

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 20, 2021, 7:00 PM
City Hall, 415 Broad Street, Boardroom

PRESENT: Board of Mayor and Aldermen
Mayor Patrick W. Shull, Presiding
Vice-Mayor Colette George
Alderman Jennifer Adler
Alderman Betsy Cooper
Alderman Darrell Duncan
Alderman Tommy Olterman
Alderman James Phillips

City Administration
Chris McCartt, City Manager
J. Michael Billingsley, City Attorney
Lisa Winkle, Treasurer/Deputy City Recorder
Angie Marshall, City Clerk/Deputy City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Patrick W. Shull.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Savannah Garland.
- II.B. **INVOCATION:** Pastor Chris Brown, Colonial Heights United Methodist.
- III.A. **ROLL CALL:** By Deputy City Recorder Winkle. All Present.
- III.B. A determination by the board that meeting electronically and limiting the physical presence of the public at the meeting is necessary to protect public health, safety and welfare of all concerned in light of the COVID-19 virus.
Mayor Shull made this declaration and each alderman verbally affirmed.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.** None.
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Phillips/Cooper, to approve minutes for the following meetings:

- A. April 5, 2021 Regular Work Session
- B. April 6, 2021 Regular Business Meeting

Approved in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

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VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Waterline Easement Abandonment for 2401-2405 S. Wilcox Drive (AF: 106-2021) (Savannah Garland).

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

Motion/Second: George/Olterman, to pass:

AN ORDINANCE TO ABANDON A SECTION OF A WATER LINE EASEMENT LOCATED OFF OF SOUTH WILCOX DRIVE SITUATED IN THE CITY OF KINGSFORT, THIRTEENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

PUBLIC COMMENT. Mayor Shull 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 Adjustment for FY21 General Project-Special Revenue Fund and General Project Fund (AF: 120-2021) (Chris McCartt).

Motion/Second: Adler/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND AND GENERAL PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

2. Amend FY21 General Purpose School Fund Budget (AF: 113-2021) (David Frye).

Motion/Second: Duncan/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

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C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning for Flagship Drive Annexation (AF: 111-2021)
(Elizabeth Rowe).

Motion/Second: George/Olterman, to pass:

ORDINANCE NO. 6932, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG FLAGSHIP DRIVE FROM COUNTY M-1, LIGHT MANUFACTURING DISTRICT, TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 07TH 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: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

2. Amend City Code Chapter 2, Division 5, Section 2-440 Higher Education Advisory Board (AF: 09-2021) (Chris McCartt).

Motion/Second: Adler/Phillips, to pass:

ORDINANCE NO. 6933, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 2-440 THROUGH 2-445 RELATING TO THE CREATION OF THE HIGHER EDUCATION COMMISSION AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

D. OTHER BUSINESS.

1. Renew Bid Award for Unleaded Gasoline and Ultra-Low Sulfur Diesel (AF: 114-2021) (Ryan McReynolds, Steve Hightower).

Motion/Second: George/Olterman, to pass:

Resolution No. 2021-197, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF UNLEADED GASOLINE FOR USE IN CITY EQUIPMENT AND VEHICLES TO MANSFIELD OIL COMPANY OF GAINESVILLE AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

Motion/Second: Duncan/Phillips, to pass:

Resolution No. 2021-198, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF ULTRA LOW SULFUR DIESEL FUEL FOR USE IN CITY EQUIPMENT AND VEHICLES TO PETROLEUM TRADERS CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

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Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

2. Renew Bid Award for Propane & Propane Conversion Kits (AF: 115-2021) (Ryan McReynolds, Steve Hightower).

Motion/Second: George/Cooper, to pass:

Resolution No. 2021-199, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF PROPANE AUTO GAS AND PROPANE CONVERSION KITS FOR USE IN CITY EQUIPMENT FOR FISCAL YEAR 2021-2022 TO BLOSSMAN GAS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

3. Approve Permit for a Carnival to Operate Temporarily at 4540 University Boulevard (AF: 118-2021) (Ken Weems).

Motion/Second: George/Olterman, to pass:

Resolution No. 2021-200, A RESOLUTION APPROVING A PERMIT TO OPERATE A CARNIVAL

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

4. Approve Inclusion of the City in Opioid Litigation Pursuant to Tennessee's Drug Dealer Liability Act Filed by District Attorney General Barry Staubus (AF: 119-2021) (Chris McCartt).

Motion/Second: Adler/Duncan, to pass:

Resolution No. 2021-201, A RESOLUTION SUPPORTING THE DRUG DEALER LIABILITY ACT LAWSUIT FILED BY DISTRICT ATTORNEY GENERAL BARRY STAUBUS, APPROVING THE ACTIONS TAKEN IN THE LAWSUIT THUS FAR ON THE CITY'S BEHALF; APPROVING THE CITY AS A NAMED PLAINTIFF IN THE LAWSUIT; RETAINING DISTRICT ATTORNEY GENERAL BARRY STAUBUS AND THE LAW FIRM OF BRANSTETTER, STRANCH AND JENNINGS, PLLC AS COUNSEL; APPROVING THE RETAINER AGREEMENT WITH THE LAW FIRM; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT OR THIS RESOLUTION

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

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5. Acquire Property for Kingsport City School System (AF: 122-2021) (David Frye).

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2021-202, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1745 PARK STREET; 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 in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

6. Authorize City to Cooperatively Purchase Hardware Upgrades for the Kingsport Police and Fire Departments for Use with Upgraded Software from CentralSquare Technologies (AF: 121-2021) (Chris McCartt).

Motion/Second: George/Olterman, to pass:

Resolution No. 2021-203, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR PURCHASE OF HARDWARE UPGRADES FOR THE KINGSFORT POLICE AND FIRE DEPARTMENTS FOR USE WITH THE UPGRADED CENTRAL SQUARE TECHNOLOGIES SOFTWARE UPGRADES FROM DELL TECHNOLOGIES

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

7. Ratify Mayor Shull's Signature on Amendment to Partnership Support Grant with the Tennessee Arts Commission (AF: 68-2021) (Michael Borders).

Motion/Second: Duncan/Adler, to pass:

Resolution No. 2021-204, A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO AMEND THE PARTNERSHIP SUPPORT GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

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

Motion/Second: George/Cooper, to adopt:

1. Bays Mountain Park Association to Host 50th Anniversary Events (AF: 116-2021) (Michael Borders, Rob Cole).

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Pass:

Resolution No. 2021-205, A RESOLUTION APPROVING THE BAYS MOUNTAIN PARK ASSOCIATION TO HOST SPECIAL EVENTS AS PART OF THE 50TH ANNIVERSARY CELEBRATION FOR BAYS MOUNTAIN PARK AND PLANETARIUM; TO ALLOW THE ASSOCIATION TO SET FEES FOR EVENTS HOSTED IN CONJUNCTION WITH THE 50TH ANNIVERSARY CELEBRATION WHICH DIFFER FROM THOSE PREVIOUSLY ESTABLISHED BY THE BOARD OF MAYOR AND ALDERMAN AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

2. Renew Proposal for Concession Food Service Distributor for the Kingsport Aquatic Center to H.T. Hackney Company (AF: 117-2021) (Michael Borders).

Pass:

Resolution No. 2021-206, A RESOLUTION AUTHORIZING THE RENEWAL OF THE KINGSFORT AQUATIC CENTER CONCESSION FOOD SERVICE DISTRIBUTOR CONTRACT WITH H.T. HACKNEY COMPANY

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

3. Authorize the Mayor to Sign a Contract Amendment with the Tennessee Department of Transportation on Behalf of the Kingsport MTPO for Federal Planning Fund Modifications (AF: 112-2021) (Leslie Phillips).

Pass:

Resolution No. 2021-207, A RESOLUTION APPROVING AN AMENDMENT TO GRANT CONTRACT Z19MPO007 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE KINGSFORT METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. None.

B. MAYOR AND BOARD MEMBERS. Alderman Duncan commented on the paving update given at the work session yesterday, noting the positive trend especially since 2016. He mentioned Keep Kingsport Beautiful had already picked up 5.9 tons of trash in the two clean-ups they have already had, noting there were five more scheduled. Lastly, he mentioned the Farmers Market would be opening this

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Saturday. Alderman Cooper pointed out the presentations on Bays Mountain and paving at the work session were very informative. She mentioned the activities scheduled throughout the year at Bays Mountain, pointing out there are lots of activities to do in Kingsport. Alderman Adler also commented on the opening of the Farmers Market as well as the new dog park. Alderman Phillips talked about the Downtown Kingsport Association and encouraged citizens to visit their website. Alderman Olterman encouraged everyone to support their local sports teams. Vice-Mayor George commented on the ribbon cutting at the dog park. She also mentioned the new merchandise for the Bays Mountain anniversary and noted that they needed volunteers at the park to clear trails. Mayor Shull asked the city manager to talk about how information from the city is shared with the public. He mentioned the different methods of posting information, noting the website is the best resource.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 7:46 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor