

Minutes of the Regular Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Monday, July 19, 2010, 4:30 PM  
Council Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips	
Alderman Valerie Joh	Alderman Larry A. Munsey
Vice-Mayor Benjamin K. Mallicote	Alderman Tom C. Parham
Alderman Charles K. Marsh, Jr.	

City Administration

John G. Campbell, City Manager  
J. Michael Billingsley, City Attorney  
James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m., by Mayor Phillips.
2. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Shupe.
3. **SESSION TICKLER.** Mayor Phillips mentioned a letter to the editor in the Kingsport Times News regarding the Harbor Chapel Road improvements. The complaint was that the road was no wider, no better and it had a large cave-in. Assistant Public Works Director Michael Thompson made the comment that the cave-in they were talking about was the Memorial Boulevard water line work and the cave-in was not caused by the construction, but the old water line bursting.

There was some discussion on downtown restrooms. Mayor Phillips stated he was in favor of restrooms downtown, but mentioned the problems at the Library and Netherland Inn Road. City Manager Campbell stated that they are problematic. He also stated they have put some dollars in bond issues to put restrooms in the parking garage on Market Street. One thing that came up in discussions with potential developers was to put a restaurant on site with access to restrooms, possibly a shared entrance.

Alderman Parham gave a Planning Commission update. He stated that there was a recommendation to annex Sullivan Gardens and also there was a vote to require a master plan for the Murphy Oil gas station on Fort Henry Drive. Alderman Marsh asked if he understood correctly that when you have a plan that comes back and doesn't require rezoning you can build a gas station and not anything else. Alderman Parham answered yes. Alderman Marsh asked what prevents Wal-Mart from building a gas station on their property. Mayor Phillips responded that they could not have outside sales at that location. Alderman Marsh asked if this was a business friendly position to be in. City Attorney Billingsley explained that Mr. Alexander, owner of the property, asked for a B4P zoning which requires when you come forward you have to have a plan for the district and in this case the district is three parcels of land and he only had a plan for one of those parcels and he is required to build according to that plan in the future. With B3 zoning you can build

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however you want as long as you follow the uses of B3. Alderman Munsey stated that this was business friendly but not citizen friendly.

Alderman Marsh inquired about (1) the fuel report he requested at the last meeting. City Manager Campbell responded that they are waiting on information from GIS and should have it next week. (2) cost of repairs on streets around V.O. Dobbins. Ronnie Hammonds responded that there is not an estimate yet, but materials are less the \$100,000. City Manager Campbell stated they will finish streets when construction is completed. (3) who owns property between Martin Luther King and the railroad. Mayor Phillips responded that there are four owners from the railroad to the street (Eastman, Railroad, City, and KHRA) and that KHRA owns most.

**4. REVIEW OF AGENDA ITEMS ON JULY 20, 2010 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.AA.1 Public Hearing for Annexation Annual Plan of Services Report** (AF: 211-2010) City Planner Forrest Koder presented the Annual Plan of Services report on annexations.

Alderman Munsey inquired as to why it took five years to install street lights once an area had been annexed. Mr. Thompson replied that it doesn't take five years to get lights designed and installed, but funding needs to be approved before completion. He did say that three lights will be completed this week. Mr. Thompson stated that the delay was not due to AEP.

**VI.AA.2 Public Hearing and Consideration of Ordinances to Amend Division 5, Chapter 114-316, the Municipal Floodplain Ordinance for the City of Kingsport**

(AF: 212-2010) City Planner Forrest Koder informed the Board that there is an annual audit of our building permits and our floodplain ordinance to be sure we are in compliance with state regulations. This is a primarily a housekeeping measure to bring our code up to FEMA standards.

**VI.AA.3 Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along East Sevier Avenue to P-1, Professional Office District** (AF: 225-2010).

City Planner Karen Combs gave presentation on rezoning of property on East Sevier Avenue from R-3 (Multi-family Residential District) to P-1 (Professional Office District) due to a request from Mr. Richard Clark. Mr. Clark would like to erect a funeral home on the property. Ms. Combs noted that there were no objections from the neighborhood. City Manager Campbell added that Mr. Clark was one of the businesses moved from Martin Luther Street.

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**VI.B.1 Consideration of a Budget Ordinance to Amend the MPO Fund by Transferring Funds from the Riverport Road Stimulus Project to Various Road Resurfacing and Restoration Stimulus Projects (AF: 253-2010)** Alderman Marsh asked how we missed the cost of asphalt by so much. Mr. Thompson stated that historically we have not done the tumulus and fuel index in our contract. City Manager Campbell stated that he looked at the numbers from July 2009 to June 2010 and there was a 24.9% increase and looking at the fuel index there was a 36% change from July through May. Since the project was not started as scheduled, there was a consensus that the timing of the construction was a major factor in the increase in cost. There were concerns from the Board of the effect this would have on the Riverport Road project. Mr. Thompson replied that the AARA funds for Riverport Road could be used on these various road projects to finish out the money and we could save 25% on labor by doing the work on Riverport Road in-house. City Manager Campbell stated that staff was still evaluating options for funding the Riverport Road project. Mr. Thompson stated that any change orders associated with these costs would be presented at the next BMA meeting.

**VI.D.1 Consideration of a Resolution Authorizing the Issuance of a Purchase Order for the Supply of Ethernet Switches for Kingsport City Schools' Network Infrastructure to Personal Computer Systems (AF: 247-2010)** Mr. John Payne, from the Schools' staff explained that in October a discrepancy was found in the RFP. The problem with the RFP was that only two switches for Dobyns Bennett was ordered, when there should have been 40 switches ordered. The plan was revised and they got a break from manufacturer where fewer switches could be purchased, 43 switches in total. The switch system would be finished out at a cost of \$138,000. Mr. Payne noted that there are five elementary schools left to finish. Mayor Phillips voiced his concern about being put in this position and stated that he will not vote for it. The Board agreed that this happens too often. Mayor Phillips stated that someone needs to be at the BMA meeting to explain how this happened.

**VI.D.5 Consideration of a Resolution Amending the Agreement with Tysinger Hampton & Partners Regarding Harbor Chapel and Cooks Valley Road Improvements Phase 2 and Authorize the Mayor to Sign all Applicable Documents (AF: 252-2010)** Alderman Marsh stated that on the edge of both sides of the road there is a 6 ft. drop off and when you get to Harbor Springs Drive you have a 90° turn to the left and then a 195° turn back to the right and he asked how that intersection would be fixed. Mr. Thompson replied that they would realign Harbor Springs Drive to alleviate the 90° turn. Mr. Thompson added that the cost estimate was astronomical at that time and that they would seek other cost effective ways to address the problem.

**VI.D.8 Consideration of a Resolution Authorizing the Mayor to Amend the Contract with Workspace Interiors to Include Phase 2 of Procuring Furniture, Fixtures and Equipment (FF&E) for the Meadowview Executive Conference Center Project (AF: 245-2010)** Alderman Munsey asked the status of the MeadowView project and stated that it appeared to be slow moving. City Manager Campbell addressed his question stating that

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there were mainly problems with sub-contractors. He said that there would be substantial completion by the 3<sup>rd</sup> week of October and major completion by December 1, 2010.

**BOARD COMMENT.**

Alderman Marsh stated that Cooks Point looks best it has ever looked.

Alderman Joh thanked Matthew Lane of the Times News for the publicity on the carousel.

Tim Whaley reminded everyone about the Straight to the Top Conference to be held on July 26<sup>th</sup> and July 27<sup>th</sup> at the MeadowView Conference Center. He noted that Governor Bredesen as well as Eastman CEO Jim Rogers will be present on Tuesday, July 27<sup>th</sup>. He said there will be at least 200 speakers, not only educators but economic development people from the state region. Statistician Dr. Bill Sanders will be one of the speakers also. This conference is being funded by the Harvard Award funds.

Mayor Phillips expressed his concern about bids and cost overruns.

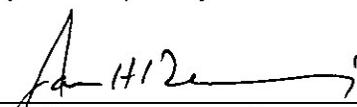
City Manager Campbell addressed the Mayor's concerns. We don't want to get carried away with cost overruns, we get too many overinflated estimates on the front end and cities end up wasting a lot of dollars. On the AARA project the federal and state keep changing the rules. They are requiring noise pollution tests, air pollution tests and these requirements change every two weeks. City Manager Campbell stated that a new process within the last two years is requiring certified engineer inspectors. We have to hire teams with people from Nashville and Memphis while we are trying to get our engineers certified. Alderman Marsh stated that there is no substitute for good staff work. Alderman Munsey said he concurred with the Mayor that overruns are a serious issue.

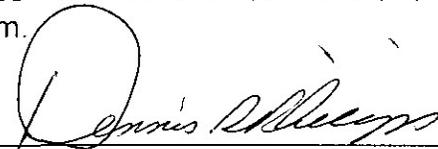
Mayor Phillips requested an explanation on the street light program at an upcoming work session.

**PUBLIC COMMENT.**

Mr. Brent Ramey, 108 Sylvan Drive, Colonial Heights voiced his concern on parking lot safety (grocery parking lots, shopping centers, etc). Mr. Ramey suggested that shopping carts should have brakes installed, possibly on casters. Mayor Phillips stated that he would have staff look into this matter.

**5. ADJOURN.** Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 5:55 p.m.

  
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JAMES H. DEMMING  
City Recorder

  
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DENNIS R. PHILLIPS  
Mayor