

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, November 18, 2014, 7:00 PM  
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen  
Mayor Dennis R. Phillips, Presiding  
Alderman John Clark  
Alderman Colette George  
Alderman Andy Hall  
Vice-Mayor Mike McIntire  
Alderman Tom C. Parham  
Alderman Tom Segelhorst

City Administration  
Jeff Fleming, City Manager  
Joseph E. May, Interim City Attorney  
James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mary McNabb.
- II.B. **INVOCATION:** Mitch Whisnant, Associate Minister, First Baptist Church
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
  - 1. Recognition of Ronnie Hammonds, TCAPWA Public Works Leader of the Year, A.C. Lock Award – Ryan McReynolds
  - 2. Recognition of Police Officer Seth Brumfield for giving his raincoat to a child at a bus stop. – Chief Quillin

Mayor Phillips also recognized the new Human Resources Manager as well as high school students in attendance.

V. **APPROVAL OF MINUTES.**

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

- A. November 3, 2014 Regular Work Session
- B. November 4, 2014 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

- 1. **Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114, Article VI, Parking and Loading, by Adding a Bicycle Parking Requirement (AF: 304-2014) (Ken Weems).**

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

Motion/Second: McIntire/Clark, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-1 BY ADDING A DEFINITION OF SHORT TERM BICYCLE PARKING FACILITY; ADDING A NEW SECTION PERTAINING TO BICYCLE PARKING REQUIREMENT FOR BUSINESS AND RELATED USES; ADDING A NEW SECTION PERTAINING TO PARCELS REQUIRING BICYCLE PARKING; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**A. PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. Ms. Juanita Mitchell, a teacher at Dobyns Bennett High School and Board of Education member Carrie Upshaw spoke in favor of Item VI.B.5.

**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration of an Ordinance to Condemn for Easements and Right-of-Ways for Phase II of the West Sullivan Street Road Widening Project (AF: 296-2014) (Mike Billingsley).**

Motion/Second: McIntire/Parham, to pass:

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 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 first reading: All present voting "aye."

**2. Consideration of an Ordinance to Condemn for Easements and Right-of-Ways for the Reedy Creek Trunk Line Improvements Project (AF: 297-2014) (Mike Billingsley).**

Motion/Second: George/Hall, to pass:

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 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 first reading: All present voting "aye."

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**3. Consideration of an Ordinance Implementing a Community Notification System for Sexual Offenders and Establishing a Fee to be Paid by the Offender** (AF: 285-2014) (Chief Quillin). Alderman George made a motion to amend Section One of the Ordinance by deleting the section that references notification by mail. She explained the justification for this amendment and the ramifications that could apply to homeowners. Alderman Parham seconded this motion with all present voting "aye" except for Alderman Clark voting "nay." Chief Quillin provided further details. Attorney May confirmed for Alderman Segelhorst the city would still be in compliance with state law with the amendment in place.

Motion/Second: Parham/Segelhorst, to pass as amended:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT BY ADDING A SECTION IMPLEMENTING A COMMUNITY NOTIFICATION SYSTEM FOR SEXUAL OFFENDERS AS AUTHORIZED BY TENNESSEE CODE ANNOTATED SECTION 40-39-217; ESTABLISHING A FEE PAID BY THE OFFENDER; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: George, Hall, McIntire, Parham, Segelhorst and Phillips voting "aye" and Clark voting "nay."

**4. Consideration of an Ordinance to Establish Funds and Budgets for Department of Education Active Employees Health Insurance and Department of Education Retiree Health Insurance** (AF: 309-2014) (David Frye).

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO ESTABLISH NEW FUNDS AND BUDGETS FOR KINGSPORT CITY SCHOOLS ACTIVE EMPLOYEES HEALTH INSURANCE AND RETIREE HEALTH INSURANCE; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**5. Consideration of an Ordinance to Amend the FY15 General Purpose School Fund Budget** (AF: 308-2014) (David Frye). Alderman Segelhorst stated he would vote no on this item out of fairness to all city employees. Alderman Parham noted communication from the Board of Education beforehand would have been beneficial and listed many accomplishments by the school system. Alderman Clark stated management should have flexibility and discretion to use funds that have been approved by the BMA. Alderman George commented on previous budget decisions made on behalf of the schools that will not allow the city to give a bonus across the board to non-school employees now. Alderman Hall pointed out this money could be used to buy laptops for the sixth grade students. Vice-Mayor McIntire stated there were other ways to thank the teachers, but at a lower cost. Mayor Phillips explained the Board supports the teachers and the schools, however, the better use for this money would be to purchase computers. The mayor also pointed out that the city manager received notice of this ordinance just hours before the Board of Education approved it, with no prior discussion.

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Motion/Second: Parham/Clark, to pass:

**AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET;  
AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Failed on first reading: George, Hall, McIntire, Segelhorst and Phillips voting "nay" and  
Clark and Parham voting "aye."

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

**1. Consideration of a Budget Ordinance to Appropriate  
\$37,452.00 from the Tennessee Department of Transportation/Governor's  
Highway Safety Office 2014 Solicitation (AF: 291-2014) (David Quillin).**

Motion/Second: Segelhorst/George, to pass:

**ORDINANCE NO. 6448, 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, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on second reading in a roll call vote: Clark, George, Hall, McIntire, Parham,  
Segelhorst and Phillips voting "aye."

**2. Consideration of a Budget Ordinance Appropriating Available  
Funds to MPO15B for the Purchase of Portable Camera Equipment (AF: 263-2014)  
(Ryan McReynolds).**

Motion/Second: George/Segelhorst, to pass:

**ORDINANCE NO. 6449, AN ORDINANCE TO AMEND THE MPO FUND BUDGET BY  
APPROPRIATING GRANT FUNDS FOR A PORTABLE CAMERA; AND TO FIX THE  
EFFECTIVE DATE OF THIS ORDINANCE**

Passed on second reading in a roll call vote: Clark, George, Hall, McIntire, Parham,  
Segelhorst and Phillips voting "aye."

**3. Consideration of an Ordinance to Amend the General Project  
Fund Budget by Appropriating General Obligation Public Improvement Bond  
Series 2014A and Amend the Water and Sewer Project Fund Budget by  
Appropriating General Obligation Public Improvement Bond Series 2014B  
(AF: 293-2014) (Jeff Fleming).**

Motion/Second: McIntire/Segelhorst, to pass:

**ORDINANCE NO. 6450, AN ORDINANCE TO AMEND THE GENERAL PROJECT  
FUND, SOLID WASTE PROJECT FUND AND THE WATER AND SEWER FUND  
BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT  
BOND, SERIES 2014B; FOR THE FISCAL YEAR ENDING JUNE 30, 2015; AND, TO  
FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on second reading in a roll call vote: Clark, George, Hall, McIntire, Parham,  
Segelhorst and Phillips voting "aye."

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**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Approving Updates to the City's Substance Abuse Policy Consistent with Federal Transit Authority Regulations (AF: 306-2014) (Chris McCartt).**

Motion/Second: Segelhorst/McIntire, to pass:

**Resolution No. 2015-088, A RESOLUTION AMENDING THE FEDERAL TRANSIT AUTHORITY SUBSTANCE ABUSE POLICY FOR CITY EMPLOYEES**

Passed: All present voting "aye."

**2. Consideration of a Resolution Amending Kingsport Power Company Easement at Wastewater Treatment Plant Substation for Installation of New Control Building (AF: 295-2014) (Niki Ensor).**

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2015-089, A RESOLUTION APPROVING A SUPPLEMENTAL EASEMENT WITH KINGSFORT POWER COMPANY AT THE WASTEWATER TREATMENT PLANT SUBSTATION FOR THE INSTALLATION OF A NEW CONTROL BUILDING; AUTHORIZING THE MAYOR TO EXECUTE THE SUPPLEMENTAL EASEMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT**

Passed: All present voting "aye."

**3. Item Withdrawn**

**4. Item Withdrawn**

**5. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply and Receive the Assistance to Firefighters (AFG) Grant through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 300-2014) (Craig Dye).**

Motion/Second: McIntire/Segelhorst, to pass:

**Resolution No. 2015-090, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE UNITED STATES FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY FOR THE KINGSFORT FIRE DEPARTMENT**

Passed: All present voting "aye."

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**6. Consideration of a Resolution Approving an Agreement with MetLife Insurance Company for FICA Remittance for Employee Long-Term Disability Insurance and Authorizing the Mayor to Execute the Same (AF: 298-2014) (George DeCroes).**

Motion/Second: George/Segelhorst, to pass:

**Resolution No. 2015-091, A RESOLUTION APPROVING AN AGREEMENT WITH METLIFE INSURANCE COMPANY FOR FICA REMITTANCE FOR EMPLOYEE LONG TERM DISABILITY INSURANCE 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."

**7. Consideration of a Resolution to Approve the Lease Agreement with Alex Stratton and to Allow the Mayor to Sign All Documents Necessary and Proper as They Pertain to the Lease (AF: 287-2014) (Lynn Tully).**

Motion/Second: Parham/Clark, to pass:

**Resolution No. 2015-092, A RESOLUTION APPROVING A LEASE AGREEMENT WITH ALEX STRATTON; 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."

**8. Consideration of a Resolution Authorizing the Mayor to Execute a License Agreement with the Rotary Club of Kingsport Foundation Authorizing the Construction of a Storage Room in Order to Store Clothing Provided Annually to Kingsport City School Students (AF: 294-2014) (Chris McCartt).**

Motion/Second: Parham/George, to pass:

**Resolution No. 2015-093, A RESOLUTION APPROVING A REVOCABLE LICENSE AGREEMENT WITH THE ROTARY CLUB OF KINGSFORT FOUNDATION FOR SPACE AT 400 CLINCHFIELD STREET 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" except Phillips and McIntire "abstaining."

**9. Consideration of Approval of Offer for Additional Easements and Right-of-Ways for Phase 2 of the Hidden Acres/Peppertree Sanitary Sewer Extension Project (AF: 305-2014) (Ryan McReynolds).**

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Motion/Second: Segelhorst/McIntire, to approve:

OFFER FOR ADDITIONAL EASEMENTS AND RIGHT-OF-WAYS FOR PHASE 2 OF  
THE HIDDEN ACRES/PEPPERTREE SANITARY SEWER EXTENSION PROJECT

Passed in a roll call vote: Clark, George, Hall, McIntire, Parham, Segelhorst and  
Phillips voting "aye."

**10. Consideration of a Resolution Authorizing the Mayor to Sign  
All Documents Necessary and Proper to Enter into an Agreement with the  
Kingsport Chamber Foundation to Lease with an Option to Purchase Unfinished  
Space Located at 400 Clinchfield Street (AF: 307-2014) (Chris McCartt).**

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2015-094**, A RESOLUTION APPROVING A LEASE AGREEMENT  
WITH THE KINGSFORT CHAMBER FOUNDATION FOR SPACE LOCATED IN UNIT  
210, 400 CLINCHFIELD CONDOMINIUMS 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."

**E. APPOINTMENTS/REAPPOINTMENTS.** None.

**VII. CONSENT AGENDA.** None.

**VIII. COMMUNICATIONS.**

**A. CITY MANAGER.** Mr. Fleming stated the City of Kingsport was in the top ten of organizational donors to the United Way. He also noted that at the Governor's Conference for Economic Development, downtown Kingsport was recognized in all available categories as a role model for downtowns. Mr. Fleming also read a thank you letter from Gate City for assisting in locating a water leak.

**B. MAYOR AND BOARD MEMBERS.** Alderman Segelhorst congratulated the Dobyys Bennett band on their finish at a competition in Indianapolis. He also expressed pride in the recognition of all the downtown improvements. Alderman George commented on the many upcoming activities this weekend, including the Santa Train and the Christmas Parade. She wished everyone a happy Thanksgiving and asked citizens to remember those who are less fortunate during the holidays. Alderman Hall thanked Randy Montgomery for coming to the work session last night and spending a lot of time to participate in the discussion. Alderman Clark commented on the academic, athletic and band success this fall for Dobyys Bennett. He also talked about his participation in the Citizen's Police Academy and recommended everyone to go through it. Alderman Parham agreed. He also commented on the discussion regarding the bonuses for the school system, stating he respected

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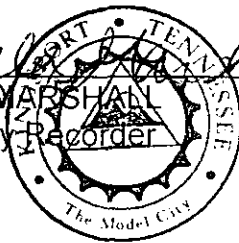
everyone's remarks. Mr. Parham stated there were many Veteran's Day recognitions in Kingsport and commented on the loss of Mike Faulk. Vice-Mayor McIntire wished Alderman Parham a belated happy birthday. He also encouraged everyone to give thanks for all we have during Thanksgiving, as we are part of blessed community, state and nation. He congratulated BOE member Susan Lodal for being elected president of the Tennessee Education Association. Mayor Phillips pointed out the BMA meeting is now being broadcast on Channel 192. The mayor commented on the loss of Ross Kingdon. He also gave details on the generous United Way donations made by the city. Mr. Phillips noted there was an article about Pal's restaurant in the Washington Post yesterday, which has brought great recognition to the business.

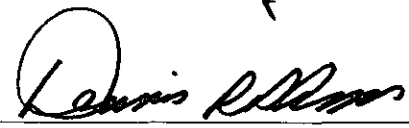
**C. VISITORS.** Ms. Mary McNabb thanked the Board for the action taken on Item VI.B.5 and for everything they do for the citizens. Mr. Calvin Clifton, president of TCAPWA, congratulated Ronnie Hammonds for his award. He also stated he appreciated the logic and rationale each board member gave regarding Item VI.B.5.

**D. CITY RECORDER.** City Recorder Demming presented to the Board the submission to the State of Tennessee reports on debt obligations.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder



  
DENNIS R. PHILLIPS  
Mayor