

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, November 5, 2019, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Pat Shull, Presiding

Vice Mayor Colette George

Alderman Jennifer Adler

Alderman Darrell Duncan

Alderman Tommy Olterman

Alderman James Phillips

City Administration

Chris McCartt, City Manager

J. Michael Billingsley, City Attorney

Sidney H. Cox, City Recorder/Chief Financial Officer

I. **CALL TO ORDER:** 7:00 p.m., by Mayor Pat Shull.

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

II.B. **INVOCATION:** Pastor Greg Burton, Colonial Heights Baptist Church.

III. **ROLL CALL:** By City Recorder Cox. Absent: Alderman Betsy Cooper.

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

1. Proclamation - Volunteer Literacy Recognition Day (Mayor Shull).

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

1. **Reappointment and Appointment to the Historic Zoning Commission and Demolition by Neglect Committee** (AF: 239-2019) (Mayor Shull).

Motion/Second: George/Duncan, to approve:

REAPPOINTMENT OF MS. LIZA HARMON TO SERVE ANOTHER THREE-YEAR TERM ON THE **HISTORIC ZONING COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON NOVEMBER 5, 2022 AND APPOINTMENT OF MS. MEGAN D. ALLPHIN TO SERVE A THREE-YEAR TERM ON THE **DEMOLITION BY NEGLECT COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON NOVEMBER 5, 2022..

Passed: All present voting "aye."

V. **APPROVAL OF MINUTES.**

Motion/Second: Phillips/Adler, to approve minutes for the following meetings:

A. October 14, 2019 Regular Work Session

B. October 15, 2019 Regular Business Meeting

Approved: All present voting "aye."

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VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Amend Zoning Text to Create a Definition for Funeral and Interment Services (AF: 213-2019) (Ken Weems).

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

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6827, AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-1; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Duncan, George, Olterman, Phillips and Shull voting "aye."

2. Vacate Unimproved Right-of-Way Named Alabama Street Located Off Hollis Street (AF: 251-2019) (Jessica Harmon).

PUBLIC COMMENT ON ITEM VI.A.2. None.

Motion/Second: Adler/George, to pass:

AN ORDINANCE TO VACATE A SECTION OF PUBLIC RIGHT-OF-WAY NAMED ALABAMA STREET LOCATED OFF OF HOLLIS STREET SITUATED IN THE CITY, TWELFTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

PUBLIC COMMENT. Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. Joe Carr, Dani Cook, Jason Moore, Martha Simmons, Crystal Regan, Crystal Moore and Danielle Folkner commented on Item VI.B.5.

(NOTE: Item VI.D.4 was voted on, out of order, at this time.)

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Appropriate Funds from Tennessee Highway Safety Office (THSO) FY20 Coordinator Grant (AF: 243-2019) (David Quillin).

Motion/Second: George/Adler, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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**2. Accept Private Monetary Donation for Police K-9 Program and
Appropriate Funds (AF: 250-2019) (David Quillin).**

Motion/Second: Duncan/Olterman, to pass:

**Resolution No. 2020-071, A RESOLUTION ACCEPTING A MONETARY DONATION
FOR THE KINGSPORT POLICE DEPARTMENT K-9 PROGRAM**

Passed: All present voting "aye."

Motion/Second: Duncan/George, to pass:

**AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND
BUDGET BY APPROPRIATING DONATED FUNDS FOR THE YEAR ENDING JUNE 30,
2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**3. Amend MPO Project Fund and General Projects Special
Revenue Fund Budgets (AF: 248-2019) (Ryan McReynolds).**

Motion/Second: Phillips/Adler, to pass:

**AN ORDINANCE TO AMEND THE MPO PROJECT FUND AND THE GENERAL
PROJECTS-SPECIAL REVENUE FUND BUDGETS; AND, TO FIX THE EFFECTIVE
DATE OF THIS ORDINANCE**

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

**4. Sewer Budget Adjustment FY20 (AF: 258-2019) (Ryan
McReynolds).**

Motion/Second: Olterman/Adler, to pass:

**AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET; AND, TO FIX
THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**5. Amend City Code by Adding a New Section in Chapter 62,
Offenses and Nuisances, Pertaining to Permanent or Temporary Structures on
Public Rights-of-Way (AF: 253-2019) (Chris McCartt). Alderman Adler moved to defer
this item indefinitely but failed for lack of a second. There was considerable discussion.**

Motion/Second: Phillips/George, to pass:

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT,
TENNESSEE, BY ADDING A NEW SECTION TO CHAPTER 62, OFFENSES AND
NUISANCES, PERTAINING TO TEMPORARY OR PERMANENT STRUCTURES ON
PUBLIC RIGHTS-OF-WAY; TO FIX A PENALTY FOR THE VIOLATION OF THIS
ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF THIS ORDINANCE; AND
TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on first reading: All present voting "aye" except Adler and Duncan voting "nay."

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**6. Transfer Funds for the West Kingsport Sewer Lift Station and
Force Main Project (AF: 257-2019) (Ryan McReynolds).**

Motion/Second: George/Adler, to pass:

AN ORDINANCE TO AMEND THE SEWER 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.

**1. Appropriate Funds from USDOJ/Office of Justice Programs
Bulletproof Vest Partnership Funding (AF: 231-2019) (David Quillin).**

Motion/Second: Duncan/George, to pass:

ORDINANCE NO. 6828, AN ORDINANCE TO AMEND THE GENERAL PROJECT-
SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS
RECEIVED FROM THE DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE
30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Duncan, George, Olterman, Phillips
and Shull voting "aye."

**2. Appropriate Creative Placemaking Grant Funds from the
Tennessee Arts Commission (AF: 232-2019) (Hannah Powell, Jessica Harmon).**

Motion/Second: Olterman/Phillips, to pass:

ORDINANCE NO. 6829, AN ORDINANCE TO AMEND THE GENERAL PROJECT
SPECIAL REVENUE FUND BUDGETS BY APPROPRIATING GRANT FUNDS
RECEIVED FROM THE TENNESSEE ARTS COMMISSION FOR THE YEAR ENDING
JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Duncan, George, Olterman, Phillips
and Shull voting "aye."

**3. Appropriate Funds from USDOJ/Bureau of Justice Assistance
Grant FY19 Local Solicitation (AF: 237-2019) (David Quillin)**

Motion/Second: Adler/George, to pass:

ORDINANCE NO. 6830, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT
GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE
US DOJ/BUREAU OF JUSTICE ASSISTANCE PROGRAMS FOR THE YEAR ENDING
JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Duncan, George, Olterman, Phillips
and Shull voting "aye."

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D. OTHER BUSINESS.

1. Approve and Adopt the City of Kingsport Americans with Disabilities Act (ADA) 2019 Self-Evaluation and Transition Plan Update (AF: 201-2019) (Mike Billingsley, George DeCroes).

Motion/Second: Duncan/Phillips, to pass:

Resolution No. 2020-070, A RESOLUTION APPROVING AND ADOPTING THE CITY OF KINGSPORT AMERICANS WITH DISABILITIES ACT 2019 SELF EVALUATION AND TRANSITION PLAN UPDATE AND IMPLEMENTING THE PLAN IMMEDIATELY AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, INCLUDING A LETTER AND COMPLIANCE FORM TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION SHOWING COMPLIANCE

Passed: All present voting "aye."

2. Amend Agreement with Barge Design Solutions for Main Street Redevelopment Project (AF: 233-2019) (Ryan McReynolds)

Motion/Second: Olterman/George, to pass:

Resolution No. 2020-072, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH BARGE DESIGN SOLUTIONS (FORMERLY BARGE, WAGGONER, SUMNER & CANNON) FOR PROFESSIONAL SERVICES FOR THE MAIN STREET REDEVELOPMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

3. Agreement with the Treasury Department of the State of Tennessee Establishing a LGIP Account for the Island Road Improvements Project (AF: 238-2019) (Ryan McReynolds).

Motion/Second: George/Adler, to pass:

Resolution No. 2020-073, A RESOLUTION APPROVING AN AGREEMENT WITH THE TREASURY DEPARTMENT OF THE STATE OF TENNESSEE 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."

4. Approve Donation of City-Owned Property Located on Gibson Mill Road to Sullivan County Government to Construct a New EMS Station (AF: 246-2019) (Chris McCartt).

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Motion/Second: Olterman/George, to pass:

Resolution No. 2020-074, A RESOLUTION AUTHORIZING THE DONATION OF APPROXIMATELY 1.336 ACRES OF REAL PROPERTY LOCATED ON GIBSON MILL ROAD TO SULLIVAN COUNTY TO CONSTRUCT A NEW EMS STATION AND AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE DEED AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO CONVEY THE PROPERTY TO SULLIVAN COUNTY

Passed: All present voting "aye."

5. Approve Public Transportation Agency Safety Plan for Kingsport Area Transit Service (AF: 249-2019) (Chris Campbell).

Motion/Second: Duncan/George, to pass:

Resolution No. 2020-075, A RESOLUTION APPROVING AND ADOPTING THE PUBLIC TRANSPORTATION SAFETY PLAN FOR THE KINGSPORT AREA TRANSIT SERVICE; IMPLEMENTING THE PLAN IMMEDIATELY AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

6. Approve Purchase Agreement for the Real Property Located at 526 Sequoya in the City (AF: 247-2019) (Chris McCartt).

Motion/Second: George/Duncan, to pass:

Resolution No. 2020-076, A RESOLUTION APPROVING A PURCHASE AGREEMENT FOR THE REAL PROPERTY LOCATED AT 526 SEQUOYAH DRIVE AND AUTHORIZING THE MAYOR TO EXECUTE THE PURCHASE AGREEMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye" except Phillips "abstaining."

7. Approve Lease with Serenity Improvement at the Renaissance Center (AF: 252-2019) (Hannah Powell).

Motion/Second: Adler/Phillips, to pass:

Resolution No. 2020-077, A RESOLUTION APPROVING A LEASE AGREEMENT WITH SERENITY IMPROVEMENT FOR SPACE AT THE RENAISSANCE CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LEASE

Passed: All present voting "aye."

8. Approve Purchase of Bentek Software (AF: 241-2019) (George DeCroes).

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Motion/Second: Olterman/Adler, to pass:

Motion/Second: Olterman/Adler, to amend:

Resolution No. 2020-078, A RESOLUTION APPROVING AN AGREEMENT WITH BENTEK, INC. TO PURCHASE SOFTWARE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AS AMENDED BY ADDENDUM, AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

9. Authorize FY20 Community Development Partner Agreements
(AF: 256-2019) (Ken Weems).

Motion/Second: George/Duncan, to pass:

Resolution No. 2020-079, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND EMERGENCY SOLUTIONS GRANT FUNDING IN FISCAL YEAR 2019-2020

Passed: All present voting "aye."

10. Bid Award for Purchase of Two (2) Automated Refuse/Recycling Trucks
(AF: 254-2019) (Ryan McReynolds, Steve Hightower).

Motion/Second: Olterman/Adler, to pass:

Resolution No. 2020-080, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF TWO AUTOMATED REFUSE/RECYCLING TRUCKS TO WORLDWIDE EQUIPMENT, INC.; REJECTING ALL TRADE-IN OFFERS INCLUDED IN THE BID; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

VII. CONSENT AGENDA.

(These items are considered under one motion with a roll call vote.)

Motion/Second: Olterman/George, to adopt:

1. Execute a Signature Authority Form Allowing the Chief of Police or Designee to Complete Grant Reports as Required by the Tennessee Highway Safety Office (THSO) for the Tennessee Highway Safety Office FY20 Coordinator Grant
(AF: 242-2019) (David Quillin).

Pass:

Resolution No. 2020-081, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER TO THE TENNESSEE HIGHWAY SAFETY OFFICE DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE

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GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY THE TENNESSEE
HIGHWAY SAFETY OFFICE FY20 COORDINATOR GRANT

Passed in a roll call vote: Adler, Duncan, George, Olterman, Phillips and Shull voting
"aye."

**2. Approval of Easement and Right-of-Way (AF: 244-2019) (Ryan
McReynolds).**

Approve:

EASEMENT AND RIGHT-OF-WAY

Passed in a roll call vote: Adler, Duncan, George, Olterman, Phillips and Shull voting
"aye."

**3. Apply for and Receive Tennessee Agriculture Enhancement
Program Grant (AF: 245-2019) (Chris McCartt, Kristie Leonard).**

Pass:

Resolution No. 2020-082, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A
FARMERS MARKET PROMOTION AND RETAIL GRANT FROM THE TENNESSEE
DEPARTMENT OF AGRICULTURE

Passed in a roll call vote: Adler, Duncan, George, Olterman, Phillips and Shull voting
"aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. McCartt thanked the staff who worked on the ADA
transition plan. He also congratulated the Dobyys Bennett girls cross country
team on becoming state champions.


B. MAYOR AND BOARD MEMBERS. Alderman Duncan noted there were 49
shopping days until Christmas, commenting on the many holiday events
coming up in the community. He also wished Alderman Phillips a happy
birthday tomorrow. Vice-Mayor George gave further details on the Christmas
parade and tree lighting as well as the Sip-n-Stroll. She mentioned the
groundbreaking at PETWORKS stating she was glad that project was
underway. Alderman Phillips thanked the Sullivan County commissioners
present, stating he was excited for the new EMS station project. He also
commented on Robin Cleary's transition from Keep Kingsport Beautiful director
to the Downtown Kingsport Association Director and Sharon Hayes has taken
over the KKB role. Alderman Adler promoted the ETSU Elevates grant
opportunity for community projects. Alderman Olterman also congratulated the
DB cross country team and volleyball team as well as the local football teams
that have made the playoffs. Mayor Shull reminded everyone Monday was
Veteran's Day, noting there would be a ceremony at the Veteran's Memorial at

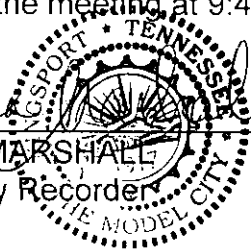
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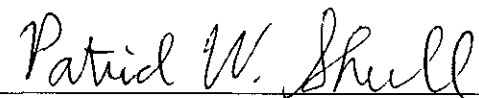
11:00 am. He stated he would be conducting another Town Hall meeting in January in Colonial Heights.

C. VISITORS. Mark Vance, Theresa Fanning, Tim Sanders, DeRhonda Bearden, Jason Coldira, Hunter Locke, Lou Ann White, Brittany Shults, Carolyn Gibbons, Rachel Hicks, Malcolm Stallard, Kyrsten Light, and Joanne Harrington made comments.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 9:42 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor