

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, November 3, 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 Charles K. Marsh, Jr.

Alderman Larry A. Munsey  
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 City Planner Karen Combs.
- II.B. **INVOCATION:** by Pastor Thomas Legg of the First Church of the Nazarene.
- III. **ROLL CALL:** By City Recorder Jim Demming.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Mayor Phillips recognized in the audience: Jimmy Cooper of Sevier Middle School Boy Scout Troop 387, as well as City lobbyist, Carl Moore.
- V. **APPROVAL OF MINUTES.**

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

- A. October 19, 2009 Regular Work Session
- B. October 20, 2009 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. There being no one coming forward to speak, the Mayor closed the public comment segment.

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**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration of a Resolution Authorizing the Mayor to Execute and Sign All Documents Necessary to Accept and Receive Funding for Police Patrol Overtime from the South Central Kingsport Weed and Seed Program and Approve the Budget Ordinance (AF: 361-2009).**

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS RECEIVED FROM SOUTH CENTRAL WEED AND SEED; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Shupe/Mallicote, to pass:

**Resolution 2010-111**, A RESOLUTION TO ACCEPT A DONATION FROM THE SOUTH CENTRAL KINGSPORT WEED AND SEED PROGRAM FOR POLICE PATROL OVERTIME AND AUTHORIZING THE MAYOR TO EXECUTE AND SIGN ALL APPLICABLE DOCUMENTS

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

**2. Consideration of an Ordinance to Amend the General Project Fund by Transferring Funds from the V.O. Dobbins Engineering Project (GP0727) and the V.O. Dobbins Renovations Project (NC0605) to the Current V.O. Dobbins Renovations Project (GP0907) (AF: 365-2009).** In response to an inquiry from Alderman Marsh at the previous night's work session, Assistant to the City Manager Chris McCartt provided Board members with a report regarding the following amounts involved with this project: 1) original construction bid amount; 2) total costs to date; and 3) architects' original estimate. Alderman Marsh expressed concern that the expenses on this project are rapidly escalating with change orders and other expenses that have, so far, increased the cost of this project around 13% over the bid and the project is still in the construction phase.

Board discussion followed regarding the reasons for the additional costs on this project, at least three required change orders to deal with unforeseen conditions. City Manager Campbell pointed out that project costs to date are still under the original estimate of \$8,400,000. Mr. McCartt indicated that there is one more change order, around \$100,000, to deal with further unforeseen conditions consistent with the renovation of an older, decrepit building.

Motion/Second: Mallicote/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE V.O. DOBBINS IMPROVEMENT PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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**3. Consideration of an Ordinance to Amend the FY2010 General Purpose School Fund and the General Project Fund Budgets (AF: 322-2009).**

Motion/Second: Munsey/Parham, to pass:

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 first reading: All present voting "aye."

**4. Consideration of an Ordinance to Amend the General Project Fund by Transferring Funds from the V.O. Dobbins Project to the Kingsport City Schools Network Switch Upgrade Project (AF: 369-2009).**

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FROM THE V.O. DOBBINS IMPROVEMENT PROJECT(GP0907) TO THE KSC NETWORK SWITCH UPGRADE PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

***[Vice-Mayor Mallicote stepped out before consideration of this item.]***

**1. Consideration of Ordinances to Amend Zoning of the Airport Parkway Property Located on Airport Parkway from TA Zoning to B-3 Zoning (AF: 319-2009).**

Motion/Second: Munsey/Parham, to pass:

**ORDINANCE NO. 5903**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG FT. HENRY DRIVE KNOWN AS THE NORTH AIRPORT PARKWAY REZONING TO B-3, GENERAL BUSINESS DISTRICT, IN THE 7<sup>TH</sup> 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, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

**2. Consideration of Ordinances to Annex/Amend Zoning of the "Stonetree A" Annexation (AF: 333-2009).**

***[Vice-Mayor Mallicote returned just prior to this vote.]***

Motion/Second: Joh/Munsey, to pass:

**ORDINANCE NO. 5904**, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF

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KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE STONETREE A 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

Motion/Second: Parham/Joh, to pass:

**ORDINANCE NO. 5905**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG OAK HAVEN DRIVE TO R-1B, RESIDENTIAL DISTRICT IN THE 13<sup>th</sup> 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, Munsey, Parham, Shupe and Phillips voting "aye."

**3. Consideration of Ordinances to Annex/Amend Zoning of the  
"Stonetree B" Annexation (AF: 334-2009).**

Motion/Second: Parham/Munsey, to pass:

**ORDINANCE NO. 5906**, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13<sup>th</sup> AND 15<sup>th</sup> CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE STONETREE B 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

Motion/Second: Joh/Shupe, to pass:

**ORDINANCE NO. 5907**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG VALLEY DRIVE, GUSTAVIS COURT, AND MONTSWEAG COURT TO R-1B, RESIDENTIAL DISTRICT IN THE 13<sup>th</sup> AND 15<sup>th</sup> CIVIL DISTRICTS 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, Munsey, Parham, Shupe and Phillips voting "aye."

**4. Consideration of Ordinances to Annex/Amend Zoning of the  
"Stonetree C" Annexation (AF: 335-2009).**

Motion/Second: Munsey/Joh, to pass:

**ORDINANCE NO. 5908**, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF

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KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13<sup>th</sup> AND 15<sup>th</sup> CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE STONETREE C 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

Motion/Second: Munsey/Parham, to pass:

**ORDINANCE NO. 5909**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG SASANOVA COURT TO R-1B, RESIDENTIAL DISTRICT IN THE 13<sup>th</sup> AND 15<sup>th</sup> CIVIL DISTRICTS 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, Munsey, Parham, Shupe and Phillips voting "aye."

**5. Consideration of Ordinances to Annex/Amend Zoning of the  
"Stonetree D" Annexation (AF: 336-2009).**

Motion/Second: Parham/Shupe, to pass:

**ORDINANCE NO. 5910**, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE STONETREE D 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 second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham, Shupe and Phillips voting "aye."

Motion/Second: Parham/Mallicote, to pass:

**ORDINANCE NO. 5911**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG ROYAL CIRCLE, ARROW CIRCLE, ROCK VALLEY DRIVE, GUSTAVIS AVENUE, AND GUSTAVIS COURT TO R-1B, RESIDENTIAL DISTRICT IN THE 13<sup>th</sup> 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, Munsey, Parham, Shupe and Phillips voting "aye."

**6. Consideration of an Ordinance to Amend the Zoning Code,  
Text and Map to Zone Property Along Peach Orchard Drive to R-3, Multi-Family  
Residential District (AF: 323-2009).**

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Motion/Second: Munsey/Mallicote, to pass:

**ORDINANCE NO. 5912**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG PEACH ORCHARD DRIVE TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT, IN THE 12<sup>TH</sup> 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, Munsey, Parham, Shupe and Phillips voting "aye."

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Authorizing the Mayor to Execute a Lease Agreement with Suzuki Talent Education of Kingsport for Space in the Renaissance Center (AF: 351-2009).**

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2010-112**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF KINGSPORT AND SUZUKI TALENT EDUCATION OF APPALACHIA, INC. FOR CERTAIN SPACE IN THE RENAISSANCE CENTER LOCATED IN THE CITY OF KINGSPORT

Passed: All present voting "aye."

**2. Consideration of a Resolution to Enter into a Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Capital/Planning Expenditures for FY10 (AF: 343-2009).**

Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2010-113**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM CAPITAL AND PLANNING EXPENDITURES FOR FISCAL YEAR 2010

Passed: All present voting "aye."

**3. Consideration of a Resolution to Enter into an Operating Agreement with the Tennessee Department of Transportation for FY10 (AF: 355-2009).**

Motion/Second: Mallicote/Parham, to pass:

**Resolution No. 2010-114**, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2009-2010

Passed: All present voting "aye."

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**4. Consideration of a Resolution Authorizing the Mayor to Execute and Sign All Documents Necessary to Enter into an Agreement with the United States Department of Justice, Drug Enforcement Administration to Assign One (1) Police Department Officer to the Upper East Tennessee HIDTA Task Force (AF: 358-2009).**

Motion/Second: Shupe/Joh, to pass:

**Resolution No. 2010-115**, A RESOLUTION APPROVING AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION TO ASSIGN ONE POLICE OFFICER TO THE UPPER EAST TENNESSEE HIGH INTENSITY DRUG TRAFFICKING AREA TASK FORCE AND AUTHORIZING THE MAYOR TO EXECUTE AND SIGN ALL APPLICABLE DOCUMENTS TO EFFECTUATE THE AGREEMENT

Passed: All present voting "aye."

**5. Consideration of a Resolution Authorizing the Mayor to Execute and Sign All Documents Necessary to Accept and Receive Certain Department of Justice Approved Law Enforcement Equipment and Technology in the Form of a Donation from the South Central Kingsport Weed and Seed Program (AF:362-2009).**

Motion/Second: Shupe/Parham, to pass:

**Resolution No. 2010-116**, A RESOLUTION APPROVING A DONATION OF CERTAIN DEPARTMENT OF JUSTICE APPROVED LAW ENFORCEMENT EQUIPMENT AND TECHNOLOGY FROM THE SOUTH CENTRAL KINGSFORT WEED AND SEED PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE AND SIGN ALL APPLICABLE DOCUMENTS

Passed: All present voting "aye."

**6. Consideration of a Resolution to Ratify the Mayor's Signature on All Documents Necessary to Apply and Receive the Assistance to Firefighters Grant (AFG) Through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 360-2009).**

Motion/Second: Shupe/Joh, to pass:

**Resolution No. 2010-117**, A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE ASSISTANCE TO FIREFIGHTERS GRANT THROUGH THE U.S. FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY

Passed: All present voting "aye."

**7. Consideration of a Resolution Awarding the Bid for Harbor Chapel Road and Cooks Valley Road Improvements – Phase I to Thomas Construction Company, Inc. and Authorize the Mayor to Sign All Applicable Documents (AF: 366-2009).** Mayor Phillips cautioned that this road improvement project will impact residents in the area and is projected to be completed in a six-month

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time period. Alderman Marsh asked about penalty imposed if not completed within 180 days as set out in the proposed contract and Public Works Director Ryan McReynolds responded that he believes it is typically around \$250 to \$500 a day in liquidated damages, although he was unsure about the amount attributed to this specific contract.

Board members emphasized the need for this project to be done in a timely and efficient manner to create the least possible inconvenience to citizens.

Motion/Second: Parham/Munsey, to pass:

**Resolution No. 2010-118**, A RESOLUTION AWARDDING THE BID FOR HARBOR CHAPEL ROAD AND COOKS VALLEY ROAD IMPROVEMENTS - PHASE ONE TO THOMAS CONSTRUCTION COMPANY, INC. AND AUTHORIZE 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."

**8. Consideration of a Resolution to Authorize the Mayor to Execute an Amendment to the Contract for a Guaranteed Maximum Price with J.A. Street & Associates to Include the Next Construction Phase of the Meadowview Executive Conference Center (AF: 313-2009).**

Motion/Second: Joh/Parham, to pass:

**Resolution No. 2010-119**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CONTRACT FOR A GUARANTEED MAXIMUM PRICE WITH J.A. STREET & ASSOCIATES FOR THE CONSTRUCTION OF THE MEADOWVIEW EXECUTIVE CONFERENCE CENTER

Passed: All present voting "aye."

**9. Consideration of a Resolution Authorizing a Net Metering and Interconnection Agreement with AEP Appalachian Power and Authorizing the Mayor to Execute All Documents Necessary for the Agreement (AF: 368-2009).**

Motion/Second: Joh/Munsey, to pass:

**Resolution No. 2010-120**, A RESOLUTION APPROVING A NET METERING AND INTERCONNECTION AGREEMENT WITH APPALACHIAN POWER FOR THE SOLAR POWER SYSTEM LOCATED AT THE KINGSFORT CENTER FOR HIGHER EDUCATION AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE AGREEMENT

Passed: All present voting "aye."

**10. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with the Greater Kingsport Area Chamber of Commerce, Inc. for the Kingsport Convention and Visitors Bureau (KCVB) for the Downtown Project (AF: 370-2009).** Alderman Marsh spoke against this proposal which he sees as unseemly politics and pits the downtown community members against one another on this issue. He summarized the Board's actions regarding downtown promotion over the

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last three years and believes some to be detrimental to an organization that has provided immeasurable volunteer hours for many decades. He pointed out that KCVB never requested this money – they were directed to take these funds – and with no defined scope that would allow measurement of what will be accomplished with these funds. Further, he stated that it is the BMA’s prerogative to decide, during the next budget cycle, the amount of funding to provide to whatever organization seeks help at that time and he recommended that the BMA not appropriate any money to any organization at this time.

At this time, Mayor Phillips called for the vote and the motion passed, as follows:

Motion/Second: Mallicote/Parham, to pass:

**Resolution No. 2010-121**, A RESOLUTION REPEALING RESOLUTION NO. 2010-082 AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GREATER KINGSPORT AREA CHAMBER OF COMMERCE, INC. FOR THE DOWNTOWN PROMOTION PROGRAM THROUGH THE KINGSPORT CONVENTION AND VISITORS BUREAU

Passed: All present voting “aye” except Marsh and Munsey voting “nay.”

Alderman Munsey explained his opposition was based on last Thursday’s called work session wherein the two groups came and indicated they were very close to agreement and had, in fact, reached agreement on Friday morning. Mr. Munsey would like to see the Board acknowledge and recognize that agreement in moving forward.

Vice-Mayor Mallicote summarized the numerous discussions and meetings held in attempts to amicably resolve the issues between the DKA and DBA. He expressed his outrage at Mr. Marsh’s accusation that the BMA has taken any action otherwise. He further mentioned that the only leverage this Board has over resolving the issues between the two groups is annual funding.

***[Alderman Joh left the meeting after the vote on VI.D10.]***

**11. Consideration of a Resolution Authorizing the Issuance of \$1,200,000 of Qualified School Construction Bonds (AF: 371-2009).**

Motion/Second: Shupe/Parham, to pass:

**Resolution No. 2010-122**, A RESOLUTION AUTHORIZING A LOAN UNDER A LOAN AGREEMENT BETWEEN THE CITY OF KINGSPORT, TENNESSEE, AND THE TENNESSEE STATE SCHOOL BOND AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000) AND THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT AND OTHER DOCUMENTS RELATING TO SAID BORROWING; AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID BORROWING AND THE PAYMENT OF THE CITY’S OBLIGATIONS UNDER THE LOAN AGREEMENT

Passed: All present voting “aye.” *[Alderman Joh was not included in this vote.]*

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**E. APPOINTMENTS.**

**1. Consideration of an Appointment to the Public Arts Committee  
(AF: 359-2009).**

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

**APPOINTMENT OF *MS. DENISE DePRIEST* TO FILL AN UNEXPIRED TERM ON THE  
*PUBLIC ARTS COMMITTEE*, EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30,  
2010**

Passed: All present voting "aye."

**VII. CONSENT AGENDA. None.**

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** City Manager Campbell thanked all for their participation in contributing to this year's United Way campaign which is nearing completion and is down about 20% from last year. He encouraged those who have not given to consider doing so.

Mr. Campbell commended Street and Sanitation Manager Ronnie Hammonds for the award he received at the recent Tennessee Public Works Convention held at MeadowView. He asked Public Works Director Ryan McReynolds to address inquiries received about improvement of the intersection of Lilac Street and Netherland Inn Road. He also asked Jeff Fleming, Director of Development Services and Assistant City Manager for Economic Development, to report on efforts made to resolve issues between homeowners and the contractor in the Cooks Point subdivision.

Fire Chief Dye, at the City Manager's request, announced that the City's Fire Department had won the "Battle of the Badges" with the Kingsport Police Department.

Lastly, City Manager Campbell extended congratulations to the Dobyys-Bennett High School volleyball team for winning the Tennessee state championship.

**B. MAYOR AND BOARD MEMBERS.** Alderman Shupe proclaimed that plans have been made to pave the Hunter Wright Stadium parking lot by next year.

Alderman Marsh referred to the King College medical school presentation at last night's work session and stated his belief that drawing some part of the medical school to Kingsport will be a great economic development accomplishment. He encouraged other Board members to be thinking about the most effective way, going forward, to keep Kingsport involved in this project.

Vice-Mayor Mallicote revisited the DKA/DBA funding discussion one more time to clarify that Alderman Marsh, at the September 21, 2009 BMA work session, agreed that the

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DKA bylaws should be revised to allow new people be appointed to its Board and had given the impression, until the vote tonight, that Mr. Marsh was in agreement and a vocal proponent of the terms of the final proposed agreement between the parties. Mr. Marsh replied that he still believes in those changes and that an agreement had been reached.

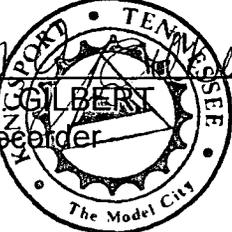
Mayor Phillips thanked David Bruce Shine who paid \$3,600.00 toward the purchase of the art sculpture entitled "Quinn" by artist Trace O'Conner, located in Glen Bruce Park.

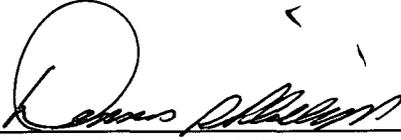
The Mayor also informed the public that City property taxes, due on November 1, can be paid, without penalty, up to and including November 30. City Recorder Demming reported that the Customer Service Center, where payments can be made, has currently extended its regular hours from 7:30 a.m. to 5:30 p.m. and, beginning November 23 through the end of November, will increase those times from 7:30 a.m. to 6:30 p.m.

**C. VISITORS. None.**

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:40 p.m.

  
ELIZABETH A. GILBERT  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor