



AGENDA

BOARD OF MAYOR AND ALDERMEN REGULAR WORK SESSION

Monday, August 6, 2012
Council Room — 2nd Floor, City Hall
3:45 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 McCartt, 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. Discussion of Defined Contribution Management Companies –
Jim Demming/ Mark Morgan
5. Review of Items on August 7, 2012 Regular Business Agenda
6. 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

August 6, 2012

Special Projects

Welcome Center

Michael Thompson

August 1, 2012

Charles Blalock & Sons, Inc. has completed the bridge parapet rails. Work on the east side of Interstate 26 is concentrated on the placement of auxiliary lane stone and then concrete placement as well as the final entrance ramp grading. On the west side, final grading of the eastbound exit ramp is near completion and grading of the auxiliary lane between the Welcome Center and Rock Springs Road is ongoing. General items ongoing include the placement of drainage pipe and guardrail. The contract currently has a completion date of October 28, 2012. The Welcome Center Building is under a separate contract and is under design by Hastings Architecture. The tentative schedule for the Welcome Center building construction is currently estimated to be September 2012 - April 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 Project

John Campbell

August 6, 2012

Press, LLC (private rehabilitation of 200,000 sq. ft.): Integrity Capital moved into their 4,000 sq. ft. third floor space. The health-related business from Middle Tennessee has agreed to 4,000 sq.ft. and their area on the first floor is under construction. The 7,600 sq. ft. tenant possibility on the first floor has now committed; they are a specialized medical group. Also, the partners now own the old Funtastics restaurant and will demolish it as soon as environmental reports are finished. They will then turn it into a parking lot. The partners are working to recruit the following:

- 1,200 sq. ft. tenant on the third floor
- possible 7,000 sq. ft. space on the first floor for higher education

The partners are gathering memorabilia about the Kingsport Press for a historical area off the front lobby. The partners have offered to provide a prominent space in the lobby for an information kiosk about Kingsport events.

Farmers Market

Chris McCartt

August 2, 2012

Work continues inside the Market to construct the downstairs restrooms, stairwell and elevator. Crews will begin the necessary trenching for the water and sewer lines within the coming week. GRC anticipates having the restrooms operational by August 10 with the remainder of the work following shortly thereafter.

The Fieldstone Cellar

David Mason

August 2, 2012

The wine themed meeting room, known as "The Fieldstone Cellar" at Meadowview, is substantially complete. We are still awaiting some furnishings and decorative light fixtures. Meadowview has already started booking the room for corporate functions. They anticipate that it will be open for public use in about a month.

Reedy Creek Cellars

David Mason

August 2, 2012

"The Reedy Creek Cellars" at Meadowview is also operational, and has started bottling Meadowview Wines.

City Departments

Public Works

Gibson Mill Phase IV

Hank Clabaugh

August 1, 2012

Thomas Construction Co., Inc. is the contractor.

Construction of the retaining wall at the Health South Parking Lot is complete. Construction on the storm water collection infrastructure is about complete. Cassel Drive and Gibson Mill Roads are both nearing completion to final grade elevation.

The foundation/pier/abutment work on both the south pier (Health South side of Reedy Creek) and north pier are complete.

Steel bridge beams have been delivered to the job site. Installation of these beams will begin during the week of August 6.

Steel decking installation is anticipated to begin in mid to late August. Placing of the concrete bridge deck is expected to begin in mid September. The bridge parapet walls are expected to be constructed in early October. The complete bridge is projected to be completed by mid October.

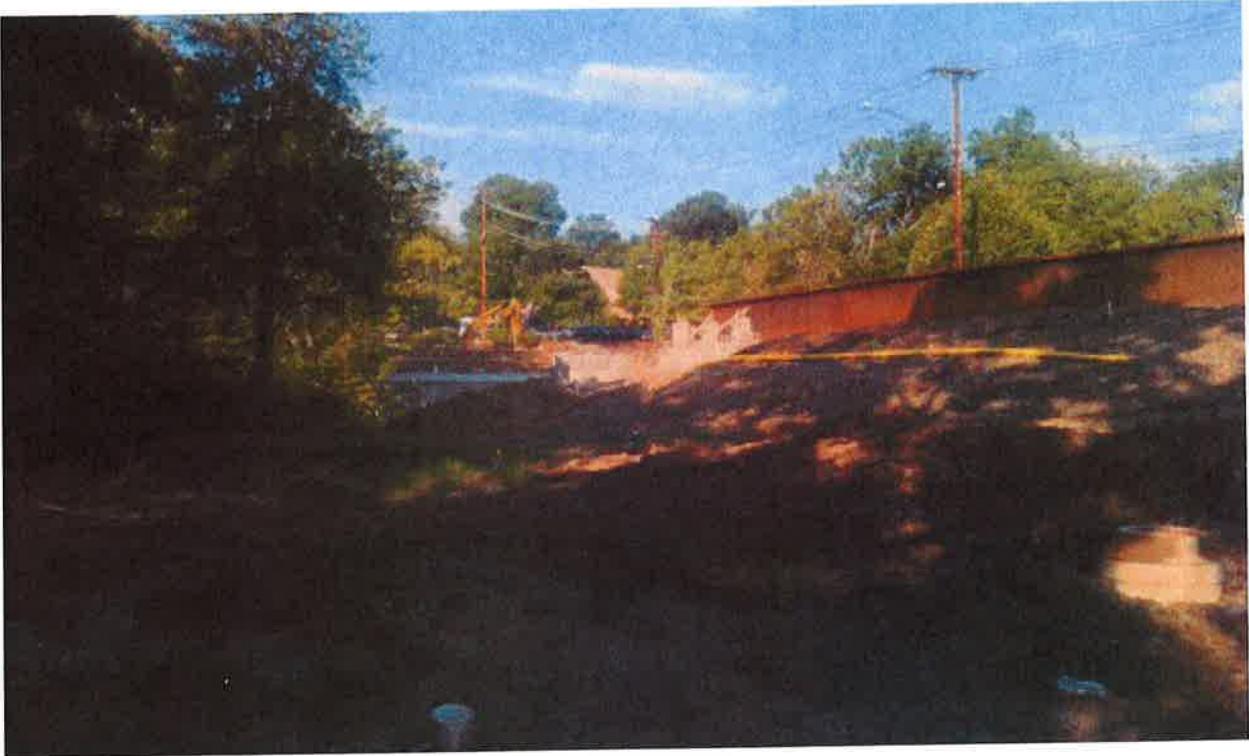
Milling of the asphalt on Gibson Mill Road from Cassel Drive to the Watauga Road roundabout has been completed. Construction of sanitary sewer and waterline work on this section has started. It will take approximately three months to complete the construction of these utilities. Gibson Mill Road will remain unpaved until the sanitary sewer and waterline work are complete.

Installation of concrete sidewalk and curb and gutter on the north side is ongoing.

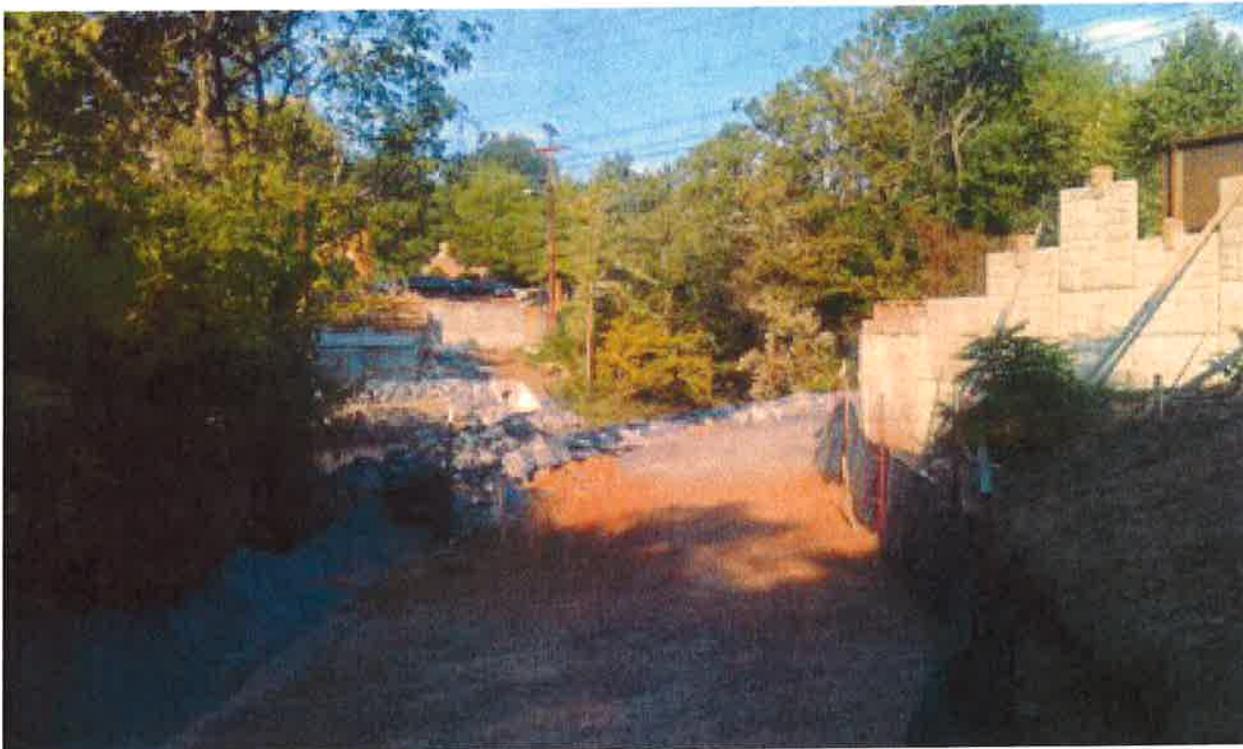
Contract time is 275 days with an expected project completion date of late November 2012.



Gibson Mill Phase IV



Gibson Mill Phase IV



Cleek Road Improvements Phase 2

Hank Clabaugh

August 6, 2012

Design of this project is complete with construction anticipated to start in the October of 2012. There is only one outstanding property left to purchase.

Phase 2 consists of completing an improved Cleek Road (including safety, stormwater, pedestrian mobility, and slope improvements) from the end of Phase 1 to a new connection point on Orebank Road. This new connection point will be in the vicinity of the intersection with Lamberth Street. Site distance improvements will also be made on Orebank Road. The entire project area is within City limits.

Fordtown Road Realignment

Michael Thompson

August 6, 2012

Summers-Taylor, Inc. has completed the foundations and both pier stems for all three bridge piers. Box culvert construction is near completion, with completion expected in August. Once culvert construction is complete grading operations will begin. Abutment 1 (on north end of bridge) construction will possibly begin in August as well, but Abutment 2 (south side) will have to wait until the grade is brought on the final elevation. The contract completion date is July 31, 2013. Construction contract price is \$5,578,127.49. 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** **August 1, 2012**

Bids were opened for this project on June 28 with the BMA approving the concrete roadway alternative at last BMA meeting. Contract documents are being prepared and staff is working to schedule the preconstruction conference. 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.

Netherland Inn Road Roundabout **Michael Thompson** **August 1, 2012**

The City and surety company are in agreement on document language and we should have a signed takeover contract very soon. The contractor still has a tentative schedule that would allow for a late August start date, with 45 days for completion. This date is tentative and dependent upon all legal paperwork being completed within the next two weeks.

Bays Mountain Road Repairs **Stephen Robbins** **August 2, 2012**

Summers Taylor Construction was awarded the contract to repair two areas of failed roadway. The contract started on June 1 with work starting immediately on the 1st repair area. On June 19 work began on drilling caissons for the worse of the repair sections. Drilling of the caissons and placing reinforcing steel & concrete in the shafts was completed on July 3.

Work is now proceeding with the construction of the wingwalls and abutments on the uphill side of the structure. Precast beams will be installed on August 7. Soon after, the construction of the abutments for the downhill side will begin. The contract calls for project completion by October 1.

Leisure Services

Aquatic Center **Chris McCartt** **August 6, 2012**

The concrete deck for second floor of the YMCA has been placed. The remaining structural steel for the YMCA is being erected, followed by the high roof decking. Roofing installation has commenced on the high roof over the Aquatic Center, and will continue working across the YMCA. The floor for the middle section of the competition pool has been installed and the floor for the warm pool will be placed July 31st. Work on the floor slab for the gatehouse will begin this week. Paving is underway in the parking lots and the new turn lane on Meadowview Parkway has been paved.

See updated picture on next page.

Aquatic Center - Middle Section of the Competition Pool. Floor is in place 7/30/12.



Middle section of the Competition Pool. Floor in place 7/30/12.

Riverfront Redevelopment/Greenbelt

Stephen Robbins

August 2, 2012

Duco Construction Company has the current phase of the site development. Paving for the Greenbelt extension has been completed and the trail is now open for use. The hot, dry weather followed by a month of severe rains has hindered getting a good stand of grass growing on a portion of the site. Additional access from Industry Drive has been paved adjacent to the WWTP headworks that will provide additional bicyclist and pedestrian access to the Greenbelt.

The picnic shelter and the adjacent benches provide an excellent view of the Holston River.



Cultural Arts

Bonnie Macdonald

August 1, 2012

Carousel. Nineteen of 32 animals are sponsored; both of the chariots are sponsored, and four of the 24 rounding boards are sponsored. Please contact the Cultural Arts office if you would like more information.

Carousel Project is working with Parks and Recreation management and the advisory committee to investigate a location at the Legion Pool site.

Carousel Fine Arts and Craft Show. The Cultural Arts Office will work with Tennessee Association of Craft Artists in Nashville to establish the Second Annual Carousel Fine Arts and Craft show as a juried event. Dates for this show are March 22nd and 23rd, 2013.

Christmas Connection. The 33rd annual *Christmas Connection Arts and Craft Show* will be held at the Civic Auditorium Nov. 2 – 4. The Show is SOLD OUT for vendor booths.

Advocacy/Information. The Cultural Arts Office is working in partnership with major arts organizations from this area to present a comprehensive package of information highlighting the abundant and excellent opportunities for a creative community in Kingsport.

Art Nights/City Lights. Planning for the 2012-2013 concerts is underway. Tentative Schedule:

- Al Petteway and Amy White Dec. 7
 - At the Renaissance Theatre

- ‘It’s A Wonderful Life: Live from WVL Radio Theatre Dec. 18
 - Renaissance Theatre

- Jazz Rhapsody: A Songbird’s Tribute to Jazz Feb. 21
 - Renaissance Theatre

- Atlantic Steps* Mar. 15
 - *in partnership with Northeast State College,
Performed at the Blountville Campus, Wellmont Theatre.

Art in Public Places. The Renaissance Center will host the Tennessee Arts Commission’s traveling exhibit ‘**Traditions**’ with the opening reception scheduled for Thursday, December 13th. This will be the only exhibition of this collection in northeast Tennessee.

Workshops. The Cultural Arts Office will co-sponsor the Kingsport Art Guild 2nd Sunday art investigation workshops. These workshops are free and open to the public from 2 – 4 p.m. each month on the second Sunday of the month.



AGENDA

BOARD OF MAYOR AND ALDERMEN

REGULAR BUSINESS MEETING

Tuesday, August 7, 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 – Ed Clevinger, Pastor, Grace Covenant Church
- III. ROLL CALL
- IV. RECOGNITIONS & PRESENTATIONS
- V. APPROVAL OF MINUTES
 1. Regular Work Session 07/23/12
 2. Regular Business Meeting 07/24/12

I. COMMUNITY INTEREST ITEMS

AA. PUBLIC HEARINGS

1. Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Colonial Heights Area 7 Part A Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 237-2012)
 - Public Hearing
 - Annexation Ordinance – First Reading
 - Zoning Ordinance – First Reading
 - Resolution

2. Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Colonial Heights Area 7 Part B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 238-2012)
 - Public Hearing
 - Annexation Ordinance – First Reading
 - Zoning Ordinance – First Reading
 - Resolution

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 a Resolution to Authorize the Mayor to Sign all Documents Necessary to Enter into a Materials Agreement with Danny Karst Related to the Edinburgh Phase 2 Sections 2E and 2F Development and an Ordinance to Appropriate the Funds (AF: 243-2012)
 - Resolution
 - Ordinance – First Reading

2. Consideration of an Ordinance to Amend the Various Funds to Adjust Budgets for Year End (AF: 242-2012)
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Consideration of Postponement of Second Reading of the Annexation and Zoning Ordinance for the Childress Ferry Annexation (AF 241-2012)

D. OTHER BUSINESS

1. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to Personal Computer Systems, Inc. for the Purchase of Equipment to Provide a Wireless Network at Dobyns-Bennett High School and John Sevier and Ross N. Robinson Middle Schools (AF: 239-2012)
 - Resolution

2. Consideration of a Resolution Authorizing the Mayor to Execute an Amendment to the Contract Between the City of Kingsport and the Tennessee Department of Environment and Conservation (TCEC) (AF: 244-12)
 - Resolution
3. Consideration of a Resolution Authorizing the Mayor to Sign an Agreement allowing participating institutions to offer Higher Education programs/ courses in the Kingsport Center for Higher Education and to give approval for Northeast State Community College to enter into sub-lease agreements with participating institutions for office space, common areas and classroom space (AF: 246-2012)
 - Resolution
4. Consideration of a Resolution Accepting the Proposal of ICMA-RC for the Defined Contribution Retirement Plan and Authorizing the Mayor to Execute the Necessary Documents (AF: 240-2012)
 - Resolution
5. Consideration of a Resolution Authorizing the Mayor to Enter into a Lease Agreement with Tennessee Municipalities for Use of City of Kingsport Owned Equipment (AF: 247-2012)
 - Resolution

ADDITION



E. APPOINTMENTS

1. Consideration of Reappointments to the Employee Dependent Scholarship Program (AF: 245-2012)
 - Reappointments

VII. CONSENT AGENDA

1. Consideration of a Budget Ordinance to appropriate grant funds approved by the Department of Justice, Justice Assistance Grant Program (JAG) (AF: 226-2012)
 - Budget Ordinance – Second Reading & Final Adoption
2. Consideration of an Ordinance to Appropriate Visitor Enhancement Program Funds to the Meadowview Winery Project (AF: 228 -2012)
 - Ordinance – Second Reading & Final Adoption
3. Consideration of an Ordinance to Appropriate Cultural Arts Funding received from Tennessee Arts Commission (AF: 230-2012)
 - Ordinance – Second Reading & Final 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, July 23, 2012, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor Dennis Phillips
Alderman John Clark
(arrived at 4:50 p.m.)

Alderman Mike McIntire
Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst

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 Deputy City Recorder Marshall. Absent: Alderman Valerie Joh and Alderman Jantry Shupe.
3. **WORK SESSION TICKLER.** Mayor Phillips commented on a text he had received from the floor company on Highwater about their entrance being blocked and asked staff to be aware of this situation. Public Works Director Ryan McReynolds informed Alderman McIntire the bidding process for Cleek Road would begin in late summer. The Mayor also asked for an update on the Netherland Inn Roundabout. Mr. McReynolds pointed out there was an agenda item addressing this issue (Item VI.D.5) approving a take-over agreement. City Attorney Billingsley provided further details.
4. **AQUATIC CENTER UPDATE.** Mr. Frank Brewer informed the Board that those who were working on this project appreciated their visit to the site. He stated the project was still on budget, but due to the recent bad weather they are behind about thirteen days. However, he stated, the company is confident the lost time will be made up and the project will be finished as scheduled. Mr. Brewer then summarized what had been accomplished at the site in the last thirty days. Assistant to the City Manager Chris McCartt provided further details regarding the contingency Denark has built up, allowing for additional work without a change order. Mr. McCartt also stated the project will soon be getting media coverage to show progress of this facility.
5. **REVIEW OF AGENDA ITEMS ON THE JULY 24, 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:
 - VI.AA.1 **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Childress Ferry Annexation and Consideration of a Resolution Adopting the Plan of Services** (AF: 215-2012). City Planner Ken Weems gave a brief presentation on this item, noting this annexation was at the request of the property owner.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, July 23, 2012

VI.B.1 Consideration of a Budget Ordinance to Appropriate Grant Funds Approved by the Department of Justice, Justice Assistance Grant Program (JAG) (AF: 226-2012). City Manager Campbell stated this grant would purchase in-car cameras for police cruisers. Police Chief Osborne provided further details on the use of these cameras and how many were already installed.

VI.B.2 Consideration of an Ordinance to Appropriate Visitor Enhancement Program Funds to the Meadowview Winery Project (AF: 228-2012). City Manager Campbell explained these funds would provide furniture and cabinets. There was some discussion on the Visitor Enhancement Program.

VI.D.1 Consideration of a Resolution Authorizing the Mayor to Sign a Document for Approval for Northeast State Community College to Sublease Room KC304 of the Kingsport Center for Higher Education to Lincoln Memorial University for Purposes of Operations Related to Their Course Offerings in the Facility (AF: 222-2012). City Manager Campbell pointed out this was the first time the position of nurse practitioner was being offered.

