

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Tuesday, September 7, 2010, 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

(arrived shortly after roll call)

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:** 4:30 p.m., by Mayor Phillips.
2. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Marsh.
3. **SESSION TICKLER.** Public Works Director Ryan McReynolds noted that the Netherland Inn Bumpout information will be brought to the BMA for consideration at a later date.

Mayor Phillips voiced his concern about the progress on the Netherland Inn Road roundabout. City Attorney Billingsley noted that they are working on filing condemnation papers which could take up to two months. He added they are getting an updated appraisal on the property which at the present time has a difference of approximately \$300,000 in price.

Alderman Mallicote voiced his concern about the gateway signs schedule. Mr. McReynolds responded that they will send out an updated schedule to the Board members in the next agenda package.

Alderman Munsey asked if we will be able to meet the schedule on the Convention Center and also voiced his concern about the restaurant seating. City Manager Campbell responded that everything looks like it is on schedule and that the seating is over and above what was in the restaurant in the past.

4. **PARKING GARAGE UPDATE.** City Manager Campbell presented an update on this item. He stated that formal documents with KEDB would be presented at the next meeting. Mr. Campbell explained the selection process stating that we had put out requests for proposals on basic criteria and from that process we had eight good teams. That list was narrowed to five teams and then down to three teams. He added that we now can recommend the one firm that had the best price per space. He noted that there is an option to add on 41 extra spaces if we can find the funds and added that it would be better to add on now rather than later. The garage will have public restrooms, two elevator towers, three

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or four stair towers, and a private mixed use building of 10,000 square feet. He noted that we already have one restaurant interested. He added that construction will start after Christmas and the garage is scheduled to be finished by June or July 2011.

5. ROAD DESIGN UPDATE. Public Works Director Ryan McReynolds explained the design of Harbor Chapel Road. He also presented the schedule for upcoming road projects in the City.

6. REVIEW OF AGENDA ITEMS ON SEPTEMBER 7, 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 and Consideration of an Ordinance to Regulate substance Abuse Treatment Facilities (AF: 295-2010) City Planner Jason Meredith gave a brief presentation on this item. He noted that the Planning Commission at their August meeting approved a recommendation to the BMA for an emergency ordinance. Mayor Phillips voiced his concern that we cannot keep this business off Riverport Road. Mr. Meredith responded that he did not think Riverport would be a vital option because it was not a principle arterial street. Alderman Munsey asked if we could increase the required distance laid out in the ordinance if we chose to do so. Alderman Parham responded that at the Planning Commission meeting they recommended staying with the state program. Alderman Munsey stated that he has no problem voting for the emergency ordinance, but he requested that it be looked at closer. City Attorney Billingsley noted that the City can regulate a business, but cannot prohibit it. He also stated that the City can regulate the use of a piece of property but cannot regulate to the extent that it eliminates the right to conduct a business; but the City has the right to direct where it cannot be located. It was the consensus of the Board to pass the emergency ordinance. Mayor Phillips noted that the Board wants the most restrictive defensible ordinance we can pass. Alderman Shupe noted that the Board needs to go on record that they oppose a methadone clinic. Mr. Billingsley stated that the Board can go on record in a resolution that they oppose the methadone clinic.

VI.B.1 Consideration of an Ordinance for Sidewalk Construction Requirements Not Governed by Subdivision Regulations (AF: 283-2010) Development Service Coordinator Rack Cross presented this item. Mayor Phillips noted that if you build a building in the City you will have to have a sidewalk. City Manager Campbell noted that there is an amendment to the ordinance which states with engineering approval, you can contribute to the sidewalk fund to be used for other places that are more useful. Alderman Mallicote asked how the contribution is calculated. City Manager Campbell responded it is calculated at 5%. Jeff Fleming, Assistant City Manager/Economic Development noted that it is not more attractive to contribute. Public Works Director McReynolds stated that the business could build the sidewalk cheaper than the City could.

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VI.B.3 Consideration of an Ordinance to Amend the General Fund by Adjusting Budgets to Actual for Year End (AF: 299-2010) Mayor Phillips recommended that the Board take time at a future work session to go over the budget that was passed.

VI.D.1 Consideration of a Resolution Authoring the Mayor to Execute All Documents Necessary to Obtain a SAFER Grant from the U.S. Department of Homeland Security (AF: 285-2010) City Manager Campbell stated that we originally requested ten firefighters from the first safety grant and we received none. We have requested six fulltime firefighters at this time.

VI.D.2 Consideration of a Resolution Authoring the Mayor to Sign All Documents Necessary to Apply for and Receive the Tennessee's Targeted Crime Reduction Project Byrne Grant from the State of Tennessee Office of Criminal Justice Programs (AF: 286-2010) Deputy Police Chief Dale Phipps and Officer Jenny Castle gave an overview of this item. Mr. Phipps commended Morris Baker, Linda Calvert, Jenny Castle and others for the time they invested in this process. He noted that the City of Kingsport was among four cities that were approached for a non competitive targeted crime reduction project. The requirements of the grant were that it had to be coalition based and data driven. The City had to evaluate the crime data available and determine the geographic areas with the highest crime occurring. Another requirement of the grant was to have a program evaluator analyze the data and Mr. Steven Hall, an FBI agent for over 30 years, was selected as the program evaluator. Data was analyzed from 2006 through 2009 and the five areas identified were 1) SW Lynn Garden. 2) Stone Drive-Lower Bloomingdale, 3) E. Highland, 4) Miller Village, and 5) Cloud & Lee Apt area. The crimes identified in this grant to be pertinent are lumped into three categories which are family violence, non-family violence and narcotic drug crimes. The Office of Criminal Justice Program requires a three prong approach to this endeavor which is pre-enforcement prevention, actual enforcement and defender intervention. Alderman Munsey asked the time period of the grant and what the money would be spent on. Mr. Phipps answered that it was a three year grant and added that of the \$800,000, 25% would go to pre-enforcement, 50% to enforcement and 25% to intervention. In response to Alderman Munsey's question on hiring new people Ms. Castle answered that there would be some positions to be filled, but they would be funded through the grant and there would be no expense to the City. Alderman Parham asked what would be accomplished and Mr. Phipps stated that it would reduce crime. Mayor Phillips commended Ms. Calvert and Mr. Baker for their efforts.

VI.D.3 Consideration of a Resolution Authorizing the Mayor to Sign All Documents to Necessary to Receive an East Tennessee Clean Fuel Coalition Grant (AF: 287-2010) City Manager Campbell noted that this is the conversion from gas to propane for City vehicles and that there would be a 30% savings in this conversion. Fleet Manager Steve Hightower reiterated that this is a good way to go and would be saving us a lot of money.

VI.D.4 Consideration of a Resolution Authorizing the Mayor to Execute an Interlocal Agreement with Sullivan County and other Entities for Animal Control and Operation of Animal Shelters (AF: 261-2010) Deputy Police Chief Dale Phipps gave a

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presentation on this item. He noted that in 2009 the MTAS/CTAS Committee was approached by the City of Kingsport to find a more efficient way to run our current animal shelter. At that time the shelter utilized by the City was operated by the Sullivan County Humane Society, but with the financial restraints they had they approached us to come up with a solution. The proposal of a joint animal shelter appeared to be the best solution which would provide a higher level of service and a reduced cost for taxpayers. Mr. Phipps emphasized that it would be "Better Service for Less Money". He noted that at the present time the agreement is with Sullivan County, Kingsport and Bluff City. He added that at this time Bristol has yet to agree to participate, but that option is left open for them. Mr. Phipps stated that at the present time there are two shelters, Idle Hour Road and Blountville and this is due to the amount of animals coming in. The governing board which is made up of nine members from the different entities will oversee the shelters. He added that there would be one director and one manager at each site. Mr. Phipps provided the benefits of the shelter which would be that they are not competing for dollar donations, food and supplies, volunteers and also there are no conflicting standards. He noted that the animal care would remain the same. He briefly explained the operation and cost associated with the shelters. In response to Alderman Shupe's question on the function of the present animal control officers, it was noted that no one would be losing their job. Alderman Joh asked why Bristol was not participating. Mr. Phipps explained that Bristol has their own holding area and after 3 to 5 days they hand them over to Sullivan County. City Manager Campbell noted that we will have the best service in East Tennessee and added that VET-Tech is interested in this project. County Commissioner Joe Herron spoke briefly noting that the County is very much in favor of this project and commends Kingsport for their role in this project.

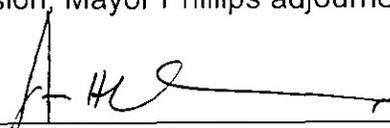
VI.D.6 Consideration of a Resolution Awarding the Bid for the Purchase of Road Salt to Cargill, Inc. for FY11 (AF: 298-2010) City Manager Campbell noted that the bid on salt is 7- 8% better than last year.

VI.D.7 Consideration of a Resolution Approving a Lease Agreement with Upper East Tennessee Human Development Agency for Office Space in the V.O. Dobbins Complex (AF: 296-2010) Assistant to the City Manager Christ McCartt explained the changes in the lease and noted that the ribbon cutting ceremony for the complex is scheduled for Friday, September 24th.

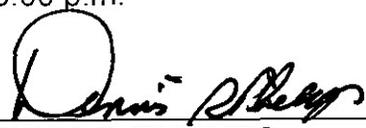
BOARD COMMENT. None

PUBLIC COMMENT. None

7. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 6:00 p.m.



JAMES H. DEMMING
City Recorder



DENNIS R. PHILLIPS
Mayor