

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, September 22, 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 Vice-Mayor Mallicote.
- II.B. **INVOCATION:** by Associate Minister Andrew Amondei of the First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming.
- IV. **RECOGNITIONS AND PRESENTATIONS.**

**A. AARP – LIVABLE COMMUNITY, KINGSPORT PILOT PROJECT AND SURVEY –** Mr. Bunky Seay, whose wife, Margo, is president of AARP Tennessee, provided details about the three AARP pilot projects currently being conducted across the state in Memphis, Nashville and Kingsport. The core group assigned to the Kingsport project determined, along with input from various local individuals and groups, that a survey would be beneficial to gather information about “quality of living” areas. The survey is now ready (a copy was provided to each BMA member) and would be distributed to 3000 area AARP cardholders starting next week. Having set the end of November as the cut-off date to return the results, Mr. Seay mentioned AARP would like to share the results of the 16-page survey at a January 2010 BMA meeting. He expressed his hope that the findings from this comprehensive survey will provide insights for valuable grant application information, business opportunities, policy changes and expanding services to make Kingsport a more lively community for people of all ages to live, work and play.

**B. KEEP KINGSPORT BEAUTIFUL SEPTEMBER BEAUTIFICATION AWARDS.** Mr. Bill Fortenberry presented and narrated a pictorial slide presentation of landscapes showing several residences, a business, a redevelopment area and a church selected to receive Keep Kingsport Beautiful Award honors sponsored by Blue Ridge Properties for September 2009. Alderman Joh commended the award winners on their contributions to the attractive surroundings of Kingsport and presented award certificates to those honorees in attendance.

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**V. APPROVAL OF MINUTES.**

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

- A. August 31, 2009 Regular Work Session
- B. September 1, 2009 Regular Business Meeting

Approved: All present voting "aye."

**VI. COMMUNITY INTEREST ITEMS.**

**AA. PUBLIC HEARINGS.**

1. **Public Hearing for Annexation Annual Plan of Service Report** (AF: 303-2009). City Planner Forrest Koder provided the update on this report.

**PUBLIC COMMENT ON ITEM VI.AA.1.** 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 Amend the Schools General Project Fund Budget** (AF: 316-2009).

Motion/Second: Parham/Munsey, to pass:

**AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET; 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 Execute a Right-of-Way Easement with Kingsport Power Company** (AF: 305-2009).

Motion/Second: Joh/Mallicote, to pass:

**Resolution No. 2010-065, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER COMPANY**

Passed: All present voting "aye."

2. **Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute All Documents Necessary for the Acquisition of Property Located at 1304 Summer Street for the Kingsport City School System** (AF: 307-2009).

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Motion/Second: Joh/Shupe, to pass:

**Resolution No. 2010-066**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF PROPERTY LOCATED AT 1304 SUMMER STREET

Passed: All present voting "aye."

**3. Consideration of a Resolution to Accept the Donation of Materials and the Installation of Granite Vanities and Undermount Porcelain Sink Basins from Brazilian Marble and Granite as a Part of the Bays Mountain Park Restroom Renovation (AF: 308-2009).**

Motion/Second: Shupe/Joh, to pass:

**Resolution No. 2010-067**, A RESOLUTION ACCEPTING A DONATION OF MATERIALS AND INSTALLATION LABOR FROM BRAZILIAN MARBLE AND GRANITE AS PART OF THE BAYS MOUNTAIN PARK RESTROOM RENOVATION

Passed: All present voting "aye."

**4. Consideration of a Resolution to Authorize the Purchase of Hardware and Software for a Distance Learning System from the Sevier County State Contract and Authorize the Mayor to Sign All Applicable Documents (AF: 312-2009).**

Motion/Second: Parham/Munsey, to pass:

**Resolution No. 2010-068**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE PURCHASING AGREEMENT WITH SEVIER COUNTY SCHOOLS AND A PURCHASE ORDER WITH PERSONAL COMPUTER SYSTEMS, INC. FOR HARDWARE AND SOFTWARE FOR A DISTANCE LEARNING SYSTEM

Passed: All present voting "aye."

**5. Consideration of a Resolution Authorizing the Issuance of a Purchase Order for the Purchase of a Remedial Reading Software System from Scholastic Education, Inc. (AF: 314-2009).**

Motion/Second: Munsey/Shupe, to pass:

**Resolution No. 2010-069**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE ORDER WITH SCHOLASTIC EDUCATION, INC. FOR A REMEDIAL READING SOFTWARE SYSTEM

Passed: All present voting "aye."

**6. Consideration of a Resolution to Authorize the Mayor to Reject All Bid(s) Related to the Purchase of Four (4) 19 Passenger Urban Mass Transit Mini-Buses (AF: 311-2009).**

Motion/Second: Munsey/Mallicote, to pass:

**Resolution No. 2010-070**, A RESOLUTION REJECTING ALL BIDS RELATED TO THE PURCHASE OF FOUR 19 PASSENGER URBAN MASS TRANSIT MINI-BUSES

Passed: All present voting "aye."

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**7. Consideration of a Resolution to Apply and Receive a Supplemental Discretionary Grant for Capital Investments in Surface Transportation Infrastructure Under the American Recovery and Reinvestment Act through the U.S. Department of Transportation (AF: 320-2009).**

Motion/Second: Munsey/Mallicote, to pass:

**Resolution No. 2010-071**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A SUPPLEMENTAL DISCRETIONARY GRANT FOR CAPITAL INVESTMENTS IN SURFACE TRANSPORTATION INFRASTRUCTURE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT THROUGH THE UNITED STATES DEPARTMENT OF TRANSPORTATION

Passed: All present voting "aye."

**E. APPOINTMENTS.** None.

**VII. CONSENT AGENDA.**

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

Motion/Second: Joh/Parham, to adopt:

**1. ~~Consideration of an Ordinance to Condemn for Easements and Rights-of-Way for the Harbor Chapel/Cooks Valley Road Improvement Project (AF: 298-2009).~~** This item was pulled on second reading because it is no longer required.

**2. Consideration of an Ordinance to Appropriate Funds for the Materials Agreement with Danny Karst Related to Edinburgh Phase II Section 1 (AF: 295-2009).**

Adopt:

**Ordinance No. 5889**, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE II SECTION 1 MATERIALS AGREEMENT PROJECTS (SW0856 AND WA0856); 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 an Ordinance to Appropriate Funds for the Materials Agreement with Terry Orth Related to Autumn Woods Phase II (AF: 297-2009).**

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Adopt:

**Ordinance No. 5890**, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE AUTUMN WOODS PHASE II MATERIALS AGREEMENT PROJECTS (SW1068 AND WA1068); 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 an Ordinance to Transfer Funds from the Kingsport Higher Education Center Project (GP0726) to Fund the Workforce Consultant (AF: 291-2009).**

Adopt:

**Ordinance No. 5891**, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS FROM THE KINGSFORT HIGHER EDUCATION PROJECT TO THE GENERAL FUND; 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 an Ordinance to Appropriate Funding Received through the Tennessee Department of Transportation's "Roadscapes" Grant Program (AF: 300-2009).**

Adopt:

**Ordinance No. 5892**, AN ORDINANCE TO AMEND THE METROPOLITAN PLANNING BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION; 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 Approval of Offers for Easements and Rights-of-Way for Phase I of the Rock Springs Road Project (AF: 306-2009).**

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR PHASE I OF THE ROCK SPRINGS ROAD PROJECT

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

**VIII. COMMUNICATIONS.**

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**A. CITY MANAGER.** Mr. Campbell introduced Ms. Kim Pruden, resident and 10-year volunteer for the Sullivan County Animal Shelter, who announced an opportunity for the animal shelter to win \$1 million dollars by voting for local dog “Lucy, Super Pound Puppy” to win a “Cutest Dog Competition” sponsored by a California pet food company. Sullivan County Animal Control Officer, Phil Lane, also encouraged all to go online to vote, daily, for Lucy, to help the shelter win a much-needed economical boost.

City Manager Campbell thanked City Parks and Recreation Manager, Kitty Frazier, for her efforts and involvement in attracting the statewide Recreation and Parks Conference to the area. Mr. Campbell also mentioned that the statewide Public Works conference will also be held locally, due largely to Ronnie Hammonds’ efforts.

**B. MAYOR AND BOARD MEMBERS.** Alderman Joh shared information distributed by the University of Tennessee on *Meeting Planning and Hotel Sales in a Down Economy* comparing July 2008 with July 2009 which showed only two Tennessee cities had positive comparisons—Knoxville and Kingsport-Bristol, Tennessee. Ms. Joh thanked Jud Teague and the Kingsport Visitors and Convention Bureau (KCVB) for the many great athletic and other events they attract to the area.

Vice-Mayor Mallicote attended the recent Governor’s Conference in Murfreesboro and saw firsthand the great esteem in which the KCVB and Kingsport are held across the state. Mr. Mallicote also commended Jud Teague and Frank Lett of the KCVB, as well as Claudia Moody of NETTA (Northeast Tennessee Tourism Association), for taking elected or appointed leadership roles all over the state in travel and tourism. The Vice-Mayor reminded the audience of several local events that were taking place this coming weekend.

Alderman Parham added that the Kingsport Farmers’ Market is also recognized statewide and is now approximately twice the size of previous years due to its new location. Mr. Parham passed out a brochure that covered the market’s assets.

Mayor Phillips said he had received a letter from the State Department of Agriculture congratulating the City for being awarded the Tennessee Agricultural Enhancement Program Grant of \$20,000 to accomplish tree planting. He thanked City staff member, Lewis Bausell, and all those involved, who contributed to Kingsport continuing to be designated a Tree City USA.

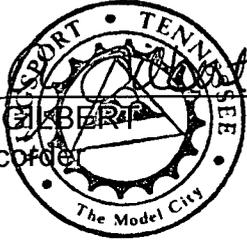
The Mayor also mentioned the recent trip to Washington DC, attended by many of the Board members, to receive the Harvard University Award for Innovative Government. Congressman Phil Roe was in attendance at the ceremony and entered the award into the Congressional record, a copy of which was provided to all BMA members. Mayor Phillips thanked his Board colleagues for working together, working hard and making it an honor to serve with them on this Board to accomplish the many things that are making Kingsport the great place it is.

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C. VISITORS. None.

IX. **ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:15 p.m.

*Elizabeth*  
ELIZABETH A. GIBBERN  
Deputy City Recorder



*Dennis R. Phillips*  
DENNIS R. PHILLIPS  
Mayor