coming up that are fairly significant—6th Street and Bluff City Highway sidewalk project design—and will make a huge difference in what these areas look like and how they function and we will strive to find better ways to communicate that information. She was asked to attend a VFW celebration on Saturday evening for a recognition. It was very nice and she would like them to present the recognition at the September meeting. There will be a Tennessee Department of Transportation conference in September in Knoxville and the pre-conference will have discussion about rail transportation.

There being no further business, the meeting was adjourned at 8:11 p.m.

Tara E. Musick, City Recorder

Margaret Feierabend, Mayor