

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, November 19, 2019, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Pat Shull, Presiding

Vice Mayor Colette George (via phone)

Alderman Jennifer Adler

Alderman Betsy Cooper

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:** Led by New Vision Youth.
- II.B. **INVOCATION:** Pastor Phil Whittemore, Bloomingdale Baptist Church.
- III. **ROLL CALL:** By City Recorder Cox. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.** Mayor Shull recognized the three Sullivan County Commissioners in attendance.
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.**
 1. **Reappointments and Appointments to the Senior Center Advisory Council** (AF: 229-2019) (Mayor Shull).

Motion/Second: Duncan/George, to approve:

REAPPOINTMENTS OF RICK CURRIE, PETER SHANG, LISA SHIPLEY, LINDA GEMAYEL AND LAUREL MCKINNEY TO SERVE A SECOND TWO-YEAR TERM ON THE **SENIOR ADVISORY COUNCIL** AND APPOINTMENTS OF BRENDA G. EILERS AND KENNETH A. NAEGELE, JR. TO A TWO-YEAR TERM REPLACING ALDERMAN DARRELL DUNCAN AND DEBORAH EUREY. ALL APPOINTMENTS ARE EFFECTIVE IMMEDIATELY AND WILL EXPIRE ON SEPTEMBER 30, 2021.

Passed: All present voting "aye."

2. **Appointment to the Historic Zoning Commission** (AF: 259-2019) (Mayor Shull).

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Motion/Second: Adler/Cooper, to approve:

APPOINTMENT OF LIZA HOWLE ON THE **HISTORIC ZONING COMMISSION** TO FULFILL THE UNEXPIRED TERM OF JIM HENDERSON WHO IS RESIGNING. THE APPOINTMENT IS EFFECTIVE IMMEDIATELY AND WILL EXPIRE ON JUNE 30, 2021.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

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

- A. November 4, 2019 Regular Work Session
- B. November 5, 2019 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS. None.

PUBLIC COMMENT. Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. Dani Cook, Danielle Folkner, Dennis McGuire, Gayla Hatch, Jason Moore, Jamie Pierson, Malcom Stallard, Brooke Sexton and Priscilla Redwine commented on item VI.C.1.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Appropriate Funding from the Criminal Forfeiture Fund (AF: 255-2019) (David Quillin).

Motion/Second: Phillips/Adler, to pass:

AN ORDINANCE TO AMEND THE CRIMINAL FORFEITURE FUND BUDGET BY APPROPRIATING FUNDS FROM THE UNDESIGNATED FUND BALANCE FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Amend Code of Ordinances Section 98-407 Pertaining to Penalties for Violation for Not Using Safety Belts (AF: 267-2019) (Mike Billingsley).

Motion/Second: Phillips/Duncan, to pass:

AN ORDINANCE TO AMEND SECTION 98-407 OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, PERTAINING TO PENALTIES FOR VIOLATION OF USE OF SAFETY BELTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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3. Amend the General Project Fund, Meadowview Project Fund, Cattails Project Fund, Water Project Fund and Sewer Project Fund Budgets by Appropriating General Obligation Public Improvement Bond Series 2019 (AF: 266-2019) (Chris McCartt).

Motion/Second: Adler/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND AND THE WATER AND SEWER FUND BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2012C; FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. 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 Philips made a motion to amend, seconded by Alderman Olterman. City Attorney Billingsley read the details of the amendment. All present voting "aye" except for Adler and Duncan voting "nay." There was some discussion.

Motion/Second: Phillips/Olterman, to pass (as amended):

ORDINANCE NO. 6831, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSFORT, 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 second reading in a roll call vote: Cooper, George, Olterman, Phillips and Shull voting "aye" and Adler and Duncan voting "nay."

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

Motion/Second: Cooper/Duncan, to pass:

ORDINANCE NO. 6832, 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 second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

3. Appropriate Funds for Private Monetary Donation for the Police K-9 Program (AF: 250-2019) (David Quillin)

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Motion/Second: Adler/Cooper, to pass:

ORDINANCE NO. 6833, 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 second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

4. Enter into Agreement with TDOT for Resurfacing of Various Roads (AF: 248-2019) (Ryan McReynolds)

Motion/Second: Duncan/Cooper, to pass:

ORDINANCE NO. 6834, 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 second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

Motion/Second: Adler/Phillips, to pass:

Resolution No. 2020-083, A RESOLUTION APPROVING AGREEMENT NUMBER 190342 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR RESURFACING VARIOUS ROADS 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."

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

Motion/Second: Duncan/Cooper, to pass:

ORDINANCE NO. 6835, AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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

Motion/Second: George/Olterman, to pass:

ORDINANCE NO. 6836, 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 second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

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7. Award Contract to J. Cumby and Transfer Funds for the West Kingsport Sewer Lift Station and Force Main Project (AF: 257-2019) (Ryan McReynolds)

Motion/Second: Olterman/Duncan, to pass:

ORDINANCE NO. 6837, AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Olterman/Cooper, to pass:

Resolution No. 2020-084, A RESOLUTION AWARDDING THE BID FOR THE WEST KINGSFORT PUMP LIFT STATION AND FORCE MAIN PROJECT TO J. CUMBY CONSTRUCTION, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

D. OTHER BUSINESS.

1. Authorize FY20 Community Development Partner Agreements with UWGK (AF: 262-2019) (Ken Weems).

Motion/Second: Phillips/Adler, to pass:

Resolution No. 2020-085, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH UNITED WAY OF GREATER KINGSFORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN FISCAL YEAR 2019-2020

Passed: All present voting "aye."

2. Bid Award for the Purchase of Three (3) Diesel Single Axle Dump Trucks (AF: 263-2019) (Ryan McReynolds, Steve Hightower)

Motion/Second: Phillips/Cooper, to pass:

Resolution No. 2020-086, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF THREE DIESEL SINGLE AXLE DUMP TRUCKS TO TRIAD FREIGHTLINER OF TENNESSEE, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

3. Bid Award for Purchase of Two (2) Diesel Tandem Axle Dump Trucks (AF: 264-2019) (Ryan McReynolds, Steve Hightower).

Motion/Second: Duncan/Adler, to pass:

Resolution No. 2020-087, A RESOLUTION AWARDDING THE BID FOR THE

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PURCHASE OF TWO DIESEL TANDEM AXLE DUMP TRUCKS TO TRIAD FREIGHTLINER OF TENNESSEE, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

4. Bid Award for Purchase of Two (2) 4X4 Backhoe (AF: 265-2019)
(Ryan McReynolds, Steve Hightower).

Motion/Second: Phillips/Cooper, to pass:

Resolution No. 2020-088, A RESOLUTION AWARDED THE BID FOR THE PURCHASE OF TWO 4X4 BACKHOE TO STOWERS MACHINERY CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

5. Renewal of Property Insurance for City-Owned Buildings
(AF: 260-2019) (Terri Evans).

Motion/Second: Cooper/Olterman, to pass:

Resolution No. 2020-089, A RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT WITH TRAVELERS INSURANCE FOR CITY OF KINGSPORT PROPERTY INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

6. Bid Award to Baker's Construction Services, Inc. for Sanitary Sewer Facilities Extension Border Regions - Area 2 and Mitchell Road Project
(AF: 261-2019) (Ryan McReynolds).

Motion/Second: Phillips/Duncan, to pass:

Resolution No. 2020-090, A RESOLUTION AWARDED THE BID FOR THE SANITARY SEWER FACILITIES EXTENSION BORDER REGIONS-AREA 2 AND MITCHELL ROAD PROJECT TO BAKER'S CONSTRUCTION SERVICES, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

VIII. COMMUNICATIONS.


- A. CITY MANAGER.** Mr. McCartt commented on the memo from City Recorder Cox (Item VIII.D) and provided details. He also gave details on the memo from the purchase director (Item VIII.E) and provided details.


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B. MAYOR AND BOARD MEMBERS. Alderman Phillips commented he was sympathetic to the cause of the protesters but Ballard was a private business that the BMA could not control. Alderman Alder stated that Leadership Kingsport won the first round of the ETSU Elevates grant money last night, noting she hopes other Kingsport organizations apply in the future. Alderman Olterman stated it was basketball season and to support your local team. He also noted the DB football team was in the third round of the playoffs. Alderman Duncan stated the reasons he voted against the ordinance earlier. He also promoted the many upcoming events including Santa's Depot, Jingle and Mingle, the Christmas parade and the downtown loft tours. Alderman Cooper encouraged everyone to wash their hands this time of year to prevent sickness. Vice-Mayor George apologized for not being there and wished everyone a Happy Thanksgiving. Mayor Shull commented on the successful United Way Campaign and other local fundraising efforts including PETWORKS and the Miracle Field.

C. VISITORS. Lou Ann White commented on city property. Dani Cook, Brittany Shults, Carolyn Gibbons and Teresa Allgood commented on Ballard and the newly passed ordinance. Mikell Admire and Brian Boling commented on unwanted annexation.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 9:24 p.m.


ANGELA MARSH
Deputy City Recorder




PATRICK W. SHULL
Mayor