

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

**February 2, 2016**

**CALL TO ORDER:**

The City of Bristol, Tennessee City Council meeting was called to order by Mayor Lea Powers on Tuesday, February 2, 2016, at 7:00 p.m. in the Slater Center Auditorium.

**ROLL CALL:**

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

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:**

Pastor Dale Wright gave the invocation, and Mayor Powers led the pledge of allegiance.

**AGENDA ADDITIONS AND/OR CHANGES:** None.

**PROCLAMATIONS AND RECOGNITIONS:**

**Bristol First Program** – Tim Arnold, Public Works Department, received recognition through the Bristol First Program based upon a citizen nomination for the return of personal items that would have been accidentally disposed of by the citizen if not for his assistance.

**PRESENTATIONS:**

**First Tennessee Development District** – Mr. Mark Stevens, Director of Special Projects, presented the past 50 years of activity of the First Tennessee Development District. Councilwoman Denise inquired as to what efforts were being done to control prescription drug abuse. He discussed plans and projects currently underway to combat use in the workplace. She stressed the importance of programs in the public school system.

**Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2015** – Mr. Matt Hill, Partner at Mauldin and Jenkins, LLC, addressed Council concerning the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2015.

Mr. Hill stated that the audit had not been concluded due to delay in the issuance of the Comprehensive Annual Financial Report of Bristol Tennessee Essential Services for the same period. He discussed the current status of the City's audit and the existence of an open and cooperative relationship between the audit firm and staff. He presented several ratios and graphs noting positive key financial data. Mr. Hill also noted areas of improvement in capital asset tracking and administration of the HOME Consortium Grant.

**PUBLIC HEARINGS:** None.

**APPEARANCE OF CITIZENS:**

Jordan Gregory, 104 Henry Anna Lane and senior at Tennessee High School, spoke in favor of amending the animal control ordinance, He presented a petition with 1,589 signatures, inclusive of 1,206 signatures of City residents, to support the animal's release from a chain at least daily, standards related to proper enclosures, and standards related to extreme weather conditions.

**APPOINTMENTS:**

**Power Board** – City Council addressed the vacancy of one seat on the Power Board for an unexpired term ending June 30, 2019. Mayor Powers stated that Bristol Tennessee Essential Services (BTES) provides 3.5% of the revenues for her business and excused herself from the vote. The City Attorney is reviewing the matter to determine if a conflict in future votes but she wanted to err on the side of caution in the interim. Vice Mayor Keen stated that his business also conducts business with BTES. However, the amount is minimal and he has been that there is no conflict. Councilwoman Feierabend stated that it is good to have a choice and spoke in favor of Gary McGeough. Councilwoman Denise serves on the Power Board and stated that she would vote none of the above. The votes were as follows:

Councilwoman Denise	None of the above
Councilman Young	Ronald Grubbs
Vice Mayor Keen	Gary McGeough
Councilwoman Feierabend	Gary McGeough

The position requires three votes in favor of the applicant to fill. Due to lack of three votes for any applicant, the vacant position remained open.

## **ORDINANCES AND RESOLUTIONS:**

### **A. First Reading of New Ordinances:**

#### **Ordinance 16-1 – An Ordinance to Amend Chapter 6 of the Code of Ordinances Relating to Alcoholic Beverages by Providing for Retail Food Store Wine Licenses, Amending the Definition of Beer, and Amending Section 6-76 Relating to Certificates of Compliance**

City Manager Sorah presented this item to City Council. As discussed during City Council's work session on January 19<sup>th</sup>, the Tennessee General Assembly, in 2014, granted grocery stores the ability to sell wine provided a local referendum was held approving such sales. The City of Bristol held this referendum on November 4, 2014, and the measure was approved. Grocery stores may commence the sale of wine on July 1, 2016. Prior to receiving a license from the Tennessee Alcoholic Beverage Commission to sell wine, grocery stores must first obtain a certificate signed by the Mayor. The certificate must state that the responsible applicant for the business has not been convicted of a felony within the past ten years. The certificate must also state that the applicant's business location complies with the local zoning ordinance. While the sale of wine in grocery stores remains several months away, we do anticipate the license application process to commence soon. This process will require an amendment to our existing alcoholic beverage ordinance.

The 2014 General Assembly also changed the definition of beer from a beverage having an alcohol content of no more than 5% to a beverage having an alcohol content of not more than 8%. The effective date of this change was established as January 1, 2017. The effect of this legislation is that retailers will be able to sell beer with an alcohol content of not more than 8% in 2017. The existing beer ordinance defines beer as having an alcohol content of not more than 5%. Consequently, the new definition of beer will require an amendment of the City's alcoholic beverage ordinance in order for the Beer Board to have jurisdiction over all beer sales.

Ordinance 16-1 amends Chapter 6 of the Code of Ordinances to comply with the actions of the General Assembly. In addition, an amendment to Section 6-76 is proposed to delete an existing list of specific materials required of applicants for a license to operate a retail liquor store. The new language will state that applicant must submit such information as required by the City Manager or T.C.A. Title 57, Chapter 3, Part 2, as amended. This action will allow changes in the application process.

City Manager Sorah clarified for Vice Mayor Keen that this is a housekeeping matter only. Councilman Young added that in an earlier election that City voters voted in favor of this change and this matter was to clean up records only.

Vice Mayor Keen moved to approve the resolution, and Councilwoman Feierabend seconded the motion. The motion passed by a unanimous roll call vote.

**Ordinance 16-2 – An Ordinance to Amend Chapter 10 of the Code of Ordinances Relating to Animals**

City Manager Sorah presented this item to Council. At the November 2015 City Council work session, Council received a report from Chief Wade regarding the impact of 2014 amendments to Chapter 10 of the Code of Ordinances. In addition, Council heard from a local veterinarian regarding animal health care concerns. Following this discussion, City Council requested staff to research how other cities were addressing the definition of extreme weather and animal enclosure sizes in their animal control ordinances. At the January 19th City Council work session, Ms. Danielle Kiser presented several examples of how cities within the State of Tennessee and the surrounding region had addressed the two concerns in their animal control ordinances. Following Ms. Kiser's presentation and Council discussion, Council directed staff to prepare an amendment to Chapter 10 of the Code of Ordinances that would require all animals to be provided adequate food, shade, shelter, and water, and protection from extreme weather conditions. This provision is currently required for tethered animals and the amendment will now make this a requirement for all animals. In addition, staff was directed to develop a proposed amendment to the ordinance that would require that if dogs are confined within an enclosure, the enclosure must be of a size that is appropriate for the breed, size, age, and number of dogs being kept within the enclosure.

Councilman Young stated that all of his questions were answered in the work session. He supports Section 10-48 but does not want to change section 10-49. He made a motion to move forward with Section 10-48 but to exclude the changes to Section 10-49 in regards to enclosure sizes. The motion failed due to lack of a second.

Mayor Powers discussed that enclosure sizes are important and does not want to overregulate. However, she feels that the language is not overreaching.

Vice Mayor Keen stated that Council is making efforts for community awareness. He discussed ways to educate the public.

Councilwoman Denise stated that tethering is tough to enforce and discussed ways to chain dogs for a period of time. She stated that dogs running at large is a bigger issue in the City and thanked Liza Conway and Chain Free Bristol for their hard work. She supports the changes.

Mayor Powers supports the amendment as is but wants it later enhanced. Most pet owners are responsible but the ones who are not need addressed. She supports the changes and then wants to see what happens. She believes the only issue not addressed is 24 hour and 7 days a week tethering. Councilman Young added that education is going well and the Mayor provided the number to use to report problems.

Councilwoman Feierabend moved to approve the resolution as written, and Vice Mayor Keen seconded the motion. The motion passed by the following roll call vote:

Councilwoman Feierabend	Yes
Vice Mayor Keen	Yes
Mayor Powers	Yes
Councilman Young	No
Councilwoman Denise	Yes

**B. Adoption of Ordinances (Second Reading):** None.

**C. Resolutions:**

**Resolution 16-8 – A Resolution Designating the Official Zoning Map of Bristol, Tennessee as of January 1, 2016**

City Manager Sorah presented this resolution to Council for approval. The resolution designates the official zoning map of the City of Bristol, Tennessee as of January 1, 2016. This is a housekeeping matter that reflects a zoning amendment that was approved by City Council since the map was last officially updated. This action does not alter the zoning of any property within the city but provides an up-to-date document to facilitate ease of use and reference. The process of updating the zoning ordinance on an annual basis was initiated in 2006. The Bristol Regional Planning Commission, at its meeting of January 25, 2016, recommended this official zoning map to the City Council for passage. Councilwoman Denise moved to approve the resolution, and Councilman Young seconded the motion. The motion passed by a unanimous roll call vote.

**CONSENT AGENDA:**

City Manager Sorah presented the Consent Agenda to Council. Councilwoman Feierabend moved to approve the consent agenda, and Councilwoman Denise seconded the motion. The following items were approved by unanimous Council vote:

- **Minutes** – January 5, 2016, City Council Meeting;
- **Minutes** – January 19, 2016, City Council Work Session;
- **Resolution 16-7** – A Resolution Awarding Bid for the Purchase of Ambulance Cots and Stair Chairs;
- **Resolution 16-9** – A Resolution Authorizing the Purchase of Automated Meter Reading Equipment; and
- **Resolution 16-10** – A Resolution Authorizing the Purchase of Electrical Conductors for the Water Treatment Plant.

#### **BOARD OF EDUCATION LIASON REPORT:**

Jill Harrison, Bristol Tennessee City School Board, discussed the TN Ready phase of standardized testing. Students in grades 5<sup>th</sup> thru 12<sup>th</sup> have their own laptops which will benefit during this computerized testing period. She thanked the Sullivan County Commissioners for Phase I funding to hopefully pay for the new Vance Middle School. She also thanked Council for recognizing the School Board and presented a video about what the Board does in honor of School Board Appreciation Week. She also commented that Jordan Gregory was a good representative.

#### **OTHER REPORTS:**

Brian Boyd, Bristol Tennessee Essential Services Board, discussed the business loan program and its progress. He mentioned the need to better communicate the information to the public. Councilman Young inquired as to when the last loan was issued. Mr. Boyd responded that it was issued over a year ago.

#### **CITY MANAGER'S REPORT:**

City Manager Sorah commended Council on their recent retreat and working to form a strategic plan for the City. This process will help with the budget process and allocation of resources. Upcoming meetings and the budget work session were discussed.

**CITY COUNCIL COMMENTS:**

Mayor Powers recognized members of the audience.

Councilman Young mentioned that it is election time and encouraged everyone to vote this year. He discussed early voting locations in Sullivan County.

Vice Mayor Keen thanked everyone who works on either a board or commission. He stated that Mr. Gregory did a good presentation and he was proud. He stated that the City is moving in the right direction financially and that he is impressed with the numbers.

Councilwoman Feierabend mentioned upcoming events and remodeling projects at the Bristol Public Library. She discussed new Library programs. She also discussed the current resources and groups addressing prescription drug use. Mr. Gregory was congratulated on his presentation, success collecting signatures, and hard work on that issue. Public Works staff was also thanked for their hard work during recent snow removal events.

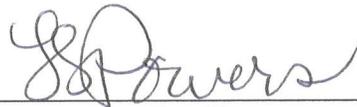
Mayor Powers serves on the Birthplace of Country Music Alliance Board and mentioned plans for Rhythm and Roots. She is extremely excited about this year's festival. The Chamber is retreating to form a vision. She also mentioned that it is hard to get names on a petition but that is great public awareness and a service. The Mayor thanked Sullivan County for making progress and fellow Council members for the vision process.

Councilwoman Denise congratulated Mr. Gregory and stated that he did a good job. She is proud of Tim Arnold and his hard work. It is the job of employees to serve citizens and businesses. Drug use in the area is very concerning. She mentioned bills regarding this issue and their status. She also stated that education is key to the issue and spurs economic development. She also stated that the Vance Middle School Project is working out and the manifestation of hard work.

There being no further business, the meeting was adjourned at 8:38 p.m.



Tara E. Musick,  
City Recorder



Lea Powers,  
Mayor