



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, September 19, 2023 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding

Vice Mayor Colette George

Alderman Betsy Cooper

Alderman Darrell Duncan

Alderman Paul W. Montgomery

Alderman Tommy Olterman

Alderman James Phillips

City Administration

Ryan McReynolds, Deputy City Manager

Bart Rowlett, City Attorney

Lisa Winkle, City Recorder/Treasurer

Angie Marshall, City Clerk/Deputy/City Recorder

- I. **CALL TO ORDER** 7:00 p.m. by Mayor Shull.
- II. **PLEDGE OF ALLEGIANCE TO THE FLAG** led by New Vision Youth
- III. **INVOCATION** led by Mayor Shull.
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle.
- V. **RECOGNITIONS AND PRESENTATIONS**
 1. **TCAT Kingsport Construction Program Graduates** (Alderman Phillips)
 2. **Keep Kingsport Beautiful Beautification Awards** (Sharon Hayes)
 3. **Law Enforcement Challenge - Traffic Safety Enforcement and Training** (Alderman Duncan)
- VI. **APPOINTMENTS** None.
- VII. **APPROVAL OF MINUTES** (*These items are approved under one motion.*)

Motion made by Alderman Olterman, Seconded by Alderman Cooper.

 1. **August 14, 2023 - Work Session**
 2. **August 15, 2023 - Business Meeting**

Passed: All present voting "aye."

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VIII. PUBLIC HEARINGS

- 1. Consideration of an Ordinance to Amend Zoning of Tax Map 105, a Portion of Parcel 188.00 Located Along Tri-Cities Crossing from the A-1, Agricultural District to the B-4P, Planned Business District (AF-280-2023) (Jessica McMurray)**

Motion made by Alderman Duncan, Seconded by Alderman Cooper.

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG TRI-CITIES CROSSING FROM THE A-1, AGRICULTURAL DISTRICT TO THE B-4P, PLANNED 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: All present voting "aye" except Vice Mayor George who abstained.

COMMENT

Mayor Shull invited citizens in attendance to speak. There being no one coming forward, the mayor closed the public comment section.

IX. BUSINESS MATTERS REQUIRING FIRST READING

- 1. Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-268-2023) (Winkle/Morris)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND, WATER PROJECT FUND, AND SEWER PROJECT FUND BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND SERIES 2023; FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 2. Consideration of a Budget Ordinance to Appropriate \$44,000.00 from the Tennessee Highway Safety Office's (THSO) FY 2024 Grant (AF-292-2023) (Chief Dale Phipps)**

Motion made by Alderman Montgomery, Seconded by Alderman Phillips.

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, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

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- 3. Consideration of a Budget Ordinance to Appropriate \$20,000.00 from the Tennessee Highway Safety Office's (THSO) FY 2024 Coordinator Grant (AF-293-2023) (Chief Dale Phipps)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

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, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 4. Consideration of a Resolution and Ordinance to Approve a Change Order for the Main Street Rebuild and Streetscape Project (AF-295-2023) (Michael Thompson)**

Motion made by Alderman Olterman, Seconded by Vice Mayor George.

RESOLUTION NO. 2024-079 A RESOLUTION APPROVING CHANGE ORDER NO. 3 TO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND SUMMERS-TAYLOR, INC. FOR THE MAIN STREET REDEVELOPMENT PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE ORDER AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CHANGE ORDER

Passed: All present voting "aye."

Motion made by Alderman Duncan, Seconded by Vice Mayor George.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

X. BUSINESS MATTERS REQUIRING FINAL ADOPTION

- 1. Consideration of an Ordinance Amending Section 6-1 to Add the Definition of Barrel and to Repeal Section 6-169 in Its Entirety (AF-216-2023) (Chris McCartt)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

ORDINANCE NO 7103 AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, BY; AMENDING SECTION 6-1 RELATING TO INCLUDING THE DEFINITION OF BARRELL; TO REPEAL SECTION 6-169 IN ITS ENTIRETY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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Passed on second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 2. Consideration of an Ordinance to Amend Zoning of Tax Map 120, Parcel 3.20, Located Along Eastern Star Road and Fordtown Road from the B-3, Highway Oriented Business District to the R-3, Low Density Apartment District (AF-265-2023) (Ken Weems)**

Motion made by Alderman Duncan, Seconded by Alderman Phillips.

ORDINANCE NO 7104 AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG EASTERN STAR ROAD AND FORDTOWN ROAD FROM THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT 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 second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 3. Consideration of an Ordinance to Amend Zoning of Tax Map 120, Parcel 3.70, Located Along Fordtown Road from the B-3, Highway Oriented Business District and the M-1R, Light Manufacturing Restricted District to the R-3, Low Density Apartment District (AF-266-2023) (Ken Weems)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

ORDINANCE NO 7105 AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG FORDTOWN ROAD FROM THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT AND THE M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT 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 second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 4. Consideration of an Ordinance to Amend Zoning of Tax Map 106, Parcel 001.00 and Tax Map 0920, Group E, Parcel 043.00 Located Along Lebanon Road from the R-1B, Residential District to the PD, Planned Development District (AF-267-2023) (Jessica McMurray)**

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Motion made by Alderman Montgomery, Seconded by Alderman Cooper.

ORDINANCE NO 7106 AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG LEBANON ROAD FROM THE R-1B, RESIDENTIAL DISTRICT TO THE PD, PLANNED DEVELOPMENT 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 second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 5. Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund Budget (AF-273-2023) (David Frye)**

Motion made by Alderman Montgomery, Seconded by Alderman Phillips.

ORDINANCE NO 7107 AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 6. Consideration of an Ordinance to Condemn (AF-274-2023) (Ryan McReynolds)**

Motion made by Alderman Duncan, Seconded by Vice Mayor George.

ORDINANCE NO 7108 AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF A CERTAIN PUBLIC WORKS PROJECT; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

XI. OTHER BUSINESS

- 1. Consideration of a Resolution to Approve an Agreement with Source Technologies, LLC for Odor and Corrosion Control at Sewer Lift Stations (AF-275-2023) (Ryan McReynolds)**

Motion made by Vice Mayor George, Seconded by Alderman Duncan.

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RESOLUTION NO. 2024-065 A RESOLUTION APPROVING AN AGREEMENT WITH SOURCE TECHNOLOGIES, LLC 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. Consideration of a Resolution Naming the New Bike Park Facility - Brickyard Park Pump Track (AF-276-2023) (Michael Borders)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

RESOLUTION NO. 2024-066 A RESOLUTION APPROVING "BRICKYARD PARK PUMP TRACK" AS THE NAME FOR THE NEW BICYCLE FACILITY AT BRICKYARD PARK

Passed: All present voting "aye."

- 3. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Accept Federal and State Planning Funds from the Tennessee Department of Transportation on Behalf of the Kingsport MTPO (AF-284-2023) (Lesley Phillips)**

Motion made by Alderman Montgomery, Seconded by Vice Mayor George.

RESOLUTION NO. 2024-067 A RESOLUTION APPROVING A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE KINGSPORT METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

- 4. Consideration of a Resolution to Enter into a Memorandum of Understanding with Kingsport City Schools Designating the Civic Auditorium as a KCS Facility (AF-298-2023) (Michael T. Borders)**

Motion made by Alderman Duncan, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-068 A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH KINGSPORT CITY SCHOOLS FOR THE USE OF THE CIVIC AUDITORIUM 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."

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- 5. Consideration of a Resolution to Enter into a Lease Agreement with Sons and Daughters of Douglass for a Museum (AF-299-2023) (Michael T. Borders)**

Motion made by Alderman Cooper, Seconded by Vice Mayor George.

RESOLUTION NO. 2024-069 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT FOR THE USE OF SPACE AT V. O. DOBBINS SR. COMPLEX BY SONS AND DAUGHTERS OF DOUGLASS, INC. FOR A MUSEUM SPACE AND TO EXECUTE ANY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

- 6. Consideration of a Resolution to Appropriate Funds for the Purchase of Taser 7 Electronic Control Weapons (ECW) from Axon Enterprises Inc. for All Sworn Members of the Kingsport Police Department (AF-285-2023) (Chief Phipps)**

Motion made by Alderman Phillips, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-070 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO AXON ENTERPRISE, INC. FOR THE PURCHASE OF TASER 7 ELECTRONIC CONTROL WEAPONS FOR ALL SWORN MEMBERS OF THE KINGSFORT POLICE DEPARTMENT THROUGH AGREEMENT NO. 3544-21-4615 THROUGH THE OMNIA PARTNERS COOPERATIVE

Passed: All present voting "aye."

XII. CONSENT AGENDA *(These items are approved under one motion.)*

Motion made by Vice Mayor George, Seconded by Alderman Duncan.

Passed as presented with a roll call vote: Alderman Cooper, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 1. Consideration of a Resolution to Accept a Grant From Enbridge (AF-283-2023) (Chief Boyd)**

RESOLUTION NO. 2024-071 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM THE SAFE COMMUNITY FIRST RESPONDER PROGRAM OFFERED BY ENBRIDGE, INC. FOR THE KINGSFORT FIRE DEPARTMENT

- 2. Consideration of a resolution amending the FY 2022/2023 CDBG Sub-recipient Agreement with Holston Habitat for Humanity (AF-281-2023) (Michael Price)**

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RESOLUTION NO. 2024-072 A RESOLUTION AMENDING THE FISCAL YEAR 2022/2023 COMMUNITY DEVELOPMENT BLOCK GRANT SUB-RECIPIENT AGREEMENT WITH HOLSTON HABITAT FOR HUMANITY

- 3. Consideration of a Resolution Authorizing the Application and Receiving of Funding through the Tennessee State Museum Grant (AF-282-2023) (Michael Price)**

RESOLUTION NO. 2024-073 A RESOLUTION AUTHORIZING THE APPLICATION FOR AND RECEIPT OF GRANT FUNDS FROM THE TENNESSEE STATE MUSEUM GRANT AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

- 4. Consideration of a Resolution to Apply for and Receive a Tennessee Law Enforcement Officer Hiring, Training and Recruitment Program Grant from the State of Tennessee for FY 2024 (AF-290-2023) (Chief Dale Phipps)**

RESOLUTION NO. 2024-074 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE LAW ENFORCEMENT OFFICER, HIRING, TRAINING, AND RECRUITMENT PROGRAM GRANT FROM THE STATE OF TENNESSEE FOR THE KINGSPORT POLICE DEPARTMENT

- 5. Consideration of a Resolution Authorizing 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 Law Enforcement Hiring, Training, and Recruitment Program Grant for FY 2024 (AF-291-2023) (Chief Dale Phipps)**

RESOLUTION NO. 2024-075 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 STATE OF TENNESSEE FOR THE TENNESSEE LAW ENFORCEMENT HIRING, TRAINING, AND RECRUITMENT PROGRAM GRANT

- 6. Consideration of a Resolution Authorizing the City Manager to Purchase Chrysler Pacifica Vans for Kingsport City Schools' Activities (AF-296-2023) (David Frye)**

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RESOLUTION NO. 2024-076 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER WITH CHRYSLER DODGE JEEP RAM FIAT OF COLUMBIA FOR THE PURCHASE UP TO FIVE CHRYSLER PACIFICA VANS UTILIZING TENNESSEE STATEWIDE CONTRACT NO.: SWC209 AND TO EXECUTE ANY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

7. **Consideration to Approve Issuance of Certificate of Compliance for a Retail Food Store to Sell Wine** (AF-294-2023) (Angie Marshall)
8. **Consideration of a Resolution to Approve the Stormwater Annual Compliance Report for TDEC** (AF-287-2023) (Ryan McReynolds)

RESOLUTION NO. 2024-077 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STORMWATER ANNUAL COMPLIANCE REPORT REQUIRED BY THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

9. **Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Accept a Change Order for Software Products from Data-Drive** (AF-297-2023) (Chief D. Phipps)

RESOLUTION NO. 2024-078 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH DATADRIVEN, LLC FOR THE ACQUISITION OF LICENSES FOR THE WATSON RMS, WATSON PROPERTY AND EVIDENCE, AND WATSON VICE MODULES FOR THE KINGSFORT POLICE DEPARTMENT AND ANY OTHER DOCUMENTS NECESSARY TO ACCEPT THE AMENDMENT TO THE AGREEMENT

XIII. COMMUNICATIONS

1. City Manager

Mr. McCartt commented on the following item regarding debt obligation and the requirement of the letter to be spread across the minutes. He then asked City Recorder/Treasurer Lisa Winkle to provide further information and details.

2. Report on Debt Obligation

City Recorder/Treasurer Lisa Winkle discussed this item, noting this report must be filed with the comptroller and presented at a public meeting when new debt is issued.

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3. Mayor and Board Members

Alderman Duncan stated several hundred regional 4th graders attended Conservation Camp at Bays Mountain Park last week and thanked those who sponsored it. He mentioned the fall cleanup for Keep Kingsport Beautiful was about to start and invited citizens to join. Lastly he noted 107 baseball teams will be in town this weekend for a tournament. Alderman Cooper mentioned there are many exciting things happening in Downtown Kingsport and encouraged citizens to learn more details online. Mayor Shull pointed out Alderman Cooper recently became the Director for Friends in Need. She provided further details on this organization. Alderman Montgomery talked about Healthy Kingsport and the current as well as upcoming projects and events they have underway. KOSBE is also kicking off an event in conjunction with the Chamber promoting inclusivity among small businesses. Alderman Phillips mentioned the new fire truck push-in at the Fire Station last week, noting they look awesome. He also stated as a new kindergarten parent, he highly commended the School Resource Officers. Lastly, he noted the deadline for the Citizens Police Academy is later in the week and encouraged citizens to apply. Alderman Olterman asked everyone to support the DB football team. Vice-Mayor George provided some updates from Visit Kingsport and the many events they have brought to the area and how much it benefits Kingsport. Mayor Shull mentioned the TCAT program and how it goes hand in hand with programs at Dobyys-Bennett to help young people find a path that fits their interests and abilities. He also commented on the Main Street project noting the continued commitment of the City Manager and the Board to maintain outstanding infrastructure.


4. Visitors None.

XIV.ADJOURN

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 8:12 p.m.


ANGELA MARSHALL
Deputy City Recorder





PATRICK W. SHULL

Mayor