

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, July 5, 2016, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Colette George

Alderman Michele Mitchell

Alderman Tommy Olterman

Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mr. Reese Emory.
- II.B. **INVOCATION:** Vice Mayor Mike McIntire.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Alderman Mitchell recognized Risk Manager Terri Evans for being recently named president of the Public Risk Management Association.
- V. **APPROVAL OF MINUTES.**

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

A. June 20, 2016 Regular Work Session

B. June 21, 2016 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.** None.

**PUBLIC COMMENT.** Mayor Clark 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.**

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**1. Appropriate Funding from the Tennessee Arts Commission Arts  
Project Support Grant (AF: 178-2016) (Morris Baker).**

Motion/Second: George/Mitchell, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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

**1. Accept the State of Tennessee Department of Health Project  
Diabetes Grant and Appropriate Funds (AF: 173-2016) (Morris Baker).**

Motion/Second: George/Parham, to pass:

**ORDINANCE NO. 6588**, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**2. Amend Chapter 86 Solid Waste in Code of Ordinances (AF:  
172-2016) (Michael Thompson).**

Motion/Second: Olterman/Parham, to pass:

**ORDINANCE NO. 6589**, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, BY ADDING A SECTION TO CHAPTER 86, ARTICLE I, AUTHORIZING THE BOARD OF MAYOR AND ALDERMEN TO ESTABLISH FEES FOR GARBAGE, TRASH SERVICE AND LANDFILL FEES BY RESOLUTION; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, McIntire, Mitchell, Olterman and Parham voting "aye" and George voting "nay."

**3. Budget Cleanup Ordinance for FY16 (AF: 174-2016) (Jeff  
Fleming)**

Motion/Second: McIntire/Olterman, to pass:

**ORDINANCE NO. 6590**, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

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**D. OTHER BUSINESS.**

**1. Enter into a Professional Services Agreement with Barge Waggoner Sumner & Cannon, Inc. (BWSC) for Roadway Condition Assessment (AF: 181-2016) (Ryan McReynolds).**

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2017-001**, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH BARGE WAGGONER SUMNER & CANNON, INC., FOR ROADWAY CONDITION ASSESSMENT 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. Agreement with KHRA to Rehabilitate 378 of Its Public Housing Units and New Construction of Its Lee Apartments (AF: 162-2016) (Jeff Fleming)**

Motion/Second: Olterman/Duncan, to pass:

**Resolution No. 2017-002**, A RESOLUTION APPROVING A DONATION TO THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY FOR ITS THE REDEVELOPMENT PLAN TO REHABILITATE AND CONVERT 378 OF ITS PUBLIC HOUSING UNITS AT FRANK L. CLOUD HOMES, TIFFANY COURT APARTMENTS, DOGWOOD TERRACE, HOLLY HILLS APARTMENTS, THE RECENTLY ACQUIRED CHARLEMONT APARTMENTS, AND THE NEW CONSTRUCTION OF APPROXIMATELY 51 UNITS AS REPLACEMENT UNITS FOR LEE APARTMENTS ALL IN THE CITY OF KINGSPORT

Passed: All present voting “aye.”

**3. Amend the CDM Smith Contract to Include Additional Professional Services for Engineering During Construction and Resident Project Inspection to Match Actual Construction Duration (AF: 179-2016) (Ryan McReynolds).**

Motion/Second: McIntire/Mitchell, to pass:

**Resolution No. 2017-003**, A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC., TO INCLUDE RESIDENT PROJECT REPRESENTATION AND ENGINEERING DURING CONSTRUCTION; 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.”

**E. APPOINTMENTS/REAPPOINTMENTS.**

**Appointments/Reappointments are considered under one motion.**

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Motion/Second: George/Olterman, to approve:

**1. Appointment and Reappointments to the Kingsport Tree Advisory Board** (AF: 180-2016) (Mayor Clark).

Approve:

APPOINTMENT OF MR. DAVID WILLIAMS AND REAPPOINTMENTS OF MR. DAN WERNICK, MS. REBECCA THOMAS AND DR. TIMOTHY MARTIN TO SERVE TWO-YEAR TERMS ON THE **KINGSPORT TREE ADVISORY BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2018.

Passed: All present voting “aye.”

**2. Appointment and Reappointments to the Parks and Recreation Advisory Committee** (AF: 182-2016) (Mayor Clark).

Approve:

APPOINTMENT OF MS. PAM MAHAFFEY AND REAPPOINTMENTS OF MR. BRAD HOOVER AND MR. BOB JACK TO SERVE THREE-YEAR TERMS ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JUNE 30, 2019.

Passed: All present voting “aye.”

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

Motion/Second: McIntire/Mitchell, to adopt:

**1. Approve Agreements with Lincoln Memorial University, King University and Milligan College to Provide Classes at the Kingsport Center for Higher Education and to Approve Subleases to Said Entities by Northeast State Community College** (AF: 183-2016) (Chris McCartt).

Pass:

**Resolution No. 2017-004**, A RESOLUTION APPROVING AGREEMENTS WITH KING UNIVERSITY, LINCOLN MEMORIAL UNIVERSITY AND MILLIGAN COLLEGE PROVIDING CLASSES AT THE KINGSPORT CENTER FOR HIGHER EDUCATION; APPROVING SUBLEASES TO SAID ENTITIES BY NORTHEAST STATE COMMUNITY COLLEGE; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS OR THIS RESOLUTION

Passed: All present voting “aye.”

**2. Right-of-Way Easement with Kingsport Power Company** (AF: 185-2016) (Ryan McReynolds).

Pass:

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**Resolution No. 2017-005**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting “aye.”

**3. Release Agreement for Tennessee Farmers Mutual Insurance Company** (AF: 184-2016) (Mike Billingsley).

Pass:

**Resolution No. 2017-006**, A RESOLUTION APPROVING A RELEASE FOR PROPERTY DAMAGE FROM TENNESSEE FARMERS MUTUAL INSURANCE COMPANY FOR PROPERTY DAMAGE TO A PUBLIC WORKS SANITATION TRUCK THAT OCCURRED ON JUNE 6, 2016, AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE FOR PROPERTY DAMAGE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE

Passed: All present voting “aye.”

**4. Approve Issuance of Certificate of Compliance for Retail Food Store to Sell Wine** (AF: 186-2016) (Jim Demming).

Approve:

ISSUANCE OF CERTIFICATE OF COMPLIANCE FOR RETAIL FOOD STORE TO SELL WINE

Passed: All present voting “aye.”

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** None.

**B. MAYOR AND BOARD MEMBERS.** Alderman Duncan stated his tie was signed by the Funfest committee, inviting everyone to come out for the many events that are scheduled the 15<sup>th</sup> through the 23<sup>rd</sup>. He also commented on the girls’ basketball championship in town this week. Alderman Mitchell commended staff working through the rain during the event last night. She also promoted Thursday’s Sip N Stroll downtown. Alderman Parham recognized the leadership of KHRA by bringing the project to Kingsport. Alderman Olterman commented on the new wine sales in grocery stores starting July 1, noting it should help with the tax dollars we receive. He also commented on his son’s new business in downtown and commended his efforts to beautify Kingsport. Alderman George commented on Kitty Frazier’s presentation at the work session about the greenbelt and the great project it turned out to be. Vice-Mayor McIntire talked about the Liberty Celebration, noting there were probably 3,000 to 4,000 people in attendance. Mayor Clark stated the month of July has started really well for Kingsport, listing the many events coming to the area. He also commented on the July 4<sup>th</sup> parade, thanking the Boys and Girls Club for allowing him to participate with them by carrying the flag. The mayor also

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mentioned private property owners may be bringing new activities to Kingsport, such as river rafting, kayaking and bicycle rentals. Lastly, he stated last week was a good week for Healthy Kingsport, noting many highpoints that occurred.

**C. VISITORS.** None.

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

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor