



## BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, December 05, 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

- 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 Pastor Adam Love, Mafair United Methodist Church
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle. Absent: Alderman James Phillips.
- V. **RECOGNITIONS AND PRESENTATIONS**
  1. **Sr. Captain Jessie Bishop, Completion of the Executive Fire Officer Program** (Alderman Duncan)
- VI. **APPOINTMENTS** (*These items are considered under one motion.*)

Motion made by Alderman Olterman, Seconded by Vice Mayor George.  
Passed: All present voting "aye."

  1. **Appointment of City of Kingsport Municipal Judge** (AF-359-2023) (Mayor Shull)  
REAPPOINT S. CURTIS ROSE AS THE MUNICIPAL JUDGE FOR A TWO YEAR TERM EFFECTIVE JANUARY 1, 2024 AND EXPIRING ON DECEMBER 31, 2025.
  2. **Appointments to the Emergency Communication District / E-911 Board** (AF-365-2023) (Mayor Shull)

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REAPPOINT KEITH CUNNINGHAM, REV. KENNETH CALVERT AND DR. MICKEY SPIVEY TO THE EMERGENCY COMMUNICATIONS DISTRICT/E-911 BOARD FOR A FOUR YEAR TERM EFFECTIVE JANUARY 1, 2024 AND EXPIRING ON DECEMBER 31, 2027.

**3. Appointments to the Board of Zoning Appeals (AF-366-2023) (Mayor Shull)**

REAPPOINT CALVIN CLIFTON AND WESLEY COMBS TO THE BOARD OF ZONING APPEALS FOR A THREE YEAR TERM EFFECTIVE JANUARY 1, 2024 AND EXPIRING ON DECEMBER 31, 2026.

**4. Appointment to the Bays Mountain Park Commission (AF-367-2023) (Mayor Shull)**

APPOINT STEVE KILGORE TO THE BAYS MOUNTAIN PARK COMMISSION TO FULFILL THE UNEXPIRED TERM OF DAVID FOX AND EXTEND IT TO A FULL THREE YEAR TERM EFFECTIVE IMMEDIATELY AND EXPIRING ON JANUARY 31, 2027.

**5. Appointment to the Kingsport Higher Education Commission (AF-368-2023) (Mayor Shull)**

REAPPOINT DR. MARYLEE DAVIS TO THE KINGSFORT HIGHER EDUCATION COMMISSION FOR A FOUR YEAR TERM EFFECTIVE IMMEDIATELY AND EXPIRING ON NOVEMBER 30, 2027.

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

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

**1. November 20, 2023 - Work Session**

**2. November 21, 2023 - Business Meeting**

Passed: All present voting "aye."

**VIII. PUBLIC HEARINGS**

**1. Consideration of an Ordinance to Amend Zoning of 1506 Lynn Garden Drive from the R-1B, Residential District to the B-3, Highway Oriented Business District (AF-362-2023) (Ken Weems)**

Motion made by Alderman Olterman, Seconded by Alderman Cooper.

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG LYNN GARDEN DRIVE FROM THE R-1B, RESIDENTIAL DISTRICT TO THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 12TH 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: All present voting "aye" except for Vice Mayor George who abstained.

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- 2. Conduct the Six Month Plan of Services Update for the Shipp Springs Annexation and the Annual Plan of Services Update for the Fieldcrest and Cherry Knoll Annexations (AF-363-2023) (Ken Weems)**

**COMMENT**

Mayor Shull invited citizens in attendance to speak. Joshua Gibbons commented on the upcoming BMA election and the police department. There being no one else coming forward, the mayor closed the public comment section.

**IX. BUSINESS MATTERS REQUIRING FIRST READING**

- 1. Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-364-2023) (Chris McCartt)**

Motion made by Alderman Montgomery, 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."

**X. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

- 1. Consideration of an Ordinance to Amend Zoning of Tax Map 076, Parcel 020.00 Located Along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to M-1R, Light Manufacturing Restricted District (AF-349-2023) (Jessica McMurray)**

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

**ORDINANCE NO 7129** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG TIDEWATER COURT FROM THE A-1, AGRICULTURAL DISTRICT AND B-4P, PLANNED BUSINESS DISTRICT TO M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT 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: All present voting "aye."

- 2. Consideration of an Ordinance to Amend Zoning of Tax Map 029F, Group B, Parcels 009.00, 012.00, 014.00 and 027.00 Located Along Granby Road from the R-1B, Residential District to the R-3, Low Density Apartment District (AF-350-2023) (Jessica McMurray)**

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

**ORDINANCE NO 7130** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG GRANBY ROAD FROM THE R-1B, RESIDENTIAL DISTRICT TO THE R-3, LOW DENSITY APARTMENT DISTRICT IN THE 12<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: All present voting "aye."

- 3. Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets (AF-356-2023) (David Frye)**

Motion made by Alderman Duncan, Seconded by Alderman Montgomery.

**ORDINANCE NO 7131** 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."

**XI. OTHER BUSINESS**

- 1. Consideration of a Resolution to Amend Vacation Policy (#14) (AF-370-2023) (Tyra Copas)**

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

**RESOLUTION NO. 2024-121** A RESOLUTION AMENDING RESOLUTION NO. 2021-023, VACATION LEAVE POLICY FOR CITY EMPLOYEES

Passed: All present voting "aye."

- 2. Consideration of a Resolution Awarding the High Bid for City Owned Surplus Real Property Located at 1261 Sullivan Court East (AF-371-2023) (Lisa Winkle)**

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

**RESOLUTION NO. 2024-122** A RESOLUTION APPROVING THE SALE FOR A PARCEL OF SURPLUS REAL PROPERTY 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 Approving a Sealed Proposal from Assured Partners for Excess Workers' Compensation Insurance Coverage (AF-372-2023) (Kristen Hodgson)**

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Motion made by Alderman Duncan, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-123** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GRAY INSURANCE COMPANY AND MIDWEST EMPLOYERS CASUALTY COMPANY THROUGH ASSURED PARTNERS FOR EXCESS WORKERS' COMPENSATION INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 4. Consideration of a Resolution Amending the Economic Development Contribution to the Industrial Development Board of Kingsport and Authorizing One or More Agreements Pertaining to the Same (AF-373-2023) (Chris McCartt)**

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

**RESOLUTION NO. 2024-124** A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE ECONOMIC DEVELOPMENT CONTRIBUTION AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE; 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."

- 5. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with Friends in Need, Inc. for CDBG Funding in Fiscal Year 2023-2024 (AF-360-2023) (Michael Price)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

**RESOLUTION NO. 2024-125** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FRIENDS IN NEED HEALTH CENTER, INC. FOR COMMUNITY DEVELOPMENT BLOCK FUNDING IN FISCAL YEAR 2023-2024

Passed: All present voting "aye," except for Alderman Cooper who abstained.

- 6. Consideration of a Resolution Awarding the Bid for the Johnson Elementary School HVAC Replacement Project to S.B. White Company, Inc., and Authorizing the Mayor to Sign All Necessary Documents (AF-357-2023) (David Frye)**

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Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-126** A RESOLUTION AWARDING THE BID FOR THE JOHNSON ELEMENTARY SCHOOL HVAC REPLACEMENT PROJECT TO S.B. WHITE COMPANY, 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."

**7. Consideration of a Resolution Changing Certain Meeting Dates for Work Session and Business Meetings of the Board of Mayor and Aldermen (AF-358-2023) (Chris McCartt)**

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

**RESOLUTION NO. 2024-127** A RESOLUTION CHANGING CERTAIN WORK SESSIONS AND BUSINESS MEETINGS OF THE BOARD OF MAYOR AND ALDERMEN IN JANUARY, JULY AND SEPTEMBER, 2024 IN ACCORDANCE WITH ARTICLE III, SECTION 7 OF THE CHARTER OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**XII. CONSENT AGENDA** None.

**XIII. COMMUNICATIONS**

**1. City Manager**

Mr. McCartt commented on the successful Christmas parade last Saturday in spite of the weather and stated his appreciation for staff continuing to work in the rain. He pointed out it showcased the City's first fire truck and noted the many great things happening downtown.

**2. Mayor and Board Members**

Alderman Montgomery applauded those involved in the Christmas tree effort. He commented that the recent "backing the police" efforts is now moving across the state. He mentioned December 7<sup>th</sup> is the KOSBE awards where the winners will be announced. Alderman Olterman commented on both girls and boys basketball at DB. He thanked his wife and daughter for all the sacrifices they have made. Alderman Duncan also mentioned the parade, thanking police, fire, public works as well as the Chamber and DKA and pointing out there were lots of people there. He stated there will be a laser Light show at Bays Mountain on December 9 as well as other activities, but you must preregister. Alderman Cooper thanked the sponsors of the parade,

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including the Bank of Tennessee, Eastman Credit Union, Lamplight Theatre and Memories Matter photo booth. She commended the police and public works for their presence as well. She thanked Alderman Phillips for the bagpipes and listed details on upcoming Christmas events: Friday in Centennial Park the DB jazz band and drums will perform along with snow and followed by a fundraiser for Friends in Need at the Taphouse. Saturday in Glen Bruce Park there will be Lamplight carolers, Santa and the Grinch. Scrinch the Musical will run at Lamplight the rest of the month as well. Lastly, she commented on her "Support the Police" yard sign. Vice-Mayor George mentioned the Hop and Shop this Thursday and encouraged everyone to shop local. Mayor Shull referenced the gentleman who commented earlier, pointing out many officials have been elected multiple times and that wouldn't happen if they weren't doing a good job. He stated Kingsport is a safe community and that the Police Department shares statistics regularly and responds to citizen complaints.

**XIV.ADJOURN**

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:54 p.m.

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ANGELA MARSHALL

Deputy City Recorder

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PATRICK W. SHULL

Mayor