

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, March 17, 2015, 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
J. Michael Billingsley, 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:** Sam Jones.
- II.B. **INVOCATION:** Senior Pastor Mickey Rainwater – First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Tri-Cities Military Affairs Council Check Presentation for Veteran's Memorial – Ernie Rumsby.
- V. **APPROVAL OF MINUTES.**

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

- A. March 3, 2015 Regular Work Session
- B. March 3, 2015 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend Zoning Code to Require Signature with Seal on Preliminary Zoning Development Plans (AF: 45-2015) (Curtis Montgomery).**

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

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Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6469, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-104(3) BY ADDING THE REQUIREMENT THAT PRELIMINARY PLANS BE SIGNED AND SEALED BY A REGISTERED ENGINEER, ARCHITECT OR LAND SURVEYOR, AS LICENSED BY STATE LAW

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

2. Annexation Annual Plan of Services Report (AF: 54-2015)
(Corey Shepherd). City Planner Corey Shepherd gave a presentation on this item.

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

3. Annex/Amend Zoning of the Ridgecrest Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 53-2015)
(Corey Shepherd).

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

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6470, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 11th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE RIDGECREST 2 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 ORDINANCE

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

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6471, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO RIDGECREST AVENUE FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B, SINGLE FAMILY RESIDENTIAL 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, George, Hall, McIntire, Parham, Segelhorst and Phillips voting "aye."

Motion/Second: Parham/Clark, to pass:

Resolution No. 2015-141, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE RIDGECREST ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

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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. Amend the FY15 Operating Budgets and Various Projects
(AF: 64-2015) (Jeff Fleming).

Motion/Second: Hall/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND PROJECTS, DEMOLITION
LANDFILL PROJECT FUND AND GENERAL FUND BUDGETS BY TRANSFERRING
FUNDS TO VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2015; 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 the FY15 Operating Budgets and Various Projects
(AF: 55-2015) (Jeff Fleming).

Motion/Second: George/Parham, to pass:

ORDINANCE NO. 6472, AN ORDINANCE TO AMEND THE WATER PROJECT FUND,
GENERAL FUND PROJECTS, STATE STREET AID FUND AND GENERAL FUND
BUDGETS BY TRANSFERRING FUNDS TO VARIOUS PROJECTS 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."

D. OTHER BUSINESS.

**1. Amend the Agreement with Prairie Farms Dairy to Renew for
an Additional Year** (AF: 57-2015) (Jennifer Walker).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2015-142, A RESOLUTION APPROVING AN ADDENDUM TO THE
AGREEMENT WITH PRAIRIE FARMS DAIRY FOR DAIRY ITEMS FOR THE
KINGSPORT CITY SCHOOL NUTRITION SERVICES; AUTHORIZING AND
DIRECTING THE MAYOR TO EXECUTE THE ADDENDUM; AND ALL OTHER
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF
THE ADDENDUM

Passed: All present voting "aye."

**2. Applying for Fiscal Year 15/16 Emergency Solutions Grant
(ESG) Funds** (AF: 62-2015) (Lynn Tully).

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Motion/Second: George/Hall, to pass:

Resolution No. 2015-143, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE EMERGENCY SOLUTIONS GRANT FUNDING, FOR FISCAL YEAR 2016, FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY

Passed: All present voting "aye."

3. Reimbursement of Materials Agreement Funds to Danny Karst for Edinburgh Phase 5 (AF: 59-2015) (Ryan McReynolds).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-144, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO DANNY KARST FOR EDINBURGH PHASE 5

Passed: All present voting "aye."

4. Release for Property Damage to Dobyns-Bennett High School (AF: 58-2015) (Mike Billingsley).

Motion/Second: Hall/George, to pass:

Resolution No. 2015-145, A RESOLUTION APPROVING A PROPERTY DAMAGE-LIABILITY RELEASE FROM TRAVELERS INSURANCE FOR PROPERTY DAMAGE TO DOBYNS BENNETT HIGH SCHOOL THAT OCCURRED ON JANUARY 29, 2015, AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPERTY DAMAGE-LIABILITY RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE

Passed: All present voting "aye."

5. Transfer Agreement with the United State of America, Federal Aviation Administration (AF: 65-2015) (Mike Billingsley).

Motion/Second: Segelhorst/Hall, to pass:

Resolution No. 2015-146, A RESOLUTION APPROVING AN AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR THE TRANSFER OF THE RETAINING WALL, CERTAIN EQUIPMENT AND A FENCE LOCATED ON BAYS MOUNTAIN, 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."

6. Lease Agreement with Tri-Cities Farmers' Association for Retail Marketing for April 1 through December 15, 2015 (AF: 66-2015) (Morris Baker).

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Motion/Second: George/Hall, to pass:

Resolution No. 2015-147, A RESOLUTION APPROVING A LEASE WITH THE TRICITIES FARMERS' ASSOCIATION FOR RETAIL MARKETING, AND AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LEASE

Passed: All present voting "aye."

7. ~~Awarding the Bid for the Purchase of One (1) Backhoe to Nortrax, Inc. (AF: 67-2015) (Steve Hightower).~~ This agenda item was withdrawn.

8. Awarding the Bid for the Purchase of One (1) Skid Steer Loader to Bobcat of the Mountain Empire, Inc. (AF: 68-2015) (Steve Hightower).

Motion/Second: Hall/Segelhorst, to pass:

Resolution No. 2015-148, A RESOLUTION AWARDED THE BID FOR THE PURCHASE OF ONE SKID STEER LOADER TO BOBCAT OF THE MOUNTAIN EMPIRE, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

9. Award of Bid to Thomas Construction Company, Inc. for Sullivan Street Roadway Improvements Phase 2 Project (AF: 52-2015) (Ryan McReynolds).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2015-149, A RESOLUTION AWARDED THE BID FOR THE SULLIVAN STREET ROAD IMPROVEMENT PHASE 2 PROJECT TO THOMAS CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

10. Amend the Current TDOT Contract for the Tennessee Roadscapes Interchange Landscaping Project (AF: 69-2015) (Bill Albright/Michael Thompson).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-150, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION; 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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E. APPOINTMENTS/REAPPOINTMENTS.

1. Appointment to the Kingsport Higher Education Commission
(AF: 63-2015) (Mayor Phillips).

Motion/Second: McIntire/Clark, to approve:

APPOINTMENT OF MR. TIM ATTEBERY TO SERVE A FOUR-YEAR TERM ON THE ***KINGSPORT HIGHER EDUCATION COMMISSION*** EFFECTIVE IMMEDIATELY AND EXPIRING ON MARCH 31, 2019. THIS APPOINTMENT WILL REPLACE THE EXPIRED TERM OF MR. CHARLIE FLOYD.

Passed: All present voting "aye" except Hall "abstaining."

VII. CONSENT AGENDA. None.

VIII. COMMUNICATIONS.


A. CITY MANAGER. Mr. Fleming provided details on the work session discussion regarding Rock Springs Road and the funding for improvements since it is a state route.

B. MAYOR AND BOARD MEMBERS. Alderman Hall expressed his appreciation to city employees for their work during the weather. Alderman George gave information on the upcoming Brass Ring Gala fundraiser for the Carousel. She also provided the number for pot-hole repair and asked Ryan McReynolds to discuss the appropriate places for campaign signs. Alderman Segelhorst encourage everyone to contribute to the Carousel Kickstarter Campaign as they have not yet met their goal. He also commented favorably on the recent annual reports from the Fire Department, the Downtown Kingsport Association and the Young Professionals. Alderman Clark gave details on other items from the work session, including pot-holes, the buy local campaign to help small business and the final phase of the veteran's memorial. He also commented that Kingsport was going to be used as a role model for the recent health initiative from the Governor's office and thanked everyone involved in this effort. Alderman Parham pointed out the Keep Kingsport Beautiful has received national recognition and first for place for cities of around 50,000 population. Vice-Mayor McIntire wished everyone a happy Saint Patrick's Day. Mayor Phillips commented on the Doby's Bennett band playing at Carnegie Hall, stating he hopes it wasn't a once in a lifetime event. The mayor commented on the recent outstanding Rotary Convention and thanked the police for their regular presence at the BMA meetings.

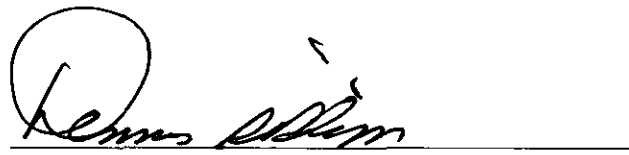
C. VISITORS. None.

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IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:25 p.m.


ANGELA MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor