



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

**Tuesday, August 06, 2024 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**

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 Girl Scout Troop #1088.
- III. INVOCATION** led by Alderman Montgomery.
- IV. ROLL CALL** by City Recorder/Treasurer Lisa Winkle.
- V. RECOGNITIONS AND PRESENTATIONS**
  - 1. Chancellor's Award Presented to the City of Kingsport** - Dr. Jeff McCord, NESCC
  - 2. Proclamation: National Farmers Market Week** - Alderman Duncan
- VI. COMMENT** Mayor Shull invited citizens in attendance to speak. The following individuals came forward to comment and the mayor closed the public comment section.  
  
Misty Peters. Ginger Smith, Jeff Kiser, Joe Brock, Madison Cross and Stephanie Hale made comments regarding the issue of homelessness.

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

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

Passed: All present voting "aye."

1. **Consideration of Appointments to the Public Art Committee** (AF-224-2024) (Mayor Shull)  
APPOINT CASSIDY LESTER TO FULFILL THE UNEXPIRED TERM OF SCOTT EDDLEMON EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2026; REAPPOINT JOSEPH MAYE AND JENNIFER ADLER TO A SECOND TERM AND JOSH REID FOR A THIRD TERM EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2027
2. **Consideration of Appointments to the Tree Advisory Board** (AF-225-2024) (Mayor Shull)  
REAPPOINT DENISE ISAACS FOR A FOURTH TERM, DAVID WILLIAMS FOR A FIFTH TERM, TIMOTHY MARTIN FOR A SIXTH TERM AND DAN WERNICK FOR A TENTH TERM EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2026
3. **Consideration of Appointment to the Historic Zoning Commission** (AF-226-2024) (Mayor Shull)  
APPOINT BOB GRYGOTIS EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2029

**VIII. APPROVAL OF MINUTES** *(These items are considered under one motion.)*

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

Passed: All present voting "aye."

1. **July 15, 2024 - Work Session**
2. **July 16, 2024 - Business Meeting**

**IX. BUSINESS MATTERS REQUIRING FIRST READING AND/ OR PUBLIC HEARINGS**

1. **Public Hearing and Consideration of an Ordinance to Amend City Code as it Pertains to Public Art and Murals** (AF-222-2024) (Ken Weems) Alderman Cooper asked for clarification on putting murals on private property to which Mr. Weems stated it had to be in the business district. Danny Collier, 721 midfield avenue commented during the public hearing regarding the possible contradiction of prohibiting public speech. Mr. McCartt suggested tabling since this is the second time it has come to the board with questions.

Motion made by Vice Mayor George, Seconded by Alderman Olterman to table the item.

Passed All present voting "aye."

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- 2. Consideration of an Update to the Stormwater Management Ordinance to Meet the 2024 Small Municipal Separate Storm Sewer System (MS4) Permit Issued by the Tennessee Department of Environment and Conservation (TDEC) (AF-190-2024) (Ryan McReynolds)**

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

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 38, ARTICLE III STORMWATER MANAGEMENT; TO PROVIDE A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 3. Consideration of a Budget Adjustment Ordinance for Various Funds in FY 2024 (AF-227-2024) (Chris McCartt)**

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

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."

- 4. Consideration of a Budget Adjustment Ordinance for Various Funds in FY 2025 (AF-229-2024) (Chris McCartt)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2025; 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 077H, Parcel 001.10 and a Portion of Parcel 002.00 Located Along Riverbend Drive from the B-4P, Planned Business District to PD, Planned Development District (AF-199-2024) (Jessica McMurray)**

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

**ORDINANCE NO. 7165** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG RIVERBEND DRIVE FROM THE B-4P, PLANNED BUSINESS DISTRICT TO 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

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

- 2. Consideration of a Budget Ordinance for Various Funds FY25 (AF-207-2024) (Chris McCartt)**

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

**ORDINANCE NO. 7166** AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2025; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

- 3. Consideration of an Ordinance to Amend the FY 2025 General Purpose School Fund Budget (AF-210-2024) (David Frye)**

Motion made by Alderman Olterman, Seconded by Alderman Duncan.

**ORDINANCE NO. 7167** AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2025; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading with 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 Approving the 2024 Amendment to the Tennessee State-Subdivision Opioid Abatement Agreement and Authorizing the Mayor to Execute a Subdivision Participation Agreement Relative to the Kroger Co Settlement (AF-221-2024) (Chris McCartt)**

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

**RESOLUTION NO. 2025-022** A RESOLUTION AUTHORIZING THE CITY OF KINGSFORT TO JOIN WITH THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS IN AMENDING THE TENNESSEE STATE- SUBDIVISION OPIOID ABATEMENT AGREEMENT; APPROVING THE RELATED SETTLEMENT AGREEMENTS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT OR THIS RESOLUTION

Passed: All present voting "aye."

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- 2. Consideration of a Resolution to Award the Bid to Traxon Construction, Inc., for the Waterline Upgrades for the Sullivan County Water Project and Authorize the Mayor to Sign All Applicable Documents (AF-218-2024) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Phillips.

**RESOLUTION NO. 2025-023** A RESOLUTION AWARDING THE BID FOR WATERLINE UPGRADE FOR THE SULLIVAN COUNTY WATER PROJECT TO TRAXON CONSTRUCTION, 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."

- 3. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Apply and Accept a Section 5307 TDOT Capital Grant Matching Contract for Transit Vehicle Replacements in the KATS Fleet (AF-209-2024) (Candace Sherer)**

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

**RESOLUTION NO. 2025-024** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO ACCEPT MATCHING SECTION 5307 CAPITAL GRANT FUNDS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

- 4. Consideration of a Resolution to Enter into an Engineering Agreement with CDM Smith for Wastewater Treatment Plant Headworks Assessment (AF-217-2024) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

**RESOLUTION NO. 2025-025** A RESOLUTION APPROVING AN AGREEMENT WITH CDM SMITH FOR A WASTEWATER TREATMENT PLANT HEADWORKS ASSESSMENT 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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- 5. Consideration of a Resolution to Cancel Services with Verizon Connect for GPS Services and Utilize Samsara, Inc. Through the TN State Contract (AF-223-2024) (Ryan McReynolds)**

Motion made by Alderman Duncan, Seconded by Alderman Cooper.

**RESOLUTION NO. 2025-026** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO CANCEL GPS SERVICES WITH VERIZON CONNECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR GPS SERVICES FROM SAMSARA, INC. UTILIZING TENNESSEE STATE CONTRACT NO.: 71019

Passed: All present voting "aye."

- 6. Consideration of a Resolution to Apply for and Receive Tennessee State Library & Archives (TSLA) Construction Grant (AF-220-2024) (Michael T Borders)**

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2025-027** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE STATE LIBRARY AND ARCHIVES CONSTRUCTION GRANT

Passed: All present voting "aye."

- 7. Consideration of a Resolution to Amend and Expand the Riverbend Redevelopment District and Approve Tax Increment Financing for The Arbor Townhome Project (AF-200-2024) (Jessica Harmon)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

**RESOLUTION NO. 2025-028** A RESOLUTION APPROVING THE REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE RIVERBEND REDEVELOPMENT DISTRICT FOR THE ARBOR TOWNHOME PROJECT AREA

Passed: All present voting "aye" except Vice Mayor George voting "nay" Alderman Cooper who abstained.

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

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

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 Approving a Memorandum of Understanding with Kingsport City Schools as Required by the State of Tennessee School Resource Officer (SRO) Program Grant (AF-213-2024) (Chief Phipps)**

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**RESOLUTION NO. 2025-029** A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH KINGSFORT CITY SCHOOLS AS REQUIRED BY THE STATE OF TENNESSEE SCHOOL RESOURCE OFFICER (SRO) PROGRAM GRANT

- 2. Consideration of a Resolution Authorizing the Application for Funding through the Tennessee State Museum Capital Maintenance and Improvements Grant (AF-216-2024)**  
(Michael Price)

**RESOLUTION NO. 2025-030** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE STATE MUSEUM CAPITAL MAINTENANCE AND IMPROVEMENT GRANT

- 3. Consideration of a Resolution to Approve Addendum 11 to the ESS South Central, LLC, Substitute Staffing Services Contract for Kingsport City Schools and Authorizing the Mayor to Sign All Applicable Documents (AF-212-2024)** (David Frye)

**RESOLUTION NO. 2025-031** A RESOLUTION APPROVING AN AMENDMENT TO THE SUBSTITUTE STAFFING SERVICES AGREEMENT WITH ESS SOUTH CENTRAL, LLC, FOR KINGSFORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

- 4. Consideration of a Resolution to Accept Donation of Various Items from Friends of Allandale (AF-208-2024)** (Michael Borders)

**RESOLUTION NO. 2025-032** A RESOLUTION ACCEPTING A DONATION OF VARIOUS ITEMS FROM THE FRIENDS OF ALLANDALE

- 5. Consideration of a Resolution to Apply for and Receive State Board Programming Regrant (AF-219-2024)** (Michael T. Borders)

**RESOLUTION NO. 2025-023** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A STATE BOARD PROGRAMMING REGRANTS FROM THE TENNESSEE HISTORICAL RECORDS ADVISORY BOARD

**XIII. COMMUNICATIONS**

- 1. City Manager** None.

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**2. Mayor and Board Members**

Alderman Duncan expressed his appreciation for the support in the election and offered congratulations to Mayor Elect Montgomery, noting the friendship within the race and campaign in Kingsport. He stated this weekend is the tomato fest at the Farmers Market. Alderman Cooper commented on the library project moving forward. She also stated this is the last week to get season tickets for the DB football games. Alderman Montgomery stated he was humbled by the vote and support of the citizens. He stated Vice-Mayor George ran an excellent race and he has the utmost respect for her. He did point out August was hot, and the election should be moved back to May. Mr. Montgomery thanked city staff for their work on Funfest going off without a hitch. Lastly, he mentioned the walking club starts tomorrow at the mall for senior citizens, and he also noted the second annual Walk and Wag had 65 dogs who walked their best friends on the greenbelt. Alderman Phillips expressed appreciation for being re-elected and spoke in response to the comments made at the beginning of the meeting and the possible motivation behind them. He listed the many resources that are available downtown for food and shelter for those who can follow the rules. He requested the City Manager to have KHRA come back and present to the board the progress they have made in the last six months. Alderman Olterman concurred with Alderman Phillips' comments. He also stated it's going to be a rough year for the Indians. Vice-Mayor George congratulated Alderman Montgomery, Alderman Duncan and Alderman Phillips and also welcomed Morris Baker to the board, noting she was pleased with the citizens and those who participated in the election. She pointed out there needs to be a list of resources to hand out to groups who come to speak in regard to the homeless issue. She stated she appreciated the work of city staff regarding Funfest, noting the day after the concert you can't even tell that many people were there. Mayor Shull agreed with the comments made by Alderman Phillips and talked about his weekly email that began during the pandemic, noting the homeless issue has been addressed several times. He pointed out the statements made were not completely factual and mentioned the steps that have been made over the last few years to address the issue.

**XIV. ADJOURN**

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 8:27 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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PATRICK W. SHULL  
Mayor