

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, March 15, 2016, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Colette George

Alderman Michele Mitchell

Alderman Tommy Olterman

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

Lisa Winkle, City Comptroller/Deputy City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mr. Pierce Thomas.
- II.B. **INVOCATION:** Pastor Kimberly Goddard, Mafair United Methodist Church.
- III. **ROLL CALL:** By City Comptroller Winkle. Absent: Alderman Tom C. Parham.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
  1. Public Art Committee – Roy Harmon/Alderman George.
  2. Move to Kingsport – Jeni Long.
- V. **APPROVAL OF MINUTES.**

Motion/Second: McIntire/Mitchell, to approve minutes for the following meetings:

A. February 29, 2016 Regular Work Session

B. March 1, 2016 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend Zoning of 225 Westfield Drive Located in the Rock Springs Area (AF: 49-2016) (Ken Weems).**

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

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Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO WESTFIELD DRIVE FROM R-1B, RESIDENTIAL DISTRICT TO P-1, PROFESSIONAL OFFICES DISTRICT IN THE 13<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 first reading: All present voting "aye."

**PUBLIC COMMENT.** Mayor Clark 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 the FY16 General Project Fund Budget (AF: 57-2016)**  
(David Frye).

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**2. Amend Section 22-96(e) of the Kingsport City Code to Specifically Include Exemption of Townhouse from Sprinkler Requirements and Provide for a Two-Hour Fire Resistant Wall (AF: 65-2016)** (Mike Billingsley).

Motion/Second: Olterman/Mitchell, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, SECTION 22-96(e) PERTAINING TO THE RESIDENTIAL BUILDING CODE AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE

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

**3. Agreement with TDOT for the Main Street Redevelopment Project and Appropriate Funds (AF: 62-2016)** (Ryan McReynolds).

Motion/Second: McIntire/George, to pass:

**Resolution No. 2016-123**, A RESOLUTION APPROVING AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET REDEVELOPMENT PROJECT, 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."

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Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FEDERAL FUNDS TO THE MAIN STREET IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**4. Budget Cleanup Ordinance for FY16 (AF: 60-2016)**  
(Jeff Fleming).

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**5. Appropriate Available Funds to GP1615 and Enter into an Agreement with Mattern & Craig, Inc. for the Indian Trail Drive Extension Project (AF: 68-2016)** (Ryan McReynolds).

Motion/Second: McIntire/Olterman, to pass:

**Resolution No. 2016-124**, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MATTERN & CRAIG, INC. FOR THE INDIAN TRAIL DRIVE EXTENSION PROJECT, 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."

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE INDIAN TRAIL DRIVE EXTENSION PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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

**1. Enter into an Agreement with TDOT for the Fort Robinson Drive Bridge Replacement Project and Appropriate Available Funds to GP1618 (AF: 44-2016)** (Ryan McReynolds).

Motion/Second: George/McIntire, to pass:

**ORDINANCE NO. 6554**, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE FORT ROBINSON BRIDGE REPLACEMENT PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell and Olterman voting "aye."

**2. Amend the FY16 CDBG Budget Ordinance for the Addition of One (1) Position within the Community Development Program (AF: 51-2016) (Lynn Tully).**

Motion/Second: Mitchell/Olterman, to pass:

**ORDINANCE NO. 6555**, AN ORDINANCE TO AMEND THE COMMUNITY DEVELOPMENT BUDGET BY ADDING A COMMUNITY DEVELOPMENT SPECIALIST POSITION FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell and Olterman voting "aye."

**3. Amend the Franchise Fee with Kingsport Power Company (dba AEP Appalachian Power) (AF: 50-2016) (Ryan McReynolds).**

Motion/Second: Duncan/Mitchell, to pass:

**ORDINANCE NO. 6556**, AN ORDINANCE AMENDING ORDINANCE NUMBER 6542 BY ENACTING A FRANCHISE FEE FOR THE USE BY KINGSPORT POWER COMPANY, D/B/A AEP APPALACHIAN POWER, OF THE PUBLIC STREETS, ALLEYS, OTHER PUBLIC PLACES FOR ITS FRANCHISE FOR A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS 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, Duncan, George, McIntire, Mitchell and Olterman voting "aye."

**D. OTHER BUSINESS.**

**1. Execute a Quitclaim Deed to Bank of Tennessee Conveying Any Interest the City May Have in Certain Alleys Previously Declared Surplus (AF: 59-2016) (Mike Billingsley).**

Motion/Second: George/McIntire, to pass:

**Resolution No. 2016-125**, A RESOLUTION APPROVING THE CONVEYANCE TO BANK OF TENNESSEE OF ANY INTEREST THE CITY HAS IN CERTAIN REAL PROPERTY BY QUITCLAIM DEED AND AUTHORIZING THE MAYOR TO EXECUTE THE QUITCLAIM DEED

Passed: All present voting "aye."

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**2. Tennessee Heritage Conservation Trust Fund Grant for the Land Purchase at Bays Mountain Park and for Receipt of Those Funds if Awarded (AF: 66-2016) (Morris Baker)**

Motion/Second: George/McIntire, to pass:

**Resolution No. 2016-126**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE HERITAGE CONSERVATION TRUST FUND GRANT FOR LAND PURCHASE AT BAYS MOUNTAIN PARK

Passed: All present voting "aye."

**3. Lease Agreement with Cayenne Rental Properties, GP and the Option to Purchase and Right of Refusal Agreement with The Press Group, LLC (AF: 64-2016) (David Frye, Shanna Hensley).**

Motion/Second: Duncan/Olterman, to pass:

**Resolution No. 2016-127**, A RESOLUTION APPROVING A LEASE AGREEMENT WITH CAYENNE RENTAL PROPERTIES, GP AND AN OPTION TO PURCHASE AND RIGHT OF REFUSAL AGREEMENT WITH THE PRESS GROUP, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye" except McIntire and George voting "nay."

**E. APPOINTMENTS/REAPPOINTMENTS.**

**1. Appointment to the Kingsport Housing and Redevelopment Authority (AF: 67-2016) (Mayor Clark).**

Motion/Second: George/McIntire, to approve:

APPOINTMENT OF MS. ESTHER RODOLPHE TO SERVE A FIVE-YEAR TERM ON THE **KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY** EFFECTIVE IMMEDIATELY AND EXPIRING ON MARCH 31, 2021.

Passed: All present voting "aye."

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

Motion/Second: McIntire/Mitchell, to adopt:

**1. Bid Award for Purchase of Rental Uniforms, Mats and Mops Service (AF: 54-2016) (Chris McCartt, Ryan McReynolds).**

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Pass:

**Resolution No. 2016-128**, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF RENTAL UNIFORMS, MATS & MOPS SERVICE TO G & K SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

**2. Approval of Easements for Citywide Water Line System Improvements Phase II Project** (AF: 56-2016) (Ryan McReynolds).

Approve:

APPROVAL OF EASEMENTS FOR CITYWIDE WATER LINE SYSTEM IMPROVEMENTS PHASE II PROJECT

Passed: All present voting "aye."

**3. Property Acquisition for the Kingsport City School System** (AF: 53-2016) (David Frye).

Pass:

**Resolution No. 2016-129**, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 2304 OVERLOOK ROAD; 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: All present voting "aye."

**4. Renew Bid Award for Purchase of Water & Wastewater Chemicals** (AF: 55-2016) (Ryan McReynolds, Chris McCartt).

Pass:

**Resolution No. 2016-130**, A RESOLUTION RENEWING THE AWARD OF THE BID FOR PURCHASE OF CHLORINE TO BRENNTAG MID-SOUTH, INC.; FOR ZINC ORTHOPHOSPHATE TO CARUS CORPORATION; FOR COAGULANT TO GULBRANDSEN MANUFACTURING, INC.; AND FOR POLYMER TO COASTAL WATER TECHNOLOGY, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

**5. Agreements with the Lynn Garden Optimist Club and the Lynn View Pee Wee Football Organization** (AF: 58-2016) (Morris Baker).

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Pass:

**Resolution No. 2016-131**, A RESOLUTION AUTHORIZING THE MAYOR EXECUTE TWO AGREEMENTS WITH THE LYNN GARDEN OPTIMIST CLUB RELATED TO THE USE OF THE ATHLETIC FIELDS AND CONCESSION STAND OPERATIONS AT THE LYNN VIEW COMMUNITY CENTER

Passed: All present voting "aye."

Pass:

**Resolution No. 2016-132**, A RESOLUTION AUTHORIZING THE MAYOR EXECUTE TWO AGREEMENTS WITH LYNN VIEW PEE WEE FOOTBALL RELATED TO THE USE OF THE ATHLETIC FIELDS AND CONCESSION STAND OPERATIONS AT THE LYNN VIEW COMMUNITY CENTER

Passed: All present voting "aye."

**6. Agreement with Dick's Sporting Goods for 2016 Parks and Recreation Baseball/Softball Programs (AF: 52-2016) (Morris Baker).**

Pass:

**Resolution No. 2016-133**, A RESOLUTION APPROVING AN AGREEMENT WITH DICK'S SPORTING GOODS, INC., 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."

**7. Issuance of Certificates of Compliance for Retail Food Stores to Sell Wine (AF: 63-2016) (Jim Demming).**

Approve:

ISSUANCE OF CERTIFICATES OF COMPLIANCE FOR RETAIL FOOD STORES TO SELL WINE

Passed: All present voting "aye."

**VIII. COMMUNICATIONS.**


- A. CITY MANAGER.** Mr. Fleming thanked all the board members who went to Nashville for the Tennessee Municipal League, stating he was proud to be there as they represented the city very well.
- B. MAYOR AND BOARD MEMBERS.** Alderman Olterman stated he was glad to contribute to the Lynn Garden area sports and activities. He also commented on the TML visit to Nashville and the de-annexation issue. Alderman George promoted the 4<sup>th</sup> annual Brass Ring Gala for the Carousel this coming weekend. Vice-Mayor McIntire stated that he, along with Alderman Duncan, represented the city on Arbor Day to celebrate trees. He displayed a plaque depicting "Tree City, USA' from the Arbor Foundation for

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30 years of participation by Kingsport. Alderman Duncan stated his tie was signed by a very special group: "Children Exceeding Expectations," noting it was a school for children battling cancer or other life-threatening diseases. He noted Keep Kingsport Beautiful has weekly lunch sessions "Green and Growing" at the library on Thursdays from noon until 1:00 pm. Lastly, he commented on upcoming KCVB events. Alderman Mitchell encourage citizens to visit the Kingsport 100 website. She pointed out there will be celebrations throughout the coming year. Mayor Clark also commented on people coming into Kingsport for different events, such as the wrestling tournament this weekend, which provides an opportunity to showcase the city. The mayor also talked about the TML trip and thanked Mr. Fleming and staff for their efforts. Lastly, he talked about the upcoming workgroup presentations from the ONEKingsport Summit and encouraged everyone to attend.

**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:00 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder

  
JOHN CLARK  
Mayor