



## **BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, August 01, 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 Betsy Cooper

Alderman Darrell Duncan

Alderman Paul W. Montgomery

Alderman Tommy Olterman

Alderman James Phillips

### **City Administration**

Ryan McReynolds, Deputy City Manager

Bart Rowlett, City Attorney

Lisa Winkle, City Recorder/Treasurer

Angie Marshall, City Clerk/Deputy/City Recorder

- I. CALL TO ORDER** 7:00 p.m. by Mayor Shull.
- II. PLEDGE OF ALLEGIANCE TO THE FLAG** led by City Attorney Bart Rowlett.
- III. INVOCATION** led by Phip Sams, Sr. Minister, First Christian Church, Kingsport
- IV. ROLL CALL** by City Recorder/Treasurer Lisa Winkle.
- V. RECOGNITIONS AND PRESENTATIONS**
  - 1. Elizabeth Kiser, Miss Kingsport 2024 and DeAnna Greer, Miss Sullivan County 2024**  
(Mayor Shull)
  - 2. 2023 TML Achievement Award for Excellence in Economic Development and Revitalization**  
(Alderman Duncan)
  - 3. TimesNews 2023 Readers Choice Best Venue Award - Kingsport Farmers Market**  
(Alderman Cooper)
  - 4. TimesNews 2023 Readers Choice Best Birthday Party Venue - Kingsport Carousel**  
(Alderman Phillips)
  - 5. Proclamation: National Farmers Market Week, August 6-12, 2023** (Vice Mayor George)

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**VI. APPOINTMENTS** None.

**VII. APPROVAL OF MINUTES** *(These items are approved under one motion.)*

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

**1. July 17, 2023 - Work Session**

**2. July 18, 2023 - Business Meeting**

Passed: All present voting "aye."

**VIII. PUBLIC HEARINGS** None.

**COMMENT**

Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items.

**IX. BUSINESS MATTERS REQUIRING FIRST READING**

- 1. Consideration of a Budget Adjustment Ordinance for the Urban Mass Transit Assistance Project Fund in FY23 (AF-259-2023) (Chris McCartt)**

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

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 2. Consideration of a Budget Adjustment Ordinance for the General Projects-Special Revenue Fund and the Sewer Project Fund in FY24 (AF-261-2023) (McCartt)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE AND SEWER PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

**X. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

- 1. Consideration of an Ordinance to Amend Zoning of Tax Map 46P, Group F, a Portion of Parcels 9.50 and 10.50 Located Along Brickyard Park Drive from the M-2, General Manufacturing District to the PD, Planned Development District (AF-241-2023) (Ken Weems)**

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

**ORDINANCE NO 7097** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG BRICKYARD PARK DRIVE FROM THE M-2, GENERAL MANUFACTURING DISTRICT TO THE PD, PLANNED DEVELOPMENT DISTRICT 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: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

**2. Consideration of an Ordinance to Amend the FY 2024 the General Purpose School Fund and the General Project Fund Budgets (AF-242-2023) (David Frye)**

Motion made by Alderman Duncan, Seconded by Alderman Montgomery.

**ORDINANCE NO 7098** 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

**3. Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-246-2023) (Chris McCartt)**

Motion made by Alderman Olterman, Seconded by Alderman Phillips.

**ORDINANCE NO 7099** 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 Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

**4. Consideration of a Budget Adjustment Ordinance for Various Funds in FY23 (AF-245-2023) (Chris McCartt)**

Motion made by Alderman Duncan, Seconded by Alderman Cooper.

**ORDINANCE NO 7100** AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2023; 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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**XI. OTHER BUSINESS**

- 1. Consideration of a Resolution to Amend the Professional Service Agreement with LDA Engineering for Additional Construction Administration and Inspection Due to Project Delays (AF-255-2023) (Ryan McReynolds)**

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

**RESOLUTION NO. 2024-045** A RESOLUTION APPROVING ADDENDUM 2 TO AN AGREEMENT WITH LDA ENGINEERING FOR THE REPLACEMENT OF THREE SEWER LIFT STATIONS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

- 2. Consideration of a Resolution Amending CDM Smith's Professional Service Agreement for the Water Treatment Plant (WTP) High Service Pump Station Improvements Project (AF-256-2023) (Ryan McReynolds)**

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-046** A RESOLUTION APPROVING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC. FOR THE DESIGN OF THE WATER TREATMENT PLANT HIGH SERVICE PUMP STATION AND CLEARWELL 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."

- 3. Consideration of a Resolution to Award the Bid to Morgan Contracting, Inc. for the Phase 1 Sanitary Sewer Lining Project, and Authorize the Mayor to Sign All Applicable Documents (AF-250-2023) (Ryan McReynolds)**

Motion made by Alderman Duncan, Seconded by Alderman Phillips.

**RESOLUTION NO. 2024-047** A RESOLUTION AWARDED THE BID FOR THE SANITARY SEWER LINING PROJECT TO MORGAN CONTRACTING, 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."

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- 4. Consideration of a Resolution to Purchase One (1) John Deere 210 Excavator from Sourcewell Contract #011723-JDC (AF-257-2023) (Ryan McReynolds)**

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

**RESOLUTION NO. 2024-048** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MEADE EQUIPMENT, LLC FOR THE PURCHASE OF A 2023 JOHN DEERE 210P EXCAVATOR THROUGH SOURCEWELL COOPERATIVE PURCHASE AGREEMENT NO.: 011723-JDC

Passed: All present voting "aye."

- 5. Consideration of a Resolution to Approve a Change Order to Purchase Order Y005723 Issued to Friendship Ford of Bristol (AF-258-2023) (Ryan McReynolds)**

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

**RESOLUTION NO. 2024-049** A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE PURCHASE ORDER Y005723 ISSUED TO FRIENDSHIP FORD OF BRISTOL FOR THE PURCHASE OF A 4X4 EXTENDED CAB ENCLOSED UTILITY BODY VEHICLE AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 TO THE PURCHASE ORDER

Passed: All present voting "aye."

- 6. Consideration of a Resolution Authorizing the Mayor to Enter into a License Agreement between the City of Kingsport and the Tennessee Department of Transportation for Landscaping at Several Intersections and/or Interchanges on State Routes 1, 36, 93 and 126 (AF-252-2023) (Ryan McReynolds)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-050** A RESOLUTION APPROVING A LICENSING AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE FEDERAL ROADSCAPES PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE LICENSE AGREEMENT AND AUTHORIZING THE EXECUTION OF ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 7. Consideration of a Resolution Ratifying the Mayor's Signature on the Certification of Consistency with the Consolidated Plan for Holston Habitat for Humanity's Federal Home Loan Bank of Cincinnati Grant Application (AF-254-2023) (Michael Price)**

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Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-051** A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON THE CERTIFICATION OF CONSISTENCY WITH THE CONSOLIDATED PLAN AND ANY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

**8. Consideration of a Resolution to Amend the Rules of Procedure for Meetings of the Board of Mayor and Aldermen (AF-248-2023) (Jessica Harmon)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-052** A RESOLUTION AMENDING THE RULES OF PROCEDURE FOR THE BOARD OF MAYOR AND ALDERMEN

Passed: All present voting "aye."

**9. Consideration of a Resolution Approving an Amendment to the Lease between the Chamber, the City of Kingsport, and Judge Robert Montgomery (AF-253-2023) (Chris McCartt)**

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-053** A RESOLUTION APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH THE CHAMBER FOUNDATION FOR UNIT 210 IN THE 400 CLINCHFIELD CONDOMINIUM ASSOCIATION BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

**10. Consideration of a Resolution to Apply and Receive Two Competitive State Water Infrastructure Grants through the Tennessee Department of Environment and Conservation (AF-262-2023) (Ryan McReynolds)**

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

**RESOLUTION NO. 2024-054** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE LETTERS OF SUPPORT AND ANY OTHER DOCUMENTS NECESSARY AND PROPER FOR THE APPLICATIONS FOR TWO STATE WATER INFRASTRUCTURE GRANTS FROM THE STATE OF TENNESSEE, TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Passed: All present voting "aye."

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### **XII. CONSENT AGENDA** None.

### **XIII. COMMUNICATIONS**

#### **1. City Manager**

Mr. McCartt recognized Fire Chief Boyd for being appointed to the State of Tennessee Fire Chief's board to represent East Tennessee. He also thanked city staff for their continuing work cleaning up after the storms over the past weekend. The City Manager also commented on the awards presented earlier in the evening, noting they demonstrated the commitment from the city in various aspects.

#### **2. Mayor and Board Members**

Alderman Montgomery thanked the board and staff for their efforts on renaming the boardroom, commenting on the reception earlier in the evening. Alderman Phillips mentioned how to get text messages from This is Kingsport for events happening each week. He also commented on the many events that occurred during the month of July and the positive impact they had on the city, noting the momentum continued into August with the World Long Drive and the Netherland Inn Lo Country Boil. Lastly, Mr. Phillips pointed out school would be starting next week. Alderman Olterman thanked everyone for their continued prayers for his daughter. Alderman Duncan mentioned the people's choice awards, observing Bays Mountain was recognized. He also remarked high school football was gearing up and encouraged citizens to attend. Finally, he mentioned sales tax is down and asked everyone to shop local. Alderman Cooper stated the focus of the Hop and Shop this Thursday is to highlight how pet friendly downtown businesses are. She also mentioned half of the Christmas trees were pre-sold during the Christmas in July event. She reiterated the beginning of school and for citizens to be award through school zones and also provided details on getting football season passes. Vice-Mayor George commented on the Appalachian all-star baseball game, the International Pageant and the World Long Drive. She also reminded everyone the Allandale concerts begin this month on Thursdays and they are free. Lastly, she commented on public works still picking up recycle carts throughout the city. Deputy City Manager McReynolds provided further details. Mayor Shull also commented on the All-Star game and he recognized Alderman Duncan for serving on the Tennessee Municipal League. In closing, the mayor mentioned the Times News had also received awards and thanked them as well as their readers.

#### **3. Visitors** None.

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**XIV.ADJOURN**

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 8:05 p.m.

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ANGELA MARSHALL

Deputy City Recorder

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PATRICK W. SHULL

Mayor