

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 7, 2015, 7:00 PM
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen
Mayor Dennis R. Phillips, Presiding
Vice-Mayor Mike McIntire
Alderman John Clark
Alderman Tom C. Parham
Alderman Tom Segelhorst

City Administration
Jeff Fleming, City Manager
J. Michael Billingsley, City Attorney
James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** The New Vision Youth.
- II.B. **INVOCATION:** Lynn Tully, Development Services Director.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Colette George and Alderman Andy Hall.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Police Officer Recognition – Chief Quillin recognized Officer Brandon Qualls for his recent achievement of outstanding officer at the Police Academy.

V. **APPROVAL OF MINUTES.**

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

- A. March 16, 2015 Regular Work Session
- B. March 17, 2015 Regular Business Meeting
- C. March 18, 2015 Called Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend the Zoning Ordinance to Require that New Development and Redevelopment in Downtown Kingsport be in Harmony with the Traditional Character of Downtown** (AF: 71-2015) (Justin Steinmann). Justin Steinmann, City Planner, presented this item. City Manager Fleming pointed out this would apply only to new construction and redevelopment.

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

Motion/Second: Parham/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, CHAPTER 114, ARTICLES III, IV, AND VI; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Amend the Zoning Ordinance to Permit Food Processing and Packaging Facilities by Right in the MX Zone and to Delete Special Exceptions Language in the MX Zone (AF: 74-2015) (Justin Steinmann).

PUBLIC COMMENT ON ITEM VI.A.2. None.

Motion/Second: McIntire/Clark, to pass:

ORDINANCE NO. 6474, AN ORDINANCE TO AMEND SECTION 114-353 PERTAINING TO USES IN THE MX, MIXED-USE DISTRICT AND REPEALING SECTION 114-355 PERTAINING TO SPECIAL EXCEPTIONS IN THE MX, MIXED-USE DISTRICT OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst and Phillips voting "aye."

PUBLIC COMMENT. Mayor Phillips 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 FY15 General Purpose School Fund Budget (AF: 83-2015) (David Frye).

Motion/Second: Parham/Clark, to pass:

AN ORDINANCE TO AMEND THE FY 2014-15 GENERAL PURPOSE SCHOOL FUND BUDGET; 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 Code to Require Signature with Seal on Preliminary Zoning Development Plans (AF: 45-2015) (Curtis Montgomery).

Motion/Second: McIntire/Segelhorst, to pass:

ORDINANCE NO. 6469, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, SECTION 114-104(3) BY ADDING THE REQUIREMENT THAT PRELIMINARY PLANS BE SIGNED AND SEALED BY A

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REGISTERED ENGINEER, ARCHITECT OR LAND SURVEYOR, AS LICENSED BY STATE LAW

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst and Phillips voting "aye."

2. Annex/Amend Zoning of the Ridgecrest Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 53-2015) (Corey Shepherd).

Motion/Second: McIntire/Segelhorst, to pass:

ORDINANCE NO. 6470, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 11th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE RIDGECREST 2 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst and Phillips voting "aye."

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6471, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO RIDGECREST AVENUE FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B, SINGLE FAMILY RESIDENTIAL IN THE 11th 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: Clark, McIntire, Parham, Segelhorst and Phillips voting "aye."

3. Amend the FY15 Operating Budgets and Various Projects (AF: 64-2015) (Jeff Fleming)

Motion/Second: Clark/Segelhorst, to pass:

ORDINANCE NO. 6473, AN ORDINANCE TO AMEND THE GENERAL FUND PROJECTS, DEMOLITION LANDFILL PROJECT FUND AND GENERAL FUND BUDGETS BY TRANSFERRING FUNDS TO VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2015; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst and Phillips voting "aye."

D. OTHER BUSINESS.

1. Approve an Acknowledgement with Eastman Chemical Company Pertaining to Monitoring Wells Located on Cattails Golf Course (AF: 73-2015) (Jeff Fleming).

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Motion/Second: Clark/Parham, to pass:

Resolution No. 2015-152, A RESOLUTION APPROVING AN ACKNOWLEDGMENT WITH EASTMAN CHEMICAL COMPANY PERTAINING TO MONITORING WELLS ON THE CATTAILS GOLF COURSE PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE THE ACKNOWLEDGMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ACKNOWLEDGMENT OR THIS RESOLUTION

Passed: All present voting "aye."

2. Award the Bid for the Purchase of One (1) Backhoe to ASC Construction Equipment, Inc. (AF: 67-2015) (Chris McCartt, Ryan McReynolds, Steve Hightower)

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2015-153, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF ONE BACKHOE TO ASC CONSTRUCTION EQUIPMENT, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

3. Award the Bid for the Construction of the Fire Training Simulator to Armstrong Construction (AF: 72-2015) (Scott Boyd, David Mason, Sandy Crawford).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2015-154, A RESOLUTION AWARDDING THE BID FOR THE FIRE TRAINING SIMULATOR CONSTRUCTION PROJECT TO ARMSTRONG CONSTRUCTION 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."

4. Award the Bid for Construction of the Rotherwood Greenbelt Project (AF: 77-2015) (Bill Albright, Michael Thompson).

Motion/Second: Parham/Clark, to pass:

Resolution No. 2015-155, A RESOLUTION AWARDDING THE BID FOR THE ROTHERWOOD GREENBELT PROJECT TO DUCO CONSTRUCTION, INC 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."

5. Approve an Amendment to the Lease Agreement with Alex Stratton (AF: 76-2015) (Lynn Tully).

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Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-156, A RESOLUTION APPROVING A LEASE AGREEMENT WITH ALEX STRATTON; 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."

6. Approve a Plan to Create an Adventure Tourism District
(AF: 75-2015) (Lynn Tully).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2015-157, A RESOLUTION OF CITY OF KINGSPORT, TENNESSEE DECLARING ITS INTENT TO PARTICIPATE IN THE TENNESSEE ADVENTURE TOURISM AND RURAL DEVELOPMENT ACT OF 2011 BY DEVELOPING A CERTIFIED ADVENTURE TOURISM DISTRICT PLAN

Passed: All present voting "aye."

7. Award Bid for Installation of Emergency Generator and Bypass Pumps at Sewer Lift Stations to W&O Construction Company (AF: 82-2015) (Ryan McReynolds).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2015-158, A RESOLUTION AWARDING THE BID FOR THE INSTALLATION OF AN EMERGENCY GENERATOR AND BYPASS PUMPS AT SEWER LIFT STATIONS TO W&O CONSTRUCTION COMPANY 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."

8. Amendment to the Annual Operating Agreement with Downtown Kingsport Association to Include Maintenance of Christmas Street Lighting Decorations (AF: 79-2015) (Lynn Tully).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2015-159, A RESOLUTION APPROVING AN AMENDMENT TO THE ANNUAL OPERATING AGREEMENT WITH THE DOWNTOWN KINGSPORT ASSOCIATION; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

9. Accept Donation of Property at the Riverbend Development from First Southeast Development (AF: 80-2015) (Lynn Tully).

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Motion/Second: Clark/Segelhorst, to pass:

Resolution No. 2015-160, A RESOLUTION APPROVING THE DONATION OF PROPERTY AT THE RIVERBEND DEVELOPMENT FROM FIRST SOUTHEAST DEVELOPMENT, LLC; AND AUTHORIZING THE MAYOR TO EXECUTE THE DONATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION OR THIS RESOLUTION

Passed: All present voting "aye."

10. Approve Change Order to Roadscapes Interchange Beautification Project (AF: 78-2015) (Bill Albright, Michael Thompson).

Motion/Second: McIntire/Clark, to pass:

Resolution No. 2015-161, A RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT WITH HALLER'S LANDSCAPING AND LAWNCARE, INC. FOR THE ROADCAPES PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. None

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming stated he and the mayor attended an event at Milligan College earlier today to recognize leaders in Christian service, noting there were four recipients from Kingsport.

B. MAYOR AND BOARD MEMBERS. Alderman Segelhorst complimented the Kingsport Keys project, stating the decorated pianos add attractiveness to down town. He also commented on the new Barking Lot for dogs sponsored by PEAK and the DKA. Alderman Clark pointed out the week of April 20 was Healthy Week, encouraging everyone to participate. He noted an upcoming wrestling event at Meadowview and the impact it would have. Alderman Parham commented on the merger of the two major hospitals, stating it was a model for other relationships. Vice-Mayor McIntire added he was glad the hospitals have moved forward. He wished them well, stating it was a step in the right direction with the potential to be a great thing for this area. Mr. McIntire also congratulated Officer Qualls. Mayor Phillips commented on the events of Healthy Week. He stated the BMA had no further comment regarding an incident with a member of the Planning Commission, further stating no action before due process, unless they chose to resign. The mayor thanked the high school students who attended the meeting.

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C. VISITORS. Mr. Tim Johnson, 1526 Nall Street, thanked BMA members and Chief Quillin. Mr. Bud Hansen, 4515 Belvedere Lane, commented on drainage issues in his neighborhood.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:05 p.m.


ANGELA MARSHALL
Deputy City Recorder



The seal of the City of Kingsport, Tennessee, is circular. It features a central emblem with a gear and a plow, surrounded by the text "CITY OF KINGSPORT TENNESSEE" and "The Model City".


DENNIS R. PHILLIPS
Mayor