

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, August 21, 2018, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Jennifer Adler

Alderman Joe Begley

Alderman Betsy Cooper

Alderman Colette George

Alderman Tommy Olterman

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James Demming, City Recorder/Chief Financial Officer

I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.

II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by New Vision Youth.

II.B. **INVOCATION:** Pastor Tiger Brooks, Indian Springs Baptist Church, Glenwood.

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

IV.A. **RECOGNITIONS AND PRESENTATIONS.**

1. Bill Greene & Rab Summers - Property Donation
2. Keep Kingsport Beautiful Beautification Awards

IV.B. **APPOINTMENTS/REAPPOINTMENTS.**

1. **Appointment and Reappointments to the Parks and Recreation Advisory Committee (AF: 194-2018) (Mayor Clark).**

Motion/Second: McIntire/George, to approve:

APPOINTMENT OF HEATHER QUIGLEY (REPLACING SUSAN KREIN) AND REAPPOINTMENT OF REBA BARBER AND ALAN MEADE TO SERVE A THREE-YEAR TERM ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 1, 2021.

Passed: All present voting "aye."

2. **Appointments to the Public Art Committee (AF: 202-2018) (Mayor Clark).**

Motion/Second: McIntire/Adler, to approve:

APPOINTMENTS OF JOE ZOELLER AND LAURA FEAGINS TO SERVE ON THE **PUBLIC ART COMMITTEE** EFFECTIVE IMMEDIATELY. JOE ZOELLER WILL FILL AN

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 21, 2018

UNEXPIRED TERM ENDING JULY 31, 2019 AND LAURA FEAGINS WILL FILL A THREE-YEAR TERM EXPIRING JULY 31, 2021.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

Motion/Second: Olterman/Cooper, to approve minutes for the following meetings:

- A. August 6, 2018 Regular Work Session
- B. August 7, 2018 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Amend Zoning of Parcels along Hemlock Lane and Memorial Court (AF: 200-2018) (Ken Weems). City Attorney Billingsley pointed out since the Planning Commission did not recommend this rezoning, a roll call vote needed to be taken with four "aye" votes for it to pass.

PUBLIC COMMENT ON ITEM VI.A.1. Several citizens voiced their comments to the board, both in favor and in opposition of this item.

Motion/Second: McIntire/Begley, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG HEMLOCK LANE AND MEMORIAL COURT FROM R-1C, RESIDENTIAL DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS 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" except Adler voting "nay" and George "abstaining."

PUBLIC COMMENT. Mayor Clark 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. None.

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Vacate a Permanent Utility Easement on Eastman Property (AF: 183-2018) (Jessica Harmon).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, August 21, 2018**

Motion/Second: George/McIntire, to pass:

ORDINANCE NO. 6749, AN ORDINANCE TO VACATE A PERMANENT UTILITY EASEMENT LOCATED ON TAX MAP 76 PARCEL 6.90 SITUATED IN THE CITY, THIRTEENTH CIVIL DISTRICT OF SULLIVAN COUNTY; TO APPROVE A RELEASE OF EASEMENT WITH EASTMAN CHEMICAL COMPANY- AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

2. Amend Zoning of 1210 and 1214 Conway Drive (AF: 187-2018)
(Ken Weems).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6750, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG CONWAY DRIVE FROM R-1B, RESIDENTIAL DISTRICT TO PD, PLANNED DEVELOPMENT 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 second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

3. Amend Zoning of 1700 North John B. Dennis Highway
(AF: 188-2018) (Ken Weems).

Motion/Second: McIntire/Adler, to pass:

ORDINANCE NO. 6751, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG NORTH JOHN B DENNIS HIGHWAY FROM M-1, LIGHT MANUFACTURING DISTRICT TO M-2, GENERAL MANUFACTURING 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 second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

4. Appropriate Partnership Support Grant from Tennessee Arts Commission (AF: 175-2018) (Chris McCartt).

Motion/Second: Adler/Cooper, to pass:

ORDINANCE NO. 6752, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION FOR THE YEAR ENDING JUNE 30, 2019; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 21, 2018

5. Appropriate Funds from FiftyForward Grant from State of Tennessee for the Kingsport Senior Center (AF: 122-2018) (Shirley Buchanan).

Motion/Second: George/Begley, to pass:

ORDINANCE NO. 6753, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM FIFTYFORWARD FOR THE YEAR ENDING JUNE 30, 2019; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

6. Appropriate Funds from USDOJ/Bureau of Justice Assistance Grant FY17 Local Solicitation (AF: 177-2018) (David Quillin).

Motion/Second: George/McIntire, to pass:

ORDINANCE NO. 6754, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS FOR THE YEAR ENDING JUNE 30, 2019; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

7. Budget Adjustment for FY18 (AF: 179-2018) (Chris McCartt).

Motion/Second: Cooper/George, to pass:

ORDINANCE NO. 6755, AN ORDINANCE TO AMEND THE GENERAL FUND AND THE LIBRARY GOVERNING BOARD FUND FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

8. Amend Code of Ordinances Section 98-62-Operators to Exercise Care, Maintain Lookout (AF: 186-2018) (David Quillin).

Motion/Second: Olterman/Adler, to pass:

ORDINANCE NO. 6756, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 98-62 RELATING TO USE OF OPERATORS TO EXERCISE CARE, MAINTAIN LOOKOUT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, August 21, 2018**

9. Amend Code of Ordinances by Adding Sections Regulating the Operation of Pedal Carriages and Amending Sections 6-1 through 6-3 Pertaining to Open Containers and Public Display or Consumption (AF: 189-2018) (Ken Weems).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6757, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, BY ADDING NEW SECTIONS 26-155 THROUGH 26-174 REGARDING PEDAL CARRIAGES; AMENDING SECTION 6-1 RELATING TO THE DEFINITION OF THE TERMS ALCOHOLIC BEVERAGE OR BEVERAGE, BEER, CONTAINER, OPEN, PUBLIC PLACE, AND UNSEALED; SECTION 6-2 RELATING TO POSSESSION OF OPEN CONTAINERS IN MOTOR VEHICLES OR ON PUBLIC PROPERTY; SECTION 6-3 RELATING TO PUBLIC DISPLAY OR CONSUMPTION OF BEER, WINE OR OTHER ALCOHOLIC BEVERAGES; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Adler, Begley, Cooper, George, McIntire and Olterman voting "aye."

D. OTHER BUSINESS.

1. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Improvement Bonds, Series 2018A in an Amount Not to Exceed \$10,350,000 (AF: 180-2018) (Jeff Fleming, Jim Demming).

Motion/Second: McIntire/Adler, to pass:

Resolution No. 2019-027, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$10,350,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018A OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: McIntire/Adler, to pass:

Resolution No. 2019-028, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$10,350,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018A, OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

2. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Improvement Bonds, Series 2018B in an Amount Not to Exceed \$5,400,000 (AF: 181-2018) (Jeff Fleming, Jim Demming).

Motion/Second: George/McIntire, to pass:

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, August 21, 2018**

Resolution No. 2019-029, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,400,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018B OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: McIntire/George, to pass:

Resolution No. 2019-030, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$5,400,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018B, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

**3. Consideration of Initial and Detailed Bond Resolutions
Authorizing the Issuance of General Obligation Improvement Bonds, Series 2018C
in an Amount Not to Exceed \$2,400,000 (AF: 182-2018) (Jeff Fleming, Jim Demming).**

Motion/Second: McIntire/Adler, to pass:

Resolution No. 2019-031, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,400,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018C OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: McIntire/Adler, to pass:

Resolution No. 2019-032, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$2,400,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2018C, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

**4. Agreement with Public Procurement Authority for Cooperative
Purchasing (AF: 193-2018) (Chris McCartt)**

Motion/Second: George/Olterman, to pass:

Resolution No. 2019-033, A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE PUBLIC PROCUREMENT AUTHORITY FOR COOPERATIVE PURCHASING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, August 21, 2018**

5. Amend Contractual Agreement, TDOT Project No. 82-5307-S3-019 with the Tennessee Department of Transportation for Reimbursement of Capital Expenses (AF: 199-2018) (Chris McCartt).

Motion/Second: George/McIntire, to pass:

Resolution No. 2019-034, A RESOLUTION APPROVING AMENDMENT ONE TO TENNESSEE DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER GG-17-52819-00 FOR THE REIMBURSEMENT OF CAPITAL EXPENSES FOR THE NEW TRANSIT CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

6. Bid Award for Purchase of Three (3) 8-Passenger Vans to Empire Ford (AF: 204-2018) (Steve Hightower, David Frye).

Motion/Second: Adler/McIntire, to pass:

Resolution No. 2019-035, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF 3 EIGHT PASSENGER VANS TO EMPIRE FORD AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

7. Proposed Stormwater Annual Compliance Report (AF: 196-2018) (Ryan McReynolds).

Motion/Second: McIntire/Cooper, to pass:

Resolution No. 2019-036, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STORMWATER ANNUAL COMPLIANCE REPORT REQUIRED BY THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Passed: All present voting "aye."

8. Memorandum of Understanding with Petworks Kingsport Animal Shelter Services, Inc. (AF: 203-2018) (Jeff Fleming).

Motion/Second: Adler/Cooper, to pass:

Resolution No. 2019-037, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH PETWORKS KINGSFORT ANIMAL SHELTER SERVICES, INC. AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

Passed: All present voting "aye."

9. Accept New Permanent Utility Easement from Eastman Chemical Company (AF: 205-2018) (Jessica Harmon).

Motion/Second: George/McIntire, to pass:

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, August 21, 2018**

Resolution No. 2019-038, A RESOLUTION ACCEPTING A DONATION FROM EASTMAN CHEMICAL COMPANY OF A PERMANENT UTILITY EASEMENT, APPROVING THE DEED OF PERMANENT UTILITY EASEMENT FROM EASTMAN CHEMICAL COMPANY; AND AUTHORIZING THE MAYOR TO EXECUTE THE DEED AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION

Passed: All present voting "aye."

10. Approve Funding Plan and Authorization to Pursue ONEKingsport Projects (AF: 201-2018) (Lynn Tully).

Motion/Second: McIntire/George, to pass:

APPROVAL OF FUNDING PLAN AND AUTHORIZATION TO PURSUE ONEKINGSPORT PROJECTS

Passed: All present voting "aye."

11. Amend Fee Resolution by Adding a Fee for Pedal Carriage Permits (AF: 206-2018) (Ken Weems).

Motion/Second: George/Cooper, to pass:

Resolution No. 2019-039, A RESOLUTION AMENDING RESOLUTION NO. 2018-193 TO PROVIDE FOR CHANGES IN THE CHARGES IN CHAPTER 66-PARKS AND RECREATION

Passed: All present voting "aye."

12. Agreement with Frontier Health for Counseling Services for Kingsport City Schools (AF: 207-2018) (David Frye).

Motion/Second: McIntire/George, to pass:

Resolution No. 2019-040, A RESOLUTION APPROVING AN AGREEMENT WITH FRONTIER HEALTH FOR COUNSELING SERVICES FOR KINGSFORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

13. Apply and Accept a Section 5307 Operations Grant from the Federal Transit Administration Grant and U.S. Department of Transportation (AF: 198-2018) (Chris McCartt).

Motion/Second: McIntire/Adler, to pass:

Resolution No. 2019-041, 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 2018-2019

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, August 21, 2018

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

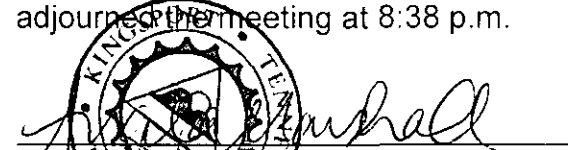
VIII. COMMUNICATIONS.

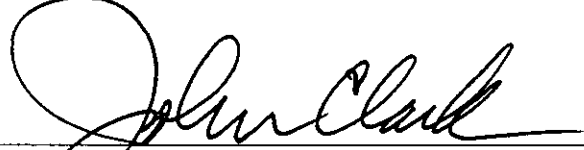
A. CITY MANAGER. None.

B. MAYOR AND BOARD MEMBERS. Alderman Adler stated the third IDEAcademy would be held next month on September 19. She also invited citizens to the Neighborhood Commission meeting next week. Alderman Cooper commented on the final phase of renovations at the library, pointing out the Google event that was held there last week. Vice-Mayor McIntire congratulated Visit Kingsport for the successful long drive tour event at Meadowview. He also commended the schools' testing scores. Alderman Olterman also commented on the long drive event, commending the city and the venue for getting the tour to commit to coming back next year. Alderman George bragged on the high school band and the football team. She also mentioned the Kingsport Mets would be hosting a Long Island Tea night. Mayor Clark noted Doby's Bennett and Adams are ranked in the top public high schools in northeast Tennessee and thanked the teachers, staff, and students. He stated the school system is a part of what makes Kingsport a great place to live.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:38 p.m.


ANGELA MARSHALL
Deputy City Recorder


JOHN CLARK
Mayor