

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, September 28, 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 Paul Montgomery  
Alderman Betsy Cooper           Alderman Tommy Olterman  
Alderman Darrell Duncan           Alderman James Phillips

City Administration  
Chris McCartt, City Manager  
J. Michael Billingsley, 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:** Michael Borders.

II.B. **INVOCATION:** Pastor Mike Beverly, Indian Springs Christian Church.

III.A. **ROLL CALL:** By City Recorder Winkle. All Present.

IV.A. **RECOGNITIONS AND PRESENTATIONS.**

1. Keep Kingsport Beautiful Beautification Awards
2. Good Neighbor Week Proclamation (Alderman Montgomery)

IV.B. **APPOINTMENTS/REAPPOINTMENTS.**

1. **Reappointment to the Board of Zoning Appeals (AF: 281-2021)** (Mayor Shull).

Motion/Second: Duncan/Phillips, to approve:

REAPPOINTMENT OF MR. BILL SUMNER TO SERVE ANOTHER THREE-YEAR TERM ON THE **BOARD OF ZONING APPEALS** EFFECTIVE IMMEDIATELY AND EXPIRING ON DECEMBER 31, 2024.

Passed: All present voting "aye."

V. **APPROVAL OF MINUTES.**

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

- A. September 7, 2021 Regular Work Session
- B. September 7, 2021 Regular Business Meeting

Approved: All present voting "aye."

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**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. Addition of Secretarial Position for the Building Division (AF: 289-2021) (Ryan McReynolds).**

Motion/Second: Philips/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY ADDING A SECRETARY POSITION IN THE BUILDING DIVISION 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."

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. Amend Zoning of Tax Map 064, a Portion of Parcel 138.00 Located off Shadowtown Road from B-3 (Highway Oriented Business District) to R-4 (Medium Density Apartment District) (AF: 262-2021) (Ken Weems).**

Motion/Second: George/Cooper, to pass:

**ORDINANCE NO. 6964**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG SHADOWTOWN ROAD FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-4, MEDIUM DENSITY APARTMENT DISTRICT IN THE 7<sup>TH</sup> 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

**2. Appropriate Funds for a Private Monetary Donation to the Police K-9 Program (AF: 258-2021) (Chief Phipps).**

Motion/Second: Duncan/Montgomery, to pass:

**ORDINANCE NO. 6965**, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS FOR THE YEAR ENDING JUNE 30, 2022; 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."

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**3. Appropriate \$44,000.00 from the Tennessee Highway Safety Office's (THSO) FY22 Grant (AF: 268-2021) (Chief Phipps)**

Motion/Second: George/Phillips, to pass:

**ORDINANCE NO. 6966**, AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2022; 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."

**4. Appropriate \$20,000.00 from the Tennessee Highway Safety Office's (THSO) FY22 Coordinator Grant (AF: 269-2021) (Chief Phipps)**

Motion/Second: Duncan/George, to pass:

**ORDINANCE NO. 6967**, AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2022; 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."

**5. Amend Code of Ordinances Chapter 98 Relating to Traffic and Vehicles (AF: 273-2021) (Chief Phipps)**

Motion/Second: Montgomery/Phillips, to pass:

**ORDINANCE NO. 6968**, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, BY ADDING ADDITIONAL SECTIONS TO CHAPTER 98 RELATING TO TRAFFIC AND VEHICLES; 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."

**6. Budget Adjustment for Various Funds in FY22 (AF: 265-2021) (Chris McCartt)**

Motion/Second: George/Duncan, to pass:

**ORDINANCE NO. 6969**, AN ORDINANCE TO AMEND VARIOUS PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2022; 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."

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**D. OTHER BUSINESS.**

**1. Accept Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Capital Expenses (AF: 276-2021) (Chris Campbell).**

Motion/Second: Montgomery/George, to pass:

**Resolution No. 2022-062**, A RESOLUTION APPROVING A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CAPITAL EXPENSES 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 Reimbursement of Materials Agreement Funds to Landstar, LLC a/k/a Land Star Partners LLC for the North Park Phase 1 Development (AF: 182-2021) (Ryan McReynolds)**

Motion/Second: Duncan/George, to pass:

**Resolution No. 2022-063**, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO LANDSTAR, LLC ALSO KNOWN AS LAND STAR PARTNERS, LLC FOR THE NORTH PARK PHASE 1 DEVELOPMENT

Passed: All present voting "aye."

**3. Bid Award for Purchase of One (1) Refurb D8 Dozer (AF: 279-2021) (Ryan McReynolds/Steve Leonard).**

Motion/Second: George/Olterman, to pass:

**Resolution No. 2022-064**, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF ONE REFURBISHED D8 DOZER TO STOWERS MACHINERY CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

**4. Purchase One (1) 420 CAT Backhoe 4WD from the Tennessee State Contract (AF: 280-2021) (Ryan McReynolds).**

Motion/Second: George/Duncan, to pass:

**Resolution No. 2022-065**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR ONE 420 CAT BACKHOE 4WD FROM STOWERS MACHINERY CORPORATION PURSUANT TO TENNESSEE EDISON CONTRACT NO. 48446

Passed: All present voting "aye."

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**5. Contract with the Tennessee Department of Transportation Accepting Federal and State Transportation Planning Funds on Behalf of the Kingsport MTPO (AF: 278-2021) (Ryan McReynolds).**

Motion/Second: Montgomery/George, to pass:

**Resolution No. 2022-066**, A RESOLUTION APPROVING A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE KINGSPORT 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: All present voting "aye."

**6. Authorize the Issuance of General Obligation Public Improvement Bonds, Series 2021 in an Amount not to Exceed \$19,750,000.00 (AF: 287-2021) (Chris McCartt).**

Motion/Second: George/Phillips, to pass:

**Resolution No. 2022-067**, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$19,750,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021 OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

Motion/Second: Cooper/Duncan, to pass:

**Resolution No. 2022-068**, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$19,750,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2021, OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting "aye."

**7. Approve a Release of All Claims for Mountain Laurel Assurance Company and Its Insureds Grayson Rhea, Sara Russell and Lisa Rhea for Payment for Damages to a Wooden Boardwalk Due to a Vehicle Crash on July 13, 2021 (AF: 275-2021) (John Burkholder).**

Motion/Second: George/Cooper, to pass:

**Resolution No. 2022-069**, A RESOLUTION APPROVING A FULL RELEASE OF ALL FIXED PROPERTY DAMAGE CLAIMS FROM MOUNTAIN LAUREL ASSURANCE COMPANY FOR PROPERTY DAMAGE TO A WOODEN BOARDWALK ON ENTERPRISE PLACE 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."

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**8. Bid Award for Purchase of One (1) 4x4 Extended Cab/Enclosed Utility Body (AF: 288-2021) (Ryan McReynolds/Steve Leonard).**

Motion/Second: Olterman/Cooper, to pass:

**Resolution No. 2022-070**, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF ONE 4X4 EXTENDED CAB/ENCLOSED UTILITY BODY TRUCK TO FRIENDSHIP FORD OF BRISTOL AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

**9. Purchase Global Navigation Satellite System (GNSS) Receiver, Robotic Total Station, Survey Controller (Data Collector) with Collection Software and Surveying Equipment for the Engineering Division (AF: 290-2021) (Ryan McReynolds).**

Motion/Second: Duncan/Phillips, to pass:

**Resolution No. 2022-071**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR A GLOBAL NAVIGATION SATELLITE SYSTEM RECEIVER, ROBOTIC TOTAL STATION, SURVEY CONTROLLER WITH COLLECTION SOFTWARE AND SURVEYING EQUIPMENT FROM PRECISION PRODUCTS, LLC

Passed: All present voting "aye."

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

Motion/Second: George/Montgomery, to adopt:

**1. Approval of Offers for Easement and Right-of-Way (AF: 277-2021) (Ryan McReynolds).**

Approve:

APPROVAL OF OFFERS FOR EASEMENT AND RIGHT-OF-WAY

Passed: All present voting "aye."

**2. Annual Renewal of Public Library Maintenance of Effort Agreement with the Tennessee State Library and Archives for Services via the Holston River Regional Library (AF: 285-2021) (Michael Borders).**

Pass:

**Resolution No. 2022-072**, A RESOLUTION APPROVING THE PUBLIC LIBRARY SERVICE AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES AND AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF SAME TO RECEIVE FUNDING FOR BOOKS, TRAINING, AND SERVICES THROUGH THE HOLSTON RIVER REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2021/2022

Passed: All present voting "aye."

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**3. Amend Lease Agreement with Mountain Region Speech and Hearing, Inc. Altering the Leased Premises (AF: 286-2021) (Chris McCartt/Michael Borders).**

Pass:

**Resolution No. 2022-073, A RESOLUTION APPROVING AN AMENDMENT TO THE LEASE BETWEEN THE CITY OF KINGSFORT AND MOUNTAIN REGION SPEECH AND HEARING, INC., FOR ADDITIONAL SPACE AT THE V.O. DOBBINS SENIOR CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME**

Passed: All present voting "aye."

**4. Interlocal Agreement with Sullivan County (AF: 291-2021) (Chris McCartt).**

Pass:

**Resolution No. 2022-074, A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH SULLIVAN COUNTY FOR THE REMOVAL OF A TREE ON PROPERTY LOCATED AT 1908 STELLA STREET 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."

**5. Accept Property Donation at Gibson Springs Development (AF: 284-2021) (Chris McCartt).**

Pass:

**Resolution No. 2022-075, A RESOLUTION APPROVING THE DONATION OF PROPERTY AT THE GIBSON SPRINGS DEVELOPMENT FROM THE EDINBURGH GROUP, LLC CONDITIONED UPON CHANGES TO COVENANTS AND RESTRICTIONS WHICH ENCUMBER THE PROPERTY; AND AUTHORIZING THE MAYOR TO EXECUTE THE DONATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION FOR THIS RESOLUTION**

Passed: All present voting "aye."

**VIII. COMMUNICATIONS.**

- A. CITY MANAGER.** City Manager McCartt commented on the ribbon cutting for City Hall stating he appreciated the support of the BMA. He also thanked Public Relations Director Adrienne Batara and her team as well as local businesses.

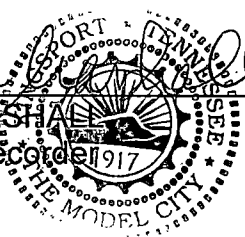
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**B. MAYOR AND BOARD MEMBERS.** Alderman Montgomery added his thanks to the staff noting it was evident by the attendance at the ribbon cutting that the citizens are proud of the facility. He also pointed out it was good neighbor week and encouraged citizens to do extra kindness. Alderman Phillips expressed his excitement for the new position in the building department, noting it was needed. He commented on the work session presentation from the judges for the drug rehab facility. Mr. Phillips pointed out the much needed paving on Sullivan Street started today. Lastly, he thanked the City Public Works department for all their help putting on Racks by the Tracks. Alderman Olterman congratulated city officials on the ribbon cutting. Alderman Duncan commented on the Keep Kingsport Beautiful clean up events, noting there was one more this coming weekend. He mentioned the upcoming Drool Pawty at the Aquatic Center. He also invited everyone to the Fall Folkfest downtown this Saturday as well as the Kiwanis Golf Tournament next week. Alderman Cooper complimented Connect Kingsport after using it to report an issue. She noted the upcoming Wine and Whiskey Festival is the biggest fundraiser for DKA, also pointing out the Christmas Parade and Tree Lighting would be on December 4. Lastly, she discussed the current needs of the Isaiah 1:17 House. Vice-Mayor George mentioned the goats that were recently hired to clear the vegetation from Cement Hill. She stated she was pleased with the turnout at the ribbon cutting, noting it was a wonderful celebration and also commenting on the skate park ribbon cutting. Ms. George thanked Alderman Phillips for his work on Racks by the Tracks and announced a tax sale tomorrow at the Civic Center. Mayor Shull talked about volunteering at Exchange Place last Sunday, noting there are many opportunities to serve the community. He provided details on the presentation from the judges at the work session regarding the facility proposal.

**C. VISITORS.** David Fagerburg commented.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:20 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder



  
PATRICK W. SHULL  
Mayor