

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, October 6, 2009, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Vice-Mayor Benjamin K. Mallicote
Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey
Alderman Tom C. Parham
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:** Led by Alderman Shupe.
- II.B. **INVOCATION:** by Pastor Ed Clevinger of Grace Covenant Church.
- III. **ROLL CALL:** By City Recorder Jim Demming.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Toward the end of the meeting, after the Consent Agenda vote, Mayor Phillips recognized Carl Oberfeiting of Boy Scout Troop 387 who was attending to fulfill requirements toward his communication merit badge
- V. **APPROVAL OF MINUTES.**

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

- A. September 21, 2009 Regular Work Session
- B. September 22, 2009 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 Zoning of the RS7 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 309-2009).** City Planner Ken Weems provided an overview of this annexation request.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

PUBLIC COMMENT ON ITEM VI.AA.1. Mr. Ron Mace of 441 Hidden Acres Road, Kingsport, spoke in opposition of this annexation. Mr. Mace described the various reasons behind his opposition such as the need to upgrade existing waterline size and the possibility of requiring sewer pump stations at each house.

Mr. Mace mentioned the 250,000 gallon water tank the City was considering placing in front of residences in the area and wanted to confirm that the City has decided to locate the tank elsewhere. He opined that, while he has read in the newspaper that the City wants to annex this property because of failing septic tanks in the area, he believes the City is annexing for revenue generating purposes.

Public Works Director Ryan McReynolds addressed Mr. Mace's concerns and went through various schematics, based on the area topography, to illustrate how water and service lines will follow the lay of the land. He further explained that, while the developer had the forethought to install 6" waterlines within the subdivision, the feeder line is only 4" and will not meet requirements needed for use by fire trucks.

Alderman Marsh responded to Mr. Mace's comment about annexation being a revenue-based decision by pointing out that the City will spend \$2.3 million for services to these two annexation areas (RS7 and RS8) and receive around \$36,000 a year in revenue. He further addressed Mr. Mace's concern about location of a new water tank by confirming with Mr. McReynolds that any new water tank needed for population growth in that area will be situated on the knob on which it currently exists.

Motion/Second: Munsey/Parham, 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 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE RS7 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: Joh/Mallicote, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG HIDDEN ACRES ROAD TO R-1B, RESIDENTIAL DISTRICT IN THE 13th 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: Munsey/Joh, to pass:

Resolution No. 2010-072, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE RS7 ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

2. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the RS8 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 310-2009). Mr. Weems also described this annexation action.

PUBLIC COMMENT ON ITEM VI.AA.2. Mr. Ron Mace mentioned that several residents in this annexation area use Sumpter Road instead of Rock Springs Road to travel to the interstate and encouraged the City to keep that road in good shape and continue the efficient job of snow removal Sullivan County has been doing.

Motion/Second: Joh/Munsey, 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 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE RS8 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: Mallicote/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MORNINGDALE DRIVE, HIDDEN PINES DRIVE, VALLEYDALE DRIVE, AND SUMPTER ROAD TO R-1B, RESIDENTIAL DISTRICT IN THE 13th 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: Parham/Joh, to pass:

Resolution No. 2010-073, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE RS8 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.

Ms. Susan Lodal, 3501 Memorial Boulevard, Kingsport, spoke as president of the Kingsport City Schools (KCS) Board of Education (BOE) regarding the bond issue in Item VI.D.8. Ms. Lodal described recent discussion held by the BOE regarding the decision reached to request \$2.55 million from City bond proceeds for several school facility improvements. This past summer, Ms. Lodal met, along with KCS Superintendent Richard Kitzmiller, with City Manager Campbell regarding capital project needs for KCS to take advantage of unprecedented low interest rates on this year's

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

significant bond issue amount and avoiding any bond issue, if possible, for the next couple of years. Ms. Lodal added that some BOE members were concerned this request might jeopardize future, critical operating funds needed from the City, but agreed to bring forward capital requests that address safety modifications, parking issues at two schools and high school overcrowding concerns at various school facilities. She also clarified that the proposal submitted by the BOE had been revised prior to being provided to the BMA: the proposed \$1.3 million to relocate the Jefferson School library and office, in order to make the building more secure and add more classroom, had been decreased by \$200,000, which amount was added to a new stadium repairs project that was not discussed by the BOE and which she, thus, cannot support.

Further Board discussion regarding the large amount of the proposed bond issue, projects included, possible savings, relatively short notice given to Board members of this action and the issues brought up by the BOE, led the Mayor to suggest postponing a vote until a special called Board meeting could be held to discuss and review this bond action and projects involved in more thorough detail.

City Attorney Billingsley instructed the Board to complete the Public Comment segment and then move to consider VI.D.8 and VI.D.9 out of order, motion and second VI.D.8 for approval and then move, second and vote on deferring both VI.D.8 and VI.D.9 for consideration at the October 20, 2009 BMA regular business meeting.

Mr. Ron Mace returned to the podium and questioned the availability of BMA meeting agendas. His experience has been that the agenda is not available at the library until late Monday morning or early afternoon. He suggested the agenda be accessible on the City's website by Friday afternoon or Saturday.

Mayor Phillips agreed Mr. Mace's request deserves consideration and instructed City staff to make the agenda available at the library by Saturday morning and requested Mr. Mace to inform the BMA if agenda availability continues to be a problem.

There being no one further coming forward to speak, the Mayor closed the *Public Comment* segment.

Alderman Munsey requested that agenda Item VI.D.8 be moved up for consideration at this time. Mayor Phillips agreed to do so if there were no objections from any Board member and, upon inquiry, confirmed there were not.

Alderman Marsh motioned, seconded by Shupe, to defer consideration of Item VI.D.8, as well as related Item VI.D.9, until the BMA's next regular meeting and to hold a special, called work session to further discuss details of these actions at that time. The motion to defer passed, with all present voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, October 6, 2009

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance Adopting an Equal Employment Opportunity Statement and Consideration of a Resolution Establishing a Complaint Procedure and Authorizing the Mayor to Execute the Equal Employment Opportunity Plan for the City and the Police Department (AF: 315-2009).

Motion/Second: Munsey/Shupe, to pass:

AN ORDINANCE ADOPTING A POLICY OF NON-DISCRIMINATION IN CITY PROGRAMS AND ACTIVITIES; ESTABLISHING A GRIEVANCE PROCEDURE TO RESOLVE COMPLAINTS RELATED THERETO; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2010-074, A RESOLUTION ESTABLISHING A PROCEDURE TO RESOLVE COMPLAINTS RELATED TO THE POLICY OF NON-DISCRIMINATION IN CITY PROGRAMS AND ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE 2009 EQUAL EMPLOYMENT OPPORTUNITY PLAN FOR THE CITY AND THE POLICE DEPARTMENT

Passed: All present voting "aye."

2. Consideration of an Ordinance to Appropriate Grant Funds Approved by the Department of Justice, Justice Assistance Grant Program (JAG) (AF: 325-2009).

Motion/Second: Shupe/Joh, to pass:

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE AND TO ESTABLISH THE JUSTICE ASSISTANCE GRANT PROJECT (JG1002); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance to Amend the Sewer Project Fund by Appropriating Funds Received from Sullivan County through the City-County Sewer Agreement for an Addition to the Bloomingdale Sewer Line Extension (AF: 328-2009).

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS RECEIVED FROM SULLIVAN COUNTY THROUGH THE CITY-COUNTY SEWER AGREEMENT TO THE BLOOMINDALE

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

SEWER LINE EXTENSION PROJECT (SW0900); AND TO FIX THE EFFECTIVE
DATE OF THIS ORDINANCE

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

**4. Consideration of an Ordinance to Establish the Model City
Motors Parking Lot Budget by Transferring Funds from the Street Resurfacing
Project (AF: 337-2009).**

Motion/Second: Marsh/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND AND GENERAL
PROJECT-SPECIAL REVENUE FUND BUDGETS BY TRANSFERRING FUNDS
FROM THE STREET RESURFACING PROJECT (NC0706) TO ESTABLISH THE
MODEL CITY MOTORS PARKING LOT BUDGET (GP1012); AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

**5. Consideration of an Ordinance to Appropriate Unallocated
Water and Sewer Bonds (AF: 329-2009).**

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUND
BUDGETS BY APPROPRIATING FUNDS FROM THE WATER AND SEWER BOND
FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2010; 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 to Amend the Hours of Operation
on the Operational Agreement between the City of Kingsport and the Humane
Society of Greater Kingsport (AF: 317-2009).**

Motion/Second: Marsh/Joh, to pass:

Resolution No. 2010-075, A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE SULLIVAN COUNTY
HUMANE SOCIETY, INC. D/B/A HUMANE SOCIETY OF GREATER KINGSPORT
CHANGING THE OPERATIONAL HOURS

Passed: All present voting "aye."

**2. Consideration of a Resolution Authorizing the Issuing of a
Contract Change to Include Installation of Phases 2 and 3 of a VOIP Telephone
System for Kingsport City Schools to Black Box Network Services and
Authorizing the Mayor to Sign All Applicable Documents (AF: 324-2009).**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

Motion/Second: Munsey/Joh, to pass:

Resolution No. 2010-076, A RESOLUTION AWARDING THE BID FOR PHASE TWO AND PHASE THREE FOR THE INSTALLATION OF A VOICE OVER INTERNET PROTOCOL TELEPHONE SYSTEM FOR THE KINGSPORT CITY SCHOOL SYSTEM TO BLACK BOX NETWORK SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CONTRACT AND ALL APPLICABLE DOCUMENTS TO INCLUDE PHASE TWO AND PHASE THREE

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Reimbursement of Materials Agreement Funds to Butch Rose for Windridge Estates Phase IV Development (AF: 326-2009).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2010-077 A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO BUTCH ROSE FOR WINDRIDGE ESTATES PHASE IV DEVELOPMENT

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing a Change Order to the Contract with J.A. Street & Associates, Inc. for the Additions and Alterations to the V.O. Dobbins Community Center and Authorizing the Mayor to Execute All Documents Necessary for the Change Order (AF: 331-2009). Alderman Marsh stated he cannot support this action because he believes this project has grown significantly beyond the original concept approved.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2010-078, A RESOLUTION APPROVING CHANGE ORDER #3 TO THE CONTRACT WITH J.A. STREET & ASSOCIATES, INC. FOR THE ADDITIONS AND ALTERATIONS TO THE EXISTING V.O. DOBBINS COMMUNITY CENTER AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye" except Marsh voting "nay."

5. Consideration of a Resolution Authorizing the Mayor to Execute an Interlocal Cooperation Agreement for Participation in the Tennessee Municipal League Management Pool (AF: 327-2009).

Motion/Second: Munsey/Parham, to pass:

Resolution No. 2010-079, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT TO PARTICIPATE IN THE TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL

Passed: All present voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, October 6, 2009

6. Consideration of a Resolution Awarding the Bid for Gibson Mill Roadway Improvements from U.S. 11W (Stone Drive) to Millpond Road to Thomas Construction Co., Inc. and Authorizing the Mayor to Sign All Applicable Documents (AF: 332-2009). Public Works Director spoke about this agenda item and responded, when asked by Alderman Marsh about financing and timeline for the remainder of the Gibson Mill Road improvement up to the Watauga Street circle, that financing will be further discussed at the upcoming special called work session on bond issue and the schedule will be dependent upon securing financing, design, property acquisition and construction. Mr. McReynolds offered that the project could be underway by next fall and completed within approximately nine months from commencement. Alderman Marsh confirmed with Mr. McReynolds that design plans will include closing the Broad Street hill portion from Gibson Mill Road.

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2010-080, A RESOLUTION AWARDDING THE BID FOR GIBSON MILL ROADWAY IMPROVEMENTS FROM U.S. 11 W (STONE DRIVE) TO MILLPOND ROAD TO THOMAS CONSTRUCTION COMPANY, INC. AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement Terminating the Right of Re-entry to a Portion of the Property Donated by Quebecor to the City (AF: 340-2009). City Attorney Mike Billingsley provided a detailed explanation about the need for this action to allow further and future development of this property.

Motion/Second: Munsey/Parham, to pass:

Resolution No. 2010-081, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TERMINATING THE RIGHT OF RE-ENTRY TO A PORTION OF THE PROPERTY DONATED BY QUEBECOR WORLD KINGSFORT, INC. TO THE CITY AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

~~**8. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Public Improvement Bonds in an Amount Not to Exceed \$41,835,000**~~ (AF: 339-2009). Prior to consideration of agenda item VI.B.1, Board members voted to defer this action, along with Item VI.D.9, until the October 20, 2009 regular BMA business meeting.

~~**9. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Bonds (Aquatic Center) in an Amount Not to Exceed \$15,000,000**~~ (AF: 338-2009). Prior to consideration of agenda item VI.B.1, Board members voted to defer this action, along with Item VI.D.8, until the October 20, 2009 regular BMA business meeting.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2009**

10. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with the Downtown Kingsport Association (DKA) (AF: 342-2009). City Attorney Billingsley summarized the two changes made to the City's standard annual agreement with DKA as 1) the \$46,000 allocated will be paid, upon execution of the agreement—one-half immediately and the other half on January 2, 2010—rather than quarterly, as in the past; and 2) Section 2 of the agreement has revised the scope of DKA's responsibilities, as recommended in paperwork submitted by Vice-Mayor Mallicote at last night's work session. Mr. Billingsley reminded Board members that all City partnership agreements with various organizations can be terminated by providing at least 30 days' notice by either party.

Vice-Mayor Mallicote suggested changing the agreement term from commencing on August 1, 2009 to commencing on October 6, 2009 because there was no existing agreement between the City and DKA during that time and he doesn't believe "new" DKA board members should be governed by funding decisions made outside the City's scope. Aldermen Marsh and Munsey indicated they see this date change as unnecessary and not in good faith.

Board members discussed the terms of the agreement and the understanding behind the terms, as well as following up on timely and complete execution of the terms. It was suggested that a DKA representative report the November election results to the BMA at the subsequent BMA meeting.

Vice-Mayor Mallicote stated that the actions agreed upon, which include DKA bylaw changes and appointment of new Board members, can be addressed at the DKA board meeting convened to vote on acceptance of this contract. He further suggested that, once those changes and appointments are made and the agreement is signed, the funds can be disbursed. Alderman Munsey opined that it is unnecessary to require these actions before making the first payment and, then, the January 2, 2010 payment can be based upon all terms being met.

Vice-Mayor Mallicote adamantly encouraged the Board to require DKA perform the action agreed to, while the City still has the leverage of funding. He expressed certainty that, during next year's budget consideration of funding this item, there will be seven (7) different recollections around this Board of what the 10 to 12 actions agreed upon included and seven (7) different opinions about whether those things have been done. He sees no meaningful way, going forward, to ensure this organization has done what was asked of them unless payment is withheld until all terms are met.

Alderman Munsey restated his understanding from last night's work session discussion; namely, that DKA has agreed to enlarge the size of its nominating committee and to proceed with the election process as done in the past, with a couple of minor modifications regarding allowing absentee and encouraging members' votes.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, October 6, 2009

Alderman Marsh called for the question, ending debate and discussion. The call passed with all present voting "aye" except Mallicote voting "nay."

Vice-Mayor Mallicote moved, seconded by Alderman Joh, that execution of the agreement by the City and payment of money under the agreement will not take place until the City attorney certifies to the Mayor that the agreed upon changes to the DKA bylaws have been made. The motion passed in a roll call vote as follows: Joh, Mallicote, Shupe, Parham and Phillips voting "aye" and Marsh and Munsey voting "nay."

Motion/Second: Munsey/Parham, to pass, as amended:

Resolution No. 2010-082, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF KINGSPORT AND THE DOWNTOWN KINGSPORT ASSOCIATION BENEFITING THE GENERAL WELFARE OF KINGSPORT RESIDENTS

Passed: All present voting "aye" except Munsey voting "nay."

E. APPOINTMENTS. None.

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Joh/Shupe, to adopt:

1. Consideration of an Ordinance to Amend the Schools General Project Fund Budget (AF: 316-2009).

Adopt:

Ordinance No. 5893, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell reminded Board members that the annual City Employee Appreciation Luncheon, sponsored by First Kingsport Credit Union, will take place this Friday from 10:30 a.m. to 1:00 p.m. He mentioned an email from Jim Cornell about outstanding trash service provided by long-time Public Works' employee, Mike Hass. Mr. Campbell also received a note from Mrs. Spencer, widow of former mayor, Norm Spencer, congratulating the City on receiving the *Harvard Innovation Award* and for the many things being done to further education in the area.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, October 6, 2009

B. MAYOR AND BOARD MEMBERS. Alderman Shupe mentioned that Congressman Phil Roe is holding an open house in his new downtown Kingsport office in the Kingsport Center for Higher Education this Friday from 2:00 p.m. to 4:00 p.m.

Alderman Joh was delighted to see the City mentioned and honored in two publications for winning the *2009 Harvard Innovations in American Government Award*. She also mentioned that about 150 people attended the Tennessee Real Estate Commission board meeting that met in Kingsport for the first time and she praised City Government and Community Relations Officer Tim Whaley for his excellent assistance.

Alderman Marsh informed the audience that the *Harvard Innovation Award* ceremony is being broadcast periodically on Channel 16.

Vice-Mayor Mallicote thanked Frank Lett and Emily Kilgore of the Kingsport Convention and Visitors Bureau, as well as City staff members, Chris McCartt and Mark Kilgore, for making the Cyclocross event, held for the first time in Kingsport, a great success. The event included about 200 cyclists competing in a two-day event, with participants from as far away as Colorado.

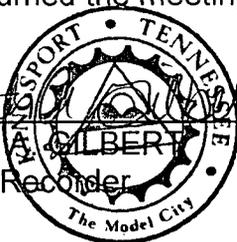
Mayor Phillips reminded everyone to give generously to the United Way due to difficult times with its budget this year because of the economic recession and increasing needs.

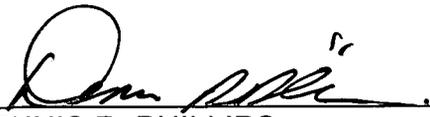
C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 9:15 p.m.



ELIZABETH A. GILBERT
Deputy City Recorder





DENNIS R. PHILLIPS
Mayor