

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, December 6, 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  
Bart Rowlett, City Attorney  
Lisa Winkle, Treasurer/City Recorder

I. **CALL TO ORDER:** 7:00 p.m., by Mayor Patrick W. Shull.

II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** St. Dominic's Students.

II.B. **INVOCATION:** Ms. Traci Strohm, St. Dominic's Teacher.

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

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

1. Recognition of Dobyns-Bennett High School Band - 2022 Class AAA National Champions (Band Director Lafe Cook; Drum Majors: Ella Halliburton, Ryan True and Kaden Powers; Color Guard Captain Skylar Carter) (Mayor Shull)

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

1. **Appointment to the Emergency Communications District/E-911 Board** (AF: 358-2022) (Mayor Shull).

Motion/Second: Olterman/George, to approve:

APPOINTMENT OF MR. KEITH J. CUNNINGHAM TO FULFILL AN UNEXPIRED TERM ON THE ***EMERGENCY COMMUNICATIONS DISTRICT/E-911 BOARD*** EFFECTIVE IMMEDIATELY AND EXPIRING ON DECEMBER 31, 2023.

Passed: All present voting "aye."

**V. APPROVAL OF MINUTES.**

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

A. November 14, 2022 Regular Work Session

B. November 15, 2022 Regular Business Meeting

Approved: All present voting "aye."

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**VI. COMMUNITY INTEREST ITEMS.**

**A. PUBLIC HEARINGS.**

**1. Amend Zoning of 847 Mitchell Road from A-1, Agricultural District, to B-3, Highway-Oriented Business District (AF: 352-2022) (Ken Weems).**

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

Motion/Second: Olterman/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG MITCHELL ROAD FROM THE A-1 DISTRICT TO THE B-3, HIGHWAY ORIENTED BUSINESS 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" except George and Phillips "abstaining."

**2. Amend Zoning of Tax Map 120, a Portion of Parcel 003.00 from P-1, Professional Offices District and M-1R, Light Manufacturing Restricted District to R-3, Low Density Apartment District (AF: 353-2022) (Ken Weems).**

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

Motion/Second: Olterman/Phillips, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG BRECKENRIDGE TRACE FROM THE P-1 AND M-1R DISTRICTS TO THE R-3, LOW DENSITY APARTMENT 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. Accept a Private Monetary Donation for the Police K-9 Program and Appropriate the Funds (AF: 351-2022) (Dale Phipps).**

Motion/Second: George/Cooper, to pass:

**Resolution No. 2023-118, A RESOLUTION ACCEPTING A DONATION FOR THE KINGSFORT POLICE DEPARTMENT K-9 PROGRAM**

Passed: All present voting "aye."



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Motion/Second: Phillips/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS 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. Budget Ordinance and Agreement with TDOT for Resurfacing of Various Roadways and Authorize the Mayor to Sign all Applicable Documents (AF: 367-2022) (Ryan McReynolds).**

Motion/Second: Duncan/Montgomery, to pass:

**Resolution No. 2023-119**, A RESOLUTION APPROVING A LOCAL AGENCY PROJECT AGREEMENT NUMBER 220034 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR RESURFACING OF VARIOUS ROADWAYS 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."

Motion/Second: Montgomery/Olterman, to pass:

AN ORDINANCE TO AMEND THE METROPOLITAN PLANNING ORGANIZATION (MPO) FUND AND THE GENERAL PROJECTS – SPECIAL REVENUE 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."

**3. Accept a Donation from Kingsport Eagles Auxiliary 3141 and Appropriate the Funds (AF: 363-2022) (Terry Arnold).**

Motion/Second: George/Cooper, to pass:

**Resolution No. 2023-120**, A RESOLUTION ACCEPTING A DONATION FOR THE KINGSFORT FIRE DEPARTMENT FROM KINGSFORT EAGLES AUXILIARY 3141

Passed: All present voting "aye."

Motion/Second: Duncan/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING DONATED FUNDS 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. Budget Adjustment for Various Funds in FY23 (AF: 365-2022) (Chris McCartt).**

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Motion/Second: George/Olterman, 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."

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

**1. Amend the General Fund by Appropriating a Grant from the First Tennessee Development District (AF: 339-2022) (Tyra Copas).**

Motion/Second: Phillips/Olterman, to pass:

**ORDINANCE NO. 7059**, AN ORDINANCE TO AMEND THE GENERAL 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."

**2. Budget Adjustment for the General Projects-Special Revenue Fund in FY23 (AF: 347-2022) (Terry Arnold).**

Motion/Second: Montgomery/Olterman, to pass:

**ORDINANCE NO. 7060**, 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 second reading in a roll call vote: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

**D. OTHER BUSINESS.**

**1. Change Certain Meeting Dates for Work Sessions and Business Meetings of the Board of Mayor and Aldermen (AF: 350-2022) (Chris McCartt).**

Motion/Second: Duncan/Montgomery, to pass:

**Resolution No. 2023-121**, A RESOLUTION CHANGING CERTAIN WORK SESSIONS AND BUSINESS MEETINGS OF THE BOARD OF MAYOR AND ALDERMEN IN JANUARY, JULY, AND SEPTEMBER 2023 IN ACCORDANCE WITH ARTICLE III, SECTION 7 OF THE CHARTER OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**2. Bid Award for the Construction of the Kingsport Pump Track (AF: 364-2022) (Michael Borders, Kitty Frazier)**

Motion/Second: Montgomery/Olterman, to pass:

**Resolution No. 2023-122**, A RESOLUTION AWARDED THE BID FOR THE BICYCLE PUMP TRACK CONSTRUCTION PROJECT TO GRC CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL



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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. Ratify Mayor's Signature on NPDES Permit for Municipal Separate Storm Sewer Systems (MS4) Notice of Intent (AF: 359-2022) (Ryan McReynolds).**

**Resolution No. 2023-123**, A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON A TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION, DIVISION OF WATER RESOURCES GENERAL NPDES PERMIT OF MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) NOTICE OF INTENT

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

**2. Submit Qualifying Local Program (QLP) for Construction Site Stormwater Runoff to the Tennessee Department of Environment and Conservation (AF: 360-2022) (Ryan McReynolds).**

**Resolution No. 2023-124**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION APPLICATION FOR A QUALIFYING LOCAL PROGRAM FOR CONSTRUCTION SITE STORMWATER RUNOFF AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE APPLICATION

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

**3. Apply for and Receive Annual Partnership Support Grant from the Tennessee Arts Commission (AF: 357-2022) (Michael Borders).**

**Resolution No. 2023-125**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ANNUAL PARTNERSHIP SUPPORT GRANT FROM THE TENNESSEE ARTS COMMISSION

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

**4. Agreement Between Friends of Allandale and the City of Kingsport for Use of CivicRec (AF: 361-2022) (Michael Borders).**

**Resolution No. 2023-126**, A RESOLUTION AUTHORIZING AN AGREEMENT

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BETWEEN THE FRIENDS OF ALLENDALE 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, Phillips and Shull voting "aye."

**5. Agreement Between the Downtown Kingsport Association and the City of Kingsport for Downtown Holiday Displays (AF: 362-2022) (Michael Borders).**

**Resolution No. 2023-127**, A RESOLUTION APPROVING AN AGREEMENT WITH THE DOWNTOWN KINGSFORT ASSOCIATION FOR DOWNTOWN HOLIDAY DISPLAYS 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."

**6. Memorandum of Understanding with the Tennessee Task Force 1 (AF: 356-2022) (Jason Bellamy).**

**Resolution No. 2023-128**, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE TENNESSEE DISTRICT 1 TASK FORCE; AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

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

**7. Approve an In-Kind Donation to Exotic Pet Wonderland in Knoxville, Tennessee (AF: 354-2022) (Michael Borders).**

**Resolution No. 2023-129**, A RESOLUTION AUTHORIZING THE DONATION OF SURPLUS PERSONAL PROPERTY KNOWN AS THE CORN CRIB FOX HABITAT; APPROVING A MEMORANDUM OF UNDERSTANDING SETTING OUT THE TERMS OF THE DONATION; AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION OR THIS RESOLUTION

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

**8. Transfer Midland Center to the Industrial Development Board of the City of Kingsport (AF: 317-2022) (Chris McCartt).**



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**Resolution No. 2023-130**, A RESOLUTION AUTHORIZING DONATION OF REAL PROPERTY COMMONLY KNOWN AS THE MIDLAND CENTER TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT 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 OF THE CITY OF KINGSPORT

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

**9. Award RFP for Temporary Employment Service** (AF: 337-2022)  
(Tonya Fletcher).

**Resolution No. 2023-131**, A RESOLUTION AWARDING THE REQUEST FOR PROPOSALS FOR TEMPORARY EMPLOYMENT SERVICES TO ACCUFORCE HR SOLUTIONS, LLC AND PROFESSIONAL PERSONNEL SERVICE, INC D/B/A LUTTRELL STAFFING GROUP AND AUTHORIZING THE MAYOR TO SIGN AGREEMENTS FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

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

**10. Formal Acceptance of Deeds and Deeds of Easement** (AF: 366-2022) (Bart Rowlett).

**Resolution No. 2023-132**, A RESOLUTION TO ACCEPT DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE FROM THE VARIOUS PROPERTY OWNERS AND OTHERS HAVING AN INTEREST IN PROPERTY AS HEREINAFTER SET OUT, CONVEYING TO THE CITY OF KINGSPORT TITLE TO THE PROPERTY DESCRIBED THEREIN

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

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** Mr. McCartt congratulated Alderman Montgomery for receiving an award from Leadership Kingsport last week, noting it was well deserved and expressing his appreciation for Mr. Montgomery’s community service. He commented on the Christmas activities this past Saturday downtown, thanking Alderman Cooper and Alderman Phillips as well as city staff. He pointed out Channel 192 was back up and running and the BMA meetings could be seen after the fact. The City Manager again recognized the DB band again for their achievements this year.

**B. MAYOR AND BOARD MEMBERS.** Alderman Duncan also congratulated Alderman Montgomery, quoting the newspaper article stating he was “a good



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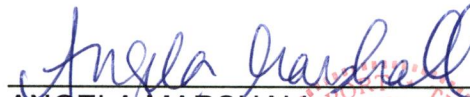
community leader and a champion for education.” He also commented on shopping local downtown on Black Friday and Small Business Saturday. He also commented on parade and other events last Saturday. Mr. Duncan reminded everyone Santa would be at the Carousel on December 16 from 1:30 to 3:00. Lastly, he mentioned the musical *Scrunch* would be playing at Lamplight Theatre through December 21. Alderman Cooper reminded everyone to keep up with the events going on downtown throughout the month and to pray for good weather. She also noted the DB basketball team would be playing their first game at the new facility next Friday. Alderman Montgomery thanked everyone for their kind remarks earlier, stating it was a joy and a pleasure to serve Kingsport. He pointed out his daughter was in Lafe Cook’s first band at DB, noting he had a vision for the program and has taken it to a high level and our community is blessed with his leadership. He also thanked Stewart Baggett for his continued support. Mr. Montgomery pointed out the city was currently ahead financially and hoped inflation numbers would not kick in and affect that at the year end so more could be done for the city. Alderman Phillips expressed his appreciation for Lafe Cook and the band, noting he needed to stay for 13 more years so his daughter could be in the color guard and go to the Macy’s Day Parade. He stated this Friday was the 1818 Christmas at Netherland Inn and remarked they were looking for help to rebuild the flatboat as it has deteriorated over time. He added comments about Saturday, pointing out it was his favorite day in Kingsport and thanked those who contributed to its success including the landscape and grounds crew, Stephen Cline for lighted decorations in the park, the traffic crew, leisure services and maintenance, Michael Borders, Kristie Leonard, Downtown Kingsport Association, Visit Kingsport and This is Kingsport, noting the schedule for future events can be found on the latter’s website. He also promoted the upcoming Polar Express Day at the library, providing details. Alderman Olterman mentioned the DB basketball team and wished everyone a Merry Christmas. Vice-Mayor George mentioned she had a friend visiting town who stated it looked like a Hallmark movie. She mentioned the Christmas events happening this weekend and commented on the recent Allandale tours. The Vice-Mayor also stated the bobcats were doing well at Bays Mountain and were still getting acclimated to their new environment, noting a family pass to the park would make a great Christmas gift. She thanked the legislators who attended the work session yesterday to discuss topics that affect Kingsport. Mayor Shull remarked Ballard had some useful information at the work session as well. The Mayor commented on Lamplight’s *Scrunch* show, pointing out there were extra weekday performances for this production. He stated the *Nutcracker* was also coming up this weekend at Eastman Toy F. Reid Center. The mayor commended on the recent performance of the Symphony of the Mountains. He congratulated Alderman Montgomery as well. He stated he was pleased with downtown activities and new businesses in Kingsport and encouraged citizens to support them. Lastly, he stated the Christmas parade was successful and there were more events continuing throughout the holiday season.



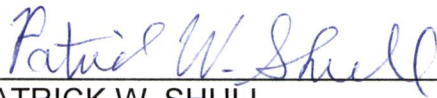
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**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 7:50 p.m.

  
\_\_\_\_\_  
ANGELA MARSHALL  
Deputy City Recorder



  
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PATRICK W. SHULL  
Mayor