



## BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, October 17, 2023 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

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### Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding

Vice Mayor Colette George

Alderman Darrell Duncan

Alderman Paul W. Montgomery

Alderman Tommy Olterman

Alderman James Phillips

### City Administration

Chris McCartt, City Manager

Bart Rowlett, City Attorney

Lisa Winkle, City Recorder/Treasurer

Angie Marshall, City Clerk/Deputy/City Recorder

- I. **CALL TO ORDER** 7:00 pm by Mayor Shull.
- II. **PLEDGE OF ALLEGIANCE TO THE FLAG** led by New Vision Youth
- III. **INVOCATION** led by Alderman Duncan.
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle. Absent: Alderman Betsy Cooper.
- V. **RECOGNITIONS AND PRESENTATIONS**
  1. **Proclamation - Domestic Violence Awareness Month** (Vice Mayor George)
- VI. **APPOINTMENTS** None.
- VII. **APPROVAL OF MINUTES** (*These items are approved under one motion.*)

Motion made by Alderman Olterman, Seconded by Alderman Duncan.

1. **October 2, 2023 - Work Session**
2. **October 2, 2023 - Called Business Meeting**
3. **October 3, 2023 - Business Meeting**

Passed: All present voting "aye."

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**VIII. PUBLIC HEARINGS**

- 1. Consideration of an Ordinance to Amend Zoning of Tax Map 022, Parcel 036.01 Located Along West Stone Drive from the B-3, Highway Oriented Business District to the R-4, Medium Density Apartment District (AF-318-2023) (Jessica McMurray)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG WEST STONE DRIVE FROM THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO THE R-4, MEDIUM DENSITY APARTMENT DISTRICT IN THE 1ST CIVIL DISTRICT OF HAWKINS COUNTY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF KINGSFORT; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

**COMMENT**

Mayor Shull invited citizens in attendance to speak. There being no one coming forward, the mayor closed the public comment section.

**IX. BUSINESS MATTERS REQUIRING FIRST READING**

- 1. Consideration of a Budget Ordinance to Appropriate \$14,250 from the USDOJ/Office of Justice Programs, FY '23 Bulletproof Vest Partnership Funding (AF-319-2023) (Chief Phipps)**

Motion made by Alderman Duncan, Seconded by Alderman Phillips.

AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE US DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 2. Consideration of a Budget Ordinance to Appropriate \$200,000 from the Tennessee Law Enforcement Hiring, Training and Recruitment Grant Program for FY '24 (AF-321-2023) (Chief Dale Phipps)**

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Motion made by Vice Mayor George, Seconded by Alderman Montgomery.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 3. Consideration of a Budget Ordinance to Appropriate \$28,103 from the Department of Justice, Office of Justice Program's FY '23 Edward Byrne Memorial Justice Assistance Grant Program (AF-313-2023) (Chief Dale Phipps)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 4. Consideration of an Ordinance to Amend the FY 2024 School Special Project Fund Budget (AF-326-2023) (David Frye)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

AN ORDINANCE TO AMEND THE FY 2024 SCHOOL SPECIAL PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 5. Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Funds Budgets (AF-325-2023) (David Frye)**

Motion made by Alderman Montgomery, Seconded by Vice Mayor George.

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

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**X. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

- 1. Consideration of an Ordinance to Amend Zoning for the Jan Way Annexation (AF-309-2023) (Ken Weems)**

Motion made by Alderman Duncan, Seconded by Vice Mayor George.

**ORDINANCE NO 7115** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG JAN WAY FROM COUNTY M-2, HEAVY MANUFACTURING DISTRICT, TO M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT IN THE 13TH 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: Alderman Duncan Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 2. Consideration of an Ordinance to Appropriate Funds for the Tennessee Commission on Aging Grant (AF-303-2023) (Michael Borders)**

Motion made by Vice Mayor George, Seconded by Alderman Montgomery.

**ORDINANCE NO 7116** AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Duncan Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 3. Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-302-2023) (John Morris)**

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

**ORDINANCE NO 7117** AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Duncan Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

**XI. OTHER BUSINESS**

- 1. Consideration of a Resolution to Purchase Two (2) 2025 Freightliner M2+ (Knuckleboom Yard Waste Trucks) from Sourcewell Contract # 040621-PII (AF-322-2023) (Ryan McReynolds)**

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Motion made by Alderman Duncan, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-089** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO CMI EQUIPMENT SALES, INC., FOR THE PURCHASE OF TWO 2025 FREIGHTLINER M2+ KNUCKLEBOOM WASTE TRUCKS THROUGH SOURCEWELL COOPERATIVE PURCHASE AGREEMENT NO.: 040621-PII

Passed: All present voting "aye."

- 2. Consideration of a Resolution to Purchase Three (3) 2024 Nissan Frontier Crew Cabs 2WD from TN State Contract # 80358 (AF-323-2023) (Ryan McReynolds)**

Motion made by Vice Mayor George, Seconded by Alderman Phillips.

**RESOLUTION NO. 2024-090** A RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2024 NISSAN FRONTIER CREW CABS FROM ALAN JAY FLEET SALES UTILIZING TENNESSEE STATE CONTRACT NO.: 80358; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

- 3. Consideration of a Resolution to Enter into a Sponsorship Agreement with the Bays Mountain Park Association on Behalf of the Kingsport Community Foundation for Naming Rights for the "Red Fox Habitat Sponsored by the Kingsport Community Foundation" (AF-144-2023) (Michael T. Borders)**

Motion made by Vice Mayor George, Seconded by Alderman Duncan.

**RESOLUTION NO. 2024-091** A RESOLUTION APPROVING A SPONSORSHIP AGREEMENT WITH KINGSFORT COMMUNITY FOUNDATION AND NAMING OF THE RED FOX HABITAT AT THE BAYS MOUNTAIN PARK; 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."

- 4. Consideration of a Resolution to Enter into an Agreement with Collective Architecture Company for Otter Habitat Design (AF-329-2023) (Michael T. Borders)**

Motion made by Vice Mayor George, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-092** A RESOLUTION APPROVING AN AGREEMENT WITH COLLECTIVE ARCHITECTURE COMPANY, LLC FOR PROJECT DESIGN AND RELATED SERVICES FOR THE OTTER HABITAT AND LAKE TERRACE AT BAYS MOUNTAIN PARK AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER

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DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 5. Consideration of a Resolution to Enter into an Agreement with TDOT and Sign All Applicable Documents for State Route 93 - Derby Drive Waterline Relocation (AF-288-2023) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

**RESOLUTION NO. 2024-093** A RESOLUTION APPROVING AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 93 DERBY DRIVE WATERLINE RELOCATION, 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."

- 6. Consideration of a Resolution Approving an Amendment to the Charter of the Industrial Development Board of the City of Kingsport, Tennessee (AF-316-2023) (Chris McCartt)**

Motion made by Alderman Duncan, Seconded by Alderman Phillips.

**RESOLUTION NO. 2024-094** A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CHARTER OF THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE AND APPROVING THE FORM OF THE PROPOSED AMENDMENT

Passed: All present voting "aye."

- 7. Consideration of a Resolution Declaring Property Surplus and Conveying said Property to KHRA (AF-317-2023) (Chris McCartt)**

Motion made by Alderman Phillips, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-095** A RESOLUTION APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED CONVEYING THE PROPERTY AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

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- 8. Consideration of a Resolution to Amend the Agreement with Cain Rash West (CRW) for the Justice Center Renovation Project Authorizing the Mayor to Sign All Applicable Documents (AF-320-2023) (Ryan McReynolds)**

Motion made by Alderman Duncan, Seconded by Vice Mayor George.

**RESOLUTION NO. 2024-096** A RESOLUTION AUTHORIZING A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAIN RASH AND WEST ARCHITECTS FOR THE JUSTICE CENTER RENOVATION 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."

- 9. Consideration of a Resolution to Purchase the "Divine Wind" Sculpture (AF-324-2023) (Michael Borders)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-097** A RESOLUTION APPROVING THE PURCHASE OF THE ARTWORK "DIVINE WIND" FROM ARTIST JIM GALLUCCI, SCULPTOR, LTD; AND AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

**XII. CONSENT AGENDA** *(These items are approved under one motion.)*

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

Passed as presented with a roll call vote: Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 1. Consideration of a Resolution Authorizing the Mayor to Execute the Annual Renewal of the Public Library Service Agreement with the Tennessee State Library and Archives (AF-314-2023) (Michael Borders)**

**RESOLUTION NO. 2024-098** 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 THE SAME TO RECEIVE FUNDING FOR BOOKS, TRAINING, AND SERVICES THROUGH THE HOLSTON RIVER REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2023–2024

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- 2. Consideration of a Resolution Authorizing the Mayor to Execute an 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-315-2023) (Michael Borders)**

**RESOLUTION NO. 2024-099** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF THE PUBLIC LIBRARY MAINTENANCE OF EFFORT AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES TO RECEIVE FUNDING FOR BOOKS AND TRAINING AND FOR SERVICES THROUGH THE HOLSTON RIVER REGIONAL LIBRARY SYSTEM

- 3. Consideration of a Resolution Authorizing the City Manager to Execute a Purchase Order for Kingsport City Schools Teacher Laptops from Dell Marketing LP (AF-312-2023) (David Frye)**

**RESOLUTION NO. 2024-100** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO DELL MARKETING LP FOR 200 TEACHER LAPTOPS FOR KINGSPORT CITY SCHOOLS UTILIZING A PURCHASING COOPERATIVE AGREEMENT WITH WILSON COUNTY BOARD OF EDUCATION CONTRACT NO.: 51AHO

- 4. Consideration of a Resolution to Approve a Right-of-Way Easement with Kingsport Power Company (AF-330-2023) (Michael Thompson)**

**RESOLUTION NO. 2024-101** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER COMPANY

**XIII. COMMUNICATIONS**

- 1. City Manager**

Mr. McCartt stated Thursday is the State of the City Address at Meadowview and almost 300 people have already RSVP'd to attend, noting tickets are still available though the chamber. He expressed his appreciation for the preparation made by city staff and looked forward to seeing everyone there.

- 2. Mayor and Board Members**

Alderman Duncan provided details on upcoming leaf collection and pointed out the Connect Kingsport app is a great place for information. He also commented on the pumpkin contest this Saturday at the Farmers Market. Mr. Duncan stated Keep Kingsport Beautiful conducted their last pick up a couple of weeks ago making a total of ten tons of trash collected for the year. He



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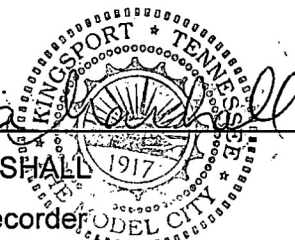
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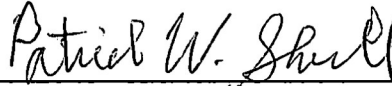
remarked this was less than last year's total, so progress was being made. Lastly, he congratulated the finance team on receiving a certificate of achievement once again. Alderman Montgomery provided details on a Healthy Kingsport program taking food to area churches and noted tomorrow they are hosting a flu day at the chamber to administer shots. Alderman Phillips mentioned how awesome last week was in Kingsport regarding the IMAX theater coming to the mall and the significant investment they are making in Kingsport. He mentioned more developments including two new restaurants and three new out-parcels also coming to the mall. Mr. Phillips also commented on the groundbreaking at Brickyard Park and the progress that has been made there since he was elected to the board. He congratulated the city staff involved with these projects and commended their diligence and hard work. Lastly, he mentioned there would be trick or treating downtown on October 28, noting there will be thousands of kids participating. Alderman Olterman commented on DB football. Vice-Mayor George reminded everyone of the Friends in Need fundraiser on Thursday the 26<sup>th</sup> at the Farmers Market, noting there are still tickets for sale. She provided further details on the Halloween event downtown on the 28th. She also mentioned other upcoming events, including the Wing Fling on November 2nd, baseball tournaments and a volleyball championship. The Vice-Mayor also mentioned the Bays Mountain license plate fundraiser and encouraged participation. Mayor Shull reminded everyone the City doesn't regulate Halloween, so be aware of kids out and about at local events before and during Halloween night. The mayor pointed out many of the activities mentioned tonight rely heavily on volunteers, noting the presence of the Kingsport spirit.

**XIV.ADJOURN**

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:58 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder



  
PATRICK W. SHULL  
Mayor