

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, April 19, 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 Adam Love, Mafair United Methodist Church.
- III.A. **ROLL CALL:** By City Recorder Winkle. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
1. Recognition of Dobyys-Bennett Wrestling & Basketball Teams (Mayor Shull & Alderman Olterman)
  2. Proclamation - Sexual Harassment Awareness Month (Vice Mayor George)
  3. Proclamation - April 30 National Therapy Animal Day (Alderman Phillips)
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.
- V. **APPROVAL OF MINUTES.**

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

- A. April 7, 2022 Regular Work Session
- B. April 8, 2022 Regular Business Meeting

Approved: All present voting "aye."

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**VI. COMMUNITY INTEREST ITEMS.**

**A. PUBLIC HEARINGS.** 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. Budget Adjustment Ordinance for Various Funds in FY22**  
(AF: 102-2022) (Chris McCartt).

Motion/Second: George/Duncan, 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."

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

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

Motion/Second: Montgomery/Olterman, to pass:

**ORDINANCE NO. 7004, 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 second reading in a roll call vote: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

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

Motion/Second: Duncan/George, to pass:

**ORDINANCE NO. 7005, 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 second reading in a roll call vote: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

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

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Motion/Second: Olterman/Montgomery, to pass:

**ORDINANCE NO. 7006**, 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, Olterman, Phillips and Shull voting "aye."

**4. Amendment to Materials Agreement with Carla Karst Related to the Cox Valley Development (AF: 67-2022) (Ryan McReynolds).**

Motion/Second: Montgomery/Olterman, to pass:

**ORDINANCE NO. 7007**, 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.

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

Motion/Second: Phillips/Cooper, to pass:

**ORDINANCE NO. 7008**, AN ORDINANCE AMENDING CHAPTER 114, ARTICLE IV, SECTION 537 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO DECORATIVE LIGHTING; 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."

**D. OTHER BUSINESS.**

**1. Purchase Order for One (1) Hazmat Truck Utilizing Sourcewell Cooperative Purchasing Agreement (AF: 106-2022) (Chief Boyd/Steve Leonard).**

Motion/Second: Duncan/Olterman, to pass:

**Resolution No. 2022-210**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO EMERGENCY VEHICLE SPECIALISTS UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 022818-PMI FOR ONE HAZARDOUS MATERIALS RESPONSE VEHICLE FOR THE KINGSPORT FIRE DEPARTMENT

Passed: All present voting "aye."

**2. Approve up to \$250,000 in Matching Funds for New Facility Capital Campaign for Petworks Animal Services, Inc. (AF: 103-2022) (Chris McCartt)**

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Motion/Second: George/Cooper, to pass:

**Resolution No. 2022-212**, A RESOLUTION APPROVING AN AGREEMENT WITH PETWORKS ANIMAL SERVICES, INC. TO PROVIDE MATCHING FUNDS FOR THE BUILDING CAPITAL CAMPAIGN 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."

**3. Approve \$150,000 Donation of Visitors Enhancement Funds to the Netherland Inn/Exchange Place Association, Inc. for Repairs to and Maintenance of the Facilities (AF: 104-2022) (Chris McCartt).**

Motion/Second: Montgomery/George, to pass:

**Resolution No. 2022-213**, A RESOLUTION APPROVING AN AGREEMENT WITH THE NETHERLAND INN/EXCHANGE PLACE ASSOCIATION, INC., FOR A DONATION OF VISITOR ENHANCEMENT FUNDS FOR REPAIRS TO AND MAINTENANCE OF THE FACILITIES 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."

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

Motion/Second: George/Phillips, to adopt/pass:

**1. Bid Award for Eggs for School Nutrition Services Commodity Processing to Michael Foods, Inc. and Authorize the City Manager to Execute an Agreement with Michael Foods, Inc. (AF: 96-2022) (David Frye).**

**Resolution No. 2022-214**, A RESOLUTION AWARDDING THE BID OF SCHOOL NUTRITION SERVICES COMMODITY PROCESSING FOR EGGS TO MICHAEL FOODS, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MICHAEL FOODS, INC.

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

**2. Bid Award for Chemicals for School Nutrition Services to Summers Industrial and Authorize the Mayor to Execute an Agreement with Summers Industrial (AF: 97-2022) (David Frye).**

**Resolution No. 2022-215**, A RESOLUTION AWARDDING THE BID FOR SCHOOL NUTRITION SERVICES CHEMICALS TO SUMMERS INDUSTRIAL AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPERTY TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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**3. Approve Application and Contract with Virginia Department of Rail and Public Transportation for Federal Transit Administration Section 5303 Planning Funds (AF: 99-2022) (Ryan McReynolds).**

**Resolution No. 2022-216**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ELECTRONIC APPLICATION AND CONTRACT BETWEEN THE CITY OF KINGSPORT AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION PLANNING FUNDS FOR USE BY THE KINGSPORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE FISCAL YEAR 2023; AUTHORIZING THE MAYOR TO EXECUTE THE FTA FISCAL YEAR 2022 CERTIFICATIONS AND ASSURANCES, AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LETTER OF AUTHORIZATION

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

**4. Renew Bid Award for Propane and Propane Conversion Kits (AF: 101-2022) (Ryan McReynolds/Steve Leonard).**

**Resolution No. 2022-217**, A RESOLUTION RENEWING THE AWARD OF BID FOR THE PURCHASE OF PROPANE AUTO GAS AND PROPANE CONVERSION KITS FOR USE IN CITY EQUIPMENT FOR FISCAL YEAR 2023 TO BLOSSMAN GAS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

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

**5. Accept Donation from Bays Mountain Park Association for Various Projects at Bays Mountain Park (AF: 86-2022) Michael Borders).**

**Resolution No. 2022-218**, A RESOLUTION ACCEPTING A DONATION FROM THE BAYS MOUNTAIN PARK ASSOCIATION FOR VARIOUS PROJECTS AT BAYS MOUNTAIN PARK

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

**6. Ratify Mayor's Signature on Walters State Community College Facilities Use Agreement (AF: 108-2022) (Chief Phipps).**

**Resolution No. 2022-219**, A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON A FACILITIES USE AGREEMENT WITH WALTERS STATE COMMUNITY COLLEGE FOR THE KINGSPORT POLICE DEPARTMENT AND AUTHORIZING THE

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MAYOR TO EXECUTE ANY 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."

**7. Renew Proposal for Concession Food Service Distributor at the Kingsport Aquatic Center to H.T. Hackney Company (AF: 107-2022) (Michael Borders).**

**Resolution No. 2022-220**, A RESOLUTION AUTHORIZING THE RENEWAL OF THE KINGSFORT AQUATIC CENTER CONCESSION FOOD SERVICE DISTRIBUTOR PROPOSAL WITH H.T. HACKNEY COMPANY AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

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

**8. Approve Non-Renewal of Agreement with B&E, Inc. d/b/a/ Tri-State Claims, the City's Third Party Administrator for its Workers' Compensation Program (AF: 109-2022) (John Burkholder).**

**Resolution No. 2022-221**, A RESOLUTION APPROVING THE NON-RENEWAL OF THE AGREEMENT WITH B&E, INC., D/B/A TRI-STATE CLAIMS AND AUTHORIZING THE MAYOR TO SIGN A NOTICE OF NON-RENEWAL TO SAME, AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE NON-RENEWAL

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

**9. Approve Permit for a Carnival Temporarily at 4540 University Boulevard (AF: 110-2022) (Ken Weems).**

**Resolution No. 2022-222**, A RESOLUTION APPROVING A PERMIT TO OPERATE A CARNIVAL

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

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** Mr. McCartt stated the Miracle Field League starts Saturday and encouraged everyone to visit Brickyard Park. He also mentioned a day of service this Saturday at Warriors Park. Lastly, Mr. McCartt mentioned that May was budget month with additional meetings to discuss. He noted budgets are always tough and this year was no different. He recognized the staff for their hard work and the BMA for their support.

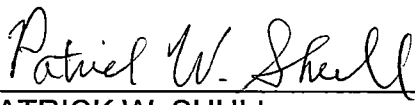
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**B. MAYOR AND BOARD MEMBERS.** Alderman Duncan stated there have been three successful Keep Kingsport Beautiful cleanups so far this year with over 9½ tons of garbage being picked up to date, noting this total didn't include separate trash pickups along the greenbelt. He also mentioned the Boys and Girls Club Gala would be held on May 7 with the theme being old Hollywood. Alderman Cooper stated there was always something going on at the library for every age group and interest. She also promoted their HOOPLA app and how easy and convenient it was to use. Alderman Montgomery congratulated the wrestling and basketball teams that were recognized earlier in the meeting. He also offered his condolences to the family of Bill Gatton on his recent passing. Alderman Phillips commented on Mother's Day which is coming up. He also mentioned this year's Leadership Kingsport class is coming to an end with one of their final activities being the Walk for Wellness on April 23 and how he was proud of his wife for her involvement. He also pointed out how wonderful it was to work with the Public Works Department as a business owner building apartments, noting they make it very easy. Alderman Olterman commended the City Manager and staff for all they do. Vice Mayor George stated the county election was coming up on May 3 with early voting starting on Thursday. She encouraged citizens to familiarize themselves with the candidates and what they support. She pointed out that many issues in the county control what happens in the city. Mayor Shull stated it was a pleasure to recognize the Dobyys-Bennett teams, noting he was proud of the school system's academics and other programs.

**C. VISITORS.** Mr. David Fagerburg commented on public restrooms downtown.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:02 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

  
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PATRICK W. SHULL  
Mayor