

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, July 21, 2015, 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

Alderman Tom C. Parham

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 John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** New Vision Youth.
- II.B. **INVOCATION:** Minister Phip Sams – First Christian Church.
- IIIA. **SWEARING IN OF ELECTED BOARD MEMBERS:** Judge McLellan -  
Tommy Olterman, Alderman.
- IIIB. **ROLL CALL:** By City Recorder Demming. All Present.
- IIIC. **VACANCY IN THE OFFICE OF ALDERMAN.**

Motion/Second: McIntire/Parham, to pass:

1. Appointment to the Board of Mayor and Alderman (AF: 209-2015) (Mayor Clark).

- Darrell Duncan

Passed: All present voting "aye."

- IIID. **SWEARING IN OF APPOINTED BOARD MEMBER** – Judge McLellan.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
1. Keep Kingsport Beautiful Award Recognition – Robin Cleary.
- V. **APPROVAL OF MINUTES.**

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

- A. July 6, 2015 Regular Work Session
- B. July 7, 2015 Regular Business Meeting

Approved: All present voting "aye."

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**VI. COMMUNITY INTEREST ITEMS.**

**A. PUBLIC HEARINGS.**

**1. Annex/Adopt Plan of Service for the Bays Mountain Road Annexation and Amend Zoning (AF: 203-2015) (Corey Shepherd).**

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

Motion/Second: McIntire/Mitchell, to pass:

**Resolution No. 2016-015**, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE BAYS MOUNTAIN PARK ROAD 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 RESOLUTION

Passed: All present voting "aye."

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2016-016**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE BAYS MOUNTAIN PARK ROAD ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO BAYS MOUNTAIN PARK ROAD FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B, SINGLE FAMILY RESIDENTIAL 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."

**2. Annexation Annual Plan of Services Report (AF: 204-2015) (Corey Shepherd).** City Planner Corey Shepherd gave a brief presentation on this item.

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

**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.

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**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Budget Ordinance to Transfer Funds for Roadway Improvements and Sidewalk Repair (AF: 205-2015) (Ryan McReynolds).**

Motion/Second: George/Mitchell, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE ROADWAY IMPROVEMENTS AND SIDEWALK REPAIR 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. Amend Zoning of the 124 Bloomingdale Pike Property, a Portion of the Existing Bloomingdale Terrace Apartment Development (AF: 173-2015) (Ken Weems).**

Motion/Second: McIntire/Duncan, to pass:

**ORDINANCE NO. 6502**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO BLOOMINGDALE PIKE FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 11<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: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**2. Budget Ordinance for Citywide Sanitary Sewer Improvements Project (AF: 175-2015) (Ryan McReynolds).**

Motion/Second: Parham/Olterman, to pass:

**ORDINANCE NO. 6503**, AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE CITYWIDE SANITARY SEWER PROJECT 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, Olterman and Parham voting "aye."

**3. Bid Award to Thomas Construction, Inc. for Systemwide Water Upgrades – Phase 1 (AF: 186-2015) (Ryan McReynolds)**

Motion/Second: McIntire/George, to pass:

**ORDINANCE NO. 6504**, AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE SYSTEM WATER UPGRADES PHASE I PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE

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**EFFECTIVE DATE OF THIS ORDINANCE**

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

**4. Approve Lynn View Community Center Appropriation for Block Party (AF: 191-2015) (Morris Baker)**

Motion/Second: Mitchell/Parham, to pass:

**ORDINANCE NO. 6505**, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATIONS RECEIVED FOR THE FUNFEST BLOCK PARTY 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, Olterman and Parham voting "aye."

**D. OTHER BUSINESS.**

**1. Change Order to the Contract with Denark Construction, Inc. for the Brickyard Park Ball Fields (AF: 208-2015) (Chris McCartt).**

Motion/Second: George/Mitchell, to pass:

**Resolution No. 2016-017**, A RESOLUTION APPROVING CHANGE ORDER #3 TO THE CONTRACT WITH DENARK CONSTRUCTION, INC. FOR THE BRICKYARD PARK BALL FIELDS PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting "aye."

**2. Amendment of Engineering Contract for the Reedy Creek Trunk Sewer Improvements (AF: 198-2015) (Ryan McReynolds).**

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2016-018**, A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRESHAM, SMITH & PARTNERS FOR DESIGN OF REEDY CREEK TRUNK SEWER IMPROVEMENTS; AUTHORIZING 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."

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**E. APPOINTMENTS/REAPPOINTMENTS.**

**1. Appointment to the Visitor Enhancement Program**  
(AF: 196-2015) (Mayor Clark).

Motion/Second: George/Parham, to approve:  
APPOINTMENT OF MR. CHRIS PATEL TO SERVE A THREE-YEAR TERM ON THE  
**VISITOR ENHANCEMENT PROGRAM** EFFECTIVE IMMEDIATELY AND EXPIRING  
ON JULY 31, 2018.

Passed: All present voting "aye."

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

Motion/Second: Parham/McIntire, to adopt:

**1. Accept Deeds and Deeds of Easements** (AF: 197-2015)  
(Mike Billingsley).

Pass:

**Resolution No. 2016-019**, A RESOLUTION TO ACCEPT DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE FROM THE VARIOUS PROPERTY OWNERS AND OTHERS HAVING AN INTEREST IN PROPERTY AS HEREINAFTER SET OUT, CONVEYING TO THE CITY OF KINGSFORT, A MUNICIPAL CORPORATION OF THE STATE OF TENNESSEE, TITLE TO THE PROPERTY DESCRIBED IN SUCH DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE, LOCATED IN THE 7<sup>TH</sup>, 10<sup>TH</sup>, 11<sup>TH</sup>, 12<sup>TH</sup>, 13<sup>TH</sup> AND 14<sup>TH</sup> CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE AND THE 7<sup>TH</sup> CIVIL DISTRICT OF HAWKINS COUNTY, TENNESSEE.

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

**2. Amend Agreement with Cartegraph Systems, Inc.**  
(AF: 199-2015) (Ryan McReynolds).

Pass:

**Resolution No. 2016-020**, A RESOLUTION APPROVING AN AMENDMENT THE AGREEMENT WITH CARTEGRAPH SYSTEMS, INC.; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

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

**3. Bid Award for Partial EPDM Membrane Roof Replacement at John Sevier Middle School to Morristown Roofing** (AF: 200-2015) (Bill Shedden).

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Pass:

**Resolution No. 2016-021**, A RESOLUTION AWARDDING THE BID FOR THE PARTIAL EPDM MEMBRANE ROOF REPLACEMENT AT JOHN SEVIER MIDDLE SCHOOL TO MORRISTOWN ROOFING 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 in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**4. Laptops for All High School Students in the Kingsport City School System (AF: 201-2015) (John Payne).**

Pass:

**Resolution No. 2016-022**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR 2300 DELL LATITUDE 3340 LAPTOP COMPUTERS TO INSIGHT PUBLIC SECTOR FOR HIGH SCHOOL STUDENTS IN THE KINGSPORT CITY SCHOOLS

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

**5. Agreement with Department of Justice for the Equitable Sharing Program (AF: 202-2015) (David Quillin).**

Pass:

**Resolution No. 2016-023**, A RESOLUTION APPROVING AN EQUITABLE SHARING AGREEMENT AND CERTIFICATION WITH THE UNITED STATES DEPARTMENT OF JUSTICE ALLOWING THE KINGSPORT POLICE DEPARTMENT TO PARTICIPATE IN THE FEDERAL ASSET FORFEITURE PROGRAM; 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: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**6. Renew Concession Food Service Distributors for the Kingsport Aquatic Center (AF-169-2015) (Chris McCartt).**

Pass:

**Resolution No. 2016-024**, A RESOLUTION RENEWING THE CONTRACT FOR CONCESSION FOOD SERVICE DISTRIBUTOR FOR THE KINGSPORT AQUATIC CENTER TO THE H.T. HACKNEY COMPANY AND B.K.T., INC.; AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

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**7. Contract with Virginia Department of Transportation Accepting  
Federal and State Funds (AF-176-2015) (Bill Albright).**

Pass:

**Resolution No. 2016-025**, A RESOLUTION APPROVING A LETTER OF AUTHORIZATION BETWEEN THE CITY OF KINGSFORT AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE FISCAL YEAR 2016; AUTHORIZING THE MAYOR TO EXECUTE THE SAME; AND AUTHORIZING THE MAYOR TO EXECUTE ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LETTER OF AUTHORIZATION

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

**8. Bid Award for Purchase of Four (4) Compact Cargo Vans to  
Empire Ford, Inc. (AF-207-2015) (Chris McCartt, Ryan McReynolds, Steve Hightower).**

Pass:

**Resolution No. 2016-026**, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF FOUR COMPACT CARGO VANS TO EMPIRE FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

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

**9. Agreement with FC Dallas Tri Soccer Organization  
(AF-206-2015) (Morris Baker).**

Pass:

**Resolution No. 2016-027**, A RESOLUTION APPROVING AGREEMENTS WITH FC DALLAS TRI, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

**VIII. COMMUNICATIONS.**


- A. CITY MANAGER.** Mr. Fleming recognized the city workers, mostly Public Works, who were involved with Funfest.

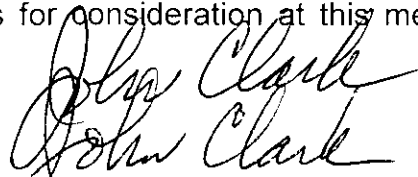
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**B. MAYOR AND BOARD MEMBERS.** Alderman Olterman thanked the voters, stating he will try to live up to their expectations. Alderman George pointed out Saturday is National Carousel Day with events planned at the Carousel. She also commented on the upcoming ribbon cutting for the Barking Lot and Mr. Wayne Fortney's hot air balloon. Vice-Mayor McIntire thanked everyone involved with Funfest: public works, police, fire, schools and parks and recreation. He noted school starts before the next BMA meeting and asked everyone to be aware of the kids and traffic. Alderman Duncan thanked the BMA for the affirmation to serve and his wife for her support. He also stated the high school band football practice is already underway. Alderman Mitchell stated while she was in Chicago she met people from Albuquerque who commended Funfest, stating she was proud at the efficient clean-up compared to festivals in Chicago. Alderman Parham congratulated Alderman Duncan and thanked Andy Wampler. He stated he was excited about the future with the new team on the BMA. Mayor Clark stated the new board will be able to tackle challenges with high confidence. He commented on the benefit of Funfest for the local economy and thanked visitors, noting sales tax revenues are also up. The mayor also informed the public there will be a called work session on Monday where Pat Hardy from MTAS will be providing training for new board members.

**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