

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, October 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 Paul Montgomery
Alderman Betsy Cooper	Alderman Tommy Olterman
Alderman Darrell Duncan	Alderman James Phillips

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:** New Vision Youth.
- II.B. **INVOCATION:** Alderman Phillips.
- III.A. **ROLL CALL:** By City Recorder Winkle. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**

1. **UTHS College of Dentistry Kingsport Facility Update** – Dr. James C. Ragain, Jr. and City Manager McCartt along with other representatives from the University of Tennessee, East Tennessee State University and Ballad Health gave a presentation on this item, noting it is a critical milestone and providing information on the planned phases from clinic to dental school.

NOTE: At this time the city manager asked the board to pull item VI.D.9 to the top of the agenda for a vote. Mr. McCartt then asked for a brief recess at 7:43 p.m. to attend a press conference on the item. The regular agenda resumed thereafter at 7:53 p.m. with Deputy City Manager McReynolds. Mr. McCartt returned at 8:20 p.m. finished leading the meeting at Item VI.D.5.

- IV.B. **APPOINTMENTS/REAPPOINTMENTS.**
(These items are considered under one motion.)

1. **Reappointments to the Board of Zoning Appeals (AF: 297-2022)**
(Mayor Shull).

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Motion/Second: George/Montgomery, to approve:

REAPPOINTMENT OF TRACEY CHILDRESS CLEEK AND JOE WHITE TO SERVE ANOTHER THREE-YEAR TERM ON THE **BOARD OF ZONING APPEALS** EFFECTIVE IMMEDIATELY AND EXPIRING ON DECEMBER 31, 2025.

Passed: All present voting "aye."

2. Appointment/Reappointment to the Demolition by Neglect Committee
(AF: 298-2022) (Mayor Shull).

Motion/Second: George/Montgomery, to approve:

APPOINTMENT OF CHIP MILLICAN AND REAPPOINTMENT OF MEGAN ALLPHIN TO SERVE A THREE-YEAR TERM ON THE **DEMOLITION BY NEGLECT COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING ON NOVEMBER 5, 2025.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

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

- A. October 3, 2022 Regular Work Session
- B. October 4, 2022 Regular 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. Approve Tennessee Commission on Aging Grant and Appropriate the Funds (AF: 311-2022) (Michael Borders).

Motion/Second: Montgomery/Cooper, to pass:

Resolution No. 2023-085, A RESOLUTION ACCEPTING GRANT FUNDS FROM THE TENNESSEE COMMISSION ON AGING AND DISABILITY FOR THE KINGSFORT SENIOR CENTER AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE THE GRANTS

Passed: All present voting "aye."

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Motion/Second: Duncan/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Amend FY23 General Purpose School Fund and the General Project Funds Budgets (AF: 323-2022) (David Frye).

Motion/Second: Phillips/Olterman, 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."

3. Amend FY23 School Special Projects Fund Budget (AF: 324-2022) (David Frye).

Motion/Second: Montgomery/Olterman, to pass:

AN ORDINANCE TO AMEND THE FY 2023 SCHOOL SPECIAL PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Budget Adjustment for Various Funds in FY23 (AF: 308-2022) (Chris McCartt).

Motion/Second: George/Phillips, to pass:

AN ORDINANCE TO AMEND THE 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."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning of 910 Wilcox Court Located Along South Wilcox Drive and Wilcox Court from M-1, Light Manufacturing District to B-3, Highway Oriented Business District (AF: 296-2022) (Ken Weems).

Motion/Second: Duncan/Cooper, to pass:

ORDINANCE NO. 7045, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG WILCOX COURT FROM THE M-1 DISTRICT TO THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 13TH 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

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2. Abandon a Stormwater Easement Located at 1117, 1121, 1125 and 1129 Tay Station (AF: 259-2022) (Savannah Garland).

Motion/Second: Olterman/Phillips, to pass:

ORDINANCE NO. 7046, AN ORDINANCE TO ABANDON A SECTION OF A STORMWATER SEWER EASEMENT LOCATED OFF OF TAY STATION SITUATED IN THE CITY OF KINGSFORT, TWELFTH CIVIL DISTRICT OF SULLIVAN COUNTY; 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."

3. Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY22-23 (AF: 294-2022) (Candace Sherer).

Motion/Second: George/Olterman, to pass:

ORDINANCE NO. 7047, AN ORDINANCE TO AMEND URBAN MASS TRANSIT CAPITAL/GRANT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2023; 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. Appropriate \$44,000.00 from the Tennessee Highway Safety Office (THSO) FY23 Grant (AF: 292-2022) (Dale Phipps).

Motion/Second: Montgomery/George, to pass:

ORDINANCE NO. 7048, AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2023; 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."

5. Appropriate \$20,000.00 from the Tennessee Highway Safety Office (THSO) FY23 Coordinator Grant (AF: 293-2022) (Dale Phipps).

Motion/Second: Duncan/Phillips, to pass:

ORDINANCE NO. 7049, AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2023; 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."

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**6. Budget Adjustment for Various Funds in FY23 (AF: 307-2022)
(Chris McCartt).**

Motion/Second: George/Montgomery, to pass:

ORDINANCE NO. 7050, 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 second reading in a roll call vote: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

**7. Appropriate \$7,035.00 from USDOJ/Office of Justice Program
FY23 Bulletproof Vest Partnership Funding (AF: 310-2022) (Chief Phipps).**

Motion/Second: Montgomery/Olterman, to pass:

ORDINANCE NO. 7051, AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE US DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2023; 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."

**8. Appropriate \$26,137.00 from the Department of Justice Program
FY23 Edward Byrne Memorial Justice Assistance Grant Program (AF: 312-2022)
(Chief Phipps).**

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 7052, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2023; 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. Issue Purchase Order to FL Smidth for Repair of Wastewater
Plant Centrifuge (AF: 319-2022) (Ryan McReynolds).**

Motion/Second: George/Olterman, to pass:

Resolution No. 2023-086, 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."

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2. Award Purchase of One (1) Freightliner Articulating Brush Loader Utilizing Sourcewell Cooperative Purchasing Agreement (AF: 321-2022) (Ryan McReynolds/Steve Leonard).

Motion/Second: Olterman/Montgomery, to pass:

Resolution No. 2023-087, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO CMI EQUIPMENT UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 040621-PII FOR ONE FREIGHTLINER ARTICULATING BRUSH LOADER FOR USE BY THE PUBLIC WORKS DEPARTMENT

Passed: All present voting "aye."

3. Award Purchase of One (1) CAT 420 Backhoe from the Tennessee State Contract (AF: 322-2022) (Ryan McReynolds/Steve Leonard).

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2023-088, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO STOWERS MACHINERY CORPORATION UTILIZING TENNESSEE STATE CONTRACT #72872 FOR ONE CAT 420 BACKHOE FOR USE BY THE WATER MAINTENANCE DEPARTMENT

Passed: All present voting "aye."

4. Award Purchase of One (1) Pierce Mid Mount 100' Ladder Truck Utilizing Sourcewell Cooperative Purchasing Agreement (AF: 325-2022) (Scott Boyd/Steve Leonard).

Motion/Second: Duncan/George, to pass:

Resolution No. 2023-089, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO EMERGENCY VEHICLE SPECIALISTS UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 113021 FOR ONE PIERCE MID-MOUNT 100 FOOT LADDER TRUCK FOR THE KINGSPORT FIRE DEPARTMENT

Passed: All present voting "aye."

5. Utilize American Rescue Plan Act Funds to Enter into an Agreement with Cain Rash West for Construction Documents for the Kingsport Public Library (AF: 299-2022) (Michael Borders).

Motion/Second: Cooper/George, to pass:

Resolution No. 2023-090, A RESOLUTION APPROVING AN AGREEMENT WITH CAIN RASH WEST FOR CONSTRUCTION DOCUMENTS FOR THE KINGSPORT PUBLIC LIBRARY RENOVATION PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH CAIN RASH WEST AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

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**6. Amendment Two to Riverbend Park Redevelopment Agreement
with KHRA for Development of Riverbend Park (AF: 320-2022) (Michael Borders).**

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2023-091, A RESOLUTION APPROVING AMENDMENT TWO TO THE REDEVELOPMENT AGREEMENT WITH THE KINGSFORT HOUSING & REDEVELOPMENT AUTHORITY TO EXTEND THE DATE OF COMPLETION OF THE RIVERBEND REDEVELOPMENT DISTRICT PARK; 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."

**7. Amendment to the Redevelopment Plan for Kingsport by
Amending the Downtown Redevelopment District Boundary (AF: 300-2022) (Chris
McCartt/Jessica Harmon).**

Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2023-092, A RESOLUTION APPROVING AN AMENDMENT TO THE DOWNTOWN REDEVELOPMENT DISTRICT BOUNDARY

Passed: All present voting "aye."

**8. Approve a Lease Agreement with the Tennessee Board of
Regents on Behalf of Tennessee College of Applied Technology at Elizabethton
(AF: 238-2022) (Chris McCartt).**

Motion/Second: Phillips/George, to pass:

Resolution No. 2023-093, A RESOLUTION APPROVING A LEASE AGREEMENT WITH THE TENNESSEE BOARD OF REGENTS ON BEHALF OF ITS TENNESSEE COLLEGE OF APPLIED TECHNOLOGY AT ELIZABETHTON 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."

**9. Memorandum of Understanding with the University of
Tennessee College of Health Sciences, East Tennessee State University and Ballad
Health to Establish a Dental Clinic in the City of Kingsport (AF: 328-2022) (Chris
McCartt).**

Motion by: Duncan/Cooper/George and Second: Montgomery/Phillips/Olterman to pass:

Resolution No. 2023-094, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE UNIVERSITY OF TENNESSEE COLLEGE OF HEALTH SCIENCES, EAST TENNESSEE STATE UNIVERSITY, AND BALLAD HEALTH TO ESTABLISH A DENTAL CLINIC; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

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Passed: All present voting “aye.”

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

Motion/Second: George/Olterman, to adopt:

1. Reject Bid for the Bays Mountain Fox Habitat Project (AF: 314-2022) (Michael Borders).

Resolution No. 2023-095, A RESOLUTION REJECTING ALL BIDS RELATED TO THE BAYS MOUNTAIN FOX HABITAT PROJECT

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

2. Statewide Contract with SchoolKit, LLC for the Purchase of Math Implementation Support for Kingsport City Schools (AF: 295-2022) (David Frye).

Resolution No. 2023-096, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE STATEWIDE CONTRACT WITH SCHOOLKIT, LLC IN CONNECTION WITH A MATH IMPLEMENTATION SUPPORT GRANT FOR KINGSFORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE 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.”

3. Approve Issuance of Certificate of Compliance for Retail Food Stores to Sell Wine (AF: 315-2022) (Angie Marshall).

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

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

4. Agreement between Sullivan County Emergency Medical Services (SCEMS) and the City of Kingsport (AF: 285-2022) (Terry Arnold).

Resolution No. 2023-097, A RESOLUTION APPROVING AN AGREEMENT WITH SULLIVAN COUNTY EMERGENCY MEDICAL SERVICES 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.”

5. Donation of the Improvement Building to the Industrial Development Board of the City of Kingsport (AF: 316-2022) (Chris McCartt).

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Resolution No. 2023-098, A RESOLUTION AUTHORIZING DONATION OF REAL PROPERTY COMMONLY KNOWN AS THE IMPROVEMENT BUILDING TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT AND AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE QUITCLAIM DEED AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO CONVEY THE PROPERTY TO THE INDUSTRIAL DEVELOPMENT BOARD

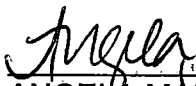
Passed in a roll call vote: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting “aye.”


VIII. COMMUNICATIONS.


- A. CITY MANAGER.** Mr. McCartt expressed appreciation for Deputy City Manager McReynolds and other staff members, stating he was excited about the dental clinic project and the great partners involved. He also mentioned there was a good turnout by the media for the press conference downstairs earlier. He pointed out there would be many benefits to the city and the region as a result of this project.
- B. MAYOR AND BOARD MEMBERS.** Alderman Montgomery congratulated the city manager for all the work he’s done on the dental clinic project, noting it was a momentous occasion and a historic time for the city and will impact Kingsport and all of northeast Tennessee. Alderman Phillips also recognized Mr. McCartt, stating this was a big night for Kingsport and noting the significance of this partnership. He also mentioned the passing of Ralph Gilliam and former Vice-Mayor Mike McIntire. Alderman Olterman commented on the DB football team and asked citizens to come out to the games and support them. Alderman Duncan echoed the former comments recognizing Mr. McCartt and the potential for the dental school in northeast Tennessee and southwest Virginia. He also recognized Mike McIntire’s service to the community. He invited citizens this coming weekend to the Fall Festival at the Farmers Market. Lastly, he mentioned the DB Band had won at the ETSU Bands of America competition and would be traveling to Minneapolis. Alderman Cooper added the band’s halftime show was unbelievable. She also mentioned the upcoming holiday season, listing several events including DKA’s Wine and Whiskey Festival and Halloween events downtown. She also commented on Mike McIntire’s service. Vice-Mayor George encouraged citizens to bring their kids out Saturday afternoon for trick or treating downtown. She also stated the dental school was a game changer, but pointed out the entire agenda had lots of good stuff on it. She noted this was one of the most important meetings since she had joined the BMA as far as what will come forth. Mayor Shull commented on the upcoming State of the City this Thursday at Meadowview.
- C. VISITORS.** None.

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IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:55 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor