

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, January 18, 2022, 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

Lisa Winkle, Treasurer/City Recorder

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:** New Vision Youth.

II.B. **INVOCATION:** Pastor Elizabeth Hamilton, Mt. View United Methodist Church.

III.A. **ROLL CALL:** By City Recorder Winkle. All Present.

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

1. Recognition of Ground Maintenance Crew (Alderman Cooper)
2. Achievement for Financial Reporting Excellence 2020 (Vice Mayor George)

IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.

V. **APPROVAL OF MINUTES.**

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

A. December 20 2021 Regular Work Session

B. December 21, 2021 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend Zoning of a Portion of Parcel 3, Tax Map 120 Located off Breckenridge Trace from R-1B (Residential District) to PD (Planned Development District) (AF: 9-2022) (Ken Weems).**

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

Motion/Second: George/Phillips, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG BRECKENRIDGE TRACE FROM R-1B, RESIDENTIAL DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT IN THE 14TH 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. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consider of a Resolution to Enter into a Contractual Agreement and Sign All Necessary Documents with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY21-22 (AF: 7-2022) (Chris Campbell).

Motion/Second: Duncan/Montgomery, to pass:

Resolution No. 2022-136, A RESOLUTION APPROVING A REIMBURSEMENT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CITY'S TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2021-2022; AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

Motion/Second: Cooper/George, to pass:

AN ORDINANCE TO AMEND URBAN MASS TRANSIT CAPITAL/GRANT 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."

2. Budget Adjustment Ordinance for Various Funds in FY22 (AF: 23-2022) (Chris McCartt).

Motion/Second: Olterman/George, to pass:

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2022; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend FY22 General Purpose School Fund Budget (AF: 324-2021) (David Frye).

Motion/Second: Montgomery/Olterman, to pass:

ORDINANCE NO. 6992, AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022; 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. Ordinance to Appropriate Funds to the Magnolia Ridge Phase 1 Materials Agreement Project (AF: 386-2021) (Michael Thompson).

Motion/Second: Duncan/George, to pass:

ORDINANCE NO. 6989, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE MAGNOLIA RIDGE PHASE 1 MATERIALS AGREEMENT PROJECTS (WA2258 AND SW2258); 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. Ordinance to Appropriate Funds to the Miller Parke Phase 3 Development Materials Agreement Project (AF: 369-2021) (Michael Thompson).

Motion/Second: Montgomery/Phillips, to pass:

ORDINANCE NO. 6990, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE MILLER PARKE PHASE 3 MATERIALS AGREEMENT PROJECTS (WA2257 AND SW2257); 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."

4. Ordinance to Appropriate Funds to the Cox Valley Development Materials Agreement Project (AF: 367-2021) (Michael Thompson).

Motion/Second: Phillips/Duncan, to pass:

ORDINANCE NO. 6991, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE COX VALLEY MATERIALS AGREEMENT PROJECTS (WA2259 AND SW2259); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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D. OTHER BUSINESS.

1. Bid Awards for Contracted Truck Hauling for FY23 (AF: 1-2022)
(Ryan McReynolds).

Motion/Second: Duncan/George, to pass:

Resolution No. 2022-137, A RESOLUTION AWARDDING BIDS FOR THE PURCHASE OF CONTRACTED TRUCK HAULING ON AN AS NEEDED BASIS FOR FY 2023 TO FIVE BIDDERS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

2. Application to TDOT "State Industrial Access SIA Program" for Meadow Park Lane Extension (AF: 19-2022) (Ryan McReynolds)

Motion/Second: Montgomery/George, to pass:

Resolution No. 2022-138, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR A TENNESSEE DEPARTMENT OF TRANSPORTATION STATE INDUSTRIAL ACCESS PROGRAM FOR THE MEADOW PARK LANE EXTENSION

Passed: All present voting "aye."

3. Issue Purchase Order to FL Smidth for Repair of Wastewater Plant Centrifuge (AF: 17-2022) (Ryan McReynolds).

Motion/Second: George/Duncan, to pass:

Resolution No. 2022-139, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR FL SMIDTH FOR REPAIR OF THE WASTEWATER PLANT CENTRIFUGE

Passed: All present voting "aye."

4. Bid Award for Rental of a Caterpillar PM312 Cold Planer Roadway Milling Machine from Stowers Machinery and Authorize the City Manager to Execute a Rental Agreement (AF: 18-2022) (Ryan McReynolds).

Motion/Second: Montgomery/Phillips, to pass:

Resolution No. 2022-140, A RESOLUTION AWARDDING THE BID FOR THE RENTAL OF A CATERPILLAR PM312 COLD PLANER ROADWAY MILLING MACHINE TO STOWERS MACHINERY CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RENTAL AGREEMENT FOR THE SAME

Passed: All present voting "aye."

5. Authorize Purchase of 104 Boxlights from Central Technologies, Inc. (AF: 14-2021) (David Frye).

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Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2022-141, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR 104 BOXLIGHTS FROM CENTRAL TECHNOLOGIES, INC., FOR THE KINGSPORT CITY SCHOOL SYSTEM

Passed: All present voting "aye."

6. Agreement with Cain Rash West (CRW) Architects for Architectural and Design Services for the New Fire Station No. 2 Located on Fort Henry Drive (AF: 4-2022) (Chief Boyd).

Motion/Second: Montgomery/George, to pass:

Resolution No. 2022-142, A RESOLUTION APPROVING AN AGREEMENT WITH CAIN RASH WEST ARCHITECTS FOR ARCHITECTURAL AND DESIGN SERVICES FOR THE NEW FIRE STATION NUMBER 2 LOCATED ON FORT HENRY DRIVE 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."

7. Authorize the Mayor to Sign the Concurrence with Determination of De *Minimis* Impact to Rock Springs Park for the SR-347 (Rock Springs Road) Project (AF: 12-2022) (Michael Borders).

Motion/Second: Phillips/George, to pass:

Resolution No. 2022-143, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONCURRENCE WITH DETERMINATION OF DE MINIMIS IMPACT FOR THE USE OF A SECTION OF ROCK SPRINGS PARK FOR THE TENNESSEE DEPARTMENT OF TRANSPORTATION'S ROCK SPRING ROAD WIDENING PROJECT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LETTER

Passed: All present voting "aye."

8. Acceptance of FY21 Annual Comprehensive Financial Report (AF: 24-2022) (Lisa Winkle).

Motion/Second: George/Duncan, to accept:

ACCEPT THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2021.

Passed: All present voting "aye."

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

Motion/Second: George/Olterman, to adopt:

1. Reject All Bids for the Mowing & Trimming Project for Kingsport City Schools (AF: 5-2022) (David Frye).

Pass:

Resolution No. 2022-144, A RESOLUTION REJECTING ALL BIDS RELATED TO THE MOWING & TRIMMING PROJECT FOR KINGSPORT CITY SCHOOLS

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

2. Reject All Bids for the Landscape Maintenance Services Project for Kingsport City Schools (AF: 6-2022) (David Frye).

Pass:

Resolution No. 2022-145, A RESOLUTION REJECTING ALL BIDS RELATED TO THE LANDSCAPE MAINTENANCE SERVICES PROJECT FOR KINGSPORT CITY SCHOOLS

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

3. ~~Amend the Kingsport Alliance for Housing Revitalization Program Policy and Procedures (AF: 10-2021) (Jessica McMurray).~~ This agenda item was pulled on 1/14/22.

4. Ratify the Mayor's Signature on the Certification of Local Official that the Public Housing Authority Plans are Consistent with the Consolidated Plan Document (AF: 16-2022) (Jessica McMurray).

Pass:

Resolution No. 2022-146, A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON THE CERTIFICATION BY STATE OR LOCAL OFFICIAL OF THE PUBLIC HOUSING AUTHORITY PLANS CONSISTENCY WITH THE CONSOLIDATED PLAN DOCUMENT AND ANY AND ALL OTHER 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."

5. Ratify an Application for a Tennessee Arts Commission Special Opportunities Grant and If Awarded Authorize the Mayor or His Designee to Sign Any and All Documents Necessary to Receive the Grant (AF: 2-2022) (Michael Borders).

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Pass:

Resolution No. 2022-147, A RESOLUTION TO RATIFY AN APPLICATION FOR A TENNESSEE ARTS COMMISSION SPECIAL OPPORTUNITIES GRANT AND IF AWARDED AUTHORIZING THE MAYOR TO PERFORM ANY AND ALL ACTIONS NECESSARY AND PROPER TO RECEIVE THE GRANT

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

6. Ratify an Application for a Tennessee Arts Commission Partnership Support Grant and Authorize the Mayor to Perform Any and All Actions Necessary and Proper to Receive the Grant (AF: 3-2022) (Michael Borders).

Pass:

Resolution No. 2022-148, A RESOLUTION TO RATIFY AN APPLICATION FOR A TENNESSEE ARTS COMMISSION PARTNERSHIP SUPPORT GRANT AND AUTHORIZING THE MAYOR TO PERFORM ANY AND ALL ACTIONS NECESSARY AND PROPER TO RECEIVE THE GRANT

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

7. Enter into an Agreement with the Tennessee Main Street Program (AF: 13-2022) (Chris McCartt).

Pass:

Resolution No. 2022-149, A RESOLUTION APPROVING AN AGREEMENT WITH THE TENNESSEE MAIN STREET PROGRAM, A PROGRAM OF THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND A COORDINATING PARTNER OF THE NATIONAL MAIN STREET CENTER 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

8. Approval of Offers for Easement and Right-of-Way for the ETSU/Eastman Valleybrook Campus Facility (AF: 11-2022) (Ryan McReynolds).

Approve:

OFFERS FOR EASEMENT AND RIGHT-OF-WAY FOR THE ETSU/EASTMAN VALLEYBROOK CAMPUS FACILITY

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

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9. Approve a Propane Tank Lease Agreement with Amerigas Propane, L.P. for the New Fire Training Facility at 250 Horse Creek Lane (AF: 20-2022) (Chief Boyd).

Pass:

Resolution No. 2022-150, A RESOLUTION APPROVING A LEASE AGREEMENT WITH AMERIGAS PROPANE, L.P., FOR PROPANE TANKS FOR THE NEW FIRE TRAINING FACILITY 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

10. Authorize an Application to Receive the Tennessee Agriculture Enhancement Program Grant (AF: 25-2022) (Michael Borders).

Pass:

Resolution No. 2022-151, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE AGRICULTURE ENHANCEMENT PROGRAM GRANT FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE FARMERS MARKET

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

11. Amend the Kingsport Weapons Policy for Employees (AF: 22-2022) (Michael Billingsley).

Pass:

Resolution No. 2022-152, A RESOLUTION AMENDING SECTION IV OF RESOLUTION NO. 2009-125 THE WEAPONS POLICY FOR THE CITY OF KINGSPORT

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

12. Accept the Microsoft Software License Terms and Conditions for the Acquisition of Microsoft 365 Licenses (AF: 21-2022) (Chris McCartt).

Pass:

Resolution No. 2022-153, A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE MICROSOFT OFFICE 365 TERMS AND CONDITIONS AND VALIDATE THE CITY'S ELIGIBILITY FOR OFFICE 365 FOR GOVERNMENT

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

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VIII. COMMUNICATIONS.

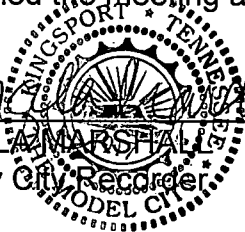
A. CITY MANAGER. Mr. McCartt expressed his appreciation to Kristie Leonard for her efforts in the recent recognition of the Farmers Market as Best in East Tennessee.

B. MAYOR AND BOARD MEMBERS. Alderman Montgomery congratulated City Recorder Winkle and the Audit Committee. He commented on the recent announcement of Eastman's expansion in Kingsport and internationally. Alderman Phillips echoed the comments to Lisa Winkle and also recognized the grounds crew. He mentioned upcoming events including the Carousel Reunion on January 25th and the TCAT ribbon cutting on February 28th, pointing out the governor would be in attendance. Alderman Olterman stated Dobyns-Bennett was playing well and to be on the lookout for upcoming games. Alderman Duncan also recognized Kristie Leonard and the Farmers Market. He congratulated Lisa Winkle on the audit, pointing out it reflects the transparency of the city. He noted the MLK events have been moved to February 5th due to the weather and promoted the upcoming shows at Lamplight Theatre. Alderman Cooper provided further details on the MLK parade. She also recognized Kristie Leonard for all her work to make Christmas in the Park successful. Vice-Mayor George also commented on Christmas in the Park. She discussed the audit, noting it had been a great year. Mayor Shull stated he was looking forward to this year with new homes being built and helping businesses grow. He further stated it was a challenge but we are moving in the right direction.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:06 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor