

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, September 6, 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:** Alderman Tommy Olterman.
- II.B. **INVOCATION:** Minister Mike Beverly, Indian Springs Christian Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Keep Kingsport Beautiful – Robin Cleary (Alderman Duncan).
- V. **APPROVAL OF MINUTES.**

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

A. August 15, 2016 Regular Work Session

B. August 16, 2016 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Annex/Adopt Plan of Services for the 4308 Grey Fox Drive Annexation and Amend Zoning** (AF: 224-2016) (Jessica Harmon). City Planner Jessica Harmon gave a presentation on this item.

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

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Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2017-034, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 7th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE 4308 GREY FOX DRIVE ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting “aye” except George “abstaining.”

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ON GREY FOX DRIVE FROM COUNTY R-1, LOW DENSITY RESIDENTIAL DISTRICT TO CITY R-1B, SINGLE FAMILY RESIDENTIAL 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: All present voting “aye” except George “abstaining.”

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2017-035, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE 4308 GREY FOX DRIVE ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting “aye” except George “abstaining.”

2. Amend Zoning on Roller Street Located Behind the Kingsport City Schools and Press, LLC Building (AF: 229-2016) (Ken Weems).

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

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ROLLER STREET FROM R-4, MEDIUM DENSITY APARTMENT DISTRICT TO B-2E, CENTRAL BUSINESS EDGE DISTRICT IN THE 11TH 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.”

3. Amend Zoning Code Pertaining to Alcoholic Beverage Sales in the B-2, Central Business District (AF: 230-2016) (Ken Weems).

PUBLIC COMMENT ON ITEM VI.A.3. None.

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Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 114, SECTION 114-143; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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.

1. Appropriate Grant Funds and Transfer Funds to Purchase Property at Bays Mountain (AF: 233-2016) (Morris Baker, Ken Childress).

Motion/Second: Parham/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS AND BY TRANSFERRING FUNDS FROM VARIOUS PROJECTS FOR BAYS MOUNTAIN LAND ACQUISITION FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Amend Code of Ordinances to Authorize Enforcement of T.C.A. Section 6-54-133 Pertaining to the Removal of Vegetation and Debris from Certain Lots (AF: 235-2016) (Mike Billingsley).

Motion/Second: McIntire/Olterman, to pass:

AN ORDINANCE AMENDING SECTIONS 22-616 THROUGH 22-620 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, AUTHORIZING ENFORCEMENT OF TENNESSEE CODE ANNOTATED SECTION 6-54-113 PERTAINING TO THE REMOVAL OF VEGETATION AND DEBRIS FROM CERTAIN LOTS, INCLUDING THE PROCEDURE, PENALTY AND LIEN PROVISIONS; ADDING A SECTION NUMBERED SECTION 22-621 PERTAINING TO THE PROVISIONS BEING SUPPLEMENTAL TO SIMILAR AUTHORITY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Purchase Order to OW Hospitality to Provide Custom Axminster Carpeting for Renovations to the Meadowview Convention Center (AF: 228-2016) (Chris McCartt).

Motion/Second: George/Parham, to pass:

Resolution No. 2017-036, A RESOLUTION DECLARING OW HOSPITALITY, INC. A SOLE SOURCE; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER A PURCHASE ORDER WITH OW HOSPITALITY TO PROVIDE CUSTOM

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DESIGNED AXMINSTER CARPETING FOR THE MEADOWVIEW CONVENTION CENTER

Passed: All present voting “aye.”

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND THE REGIONAL SALES TAX FUND AND MEADOWVIEW PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

4. Accept a Donation from Domtar and Appropriate Funds (AF: 239-2016) (Craig Dye, Barry Brickey).

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2017-037, A RESOLUTION ACCEPTING A DONATION FROM DOMTAR PAPER COMPANY, LLC TO THE KINGSFORT FIRE DEPARTMENT

Passed: All present voting “aye.”

Motion/Second: Olterman/Mitchell, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM DOMTAR 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. Amend Zoning of a Portion of Parcel 1, Tax Map 46G, Located Adjacent to the Intersection of Gibson Mill Road and West Ravine Road (AF: 211-2016) (Ken Weems).

Motion/Second: Olterman/McIntire, to pass:

ORDINANCE NO. 6597, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO GIBSON MILL ROAD FROM R-1B, RESIDENTIAL DISTRICT TO B-4P, PLANNED BUSINESS DISTRICT IN THE 11TH 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: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

2. Annex/Adopt Plan of Services for the Camp Bays Mountain Annexation and Amend Zoning (AF: 212-2016) (Ken Weems).

Motion/Second: Olterman/George, to pass:

ORDINANCE NO. 6598, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO HOOD ROAD FROM

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COUNTY A-1, AGRICULTURAL DISTRICT TO CITY A-1, AGRICULTURAL 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: Clark, Duncan, George, McIntire, Mitchell,
Olterman and Parham voting "aye."

3. Budget Cleanup Ordinance for FY17 (AF: 215-2016) (Jeff
Fleming)

Motion/Second: Mitchell/McIntire, to pass:

ORDINANCE NO. 6599, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE
YEAR ENDING JUNE 30, 2017; 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."

4. Amend Agreements with Various Agencies and Organizations
(AF: 218-2016) (Jeff Fleming)

Motion/Second: Parham/Duncan, to pass:

ORDINANCE NO. 6600, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET
BY TRANSFERRING FUNDS IN THE SPECIAL PROGRAMS OPERATING BUDGET
FOR THE YEAR ENDING JUNE 30, 2017; 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."

D. OTHER BUSINESS.

**1. Reimburse Materials Agreement Funds to Gregory DePriest for
the Christ Fellowship Church Development** (AF: 222-2016) (Ryan McReynolds).

Motion/Second: George/Parham, to pass:

Resolution No. 2017-038, A RESOLUTION AUTHORIZING REIMBURSEMENT OF
MATERIALS AGREEMENT FUNDS TO GREGORY DEPRIEST FOR CHRIST
FELLOWSHIP CHURCH DEVELOPMENT

Passed: All present voting "aye."

**2. Designate the Circle at Federal Street and Pine Street in Honor
of Kingsport Resident PFC Jimmy Lewis Jones Who Died in Service to our Country
during the Vietnam War** (AF: 225-2016) (Jessica Harmon)

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Motion/Second: Olterman/Parham, to pass:

Resolution No. 2017-039, A RESOLUTION DESIGNATING THE CIRCLE AT PINE STREET AND FEDERAL STREET AS THE PFC JAMES "JIMMY" L. JONES MEMORIAL CIRCLE

Passed: All present voting "aye."

3. Amend City Personnel Policies and Procedures (AF: 227-2016)
(George DeCroes).

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2017-040, A RESOLUTION AMENDING RESOLUTION NO. 2008-096, A CORRECTIVE ACTION POLICY FOR CITY EMPLOYEES

Passed: All present voting "aye."

Motion/Second: George/Duncan, to pass:

Resolution No. 2017-041, A RESOLUTION AMENDING RESOLUTION NO. 2009-256, AN EMPLOYMENT POLICY FOR CITY EMPLOYEES

Passed: All present voting "aye."

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2017-042, A RESOLUTION AMENDING RESOLUTION NO. 2009-256, A GENERAL PROVISIONS POLICY FOR CITY EMPLOYEES

Passed: All present voting "aye."

4. FY17 Community Development Partner Agreements (AF: 234-2016) (Lynn Tully).

Motion/Second: Mitchell/McIntire, to pass:

Resolution No. 2017-043, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND EMERGENCY SOLUTIONS GRANT FUNDING IN FISCAL YEAR 2016-2017

Passed: All present voting "aye."

5. Initial Bond Resolution Authorizing the Issuance of General Obligation Public Improvement Bonds in an Amount Not to Exceed \$23,225,000 (AF: 231-2016) (Jim Demming).

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2017-044, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$23,225,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2016 OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

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6. Change Order #3 with DUCO Construction, LLC for the Greenbelt Pedestrian Bridge at Rotherwood (AF: 203-2016) (Ryan McReynolds).

Motion/Second: George/McIntire, to pass:

Resolution No. 2017-045, A RESOLUTION APPROVING CHANGE ORDER #3 TO THE CONTRACT WITH DUCO CONSTRUCTION, LLC. FOR THE GREENBELT PEDESTRIAN BRIDGE AT ROTHERWOOD PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

7. Authorize the Purchase of Disk Storage Space (AF: 236-2016) (Mark Woomeer, Chris McCartt).

Motion/Second: Parham/Mitchell, to pass:

Resolution No. 2017-046, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR NEW SERVER DISK SPACE FROM GOVCONNECTION

Passed: All present voting "aye."

8. Authorize the Purchase of Replacement PCs (AF: 240-2016) (Mark Woomeer, Chris McCartt).

Motion/Second: McIntire/George, to pass:

Resolution No. 2017-047, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR REPLACEMENT PERSONAL COMPUTERS FROM DELL, INC.

Passed: All present voting "aye."

9. Authorize a Contribution to KEDB for Economic or Industrial Development Purposes (AF: 241-2016) (Chris McCartt).

Motion/Second: Mitchell/Olterman, to pass:

Resolution No. 2017-048, A RESOLUTION APPROVING A CONTRIBUTION AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR THE PURCHASE OF REAL PROPERTY, 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."

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E. APPOINTMENTS/REAPPOINTMENTS.

1. Reappointment to the Regional Planning Commission (AF: 221-2016) (Mayor Clark).

Motion/Second: Parham/Olterman, to approve:
REAPPOINTMENT OF MR. MARK SELBY TO SERVE ANOTHER FOUR-YEAR TERM ON THE **REGIONAL PLANNING COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2020.

Passed: All present voting "aye."

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

Motion/Second: McIntire/George, to adopt:

1. Approval of Additional Easements and Rights-of-Way (AF: 210-2016) (Ryan McReynolds).

Pass:

APPROVAL OF ADDITIONAL EASEMENTS AND RIGHTS-OF-WAY

Passed: All present voting "aye."

2. Authorize the Mayor to Execute a Signature Authority Form Allowing the Chief of Police or Designee to Complete Grant Reports as Required by the U.S. Department of Justice (AF: 237-2016) (David Quillin).

Pass:

Resolution No. 2017-049, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SIGNATURE AUTHORITY CONSENT FORMS AND OTHER DOCUMENTS NECESSARY AND PROPER TO THE UNITED STATES DEPARTMENT OF JUSTICE AND TO DESIGNATE THE CHIEF OF POLICE AS HIS DESIGNEE TO EXECUTE GRANT REPORTS FOR GRANT NUMBER 2016-DJ-BX-0853 AND OTHER DOCUMENTS REQUIRED BY THE GRANTS FROM THE UNITED STATES DEPARTMENT OF JUSTICE

Passed: All present voting "aye."

3. Apply for and Receive Technical Support Grant from the Tennessee Arts Commission (AF: 223-2016) (Morris Baker).

Pass:

Resolution No. 2017-050, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN TECHNICAL SUPPORT GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed: All present voting "aye."

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4. Approve Issuance of Certificates of Compliance for Retail Food Stores to Sell Wine (AF: 220-2016) (Jim Demming).

Pass:

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

Passed: All present voting “aye.”

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming stated on Sunday, September 11th at the Holston Valley parking garage, there would be a stair climb of the same number of stairs climbed in the World Trade Center attack. He also promoted the “What’s Your 100?” campaign for the centennial celebration.

B. MAYOR AND BOARD MEMBERS. Alderman Duncan stated his tie was signed by the HOPE group and he provided details on this organization. He also commented on upcoming 9/11 services and expressed his appreciation for all first responders. Alderman Mitchell commented on the 100 acts of service from local non-profits and challenged everyone to join in. She also stated Healthy Kingsport would be meeting at the Chamber on September 8 for the family bike ride. Alderman Parham stated he was glad to be back in Kingsport after being gone last week. Alderman Olterman stated the Tennessee Highway Patrol had an event at Rock Springs Elementary and made his grandson and honorary trooper. He also commented on the Dobyys Bennett football team. Alderman George pointed out the football game coming up in Bristol, noting there will hopefully be 180,000 people visiting who will see how wonderful our region is. Alderman Mitchell pointed out the downtown will be closed off Friday night for tailgating events. Vice-Mayor McIntire welcomed East Tennessee State for starting a nursing program at the higher education center downtown. Mayor Clark commented nursing shortages are being seen across the country and more nurses will improve health care for everyone, stating it is a win-win. He mentioned the ONEKingsport movement continues with the Summit Advisory group in place. He further stated their goal is to advise the BMA on the key ideas and prioritizing of projects.

C. VISITORS. Ms. Mary McNabb commended the water department.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 7:59 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor