

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, July 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

City Administration

Chris McCartt, City Manager

Bart Rowlett, 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:** Mayor Patrick W. Shull.

II.B. **INVOCATION:** Alderman Darrell Duncan.

III.A. **ROLL CALL:** By City Recorder Winkle. Absent: Alderman James Phillips.

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

1. Recognition of D. Bruce Shine – Mayor Shull and Representative Bud Hulse (Betsy Shine)
2. Keep Kingsport Beautiful Beautification Awards – Neil Brown

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

(These items are considered under one motion.)

Motion/Second: George/Olterman, to approve:

1. **Appointment to the Kingsport Public Library Commission** (AF: 200-2022) (Mayor Shull).

Approve:

APPOINTMENT OF MR. LUKE BROGDEN TO SERVE A THREE-YEAR TERM ON THE **KINGSPORT PUBLIC LIBRARY COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2025.

Passed: All present voting "aye."

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2. Reappointments to the Parks and Recreation Advisory Committee (AF: 201-2022) (Mayor Shull).

Approve:

REAPPOINTMENT OF BRADLEY T. HOOVER, BOB JACK AND PAM MAHAFFEY TO SERVE ANOTHER THREE-YEAR TERM ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2025.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

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

- A. June 20, 2022 Regular Work Session
- B. June 21, 2022 Regular Business Meeting
- C. July 8, 2022 Called Business Meeting

Approved: All present voting "aye."

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. Amend FY23 General Purpose School Fund and the General Project Fund Budgets (AF: 221-2022) (David Frye).

Motion/Second: Montgomery/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Budget Adjustment for Various Funds in FY22 (AF: 223-2022) (Chris McCartt).

Motion/Second: Olterman/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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3. Budget Adjustment for Various Funds in FY23 (AF: 224-2022)
(Chris McCartt).

Motion/Second: George/Cooper, to pass:

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Resolution to Opt-In to the Extended Hours for the Sale of Alcoholic Beverages and Beer (AF: 212-2022) (Chris McCartt).

Motion/Second: Olterman/Cooper, to pass:

Resolution No. 2023-002, A RESOLUTION TO OPT-IN AND ADOPT THE EXTENDED HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES AND BEER WITHIN THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye" except Montgomery voting "nay."

5. Amend Section 6-218 of City Code to Change the Hours of Beer Sales (AF: 216-2022) (Chris McCartt).

Motion/Second: Olterman/George, to pass:

AN ORDINANCE TO AMEND CHAPTER SIX, ARTICLE III, SECTION 218 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, RELATING TO HOURS OF OPERATION OF BEER SALES AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye" except Montgomery voting "nay."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning for Fieldcrest Annexation (AF: 184-2022) (Ken Weems).

Motion/Second: Montgomery/Duncan, to pass:

ORDINANCE NO. 7027, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG FIELDCREST ROAD FROM COUNTY A-1, GENERAL AGRICULTURAL DISTRICT, TO PD (PLANNED DEVELOPMENT DISTRICT), R-3 (LOW DENSITY APARTMENT DISTRICT), R-5 (HIGH DENSITY APARTMENT DISTRICT) AND B-1 (NEIGHBORHOOD BUSINESS DISTRICT). IN THE 7TH 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: Duncan, George, Montgomery, Olterman and Shull voting "aye" and Cooper abstaining.

2. Budget Adjustment for Various Funds in FY22 (AF: 192-2022)
(Chris McCartt).

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Motion/Second: Duncan/Montgomery, to pass:

ORDINANCE NO. 7028, 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 and Shull voting "aye."

3. Amend Water Fund Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 (AF: 207-2022) (Ryan McReynolds)

Motion/Second: Montgomery/George, to pass:

ORDINANCE NO. 7029, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, TO AMEND THE WATER BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, TO DELAY THE IMPLEMENTATION OF THE NEW WATER RATE UNTIL AUGUST 1, 2022 AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Amend Sewer Fund Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 (AF: 208-2022) (Ryan McReynolds)

Motion/Second: Montgomery/Cooper, to pass:

ORDINANCE NO. 7030, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, TO AMEND THE SEWER BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, TO DELAY THE IMPLEMENTATION OF THE NEW SEWER RATE UNTIL AUGUST 1, 2022 AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. Execute an Agreement for the Employee Physical Wellness Program (AF: 185-2022) (Tyra Copas).

Motion/Second: Duncan/Montgomery, to pass:

Resolution No. 2023-003, A RESOLUTION AUTHORIZING AN AGREEMENT WITH MEDFIT, LLC FOR EMPLOYEE PHYSICAL WELLNESS SERVICES 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: All present voting "aye."

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2. Renew MOU with Camelot Care Centers, Inc. for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 202-2022) (David Frye).

Motion/Second: Duncan/Olterman, to pass:

Resolution No. 2023-004, 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."

3. Execute an Agreement with Frontier Health for Counseling Services for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 203-2022) (David Frye).

Motion/Second: Olterman/George, to pass:

Resolution No. 2023-005, A RESOLUTION APPROVING AN AGREEMENT WITH FRONTIER HEALTH TO PROVIDE COUNSELING SERVICES FOR KINGSFORT 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" except Montgomery who abstained.

4. Approve Addendum 8 to the ESS South Central, LLC, Substitute Staffing Services Contract for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 215-2022) (David Frye).

Motion/Second: Duncan/Olterman, to pass:

Resolution No. 2023-006, A RESOLUTION APPROVING AN AMENDMENT TO THE SUBSTITUTE STAFFING SERVICES AGREEMENT WITH ESS SOUTH CENTRAL, LLC, FOR KINGSFORT CITY SCHOOLS 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."

5. Bid Award to Pavewell Paving Co. for the 2022 Contracted Paving Area 28A and Authorize the Mayor to Sign All Applicable Documents (AF: 206-2022) (Ryan McReynolds).

Motion/Second: George/Olterman, to pass:

Resolution No. 2023-007, A RESOLUTION AWARDED THE BID FOR THE CONTRACTED PAVING – AREA 28A PROJECT TO PAVEWELL PAVING COMPANY AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND

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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/Olterman, to adopt:

**1. Agreement with Tri-Cities United for the Use of Eastman Park at
Horse Creek (AF: 175-2022) (Michael Borders).**

Pass:

**Resolution No. 2023-008, A RESOLUTION APPROVING AN AGREEMENT WITH TRI-
CITIES UNITED FOR THE USE OF EASTMAN PARK AT HORSE CREEK 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 and Shull
voting "aye."

**2. Sign Agreement with Tri-Cities United for Concession Rights at
Eastman Park at Horse Creek (AF: 178-2022) (Michael Borders).**

Pass:

**Resolution No. 2023-009, A RESOLUTION APPROVING AN AGREEMENT WITH TRI-
CITIES UNITED FOR CONCESSION RIGHTS AT EASTMAN PARK AT HORSE CREEK
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 and Shull
voting "aye."

**3. Apply for and Receive Grant for \$26,137 from the Department of
Justice FY22 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (AF:
204-2022) (Chief Phipps).**

Pass:

**Resolution No. 2023-010, A RESOLUTION APPROVING AN APPLICATION FOR AND
RECEIPT OF A FISCAL YEAR 2022 GRANT FROM THE UNITED STATES
DEPARTMENT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND AUTHORIZING THE
MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH
APPLICATION AND RECEIPT OF GRANT FUNDS**

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

4. Execute a Signatory Authority Form Allowing the Chief of Police or His Designee to Electronically Complete the Grant Application, Acceptance and Grant Reports as Required by the U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant JAG FY22 (AF: 205-2022) (Chief Phipps).

Pass:

Resolution No. 2023-011, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER TO THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE RECEIPT OF GRANT FUNDS

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

5. Authorize Kingsport City Attorney to Execute and File Applications and Necessary Documents for Federal Assistance on Behalf of the City of Kingsport (AF: 214-2022) (Chris McCartt).

Pass:

Resolution No. 2023-012, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DESIGNATION OF SIGNATURE AUTHORITY FOR THE FEDERAL TRANSIT AWARD MANAGEMENT SYSTEM 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 and Shull voting "aye."

6. Approve Area Agency on Aging and Disability Grant for FY22-23 (AF: 210-2022) (Shirley Buchanan).

Pass:

Resolution No. 2023-013, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPROVE AND RECEIVE THE PASS THROUGH FUNDING FROM THE FIRST TENNESSEE DEVELOPMENT DISTRICT'S AREA AGENCY ON AGING AND DISABILITY GRANT FOR FISCAL YEAR 2022-2023

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

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7. Approve West End Foundation Grant and Ratify the Mayor's Signature (AF: 211-2022) (Shirley Buchanan).

Pass:

Resolution No. 2023-014, A RESOLUTION APPROVING A GRANT CONTRACT WITH WEST END HOME FOUNDATION FOR THE RECEIPT OF A DIGITAL LITERACY GRANT, RATIFYING THE MAYOR'S SIGNATURE OF THE GRANT CONTRACT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO CARRY OUT THE PURPOSE OF THE GRANT CONTRACT AND THIS RESOLUTION

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

8. Combine the Carousel Division Part-Time Position and the Cultural Arts Division Part-Time Position to One Full-Time Position (AF: 218-2022) (Michael Borders).

Pass:

Resolution No. 2023-015, A RESOLUTION COMBINING TWO PART TIME POSITIONS INTO ONE FULL TIME POSITION FOR KINGSFORT LEISURE SERVICES

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

9. Approve an Agreement between Bays Mountain Park Association and the City of Kingsport for Event Registration and Ticket Sales through CivicRec (AF: 219-2022) (Michael Borders).

Pass:

Resolution No. 2023-016, A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BAYS MOUNTAIN PARK ASSOCIATION AND THE CITY FOR EVENT REGISTRATION AND TICKET SALES TO BE CONDUCTED THROUGH CIVICREC 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 and Shull voting "aye."

10. Authorize the Mayor to Sign an Agreement with the Kingsport Tribe Youth Football and Cheer for the Use of Facilities and to Approve a One-Time Appropriation (AF: 217-2022) (Michael Borders).

Pass:

Resolution No. 2023-017, A RESOLUTION APPROVING A FACILITIES USE AGREEMENT WITH KINGSFORT TRIBE YOUTH FOOTBALL AND CHEER AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER

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DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

11. Accept an In-Kind Donation of Services from Enviro-Goat LLC and Authorize the Mayor to Execute an Amendment to the Current Agreement (AF: 225-2022) (John Rose/Chris McCartt).

Pass:

Resolution No. 2023-018, A RESOLUTION ACCEPTING AN IN-KIND DONATION OF SERVICES FROM ENVIRO-GOAT, LLC AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CURRENT AGREEMENT FOR THE SAME

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

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. McCartt thanked Deputy City Manager McReynolds and Assistant City Manager Borders for their efforts on the items involving youth sports. He also mentioned Funfest and how much goes into this event to make it successful, noting contributions from the private sector, volunteers and city employees.


- B. MAYOR AND BOARD MEMBERS.** Alderman Montgomery stated he was pleased that Bruce Shine was recognized earlier as he was a friend to all and made great contributions to the community. He also commented on the Parks and Recreation presentation at the work session yesterday, stating he appreciated the vision and it was very well done. Alderman Olterman stated he received a note from Alderman Phillips that he was watching the meeting and the board looked good in their Funfest shirts. Alderman Duncan acknowledged Visit Kingsport and listed the many youth sports events that were held recently and having an 8-10 million dollar economic impact for the city. Alderman Cooper commented on the employee physical wellness program as well as the parks and rec presentation yesterday. She also mentioned the street fair held last weekend and the input received from newcomers to the area, encouraging citizens not to take these special events for granted. Vice-Mayor George also commented on Funfest and thanked the public works department, noting she continues to hear good comments from city employees. She mentioned several of the upcoming Funfest events throughout the week as well as the concert series to be held at Allandale on Thursday nights in August. The Vice-Mayor also pointed out she had recently received positive feedback on the new skate park. Mayor Shull mentioned early voting in the county election ends on July 30 with the election on August 4. He pointed out the Funfest schedule of events was available online.

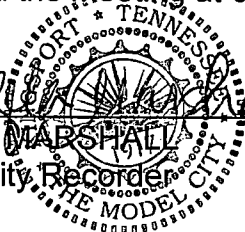
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The mayor also noted economic development activity was picking up and Move2Kingsport was also going well. Lastly, he commented the sales tax numbers for May came in higher than last year and what was even projected.

C. VISITORS. Mr. Leon Hatch spoke about traffic concerns in his neighborhood.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:15 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor