

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, July 15, 2014, 7:00 PM
Large Court Room – City Hall

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

City Administration
Jeff Fleming, City Manager
J. Michael Billingsley, City Attorney
James Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Preston Hall.
- II.B. **INVOCATION:** Mr. Paul Becker, Concordia Lutheran Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Keep Kingsport Beautiful Beautification Awards – Ms. Robin Cleary and Alderman George presented these awards to the citizens present.
- V. **APPROVAL OF MINUTES.**

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

- A. June 30, 2014 Regular Work Session
- B. July 1, 2014 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **ALDERMAN VACANCY.**

1. **Declaration by the Mayor of a Vacancy on the Board of Mayor and Aldermen and Consideration of the Appointment of an Individual as Alderman to Serve Until the First Meeting in July, 2015** (AF: 206-2014) (Mayor Phillips). The Mayor stated Jantry Shupe’s letter of resignation was received on July 7 and he declared this position on the Board to be vacant. He noted this was discussed at the work session yesterday and Andy Hall’s name was placed on the table with no opposition. The board unanimously voted in favor of Mr. Hall and he was sworn in by City Recorder Demming. The Mayor read Mr. Hall’s bio and stated Mr. Hall would serve the remainder of Mr. Shupe’s term, which is through June 30, 2015.

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Motion/Second: Segelhorst/ McIntire, to pass:

DECLARATION BY THE MAYOR OF A VACANCY ON THE BOARD OF MAYOR AND ALDERMEN AND CONSIDERATION OF THE APPOINTMENT OF ANDY HALL AS ALDERMEN TO SERVE UNTIL THE FIRST MEETING IN JULY, 2015

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

AA. PUBLIC HEARINGS.

1. Public Hearing and Consideration of an Ordinance to Amend Zoning of Parcel 1, Tax Map 46H, Located Off Lynn Garden Drive in the 11th Civil District of Sullivan County (AF: 185-2014). (Ken Weems).

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 LYNN GARDEN DRIVE AND WEST SULLIVAN STREET FROM B-1, NEIGHBORHOOD BUSINESS 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 first reading: All present voting "aye" except George "abstained."

2. Public Hearing for Annexation Annual Plan of Services Report (AF: 196-2014) (Corey Shepherd).

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

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. Mr. Richard Johnson commented.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of a Budget Ordinance Regarding MPO11A Resurfacing of Lincoln Street and a Resolution Awarding the Bid for the Resurfacing of Lincoln Street to Summers-Taylor, Inc. and Authorize the Mayor to Sign All Applicable Documents (AF: 200-2014) (Ryan McReynolds).

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE MPO PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS TO FOR RESURFACING LINCOLN STREET FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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Motion/Second: Segelhorst/Hall, to pass:

Resolution No. 2015-017, A RESOLUTION AWARDDING THE BID FOR RESURFACING OF LINCOLN STREET TO SUMMERS-TAYLOR, INC. 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."

2. Consideration of a Budget Ordinance Appropriating Available Funds to GP1301; and a Resolution Authorizing a Change Order to the GRC Construction Services Contract to Include Power System Upgrades and Structural Modifications for the Johnson Stadium Improvements Project and Authorize the Mayor to Sign All Applicable Documents (AF: 201-2014) (Ryan McReynolds). Assistant City Manager McReynolds presented this item and explained the design engineer is at fault for these change orders, including the generator change order from the last meeting. He stated GRC has kept the project moving forward at their own risk. He pointed out most contracts have a built in 6% contingency, but this contract did not. The change orders add up to a 2.6% increase which would have been well within a contingency. Mr. McReynolds confirmed staff will be seeking reimbursement compensation from the design engineer.

Motion/Second: Segelhorst/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Parham/George, to pass:

Resolution No. 2015-018, A RESOLUTION APPROVING CHANGE ORDER #2 TO THE CONTRACT WITH GOINSRASHCAIN, INC. FOR POWER SYSTEM UPGRADES AND STRUCTURAL MODIFICATIONS FOR THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

3. Consideration of a Resolution to Express the Official Intent of the City of Kingsport that Certain Expenditures to be Incurred in Connection with the Expenditure of Funds in the Construction of the Centennial Ball Fields be Reimbursed from the Proceeds of Notes, Bonds, or Other Indebtedness to be Issued by the City and Consideration of an Ordinance to Appropriate the Funds (AF: 197-2014) (Jim Demming/Jeff Fleming).

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Motion/Second: McIntire/Segelhorst, to pass:

Resolution No. 2015-019, A RESOLUTION EXPRESSING OFFICIAL INTENT THAT CERTAIN EXPENDITURES TO BE INCURRED IN CONNECTION WITH CERTAIN PUBLIC WORKS PROJECTS BE REIMBURSED FROM PROCEEDS OF NOTES, BONDS, OR OTHER INDEBTEDNESS TO BE ISSUED BY THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND AND GENERAL PROJECT FUND BUDGETS BY APPROPRIATING FUNDS TO THE SOFTBALL BASEBALL COMPLEX PROJECT 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. Consideration of a Budget Ordinance Appropriating Available Funds to GP1401, WA1500, and SW1500 for the Cooks Valley Road Improvements Phase 2 Project to Vic Davis Construction Company, Inc. and Authorize the Mayor to Sign All Applicable Documents (AF: 181-2014) (Ryan McReynolds).

Motion/Second: George/McIntire, to pass:

ORDINANCE NO. 6418, AN ORDINANCE TO AMEND THE WATER PROJECT, SEWER PROJECT AND GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FOR COOKS VALLEY ROAD IMPROVEMENT PHASE 2 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 SW1501 for Funding of Colonial Heights Annexation Phase 2 Sewer Extension Project and Authorize the Mayor to Sign All Applicable Documents (AF: 186-2014) (Chad Austin/Ryan McReynolds).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6419, AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BY TRANSFERRING FUNDS FOR THE COLONIAL HEIGHTS PHASE 2 SEWER LINE EXTENSION 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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3. Consideration of a Budget Ordinance Authorizing the City Manager to Issue a Purchase Order to Motorola Solutions to Purchase Replacement Radios for the City of Kingsport (AF: 190-2014) (Chief Quillin).

Motion/Second: Parham/Clark, to pass:

ORDINANCE NO. 6420, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET 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, Hall, McIntire, Parham, Segelhorst and Phillips voting "aye."

4. Consideration of a Budget Ordinance Appropriating Available Funds to GP1301 Authorizing a Change Order to the GRC Construction Services Contract to Include Emergency Generator Work for the Johnson Stadium Improvements Project and Authorize the Mayor to Sign All Applicable Documents (AF: 192-2014) (Ryan McReynolds).

Motion/Second: Segelhorst/Parham, to pass:

ORDINANCE NO. 6421, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT 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, Hall, McIntire, Parham, Segelhorst and Phillips voting "aye."

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Kingsport Fire Department's Fire Marshal's Office to Apply and Receive a Funding Grant for Equipment from FM Global (AF: 191-2014) (Chief Dye/Chris Vandagriff).

Motion/Second: Segelhorst/George, to pass:

Resolution No. 2015-020, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM FM GLOBAL FOR THE KINGSFORT FIRE DEPARTMENT

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Enter Into an Agreement with Denark Construction for the Construction of the Centennial Ball Park Baseball/Softball Complex (AF: 184-2014) (Chris McCartt).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2015-021, A RESOLUTION AWARDDING THE BID FOR THE PROJECT INSPIRE - CENTENNIAL BALL PARK CONSTRUCTION PROJECT TO DENARK

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CONSTRUCTION COMPANY INC. 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."

3. Consideration of a Resolution Authorizing the Mayor to Sign a Grant Application with the U.S. Department of Agriculture for a Partnership with the City of Kingsport Related to Stream Quality Improvements (AF: 204-2014) (Steve Robbins).

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2015-022, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE REGIONAL CONSERVATION PARTNERSHIP PROGRAM GRANT

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Services in Fiscal Year 2014-2015 Benefiting the General Welfare of Kingsport Residents (AF: 188-2014) (Jeff Fleming).

