

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, July 20, 2021, 7:00 PM  
City Hall, 415 Broad Street, Boardroom

PRESENT:

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding  
Vice Mayor Colette George  
Alderman Betsy Cooper  
Alderman Darrell Duncan  
Alderman Paul Montgomery  
Alderman Tommy Olterman  
Alderman James Phillips

City Administration

Chris McCartt, City Manager  
J. Michael Billingsley, City Attorney  
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:** Ken Weems, Planning Manager.
- II.B. **INVOCATION:** Retired Pastor Jack Edwards, United Methodist Churches.
- III.A. **ROLL CALL:** By Deputy City Recorder Marshall. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
1. Keep Kingsport Beautiful Beautification Awards
  2. Former Miss Kingsport, Taylor Hubbard, and new Miss Kingsport, Lauren Ross
- IV.B. **APPOINTMENTS/REAPPOINTMENTS. (These items are considered under one motion.)**

Motion/Second: George/Duncan, to approve:

1. **Reappointments/Appointment to the Parks and Recreation Advisory Committee** (AF: 228-2021) (Mayor Shull).

Approve:

REAPPOINT ALAN MEADE AND REBA BARBER AND APPOINT ANDREW ZUEHLKE, REPLACING HEATHER QUIGLEY, TO THE **PARKS AND RECREATION ADVISORY COMMITTEE** FOR THREE-YEAR TERMS EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2024.

Passed: All present voting "aye."

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**2. Reappointments to PETWORKS (AF: 229-2021) (Mayor Shull).**

Approve:

REAPPOINT JEFF FLEMING AND JOHN CAMPBELL TO SERVE ANOTHER TERM ON **PETWORKS** EFFECTIVE IMMEDIATELY. JOHN CAMPBELL'S TERM WILL EXPIRE ON JULY 1, 2022 AND MR. FLEMING'S TERM WILL EXPIRE ON JULY 1, 2023.

Passed: All present voting "aye."

**V. APPROVAL OF MINUTES.**

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

- A. July 6, 2021 Regular Work Session
- B. July 6, 2021 Regular Business Meeting

Approved: All present voting "aye."

**VI. COMMUNITY INTEREST ITEMS.**

**A. PUBLIC HEARINGS.**

**1. Amend Zoning of Tax Map 105, a Portion of Parcel 074.23 Located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District) (AF: 226-2021) (Ken Weems).**

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

Motion/Second: George/Olterman, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG COX HOLLOW ROAD FROM MX, MIXED-USE DISTRICT TO PD, PLANNED DEVELOPMENT 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 first reading: All present voting "aye."

**PUBLIC COMMENT.** Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. Val Kosdimer commented on the Boone Lake Association agreement. Jane Henry commented on the opioid lawsuit. There being no one else coming forward to speak, the Mayor closed the public comment segment.

**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Amend FY22 General Purpose School Fund and the General Project Fund Budgets (AF: 225-2021) (David Frye).**

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Motion/Second: Montgomery/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**2. Budget Adjustment for General Project Fund in FY22**  
(AF: 232-2021) (Chris McCartt).

Motion/Second: Duncan/George, to pass:

AN ORDINANCE TO AMEND GENERAL PROJECT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2022; 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 Code of Ordinances Chapter 98, Section 238** (AF: 211-2021) (Chief Phipps).

Motion/Second: Phillips/Montgomery, to pass:

**ORDINANCE NO. 6954**, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 98, ARTICLE IV, REGARDING AUTHORIZED USES OF CITY OWNED PARKING FACILITIES; FIXING THE PENALTY FOR A VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

**2. Appropriation of Funds from the Tennessee Arts Commission for the Partnership Support Annual Grant** (AF: 215-2021) (Michael Borders).

Motion/Second: George/Cooper, to pass:

**ORDINANCE NO. 6955**, AN ORDINANCE TO AMEND GENERAL PROJECTS-SPECIAL REVENUE PROJECT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**3. Budget Adjustment for Various Funds in FY21** (AF: 209-2021)  
(Chris McCartt)

Motion/Second: Montgomery/Olterman, to pass:

**ORDINANCE NO. 6956**, AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting “aye.”

**4. Adopt State Equalized Property Tax Rate for FY22 (AF: 210-2021) (Chris McCartt)**

Motion/Second: Duncan/Phillips, to pass:

**ORDINANCE NO. 6957**, AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL, PERSONAL, AND MIXED PROPERTY WITHIN THE CITY OF KINGSPORT, SULLIVAN COUNTY AND THE CITY OF KINGSPORT, HAWKINS COUNTY WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE COUNTY PROPERTY ASSESSORS, THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE, AND THE STATE BOARD OF EQUALIZATION FOR THE TAX YEAR 2021; AND TO FIX THE EFFECTIVE DATE OF THE ORDINANCE

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

**D. OTHER BUSINESS.**

**1. Authorize the Mayor to Sign Instructure Services Order Form for the School District (SY21-22) (AF: 222-2021) (David Frye).**

Motion/Second: Montgomery/Olterman, to pass:

**Resolution No. 2022-016**, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE TWO YEAR INSTRUCTURE RENEWAL SERVICES ORDER FORM WHICH UTILIZES CANVAS ONLINE LEARNING AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting “aye.”

**2. Agreement with Frontier Health for Counseling Services for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 223-2021) (David Frye)**

Motion/Second: George/Duncan, to pass:

**Resolution No. 2022-017**, A RESOLUTION APPROVING AN AGREEMENT WITH FRONTIER HEALTH FOR COUNSELING SERVICES FOR KINGSPORT CITY SCHOOLS 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” with Montgomery “abstaining.”

**3. Renew MOU with Camelot Care Centers, Inc., for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 224-2021) (David Frye).**

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Motion/Second: Phillips/Cooper, to pass:

**Resolution No. 2022-018**, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH CAMELOT CARE CENTERS, INC. FOR BEHAVIORAL HEALTH AND COUNSELING SERVICES FOR KINGSFORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

Passed: All present voting "aye" with Montgomery "abstaining."

**4. Bid Award to W-L Construction & Paving, Inc. for 2021 Contracted Paving Area 35A - Eastern Star Authorizing the Mayor to Sign All Applicable Documents (AF: 221-2021) (Ryan McReynolds).**

Motion/Second: George/Montgomery, to pass:

**Resolution No. 2022-019**, A RESOLUTION AWARDED THE BID FOR CONTRACTED PAVING AREA 35A EASTERN STAR TO W-L CONSTRUCTION & PAVING, 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: Cooper, Duncan, George, Montgomery Olterman, Phillips and Shull voting "aye."

**5. Apply and Receive American Recovery Plan Act Grant for the Library (AF: 230-2021) (Michael Borders).**

Motion/Second: Duncan/Phillips, to pass:

**Resolution No. 2022-020**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN AMERICAN RECOVERY PLAN ACT GRANT FROM THE TENNESSEE STATE LIBRARY AND ARCHIVES FOR THE KINGSFORT PUBLIC LIBRARY

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

**6. Right-of-Way Easement with Kingsport Power Company (AF: 233-2021) (Michael Billingsley).**

Motion/Second: Montgomery/Cooper, to pass:

**Resolution No. 2022-021**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

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

**7. Reject Bid for the Riverfront Park Pedestrian Bridge Repairs Project (AF: 234-2021) (Ryan McReynolds).**

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Motion/Second: George/Olterman, to pass:

**Resolution No. 2022-022, A RESOLUTION REJECTING ALL BIDS RELATED TO THE RIVERFRONT PARK PEDESTRIAN BRIDGE PROJECT**

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

**8. Authorize Mayor to Sign Documents Necessary and Proper to Enter into an Agreement with the Boone Lake Association (AF: 235-2021) (Chris McCart/Mayor Shull).** Alderman Cooper stated she was glad to see the changes that had been made to the agreement, but would still be voting no because she had heard from too many citizens who opposed this item. Vice-Mayor George stated she would be voting no because the city had never given money to a non-profit outside of Kingsport and stated this would set a new precedent. Alderman Duncan stated he saw this as a regional project and would continue to support it. Alderman Phillips stated his concern was that a different precedent would be set to keep changing items just to get the vote.

Motion/Second: Montgomery/Olterman, to pass:

**Resolution No. 2022-023, A RESOLUTION APPROVING A DONATION AGREEMENT WITH THE BOONE LAKE ASSOCIATION 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: Duncan, Montgomery Olterman, Phillips and Shull voting "aye" and Cooper and George voting "nay."

**9. Authorize Mayor to Approve Settlement in Opioid Litigation (AF: 236-2021) (Chris McCart).**

Motion/Second: George/Olterman, to pass:

**Resolution No. 2022-024, A RESOLUTION AUTHORIZING THE MAYOR UPON CONSULTATION WITH RETAINED COUNSEL, THE CITY MANAGER, AND CITY ATTORNEY TO APPROVE ANY TERMS OR AGREEMENTS WHICH RESOLVE THE CITY'S INTEREST IN THE OPIOID LITIGATION AND TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION**

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

**VII. CONSENT AGENDA. None.**

**VIII. COMMUNICATIONS.**


- A. CITY MANAGER.** Mr. McCart commented on the recent Carousel Birthday celebration at 1:00 on Saturday, noting there was also a good turnout for the parade and complimenting the library for the book drill. He also mentioned the high attendance numbers for the first events of Fun Fest, including Kidsfest and Seniorfest and commended staff for their extra efforts.

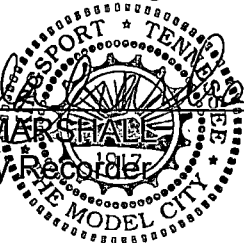
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**B. MAYOR AND BOARD MEMBERS.** Alderman Duncan stated it feels good to see people out after last year, mentioning Buskerfest and Riverview events. He commended public works for their cleanup efforts and also gave a shout out to the police and fire departments. Lastly, he mentioned the 15 Fun Fest balloonists, pointing out that many of them were from out of town. Alderman Cooper commented on the chairs people placed on the street at 9 a.m. to watch the night parade. She also mentioned a picture from years ago that showed her daughters running in the Crazy Eights race when they were little, and now her grandson is that age now and ran in his first one over the weekend. Alderman Montgomery commented on the beautification awards and also encouraged everyone to participate in Fun Fest as a former chair. Alderman Phillips also talked about Fun Fest and commended the police department for their quick efforts to reunite a child and a lost parent at the splash pad earlier today. Alderman Olterman commented his kids went to Fun Fest when it first started and encouraged everyone to stay safe and enjoy it. Vice-Mayor George commented on the Bays Mountain anniversary events, noting a movie on Friday, August 13. She commented on the "Touch a Truck" event at Buskerfest and commended city staff who worked it. Lastly, she mentioned how nice the carousel birthday blended with the other Fun Fest events. Mayor Shull commented on the city clerk singing at Buskerfest Saturday and thanked her for her participation. He reminded everyone to leave the fireworks to the professionals and to just enjoy the Fun Fest fireworks Saturday night. Lastly, he commented on an editorial on Economic Development in Northeast Tennessee, pointing out the city is not the driver in the economy but can certainly help.

**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:12 p.m.

  
ANGELA MARSTALE  
Deputy City Recorder



  
PATRICK W. SHULL  
Mayor