

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, May 5, 2009, 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 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:** 7:05 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by City Attorney Mike Billingsley.
- II.B. **INVOCATION:** by Pastor Kerry Doyal of the Grace Evangelical Free Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Charles K. Marsh, Jr.
- IV. **RECOGNITIONS AND PRESENTATIONS.**

A. PROCLAMATION TO CELEBRATE NATIONAL TRAVEL/TOURISM WEEK. Mayor Phillips commended the Kingsport Convention and Visitors Bureau (KCVB) and invited Ms. Barbara Kite, KCVB Director of Group Tours, along with KCVB volunteer, Mr. Dave Taylor, to talk about area tourism. Mr. Taylor stated that Sullivan County tourism has generated around \$270 million, according to the last figures compiled in 2007. He mentioned some of the events scheduled around the county for next week to promote area tourism during *National Tourism Week*.

V. APPROVAL OF MINUTES.

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

- A. April 20, 2009 Regular Work Session
- B. April 21, 2009 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS. None.

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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 Establishing a Policy in Compliance with T.C.A. Section 47-18-2901 for the Protection of Confidential Information on Laptop Computers and Removable Storage Devices (AF: 87-2009).

Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE ENACTING A POLICY CREATING SAFEGUARDS AND PROCEDURES FOR ENSURING CONFIDENTIAL INFORMATION REGARDING CITIZENS IS SECURELY PROTECTED ON ALL ON LAPTOP COMPUTERS AND REMOVABLE STORAGE DEVICES FOR THE CITY OF KINGSPORT; 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 Authorizing the Mayor to Sign a Supplier Purchase Agreement Between the City of Kingsport and Domtar Paper Company, LLC for Selling Wood Chips to Domtar (AF: 120-2009).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2009-223, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUPPLIER PURCHASE AGREEMENT BETWEEN THE CITY OF KINGSPORT AND DOMTAR PAPER COMPANY, LLC FOR THE SALE OF WOOD CHIPS TO DOMTAR PAPER COMPANY, LLC

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with the City of Bristol, TN as the Lead Entity for the Northeast TN/Southeast VA Home Consortium (AF: 118-2009).

Motion/Second: Mallicote/Munsey, to pass:

Resolution No. 2009-224, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF BRISTOL, TENNESSEE AS LEAD ENTITY FOR THE NORTHEAST TENNESSEE/VIRGINIA HOME CONSORTIUM

Passed: All present voting "aye."

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3. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary to Apply and Accept American Recovery and Reinvestment Funds, Section 5307, Federal Transit Administration Grant from the Department of Transportation (AF: 88-2009).

Motion/Second: Shupe/Munsey, to pass:

Resolution No. 2009-225, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5307 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 GRANT FUNDS TO PURCHASE CAPITAL ITEMS FOR OPERATION OF A FIXED ROUTE BUS SERVICE AND ADA/HANDICAPPED TRANSPORTATION SERVICE IN THE CITY FOR FISCAL YEAR 2009

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for Additions and Alterations to John Sevier Middle School to Trademark of VA, Inc. and Authorizing the Mayor to Sign all Applicable Documents (AF: 125-2009).

Motion/Second: Shull/Mallicote, to pass:

Resolution No. 2009-226, A RESOLUTION AWARDDING THE BID FOR ADDITIONS AND ALTERATIONS TO JOHN SEVIER MIDDLE SCHOOL TO TRADEMARK OF VA, INC. AND AUTHORIZING THE MAYOR TO EXECUTE ALL APPLICABLE DOCUMENTS

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for the Manufacture and Installation of Classroom Furniture for John Adams Elementary School to Virco, Inc. (AF: 126-2009).

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2009-227, A RESOLUTION AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER FOR THE MANUFACTURE AND INSTALLATION OF CLASSROOM FURNITURE FOR JOHN ADAMS ELEMENTARY SCHOOL TO VIRCO, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME

Passed: All present voting "aye."

6. Consideration of a Resolution Awarding the Bid for the Installation of a VOIP Telephone System for John Adams Elementary School to Black Box Network Services and Authorizing the Mayor to Sign all Applicable Documents (AF: 127-2009).

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2009-228, A RESOLUTION AWARDDING THE BID FOR INSTALLATION OF A VOIP TELEPHONE SYSTEM FOR JOHN ADAMS

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ELEMENTARY SCHOOL AND ASSOCIATED EQUIPMENT INSTALLED AT DOBYNS-BENNETT HIGH SCHOOL TO BLACK BOX NETWORK SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE ALL APPLICABLE DOCUMENTS

Passed: All present voting "aye."

7. Consideration of a Resolution to Implement an Employee Dependent Scholarship Program (AF: 121-2009).

Motion/Second: Mallicote/Joh, to pass:

Resolution No. 2009-229, A RESOLUTION APPROVING IMPLEMENTATION THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY AND CITY OF KINGSPORT MUNICIPAL EMPLOYEE DEPENDENT SCHOLARSHIP PROGRAM

Passed: All present voting "aye."

8. Consideration of a Resolution to Authorize the Mayor to Execute a Contract for a Guaranteed Maximum Price with J.A. Street & Associates for the Early Construction Phase of the Meadowview Executive Conference Center (AF: 130-2009).

Motion/Second: Munsey/Joh, to pass:

Resolution No. 2009-230, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR A GUARANTEED MAXIMUM PRICE WITH J.A.STREET & ASSOCIATES FOR THE EARLY CONSTRUCTION PHASE OF THE MEADOWVIEW EXECUTIVE CONFERENCE CENTER

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

9. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Cab/Chassis Spray Injected Road Repair Machine to Premier Equipment, LLC (AF: 124-2009).

Motion/Second: Joh/Shull, to pass:

Resolution No. 2009-231, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF A CAB/CHASSIS SPRAY INJECTED ROAD REPAIR MACHINE TO PREMIER EQUIPMENT, LLC

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Mayor to Execute a Release (AF: 129-2009).

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2009-232, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RELEASE DISCHARGING DAVID K. WAYE AND STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY FROM ANY AND ALL LIABILITY FOR MEDICAL EXPENSES PAID THROUGH WORKERS' COMPENSATION ARISING FROM AN AUTOMOBILE ACCIDENT ON AUGUST 31, 2006

Passed: All present voting "aye."

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11. Consideration of a Resolution Authorizing the Mayor to Sign all Documents Necessary to Apply and Receive an Appalachian Regional Commission Grant for Phase 1 of the Kingsport Riverwalk Project (AF: 131-2009).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2009-233, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE APPALACHIAN REGIONAL COMMISSION GRANT FUNDS FOR PHASE I OF THE KINGSFORT RIVERWALK PROJECT

Passed: All present voting "aye."

12. Consideration of a Resolution to Authorize the Mayor to Execute an Amendment to the Meadowview Management Agreement (AF: 133-2009).

Motion/Second: Munsey/Shull, to pass:

Resolution No. 2009-234, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN THE CITY AND MARRIOTT HOTEL SERVICES, INC

Passed: All present voting "aye."

E. APPOINTMENTS.

1. Consideration of Appointments to the Stormwater Appeals Board (AF: 106-2009).

Motion/Second: Munsey/Joh, to approve the following inaugural appointments:

- MR. DENNIS WARD – PLANNING COMMISSION
- MR. JANTRY SHUPE – BOARD OF MAYOR AND ALDERMAN (non-voting position unless needed to break a tie in votes)
- MR. ALAN WEBB – PLANNING DIRECTOR
- MR. MIKE FREEMAN – BUILDING OFFICIAL

EACH TO SERVE A FIVE-YEAR TERM ON THE STORMWATER APPEALS BOARD

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Munsey/Shull, to adopt:

1. Consideration of an Ordinance to Amend General Project Fund Budget (AF: 108-2009).

Adopt:

Ordinance No. 5833, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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2. Consideration of an Ordinance to Amend the Eastman Annexation Tax Fund Budget (AF: 112-2009).

Adopt:

Ordinance No. 5834, 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, Mallicote, Munsey, Shull, Shupe and Phillips voting "aye."

3. Consideration of an Approval of Offer for Easement and Right-of-Way for the Abilene Drive Pump Station Replacement Project (AF: 128 -2009).

Approve:

EASEMENT AND RIGHT-OF-WAY FOR THE ABILENE DRIVE PUMP STATION REPLACEMENT PROJECT

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

VIII. COMMUNICATIONS.

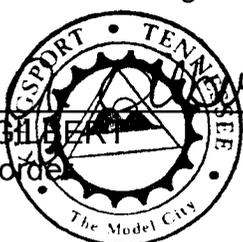
A. CITY MANAGER. City Manager Campbell complimented those involved in the recognition the City has received as a Harvard Innovation Award semi-finalist and thanked former and current City leaders, as well as City staff, for all the work done to favorably impress the Vanderbilt evaluator who visited the City regarding its Higher Education programs. Mr. Campbell reminded everyone to vote in the upcoming May 19th election for its City officials.

B. MAYOR AND BOARD MEMBERS. Aldermen Joh and Shull mentioned a few of the activities going on around the City and the area and encouraged citizens to attend. Mayor Phillips mentioned the called meeting held just prior to this meeting with King College representatives and invited citizen input regarding the medical school subject which will be detailed in a newspaper article in tomorrow's Times News.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:40 p.m.


ELIZABETH A. GILBERT
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor