

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, March 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

Vice-Mayor Mike McIntire

Alderman Tom C. Parham

Alderman Tom Segelhorst

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** City Planner Ken Weems.
- II.B. **INVOCATION:** Father Mike Nolan – St. Dominic's Catholic Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

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

A. March 3, 2014 Regular Work Session

B. March 4, 2014 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

1. **Motion to interview City Manager candidates.** This item was added to the agenda by the mayor as a result of a discussion from the work session earlier today.

Motion/Second: Segelhorst/McIntire, to pass:

MOTION TO INTERVIEW THE FOLLOWING CANDIDATES FOR THE POSITION OF CITY MANAGER: JEFF FLEMING, RUSSELL HAWES, SUE MCLAUGHLIN AND DAN PORTA. IN THE EVENT ONE OF THESE FOUR INDIVIDUALS IS NOT SCHEDULED FOR AN INTERVIEW, EITHER BY THEIR CHOICE OR THE BOARD'S CHOICE, THE ALTERNATE WILL BE JACK HAMLETT.

Passed: All present voting "aye."

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AA. PUBLIC HEARINGS.

1. Public Hearing for Annexation Annual Plan of Services Report (AF: 57-2014). Planner Corey Shepherd gave a brief presentation on this item.

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

2. Public Hearing and Consideration of an Ordinance to Amend the Code of Ordinances, Chapter 114, Article IV, Signs (AF: 46-2014). Planner Ken Weems gave a brief presentation on this item. Alderman Parham pointed out his does not hinder the approval process in any way, but does provide better service to our developers.

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

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-533(9)(a) PERTAINING TO APPROVAL OF SIGNS IN THE B-4P ZONING DISTRICT.; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Public Hearing and Consideration of an Ordinance to Amend the Code of Ordinances, Section 114-133, Accessory Building Location and Height (AF: 47-2014). Planner Ken Weems gave a brief presentation on this item.

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

Motion/Second: McIntire/Clark, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-133(2) PERTAINING TO THE LOCATION OF ACCESSORY BUILDINGS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Public Hearing and Consideration of an Ordinance to Amend the Code of Ordinances, Division 6, Planned Development District (PD) (AF: 48-2014). Planner Ken Weems gave a brief presentation on this item. He noted before proceeding with this change staff reviewed this with local builders, design professionals, developers as well as the Homebuilders Association. Alderman George expressed her concern regarding upper levels of density and asked the staff and the planning commission to keep that in mind if the situation presents.

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

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Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SEC. 114-1 PERTAINING TO DEFINITIONS AND SECTIONS 114-298 THROUGH 114-307 PERTAINING TO VARIOUS CHANGES IN THE PLANNED DEVELOPMENT ZONING DISTRICT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Public Hearing and Consideration of an Ordinance to Amend the Code of Ordinances, Chapter 114, Article 1, Definitions, Article 3, Districts, 114-192, 114-194, 114-195, 114-197, 114-225, 114-353, 114-380 and 114-383 (AF: 58-2014). Planner Corey Shepherd gave a brief presentation on this item, noting staff tried to take a pro-active approach to regarding establishments such as wineries, breweries and distilleries, which are exploding in growth in the area.

PUBLIC COMMENT ON ITEM VI.AA.5. None.

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-1 PERTAINING TO DEFINITIONS; SECTION 114-192(a)(9), PERTAINING TO PRINCIPAL USES IN TOURIST ACCOMMODATION DISTRICTS; SECTION 114-194(a)(4) PERTAINING TO PRINCIPAL USES IN CENTRAL BUSINESS DISTRICTS; SECTION 114-195(a)(3) PERTAINING TO PRINCIPAL USES IN HIGHWAY ORIENTED BUSINESS DISTRICTS; SECTION 114-197(b)(3) PERTAINING TO PRINCIPAL USES IN LIGHT MANUFACTURING DISTRICTS; SECTION 114-225 PERTAINING TO PERMITTED USE IN PLANNED BUSINESS CONFERENCE DISTRICTS; SECTION 114-353(5) PERTAINING TO PERMITTED PRINCIPAL USES IN MIXED-USE DISTRICTS; SECTION 114-380(4) PERTAINING TO PERMITTED PRINCIPAL USES IN BUSINESS CONFERENCE CENTER DISTRICTS; SECTION 114-383(3) PERTAINING TO PROHIBITED USES IN BUSINESS CONFERENCE CENTER DISTRICTS; AND ALL WHICH AMENDMENTS ARE PERTAINING TO BREWPUBS, CRAFT BREWERIES, WINERIES AND DISTILLERIES; 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. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Amend the Water Fund Project by Transferring Funds to Purchase Property Adjacent to the Water Plant (AF: 59-2014).

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Motion/Second: George/Parham, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY APPROPRIATING FUNDS TO THE WATER PLANT IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of a Budget Ordinance Appropriating Available Funds to Center Street Island Improvements Project from Rock Springs Road Improvements Phase 2 Project (AF: 60-2014).

Motion/Second: George/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE CENTER STREET ISLAND IMPROVEMENT PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Enter into a Lease Agreement with the Tricities Farmers' Association for Retail Marketing to Extend the Current Lease Until December 31, 2014 (AF: 54-2014).

Motion/Second: Clark/George, to pass:

Resolution No. 2014-148, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE LEASE OF REAL PROPERTY LOCATED AT 308 CLINCHFIELD STREET WITH THE TRICITIES FARMERS' ASSOCIATION FOR USE AT THE FARMER'S MARKET

Passed: All present voting "aye."

2. Consideration of a Resolution to Amend the Agreement with the State of Tennessee Department of Transportation (TDOT) for Sidewalk Improvements along SR-126 from the Holston River Sluice Northeast of Wilcox Court to Industry Drive and Authorizing the Mayor to Sign All Applicable Documents (AF: 61-2014).

Motion/Second: Segelhorst/Clark, to pass:

Resolution No. 2014-149, A RESOLUTION APPROVING AN AGREEMENT AND A REVISED EXHIBIT A WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION FOR SIDEWALK IMPROVEMENTS ALONG WILCOX DRIVE (SR126) FROM THE HOLSTON RIVER SLUICE TO INDUSTRY DRIVE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER

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DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF
THE AGREEMENT

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Execution of an Amendment to the Agreement with Gordon Food Service that Expired on February 28, 2014, and Consideration of a Resolution Authorizing the Execution of an Amendment to the Current Agreement with Gordon Food Service and Authorizing the Mayor to Sign All Applicable Documents (AF: 63-2014).

Motion/Second: Parham/Clark, to pass:

Resolution No. 2014-150, A RESOLUTION APPROVING AN AMENDMENT TO AGREEMENTS WITH GORDON FOOD SERVICE AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

4. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute All Documents Necessary for Property Acquisition for the Raw Water Transmission and Pump Station Improvements Project (AF: 44-2014).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2014-151, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF 0.65 ACRE TRACT OF REAL PROPERTY FOR THE RAW WATER TRANSMISSION AND PUMP STATION IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT, IF NECESSARY; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

5. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Law Enforcement Agency Traffic Services Safety Grant from the Tennessee Department of Transportation, Governor's Highway Safety Office (AF: 64-2014).

Motion/Second: Segelhorst/George, to pass:

Resolution No. 2014-152, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A LAW ENFORCEMENT AGENCY TRAFFIC SERVICES SAFETY GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION GOVERNOR'S HIGHWAY SAFETY OFFICE

Passed: All present voting "aye."

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6. Consideration of a Resolution Authorizing the Mayor to Execute a New Purchasing Credit Card Account Agreement with First Tennessee Bank and Terminate the Old Purchasing Credit Card Account Agreement (AF: 65-2014).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2014-153, A RESOLUTION APPROVING THE TERMINATION OF THE PURCHASING CREDIT CARD ACCOUNT AGREEMENT WITH FIRST TENNESSEE BANK; APPROVING A NEW PURCHASING CREDIT CARD ACCOUNT AGREEMENT WITH FIRST TENNESSEE BANK; 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.

Motion/Second: Segelhorst/Clark, to approve:

1. Consideration of Appointment to the Kingsport Housing and Redevelopment Authority (AF: 66-2014).

Approve:

APPOINTMENT OF MR. LARRY R. ESTEPP TO SERVE A FIVE-YEAR TERM ON THE **KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY** EFFECTIVE APRIL 1, 2014 AND EXPIRING ON APRIL 30, 2019.

Passed: All present voting "aye."

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

Motion/Second: Segelhorst/George, to adopt:

1. Consideration of a Budget Ordinance Appropriating Available Funds for the Project and Authorize the Mayor to Execute the Agreement and Sign All Applicable Documents of Bid for Demolition Contract at 1113 Konnarock Road (AF: 50-2014).

Adopt:

Ordinance No. 6384, AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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2. **Consideration of Approval of Offers for Easements and Right-of-Ways for Colonial Heights Springs Sanitary Sewer Extension Project – Phase 1 (AF: 62-2014).**

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE COLONIAL HEIGHTS SPRINGS SANITARY SEWER EXTENSION PROJECT – PHASE 1

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


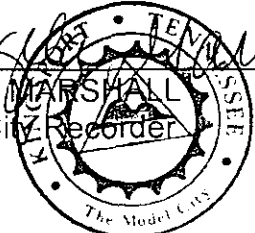
VIII. COMMUNICATIONS.

- A. **CITY MANAGER.** Mr. Campbell had Morris Baker provide details on two events this week regarding the carousel project. The groundbreaking will be Thursday at 11:00 am and the Gala and the fine arts and craft show will be held Friday night, Saturday and Sunday. He invited everyone to come out and attend.

- B. **MAYOR AND BOARD MEMBERS.** Alderman George provided further details on the carousel gala event which starts at 6:00 pm Friday night, noting tickets are available at several venues throughout the city. Alderman Segelhorst thanked those in attendance for being present. Alderman Clark stated he was happy to see the carousel project moving forward, noting it was nice to see a great community project coming to fruition. Alderman Parham commented on a brief trip to Nashville. Vice-Mayor McIntire pointed out the legislators are facing some tough issues and to keep them in your prayers.

- C. **VISITORS.** Mr. Frederick Churchwell commented on a drainage problem in the Fort Robinson Drive area.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:42 p.m.


ANGELA MARSHALL
Deputy City Recorder



DENNIS R. PHILLIPS
Mayor