

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 15, 2008, 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 Patrick W. Shull
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 Kingsport Fire Chief Craig Dye.
- II.B. **INVOCATION:** by Minister Jack Weikel of First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Larry A. Munsey.
- IV. **RECOGNITIONS AND PRESENTATIONS.**

A. PRESENTATION OF ENVIRONMENTAL POSTERS CERTIFICATES. Dr. Tim Martin shared that Kingsport City Schools had observed an *Environmental Week* which included a poster contest sponsored by Keep Kingsport Beautiful and Green Bank. Several contest winners were in attendance and Mayor Phillips presented awards to each student. Dr. Martin announced that the winning poster would be on display in the Fort Henry Mall through May 2, 2008.

B. RECOGNITION OF KINGSFORT POLICE DEPARTMENT (KPD) CITIZENS POLICE ACADEMY. Chief Gale Osborne recognized the Police Academy graduates present from the latest class and Mayor Phillips presented each attendee with a graduation certificate as Chief Osborne announced the participants' names. Academy graduate James Laughter, speaking on behalf of class members, expressed the greater appreciation the class members gained for the job the police officers do and thanked both the KPD and the BMA for providing this opportunity for citizens to experience what the police department contributes to the City's public safety.

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V. APPROVAL OF MINUTES.

Motion/Second: Mallicote/Joh, to approve minutes, as amended, for the following meetings:

- A. March 31, 2008 Regular Work Session
- B. April 1, 2008 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS. None.

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items.

Ms. Barbara Brown of Lomax Street, Kingsport, spoke about the Kingsport City Schools' request for additional funds from the City for the FY09 school budget. She commended the City's public works department for the excellent services provided and performed.

There being no one further coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Appropriate Scholarship Funds Received from the Public Entity Risk Institute to the Risk Management Fund Budget (AF: 93-2008).

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE RISK MANAGEMENT INSURANCE RESERVE FUND BUDGET BY APPROPRIATING SCHOLARSHIP FUNDS RECEIVED FROM THE PUBLIC ENTITY RISK INSTITUTE FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance to Amend the Senior Citizens Advisory Board Budget by Appropriating Funds from the Senior Advisory Board Fund Balance to Fund the Senior Trips Program (AF: 97-2008).

Motion/Second: Shupe/Joh, to pass:

AN ORDINANCE TO AMEND THE SENIOR CITIZENS ADVISORY BOARD BUDGET BY APPROPRIATING FUNDS FROM FUND BALANCE FOR THE SENIOR TRIPS PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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3. Consideration of a Resolution to Authorize the Mayor to Sign all Documents Necessary to Enter into a Materials Agreement with George Hunt related to Hunt's Crossing Phase II and an Ordinance to Appropriate the Funds (AF: 99-2008). City Manager Campbell explained the premise behind this and the next two material agreement items, which the BMA has been approving during the last year. Public Works Director Ryan McReynolds added that around 21 building permits have been issued as a result of these agreements.

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2008-178, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MATERIALS AGREEMENT WITH GEORGE HUNT FOR THE PROVISION OF CERTAIN WATER AND SEWER MATERIALS BY THE CITY FOR HUNT'S CROSSING PHASE II

Passed: All present voting "aye."

Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO ESTABLISH THE HUNT'S CROSSING PHASE II DEVELOPMENT MATERIALS AGREEMENT PROJECTS (SW0860 AND WA0860); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Consideration of a Resolution to Authorize the Mayor to Sign all Documents Necessary to Enter into a Materials Agreement with Butch Rose related to Windridge Phase IV and an Ordinance to Appropriate the Funds (AF: 100-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-179, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MATERIALS AGREEMENT WITH BUTCH ROSE FOR THE PROVISION OF CERTAIN WATER AND SEWER MATERIALS BY THE CITY FOR WINDRIDGE PHASE IV

Passed: All present voting "aye."

Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO ESTABLISH THE WINDRIDGE PHASE IV DEVELOPMENT MATERIALS AGREEMENT PROJECTS (SW0861 AND WA0861); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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5. Consideration of a Resolution to Authorize the Mayor to Sign all Documents Necessary to Enter into a Materials Agreement with Jim Nottingham related to the Riverwatch Development and an Ordinance to Appropriate the Funds (AF: 101-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-180, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MATERIALS AGREEMENT WITH JIM NOTTINGHAM FOR THE PROVISION OF CERTAIN WATER AND SEWER MATERIALS BY THE CITY RESULTING FROM DESIGN CHANGES TO RIVERWATCH DEVELOPMENT

Passed: All present voting "aye."

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE RIVERWATCH DEVELOPMENT MATERIALS AGREEMENT PROJECTS (SW0859 AND WA0859); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Consideration of an Ordinance to Amend Section 2-399 of the Kingsport City Code Pertaining to Public Art Funding (AF: 107-2008). Ms. Bonnie MacDonald and Ms. Martha Beverly of the City's Cultural Arts Department provided details on the background of this funding request.

Motion/Second: Shull/Shupe, to pass:

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, SECTION 2-399 (b) OF THE KINGSFORT CITY CODE PERTAINING TO PUBLIC ART FUNDING; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Amend the Zoning, Code, Text and Map, to Zone Property at 2817 East Center Street to P-1, Professional Office District (AF: 80-2008).

Motion/Second: Mallicote/Shupe, to pass:

Ordinance No. 5673, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY LOCATED AT 2817 EAST CENTER STREET TO PROFESSIONAL OFFICE DISTRICT, IN THE 12TH 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Shull, Shupe and Phillips voting "aye."

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D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute Addendum I to the Area Agency on Aging Grant (AF: 98-2008).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2008-181, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ADDENDUM I TO THE CURRENT JULY 1, 2007 FIRST TENNESSEE DEVELOPMENT DISTRICT AREA AGENCY ON AGING AND DISABILITY GRANT CONTRACT

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute a Capital Assistance Contract Between the City of Kingsport and the Tennessee Department of Transportation (TDOT) for Reimbursement of Capital Expenditures, TDOT Special Legislative Appropriation Project Number 82LEGS-S3-002, F&A No. Z-08-212260-00 (AF: 103-2008).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2008-182, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CAPITAL EXPENDITURES FOR MOBILE DATA UNITS FOR KINGSFORT AREA TRANSIT VEHICLES

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of a Horizontal Directional Drill for Use by the Water Department to Vermeer of Tennessee, Inc. (AF: 104-2008).

Motion/Second: Shull/Joh, to pass:

Resolution No. 2008-183, A RESOLUTION AWARDED THE BID FOR PURCHASE OF A HORIZONTAL DIRECTIONAL DRILL TO VERMEER OF TENNESSEE, INC.

Passed: All present voting "aye."

4. Consideration of a Resolution to Authorize the Mayor to Sign all Documents Necessary to Apply and Receive a Traffic Law Enforcement Agency Services – Multiple Violations Highway Safety Grant from the Tennessee Department of Transportation (TDOT) (AF: 105-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-184, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND

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RECEIVE A TRAFFIC LAW ENFORCEMENT AGENCY SERVICES MULTIPLE VIOLATIONS HIGHWAY SAFETY GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT)

Passed: All present voting "aye."

5. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Department of Justice (DOJ) – Office of Justice Program/Bureau of Justice Assistance Bullet Proof Vest (BPV) Reimbursement Grant (AF: 108-2008).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2008-185, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS' BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST REIMBURSEMENT GRANT

Passed: All present voting "aye."

6. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Public Works Investment Grant through the U.S. Economic Development Administration (AF: 106-2008).

Motion/Second: Mallicote/Shull, to pass:

Resolution No. 2008-186, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE PUBLIC WORKS AND ECONOMIC DEVELOPMENT INVESTMENT FUNDS THROUGH THE ECONOMIC DEVELOPMENT ADMINISTRATION TO PROVIDE PARTIAL FUNDING FOR THE KINGSFORT HIGHER EDUCATION CENTER

Passed: All present voting "aye."

7. Consideration of a Resolution to Forego Borrowing Eight Hundred Forty-Five Thousand Dollars (\$845,000) already Appropriated for the Higher Education Center Project and Reallocating Eight Hundred Forty-Five Thousand Dollars (\$845,000) in the Fund Balance of the General Fund to the Target Fund Balance (AF: 110-2008). City Manager Campbell provided background information on the revision of this action's original proposal of reallocating \$2 million, as requested by Alderman Marsh, to the \$845,000 figure being considered at this meeting. He explained that the BMA agreed to allocate \$2 million from the City's general fund to acquire various parcels of real property to accommodate a higher education campus downtown, and the BMA further agreed that those funds would be reimbursed upon issuance of bond funds to finance higher education facility costs. Mr. Campbell referred to last night's work session discussion about the actual amounts expended on property acquisition, which resulted in a decrease of the \$2 million reimbursement request to tonight's consideration of \$845,000, allowing reimbursement of \$1,155,000. Further,

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instead of borrowing \$13,265,000, that indebtedness would be reduced to an amount up to \$12,420,000. City Attorney Billingsley read the following proposed resolution:

Motion/Second: Shupe/Marsh, to pass:

A RESOLUTION EXPRESSING THE INTENT OF THE BOARD TO FOREGO BORROWING EIGHT HUNDRED FORTY-FIVE THOUSAND DOLLARS APPROPRIATED FOR THE HIGHER EDUCATION CENTER PROJECT AND REIMBURSING FUND BALANCE OF THE GENERAL FUND ONE MILLION ONE HUNDRED FIFTY-FIVE THOUSAND DOLLARS

In response to a request by the Mayor for discussion, Alderman Marsh explained his recommendation of the \$2 million reimbursement amount was based upon the BMA's previous action expressing its intent to reimburse the City's fund balance, when loaning money to this real property acquisition project and not utilizing bond indebtedness. Mr. Marsh made many points supporting the reasoning behind reimbursement of the entire \$2 million and stated that, if passed, the City would still have \$800,000 in cash from the sale of the AEP building, along with other anticipated revenue before year end. He believes it would be good stewardship of public funds to pay back the \$2 million and reduce the amount of proposed bond indebtedness, upon which interest would also be paid, at the same time.

Alderman Marsh moved, and Alderman Shull seconded, to amend the above proposed resolution to replace the \$845,000 amount with the \$2 million figure, as originally requested. The amended passed 4-2 in a roll call vote: Joh, Marsh, Shull and Shupe voting "aye" and Mallicote and Phillips voting "nay."

City Manager Campbell expressed his concern that increasing the amount would leave the undesignated fund balance dangerously low and he would prefer more flexibility to deal with any unknown financial issues that may arise.

Mayor Phillips indicated that the compromise amount of \$845,000 was his suggestion during work session discussion and he wanted the public to be aware that the City will have around \$38,000 in excess fund balance, if the \$2 millions reimbursement is approved, and there will be no funds to assist on the Veterans Memorial or American Legion location until after July 1, 2008, unless the City uses the AEP sale proceeds.

Alderman Shull pointed out that the rationale behind the \$11.4 million in the excess fund balance is for "emergency" issues and, to his knowledge, the BMA hasn't defined "emergency." City Manager Campbell responded that it is not unusual for a municipality to have that kind of "designated fund balance" to provide for one to two months' cash flow, although no problems are anticipated.

Vice-Mayor Mallicote added that, in his view, the \$11.4 excess fund balance has always been expressed as an emergency fund, given a worst case scenario, and, therefore, is

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inviolable. He agreed with the City Manager that reducing the amount to \$38,000 eliminates a degree of flexibility that he opposes.

Motion/Second: Shupe/Marsh, to pass, as amended:

Resolution No. 2008-187, A RESOLUTION EXPRESSING THE INTENT OF THE BOARD TO FOREGO BORROWING TWO MILLION DOLLARS APPROPRIATED FOR THE HIGHER EDUCATION CENTER PROJECT AND REALLOCATING TWO MILLION DOLLARS IN THE FUND BALANCE OF THE GENERAL FUND

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

8. Consideration of a Resolution Authorizing the Mayor to Execute All Documents to Receive Federal Aviation Administration Grant Funding for Improvements Projects at the Tri-Cities Regional Airport (AF: 114-2008).

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2008-188, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPROVE AND ACCEPT FEDERAL AVIATION ADMINISTRATION (FAA) GRANT FUNDING FOR IMPROVEMENT PROJECTS AT TRI-CITIES REGIONAL AIRPORT

Passed: All present voting "aye."

9. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Bonds (Higher Education Center) in an Amount Not to Exceed \$12,240,000 (AF: 111-2008). Jeff Fleming, Director of Development Services and Assistant City Manager for Economic Development, displayed a rendering of the Higher Education Center and Kingsport Academic Village and went through statistics warranting this project.

Alderman Marsh asked the record to reflect that, although this resolution includes an amount not to exceed \$12,420,000, the original amount not to exceed was \$13,265,000 and now, as a result of action taken in Item VI.D.7, would be reduced to \$11,265,000.

Alderman Shupe explained that he voted for Item VI.D.7 based on his belief that the BMA had previously passed a resolution obligating the City to repay the \$2,000,000. Vice-Mayor Mallicote responded that, it was his understanding from that previous action, the BMA had the option to pay the funds back out of a bond issue or out of cash.

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2008-189, AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,420,000 GENERAL OBLIGATION BONDS OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

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Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2008-190, A RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$12,420,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

10. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Public Improvement and Refunding Bonds in an Amount Not to Exceed \$7,535,000 (AF: 112-2008).

Motion/Second: Joh/Mallicote, to pass:

Resolution No. 2008-191, AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,535,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT AND REFUNDING BONDS OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2008-192, A RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$13,265,000 GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

11. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of Water System Revenue and Tax Bonds in an Amount Not to Exceed \$1,210,000 (AF: 113-2008).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2008-193, AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,210,000 WATER SYSTEM REVENUE AND TAX BONDS OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR THE WATER SYSTEM AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-194, A RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$1,210,000 WATER SYSTEM REVENUE AND TAX BONDS, IN ONE OR MORE SERIES, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

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~~12. Consideration of a Resolution to Approve the Offer for the Purchase of 150 Clay Street, Approve the Sale of a Portion of the Tri-City Linen Building and Authorize the Mayor to Execute All Documents Necessary and Proper to Effectuate the Purpose of the Purchase and Sale (AF: 100-2008).~~ This agenda item was deferred to allow additional time to gather and present further cost figures as a result of work session discussion the previous night.

13. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute all Documents Necessary for the Acquisition of the Real Property located at 333 West Market Street (AF: 115-2008).

Motion/Second: Shull/Joh, to pass:

Resolution No. 2008-195, A RESOLUTION APPROVING AN OFFER AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR THE PURCHASE OF 333 WEST MARKET STREET

Passed: All present voting "aye."

E. APPOINTMENTS. None.

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Mallicote/Joh, to adopt and pass:

1. Consideration of an Ordinance Increasing the Line Item for South Central Kingsport Weed and Seed Overtime Monies to Provide Expenses for Police Patrol Overtime (AF: 74-2008).

Adopt:

Ordinance No. 5674, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS RECEIVED FROM SOUTH CENTRAL KINGSFORT WEED AND SEED; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of a Budget Ordinance to Appropriate Funds Received from Heartland Express for Entrance Gate Repairs at Domtar Park (AF: 92-2008).

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Adopt:

Ordinance No. 5675, AN ORDINANCE TO AMEND THE GENERAL FUND PARKS AND RECREATION BUDGET BY APPROPRIATING FUNDS RECEIVED FROM HEARTLAND EXPRESS FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance Reappointing Valerie Joh as the Designated Alderman for Disposal or Sale of Real Property (AF: 95-2008).

Adopt:

Ordinance No. 5676, AN ORDINANCE APPOINTING A MEMBER OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSPORT AS THE DESIGNATED ALDERMAN PURSUANT TO SECTION 2-462, KINGSPORT CITY CODE, TO DISPOSE OF SURPLUS REAL PROPERTY SUBJECT TO FINAL APPROVAL OF THE BOARD OF MAYOR AND ALDERMEN; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Consideration of an Ordinance to Amend the General Project-Special Revenue Fund Budget by Appropriating Funds Received from the Tennessee State Library and Archives for the Library Services and Technology Act Technology Grant and a Donation Received from the Friends of the Library (AF: 88-2008).

Adopt:

Ordinance No. 5677, AN ORDINANCE TO AMEND THE GENERAL PROJECT – SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE STATE LIBRARY AND ARCHIVES FOR A LIBRARY SERVICES AND TECHNOLOGY ACT GRANT; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Consideration of an Ordinance Authorizing the Designated Alderman to Dispose of City-Owned Real Property located at 478 Emory Church Road (AF: 4-2008).

Adopt:

Ordinance No. 5678, AN ORDINANCE AUTHORIZING THE DESIGNATED ALDERMAN TO DISPOSE OF REAL PROPERTY LOCATED AT 478 EMORY

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CHURCH ROAD, SITUATED IN KINGSFORT, SULLIVAN COUNTY, TENNESSEE;
AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell commended Jeff Fleming on his presentation on the Academic Village and spoke of other, related, issues. He mentioned that he and the Mayor had attended the University of Tennessee (UT) committee meeting regarding higher education in Kingsport and witness that UT is working on providing a very appropriate curriculum in Kingsport and UT plans to place a full-time employee in Kingsport to work with this higher education program. He also wanted to commend the UT Lady Vols basketball team for winning back-to-back national championships.

B. MAYOR AND BOARD MEMBERS. Mayor Phillips, earlier in the meeting, welcomed Ms. Kathy Maness, a member of the town council in Lexington, South Carolina.

Alderman Joh commented on the National AAU 12 and Under Wrestling tournament held in Kingsport last week and applauded the Kingsport Convention and Visitors Bureau staff and volunteers for running a very smooth and well-organized event. She added that events such as this have a great impact on the City overall.

Alderman Shull spoke, regarding the upcoming budget considerations, of the level of support the City provides to Kingsport City Schools (KCS), along with funding it receives from federal and state sources also. He requested that figures, perhaps, by per capita income v. expenditure, be provided to Board members to measure how other Tennessee cities support their education systems.

In response, Alderman Joh indicated that the KCS Board had already been asked for that information and it will be provided.

Vice-Mayor Mallicote praised Public Works Director Ryan McReynolds and staff for implementing the composting pilot project. Mr. McReynolds stated that the initiative had come from the City Manager due to other cities' success. Mr. McReynolds added that his staff had been working with Keep Kingsport Beautiful to initiate this phase of the project and that the Public Works department enjoys exercising good eco-stewardship and it makes economic sense to reduce landfill tonnage.

Vice Mayor Mallicote would like to see this project implemented on a City-wide base and believes there needs to be more talk about Kingsport as a "green" city, since the City has one of oldest curbside recycling programs in the state and has recently implemented an energy savings program in several public building.

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Alderman Marsh shared that, at the work session, during an energy conservation report, the contractor described a potential hydroelectric facility installed at Bays Mountain could harness the water fall in the creek from the lake to the foot of the mountain and generate a good deal of energy there. He is anxious for Leisure Services Director Tom Bowman to meet with the contractor and City Manager to discuss further this potential project that would make great sense for a green community and the economy, as well.

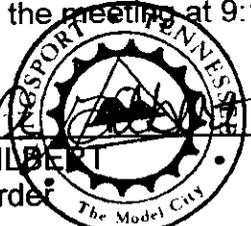
C. VISITORS.

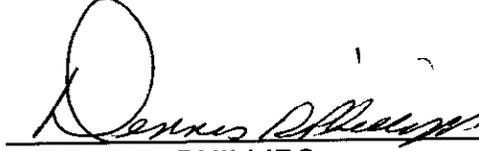
Ms. Kathy Maness, visiting from Lexington, South Carolina (*recognized earlier in the meeting by the Mayor*) stated that she was traveling with her husband, who works for the Federal Aviation Association (FAA) and was in the area for a work-related meeting. She was pleased to hear all the great things happening in Kingsport and thanked the BMA being true public servants.

Ms. Barbara Brown of Lomax Street, Kingsport, stated her appreciation to City Manager Campbell and Mayor Phillips for working hard to see that all of these ongoing projects around the City are successful.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 9:10 p.m.


ELIZABETH A. GILBERT
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor