

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, June 16, 2020, 7:00 PM
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen
Mayor Patrick W. Shull, Presiding
Vice-Mayor Colette George
Alderman Jennifer Adler (via zoom call)
Alderman Betsy Cooper (via zoom call)
Alderman Darrell Duncan (via zoom call)
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
Angie Marshall, City Clerk/Deputy City Recorder
David Quillin, Police Chief
Ken Weems, Planning Manager

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Patrick W. Shull.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Ken Weems.
- II.B. **INVOCATION:** Pastor Paul Becker, Concordia Lutheran Church.
- III.A. **ROLL CALL:** By City Recorder Cox. All Present.
- III.B. A determination by the board that meeting electronically and prohibiting the physical presence of the public at the meeting is necessary to protect public health, safety and welfare of all concerned in light of the COVID-19 virus.
Mayor Shull made this declaration and each alderman verbally affirmed.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.** None.
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.
- V. **APPROVAL OF MINUTES.**

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

- A. May 28, 2020 Called Business Meeting
- B. June 1, 2020 Work Session
- C. June 2, 2020 Regular Business Meeting

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

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VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Amend Zoning of 1100 Oak Street from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) (AF: 81-2020) (Ken Weems).

PUBLIC COMMENT ON ITEM VI.A.1. The following citizens commented at this time: Rhonda Dingus, Jackie Wilson, Brenda Watterson, Richard Brown, Michael Gillis, Joe Carr and Bradley Williams. Mr. Gillis, manager of the property, asked to withdraw the application but staff determined he could not as he was not the property owner. There was considerable discussion.

Motion/Second: Phillips/Cooper, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG OAK STREET FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT 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

Failed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "nay."

2. ~~Vacate Section of Right-of-Way, Formerly Known as Draper Street, Located Adjacent to 628 East Market Street (AF: 64-2020) (Ken Weems).~~ This item was *withdrawn* on June 15, 2020.

3. Amend Zoning of Property Located at the Intersection of West Stone Drive and Netherland Inn Road from R-3 to B-3 (AF: 157-2020) (Ken Weems).

PUBLIC COMMENT ON ITEM VI.A.3. None.

Motion/Second: George/Olterman, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED AT THE INTERSECTION OF WEST STONE DRIVE AND NETHERLAND INN ROAD FROM R-3, LOW DENSITY APARTMENT DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 7TH CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Annex and Adopt a Plan of Service for the Worthington Drive Annexation and Amend Zoning (AF: 158-2020) (Ken Weems).

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PUBLIC COMMENT ON ITEM VI.A.4. None.

Motion/Second: Duncan/George, to pass:

Resolution No. 2020-214, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE WORTHINGTON DRIVE ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

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

Motion/Second: Phillips/Olterman, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG WORTHINGTON DRIVE FROM COUNTY R-1, LOW DENSITY RESIDENTIAL DISTRICT, AND COUNTY R-3B, RESIDENTIAL DISTRICT, TO R-1B, RESIDENTIAL DISTRICT IN THE 13th 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 in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

Motion/Second: Adler/George, to pass:

Resolution No. 2020-215, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE WORTHINGTON DRIVE ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

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

5. Adopt the Citizen Participation Plan and Amend the 2019 Annual Action Plan for the Community Development Block Grant Program (AF: 156-2020) (Ken Weems).

PUBLIC COMMENT ON ITEM VI.A.5. None.

Motion/Second: Phillips/Duncan, to pass:

Resolution No. 2020-216, A RESOLUTION ADOPTING A COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN PARTICIPATION PLAN AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CITIZEN PARTICIPATION PLAN

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

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Motion/Second: Olterman/Cooper, to pass:

Resolution No. 2020-217, A RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT 2019 ANNUAL ACTION PLAN AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ANNUAL ACTION PLAN

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

PUBLIC COMMENT. Mayor Shull 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. Appropriate \$75,845 from the U.S. Department of Justice for the Coronavirus Emergency Supplemental Funding Program Grant #2020-H1999-TN-VD (AF: 160-2020) (David Quillin).

Motion/Second: Duncan/Adler, to pass:

AN ORDINANCE TO AMEND GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2020; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Adopt FY20-21 Budget (AF: 129-2020) (Chris McCartt).

Motion/Second: George/Phillips, to pass:

ORDINANCE NO. 6862, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021, 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."

2. Adopt FY20-21 Water Fund Budget (AF: 130-2020) (Chris McCartt).

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6863, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL WATER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Adopt FY20-21 Sewer Fund Budget (AF: 131-2020) (Chris McCartt).

Motion/Second: Adler/Cooper, to pass:

ORDINANCE NO. 6864, AN ORDINANCE OF THE CITY OF KINGSFORT, TENNESSEE, ADOPTING A FINAL SEWER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021, 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. Adopt FY20-21 Metropolitan Planning Project Grant Budget (AF: 132-2020) (Chris McCartt).

Motion/Second: Olterman/George, to pass:

ORDINANCE NO. 6865, AN ORDINANCE TO APPROPRIATE METROPOLITAN TRANSPORTATION PLANNING GRANT PROJECT FUNDS; 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."

5. Adopt FY20-21 Urban Mass Transit Budget (AF: 133-2020) (Chris McCartt).

Motion/Second: Duncan/Adler, to pass:

ORDINANCE NO. 6866, AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS 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. Adopt FY20-21 Special Schools Projects Grant Fund Budget (AF: 134-2020) (Chris McCartt, David Frye).

Motion/Second: Olterman/Adler, to pass:

ORDINANCE NO. 6867, AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145 FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS 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. Adopt FY20-21 School Public Law 93-380 Grant Project Fund
Budget (AF: 135-2020) (Chris McCartt, David Frye).**

Motion/Second: Duncan/Cooper, to pass:

ORDINANCE NO. 6868, AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS 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."

**8. Provide for FY20-21 Community Development Block Grant
Budget (AF: 136-2020) (Chris McCartt).**

Motion/Second: George/Phillips, to pass:

ORDINANCE NO. 6869, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2021; 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."

**9. Budget Adjustment for Various Funds in FY20 (AF: 137-2020)
(Chris McCartt).**

Motion/Second: George/Phillips, to pass:

ORDINANCE NO. 6870, AN ORDINANCE TO AMEND VARIOUS PROJECT FUND BUDGETS 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."

D. OTHER BUSINESS.

**1. Amend Fee Resolution for FY21 Fees and Charges Provided for
in the City Code (AF: 153-2020) (Chris McCartt).**

Motion/Second: Adler/George, to pass:

Resolution No. 2020-218, A RESOLUTION SETTING THE RATES, FEES AND CHARGES AS PROVIDED BY THE CITY OF KINGSFORT CODE OF ORDINANCES

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

**2. Approve a Telework Policy for Eligible City Employees
(AF: 159-2020) (George DeCroes).**

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Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2020-219, A RESOLUTION ADOPTING A TELEWORK POLICY

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

3. Authorize City Recorder to Reconcile and Adjust Uncollectible Property Tax for Tax Year 2009 (AF: 116-2020) (Joe May).

Motion/Second: George/Cooper, to pass:

Resolution No. 2020-220, A RESOLUTION AUTHORIZING THE CITY RECORDER TO RECONCILE AND ADJUST DELINQUENT PROPERTY TAX RECEIVABLES IN FISCAL YEAR 2020 FOR THE TAX YEAR 2009 AND AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY RECORDER TO EXECUTE ANY PLEADINGS NECESSARY AND PROPER FOR THE DELINQUENT TAX COLLECTION LAWSUIT

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

4. Professional Services Agreement with Gresham, Smith & Partners for Engineering Design Services for the Wastewater Storage Facility Project (AF: 112-2020) (Ryan McReynolds).

Motion/Second: Cooper/Olterman, to pass:

Resolution No. 2020-221, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GRESHAM, SMITH & PARTNERS FOR THE WASTEWATER STORAGE FACILITY PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

5. Amendment to Agreement with Crook Brothers (AF: 161-2020) (David Frye).

Motion/Second: Phillips/George, to pass:

Resolution No. 2020-222, A RESOLUTION AMENDING THE CONTRACT WITH CROOK BROTHERS FOR PRODUCE ITEMS FOR USE BY KINGSFORT SCHOOL NUTRITION PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

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

6. Bid Award for School Nutrition Grocery and Beverage Items to Gordon Food Service (AF: 162-2020) (David Frye).

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Motion/Second: Duncan/Adler, to pass:

Resolution No. 2020-223, A RESOLUTION AWARDDING THE BID FOR SCHOOL NUTRITION GROCERY AND BEVERAGE ITEMS TO GORDON FOOD SERVICE 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 in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

7. Approval of Issuance of Tax Exempt Revenue Bonds by the Industrial Development Board of the City of Kingsport, Tennessee for the Kingsport West Apartments Project (AF: 163-2020) (Chris McCartt).

Motion/Second: George/Olterman, to pass:

Resolution No. 2020-224, A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MAYOR'S APPROVAL FOR THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS BY THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE FOR THE KINGSPORT WEST APARTMENTS PROJECT IN AN AMOUNT OF UP TO TEN MILLION DOLLARS; AND AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

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

Motion/Second: George/Phillips, to adopt:

1. Memorandum of Understanding between City of Kingsport and Jeffrey Parker for Mowing of the Demolition Landfill Property (AF: 152-2020) (Ryan McReynolds)

Pass:

Resolution No. 2020-225, A RESOLUTION RATIFYING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KINGSPORT AND JEFFREY PARKER FOR MOWING OF THE DEMOLITION LANDFILL PROPERTY

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

2. Authorize Inter-Local Agreement with the Sullivan County Highway Department to Resurface Portions of Bancroft Chapel Road and Packing House Road (AF: 151-2020) (Ryan McReynolds).

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Pass:

Resolution No. 2020-226, A RESOLUTION APPROVING A WORK ESTIMATE FROM THE SULLIVAN COUNTY HIGHWAY DEPARTMENT TO RESURFACE PORTIONS OF BANCROFT CHAPEL ROAD AND PACKING HOUSE ROAD LOCATED IN THE CITY LIMITS AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

3. Extension of Lease Agreements with Northeast State Community College for Blazier-Wilson Hall (RCAT), the Regional Center for Health Professions (RCHP) and the Kingsport Center for Higher Education (KCHE) (AF: 154-2020) (Jessica Harmon).

Pass:

Resolution No. 2020-227, A RESOLUTION APPROVING THE RENEWAL OF THE LEASES WITH THE TENNESSEE BOARD OF REGENTS ON BEHALF OF NORTHEAST STATE COMMUNITY COLLEGE FOR BLAZIER-WILSON HALL, THE REGIONAL CENTER FOR HEALTH PROFESSIONS, AND THE KINGSFORT CENTER FOR HIGHER EDUCATION, AND AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LEASE AGREEMENT

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

4. Apply for and Receive Additional Funding Allocated by the CARES Act to the Community Development Block Grant Program (AF: 155-2020) (Ken Weems).

Pass:

Resolution No. 2020-228, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A CARES ACT GRANT THROUGH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

5. License Agreement with Tennessee Department of Environment and Conservation (TDEC) for Access to an Air Monitoring Station (AF: 150-2020) (Ryan McReynolds).

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Pass:


Resolution No. 2020-229, A RESOLUTION APPROVING A LICENSE AGREEMENT WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

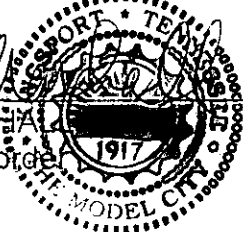
Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

VIII. COMMUNICATIONS.

- A. **CITY MANAGER.** Mr. McCartt commended the Fire Department for maintaining a Level 2 ISO rating.
- B. **CHIEF FINANCIAL OFFICER.** Annual Financial Report FY-19 by Sid Cox.
- C. **MAYOR AND BOARD MEMBERS.** Alderman Phillips noted the carousel was open, commended the police department and commented on the Bristol race. Alderman Olterman commented on a recent incident at the Wellness Center and noted the good care he received. He also thanked staff for doing a good job during the pandemic. Alderman Duncan encouraged citizens to participate in the census, noting there would be an opportunity at the Farmers Market. Alderman Adler noted the Miracle Field would have an opening celebration on June 27th and also stated the registration deadline for August elections is July 7th. Alderman Cooper commented on the July 4th fireworks. Vice-Mayor George also commented on the Miracle Field and how it will impact our community. She also commented favorably regarding the lettering on the railroad bridge. Mayor Shull pointed out the first year as this board has been completed and thanked the city manager and his colleagues.
- D. **VISITORS.** None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:56 p.m.


ANGELA MARSEHAL
Deputy City Recorder




PATRICK W. SHULL
Mayor