Motion/Second: Segelhorst/Clark, to pass:

Resolution No. 2015-023, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH THE SULLIVAN COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP (NETWORKS), THE GREATER KINGSFORT AREA CHAMBER OF COMMERCE, INC. FOR THE KINGSFORT CONVENTION AND VISITORS BUREAU AND THE GREATER KINGSFORT AREA CHAMBER OF COMMERCE, INC. FOR THE HEALTHY KINGSFORT PROGRAM FOR SERVICES IN FISCAL YEAR 2014-2015 BENEFITING THE GENERAL WELFARE OF KINGSFORT RESIDENTS

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Sign All Documents Necessary and Proper to Enter into a Lease Agreement with Sleepy Owl Brewery for the Use of City-Owned Property Located at 151 East Main Street (AF: 199-2014) (Chris McCartt).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-024, A RESOLUTION APPROVING A LEASE WITH SLEEPY OWL BREWERY, LLC, 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."

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6. Consideration of a Resolution Approving an Adult Education Grant Contract with the State of Tennessee Department of Labor and Workforce Development for Kingsport City Schools (AF: 207-2014) (David Frye).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2015-025, A RESOLUTION AUTHORIZING THE MAYOR OR SUPERINTENDENT OF SCHOOLS TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE AN ADULT EDUCATION GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR 2014-2015 AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT OR THIS RESOLUTION

Passed: All present voting "aye."

7. Consideration of a Resolution to Donate Funds to KEDB for Economic Development Purposes (AF: 202-2014) (Jeff Fleming).

Motion/Second: Segelhorst/Clark, to pass:

Resolution No. 2015-026, A RESOLUTION APPROVING A CONTRIBUTION TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR ECONOMIC DEVELOPMENT (KEDB) AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

8. Consideration of a Resolution Repealing Resolution No. 2014-158 and Adopting a Resolution Approving an Agreement with the Industrial Development Board of the City of Kingsport, Tennessee (KEDB) for a Contribution for Economic or Industrial Development (AF: 205-2014) (Chris McCartt).

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2015-027, A RESOLUTION TO REPEAL RESOLUTION NO. 2014-158 AND TO ADOPT IN ITS PLACE A RESOLUTION TO APPROVE AN AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE (KEDB) FOR A CONTRIBUTION FOR ECONOMIC DEVELOPMENT; TO AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT; TO AUTHORIZE THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT, IF NECESSARY; TO AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; TO EXPRESS THE INTENT OF THE BOARD TO ESTABLISH ONE OR MORE PROJECT ACCOUNTS IN AN ORDINANCE APPROPRIATING FUNDS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting "aye."

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E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. None.


VIII. COMMUNICATIONS.

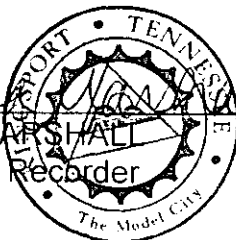
A. CITY MANAGER. Mr. Fleming referenced Item VI.D.7 and encouraged local businesses to use Kingsport Deals.

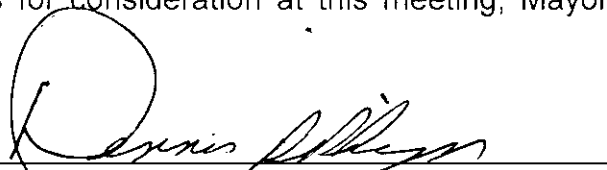
B. MAYOR AND BOARD MEMBERS. Alderman George wished Mr. Shupe well and welcomed Alderman Hall. She also encouraged participation in FunFest this week. Alderman Hall thanked the Mayor for this opportunity and also thanked the board for their confidence in him. Alderman Segelhorst congratulated the Fleet Department and Fleet Manager Steve Hightower for 109 days of being injury free. He congratulated Alderman Hall, the Beautification Award winners and commented on FunFest. Alderman Clark thanked the FunFest sponsors, volunteers, participants and staff, noting there are many activities that promote Healthy Kingsport. Alderman Parham congratulated Alderman Hall and commented on the need to reach to citizens in the newly annexed areas to serve the city on commissions and boards. Mr. Parham also congratulated the police department on their recent ceremony to acknowledge promotions, awards and new hires. Alderman George thanked Alderman Clark and Alderman Parham for running in the Crazy 8s FunFest race. Mayor Phillips commented on the passing of the first FunFest chairman Frank Brewer, as well as the 50 year anniversary of The Haggie Shop.

C. VISITORS. Mr. Richard Johnson and Ms. Mary McNabb made comments.

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