

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, May 6, 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:** Zack Fleming.
- II.B. **INVOCATION:** Pastor Brian Shuler, Temple Baptist Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Candace Sherer discussed the events taking place this week to promote KATS and public transit.
- V. **APPROVAL OF MINUTES.**

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

- A. April 14, 2014 Regular Work Session
- B. April 15, 2014 Regular Business Meeting
- C. April 29, 2014 Called Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

Note: Mayor Phillips requested Item VI.D.7 be moved to the first item on the agenda. The regular agenda resumed thereafter.

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of an Ordinance to Amend Zoning of Parcel 4.1, Tax Map 47P, Located off Indian Trail Drive in the 11th Civil District of Sullivan County (AF: 94-2014).** City Planner Ken Weems presented this item, noting it was at the request of the owner.

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

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO INDIAN TRAIL DRIVE FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-4, MEDIUM DENSITY APARTMENT 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."

2. Public Hearing and Consideration of an Ordinance to Amend Zoning of a Portion of Parcels 8 and 26, Tax Map 46, Located off East Main Street in the 11th Civil District of Sullivan County (AF: 95-2014). City Planner Ken Weems presented this item, noting it was also at the request of the owner.

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

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EAST MAIN STREET TO B-2, CENTRAL BUSINESS 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."

3. Public Hearing and Consideration of the 2014 Annual Action Plan for Community Development and Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Apply for and Receive Fiscal Year 2014/2015 Community Development Block Grant (CDBG) Funds (AF: 103-2014). City Manager Campbell noted after the work session discussion, staff will remove the home consortium for now because there is no timeline. He noted the CDBG portion needs to move forward because there is a time constraint there. Mark Haga then gave a presentation on the details of this item, stating staff will bring back a final budget concerning the three applications for public services at a later date.

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

Motion/Second: George/Segelhorst, to pass:

Resolution No. 2014-170, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING, FOR FISCAL YEAR 2015, FROM THE UNITED STATES OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Passed: All present voting "aye."

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A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. Ms. Barbara Brown commented on the city manager position, as well as the police and fire departments. Mr. Skip Morrell commented on the rezoning of Canal Street.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of a Budget Ordinance Appropriating Available Funds to SW1303 for Funding of East Stone Drive/Yadkin Street Sewer Rehabilitation Project and Authorize the Mayor to Sign All Applicable Documents (AF: 99-2014).

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BY TRANSFERRING FUNDS FOR THE EAST STONE DRIVE/YADKIN STREET SEWER REHABILITATION PROJECT FOR THE FISCAL 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 to Transfer Funds within the Stormwater Utility CIP from ST1401 Stormwater Infrastructure to the Sourmash Drive Drainage Improvement Project (AF: 111-2014).

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE STORM WATER PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE SOURMASH DRIVE DRAINAGE IMPROVEMENT PROJECT (ST1403) FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Amend Zoning of Parcel 28, Tax Map 47, Located off East Stone Drive in the 11th Civil District of Sullivan County (AF: 71-2014).

Motion/Second: McIntire/Segelhorst, to pass:

ORDINANCE NO. 6391, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO EAST STONE DRIVE FROM M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS 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 second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst and Phillips voting "aye."

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2. Consideration of an Ordinance to Amend Zoning of Parcels 1-14, Group A, Tax Map 46I and Parcels 5 and 7, Group B, Tax Map 46I, Located off Clinchfield Street in the 11th Civil District of Sullivan County (AF: 72-2014).

Motion/Second: McIntire/Segelhorst, to pass:

ORDINANCE NO. 6392, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO CLINCHFIELD STREET FROM B-4P, PLANNED BUSINESS DISTRICT TO B-2, CENTRAL BUSINESS 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 second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst and Phillips voting "aye."

3. Consideration of Ordinances to Annex/Amend Zoning of the Diana Road 2 Annexation (AF: 76-2014).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6393, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE DIANA ROAD 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, McIntire, Parham, Segelhorst and Phillips voting "aye."

Motion/Second: McIntire/Clark, to pass:

ORDINANCE NO. 6394, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG DIANA ROAD TO R-1B, SINGLE-FAMILY RESIDENTIAL 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 second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst and Phillips voting "aye."

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute an Annual Renewal of Public Library Service Agreement with the Tennessee State Library and Archives for Services via Holston River Regional Library (AF: 89-2014).

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Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2014-171, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF THE PUBLIC LIBRARY SERVICE AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES TO RECEIVE FUNDING FOR BOOKS AND TRAINING AND FOR SERVICES THROUGH THE HOLSTON RIVER REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2014/2015

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute and Sign All Documents Necessary to Enter into an Agreement with CARFAX which Allows for National Data Sharing with the Kingsport Police Department to Further Enhance Investigative Avenues (AF: 96-2014).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2014-172, A RESOLUTION APPROVING AN AGREEMENT WITH CARFFAX 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. Consideration of 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 2014-2015 (AF: 104-2014). Vice-Mayor McIntire made a motion to amend the resolution by deleting the Emergency Solutions Grant funding and the public services section after the previous discussion at the work session. Alderman George seconded the motion to amend with all present voting "aye."

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

Resolution No. 2014-173, 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 2014-2015

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Execute the Chapter 86 Certification, Certification Contract Obligation, Declaration of Scheduled Calendar Days and All Other Documents Needed for Reimbursement for Utility Relocation Costs for Water and Sewer for State Project Number 82956-1288-04, SR-126, Eastman SIA (AF: 105-2014).

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Motion/Second: Segelhorst/Clark, to pass:

Resolution No. 2014-174, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE CHAPTER 86 CERTIFICATION, CERTIFICATION CONTRACT OBLIGATION, DECLARATION OF SCHEDULED CALENDAR DAYS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR THE REIMBURSEMENT FOR UTILITY COSTS FOR WATER AND SEWER FOR THE SR-126 EASTMAN STATE INDUSTRIAL ACCESS PROJECT
Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for the Sale of Water to North Greene Utility District and the Installation of a Waterline to Facilitate the Service (AF: 101-2014).

Motion/Second: McIntire/Segelhorst/, to pass:

Resolution No. 2014-175, A RESOLUTION APPROVING AN AGREEMENT WITH NORTH GREEN UTILITY DISTRICT TO SELL WATER TO THE DISTRICT AND THE INSTALLATION OF A WATERLINE, 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. Consideration of a Resolution Authorizing the Mayor to Enter Into an Inter-Local Government Agreement with the Town of Mount Carmel for Land-Use Planning Services (AF: 106-2014).

Motion/Second: McIntire/George, to pass:

Resolution No. 2014-176, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL AGREEMENT FOR LOCAL PLANNING ASSISTANCE TO SERVE THE TOWN OF MOUNT CARMEL, TENNESSEE
Passed: All present voting "aye."

7. Consideration of a Resolution to Appoint Tilden J. Fleming as City Manager and to Authorize the Mayor to Execute an Appointment Memorandum (AF: 91-2014). Mayor Phillips stated the entire board was unanimously supportive of Jeff Fleming's appointment as city manager. Each alderman echoed this sentiment. Mr. Fleming thanked the BMA for this opportunity and thanked his family for their support. Former Mayor Blazer also made comments.

Motion/Second: Phillips, Segelhorst, George/McIntire, Parcham, Clark to pass:

Resolution No. 2014-177, A RESOLUTION APPOINTING TILDEN J. FLEMING AS CITY MANAGER AND AUTHORIZING THE MAYOR TO EXECUTE AN APPOINTMENT MEMORANDUM AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION
Passed: All present voting "aye."

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8. Consideration of a Resolution to Authorize Issuance of a Purchase Order to General Shale of Kingsport in the Amount of \$63,204.25 for the Purchase of Loxon Proprietary Materials to be Used in the Renovations for Fire Station No. 6 (AF: 102-2014). Alderman Segelhorst noted there was a 21 year warranty on this product.

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2014-178, A RESOLUTION AUTHORIZING THE PURCHASE OF LOXON PROPRIETARY MATERIALS FROM GENERAL SHALE OF KINGSPORT FOR USE IN THE RENOVATION OF FIRE STATION #6 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE ORDER AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Approving the Revisions to the Neighborhood Traffic Management Plan (AF: 43-2014). Public Works Director Ryan McReynolds provided information on this item.

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2014-179, A RESOLUTION APPROVING AN AMENDMENT TO THE NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Mayor to Enter Into a Contract for the Purchase of Cartegraph Operations Management System for Water Resources (Water/Wastewater/Stormwater) and to Sign All Applicable Documents (AF: 100-2014).

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2014-180, A RESOLUTION APPROVING AN AGREEMENT WITH CARTEGRAPH SYSTEMS, 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."

11. Consideration of a Resolution to Authorize the Rejection of All Bids Submitted for the "Tennessee Roadscapes" Project for Landscaping Six Area Interchanges/Intersections (AF: 90-2014).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2014-181, A RESOLUTION REJECTING ALL BIDS RELATED TO THE "TENNESSEE ROADSCAPES" PROJECT

Passed: All present voting "aye."

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12. Consideration of a Resolution Awarding the Bid for the Purchase of Three (3) Special Service AWD SUV's to Auto World of Big Stone Gap, Inc. (AF: 108-2014).

Motion/Second: Segelhorst/Clark, to pass:

Resolution No. 2014-182, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF THREE SPECIAL SERVICE ALL WHEEL DRIVE SPORTS UTILITY VEHICLES TO AUTO WORLD OF BIG STONE GAP, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

13. Consideration of a Resolution Awarding the Bid for the Purchase of Seven (7) Police Pursuit Package Sedans to Auto World of Big Stone Gap, Inc. (AF: 110-2014).

Motion/Second: George/Parham, to pass:

Resolution No. 2014-183, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF SEVEN POLICE PURSUIT PACKAGE SEDANS TO AUTO WORLD OF BIG STONE GAP, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

14. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive a Grant for \$27,666.00 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY14 Local Solicitation (AF: 107-2014).

Motion/Second: Clark/McIntire, to pass:

Resolution No. 2014-184, A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF A UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM FISCAL YEAR 2014 LOCAL SOLICITATION GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

Passed: All present voting "aye."

15. Consideration of a Resolution Rejecting the Bid Received from Empire Ford for the Purchase of Three (3) Mid-Sized Cargo Vans (AF: 112-2014).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2014-185, A RESOLUTION REJECTING THE BID FOR THE PURCHASE OF THREE MID SIZED CARGO VANS TO EMPIRE FORD AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

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E. APPOINTMENTS/REAPPOINTMENTS.

Appointments/Reappointments are considered under one motion.

Motion/Second: Segelhorst/Parham, to approve:

1. Consideration of Appointment to the Beverage Board (AF: 92-2014).

Approve:

APPOINTMENT OF MR. LONNIE SALYER TO SERVE A TERM ON THE **BEVERAGE BOARD**. MR. SALYER'S APPOINTMENT WILL COMPLETE THE UNEXPIRED TERM OF MR. ALLEN RAU WHO HAS RESIGNED. THE APPOINTMENT IS EFFECTIVE IMMEDIATELY AND WILL EXPIRE JUNE 30, 2015..

Passed: All present voting "aye."

2. Consideration of Reappointments to the Bays Mountain Park Commission (AF: 97-2014).

Approve:

REAPPOINTMENTS OF MS. MARY STEADMAN AND MR. WILLIAM E. LEONARD TO SERVE ON THE **BAYS MOUNTAIN PARK COMMISSION**. BOTH REAPPOINTMENTS WILL BE FOR A THREE-YEAR TERM EFFECTIVE IMMEDIATELY AND WILL EXPIRE MAY 31, 2017.

Passed: All present voting "aye."

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

Motion/Second: George/McIntire, to adopt:

1. Consideration of an Ordinance to Amend Various Projects and Funds (AF: 85-2014).

Adopt:

Ordinance No. 6395, AN ORDINANCE TO AMEND THE GENERAL FUND AND GENERAL 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."

2. Consideration of Approval of Offers for Easements and Right-of-Ways for the Seo Property Sanitary Sewer Line Extension Project (AF: 93-2014).

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Approve:

OFFERS FOR EASEMENTS AND RIGHT-OF-WAYS FOR THE SEO PROPERTY
SANITARY SEWER LINE EXTENSION PROJE

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

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. Campbell commented on the high school band banquet and their accomplishments.
- B. MAYOR AND BOARD MEMBERS.** Alderman George commented on the election that was held today and pointed out Mother's Day was coming up this weekend. She also voiced her appreciation of KATS, stating it was a great organization. Alderman Segelhorst congratulated Jeff Fleming and thanked John Campbell for his service. He also commented favorably on the risk management presentation at the work session yesterday, noting the reduction in injuries. Lastly, Mr. Segelhorst commended the Public Works Department on the North Green water agreement, pointing out the additional revenue for the city. Alderman Clark congratulated the school system for Doby's Bennett being ranked in the top ten schools in Tennessee. He also commented on the additional jobs being brought to the area by Heritage Glass, as well as the benefits of the Aquatic Center. Alderman Parham stated he was impressed with the young professionals' presentation by PEAK at the work session yesterday. He also commented on KATS, the election and congratulated Jeff Fleming. Vice-Mayor McIntire thanked those who were running in the election and those who will be moving on. Mayor Phillips commented on the priority of paving for the city. He also discussed the importance of the process for hiring a city manager in order to get the best candidate. He noted the overwhelming support for Jeff Fleming from the community as well as other employees. The mayor also mentioned the Aquatic Center would be opening on Monday and asked Assistant to the City Manager Chris McCartt to provide further details.
- C. VISITORS.** Ms. Mary McNabb commented on KATS and the Canal Street rezoning.

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