

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, September 23, 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
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:** Led by South Central Kingsport Community Development Inc. and the New Vision Kids – Kenneth Calvert.
- II.B. **INVOCATION:** Mark Davis, Minister of Music, First Presbyterian Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Keep Kingsport Beautiful - Beautification Awards.
 2. Dobyns-Bennett High School, Broadcasting Dept. – Video Project of J. Fred Johnson Stadium – Teacher, Joe McMakin and Students, Ben Gilliam and Luke Shanks.
 3. Kingsport Policy Department, Traffic Safety Unit – Traffic Safety Award Presentation – Chief Quillin.
- V. **APPROVAL OF MINUTES.**

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

- A. September 2, 2014 Regular Work Session
- B. September 2, 2014 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 23, 2014**

1. Conduct a Public Hearing and Consideration of an Ordinance to Amend Zoning of a Portion of a Parcel Containing the Andes-Straley Veterinary Hospital, Located off Memorial Boulevard in the 11th Civil District of Sullivan County (AF: 253-2014) (Ken Weems).

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

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO MEMORIAL BOULEVARD FROM P-1, PROFESSIONAL OFFICES 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."

2. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Ridgecrest Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 250-2014) (Corey Shepherd).

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

Motion/Second: McIntire/Parham, to pass:

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 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 first reading: All present voting "aye."

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO RIDGECREST AVENUE FROM R-3A, HIGH DENSITY 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 first reading: All present voting "aye."

Motion/Second: McIntire/George, to pass:

Resolution No. 2015-056, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE RIDGECREST ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

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, September 23, 2014**

3. Conduct a Public Hearing for Annexation Annual Plan of Services Report (AF: 251-2014) (Corey Shepherd).

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

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 Condemn for Easements and Right-of-Ways for Phases I & II of the Colonial Heights Sanitary Sewer Extension Project (AF: 255-2014) (Mike Billingsley).

Motion/Second: Clark/Segelhorst, to pass:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

2. Consideration of a Budget Ordinance Regarding MPO15A Signalization at the Intersection of SR-126 (Memorial Blvd) at Island Road; and a Resolution to Enter into an Agreement with the State of Tennessee Department of Transportation (TDOT) for Signalization at the Intersection of SR-126 (Memorial Blvd) at Island Road and Authorizing the Mayor to Sign All Applicable Documents (AF: 254-2014) (Ryan McReynolds).

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE MPO FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FOR SIGNALIZATION AT THE INTERSECTION OF SR-126; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-057, A RESOLUTION APPROVING AN AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF SR-126 AND ISLAND ROAD 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."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 23, 2014**

3. Consideration of an Ordinance to Impose an Electronic Citation Fee upon a Plea of Guilty or Nolo Contendere or a Judgment of Guilty for Violation of Certain Traffic Ordinances of the City of Kingsport (AF: 256-2014) (Chief Quillin).

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE AMENDING SECTION 30-29 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PROVIDING FOR AN INCREASE IN COURT COSTS FOR CITY COURT BY INCLUDING THE FEE AUTHORIZED BY TENNESSEE CODE ANNOTATED SECTION 55-10-207; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Consideration of a Budget Ordinance to Appropriate \$27,666.00 from the Department of Justice/Bureau of Justice Assistance, Justice Assistance Grant FY14 Local Solicitation (AF: 238-2014) (Chief Quillin).

Motion/Second: George/Clark, to pass:

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Consideration of a Resolution Approving the Settlement of a Lawsuit Filed Against the City and Consideration of a Budget Ordinance to Appropriate the Funds (AF: 258-2014) (Mike Billingsley).

Motion/Second: Clark/Parham, to pass:

Resolution No. 2015-058, A RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT; AUTHORIZING ATTORNEYS FOR THE CITY TO ENTER AN ORDER REGARDING THE SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO COMPLETE THE SETTLEMENT; AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT, IF NEEDED, AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE SETTLEMENT OR THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND THE DRUG FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, September 23, 2014

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of a Budget Ordinance to Appropriate \$6,761.24 from the Department of Justice/Bureau of Justice Assistance, Justice Assistance Bulletproof Vest Partnership Funding (AF: 240-2014) (Chief Quillin).

Motion/Second: Segelhorst/George, to pass:

ORDINANCE NO. 6434, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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 an Ordinance to Amend the 2014/2015 Project Budget Appropriating TIF Monies Collected in Previous Years (AF: 247-2014). City Manager Fleming explained staff is requesting the board to not approve this item on second reading, pointing out the benefits of leaving it in the fund balance. Vice-Mayor McIntire made a motion to postpone this item indefinitely. The motion was seconded by Alderman Segelhorst with everyone present voting "aye" in a roll call vote.

Motion/Second: Parham/George, to pass:

ORDINANCE NO. 6435, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY TRANSFERRING FUNDS TO THE DOWNTOWN IMPROVEMENT PROJECT AND THE RIVERWALK IMPROVEMENT PROJECT FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

3. Consideration of an Ordinance to Amend the FY15 Operating Budgets and Various Projects (AF: 242-2014) (Jeff Fleming).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6436, AN ORDINANCE TO AMEND VARIOUS OPERATING BUDGETS AND 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. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Community Development Block Grant Funding in Fiscal Year 2014-2015 (AF: 130-2014) (Lynn Tully).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 23, 2014**

Motion/Second: Clark/McIntire, to pass:

Resolution No. 2015-059, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN FISCAL YEAR 2014-2015

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Reimbursement of Materials Agreement Funds to Vic Davis for the Summit at Preston Park Phase 3 Development (AF: 252-2014) (Ryan McReynolds).

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2015-060, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO VIC DAVIS FOR THE SUMMIT AT PRESTON PARK PHASE 3 DEVELOPMENT

Passed: All present voting "aye."

3. Consideration of a Resolution Approving an Agreement to Subordinate a Sewer Tap Fee Lien for Property Located Inside the City Limits at 1888 Rock Springs Road (AF: 257-2014) (Jim Demming).

Motion/Second: George/Segelhorst, to pass:

Resolution No. 2015-061, A RESOLUTION APPROVING A SUBORDINATION AGREEMENT WITH CARMEN CROSS, 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."

4. Consideration of a Resolution Repealing Resolution No. 2015-031 and Approving an Amendment to a Lease with Pinnacle Tower, LLC and Authorizing the Mayor to Execute the Same (AF: 237-2014) (Chief Quillin).

Motion/Second: George/Parham, to pass:

Resolution No. 2015-062, A RESOLUTION REPEALING RESOLUTION NO. 2015-031; APPROVING A FIRST AMENDMENT TO LEASE AGREEMENT WITH PINNACLE TOWERS, LLC, TO OPERATE A TRANSMISSION TOWER ON BAYS MOUNTAIN; APPROVING AN AGREEMENT AND MEMORANDUM OF FIRST AMENDMENT TO LEASE AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT; AND AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT AS NEEDED

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, September 23, 2014**

5. Consideration of a Resolution Authorizing the Mayor to Execute Documents to Accept the Quote from SirsiDynix for an Integrated Library System for the Kingsport Public Library (AF: 234-2014) (Morris Baker).

Motion/Second: Clark/George, to pass:

Resolution No. 2015-063, A RESOLUTION APPROVING AN AGREEMENT WITH SIRSIDYNIX FOR AN INTEGRATED LIBRARY SYSTEM FOR THE KINGSPORT PUBLIC LIBRARY, 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 Approving a Memorandum of Understanding with Wellmont Health System and Authorizing the Mayor to Execute the Same (AF: 259-2014) (Jeff Fleming).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2015-064, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH WELLMONT HEALTH SYSTEM DBA HOLSTON VALLEY MEDICAL CENTER 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" except Hall abstained.

7. Consideration of Approval of Offer for Additional Easement and Right-of-Way for North Kingsport/West Carter's Valley Sanitary Sewer Extension Project (AF: 249-2014) (Ryan McReynolds).

Motion/Second: George/Clark, to approve:

OFFER FOR ADDITIONAL EASEMENT AND RIGHT-OF-WAY FOR NORTH KINGSPORT/WEST CARTER'S VALLEY SANITARY SEWER EXTENSION PROJECT

Passed: All present voting "aye."

8. Consideration of a Resolution Accepting a Donation from Tennessee Electric Company, Inc. Authorizing the Mayor to Sign All Documents Necessary and Proper to Recognize the Donation and Ratifying the Execution of Documents Previously Executed (AF: 260-2014) (Jeff Fleming).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2015-065, A RESOLUTION ACCEPTING A DONATION FROM TENNESSEE ELECTRIC COMPANY, INC.; AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO RECOGNIZE THE DONATION; AND RATIFYING THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO ACCEPT AND RECOGNIZE THE DONATION

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 23, 2014**

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. None.


VIII. COMMUNICATIONS.


A. CITY MANAGER. Mr. Fleming commented on the bond rating calls process this week. He also thanked the board members for all that they do for the community.

B. MAYOR AND BOARD MEMBERS. Mr. Andy Hall stated his service on the board has been an eye-opening experience and commented on the professionalism of city staff. Alderman George stated it was nice of the Chamber to host the State of the City address and complimented City Manager Fleming's presentation. Alderman Segelhorst stated his appreciation to the leaders of the groups of youth who were present tonight. He also congratulated the winners of the beautification awards and also to the police and fire departments for their recent awards. Alderman Clark made comments on the PEAK young professionals group who spoke at the work session yesterday. He also promoted the many extra-curricular activities available at the high school, pointing out the upcoming marching band competitions. Alderman Parham discussed a recent meeting that highlighted workforce ready initiatives, noting it was an opportunity that will help with economic development. He also commented on the conservation camp for fourth graders and the impressive learning opportunity it provided. Mr. Parham asked everyone to remember Mike Cook, the first quarterback for Sullivan County as he is having complications from a bee sting. Vice-Mayor McIntire commented on the passing of Bodie Scott, noting his contributions to the community. Mayor Phillips asked everyone to remember the family of Mr. Scott also, noting he would be sorely missed.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:09 p.m.


ANGELAM MARSHALL
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor