

BOARD OF MAYOR AND ALDERMEN

PUBLIC HEARING

AUGUST 12, 2024

The Board of Mayor and Aldermen (BMA) met in a Public Hearing on Monday, August 12, 2024, at 7:00 p.m. at Town Hall, 123 Boone Street, Jonesborough, TN.

The first item on the Public Hearing was the rezoning of three tracts of land along Miller Drive and West Jackson Boulevard from R-1 (Low Density Residential) to PRD (Planned Residential Development) (Parcels 3.04 and 3.03), and B-3 (Arterial Business) to PRD (Planned Residential Development (Parcel 1.01) on Washington County Tax Map 59-D, Group A Mayor Vest asked if there were any further comments and there were none.

The next item on the Public Hearing was the Fiscal Year 2023-2024 Budget for the General Fund, Solid Waste Fund and Drug Fund. Mayor Vest asked if there were any further comments and there were none.

The next item on the Public Hearing was establishing Building Permit Fees and Plan Review Fees for Fiscal Year 2024-2025. Mayor Vest asked if there were any further comments and there were none.

Mayor Vest closed the Public Hearing.

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JANET JENNINGS, RECORDER

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CHUCK VEST, MAYOR

BOARD OF MAYOR AND ALDERMEN

REGULAR MEETING

AUGUST 12, 2024

The Board of Mayor and Aldermen (BMA) met in Regular Session on Monday, August 12, 2024, at 7:00 p.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Chuck Vest called the meeting to order. Alderman Dickson led the group in an opening Prayer, and Robin Harpe led the pledge to the Flag.

Upon call of the roll those present were: Mayor Chuck Vest, Alderman Virginia Causey, Alderman Terry Countermine, and Alderman Adam Dickson. Absent was Alderman Kelly Wolfe. Also present were: Town Administrator Glenn Rosenoff, Town Recorder Janet Jennings, Operations Manager Craig Ford, and Town Attorney Jim Wheeler.

The next item was the Consent Agenda. Mayor Vest asked if there were any items that the Aldermen wished to have pulled from the Consent Agenda. Alderman Causey asked that Item 8 – Approval of Position Descriptions be pulled from the Consent Agenda. Mayor Vest called for a motion. Alderman Dickson made the motion to approve the following Consent Agenda items:

1. Approve the following bills for payment.

**Insert Bills**

2. Approve the Town Administrator Report

**INSERT REPORT**

3. Approve the Operation Manager Report

**INSERT REPORT**

4. Approve the following Committee Reports: McKinney Center Advisory Committee and Historic Zoning Commission.
5. Approve the following Supervisor Reports: McKinney Center, McKinney Center Program Manager, Utility Manager, Water Quality, Water Distribution, Wastewater, Water Treatment Plant, Fire Department, Building Inspector, Director of Tourism and Main Street, Parks and Recreation, Street Department, Animal Control, Police Department, Senior Center, Visitor Center Manager, and Jackson Theatre Operations Manager.
6. Approve Berry Enterprises as the contractor to demolish the Solid Waste building located at 101 Britt Drive, in exchange for the salvage contained within the building.

Mayor Vest said the approval of the position descriptions for the Jackson Theatre was pulled for discussion from the Consent Agenda, and asked the Aldermen if they had any comments or questions. Alderman Causey asked about budgeted funds for the Assistant Jackson Theatre House Manager position. Town Administrator Glenn

Rosenoff said an amended budget will be presented to the Board for approval prior to filling the Technical Director and Assistant House Manager positions. Mayor Vest asked the Aldermen if they had any further questions or comments. There being none, Alderman Causey made the motion to approve the following position descriptions: Jackson Theatre Operations Manager, Digital Media Manager, Marketing Manager, and Visitor Center Host/Hostess, and with the understanding that a budget amendment for the Jackson Theatre will be presented to the BMA for approval. Alderman Countermine seconded the motion and it was duly passed.

## **INSERT POSITION DESCRIPTIONS**

The next item on the agenda was approval of the Financial Report. Mayor Vest called for a motion to approve the Finance Report. Alderman Countermine made the motion to approve the Financial Report as presented, seconded by Alderman Dickson and duly passed.

The next item on the was Mayor's Communications. Mayor Vest said in reviewing the Supervisor Reports, July was record month for building permits, and recognized the Recreation Department, Jackson Theatre, and Street Department for their hard work and assistance in helping other departments.

Mayor Vest asked Rick Duvall to come up to accept the Employee of the Month Award. Mayor Vest said that Rick Duvall was nominated by Senior Center Director Mary Regen and Street Department Director Malcolm Highsmith, read the following nominations:

*I would like to nominate Rick Duvall for Employee of the Month. Rick is a great team player and exemplifies the qualities of Employee of the Month. He goes above and beyond to be helpful and responsive. Any time I have ever called him and asked for help he responds quickly; he has never acted overwhelmed or too busy to help. Rick is someone that you only ever hear good things about. I have heard other supervisors and Town staff talk about how nice he is and how hard he works. When you consider that his job is dealing with things that are broken, someone having a crisis and everyone needing their emergency dealt with right then, it would take the right person to take all of that in stride. Rick is one of the kindest, most patient people and I am thankful to get to work with him and appreciative of his hard work. He also has a great sense of humor, that makes working with someone fun when you can cut up and enjoy the day and the people you work with. Rick has worked very hard to improve efficiency as well. He recommended changing our lights out at the Senior Center to LED, to improve energy efficiency and in the long run, saving money. Rick has worked very hard to change out almost all of the lights in the Senior Center, which has been a big project, but the outcome is better for the center and the budget. Rick is a great addition to the Town and would make a wonderful Employee of the Month. Submitted by: Mary Regen, Senior Center Director*

*I would like to nominate Rick Duvall for the distinction of Employee of the Month for August 2024. During Rick's tenure, he has worked with the town in the Waste Water*

*department, interim Building Inspector and currently he is faithfully fulfilling the duties of Facilities Manager for the town. Although all town staff may not realize it, at some point during each month, Rick is likely performing his duties of maintenance and repairs on your building. Being Facilities Manager means constant monitoring and upkeep of town facilities (which are many). Upkeep of town facilities means our buildings are functioning at the highest level and efficiency. If your older building does not have current ADA access, Rick will be involved in that process/upgrade. If your lighting is outdated and an energy drain, the new LED lighting is likely to be installed by Rick. If a building has any maintenance issue or procedure attached to it, Rick will be involved and will follow each repair and upgrade to its completion. A couple of noteworthy examples of Rick going above and beyond his normal job duties would include: assisting in placing street light poles for the Lincoln Park activities area...working the weekend @ Jonesborough Days so festival goers would have clean, fully stocked facilities to use, and of course diagnosing, scheduling and coordinating contractors for the myriad of air conditioning repairs we have experienced during the hot summer. Rick's duties go on to include replacing HVAC filters, burned out lights, having gutters cleaned, diagnosing roof leaks, repairing broken door locks, fixing sticking doors, replacing ceiling tiles and the list goes on seemingly endlessly. The long and the short of it is, Rick Duvall is the 'man behind the scenes' making sure our facilities are functioning as designed, and at the highest level. Rick Duvall is one of those rare individuals who strives to complete each task with precision, expediency and integrity. Rick is a key reason we are able to perform our job roles at a high level. Rick is an unsung hero in my opinion, and worthy of a nod of recognition for a job very well done with heart and soul. Thank you for your time and consideration today. Submitted by: Malcolm Highsmith, Street Director*

Mayor Vest asked Rick Duvall if he had any comments. Rick Duvall expressed his appreciation for being nominated.

The next item on the agenda was Citizens Comments. Mayor Vest asked if there were any citizens present that would like to comment at this time. Fred Counts, 2903 Browns Mill Road, Johnson City, TN, addressed the Board representing the Heritage Alliance Board, expressing support of the Town purchasing the rights to "A Spot on the Hill" and requesting that the program remain with Ann Mason in her role at the McKinney Center. Mayor Vest thanked Fred Counts for his comments.

The next item on the agenda was Aldermen Comments. Mayor Vest asked the Aldermen if they had comments. Alderman Causey requested that the FY24-25 employee pay increases go into effect on the first July paycheck and that it be added to the agenda for approval. Mayor Vest called for a motion to add to the agenda consideration to implement the FY24-25 employee pay raise go into effect with the first payday in July, the motion was made by Alderman Countermine, seconded Alderman Causey and duly passed. Alderman Causey made the motion to implement the FY24-25 employee pay raise on the first payday in July, Alderman Countermine seconded the motion and it was duly passed. (Note: effective date for raise is June 24, 2024.)

Alderman Dickson said he was glad to see in the Operations Manager Craig Ford's report on a cooperative agreement with a company to take the Town's plastic recyclables at the recycling convenience center at the Town's garage site.

The next item on the agenda was Town Attorney comments. Mayor Vest asked Town Attorney Jim Wheeler if he had any comments. Jim Wheeler said he anticipates he will need to meet with the Board in regard to two litigations that have been received.

The first item under Old Business was second and final reading of an Ordinance to rezone three tracts of land along Miller Drive and West Jackson Boulevard from R-1 (Low Density Residential), being Parcels 3.04 and 3.03, to PRD (Planned Residential District) and B-3 (Arterial Business), being Parcel 1.01, to PRD (Planned Residential District), on Washington County Tax Map 59-D, Group A, owned by Wolfe Development. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Causey made the motion to approve Ordinance Number 2024-04, rezoning three (3) tracts of land from R-1 to PRD (Parcels 3.04 and 3.03), and B-3 to PRD (Parcel 1.01) as identified on Washington County Tax Map 59-D, Group A, on Second and Final Reading, as presented. Alderman Dickson seconded the motion and it was duly passed.

#### **INSERT ORDINANCE**

The next item on the agenda was second and final reading of the FY23-24 Budget Amendments for the General Fund, Solid Waste Fund and Drug Fund. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Countermine made the motion to approve Ordinance 2024-05, amending the Fiscal Year 2023-2024 Budget for the General, Solid Waste and Drug Funds on second and final reading. Alderman Causey seconded the motion and it was duly passed.

#### **INSERT ORDINANCE**

The next item on the agenda was second and final reading of an Ordinance Establishing Building Permit Fees and Plan Review Fees for Fiscal Year 2024-2025. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Dickson made the motion to approve on second and final reading Ordinance No. 2024-06 amending the Jonesborough Municipal Code Title 4, Chapter 1, Building Code, Sections 4-105 and 4-106 increasing building permit and plan review fees as part of the FY25 budget on Second and Final Reading, as presented. Alderman Countermine seconded the motion and it was duly passed.

#### **INSERT ORDINANCE**

The first item under New Business was first reading of an Ordinance to Establish an Updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to Provide for a Safety Director and Implementation of such Program

Plan. The Town of Jonesborough is required to update the Occupational Safety and Health Program Plan every seven (7) years, or when there are changes in Town leadership and/or the Safety Director. Our seven-year update is due at this time. We have also had leadership changes in the Town's governmental structure and the Safety Director. Phil Fritts was operating as the Safety Director and has retired, and now is a good time to update the position description and annual stipend of \$2,600.00, with an opportunity to evaluate the program in six (6) months for an additional stipend. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Countermine made the motion to approve the following staff recommendations: (1) The updated OSHA Occupational Safety and Health Program Plan; (2) The updated Safety Director Position Description; (3) Jonathan Peace as the Safety Director; and (4) the annual stipend of \$2,600.00 for the Safety Director position. Alderman Causey seconded the motion and it was duly passed.

### **INSERT ORDINANCE, JOB DESCRIPTION**

The next item on the agenda was approval of Resolution accepting a donation from Ballad Health in the amount of \$250,000 for the Jackson Theatre. The donation represents a five-year commitment of 50,000 a year in support of the Jackson Theatre, and during this five-year period that the auditorium would be named "The Ballad Health Auditorium at the Historic Jackson Theatre". Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Dickson made the motion to approve the Resolution to accept the donation of \$250,000.00 from Ballad Health for the Jackson Theatre, as presented. Alderman Countermine seconded the motion and it was duly passed.

### **INSERT RESOLUTION**

The next item on the agenda was approval of Mattern & Craig Scope of Services and Fee Proposal for a Warrant Study regarding SR-354 for a fee of \$10,000. The town requested TDOT SPOT Safety and Highway Improvement Program funds to construct a roundabout at this intersection to improve roadway safety for the motorists and reduce the number of severity of crashes on SR-354, however TDOT responded back that since we are within the Johnson City Metropolitan Planning Organization (MPO) we would need to work through the MPO to be eligible for this project (the roundabout) to receive 100% funding. Furthermore, TDOT is requiring that the town submit a Warrant Study prepared by an engineer and said study to be submitted to TDOT for their concurrence that a roundabout is warranted at this proposed intersection. TDOT recognizes both roundabouts and traffic signals as part of a Warrant Study therefore both will be explored as part of the study. Board members discussed the proposal, and with there being no further discussion Mayor Vest called for a motion. Alderman Countermine made the motion to approve the Mattern & Craig Scope of Services and Fee Proposal in the amount of \$10,000.00 to perform the Warrant Study regarding SR-354 at Parsons Circle, as presented. Alderman Causey seconded the motion and it was duly passed.

## INSERT PROPOSAL

The next item on the agenda was approval for an Outdoor Use Permit Application request for Grace Meadows Farm Creamery, 115 East Main Street. The purpose of the request is to provide seating in front of their business for creamery dining. Proposed are four (4) wrought iron tables and sixteen (16) chairs, along with a 24" high black decorative aluminum fence. The plan has been reviewed by the Building Inspector who reported that measurements were done and there is more than adequate space for pedestrians to utilize the sidewalks including wheelchair access. The plan has gone to Historic Zoning and has received approval. We have received the Certificate of Insurance and Hold Harmless Agreement. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Causey made the motion to approve the Outdoor Use Permit Application for Grace Meadows Farm Creamery, as presented. Alderman Countermine seconded the motion and it was duly passed.

The next item on the agenda was approval of the request from Jonesborough Locally Grown (JLG) for an alternative plan to Main Street in the event of rain, and JLG is working with Main Street Café (caterer for event) to see if they are willing to move the event to the Visitor's Center in the event of weather versus a potential to cancel. The request from JLG to the BMA is to approve the wine and beer to be served in the Visitor's Center if the caterer agrees to hold the event indoors due to weather. ABC would need to provide a different approval for the special occasion permit through them for the Visitor's Center due to change of location, in like manner so the BMA would need to approve the wine/beer as part of the event at the Visitor Center. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Dickson made the motion to approve Jonesborough Locally Grown's request to hold the Farm-To-Table event at the Visitors Center as an alternative location to Main Street in the event of rain, and for wine and beer to be served on-premises at the Visitors Center, subject to the Town Attorney's review and approval, and subject to ABC permit on wine. Alderman Countermine seconded the motion and it was duly passed.

The next item on the agenda was approval to purchase rights to *A Spot on the Hill* from Heritage Alliance. Anne G'Fellers-Mason, prior to being employed by the Town, wrote several plays while as the Executive Director of the Heritage Alliance, and the McKinney staff expressed they would like to continue performing some of those plays. The recommendation from the Heritage Alliance and McKinney Center is for the Town of Jonesborough to purchase the rights to *A Spot on the Hill* from the Heritage Alliance for \$5,000 and is open to that being paid over a 3-year period. The Heritage Alliance has requested to receive 10% of ticket sales and would share advertisements of the plays with the McKinney Center, such as *Nancy*, *Legs in A Barrel*, *With These Hands*, etc. McKinney Center staff recommends that the Town agrees to: (1) The purchase of rights to be paid to Heritage Alliance over a 2-year period to include \$2,500.00 for FY25 and \$2,500.00 for FY26; and (2) Paying the Heritage Alliance 10% of ticket sales and share advertisements of the plays with the McKinney Center. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Countermine made the motion to approve the Heritage Alliance's request for

the Town of Jonesborough to purchase rights to Spot on the Hill, as presented, subject to the Town Attorney formalizing documents in support of the agreement if needed, as presented. Alderman Causey seconded the motion and it was duly passed.

The next item on the agenda was approval of the bid for the Tiger Park Playground Equipment, which includes one large playground structure, a three bay swing set for 6 swings, a zipline with three bays, three spinners and one large spinner for multiple users. A majority of the playground will have artificial turf for fall material and a portion of the playground will have engineered wood fiber. Two bids were received - Recreational Concepts in the amount of \$434,318.96 and Bliss Products in the amount of \$376.20. Town staff reviewed the bids and noted that the incompleteness of the Bliss Products submitted bid including safety specifications related to support posts, lack of warranty information on specified turf, and quoting a two-bay zipline rather than the required three-bay zipline; therefore staff's recommendation was approval of the bid from Recreational Concepts in the amount of \$434,318.96, noting that Recreational Concepts bid was complete. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Dickson made the motion to Award the bid for the Athletic Area Playground at Tiger Park to Recreational Concepts in the amount of \$434,318.96, as presented. Alderman Causey seconded the motion and it was duly passed.

The next item on the agenda was approval of a Letter of Agreement – Direct Appropriation for the First Frontier Trail Phase 1. The State of Tennessee, through the Governor's Office via TDEC (Tennessee Department of Environment and Conservation), has appropriated \$2.4 million directly to the Town of Jonesborough for the First Frontier Trail. Once the BMA approves the appropriation and send it back to the State, we will receive the funding quickly. Some details on the trail, including overview, historic significance, phasing, and funding. Jonesborough's plans are to extend the sidewalk all the way to the city limits up East Main Street and do a short run over to the track at the old middle school that will then become a trail head with parking. Also, the Spring Street one-way conversion the BMA approved includes plans for a sidewalk all the way to the city limits and to Stage Road Park are part of this project. Finally, a connection from Oak Grove Avenue to May Drive and to the new Jonesborough K-8 school. Overall, this trail will benefit all communities safely allowing pedestrians, joggers, and cyclists connection to ETSU, Downtown Jonesborough, multiple Town parks, Johnson City's sidewalks and parks, and ultimately the Tweetsie Trail and Sycamore Shoals State Historic Park. Our first area of the project under review is extending the E. Main Street newly constructed sidewalk to extend from Forest Drive to Hometown Road. There have been preliminary discussions with property owners about the use of asphalt for the trail system with some property owners expressing concern and inquiring about concrete. We are considering concrete in this section of the project and working on cost comparison analyses between asphalt and concrete. Mayor Vest asked the Aldermen if they had questions or comments. With there being none, Alderman Dickson made the motion to approve the Letter of Agreement, Direct Appropriation Grant in the amount of \$2.4 million for Phase 1 of the First Frontier Trail. Alderman Countermine seconded the motion and it was duly passed.



## **INSERT LETTER OF AGREEMENT**

The next item on the agenda was approval of the Walt and Sara Engel properties located at 258 East Main Street. The property is contiguous with the McKinney Center property. The properties under consideration are described as "258 E. Main Street, Roll 846 / Image 431, Metes and Bounds" and "000 E. Main Street, DB 846 / PG 431, Metes and Bounds" as described by Holt Appraisal Group Appraiser Christopher R. Holt in his opinion of value of both properties. The purchase includes the commercial building and 1-car carport (258 E. Main Street), and 3.58 acres of vacant land (000 E. Main Street). An offer of \$350,000 (below appraisal value) for both properties, subject to the Board of Mayor and Aldermen's approval, and the seller accepted the offer. The source of funding for the \$350,000 will be a Capital Outlay Note based on a maximum number of years amortization schedule. Mayor Vest asked the Aldermen if they had any questions or comments. With there being none, Alderman Dickson made the motion to approve the purchase of the properties under consideration are described as "258 E. Main Street, Roll 846 / Image 431, Metes and Bounds" and "000 E. Main Street, DB 846 / PG 431, Metes and Bounds" as described by Holt Appraisal Group Appraiser Christopher R. Holt in his opinion of value of both properties, in the amount of \$350,000, as presented. Alderman Causey seconded the motion and it was duly passed.

There being no further business the meeting was duly adjourned.

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JANET JENNINGS, RECORDER

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CHUCK VEST, MAYOR