



AGENDA

BOARD OF MAYOR AND ALDERMEN REGULAR WORK SESSION

Monday, December 17, 2012
4:30 p.m.

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman John Clark
Alderman Valerie Joh
Alderman Mike McIntire

Vice Mayor Tom C. Parham
Alderman Tom Segelhorst
Alderman Jantry Shupe

Leadership Team

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
Jim Demming, City Recorder/CFO
Craig Dye, Fire Chief
Jeff Fleming, Asst. City Manager, Development Services

Chris McCart, Assistant to the City Manager
Ryan McReynolds, Public Works Director
Gale Osborne, Police Chief
Tim Whaley, Community and Gov't Relations Director

1. Call to Order
2. Roll Call
3. Work Session Tickler
4. Aquatic Center Update – Frank Brewer
5. Kingsport City Schools Update – Dr. Lyle Ailshie
6. Discuss Operating Contract with Marriott for Cattails Golf Course-
John Campbell & Mike Billingsley
7. Review of Items on December 18, 2012 Regular Business Agenda
8. Adjourn

Citizens wishing to comment on agenda items, please come to the podium and state your name and address. Please limit your comments to five minutes. Thank you.



Work Session Tickler

December 17, 2012

Special Projects

Welcome Center

Michael Thompson

December 13, 2012,

Charles Blalock & Sons, Inc. has completed the bridge. Work on the ramps on the east side of Interstate 26 is near completion, with only minor items remaining (i.e. guardrail and retaining wall parapet cap). On the west side, concrete work on the eastbound exit ramp is complete. The grading, base paving and concrete work on the auxiliary lane between the Welcome Center and Rock Springs Road is complete. General items ongoing include the placement of Welcome Center site concrete, signs, light poles and guardrail. The contractor estimates that the remaining work on the site will take 4 more weeks. Due to an added storm water retention pond beside Pond Springs Road (east side), excavated material will be transported from the east side of the site to the west side. Due to this hauling operation, final asphalt paving and pavement markings on the Welcome Center Site and access road will not begin until hauling is complete. This work is now expected to take place in the spring. The Welcome Center Building is under a separate contract and is under design by Hastings Architecture. We have been told the Welcome Center building construction plans will be in a December letting, with completion estimated July 2013. Funding for this project was provided through the Appalachian Regional Commission in 2003. Tennessee Department of Transportation will maintain the facility and staffing will be provided by the Tennessee Department of Tourist Development

Quebecor Redevelopment

John Campbell

November 28, 2012

Press, LLC (private rehabilitation of 200,000 sq. ft): Work on the East Tennessee Brain and Spine (7600 sq.ft. on the first floor) and Edward Jones (1200 sq ft on the third floor) are currently scheduled for completion on December 21, 2012. They are planning to occupy the spaces in the first two weeks of January, 2013. Removal of the houses on Roller Street are now expected to occur in January, 2013. The owners have a preparation food establishment interested in the first floor and are still working on a new concept for the third floor.

Meadowview Wine Production

John Campbell

December 14, 2012

We have been told by the owner that all of his grapes not previously promised to other Tennessee wineries were processed in this building. Contractor continues to work on new entrance and tasting area to be finished in January, 2013. We have advertised the temporary building for sale and removal by January 18, 2013. Several City Departments have expressed an interest in the reuse of the building for needs they have.

Golf Maintenance Facility

Steve Robbins

December 14, 2012

Progress continues with site grading and site utilities completed. The building is completely framed. The siding and roof has been installed. The concrete slab is scheduled to be poured on Tuesday, December 18. The electrical and plumbing contractors are installing their respective conduits and piping. Construction of the chemical storage and wash bay structure will begin next week. The access drive to the golf course has been completed.

Carousel

Chris McCartt

December 14, 2012

The carvers for the Carousel Project continue to work on all animals. New classes for animal painting will convene on January 8, 2013. Ellen Elmes and Rounding Board painters worked over the weekend of December 15 and estimate that all 24 rounding boards will be finished by February. The 13 finished rounding boards are on display in the Renaissance Center. Work has been on-going on the carousel frame mechanism, all parts have been cleaned.

The 2nd Annual Carousel Fine Arts and Craft show will be held March 22, 23 and 24, 2013 at the Farmers Market building. In addition to high quality artisans and craftsmen, we anticipate a showcase of 20 completed animals and completed rounding board panels installed on the newly painted frames – it will start to look like a carousel! There will be a gala opening on Friday, March 22, 2013 which will kick-off a public campaign of fundraising. Next month the landscape architect and carousel building architect will meet to start the planning process.

We have had several discussions with KVAT officials about the current vacant property next to the Farmer's Market and how traffic flow in and out of the Center on the northeast corner might occur. Also, with KVAT having the low proposal for ETSU classrooms, they will be analyzing their parking situation.

City Departments

Public Works

***Gibson Mill Road Improvements
Phase IV***

Hank Clabaugh

December 12, 2012

Thomas Construction Co., Inc. is the contractor.

The portion of the project from Holston Florist parking lot to Dorothy Street will be under asphalt binder by the end of the day on December 14. The majority of the curb and gutter and concrete sidewalk in this area is complete. The asphalt surface (top coat) will be installed by the end of the day on December 21.

Sidewalk and curb installation is ongoing along Gibson Mill Road – from Dorothy Street to the Watauga Roundabout. The water line installation in this area has been completed and is awaiting final testing. This section of the road will be asphalt paved – asphalt topping over the existing concrete road. The preliminary “leveling course” will be installed by the end of the day on December 21. Several sections of damaged curb were also replaced in this section.

The installation of the concrete bridge deck and parapet walls has been completed. The bridge will be “grooved” on December 17. The current work on the bridge is the concrete forming for the sidewalks and hanging of the waterline on the side of the bridge. Remaining work on the bridge includes the installation of the hand rails and guard rails.

The roadway on the north side of the bridge will be final paved with surface topping by the end of the day on December 21.

Cleanup and seeding are ongoing.

The completion date for the entire project is by the end of December 2012.



Gibson Mill Phase IV



**Cleek Road Improvements
Phase 2**

Hank Clabaugh

December 12, 2012

Baker's Construction Services is the contractor and has started construction. The construction contract is for 365 days: November 29, 2012 to November 29, 2013. Cleek Road was closed on December 10 and will remain closed until the project is completed.

The current focus of construction is blasting the upper rock ledges and installation of the gravity sanitary sewer.

Fordtown Road Realignment

Michael Thompson

December 13, 2012

Summers-Taylor, Inc. has completed two of the three bridge piers and is working to place concrete on the third pier cap in the next week. Also, abutment 1 (north side) pilings have been placed and form work steel reinforcement will be underway next week. Existing Fordtown Road will remain closed throughout the project. The grading operations are 90% complete. Sewer relocation work is complete. Storm sewer work is near completion. Waterline work is 80% complete. The contract completion date is July 31, 2013. Funding for this project is 80% Federal Surface Transportation funds received through the Kingsport Metropolitan Transportation Planning Organization and 20% City of Kingsport funds. This project is being managed by TDOT but will be a local facility once construction is completed. This project provides a 3-lane roadway with sidewalks from Exit 56 to existing Fordtown Road at the I-26 Bridge over Fordtown Road.

**Sullivan/Clinchfield
Intersection Improvements**

Michael Thompson

December 13, 2012

The start date was September 17, 2012. Initial work was the installation of underground utilities conduit by the contractor and this initial phase was completed November 12th. The utility companies have begun work on installation of underground service lines and removing overhead service lines. The contractor restarted work on December 11, 2012 with the closure of Sullivan Street on each side of Clinchfield until project completion. Clinchfield will remain open to traffic throughout the project. This project includes the widening of Sullivan Street to 3 lanes (10'-11'-10'), an 8' mobility path on the north side, 5' sidewalk on the south side, reconstruction and upgrade of the traffic signals at both Roller Street and Clinchfield Street and related improvements. Funding for this project is 100% local funds.

Rock Springs Road Phase 2

Tim Elsea

December 10, 2012

Design of this project is nearing 90% completion with construction anticipated to start in late Spring or early Summer 2013. TH&P is expecting to have 90% plans for review by December 14, 2012.

Phase 2 consists of completing an improved Rock Springs Road (horizontal and vertical geometry, stormwater, pedestrian mobility, and water line upgrades). Phase 2 will begin where Phase 1 ended and continue to the intersection of Cox Hollow Road.

Leisure Services

Aquatic Center

Chris McCartt

December 12, 2012

The Lazy River excavation is complete. The concrete floor of the outdoor play pool was placed on Dec. 11th, and the wall shotcrete will follow in about a week. The pool house is dried in and the mechanical and plumbing systems are being installed. The installation of piping for all of the interior pools is complete and preparations to pour the pool decks are underway. The mechanical, electrical and plumbing contractors continue with their above ceiling installations throughout the building. Painting of the high ceilings over the pools is underway. The installation of window frames is complete and window glazing is progressing around the building. (See pictures next page.)

Aquatic Center – Aerial View 11-28-2012



Aquatic Center – Play Pool Concrete Placement 12/11/12



Parks and Recreation

Kitty Frazier

December 10, 2012

Lynn View

Football field lighting - LPRF grant project: Power to the site has been disconnected by AEP and the old transformer system has been removed. All the underground wiring, paving and reseeding of the grass has been completed. Removal of the existing light poles will be the next step.

Allandale

Amphitheater project: Installation of water and sewer lines to the dressing rooms is underway (see photo).



Allandale Amphitheater

Cultural Arts

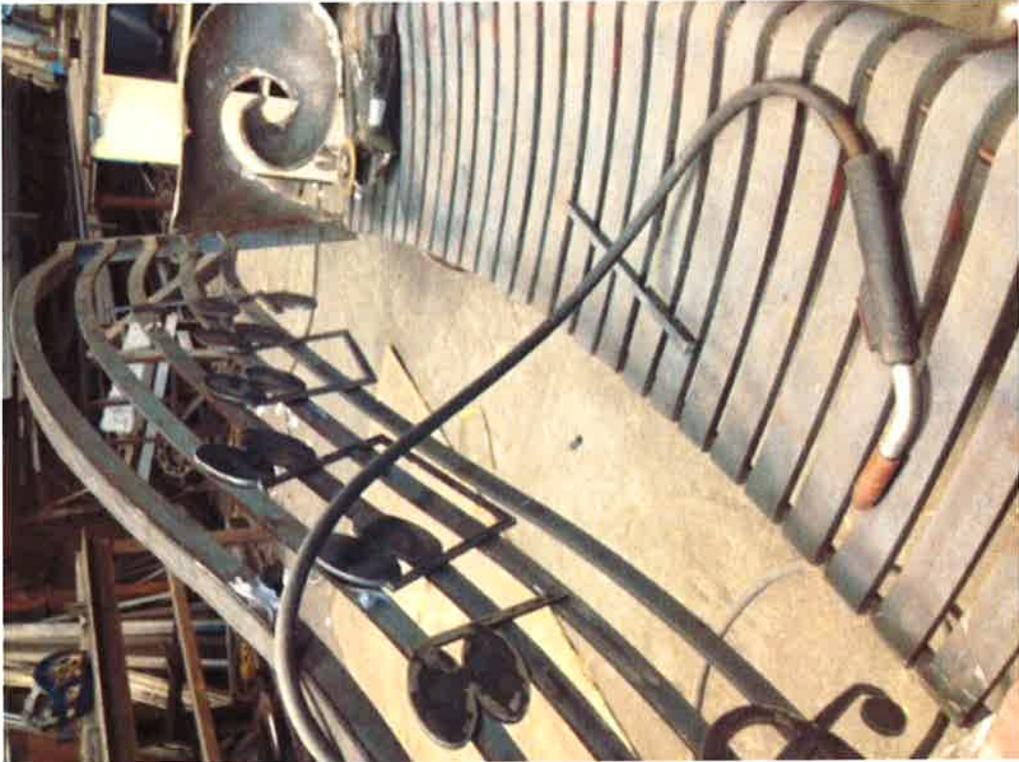
Bonnie Macdonald

December 12, 2012

Appalachian Ironworks is making progress on the 1st of 3 benches for the parking garage. The concept for the benches is the work of Cindy Saadeh. Each bench will feature a scroll of music. The musical notes will come from actual songs representing musical genres including: Country: Keep on the Sunny Side, Jazz: It Don't Mean a Thing if It Ain't Got That Swing, and Blues: Midnight Special (Brownie McGhee).

Lincoln Elementary School will soon receive their 'Life of Lincoln' sculpture. The artwork featured on the panels is the work of Erin Prindle (Lincoln Art Teacher) and has been fabricated by Donald at Eliza Jane's Antiques and Metal Creations on Center Street.

"Keep on the Sunny Side"



This sculpture will be placed in the traffic circle at Lincoln School.





AGENDA

BOARD OF MAYOR AND ALDERMEN

REGULAR BUSINESS MEETING

Tuesday, December 18, 2012

Council Room – 2nd Floor, City Hall

7:00 p.m.

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman John Clark
Alderman Valerie Joh
Alderman Mike McIntire

Vice Mayor Tom C. Parham
Alderman Tom Segelhorst
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James Demming, City Recorder

I. CALL TO ORDER

II.A PLEDGE OF ALLEGIANCE TO THE FLAG

II.B INVOCATION – Jack Edwards – Retired Minister – United Methodist Church

III. ROLL CALL

IV. RECOGNITIONS & PRESENTATIONS

1. MSHA Commendation

V. APPROVAL OF MINUTES

1. Regular Work Session 12/03/12
2. Regular Business Meeting 12/04/12

I. COMMUNITY INTEREST ITEMS

AA. PUBLIC HEARINGS

1. Public Hearing for Annexation Annual Plan of Services Report (AF:340-2012)
 - Public Hearing

2. Public Hearing and Consideration of Ordinances to Amend Zoning of parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 located on or adjacent to Interstates 81 & 26, Fordtown Road and Mitchell Road from M-1R, B-4P, B-3, R-3, and A-1, to TA/C, Tourist Accommodation/Commerce (AF: 343-2012)
 - Public Hearing
 - Ordinance – First Reading

3. Conduct a Public Hearing and Consideration of an Ordinance to rezone property along Union Street to R-3, Low Density Apartment (AF: 348-2012)
 - Public Hearing
 - Ordinance – First Reading

4. Conduct a Public Hearing and Consideration of an Ordinance to rezone property along Union Street to B-3, General Business District (AF: 349-2012)
 - Public Hearing
 - Ordinance – First Reading

5. Public Hearing and Consideration of an Ordinance to rezone property along West Stone Drive and Lynn Garden Drive to B-3, General Business District (AF: 350-2012)
 - Public Hearing
 - Ordinance – First Reading

COMMENT

Citizens may speak on agenda items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes. A total of thirty minutes is allocated for public comment during this part of the agenda.

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Consideration of an Ordinance to Amend the Drug Fund Budget by Appropriating Funds for a Specified Project (AF: 359-2012)
 - Ordinance – First Reading

2. Consideration of an Ordinance to Appropriate Cultural Arts Funding received from Tennessee Arts Commission (AF: 225-2012)
 - Ordinance – First Reading

3. Consideration of an Ordinance to Amend Various Project Funds (AF: 351-2012)
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Consideration of Ordinances to Annex/ Amend Zoning of the North Kingsport Area 1 Annexation (AF: 341-2012)
 - Annexation Ordinance – Second Reading & Final Adoption
 - Zoning Ordinance – Second Reading & Final Adoption

D. OTHER BUSINESS

1. Consideration of a Resolution Awarding the Bid for the Purchase of two (2) Single Axle Dump Trucks to Smoky Mountain Truck Center, LLC (AF:346-2012)
 - Resolution
2. Consideration of a Resolution Awarding the Bid for the Purchase of two (2) Tandem Axle Dump Trucks to Smoky Mountain Truck Center, LLC (AF: 347-2012)
 - Resolution
3. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for the Upgrade of Internet Access with Century Link (AF: 357-2012)
 - Resolution
4. Consideration of a Resolution Awarding the Bid for the Purchase of one (1) Track Type Skid Steer Loader to Premier Equipment, LLC (AF:356-2012)
 - Resolution

E. APPOINTMENTS

1. Consideration of an Appointment to the Tree Advisory Board (AF: 352-2012)
 - Appointment

VII. CONSENT AGENDA

1. Consideration of an Ordinance Transferring Funds to the J Fred Johnson Stadium Project to Fund Phase I and Phase II (AF:129-2012)
 - Ordinance – Second Reading & Final Adoption
2. Consideration of an Ordinance to Amend the FY 2013 General Purpose School Fund Budget and the General Project Fund Budget (AF: 345-2012)
 - Ordinance – Second Reading & Final Adoption
3. Adoption of the 2013 Joint Tri-Cities Legislative Agenda (AF: 355-2012)
 - Approve Adoption

COMMUNICATIONS

- A. City Manager
- B. Mayor and Board Members
- C. Visitors

Citizens may speak on issue-oriented items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non- personal in nature, and they should be limited to five minutes.

IX. ADJOURN

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, December 3, 2012, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor Dennis Phillips

Alderman John Clark

Alderman Valerie Joh

Alderman Mike McIntire

Vice-Mayor Tom C. Parham

Alderman Tom Segelhorst

Alderman Jantry Shupe

(arrived at 5:25 p.m.)

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Phillips.

2. **ROLL CALL:** By City Clerk Angie Marshall.

3. **WORK SESSION TICKLER.** Mayor Phillips confirmed that the carousel, winery and golf maintenance building would be added to the tickler. He also mentioned the Mayor's Youth Council toured the Aquatic Center today and asked BMA members to come to their next meeting in January. Assistant to the City Manager Chris McCartt gave an update on what was left to finish at the Farmer's Market, noting it was mainly odds and ends. He also provided long-term goals for the facility once the carousel has been located there. The mayor asked board members if there was an interest in exploring the possibility of purchasing the State Theater, if Northeast State might have a use for it, noting he has received calls concerning this structure and its importance to downtown development. Public Works Director Ryan McReynolds pointed out work was still moving forward on Gibson Mill. Alderman Joh commented the Visitor's Center was looking good and asked about the progress of the land acquisition for the carousel. City Manager Campbell stated staff has been talking to Food City and they are still working out the details.

4. **PROCLAMATION FOR MARY CUNNINGHAM.** Ms. Cunningham was not present.

5. **REVIEW AND DISCUSSION OF PROPOSED 2013 JOINT LEGISLATIVE POLICY OF THE TRI-CITIES.** Director of Community and Government Relations Tim Whaley stated this initiative began more than ten years ago so each city could work on common ground by streamlining the process and fostering cooperation. He then provided details on the items that will be presented to the legislature and answered questions from the Board. City Attorney Billingsley also pointed out some issues that should be addressed such as higher limits of liability for government as a result of the Washington County school bus accident. He also made the BMA aware of ongoing litigation in Shelby County/Memphis regarding schools, particularly enjoining cities from a starting school district.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, December 3, 2012

6. DISCUSSION OF AQUATIC CENTER FEES. Assistant to the City Manager Chris McCartt provided information on this item, noting the Advisory Board spent a lot of time discussing this issue. He provided background information and gave details on the recommended category structure for the new fees. Passes will be available either daily, for a three month period or on an annual basis (which can be paid monthly). Prices will be broken down by adults (twenty-two years old and above), youth (ages three to twenty-one), kids (less than two years old), family (two adults plus children) and seniors (over fifty years old). He discussed the financial impact and answered questions from Board members. Mr. McCartt stated that Kingsport has a history of exceeding expectations for new projects and the key will be to sustain the initial momentum. He then outlined the path forward, noting the fee schedule will need to be amended.

7. REVIEW OF AGENDA ITEMS ON THE DECEMBER 4, 2012 REGULAR BUSINESS MEETING AGENDA. City Manager Campbell, members of staff and community members provided a summary or presentation for each item on the proposed agenda. Those items the Board discussed at greater length or which received specific questions or concerns included:

NOTE: *Item VI.D.3 was discussed first, followed by VI.B.1, to accommodate those present in the audience.*

VI.AA.1 Public Hearing and Consideration of Ordinances to Annex/Amend the Zoning of the North Kingsport Area 1 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 341-2012). City Planner Ken Weems presented this item, noting it is being requested by the property owner because of city schools. Mr. Weems confirmed the Planning Commission sent a positive recommendation supporting this item. He stated there is no sanitary sewer service to the property but the resident is not requesting it. Mayor Phillips asked if the property changed hands and the new owner wanted sewer would the city be required to provide it. Mr. Weems replied no, it would be at the discretion of the BMA. Some discussion followed on future annexations and Vice-Mayor Parham stated the board needed to sit down and discuss the plan.

VI.B.1 Consideration of An Ordinance Transferring Funds to the J. Fred Johnson Stadium Project to Fund Phase I and Phase II (AF: 129-2012). City Manager Campbell stated that after the last meeting, the BMA agreed to move forward with the schematic design for this project. He noted funds were available from a past bond issue that is not moving forward at this time and there would still be a balance in that original project's fund. City Recorder Demming confirmed for the mayor this was an acceptable practice. Mr. Campbell pointed out that this step would give a much more accurate cost analysis for the project. Considerable discussion followed regarding the uncertainty of needing to sell bonds in the spring to move forward with this project, as there is a sense of urgency to finish before next football season. Alderman Shupe commented we should wait until the time is right and finish projects that have already been promised first. Alderman McIntire suggested waiting to move forward with this until next year. Vice-Mayor Parham commented we could go ahead with the estimate and then be involved with the upcoming Capital Improvement Process to get a better idea of ongoing projects and the debt roll-off.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, December 3, 2012

NOTE: *Alderman Joh left the meeting at this time (6:20 p.m.)*

VI.D.1 Consideration of a Resolution Approving the Purchase of Right-of-Way and Easements on the Steven and Kasey Thrift Property for Phase II of the Cleek Road Improvement Project (AF: 342-2012). City Manager Campbell gave details on this item, noting this was the property holding up this project; however a reasonable settlement has now been reached. Public Works Director Ryan McReynolds stated the notice to proceed has already been issued and plans have been made to close Cleek Road a week from Monday. Mr. Campbell pointed out the contractor was fairly aggressive and wants to finish in seven to eight months, even though they have a year to complete it.

VI.D.3 Consideration of a Resolution Approving an Allocation to the Meadowview Conference Resort and Convention Center Budget and Authorizing the Mayor to Sign an Agreement Regarding Such Allocation (AF: 344-2012). Mr. Andy King, General Manager at Meadowview Convention and Conference Center presented this item, stating that Marriott is requiring the lobby to be renovated, noting it is the only area in the hotel that has never been updated in sixteen years. Mr. King pointed out the optimal time to proceed would be January through March when the hotel has the fewest customers to be affected. He provided a diagram of the proposed changes and described the furniture and fixture ideas, which would include a revolving door. The cost is estimated at \$932,000. Eastman Chemical has agreed to pay for two-thirds of the project if the city will pay for one-third. They have also agreed to fund the project initially so it can get started and the city can pay its share back. Mayor Phillips commented this renovation is mandated by Marriott's stringent expectations but pointed out the issues present when both the public and private sectors are involved in a project. The city has to bid out anything over \$50,000, whereas private industries do not. The mayor asked for approval from the city attorney, stating he must be comfortable with the arrangement before going further.

BOARD COMMENT. Mayor Phillips announced the employee's Christmas lunch scheduled for tomorrow at 11:00 a.m. at the Civic Auditorium.

PUBLIC COMMENT. Ms. Jeannie Bourne commented on other cities that have redone their theaters and suggested using them as a possible resource.

10. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 6:35 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, December 4, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman John Clark

Alderman Mike McIntire

Vice-Mayor Tom C. Parham

Alderman Tom Segelhorst

Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Local Boy Scouts
- II.B. **INVOCATION:** Steve Hooper, Retired Minister – United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Valerie Joh.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
 1. ~~MSHA Commendation.~~ This agenda item was pulled.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/Shupe, to approve minutes for the following meetings:

A. November 19, 2012 Regular Work Session

B. November 20, 2012 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend the Zoning of the North Kingsport Area 1 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 341-2012).** City Planner Lynn Tully gave a presentation on this item. She stated this is at the request of the property owner and confirmed they are not requesting sewer service.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, December 4, 2012

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSPORT AREA 1 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BELL RIDGE ROAD AND MCKENZIE DRIVE TO R-1B, RESIDENTIAL DISTRICT AND A-1, AGRICULTURAL 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 on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-091, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NORTH KINGSPORT AREA 1 ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of An Ordinance Transferring Funds to the J. Fred Johnson Stadium Project to Fund Phase I and Phase II (AF: 129-2012). City Manager Campbell provided details, noting this was drawn up after comments made at yesterday's work session. He stated the ultimate cost would be defined after the design/development phase and the construction document phase. Mayor Phillips agreed it was a good idea to know this before we sell bonds and referred to the Aquatic Center. The mayor also pointed out this was not a commitment to build, but an interest only. Vice-Mayor Parham stated once a cost was obtained, the city can get a schedule and set priorities for projects. Alderman Shupe commented that many city projects are not completed properly. He agreed that the stadium needed attention and would like to see the process move forward, but not at the expense of other items. He suggested a list of completed projects before creating new ones. Mr. Todd East, citizen, thanked the BMA for their thorough analysis and being good stewards of the city's money. He stated this was one of the few projects that would return money to offset costs and would open additional revenues. Alderman Segelhorst mentioned the support of the school board.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, December 4, 2012

Motion/Second: Shupe/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance to Amend the FY13 General Purpose School Fund Budget and the General Project Fund Budget (AF: 345-2012). Budget Director Judy Smith gave details on the changes made by the schools, noting they changed money that was being taken from a bond to be taken out of cash instead.

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Approving the Purchase of Right-of-Way and Easements on the Steven and Kasey Thrift Property for Phase II of the Cleek Road Improvement Project (AF: 342-2012). City Manager Campbell explained this was an attempt to settle the project, giving the authority to condemn. He further stated a reasonable price was offered and hoped the property owners accepted it. Public Works Director Ryan McReynolds provided further details on the project, noting they were excited to get started on it. Mr. McReynolds confirmed for the mayor that Cleek Road will be closed Monday for an extended period of time because of the bridge. He also mentioned Sullivan Street would be closed for other unrelated work.

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2013-092, A RESOLUTION APPROVING THE PURCHASE OF RIGHT-OF-WAY AND EASEMENTS ON THE STEVEN AND KASEY THRIFT PROPERTY FOR PHASE II OF THE CLEEK ROAD IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PURCHASE

Passed: All present voting "aye."

2. Consideration of a Resolution Approving a Memorandum of Understanding with the Tennessee State Library and Archives (TSLA) to Participate in the State-Wide Firefly Book Courier Services, Authorize the Mayor to Execute All Documents and Agreements for the Same (AF: 271-2012).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, December 4, 2012**

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-093, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES (TSLA) TO PARTICIPATE IN THE STATE WIDE FIREFLY BOOK COURIER SERVICE AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM

Passed: All present voting "aye."

3. Consideration of a Resolution Approving an Allocation to the Meadowview Conference Resort and Convention Center Budget and Authorizing the Mayor to Sign an Agreement Regarding Such Allocation (AF: 344-2012). City Manager Campbell stated it was best to postpone this particular resolution at this time. Mayor Phillips pointed out the original agreement was questionable because part of the building is privately owned and part publicly. He pointed out a public entity, being the city, would have to bid the project out. The mayor stated the city attorney was still working on these issues. Alderman Segelhorst questioned the delay, since there was a sense of urgency presented at the work session yesterday. Mayor Phillips agreed it needed to be finished by the Bristol race in March. He recommended doing what staff is requesting with the understanding it won't hold the project up and that staff is looking into how to move this forward. Once the item was on the table, Alderman Shupe made a motion to postpone this item indefinitely. Alderman McIntire seconded the motion with all present voting "aye."

Motion/Second: McIntire/Parham, to defer:

A RESOLUTION APPROVING AN ALLOCATION TO THE MEADOWVIEW CONFERENCE RESORT AND CONVENTION CENTER BUDGET, INCLUDING PAYMENT OF THE SAME AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of Reappointments to the Board of Zoning Appeals (AF: 281-2012).

Motion/Second: McIntire/Parham, to approve:

REAPPOINTMENT OF MESSRS. FRANK OGLESBY AND LELAND LEONARD TO SERVE FIVE-YEAR TERMS ON THE **BOARD OF ZONING APPEALS**, EFFECTIVE DECEMBER 31, 2012 AND EXPIRING DECEMBER 31, 2017.

Passed: All present voting "aye."

VII. CONSENT AGENDA. None.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, December 4, 2012

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. Campbell thanked the Human Resource Department for the city employee lunch today. He also thanked the department heads and BMA members who served.
- B. MAYOR AND BOARD MEMBERS.** Alderman McIntire pointed out a lot of work went into this lunch and thanked all who helped.

Alderman Segelhorst offered his condolences to Alderman Clark on the loss of his father. He also stated it was good to see the retirees at the lunch today and thanked all the employees. Lastly, Mr. Segelhorst noted we were fortunate to have two great hospital systems in our area and provided details on the Tree of Life at Indian Path.

Alderman Clark pointed out the good team chemistry he has observed at personnel gatherings which results in good customer satisfaction. He commended management for creating this atmosphere as well as the employees who thrive in it.

Vice-Mayor Parham acknowledged continued good service for leaf pick-up, especially in the newly annexed areas. Mr. Parham also recognized Sullivan County Commissioner Mark Bowery and his effort to show unity between the city and county on State Route 126.

- C. VISITORS.** Sullivan County Commissioner Mark Bowery told the BMA the county passed a resolution to move forward with a road project that would make State Route 126 a four-lane road. He stated there would be a public meeting on December 11, 2012 and he hoped the BMA would go on record to show their support also. Mayor Phillips stated the state commissioner recommended the BMA not to take action until they can sit down and meet after the hearing, noting the need for more information. Mr. Bowery clarified he did not mean to discuss specifics, but rather only wanted the BMA to support moving forward with whatever TDOT and the commissioner deem appropriate. Vice-Mayor Parham commented on the county's desire for the city to recognize the need.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:15 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor

Minutes of the Special Called Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Friday, December 7, 2012, 2:00 PM
Council Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Mike McIntire

Alderman Tom Segelhorst
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney

- I. **CALL TO ORDER:** 2:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG**
- II.B. **INVOCATION:** Alderman McIntire.
- III. **ROLL CALL:** By Deputy City Recorder Angie Marshall. Absent: Alderman John Clark and Vice-Mayor Tom Parham.
- IV. **OTHER BUSINESS**

1. **Consideration of a Resolution Approving a Lease of Property to Kingsport Hotel, LLC and Authorizing the Mayor to Negotiate Certain Terms of the Lease and to Execute the Same (AF: 354-2012).** City Attorney Billingsley provided details on this item, noting this resolution authorized the lease of the lobby at Meadowview Convention and Conference Center to Kingsport Hotel, LLC for the opportunity to initiate a comprehensive design plan, which will ultimately improve the opportunity for additional tourism and conferences. Mr. Billingsley stated this would be a 200 day repeating lease with no subletting for a term of no more than ten years. He further stated the mayor would have the authority to negotiate and would allow this project to move forward. Mayor Phillips commented this was a unique situation where Eastman owns part of the facility and the city owns part; incidentally, both are subject to Marriott's standards. He provided further details on the reason for the delay from the previous meeting and the need for the special-called meeting. The mayor also pointed out that as the facility ages, it will require more maintenance. He challenged the city manager and the city attorney to find a smooth way to do this in the future. Alderman Segelhorst commented that Meadowview is the shining star of the Tri-Cities and we need to keep it that way. Some discussion ensued. Meadowview General Manager Andy King thanked the BMA for getting together to work this out after his presentation at the work session earlier this week. He apologized for the short notice that was given and stated that these decisions are made based on what is best for the company.

Minutes of the Special Called Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Friday, December 7, 2012

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2013-094, A RESOLUTION MAKING CERTAIN FINDINGS; APPROVING A LEASE OF PROPERTY TO KINGSFORT HOTEL, LLC; AUTHORIZING THE MAYOR TO NEGOTIATE CERTAIN TERMS OF THE LEASE; AND AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

2. A Resolution Ratifying an Agreement Between the Kingsport Economic Development Board and Developer Stewart Taylor with Regards to the Optioning and Preparation of Property Inside the Kingsport Border Region Retail Tourism Development District and Expressing Board Intent (AF: 355-2012). Mr. Gorman Waddell, attorney for the KEDB, provided details on this item by first describing the background for the Border Region, the criteria that must be met in order to qualify as a border region and the financial and economic benefits the city would gain from this project. Mr. Waddell informed the BMA that Stewart Taylor owns 400 acres in this region and it has been divided into smaller areas. One area has been divided into three 17 acre tracts and is ready for development. He stated the KEDB has negotiated an agreement for an option to purchase one 17 acre tract if a trigger tenant can be committed within a year. At that time the option to purchase will be exercised and Mr. Taylor will do the rough site preparation for all three 17 acre tracts. The cost would be about six million dollars, which is about \$350,000 per acre, but would not be due until four years after the deed was executed. At that time, the building would be constructed, operating and generating revenue. The next site would follow suit. As long as there is debt, the sales tax money will roll in for 20 years. He pointed out neither the city nor the KEDB would ever have liability. City Attorney Billingsley clarified that this resolution would delegate authority to KEDB to negotiate and develop the property and outline an agreement for sales tax to transfer. Mr. Billingsley noted an agreement for moving the sales tax would be brought to the next BMA meeting for approval. Discussion followed and Mr. Waddell, Mr. Billingsley and City Manager Campbell answered questions from the Board.

Motion/Second: Shupe/McIntire, to pass:

Resolution No. 2013-095, A RESOLUTION DELEGATING TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE, PURSUANT TO *TENN. CODE ANN. SECTION 7-40-101, ET SEQ.*, AUTHORITY TO CARRY OUT THE PROJECT THAT IS THE SUBJECT OF AN AGREEMENT BETWEEN THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE AND STEWART TAYLOR AND TO THE EXTENT REQUIRED BY THE BORDER REGION RETAIL TOURISM DEVELOPMENT DISTRICT ACT RATIFYING THE AGREEMENT BETWEEN THE PARTIES

Passed: All present voting "aye."

Minutes of the Special Called Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Friday, December 7, 2012

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

V. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 2:40 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor



AGENDA ACTION FORM

Public Hearing for Annexation Annual Plan of Services Report

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

Action Form No.: AF-340-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012

Final Adoption: N/A
 Staff Work By: F. Koder
 Presentation By: F. Koder

Recommendation:

Conduct a Public Hearing and receive comment concerning the Annual Plan of Services Report for unfulfilled Annexation commitments for December 2012.

- Rock Springs South Remainder #7 – Ordinance 5752 – Annual Update
- Rock Springs South Remainder #6 – Ordinance 5754 – Annual Update
- Rock Springs South #8A – Ordinance 5763 – Annual Update
- Rock Springs South #8C – Ordinance 5767 – Annual Update
- Lebanon Road – Ordinance 5958– Annual Update
- Rock Springs North #1 – Ordinance 5956 - Annual Update
- Montvue Road – Ordinance 6071 - Annual Update
- Old Mill – Ordinance 6176 - Annual Update
- Cleek Road – Ordinance 6188 - Annual Update
- Eastern Star Road – Ordinance 6190 - Six Month Update
- Kingsport South – Ordinance 6192 – Six Month Update
- Emory Church – Ordinance 6202 – Six Month Update
- Grandview Annex – Ordinance 6204 – Six Month Update

Executive Summary:

Tennessee Code Annotated 6-51-108 states in part "...upon expiration of six (6) months from the date any annexed territory for which a Plan of Service has been adopted becomes a part of the annexing of the municipality, and annually thereafter until such services have been extended according to such plan, there shall be prepared and published in the newspaper of general circulation in the municipality a report of the progress made in the preceding year... the governing body by municipality shall publish notice of the public hearing on such progress reports and changes, and hold such hearings thereon..." As a result of this statute, and the need to conduct annual public hearings concerning unfulfilled Plan of Service commitments, it is required that the Board of Mayor and Aldermen conduct a public hearing to receive comments concerning the Annual Plan of Service Reports. The Notice of Public Hearing was published December 2, 2012.

Attachments:

1. Notice of Public Hearing
2. Annual Plan of Services Report
3. Plan of Services Spreadsheet
4. Map

	Y	N	O
Clark	—	—	—
Joh	—	—	—
Mcintire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

Funding source appropriate and funds are available: _____

NOTICE OF PUBLIC HEARING

The Kingsport Board of Mayor and Aldermen will conduct a public hearing concerning the ANNUAL & SEMI-ANNUAL PLAN OF SERVICE (POS) REPORT—December, on the following annexation areas at its December 18, 2012 regular business meeting at 7:00 P.M. in the courtroom of the City Hall Building, 225 W. Center Street, Kingsport Tennessee.

Annexation Area: Rock Springs South Remainder #7, Ord. No. 5752

Effective Date: 07/11/09

POS, deadline: Street Lights, Water Service, Sewer Service by July 11, 2014.

Annexation Area: Rock Springs South Remainder #6, Ord. No. 5754

Effective Date: 07/11/09

POS, deadline: Sewer Service, Street Lights, Water Service by July 11, 2014.

Annexation Area: Rock Springs South #8A, Ord. No. 5763

Effective Date: 07/11/09

POS, deadline: Sewer Service, Street Lights, Water Service by July 11, 2014.

Annexation Area: Rock Springs South #8C, Ord. No. 5767

Effective Date: 07/11/09

POS, deadline: Sewer Service, Water Service & Street Lights by July 11, 2014.

Annexation Area: Lebanon Road, Ord. No. 5958

Effective Date: 06/04/10

POS, deadline: Sewer Service, Water Service & Street Lights by June 4, 2015.

Annexation Area: Rock Springs North #1, Ord. No. 5956

Effective Date: 02/13/09

POS, deadline: Water Service & Street Lights by Feb. 13, 2014.

Annexation Area: Montvue Rd., Ord. No. 6071

Effective Date: 05/06/2011

POS, deadline: Sewer Service, Water Service & Street Lights by May 6, 2016.

Annexation Area: Old Mill, Ord. No. 6176

Effective Date: 03/23/2012

POS, deadline: Sewer Service, Water Service & Street Lights by March 23, 2017.

Annexation Area: Cleek Road – Part 2, Ord. No. 6188

Effective Date: 04/20/2012

POS, deadline: Sewer Service, Water Service & Street Lights by April 20, 2017.

Annexation Area: Eastern Star Rd., Ord. No. 6190

Effective Date: 04/20/2012

POS, deadline: Sewer Service, Water Service & Street Lights by April 20, 2017.

DECEMBER 2012 PLAN OF SERVICES UPDATE
 FOR ORDINANCE NUMBERS: 5752, 5754, 5763, 5767, 5958, 5956, 6071, 6176, 6188, 6190, 6192, 6202 AND 6204

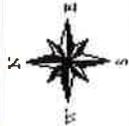
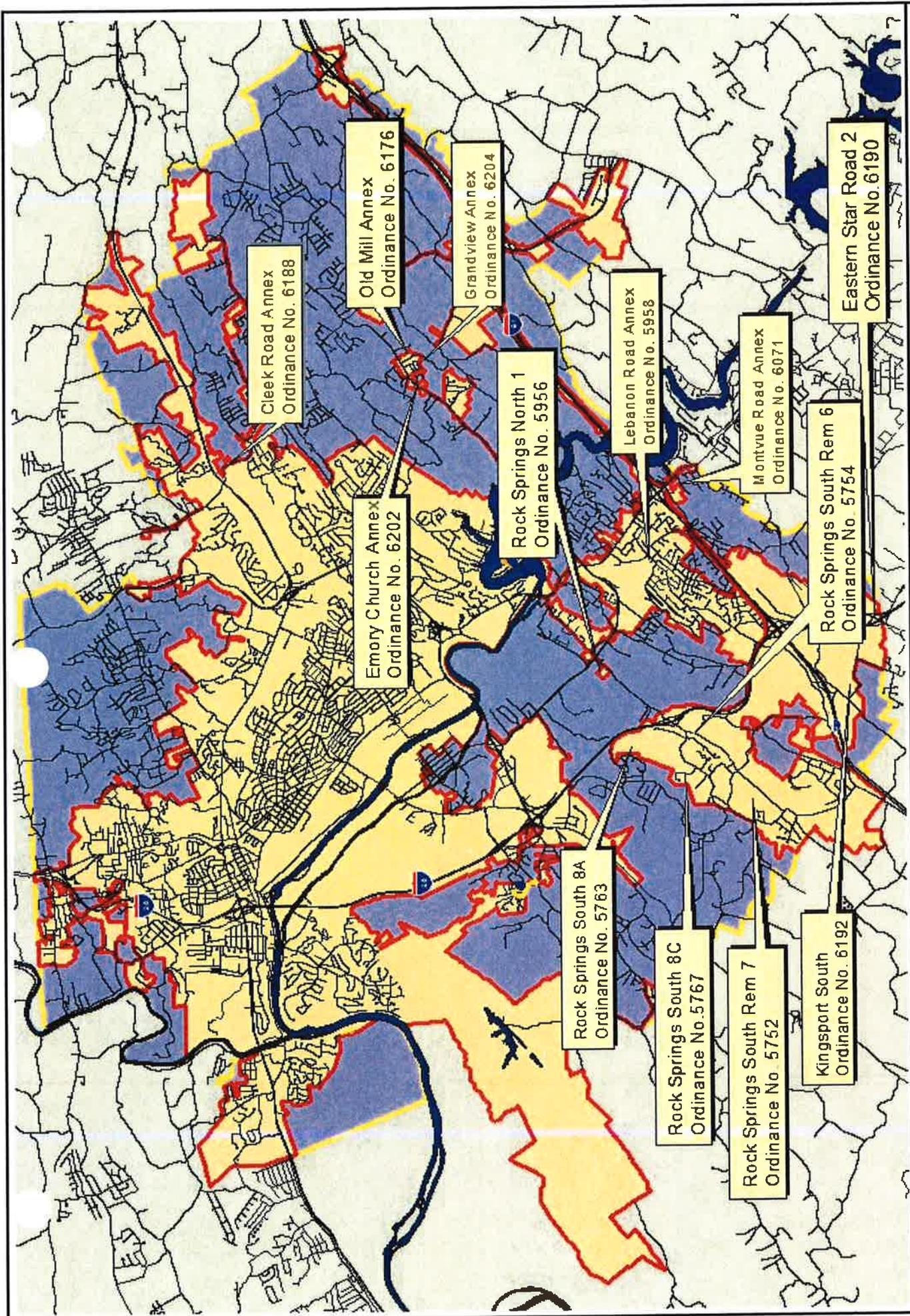
<u>Annexation Area</u>	<u>Effective Date</u>	<u>POS Deadline</u>	<u>Est. Completion</u>	<u>Status</u>
Rock Springs South Remainder #7 Rock Springs Road Ordinance No. 5752	07/11/2009	Street Lighting Water Service Sewer Service	July 11, 2014 July 11, 2014 July 11, 2014	Completed Completed Completed*
Rock Springs South Remainder #6 Rock Springs Road Ordinance No. 5754	07/11/2009	Sewer Service Street Lighting Water Service	July 11, 2014 July 11, 2014 July 11, 2014	Const. begins Feb. 2013 Completed Const. begins Feb. 2013
Rock Springs South 8A Rock Springs Road Ordinance No. 5763	07/11/2009	Street Lighting Water Service Sewer Service	July 11, 2014 July 11, 2014 July 11, 2014	Completed Completed Completed
Rock Springs South 8C Rock Springs Road Ordinance No. 5767	07/11/2009	Sewer Service Street Lighting Water Service	July 11, 2014 July 11, 2014 July 11, 2014	Completed Completed Completed
Lebanon Road Annex Lebanon Road Ordinance No. 5958	06/04/2010	Sewer Service Street Lighting Water Service	June 4, 2015 June 4, 2015 June 4, 2015	Survey & Design in 2013 Under Construction Survey & Design in 2013
Rock Springs North #1 Rock Springs Road Ordinance No. 5956	02/13/2009	Street Lighting Water Service	Feb 13, 2014 Feb 13, 2014	Completed Completed
Montvue Road Annex Montvue Road Ordinance No. 6071	05/06/2011	Water Service Street Lights	May 6, 2016 May 6, 2016	Completed FY 2015
Old Mill Ordinance No. 6176	03/23/2012	Sewer Service Water Service Street Lights	March 23, 2017 March 23, 2017 March 23, 2017	FY 2015 FY 2015 FY 2017

Cleek Road – Part 2 Ordinance No. 6188	04/20/2012	Sewer Service Water Service Street Lights	April 20, 2017 April 20, 2017 April 20, 2017	Completed FY 2013 FY 2014
Eastern Star Rd. – Part 2 Ordinance No. 6190	04/20/2012	Sewer Service Water Service Street Lights	April 20, 2017 April 20, 2017 April 20, 2017	Completed Completed FY 2017
Kingsport South Ordinance No. 6192	04/20/2012	Sewer Service Water Service Street Lights	April 20, 2017 April 20, 2017 April 20, 2017	Survey & Design in 2014 Survey & Design in 2014 FY 2017
Emory Church Ordinance No. 6202	07/06/2012	Sewer Service Water Service Street Lights	July 6, 2017 July 6, 2017 July 6, 2017	FY 2015 FY 2013 Completed
Grandview Annex Ordinance No. 6204	07/06/2012	Sewer Service Water Service Street Lights	July 6, 2017 July 6, 2017 July 6, 2017	FY 2015 FY 2013 Completed

Completed* - There are several houses that will be served by residential sanitary sewer lift stations and these will be built upon the owner's request.

ANNEXATION PROJECT and LOCATION	ORD No.	EFFECTIVE DATE	WATER SERVICE	SEWER SERVICE	FIRE and POLICE	CITY SCHOOLS	ELECTRICAL SERVICE	STREET MAINTENANCE	RECREATION FACILITIES	PLANNING & ZONING	SOLID WASTE	STREET LIGHTING
2011 Annexations Cont.												
11-301-00014 Colonial Heights Area 6 Part B	6149	December 16, 2011	December 16, 2016	December 16, 2016	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 16, 2016
11-301-00015 Colonial Heights Area 6 Part C	6151	December 16, 2011	December 16, 2016	December 16, 2016	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 16, 2016
11-301-00016 Colonial Heights Area 6 Part D	6153	December 16, 2011	December 16, 2016	December 16, 2016	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 16, 2016
2012 Annexations												
11-301-00005 Kendrick Creek Part B	6166	February 24, 2012	February 24, 2017	February 24, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	February 24, 2017
11-301-00019 Border Regions Area 1	6169	March 9, 2012	March 9, 2017	March 9, 2020	Completed	Completed	Completed	Completed	Completed	Completed	Completed	March 9, 2017
11-301-00020 Border Regions Area 2	6171	March 9, 2012	March 9, 2017	March 9, 2020	Completed	Completed	Completed	Completed	Completed	Completed	Completed	March 9, 2017
11-301-00021 Border Regions Area 3	6173	March 9, 2012	March 9, 2017	March 9, 2020	Completed	Completed	Completed	Completed	Completed	Completed	Completed	March 9, 2017
11-301-00022 Old Mill	6176	March 23, 2012	March 23, 2017	March 23, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	March 23, 2017
11-301-00024 Creek Road Part 2	6188	Apr 20, 2012	April 20, 2017	April 20, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	April 20, 2017
12-301-00002 Eastern Star Road Part 2	6190	Apr 20, 2012	April 20, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	Completed	April 20, 2017
12-301-00001 Kingsport South	6192	Apr 20, 2012	April 20, 2017	April 20, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	April 20, 2017
12-301-00004 Enoch Church	6202	July 6, 2012	July 6, 2017	July 6, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	July 6, 2017
12-301-00003 Grandview	6204	July 6, 2012	July 6, 2017	July 6, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	July 6, 2017
11-301-00023 JB Dennis	6224	Aug 10, 2012	August 10, 2017	August 10, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	August 10, 2017
12-301-00006 Colonial Heights Area 7 Part A	6238	Sep 21, 2012	September 21, 2017	September 21, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	September 21, 2017
12-301-00007 Colonial Heights Area 7 Part B	6240	Sep 21, 2012	September 21, 2017	September 21, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	September 21, 2017
12-301-00008 Colonial Heights Area 7 Part C	6254	Dec 7, 2012	December 7, 2017	December 7, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 7, 2017
12-301-00009 Colonial Heights Area 7 Part D	6256	Dec 7, 2012	December 7, 2017	December 7, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 7, 2017
12-301-00010 Colonial Heights Area 7 Part E		Dec 21, 2012	December 21, 2017	December 21, 2017	Completed	Completed	Completed	Completed	Completed	Completed	Completed	December 21, 2017
2013 Annexations												
12-301-00011 North Kingsport Area 1												
12-301-00012 Lambarth Annexation												

Note: The above services are mandated by TCA. Secondary services such as traffic control, inspection services, animal control, storm sewers, leaf and litter control, and graffiti control are established immediately upon the effective date of annexation.



December 2012 Plan of Service Update





AGENDA ACTION FORM

Public Hearing and Consideration of Ordinances to Amend Zoning of parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 located on or adjacent to Interstates 81 & 26, Fordtown Road and Mitchell Road from M-1R, B-4P, B-3, R-3, and A-1, to TA/C, Tourist Accommodation/Commerce

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager *John G. Campbell*

Action Form No.: AF-343-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012
 Final Adoption: January 8, 2013
 Staff Work By: F. Koder
 Presentation By: F. Koder

Recommendation:

- Hold public hearing.
- Approve ordinance amending the zoning ordinance to rezone parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 located on or adjacent to Interstates 81 & 26, Fordtown Road and Mitchell Road from M-1R, Restricted Industrial District, B-4P, Planned Business District, B-3, General Business District, R-3, Low Density Apartment District and A-1, Agricultural District to TA/C, Tourist Accommodation/Commerce.

Executive Summary:

This is an owner initiated request is to rezone approximately 335 acres of property adjacent to the southwest and northwest corners of the Interstate 81 and 26 intersection. The existing zoning in this location is a very varied including M-1R, R-3, B-3, B-4P and A-1. The purpose of this request is to bring all the parcels indicated under the umbrella of a TA/C, Tourist Accommodation/Commerce zoning and its requirements to implement a proposed large scale regional shopping center. Water and sewer is available to all parcels and this recommendation is in keeping with the *City of Kingsport 2030 Land Use Plan* by the Kingsport Regional Planning Commission. At its November 15, 2012 meeting, the Kingsport Regional Planning Commission voted unanimously 6-0 to send a favorable recommendation for the rezoning of these parcels to the Board of Mayor and Alderman. The Notice of Public Hearing was published December 2, 2012.

Attachments:

1. Public Notice
2. Zoning Ordinance
3. Staff Report

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, December 18, 2012 to consider the rezoning of parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 located on or adjacent to Interstates 81 & 26, Fordtown Road and Mitchell Road from M-1R, Restricted Industrial District, B-4P, Planned Business District, B-3, General Business District, R-3, Low Density Apartment District and A-1, Agricultural District to TA/C, Tourist Accommodation/Commerce. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the northwest corner of parcel 98.50 of Tax map 119; thence in a southwesterly direction approximately 3,182 feet to a point; thence in a southeasterly direction approximately 400 feet to a point, said point being the southwest corner of parcel 97.05 and also on the northerly right-of-way of Cox Hollow Road; thence in a southeasterly direction crossing Cox Hollow Road approximately 208 feet to a point, said point being the southwest corner of parcel 97.05; thence in a southeasterly direction approximately 94 feet to a point; thence in a northeasterly direction approximately 190 feet to a point, said point being on the westerly right-of-way of Tri-Cities Crossing; thence in a northeasterly direction crossing Tri-Cities Crossing approximately 100 feet to a point; thence in a northeasterly direction following an arc along Tri-Cities Crossing approximately 573 feet to a point; thence in a southeasterly direction approximately 258 feet to a point, said point being on the north side of Interstate 81 right-of-way and also the southeast corner of parcel 97.20; thence in a southwesterly direction crossing the right-of-way of Interstate 81 and Fordtown Road approximately 989 feet to a point, said point being the northern most corner of parcel 61.00; thence in a southeasterly direction approximately 406 feet to a point; thence in a southwesterly direction approximately 392 feet to a point, said point being the southwest corner of parcel 60.10; thence in a northwesterly direction approximately 300 feet to a point; thence in a southwesterly direction approximately 521 feet to a point; thence in a southwesterly direction crossing Fordtown Road right-of-way approximately 181 feet to a point, said point being the eastern most corner of parcel 67.00 and on the northern right-of-way of Fordtown Road; thence in a northwesterly direction approximately 358 feet to a point; thence in a northwesterly direction approximately 271 feet to a point; thence in a southwesterly direction approximately 1004 feet to a point, said point being on the southern right-of-way of Interstate 81 and the western most corner of parcel 67.00; thence in a southeasterly direction approximately 881 feet to a point; thence in a northeasterly direction approximately 127 feet to a point; thence in a southeasterly direction approximately 278 feet to a point, said point being on the northern right-of-way of Fordtown Road; thence in a southeasterly direction crossing Fordtown Road approximately 40 feet to a point; thence in a southeasterly direction approximately 804 feet to a point, thence in a northeasterly direction approximately 715 feet to a point, thence in a southeasterly direction approximately 491 feet to a point, said point being the southeast corner of parcel 46.00; thence in a southwesterly direction approximately 270 feet to a point, said point being on the northern right-of-way of

Mitchell Road; thence in a northeasterly direction following the right-of-way of Mitchell Road approximately 859 feet to a point; thence in a northeasterly direction approximately 691 feet to a point; thence in a southeasterly direction approximately 525.5 feet to a point; thence in a northeasterly direction approximately 70 feet to a point, said point being the southwest corner of parcel 56.10; thence in a southeasterly direction approximately 534 feet to a point; thence in a northeasterly direction approximately 1086 feet to a point, said point being the northeast corner of parcel 56.10; thence in an easterly direction approximately 495 feet to a point; thence in a northerly direction approximately 420 feet to a point; thence in a northeasterly direction approximately 761 feet to a point, said point being on the southern right-of-way of Fordtown Road; thence following the southern right-of-way of Fordtown Road approximately 840 feet to a point, said point being the intersection of Interstate 26 and Fordtown Road right-of-way; thence in a northerly and northwesterly direction following the western right-of-way of Interstate 81 approximately 2443 feet to a point, said point being 110 feet west of Kendrick Creek South right-of-way and on the south side of Interstate 81 right-of-way; thence in a northwesterly direction crossing Interstate 81 right-of-way approximately 634 feet to a point, said point being the southeast corner of parcel 98.50; thence in a northwesterly direction approximately 1476 feet to the point of BEGINNING, and being parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 of the Sullivan County Tax Maps dated April 2011.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 12/2/12

PRE-FILED
CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY KNOWN AS THE FORDTOWN ROAD – TAYLOR PROPERTIES ADJACENT TO INTERSTATE 81 AND 26 FROM M-1R, RESTRICTED INDUSTRIAL DISTRICT, B-4P, PLANNED BUSINESS DISTRICT, B-3, GENERAL BUSINESS DISTRICT, R-3, LOW DENSITY APARTMENT DISTRICT AND A-1, AGRICULTURAL TO TA/C, TOURIST ACCOMODATION/COMMERCE DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property known as the Fordtown Road – Taylor properties adjacent to Interstate 81 and 26 from M-1R, Restricted Industrial District, B-4P. Planned Business District, B-3, General Business District, R-3, Low Density Apartment District and A-1, Agricultural District to TA/C, Tourist Accommodation/Commerce District in the 14th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the northwest corner of parcel 98.50 of Tax map 119; thence in a southwesterly direction approximately 3,182 feet to a point; thence in a southeasterly direction approximately 400 feet to a point, said point being the southwest corner of parcel 97.05 and also on the northerly right-of-way of Cox Hollow Road; thence in a southeasterly direction crossing Cox Hollow Road approximately 208 feet to a point, said point being the southwest corner of parcel 97.05; thence in a southeasterly direction approximately 94 feet to a point; thence in a northeasterly direction approximately 190 feet to a point, said point being on the westerly right-of-way of Tri-Cities Crossing; thence in a northeasterly direction crossing Tri-Cities Crossing approximately 100 feet to a point; thence in a northeasterly direction following an arc along Tri-Cities Crossing approximately 573 feet to a point; thence in a southeasterly direction approximately 258 feet to a point, said point being on the north side of Interstate 81 right-of-way and also the southeast corner of parcel 97.20; thence in a southwesterly direction crossing the right-of-way of Interstate 81 and Fordtown Road approximately 989 feet to a point, said point being the northern most corner of parcel 61.00; thence in a southeasterly direction approximately 406 feet to a point; thence in a southwesterly direction approximately 392 feet to a point, said point being the southwest corner of parcel 60.10; thence in a northwesterly direction approximately 300 feet to a point; thence in a southwesterly direction approximately 521 feet to a point; thence in a southwesterly direction crossing Fordtown Road right-of-way approximately 181 feet to a point, said point being the eastern most corner of parcel 67.00 and on the northern right-of-way of Fordtown Road; thence in a northwesterly direction approximately 358 feet to a point; thence in a northwesterly direction approximately 271 feet to a point; thence in a southwesterly direction approximately 1004 feet to a point, said point being on the southern right-of-way of Interstate 81 and the western most corner of parcel 67.00; thence in a southeasterly direction approximately 881 feet to a point; thence in a northeasterly direction approximately 127 feet to a point; thence in a southeasterly direction approximately 278 feet to a point, said point being on the northern right-of-way of Fordtown Road; thence in a southeasterly direction crossing Fordtown Road approximately 40 feet to a point; thence in a southeasterly direction approximately 804 feet to a point, thence in a northeasterly direction approximately 715 feet to a point, thence in a southeasterly direction approximately 491 feet to a point, said point being the southeast corner of parcel 46.00; thence in a southwesterly direction approximately 270 feet to a point, said point being on the northern right-of-way of Mitchell Road; thence in a northeasterly

direction following the right-of-way of Mitchell Road approximately 859 feet to a point; thence in a northeasterly direction approximately 691 feet to a point; thence in a southeasterly direction approximately 525.5 feet to a point; thence in a northeasterly direction approximately 70 feet to a point, said point being the southwest corner of parcel 56.10; thence in a southeasterly direction approximately 534 feet to a point; thence in a northeasterly direction approximately 1086 feet to a point, said point being the northeast corner of parcel 56.10; thence in an easterly direction approximately 495 feet to a point; thence in a northerly direction approximately 420 feet to a point; thence in a northeasterly direction approximately 761 feet to a point, said point being on the southern right-of-way of Fordtown Road; thence following the southern right-of-way of Fordtown Road approximately 840 feet to a point, said point being the intersection of Interstate 26 and Fordtown Road right-of-way; thence in a northerly and northwesterly direction following the western right-of-way of Interstate 81 approximately 2443 feet to a point, said point being 110 feet west of Kendrick Creek South right-of-way and on the south side of Interstate 81 right-of-way; thence in a northwesterly direction crossing Interstate 81 right-of-way approximately 634 feet to a point, said point being the southeast corner of parcel 98.50; thence in a northwesterly direction approximately 1476 feet to the point of BEGINNING, and being parcels 98.50, 97.50, 67.00, 58.20, 58.00, 59.10, 61.00, 62.00, 63.00, 56.10, 63.50 of Tax Map 119 and parcels 1.00, 1.10 and 1.20 of Tax Map 120 and excluding parcel 59.00 of Tax Map 119 of the Sullivan County Tax Maps dated April 2011.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee, requiring it.

DENNIS PHILLIPS
Mayor

ATTEST:

Angie Marshall
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

PROPERTY INFORMATION

ADDRESS Southwest and northwest quadrant of I-81 and I-26

DISTRICT, LAND LOT 14th Civil District

OVERLAY DISTRICT Gateway Way

EXISTING ZONING B-3, B-4P, R-3, M-1R and A-1

PROPOSED ZONING TA/C

ACRES 335.43 +/-

EXISTING USE Vacant

PROPOSED USE Large Scale Regional Shopping Center

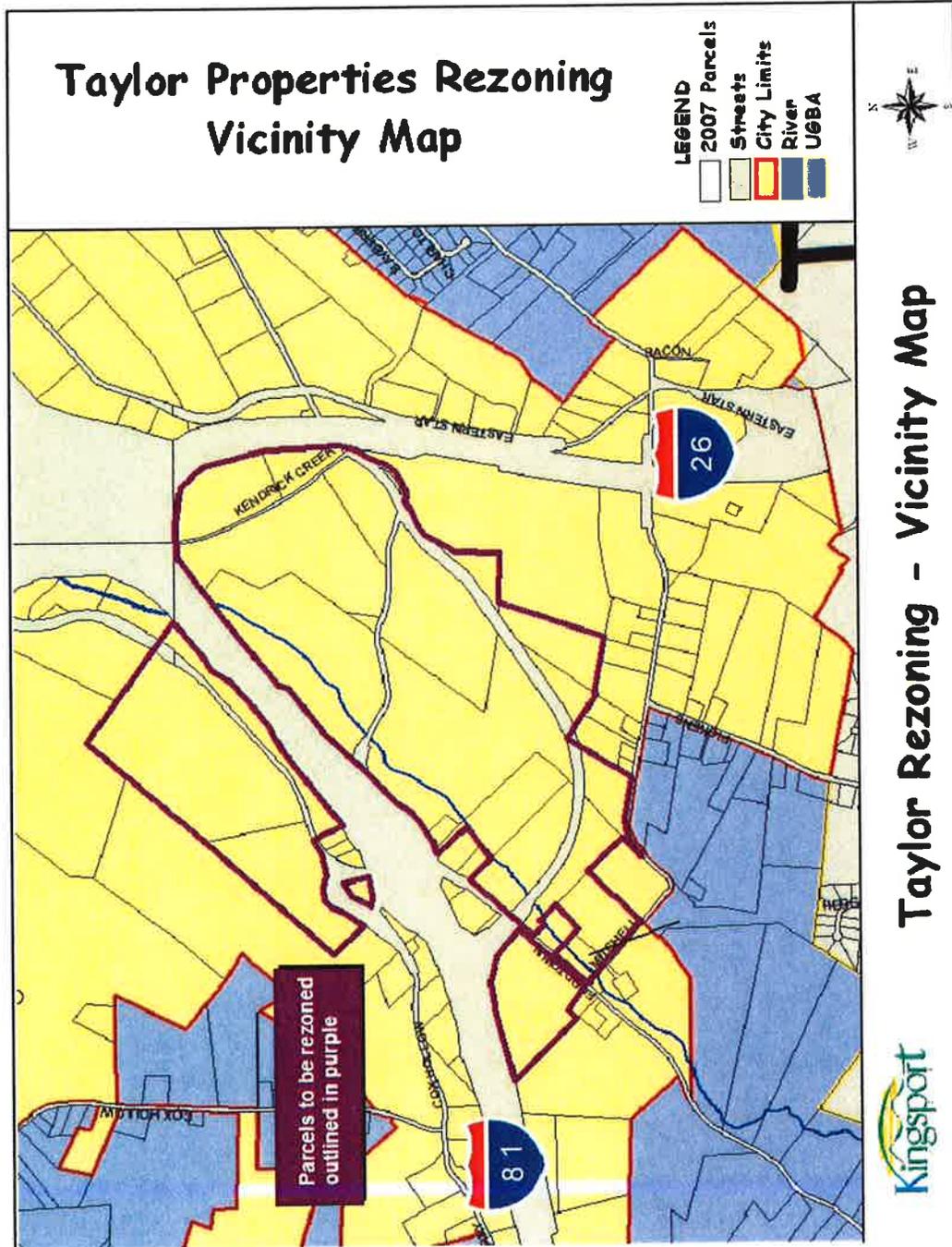
PETITIONER Stewart Taylor
ADDRESS 1043 Fordtown Road

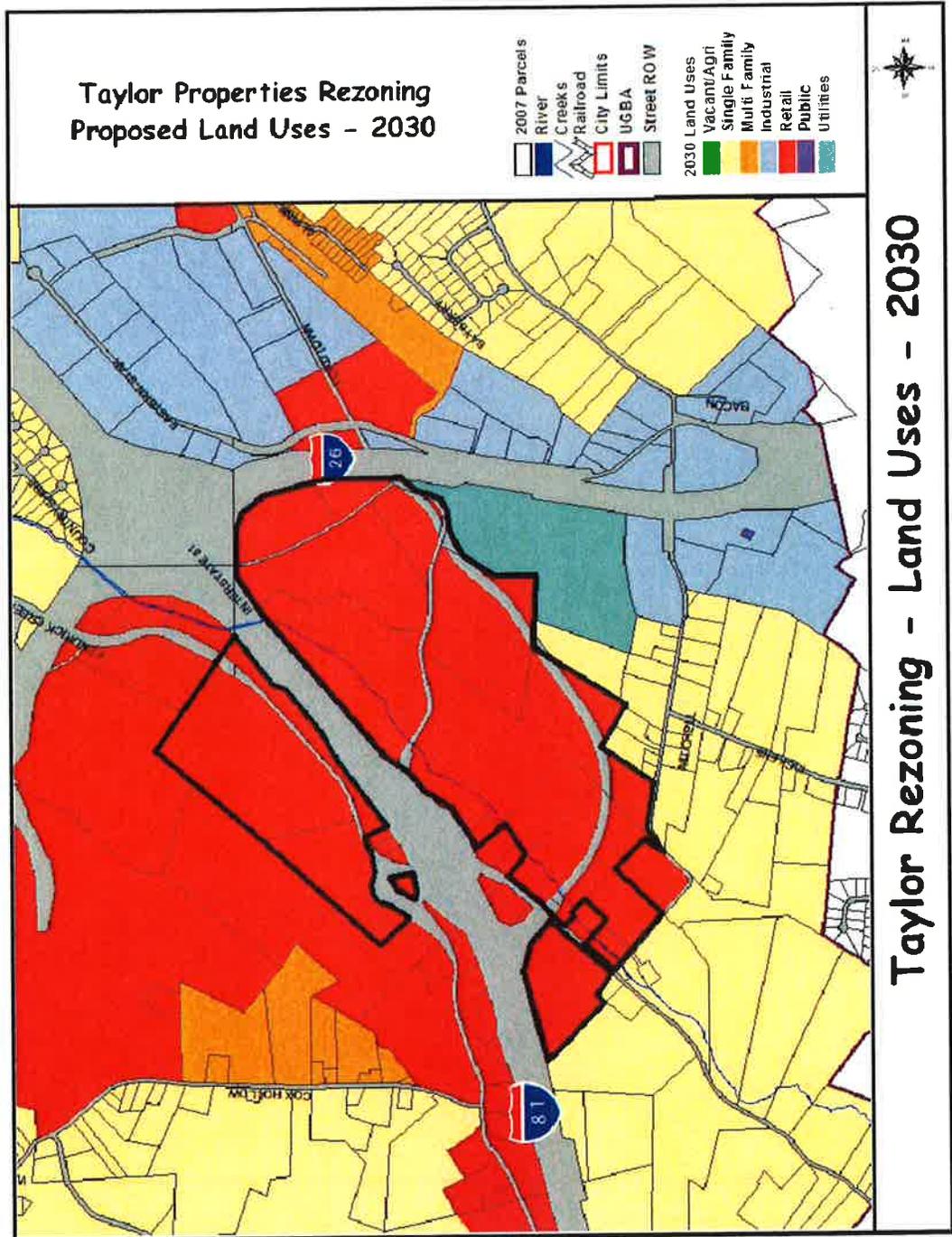
REPRESENTATIVE Stewart Taylor

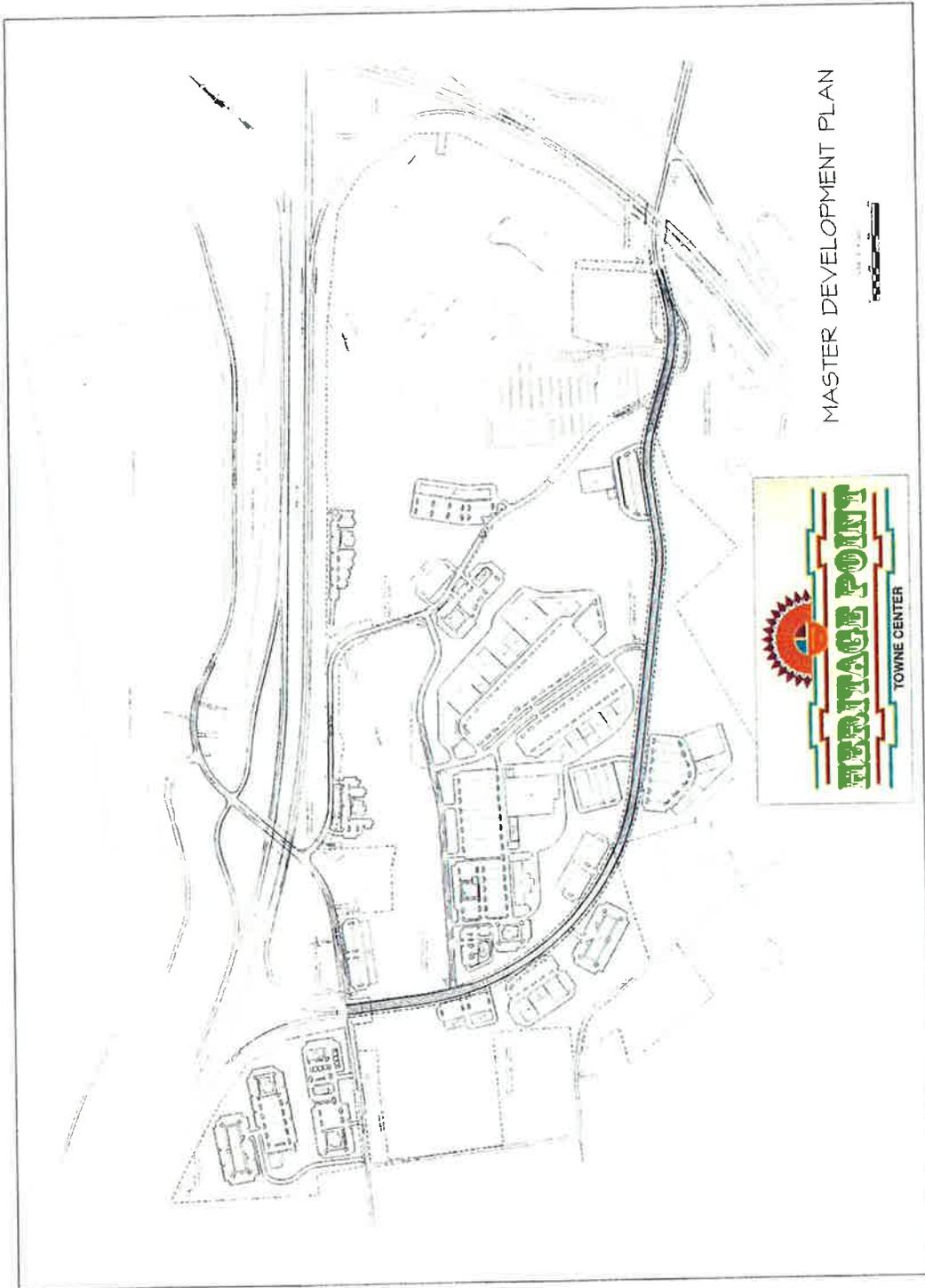
PHONE 423-247-2406

INTENT

To rezone the parcels indicated from B-3, B-4P, M1-R and A-1 to TA/C in order to construct a proposed large scale regional shopping center. The property totals 335.43 acres with 76.42 acres north of I-81 and west of I-26 consisting of 2 parcels on the north side of I-81 and 259.01 acres in 12 parcels on the south side of I-81. All parcels are located in the southwest and northwest quadrant of the intersection of I-81 and I-26 and they are well suited for this zoning district based on the Kingsport Land Use Plan – 2030 as all parcels are indicated for commercial uses. The parcels meet the requirements of the zoning district and this is the highest and best use for these parcels.

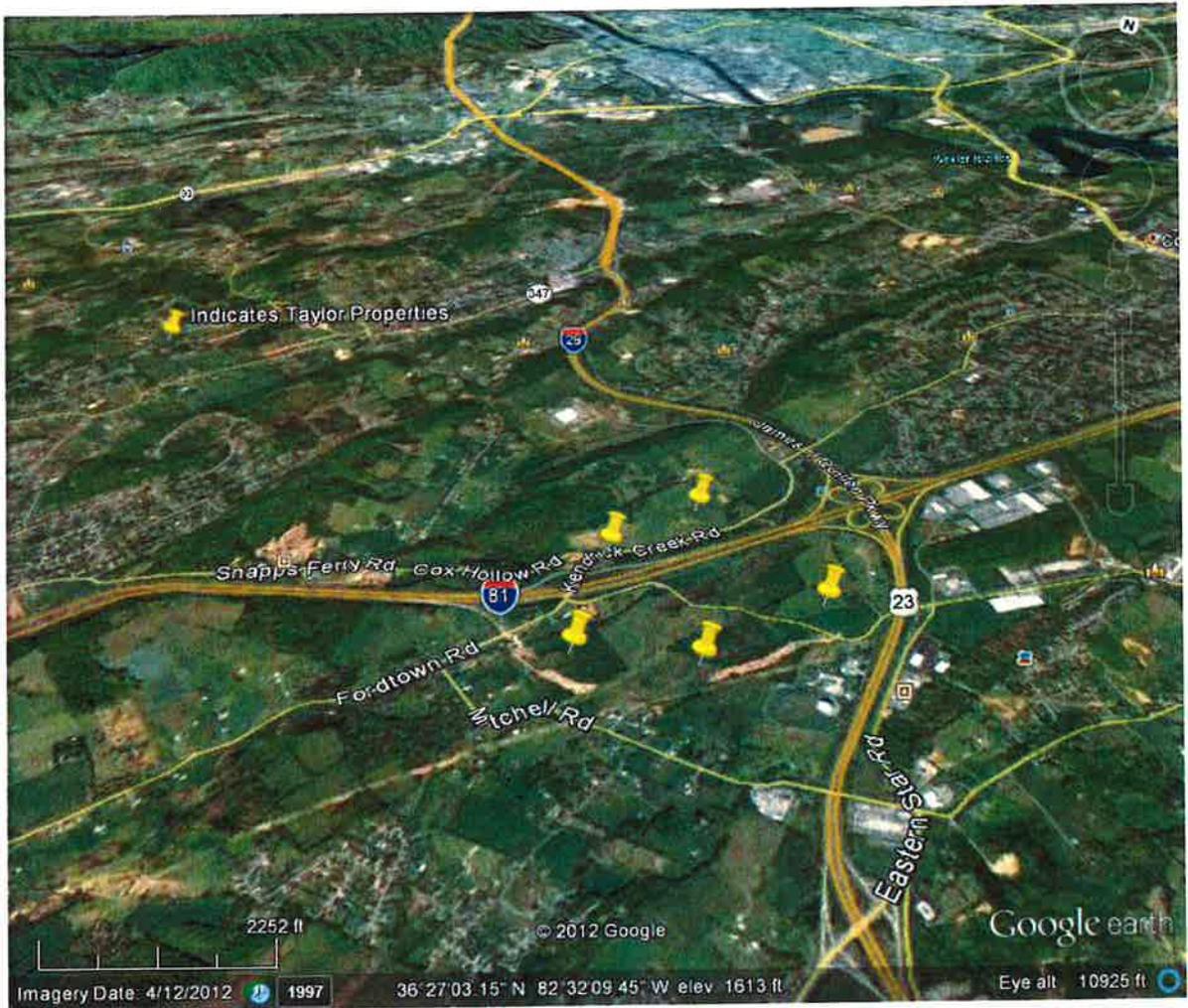




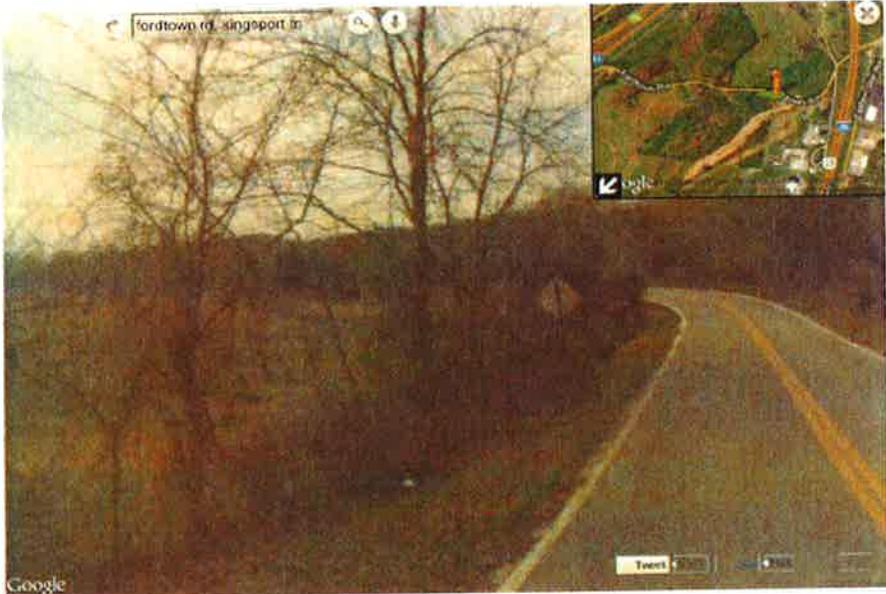


Site Plan

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on November 15, 2012



Flyover Map

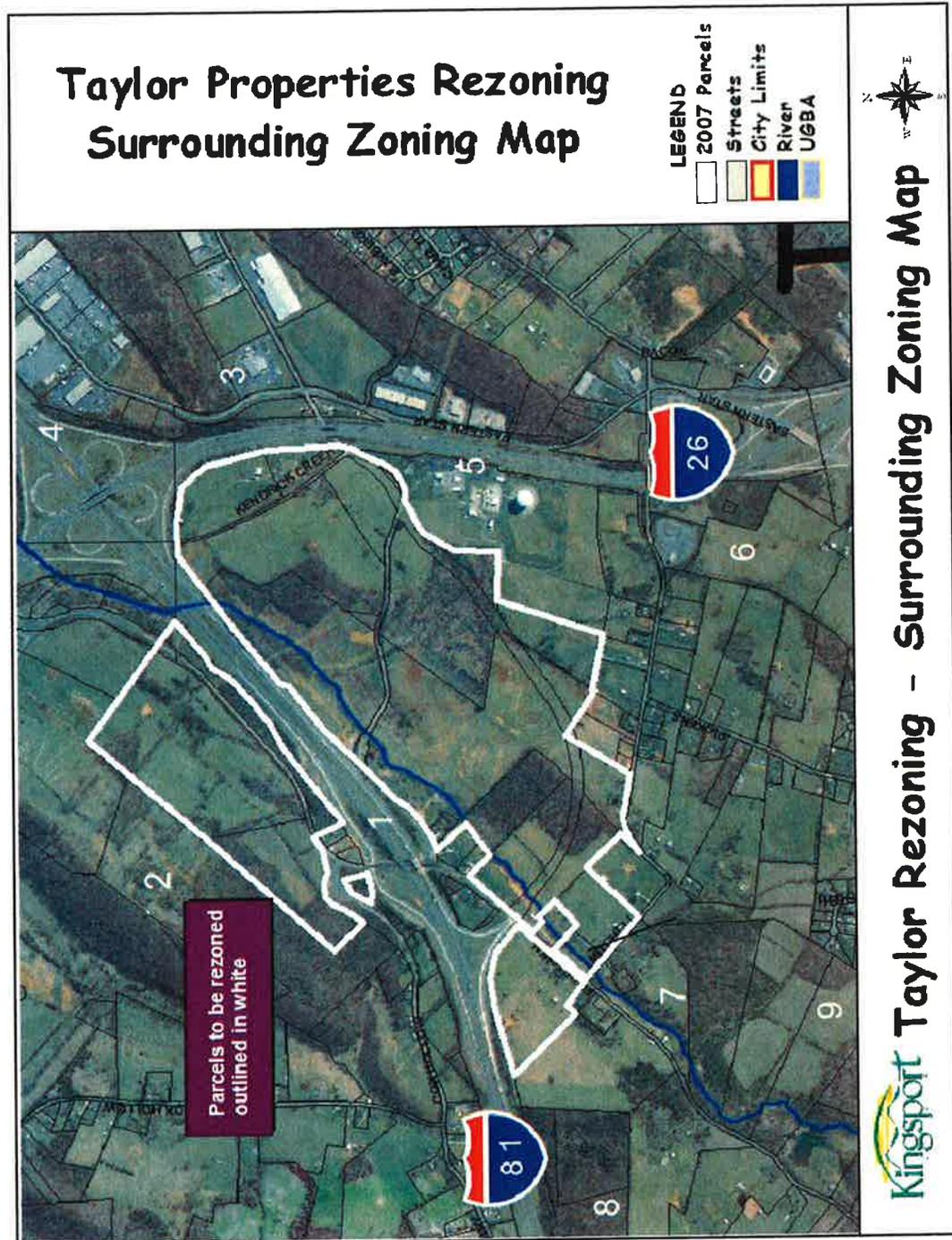


Existing Fordtown Road

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	B-4P and Interstate 81, Few SF Vacant, Federal Interstate, few SF	
Further North and Northwest	2	Across I-81 is M-1R and B-4P and A-1 Land is vacant, mostly old farm land	M-1R zoned with the industrial park?
East	3	Adjacent to I-26 mostly B-3 zoning Retail Tire Service, rest vacant.	
Further East	4	County zoning, outside UGBA Residential	
Southeast and South	5	City zoning A-1 (our Holding Zone) Mostly small SF and vacant parcels	
Further South	6	Past the extents of the City's UGBA	
West	7	Some City A-1, mostly County past that. Small SF and mostly vacant Agri.	
Further West	8	Some City A-1, mostly UGBA. Small SF, mostly vacant or Agri.	
Southwest	9	City UGBA and outside UGBA Again mostly Agri. Or vacant.	

EXISTING USES AND LOCATION

The overwhelming majority of the property is currently vacant from the farmhouses that did occupy the parcels. There is open rolling vacant farm land and a few scattered single-family homes that did front on both Fordtown Road and Mitchell Road. Currently the properties are being graded for potential future development.



CONCEPTUAL ZDP ANALYSIS

Based on the applicant's site plan submitted to the Planning Department on October 19, 2012, Staff offers the following considerations:

DEVELOPMENT STANDARDS – SEC. 114-201 for TA/C District

- Front yard – (setback) 30 feet
- Side yard – none required
- Side yard adjacent to a street – none required
- Rear yard- none required
- Minimum lot frontage – 50 feet
- No lot coverage requirements
- Height - There shall be a maximum height limit of 60 feet

The ZDP indicates conceptual compliance with the development standards.

Ingress-Egress

The development site on the northern side of interstate 81 will utilize the existing Kendrick Creek Road. This section is currently labeled as a future development area. The development site located on the southern side of Interstate 81 will utilize both existing and future roads that are either currently under construction or proposed for future construction. The existing road to be utilized is approximately 3,000 ft of the current Fordtown Road, to be terminated on the eastern side of the development area in the future due to the Fordtown realignment project. The future road network of the newly realigned Fordtown Road contains approximately 5,500 ft of new road. Internal, future roads (as proposed on the master plan) total approximately 4,000 ft. All proposed roads will be constructed to non-residential street standards, suitable for serving commercial needs.

Commercial Development

The total acreage showing development on the master plan is approximately 335 acres in size. The developer is proposing a mix of retail shops/ big box retail (949,808 sq ft), hotels (72,864 sq ft), restaurant (74,647 sq ft), and convenience/ gas stores (6,150 sq ft). The current total of proposed commercial square feet is 1,103,469. Final square footage will be determined once specific commercial entities come forward and go through the development process. The Planning Commission will be required to review all specific commercial development as part of the preliminary and final zoning development plan approval process. Parking, as shown on the master plan, will be a mix of shared and individual commercial entity parking. Specific amounts of parking and exact location must be approved by final zoning development plan.

Signs

This master plan is indicating a yet to be approved sign ordinance that is specific to the TA/C zone. The proposal contains a system of 5 street-level signs, 2 wayfinding signs, and 2 interstate identity signs. A complete sign ordinance proposal, detailing the characteristics of each proposed sign, will be brought to the Planning Commission in the future for separate approval.

Amendments to the Plan

Should the concept plan change to the extent that it does not fully meet the requirements of this section of the code, it must be re-presented to the Planning Commission for amended approval. This also holds true for the Preliminary and Final Zoning Development Plans. Minor changes may be approved by the Planning Director, however if there is any question concerning compliance or the approved uses, the Planning Director shall refer the case back to the Planning Commission.

Current property features

The existing conditions of the site can be classified as rolling hills, with agricultural use. The site currently contains a mix of pasture and woods.

Recommendation

Staff recommends granting conceptual ZDP approval

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Probably not so much on the south side of Interstate 81 because the majority of the parcels are in the County and very close to the limits of the UGBA. However just the opposite occurs on the north side as it is the location of the Gateway Commerce Park. Now it can be said that as development occurs on the southern side the existing fringe areas will sell off and in all probability become part of the TA/C development. A lot depends on the economy.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** Not at all.....as stated above these parcels will likely be absorbed by the new development in the future.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Probably not in the future due to the noise and increased traffic caused by the new development. It would make a good transition zone from commercial adjacent to multi-family on these parcels.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** Definitely not on schools....increased traffic WILL happen, at least this is the purpose of this zoning district...a destination- zone. On utilities no, the water and sewer plants are not near capacity. One good aspect is the availability of two access points from two interstate interchanges to handle the increased traffic.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The 2030 Land Use Plan indicates this entire area as being commercial in its use.

The Future Land Use Plan Map recommends **Commercial** for the subject site.

The proposed development is consistent with the following Plan Policies if developed:

- *We should ensure adequate land is available for cluster developments to which can serve as major shopping hubs for intense commercial activities.*
- *We should through its economic development initiatives seek out those commercial ventures not currently in the corporate limits to allow a product selection available to all levels of personal income.*
- *Kingsport should when providing land use areas for commercial development ensure the integrity of residential areas when abutting residential land uses. This should also pertain to expansion of existing commercial areas when rezoned to commercial and abutting residential uses.*
- *Support Transportation Development Plans for these areas to accommodate ease of access.*

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** No.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No not at all. The adverse and objectionable uses were specifically kept out of the new TA/C District when it was presented and approved before the Planning Commission and Board of Mayor and Alderman.
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** One could say this due to this being the only TA/C in the area, but when looking at the entire overall acreage and the purpose and intent of the proposed district, it is pretty clear this is a logical change.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** All the property Mr. Stewart owns are being proposed with one exception on the north side of I-81 that would not meet the requirements of the TA/C District, so I would say yes, the boundaries are logical.

10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** Not when you consider the proposed district was written for this specific type of use for any to develop.

11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** Realistically there is one other site that currently could qualify for this zoning and that is the old Carolina Pottery at Exit 66. Kingsport is unique in that it has other exits off I-81 that should a developer be able to meet the requirements of the TA/C district, the City would easily entertain rezoning those parcels to TA/C. The limiting factor at some of these other locations is the extent of the UGBA.

CONCLUSION

Staff recommends APPROVAL to rezone from B-4P, B-3, M-1R, R-3 & A-1 to TA/C to in order to: Construct a proposed Regional Shopping Center.



AGENDA ACTION FORM

Conduct a Public Hearing and Consideration of an Ordinance to rezone property along Union Street to R-3, Low Density Apartment

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form No.: AF- 348-2012
Work Session: December 17, 2012
First Reading: December 18, 2012

Final Adoption: January 8, 2013
Staff Work By: K. Combs/F. Koder
Presentation By: K. Combs

Recommendation: Conduct the public hearing.
Approve the ordinance.

Executive Summary:

Recently the City of Kingsport amended its TA, Tourist Accommodation zoning district to reflect a more commerce oriented district for large developments now called a TA/C, Tourist Accommodation/Commerce District. Since the amendment, several pieces of property are no longer most suitable to the requirements of the TA/C zoning and staff is proposing to change the zoning of these properties from TA to a district more suitable to the existing use. The R-3 zoning classification for this piece of property is suggested because the parcel is split zoned with the other part of the parcel being zoned R-3. This rezoning will bring the zoning classification in line with the parcel line.

On November 15, 2012, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board of Mayor and Aldermen to rezone the property to a R-3 designation. The Commission did not receive any negative comments regarding this issue. The Public Hearing was published on December 4, 2012.

Attachments:

- 1. Notice of Public Hearing
- 2. Ordinance
- 3. Planning Commission Report
- 4. Map

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

**PRE-FILED
CITY RECORDER**

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG UNION STREET TAX MAP 45D, GROUP K, PARCEL 1.15 TO R-3, LOW DENSITY APARTMENT 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

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along Union Street to R-3, Low Density Apartment District in the 12th Civil District of Sullivan County; said property to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the southeast corner of parcel 1.15 of tax map 45D, Group K and on the western Right Of Way of Interstate 26; thence in a northwesterly direction approximately 203.28 feet to a point; thence in a northwesterly direction approximately 90 feet to a point; thence in a southwesterly direction approximately 235 feet to a point; thence in a southeasterly direction approximately 135.67 feet to the point of beginning being all or part of parcel 1.15 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS
Mayor

ATTEST:

Angie Marshall
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

NOTICE OF PUBLIC HEARING

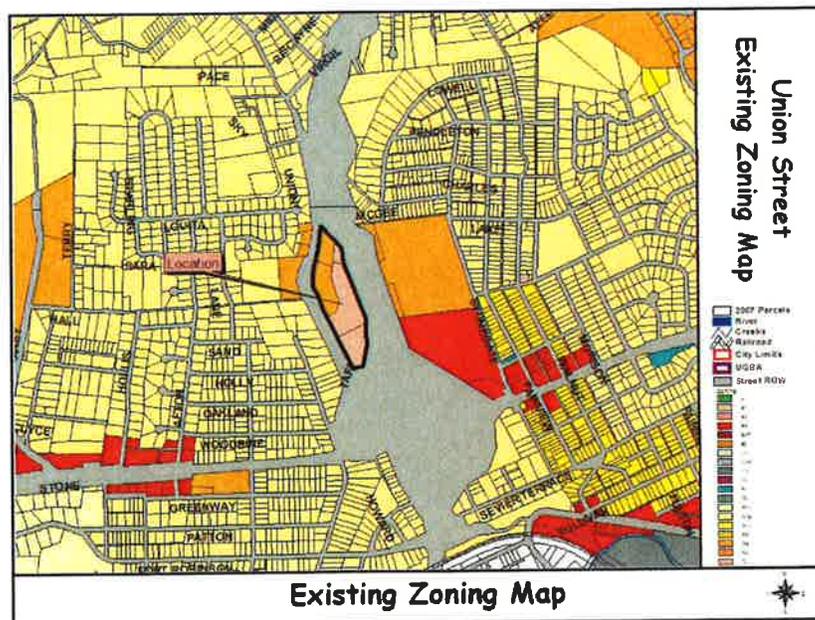
NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday December 17, 2012 to consider the rezoning for property located Along Union Street to R-3, Multi Family Residential District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the southeast corner of parcel 1.15 of tax map 45D, Group K and on the western Right Of Way of Interstate 26; thence in a northwesterly direction approximately 203.28 feet to a point; thence in a northwesterly direction approximately 90 feet to a point; thence in a southwesterly direction approximately 235 feet to a point; thence in a southeasterly direction approximately 135.67 feet to the point of beginning being all or part of parcel 1.15 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Liz Gilbert, City Clerk
PIT: 12/4/12



Abstract

Property Information	City initiated rezoning of TA districts along Union Street		
Address			
Tax Map, Group, Parcel	TM- 45D, G- K, P- 1.15		
Civil District	12		
Overlay District	None		
Land Use Designation	Commercial and TA (Tourist Accommodation)		
Acres	1.88 total acres		
Existing Use	Driveway for apartments	Existing Zoning	Split zoning - R-3 and TA
Proposed Use	None	Proposed Zoning	R-3, Multi Family Residential
Owner /Applicant Information			
Name: Mark and Elizabeth Dishman Address: 1701 Island Road City: Blountville State: Tennessee Zip Code: 37617 Email: Phone Number:		Intent: <i>To rezone from TA to R-3 because the parcel is split zoned and cannot meet the new TA development regulations.</i>	
Planning Department Recommendation			
<p>Approve recommendation to the BMA to rezone part of parcel 1.15 to R-3, Multi Family Residential District</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>Parcel is split zoned</i> • <i>The parcel cannot meet the new TA development regulations as it exists.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>The area in question has steep topography and is vacant with thick undergrowth and woods.</i> <p>Utilities</p> <ul style="list-style-type: none"> • Utilities are provided to the site. 			
Planner:	KC/ FK	Date:	10/11/12
Planning Commission Action		Meeting Date:	11/15/12
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION City initiated rezoning of TA districts along Union Street

ADDRESS- Not listed

DISTRICT, LAND LOT - Tax Map- 45D, Group- K, Parcel- 1.15

OVERLAY DISTRICT – None

EXISTING ZONING – Split R-3, Multi Family Residential and TA, Tourist Accommodation

PROPOSED ZONING – R-3, Multi Family Residential

ACRES- Total parcel 1.88

EXISTING USE – Access for adjoining apartments

PROPOSED USE - Same

PETITIONER – City of Kingsport

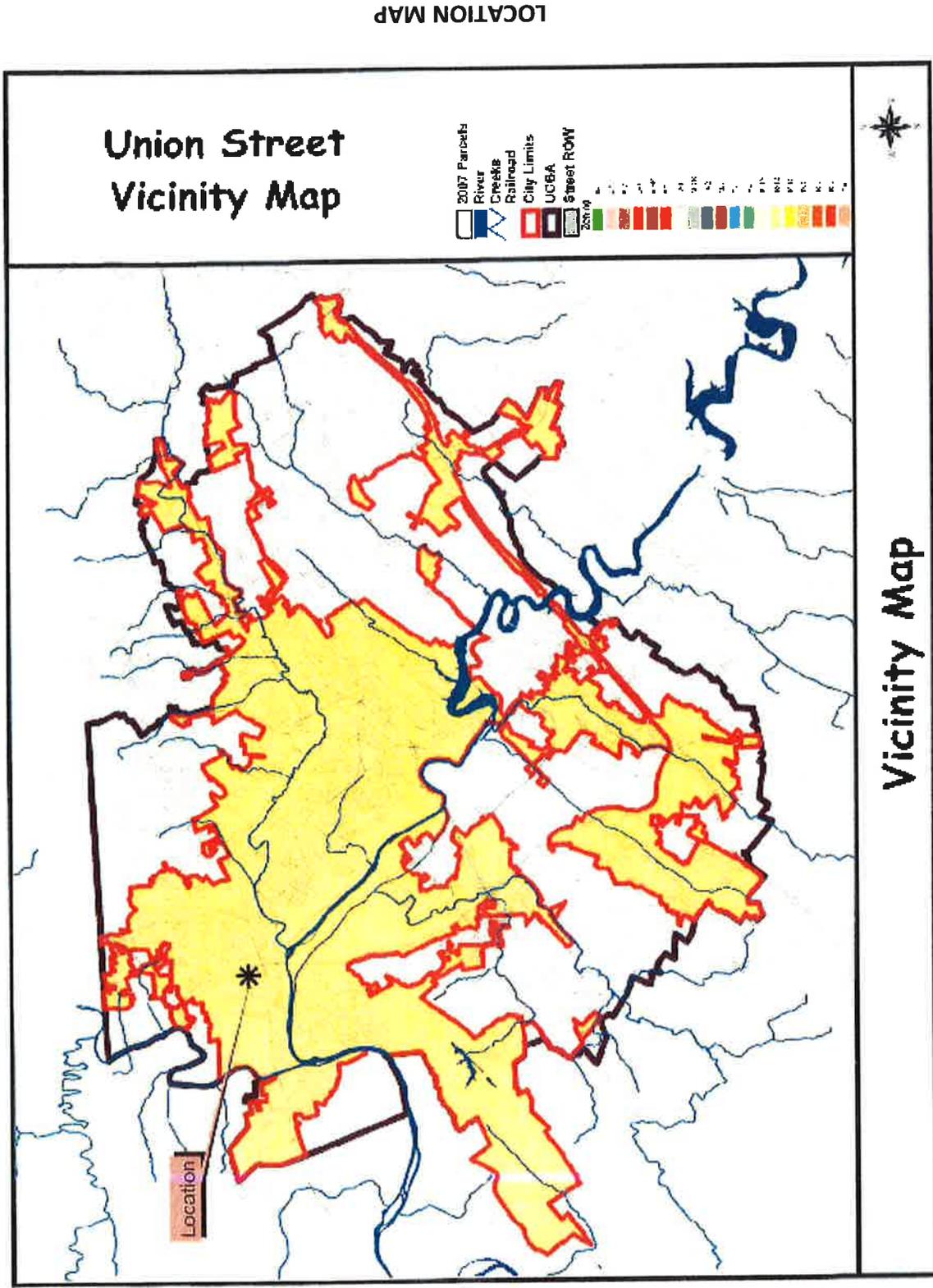
ADDRESS – 225 W. Center Street

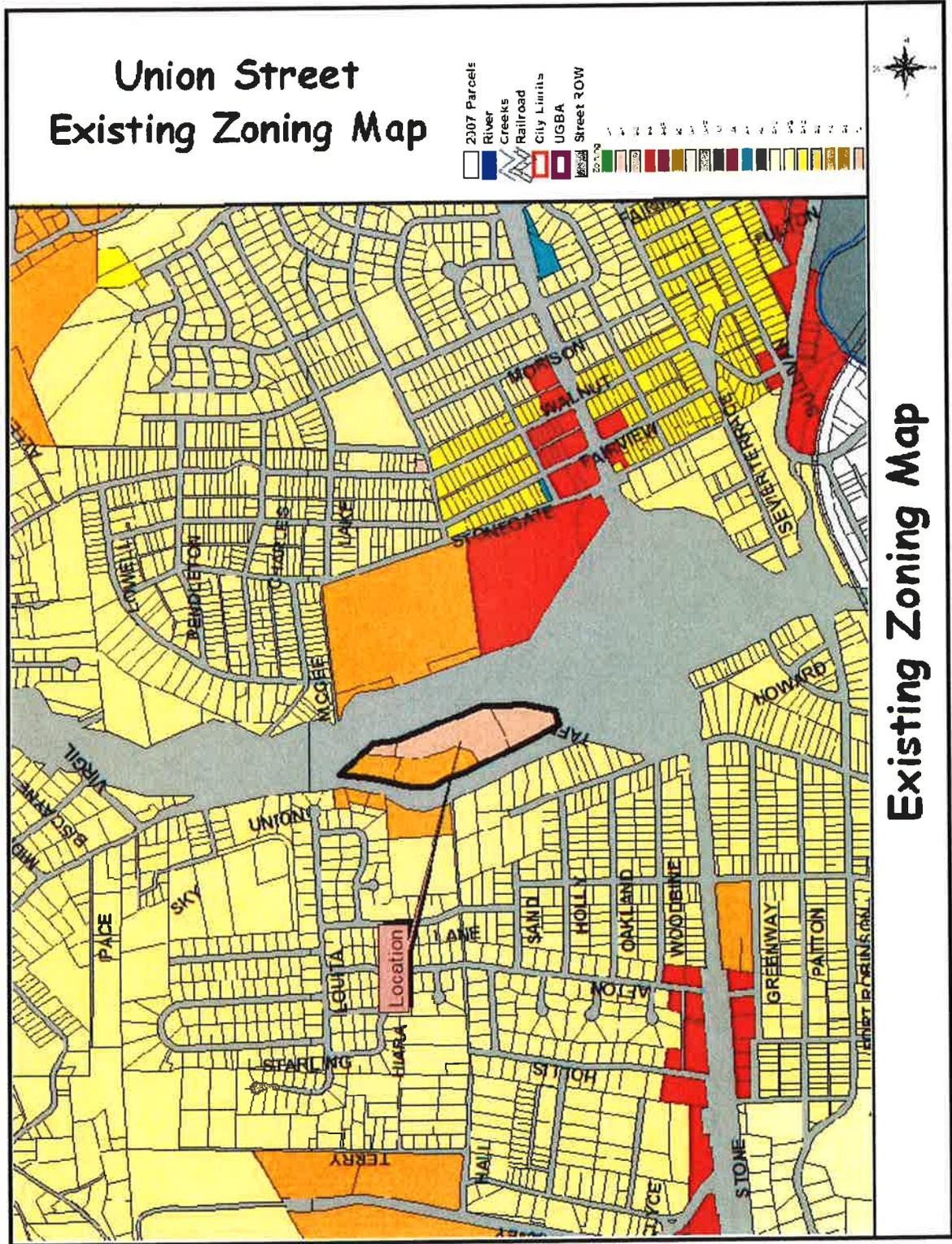
REPRESENTATIVE – Karen Combs and Forrest Koder

PHONE 423-224-2482

INTENT

To rezone part of the parcel from TA, Tourist Accommodation to R-3, Multi Family Residential because the parcel no longer conforms to the TA, Tourist Accommodation District Regulations.





CURRENT ZONING MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012

Pictures of site and surrounding area



North



South- the apartments



East - at top of hill interstate interchange



West across Union Street

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – R-1B, Single Family Res Use - Vacant	
East	2	Zone – R-3, Multi Family Res Use – Interstate 26	
South	3	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
West	4	Zone – R-1B, Single Family Use – Single Family Residence	
Southwest	5	Zone – R-3, Multi Family Res Use - Vacant	
Further Northwest		Zone – R-1B, Single Family Res Use – Single Family Residence	
Further East		Zone – R-3 Multi Family Res Use – Model City Apartments	
Further West		Zone – R-1B, Single Family Use – Single Family Residence	

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012

SUBJECT SITE:

This site is split zoned with R-3, Multi Family Residential District. The property in question is part of a lot that is currently used as a Driveway for apartments located on the adjoining lot. Planning does not see how this lot could be developed under the current TA zoning regulations. *Under the Intent of the zoning designation* – This district is intended to provide the traveling public and regional residents an area for large scale shopping centers of 350,000 square feet or more in one or more buildings on 40 or more acres of land. Water is provided to the parcel but sewer is not.

DESCRIPTION OF PROPERTY FEATURES

The topography is steeply wooded and crests to a small level cleared section adjoining the interstate right of way. It seems this property is used to buffer the apartments from the interstate traffic.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Yes, this property is part of a split zoned parcel that is currently developed with a multi-family use.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No – Adjoining properties are developed or are interstate.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** No – It is not of the right size, topography or has reasonable individual access to be developed in any manner other than it is currently being used.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

Future Land Use Plan Map: Yes

Proposed use/density: Yes

The Future Land Use Plan Map recommends Multi-Family for the subject site.

- 6. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal? The existing parcel does not meet the TA zoning regulations in the it is not 40 acres in size and does not contain a shopping complex that would be considered a “destination place”.**
- 7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport? No**
- 8. Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning? No – It actually adjoins and extends the existing R-3 district.**
- 9. Whether the present district boundaries are illogically drawn in relation to existing conditions? Yes**
- 10. Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare? No**
- 11. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use? N/A**

CONCLUSION

Staff recommends APPROVAL to rezone from TA to R-3 to in order to: bring this piece of property into compliance with current zoning regulations.



AGENDA ACTION FORM

Conduct a Public Hearing and Consideration of an Ordinance to rezone property along Union Street to B-3, General Business District

To: Board of Mayor and Aldermen
 From: John C. Campbell, City Manager

Action Form No.: AF-349-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012
 Final Adoption: January 8, 2013
 Staff Work By: K. Combs/F. Koder
 Presentation By: K. Combs

Recommendation: Conduct the public hearing.
 Approve the ordinance.

Executive Summary:

Recently the City of Kingsport amended its TA, Tourist Accommodation zoning district to reflect a more commerce oriented district for large developments now called a TA/C, Tourist Accommodation/Commerce District. Since the amendment, several pieces of property are no longer most suitable to the requirements of the TA/C zoning and staff is proposing to change the zoning of these properties from TA to a district more suitable to the existing use. The B-3 zoning classification for these properties is suggested because the B-3 zoning classification is the City's highest commercial zoning classification and reflects the current use of these properties. This rezoning will bring the zoning classification in line with the use of the parcels.

On November 15, 2012, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board of Mayor and Aldermen to rezone the property to a B-3 designation. The Commission did not receive any negative comments regarding this issue. The Public Hearing was published on December 4, 2012.

Attachments:

1. Notice of Public Hearing
2. Ordinance
3. Planning Commission Report
4. Map

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
Mcintire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

NOTICE OF PUBLIC HEARING

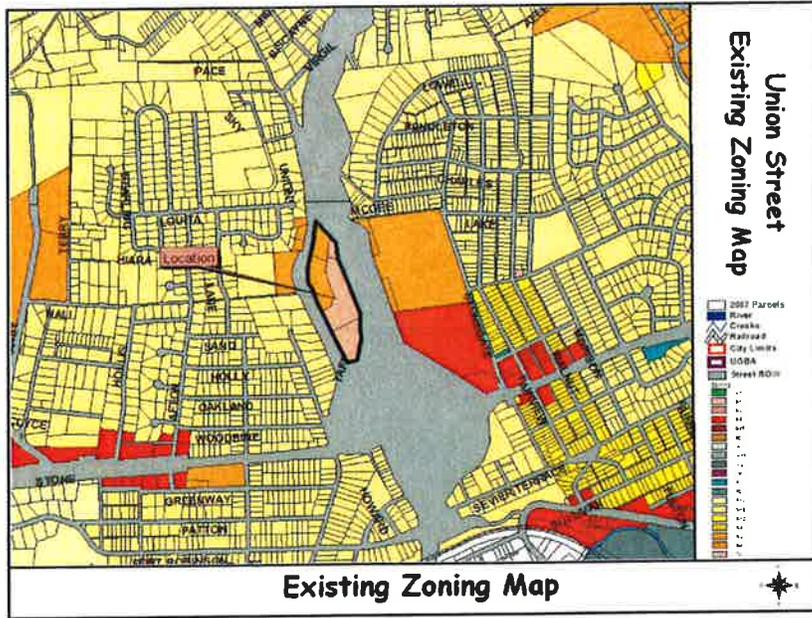
NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday December 17, 2012 to consider the rezoning for property located along Union Street to B-3, General Business District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the northeast corner of parcel 1.00 of tax map 45D, Group K; thence in a northwesterly direction approximately 135.67 feet to a point, said point being the northwest corner of parcel 1.00; thence in a southwesterly direction approximately 153.91 feet to a point; thence in a southeasterly direction approximately 211.61 feet to a point ; thence in a southeasterly direction approximately 107.51 feet to point; thence in a southwesterly direction approximately 133.31 feet to a point; thence in a southwesterly direction approximately 108.07 feet to a point, said point being on the eastern Right Of Way of Union Street and is the southwest corner of parcel 1.10; thence in a southeasterly direction along the eastern Right Of Way of Union Street approximately 806.02 feet to a point said point being the southwest corner of parcel 1.05; thence in a northeasterly direction approximately 100.18 feet to a point; thence in a southeasterly direction approximately 16.01 feet to a point, said point being on the western Right Of Way of Interstate 26; thence in a northeasterly direction along the western Right Of Way of Interstate 26 approximately 249.14 feet to a point; thence in a northwesterly direction along the western Right Of Way of Interstate 26 approximately 301.33 feet to a point; thence in a northwesterly direction along the western Right Of Way of Interstate 26 approximately 476.81 feet to the point of beginning being all or part of parcel 1.00 and 1.05 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Liz Gilbert, City Clerk
PIT: 12/4/12



ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG UNION STREET TAX MAP 45D, GROUP K, PARCELS 1.00 and 1.05 TO B-3, GENERAL 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

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along Union Street to B-3, General Business District in the 12th Civil District of Sullivan County; said property to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the northeast corner of parcel 1.00 of tax map 45D, Group K; thence in a northwesterly direction approximately 135.67 feet to a point, said point being the northwest corner of parcel 1.00; thence in a southwesterly direction approximately 153.91 feet to a point; thence in a southeasterly direction approximately 211.61 feet to a point ; thence in a southeasterly direction approximately 107.51 feet to a point; thence in a southwesterly direction approximately 133.31 feet to a point; thence in a southwesterly direction approximately 108.07 feet to a point, said point being on the eastern Right Of Way of Union Street and is the southwest corner of parcel 1.10; thence in a southeasterly direction along the eastern Right Of Way of Union Street approximately 806.02 feet to a point said point being the southwest corner of parcel 1.05; thence in a northeasterly direction approximately 100.18 feet to a point; thence in a southeasterly direction approximately 16.01 feet to a point, said point being on the western Right Of Way of Interstate 26; thence in a northeasterly direction along the western Right Of Way of Interstate 26 approximately 249.14 feet to a point; thence in a northwesterly direction along the western Right Of Way of Interstate 26 approximately 301.33 feet to a point; thence in a northwesterly direction along the western Right Of Way of Interstate 26 approximately 476.81 feet to the point of beginning being all or part of parcel 1.00 and 1.05 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS
Mayor

ATTEST:

Angie Marshall
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

Abstract

Property Information	City initiated rezoning of TA districts along Union Street		
Address	Unknown and 818 Jonathan Way		
Tax Map, Group, Parcel	TM- 45C, Group A, Parcels 1.00 and 1.05		
Civil District	12		
Overlay District	None		
Land Use Designation	Single Family and Commercial		
Acres	Approximately 7.15 total acres		
Existing Use	Vacant/Restaurant	Existing Zoning	TA, Tourist Accommodation
Proposed Use	None	Proposed Zoning	B-3, General Business District
Owner /Applicant Information			
Name: Constance Ramey / JHL Investment Group Address: 20 Northern Dr/ 2124 Longreen Rd City: Uppersaddle River/ Kingsport State: NJ /Tennessee Zip Code: 07458/37660 Email: Phone Number:		Intent: <i>To rezone from TA to B-3 because these parcels cannot meet the new TA development regulations.</i>	
Planning Department Recommendation			
<p>Approve recommendation to the BMA to rezone parcels 1.00 and 1.05 to B-3, General Business District</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The parcel cannot meet the new TA development regulations as it exists.</i> • <i>One parcel is vacant and the other houses a restaurant/commercial use.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>The vacant lot needs the road extended and water and sewer lines in order to develop.</i> • <i>The lot with the restaurant cannot develop any further.</i> <p>Utilities</p> <ul style="list-style-type: none"> • Utilities are provided to the site containing the restaurant. • Utilities are NOT provided to the vacant lot and the road must be extended at the developer's expense. 			
Planner:	KC/ FK	Date:	10/11/12
Planning Commission Action		Meeting Date:	11/15/12
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS- Unknown and 818 Jonathan Way

DISTRICT, LAND LOT - Tax Map- 45C, Group- A, Parcels- 1.00 and 1.05

OVERLAY DISTRICT – None

EXISTING ZONING –TA, Tourist Accommodation

PROPOSED ZONING – B-3, General Business District

ACRES- Vacant parcel approximately 4.7; Restaurant lot – approximately 2.45

EXISTING USE – Vacant and Restaurant

PROPOSED USE - Same

PETITIONER – City of Kingsport

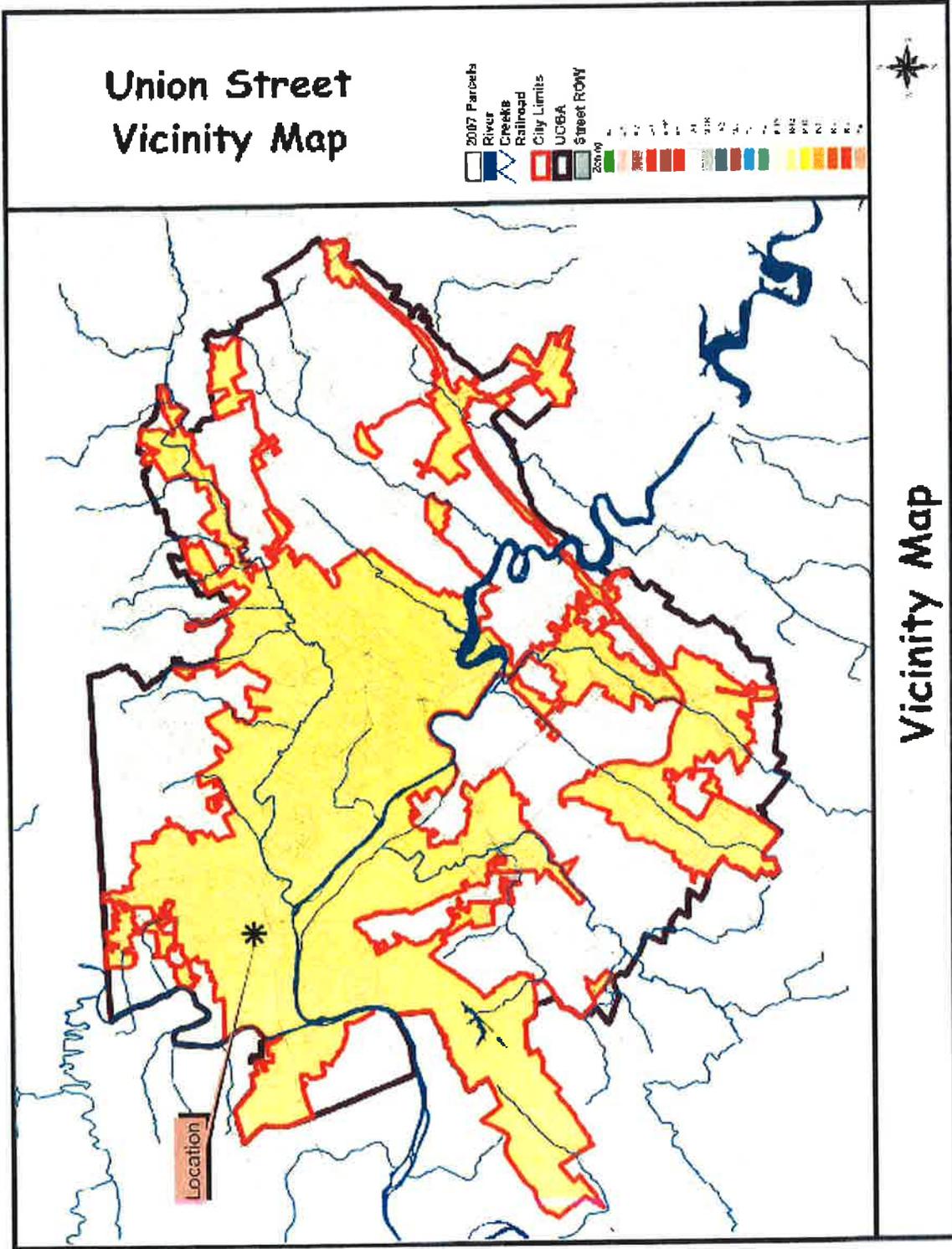
ADDRESS – 225 W. Center Street

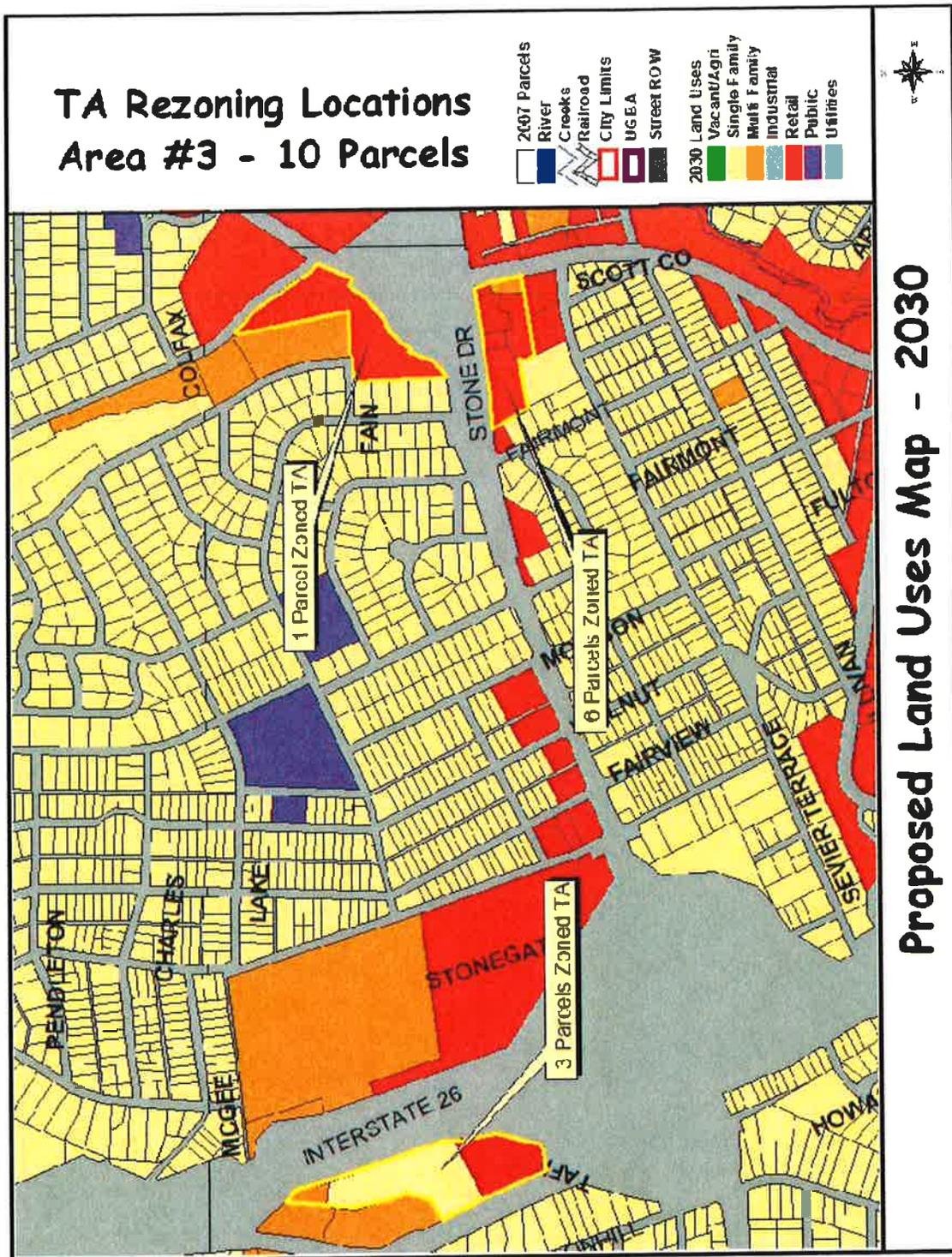
REPRESENTATIVE – Karen Combs and Forrest Koder

PHONE 423-224-2482

INTENT

To rezone all of the parcels from TA, Tourist Accommodation to B-3, General Business District because the parcels no longer conform to the TA, Tourist Accommodation District Regulations.





FUTURE LAND USE PLAN MAP

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on November 15, 2012

Pictures of site and surrounding area



North



South- restaurant on right



East



West

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
East	2	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
South	3	Zone – R-1B, Single Family Res Use – Single Family Residence	
West	4	Zone – R-1B, Single Family Use – Interstate	
Southwest		Zone – B-3, General Business District Use - Vacant	
Further Northwest		Zone- R-3 Multi family Use - Apartments across interstate	
Further East		Zone – R-3 Multi Family Res Use –Apartments	
Further West		Zone – R-1B, Single Family Use – Single Family Residence	

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012

SUBJECT SITE:

This site is zoned TA, Tourist Accommodation. Planning does not see these lots developing under the current TA zoning regulations. The TA-C district is intended to provide the traveling public and regional residents an area for large scale shopping centers of 350,000 square feet or more in one or more buildings on 40 or more acres of land. Water and sewer are provided to the lot containing the restaurant but is not provided to the vacant parcel. A road will have to be constructed to serve the vacant lot.

DESCRIPTION OF PROPERTY FEATURES

The topography is relatively flat at the sites. However these parcels are on top of a steep hill and providing water and sewer may be an issue for a larger development.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

- 1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Yes, one parcel already contains a use that is appropriate to B-3.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No
- 3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Yes, But as the property exists, further commercial development and/or redevelopment is more limited under the existing zoning district.
- 4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No
- 5. Whether the proposal is in conformity with the policies and intent of the land use plan?**

Future Land Use Plan Map: Yes

Proposed use/density: Yes

The Future Land Use Plan Map recommends Single Family and Commercial for the subject site.

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing parcels do not meet the new TA zoning regulations, in size requirements or intent of a Tourist Accommodation zoning.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** No, adjoining properties are currently being used/zoning as B-3 properties.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** No
11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** N/A

CONCLUSION

Staff recommends APPROVAL to rezone from TA to B-3 to in order to bring these properties into compliance with current zoning regulations.



AGENDA ACTION FORM

Public Hearing and Consideration of an Ordinance to rezone property along West Stone Drive and Lynn Garden Drive to B-3, General Business District

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

A handwritten signature in blue ink, appearing to read "John G. Campbell", is written over the printed name of the City Manager.

Action Form No.: AF-350-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012

Final Adoption: January 8, 2013
 Staff Work By: K. Combs/F. Koder
 Presentation By: K. Combs

Recommendation: Conduct the public hearing.
 Approve the ordinance.

Executive Summary:

Recently the City of Kingsport amended its TA, Tourist Accommodation zoning district to reflect a more commerce oriented district for large developments now called a TA/C, Tourist Accommodation/Commerce District. Since the amendment, several pieces of property are no longer most suitable to the requirements of the TA/C zoning and staff is proposing to change the zoning of these properties from TA to a district more suitable to the existing use. The B-3 zoning classification for these properties is suggested because the B-3 zoning classification is the City's highest commercial zoning classification and reflects the current use of these properties. This rezoning will bring the zoning classification in line with the use of the parcels.

On November 15, 2012, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board of Mayor and Aldermen to rezone the property to a B-3 designation. The Commission did not receive any negative comments regarding this issue. The Public Hearing was published on December 4, 2012.

Attachments:

1. Notice of Public Hearing
2. Ordinance
3. Planning Commission Report
4. Map

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday December 17, 2012 to consider the rezoning for property located along West Stone Drive to B-3, General Business District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

Parcel 3.50

BEGINNING at a point, said point being the northwest corner of parcel 3.50 and the northeast corner of parcel 8.00; thence in a southerly direction approximately 506.95 feet to a point, said point being on the northern Right Of Way of West Stone Drive; thence in a northeasterly direction following an arc approximately 281.50 feet to a point; thence in a southeasterly direction approximately 19.95 feet to a point; thence in a northeasterly direction following an arc approximately 486.83 feet to a point, said point being the northeast corner of parcel 3.50; thence in a westerly direction approximately 394.98 feet to a point; thence in a southerly direction approximately 25.00 feet to a point, said point being on the eastern Right Of Way of Fain Ave.; thence following the southern Right Of Way of Fain Ave approximately 135.00 feet to the point of beginning being all or part of parcel 3.50 as shown on the Sullivan County tax maps 45D, Group D dated April 2008.

Parcels 3.10, 4.00, 4.01, 5.00, 6.00 and 7.00

BEGINNING at a point, said point being the northwestern corner of parcel 3.10 and the southern Right Of Way of West Stone Drive; thence in a northeasterly direction approximately 113.19 feet to a point; thence in a southeasterly direction approximately 10 feet to a point; thence in a northeasterly direction approximately 661.98 feet to a point, said point being the northeast corner of parcel 5.00 and on the southern Right Of Way of West Stone Drive and the western Right Of Way of Lynn Garden Drive; thence in a southeasterly direction following the western Right Of Way of Lynn Garden Drive approximately 266.99 feet to a point; thence in a southwesterly direction approximately 98.18 feet to a point, said point being the southwest corner of parcel 6.00; thence in a northeasterly direction approximately 6.50 feet to point, said point being the southeast corner of parcel 7.00; thence in a southwesterly direction approximately 327.50 feet to a point; thence in a northwesterly direction approximately 100.39 feet to a point; thence in a southwesterly direction approximately 265.04 feet to a point; thence in a northwesterly direction approximately 8.50 feet to a point; thence in a southwesterly direction approximately 25.80 feet to a point said point being the southwest corner of parcel 3.10; thence in a northwesterly direction approximately 213.65 feet to the point of beginning being all or part of parcels 3.10, 4.00, 4.01,

5.00 6.00 and 7.00 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Liz Gilbert, City Clerk
PIT: 12/4/12

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WEST STONE DRIVE TAX MAP 45D, GROUP D, PARCEL 3.50 AND GROUP K, PARCELS 3.10, 4.00, 4.01, 5.00, 6.00 and 7.00 TO B-3, GENERAL 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

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along West Stone Drive to B-3, General Business District in the 12th Civil District of Sullivan County; said property to be rezoned being further and more particularly described as follows:

Parcel 3.50

BEGINNING at a point, said point being the northwest corner of parcel 3.50 and the northeast corner of parcel 8.00; thence in a southerly direction approximately 506.95 feet to a point, said point being on the northern Right Of Way of West Stone Drive; thence in a northeasterly direction following an arc approximately 281.50 feet to a point; thence in a southeasterly direction approximately 19.95 feet to a point; thence in a northeasterly direction following an arc approximately 486.83 feet to a point, said point being the northeast corner of parcel 3.50; thence in a westerly direction approximately 394.98 feet to a point; thence in a southerly direction approximately 25.00 feet to a point, said point being on the eastern Right Of Way of Fain Ave.; thence following the southern Right Of Way of Fain Ave approximately 135.00 feet to the point of beginning being all or part of parcel 3.50 as shown on the Sullivan County tax maps 45D, Group D dated April 2008.

Parcels 3.10, 4.00, 4.01, 5.00, 6.00 and 7.00

BEGINNING at a point, said point being the northwestern corner of parcel 3.10 and the southern Right Of Way of West Stone Drive; thence in a northeasterly direction approximately 113.19 feet to a point; thence in a southeasterly direction approximately 10 feet to a point; thence in a northeasterly direction approximately 661.98 feet to a point, said point being the northeast corner of parcel 5.00 and on the southern Right Of Way of West Stone Drive and the western Right Of Way of Lynn Garden Drive; thence in a southeasterly direction following the western Right Of Way of Lynn Garden Drive approximately 266.99 feet to a point; thence in a southwesterly direction

approximately 98.18 feet to a point, said point being the southwest corner of parcel 6.00; thence in a northeasterly direction approximately 6.50 feet to point, said point being the southeast corner of parcel 7.00; thence in a southwesterly direction approximately 327.50 feet to a point; thence in a northwesterly direction approximately 100.39 feet to a point; thence in a southwesterly direction approximately 265.04 feet to a point; thence in a northwesterly direction approximately 8.50 feet to a point; thence in a southwesterly direction approximately 25.80 feet to a point said point being the southwest corner of parcel 3.10; thence in a northwesterly direction approximately 213.65 feet to the point of beginning being all or part of parcels 3.10, 4.00, 4.01, 5.00 6.00 and 7.00 as shown on the Sullivan County tax maps 45D, Group K dated April 2008.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS
Mayor

ATTEST:

Angie Marshall
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

Abstract

Property Information	City initiated rezoning of TA districts at W. Stone Dr/Lynn Garden Intersection		
Address	700 Lynn Garden Dr; 3 lots at 1017 W.Stone Dr; 1009 W.Stone Dr; 2 lots at 608 Lynn Garden Dr		
Tax Map, Group, Parcel	TM- 45D, Group D, Parcels 3.50, 3.10, 4.00, 7.00, 4.01, 5.00, 6.00		
Civil District	11		
Overlay District	None		
Land Use Designation	Commercial		
Acres	7 lots total		
Existing Use	Commercial	Existing Zoning	TA, Tourist Accommodation
Proposed Use	Same	Proposed Zoning	B-3, General Business District
Owner /Applicant Information			
Name: Various attached to report Address: City: State: Zip Code: Email: Phone Number:		Intent: <i>To rezone from TA to B-3 because the parcels cannot meet the new TA development regulations.</i>	
Planning Department Recommendation			
<p>Approve recommendation to the BMA to rezone parcels 3.50, 3.10, 4.00, 7.00, 4.01, 5.00 and 6.00 to B-3, General Business District</p> <p>The Kingsport Planning Division recommends approval for the following reason:</p> <ul style="list-style-type: none"> <i>The parcels cannot meet the new TA development regulations as it exists.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> <i>A small vacant lot is located next to 608 Lynn Garden</i> <i>The rest of the lots already have commercial businesses on them.</i> <p>Utilities</p> <ul style="list-style-type: none"> Utilities are provided to the all sites. 			
Planner:	KC/ FK	Date:	10/23/12
Planning Commission Action		Meeting Date:	11/15/12
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS- various – 7 lots

DISTRICT, LAND LOT - Tax Map- 45D, Group- D, Parcels- 3.50, 3.10, 4.00, 7.00, 4.01, 5.00,600

OVERLAY DISTRICT – None

EXISTING ZONING –TA, Tourist Accommodation

PROPOSED ZONING – B-3, General Business District

ACRES- Total – broken down into 6 lots – Lot_1 – 3.35 acres; Lot_2_ - 1.63_acres; Lot3 - 0.254 acres; Lot 4 - 1.02 acres; Lot 5 - 0.68 acres; Lot 6 - 0.12acres; Lot 7 - 0.31 acres

EXISTING USE – Commercial and one vacant lot

PROPOSED USE - Same

PETITIONER – City of Kingsport

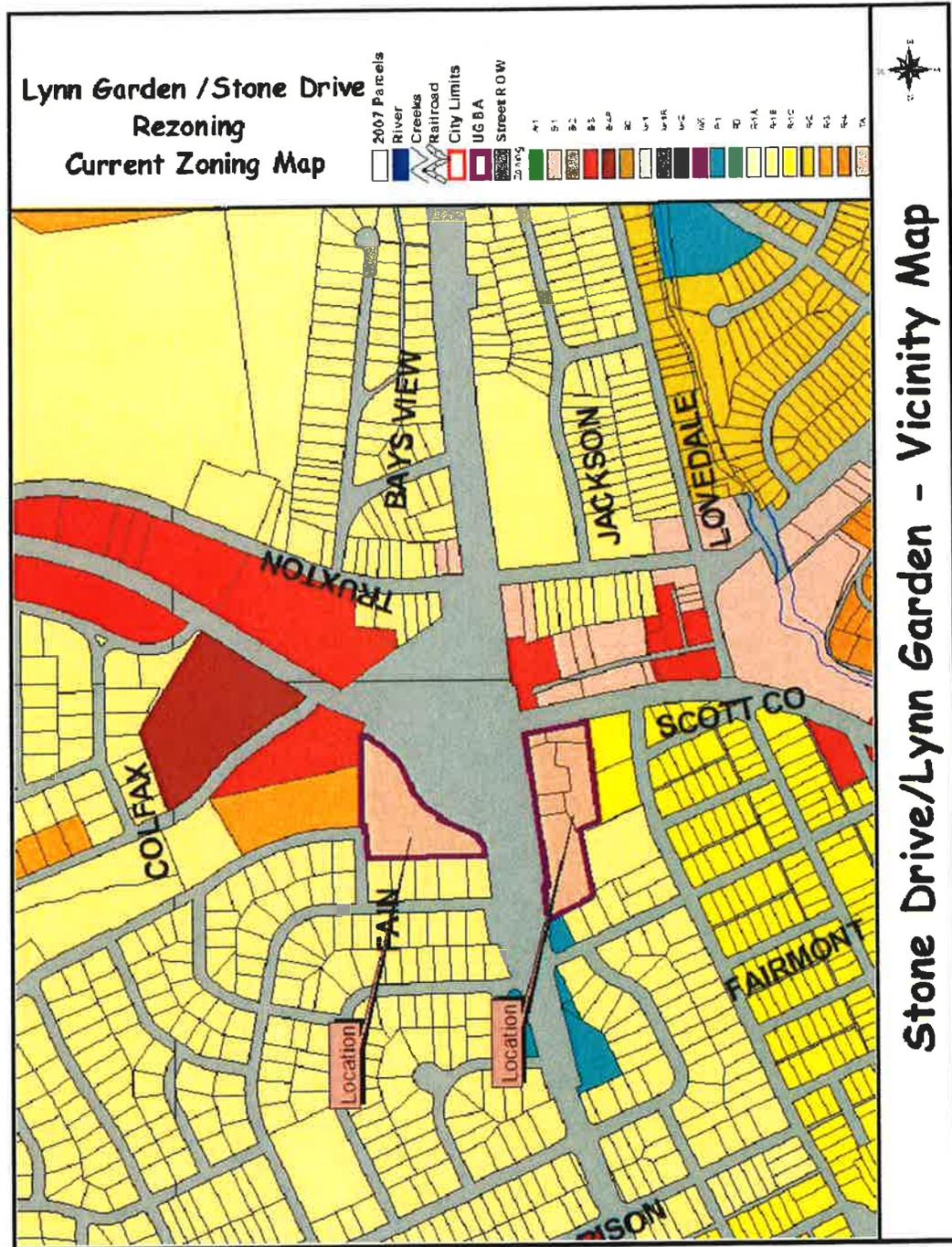
ADDRESS – 225 W. Center Street

REPRESENTATIVE – Karen Combs and Forrest Koder

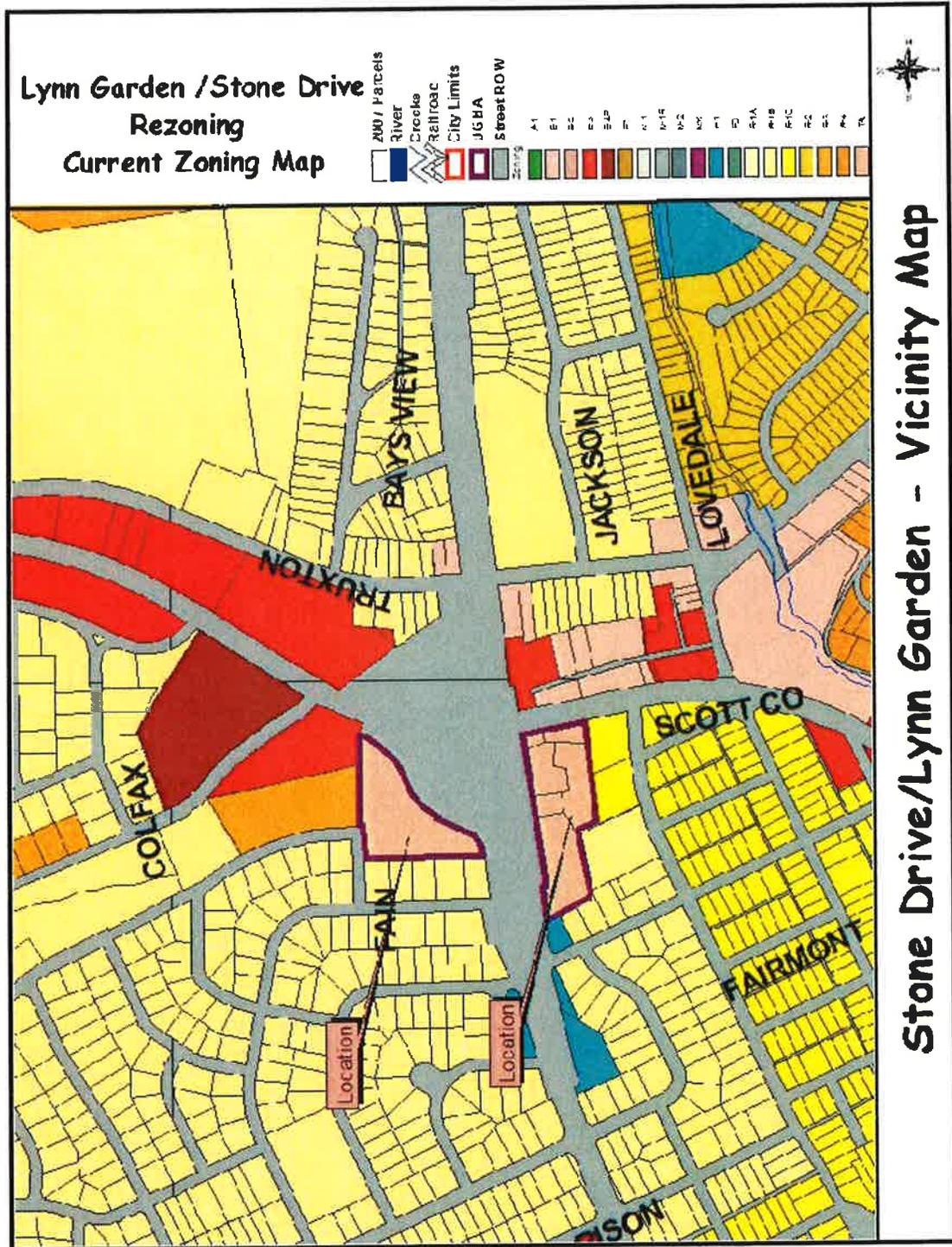
PHONE 423-224-2482

INTENT

To rezone the parcels from TA, Tourist Accommodation to B-3, General Business District because the parcels no longer conform to the TA, Tourist Accommodation District Regulations.



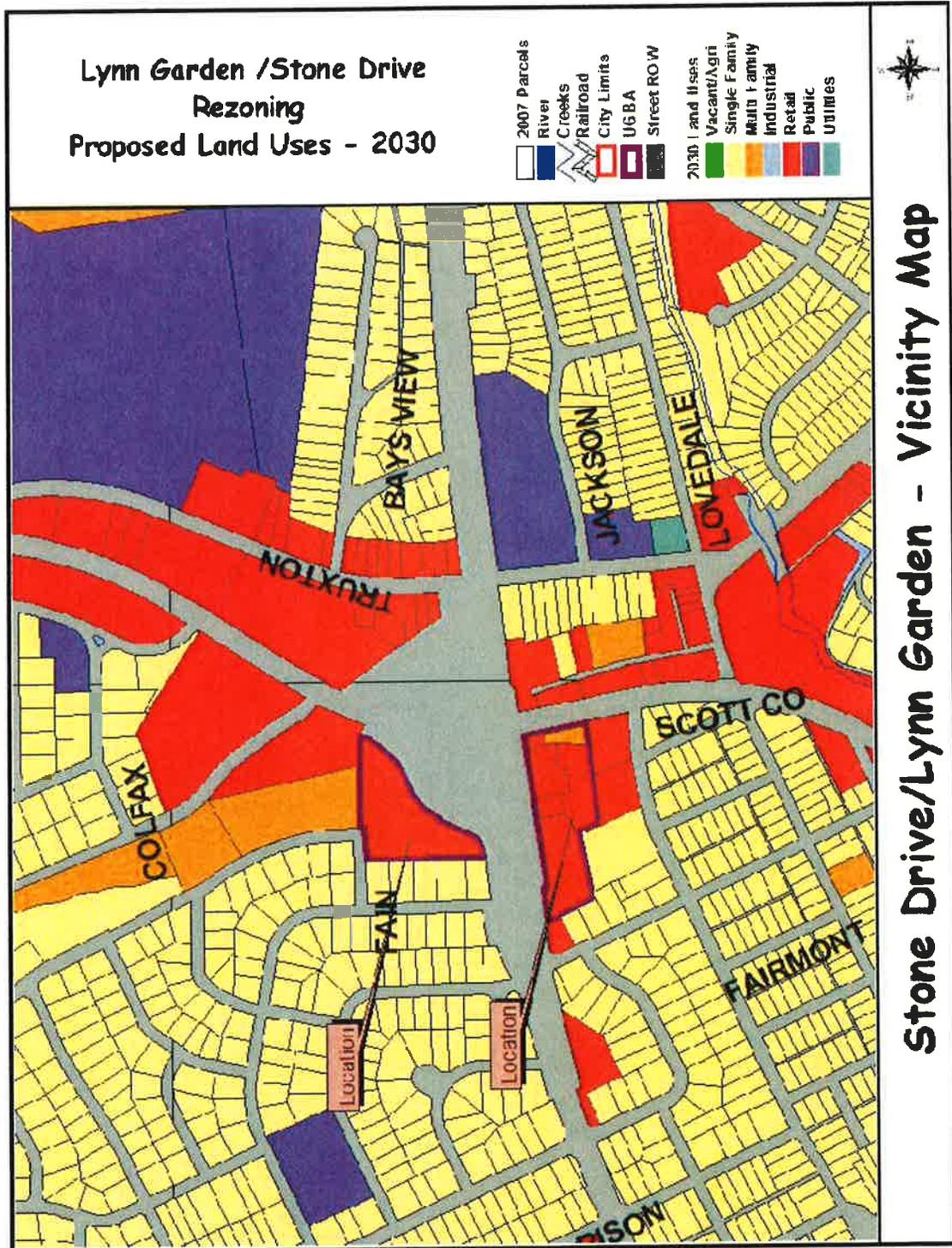
LOCATION MAP



Stone Drive/Lynn Garden - Vicinity Map

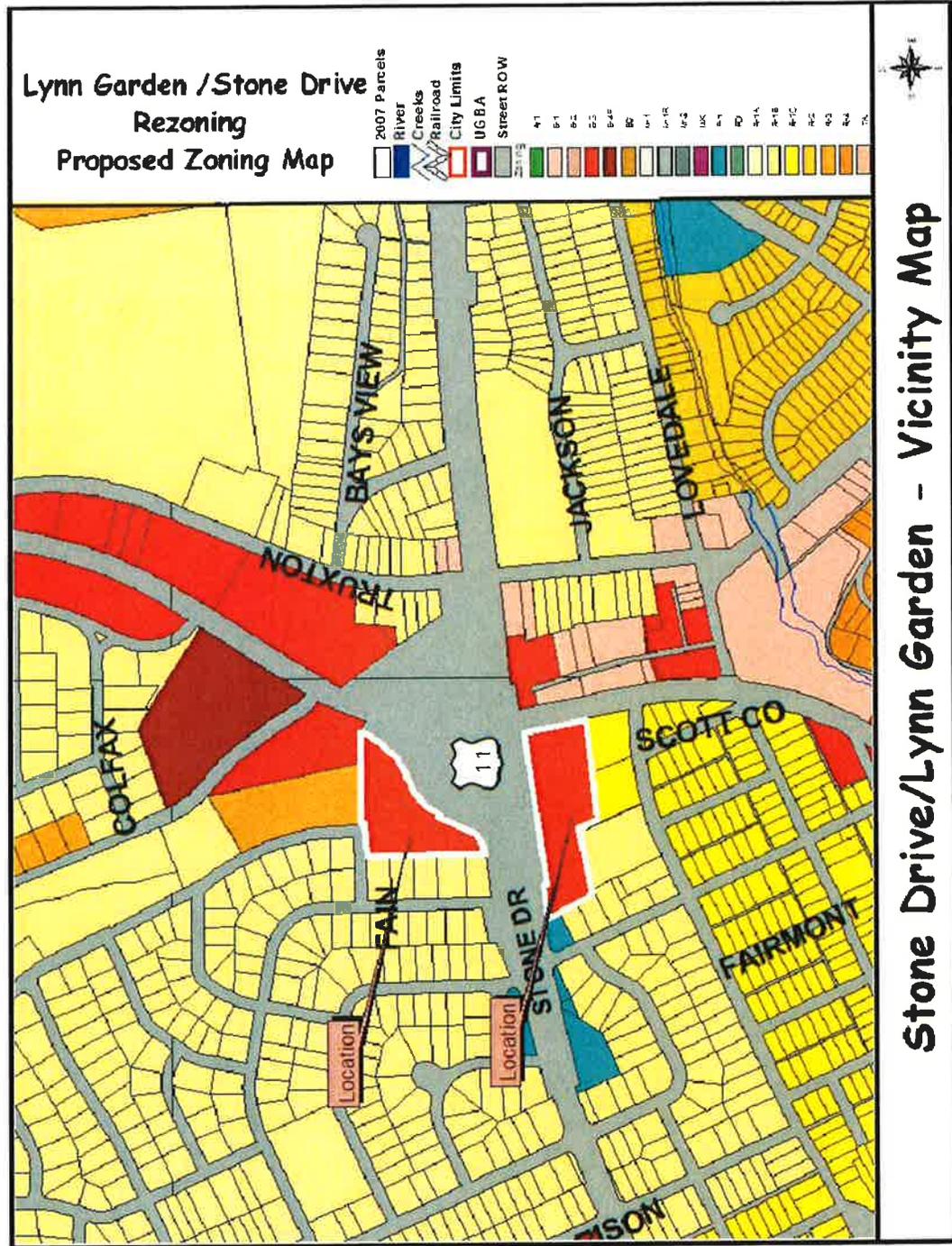
CURRENT ZONING MAP

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on November 15, 2012



FUTURE LAND USE PLAN MAP

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on November 15, 2012



Stone Drive/Lynn Garden - Vicinity Map

Proposed Zoning

Pictures of site and surrounding area



North facing Stone Dr from Westside Inn



South view from Westside Inn



East view from Westside Inn



West view from Westside Inn

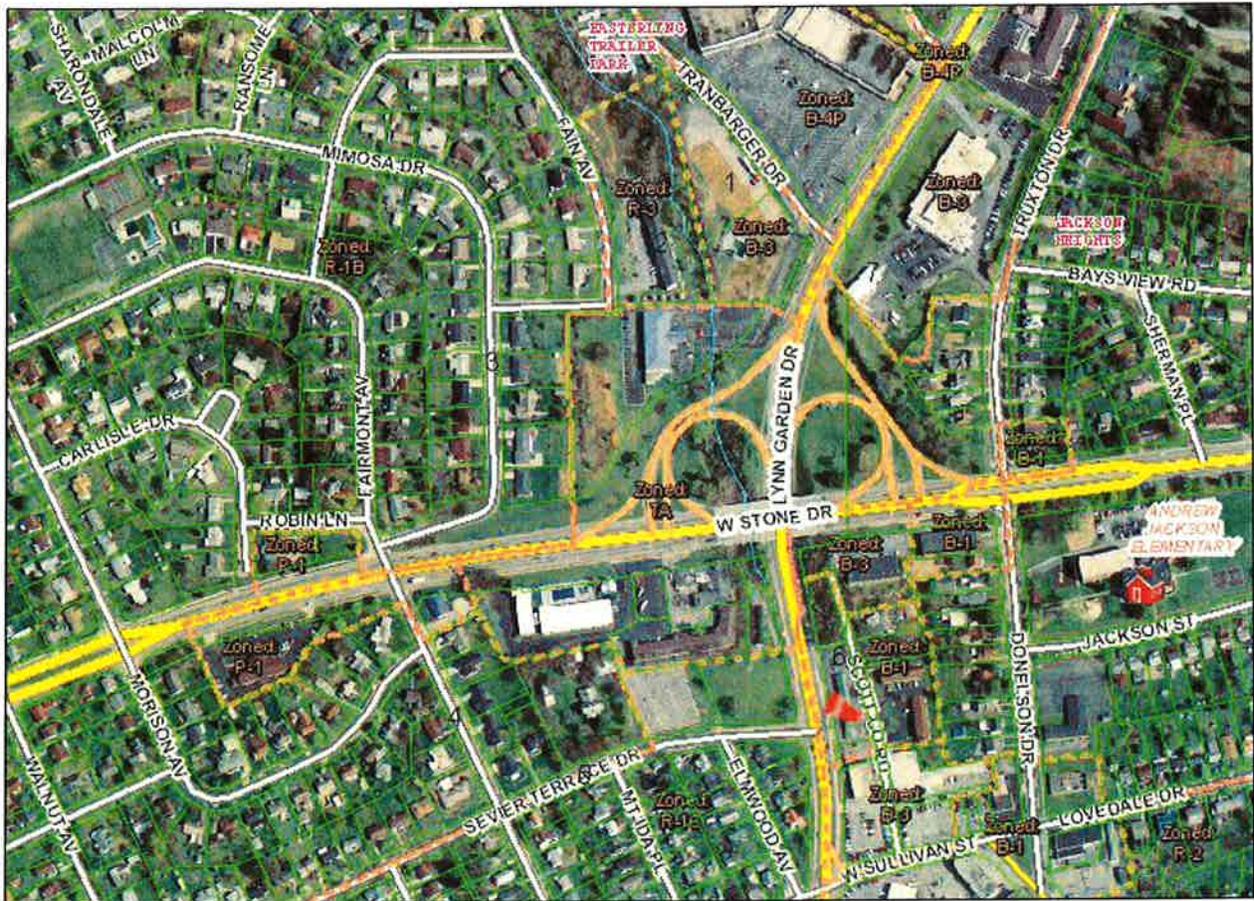


North view from Super 8 hotel

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – B-3 Use – Liquor Store	This area was zoned TA in 1969
East	2	Zone – R-3 Use – R-3, Apartments	Case 69-101-00008
West	3	Zone – R-1B Use – Single Family Residence	
Southwest	4	Zone – R-1C Use – Single Family Residence	
South	5	Zone – R-1C Use – Single Family Residence	
East	6	Zone- B-1 and B-3 Use - various commercial	
Northeast	7	Zone – B-3 Use –Kingsport Press	
Further East		Zone – R-1B Use – Single Family Residence	
Further North		Zone – B-4P Use – Commercial Center	
Further West		Zone – R-1B Use – Single Family Residence	
Further South		Zone – R-1C Use – Sevier Terrace	

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP

SUBJECT SITE:

This site is zoned TA, Tourist Accommodation. Due to the small size of the lots, planning does not see these lots developing under the current TA zoning regulations. Water and sewer are provided to all lots. The properties, except for one, are all developed with commercial businesses.

DESCRIPTION OF PROPERTY FEATURES

The properties are all developed except for one small parcel.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

- 1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property? Yes, all parcels already contain a use that is appropriate to B-3.**
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property? No**
- 3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned? Yes, however redevelopment would be limited by the current TA district requirements. This effect would be diminished under the B-3 zoning district.**
- 4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? No**
- 5. Whether the proposal is in conformity with the policies and intent of the land use plan?**

Future Land Use Plan Map: Yes

Proposed use/density: Yes

The Future Land Use Plan Map recommends Commercial for the subject site.

- 6. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal? The existing parcels do not meet the TA zoning regulations. The lots are too small.**
- 7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport? No**
- 8. Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning? No – B-3 is in the vicinity and fronts much of Lynn Garden Drive and Stone Drive.**
- 9. Whether the present district boundaries are illogically drawn in relation to existing conditions? Yes**
- 10. Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare? No**
- 11. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use? N/A**

CONCLUSION

Staff recommends APPROVAL to rezone from TA to B-3 to in order to: bring these properties into compliance with zoning regulations.



AGENDA ACTION FORM

Consideration of an Ordinance to Amend the Drug Fund Budget by Appropriating Funds for a Specified Project

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form #: AF- 359-2012
Work Session: Dec 17, 2012
First Reading: Dec 18, 2012
Final Adoption: Jan 8, 2013
Staff Work By: D/C Phipps
Presentation By: Chief Osborne

Recommendation:

Appropriate funding from the Drug Fund-Fund Balance in the amount of \$40,000.00

Executive Summary:

The mere nature of police work can sometimes result in a violent outcome. In a society that has seen the escalation of armed encounters with police, it is obviously apparent that police departments need to be well equipped to handle such situations. It is the desire of the Kingsport Police Department to navigate all potential violent police encounters with an ultimate resolve of no injuries sustained by the suspect(s) or police officer(s). Unfortunately and more often than not, the outcome is determined by the suspect's intent to bring harm to the innocent victim and resonate terror to the surrounding community.

Currently, the police department is armed with a select number of AR-15 rifles for specific officers. The design of the weapon permits the use in close quarter combat, as well as, medium range tactics. The intent of this project is to provide each police officer with this type of weapon in order to be better prepared for situations that may necessitate the need. This Action Form will allow for the appropriation of monies to be designated for the purchase of thirty-three (33) AR-15 Rifles and the same number of in-car gun locks for the police cruisers. The approximate cost for the rifle is \$1000.00 and the cost of the lock is approximately \$210.00.

This project and expenditure of monies is a permissible use under the guidelines set forth by the Equitable Sharing funds guide book for Drug Funds.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

Table with 3 columns: Name, Y, N, O. Rows include Clark, Joh, McIntire, Parham, Segelhorst, Shupe, Phillips.

**PRE-FILED
CITY RECORDER**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE DRUG FUND BUDGET BY APPROPRIATING FUNDS FOR THE VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the Drug Fund budget be amended by appropriating funds in the amount of \$40,000 from the Drug Fund Undesignated Fund Balance to purchase additional AR-15 rifles for officers.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 127: Drug Fund			
Revenues:			
127-0000-392-0100 Fund Balance Appropriation	76,427	40,000	116,427
Totals:	76,427	40,000	116,427
Expenditures:			
127-3020-442-9004 Equipment	\$ 0	\$ 40,000	\$ 40,000
Totals:	0	40,000	40,000

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of an Ordinance to Appropriate Cultural Arts Funding received from Tennessee Arts Commission

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

Action Form No.: AF-225-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012
 Final Adoption: January 8, 2013
 Staff Work By: B. Macdonald, J. Smith
 Presentation By: C. McCartt

Recommendation: Approve the Ordinance

Executive Summary:

The Office of Cultural Arts has applied for and received the following grants from the Tennessee Arts Commission. All grants will be matched 1:1 by existing funding from general operations.

AF 231-2012 Authorizing application to for Touring Grants
 Awarded: \$1,750 for Andy and The Beats
 Awarded: \$3,000 for Atlantic Steps
 Allocate \$4,750.00 to: 110-4505-471.20-20 Professional Contract

AF270-2012 Special Opportunities Grant
 Awarded: \$220 for Tennessee Arts Commission Grant
 Allocate \$220.00 to: 110-4505-471.20-41 Registration

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

**PRE-FILED
CITY RECORDER**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND
BY APPROPRIATING GRANT FUNDS RECEIVED
FROM THE TENNESSEE ARTS COMMISSION
FOR THE YEAR ENDING JUNE 30, 2013; AND TO
FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Fund Cultural Arts operating budget be amended by appropriating grant funds received from the Tennessee Arts Commission in the amount of \$4,750 for the Touring program to fund Andy and the Beats and the Atlantic Steps and to appropriate \$220 for the Special Opportunities Grant program. These grants require 1:1 match which is provided in the operating budget.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
Revenues:			
110-0000-332-3200 TN. Arts Commission	\$ 0	\$ 4,970	\$ 4,970
Totals:	0	4,970	4,970
Expenditures:			
110-4505-471-2020 Professional Consultant	\$ 12,925	\$ 4,750	\$ 17,675
110-4505-471-2041 Registration Fees & Tuition	600	220	820
Totals:	13,525	4,970	18,495

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Various Project Funds

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager *John G. Campbell*

Action Form No.: AF-351-2012
 Work Session: December 17, 2012
 First Reading: December 18, 2012
 Final Adoption: January 8, 2012
 Staff Work By: Judy Smith
 Presentation By: John Campbell

Recommendation: Approve the Ordinance

Executive Summary:

This ordinance is a mid-year cleanup ordinance that includes a transfer for the remaining funds from two Urban Mass Transit Projects FTA296 and FTA318 and to close the projects. The remaining funds in the amount of \$21,063 will be transferred to the General Fund and \$5,000 will be transferred to the Daniel Boone Wilderness Trail Signage project (NC1305). It is not unusual to have several ordinances like this as we move toward the annual completion of the audit.

The General Project Fund will be amended by transferring \$29,846 from three old projects for Parks and Recreation to the newer K Play project (GP0911) for matching funds. The three projects to close are Heritage Park Baseball/Soccer (GP0118), General Park Improvements (GP0406), and K Play (GP0704). The Economic Development Land Acquisition project (GP0724) has \$4 left in bond money and it will be transferred to the Gibson Mill Road Realignment project (GP0721) and GP0724 will be closed. The Street Resurfacing Project will be amended by transferring \$30,000 from the Economic Development Project (GP1016). The Storm Water Management Fund will be amended by transferring funds from the Storm Water Project Fund in the amount of \$100,000 to the Storm Water Management Fund.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT AND
GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY
TRANSFERRING FUNDS FROM VARIOUS PROJECTS FOR
THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Project Fund budgets be amended by transferring funds from the Heritage Park Baseball/Soccer Project (GP0118) in the amount of \$14,300, from the General Park Improvements project (GP0406) in the amount of \$3,124, from the K Play project (GP0704) in the amount of \$12,422 to the K Play Project (GP0911) in the amount of \$29,846; and, by transferring funds from the Economic Development Land Acquisition Project (GP0724) in the amount of \$4 to the Gibson Mill Road Realignment Project (GP0721) and by transferring funds from Ext. Deten. Pond (ST1303) in the amount of \$50,000 and from the Asset Inventory/GIS Project (ST1306) in the amount of \$50,000 to the Storm Water Management budget in the amount of \$100,000 and by transferring funds from Economic Development Land Acquisition project (GP1016) in the amount of \$85,000 to the Street Resurfacing Project (GP1219) in the amount of \$30,000 and to the Sullivan Street Improvement Project (GP1215) in the amount of \$55,000 and by transferring funds from the Energy Efficiency City Facilities Project (GP1018) in the amount of \$80,000 to the Sullivan Street Improvement Project (GP1215) and by transferring \$135,000 to the Golf Course Maintenance Building (CG1200) and by transferring \$6,932 from FTA296 and \$19,131 from FTA318 to the Daniel Boone Wilderness Trail Signage Project (NC1305) in the amount of \$5,000 to the General Fund Operating budget in the amount of \$21,063.

	Budget	Incr/<Decr>	New Budget
Fund 311: General Project Fund			
<u>Heritage Pk Baseball/Socc. (GP0118)</u>			
<u>Revenues:</u>			
311-0000-335-8100 TN Valley Authority	\$ 12,000	\$ 0	\$ 12,000
311-0000-335-8132 Holston Watershed Alliance	55,000	0	55,000
311-0000-391-0100 From General Fund	316,500	(14,300)	302,200
311-0000-391-0501 Bond Series 1999 Mar	100,000	0	100,000
311-0000-391-0510 Bond Series 2003 CON Prin.	1,392,095	0	1,392,095
311-0000-391-0511 GO Wa & SW 2003 Prin	3,607,905	0	3,607,905
Total:	5,483,500	(14,300)	5,469,200
 <u>Expenditures:</u>			
311-0000-601-2010 Advertising & Publication	63	0	63
311-0000-601-2022 Construction Contracts	4,976,460	(14,300)	4,962,160
311-0000-601-2023 Arc/Eng/Landscaping	504,870	0	504,870
311-0000-601-3022 Maintenance Supplies	1,293	0	1,293
311-0000-601-9001 Land	814	0	814
Total:	5,483,500	(14,300)	5,469,200
 Fund 311: General Project Fund			
<u>General Park Improvements (GP0406)</u>			
<u>Revenues:</u>			
311-0000-391-3300 From Eastman Annex	\$ 84,000	\$ (3,124)	\$ 80,876
Total:	84,000	(3,124)	80,876

Expenditures:

311-0000-601-2020 Professional Consultant	21,800	0	21,800
311-0000-601-2022 Construction Contracts	51,440	(3,124)	48,316
311-0000-601-2023 Arch/Eng/Landscaping	6,139	0	6,139
311-0000-601-9003 Improvements	4,621	0	4,621
Total:	84,000	(3,124)	80,876

Fund 311: General Project Fund

K Play Project (GP0704)

Revenues:

311-0000-332-7201 Dept. of Conservation/LPRF Grant	\$ 250,000	\$ 0	\$ 250,000
311-0000-364-2000 From Corporations	100,000	0	100,000
311-0000-364-3000 From Non-Profit Groups	47,645	0	47,645
311-0000-391-0100 From General Fund	180,000	(12,422)	167,578
Total:	577,645	(12,422)	565,223

Expenditures:

311-0000-601-2022 Construction Contracts	529,988	(12,420)	517,568
311-0000-601-2023 Arch/Eng/Landscaping	47,657	(2)	47,655
Total:	577,645	(12,422)	565,223

Fund 311: General Project Fund

K Play Project (GP0911)

Revenues:

311-0000-332-7201 Dept. of Conservation/LPRF Grant	\$ 380,000	\$ 0	\$ 380,000
311-0000-332-7202 Dept. of Conservation/RTP Grant	70,000	0	70,000
311-0000-364-3000 From Non-Profit Groups	9,153	0	9,153
311-0000-368-1035 Series 2009A GO Pub Imp	403,421	0	403,421
311-0000-368-1037 Series 2009D (BABS) GO	101,135	0	101,135
311-0000-368-2101 Prem. From Bond Sale	4,519	0	4,519
311-0000-391-0100 From General Fund	0	26,722	26,722
311-0000-391-3300 From Eastman Annex Fund	0	3,124	3,124
Total:	968,228	29,846	998,074

Expenditures:

311-0000-601-2022 Construction Contracts	846,653	29,846	876,499
311-0000-601-2023 Arch/Eng/Landscaping	112,500	0	112,500
311-0000-601-4041 Bond Sale Expense	9,075	0	9,075
Total:	968,228	29,846	998,074

Fund 311: General Project Fund

Econ. Dev. Land Acquisition (GP0724)

Revenues:

311-0000-368-1031 G.O. Pub Improv. Series 2007	\$ 763,293	\$ (4)	\$ 763,289
Total:	763,293	(4)	763,289

Expenditures:

311-0000-601-1010 Salaries & Wages	2,496	0	2,496
311-0000-601-1011 Overtime	747	0	747
311-0000-601-1020 Social Security	233	0	233
311-0000-601-1030 Health Ins.	484	0	484
311-0000-601-1040 Retirement	538	0	538
311-0000-601-1060 Workmen's Comp	125	0	125
311-0000-601-1061 Unemployment Ins.	22	0	22
311-0000-601-2022 Construction Contracts	264,117	0	264,117
311-0000-601-2023 Arch/Eng/Landscaping	31,962	0	31,962
311-0000-601-9001 Land	462,569	(4)	462,565
Total:	763,293	(4)	763,289

**Fund 311: General Project Fund
Gibson Mill Rd Realignment(GP0721)**

	\$	\$	\$
311-0000-368-1031 G.O. Pub Improv. Series 2007	4,010,000		4 4,010,004
311-0000-368-1037 2009 D (BABS) GO	2,528,367		0 2,528,367
311-0000-368-2101 Prem. From Bond Sale	3,564		0 3,564
Total:	6,541,931		4 6,541,935

	\$	\$	\$
311-0000-601-2022 Construction Contracts	2,592,043		0 2,592,043
311-0000-601-2023 Arch/Eng/Landscaping	426,839		4 426,843
311-0000-601-2097 State Reviews & Permits	1,951		0 1,951
311-0000-601-4041 Bond Sale Expense	31,931		0 31,931
311-0000-601-9001 Land	965,316		0 965,316
311-0000-601-9003 Improvements	2,523,851		0 2,523,851
Total:	6,541,931		4 6,541,935

**Fund 457: Storm Water Project Fund
Ex. Deten. Pond(ST1303)**

	\$	\$	\$
457-0000-391-9500 From Storm Water Fund	50,000	(50,000)	0
Totals:	50,000	(50,000)	0

	\$	\$	\$
457-0000-601-2022 Construction Contracts	46,000	(46,000)	0
457-0000-601-2023 Arch/Eng/Landscaping	3,000	(3,000)	0
457-0000-601-9001 Land	1,000	(1,000)	0
Totals:	50,000	(50,000)	0

**Fund 457: Storm Water Project Fund
Asset Inventory/GIS(ST1306)**

	\$	\$	\$
457-0000-391-9500 From Storm Water Fund	100,000	(50,000)	50,000
Totals:	100,000	(50,000)	50,000

	\$	\$	\$
457-0000-622-1010 Construction Contracts	62,960	(40,000)	22,960
457-0000-622-1020 Social Security	6,200	0	6,200
457-0000-622-1060 Workmen's Comp	800	0	800
457-0000-622-1061 Unemployment Ins.	40	0	40
457-0000-622-2042 Personal Vehicle Reimbursement	600	0	600
457-0000-622-3020 Operating Supplies & Tools	9,400	0	9,400
457-0000-622-9006 Purchases Over \$5,000	20,000	(10,000)	10,000
Totals:	100,000	(50,000)	50,000

**Fund 417: Storm Water Management Fund
Expenditures:**

	\$	\$	\$
417-2504-434-3035 Drainage Maint. Supplies	54,844	50,800	105,644
417-2504-434-4079 Admin Exp Water Fund	0	19,200	19,200
417-5010-501-4011 Bond Int.	22,500	30,000	52,500
417-6996-696-7605 Storm Wa. Proj. Fund	650,000	(100,000)	550,000
Totals:	727,344	0	727,344

**Fund 311 General Project Fund
Street Resurfacing (GP1219)**

	\$	\$	\$
311-0000-368-1037 Series 2009 D BABS GO	5,589	30,000	35,589
311-0000-368-1040 Series 2011 GO Pub Improv	250,000	0	250,000
Totals:	255,589	30,000	285,589

Expenditures:

311-0000-368-2022 Construction Contracts

Totals:

255,589	30,000	285,589
255,589	30,000	285,589

Fund 311 General Project Fund**Econ. Dev. Land Acquisition (GP1016)****Revenues:**

311-0000-368-1037 Series 2009 D BABS GO

311-0000-368-2101 Prem. From Bond Sale

Totals:

\$ 836,347	\$ (85,000)	\$ 781,347
1,426	0	1,426
837,773	(85,000)	782,773

Expenditures:

311-0000-601-4041 Bond Sale Expense

311-0000-601-9001 Land

311-0000-601-9003 Improvements

Totals:

12,773	0	12,773
544,769	0	544,769
280,231	(30,000)	250,231
837,773	(30,000)	807,773

Fund 311 General Project Fund**Energy Efficiency City Facilities (GP1018)****Revenues:**

311-0000-368-1037 Series 2009 D BABS GO

311-0000-368-2101 Prem. From Bond Sale

Totals:

\$ 1,735,471	\$ (80,000)	\$ 1,655,471
2,447	0	2,447
1,737,918	(80,000)	1,657,918

Expenditures:

311-0000-601-4041 Bond Sale Expense

311-0000-601-9003 Improvements

Totals:

21,918	0	21,918
1,716,000	(80,000)	1,636,000
1,737,918	(80,000)	1,657,918

Fund 311 General Project Fund**Sullivan Street Improvements (GP1226)****Revenues:**

311-0000-368-1037 Series 2009 D BABS GO

311-0000-368-1041 Series 2012 C GO Pub Imp

311-0000-368-2101 Prem. From Bond Sale

Totals:

\$ 0	\$ 135,000	\$ 135,000
701,291	(135,000)	566,291
24,416	0	24,416
725,707	0	725,707

Expenditures:

311-0000-601-2023 Arch/Eng./ Landscaping

311-0000-601-4041 Bond Sale Expense

311-0000-601-9003 Improvements

Totals:

189,673	0	189,673
13,352	0	13,352
522,682	0	522,682
725,707	0	725,707

Fund 453: Cattails Project Fund**Golf Course Maintenance Bldg (CG1200)****Revenues:**

453-0000-395-0527 Series 2012 C GO Pub Imp

Totals:

\$ 300,000	\$ 135,000	\$ 435,000
300,000	135,000	435,000

Expenditures:

453-0000-601-9003 Improvements

Totals:

300,000	135,000	135,000
300,000	135,000	135,000

Fund 111: General Project-Special Revenue Fund**Daniel Boone Wilderness Trail Signage (NC1305)****Revenues:**

111-0000-391-0100 From General Fund

Totals:

\$ 0	\$ 5,000	\$ 5,000
0	5,000	5,000

Expenditures:

111-0000-601-2020 Professional Consultant

Totals:

0	5,000	5,000
0	5,000	5,000

Fund 123: Urban Mass Transit

TN-90-X-296 FY10 (FTA296)

Revenues:

123-0000-331-2000 Fed Rev UMTA Section 9
 123-0000-332-9000 Dept of Transportation
 123-0000-365-2009 Bus Fares
 123-0000-365-2100 ADA Paratransit
 123-0000-368-1500 Rental of Land & Building
 123-0000-368-2600 Paratransit Charter
 123-0000-391-0100 From General Fund

Totals:

\$	\$	\$
765,900	0	765,900
325,800	0	325,800
32,000	0	32,000
40,000	0	40,000
45,000	0	45,000
8,000	0	8,000
325,800	(6,932)	318,868
1,542,500	(6,932)	1,535,568

Expenditures:

123-5901-602-1010 Salaries & Wages
 123-5901-602-1011 Overtime
 123-5901-602-1020 Social Security
 123-5901-602-1030 Group Health Ins
 123-5901-602-1040 Retirement
 123-5901-602-1050 Life Ins
 123-5901-602-1052 LTD
 123-5901-602-1060 Workmen's Comp
 123-5901-602-1061 Unemployment
 123-5901-602-2010 Advertising & Publication
 123-5901-602-2011 Printing & Binding
 123-5901-602-2030 Electric Service
 123-5901-602-2033 Water and Sewer
 123-5901-602-2034 Telephone
 123-5901-602-2036 Natural Gas
 123-5901-602-2040 Travel Exp
 123-5901-602-2042 Personal Vehicle Reimbursement
 123-5901-602-2043 Dues & Membership
 123-5901-602-2044 Literature/Subscriptions
 123-5901-602-2045 Training
 123-5901-602-2052 Medical Services
 123-5901-602-2054 Machinery/Equipment Rental
 123-5901-602-2055 Repairs & Maintenance
 123-5901-602-2056 Repairs & Maintenance Vehicles
 123-5901-602-2075 Temporary Employees
 123-5901-602-2099 Miscellaneous
 123-5901-602-3010 Office Supplies
 123-5901-602-3011 Postage
 123-5901-602-3012 Food
 123-5901-602-3020 Operating Supplies & Tools
 123-5901-602-3022 Maintenance Supplies
 123-5901-602-3026 Sign Parts & Supplies
 123-5901-602-3029 Clothing & Uniforms
 123-5901-602-3044 Motor Pool Charges
 123-5901-602-5010 Building Insurance
 123-5901-602-5026 Vehicle Ins Charged by Fleet
 123-5902-602-2020 Professional Consultant
 123-5902-602-2021 Accounting and Auditing
 123-5902-602-2040 Travel
 123-5902-602-2041 Registration Fees & Tuition
 123-5902-602-2056 Repair & Maint -Vehicles
 123-5902-602-9006 Purchases Over \$5,000

Totals:

727,000	50,118	777,118
32,000	(26,337)	5,663
56,000	(413)	55,587
77,000	20,624	97,624
82,000	16,855	98,855
2,000	318	2,318
1,000	(458)	542
1,000	451	1,451
1,000	840	1,840
3,000	250	3,250
5,000	(1,562)	3,438
11,500	(135)	11,365
1,000	57	1,057
13,500	(47)	13,453
5,000	(368)	4,632
2,000	(417)	1,583
1,000	(991)	9
6,500	(797)	5,703
1,000	(917)	83
2,000	(2,000)	0
2,000	(704)	1,296
6,500	(113)	6,387
5,000	4,627	9,627
207,000	(171,780)	35,220
18,000	3,387	21,387
37,300	1,932	39,232
10,000	(845)	9,155
1,000	(443)	557
700	(171)	529
6,500	3,126	9,626
4,000	(1,241)	2,759
5,000	1,053	6,053
12,000	(492)	11,508
1,000	(1,000)	0
1,000	(1,000)	0
4,500	(409)	4,091
25,000	(25,000)	0
5,000	(3,701)	1,299
2,000	(2,000)	0
1,500	(1,050)	450
82,000	101,951	183,951
75,000	31,870	106,870
1,542,500	(6,932)	1,535,568

**Fund 123: Urban Mass Transit
TN-90-X-318 FY11 (FTA318)**

Revenues:

	\$	\$	\$
123-0000-331-2000 Fed Rev UMTA Section 9	805,650	(193,000)	612,650
123-0000-332-9000 Dept of Transportation	327,825	(19,725)	308,100
123-0000-365-2009 Bus Fares	28,000	24,853	52,853
123-0000-365-2100 ADA Paratransit	36,000	(7,834)	28,166
123-0000-368-1500 Rental of Land & Building	49,000	4,083	53,083
123-0000-368-2600 Paratransit Charter	6,000	(6,000)	0
123-0000-391-0100 From General Fund	327,825	(19,131)	308,694
Totals:	1,580,300	(216,754)	1,363,546

Expenditures:

123-5901-602-1010 Salaries & Wages	600,000	81,382	681,382
123-5901-602-1011 Overtime	30,000	(22,439)	7,561
123-5901-602-1020 Social Security	45,000	4,030	49,030
123-5901-602-1030 Group Health Ins	65,000	10,852	75,852
123-5901-602-1040 Retirement	80,000	5,965	85,965
123-5901-602-1050 Life Ins	1,000	919	1,919
123-5901-602-1052 LTD	1,000	(502)	498
123-5901-602-1060 Workmen's Comp	2,000	11,852	13,852
123-5901-602-1061 Unemployment	2,000	(771)	1,229
123-5901-602-2010 Advertising & Publication	8,000	(2,419)	5,581
123-5901-602-2011 Printing & Binding	15,000	(7,265)	7,735
123-5901-602-2020 Professional Services	10,500	(6,419)	4,081
123-5901-602-2021 Accounting & Auditing	5,000	(50)	4,950
123-5901-602-2030 Electric Service	12,000	(4,455)	7,545
123-5901-602-2033 Water and Sewer	2,500	(1,059)	1,441
123-5901-602-2034 Telephone	17,250	(12,912)	4,338
123-5901-602-2036 Natural Gas	5,000	(2,684)	2,316
123-5901-602-2040 Travel	6,500	(1,788)	4,712
123-5901-602-2041 Registration Fees & Tuition	1,000	(644)	356
123-5901-602-2042 Personal Vehicle Reimbursement	300	(300)	0
123-5901-602-2043 Dues & Membership	6,000	(830)	5,170
123-5901-602-2044 Literature/Subscriptions	2,000	(1,559)	441
123-5901-602-2045 Training	3,000	(1,305)	1,695
123-5901-602-2052 Medical Services	2,000	(1,946)	54
123-5901-602-2054 Machinery/Equipment Rental	7,000	(2,564)	4,436
123-5901-602-2055 Repairs & Maintenance	15,000	(224)	14,776
123-5901-602-2056 Repairs & Maintenance Vehicles	250,000	6,509	256,509
123-5901-602-2069 Storm Water Fee Expense	100	(50)	50
123-5901-602-2075 Temporary Employees	14,900	(1,632)	13,268
123-5901-602-2099 Miscellaneous	50,000	(657)	49,343
123-5901-602-3010 Office Supplies	6,000	(478)	5,522
123-5901-602-3011 Postage	1,000	(773)	227
123-5901-602-3012 Food	750	(248)	502
123-5901-602-3020 Operating Supplies & Tools	26,000	(2,411)	23,589
123-5901-602-3022 Maintenance Supplies	8,000	(1,565)	6,435
123-5901-602-3026 Sign Parts & Supplies	7,000	(1,937)	5,063
123-5901-602-3029 Clothing & Uniforms	13,500	(828)	12,672
123-5901-602-3044 Motor Pool Charges	1,000	(1,000)	0
123-5901-602-5010 Building Ins.	4,000	(4,000)	0
123-5901-602-5026 Vehicle Ins. Charged by Fleet	4,000	(549)	3,451
123-5902-602-9006 Purchases Over \$5,000	250,000	(250,000)	0
Totals:	1,580,300	(216,754)	1,363,546

Fund 110: General Fund

Expenditures:

110-4804-481-7013 UMTA	305,200	(26,063)	279,137
110-4810-481-7035 To General Proj-Special Revenue	610,700	5,000	615,700
110-4810-481-2030 Electric	915	21,063	21,978
Totals:	916,815	0	916,815

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of Ordinances to Annex/ Amend Zoning of the North Kingsport Area 1 Annexation

TO: Board of Mayor and Aldermen
 FROM: John G. Campbell, City Manager

Action Form No.: AF: 341-2012
 Work Session: December 3, 2012
 First Reading: December 4, 2012

Final Adoption: December 18, 2012
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Approve ordinance for the North Kingsport Area 1 annexation
- Approve ordinance amending the zoning ordinance for the North Kingsport Area 1 annexation

Executive Summary:

This is the North Kingsport Area 1 annexation of approximately 13.5 acres/ 5 parcels located at the intersection of Bell Ridge Road and McKenzie Drive in North Kingsport (west of Lynn Garden Drive), with an approximate population of 12 residents (including 3 children currently attending City schools). The current county zoning of the area is R-1 (Low Density District). The proposed city zoning for the area is R-1B (Residential District) and A-1 (Agricultural District). During their November 2012 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. City water requires an upgrade in the annexation area. Sanitary sewer does not require an upgrade with this annexation per petitioner request. The primary reason for the annexation request is tuition-free City schools. The Notice of Public Hearing was published on November 19, 2012.

Attachments:

- ~~1. Notice of Public Hearing~~
2. Annexation Ordinance
3. Zoning Ordinance
- ~~4. Resolution~~
5. Staff Report
6. Maps

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—



AGENDA ACTION FORM

Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the North Kingsport Area 1 Annexation and Consideration of a Resolution Adopting the Plan of Services

TO: Board of Mayor and Aldermen

FROM: John G. Campbell, City Manager

Action Form No.: AE-341-2012

Work Session: December 3, 2012

First Reading: December 4, 2012

Final Adoption: December 18, 2012

Staff Work By: Ken Weems

Presentation By: Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance for the North Kingsport Area 1 annexation
- Approve ordinance amending the zoning ordinance for the North Kingsport Area 1 annexation
- Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is the North Kingsport Area 1 annexation of approximately 13.5 acres/ 5 parcels located at the intersection of Bell Ridge Road and McKenzie Drive in North Kingsport (west of Lynn Garden Drive), with an approximate population of 12 residents (including 3 children currently attending City schools). The current county zoning of the area is R-1 (Low Density District). The proposed city zoning for the area is R-1B (Residential District) and A-1 (Agricultural District). During their November 2012 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. City water requires an upgrade in the annexation area. Sanitary sewer does not require an upgrade with this annexation per petitioner request. The primary reason for the annexation request is tuition-free City schools. The Notice of Public Hearing was published on November 19, 2012.

Attachments:

1. Notice of Public Hearing
2. Annexation Ordinance
3. Zoning Ordinance
4. Resolution
5. Staff Report
6. Maps

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, December 4, 2012, to consider the annexation, zoning, and plan of services for the North Kingsport Area 1 annexation. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for annexation is generally described as follows:

BEGINNING at a point, said point being the northern corner of parcel 17.10, Tax Map 12N; thence in a southeasterly direction, approximately 803 feet to a point, said point being the eastern corner of parcel 17.10 in common with the northern right-of-way of Bell Ridge Road; thence in a southerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point lying on the northern boundary of parcel 12; thence in a southwesterly direction, following the southern right-of-way of Bell Ridge Road and McKenzie Drive, approximately 680 feet to a point, said point lying on the boundary of parcel 11 in common with the eastern right-of-way of McKenzie Drive; thence in a northwesterly direction, crossing the right-of-way of McKenzie Drive, approximately 200 feet to a point, said point being the southwestern corner of parcel 16; thence in a northerly direction, approximately 100 feet to a point, said point being the northern corner of parcel 16 in common with the southern right-of-way of Bell Ridge Road; thence in a northwesterly direction, following the southern right-of-way of Bell Ridge Road, approximately 100 feet to a point, said point lying on the boundary of parcel 15; thence in a northerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point being the southern corner of parcel 20; thence in a northwesterly direction, approximately 300 feet to a point, said point lying on the boundary of parcel 20; thence in an easterly direction, approximately 10 feet to a point; thence in a northwesterly direction, approximately 480 feet to a point, said point being the northwest corner of parcel 17.10; thence in a northeasterly direction, approximately 460 feet to the point of BEGINNING, and being all of parcels 16, 17, 17.10, 18.10, and 19.10, Tax Maps 12N, 12O, 29B, and 29C, as well as the streets of Bell Ridge Road, approximately 900 feet in length and McKenzie Drive, approximately 110 feet in length as shown on the April 2011 Sullivan County Tax Maps.

All interested persons are invited to attend this meeting and public hearing. A detailed map, description, and plan of services document is on file in the offices of the City Manager, Planning Manager, and Kingsport Library for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
James H. Demming, City Recorder
P1T: 11/19/12

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE NORTH KINGSPORT AREA 1 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, a public hearing before the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, was held on the 4th day of December, 2012, and notice thereof published in the Kingsport Times-News on the 19th day of November, 2012; and

WHEREAS, the Board of Mayor and Aldermen finds that the annexation will materially benefit the health, safety, and welfare of the citizens and property owners of the city and the territory annexed; and

WHEREAS, the annexation of such property is deemed necessary for the welfare of the residents and property owners thereof and the city as a whole; and

WHEREAS, a plan of services for this area was adopted by Resolution on the 4th day of December, 2012 as required by Tenn. Code Ann., 6-51-102, et seq.

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. Pursuant to the authority conferred by Tennessee Code Annotated §6-51-102 et seq. there is here by annexed to the City of Kingsport, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries: embracing that certain part of Civil District No. 12 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northern corner of parcel 17.10, Tax Map 12N; thence in a southeasterly direction, approximately 803 feet to a point, said point being the eastern corner of parcel 17.10 in common with the northern right-of-way of Bell Ridge Road; thence in a southerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point lying on the northern boundary of parcel 12; thence in a southwesterly direction, following the southern right-of-way of Bell Ridge Road and McKenzie Drive, approximately 680 feet to a point, said point lying on the boundary of parcel 11 in common with the eastern right-of-way of McKenzie Drive; thence in a northwesterly direction, crossing the right-of-way of McKenzie Drive, approximately 200 feet to a point, said point being the southwestern corner of parcel 16; thence in a northerly direction, approximately 100 feet to a point, said point being

the northern corner of parcel 16 in common with the southern right-of-way of Bell Ridge Road; thence in a northwesterly direction, following the southern right-of-way of Bell Ridge Road, approximately 100 feet to a point, said point lying on the boundary of parcel 15; thence in a northerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point being the southern corner of parcel 20; thence in a northwesterly direction, approximately 300 feet to a point, said point lying on the boundary of parcel 20; thence in an easterly direction, approximately 10 feet to a point; thence in a northwesterly direction, approximately 480 feet to a point, said point being the northwest corner of parcel 17.10; thence in a northeasterly direction, approximately 460 feet to the point of BEGINNING, and being all of parcels 16, 17, 17.10, 18.10, and 19.10, Tax Maps 12N, 12O, 29B, and 29C, as well as the streets of Bell Ridge Road, approximately 900 feet in length and McKenzie Drive, approximately 110 feet in length as shown on the April 2011 Sullivan County Tax Maps.

SECTION II. That this ordinance shall take effect from and after the date of its passage, as the law directs, the public welfare of the citizens of Kingsport, Tennessee, requiring it.

DENNIS R. PHILLIPS
Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BELL RIDGE ROAD AND MCKENZIE DRIVE TO R-1B, RESIDENTIAL DISTRICT AND A-1, AGRICULTURAL 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

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along Bell Ridge Road and McKenzie Drive to R-1B, Residential District, in the 12th Civil District of Sullivan County; said property to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the eastern corner of parcel 17.10, Tax Map 29C; thence in a southwesterly direction, following the northern right-of-way of Bell Ridge Road, approximately 372 feet to a point, said point the southern corner of parcel 17.10; thence in a northerly direction, approximately 84 feet to a point, said point being the northeastern corner of parcel 17; thence in a southwesterly direction, approximately 198 feet to a point, said point being the northwestern corner of parcel 17; thence in a northwesterly direction, following the boundary of parcel 18.10, approximately 100 feet to a point, said point being the northern corner of parcel 18.10; thence in a northwesterly direction, approximately 170 feet to a point, said point being the northeastern corner of parcel 19.10; thence in a southwesterly direction, approximately 185 feet to a point, said point lying on the boundary of parcel 20; thence in a southeasterly direction, approximately 300 feet to a point, said point being the southern corner of parcel 20 in common with the northern right-of-way of Bell Ridge Road; thence in a southwesterly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point lying on the boundary of parcel 15 in common with the southern right-of-way of Bell Ridge Road; thence in a southeasterly direction, following the southern right-of-way of Bell Ridge Road, approximately 100 feet to a point, said point being the northern corner of parcel 16; thence in a southerly direction, approximately 100 feet to a point, said point being the western corner of parcel 16; thence in a southeasterly direction, crossing the right-of-way of McKenzie Drive, approximately 200 feet to a point, said point lying on the boundary of parcel 11; thence in a northeasterly direction, following the southern right-of-way of Bell Ridge Road, approximately 680 feet to a point, said point lying on the boundary of parcel 12; thence in a

northerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to the point of BEGINNING, and being all of parcels 16, 17, 18.10, and 19.10, Tax Maps 12N, 12O, 29B, and 29C, as well as the streets of Bell Ridge Road, approximately 900 feet in length and McKenzie Drive, approximately 110 feet in length as shown on the April 2011 Sullivan County Tax Maps.

SECTION II. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along Bell Ridge Road to A-1, Agricultural District, in the 12th Civil District of Sullivan County; said property to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the northern corner of parcel 17.10, Tax Map 12N; thence in a southeasterly direction, approximately 803 feet to a point, said point being the eastern corner of parcel 17.10 in common with the northern right-of-way of Bell Ridge Road; thence in a southwesterly direction, following the northern right-of-way of Bell Ridge Road, approximately 372 feet to a point, said point the southern corner of parcel 17.10; thence in a northerly direction, approximately 84 feet to a point, said point being the northeastern corner of parcel 17; thence in a southwesterly direction, approximately 198 feet to a point, said point being the northwestern corner of parcel 17; thence in a northwesterly direction, following the boundary of parcel 18.10, approximately 100 feet to a point, said point being the northern corner of parcel 18.10; thence in a northwesterly direction, approximately 170 feet to a point, said point being the northeastern corner of parcel 19.10; thence in a southwesterly direction, approximately 180 feet to a point, said point being the western-most corner of parcel 17.10; thence in a northwesterly direction, approximately 480 feet to a point, said point being the northwest corner of parcel 17.10; thence in a northeasterly direction, approximately 460 feet to the point of BEGINNING, and being all of parcel 17.10, Tax Maps 12N, 12O, 29B, and 29C as shown on the April 2011 Sullivan County Tax Maps.

SECTION III. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION IV. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS
Mayor

ATTEST:

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

PASSED ON 1ST READING _____
PASSED ON 2ND READING _____

RESOLUTION NO.

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE NORTH KINGSPORT AREA 1 ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

WHEREAS, before any territories may be annexed under Tennessee Code Annotated §6-51-102, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and

WHEREAS, a plan of services for the proposed North Kingsport Area 1 annexation was submitted to the Kingsport Regional Planning Commission on November 15, 2012, for its consideration and a written report; and

WHEREAS, prior to the adoption of a plan of services, the City shall hold a public hearing; and

WHEREAS, a public hearing was held December 4, 2012; and

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality a minimum of seven (7) days prior to the hearing; and

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on November 19, 2012; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 12th Civil District of Sullivan County, Tennessee, commonly known as the North Kingsport Area 1 Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northern corner of parcel 17.10, Tax Map 12N; thence in a southeasterly direction, approximately 803 feet to a point, said point being the eastern corner of parcel 17.10 in common with the northern right-of-way of Bell Ridge Road; thence in a southerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point lying on the northern boundary of parcel 12; thence in a southwesterly direction, following the southern right-of-way of Bell Ridge Road and McKenzie Drive, approximately 680 feet to a point, said point lying on the boundary of parcel 11 in common with the eastern right-of-way of McKenzie Drive; thence in a northwesterly direction, crossing the right-of-way of McKenzie Drive, approximately 200 feet to a point, said point being the southwestern corner of parcel 16; thence in a northerly direction, approximately 100 feet to a point, said point being the northern corner of parcel 16 in common with the southern right-of-way of

Bell Ridge Road; thence in a northwesterly direction, following the southern right-of-way of Bell Ridge Road, approximately 100 feet to a point, said point lying on the boundary of parcel 15; thence in a northerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point being the southern corner of parcel 20; thence in a northwesterly direction, approximately 300 feet to a point, said point lying on the boundary of parcel 20; thence in an easterly direction, approximately 10 feet to a point; thence in a northwesterly direction, approximately 480 feet to a point, said point being the northwest corner of parcel 17.10; thence in a northeasterly direction, approximately 460 feet to the point of BEGINNING, and being all of parcels 16, 17, 17.10, 18.10, and 19.10, Tax Maps 12N, 12O, 29B, and 29C, as well as the streets of Bell Ridge Road, approximately 900 feet in length and McKenzie Drive, approximately 110 feet in length as shown on the April 2011 Sullivan County Tax Maps.

AND WHEREAS, the City of Kingsport deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSFORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the North Kingsport Area 1 Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

North Kingsport Area 1 Annexation Plan of Services

1. Police Protection

- A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.
- B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.
- C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.
- D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to

provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.

- E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.
- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.
- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

2. Fire Protection

- A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.
- B. The City of Kingsport Fire Department is an Internationally Accredited Agency, one of only three in the State of Tennessee. We operate 8 fire stations, housing fire suppression, hazardous materials, rescue and other emergency equipment. Staffed by 106 full-time professional firefighters, 24 hours a day, 365 days a year to provide service. The City of Kingsport maintains a Class 3 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 35 seconds after we receive the call from our dispatch center.
- C. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upgraded within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.
- D. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.
- E. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.

- F. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

3. Water

- A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.
- C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.
- D. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- E. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

4. Electricity

Electric service in this area is currently under the jurisdiction of AEP and is currently available.

5. Sanitary Sewer

- A. Pursuant to the request of the property owners, City of Kingsport sanitary sewer will not be installed and extended to the properties in the annexation area. The property owners do not wish to have sanitary sewer extended to the property as part of this annexation. However, the property owners, or successors, may request that the city provide sanitary sewer, but it will be in the sole discretion of the city whether to fulfill such request and at what time.
- B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.

- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines in to provide sewer service to our customers.
- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

6. Solid Waste Disposal

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and recycling collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

7. Public Road/Street Construction & Repair

- A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pothole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.
- B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.
- C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.
- D. Routine Right of Way maintenance is also provided on the effective date of annexation. These crews include a certified Arborist, certified Pesticide Applicators, and other trained personnel to respond to emergencies and routine maintenance requests.

- E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

8. Recreational Facilities

- A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.
- B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.
- C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.
- D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volley ball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that AEP install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation. Lighting on minor and major arterials will be installed per prevailing City policy.

10. Zoning Services

- A. The area will be zoned R-1B (Residential District) and A-1 (Agricultural District).

- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.
- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.
- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

11. Schools

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.
- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

12. Traffic Control

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

13. Inspection Services

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

14. Animal Control

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

15. Storm Sewers

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

16. Leaf Removal

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

17. Litter Control

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

18. Graffiti Control

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

19. Other Services

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

SECTION II. This Resolution shall be effective from and after its adoption, the public welfare requiring it.

ADOPTED this the 4th day of December 2012.

ATTEST:

City of Kingsport, Tennessee, Resolution No. ,
Ref: AF:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

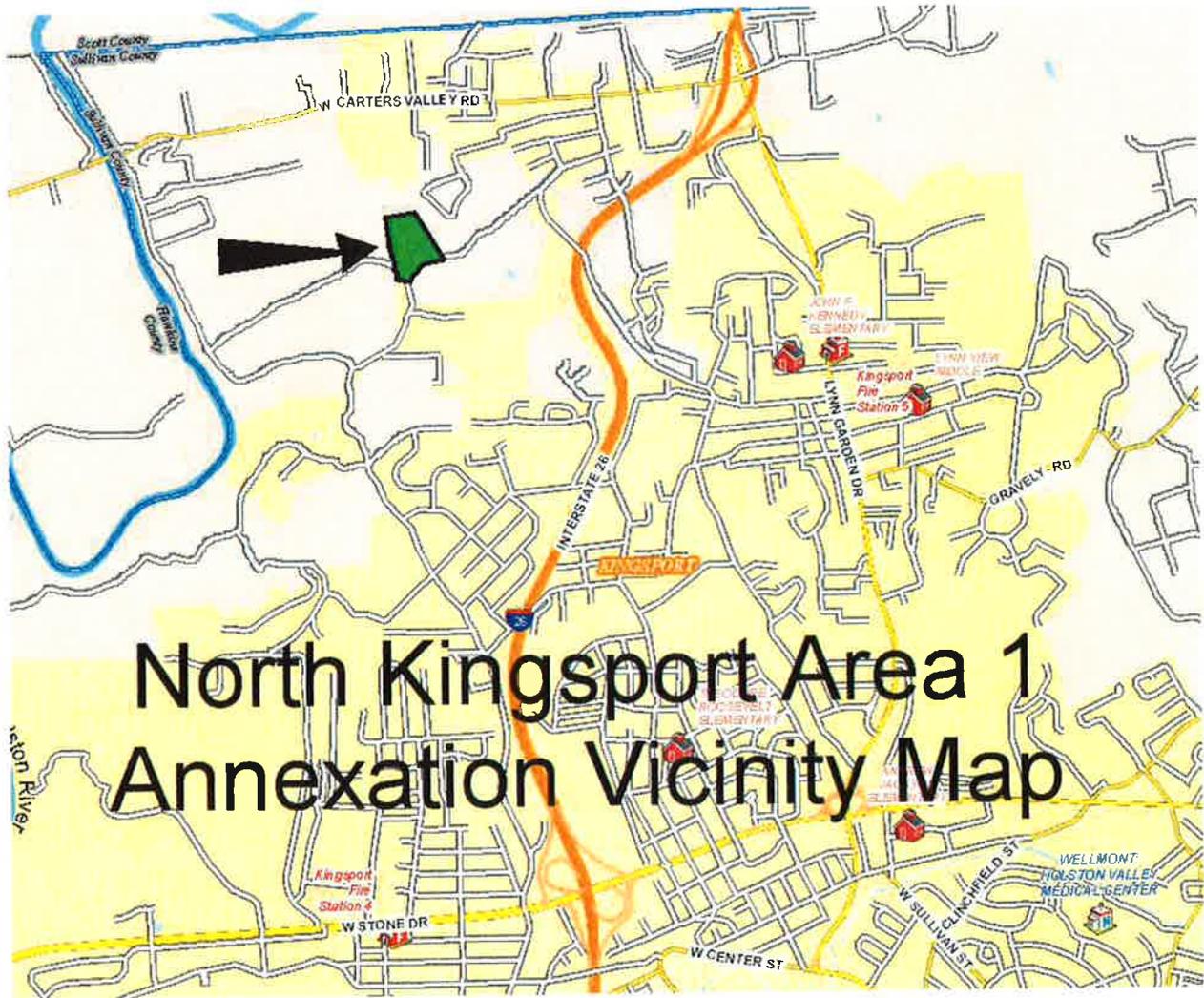
Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00014

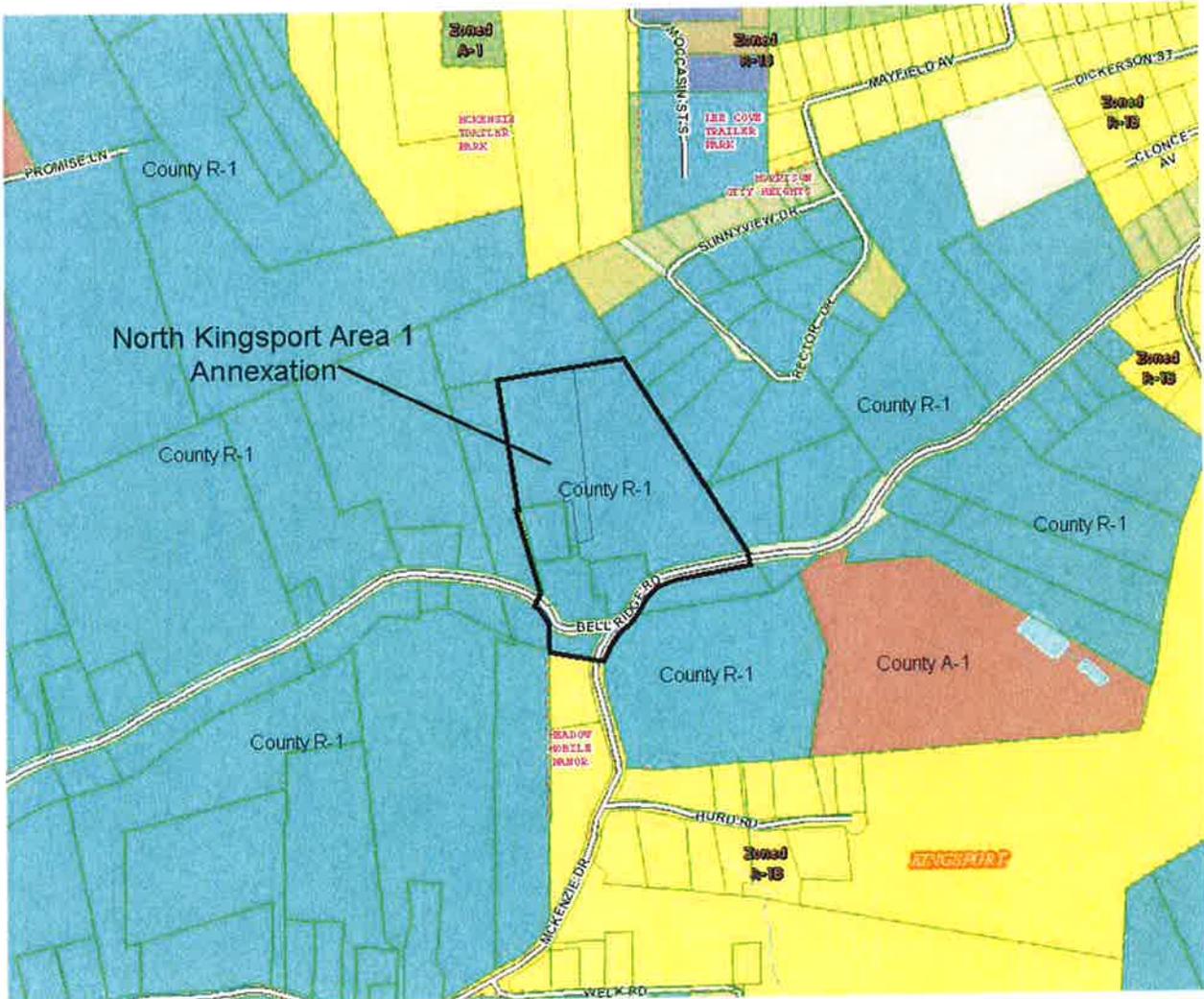
Planner:	Ken Weems	Date:	October 23, 2012
Planning Commission Action		Meeting Date:	November 15, 2012
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Area Map

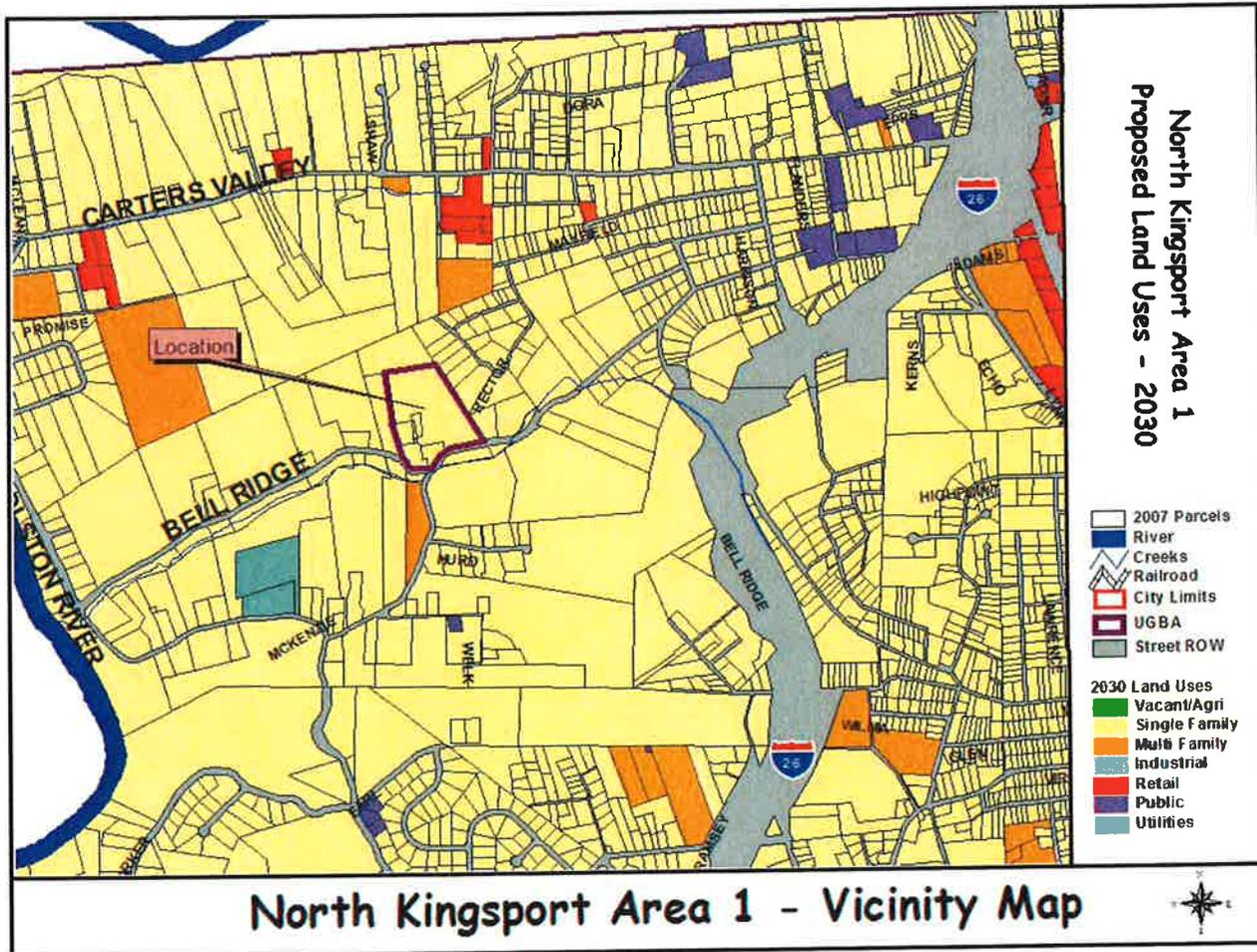


Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on October 18, 2012

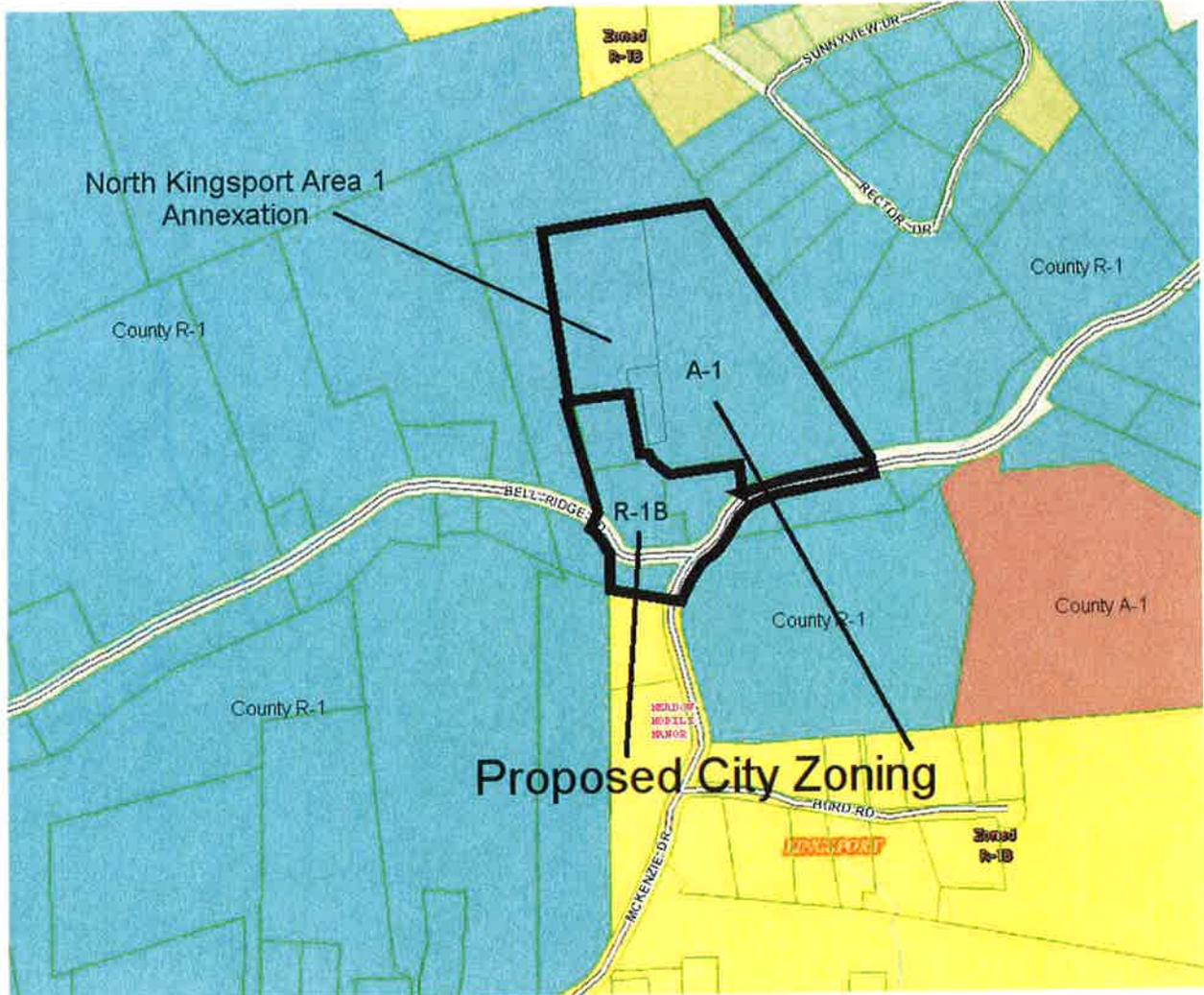
Current Zoning Map



FUTURE LAND USE PLAN MAP



PROPOSED ZONING MAP

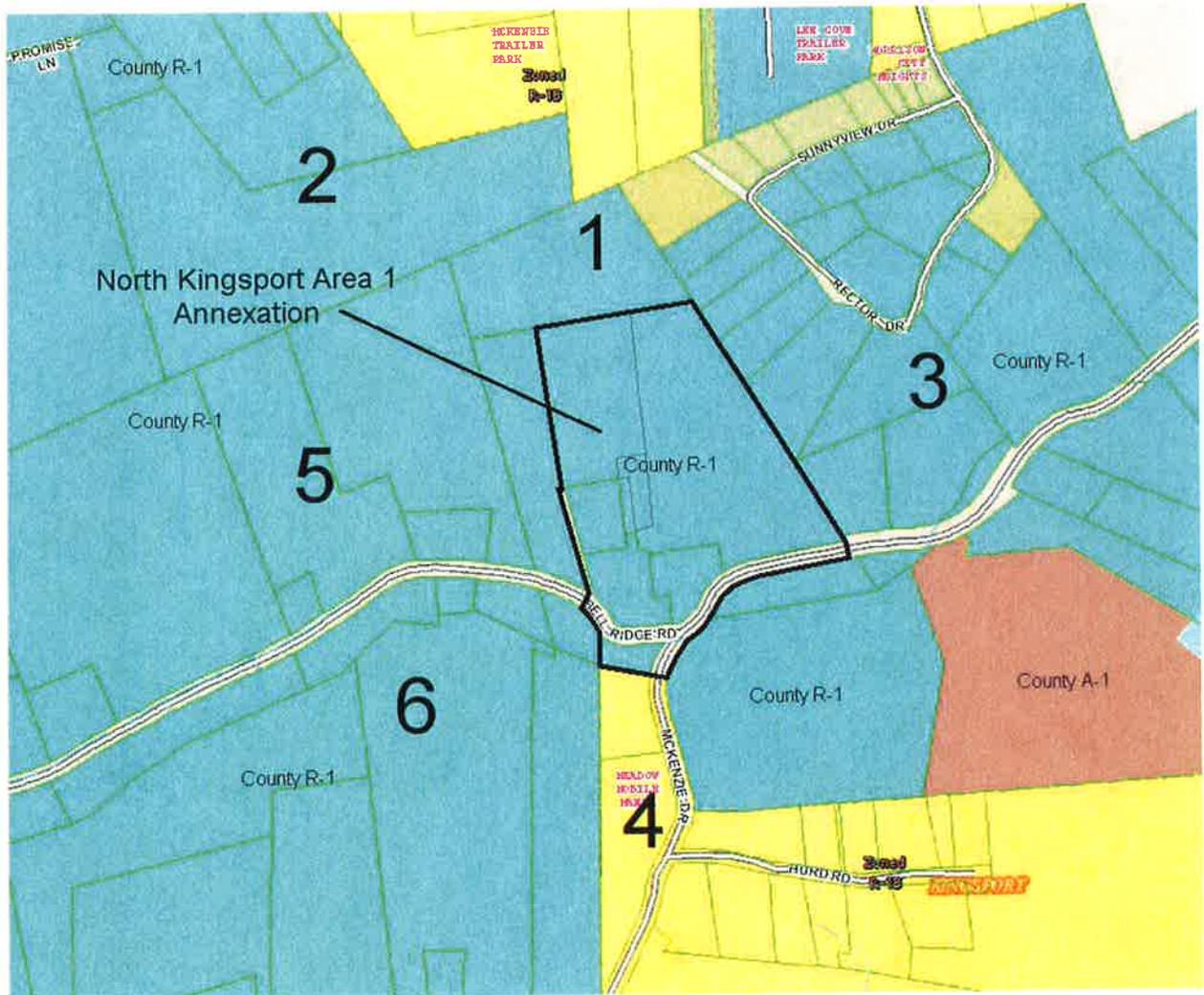


North Kingsport Area 1 Annexation Area
COST ESTIMATE/ tax records as of 25 Oct 12

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$3,098.00	12 res x 104 (estimated)
State Shared	X	\$1,248.00	
Sewer Tap Fees	X	\$0.00	
Water & Sewer Rev (loss)	X	-\$1,241.00	
Total	\$0.00	\$3,105.00	

Expenses	One Time	Reoccurring (annual)	
Operating Budget			
Police & Fire Service	0.00	0.00	
Street Lighting	7,000.00	891.00	
Traffic Controls	1,500.00	90.00	
Streets & Sanitation	0.00	1,950.00	
Subtotal	8,500.00	2,931.00	
Capital Budget			
Water	21,500.00	0.00	1 hydrant & 8" extension not extended per owner req
Sewer	0.00	0.00	
Streets	3,442.00	0.00	
Subtotal	24,942.00	0.00	
Grand Total	\$33,442.00	\$2,931.00	

EXISTING SURROUNDING LAND USES



Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00014

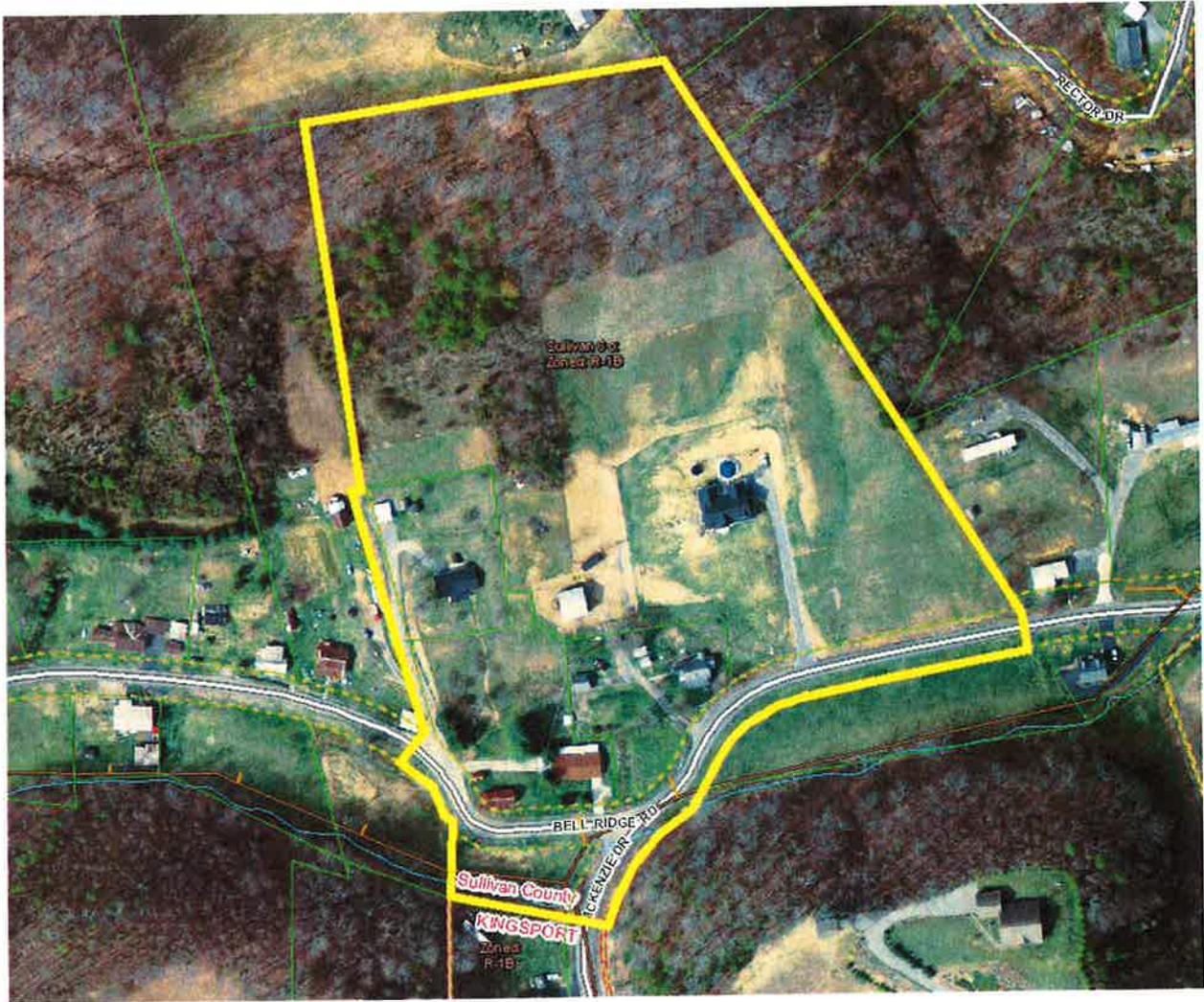
Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: County R-1</u> Use: Vacant Land	Pending Annexation & zoning to City R-1B effective 7 Dec 12
Further North and Northwest	2	<u>Zone: County R-1</u> Use: Single Family Residential	Annexed as part of Colonial Heights Area 3 Annexation on 1 Apr2011
East	3	<u>Zone: County R-1</u> Use: Single Family Residential	No prior action known
Southeast and South	4	<u>Zone: City R-1B</u> Use: Mobile Home Park (12 trailers)	No prior action known
Northwest	5	<u>Zone: County R-1</u> Use: Single Family Residential	Annexed as part of Colonial Heights Area 4 on 24 Oct 2012
West	6	<u>Zone: County R-1</u> Use: Single Family Residential	Pending Annexation & zoning to City R-1B effective 7 Dec 12

CONCLUSION

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

AERIAL PHOTO



NORTH VIEW

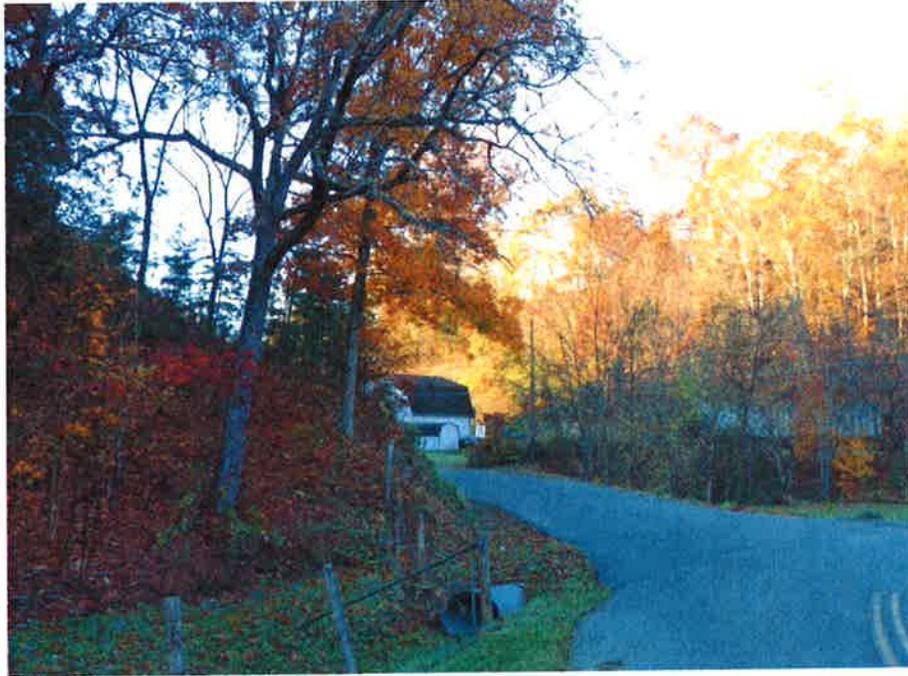
Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on October 18, 2012



WEST VIEW



SOUTH VIEW



EAST VIEW



Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00014

PETITION



CITY OF KINGSPORT, TENNESSEE
Petition for Annexation

We, the property owners of record, hereby petition the City of Kingsport to be annexed.

1.	Name: Mike & Kelly McQueen	Address: 8105 Bell Ridge Rd
	Parcel # (if known): 017.10	Phone: 423 367 6670
	Email Address: mhmcqueen@yahoo.com	# In Household & Ages: 5 48, 44, 13, 11
	Signature: <i>[Signature]</i>	

2.	Name: Liz McQueen	Address: 913 Bell Ridge Rd
	Parcel # (if known): 019.10	Phone: 423 612 7054
	Email Address: LMcQueen@R12R.com	# In Household & Ages: 1 50
	Signature: <i>[Signature]</i>	

3.	Name: Zella Collins	Address: 893 Bell Ridge Rd
	Parcel # (if known): 018.10	Phone:
	Email Address: ---	# In Household & Ages: 1 87
	Signature: <i>[Signature]</i>	

4.	Name: Mike & Kelly McQueen	Address: 871 Bell Ridge Rd
	Parcel # (if known): 017.00	Phone: 423 367 6670
	Email Address:	# In Household & Ages: 0
	Signature: <i>[Signature]</i>	

5.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

INCLUDED PARCELS LIST

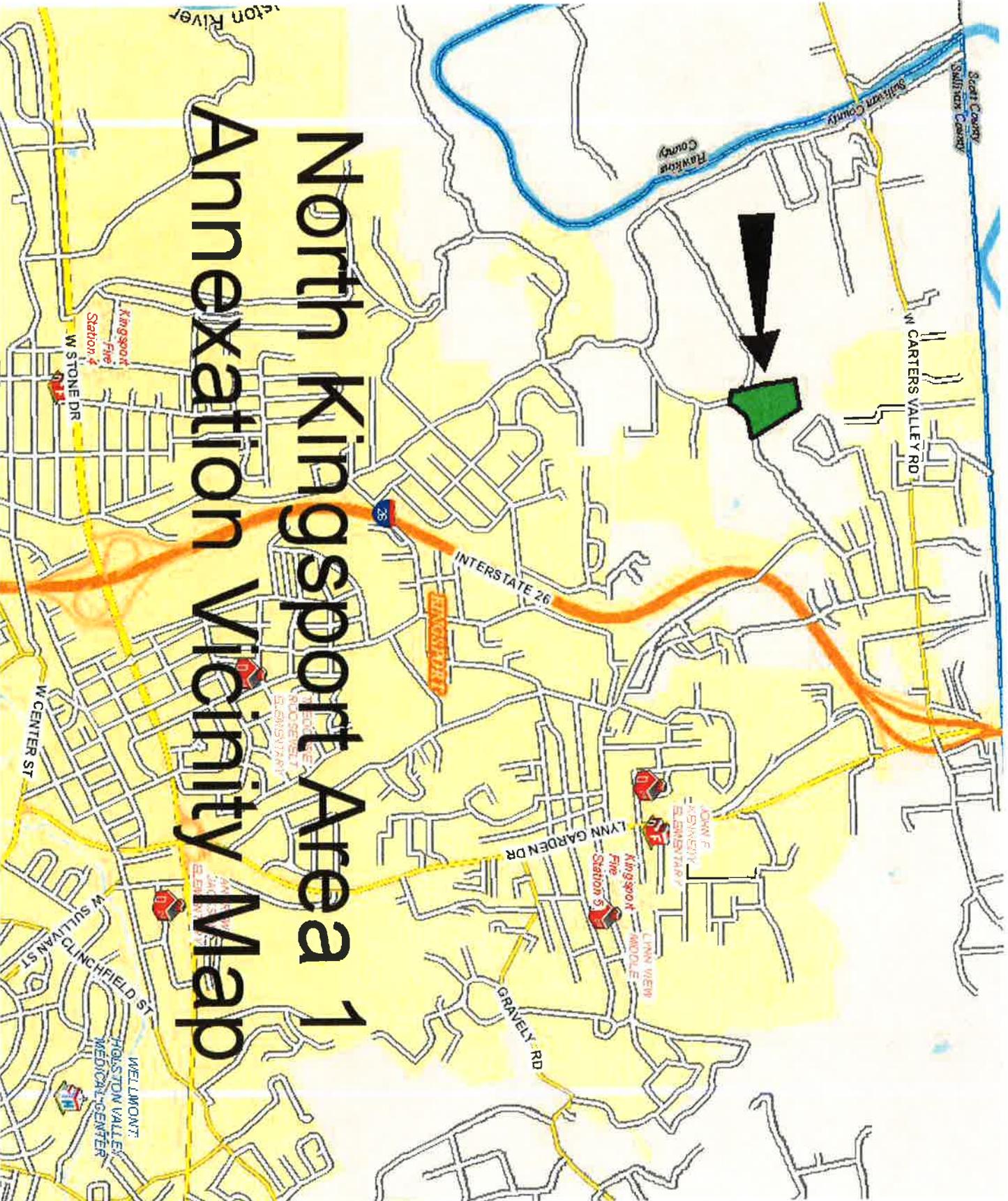
Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on October 18, 2012

Kingsport Regional Planning Commission

Annexation Report

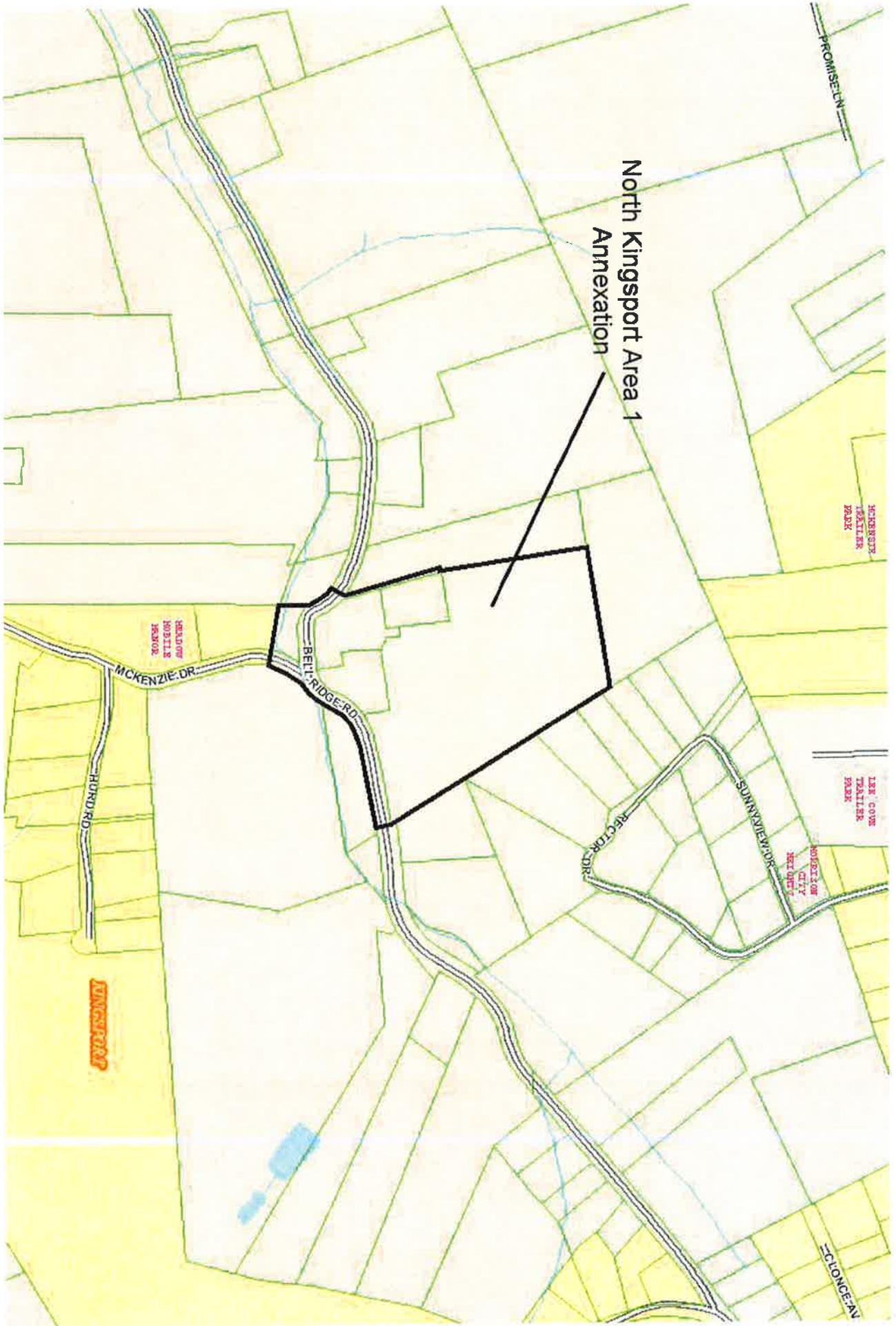
File Number 12-301-00014

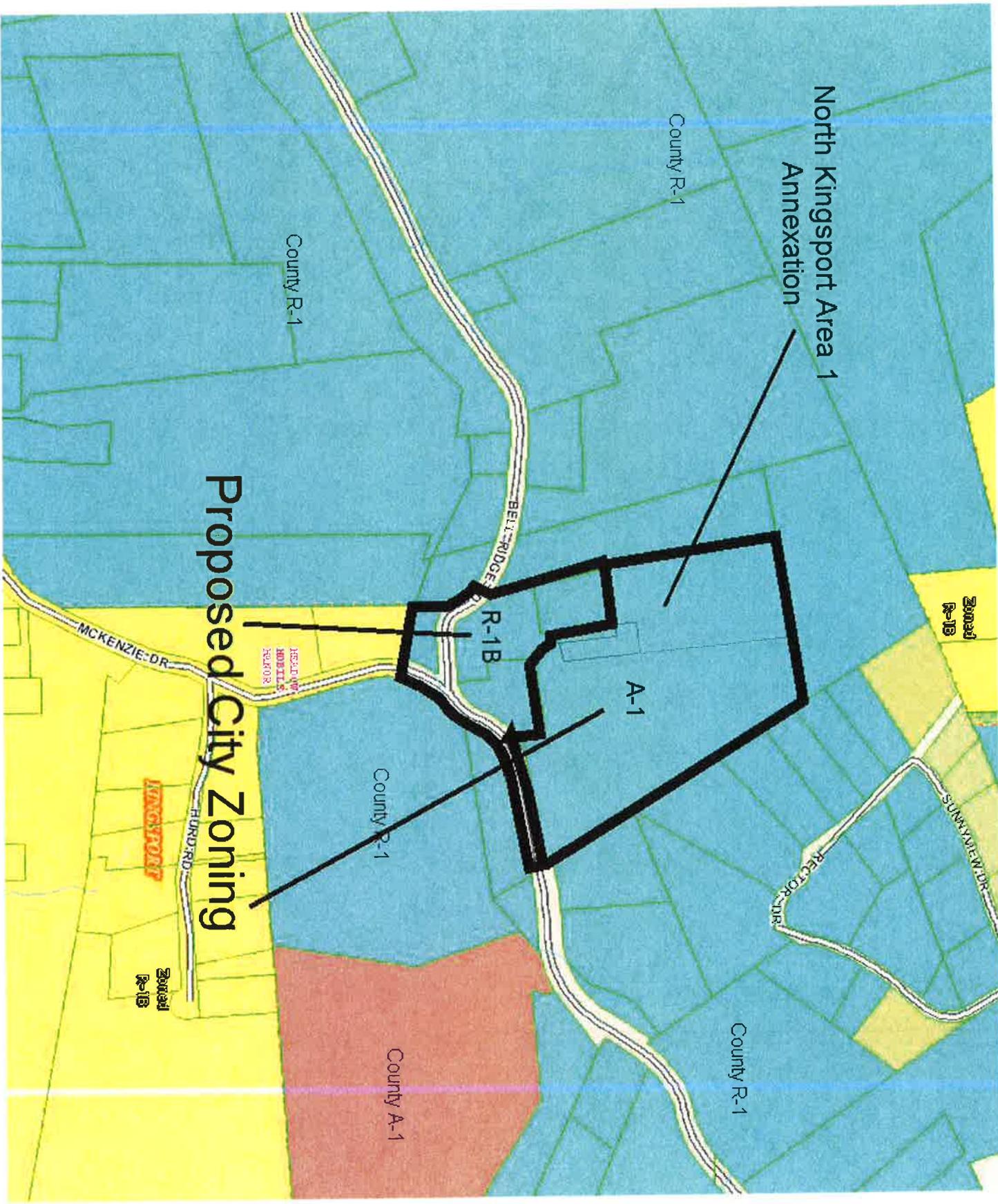
ControlMap	Group_	ParcelNumber	Property Address	AssessedVal	City Tax
029B	B	1600	BELL RIDGE RD	1475	\$29.06
029B	B	1710	BELL RIDGE RD 865	89025	\$1,753.79
029B	B	1700	BELL RIDGE RD 871	12800	\$252.16
029B	B	1810	BELL RIDGE RD 893	33500	\$659.95
029B	B	1910	BELL RIDGE RD 913	20525	\$404.34



North Kingsport Area 1 Annexation Vicinity Map

North Kingsport Area 1
Annexation





North Kingsport Area 1
Annexation

County R-1

County R-1

Proposed City Zoning

R-1B

A-1

County R-1

MCKENZIE DR

HURD RD

KINGSPOINT

Special
R-1B

County A-1

County R-1

Special
R-1B

RECTORY DR

SUNNYVIEW DR



Rationale

1. The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.
2. Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.
3. The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.
4. It is reasonably necessary for the welfare of the residents and property owners of the affected territory.
5. It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for the Purchase of two (2) Single Axle Dump Trucks to Smoky Mountain Truck Center, LLC

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

A handwritten signature in blue ink, appearing to read "John G. Campbell", is written over the printed name of the City Manager.

Action Form No.: AF-346-2012
 Work Session: December 17, 2012
 First Reading: N/A

Final Adoption: December 18, 2012
 Staff Work By: Committee
 Presentation By: R. McReynolds, S. Hightower

Recommendation: Approve the Resolution

Executive Summary: Bids were opened on November 20, 2012 for the purchase of two Single Axle Dump Trucks for use by Public Works Streets Department. The advertisement for the Invitation to Bid was published in the Kingsport Times News on November 4, 2012 and placed on our website for 17 calendar days. It is the recommendation of the committee to accept the apparent low bid from Smoky Mountain Truck Center, LLC for two each 2014 M2106 Freightliner W/ Western Snowplow as follows:

\$82,557.00	Unit Cost (per unit)
\$6,830.00	Option A (snowplow per unit)
\$7,000.00	Trade-In Allowance vehicle # 1416
<u>\$7,000.00</u>	Trade-In Allowance vehicle # 1417
\$164,774.00	Total Purchase Cost

Funding is identified in account # 51150085019010

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memos w/ photo

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Clark	—	—	—
McIntire	—	—	—
Segelhorst	—	—	—
Parham	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF TWO SINGLE AXEL DUMP TRUCKS TO SMOKY MOUNTAIN TRUCK CENTER, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, bids were opened November 20, 2012 for the purchase of two (2) single axel dump for use by the Public Works Department; and

WHEREAS, the city will receive \$7,000.00 each for a trade-in allowance for vehicles #1416 and #1417, for a total trade-in allowance of \$14,000.00

WHEREAS, upon review of the bids, the board finds Smoky Mountain Truck Center, LLC is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to purchase two (2) 2014 M2106 Freightliner with Western Snowplow single axel dump trucks from Smoky Mountain Truck Center, LLC, at a total purchase cost of \$164,774.00; and

WHEREAS, funding is identified in account #51150085019010.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for purchase of two (2) 2014 M2106 Freightliner with Western Snowplow single axel dump trucks at a total purchase cost of \$164,774.00 is awarded to Smoky Mountain Truck Center, LLC, which includes the trade-in allowance set out herein, and the city manager is authorized to execute a purchase order for same.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of December, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
 BID OPENING
 November 20, 2012
 4:00 P.M.

Present: Brent Morelock, Assistant Procurement Manager; and Michelle Gillenwater, Procurement Dept.

The Bid Opening was held in the Council Room, City Hall.

The Assistant Procurement Manager opened with the following bids:

SINGLE AXLE DUMP TRUCK							
Vendors:	Qty.:	Unit Cost:	Option A:	Trade-In #1416:	Trade-In #1417:	Delivery Time:	Make/Model:
Smoky Mtn. Truck Center, LLC	2	\$82,557.00	1. Western 10' Heavyweight - \$6,830.00 2. Myer LP10 - \$7,200.00 3. Snow Dog CM100 - \$6,380.00	\$7,000.00	\$7,000.00	90-120 Days	2014 M2 Freightliner w/Rogers Dump Body
Worldwide Equipment of Knox.	2	\$85,251.00	\$8,500.00	\$3,500.00	\$3,500.00	70-100 Days	2013 Kenworth T370 w/Rogers Manufactured Body
Goodpasture Motor Co.	2	\$83,000.00	\$6,380.00	\$6,000.00	\$6,000.00	90-120 Days	2013 International 7300 w/Rogers Body

The submitted bids will be evaluated and a recommendation made at a later date.

MEMORANDUM

November 26, 2012

TO: Steve Hightower, Fleet Manager
FROM: Ronnie Hammonds, Streets and Sanitation Manager
SUBJECT: Recommendation of Award of Bids for Tandem and Single Axle Trucks

The Truck Committee (Greg Willis, Steve Hightower, and I) have looked over the bids for the Tandem Axle and Single Axle Dump trucks.

For the two tandem axle dump trucks we recommend accepting the apparent low bid of Smoky Mtn. Truck Center, LLC with Option A. (2014 Freightliner m2106 w/Rogers Dump Body and Western 10' Heavyweight Plow).

For the two single axle dump trucks we also recommend accepting the apparent low bid of Smoky Mtn. Truck Center, LLC with Option A. (2014 M2 Freightliner w/Rogers Dump Body and Western 10' Heavyweight Plow.)

We feel that the Western Plow rather than the Snow Dog Plow would be more cost effective in the long run due to our fleet being mainly comprised of Western Plows. This will reduce the amount of replacement parts needed in inventory.

If you have any questions please contact me at your convenience.



FLEET MAINTENANCE DIVISION

City of Kingsport, Tennessee

Memo

To: Brent Morelock, Assistant Procurement Manager

From: Truck Committee: Ronnie Hammonds – Streets and Sanitation Manager
Steve Hightower, Fleet Manager
Greg Willis, Streets Supervisor

Date: November 28, 2012

Re: Single Axle Dump Truck Purchase Recommendation

This will confirm our review and recommendation to purchase the low compliant bid of the following vendor and the Option A: Western Snow Plow. It is further recommended to accept the Trade-In Offering of \$7,000 per unit.

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Award to Vendor</u>	<u>Fuel Economy</u>
1	2	2014 Freightliner M2106 with Snowplow	Smoky Mountain Truck	7 MPG

Low Compliant Bidder

Trade in(s):

- a. #1416 1999 International Dump – 157,050 miles – 7 MPG
 - i. Average Dealer Trade Value \$6,500
 - ii. Fuel Economy Improvement: Estimated % 0

- b. #1417 1999 International Dump – 159,364 miles – 7 MPG
 - i. Average Dealer Trade Value \$6,500
 - ii. Fuel Economy Improvement: Estimated % 0

Fuel Economy Improvement 0%

These units are similar replacement to the fleet so no fuel economy improvements will be realized.

Origin Information

- 2. New Unit Origin of Manufacture:
 - a. Cab/ Chassis Mfg.– Mt. Holly, NC
 - i. 50% Domestic/ 50% Foreign Materials
 - b. Body Manufacture – Nashville, TN
 - i. 99% Domestic/ 1% Foreign Materials

- 3. New Unit Purchase Dealer:
 - a. Cab/ Chassis/ Body – Smoky Mountain Truck – Kingsport, TN
 - b. Body Dealership – Rodgers Equipment – Nashville, TN

Should you have any questions about this recommendation, please do not hesitate to contact us.

Thank you

625 West Industry Drive

Kingsport, TN 37660

(423) 229-9446

Kingsport – The Best Place to Be



Picture for demonstration purposes only and is not the exact product being purchased



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for the Purchase of two (2) Tandem Axle Dump Trucks to Smoky Mountain Truck Center, LLC.

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager *John G. Campbell*

Action Form No.: AF-347-2012
Work Session: December 17, 2012
First Reading: N/A

Final Adoption: December 18, 2012
Staff Work By: Committee
Presentation By: R. McReynolds, S. Hightower

Recommendation: Approve the Resolution

Executive Summary: Bids were opened on November 20, 2012 for the purchase of two Tandem Axle Dump Trucks for use by Public Works Streets Department. The advertisement for the Invitation to Bid was published in the Kingsport Times News on November 4, 2012 and placed on our website for 17 calendar days. It is the recommendation of the committee to accept the apparent low bid from Smoky Mountain Truck Center, LLC for two each 2014 M2106 Freightliner W/ Western Snowplow as follows:

\$99,788.00	Unit Cost (per unit)
<u>\$6,830.00</u>	Option A (snowplow per unit)
\$213,236.00	Total Purchase Cost

Funding is identified in Project/Account # GP1230 31100006019006

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memos w/ photo

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Clark	—	—	—
McIntire	—	—	—
Segelhorst	—	—	—
Parham	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF TWO TANDEM AXEL DUMP TRUCKS TO SMOKY MOUNTAIN TRUCK CENTER, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, bids were opened November 20, 2012 for the purchase of two (2) tandem axel dump for use by the Public Works Streets Department; and

WHEREAS, upon review of the bids, the board finds Smoky Mountain Truck Center, LLC is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to purchase two (2) 2014 M2106 Freightliner with Western Snowplow tandem axel dump trucks from Smoky Mountain Truck Center, LLC, at a total purchase cost of \$213,236.00; and

WHEREAS, funding is identified in Project/Account # GP1230 31100006019006.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for purchase of two (2) 2014 M2106 Freightliner with Western Snowplow tandem axel dump trucks at a total purchase cost of \$213,236.00 is awarded to Smoky Mountain Truck Center, LLC, and the city manager is authorized to execute a purchase order for same.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of December, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
 BID OPENING
 November 20, 2012
 4:00 P.M.

Present: Brent Morelock, Assistant Procurement Manager; and Michelle Gillenwater, Procurement Dept.

The Bid Opening was held in the Council Room, City Hall.

The Assistant Procurement Manager opened with the following bids:

TANDEM AXLE DUMP TRUCK					
Vendor:	Qty.:	Unit Cost:	Option A:	Delivery Time:	Make/Model:
Smoky Mtn. Truck Center, LLC	2	\$99,788.00	1. Western 10' Heavyweight - \$6,830.00 2. Myer LP10 - \$7,200.00 3. Snow Dog CM100 - \$6,380.00	90-120 Days	2014 Freightliner M2106 w/Rogers Dump Body
Worldwide Equipment of Knox.	2	\$104,312.00	\$8,500.00	70-100 Days	2013 Kenworth T370 w/ Rogers Body
Goodpasture Motor Co.	2	\$102,500.00	\$6,380.00	90-120 Days	2013 International 7500 w/Rogers Body

The submitted bids will be evaluated and a recommendation made at a later date.

MEMORANDUM

November 26, 2012

TO: Steve Hightower, Fleet Manager
FROM: Ronnie Hammonds, Streets and Sanitation Manager
SUBJECT: Recommendation of Award of Bids for Tandem and Single Axle Trucks

The Truck Committee (Greg Willis, Steve Hightower, and I) have looked over the bids for the Tandem Axle and Single Axle Dump trucks.

For the two tandem axle dump trucks we recommend accepting the apparent low bid of Smoky Mtn. Truck Center, LLC with Option A. (2014 Freightliner m2106 w/Rogers Dump Body and Western 10' Heavyweight Plow).

For the two single axle dump trucks we also recommend accepting the apparent low bid of Smoky Mtn. Truck Center, LLC with Option A. (2014 M2 Freightliner w/Rogers Dump Body and Western 10' Heavyweight Plow.)

We feel that the Western Plow rather than the Snow Dog Plow would be more cost effective in the long run due to our fleet being mainly comprised of Western Plows. This will reduce the amount of replacement parts needed in inventory.

If you have any questions please contact me at your convenience.



FLEET MAINTENANCE DIVISION

City of Kingsport, Tennessee

Memo

To: Brent Morelock, Assistant Procurement Manager

From: Truck Committee: Ronnie Hammonds – Streets and Sanitation Manager
Steve Hightower, Fleet Manager
Greg Willis, Streets Supervisor

Date: November 28, 2012

Re: Tandem Axle Dump Truck Purchase Recommendation

This will confirm our review and recommendation to purchase the low compliant bid of the following vendor and the Option A: Western Snow Plow.

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Award to Vendor</u>	<u>Fuel Economy</u>
1	2	2014 Freightliner M2106 with Snowplow	Smoky Mountain Truck	7 MPG

Low Compliant Bidder

Fuel Economy Improvement 0%

These units are additions to the fleet so no fuel economy improvements will be realized.

Origin Information

1. New Unit Origin of Manufacture:
 - a. Cab/ Chassis Mfg.– Mt. Holly, NC
 - i. 50% Domestic/ 50% Foreign Materials
 - b. Body Manufacture – Nashville, TN
 - i. 99% Domestic/ 1% Foreign Materials
2. New Unit Purchase Dealer:
 - a. Cab/ Chassis/ Body – Smoky Mountain Truck – Kingsport, TN
 - b. Body Dealership – Rodgers Equipment – Nashville, TN

Should you have any questions about this recommendation, please do not hesitate to contact us.

Thank you



Picture for demonstration purposes only and is not the exact product being purchased



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for the Upgrade of Internet Access with Century Link

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form No.: AF-357-2012
Work Session: December 17, 2012
First Reading: N/A

Final Adoption: December 18, 2012
Staff Work By: T. Wexler
Presentation By: T. Wexler

Recommendation: Approve the resolution.

Executive Summary: As we continue to grow and expand our City Network, we are constantly increasing the use of the Internet. Technology advancement and the use of the Internet for business is moving forward at a rapid pace creating the need for additional bandwidth to handle this additional traffic. We have more than doubled the uses of the Internet in the past two and a half years creating a need to enhance the size of the bandwidth for this service.

Currently, our Agreement is at the rate of \$1,750 for 20 MB and amending the agreement will Provide 50 MB at the rate of \$1,823.

It is recommended by the Information Technology Department to approve the Amendment to the Agreement for Services with Century Link.

Funding for the remainder of FY12-13 is Account Number 110-4810-481-20.34.

Attachments:

- 1. Resolution
- 2. Proposal/Quote

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
Mcintire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT FOR SERVICES WITH CENTURY LINK FOR AN INCREASE IN BANDWIDTH FOR THE INTERNET AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

WHEREAS, the city entered into an amended agreement with Embarq Solutions, Inc.- Century Link, to provide internet usage at the rate of \$1,750.00 per month for 20MB (million bits per second) of bandwidth; and

WHEREAS, the city has more than doubled its use of the internet since that time, creating the need for additional bandwidth; and

WHEREAS, it is recommended by the Information Services staff to amend the agreement by increasing the bandwidth to 50MB (million bits per second), at a rate of \$1,823.00 per month; and

WHEREAS, funding is found in account number 110-4810-481-20.34;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Embarq Solutions, Inc.- Century Link, to upgrade the internet bandwidth for the city from 20 MB (million bits per second) to 50MB, at the rate of \$1,823.00 per month.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of December, 2012

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER
APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**First Amendment to
Products and Services Agreement between
City of Kingsport and Embarq Solutions, Inc.**

This First Amendment is made to the Products and Services Agreement (Contract No. 10KCLI82GSY8) between **City of Kingsport** ("Customer") and **Embarq Solutions, Inc.** ("CenturyLink") effective on June 10, 2010 (the "Agreement"). The following modified and added terms and conditions are made a part of the Agreement effective on the date signed by both parties ("First Amendment Commencement Date").

CenturyLink and Customer agree as follows:

1. To reflect its new name, all references in the Agreement to "Embarq Solutions, Inc." are changed to "CenturyLink Sales Solutions, Inc." and all references to "Embarq" are changed to "CenturyLink."
2. Price Quote 10-005023 of the Agreement is amended by:
 - A. upgrading the 20M Dedicated Internet Access over 20M Enhanced Ethernet@ \$1,750.00 MRR to 50M Dedicated Internet Access over 100M Classic Ethernet @ \$1,823.00 MRR and \$30.50 NRR; and
 - B. Adding a new location at 4598 Fort Henry Dr, Kingsport, TN 37660 with 20M Enhanced Classic Ethernet @ \$576.00 MRR and \$530.50 NRR.

All other terms and conditions in the Agreement, not amended above, will remain in effect. This Amendment and any information concerning its terms and conditions are CenturyLink's proprietary information and may not be disclosed to third parties without CenturyLink's prior written permission except as permitted by law or the parties' mutual nondisclosure agreement. To become effective, this Amendment must be: (a) signed by a Customer representative; (b) delivered to CenturyLink on or before November 30, 2012 and (c) signed by a CenturyLink officer or authorized designee.

CENTURYLINK SALES SOLUTIONS, INC.

CITY OF KINGSFORT

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to Legal Form CenturyLink Law Dept.
JAS — 5 Nov 2012

APPROVED

CenturyLink

Enterprise Special Pricing
N J D 11/5/12



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for the Purchase of one (1) Track Type Skid Steer Loader to Premier Equipment, LLC.

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

Action Form No.: AF-356-2012
 Work Session: December 17, 2012
 First Reading: N/A
 Final Adoption: December 18, 2012
 Staff Work By: Committee
 Presentation By: R. McReynolds, S. Hightower

Recommendation: Approve the Resolution

Executive Summary: Bids were opened on November 29, 2012 for the purchase of one Track Type Skid Steer Loader for use by Public Works Streets Department. The advertisement for the Invitation to Bid was published in the Kingsport Times News on November 14, 2012 and placed on our website for 16 calendar days. It is the recommendation of the committee to accept the apparent low bid from Premier Equipment, LLC for one each Kubota SVL90-2HFC W/ attachments as follows:

\$47,979.00	Unit Cost
\$2,497.00	4 in 1 Bucket
\$4,816.00	Rotary Cutter
\$3,935.00	Rotary Broom
<u>\$749.00</u>	Pallet Forks
59,976.00	Total Purchase Cost

Funding is identified in Project/Account # GP1230 31100006019006

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memo w/ photo

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Clark	—	—	—
McIntire	—	—	—
Segelhorst	—	—	—
Parham	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR THE PURCHASE
OF ONE TRACK TYPE SKID STEER LOADER TO PREMIER
EQUIPMENT, LLC AND AUTHORIZING THE CITY MANAGER
TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, bids were opened November 29, 2012 for the purchase of one track type skid
steer loader for use by the Public Works Streets Department; and

WHEREAS, upon review of the bids, the board finds Premier Equipment, LLC is the lowest
responsible compliant bidder meeting specifications for the particular grade or class of material,
work or service desired and is in the best interest and advantage to the city, and the City of
Kingsport desires to purchase one Kubota SVL90-2HFC with attachments track type skid steer
loader from Premier Equipment, LLC, at a total purchase cost of \$59,976.00; and

WHEREAS, funding is identified in Project/Account # GP1230 31100006019006.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for purchase of one Kubota SVL90-2HFC with attachments
track type skid steer loader at a total purchase cost of \$59,976.00 is awarded to Premier
Equipment, LLC, and the city manager is authorized to execute a purchase order for same.

SECTION II. That this resolution shall take effect from and after its adoption, the public
welfare requiring it.

ADOPTED this the 18th day of December, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
 BID OPENING
 November 29, 2012
 4:00 P.M.

Present: Sandy Crawford, Procurement Manager; and Brent Morelock, Assistant Procurement Manager

The Bid Opening was held in the Council Room, City Hall.

The Procurement Manager opened with the following bids:

TRACK TYPE SKID STEER LOADER			
Vendor:	Unit Cost:	Delivery Time:	Model/Make:
Bobcat of the Mountain Empire	\$68,204.00	120 Days	Bobcat T-770
Meade Tractor	\$56,199.00 Plus Accessories	N/A	John Deere 333D
Contractor's Machinery	No Bid	N/A	N/A
West Hills Tractor	\$69,330.00	10 Days	Takeuchi T-10
West Hills Tractor	\$78,749.20	10 Days	Takeuchi T-12
Premier Equipment, LLC	\$47,979.00	30 Days	Kubota SVL90-2HC Alternate: \$50,595.00 – Kubota SVL90-2HFC High Flow w/Std. Bucket – 30 Day Delivery Time Blue Diamond 4 in 1 Bucket w/Teeth 72" - \$2,497.00 Blue Diamond Rotary Cutter 72" - \$4,816.00 Blue Diamond Rotary Broom 84" - \$3,935.00 Blue Diamond Pallet Forks 5,000 Lbs. H.D. - \$749.00

The submitted bids will be evaluated and a recommendation made at a later date.



FLEET MAINTENANCE DIVISION

City of Kingsport, Tennessee

Memo

To: Brent Morelock, Assistant Procurement Manager

From: Committee: Ronnie Hammonds – Streets and Sanitation Manager
Steve Hightower, Fleet Manager
Greg Willis, Streets Supervisor

Date: December 6, 2012

Re: Skid Steer Loader Purchase Recommendation

This will confirm our review and recommendation to purchase the low compliant bid and attachments of the following vendor:

Item	Quantity	Description	Award to Vendor	Fuel Economy
1	1	Kubota SVL90-2HFC	Premier Equipment	4.8 GPH

Low Compliant Bidder

Trade in(s):

- i. Not Applicable

Fuel Economy Improvement

0%

This unit is an addition to the fleet so no fuel economy improvements will be realized.

Origin Information

- 2. New Unit Origin of Manufacture:
 - a. Unit Mfg.– Osaka, Japan
 - i. 10% Domestic/ 90% Foreign Materials
- 3. New Unit Purchase Dealer:
 - a. Loader Unit – Premier Equipment – Kingsport, TN

Should you have any questions about this recommendation, please do not hesitate to contact us.

Thank you



Picture for demonstration purposes only and is not the exact product being purchased

From: Willis, Greg
Sent: Monday, December 03, 2012 1:06 PM
To: Hightower, Steve
Cc: Willis, Greg
Subject: Skid Steer Loader

Steve after reviewing the bid documents it is our recommendation that we proceed with the low bid offered by Premier Equipment LLC. for the Kubota SVL90-2HC and attachments. Thanks for all your help!

Greg Willis
Street Supervisor
229-9493



AGENDA ACTION FORM

Consideration of an Appointment to the Tree Advisory Board

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form No.: AF- 352-2012
Work Session: December 17, 2012
First Reading: N/A
Final Adoption: December 18, 2012
Staff Work By: Alison Harrison
Presentation By: Mayor Phillips

Recommendation: Approve the Appointment

Executive Summary: Cole Lusk has agreed to be appointed and serve the unexpired term of Dave Burke who had to resign due to a job promotion if approved by the Board of Mayor and Alderman. The appointments will be effective immediately and expire June 30, 2013.

Attachments:

- 1. Bio

Funding source appropriate and funds are available: _____

Table with 3 columns: Y, N, O and rows for Clark, Joh, McIntire, Parham, Segelhorst, Shupe, Phillips.

Bio

Cole Lusk

Cole Lusk graduated in 2009 with a BS in Horticulture from Virginia Tech. He is also an ISA certified arborist. He has worked in the forestry industry for over 5 years. He is currently employed by ACRT as a contract utility forester for AEP in Kingsport.



AGENDA ACTION FORM

Consideration of an Ordinance Transferring Funds to the J Fred Johnson Stadium Project to Fund Phase I and Phase II

To: Board of Mayor and Aldermen
 From: John G. Campbell, City Manager

Action Form No.: AF-129-2012
 Work Session: December 3, 2012
 First Reading: December 4, 2012

Final Adoption: December 18, 2012
 Staff Work By: Judy Smith
 Presentation By: John Campbell

Recommendation: Approve the Ordinance

Executive Summary:

At the 11/19 BMA work session the members of the BMA responded positively to the BOE's request to take all appropriate steps to establish a very accurate cost estimate for needed stadium improvements. The steps involved will be the Schematic Design Phase, the Design Development Phase, and pre-preparation of construction specs. At the request of the BOE, we have obtained from CHA Sports a proposal for all of the aforementioned phases not to exceed \$250,000. As we mentioned at the workshop, we have identified a design fund from the 2009 bond issue that can cover this amount and will still have a balance of \$204,918. It was clear from the discussion the BMA expects the stadium to be an even better, cost effective solution for community events. With this knowledge CHA Sports has already gained, they feel there is still time to complete the project for the 2013 season.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

	Y	N	O
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—



AGENDA ACTION FORM

Consideration of an Ordinance Transferring Funds to the J Fred Johnson Stadium Project to Fund Phase I and Phase II

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form No.: AF-129-2012
Work Session: December 3, 2012
First Reading: December 4, 2012

Final Adoption: December 18, 2012
Staff Work By: Judy Smith
Presentation By: John Campbell

Recommendation: Approve the Ordinance

Executive Summary:

At the 11/19 BMA work session the members of the BMA responded positively to the BOE's request to take all appropriate steps to establish a very accurate cost estimate for needed stadium improvements. The steps involved will be the Schematic Design Phase, the Design Development Phase, and pre-preparation of construction specs. At the request of the BOE, we have obtained from CHA Sports a proposal for all of the aforementioned phases not to exceed \$250,000. As we mentioned at the workshop, we have identified a design fund from the 2009 bond issue that can cover this amount and will still have a balance of \$204,918. It was clear from the discussion the BMA expects the stadium to be an even better, cost effective solution for community events. With this knowledge CHA Sports has already gained, they feel there is still time to complete the project for the 2013 season.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Clark	—	—	—
Joh	—	—	—
McIntire	—	—	—
Parham	—	—	—
Segelhorst	—	—	—
Shupe	—	—	—
Phillips	—	—	—

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE J. FRED JOHNSON STADIUM IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Project Fund budget be amended by transferring funds in the amount of \$250,000 from the Justice Center Project (GP0915) to the J. Fred Johnson Stadium Improvement project (GP1301) to fund the Schematic Design Phase, the Design Development Phase and the pre-preparation of construction specs of the project.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 311: General Project Fund</u>			
<u>Justice Center GP0915</u>			
<u>Revenues:</u>			
311-0000-368-1035 Series 2009A GO Pub Imp.	\$ 262,224	\$ (50,000)	\$ 212,224
311-0000-368-1037 Series 2009 D (BABS) GO	202,269	(200,000)	2,269
311-0000-368-2101 Prem. from Bond Sale	3,130	0	3,130
Totals:	467,623	(250,000)	217,623
<u>Expenditures:</u>			
311-0000-601-2023 Arch/Eng/Landscaping	460,000	(250,000)	210,000
311-0000-601-4041 Bond Sale Expense	7,623	0	7,623
Totals:	467,623	(250,000)	217,623
<u>Fund 311: General Project Fund</u>			
<u>J Fred Johnson Stadium Improv. (GP1301)</u>			
<u>Revenues:</u>			
311-0000-368-1035 Series 2009A GO Pub Imp.	\$ 0	\$ 50,000	\$ 50,000
311-0000-368-1037 Series 2009 D (BABS) GO	0	200,000	200,000
Totals:	0	250,000	250,000
<u>Expenditures:</u>			
311-0000-601-2023 Arch/Eng./Landscaping	\$ 0	\$ 250,000	\$ 250,000
Totals:	0	250,000	250,000

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of an Ordinance to Amend the FY 2013 General Purpose School Fund Budget and the General Project Fund Budget

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Action Form No.: AF-345-2012
Work Session: December 3, 2012
First Reading: December 4, 2012
Final Adoption: December 18, 2012
Staff Work By: David Frye
Presentation By: David Frye

Recommendation:

Approve the Ordinance.

Executive Summary:

On November 1, 2012, the Board of Education approved budget amendment number two to the FY 2013 General Purpose School Fund budget. Estimated revenues are changing by increasing Fund Balance Appropriations by \$82,388. Appropriations are being increased by \$82,388 to provide additional funding for the School's Administrative Support Center. In addition the General Project fund budget is being increased by \$87,452. Included in this increase is a transfer from the General Purpose School Fund in the amount of \$82,388 and interest earnings on idle QSCB funds of \$5,064. There are also transfers being made within the General Project Fund, which are necessary in order to close some completed projects. Please see the BOE budget amendment two for more detail.

Attachments:

- 1. Ordinance
2. BOE Budget Amendment Number Two

Funding source appropriate and funds are available: _____

Table with 3 columns: Y, N, O and rows for Joh, Clark, McIntire, Parham, Segelhorst, Shupe, Phillips.



AGENDA ACTION FORM

Consideration of an Ordinance to Amend the FY 2013 General Purpose School Fund Budget and the General Project Fund Budget

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

John G Campbell (handwritten signature)

Action Form No.: AF-345-2012
Work Session: December 3, 2012
First Reading: December 4, 2012

Final Adoption: December 18, 2012
Staff Work By: David Frye
Presentation By: David Frye

Recommendation:

Approve the Ordinance.

Executive Summary:

On November 1, 2012, the Board of Education approved budget amendment number two to the FY 2013 General Purpose School Fund budget. Estimated revenues are changing by increasing Fund Balance Appropriations by \$82,388. Appropriations are being increased by \$82,388 to provide additional funding for the School's Administrative Support Center. In addition the General Project fund budget is being increased by \$87,452. Included in this increase is a transfer from the General Purpose School Fund in the amount of \$82,388 and interest earnings on idle QSCB funds of \$5,064. There are also transfers being made within the General Project Fund, which are necessary in order to close some completed projects. Please see the BOE budget amendment two for more detail.

Attachments:

- 1. Ordinance
2. BOE Budget Amendment Number Two

Funding source appropriate and funds are available: _____

Table with 3 columns: Y, N, O and rows for Joh, Clark, McIntire, Parham, Segelhorst, Shupe, Phillips.

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Purpose School Fund budget be amended by increasing the estimated revenue for Fund Balance Appropriations by \$82,388 and by increasing the appropriations for Fund Transfers by \$82,388.

In addition the General Project Fund Budget will be amended by decreasing the estimated revenue for the School Security Enhancements (GP1021) – 2009 Build America Bonds by \$12,721 and be increasing the appropriation for Construction Contracts by \$248,377, for Architect Fees by \$38,902, and by decreasing the appropriation for Capital Improvements by \$300,000; by decreasing the estimated revenue for the Lincoln Parking Lot Project (GP1022) - Transfer from School Fund by \$8,540 and be increasing the appropriation for Construction Contracts by \$162,054, for Architect Fees by \$28,127, and by decreasing the appropriation for Capital Improvements by \$198,721; by increasing the estimated revenue for the D-B QSCB Renovation Project (GP1027) – Interest Earnings by \$5,240, by decreasing the estimated revenue for QSCB ARRA Bonds by \$176 and increasing the appropriations for Construction Contracts by \$5,064; by increasing the estimated revenue for the Energy Systems Project (GP1102) – 2009 Build America Bonds by \$350 and be increasing the appropriation for Construction Contracts \$350; by increasing the estimated revenue for the Administrative Support Center Project (GP1107) by \$82,388 and by increasing the appropriation for Buildings by \$82,388; by creating a new project for a Jackson Secure Entrance (GP1302) and establishing estimated revenue 2009 Build America Bonds of \$12,371, Transfer from School Fund of \$8,540 and an appropriation for Architect Fees of \$10,000 and Construction Contracts of \$10,991.

	Budget	Incr/<Decr>	New Budget
Fund 141: General Purpose School Fund			
Revenues:			
141-0000-392-0100 Fund Balance Appr.	\$ 139,335	\$ 82,388	\$ 221,723
Total:	139,335	82,388	221,723
Expenditures:			
141-7950-881-0590 Fund Transfers	303,388	82,388	385,776
Total:	303,388	82,388	385,776

Fund 311: General Project Fund
School Security Enhancements (GP1021)

Revenues:	\$	\$	\$
311-0000-368-1037 Series 2009 D (BABS) GO	303,404	(12,721)	290,683
Total:	303,404	(12,721)	290,683

Expenditures:			
311-0000-601-2022 Construction Contracts	0	248,377	248,377
311-0000-601-2023 Arch/Eng/Landscaping Serv	0	38,902	38,902
311-0000-601-9003 Improvements	300,000	(300,000)	0
Total:	300,000	(12,721)	287,279

Lincoln Parking Lot (GP1022)

Revenues:	\$	\$	\$
311-0000-391-2100 Transfer from School Fund	98,500	(8,540)	89,960
Total:	98,500	(8,540)	89,960

Expenditures:			
311-0000-601-2022 Construction Contracts	98,500	162,054	260,554
311-0000-601-2023 Arch/Eng/Landscaping Serv	0	28,127	28,127
311-0000-601-9003 Improvements	200,000	(198,721)	1,279
Total:	298,500	(8,540)	289,960

D-B QSCB Renovations (GP1027)

Revenues:	\$	\$	\$
311-0000-368-1039 TN QSCB ARRA Bonds	1,240,176	(176)	1,240,000
311-0000-361-2212 Interest LGIP QSCB	0	5,240	5,240
Total:	1,240,176	5,064	1,245,240

Expenditures:			
311-0000-601-2022 Construction Contracts	1,029,984	5,064	1,035,048
Total:	1,029,984	5,064	1,035,048

Energy System Project (GP1102)

Revenues:	\$	\$	\$
311-0000-368-1037 Series 2009 D (BABS) GO	0	350	350
Total:	0	350	350

Expenditures:			
311-0000-601-2022 Construction Contracts	5,127,000	350	5,127,350
Total:	5,127,000	350	5,137,350

Administrative Support Center (GP1107)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-2100 Transfer from School Fund	2,956,000	82,388	3,038,388
Total:	2,956,000	82,388	3,038,388

<u>Expenditures:</u>			
311-0000-601-9002 Buildings	2,885,742	82,388	2,968,130
Total:	2,885,742	82,388	2,968,130

Jackson Secure Entrance (GP1302)

<u>Revenues:</u>	\$	\$	\$
311-0000-368-1037 Series 2009 D (BABS) GO	0	12,371	12,371
311-0000-391-2100 Transfer from School Fund	0	8,540	8,540
Total:	0	20,911	20,911

<u>Expenditures:</u>			
311-0000-601-2022 Construction Contracts	0	10,911	10,911
311-0000-601-2023 Arch/Eng/Landscaping Serv	0	10,000	10,000
Total:	0	20,911	20,911

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

November 1, 2012

KINGSPORT CITY SCHOOLS
FISCAL YEAR 2012-2013
BUDGET AMENDMENT NUMBER TWO

GENERAL PROJECT FUND

Kingsport City Schools has funded several capital projects in the past few years. Some these project need to be closed out and have any excess or deficit funding cleared up. Following is a listing of these projects:

Project Number	Project Description	Budget	Expenditures	Balance
GP0922	Security Upgrades	\$ 200,000	\$ 171,857	\$ 28,143
GP1021	School Security Enhancements	300,000	287,279	12,721
GP1022	Lincoln Parking Lot	298,500	289,960	8,540
GP1024	Jefferson Renovations	1,441,129	1,410,816	30,313
GP1027	D-B QSCB Renovations	1,240,176	1,245,240	(5,064)
GP1102	Energy Systems Project	5,127,000	5,127,350	(350)
GP1107	Admin Support Center Project	2,956,000	3,038,388	(82,388)
GP1233	School System Improvements	1,500,000	259,282	1,240,718
GP13	Jackson Secure Entrance	0	0	0

Following is a listing of these projects, with a description of the project and a recommendation for what to do with any excess balances or a recommendation on how to cover any deficits:

GP0922 Security Upgrades: This project provided funding for the construction of secure entrances for Kennedy Elementary School, Sevier Middle School, and Dobyms-Bennett High School. The D-B project has not been fully completed and no action is requested at this time.

GP1021 School Security Enhancements: This project provided funding for the construction of secure entrances for Johnson Elementary School, Roosevelt Elementary School, Washington Elementary School, and Robinson Middle School. This project is complete and it is recommended that \$350 of the remaining balance be transferred to the Energy Systems project and that the remaining balance of \$12,371 be transferred to a new project for the construction of a secure entrance for Jackson Elementary School.

GP1022 Lincoln Parking Lot: This project provided funding for the construction of the new parking lot at Lincoln Elementary School. This project is complete and it is recommended that the balance of \$8,540 be transferred to a new project for the construction of a secure entrance for Jackson Elementary School.

GP1024 Jefferson Renovations: This project provided funding for the relocation of the office , in order to provide a secure entrance, and the construction of a new library. This project is not fully complete and no action is requested. It does appear that there may be a balance of approximately \$30,000 remaining.

GP1027 D-B QSCB Renovations: This project provided funding for the purchase and installation of a new back-up generator, the renovations of 2 CTE classrooms, and the renovation of the old central office space for use as a new World Language pod. This project is complete. The original amount of the bonds were \$1,240,000. Since the inception of the project, idle bond funds have earned interest in the amount of \$5,240. These earnings are also to be spent as part of the project bringing the total to \$1,245,240. It is recommended that this project budget be increased by \$5,064. This increase in appropriations will be offset by an increase in estimated interest earnings.

GP1102 Energy Systems Project: This project provided funding, through a low interest loan, to make energy efficient improvements system-wide. The savings in utility costs should provide enough funds to make the required loan repayment. This project is complete and has a deficit of \$350. It is recommended that this deficit be covered by a transfer of \$350 from project GP1021, School Security Enhancements.

GP1107 Administrative Support Center Project: This project provided for the renovation of a portion of the former Quebecor facility for use as the Kingsport City Schools – Administrative Support Center. This project is complete and has a deficit of \$82,388. It is recommended that this deficit be covered by a transfer from General Purpose School Fund – Unreserved Fund Balance.

GP1233 School System Improvements: The funds of \$1,500,000 are from the recent City of Kingsport bond issue. At the present time \$259,282 has been obligated to the middle and high schools wireless network installations. This leaves a balance of \$1,240,718. These funds could possibly provide funding for the renovation of the Legion Center, installation of new lights at J. Fred Johnson Stadium, Jackson Secure Entrance, as well as other potential projects. Further recommendations on the use of these funds will be made at the appropriate time.

GP13** Jackson Secure Entrance: This is a new project to fund the renovation of Jackson Elementary School for the purpose of providing a secure entrance. We are currently working with architects to determine to best solution. Because of the layout at Jackson, the project may require the relocation of some rooms/offices and therefore may be more expensive than some of the other secure entrance projects. At the current time it is recommended that funds from the School Security Enhancement project (GP1021) and the Lincoln School Parking Lot project (GP1022), in the total amount of \$20,911, be transferred to the Jackson Secure Entrance project.

It is recommended that the following project budgets be increased or decreased by the amount listed below:

Project	Current Budget	Increase	Decrease	Revised Budget
School Security Enhancements	\$ 300,000	\$	\$12,721	\$ 287,279
Lincoln Parking Lot	298,500		8,540	289,960
D-B QSCB Renovations	1,240,176	5,064		1,245,240
Energy system Project	5,127,000	350		5,127,350
Admin Support Center	2,956,000	82,388		3,038,388
Jackson Secure Entrance	0	20,911		20,911

GENERAL PURPOSE SCHOOL FUND

Fund Balance Appropriation: In order to fund the deficit in the Administrative Support Center project, it will be necessary to appropriate funds from the General Purpose School Fund – Unreserved Fund Balance. It is recommended that the estimated revenue for Fund Balance Appropriations and the appropriation for Fund Transfers be increased by \$82,388.



AGENDA ACTION FORM

Adoption of the 2013 Joint Tri-Cities Legislative Agenda

To: Board of Mayor and Aldermen
From: John G. Campbell, City Manager

Handwritten signature of John G. Campbell

Action Form No.: AF-355-2012
Work Session: December 17, 2012
First Reading: N/A

Final Adoption: December 18, 2012
Staff Work By: J. Campbell /T. Whaley
Presentation By: Tim Whaley

Recommendation: Motion to adopt the 2013 Tri-Cities Legislative Agenda.

Executive Summary:

The proposed 2013 Legislative Agenda is the result of deliberations between Kingsport, Bristol and Johnson City, reflecting a continuing effort to work cooperatively on legislative matters of regional import. Items new to the Tri-Cities Legislative Agenda this year include a request to fund K-12 technology requirements necessary to support online college readiness assessment of students as well as restoring cuts to state funding for K-12 capital programs and employee insurance; support for continuing efforts to reform workers compensation laws; requesting defense of existing annexation, planning and zoning laws; supporting wine sales in grocery stores and beer sales in liquor stores under the principles of a free market; and asking assistance in preserving the existing state distribution of Hall Income Tax receipts. Our legislative delegation should be applauded for ongoing leadership in advancing the needs of the region and supporting pro-growth policies that further improve the lives of all Tennesseans.

Attachments:

- 1. Joint Legislative Policy

Funding source appropriate and funds are available:n/a

Table with 3 columns: Y, N, O and rows for Clark, Joh, McIntire, Parham, Segelhorst, Shupe, Phillips.

JOINT LEGISLATIVE POLICY

OF THE

TRI-CITIES

BRISTOL ♦ KINGSPORT ♦ JOHNSON CITY

**108th General Assembly of Tennessee
First Session**

January 2013

Foreword

For the greater part of two decades, the cities of Bristol, Kingsport, and Johnson City have jointly established an annual legislative policy agenda for the purpose of providing a unified voice on issues directly impacting our citizens and the quality of municipal services we provide to our communities.

We deeply appreciate the Northeast Tennessee Legislative Delegation's open and continuous dialogue on the policy objectives set forth herein as well as others not specifically enumerated, recognizing the legislative process is dynamic, with new challenges and opportunities arising throughout the Session. We believe the achievement of these policy initiatives in the upcoming legislative session will enhance the collective health, welfare, safety, and prosperity of our residents.

In addition, we owe a great deal of gratitude and thanks to our Northeast Tennessee delegation for passage of several bills and assisting on several important policies in 2012. Of special note was the passage of legislation criminalizing sales of synthetic marijuana and bath salts, which resulted in quickly eliminating the sale of these dangerous drugs on an over-the-counter retail basis.

Let us say again, for your continuing efforts on behalf of the citizens of Northeast Tennessee, we, the duly elected and appointed leaders of Bristol, Johnson City and Kingsport, thank our legislative delegation for their service and continued efforts to improve our cities and state.

TABLE OF CONTENTS

I. EDUCATION

- (A) Basic Education Program Formula Transparency
- (B) Basic Education Program Funding
- (C) BEP Formula Changes
- (D) Dual Enrollment Tuition

II. PUBLIC SAFETY

- (A) Synthetic Drugs
- (B) Methamphetamine Cleanup
- (C) Regional Fire Training Centers

III. ECONOMIC DEVELOPMENT

- (A) Pre-project Funding
- (B) Airport Development
- (C) Workers' Compensation Reform

IV. UNFUNDED MANDATES AND LOCAL CONTROL

- (A) Unfunded Mandates
- (B) Local Control
- (C) Collective Bargaining

V. LAND USE AND GROWTH

- (A) Annexation
- (B) Local Planning and Zoning

VI. **TRANSPORTATION**

- (A) Interstate 81 / Interstate 26 Interchange Reconstruction
- (B) Local Option Gas Tax
- (C) Transportation Challenge Grants
- (D) Open Container Bill
- (E) TDOT Capital Funding
- (F) Rail Passenger and Freight Service

VII. **LOCAL REVENUE**

- (A) State Shared Taxes
- (B) Single Article Sales Tax Cap
- (C) Beer, Wine and Alcohol Stores
- (D) Hall Income Tax

I. EDUCATION

(A) BASIC EDUCATION PROGRAM FORMULA TRANSPARENCY

According to a March 2011 report by the Office of Research and Education Accountability within the State Comptroller's Office, there is no written procedure for calculating the BEP. Given that the State's BEP funding model also remains stuck in transition from the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) model to the Center for Business and Economic Research at the University of Tennessee (CBER) model, this lack of transparency continues to be of the utmost concern to local education agencies and their local funding partners in the cities and counties. The current situation hinders the local budgeting process and offers the potential for over taxation in order to meet school needs that might later be funded by the state. We urge the delegation to consider steps that will bring greater clarity and equity to the state BEP funding model and to work toward providing more accurate and timely estimates of anticipated state education funding.

(B) BEP FUNDING

- We support full funding for the BEP 2.0 (CBER model) as state fiscal conditions allow.
- We oppose any change that would inequitably redistribute funding from localities that have traditionally supported K-12 education with additional local resources.
- We oppose mandatory inflation indexing of local education funding.

(C) BEP FORMULA CHANGES

The BEP Review Committee has identified several variables that need to be added to the BEP formula, which we support. These include the following:

- The BEP Review Committee commends the state of Tennessee for participating in the Partnership for Assessment of Readiness for College and Careers (PARCC) and fully recommends the PARCC online assessments as a pathway to college and career readiness by the end of high school. The committee acknowledges, however, that these assessments will challenge the technology infrastructure capacity of many school districts throughout the state. Therefore, the committee supports increased and targeted state investment in technology to assist school districts in their efforts to prepare for the administration of online PARCC assessments beginning in the 2014-15 school year.

- The BEP Review Committee recommends that capital outlay reduction resulting from Public Chapter 1135 (Section 1, Capital Outlay, Public Acts 2010) be reinstated at an estimated cost of approximately \$34.4 million. This estimate is based on the cost per square foot, as calculated from the most recent RS Means capital costs report. It was the general sense of the committee that the net impact of reducing capital outlay growth is the redefinition of “fully funding” the BEP formula. Many systems base their budgets on the assumption that capital outlay growth dollars are recurring, which results in a negative net impact for many local education agencies. Due to capital outlay growth being driven by a system’s average daily membership (ADM), there is the potential for an increase in this negative impact, particularly for systems experiencing an annual increase in ADMs.
- The BEP Review Committee recommends that the full cost of 12 months of insurance premiums be incorporated into the BEP funding formula. The estimated cost of this recommendation is approximately \$57.6 million. The committee reiterates that school districts always have paid for 12 months of premiums.

(D) DUAL ENROLLMENT TUITION

We ask legislative consideration to reduce tuition for college-level course work undertaken by high school students on a high school campus or other off-college location. Clearly, dual enrollment holds the promise of reducing costs for the student and state alike by reducing the amount of time necessary to obtain a college degree and move into the workforce. Dual enrollment further offers reduced overhead costs for community colleges, and those reduced costs should be reflected in the tuition required of Tennessee’s high school students.

With some colleges and universities currently charging as much as \$300 per course, this is a major obstacle for some families. One potential method to reduce dual enrollment costs is to consider certifying high school teachers to offer creditable college level work. Charging full tuition for dual enrollment courses only serves as a barrier to participation, while denying a head start on the future of these young learners.

II. PUBLIC SAFETY

(A) SYNTHETIC DRUGS

New legislation was enacted in 2012 to address the proliferation of synthetic drugs. During committee hearings, the bill was amended to add a second definition for "imitation controlled substance." That definition was inserted after

the initial definition by use of the conjunctive word "and." In addition, the new language used the term "substantially similar" without providing a definition.

This amendment to the original bill has resulted in two problems:

(1) A laboratory analysis is required to determine whether a substance is "substantially similar" to the chemical structure of a controlled substance. This has resulted in considerable expense to the TBI, delays in the prosecution of these cases, and prosecutorial setbacks due to changes made in the chemical structure by the manufacturers; and

(2) The TBI has not been provided with a definition of "substantially similar," thus leaving it to the agency to ascertain the meaning of this term.

These difficulties can be eliminated by two technical corrections. First, T.C.A. § 39-17-453(d)(1) should be amended by changing the word "and" to "or," which will allow prosecutors to proceed under either definition of imitation controlled substance. Secondly, T.C.A. § 39-17-453(d)(2) should be amended by changing the term "substantially similar" to "analogue," a scientific term that is widely understood by drug identification experts.

(B) METHAMPHETAMINE CLEAN-UP

It is the position of Tri-Cities area local governments that clean-up costs associated with the rampant manufacture of methamphetamine continues to pose a major public health threat and jeopardizes law enforcement and hazardous response budgets of local governments. It is the contention of the Tri-Cities that the state must maintain primary response and funding for the cleanup of illegal meth labs through the Tennessee Methamphetamine Task Force.

(C) REGIONAL FIRE TRAINING CENTERS

We support the creation of Tennessee regional fire training centers that can more flexibly serve volunteer and professional firefighters across the state; as well as state funding to assist a consortium of local governments to operate fire training centers on a multi-jurisdictional basis. In addition, more conveniently located regional training centers can assist greatly in providing crucial instruction and training to volunteer forces who often cannot afford to travel to the state training center in Middle Tennessee. Sources of state funding possibly could include similar streams already allocated for fire training centers in the large metro areas.

III. ECONOMIC DEVELOPMENT

(A) PRE-PROJECT FUNDING

We encourage the modification of the Tennessee Department of Transportation Industrial Access Road Program and the Tennessee Department of Economic and Community Development FastTrack Infrastructure Program to provide pre-project funding for park or site development when local communities are participating in the funding of the project. The current bird-in-hand requirement for funding does not allow a proactive approach to land and infrastructure development. As Tennessee is bordered by eight other states, incentive programs must be expanded to better compete with neighbors that offer a variety of incentives not found in Tennessee, including grants for site preparation and development; grants for the rehabilitation of buildings; loan guarantees; as well as tax credits to offset annual debt service costs on land, site development, buildings, fixtures and equipment.

We further support creation of a dedicated source of funding to create a standing funding pool, perhaps on a low-interest revolving loan basis, to assist localities in capitalizing opportunities as they arise for job retention and recruitment.

(B) AIRPORT DEVELOPMENT

We request development of new incentives focusing on the state's commercial service airports that represent unique opportunities for the recruitment of highly skilled and high-paying positions in the aviation and aerospace industry. Such incentives should include funding for water/sewer/gas infrastructure as well as other needs specific to the aerospace industry.

The State Department of Transportation declined to expand the scope of its existing State Highway 75 improvement project; therefore, we continue to support funding to improve an additional one mile section of State Highway 75 from the current project's termination at the Airport Parkway overpass to a point east of the Northeast State Community College campus. The project is needed to alleviate severe conflicts between local, student, and airport traffic.

(C) WORKERS' COMPENSATION REFORM

We support the efforts of the Governor to further reform the state's workers' compensation laws in order to make Tennessee more economically competitive with surrounding states.

IV. UNFUNDED MANDATES AND LOCAL CONTROL

(A) UNFUNDED MANDATES

We support legislation barring enactment of any state mandate without corresponding state funding to support the mandate and request that such legislation be introduced to accomplish that end. Similar bills were previously introduced and we ask our delegation to pursue enactment of said legislation.

(B) LOCAL CONTROL

We support the principle of local control and oppose any action to diminish local autonomy in the provision of utility services, emergency services, economic development, and other services provided by local government.

(C) COLLECTIVE BARGAINING

We oppose any state and or federal legislation that would allow or mandate local government employees the right to strike or collectively bargain over wages, benefits, or conditions of employment, even if limited in application. In the event a federal act mandating collective bargaining is passed, we request that Tennessee challenge the federal law as an infringement on state sovereignty.

V. LAND USE AND GROWTH

(A) ANNEXATION

We oppose any legislation that limits or restricts the annexation ability of cities. As the economic growth engines for the State, it is imperative that cities be allowed to grow and expand their boundaries without unduly restrictions and burdensome requirements. Anything that restricts this ability is potentially detrimental to the economic growth of the State.

(B) LOCAL PLANNING AND ZONING

We oppose any legislation that limits the ability of local governments to make decisions it deems to be in the best interests of the community. We believe local governments should maintain control of zoning and land use issues over which they currently have authority. This includes opposition to:

- mandating overly vague, excessive and bureaucratic public notice requirements;
- exempting local governments from regulating the sale of fireworks;
- the excessive expansion of grandfather rights and non-conforming uses regarding abandonment of use, signage, contiguous properties, and similar restrictions;
- exempting developments that receive preliminary approval to continue according to the regulations in existence at the time of approval for the first section, regardless of how long it takes to complete future phases and regardless of changes in any regulation or zoning ordinances; and
- any legislation that attempts to define property rights that prohibit, restrict, or limit local governments from regulating landscaping, open space preservation, requirement for public use, areas of natural resource protection, and similar restrictions.

All of these uses are currently regulated by local zoning ordinances, and it is our affirmed belief that these items are better controlled at the local level. We strongly urge the State of Tennessee to respect the ability of local governments to make decisions and take action it deems to be responsive to and in the best interests of its citizens.

VI. TRANSPORTATION

(A) I-81 / I-26 INTERCHANGE RECONSTRUCTION

We support reconstruction of the substandard Interstate 81/Interstate 26 intersection, which maintains a consistently unacceptable rate of accidents due to the tight radius of ramps. Such improvements will facilitate safer transit to the Airport Parkway, roughly 6.5 miles to the east.

(B) LOCAL OPTION GAS TAX

We support legislation creating a local option gas tax of up to five-cents per gallon. Such funds would be dedicated to local partnerships with the Tennessee Department of Transportation and counties to accelerate high-priority state highways, provide industrial access/job creation, and maintain local roads.

(C) TRANSPORTATION CHALLENGE GRANTS

We support legislation creating Challenge Grants through the Tennessee Department of Transportation for less populous cities and counties willing to fund a larger share of the cost for road projects on the state route system within their community. Such grants will stretch TDOT dollars and advance the state's critical road infrastructure needs, as the transportation needs of Tennessee's major cities consume the vast majority of available funding. As a result, it can take years to fund and construct even simple roadway and signalization projects in smaller communities.

(D) OPEN CONTAINER BILL

While Tennessee law has long banned open alcohol containers for motor vehicle operators, Tennessee has foregone more than \$90 million in federal transportation funding since 2004 because the General Assembly has not banned open alcohol containers for vehicle passengers. Given particularly tough transportation funding scenarios, we urge the delegation to support Open Container legislation this Session.

(E) TDOT CAPITAL FUNDING

Tennessee is an exemplary leader when it comes to fiscal responsibility, particularly on the issue of limiting debt financing for State needs. However, given a heavy backlog of highway projects, historically low interest rates, and an ultra-low overall capital burden on the state, we urge consideration of expanded incremental capital financing within the Transportation budget to accelerate critical road infrastructure projects. In addition, incremental capital financing represents the only way to equitably spread costs for large projects that will serve multiple generations so that future generations also bear some cost for the facilities. To do otherwise requires a major upfront capital expenditure borne only by current taxpayers, thereby overcharging these taxpayers for improvements that will last for decades.

(F) RAIL PASSENGER AND FREIGHT SERVICE

We support funding for passenger and intermodal freight rail service as alternative modes of transportation that can improve highway safety and help reduce traffic congestion, fuel consumption and pollution.

We support the establishment of a direct intermodal rail service from Virginia at Bristol to Memphis, including Knoxville and Chattanooga, to facilitate the movement of passengers and freight across the state. Such an effort would remove significant numbers of large semi-trucks and other vehicles that neither originate nor terminate within Tennessee from our interstates.

The Tri-Cities area has worked for many years to realize rail service with the Virginia passenger rail system. The TDOT Multi-Modal Transportation Planning Program should coordinate with the Virginia Department of Rail and Public Transportation to incorporate rail service between both states and enhance the economic feasibility of passenger and freight rail service while continuing to support the six states Memorandum of Understanding for the I-81 Regional Commerce Corridor.

VII. LOCAL REVENUE

(A) SINGLE-ARTICLE SALES TAX CAP

We support the restoration of the local single-article sales tax increment between \$3,200 and \$4,800. In past years, local governments were locked out of any increase in the single-article cap, a policy shift that threatens the already narrow revenue base available to local governments. Restoring the local right to the single-article increment will provide flexibility and alternatives other than property taxes, while holding the state harmless, remembering that the state captured the increment from \$1,600 to \$3,200 on any single article sold for its own use in balancing the state budget in 2002.

(B) Beer, Wine, and Alcohol Sales

The General Assembly is encouraged to eliminate archaic and counter-competitive restrictions regarding the retail sale of wine and beer for off premise consumption.

- We support legislation authorizing the sale of wine in grocery and convenience stores and the sale of beer with less than five percent (5%) alcohol content in liquor stores.
- Further, we encourage opening up the sale of products in liquor stores that are currently severely restricted.

(C) HALL INCOME TAX

We oppose any legislation that would reduce or eliminate the cities' situs based distribution (1/3) of the Hall Income Tax.