

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, October 6, 2015, 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:** Led by New Vision Youth.
- II.B. **INVOCATION:** Pastor Sam Ward, Mountain View United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

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

A. September 14, 2015 Regular Work Session

B. September 15, 2015 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend Zoning of the Enterprise Place Property Located at the Terminus of Enterprise Place** (AF: 263-2015) (Ken Weems). City Planner Ken Weems gave a brief presentation on this item.

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

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Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ENTERPRISE PLACE FROM B-4P, PLANNED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT 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 first reading: All present voting "aye."

2. Annex and Adopt Plan of Service for the O'Neill Annexation and Amend Zoning (AF: 272-2015) (Corey Shepherd). City Planner Corey Shepherd gave a presentation on this item.

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

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2016-060, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 7th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE O'NEILL ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting "aye."

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ROCK SPRINGS ROAD FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B & R-2, SINGLE FAMILY RESIDENTIAL & TWO-FAMILY RESIDENTIAL 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 on first reading: All present voting "aye."

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2016-061, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE O'NEILL ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: 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.

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B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Apply and Receive Special Opportunity Grant from the Tennessee Arts Commission to Participate in the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties and Appropriate Funding (AF: 245-2015) (Morris Baker).

Motion/Second: Parham/George, to pass:

Resolution No. 2016-062, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A SPECIAL OPPORTUNITY GRANT FROM THE TENNESSEE ARTS COMMISSION FOR THE AMERICANS FOR THE ARTS ECONOMIC PROSPERITY STUDY

Passed: All present voting "aye."

Motion/Second: Parham/Duncan, 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, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Appropriate the \$3,500 Library Services Technology Act Grant for the Library (AF: 258-2015) (Morris Baker).

Motion/Second: Mitchell/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE LIBRARY SERVICES TECHNOLOGY ACT GRANT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Appropriate Funding from the Criminal Forfeiture Fund (AF: 247-2015) (David Quillin).

Motion/Second: McIntire/Olterman, to pass:

AN ORDINANCE TO AMEND THE CRIMINAL FORFEITURE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Appropriate a \$20,000.28 Overtime Grant from the Governor's Highway Safety Office for Traffic Safety Enforcement (AF: 265-2015) (David Quillin).

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Motion/Second: Mitchell/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS - SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE GOVERNOR'S HIGHWAY SAFETY GRANT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Appropriate Funds for the Fleet Fund (AF: 266-2015)
(Steve Hightower).

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE TO AMEND THE FLEET FUND BUDGET BY APPROPRIATING FUNDS FROM FUND BALANCE AND BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE PROPANE GAS ASSOCIATION FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Amend Various Code Sections Pertaining to Code Enforcement Officers (AF: 262-2015) (Curtis Montgomery).

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 2-263, 2-264, AND 98-534 PROVIDING SCOPE OF DUTIES FOR CODE ENFORCEMENT OFFICERS IN THE DEPARTMENT OF DEVELOPMENT SERVICES AND BUILDING DEPARTMENT

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning of the Jefferson Gardens Property Located Behind the Indian Springs Shopping Center (AF: 240-2015) (Ken Weems).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6514, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO MEMORIAL BOULEVARD FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO PD, PLANNED DEVELOPMENT 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 on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

2. Budget Cleanup Ordinance for FY16 (AF: 256-2015)
(Jeff Fleming).

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Motion/Second: McIntire/Duncan, to pass:

ORDINANCE NO. 6515, 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."

3. Abandonment of Waterline Easement Across Property
(AF: 250-2015) (Ryan McReynolds)

Motion/Second: Duncan/Mitchell, to pass:

ORDINANCE NO. 6516, AN ORDINANCE ABANDONING A WATER LINE EASEMENT ON PROPERTY LOCATED AT 700 LYNN GARDEN DRIVE; 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. Appropriate \$21,953.00 from the USDOJ/Bureau of Justice Assistance Grant FY15 Local Solicitation (AF: 252-2015) (David Quillin)

Motion/Second: Olterman/Duncan, to pass:

ORDINANCE NO. 6517, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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."

5. Appropriate \$5,907.29 from the USDOJ/Bureau of Justice Assistance Bulletproof Vest Partnership Funding (AF: 253-2015) (David Quillin)

Motion/Second: George/McIntire, to pass:

ORDINANCE NO. 6518, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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."

D. OTHER BUSINESS.

1. Agreement for Paramedic/EMT Clinical Ride-Alongs
(AF: 226-2015) (Craig Dye, Scott Boyd).

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Motion/Second: Mitchell/Duncan, to pass:

Resolution No. 2016-063, A RESOLUTION APPROVING AGREEMENTS WITH NORTHEAST STATE COMMUNITY COLLEGE AND WALTERS 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

Passed: All present voting "aye."

2. Community Development Partner Agreements for FY16
(AF: 271-2015) (Lynn Tully)

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2016-064, 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 2015-2016

Passed: All present voting "aye."

3. Amend Agreement with TDOT for Portable Camera Equipment Purchase (AF: 267-2015) (Ryan McReynolds).

Motion/Second: Duncan/George, to pass:

Resolution No. 2016-065, A RESOLUTION APPROVING AMENDMENT 1 TO AGREEMENT NO. 140083 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE PORTABLE CAMERA PURCHASE; 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."

4. Riverbend Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Project Area (AF: 264-2015) (Lynn Tully).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2016-066, A RESOLUTION APPROVING THE RIVERBEND REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

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

Motion/Second: Parham/Olterman, to adopt:

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1. Application and Acceptance of Contract with TDOT for Federal and State Transportation Planning Funds for MTPO (AF: 261-2015) (Bill Albright).

Pass:

Resolution No. 2016-067, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

Passed: All present voting "aye."

2. Agreement Allowing the Kingsport Fire Department as an In-House Repair Center for Self-Contained Breathing Apparatuses (AF: 260-2015) (Scott Boyd).

Pass:

Resolution No. 2016-068, A RESOLUTION APPROVING AN AGREEMENT WITH SCOTT TECHNOLOGIES, INC., 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."

3. Lease Agreement with the Kingsport Convention and Visitors Bureau for Hunter Wright Stadium (AF: 269-2015) (Chris McCartt).

Pass:

Resolution No. 2016-069, A RESOLUTION APPROVING A LEASE AGREEMENT WITH THE KINGSFORT CONVENTION AND VISITORS BUREAU FOR HUNTER WRIGHT STADIUM 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."

4. Amend Permanent Easement Agreement with Kingsport Hotel LLC (AF: 259-2015) (Chris McCartt).

Pass:

Resolution No. 2016-070, A RESOLUTION APPROVING AN AMENDMENT TO THE PERMANENT EASEMENT AGREEMENT WITH KINGSFORT HOTEL, LLC.; 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."

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**5. Execute and File Contracts/Documents for Tennessee
Department of Transportation (AF: 268-2015) (Chris McCartt).**

Pass:

Resolution No. 2016-071, A RESOLUTION AUTHORIZING MAYOR TO EXECUTE DOCUMENTS AND CONTRACTS FOR THE TENNESSEE DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE CITY

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming recognized city employees Rodney Deel and Bob Fickle for recent awards and certificates they received, pointing out the professional development of city staff.

B. MAYOR AND BOARD MEMBERS. Alderman Duncan stated his tie tonight was signed by Ms. Kendall's second grade class at Kennedy school. He also congratulated Armstrong Construction for reaching the 100 year milestone. Alderman Mitchell commented on her recent school tour, noting it was very impactful and talked about the leadership development program for the students. She also gave details on the startup weekend coming up with AccelNow and PEAK at Innovation Forge and how it will provide an opportunity to pitch business ideas and develop networks. Alderman Parham recognized City Recorder Jim Demming for all of his recent work with the bonds. He also pointed out the Farmer's Market was identified as the finest in northeast Tennessee for the third year in a row. Alderman Olterman congratulated staff, KCVB, and the Mets for improving the facility at Hunter Wright Stadium. Alderman George mentioned that as it gets closer to the holidays, the local blood banks are in need of more blood and platelets. Vice-Mayor McIntire commented on a neighborhood that awarded one of its residents \$1,000 for the most improved appearance. Mayor Clark provided highlights from September and October about Kingsport relating to housing, downtown, education, marketing, the upcoming summit, and also health and wellness.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 7:55 p.m.


ANGELA MARSHALL
Deputy City Recorder


JOHN CLARK
Mayor