



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 07, 2023 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
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 Matthew Lane.
- III. **INVOCATION** led by Dr. Randy Frye, First Broad Street United Methodist Church
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle
- V. **RECOGNITIONS AND PRESENTATIONS** None.
- VI. **APPOINTMENTS** None.
- VII. **APPROVAL OF MINUTES** (*These items are considered under one motion.*)

Motion made by Alderman Olterman, Seconded by Alderman Duncan.

1. **October 16, 2023 - Work Session**
2. **October 17, 2023 - Business Meeting**

Passed: All present voting "aye."

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VIII. PUBLIC HEARINGS None.

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 Resolution to Accept a Private Monetary Donation for the Police K-9 Program and Appropriate the Funds (AF-336-2023) (Chief Phipps)**

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

RESOLUTION NO. 2024-102 A RESOLUTION ACCEPTING A MONETARY DONATION OF \$3,000.00 TO THE KINGSPORT POLICE DEPARTMENT TO BE UTILIZED TO ASSIST IN THE COST OF MAINTAINING DEPARTMENT K-9 UNITS

Passed: All present voting "aye."

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

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS 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 Resolution to Accept a Private Monetary Donation for the Kingsport Police Department to be Used for the Purchase of Personal Protective Equipment (PPE) and Appropriate the Funds (AF-338-2023) (Chief Dale Phipps)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

RESOLUTION NO. 2024-103 A RESOLUTION ACCEPTING A MONETARY DONATION OF \$1,000.00 TO THE KINGSPORT POLICE DEPARTMENT TO BE UTILIZED TO ASSIST IN THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE OFFICERS

Passed: All present voting "aye."

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

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

Passed: All present voting "aye."

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3. **Consideration of a Resolution to Enter Into a Contractual Agreement and Sign All Necessary Documents with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY 23-24** (AF-342-2023) (Candace Sherer)

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

RESOLUTION NO. 2024-104 A RESOLUTION APPROVING A REIMBURSEMENT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CITY'S TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2023-2024; 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."

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

AN ORDINANCE TO AMEND URBAN MASS TRANSIT CAPITAL/GRANT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

4. **Consideration of a Budget Adjustment Ordinance for Various Funds in FY24** (AF-344-2023) (John Morris)

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

5. **Consideration of an Ordinance to Appropriate Tennessee Department of Health Healthy Built Environment Grant Funds** (AF-331-2023) (Michael Borders)

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

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR THE 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 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 Phipps)**

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

ORDINANCE NO 7118 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 on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

2. **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 Phillips. Seconded by Alderman Duncan.

ORDINANCE NO 7119 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 on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

3. **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 Phipps)**

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

ORDINANCE NO 7120 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 on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

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- 4. 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 Alderman Duncan, Seconded by Alderman Cooper.

ORDINANCE NO 7121 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 on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

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

Motion made by Alderman Cooper, Seconded by Alderman Phillips.

ORDINANCE NO 7122 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 on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

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

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

ORDINANCE NO 7123 AN ORDINANCE TO AMEND THE FY 2024 SCHOOL SPECIAL PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

XI. OTHER BUSINESS

- 1. Consideration of a Resolution to Purchase One (1) 2024 Autocar ACX64 ASL New Way Refuse Truck from Sourcewell Cooperative Contract (AF-340-2023) (Ryan McReynolds)**

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

RESOLUTION NO. 2024-105 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MUNICIPAL EQUIPMENT, INC. UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 091219-NWY FOR ONE 2024 AUTOCAR ACX64 NEW WAY REFUSE TRUCK FOR USE BY PUBLIC WORKS

Passed: All present voting "aye."

- 2. Consideration of a Resolution to Purchase Two (2) 2023 Ram 3500 Mini Dump Trucks from TN State Contract # 80359** (AF-341-2023) (Ryan McReynolds)

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

RESOLUTION NO. 2024-106 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2023 RAM 3500 MINI DUMP TRUCKS FROM COLUMBIA CHRYSLER DODGE JEEP RAM UTILIZING TENNESSEE STATE CONTRACT NO.: 80359; 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 an Agreement with CDM Smith Inc. for the South Fork Holston Sewershed Capacity Study** (AF-146-2023) (Ryan McReynolds)

Motion made by Alderman Montgomery, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-107 A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC. FOR THE SOUTH FORK HOLSTON SEWERSHED CAPACITY STUDY 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. Consideration of a Resolution to Enter into a Facility Encroachment Agreement with CSX Transportation (CSXT) for the Main Street Project Authorizing the Mayor to Sign all Applicable Documents** (AF-343-2023) (Ryan McReynolds)

Motion made by Alderman Olterman, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-108 A RESOLUTION APPROVING FACILITY ENCROACHMENT AGREEMENT NO. CSX977447 WITH CSX TRANSPORTATION, INC., FOR THE MAIN STREET PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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Passed: All present voting "aye."

- 5. Consideration of a Resolution Authorizing the Filing and Acceptance of FY 2023 State and Local Cybersecurity Grant Program (SLCGP) (AF-346-2023) (Floyd Bailey)**

Motion made by Alderman Duncan, Seconded by Mayor Shull.

RESOLUTION NO. 2024-109 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A FISCAL YEAR 2023 STATE AND LOCAL CYBERSECURITY GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY

Passed: All present voting "aye."

- 6. Consideration of a Resolution to Reject All Bids for the Water and Sewer Warehouse Renovations Project (AF-145-2023) (Ryan McReynolds)**

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

RESOLUTION NO. 2024-110 A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR THE WATER AND SEWER WAREHOUSE RENOVATIONS PROJECT

Passed: All present voting "aye."

- 7. Consideration of a Resolution to Purchase 834 W Industry Dr and Enter into a Lease for Same Property (AF-289-2023) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

RESOLUTION NO. 2024-111 A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 834 WEST INDUSTRY DRIVE AND APPROVING A PURCHASE AGREEMENT FOR THE SAME; AUTHORIZING THE LEASE OF THE REAL PROPERTY LOCATED AT 834 WEST INDUSTRY DRIVE AND APPROVING A LEASE AGREEMENT FOR THE SAME; AND AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

- 8. Consideration of a Resolution Approving an Amendment to the Downtown Kingsport Redevelopment Plan Expanding the Project Scope and Extending the TIF Period for the Downtown Kingsport Redevelopment District – Brickyard Village (AF-327-2023) (Chris McCartt, Steven Bower)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

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RESOLUTION NO. 2024-112 A RESOLUTION APPROVING AN AMENDMENT TO THE TAX INCREMENT FINANCING AGREEMENT FOR THE DOWNTOWN REDEVELOPMENT PLAN EXPANDING THE PROJECT SCOPE AND EXTENDING THE TIF PERIOD FOR THE DOWNTOWN KINGSFORT REDEVELOPMENT DISTRICT-BRICKYARD VILLAGE

Passed: All present voting "aye."

9. **Consideration of a Resolution Authorizing a Financial Contribution if Needed to the Kingsport Economic Development Board Relative to the Fort Henry Mall Redevelopment and Improvements Authorizing the Execution of all Necessary and Proper Documents** (AF-345-2023) (Chris McCartt, Steven Bower)

Motion made by Alderman Phillips, Seconded by Alderman Montgomery.

RESOLUTION NO. 2024-113 A RESOLUTION APPROVING A FINANCIAL CONTRIBUTION, IF NEEDED, TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR ECONOMIC OR INDUSTRIAL DEVELOPMENT PURPOSES RELATIVE TO THE FORT HENRY MALL REDEVELOPMENT AND IMPROVEMENTS, AUTHORIZING SUCH AGREEMENTS AS MAY BE NEEDED TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; EXPRESSING THE INTENT OF THE BOARD OF MAYOR AND ALDERMEN TO ESTABLISH ONE OR MORE PROJECT ACCOUNTS IN AN ORDINANCE APPROPRIATING FUNDS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, IF NEEDED; AND TO FIX THE EFFECTIVE DATE 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 Cooper.

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

1. **Consideration of a Resolution to Approve an Amendment to the Preston Construction Dome Contract** (AF-337-2023) (David Frye)

RESOLUTION NO. 2024-114 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH PRESTON CONSTRUCTION COMPANY FOR THE BUCK VAN HUSS DOME RENOVATION PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

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- 2. Consideration of a Resolution for Approval to Amend the Professional Services Agreement with Thompson & Litton for Services Related to the Lincoln Elementary School HVAC Replacement Project (AF-339-2023) (David Frye)**

RESOLUTION NO. 2024-115 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH THOMPSON & LITTON FOR THE LINCOLN ELEMENTARY SCHOOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

- 3. Consideration to Approve the Issuance of a Certificate of Compliance for a Retail Food Store to Sell Wine (AF-347-2023) (Angie Marshall)**
- 4. Consideration of a Resolution to Ratify the Mayor's Signature and Adopt the ARCH Written Standards and Grievance Policy as a Condition of Receiving the THDA HOME ARP Supportive Services Grant (AF-335-2023) (Michael Price)**

RESOLUTION NO. 2024-116 A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON THE TENNESSEE HOUSING DEVELOPMENT AGENCY HOME ARP SUPPORTIVE SERVICES GRANT CONTRACT AND RECEIVING OF FUNDING THROUGH THE GRANT. AND ADOPTING THE WRITTEN STANDARDS AND GRIEVANCE POLICY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER

XIII. COMMUNICATIONS

- 1. City Manager**

Mr. McCartt pointed out that City facilities would be closed on Friday for Veterans day, noting there is a service at 11:00am Saturday at the Memorial.

- 2. Mayor and Board Members**

Alderman Montgomery thanked Chief Phipps for an excellent presentation yesterday at the work session. He also mentioned the Rotary Club turned 100 years old yesterday and he was proud to be a part of that organization. Lastly, Mr. Montgomery stated Healthy Kingsport continues to help out Sullivan County and Holston Food bank at the chamber, noting the next People, Produce and Praise will be at Port City Church. Alderman Phillips noted that yesterday was not only his birthday but Alderman Montgomery's anniversary. He commended those who participated in the Halloween trick or treating event downtown stating there were thousands of kids. Alderman Olterman commented DB was ready for basketball. Alderman Duncan

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mentioned the Christmas Connection this weekend at Meadowview as well as Lamplight Theatre's Festival of Trees and their Yuletide Christmas show. He also pointed out the city manager would be the guest speaker at the veteran's service on Saturday. Alderman Cooper stated it's finally Christmas time in Kingsport, noting the decorations outside went up the day after Halloween. She stated the Santa Train will arrive downtown on November 18 and the trees in the parks will be decorated on the 28th. She also noted that December 2nd is the parade, pointing out there is something happening at a park every Friday after that. Alderman Cooper said the Christmas trees will be delivered to the parks on the 16th and 17th noting they would be cut on the day they're delivered. Ms. Cooper commented four snow machines were purchased so there would be snow everywhere and Alderman Phillips mentioned there would be 6-10 bagpipe players on the day of parade in downtown. Vice-Mayor George stated she appreciated the trees were already lit and decorated downtown with the time change and getting dark outside earlier. She stated Visit Kingsport's wing fling had over 600 attendees and commented on other events, noting County Officials and women's volleyball at Meadowview. She mentioned the ribbon cutting at the new pump track. Lastly the Vice-Mayor noted there was always a shortage of blood during the holidays and encouraged people to donate. Mayor Shull commented that there were things going on all the time and the importance of the tourism industry. He pointed out that Friday is the birthday of Marine Corps and thanked his fellow veterans. He offered a reminder of the difference between Veteran's Day and Memorial Day.

XIV.ADJOURN

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:55 p.m.

ANGELA MARSHALL

Deputy City Recorder

PATRICK W. SHULL

Mayor