

MINUTES OF THE CITY OF BRISTOL, TENNESSEE CITY COUNCIL MEETING

July 11, 2023

CALL TO ORDER:

The City of Bristol, Tennessee City Council meeting was called to order by Mayor Vince Turner on Tuesday, July 11, 2023, at 7:05 P.M. in the Slater Center Auditorium.

ROLL CALL:

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

Others Present: City Manager Kelli Bourgeois, City Recorder Mary Lee Williams, Director of Community Development and Planning Cherith Young, Director of IT Shane Varney, Fire Chief Mike Carrier, Police Chief Matt Austin, Director of Community Relations Jon Luttrell, Director of Parks and Recreation Terry Napier, IT Manager Greg Cross, Utility Services Manager Will Witcher, Director of Economic Development Tom Anderson, Transportation Engineer Micah Bray, Executive Assistant to the City Manager Velma Witte, and other members of City staff.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Fire Chief Mike Carrier gave the invocation and Councilman Mahlon Luttrell led the pledge of allegiance.

AGENDA ADDITIONS AND / OR CHANGES: None

PROCLAMATIONS AND RECOGNITIONS:

Parks and Recreation Month – Vice Mayor Mark Hutton read a proclamation designating July 2023 as Parks and Recreation Month. Taylor Harmon, Recreation Programmer, was in attendance to accept the proclamation. Mr. Harmon thanked the City and Council for the acknowledgement and for their participation in Parks and Recreation activities. He gave a brief overview of Parks and Recreation Month and thanked all the department employees for working together to provide parks, facilities, and activities for the enjoyment of the community.

Bristol First – Anne Dunham, Digital Media and Communications Manager, stated the leadership provided by Chief Matt Austin and his command staff coupled with the professionalism of every police officer contributes to the quality of life enjoyed by all residents of the City. The recognition of tonight being a shining example. On June 22nd, Police responded to reports of disturbance at Family Promise, an organization serving the homeless and low-income persons in our community. According to the nomination submitted their staff member, Ms. Coakley, a woman at the facility was yelling loudly and acting erratically. The staff was concerned the incident would continue to escalate and someone would eventually get hurt. Officers Mike Overbey, Dillon Waddell, and Mike Carlson responded, and Officer Carlson immediately took charge. He recognized the woman causing the disturbance needed mental health assistance and handled the situation with patience and a high degree of concern for the offender. While she continued to shout insults and disrespectful comments toward him and others, he remained calm and engaged her in conversation until an ambulance arrived to transport her to the hospital. As Ms. Coakley noted in her nomination, Officer Carlson exhibits genuine concern for achieving the best long-term

outcome for all involved. He exemplified this by giving the woman an option to seek mental health assistance rather than go immediately to jail.

Before joining the Bristol Tennessee Police Department, Officer Carlson served our nation in the United States Marine Corps spending time in Jordan and Kosovo on active duty and completing an eight-month deployment to the Middle East as a reservist. He began his law enforcement career in the Patrol Division in 2006 and was assigned to the Community Policing Division last year and now provides a police presence in the downtown. He also serves as a member of the SWAT Team and as a training officer forging relationships with state and federal agencies. Officer Carlson takes time to stop by the Department of Community Relations to check on City staff in the downtown office space. The Bristol First Award was created in 2014 to recognize City employees for exceptional service. Officer Carlson's leadership on June 22nd, his outstanding and courteous response in this emergency situation and his efforts to improve relations between the public and those we serve is commendable. Officer Carlson was presented with the Bristol First Award, and he thanked everyone for the recognition.

PRESENTATIONS: None

BOARD OF EDUCATION LIAISON REPORT:

Director of Schools Dr. Annette Tudor presented an overview of summer school which concluded the end of June. She stated there were approximately 275 third grade students for the 2022-2023 school year and zero of them will be retained this year because of the law as they have either met all the requirements by attending summer school or will participate in tutoring this coming school year. If they are retained, it is because of it is a joint decision with the families. Visiting author Stan Tucker participated with the school system last school year and helped in summer school. He shared his story and encouraged students to share their story. Students were given a blank book in which to write their stories throughout summer school and they are encouraged to submit their stories for publication. Mr. Tucker will select one of those books for publication. Dr. Tudor gave an update on back-to-school events with teachers returning on July 31st and students beginning with an abbreviated day on August 4th and the first full day for students on Tuesday, August 8th.

PUBLIC HEARINGS:

Ordinance 23-8 – An Ordinance to Amend the Zoning Ordinance to Change the Uses Permitted by Right in the B-3 (General Business), M-1 (Light Industrial/Business) and M-2 (General Industrial) Zones, and to Make Other Changes Clarifying the Purpose of Such Zones

Cherith Young, Director of Community Development and Planning, reviewed this ordinance with Council in detail during the work session and thus, presented a brief summary. The proposed changes to the ordinance include removing a few uses from the B-3 district, adding a couple of uses to the M-1 district, adding one use to the M-2 district, and revising the purpose statements for each industrial district. Ms. Young provided a summary of the history of the ordinance. After working on the proposed ordinance for several months, at their May 15th meeting the Planning Commission voted to forward positive recommendation to Council. City Council voted to approve the proposed ordinance at first reading during the June 6th meeting, but only after removing 'Item E', which concerned manufacturing uses stating manufacturing be incidental to a retail business, removed required cap on number of employees, and added cap on square footage allowed for manufacturing area to not exceed 25,000 square feet. They requested the Planning Commission to continue working on that item. As that was a substantial change to the

ordinance, staff reported back to the Planning Commission on June 19th, at which time the Planning Commission voted unanimously to accept the severance of 'Item E' from Ordinance 23-8. This public hearing was advertised as required.

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

APPEARANCE OF CITIZENS: None

APPOINTMENTS:

Better Property Board – City Council addressed the vacancy of one seat on the Better Property Board. Ms. Pamela Offield was appointed by unanimous roll call vote of the four attending Council members to the Better Property Board to serve a term of office ending June 30, 2026.

Board of Code Appeals – City Council addressed the vacancy of one seat on the Board of Code Appeals. Councilman Luttrell spoke on behalf of the candidate. Mr. Steven Willinger was unanimously appointed by the four attending Council members to the Board of Code Appeals to serve a term of office ending June 30, 2028.

Parks and Recreation Commission – City Council addressed the vacancy of one seat on the Parks and Recreation Commission. Mayor Turner spoke on behalf of the candidate. Mr. Cade Parks was unanimously appointed by the four attending Council members to the Board of Code Appeals to serve a term of office ending June 30, 2026.

Planning Commission – City Council addressed the vacancy of three seats on the Planning Commission. Councilman Luttrell spoke on behalf of all the candidates. The vote was as follows:

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| Councilwoman Powers | Tekai Shu (UGA), Jason Booher and Matt Slagle |
| Councilman Luttrell | Tekai Shu (UGA), Jason Booher and Joel Staton |
| Mayor Turner | Tekai Shu (UGA), Jason Booher, and Matt Slagle |
| Vice Mayor Hutton | Tekai Shu (UGA), Jason Booher and Matt Slagle |

Mr. Tekai Shu (UGA applicant) received four votes, Mr. Jason Booher received four votes, and Mr. Matt Slagle received three votes. Mr. Shu, Mr. Booher, and Mr. Slagle were appointed to the Planning Commission to each serve a term of office ending June 30, 2026.

Power Board – City Council addressed the vacancy of one seat on the Power Board. Mayor Turner spoke on behalf of the candidate. Mr. Doug Harmon was unanimously appointed by the four attending Council members to the Power Board to serve a term of office ending June 30, 2027.

Tree Board – City Council addressed the vacancy of one seat on the Tree Board. Councilman Luttrell spoke on behalf of the candidate. Ms. Karen McSharry was unanimously appointed by the four attending Council members to the Tree Board to serve a term of office ending June 30, 2027.

ORDINANCES AND RESOLUTIONS:

A. First Reading of New Ordinances: None

B. Second Reading of New Ordinances:

Ordinance 23-8 – An Ordinance to Amend the Zoning Ordinance to Change the Uses Permitted by Right in the B-3 (General Business), M-1 (Light Industrial/Business) and M-2 (General Industrial) Zones, and to Make Other Changes Clarifying the Purpose of Such Zones

This item was summarized during the public hearing earlier this evening. Councilwoman Lea Powers motioned to approve, and Vice Mayor Hutton seconded. Councilwoman Powers commented that staff and the Planning Commission have spent a lot of time on this matter, and she feels with the exclusion of Item E the City is in a much better position. Ordinance 23-8 passed unanimously by roll call vote by the four Council members present.

Ordinance 23-9 – An Ordinance to Amend Chapter 82 (Vehicles for Hire) of the Code of Ordinances as it Relates to Regulation of Taxicabs

City Attorney Danielle Smith mentioned the amendment to the taxicab ordinance was discussed at the June 2023 Council meeting. The taxicab ordinance has not been amended since 1980. The City was recently approached by a citizen who requested the ordinance be amended so she could open a taxicab business. The citizen had some suggestions that were discussed with the Police Department and then presented to Council. A lot of the proposed changes were to clean up the ordinance. The City Attorney reviewed the proposed amendments which included removal of the requirement for devices that are now outdated and utilization of more current devices along with other changes. There would be an explicit requirement for the driver to have a valid state driver's license in order to get a taxicab drivers permit from the City. A background check would be required to be submitted with an application for a taxicab drivers permit. The definition of taxicab would be changed to conform to Tennessee law which would clarify that the taxicab ordinance does not regulate services like Uber and Lyft. There would be a complaint process so customers would be able to file complaints with the Police to be investigated. There would also be an appeal process so if the Police Chief revoked or suspended a license or a permit the taxicab driver or the permit holder would be able to appeal to the City Manager for the matter to be reviewed. After discussion during the May work session, the Council expressed the opinion they did not want to be responsible for setting the rates and wanted the market to determine that. The new ordinance would not require Council to set the rates. It would give Council the option but not the obligation to set rates for taxicabs.

Councilman Luttrell motioned to approve the ordinance as presented and Councilwoman Powers seconded. Ordinance 23-9 passed unanimously by roll call vote of the four Council members present.

C. Resolutions:

Resolution 23-93 – A Resolution Authorizing Entry Into an Agreement for Engineering and Design Services with Mattern & Craig

Terry Napier, Director of Parks and Recreation, explained that if approved this resolution would give approval for the City to begin working with Mattern and Craig on designing a championship level baseball stadium on one of the existing fields at Whitetop Creek Park as well as grading one of the other fields. This agreement includes site overview and survey, planning and design, the bid process, and construction oversight. Vice Mayor Hutton motioned to approve Resolution 23-93 and Councilwoman Powers seconded. Councilwoman Powers clarified the purpose of this agreement is so conceptual and engineering design can begin while the City continues to work through the fine details with all the partners. These services are necessary and will facilitate and expedite the project to help navigate the short timeline. The resolution passed unanimously by roll call vote of the four Council members present.

CONSENT AGENDA:

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

- Minutes June 5, 2023 City Council Called Work Session
- Minutes June 6, 2023 City Council Meeting
- Minutes June 13, 2023 City Council Called Meeting
- Minutes June 27, 2023 City Council Work Session
- Resolution 23-60 A Resolution Approving an Agreement with Abuse Alternatives, Inc., for Funding Support
- Resolution 23-61 A Resolution Approving an Agreement with Believe In Bristol, Inc., for Funding Support
- Resolution 23-62 A Resolution Authorizing an Appropriation Agreement with the Birthplace of Country Music, Inc., for Funding Support
- Resolution 23-63 A Resolution Authorizing an Appropriation Agreement with the Bristol Chamber of Commerce for Program Support in Fiscal 2024
- Resolution 23-64 A Resolution Authorizing an Appropriation Agreement with the Bristol Regional Speech and Hearing Center for Funding Support in Fiscal 2024
- Resolution 23-65 A Resolution Authorizing Appropriation Agreement with Bristol Regional Tourism Marketing Corporation (Explore Bristol) in Fiscal 2024
- Resolution 23-66 A Resolution Authorizing an Appropriation Agreement with Family Promise of Bristol
- Resolution 23-67 A Resolution Authorizing an Appropriation Agreement with the Paramount Foundation, Inc. (Paramount Center for the Arts)
- Resolution 23-68 A Resolution Authorizing Appropriation Agreement with the Sullivan County Family Justice Center (Branch House)
- Resolution 23-69 A Resolution Authorizing an Appropriation Agreement with Theatre Bristol
- Resolution 23-70 A Resolution Awarding a Bid for the Purchase of Highway Paint and Pavement Marking Application
- Resolution 23-71 A Resolution Awarding a Bid for the Purchase of Stone and Sand (Delivered / Picked-Up)

- Resolution 23-72 A Resolution Awarding a Bid for the Purchase of In-Place Asphalt
- Resolution 23-73 A Resolution Awarding a Bid for the Purchase of Bulk Asphalt Products
- Resolution 23-74 A Resolution Awarding a Bid for the Purchase of Bulk Concrete Products
- Resolution 23-75 A Resolution Awarding Bids for the Purchase of Bulk Water and Sewer Supplies
- Resolution 23-76 A Resolution Awarding Bid for the Purchase of Bulk Highway Salt
- Resolution 23-77 A Resolution Authorizing the Purchase of Software Support for the Financial Software System
- Resolution 23-78 A Resolution Authorizing Payment to Troutman Pepper Hamilton Sanders LLP for Legal Fees
- Resolution 23-79 A Resolution Authorizing the Purchase of Road Barriers
- Resolution 23-80 A Resolution Authorizing Entry into Agreement for Leak Detection Study
- Resolution 23-81 A Resolution Authorizing Entry into an Agreement with First Tennessee Development District for Administration of HOME-ARP Funds
- Resolution 23-82 A Resolution Authorizing Emergency Repair of Fire Department Quint 3 Motor
- Resolution 23-83 A Resolution Authorizing Motor Replacement in Automated Side Loading Refuse Truck
- Resolution 23-84 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 for Fiscal Year 2024
- Resolution 23-85 A Resolution Authorizing Renewal of Network Security Monitoring Service
- Resolution 23-86 A Resolution Authorizing Entry into a Service Agreement with Nyhart Company, Inc., for Actuarial Valuation on Other Post Employment Benefits
- Resolution 23-87 A Resolution Authorizing the Purchase of Pickup Truck for Police Department (Animal Control Vehicle) Under the State Contract

- Resolution 23-88 A Resolution Authorizing the Purchase of Ford Explorers for the Police Department Under the State Contract
- Resolution 23-89 A Resolution Approving a Right-of-Way Access Agreement with LMK Communications, LLC d/b/a Segra
- Resolution 23-90 A Resolution Authorizing the Purchase of Field Reporting Software Support
- Resolution 23-91 A Resolution Authorizing the Purchase of Software Support for Computer Aided Dispatch System
- Resolution 23-92 A Resolution Authorizing Replacement of HVAC Unit for Emergency Communications / 911
- Resolution 23-94 A Resolution Approving a Grant Application and Associated Contract Documents for Multimodal Access Grant Program

CITY MANAGER'S REPORT:

City Manager Bourgeois listed several music events in the downtown area. She reminded Council of the meeting tomorrow with the Tennessee Department of Economic and Community Development (TDECD) at Partnership Park at 2:30 P.M. where Commissioner Stuart McWhorter will make an announcement. Based on the approval tonight to move the Whitetop Creek Project forward, the groundbreaking celebration will be next Wednesday, July 19th at 11:00 A.M. at the park. The work session July 25th will begin at 4:00 P.M. in the Annex and will include discussion of the Shelby Street property.

CITY COUNCIL COMMENTS:


Councilwoman Powers mentioned everyone needs to go look at the new stage at the Downtown Center. The announcement tomorrow at Partnership Park II is big and City staff has worked hard with the local economic development team and the state. All the City departments work together to make things happen and she thanked everyone for working so well together on projects and events such as the Fourth of July Celebration which is one of the best the City has ever had. Stay tuned, stay engaged and involved as big things are beginning to happen.

Vice Mayor Hutton commended City staff on the amazing job they did on the Fourth of July Celebration. It was fantastic to see all the people that attended this event.

Councilman Luttrell said good job everyone!

There being no further business, the meeting was adjourned at 7:46 P.M.


Mary Lee Williams, City Recorder


Vince Turner, Mayor