

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, July 1, 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 Larry A. Munsey
Alderman Patrick W. Shull
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
Joseph E. May, Assistant 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 Alderman Valerie Joh.

II.B. **INVOCATION:** by Pastor Richard Dice of The King's Highway Temple.

III. **ROLL CALL:** By City Recorder Demming.

IV. **RECOGNITIONS AND PRESENTATIONS**

A. **TENNESSEE CHAPTER OF THE AMERICAN PUBLIC WORKS ASSOCIATION (TCAPWA) MURPHY-SNODERLY AWARD.** – Street and Sanitation Manager Ronnie Hammonds announced that City Public Works' employee, Roger Hensley, was awarded one of TCAPWA's most prestigious award at the Annual Tennessee Municipal League conference. The recipient of this award is one identified as the state's outstanding non-administrative municipal employee and Mr. Hensley was recognized for his hard work, both in saving the City money and in public education regarding recycling. Mr. Hensley was presented the award and congratulated by City Manager Campbell, who, joined by Board members, thanked Mr. Hensley profusely for being an outstanding City employee and an outstanding representative, statewide, for the City of Kingsport.

V. **APPROVAL OF MINUTES.**

Motion/Second: Marsh/Shull, to approve minutes, as amended, for the following meetings:

- A. June 2, 2008 Regular Work Session
- B. June 3 and 17, 2008 Regular Business Meetings

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

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AA. PUBLIC HEARINGS.

1. Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Stapleton Drive to R-1B Single Family Residential District (AF: 178-2008).

Motion/Second: Marsh/Joh, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG STAPLETON DRIVE TO R-1B, SINGLE FAMILY RESIDENTIAL 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."

2. Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Eastman Road to P-1, Professional Office District (AF: 179-2008).

Motion/Second: Mallicote/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EASTMAN ROAD TO P-1, PROFESSIONAL OFFICE DISTRICT, IN THE 11TH 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."

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, came forward to speak about the location of the proposed aquatic center discussed at last night's work session. She expressed her disagreement with moving the pool from its current Legion Pool location to the MeadowView area. She mentioned that funds had been allocated in earlier years to renovate and repair the Legion Pool and had not been used to do so.

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 a Resolution Authorizing the Mayor to Continue the Interlocal Agreement with the Town of Mount Carmel for Land-Use Planning Services and Consideration of an Ordinance to Amend the General Fund Development Services (AF: 198-2008).

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Motion/Second: Joh/Shupe, to pass:

Resolution 2009-001, A RESOLUTION APPROVING CONTINUATION OF THE AUGUST 2007 INTER-LOCAL COOPERATION AGREEMENT FOR LOCAL PLANNING ASSISTANCE TO SERVE THE TOWN OF MOUNT CARMEL AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE CONTINUATION OF THE AGREEMENT

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

Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TOWN OF MOUNT CARMEL FOR PLANNING ASSISTANCE FOR FISCAL YEAR ENDING JUNE 30, 2009; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance Appropriating Matching Funds for the Mad Branch Phase II Watershed Plan Implementation Project (AF: 203-2008).

Motion/Second: Munsey/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE 319 WATER SHED GRANT FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Consideration of an Ordinance to Condemn in Fee Property for the Site of the Future Fire Station #7 (AF: 205-2008). City Manager Campbell explained the unusual circumstances behind the need for this recommended condemnation action. Fire Chief Craig Dye also spoke in support of this location as the only suitable site for a fire station in the Rock Springs area. Alderman Marsh described his disagreement with this item because he doesn't believe it involves an essential piece of real property to acquire for a fire station in this locale.

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," except Marsh voting "nay."

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4. Consideration of an Ordinance to Amend the General Project-Special Revenue Fund Budget by Appropriating Funds Received From the U.S. Chamber of Commerce – Economic Development Administration for the Kingsport Center for Higher Education (AF: 199-2008).

Motion/Second: Munsey/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR CONSTRUCTION OF THE KINGSFORT HIGHER EDUCATION CENTER; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Consideration of a Resolution to Authorize the City's Participation with Sullivan County for the Bloomingdale Trunkline Extension Project and an Ordinance to Appropriate Funds for the City's Portion of the Project (AF: 206-2008).

Motion/Second: Joh/Mallicote, to pass:

Resolution 2009-002, A RESOLUTION AUTHORIZING PARTICIPATION WITH SULLIVAN COUNTY, TENNESSEE FOR THE BLOOMINGDALE TRUNKLINE EXTENSION PROJECT

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

Motion/Second: Mallicote/Joh, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET BY TRANSFERRING FUNDS FROM THE COUNTY COLLECTORS PROJECT (SW0413) TO ESTABLISH THE BLOOMINDALE SEWER LINE EXTENSION PROJECT (SW0900); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Consideration of an Ordinance to Amend the General Fund, General Project Fund, Debt Service Fund, Eastman Annex Fund and Visitor Enhancement Fund Budgets (AF: 200-2008).

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND, GENERAL PROJECT FUND, DEBT SERVICE FUND, EASTMAN ANNEX FUND, WATER FUND AND WATER PROJECT FUND AND THE VISITOR ENHANCEMENT FUND BUDGETS 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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7. Resolution and Ordinance Authorizing Contract Amendment Between the City of Kingsport and the Tennessee Department of Transportation (for Installation of a Traffic Signal and Associated Geometric Improvements at the Intersection of State Route 93 (N John B Dennis Highway) and Pavilion Drive (AF: 181-2008).

Motion/Second: Marsh/Shupe, to pass:

Resolution 2009-003, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 1 TO CONTRACT NUMBER 070170, PROJECT IDENTIFICATION NUMBER 109896.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF PAVILION DRIVE AND JOHN B. DENNIS HIGHWAY (STATE ROUTE 93)

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

Motion/Second: Marsh/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND AND THE GENERAL PROJECT FUND BUDGETS BY APPROPRIATING FUNDS TO FUND THE LOCAL MATCH FOR THE AMENDED CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND TO ESTABLISH THE STATE ROUTE 93 AND PAVILION DRIVE PROJECT (GP0820); 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 to Enter into a Contractual Agreement with the Tennessee Department of Transportation (TDOT) for Reimbursement of Operating expenses for FY09 (AF: 186 -2008). After Board discussion regarding the intent of this action and the figures involved, it was clarified that this vote will authorize a contract amendment in the amount of \$354,463 for the FY09 budget year on which a balance of \$135,038 will be reimbursed to TDOT at the conclusion of the 2009 fiscal year.

Motion/Second: Mallicote/Munsey, to pass:

Resolution No. 2009-004, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2008-2009.

Passed: All present voting "aye."

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2. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary to Apply and Accept for a Section 5307, Federal Transit Administration Grant, from the U.S. Department of Transportation (AF: 187-2008).

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2009-005, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5307 FUNDS FROM THE U.S. DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2008-2009

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of Unleaded Gasoline for Use by all City Departments and Schools to Pioneer Petroleum Company for FY09 (AF: 195 -2008).

Motion/Second: Marsh/Joh, to pass:

Resolution No. 2009-006, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF UNLEADED GASOLINE FOR USE IN CITY EQUIPMENT AND VEHICLES TO PIONEER PETROLEUM COMPANY FOR FISCAL YEAR 2009

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for Crushed Stone for Use by All City Departments to Vulcan Construction Materials and Aggregates U.S.A., LLC for FY09 (AF: 196 -2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-007, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF CRUSHED STONE FOR USE BY ALL CITY DEPARTMENTS TO VULCAN CONSTRUCTION MATERIALS AND AGGREGATES U.S.A., LLC

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Kingsport Economic Development Board to Negotiate with Kingsport Town Center Regarding Payment in Lieu of Taxes (PILOT) (AF: 197 -2008). Jeff Fleming, Director of Development Services and Assistant City Manager for Economic Development, provided the details behind this request from the new property managers of the Kingsport Town Center (fka Fort Henry Mall). Mayor Phillips stated, for the public's knowledge, that approval of this tax incentive arrangement would not result in any less tax than currently being collected and it is proposed to, ultimately, enhance the amount of tax the City will collect.

Alderman Shull summarized slides he presented that reflected reasons he believes this action would not benefit the majority of Kingsport citizens and also expressed concern over the lack of publicity about this proposal. He declared that these business owners

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should not be subsidized by the City of Kingsport and he is philosophically opposed to this proposal because it is a tax break that is not available to small business or property owners.

Alderman Shupe motioned, seconded by Alderman Joh, to call for the question, which passed with all voting "aye," with the exception of Alderman Shull.

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2009-008, A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE TO NEGOTIATE AND ACCEPT FROM FORT HENRY MALL, LLC OR AN AFFILIATED ENTITY PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO RETAIL SHOPPING FACILITIES KNOWN AS THE KINGSPORT TOWN CENTER IN THE CITY OF KINGSPORT, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305

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

6. Consideration of a Resolution Awarding the Bid for the Purchase of Trash Can Liners, Toilet Tissue, Jumbo Roll Toilet Tissue and Brown Roll Towels to JanPak Paper Supply Company for FY09 (AF: 202-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-009, A RESOLUTION AWARDED THE BID FOR PURCHASE OF JANITORIAL SUPPLIES FOR USE BY THE CITY AND KINGSPORT CITY SCHOOLS TO JANPAK PAPER SUPPLY COMPANY FOR FISCAL YEAR 2009

Passed: All present voting "aye."

7. Consideration of a Resolution to Rename Sam Walton Drive to Jericho Drive (AF: 201-2008).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2009-010, A RESOLUTION APPROVING THE RENAMING OF SAM WALTON DRIVE TO JERICHO DRIVE

Passed: All present voting "aye."

8. Consideration of a Resolution to Authorize the Mayor to Execute all Documents Necessary for Amendments to the Kingsport Higher Education Center Architect's Agreement with McCarty Holsaple McCarty Architects, Inc. (AF: 204-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-011, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE AGREEMENT WITH MCCARTY HOLSAPLE MCARTY ARCHITECTS, INC., AND ALL OTHER DOCUMENTS NECESSARY AND

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PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR DESIGN SERVICES RELATED TO THE KINGSPORT HIGHER EDUCATION CENTER

Passed: All present voting "aye."

9. Consideration of a Resolution Authorizing the Mayor to Sign all Documents Necessary to Enter into an Agreement with Embarq for Long Distance Telephone Service for the City of Kingsport (AF: 176-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-012, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO ENTER INTO AN AGREEMENT WITH EMBARQ FOR LONG DISTANCE TELEPHONE SERVICE

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Reimbursement of Materials Agreement Funds to Jeff McKee for the Settler's Ridge Phase II Development (AF: 190-2008).

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2009-013, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO JEFF MCKEE FOR THE SETTLER'S RIDGE PHASE II DEVELOPMENT

Passed: All present voting "aye."

11. Consideration of a Resolution Authorizing the Mayor to Execute an Amendment to the Contract Between the City of Kingsport and the Tennessee Department of Environment and Conservation (TDEC) (AF: 208-2008).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2009-014, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REVISING THE AMOUNT OF FINANCIAL ASSURANCE REQUIRED FOR THE CITY OF KINGSPORT DEMOLITION LANDFILL LOCATED ON BROOKSIDE DRIVE

Passed: All present voting "aye."

12. Consideration of a Resolution Awarding the Bid for 8.5" x 11", 20 Lb. Copier Paper and 1, 2, and 3 Part Green Bar Paper to JanPak Paper Supply Company for FY09 (AF: 209-2008).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2009-015, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF COPIER AND GREEN BAR PAPER FOR USE BY THE CITY AND KINGSPORT CITY SCHOOLS TO JANPAK PAPER SUPPLY COMPANY FOR FISCAL YEAR 2009

Passed: All present voting "aye."

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13. Consideration of a Resolution Awarding the Bid for Biodiesel Fuel to Pilot Travel Centers, LLC and Authorizing the Mayor to Sign all Applicable Documents (AF: 210-2008).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2009-016, A RESOLUTION AWARDING THE BID FOR PURCHASE OF BIODIESEL FUEL FOR USE IN CITY EQUIPMENT AND VEHICLES TO PILOT TRAVEL CENTERS, LLC AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURCHASE

Passed: All present voting "aye."

14. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for an Upgrade to the Direct Fiber Ethernet Cable with Internet Access with Embarq-United Telephone Southeast, Inc. (AF: 213-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-017, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR AN UPGRADE TO THE DIRECT FIBER ETHERNET CABLE WITH INTERNET ACCESS WITH EMBARQ-UNITED TELEPHONE SOUTHEAST, INC.

Passed: All present voting "aye."

15. Consideration of a Resolution Awarding the Bid for the Purchase of Asphalt to APAC-Atlantic, Inc. and A&J Asphalt, Inc. for FY09 (AF: 214-2008).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2009-018, A RESOLUTION AWARDING THE BID FOR PURCHASE OF TO APAC-ATLANTIC, INC. AND A & J ASPHALT, INC. FOR FISCAL YEAR 2009

Passed: All present voting "aye."

16. Consideration of a Resolution Authorizing the Mayor to Execute an Interlocal Agreement with the Kingsport Emergency Communications District "E-911" of the City of Kingsport, Tennessee (AF: 169-2008).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2009-019, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL COOPERATION AGREEMENT WITH THE EMERGENCY COMMUNICATIONS DISTRICT OF THE CITY OF KINGSFORT, TENNESSEE, FOR FISCAL YEAR 2008-2009

Passed: All present voting "aye."

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17. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant from Target Stores, Inc. for Crime Prevention and Youth Mentorship (AF: 211-2008).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2009-020, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE TARGET, INC. GRANT FUNDING THROUGH THE TARGET & BLUE CAMPAIGN FOR CRIME PREVENTION AND YOUTH MENTORSHIP

Passed: All present voting "aye."

18. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant for \$13,478.00 from the Department of Justice, 2008 Local Justice Assistance Grant Program (JAG) (AF: 212-2008).

Motion/Second: Shupe/Mallicote, to pass:

Resolution No. 2009-021, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE UNITED STATES DEPARTMENT OF JUSTICE, 2008 LOCAL JUSTICE ASSISTANCE GRANT PROGRAM FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE KINGSPORT POLICE DEPARTMENT

Passed: All present voting "aye."

19. Consideration of a Resolution Awarding a Contract for a Guaranteed Maximum Price to J.A. Street & Associates as Construction Manager/General Contractor for the Construction of the Higher Education Building and Authorizing the Mayor to Execute a Contract to Begin Construction (AF: 216-2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2009-022, A RESOLUTION AWARDDING A CONTRACT FOR A GUARANTEED MAXIMUM PRICE TO J.A. STREET & ASSOCIATES AS CONSTRUCTION MANAGER / GENERAL CONTRACTOR FOR CONSTRUCTION OF THE HIGHER EDUCATION BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT TO BEGIN CONSTRUCTION

Passed: All present voting "aye."

E. APPOINTMENTS. None.

VII. CONSENT AGENDA.

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Consent Agenda items are considered under one motion.

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

1. Consideration of an Ordinance Appropriating Matching Funds Necessary and Proper to Apply for and Receive a 319 Watershed Implementation Grant (AF: 175 -2008).

Adopt:

Ordinance No. 5709, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE MAD BRANCH PHASE II STORMWATER TREATMENT DEVICE INSTALLATIONS GRANT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance Authorizing the Collection of Delinquent Real Property Taxes (AF: 192 -2008).

Adopt:

Ordinance No. 5710, AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF DELINQUENT REAL PROPERTY TAXES, PENALTIES AND INTEREST DUE THE CITY OF KINGSPORT FOR THE YEARS 2006 AND PRIOR; 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell reminded the audience of the upcoming FunFEST parade on July 11th. He also mentioned that the FY08 United Way campaign will soon be under way and last year's City chair, Trish Smith of the legal department, is chair again, and the committee is already hard at work on this year's fundraising drive.

MAYOR AND BOARD MEMBERS. Alderman Shupe praised the recent Liberty Celebration he had attended, saying it was a phenomenal tribute to our freedom and God's blessing on our country. Vice-Mayor Mallicote stated he had also attended the Liberty Celebration and claimed it was a remarkable performance and something for the community to be proud of.

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Alderman Joh spent time with Dobyys-Bennett High School alumni who were in town and who were excited about the great changes to Kingsport, especially in the downtown area.

Alderman Marsh inquired about the status and timeline of BMA consideration of the automatic meter reading system. Public Works Director Ryan McReynolds responded that he continues to meet with the firm who previously presented the system at the BMA work session and he will meeting with the company's representatives again tomorrow morning to work through the numbers to ensure its value to rate payers.

Mr. Marsh also stressed the pressing need for the City to look constructively at fuel saving measures due to current skyrocketing costs. City Manager Campbell indicated that City staff is working every day to find and look for new ways to handle this cost crisis and Fleet Manager Steve Hightower will be bringing information for the Board's review in the near future.

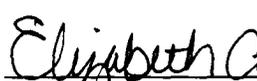
Alderman Shull referenced the comments made earlier in the meeting by Ms. Barbara Brown about the aquatic center, saying they were similar to comments he and Alderman Marsh had made at last night's work session.

Mayor Phillips once again expressed his congratulations to Roger Hensley for a well-deserved award. He also thanked FunFEST Chair Olan Jones and Vice Chair Wanda Valentine for the outstanding job they have done on this year's FunFEST. The Mayor reminded citizens of the current Sculpture walk, with 13 new sculptures, and as a part of FunFEST activities, Hank Foreman of Appalachian State University will lead a "walk and talk" tour on Saturday, July 12th beginning at 10:00 a.m.

Lastly, Mayor Phillips announced that Tusculum College has committed to join the Kingsport Center for Higher Education, along with Northeast State Technical Community College, Lincoln Memorial University, King College, Carson Newman and University of Tennessee. The Mayor added that Milligan College is also being considered as another course/degree offering, and, with that addition, would require the City to determine the efficiency of housing the institutions already mentioned.

B. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 9:00 p.m.


ELIZABETH A. GILBERT
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor