

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, August 17, 2021, 7:00 PM
City Hall, 415 Broad Street, Boardroom

PRESENT:

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Alderman Betsy Cooper
Alderman Darrell Duncan
Alderman Paul Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Ryan McReynolds, Deputy City Manager
Bart Rowlett, Assistant City Attorney
Lisa Winkle, Treasurer/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:** New Vision Youth.
- II.B. **INVOCATION:** Pastor Rick Meade, Lynn Garden Baptist Church.
- III.A. **ROLL CALL:** By City Recorder Winkle. Absent: Vice Mayor Colette George.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
 1. Recognition of Dr. Spivey (Mayor Shull).
 2. Keep Kingsport Beautiful Beautification Awards (Neil Brown).
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.**
 1. **Reappointments to the Bays Mountain Park Commission** (AF: 248-2021) (Mayor Shull).

Motion/Second: Montgomery/Cooper, to approve:

REAPPOINTMENTS OF RUSS BROGDEN, ROBIN KERKHOFF AND WOODY REEVES TO SERVE ANOTHER THREE-YEAR TERM ON THE **BAYS MOUNTAIN PARK COMMISSION** EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2024.

Passed: All present voting "aye."

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V. APPROVAL OF MINUTES.

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

- A. August 2, 2021 Regular Work Session
- B. August 3, 2021 Regular 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. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

~~1. Amend Sections 2-569 and 2-570 of the Kingsport Code of Ordinances to Reestablish a Designated Alderman for the Disposition of City-Owned Real Property (AF: 249-2021) (Lisa Winkle).~~ This agenda item was pulled on August 16, 2021.

2. Budget Adjustment for the Health Insurance Fund in FY21
(AF: 256-2021) (Chris McCartt).

Motion/Second: Olterman/Cooper, to pass:

AN ORDINANCE TO INCREASE THE HEALTH INSURANCE FUND BUDGET FOR THE FISCAL 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 the Fleet Maintenance Fund in FY22
(AF: 257-2021) (Chris McCartt).

Motion/Second: Duncan/Phillips, to pass:

AN ORDINANCE TO INCREASE THE FLEET MAINTENANCE FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning Code by Removing the Prohibition of Certain Building Materials for the Purpose of Compliance with New State Law Public Chapter 332. The Proposed Ordinance Requires Certain Materials to be Restricted in the Construction of Buildings. (AF: 241-2021) (Ken Weems).

Motion/Second: Phillips/Olterman, to pass:

ORDINANCE NO. 6961, AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 114 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO ZONING BY REMOVING THE PROHIBITION OF CERTAIN CONSTRUCTION MATERIALS; CREATING A WAIVER PROCESS FOR THE USE OF CERTAIN CONSTRUCTION MATERIALS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. Agreement with Barge Design Solutions for Riverbend Park Professional Design Services (AF: 254-2021) (Michael Borders/Kitty Frazier).

Motion/Second: Montgomery/Cooper, to pass:

Resolution No. 2022-031, A RESOLUTION APPROVING AN AGREEMENT WITH BARGE DESIGN SOLUTIONS FOR RIVERBEND PARK PROFESSIONAL DESIGN SERVICES 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. Authorize Signature of Work Estimate for Sullivan County Highway Department to Resurface a Portion of Shady View Road (AF: 245-2021) (Ryan McReynolds)

Motion/Second: Duncan/Montgomery, to pass:

Resolution No. 2022-032, A RESOLUTION APPROVING A WORK ESTIMATE FROM THE SULLIVAN COUNTY HIGHWAY DEPARTMENT FOR RESURFACING PORTIONS OF SHADY VIEW ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THE WORK ESTIMATE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

3. Approve a Release of All Claims for USAA Insurance Company and Its Insured, Michael W. Richards, for Payment for Damages to a Fence and Sewer Lift Pump Station Due to a Vehicle Crash on September 18, 2018 on Clouds Ford Road (AF: 206-2021) (John Burkholder).

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Motion/Second: Olterman/Cooper, to pass:

Resolution No. 2022-033, A RESOLUTION APPROVING A PROPERTY DAMAGE RELEASE FROM USAA INSURANCE COMPANY FOR PROPERTY DAMAGE TO A FENCE AND SEWER LIFT PUMP STATION ON CLOUDS FORD ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RELEASE

Passed: All present voting "aye."

4. Amend a Blanket Order to Tennessee Book Company for FY22 Textbook Purchases (AF: 227-2021) (David Frye).

Motion/Second: Montgomery/Phillips, to pass:

Resolution No. 2022-034, A RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT TEXTBOOKS BY THE KINGSPORT CITY SCHOOL SYSTEM FOR FISCAL YEAR 2022 AND AUTHORIZING THE CITY MANAGER TO AMEND THE BLANKET PURCHASE ORDER FOR THE SAME

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

5. Authorize Reimbursement of Materials Agreement Funds to Landstar, LLC Also Known As Land Star Partners LLC for the West Gate Phase 1 Development (AF: 242-2021) (Ryan McReynolds).

Motion/Second: Phillips/Duncan, to pass:

Resolution No. 2022-035, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO THE LAND STAR PARTNERS, LLC ALSO KNOWN AS LAND STAR PARTNERS, LLC FOR THE WEST GATE PHASE 1 DEVELOPMENT

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

6. Purchase a Used Caterpillar D6 Dozer from Stowers Machinery (AF: 253-2021) (Ryan McReynolds).

Motion/Second: Cooper/Duncan, to pass:

Resolution No. 2022-036, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR A USED 2018 CATERPILLAR D6 DOZER FROM STOWERS MACHINERY

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

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

Motion/Second: Olterman/Montgomery, to adopt:

1. Authorize a Change in Name and Title of the Person on Record with ICMA/RC (Mission Square) as the Plan Coordinator on Behalf of City Retirement Plans (AF: 247-2021) (George DeCroes).

Pass:

Resolution No. 2022-037, A RESOLUTION AUTHORIZING A CHANGE TO THE PLAN COORDINATOR FOR THOSE EMPLOYEE BENEFIT PLANS ADMINISTERED BY MISSION SQUARE f/k/a ICMA/RC; AUTHORIZING THE PLAN COORDINATOR TO PERFORM ADMINISTRATIVE DUTIES RELATED TO THE EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

2. Authorize Mayor to Execute All Necessary and Proper Documents with Flexible Benefit Administrators for COBRA Administrative Services (AF: 237-2021) (George DeCroes).

Pass:

Resolution No. 2022-038, A RESOLUTION APPROVING AN AGREEMENT WITH FLEXIBLE BENEFIT ADMINISTRATORS, INC., AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

3. Authorization for Mayor to Execute a Deed of Easement to Domtar Paper Company, LLC (AF: 251-2021) (Chris McCartt).

Pass:

Resolution No. 2022-039, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED OF EASEMENT FOR THE PROPERTY COMMONLY REFERRED TO AS CEMENT HILL AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

4. Designate Officials Authorized to Execute Banking Transactions for the City of Kingsport (AF: 252-2021) (Lisa Winkle).

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Pass:

Resolution No. 2022-040, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR CITY OF KINGSPORT POLICE DEPARTMENT SPECIAL INVESTIGATION ACCOUNT ON DEPOSIT WITH FIRST HORIZON BANK NATIONAL ASSOCIATION

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

Pass:

Resolution No. 2022-041, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH CITIZENS BANK

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

Pass:

Resolution No. 2022-042, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH FHN FINANCIAL

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

Pass:

Resolution No. 2022-043, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH TRUIST BANK

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

Pass:

Resolution No. 2022-044, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH FIRST HORIZON BANK NATIONAL ASSOCIATION

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

Pass:

Resolution No. 2022-045, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH HOMETRUST BANK

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

Pass:

Resolution No. 2022-046, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH LOCAL GOVERNMENT INVESTMENT POOL

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

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Pass:

Resolution No. 2022-047, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH REGIONS BANK

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

Pass:

Resolution No. 2022-048, A RESOLUTION AUTHORIZING OFFICIAL SIGNATURES FOR ACCOUNTS ON DEPOSIT WITH BANK OF TENNESSEE

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

5. Proposed Stormwater Annual Compliance Report (AF: 255-2021) (Ryan McReynolds).

Pass:

Resolution No. 2022-049, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A STORMWATER ANNUAL COMPLIANCE REPORT REQUIRED BY THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

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

VIII. COMMUNICATIONS.

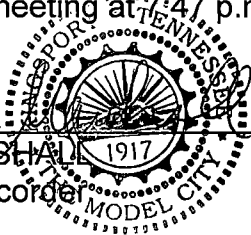
- A. CITY MANAGER.** Deputy City Manager. McReynolds complimented city staff.
- B. MAYOR AND BOARD MEMBERS.** Alderman Duncan mentioned the storm drain art contest was open again through the stormwater and cultural arts departments. He also stated there were two more concerts at Allandale this month to finish off the series. Lastly, he pointed out the United Way campaign kicked off this week with a goal of three million dollars, noting this organization impacts more than 1,400 people a day. Alderman Cooper asked citizens to be careful traveling in school zones and to watch for children. She also asked for prayers that schools stay safe and can stay in session with the rising COVID numbers. Alderman Montgomery commented on the Lo Country Boil event last weekend. He also stated his appreciation for Dr. Spivey and encouraged citizens to talk to their doctors about getting the vaccine. Alderman Phillips encouraged citizens to visit the Kingsport MPO website to participate in a study regarding the future of Center Street. He thanked Marketing Director Adrienne Batara for her presentation at the work session yesterday. Mr. Phillips also pointed out this was the last meeting before college football starts. Alderman Olterman asked everyone to support Dobyys-Bennett at their first football game this Friday in Bristol, noting their first home game was August 27. Mayor Shull commented on the census data, noting Kingsport has grown over 7,200 residents in the past ten years.

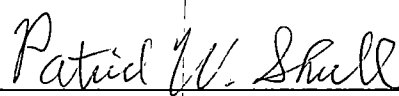
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C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 7:47 p.m.


ANGELA MARSHALL
Deputy City Recorder




PATRICK W. SHULL
Mayor