

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, July 7, 2015, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Alderman Colette George

Vice Mayor Mike McIntire

Alderman Michele Mitchell

Alderman Tommy Olterman

Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager

Joseph E. May, Assistant City Attorney

Lisa Winkle, City Comptroller/Deputy City Recorder

- I. CALL TO ORDER:** 7:00 p.m., by Vice-Mayor Mike McIntire.
- II.A. PLEDGE OF ALLEGIANCE TO THE FLAG:** Hope Kids.
- II.B. INVOCATION:** Pastor David Salley, Gravelly Baptist Church.
- III.A. SWEARING IN OF ELECTED BOARD MEMBERS:** Judge McLellan.
John Clark, Mayor
Mike McIntire, Alderman
Michele Mitchell, Alderman
(The formal ceremony for Mr. Olterman will be July 21)
- III.B. ROLL CALL:** By City Comptroller Lisa Winkle. All Present.
- III.C. SELECTION OF VICE MAYOR:** Alderman George made a motion to nominate Mike McIntire. Alderman Mitchell seconded the motion with all present voting “aye.”
- III.D. VACANCY IN THE OFFICE OF ALDERMAN**
- 1. Declaration of Vacancy on the Board of Mayor and Aldermen**
(AF: 160-2015) (Mayor Clark).
- Motion/Second: George/Mitchell, to pass:
DECLARE A VACANCY ON THE BOARD OF MAYOR AND ALDERMAN
Passed: All present voting “aye.”
- IV. RECOGNITIONS AND PRESENTATIONS.** Fire Chief Dye presented a civilian commendation to David Weaver for his actions in response to an automobile accident and car fire.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

V. APPROVAL OF MINUTES.

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

- A. June 15, 2015 Regular Work Session
- B. June 16, 2015 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Amend Zoning of the 124 Bloomingdale Pike Property, a Portion of the Existing Bloomingdale Terrace Apartment Development (AF: 173-2016) (Ken Weems).

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

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO BLOOMINGDALE PIKE FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW 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."

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. Budget Ordinance for Citywide Sanitary Sewer Improvements Project (AF: 175-2015) (Ryan McReynolds).

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE CITYWIDE SANITARY SEWER PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Bid Award to Thomas Construction, Inc. for Systemwide Water Upgrades – Phase 1 (AF: 186-2015) (Ryan McReynolds).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

Motion/Second: George/Olterman, to pass:

Resolution No. 2016-001, A RESOLUTION AWARDDING THE BID FOR THE SYSTEMWIDE WATER UPGRADES-PHASE 1 PROJECT TO THOMAS CONSTRUCTION, 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."

Motion/Second: George/McIntire, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE SYSTEM WATER UPGRADES PHASE I PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Approve Lynn View Community Center Appropriation for Block Party (AF: 191-2015) (Morris Baker).

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATIONS RECEIVED FOR THE FUNFEST BLOCK PARTY FOR THE YEAR ENDING JUNE 30, 2016; 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 Zoning of the 376 Bob Jobe Road Property, Located off Interstate 26, Exit 13 (AF: 132-2015) (Ken Weems).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6498, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO BOB JOBE ROAD FROM M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 14TH 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, Mitchell, Olterman and Parham voting "aye."

2. Budget Ordinance to Transfer Funds for the Landfill New Cell Construction Project (AF: 161-2015) (Michael Thompson).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6499, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND AND THE SOLID WASTE PROJECT FUND BUDGETS BY TRANSFERRING

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

FUNDS TO THE LANDFILL 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, George, McIntire, Mitchell,
Olterman and Parham voting "aye."

**3. Amend the School Budget to Buy 2,300 Laptops for Dobyns-
Bennett (AF: 167-2015) (David Frye)**

Motion/Second: McIntire/Mitchell, to pass:

ORDINANCE NO. 6500, AN ORDINANCE TO AMEND THE FY 2015-16 GENERAL
PURPOSE SCHOOL FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

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

**4. Amend the FY15 Operating Budgets and Various Projects
(AF: 164-2015) (Jeff Fleming)**

Motion/Second: Parham/George, to pass:

ORDINANCE NO. 6501, AN ORDINANCE TO AMEND THE GENERAL PROJECT
FUND, MPO PROJECT FUND AND THE SEWER PROJECT 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, McIntire, Mitchell,
Olterman and Parham voting "aye."

D. OTHER BUSINESS.

**1. Application for a Technology Grant for the Library for Laptops
and Learning Stations (AF: 172-2015) (Morris Baker).**

Motion/Second: George/Mitchell, to pass:

Resolution No. 2016-002, A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND
RECEIVE A LIBRARY SERVICES AND TECHNOLOGY ACT GRANT FROM THE
TENNESSEE STATE LIBRARY AND ARCHIVES FOR THE LIBRARY

Passed: All present voting "aye."

**2. Agreement with CSX for a Sanitary/Storm Sewer Crossing for
Former General Shale Property (AF: 157-2015) (Ryan McReynolds)**

Motion/Second: Mitchell/Olterman, to pass:

Resolution No. 2016-003, A RESOLUTION APPROVING AN ASSIGNMENT WITH
CSX TRANSPORTATION, INC. FOR THE SANITARY STORM/SEWER CROSSING
TO THE FORMER GENERAL SHALE PROPERTY; AUTHORIZING THE MAYOR TO

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

EXECUTE THE ASSIGNMENT; APPROVING AN AMENDMENT TO THE AGREEMENT; AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DOCUMENTS

Passed: All present voting "aye."

3. Dispensing with the Reading of Ordinances in their Entirety
(AF: 174-2015) (Mike Billingsley).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2016-004, A RESOLUTION PROVIDING FOR THE SUSPENSION OF THE FULL READING OF ALL PRE-FILED ORDINANCES PURSUANT TO ARTICLE IV, SECTION 2 OF THE CHARTER OF THE CITY OF KINGSPORT

Passed: All present voting "aye."

4. Agreement with Southern Health Partners, Inc. for Inmates
(AF: 178-2015) (Chief Quillin).

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2016-005, A RESOLUTION APPROVING AN AGREEMENT WITH SOUTHERN HEALTH PARTNERS, 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."

5. Bid Award for Purchasing Copier Paper (AF: 168-2015)
(Chris McCartt, Sandy Crawford).

Motion/Second: Parham/Olterman, to pass:

Resolution No. 2016-006, A RESOLUTION AWARDDING THE BID FOR PURCHASE OF COPIER PAPER FOR FISCAL YEAR 2016 FOR USE BY THE CITY, INCLUDING THE CITY SCHOOLS, TO STAPLES CONTRACT AND COMMERCIAL, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

6. Donation of Property at Reedy Creek Terrace as Wetlands
(AF: 182-2015) (Steve Robbins).

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2016-007, A RESOLUTION ACCEPTING A DONATION OF 4.306 ACRES OF REAL PROPERTY FROM BRG INVESTMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO ACCEPT THE DONATION

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

7. Agreement with the Greater Kingsport YMCA and Eastman Credit Union (AF: 195-2015) (Jeff Fleming).

Motion/Second: Olterman/George, to pass:

Resolution No. 2016-008, A RESOLUTION APPROVING A TRI-PARTY AGREEMENT WITH THE GREATER KINGSPORT YOUNG MEN'S CHRISTIAN ASSOCIATION, INC. AND EASTMAN CREDIT UNION 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."

8. Release Agreement for Paschall Truck Lines (AF: 183-2015) (Jeff Fleming).

Motion/Second: Olterman/McIntire, to pass:

Resolution No. 2016-009, A RESOLUTION APPROVING A PROPERTY DAMAGE RELEASE WITH PASCHALL TRUCK LINES FOR PROPERTY DAMAGE TO A STREET SIGN THAT OCCURRED ON JULY 8, 2014, AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPERTY DAMAGE RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RESOLUTION

Passed: All present voting "aye."

9. Sublease Agreement at the Regional Center for Applied Technology for the HiSet Program (AF: 179-2015) (Morris Baker).

Motion/Second: Mitchell/George, to pass:

Resolution No. 2016-010, A RESOLUTION APPROVING A LEASE AGREEMENT WITH NORTHEAST STATE COMMUNITY COLLEGE FOR SPACE AT THE REGIONAL CENTER FOR APPLIED TECHNOLOGY (RCAT) FOR THE KINGSPORT CITY SCHOOLS HISET PROGRAM; 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."

10. Agreements to Offer Higher Education Programs/Courses in the Kingsport Center for Higher Education and Sublease Agreements for Office Space, Common Areas and Classroom Space (AF: 180-2015) (Morris Baker).

Motion/Second: McIntire/Olterman, to pass:

Resolution No. 2016-011, A RESOLUTION APPROVING AGREEMENTS WITH THE UNIVERSITY OF TENNESSEE, KING UNIVERSITY, LINCOLN MEMORIAL UNIVERSITY, TUSCULUM COLLEGE AND MILLIGAN COLLEGE PROVIDING CLASSES AT THE KINGSPORT CENTER FOR HIGHER EDUCATION; APPROVING SUBLEASES TO SAID ENTITIES BY NORTHEAST STATE COMMUNITY COLLEGE;

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS OR THIS RESOLUTION

Passed: All present voting "aye."

11. Reconcile and Adjust Uncollectible Property Tax for Tax Year 2014 (AF: 177-2015) (Joe May).

Motion/Second: Mitchell/Olterman, to pass:

Resolution No. 2016-012, A RESOLUTION AUTHORIZING THE CITY RECORDER TO RECONCILE AND ADJUST DELINQUENT PROPERTY TAX RECEIVABLES IN FISCAL YEAR 2015 FOR THE TAX YEAR 2004; AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY RECORDER TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER FOR THE DELINQUENT TAX COLLECTION LAWSUITS

Passed: All present voting "aye."

12. Accept the Gift of Property at Borden Park (AF: 193-2015) (Lynn Tully).

Motion/Second: Parham/Mitchell, to pass:

Resolution No. 2016-013, A RESOLUTION APPROVING THE DEED OF GIFT FOR PROPERTY AT THE CITY OF KINGSPORT'S BORDEN PARK FROM EASTMAN CHEMICAL COMPANY; AND AUTHORIZING THE MAYOR TO EXECUTE THE DONATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION OR THIS RESOLUTION

Passed: All present voting "aye."

13. Release of Utility Easements on Borden Mill Property (AF: 194-2015) (Lynn Tully).

Motion/Second: George/Olterman, to pass:

Resolution No. 2016-014, A RESOLUTION APPROVING THE RELEASE OF UTILITY EASEMENTS ON PROPERTY OWNED BY EASTMAN CHEMICAL COMPANY; AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE OR THIS RESOLUTION

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Reappointments to the Bays Mountain Park Commission (AF: 185-2015) (Mayor Clark).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

Motion/Second: McIntire/George, to approve:

REAPPOINTMENTS OF MRS. ROBIN KERKHOFF AND MR. RUSS BROGDEN TO SERVE THREE-YEAR TERMS ON THE **BAYS MOUNTAIN PARK COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2018.

Passed: All present voting "aye."

2. Reappointments to the Public Art Committee (AF: 184-2015)
(Mayor Clark).

Motion/Second: Parham/McIntire, to approve:

REAPPOINTMENTS OF MS. BEVERLEY PERDUE AND MESSRS. ROY HARMON, BRAD HOOVER, BRUCE SHINE AND JEFFREY STONER TO SERVE THREE-YEAR TERMS ON THE **PUBLIC ART COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2018.

Passed: All present voting "aye."

3. Reappointments to the Parks and Recreation Advisory Committee (AF: 181-2015) (Mayor Clark).

Motion/Second: McIntire/Parham, to approve:

REAPPOINTMENTS OF MS. REBA BARBER, MS. SUSAN KREIN AND MR. ALAN MEADE TO SERVE THREE-YEAR TERMS ON THE **PARKS AND RECREATION ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2018.

Passed: All present voting "aye."

4. Reappointments to the Tree Advisory Board (AF: 187-2015)
(Mayor Clark).

Motion/Second: Mitchell/Olterman, to approve:

REAPPOINTMENTS OF MS. CHRISTINE BARGER, MR. BRANDON LEMMONS AND MR. COLE LUSK TO SERVE TWO-YEAR TERMS ON THE **TREE ADVISORY BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2017.

Passed: All present voting "aye."

5. Reappointments/Appointments to the Senior Center Advisory Council (AF: 188-2015) (Mayor Clark).

Motion/Second: Parham/Olterman, to approve:

REAPPOINTMENTS OF MS. JEAN CHANG, MS. NORMA LIVESAY, MS. CARMEN T. MOIX, MS. CAROL WOODARD, MR. LESTER PRIDEMORE AND MR. BRUCE SHINE AND APPOINTMENT OF MS. SHERRI MOSLEY (REPLACING MR. LEWIS WILLINGHAM WHO RESIGNED) TO SERVE TWO-YEAR TERMS ON THE **SENIOR CENTER ADVISORY COUNCIL** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2017.

Passed: All present voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, July 7, 2015

6. Appointments to the Cattails Management Advisory Committee (AF: 189-2015) (Mayor Clark).

Motion/Second: George/Olterman, to approve:

APPOINTMENTS OF MESSRS. WES ARGABRITE, KEN MANESS AND LYNN MOSLEY (REPLACING MESSRS. FRANK LETT, ALEX LOONEY AND MS. MARILYN MARTIN AS THE BYLAWS STATE THAT MEMBERS MAY NOT SERVE SUCCESSIVE TERMS) TO SERVE THREE-YEAR TERMS ON THE **CATTAILS MANAGEMENT ADVISORY COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2018.

Passed: All present voting "aye."

7. Reappointments to the MeadowView Conference Resort & Convention Center Advisory Committee (AF: 192-2015) (Mayor Clark).

Motion/Second: Olterman/Parham, to approve:

REAPPOINTMENTS OF MRS. LORRIE Q. COOPER, MESSRS. MILES BURDINE, WAYNE CULBERTSON, OLAN JONES, KEN MANESS, MIKE O'NEIL AND LYNN SHIPLEY TO SERVE THREE-YEAR TERMS ON THE **MEADOWVIEW CONFERENCE RESORT & CONVENTION CENTER ADVISORY BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING JULY 31, 2018.

Passed: All present voting "aye."

VII. CONSENT AGENDA.

1. Approval of Easements and Rights-of-Way for Ridgecrest Avenue Sewer Project (AF: 190-2016) (Ryan McReynolds).

Motion/Second: McIntire/George, to approve:

EASEMENTS AND RIGHTS-OF-WAY FOR RIDGECREST AVENUE SEWER PROJECT

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

VIII. COMMUNICATIONS.


- A. CITY MANAGER.** Mr. Fleming stated he was looking forward to working with the new aldermen and the mayor, noting the elected officials of Kingsport really care about the city.
- B. MAYOR AND BOARD MEMBERS.** Alderman Mitchell thanked everyone for their support so far. Alderman Parham commented on the new ball fields and stated he was excited about the new, broadly-based Board. Alderman Olterman stated he was looking forward to working with everyone and thanked the citizens for electing him. Alderman George thanked the Downtown Kingsport Association for the July 4th celebration and commented on the ribbon cutting ceremony for the Carousel. Vice-Mayor McIntire thanked

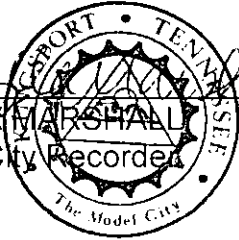
**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 7, 2015**

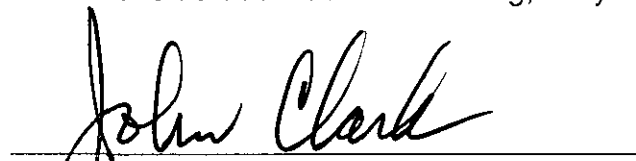
the citizens and the Board for being able to serve again. He further commented on the three items from the agenda where people were giving back to the city, noting the special caring attitude of citizens makes Kingsport special. Mayor Clark commented on 35 years of Funfest and the Healthy Kingsport initiative. He stated he was excited to be Mayor and anxious to work with the BMA to grow the city in a responsible way. He also commented on the carousel and the flag parade.

C. VISITORS. Ms. Mary McNabb made comments.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:05 p.m.


ANGELA MARSHALL
Deputy City Recorder




JOHN CLARK
Mayor