

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, December 20, 2016, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Colette George

Alderman Tommy Olterman

Alderman Tom C. Parham

Alderman Tom Segelhorst

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

Lisa Winkle, Deputy City Recorder/Comptroller

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

II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:**

II.B. **INVOCATION:** Pastor Bryan Moore, Fordtown Baptist Church.

III. **ROLL CALL:** By Deputy City Recorder, Lisa Winkle. All Present.

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

1. Recognition of Bobby Harmon (Alderman Segelhorst).
2. Above and Beyond – Kingsport Fire Department (Chief Dye).
3. Jaycees/Debbie Waggoner – Nativity Restoration (Alderman Duncan).

IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.

V. **APPROVAL OF MINUTES.**

Motion/Second: Duncan/McIntire, to approve minutes for the following meetings:

- A. December 5, 2016 Regular Work Session
- B. December 6, 2016 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Public Hearing for Annexation Annual Plan of Services Report**
(AF: 329-2016) (Jessica Harmon). City Planner Jessica Harmon gave a brief presentation on this item.

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PUBLIC COMMENT ON ITEM VI.A.1. None.

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.

1. Award Contract for Enterprise Place Roadway Improvements
(AF: 319-2016) (Ryan McReynolds).

Motion/Second: McIntire/George, to pass:

Resolution No. 2017-113, A RESOLUTION AWARDING THE BID FOR ENTERPRISE PLACE ROADWAY IMPROVEMENTS TO KING GENERAL CONTRACTOR AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE ENTERPRISE PLACE IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Award Contract and Appropriate Funds for Sanitary Sewer Facilities and Waterline Upgrades – Colonial Heights Phase IV Project
(AF: 337-2016) (Ryan McReynolds).

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BY TRANSFERRING FUNDS TO THE COLONIAL HEIGHTS PHASE IV PROJECT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2017-114, A RESOLUTION AWARDING THE BID FOR SANITARY SEWER FACILITIES AND WATERLINE UPGRADES – COLONIAL HEIGHTS PHASE IV PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

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3. Appropriate \$14,895.00 from the Office of Criminal Justice Programs of the State of Tennessee FY17 Local Law Enforcement Equipment Program (AF: 333-2016) (David Quillin).

Motion/Second: Segelhorst/Duncan, to pass:

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, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Approve Agreement Between the City of Kingsport and the Kingsport Life Saving Crew and Approve an Ordinance to Appropriate the Necessary Funding and to Amend the Authorized Positions for FY17 (AF: 326-2016) (Craig Dye).

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE KINGSPORT LIFE SAVING CREW TO ASSIST IN HIRING THREE FIREFIGHTERS FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: McIntire/George, to amend:

Motion/Second: Segelhorst/Olterman, to pass as amended:

Resolution No. 2017-115, A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH SULLIVAN COUNTY, TENNESSEE AND THE KINGSPORT LIFE SAVING CREW, INC. AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

Passed: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Annex/Adopt Plan of Service for the 1392 Ridgecrest Avenue Annexation and Amend Zoning (AF: 294-2016) (Jessica Harmon).

Motion/Second: McIntire/Segelhorst, to pass:

ORDINANCE NO. 6628, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ON RIDGECREST AVENUE FROM COUNTY R-3A, HIGH DENSITY RESIDENTIAL DISTRICT TO CITY R-1B, LOW DENSITY RESIDENTIAL 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, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

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2. Execute an Agreement with Bloomingdale Utility District for the Installation of Waterlines for the Rolling Drive Annexation and Provide Funding (AF: 310-2016) (Ryan McReynolds).

Motion/Second: Parham/Duncan, to pass:

ORDINANCE NO. 6629, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE ROLLING DRIVE PROJECT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

3. Accept \$1,000 Donation from GRC & Cain Rash West to the Kingsport Public Library and Appropriate Funds (AF: 312-2016) (Morris Baker).

Motion/Second: George/Olterman, to pass:

ORDINANCE NO. 6630, AN ORDINANCE TO AMEND THE GENERAL PROJECT SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATIONS RECEIVED FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

4. Appropriate Funds from FM Global (AF: 313-2016) (Craig Dye).

Motion/Second: Duncan/George, to pass:

ORDINANCE NO. 6631, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM FM GLOBAL FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

5. Amend the City of Kingsport Code of Ordinances and Resolution 2013-079 Pertaining to Stormwater Management (AF: 311-2016) (Ryan McReynolds).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6632, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTIONS 38-85 THROUGH 38-350 PERTAINING TO THE PROVISION OF STORMWATER MANAGEMENT FOR THE CITY OF KINGSPORT; 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, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

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**6. Budget Adjustment Ordinance for FY17 (AF: 316-2016)
(Jeff Fleming).**

Motion/Second: Duncan/Segelhorst, to pass:

ORDINANCE NO. 6633, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

**7. Amend FY17 General Purpose School Fund Budget
(AF: 322-2016) (David Frye).**

Motion/Second: Segelhorst/Olterman, to pass:

ORDINANCE NO. 6634, AN ORDINANCE TO AMEND THE FY 2016-17 GENERAL PURPOSE SCHOOL FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Olterman, Parham and Segelhorst voting "aye."

D. OTHER BUSINESS.

**1. Execute Agreements with the Department of the Army for
Water and Sewer Line Easements (AF: 317-2016) (Ryan McReynolds).**

Motion/Second: George/Olterman, to pass:

Resolution No. 2017-116, A RESOLUTION APPROVING THE AGREEMENTS WITH THE DEPARTMENT OF THE ARMY FOR WATER AND SEWER LINE EASEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUTATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye."

**2. Execute Agreements with CSX Transportation, Inc. for Sewer
Line Easements (AF: 328-2016) (Ryan McReynolds)**

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2017-117, A RESOLUTION APPROVING THREE AGREEMENTS WITH CSX TRANSPORTATION, INC. FOR THREE SEWER LINE EASEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUTATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye."

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3. Amend Agreement with Cartegraph Systems, Inc.
(AF: 327-2016) (Ryan McReynolds).

Motion/Second: Parham/Duncan, to pass:

Resolution No. 2017-118, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH CARTEGRAPH SYSTEMS, INC.; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

4. Approve Change Order No. 1 with Goins Rash Cain, Inc. for the MeadowView Conference Center Renovations (AF: 334-2016) (Chris McCartt).

Motion/Second: McIntire/George, to pass:

Resolution No. 2017-119, A RESOLUTION APPROVING CHANGE ORDER #1 TO THE CONTRACT WITH GOINSRASHCAIN, INC. FOR THE MEADOWVIEW CONFERENCE CENTER RENOVATIONS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

5. Adopt the Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Redevelopment District - The Blake at Riverbend Project Area (AF: 331-2016) (Lynn Tully).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2017-120, A RESOLUTION APPROVING THE REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE RIVERBEND REDEVELOPMENT DISTRICT FOR THE BLAKE AT RIVERBEND PROJECT AREA

Passed: All present voting "aye."

6. Approve an Agreement with Source Technologies, LLC for Odor and Corrosion Control at Sewer Lift Stations (AF: 336-2016) (Ryan McReynolds).

Motion/Second: Segelhorst/Duncan, to pass:

Resolution No. 2017-121, A RESOLUTION APPROVING RENEWAL OF AN AGREEMENT WITH SOURCE TECHNOLOGIES, LLC. FOR ODOR AND CORROSION CONTROL AT SEWER LIFT STATIONS 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."

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7. Contract with the Tennessee Department of Transportation for Federal and State Transportation Planning Funds on Behalf of the Kingsport MTPO (AF: 338-2016) (Bill Albright).

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2017-122, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

Passed: All present voting "aye."

8. Approve an Amendment to the Permanent Easement Agreement with Kingsport Hotel, LLC (AF: 325-2016) (Chris McCartt).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2017-123, A RESOLUTION APPROVING AN AMENDMENT TO THE PERMANENT EASEMENT AGREEMENT WITH KINGSFORT HOTEL, LLC AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND ALL DOCUMENT NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT TO THE AGREEMENT

Passed: All present voting "aye."

9. Authorize the Industrial Development Board of the City of Kingsport, Tennessee, to Negotiate and Accept from Clark & Company or an Affiliated Entity Payments in Lieu of Ad Valorem Tax with Respect to a New Professional Office Location in the City of Kingsport, Tennessee (AF: 339-2016) (Lynn Tully).

Motion/Second: Olterman/McIntire, to pass:

Resolution No. 2017-124, A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE TO NEGOTIATE AND ACCEPT FROM CLARK AND COMPANY OR AN AFFILIATED ENTITY PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO OFFICE HEADQUARTERS FACILITIES IN THE CITY OF KINGSFORT, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305

Passed: All present voting "aye."

10. Approve the Contract with Parsons Brinckerhoff for A&E Services for the KATS Transit Center Project and Ratify the Mayor's Signature (AF: 168-2016) (Chris McCartt).

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Motion/Second: Segelhorst/Duncan, to pass:

Resolution No. 2017-125, A RESOLUTION APPROVING AN AGREEMENT WITH PARSONS BRINCKERHOFF FOR DESIGN SERVICES FOR THE KINGSPORT AREA TRANSIT CENTER; RATIFYING THE MAYOR'S SIGNATURE; 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."

11. Authorize the Industrial Development Board of the City of Kingsport, Tennessee, to Negotiate and Accept from Hull Property Group or an Affiliated Entity Payments in Lieu of Ad Valorem Tax with Respect to Retail Shopping Facilities Known as the Kingsport Town Center in the City of Kingsport, Tennessee (AF: 332-2016) (Lynn Tully).

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2017-126, A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE TO NEGOTIATE AND ACCEPT FROM HULL PROPERTY GROUP OR AN AFFILIATED ENTITY PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO RETAIL SHOPPING FACILITIES KNOWN AS THE KINGSPORT TOWN CENTER IN THE CITY OF KINGSPORT, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305

Passed: All present voting "aye."

VII. CONSENT AGENDA. *(These items are considered under one motion.)*

Motion/Second: McIntire/Duncan, to adopt:

1. Apply for a Partnership Grant from the Tennessee Arts Commission (AF: 335-2016) (Chris McCartt).

Resolution No. 2017-027, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR A PARTNERSHIP GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed: All present voting "aye."

2. Approve Issuance of Certificates of Compliance for Businesses to Sell Retail Alcoholic Beverages (AF: 330-2016) (Jim Demming).

APPROVE ISSUANCE OF CERTIFICATES OF COMPLIANCE FOR BUSINESSES TO SELL RETAIL ALCOHOLIC BEVERAGES

Passed: All present voting "aye."

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3. Consideration of the 2017 Joint Tri-Cities Legislative Agenda (AF: 340-2016) (Jeff Fleming).

ADOPT THE 2017 TRI-CITIES LEGISLATIVE AGENDA

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

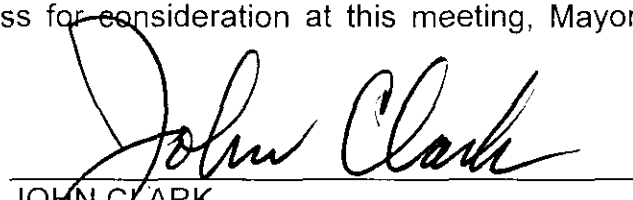
A. CITY MANAGER. Mr. Fleming thanked the board for allowing him to do the job that he loves, stating he enjoys working with everyone. He further stated he was looking forward to ringing in the new year and celebrating the city's centennial on December 31.

B. MAYOR AND BOARD MEMBERS. Alderman Olterman expressed his appreciation to those watching and staying tuned in to city business. He wished everyone a Merry Christmas and Happy New Year. Alderman George encouraged everyone to take this time to appreciate their family, stating she was blessed to live in this community. Vice-Mayor McIntire commented on the 100 year anniversary of St. Paul Episcopal Church. He also stated he was able to be a part of receiving a check for a half a million dollars from the Tennessee Housing Authority to Eastern Eight who will be doing some demolition along Center Street and putting up twelve new homes. Lastly he wished everyone a blessed Christmas and a happy and healthy new year. Alderman Duncan congratulated Alderman George for moving in to her new office, stating he appreciated her investment in downtown. He invited everyone to downtown New Year's Eve/Centennial celebration. He also wished everyone a Merry Christmas, stating it's been a pleasure to serve this year and he looks forward to next year. Alderman Segelhorst recognized the special groups represented at the meeting tonight. He thanked and listed the three companies who have chosen to do business in Kingsport from the agenda. He wished everyone a safe holiday season. Alderman Parham wished everyone a Merry Christmas and Happy New Year. Mayor Clark recapped events over the last year in education, housing, job creation, and marketing of the city. He pointed out the city is poised to have an even better year in 2017.

C. VISITORS. A citizen commented on road conditions.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:13 p.m.


ANGELA MARSHALL
Deputy City Recorder


JOHN CLARK
Mayor