

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, July 7, 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  
Alderman Tommy Olterman  
Alderman James Phillips

City Administration  
Chris McCartt, City Manager  
Ryan McReynolds, Deputy City Manager  
J. Michael Billingsley, City Attorney  
Sidney H. Cox, City Recorder/Chief Financial Officer  
David Quillin, Police Chief  
Ken Weems, Planning Manager  
Angie Marshall, City Clerk/Deputy City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Patrick W. Shull.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Alderman Olterman.
- II.B. **INVOCATION:** Pastor David Salley, Gravelly Baptist 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.**

- 1. **Recognition of Ms. Maggie Seymour.** Mayor Shull.

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

*(These items are considered under one motion.)*

- 1. **Reappointment to PETWORKS (AF: 184-2020) (Mayor Shull).**

Motion/Second: George/Olterman, to approve:  
**REAPPOINTMENT OF MR. JOHN CAMPBELL TO SERVE AN ADDITIONAL YEAR  
ON *PETWORKS*.**

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

**2. Appointment to the Stormwater Appeals Board (AF: 185-2020)**  
(Mayor Shull).

Motion/Second: George/Olterman, to approve:  
APPOINTMENT OF MS. SHARON DUNCAN TO SERVE A THREE-YEAR TERM ON THE **STORMWATER APPEALS BOARD** AS THE REGIONAL PLANNING COMMISSION REPRESENTATIVE. THIS APPOINTMENT IS EFFECTIVE IMMEDIATELY AND EXPIRES ON JUNE 30, 2023.

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

**3. Appointments to the Regional Planning Commission (AF: 188-2020)**  
(Mayor Shull).

Motion/Second: George/Olterman, to approve:  
APPOINTMENT OF MR. BRAD BLACKWELL AND REAPPOINTMENT OF MR. JOHN MOODY TO SERVE A FOUR-YEAR TERM ON THE **REGIONAL PLANNING COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2023.

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

**4. Appointments to the Employee Dependent Scholarship Program (AF: 183-2020)**  
(Mayor Shull).

Motion/Second: George/Olterman, to approve:  
APPOINTMENT OF MS. LAURA FEAGINS TO FULFILL AN UNEXPIRED TERM AND REAPPOINTMENT OF MS. JENNIFER THACKER TO SERVE A THREE-YEAR TERM ON THE **EMPLOYEE DEPENDENT SCHOLARSHIP PROGRAM**. BOTH APPOINTMENTS ARE EFFECTIVE IMMEDIATELY WITH THE TERM FOR MS. FEAGINS EXPIRING ON AUGUST 1, 2021 AND THE TERM FOR MS. THACKER EXPIRING ON AUGUST 1, 2023.

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

**V. APPROVAL OF MINUTES.**

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

- A. June 15, 2020 Regular Work Session
- B. June 16, 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 2380-2392 Cleek Road from A-1 (Agricultural District) to R-1B (Residential District) (AF: 169-2020) (Ken Weems).**

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

Motion/Second: Adler/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG CLEEK ROAD FROM A-1, AGRICULTURAL DISTRICT TO R-1B, RESIDENTIAL DISTRICT IN THE 10<sup>TH</sup> 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."

**2. Amend Zoning of a Portion of Parcel 3, Tax Map 120 Located off Breckenridge Trace from M-1R (Light Manufacturing Restricted District) and P-1 (Professional Offices District) to R-1B (Residential District) (AF: 170-2020) (Ken Weems).**

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

Motion/Second: Olterman/Phillips, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG BRECKENRIDGE TRACE FROM M-1R, LIGHT INDUSTRIAL RESTRICTED DISTRICT AND P-1, PROFESSIONAL OFFICES DISTRICT, TO R-1B, RESIDENTIAL DISTRICT IN THE 14<sup>TH</sup> 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."

**3. Vacate Section of Right-of-Way Formerly Known as Draper Street Located Adjacent to 628 East Market Street (AF: 64-2020) (Ken Weems).**

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

Motion/Second: Duncan/George, to pass:

AN ORDINANCE TO VACATE A SECTION OF RIGHT-OF-WAY, FORMERLY KNOWN AS DRAPER STREET, LOCATED ADJACENT TO 628 EAST MARKET STREET SITUATED IN THE CITY, ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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Passed on first reading 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. Ordinance to Appropriate Funding and a Resolution to Execute All Documents Necessary to Amend and Accept a Section 5339 Capital Grant Amendment for FTA Project No. TN-2016-029 from the U.S. Department of Transportation (AF: 189-2020) (Chris Campbell).**

Motion/Second: George/Adler, to pass:

AN ORDINANCE TO AMEND THE URBAN MASS TRANSIT CAPITAL/GRANT PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO THE TRAN MINI BUSES & VANS PROJECT (FTA029); 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: Duncan/George, to pass:

**Resolution No. 2021-001**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO AMEND AND RECEIVE A SECTION 5339 CAPITAL GRANT FUNDS AMENDMENT FOR FTA PROJECT NUMBER TN-2016-069 THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FROM THE FEDERAL TRANSIT ADMINISTRATION

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

**2. Approve Revisions to Sewer Use Ordinance Section 102-226 (c) Table A. User Discharge Restrictions to Reflect Change to Silver Monthly Average Discharge Limit in Industrial User Local Limits Evaluation (AF: 194-2020) (Ryan McReynolds).**

Motion/Second: Olterman/Phillips, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 102-226(c) RELATING TO RESTRICTIONS ON WASTEWATER STRENGTH; 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."

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**3. Budget Adjustment Ordinance for Various Funds in FY20  
(AF: 191-2020) (Chris McCartt).**

Motion/Second: Phillips/Adler, to pass:

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

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. 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).**

Motion/Second: George/Duncan, to pass:

**ORDINANCE NO. 6871**, 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 7<sup>TH</sup> 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 second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

**2. Amend Zoning for the Worthington Drive Annexation (AF: 158-2020) (Ken Weems).**

Motion/Second: George/Olterman, to pass:

**ORDINANCE NO. 6872**, 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 13<sup>TH</sup> 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: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

**3. 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: Olterman/Adler, to pass:

**ORDINANCE NO. 6873**, AN ORDINANCE TO AMEND GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2020; AND,

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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. Authorize Reimbursement of Materials Agreement Funds to The Edinburgh Group, LLC for the Edinburgh Phase 12 Development (AF: 33-2020) (Ryan McReynolds).**

Motion/Second: Duncan/Cooper, to pass:

**Resolution No. 2021-002, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO EDINBURG GROUP, LLC FOR EDINBURGH PHASE 12**

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

**2. Bid Award for Water Treatment Plant and Water Distribution Sites SCADA Master Plan Implementation to Custom Controls (AF: 192-2020) (Ryan McReynolds).**

Motion/Second: George/Duncan, to pass:

**Resolution No. 2021-003, A RESOLUTION AWARDED THE BID FOR THE WATER TREATMENT PLANT AND WATER DISTRIBUTION SITES SCADA MASTER PLAN TO CUSTOM CONTROLS 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."

**3. Apply and Accept Section 5339 Capital Grant from FTA for Transit Vehicles from the U.S. Department of Transportation (AF: 190-2020) (Chris Campbell).**

Motion/Second: Adler/George, to pass:

**Resolution No. 2021-004, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE SECTION 5339 CAPITAL GRANT FUNDS FROM THE FEDERAL TRANSIT ADMINISTRATION**

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

**4. Amend TDOT Grant Contracts for Phases 1 and 2 of the Stone Drive Multi-Modal Access Project (AF: 167-2020) (Ryan McReynolds).**

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Motion/Second: George/Duncan, to pass:

**Resolution No. 2021-005**, A RESOLUTION APPROVING AMENDMENT FOUR FOR GRANT CONTRACT 150074, PIN #121997.00 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE STONE DRIVE MULTI-MODAL ACCESS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; 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."

Motion/Second: George/Adler, to pass:

**Resolution No. 2021-006**, A RESOLUTION APPROVING AMENDMENT TWO FOR GRANT CONTRACT 160089; PIN: 123629.00; STATE PROJECT NUMBER: 82LPLM-S3-075, WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE STONE DRIVE MULTI-MODAL ACCESS PROJECT PHASE 2; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; 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."

**5. Bid Award to Summers-Taylor, Inc. for Stone Drive Multi-Modal Access Project Phases 1 and 2 (AF: 168-2020) (Ryan McReynolds).**

Motion/Second: Olterman/George, to pass:

**Resolution No. 2021-007**, A RESOLUTION AWARDDING THE BID FOR THE STONE DRIVE MULTI-MODAL PROJECT PHASES 1 AND 2 TO SUMMERS-TAYLOR, 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 in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

**6. Amend Contract with CentralSquare Technologies, LLC for the Purchase of TRAKIT (Community Development Software) (AF: 164-2020) (Ryan McReynolds).**

Motion/Second: Phillips/Duncan, to pass:

**Resolution No. 2021-008**, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH CENTRALSQUARE TECHNOLOGIES, LLC FOR TRAKIT SOFTWARE; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; 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."

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**7. Amend CDM Smith Agreement to Include Project Inspection for the Water Facilities Portion of SCADA Master Plan Implementation (AF: 193-2020) (Ryan McReynolds).**

Motion/Second: Duncan/Adler, to pass:

**Resolution No. 2021-009**, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH CDM SMITH TO PROVIDE INSPECTION SERVICES FOR SCADA INSTALLATION; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; 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."

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

Motion/Second: George/Phillips, to adopt:

**1. Approve the Area Agency on Aging and Disability Grant for FY20-21 (AF: 166-2020) (Shirley Buchanan).**

Pass:

**Resolution No. 2021-010**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPROVE THE PASS THROUGH FUNDING FROM THE FIRST TENNESSEE DEVELOPMENT DISTRICT'S AREA AGENCY ON AGING AND DISABILITY GRANT FOR FISCAL YEAR 2020-2021

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

**2. Letter of Authorization with Virginia Department of Transportation Accepting Federal and State Funds on Behalf of the Kingsport MTPO (AF: 165-2020) (Lesley Phillips).**

Pass:

**Resolution No. 2021-011**, A RESOLUTION APPROVING A LETTER OF AUTHORIZATION BETWEEN THE CITY OF KINGSFORT AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE FISCAL YEAR 2021; AUTHORIZING THE MAYOR TO EXECUTE THE SAME; AND AUTHORIZING THE MAYOR TO EXECUTE ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LETTER OF AUTHORIZATION

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



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**3. Release of All Claims for North Carolina Farm Bureau Insurance and Its Insured, James Taylor (AF: 171-2020) (Mike Billingsley).**

Pass:

**Resolution No. 2021-012**, A RESOLUTION APPROVING A RELEASE FOR PROPERTY DAMAGE FROM NORTH CAROLINA FARM BUREAU INSURANCE FOR PROPERTY DAMAGE TO A FIRE HYDRANT ON FT. HENRY DRIVE ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE

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

~~**4. Extension of Approval for Northeast State Community College to Enter into Sublease Agreements with Participating Institutions (AF: 186-2020) (Jessica Harmon).**~~ This item was withdrawn on July 7, 2020.

**5. Reject Bid Awards and Purchase Orders for Three (3) Extended Cab with Utility Body & One (1) ½ Ton 4X4 Pickup Truck (AF: 174-2020) (Ryan McReynolds, Steve Hightower).**

Pass:

**Resolution No. 2021-013**, A RESOLUTION REJECTING ALL BIDS AND PURCHASE ORDERS RELATED TO THE PURCHASE OF THREE (3) EXTENDED CAB WITH UTILITY BODY AND ONE (1) ½ TON 4X4 PICKUP TRUCK

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

**VIII. COMMUNICATIONS.**


- A. CITY MANAGER.** Mr. McCartt commented on the recent opening of the Miracle Field, expressing his appreciation for the board's support of this project. He also recognized the event staff and the success of the fireworks for the 4<sup>th</sup> of July. He encouraged citizens to check the city's website for updates as things were reopening, noting the restrictions at the library and upcoming programming at the senior center.
- B. MAYOR AND BOARD MEMBERS.** Alderman Adler gave a heads up to parents there would be a press conference tomorrow regarding the opening of schools. She also stated she recently traveled outside the region and recognized the risks encouraging others to self-quarantine or be tested. Alderman Cooper commented on an upcoming event with New Vision Youth. Alderman Phillips stated he was able to see both fireworks locations and commended the city. He also commented favorably on the homeless presentation at the work session yesterday. Alderman Olterman wished Lucy Fleming the best in her retirement from the Chamber. He also commented on

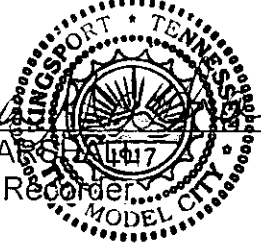
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the recent passing of Betty Martin, noting her work in the community and that she will be greatly missed. Alderman Duncan stated the new PETWORKS facility was an asset to be proud of, noting it was a state of the art facility. He also commented on the Miracle Field, thanking everyone who donated and commending the Chamber. Vice-Mayor George added the playground at the Miracle Field was open to the public and urged the public to take advantage of it. She also commented on PETWORKS and Funfest, asking citizens to still support local businesses. She stated if you travel be respectful and continue to observe social distancing, wearing a mask and hand washing as numbers are going up. She noted with the Bristol race coming up and people coming to the region we must be more vigilant. Mayor Shull added that Bristol Motor Speedway has a good plan to be as safe as possible to accommodate a significantly smaller number of fans as usual.

**C. VISITORS.** Malcolm Stallard and Michael Gillis made comments.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:27 p.m.

  
ANGELA MARGELA  
Deputy City Recorder



  
PATRICK W. SHULL  
Mayor