

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, December 4, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman John Clark

Alderman Mike McIntire

Vice-Mayor Tom C. Parham

Alderman Tom Segelhorst

Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Local Boy Scouts
- II.B. **INVOCATION:** Steve Hooper, Retired Minister – United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Valerie Joh.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
 1. ~~MSHA Commendation:~~ This agenda item was pulled.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/Shupe, to approve minutes for the following meetings:

- A. November 19, 2012 Regular Work Session
- B. November 20, 2012 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend the Zoning of the North Kingsport Area 1 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 341-2012).** City Planner Lynn Tully gave a presentation on this item. She stated this is at the request of the property owner and confirmed they are not requesting sewer service.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

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Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSPORT AREA 1 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BELL RIDGE ROAD AND MCKENZIE DRIVE TO R-1B, RESIDENTIAL DISTRICT AND A-1, AGRICULTURAL DISTRICT IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-091, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NORTH KINGSPORT AREA 1 ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of An Ordinance Transferring Funds to the J. Fred Johnson Stadium Project to Fund Phase I and Phase II (AF: 129-2012). City Manager Campbell provided details, noting this was drawn up after comments made at yesterday's work session. He stated the ultimate cost would be defined after the design/development phase and the construction document phase. Mayor Phillips agreed it was a good idea to know this before we sell bonds and referred to the Aquatic Center. The mayor also pointed out this was not a commitment to build, but an interest only. Vice-Mayor Parham stated once a cost was obtained, the city can get a schedule and set priorities for projects. Alderman Shupe commented that many city projects are not completed properly. He agreed that the stadium needed attention and would like to see the process move forward, but not at the expense of other items. He suggested a list of completed projects before creating new ones. Mr. Todd East, citizen, thanked the BMA for their thorough analysis and being good stewards of the city's money. He stated this was one of the few projects that would return money to offset costs and would open additional revenues. Alderman Segelhorst mentioned the support of the school board.

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Motion/Second: Shupe/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Amend the FY13 General Purpose School Fund Budget and the General Project Fund Budget (AF: 345-2012). Budget Director Judy Smith gave details on the changes made by the schools, noting they changed money that was being taken from a bond to be taken out of cash instead.

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Approving the Purchase of Right-of-Way and Easements on the Steven and Kasey Thrift Property for Phase II of the Cleek Road Improvement Project (AF: 342-2012). City Manager Campbell explained this was an attempt to settle the project, giving the authority to condemn. He further stated a reasonable price was offered and hoped the property owners accepted it. Public Works Director Ryan McReynolds provided further details on the project, noting they were excited to get started on it. Mr. McReynolds confirmed for the mayor that Cleek Road will be closed Monday for an extended period of time because of the bridge. He also mentioned Sullivan Street would be closed for other unrelated work.

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2013-092, A RESOLUTION APPROVING THE PURCHASE OF RIGHT-OF-WAY AND EASEMENTS ON THE STEVEN AND KASEY THRIFT PROPERTY FOR PHASE II OF THE CLEEK ROAD IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PURCHASE

Passed: All present voting "aye."

2. Consideration of a Resolution Approving a Memorandum of Understanding with the Tennessee State Library and Archives (TSLA) to Participate in the State-Wide Firefly Book Courier Services, Authorize the Mayor to Execute All Documents and Agreements for the Same (AF: 271-2012).

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Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-093, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES (TSLA) TO PARTICIPATE IN THE STATE WIDE FIREFLY BOOK COURIER SERVICE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM

Passed: All present voting "aye."

3. Consideration of a Resolution Approving an Allocation to the Meadowview Conference Resort and Convention Center Budget and Authorizing the Mayor to Sign an Agreement Regarding Such Allocation (AF: 344-2012). City Manager Campbell stated it was best to postpone this particular resolution at this time. Mayor Phillips pointed out the original agreement was questionable because part of the building is privately owned and part publicly. He pointed out a public entity, being the city, would have to bid the project out. The mayor stated the city attorney was still working on these issues. Alderman Segelhorst questioned the delay, since there was a sense of urgency presented at the work session yesterday. Mayor Phillips agreed it needed to be finished by the Bristol race in March. He recommended doing what staff is requesting with the understanding it won't hold the project up and that staff is looking into how to move this forward. Once the item was on the table, Alderman Shupe made a motion to postpone this item indefinitely. Alderman McIntire seconded the motion with all present voting "aye."

Motion/Second: McIntire/Parham, to defer:

A RESOLUTION APPROVING AN ALLOCATION TO THE MEADOWVIEW CONFERENCE RESORT AND CONVENTION CENTER BUDGET, INCLUDING PAYMENT OF THE SAME AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of Reappointments to the Board of Zoning Appeals (AF: 281-2012).

Motion/Second: McIntire/Parham, to approve:

REAPPOINTMENT OF MESSRS. FRANK OGLESBY AND LELAND LEONARD TO SERVE FIVE-YEAR TERMS ON THE **BOARD OF ZONING APPEALS**, EFFECTIVE DECEMBER 31, 2012 AND EXPIRING DECEMBER 31, 2017.

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

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VIII. COMMUNICATIONS.

- A. **CITY MANAGER.** Mr. Campbell thanked the Human Resource Department for the city employee lunch today. He also thanked the department heads and BMA members who served.
- B. **MAYOR AND BOARD MEMBERS.** Alderman McIntire pointed out a lot of work went into this lunch and thanked all who helped.

Alderman Segelhorst offered his condolences to Alderman Clark on the loss of his father. He also stated it was good to see the retirees at the lunch today and thanked all the employees. Lastly, Mr. Segelhorst noted we were fortunate to have two great hospital systems in our area and provided details on the Tree of Life at Indian Path.

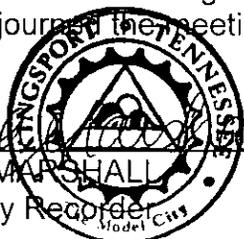
Alderman Clark pointed out the good team chemistry he has observed at personnel gatherings which results in good customer satisfaction. He commended management for creating this atmosphere as well as the employees who thrive in it.

Vice-Mayor Parham acknowledged continued good service for leaf pick-up, especially in the newly annexed areas. Mr. Parham also recognized Sullivan County Commissioner Mark Bowery and his effort to show unity between the city and county on State Route 126.

- C. **VISITORS.** Sullivan County Commissioner Mark Bowery told the BMA the county passed a resolution to move forward with a road project that would make State Route 126 a four-lane road. He stated there would be a public meeting on December 11, 2012 and he hoped the BMA would go on record to show their support also. Mayor Phillips stated the state commissioner recommended the BMA not to take action until they can sit down and meet after the hearing, noting the need for more information. Mr. Bowery clarified he did not mean to discuss specifics, but rather only wanted the BMA to support moving forward with whatever TDOT and the commissioner deem appropriate. Vice-Mayor Parham commented on the county's desire for the city to recognize the need.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:15 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor