

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, July 6, 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 Betsy Cooper

Alderman Darrell Duncan

Alderman Paul Montgomery

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. SWEARING IN OF ELECTED BOARD MEMBER OFFICIALS - Judge Robert Montgomery.

- Colette George as Alderman
- Betsy Cooper as Alderman
- Paul W. Montgomery as Alderman
- Patrick W. Shull as Mayor

II.A. CALL TO ORDER: 7:00 p.m., by Mayor Patrick W. Shull.

II.B. PLEDGE OF ALLEGIANCE TO THE FLAG: New Vision Youth.

II.C. INVOCATION: Mayor Patrick W. Shull

III. ROLL CALL: By Deputy City Recorder Winkle. All Present.

III.A. SELECTION OF VICE MAYOR.

Motion/Second: Phillips/Olterman, to approve Colette George as Vice Mayor.

Approved: All present voting "aye."

IV.A. RECOGNITIONS AND PRESENTATIONS.

Before the presentations, Ms. Johnnie Mae Swaggerty from New Vision Youth introduced Ezra Howard who expressed the need for a dedicated dumpster for the homeless population.

1. Top 10 Academic Graduates in the Dobyns-Bennett High School Class of 2021 (Mayor Shull).
2. Girls' Large School State Tennis Singles Champion - Willa Rogers (Mayor Shull).

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IV.B. APPOINTMENTS/REAPPOINTMENTS. None.

V. APPROVAL OF MINUTES.

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

- A. June 14, 2021 Regular Work Session
- B. June 15, 2021 Regular Business Meeting
- C. June 17, 2021 Called Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS. None.

PUBLIC COMMENT. Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. One citizen commented on the plans for the marina at Warriors and was referred to the state. Mayor Shull commented on sidewalks.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Amend Code of Ordinances Chapter 98, Section 238 (AF: 211-2021) (Chief Phipps).

Motion/Second: Phillips/George, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 98, ARTICLE IV, REGARDING AUTHORIZED USES OF CITY OWNED PARKING FACILITIES; FIXING THE PENALTY FOR A VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

2. Appropriate Funds from Tennessee Arts Commission for the Partnership Support Annual Grant (AF: 215-2021) (Michael Borders).

Motion/Second: Duncan/Cooper, to pass:

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

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

3. Budget Adjustment for Various Funds in FY21 (AF: 209-2021) (Chris McCartt).

Motion/Second: Montgomery/George, to pass:

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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4. Adopt State Equalized Property Tax Rate for FY22 (AF: 210-2021) (Chris McCartt).

Motion/Second: George/Montgomery, to pass:

AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL, PERSONAL, AND MIXED PROPERTY WITHIN THE CITY OF KINGSPORT, SULLIVAN COUNTY AND THE CITY OF KINGSPORT, HAWKINS COUNTY WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE COUNTY PROPERTY ASSESSORS, THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE, AND THE STATE BOARD OF EQUALIZATION FOR THE TAX YEAR 2021; AND TO FIX THE EFFECTIVE DATE OF THE ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Condemn (AF: 199-2021) (Mike Billingsley).

Motion/Second: Duncan/Phillips, to pass:

ORDINANCE NO. 6951, 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 A CERTAIN PUBLIC WORKS PROJECT; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Combine Two Part-Time Driver Positions into One Full-Time Position (AF: 202-2021) (Chris McCartt).

Motion/Second: Montgomery/Phillips, to pass:

ORDINANCE NO. 6952, AN ORDINANCE TO AMEND THE URBAN MASS TRANSIT BUDGET BY ADDING A BUS/VAN DRIVER POSITION FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Appropriate Funds for West Gate Phase 2 Materials Agreement Projects (AF: 150-2021) (Ryan McReynolds)

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6953, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE WEST GATE PHASE 2 MATERIALS AGREEMENT PROJECTS (WA2154 AND SW2154); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. Extend Bid Award for Dobyns-Bennett High School Cooling Tower Replacement to S.B. White (AF: 200-2021) (David Frye).

Motion/Second: Montgomery/Olterman, to pass:

Resolution No. 2022-001, A RESOLUTION AWARDDING THE BID FOR THE DOBYNS-BENNETT HIGH SCHOOL COOLING TOWER REPLACEMENT PROJECT TO S.B. WHITE CO. 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. Execute a Guaranteed Energy Savings Performance Contract with Energy Systems Group, LLC (AF: 140-2021) (David Frye).

Motion/Second: Duncan/George, to pass:

Resolution No. 2022-002, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ENERGY SYSTEMS GROUP, LLC, FOR ENGINEERING AND EQUIPMENT FOR ENERGY RELATED SERVICES PROVIDING REDUCTION IN ENERGY USE IN KINGSFORT CITY SCHOOLS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

3. Authorize the Mayor to Sign a Loan Agreement with the State of Tennessee's Energy Efficient Schools Initiative (AF: 217-2021) (David Frye).

Motion/Second: Olterman/George, to pass:

Resolution No. 2022-003, A RESOLUTION APPROVING AN ENERGY EFFICIENT SCHOOLS INITIATIVE LOAN AGREEMENT WITH THE ENERGY EFFICIENT SCHOOLS COUNCIL 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. Approve Professional Service Agreement with LDA Engineering for the Replacement of Three Sewer Lift Stations (AF: 208-2021) (Ryan McReynolds).

Motion/Second: Duncan/Montgomery, to pass:

Resolution No. 2022-004, A RESOLUTION AMENDING AN ADDENDUM TO AN AGREEMENT WITH LDA ENGINEERING FOR THE REPLACEMENT OF THREE SEWER LIFT STATIONS AND AUTHORIZING THE MAYOR TO EXECUTE THE

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AMENDMENT TO THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY
AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

5. Name the Dolan Branch Bridge (AF: 220-2021) (Chris McCartt).

Motion/Second: George/Phillips, to pass:

Resolution No. 2022-005, A RESOLUTION DESIGNATING THE UNNAMED
RESERVOIR ROAD BRIDGE OVER DOLAN BRANCH AS THE GARY BURKE
MEMORIAL BRIDGE

Passed: All present voting "aye."

**6. Approve FTAAAD Grant Amendment for FY21 and FY22
(AF: 213-2021) (Shirley Buchanan).**

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2022-006, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AN AMENDMENT TO THE AGREEMENT WITH THE FIRST TENNESSEE
DEVELOPMENT DISTRICT'S AREA AGENCY ON AGING AND DISABILITY GRANT
FOR FISCAL YEAR 2021-2022 AND ALL DOCUMENTS NECESSARY AND PROPER TO
APPROVE THE AMENDMENT

Passed: All present voting "aye."

**7. Accept Donation of Woodshop Equipment from Vernon Gary
Henson (AF: 186-2021) (Michael Borders).**

Motion/Second: Montgomery/Duncan, to pass:

Resolution No. 2022-007, A RESOLUTION ACCEPTING A DONATION OF
WOODWORKING EQUIPMENT FROM VERNON GARY HENSON TO THE KINGSFORT
SENIOR CENTER

Passed: All present voting "aye."

**8. Authorize Mayor to Execute Agreements with Various Agencies
and Organizations for Services in FY21-22 Benefiting the General Welfare of
Kingsport Residents (AF: 188-2021) (Jessica Harmon).**

Motion/Second: Phillips/George, to pass:

Resolution No. 2022-008, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR SERVICES IN
FISCAL YEAR 2021-2022 BENEFITING THE GENERAL WELFARE OF KINGSFORT
RESIDENTS

Passed: All present voting "aye."

**9. Authorize City Manager to Approve Certain Materials
Agreements (AF: 214-2021) (Jessica Harmon).**

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Motion/Second: Cooper/George, to pass:

Resolution No. 2022-009, A RESOLUTION AMENDING THE MATERIALS AGREEMENT POLICY ADOPTED BY RESOLUTION No. 2007-084 TO AUTHORIZE THE CITY MANAGER TO APPROVE MATERIALS AGREEMENTS WHICH DO NOT EXCEED THE PURCHASING LIMITS SET FORTH IN KINGSFORT CODE OF ORDINANCES SECTION 2-592, AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting "aye."

10. Authorize Mayor to Execute Various Subrecipient Agreements for Community Development Block Grant Funding in FY21/FY22 (AF: 212-2021) (Jessica McMurray).

Motion/Second: Duncan/Olterman, to pass:

Resolution No. 2022-010, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK FUNDING IN FISCAL YEAR 2021-2002.

Passed: All present voting "aye."

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

Motion/Second: George/Olterman, to adopt:

1. Reject Bids for Purchase of 4x4 Tractor (AF: 204-2021) (Ryan McReynolds).

Pass:

Resolution No. 2022-011, A RESOLUTION REJECTING ALL BIDS RELATED TO THE PURCHASE OF A 4x4 TRACTOR

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

2. Release of All Claims for Progressive Hawaii Insurance Company and Its Insured Jennifer Hite, Whitney Linkous and Hannah Rogers for Payment for Damages to a Roadway Sign Due to a Vehicle Crash on April 26, 2021 on Orebank Road (AF: 207-2021) (John Burkholder).

Pass:

Resolution No. 2022-012, A RESOLUTION APPROVING A PROPERTY DAMAGE RELEASE FROM PROGRESSIVE INSURANCE COMPANY FOR PROPERTY DAMAGE TO A ROADWAY SIGN ON OREBANK ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE

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3. Approval for Northeast State Community College to Enter into a 6-Month Sublease Agreement with Lincoln Memorial University (AF: 216-2021) (Jessica Harmon).

Pass:

Resolution No. 2022-013, A RESOLUTION APPROVING AN AGREEMENT WITH LINCOLN MEMORIAL UNIVERSITY PROVIDING CLASSES AT THE KINGSPORT CENTER FOR HIGHER EDUCATION; APPROVING SUBLEASES TO SAID ENTITY BY NORTHEAST STATE COMMUNITY COLLEGE; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT OR THIS RESOLUTION

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

4. Approval to Sell Real Estate in the Mable Edith Franklin Estate (AF: 218-2021) (Michael Billingsley).

Pass:

Resolution No. 2022-014, A RESOLUTION CONSENTING TO THE SALE OR AUCTION OF REAL PROPERTY OWNED BY MABLE EDITH FRANKLIN, NOW DECEASED; AUTHORIZING THE MAYOR TO EXECUTE A CONSENT TO SELL OR AUCTION REAL PROPERTY AND ANY OTHER DOCUMENTS NECESSARY AND PROPERTY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

5. Authorize Sale of Surplus Vehicle to PETWORKS (AF: 219-2021) (John Morris).

Pass:

Resolution No. 2022-015, A RESOLUTION DECLARING A CERTAIN FLEET VEHICLE AS SURPLUS, REMOVING SAME FROM THE FIXED ASSET REGISTER, AND APPROVING THE SALE OF SUCH SURPLUS VEHICLE TO PETWORKS

Passed: All present voting "aye."

VIII. COMMUNICATIONS.


A. CITY MANAGER. Mr. McCartt welcomed Alderman Montgomery. He also congratulated Lisa Winkle on her recent official promotion to City Recorder. Mr. McCartt noted that the Customer Service Center would be relocating to the new city hall later this week. Lastly, he commented on the work session presentations regarding economic development, highlighting the developer friendly attributes of the city.

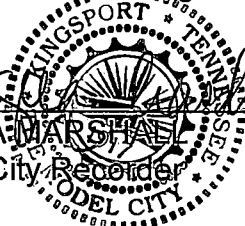
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B. MAYOR AND BOARD MEMBERS. Alderman Montgomery thanked the citizens for their support, stating he was honored to serve with the BMA. Alderman Phillips commented on a recent road trip with his family encompassing 4,000 miles and many cities. He pointed out the new business, homes and low rates of Kingsport, noting he is proud of the way the city is moving forward. He also mentioned that the Citizens Fire Academy is coming back this fall and applications are being accepted through July 16. Alderman Duncan commented he was glad the Burke family was here. He also pointed out the many positive projects all over the city addressing housing, retail and commercial. He mentioned the many people who were in town recently for baseball tournaments, noting it was almost back to normal during last weekend's 4th of July parade. Alderman Cooper expressed her appreciation for being able to serve again noting it was a privilege to give back to the city. She also commented that her priorities for amenities have changed with the arrival of grandchildren, highlighting the parks, playgrounds, splash pads and the carousel. Vice-Mayor George stated she was thankful and looking forward to serve again. She thanked the BMA for electing her Vice-Mayor again. She commented on her vacation to New Mexico, noting they have the highest number of unpaved roads and made Kingsport's look great. She also pointed out our area was blessed to have so many businesses stay open after the pandemic, noting it is not that way elsewhere. She also commented on the recent parade and the patriotic decorations and pointed out Funfest was coming up. Mayor Shull commented on the Ballroom Dance competition at Meadowview, noting there were 300 people from 36 states. He echoed other comments comparing Kingsport to other areas after traveling on vacation.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:10 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor