

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 5, 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 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:** City Planner Jessica McMurray.
- II.B. **INVOCATION:** Billy Pearson, Central Baptist Church.
- III.A. **ROLL CALL:** By City Recorder Winkle. Absent: Alderman Tommy Olterman.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
 1. Sharon Brown – Alderman Cooper.
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.
- V. **APPROVAL OF MINUTES.**

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

- A. March 7, 2022 Regular Work Session
- B. March 8, 2022 Regular Business Meeting
- C. March 22, 2022 Called Joint Work Session
- D. March 25, 2022 Called Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

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1. Amend the Zoning Code by Removing Color Type Restrictions from the Decorative Lighting Ordinance, Section 114-537 (AF: 83-2022) (Ken Weems).

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

Motion/Second: Duncan/Cooper, to pass:

AN ORDINANCE AMENDING CHAPTER 114, ARTICLE IV, SECTION 537 OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, PERTAINING TO DECORATIVE LIGHTING; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE
Passed on first reading: All present voting "aye."

2. Consideration of the Draft Annual Action Plan for the Housing and Community Development Program and Conduct a Public Hearing to Afford Interested Citizens the Opportunity to Offer Input Concerning the Annual Action Plan (AF: 92-2022) (Jessica McMurray).

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

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. Amend the FY22 General Purpose School Fund and the General Project Fund Budgets (AF: 93-2022) (David Frye).

Motion/Second: Montgomery/George, 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: All present voting "aye."

2. Authorize the Mayor to Execute Documents Necessary to Accept Easements and Right-of-Ways for Which the Board has Adopted an Approval of Offer (AF: 94-2022) (Michael Billingsley).

Motion/Second: George/Duncan, to pass:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT EASEMENTS AND RIGHT-OF-WAYS FOR WHICH THE BOARD OF MAYOR AND ALDERMAN HAS ADOPTED AN APPROVAL OF OFFER; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE
Passed on first reading: All present voting "aye."

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3. Budget Ordinance for Various Funds in FY22 (AF: 82-2022)
(Chris McCartt).

Motion/Second: Phillips/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."

4. Authorize the Mayor to Sign All Documents Necessary to Enter into an Amendment to the Materials Agreement with Carla Karst Related to the Cox Valley Development (AF: 67-2022) (Ryan McReynolds).

Motion/Second: Duncan/Montgomery, to pass:

Resolution No. 2022-190, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE MATERIALS AGREEMENT WITH CARLA KARST RELATED TO THE COX VALLEY DEVELOPMENT AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

Motion/Second: Phillips/Montgomery, to pass:

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 first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Budget Adjustment Ordinance for Various Funds in FY22 (AF: 60-2022) (Chris McCartt).

Motion/Second: George/Cooper, to pass:

ORDINANCE NO. 7001, 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 second reading in a roll call vote: Cooper, Duncan, George, Montgomery, Phillips and Shull voting "aye."

2. Appropriate Funding from the Criminal Forfeiture Fund and the Drug Fund to Establish a Project for the Police Department (AF: 65-2022) (Chief Phipps).

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Motion/Second: Duncan/Phillips, to pass:

ORDINANCE NO. 7002, AN ORDINANCE TO AMEND THE VARIOUS FUND BUDGETS FOR THE 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, Phillips and Shull voting "aye."

3. Budget Ordinance to Transfer Funds for Replacement of Sewer Lift Stations #108 Oak Glen Drive, #307 Lakeside Drive and #308 Cooks Valley Road (AF: 63-2022) (Ryan McReynolds)

Motion/Second: George/Phillips, to pass:

ORDINANCE NO. 7003, AN ORDINANCE TO AMEND THE SEWER PROJECT 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, Phillips and Shull voting "aye."

D. OTHER BUSINESS.

1. Authorize the Mayor to Execute a Contract with Brown, Edwards and Company, LLP to Audit the Financial Statements of the City of Kingsport for FY22 with Expected Annual Renewals for FY23-24 (AF: 78-2022) (Lisa Winkle).

Motion/Second: George/Duncan, to pass:

Resolution No. 2022-191, A RESOLUTION APPROVING AN AGREEMENT WITH BROWN, EDWARDS, AND COMPANY, LLP FOR AUDIT SERVICES FOR FISCAL YEAR ENDING JUNE 30, 2022, 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."

2. Authorize the Purchase of One 35-Ton Lowboy Trailer Utilizing Sourcewell Cooperative Purchasing Agreement (AF: 77-2022) (Ryan McReynolds/Steven Leonard)

Motion/Second: Montgomery/Phillips, to pass:

Resolution No. 2022-192, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO GLOBE TRAILER MANUFACTURING INC. UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 121918-GLB FOR ONE 35 TON LOWBOY TRAILER FOR THE PUBLIC WORKS DEPARTMENT

Passed: All present voting "aye."

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3. Authorize Purchase Orders for Janitorial and Maintenance, Repair and Operations Supplies/Equipment for FY23 (AF: 80-2022) (Ryan McReynolds).

Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2022-193, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS WITH THE HOME DEPOT PRO FOR VARIOUS JANITORIAL AND MAINTENANCE, REPAIR AND OPERATION ITEMS DURING FISCAL YEAR 2023

Passed: All present voting "aye."

4. Award Blanket Order for the Purchase of Turnout Gear from Safe Industries (AF: 68-2022) (Chief Boyd).

Motion/Second: Phillips/Montgomery, to pass:

Resolution No. 2022-194, A RESOLUTION AWARDDING THE PROPOSAL FOR THE PURCHASE OF TURNOUT GEAR TO SAFE INDUSTRIES AND AUTHORIZING THE CITY MANAGER TO EXECUTE A BLANKET ORDER FOR THE SAME FOR USE BY THE KINGSFORT FIRE DEPARTMENT

Passed: All present voting "aye."

5. Amend Agreement for Architectural Services for the Justice Center Master Planning (AF: 69-2022) (Ryan McReynolds).

Motion/Second: George/Phillips, to pass:

Resolution No. 2022-195, A RESOLUTION AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH CAIN RASH WEST ARCHITECTS FOR IMPROVEMENTS TO THE JUSTICE CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

6. Approve Purchase of Property Located at 300 East Industry Drive (AF: 76-2022) (Ryan McReynolds).

Motion/Second: Montgomery/Duncan, to pass:

Resolution No. 2022-196, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY FOR A SANITATION AND RECYCLING CONVENIENCE CENTER; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "ayé."

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7. Professional Service Agreement with CDM Smith for Wastewater Treatment Plant Electrical Improvements – Motor Control Center (MCC) 6 Replacement Project (AF: 88-2022) (Ryan McReynolds).

Motion/Second: George/Cooper, to pass:

Resolution No. 2022-197, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH FOR THE WASTEWATER TREATMENT PLANT ELECTRICAL IMPROVEMENTS MCC-6 REPLACEMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT AND THIS RESOLUTION

Passed: All present voting “aye.”

8. Bid Award for Purchase of Water & Wastewater Chemicals (AF: 79-2022) (Ryan McReynolds).

Motion/Second: Duncan/George, to pass:

Resolution No. 2022-198, A RESOLUTION AWARDED THE BID FOR THE PURCHASE OF CHLORINE TO BRENNTAG MID-SOUTH; FOR ZINC ORTHOPHOSPHATE TO CARUS CORPORATION; FOR COAGULANT TO G2O TECHNOLOGIES, INC.; FOR POLYMER TO COASTAL WATER TECHNOLOGY, LLC; FOR HYDROFLUOROSILIC ACID TO PENCCO; AND FOR SODIUM PERMANGANATE TO BRENNTAG MID-SOUTH, AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting “aye.”

9. Amend Professional Service Agreement with CDM Smith for the Wastewater Treatment Plant Electrical Improvements – Main Switchgear Project (AF: 89-2022) (Ryan McReynolds).

Motion/Second: Phillips/Cooper, to pass:

Resolution No. 2022-199, A RESOLUTION APPROVING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH FOR THE WASTEWATER TREATMENT PLANT ELECTRICAL IMPROVEMENTS-MAIN SWITCHGEAR PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT AND THIS RESOLUTION

Passed: All present voting “aye.”

10. Authorize the Mayor to Sign All Necessary Documents to Apply for and Receive an Appalachian Regional Commission Grant for Replacement of the Water Treatment Plant Traveling Screens (AF: 84-2022) (Ryan McReynolds).

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Motion/Second: Duncan/George, to pass:

Resolution No. 2022-200, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN APPALACHIAN REGIONAL COMMISSION GRANT IN AN AMOUNT UP TO \$500,000 TO ASSIST IN THE REPLACEMENT OF TRAVELING SCREENS AT THE CITY'S WATER INTAKE

Passed: All present voting "aye."

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

Motion/Second: George/Phillips, to adopt:

1. Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Law Enforcement Agency Highway Safety Grant from the Tennessee Highway Safety Office (THSO) for FY23 (AF: 71-2022) (Chief Phipps).

Pass:

Resolution No. 2022-201, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A HIGHWAY SAFETY GRANT FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

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

2. Authorize the Mayor to Execute a Signature Authority Form Allowing the Chief of Police or his Designee to Complete Grant Reports as Required by the Tennessee Highway Safety Office (THSO) for the Tennessee Highway Safety Office's FY23 Grant (AF: 72-2022) (Chief Phipps).

Pass:

Resolution No. 2022-202, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY GRANTS FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

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

3. Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a FY23 Tennessee Highway Safety Office (THSO) Coordinator Grant for Participation in their Law Enforcement Liaison (LEL) Program (AF: 73-2022) (Chief Phipps).

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Pass:

Resolution No. 2022-203, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A LAW ENFORCEMENT LIAISON PROGRAM GRANT FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

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

4. Authorize the Mayor to Execute a Signature Authority Form Allowing the Chief of Police or His Designee to Complete Grant Reports as Required by the Tennessee Highway Safety Office (THSO) for the Tennessee Highway Safety Office FY23 Coordinator Grant (AF: 74-2022) (Chief Phipps).

Pass:

Resolution No. 2022-204, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY GRANTS FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

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

5. ~~Apply for and Receive the 2022 State of Tennessee Department of Health Project Diabetes Grant (AF: 75-2022) (Michael Borders).~~ This item was pulled from the agenda on April 5, 2022.

6. Approve Issuance of Certificates of Compliance for Retail Food Stores to Sell Wine (AF: 62-2022) (Angela Marshall).

Approve:

APPROVE ISSUANCE OF CERTIFICATES OF COMPLIANCE FOR RETAIL FOOD STORES TO SELL WINE

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

7. Amend Chapter 2 - Administration of the City of Kingsport Fee Schedule as Set Out in Resolution 2021-258 (AF: 90-2022) (Lisa Winkle).

Pass:

Resolution No. 2022-205, A RESOLUTION TO AMEND RESOLUTION NO. 2021-258 RATES, FEES AND CHARGES THEREIN ESTABLISHING FEES FOR CHAPTER 2-ADMINISTRATION

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

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8. Authorize the Mayor to Execute a Subrecipient Agreement with the Oasis of Kingsport (AF: 91-2022) (Jessica McMurray).

Pass:

Resolution No. 2022-206, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE OASIS OF KINGSPORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN FISCAL YEAR 2021-2022

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

9. Amend Chapter 66 – Parks and Recreation of the City of Kingsport Fee Schedule as Set Out In Resolution No. 2021-258 (AF: 87-2022) (Michael Borders).

Pass:

Resolution No. 2022-207, A RESOLUTION TO AMEND RESOLUTION NO. 2021-258 TO PROVIDE FOR CHANGES IN THE CHARGES IN CHAPTER 66-PARKS AND RECREATION

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

10. Authorize the Mayor to Execute All Documents Necessary for School Nutrition Services Credit Card Processing (AF: 70-2022) (David Frye).

Pass:

Resolution No. 2022-208, A RESOLUTION APPROVING SCHOOL NUTRITION SERVICES CREDIT CARD PROCESSING AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

11. Accept a Donation of Gift Shop Inventory from the Bays Mountain Park Association (AF: 85-2022) (Michael Borders).

Pass:

Resolution No. 2022-209, A RESOLUTION ACCEPTING A DONATION OF GIFT SHOP INVENTORY FROM THE BAYS MOUNTAIN PARK ASSOCIATION

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

12. Revised Resolution to Conduct an Actuarial Study for the Tennessee Consolidated Retirement System (AF: 95-2022) (Tyra Copas).

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Pass:

Resolution No. 2022-211, A RESOLUTION TO AUTHORIZE AND APPROPRIATE FUNDS FOR AN ACTUARIAL STUDY TO DETERMINE THE COST(S) ASSOCIATED WITH A POLITICAL SUBDIVISION'S PARTICIPATION IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM IN ACCORDANCE WITH TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTERS 34-37

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


VIII. COMMUNICATIONS.

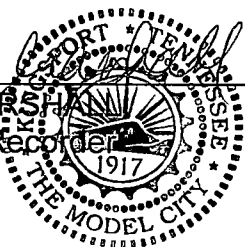
A. CITY MANAGER. Mr. McCartt commented on the forest fire in Sevier County and commended the Fire Department for offering assistance when other departments across the state did not answer the call.

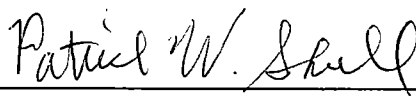
B. MAYOR AND BOARD MEMBERS. Alderman Montgomery noted the Neighborhood Commission was off and running and naming upcoming events. Alderman Phillips commented on a recent tour of the new fire training facility. Alderman Duncan congratulated the Fire Department on the new facility and mentioned the next Keep Kingsport Beautiful clean up event. Alderman Cooper mentioned an upcoming fundraiser at Lamplight Theatre and also inquired about large trash items being placed at the road. Deputy City Manager McReynolds provided details regarding this process and clean up week. Vice-Mayor George pointed out the County primary was later this month and encouraged voters to become educated on issues and the candidates. Mayor Shull commented on the drug law suit the city won several months ago and stated he was travelling to Nashville tomorrow with other local leaders to speak to the legislation about how to spend the awarded funds in the region. He also discussed the terms for mayor and alderman, noting his desire to see the mayor's term be four years instead of two to be in line with the aldermen terms. He pointed out the next election wasn't until August of 2024.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:08 p.m.


ANGELA MARSH
Deputy City Recorder




PATRICK W. SHULL
Mayor