

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 19, 2011, 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:** Chris McCartt, Assistant to the City Manager.
- II.B. **INVOCATION:** By Jack Edwards, United Methodist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

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

- A. April 4, 2011 Regular Work Session
- B. April 5, 2011 Regular Business Meeting
- C. April 6, 2011 Called Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS.

1. **Public Hearing for Annexation Annual Plan of Services Report** (AF: 78-2011). City Planner Forrest Koder provided details on this item.

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

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.

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B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of a Resolution Accepting Funds from the Office of the Justice Program Secured by South Central Kingsport Weed and Seed Corporation and Consideration of an Ordinance Appropriating Funds Received by South Central Kingsport Weed and Seed Corporation (AF: 82-2011).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2011-207, A RESOLUTION ACCEPTING GRANT FUNDS FROM THE SOUTH CENTRAL KINGSPORT WEED AND SEED CORPORATION FOR USE IN FUNDING PROGRAMS AT THE V.O. DOBBINS, SR. CENTER WHICH SERVES AS A SAFE HAVEN FOR THE SOUTH CENTRAL KINGSPORT WEED AND SEED CORPORATION

Passed: All present voting "aye."

Motion/Second: Munsey/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM SOUTH CENTRAL WEED AND SEED; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance Amending the FY 2011 General Purpose School Fund Budget (AF: 89-2011). Alderman Munsey voiced concerns about the county property tax discrepancy issue. City Manager Campbell stated school personnel are concerned and there have been conversations with Bristol as well as other cities across the state. City Attorney Billingsley clarified the state law regarding certain county tax revenues resulting from specific school bonds do not have to be shared with the cities in their jurisdiction. Considerable discussion followed on how to prevent this from happening in the future. Alderman Marsh suggested putting this issue on the work session tickler so it does not become forgotten.

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance Appropriating Cultural Arts Funding Received from Donations (AF: 90-2011).

Motion/Second: Shupe/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY APPROPRIATING FUNDS RECEIVED FROM DONATIONS FOR THE YEAR ENDING JUNE 30, 2011; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Gasoline-Powered 4X4 Utility Bed Trucks to Empire Ford, Inc. (AF: 83-2011). City Attorney Billingsley confirmed for Alderman Munsey that the maximum dollar amount the City Manager can authorize for a purchase without Board approval is \$50,000.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2011-208, A RESOLUTION AWARDING THE BID FOR PURCHASE OF TWO GASOLINE POWERED FOUR WHEEL DRIVE UTILITY BED TRUCKS TO EMPIRE FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

2. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Diesel-Powered 4X4 Backhoes to West Hills Tractor, Inc. (AF: 84-2011).

Motion/Second: Munsey/Parham, to pass:

Resolution No. 2011-209, A RESOLUTION AWARDING THE BID FOR PURCHASE OF TWO DIESEL POWERED FOUR WHEEL DRIVE BACKHOES TO WEST HILLS TRACTOR, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Diesel-Powered Tandem Axle Dump Truck to Smoky Mountain Truck Center, LLC (AF: 85-2011).

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2011-210, A RESOLUTION AWARDING THE BID FOR PURCHASE OF ONE DIESEL POWERED TANDEM AXLE DUMP TRUCK TO SMOKY MOUNTAIN TRUCK CENTER, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper for the Purchase of Property Located at 1101 Gibson Mill Road (AF: 86-2011). Mayor Phillips noted this property was necessary to complete the next phase of the Gibson Mill Road project. In response to a question from Alderman Marsh, a brief discussion followed on the outcome of city property that is acquired and no longer needed once a project is complete.

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Motion/Second: Joh/Parham, to pass:

Resolution No. 2011-211, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF PROPERTY LOCATED AT 1101 GIBSON MILL ROAD

Passed: All present voting "aye."

5. Consideration of a Resolution Awarding the Bid for the Purchase of Chlorine to JCI Jones Chemical, Inc., Hydrofluorisilic to Kay Chemical, Inc. and Coagulant to Gulbrandsen, Inc. (AF: 91-2011).

Motion/Second: Munsey/Joh, to pass:

Resolution No. 2011-212, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF CHLORINE TO JCI JONES CHEMICAL, INC., FOR HYDROFLOURISILIC ACID TO KEY CHEMICAL, INC. AND COAGULANT TO GULBRANDSEN, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Mayor to Execute a Lease Agreement with the Kingsport Farmer's Market for Use of Property Located at 308 Clinchfield Street (AF: 92-2011). City Manager Campbell pointed out the lease could be reconsidered if any changes were made to the Farmer's Market by-laws. Assistant to the City Manager Chris McCartt also provided details, noting the intention of the market is to be open 12 months. Regarding other events at this facility, Mr. McCartt stated conflicts should be rare due to the Market's hours of operation. He further commented that any requests to use this site should come through the City and not the Farmer's Market.

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-213,

Passed: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE OF REAL PROPERTY LOCATED AT 308 CLINCHFIELD STREET WITH THE TRICITIES FARMERS' ASSOCIATION FOR USE AS THE FARMER'S MARKET

All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper for the Donation of Two (2) Surplus School Buses to the Sheriff's Department of Sullivan County to Increase the Use of Inmates for a Variety of Public Projects in Sullivan County (AF: 93-2011). City Manager Campbell stated eight school buses need to be retired because of their years of service. Due to the low trade-in value of these vehicles, the city would benefit more from the clean-up services provided through the use of these buses by the Sheriff's Department.

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Motion/Second: Shupe/Joh, to pass:

Resolution No. 2011-214, A RESOLUTION DECLARING TWO SCHOOL BUSES AS SURPLUS PROPERTY; APPROVING THE DONATION OF TWO SURPLUS SCHOOL BUSES TO THE SULLIVAN COUNTY SHERIFF'S DEPARTMENT; AND AUTHORIZING THE MAYOR AND THE CITY RECORDER TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE DONATION

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Sign and Execute All Documents for the Acquisition of Property (AF: 95-2011). City Manager Campbell presented this item, noting the City is paying KEDB (Kingsport Economic Development Board) back for this property that was originally bought for the City, so that KEDB will have the money they need to make payment on another project. Mr. Campbell verified the funding source for Alderman Munsey. Alderman Marsh voiced some concerns involving the details of ownership regarding this property and discussion ensued. Mr. Campbell stated that KEDB is currently trying to market these properties.

Motion/Second: Parham/Joh, to pass:

Resolution No. 2011-215, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF PROPERTY LOCATED AT 808 E. MAIN STREET AND 952 E. SULLIVAN STREET

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

9. Consideration of a Resolution Authorizing the Mayor to Execute an Interlocal Agreement with the City of Church Hill to Provide Maintenance Services through the City of Kingsport Public Works Department (AF: 96-2011). City Manager Campbell stated this was a similar agreement to one recently approved with Mt. Carmel and maximizes the use of our equipment.

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2011-216, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF CHURCH HILL AND THE CITY OF KINGSPORT

Passed: All present voting "aye."

10. Consideration of a Resolution Requesting the Northeast State Community College Foundation to Consider the Transfer of Ownership of the Regional Center for Advanced Manufacturing (RCAM) and the Pal Barger Center for Automotive Performance to the City of Kingsport (AF: 97-2011). City Manager Campbell stated this item was added in response to a discussion from the work session yesterday and asks the Foundation to consider returning the ownership of these properties to the City of Kingsport rather than pursue other options. There was considerable discussion about the goal of the Foundation and possible outcomes if ownership was transferred to the State. Mr. Campbell noted the Foundation convenes twice a year and should be meeting soon.

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Motion/Second: Parham/Shupe, to pass:

Resolution No. 2011-217, A RESOLUTION REQUESTING THAT THE NORTHEAST STATE COMMUNITY COLLEGE FOUNDATION CONVEY OWNERSHIP OF THE REGIONAL CENTER FOR ADVANCED MANUFACTURING (RCAM) AND THE PAL BARGER CENTER FOR AUTOMOTIVE PERFORMANCE TO THE CITY OF KINGSFORT SHOULD IT DETERMINE THAT IT WANTS TO DIVEST ITSELF OF THESE PROPERTIES

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of an Appointment to the Parks and Recreation Advisory Committee (AF: 80-2011). Mayor Phillips noted Ms. Barber comes highly recommended.

Motion/Second: Munsey/Parham, to approve the following:

APPOINTMENT OF MS. REBA BARBER TO SERVE ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2012. MS. BARBER WILL COMPLETE THE UNEXPIRED TERM OF MR. MATT KILGORE.

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

VIII. COMMUNICATIONS.

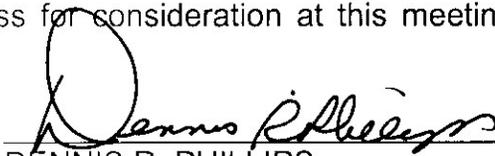
A. CITY MANAGER. None.

B. MAYOR AND BOARD MEMBERS. Alderman Shupe mentioned early voting begins on April 27th. Alderman Joh encouraged residents to participate in Easter week and to take time to reflect and count their blessings. Alderman Parham commented on the opening weekend for the Farmer's Market this past Saturday. Vice-Mayor Mallicote wished everyone a Happy Easter. Mayor Phillips announced his prayer breakfast was Wednesday, May 4th and tickets were \$10 each. Breakfast will begin at 6:45 a.m. and the program will start at 7:20 a.m. He also commented on Mr. Campbell's recent move across town.

C. VISITORS. Barbara Brown commented on the Farmer's Market.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:00 p.m.


ANGELA MARSHALL
Deputy City Recorder


DENNIS R. PHILLIPS
Mayor