

MINUTES OF THE CITY OF BRISTOL, TENNESSEE CITY COUNCIL MEETING

October 3, 2023

CALL TO ORDER:

The City of Bristol, Tennessee City Council meeting was called to order by Mayor Vince Turner on Tuesday, October 3, 2023, at 7:00 P.M. in the Slater Center Auditorium.

ROLL CALL:

Present: Mayor Vince Turner, Vice Mayor Mark Hutton, Councilwoman Margaret Feierabend, Councilman Mahlon Luttrell, and Councilwoman Lea Powers.

Others Present: City Manager Kelli Bourgeois, City Attorney Danielle Smith, City Recorder Mary Lee Williams, Director of Community Development and Planning Cherith Young, Director of Finance Hollie Verran, Fire Chief Mike Carrier, Assistant Fire Chief David McGlamery, Director of Community Relations Jon Luttrell, Director of Parks and Recreation Terry Napier, IT Manager Greg Cross, Director of Economic Development Tom Anderson, Director of Utility Services Will Witcher, and other members of City staff.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Vice Mayor Mark Hutton gave the invocation and Councilman Mahlon Luttrell led the pledge of allegiance.

AGENDA ADDITIONS AND / OR CHANGES: None

PROCLAMATIONS AND RECOGNITIONS:

Celebrate Babies Week – Councilwoman Margaret Feierabend read a proclamation designating October 16-20, 2023 as Celebrate Babies Week. Kathleen Arwood, Community Liaison with the Association of Infant Mental Health in Tennessee (AIMHiTN), was in attendance to accept the proclamation. Ms. Arwood thanked Council for the recognition and presented an overview of AIMHiTN, the resources they provide, and Celebrate Babies Week.

National Domestic Violence Awareness Month – Councilwoman Lea Powers read a proclamation designating October 2023 as National Domestic Violence Awareness Month. Branch House Navigators Indya Scalf and Margaret Barr were in attendance to accept the proclamation. They thanked Council and the City for the recognition and gave a brief overview of the Branch House and the services they provide to victims of domestic violence in our community.

Fire Prevention Week – Vice Mayor Hutton read a proclamation designating October 8-14 as Fire Prevention Week. The theme this year is “Cooking Safety starts with you”. Assistant Fire Chief David McGlamery was present to accept the proclamation. He thanked Council for the recognition and gave a brief overview of planned community awareness events.

Community Planning Month – Councilman Luttrell read a proclamation designating the month of October 2023 as Community Planning Month in Bristol. Director of Community Development and Planning Cherith Young accepted the proclamation and thanked Council and the City for the recognition. She acknowledged the planning staff, members of the Planning Commission and Board of Zoning

Appeals, and other members of City staff that work cooperatively together as they seek to strengthen the community, expand opportunity, and promote good development.

PRESENTATIONS: None

BOARD OF EDUCATION LIAISON REPORT:

Director of Schools Dr. Annette Tudor reminded everyone that October is National Principals Month, and she recognized all the principals of the Bristol Tennessee City Schools (BTCS). She mentioned they are seeking two sets of volunteers, one for Tennessee Promise Mentors which help seniors navigate the process of getting into college, and the other for Reading Buddies for kindergarten and first graders at all the elementary schools. She thanked the Bristol Tennessee Police Department for volunteering as Reading Buddies. October 7th is the 71st Annual Music in the Castle with 35 bands competing. This year the BTCS are funded through a new state funding model called TISA and beginning with the 2023-2024 school year, BTCS must submit their main goals to the state along with how TISA funding is being utilized to accomplish those goals. BTCS must seek public input by November 1st. The information is posted on the BTCS website along with their top five goals and forms for public feedback.

PUBLIC HEARINGS:

Annexation Plan of Services for Fox Meadows – Six-Month Report

Director of Community Development and Planning Cherith Young mentioned this is a six-month Plan of Services Report for the City's most recent request for annexation. This was for a strip of land approximately 45 feet long and 1.25 acres of Fox Meadows that was annexed in March 2023. The City is required to report and have a public hearing per Tennessee Code Annotated (TCA) on the status of the Plan of Services at six-month intervals following the effective date of the annexation. Most City services were available on the effective date of annexation with exception of the sanitary sewer service which was to be provided by the project developer and is currently underway. She anticipates being able to report that phase is complete with infrastructure at the one-year mark.

There were no comments, and the hearing was closed.

Ordinance 23-10 – An Ordinance to Amend the Zoning Map of Bristol, Tennessee by Designating Certain Property as R-3 (Multifamily) – 1517 5th Street

Director of Community Development and Planning Cherith Young stated staff received a rezoning request from the property owner, Mr. Dean Beckman, who was in attendance. The request is to rezone from R-1A (Low-Density Single Family) to R-3 (Multifamily). The property is currently vacant and is approximately .66 acres in size. Ms. Young presented maps of the subject parcel and surrounding properties and the current zoning of each. The vacant lots to the west have been zoned for low-density single-family housing and are owned by Realife Church. The City garage is located to the south and the adjoining properties to the east are also owned by the City.

Ms. Young gave a quick summary of the allowed uses for R-1A and R-3 zones. If approved, the owner plans on constructing a quadplex in hopes of providing additional housing for the area. The City Future Land Use Map indicates the area will be developed as industrial. Staff analysis concludes that the rezoning would be an appropriate land use due to the abutting medium-density residential properties across the street.

As of this date, one comment letter has been received in favor of the rezoning, there have been no objections and there was no public comment during the Planning Commission meeting.

During their meeting on August 22nd, the Planning Commission voted unanimously to send a favorable recommendation to the City Council on the rezoning request.

There were no comments, and the public hearing was closed.

APPEARANCE OF CITIZENS:

Ron Kirk, 175-B Robinson Walk, expressed concern about curbs being almost level with the pavement on many of the main streets in town. He cited an example of Pennsylvania Avenue from Anderson Street to Maple Street. The paving is good, but the weeds growing between the asphalt and the curbs are out of control and it is not in isolated blocks. The curbs are cracked and deteriorated. Virginia Avenue looks good, but from Maple Street to the construction site the curbs are terrible and have been overgrown by weeds and grass. He thinks the curbs on Edgemont Avenue near the track on the street sides are embarrassing, but the medians look great. We have a lot of visitors to the area and these issues on the main thoroughfares like Pennsylvania and Virginia Avenues are embarrassing. He understands budgeting issues and the secondary streets could be addressed later, but the heavily traveled streets should be addressed now. He also asked if there are codes or requirements for how commercial buildings and homes should look and mentioned the old Mitchell Powers building. He would like to see our City continue to look better.

George Linke, 307 Rutledge Street, gave an update on the progress of grants for the skate park. The skate group is working on various other grants but needs a design to submit for one of them. The group is planning to work with a skateboard company to obtain skateboards and safety equipment to give as Christmas presents to children from single parent and distressed households. They are also working on fundraisers.

APPOINTMENTS:

Board of Zoning Appeals – City Council addressed the vacancy of two seats. Mayor Turner spoke on behalf of both candidates. Councilwoman Feierabend clarified that Mr. Goforth would like to be considered for a new term and Mr. Luttrell would like to be considered for the unexpired term which would be her preference as well. Mayor Turner asked if the other Council members agreed, and they concurred. The appointments were made by unanimous roll call vote as follows:

Dustin Goforth was appointed to serve a term of office ending September 30, 2028 and Mahlon Luttrell was appointed to serve an unexpired term of office ending September 30, 2025.

Community Development Advisory Committee – City Council addressed the vacancy of one seat. Mayor Turner stated he was unable to speak with any of the three candidates and therefore will not be voting. Councilman Luttrell spoke on behalf of all three candidates. Councilwoman Feierabend expressed her appreciation for the three candidates and was pleased to see there were three applicants for one seat. The vote was as follows:

Councilwoman Powers	Megan Parks
Vice Mayor Hutton	Gwendolyn Pugh
Mayor Turner	No vote
Councilman Luttrell	Megan Parks
Councilwoman Feierabend	Megan Parks

Megan Parks had the three requisite votes and therefore was appointed to serve an unexpired term of office ending April 30, 2024.

ORDINANCES AND RESOLUTIONS:

A. First Reading of New Ordinances:

Ordinance 23-11 – An Ordinance to Amend Chapter 2 (Administration), Article V (Finance), Division 2 (Purchasing Regulations) of the Code of Ordinances as it Relates to Purchasing

City Attorney Danielle Smith explained this is basically a clean-up ordinance. Currently our City Code provides the limit for purchases on the open market to be made without competitive bidding and without public advertisement is \$4,000. Consistent with the revised purchasing regulations staff will be asking for Council to approve under the Consent Agenda, staff is requesting Council amend the ordinance to raise that limit to \$25,000 which is what the new regulations would say. Currently the Purchasing Policy allows for competitive bidding and public advertisement for purchases over \$10,000 so there is a disconnect between what the ordinance says and the Purchasing Policy that Council also adopted by ordinance in earlier times. This amendment will make the City Code consistent with the regulations themselves.

Councilman Luttrell motioned to approve Ordinance 23-11 and Vice Mayor Hutton seconded. The ordinance passed by unanimous roll call vote.

B. Second Reading of New Ordinances:

Ordinance 23-10 – An Ordinance to Amend the Zoning Map of Bristol, Tennessee by Designating Certain Property as R-3 (Multifamily) – 1517 5th Street

This item was summarized during the public hearing earlier this evening. Councilwoman Lea Powers motioned to approve, and Vice Mayor Hutton seconded. Ordinance 23-8 passed unanimously by roll call vote.

C. Resolutions:

Resolution 23-125 – A Resolution Committing to Funding for Improvements to the Bristol Tennessee Municipal Stadium (the “Stone Castle”)

City Manager Kelli Bourgeois stated that at the August and September work sessions a request by the Bristol Tennessee City Schools (BTCS) was presented to Council for funding in the amount of \$600,000 to help complete the Stone Castle improvement project. The attached resolution is the commitment to provide \$600,000 to BTCS toward the renovations of the Stone Castle. This was presented at the August work session with additional discussion at the September work session during which Council agreed in theory to issue installments of \$200,000.00 per year for three years to cover the \$600,000 total request. Those payments would be made in Fiscal Years 2024, 2025, and 2026. Within that discussion at the September work session, there was also discussion about needing to establish a Memorandum of Understanding (MOU) between the schools and the City regarding use of the Stone Castle facility as well as Viking Hall. Although the \$600,000 is not conditioned upon the MOU, it is a requirement within the resolution that we enter into that MOU. She and Dr. Tudor will establish the MOU language to be brought to Council and the school board at upcoming meetings. Both the installments and the MOU are included in Resolution 23-125, and it authorizes payments totaling \$600,000 over the next three-year period with installments of \$200,000 each year.

Vice Mayor Hutton motioned to approve the resolution and Councilman Luttrell seconded. The resolution passed by unanimous roll call vote.

Resolution 23-126 – An Initial Resolution Authorizing the Issuance of Not to Exceed Ten Million Dollars (\$10,000,000) General Obligation Bonds of the City of Bristol, Tennessee

The City Manager reviewed this discussion has occurred over a number of months beginning with budget discussion in April and May. This would provide the second step in allowing City Council to authorize up to \$10,000,000 in new General Obligation Bonds for capital projects. Staff is still working on identifying all of those projects with the funding that will be allocated, which will be discussed in the next resolution. This resolution satisfies the twenty-one-day public notification requirement for issuance of debt. It does not obligate the City Council to issue any debt but just keeps the process moving so Council can continue to analyze this as an option.

Councilwoman Powers stated as this resolution does not obligate the City and allows for further discussion, she motioned to approve the resolution and Councilwoman Feierabend seconded.

Vice Mayor Hutton realizes this resolution keeps things moving, but he is concerned because the projects to be funded are unclear and there are questions about what the City will be able to do as well as the associated costs. His understanding of the baseball project was it would be a multi-use facility for the City, the State Liners, and the school system, but Dr. Tudor has indicated the school may continue to use their existing facility. He wants further discussion about projects, costs, and a deliberate conversation with City staff to express clear guidelines as to the desire of Council for which projects, and when and where they are to take place. He is concerned about the need to raise property taxes. He would like to table this motion to allow for further conversation even though it may delay the process or prevent Council from issuing bonds this year or possibly eliminate some of the projects Council wanted to do. He would like to table this resolution as well as make a motion to table Resolution 23-127 until there can be further discussion.

Mayor Turner reiterated there is currently a motion and a second and asked if there was other discussion on this item. Vice Mayor Hutton restated he requested an amendment to the current motion to table Resolution 23-126 and made a motion to table Resolution 23-127. The City Attorney said the motion to table has to be decided before moving back to the main motion and also requires a second. The motion to table Resolution 23-126 did not receive a second.

Councilwoman Powers shares the concerns of Vice Mayor Hutton, but she has tried to reconstruct what Council historically said about how they were going to approach this. She agrees that before going into bond indebtedness, there needs to be a clear path forward. There were items to be covered by the reserve fund that were never intended to be covered by the reserve fund such as the Fire Station 2 construction, the ladder truck, the pump trucks, or the knuckleboom as these are infrastructure items. The City is considering the purchase of property to relieve pressure on the current Municipal Garage situation which has been there since 1971. All of these are infrastructure items. These items were discussed at length, but then COVID occurred, and the American Rescue Plan (ARP) money was received. The Council discussed that our community was lacking in amenities that were available in surrounding communities. Council felt the ARP funds could help to provide additional amenities. She feels going from a tax rate of \$2.16 to \$1.98 would cause the City to walk in place instead of giving the forward momentum that the City had at that point in time.

Councilwoman Powers has also considered the change of administration and with any transition of administrations there are challenges. Putting together this past year's budget was one of those challenges. A budget was put together so the City could continue to move forward, but knowing they had loaded the reserve fund with items that should have been bonded to begin with. While they were not asked to bond these items, their current costs now have the potential to decimate the reserve fund and keep things walking in place even longer. While not a proponent of raising taxes for no reason, she is a proponent of seeing to it the City is funded and she is in favor of moving this process forward realizing that if other project costs come back that are unaffordable, they are unaffordable. Period. But the essential projects and the essential equipment pertaining to fire and safety, public safety, and infrastructure are all very worthy of being bonded. She supports giving the City the opportunity and the time to move forward the best way possible. There are other projects for which the costs are not yet available. To approach bonding very pragmatically and to consider the bond for those specific items relieves the pressure on the reserve fund. Council and the City have worked very hard over the years to build up the reserve fund and she feels something needs to be done to relieve some of the pressure.

Councilwoman Feierabend is comfortable with moving ahead with this resolution. It does not commit Council but does give time to get more plans in place and a better understanding of where we will land. She feels there are a lot of things going on in Bristol and there have been a lot of changes post-COVID. There have been changes in the labor market and the supply chain that have not changed back and some never will. The results of all of this are what we are dealing with now.

Resolution 23-126 passed by a roll call vote of four to one with Vice Mayor Hutton casting the 'no' vote.

Resolution 23-127 – A Resolution Authorizing the Issuance of General Obligation Bonds of the City of Bristol, Tennessee in the Aggregate Principal Amount of Not to Exceed \$10,000,000, in One or More Series; Making Provision for the Issuance, Sale and Payment of said Bonds, Establishing the Terms Thereof and the Disposition of Proceeds Therefrom; and Providing for the Levy of Taxes for the Payment of Principal of, Premium, if any, and Interest on the Bonds

Mayor Turner entertained a motion to postpone consideration of this item until the November 7, 2023 Council meeting to allow staff to do additional research and provide the information requested by Council. This resolution is to authorize issuance of the General Obligation Bonds. Vice Mayor Hutton motioned to postpone Resolution 23-127 to the November 7th meeting and Councilwoman Powers seconded.

Councilwoman Feierabend asked if postponing this resolution to November for consideration would create the need for a called meeting. City Manager Bourgeois said postponing it until November would not push the bond issuance out. There may still be a need for a called work session to get the details and projects budgets, but this postponement does not affect the timeline.

Mayor Turner suggested that any items for the October work session possible be postponed to the November work session to allow ample time to discuss the bonding issue. Councilwoman Powers agreed. She continued by saying the City is still in a period of transition. This has been monumental, and Council needs to be prepared between now and November 7th to be as available as possible to work through this and do whatever needs to be done. It is possible for Council to decide not to proceed with issuing bonds.

Councilman Luttrell mentioned he will probably be unavailable on November 7th.

Councilwoman Powers asked Counsel how much time would be necessary to give appropriate public notice if they need a called meeting. The City Attorney replied the law is not very clear, but she suggested at least one week's notice.

The motion to postpone Resolution 23-127 to the November 7th Council meeting passed by unanimous roll call vote without further discussion.

CONSENT AGENDA:

The City Manager presented the Consent Agenda to Council. Councilman Luttrell motioned to approve, and Councilwoman Feierabend seconded. The following items were approved by unanimous Council roll call vote:

- Minutes September 5, 2023 City Council Meeting
- Minutes September 26, 2023 City Council Work Session
- Resolution 23-128 Authorizing Acceptance of a Time Extension Supplement to a Professional Services Agreement with Mattern & Craig (East Cedar Improvements)
- Resolution 23-129 A Resolution Authorizing Payment to Troutman Pepper Hamilton Sanders LLP for Legal Fees
- Resolution 23-130 Authorizing Entry into a Memorandum of Understanding Related to the Bristol Public Library
- Resolution 23-131 Awarding a Bid to Complete Closure of the Bristol Tennessee Demolition Landfill Area IV
- Resolution 23-132 Authorizing Purchase of Sanitary Sewer Cleaner Truck Through Sourcewell, a Cooperative Purchasing Association
- Resolution 23-133 Approving Amended and Restated Purchasing Regulations for the City of Bristol, Tennessee
- Resolution 23-134 Authorizing Purchase of a 2024 Ford Explorer Under the State Contract for Fire Administration
- Resolution 23-135 Approving a Grant Agreement for Federal Emergency Management Agency Hazard Mitigation Funding for Emergency Generator for Fire Station #3
- Resolution 23-136 Authorizing Acceptance of the 2023 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Award

CITY MANAGER'S REPORT:

City Manager Bourgeois reminded everyone the pickleball groundbreaking is tomorrow at 11:00 A.M. at the Bristol Sportsplex. This was her first September in Bristol, and she expressed it was incredibly impressive what this City can pull off with all the huge events. Kudos to all the City departments for making everything run so smoothly.

CITY COUNCIL COMMENTS:

Councilwoman Feierabend mentioned Wildlife Weekend is Friday, October 13th through Saturday October 14th and referred people to the City website for additional information. She also mentioned Fire Prevention Week activities.


Councilwoman Powers gave a shoutout to the Tennessee Vikings for the football win last week. This is a very busy City and staff along with all of Council are doing everything they can to keep things moving in the right direction. They spend a lot of time studying all of this and none of it is taken lightly. She expressed appreciation to all the Council members for working diligently to keep things moving forward.

Councilman Luttrell said it was exciting to hear about the return of Music in the Castle. He made the request to bring back the Band Festival where every band marches downtown then heads to the Castle for the competitions. He suggested Council consider bringing that back as it was a huge tourism draw. Councilwoman Feierabend added she would like to see a community band with our graduates participating. We would like music for the Fourth of July Parade, but the schools are out, and a community band could provide music with people in town for the holiday and vacations. There are other events where a community band could participate. It would take a lot of work and volunteers are needed to get it started, but we are a community that ought to be able to do this. Look at our history.


Councilwoman Powers mentioned Believe In Bristol will be hosting our first Halloween Parade and the Pumpkin Palooza will be downtown on October 28th. Councilwoman Feierabend commented the Farmers Market season will end this month on October 28th as well.

Councilman Luttrell continued his comments by expressing his appreciation to all of staff for their hard work and acknowledged Commissioner David Akard for being in attendance.

There being no further business, the meeting was adjourned at 8:04 P.M.



Mary Lee Williams, City Recorder



Vince Turner, Mayor