

Minutes of the Regular Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Monday, November 30, 2009, 4:30 PM  
Council Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips

Alderman Valerie Joh

Vice-Mayor Benjamin K. Mallicote

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

1. **CALL TO ORDER:** 4:33 p.m., by Mayor Phillips.
2. **ROLL CALL:** By Deputy City Recorder Gilbert. Absent: Alderman Charles K. Marsh, Jr.
3. **WORK SESSION TICKLER.** Mayor Phillips recommended the Board hold off discussion on the King College medical school until college president, Dr. Greg Jordan, makes a further presentation about the benefits of the school to Kingsport, Bristol and Sullivan County.

In discussing the Greenbelt, Alderman Parham explained the location of the newest section which runs from Roller Street by West Sullivan Street to link up to right behind Blue Ridge Properties on Lynn Garden Drive. The City incurred no cost for the property necessary to complete this section because Mr. Sam Anderson donated six lots and Quebecor donated the lower parking lot area along the creek.

4. **REVIEW OF AGENDA ITEMS ON DECEMBER 1, 2009 REGULAR BUSINESS AGENDA.** City Manager Campbell, members of staff and community members provided a summary or presentation for each item on the proposed agenda. Those items the Board discussed at greater length or which received specific questions or concerns included:

**VI.D.8 Consideration of a Resolution Awarding a Contract for the Construction of the Riverview Community Center Addition to the V.O. Dobbins facility to J.A. Street and Authorizing the Mayor to Sign all Documents Necessary to Execute the Contract (AF: 383-2009).** Mayor Phillips asked to hear from representatives from J.A. Street and the Kingsport City Schools (KCS) system to address unfinished punch list items involved in the John Adams Elementary School construction. This action item is requesting approval of another contract to the same contractor and Mayor Phillips believes it's necessary to resolve any issues before approving another contract.

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Rick Russell, KCS project manager for this project, went over a timeline for completion of the punch list, noting that the project was essentially complete on July 29, 2009. Following the terms of the contract, all work was required completed by August 30, 2009 and, although most of the punch list has been done, the contractor hopes to finish this week. He added that the bulk of the work to be done is by subcontractors, which have held up completion by about three months.

Jim Street, principal of J.A. Street & Associates, Inc. stated that, as of October 30, 2009, around 97% of the 320 punch list items were checked off and, given the size of the contract, the punch list was small. He admitted there are still three to four items that he has been assured will be taken care of next week.

Regarding the current Riverview Community Center project at hand, Terry Cunningham, Executive Director of the Kingsport Housing and Redevelopment Authority, provided funding details and sources, such as Hope VI and Section 108 funds.

***Mayor Phillips, at this time, requested the Board move to the Red Light Camera agenda item as a courtesy to those attending for discussion on this subject.***

**5. RED LIGHT CAMERA TICKET REVENUE.** Mayor Phillips explained this discussion will address whether court costs and/or fines associated with red light camera citations will be reduced, not whether the cameras will be eliminated. Budget Office Judy Smith went through a PowerPoint explaining how funds received through fines are allocated, breaking down revenue figures into "Court Costs," "Court Expenses," "Traffic Fines" and the amount disbursed to "Redflex," starting in FY07 (year cameras were installed) up through October 31, 2009.

Deputy Police Chief David Quillin, responded to Board inquiry regarding the percentage of court time devoted to red light camera cases (around 50-60%), stated that, in addition, several officers are involved in the review process, as well as records supervisor and court clerks involved for data entry and collecting fines.

Deputy Chief Quillin then spoke to statistics regarding various accidents at the red light camera intersections. The graphs shown illustrated a reduction in the number of tickets issued along with a general reduction of T-Bone collisions.

Further Board discussion included public comments made in overall support of these cameras and the obvious result that drivers are more attentive and have slowed down since the cameras were installed.

***At this time, Mayor Phillips invited public comment on this subject.***

Mr. Jesse Overbay of Johnson City spoke in opposition to the camera citations. He believes this citation system benefits the wealthy and hurts the poor. Mr. Overbay quoted Isaiah 10:1-3 and challenged the BMA to hire more officers in lieu of these video cameras.

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Ms. Barbara Brown of Lomax Street in Kingsport supports the cameras, especially in light of an accident in which her son was seriously injured by someone who ran a traffic light. She appealed to Board members to continue the \$100 fine per infraction.

There being no further public comment, Mayor Phillips asked for Board input and asked City staff if any changes had been made to caution light length to favor the City in issuing citations. Deputy Public Works Director/Traffic Engineer Michael Thompson replied that had not been done and added that the lengths of timing do differ throughout the City. He further explained that there is a universal formula used and recommendation following from TDOT (Tennessee Department of Transportation), based on various factors such as posted speed limit, deceleration rates, etc.

Mr. Thompson said some caution light timing has been increased after a recalculation of all intersection lights prior to camera installation to ensure timing was fair. As a result of this, none were decreased and the yellow light timing was increased one (1) second for the left turn from East Stone Drive onto Eastman Road. Mr. Thompson offered copies of information showing the timings set at the City intersections back to 2004 – this information includes what the caution time was and is now.

Kingsport citizen, Bill Hudson, spoke from the audience, stating that, if one is driving the speed limit, there is no way one can get through a yellow light before it turns red. Mr. Thompson stated that the light must be red before a vehicle crosses the white stop mark and enters the intersection to be issued a ticket.

Kingsport citizen, Barney Pendleton, concurred and also provided logistical data to prove one cannot get through the yellow light before turning red at certain cameraed intersections.

Further areas covered by Board discussion were the expense of being ticketed by an officer and the liability of having the infraction reported on one's driving record, which is not done through red light camera citing; public comment in favor of keeping the fine as is; the "dilemma zone" of stopping too quickly and being rear-ended or continuing and risk being ticketed; and the increase in rear-end collisions versus the decrease in dangerous T-bone accidents.

Vice-Mayor Mallicote suggested City staff prepare and post a FAQ (frequently asked questions) section regarding these red light camera citations on the City's website and provide a similar copy with citations. FAQs addressing issues such as 1) a ticket is issued only if no part of a vehicle has crossed the stop bar after light turns red; 2) each camera flash is reviewed by actual Kingsport police officers to determine whether a ticket is warranted; 3) video and still photos can be reviewed of each infraction at the Kingsport Police Department; 4) yellow light timing have been unchanged and providing information about where and what those times are and explaining some have been lengthened, along with the basis for determining yellow light length; and 5) if a violation is challenged, costs will increase if you do not prevail. He also recommended putting

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statistics on the City website reflecting the savings, in terms of lives, injuries, costs to the public and disclosing where revenue is allocated as a part of that FAQ information.

Alderman Munsey requested that the City Attorney confirm and report on the constitutionality of utilizing the red light cameras to enforcement compliance.

***Around 6:00 p.m., Mayor Phillips directed discussion back to the regular business meeting agenda Item VI.B.1.***

**6. COMPREHENSIVE SANITATION UPDATE.** Public Works Director Ryan McReynolds and Streets and Sanitation Manager Ronnie Hammonds spoke about recent improvements and potential future efforts in the City's sanitation process.

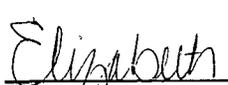
Mr. Hammonds mentioned he has been working with his County counterpart to improve and increase recycling centers, as well as yard waste convenience centers to drop off clean yard waste. Domtar has expressed an interest in picking up clean wood to chip.

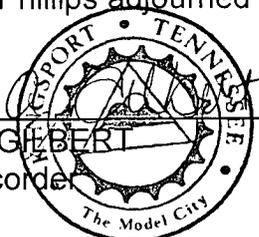
**7. DISCUSSION OF JOINT LEGISLATIVE POLICY FOR THE TRI-CITIES.** Community and Government Relations Director Tim Whaley reported that the annual Joint Legislative meeting for the Tri-Cities will be held on Friday, January 8, 2010, from 11:00 a.m. to 1:00 p.m. at the Johnson City Millennium Center. He provided Board members with a copy of the proposed policy and asked that each review and respond with any comments before the BMA consideration at the second business meeting in December.

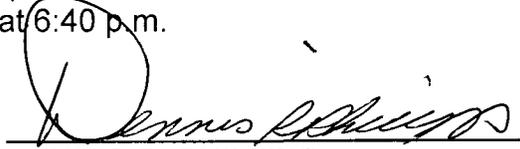
**8. WAYFINDING UPDATE.** Jack Qualls of the City's transportation department gave an overview, through a PowerPoint design presentation, of a project to develop a comprehensive and cohesive wayfinding and signage program to assist motorists in navigating to local areas of interest and venues. The presentation included sketches of various proposed designs, locations and costs for each, and described which would be included in Phase I of this project.

Mr. Qualls stated that the bid package is being compiled and it is anticipated that fabrication could begin in early 2010. He went over components involved in Phases II and III, as well as locations of those proposed signs. City Manager Campbell confirmed that costs associated with Phase I have been appropriated and a portion of Phase II is also included in the budget.

**9. ADJOURN.** Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 6:40 p.m.

  
ELIZABETH A. GILBERT  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor