

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, March 3, 2009, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding  
Alderman Valerie Joh  
Alderman Charles K. Marsh, Jr.  
Alderman Larry A. Munsey

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 City Manager John Campbell.
- II.B. **INVOCATION:** by Senior Pastor David Cagle of the First Presbyterian Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Vice-Mayor Benjamin K. Mallicote.
- IV. **RECOGNITIONS AND PRESENTATIONS.**

**A. WARD PLACE WRECK COMMENDATION.** Mayor Phillips described a tragic incident that took place on February 18, 2009 wherein a vehicle with two passengers left Ward Place and drove into Horse Creek which was swollen from rainfall at the time. The Mayor recognized those involved who went beyond the call of duty attempting to help those in the vehicle: City Water Department employees, Tom Fields and Joey Tribble, who were working on Ward Place and went into the water responding to cries for help, along with Kingsport Police Detective John Argentiere, also in the area. Kingsport firefighters, Andy Harless and Jared Dawson, arrived on the scene and joined those already in the freezing water. Public Works Director Ryan McReynolds, Police Chief Gale Osborne and Fire Chief Craig Dye each highly praised the entire group for their amazing display of courage and character.

**B. WELLMONT WRECK COMMENDATION.** Mayor Phillips described the second tragic event which occurred on February 20, 2009, wherein Thomas Construction worker, Lance Rice, and subcontractors with Hayward Baker Construction, Michael McDonald and Alex Mendez, risked their lives, also in freezing water, to free the vehicle's occupants. Mr. McReynolds thanked these men who were working on a City project at the time.

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**V. APPROVAL OF MINUTES.**

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

- A. February 16, 2009 Regular Work Session
- B. February 17, 2009 Regular Business Meeting

Approved: All present voting "aye."

At this point in the meeting, Mayor Phillips introduced Mr. John Linke, Administrator of Mountain Region Family Medicine, PC, and asked Mr. Linke to share with the audience what *Project Friday* entails in utilizing a large portion of the former Quebecor site.

Mr. Linke provided background on the project involving 18 family care physicians who want to combine their services to better serve their patients, preferably in the downtown Kingsport area. To accomplish that goal, Mountain Region Family Medicine representatives have been working with the Kingsport Economic Development Board and are pleased to announce that an option will be exercised to utilize around two-thirds of the old Quebecor/Kingsport Press building, with plan to redevelop the site into a multi-purpose medical facility and professional offices. Mr. Linke shared visuals, prepared by architects, GRC, Inc., illustrating a very attractive facility which will be known as "The Press Building." Several members of the physicians' group were present at the meeting and were introduced before the podium was turned over to Mr. Hiram Rash of GRC to provide further details about the development.

Board members expressed their pleasure at this announcement, thanked the physicians involved in this project and mentioned the extensive money invested, as well as the increased presence of patrons that will be brought to the downtown area.

**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. 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 Appropriate Grant Funds Received from Target, Inc. (AF: 66-2009).**

Motion/Second: Shupe/Joh, to pass:

**AN ORDINANCE TO AMEND THE GENERAL FUND POLICE DEPARTMENT**

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BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TARGET INCORPORATED FOR CRIME PREVENTION AND YOUTH MENTORSHIP 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 to Transfer Funds from the Sanitary Sewer Fund balance to the Miscellaneous Annexations Account for construction of a Sewer Line along Rock Springs Road (AF: 59 -2009).**

Motion/Second: Munsey/Shupe, to pass:

AN ORDINANCE TO AMEND THE SEWER FUND BUDGET BY APPROPRIATING FUNDS FROM THE SEWER FUND UNDESIGNATED FUND BALANCE TO THE MISCELLANEOUS ANNEXATION SEWER LINE PROJECT (SW0804) TO CONSTRUCT A SEWER LINE ON ROCK SPRINGS ROAD 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 Transfer Funds from Various Accounts to the Netherland Inn Bridge Project (AF: 58 -2009).**

Motion/Second: Joh/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS FROM THE MINOR DRAINAGE IMPROVEMENT PROJECT (GP0701) AND FROM THE MINOR BRIDGE MINTENANCE PROJECT (NC0604) FOR LOCAL MATCH TO TDOT FOR THE PRELIMINARY WORK AND DESIGN OF THE NETHERLAND INN BRIDGE PROJECT (GP9707); 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 Establishing an Improvement District to Provide Street Illumination of Linville Street Between Lamont Avenue and Crescent Drive (AF: 33-2009).** In response to Board inquiry, Public Works Director Ryan McReynolds explained the mechanism employed in and benefits of establishing an improvement district to assess the cost of an improvement project to adjacent property owners, the majority of whom must be in favor of the improvement.

Motion/Second: Shupe/Shull, to pass:

**ORDINANCE NO. 5814,** AN ORDINANCE TO AUTHORIZE CREATION AND ESTABLISHMENT OF AN IMPROVEMENT DISTRICT TO PROVIDE STREET ILLUMINATION IN A CERTAIN PART OF THE RESIDENTIAL AREA OF FAIRACRES, MORE PARTICULARLY, THE PORTION OF LINVILLE STREET BETWEEN LAMONT

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STREET AND CRESCENT DRIVE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution to Authorize the Mayor to Sign all Documents Necessary to Apply and Receive the Fire Prevention and Safety (FP&S) Grant Through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 40-2009).**

Motion/Second: Shupe/Joh, to pass:

**Resolution No. 2009-178, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FIRE PREVENTION AND SAFETY GRANT FUNDS TO PROVIDE A SMOKE ALARM PUBLIC EDUCATION PROGRAM**

Passed: All present voting "aye."

**2. Consideration of a Resolution Ratifying Execution of All Documents Necessary and Proper to Apply for and Receive Grant Funding for Fiscal Year 2009-2010 from the Area Agency on Aging and Disability (AF: 41-2009).**

Motion/Second: Shupe/Munsey, to pass:

**Resolution No. 2009-179, A RESOLUTION RATIFYING EXECUTION OF ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE GRANT FUNDING, FOR FISCAL YEAR 2009-2010, FROM THE AREA AGENCY ON AGING AND DISABILITY TO PROVIDE ADA TRANSPORTATION SERVICES, HEALTH PROMOTION, AND MEDICATION MANAGEMENT FOR KINGSPOUR SENIOR CENTER MEMBERS**

Passed: All present voting "aye."

**3. Consideration of a Resolution Awarding the Bid for the Purchase of Five Police Pursuit Sedans to Cardinal Chrysler, Jeep, Dodge (AF: 60-2009).** City Manager Campbell explained the need for this and the following vehicles replacement purchases. Alderman Shull mentioned that Fleet Manager Steve Hightower had shared with Board members at the work session that old cruisers will be used for parts because that use is more economical than trade in value and, when all vehicle replacements are BMA approved, the net result will not increase the number of fleet vehicles.

Motion/Second: Munsey/Shupe, to pass:

**Resolution No. 2009-180, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF FIVE POLICE PURSUIT SEDANS TO CARDINAL CHRYSLER, JEEP, DODGE**

Passed: All present voting "aye."

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**4. Consideration of a Resolution Awarding the Bid for the Purchase  
of Five Compact Pickup Trucks to Jacky Jones Ford (AF: 61-2009).**

Motion/Second: Shupe/Joh, to pass:

**Resolution No. 2009-181**, A RESOLUTION AWARDING THE BID FOR PURCHASE  
OF FIVE COMPACT PICKUP TRUCKS TO JACKY JONES FORD

Passed: All present voting "aye."

**5. Consideration of a Resolution the Bid for the Purchase of Four ½  
Ton Two-Wheel Drive Pickup Trucks to Fairway Ford, Inc. (AF: 62-2009).**

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2009-182**, A RESOLUTION AWARDING THE BID FOR PURCHASE  
OF FOUR (4) HALF-TON TWO-WHEEL DRIVE PICKUP TRUCKS TO FAIRWAY  
FORD, INC.

Passed: All present voting "aye."

**6. Consideration of a Resolution Awarding the Bid for the Purchase  
of Six Hybrid Compact Utility Wagons to Empire Ford, Inc. (AF: 63-2009).**

Alderman Marsh pointed out the City is purchasing six hybrids to replace three  
conventional vehicles this year and three next year.

Motion/Second: Munsey/Joh, to pass:

**Resolution No. 2009-183**, A RESOLUTION AWARDING THE BID FOR PURCHASE  
OF SIX (6) HYBRID COMPACT UTILITY WAGONS TO EMPIRE FORD, INC.

Passed: All present voting "aye."

**7. Consideration of a Resolution Awarding the Bid for the Purchase  
of Five Hybrid Compact Sedans to Bachman Bernard Auto Mall (AF: 64-2009).**

Motion/Second: Munsey/Shupe, to pass:

**Resolution No. 2009-184**, A RESOLUTION AWARDING THE BID FOR PURCHASE  
OF FIVE (5) HYBRID COMPACT SEDANS TO BACHMAN BERNARD AUTO MALL

Passed: All present voting "aye."

**8. Consideration of a Resolution Awarding the Bid for the Purchase  
of Four Police Pursuit Sedans and One Unmarked Police Sedan to Alley's Dodge  
World (AF: 65-2009).**

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2009-185**, A RESOLUTION AWARDING THE BID FOR PURCHASE  
OF FOUR (4) POLICE PURSUIT SEDANS AND ONE (1) UNMARKED POLICE  
SEDAN TO ALLEY'S DODGE WORLD

Passed: All present voting "aye."

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Alderman Marsh said these vehicle replacements are sensible and are increasing fuel efficiency and requested that City has more vehicles than employees and would like to see a listing of City vehicles, according to type, and benchmark how many are in service at this time.

**E. APPOINTMENTS.**

**1. Consideration of Appointments to Cattails Management Advisory Committee (AF: 43 -2009).**

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

- APPOINTMENT OF MR. KEN MANESS AND MR. RICHARD MCKEE TO REPLACE MR. PAUL REBROVICH AND MS. MARILYN MARTIN TO EACH SERVE A THREE-YEAR TERM ON THE CATTAILS MANAGEMENT ADVISORY COMMITTEE, EFFECTIVE APRIL 1, 2009 AND EXPIRING MARCH 31, 2012

Passed: All present voting "aye."

**2. Consideration of Reappointment to Kingsport Gateway Commission (AF: 49 -2009).**

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

- REAPPOINTMENT OF MR. TODD MILLER TO SERVE AN ADDITIONAL FOUR-YEAR TERM ON THE KINGSPORT GATEWAY COMMISSION, EFFECTIVE IMMEDIATELY AND EXPIRING FEBRUARY 28, 2013

Passed: All present voting "aye."

**3. Consideration of Appointment to Kingsport Housing and Redevelopment Authority (AF: 51-2009).**

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

- APPOINTMENT OF MRS. CEEGEE MCCORD TO REPLACE MR. MARK FREEMAN TO SERVE A FIVE-YEAR TERM ON THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY, EFFECTIVE MARCH 28, 2009 AND EXPIRING MARCH 27, 2014

Passed: All present voting "aye."

**4. Consideration of Reappointments and Appointments to the Kingsport Historic Zoning Commission (AF: 48 -2009).**

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

- REAPPOINTMENTS OF MR. JIM LEWIS AND MR. DAVID OAKS TO EACH SERVE ADDITIONAL FIVE-YEAR TERMS ON THE KINGSPORT HISTORIC ZONING COMMISSION, EFFECTIVE IMMEDIATELY AND EXPIRING FEBRUARY 28, 2014

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- APPOINTMENT OF MR. PERRY CROCKER & MRS. JEWELL MCKINNEY TO EACH SERVE FIVE-YEAR TERMS ON THE KINGSFORT HISTORIC ZONING COMMISSION, EFFECTIVE IMMEDIATELY AND EXPIRING FEBRUARY 28, 2014

Passed: All present voting "aye."

**5. Consideration of an Appointment to the Bay's Mountain Park Commission (AF: 50-2009).**

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

- APPOINTMENT OF MR. WILLIAM E. "BILL" LEONARD TO SERVE A THREE-YEAR TERM ON THE BAYS MOUNTAIN PARK COMMISSION, EFFECTIVE MARCH 1, 2009 AND EXPIRING FEBRUARY 28, 2012

Passed: All present voting "aye."

**6. Consideration of a Reappointment to the Meadowview Advisory Committee (AF: 52-2009).**

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

- REAPPOINTMENT OF MRS. LORIE COOPER TO SERVE AN ADDITIONAL FOUR-YEAR TERM ON THE MEADOWVIEW ADVISORY COMMITTEE, EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30, 2012

Passed: All present voting "aye."

**7. Consideration of an Appointment to the Library Commission (AF: 53-2009).**

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

- APPOINTMENT OF MRS. LOTTIE RAE STOUT AND MR. BRUCE SITES TO REPLACE MRS. JOLLY HILL AND MR. RAJ MEHTA TO EACH SERVE A THREE-YEAR TERM ON THE LIBRARY COMMISSION, EFFECTIVE APRIL 1, 2009 AND EXPIRING MARCH 31, 2012

Passed: All present voting "aye."

**8. Consideration of Reappointments to the Construction Board of Adjustments and Appeals (AF: 54-2009).**

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

- REAPPOINTMENTS OF MR. JOHN MAYO AND MR. BOB PRENDERGAST TO EACH SERVE ADDITIONAL TERMS ON THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

Passed: All present voting "aye."

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**VII. CONSENT AGENDA.**

**Consent Agenda items are considered under one motion.**

Motion/Second: Munsey/Shull, to adopt:

**1. Consideration of an Ordinance to Appropriate Funds from the School Reserve Accounts in the Eastman Annexation Fund (AF: 42-2009).**

Adopt:

**Ordinance No. 5815, AN ORDINANCE TO AMEND THE EASTMAN ANNEXATION TAX FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**2. Consideration of an Ordinance to Accept the "Proposal of the Department of Transportation of the State of Tennessee to the City of Kingsport, Tennessee" for the Signalization of John B. Dennis Highway at Pavilion Drive and Authorize the Mayor to Sign all Applicable Documents (AF: 44-2009).**

Adopt:

**Ordinance No. 5816, AN ORDINANCE TO ACCEPT THE PROPOSAL OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO CONSTRUCT A PROJECT DESIGNATED AS FEDERAL PROJECT NUMBER STP-M-93(8), STATE PROJECT NUMBER 82019-2212-54, SR 93 (JOHN B. DENNIS HIGHWAY) AT PAVILION DRIVE SIGNALIZATION IN KINGSPORT, SULLIVAN COUNTY; TO AUTHORIZE THE MAYOR TO EXECUTE THE PROPOSAL AND ALL APPLICABLE DOCUMENTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.**

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

**3. Consideration of an Ordinance to Amend the General Purpose School fund and the General Project Fund Budgets (AF: 37-2009).**

Adopt:

**Ordinance No. 5817, AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECT FUND BUDGETS; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**4. Consideration of Approval of Offers for Easements and Right-of Ways for the Project 3-1 Lynn Garden Area Sewer Rehabilitation Project (AF: 57-2009).**

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Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE PROJECT 3-1 LYNN  
GARDEN AREA SEWER REHABILITATION PROJECT

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

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** City Manager Campbell reminded Board members there will be a groundbreaking ceremony at the Rock Springs site of Fire Station No. 7 tomorrow morning at 9:30 a.m. He also reminded the public of the grand reopening of the Bays Mountain Planetarium this Saturday.

**B. MAYOR AND BOARD MEMBERS.** Alderman Shupe thanked those persons who were recognized earlier in the meeting for their involvement in saving a life and the attempts to save others.

Alderman Joh mentioned that Kingsport is attracting many newcomers to the area from many different areas.

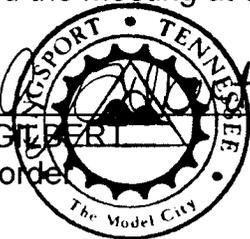
Alderman Marsh commented that, in view of upcoming budget discussions and decisions, he is opposed to any increased tax, fee or charge in light of current economic circumstances and would like to take into account that there are, likely, going to be major economic issues impacting the City's economy in the near future.

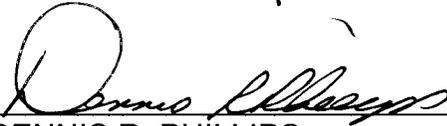
Mayor Phillips announced that the Homebuilders Show starts Friday at MeadowView Convention and Conference Center and runs through Sunday. He added that all vendor booths have been sold out and City staff will be working the City booth at the show. The Mayor recognized alderman candidates in attendance, Mr. Mike McIntyre and Mr. Tom Parham, as well as the incumbents present on the Board and wished all good luck.

**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:00 p.m.

  
ELIZABETH A. GILBERT  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor