

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, January 12, 2010, 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 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:** Led by Ms. Virginia Howe.
- II.B. **INVOCATION:** by Pastor Jack Weikel of First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Larry A. Munsey.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

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

A. December 14, 2009 Regular Work Session

B. December 15, 2009 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the New Beason Well Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 6-2010).**

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT,

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EMBRACING THAT CERTAIN PART OF THE 10TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NEW BEASON WELL ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Mallicote/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG NEW BEASON WELL ROAD TO R-3, RESIDENTIAL DISTRICT, AND R-1B, RESIDENTIAL DISTRICT IN THE 10TH 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 first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

Resolution No. 2010-148, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NEW BEASON WELL ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

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

2. Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map to Zone Property Along Lynn Garden Drive to B-3, General Business District (AF: 14-2010).

Motion/Second: Mallicote/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG LYNN GARDEN DRIVE TO B-3, GENERAL BUSINESS 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 first reading: All present voting "aye."

PUBLIC COMMENT ON ITEM VI.AA.2. 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.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Condemn for Easements and Right-of-Ways for the Rock Springs Road Improvement Project (AF: 4-2010).

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Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; 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 FY10 VEP (Visitors Enhancement Program) Budget and Plan of Work (AF: 10-2010). Tim Whaley, Community and Government Relations Director, gave background on this program and funding, and Chris McCartt, Assistant to the City Manager/Interim Leisure Services Director, provided further details on the actual project to be funded. Mayor Phillips emphasized that these VEP funds are primarily generated by the local hotel/motel tax through visitors to the Kingsport area, and must be appropriated to certain projects, such as this and the recent wayfaring sign project.

Motion/Second: Shupe/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FROM THE VISITOR'S ENHANCEMENT FUND TO ESTABLISH THE BAYS MOUNTAIN ROPES/CHALLENGE COURSE PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance to Amend the FY10 VEP Budget and Plan of Work (AF: 22-2010). Mr. Whaley provided background on the recruitment and creation of a non-profit Science Center and Museum to be located in downtown Kingsport, with the assistance of Kingsport Tomorrow and the Kingsport Convention and Visitors Bureau.

Mr. Jerry Jacene, a paleontologist who operated the Highlands Prehistoric Museum in Cookeville, Tennessee, which is being relocated to Kingsport, described his credentials and excitement about opening the Science Center and Museum in Kingsport.

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE VISITORS ENHANCEMENT FUND BUDGET BY APPROPRIATING FUNDS TO KINGSFORT TOMORROW; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Consideration of a Budget Ordinance Amending the Community Development Fund for the Former Lynn View School Facility (AF: 21-2010).

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Motion/Second: Shupe/Parham, to pass:

AN ORDINANCE TO AMEND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT BY TRANSFERRING FUNDS FROM THE OVERLOOK ROAD PROJECT TO THE LYNN VIEW PROJECT AND TO THE HOUSING NEEDS PROGRAM; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Consideration of an Ordinance Authorizing the Collection of Delinquent Real Property Taxes (AF: 27-2010).

Motion/Second: Shupe/Mallicote, to pass:

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF DELINQUENT REAL PROPERTY TAXES, PENALTIES AND INTEREST DUE THE CITY OF KINGSPORT; BY REFERRING SAME TO THE DELINQUENT TAX ATTORNEY; TO ESTABLISH PROCEDURES FOR SUCH COLLECTION; TO RATIFY AND CONFIRM ALL ACTIONS HERETOFORE TAKEN FOR SUCH COLLECTION; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Enter into a Materials Agreement with Danny Karst Related to Edinburgh Phase II Section 1A and an Ordinance to Appropriate the Funds (AF: 26-2010).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2010-149, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MATERIALS AGREEMENT WITH DANNY KARST RELATED TO EDINBURGH PHASE II SECTION 1A AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

Motion/Second: Parham/Shupe, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE II SECTION 1A MATERIALS AGREEMENT PROJECT (SW1069); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

~~**7. Consideration of an Ordinance to Amend the Water Project Fund Budget (WA0901) by Reallocating from Other Water Projects (AF: 29-2010).**~~ This agenda item was pulled.

8. Consideration of an Ordinance to Establish a Budget for Grant Funds Awarded from the Greater Kingsport Alliance for Development for the V.O. Dobbins Community Center (AF: 31-2010).

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Motion/Second: Mallicote/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY ESTABLISHING A BUDGET FOR GRANT FUNDS AWARDED TO THE CITY FROM THE GREATER KINGSPORT ALLIANCE FOR DEVELOPMENT (GKAD) FOR THE HOPE VI RIVERVIEW COMMUNITY CENTER PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

9. Consideration of an Ordinance to Amend the General Project Fund by Transferring Funds from the Regional Center of Health Professionals Project (GP0800) to the V.O. Dobbins Project (GP0907) (AF: 33-2010).

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS FROM THE REGIONAL CENTER OF HEALTH PROFESSIONALS TO THE VO DOBBINS CENTER PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Approving the Purchase of Real Property Located at 829 West Industry Drive, Approving a Lease Agreement for Property Located at 840 West Industry Drive and Authorizing the Mayor to Execute All to Accomplish the Same (AF: 3-2010).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2010-150, A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY LOCATED AT 829 WEST INDUSTRY DRIVE; APPROVING A LEASE AGREEMENT FOR PROPERTY AT 840 WEST INDUSTRY DRIVE; AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURCHASE OF THE PROPERTY AND LEASE AGREEMENT

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute All Documents to Receive Federal Aviation Administration Grant Funding for Improvement Projects at the Tri-Cities Regional Airport (AF: 7-2010).

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2010-151, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPROVE AND ACCEPT ONE OR MORE FEDERAL FISCAL YEAR 2010 GRANTS THROUGH THE FEDERAL AVIATION ADMINISTRATION FOR PROJECTS AT TRI-CITIES REGIONAL AIRPORT, TN/VA

Passed: All present voting "aye."

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3. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Diesel Powered Track Loader to Stowers Machinery Corporation (AF: 11-2010).

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2010-152, A RESOLUTION AWARDED THE BID FOR PURCHASE OF ONE DIESEL POWERED TRACK LOADER TO STOWERS MACHINERY CORPORATION 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 Execution of an Agreement with Frontier Health for Counseling Services for Kingsport Elementary Schools and Authorizing the Mayor to Sign All Applicable Documents (AF: 13-2010).

Motion/Second: Mallicote/Parham, to pass:

Resolution No. 2010-153, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FRONTIER HEALTH FOR COUNSELING SERVICES FOR KINGSPOET ELEMENTARY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Project Grant from the Tennessee Arts Commission (AF: 15-2010).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2010-154, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE TENNESSEE ARTS COMMISSION ARTS PROJECT GRANT FUNDS FOR THE SCULPTURE WALK EXHIBITION

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Touring Arts Grant from the Southern Arts Federation (AF: 16-2010).

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2010-155, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TOURING GRANT FROM THE SOUTHERN ARTS FEDERATION

Passed: All present voting "aye."

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7. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Project Grant from the National Endowment for the Arts Big Read Program (AF: 17-2010).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2010-156, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE ARTS PROJECT GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS BIG READ PROGRAM

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Sign an Agreement with Motorola, Inc. and the City of Kingsport (AF: 25-2010).

Motion/Second: Mallicote/Parham, to pass:

Resolution No. 2010-157, A RESOLUTION APPROVING AN AGREEMENT WITH MOTOROLA, INC. FOR THE PURCHASE OF EQUIPMENT, SOFTWARE AND INSTALLATION OF A FIRE ALERTING SYSTEM IN ALL CITY FIRE STATIONS AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Authorizing the Mayor to Execute an Intergovernmental Agreement with Sullivan County for Acquisition of Real Property Commonly Known as the Old Rock Springs Elementary School Property and Authorizing the Mayor to Execute All Other Documents Necessary and Proper to Acquire the Property (AF: 28-2010).

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2010-158, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH SULLIVAN COUNTY FOR ACQUISITION OF REAL PROPERTY COMMONLY KNOWN AS THE OLD ROCK SPRINGS ELEMENTARY SCHOOL PROPERTY; AND AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO ACQUIRE THE PROPERTY

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Extend the Lease Agreement with James Palmer for 2102 East Center Street (AF: 18-2010).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2010-159, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EXTEND THE LEASE

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AGREEMENT FOR PROPERTY AT 2101 EAST CENTER STREET TO JAMES H. PALMER

Passed: All present voting "aye."

11. Consideration of a Resolution Authorizing the Reimbursement of Materials Agreement Funds to Rob McLean for Anchor Pointe Development (AF: 12-2010).

Motion/Second: Parham/Mallicote, to pass:

Resolution No. 2010-160, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO ROB MCLEAN FOR ANCHOR POINTE DEVELOPMENT

Passed: All present voting "aye."

12. Consideration of a Resolution Pledging Additional Security for Section 108 Loan for HOPE VI Project (AF: 20-2010).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2010-161, A RESOLUTION PLEDGING CERTAIN SECURITY FOR A SECTION 108 LOAN FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Passed: All present voting "aye."

13. Consideration of a Resolution to Award a Contract to Redflex Traffic Systems and Authorize the Mayor to Sign All Applicable Documents (AF: 30-2010).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2010-162, A RESOLUTION AWARDING THE BID FOR A TRAFFIC PHOTO ENFORCEMENT SYSTEM TO REDFLEX TRAFFIC SYSTEMS, INC. AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

14. Consideration of a Resolution Authorizing the Mayor to Execute a Contract with Kingsport Tomorrow for the Construction and Installation of Public Art Entitled "Learning Curve" (AF: 32-2010).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2010-163, A RESOLUTION APPROVING AN AGREEMENT WITH KINGSFORT TOMORROW FOR THE CONSTRUCTION AND INSTALLATION OF PUBLIC ART ENTITLED "LEARNING CURVE" AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

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15. Consideration of a Resolution Authorizing the Mayor to Execute An Agreement with BB&T – KDC Insurance Services, Inc. for the City's Property Insurance (AF: 8-2010).

Motion/Second: Shupe/Mallicote, to pass:

Resolution No. 2010-164, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BB&T-KDC INSURANCE SERVICES, INC. FOR CITY OF KINGSPORT PROPERTY INSURANCE, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

16. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with Safety National Causality Corporation for the City's Excess Workers Compensation Reinsurance (AF: 9-2010).

Motion/Second: Parham/Shupe, to pass:

Resolution No. 2010-165, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SAFETY NATIONAL INSURANCE COMPANY FOR EXCESS WORKERS' COMPENSATION REINSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

17. Consideration of a Resolution Urging the Tennessee Department of Transportation to Extend HELP Truck Service on a Permanent Basis to the Tri-Cities Region (AF: 23-2010).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2010-166, A RESOLUTION URGING THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO INITIATE A "HELP" TRUCK PROGRAM TO SERVE THE COUNTIES OF SULLIVAN, WASHINGTON, GREENE AND UNICOI

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of Appointments and Reappointment to the Kingsport Economic Development Board (AF: 24-2010).

Motion/Second: Mallicote/Shupe, to approve the following:

REAPPOINT MR. PAUL MONTGOMERY AND APPOINT MR. KEITH WILSON AND MR. KEN FROHLICH, EACH TO A THREE-YEAR TERM ON THE **KINGSPORT ECONOMIC DEVELOPMENT BOARD**, effective immediately, and expiring December 31, 2012

Passed: All present voting "aye."

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VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion. Mayor Phillips requested that Item VII.7 be pulled for further discussion.

Motion/Second: Joh/Parham, to adopt Items VII.1-VII.6:

1. Consideration of an Ordinance to Appropriate Grant Funds Received from the Tennessee Agriculture Enhancement Program Community Tree Planting Project (AF: 405-2009).

Adopt:

Ordinance No. 5925, AN ORDINANCE TO AMEND THE GENERAL PROJECT - SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE AGRICULTURE ENHANCEMENT PROGRAM FUND TO ESTABLISH THE TAEP TREE PLANTING PROJECT (NC1004); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance to Amend the General Project Fund Budget by Appropriating General Obligation Public Improvement Bond Series 2009D and General Obligation Bond Series 2009E (AF: 394-2009).

Adopt:

Ordinance No. 5926, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND AND THE MEADOWVIEW FUND BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2009D AND GENERAL OBLIGATION BOND SERIES 2009E; FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance to Appropriate Grants Funds Received from the Tennessee Valley Authority Appalachian Regional Commission (AF: 403-2009).

Adopt:

Ordinance No. 5927, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE VALLEY AUTHORITY APPALACHIAN REGIONAL COMMISSION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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4. Consideration of an Ordinance to Appropriate Funds Received from Kingsport Housing and Redevelopment and from the U.S. Department of Housing and Urban Development under Section 108 of the Housing and Community Development Act for the HOPE VI Riverview Community Center Project (AF: 404-2009).

Adopt:

Ordinance No. 5928, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 108 LOAN AND FROM KINGSFORT HOUSING AND REDEVELOPMENT FOR THE HOPE VI RIVERVIEW COMMUNITY CENTER PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Consideration of Approval of Offers for Easements and Rights-of-Way for Rock Springs Church View Drive Area Sewer Extension Project (AF: 1-2010).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR ROCK SPRINGS CHURCH VIEW DRIVE AREA SEWER EXTENSION PROJECT

Passed in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

6. Consideration of an Approval of Offers for Easements and Rights-of-Way for the Netherland Inn Road Roundabout Project (AF: 2-2010).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE NETHERLAND INN ROAD ROUNDABOUT PROJECT

Passed in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

Item VII.7 was pulled by Mayor Phillips for further discussion and separate consideration, as follows:

7. Consideration of Acceptance of FY09 Comprehensive Annual Financial Report (CAFR) (AF: 19-2010). Vice-Mayor Mallicote reported on the City's FY09 CAFR, submitted to the State, as required, by calendar year end. He pointed out that auditors had found no material weaknesses, no significant deficiencies and had noted four other matters which were recommendations on minor issues that would assist the City in running more efficiently. Mr. Mallicote added that the auditor was extremely complimentary of the job done by City staff which resulted in the clean, unqualified audit and the ninth year in a row the City has received the Certificate of Achievement for Excellence in Financial Reporting given out by the Government Finance Officers Association.

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Accept: Mallicote/Joh,
THE FY09 COMPREHENSIVE ANNUAL FINANCIAL REPORT
Passed in a roll call vote: Joh, Mallicote, Marsh, Parham, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell commended and thanked staff, City-wide, for the excellent job in working together to on the audit and added kudos to public works and public safety employees for the outstanding job done, on behalf of the City, during the recent snow falls and inclement weather.

Mr. Campbell also addressed a question at last night's work session regarding the completion of lighting on the Netherland Inn Road Bridge by reporting that the contractor was on the site today and hopes to finish by tomorrow.

B. MAYOR AND BOARD MEMBERS. Aldermen Shupe, Joh, Parham and Vice-Mayor Mallicote echoed the City Manager's appreciation for the great job done by the City's public works and public safety departments during the recent, severe weather. Mr. Mallicote also pointed out the foresight of the Public Works' director to recommend the purchase of enough salt to handle the need so far this year.

C. VISITORS. *Mr. Paul Becker* of 2020 Malvern Street in Kingsport expressed concern about Item VI.D.4 involving the engagement of Frontier Health to provide counseling to elementary school children and Item VI.D.14 to commission the art project near the Kingsport Center for High Education. He also mentioned and questioned the wisdom of passing Item VI.D.13 which renewed the red light camera agreement with Redflex.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.


ELIZABETH A. GILBERT
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor