

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, February 2, 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:** Ron George.

II.B. **INVOCATION:** Minister Penny Hagy, Evangel Family Worship Center.

III. **ROLL CALL:** By City Recorder Demming. All Present.

IV. **RECOGNITIONS AND PRESENTATIONS.**

1. Budget Award – Judy Smith & John Morris – Jeff Fleming.

2. Excellence in Snow Operations – Ronnie Hammonds, Rodney Deal, Greg Willis, Lewis Bausell, Jason Neely, Dana Bernard and Steve Hightower Accepting on Behalf of the Entire Public Works Department – Ryan McReynolds.

V. **APPROVAL OF MINUTES.**

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

A. January 14, 2016 Called Work Session

B. January 19, 2016 Work Session

C. January 19, 2016 Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits (AF: 28-2016) (Corey Shepherd).**

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

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-242(3) BY ADDING A PARAGRAPH PERTAINING TO MINOR IMPROVEMENTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Amend the Zoning Ordinance to Create the B-2E Central Business Edge District to Better Accommodate Existing and Proposed Uses Downtown (AF: 12-2016) (Justin Steinmann).

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

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown (AF: 13-2016) (Justin Steinmann).

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

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PORTIONS OF DOWNTOWN FROM B-2, CENTRAL BUSINESS 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."

4. Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 25-2016) (Justin Steinmann).

PUBLIC COMMENT ON ITEM VI.A.4. None.

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, ORDINANCE 6475; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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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. Ordinance to Condemn (AF: 21-2016) (Mike Billingsley).

Motion/Second: Duncan/Mitchell, 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 PROJECTS; 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. Condemn Property for the Indian Highland Park Parking Lot Project (AF: 27-2016) (Mike Billingsley).

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE TO AUTHORIZE AND TO 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 WIT, INDIAN HIGHLAND PARK PARKING LOT 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."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Public Hearing and Consideration of an Ordinance to Annex/Amend Zoning of the Childress Ferry Road 2015 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 05-2016) (Curtis Montgomery).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6537, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO CHILDRESS FERRY ROAD FROM A-1, AGRICULTURE DISTRICT TO R-1B, 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 on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Oltman and Parham voting "aye."

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2. Award Contract and Transfer Funds for Sanitary Sewer Facilities and Waterline Upgrades – Colonial Heights Phase 2 Project (AF: 07-2016) (Ryan McReynolds).

Motion/Second: Parham/Duncan, to pass:

ORDINANCE NO. 6538, AN ORDINANCE TO AMEND THE WATER PROJECT AND SEWER PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE COLONIAL HEIGHTS PHASE 2 PROJECT 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. Amend the FY16 CDBG Budget (AF: 16-2016) (Lynn Tully).

Motion/Second: McIntire/Mitchell, to pass:

ORDINANCE NO. 6539, AN ORDINANCE TO AMEND VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT 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.”

4. Amend the FY16 General Project Fund Budget (AF: 14-2016) (David Frye).

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6540, AN ORDINANCE TO AMEND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL 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. Franchise Agreement with Kingsport Power Company (dba American Electric Power) and an Ordinance Establishing the Franchise Fee (AF: 20-2016) (Ryan McReynolds).

Motion/Second: Duncan/Olterman, to pass:

ORDINANCE NO. 6541, AN ORDINANCE GRANTING KINGSFORT POWER COMPANY D/B/A AEP APPALACHIAN POWER AN ELECTRIC UTILITY FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF

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KINGSPORT, TENNESSEE; 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."

Motion/Second: Olterman/McIntire, to pass:

ORDINANCE NO. 6542, AN ORDINANCE ENACTING A FRANCHISE FEE FOR THE USE BY KINGSPORT POWER COMPANY D/B/A AEP APPALACHIAN POWER OF THE PUBLIC STREETS, ALLEYS, OTHER PUBLIC PLACES FOR ITS FRANCHISE FOR A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSPORT, TENNESSEE; 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."

6. Budget Cleanup Ordinance for FY16 (AF: 18-2016)
(Jeff Fleming).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6543, 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."

D. OTHER BUSINESS.

1. Purchase of Heart Monitors from Physio Controls, Inc.
(AF: 23-2016) (Scott Boyd).

Motion/Second: Duncan/Mitchell, to pass:

Resolution No. 2016-111, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR FOUR LIFEPAK 15 HEART MONITORS FROM PHYSIO CONTROL, INC.

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

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

Motion/Second: Parham/Mitchell, to adopt:

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1. Right-of-Way Easement with Kingsport Power Company
(AF: 19-2016) (Ryan McReynolds).

Pass:

Resolution No. 2016-112, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

2. Adoption of the Sullivan County Basic Emergency Operations Plan
(AF: 26-2016) (Scott Boyd).

Pass:

Resolution No. 2016-113, A RESOLUTION APPROVING THE SULLIVAN COUNTY BASIC EMERGENCY OPERATIONS PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE LETTER OF AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PLAN AND THE LETTER OF AGREEMENT

Passed: All present voting "aye."

VIII. COMMUNICATIONS.


A. CITY MANAGER. Mr. Fleming talked about the management of projects in the city, as well as the quality of water in Kingsport, highlighting several employees.

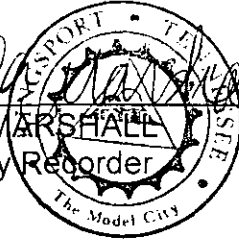
B. MAYOR AND BOARD MEMBERS. Alderman Duncan stated his tie was signed by Ms. Pruitt's class at St. Dominic School. He also encouraged everyone to buy local and support small business owners. Alderman Mitchell made comments regarding the United Way and their services. Alderman Parham stated Meadowview was recognized as the #1 guest satisfaction in a chain. He pointed out home sales were the best since 2008. Mr. Parham also mentioned an upcoming fundraiser dinner for the SBK Animal Shelter. Alderman Olterman commended staff for their hard work and long hours during the recent snow. He also wished his wife a happy anniversary. Alderman George commented on the recent grand opening of Pur Foods, noting it was a wonderful facility and went hand in hand with Healthy Kingsport. She also commented on the library and its patronage. Vice-Mayor McIntire stated the agreement with Kingsport Power has been in place for 99 years, noting the new agreement was a major event and thanked all the staff involved to allow it to move forward. Mayor Clark commented on the meetings of the post summit groups. He also thanked the students from Mr. Good's class for being present.


C. VISITORS. None.

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IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:07 p.m.


ANGELA MARSHALL
Deputy City Recorder




JOHN CLARK
Mayor