

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, November 1, 2016, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding
Vice Mayor Mike McIntire
Alderman Darrell Duncan
Alderman Colette George

Alderman Michele Mitchell
Alderman Tommy Olterman
Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager
Joseph E. May, Acting City Attorney
James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Alderman Michele Mitchell.
- II.B. **INVOCATION:** James Meade (Retired Minister Who Served Baptist Churches).
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Jim Demming/City Finance Department – Certificate of Achievement for Excellence in Financial Reporting.
- V. **APPROVAL OF MINUTES.**

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

- A. October 17, 2016 Regular Work Session
- B. October 18, 2016 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend the 2015 Consolidated Plan for Housing and Community Development (AF: 290-2016) (Lynn Tully).**

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

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Motion/Second: Mitchell/Duncan, to pass:

Resolution No. 2017-076, A RESOLUTION REQUESTING APPROVAL OF AN AMENDMENT TO THE 2015 NORTHEAST TN/SOUTHWEST VA HOME CONSORTIUM CONSOLIDATED PLAN

Passed: 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. Award Contract and Budget Ordinance to Appropriate Funds for the Centennial Park Project (AF: 284-2016) (Chris McCartt).

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM THE EAST TENNESSEE FOUNDATION FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2017-077, A RESOLUTION AWARDING A CONTRACT FOR THE CONSTRUCTION OF CENTENNIAL PARK TO ARMSTRONG CONSTRUCTION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT.

Passed: All present voting "aye."

2. Agreement with Kingsport Economic Development Board for Economic Development in the Downtown Redevelopment District and Appropriate Funds (AF: 289-2016) (Lynn Tully).

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2017-078, A RESOLUTION APPROVING AN AGREEMENT WITH KINGSFORT ECONOMIC DEVELOPMENT BOARD FOR THE ECONOMIC DEVELOPMENT IN THE DOWNTOWN REDEVELOPMENT DISTRICT 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 Alderman George "abstained."

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Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY TRANSFERRING FUNDS TO THE KINGSFORT ECONOMIC DEVELOPMENT BOARD FAÇADE PROGRAM FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye" except Alderman George "abstained."

3. Enter into a Materials Agreement with Danny Karst Related to Edinburgh South Phase I Development and an Ordinance to Appropriate the Funds (AF: 293-2016) (Ryan McReynolds).

Motion/Second: McIntire/George, to pass:

Resolution No. 2017-079, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MATERIALS AGREEMENT WITH DANNY KARST RELATED TO EDINBURG SOUTH PHASE I DEVELOPMENT AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

Motion/Second: Parham/George, to pass:

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH SOUTH PHASE 1 MATERIALS AGREEMENT PROJECTS (WA1785 AND SW1785); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Appropriate the Best Buy Foundation Community Grant Funds for the Library (AF: 263-2016) (Morris Baker).

Motion/Second: Olterman/McIntire, to pass:

ORDINANCE NO. 6617, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE BEST BUY FOUNDATION FOR THE LIBRARY FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Appropriate the Tennessee State Library and Archives Construction Grant Funds for the Library (AF: 258-2016) (Morris Baker).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6618, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE

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STATE OF TENNESSEE FOR THE LIBRARY FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Appropriate \$20,800.00 from the Tennessee Department of Safety & Homeland Security/Tennessee Highway Safety Office (THSO) (AF: 275-2016) (David Quillin).

Motion/Second: McIntire/Duncan, to pass:

ORDINANCE NO. 6619, AN ORDINANCE TO AMEND THE GENERAL PROJECTS - SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE GOVERNOR'S HIGHWAY SAFETY GRANT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Budget Ordinance to Transfer Funds to Wilcox Drive Sidewalk Phase 5 Improvements (AF: 276-2016) (Ryan McReynolds).

Motion/Second: Parham/McIntire, to pass:

ORDINANCE NO. 6620, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE ROAD DESIGN IMPROVEMENT PROJECT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Amend the FY17 General Project Fund Budget (AF: 269-2016) (David Frye).

Motion/Second: McIntire/Duncan, to pass:

ORDINANCE NO. 6621, AN ORDINANCE TO AMEND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Enter into a Contractual Agreement, TDOT Project No: 825307-S3-019, with the Tennessee Department of Transportation for Reimbursement of Capital Expenses to Build the Transit Center (AF: 265-2016) (Chris McCartt).

Motion/Second: McIntire/Mitchell, to pass:

ORDINANCE NO. 6622, AN ORDINANCE TO AMEND THE URBAN MASS TRANSIT FUND BUDGET BY APPROPRIATING GRANT FUNDS FROM THE TENNESSEE

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DEPARTMENT OF TRANSPORTATION TO THE TRANSIT CENTER PROJECT FOR THE YEAR ENDING JUNE 30, 2017; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. Approve an Architectural Agreement with Perkins + Will for Dobyns-Bennett Science and Technology Building (AF: 288-2016) (David Frye).

Motion/Second: Parham/Duncan, to pass:

Resolution No. 2017-080, A RESOLUTION APPROVING AN AGREEMENT WITH PERKINS + WILL FOR THE DOBYNS-BENNETT SCIENCE AND TECHNOLOGY BUILDING 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."

2. Approve a Real Property Acquisition for Property Subject to Eminent Domain Policy (AF: 282-2016) (Mike Billingsley)

Motion/Second: George/Mitchell, to pass:

Resolution No. 2017-081, A RESOLUTION APPROVING A REAL PROPERTY ACQUISITION FOR PROPERTY SUBJECT TO EMINENT DOMAIN POLICY

Passed: All present voting "aye."

3. Approve Offer to Purchase Property for the Transit Center Project (AF: 176-2016) (Chris McCartt).

Motion/Second: Parham/Duncan, to pass:

Resolution No. 2017-082, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF TWO TRACTS OF REAL PROPERTY FOR THE TRANSIT CENTER PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

4. Amend Agreement with Barge Waggoner Sumner and Cannon for Design Services Related to Centennial Park to Include Construction Administration Services (AF: 285-2016) (Chris McCartt).

Motion/Second: George/McIntire, to pass:

Resolution No. 2017-083, A RESOLUTION APPROVING THE AMENDMENT WITH BARGE WAGGONER SUMNER & CANNON, INC. FOR DESIGN SERVICES FOR

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CENTENNIAL PARK INCLUDING SPECIALIZED FOUNTAIN DESIGN AND CONSULTATION SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT; AND AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AMENDMENT, AS NEEDED

Passed: All present voting "aye."

5. Apply and Receive Assistance to Firefighters (AFG) Grant (AF: 286-2016) (Craig Dye).

Motion/Second: Olterman/Parham, to pass:

Resolution No. 2017-084, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY

Passed: All present voting "aye."

6. Accept a Donation, Resolution Ratifying the City Manager's Signature and Approve a Memorandum of Understanding with the Fred and June Childress Fund for the Kingsport Centennial Park (AF: 291-2016) (Mike Billingsley).

Motion/Second: Parham/Duncan, to pass:

Resolution No. 2017-085, A RESOLUTION ACCEPTING A DONATION FROM THE FRED AND JUNE CHILDRESS FOUNDATION; RATIFYING THE CITY MANAGER'S SIGNATURE; APPROVING A MEMORANDUM OF UNDERSTANDING AND AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Reappointments to the Kingsport Higher Education Commission (AF: 287-2016) (Mayor Clark).

Motion/Second: McIntire/George, to approve:

REAPPOINTMENTS OF MESSRS. JOHN WILLIAMS, PARKER SMITH AND KEITH WILSON TO SERVE A SECOND FOUR-YEAR TERM ON THE **KINGSPORT HIGHER EDUCATION COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON NOVEMBER 30, 2020.

Passed: All present voting "aye."

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

Motion/Second: McIntire/Duncan, to adopt:

1. Approve Easements and Rights-of-Way – Colonial Heights
(AF: 279-2016) (Ryan McReynolds).

Pass:

APPROVE EASEMENTS AND RIGHTS-OF-WAY – COLONIAL HEIGHTS

Passed: All present voting “aye.”

2. Approve Easements and Rights-of-Way – Centennial Park
(AF: 280-2016) (Chris McCartt).

Pass:

APPROVE EASEMENTS AND RIGHTS-OF-WAY – CENTENNIAL PARK

Passed: All present voting “aye.”

3. Approve Easements and Rights-of-Way – Enterprise Place
(AF: 283-2016) (Ryan McReynolds).

Pass:

APPROVE EASEMENTS AND RIGHTS-OF-WAY – ENTERPRISE PLACE

Passed: All present voting “aye.”

4. Annual Renewal of Public Library Maintenance of Effort Agreement with the Tennessee State Library and Archives (AF: 281-2016) (Morris Baker).

Pass:

Resolution No. 2017-086, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF THE PUBLIC LIBRARY MAINTENANCE OF EFFORT 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

Passed: All present voting “aye.”

5. Approve an Amendment to a Materials Agreement with Gregory DePriest (AF: 278-2016) (Jeff Fleming).

Pass:

Resolution No. 2017-087, A RESOLUTION APPROVING AN AMENDMENT TO THE MATERIALS AGREEMENT DATED MAY 7, 2015, WITH GREGORY DEPRIEST; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF

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THE AMENDMENT; REPEALING RESOLUTION NUMBER 2017-038; AND AUTHORIZING REIMBURSEMENT TO CHRIST FELLOWSHIP CHURCH, INC.

Passed: All present voting "aye."

6. Acquisition of Property for Stormwater Management
(AF: 252-2016) (Ryan McReynolds).

Pass:

Resolution No. 2017-088, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY FOR STORMWATER MANAGEMENT; AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT, IF NECESSARY; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. Fleming recognized Assistant City Manager Chris McCartt for his work with the committee working on the Centennial Park project. He thanked the board for their willingness to adopt and adhere to policies. Mr. Fleming commented on the availability of livestreaming the business meetings, noting the last meeting was the first one. Lastly he gave an update on the new housing and apartment building permits recently issued by the city.
- B. MAYOR AND BOARD MEMBERS.** Alderman Mitchell invited everyone for downtown open house this Thursday. She also commented on two upcoming theatre events, Into the Woods by the Kingsport Theatre Guild and Romeo and Juliet by the State Theatre. Ms. Mitchell stated she was resigning her seat and this was her last meeting as Alderman as she is relocation due to her husband's new job. Alderman Duncan stated his tie was signed by the Dobyys Bennett football team, noting they are in the playoffs and wishing them the best. He commented on the livestreaming and thanked Alderman Mitchell for her service to the city and wished her luck. Alderman Parham recognized Alderman Mitchell, listing the attributes she has contributed to the board. Alderman Olterman stated it has been an honor and privilege to serve with Alderman Mitchell. Alderman George mentioned that early voting ends tomorrow and encouraged everyone to vote. She also stated Alderman Mitchell will be missed and hoped she will return to Kingsport one day and assume another leadership position. Vice-Mayor McIntire added his thanks for Alderman Mitchell's service and wished her well in her move. He thanked the Centennial Committee for all their hard work and for those who contributed to Centennial Park. He also commented on the presentation by Healthy Kingsport at the work session yesterday, noting they have done some

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great work. Lastly, the vice-mayor stated the schools recognized the police department today by wearing blue and thanked them for their support. Mayor Clark congratulated the Dobyys Bennett band on winning their competition last weekend. He stated Holston Valley Medical Center has been in operation for 80 years and continues to make investments in our community, noting the new neo-natal wing opening tomorrow. He stated the State of the City address will be in two weeks and invited everyone to attend, which will be followed by the ground-breaking for the Centennial Park later that day. The mayor presented the first commissioned print of Centennial Park to Alderman Mitchell. She thanked the board and the community for all their love and support during her tenure as Alderman.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:00 p.m.


ANGELA MARSHALL
Deputy City Recorder


JOHN CLARK
Mayor