VI.D.2 Consideration of a Resolution for the City Recorder to Reconcile and Adjust Uncollectible Public Utility Property Tax for the Tax Year 2001 (AF: 229-2012). City Manager Campbell noted this included an addition to a similar item from the last meeting. City Recorder Demming provided further details.

VI.D.4 Consideration of a Resolution Authorizing the Purchase of 800MHz Radios for Public Works Crews to Replace Current Radio System Due to Narrowbanding Requirements of the FCC (AF: 227-2012). City Manager Campbell explained this new system would be compatible with other Public Works departments in the region. Ronnie Hammonds provided further details, noting Kingsport would now be able to communicate with Johnson City and Sullivan County.

VI.D.5 Consideration of a Resolution Approving a Takeover Agreement with Companion Property & Casualty Insurance Company and Authorizing the Mayor to Execute the Agreement (AF: 236-2012). See Item 3 (Work Session Tickler).

VI.D.8 Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Works Grant from the National Endowment for the Arts (AF: 233-2012). Assistant to the City Manager Chris McCartt noted this grant provided a unique opportunity to promote production in conjunction with the symphony.

VI.D.9 Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Innovation Grant from the Americans for the Arts (AF: 234-2012). City Manager Campbell gave information on this item and provided further details on the grant process for Alderman Clark.

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VI.D.10 Consideration of a Resolution Authorizing the Mayor to Sign a Contract with the Tennessee Department of Transportation Accepting a Federal Enhancement Grant for Extension of the Greenbelt (Rotherwood Section) (AF: 224-2012). City Manager Campbell commented this has been a long-term effort and would allow the greenbelt to cross the river.

VI.D.11 Consideration of a Resolution Awarding the Bid for Sullivan Street Improvements Phase I and Authorize the Mayor to Sign All Applicable Documents (AF: 235-2012). Assistant Public Works Director Michael Thompson stated the bid was put out for both asphalt and concrete, noting the benefits of using concrete. Public Works Director Ryan McReynolds provided further details. Discussion followed.

BOARD COMMENT. Alderman McIntire asked if there had been a decision made for the carousel relocation. Assistant to the City Manager Chris McCartt noted a meeting was scheduled for this week with the carvers, city staff and the architects.

PUBLIC COMMENT. Ms. Barbara Brown commented on the suggested ticket prices listed in the newspaper for the Aquatic Center. Some discussion followed. Mayor Phillips emphasized that the fees have not been set yet.

5. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 5:45 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, July 24, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman John Clark

Alderman Michael 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:** Former Sullivan County Commissioner, Joe Herron.
- II.B. **INVOCATION:** By Ray Amos, Jr., Pastor – St. Matthew United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Valerie Joh.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Commissioner Joe Herron – Mayor Phillips and Sullivan County Mayor Steve Godsey recognized Mr. Herron's service as a county commissioner as well as his work with the Sullivan County – Bluff City – Kingsport Animal Shelter in light of his retirement from the county commission.

V. **APPROVAL OF MINUTES.**

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

A. July 9, 2012 Regular Work Session

B. July 10, 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 Zoning of the Childress Ferry Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 215-2012).** City Planner Ken Weems gave a brief presentation on this item, noting it was at the property owner's request.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 24, 2012**

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

Motion/Second: McIntire/Parham, 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 7TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE CHILDRESS FERRY 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/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG CHILDRESS FERRY ROAD TO A-1, AGRICULTURAL DISTRICT, IN THE 7TH 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/Clark, to pass:

Resolution No. 2013-012, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE CHILDRESS FERRY 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 a Budget Ordinance to Appropriate Grant Funds Approved by the Department of Justice, Justice Assistance Grant Program (JAG) (AF: 226-2012). City Manager Campbell noted this grant would purchase five in-car cameras for the police department.

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, July 24, 2012

2. Consideration of an Ordinance to Appropriate Visitor Enhancement Program Funds to the Meadowview Winery Project (AF: 228-2012). City Manger Campbell pointed out these funds would allow the finishing touches for the wine cellar room.

Motion/Second: Parham/Clark, to pass:

AN ORDINANCE TO AMEND THE MEADOWVIEW PROJECT FUND BUDGET BY TRANSFERRING ADDITIONAL FUNDS FROM THE VISITORS ENHANCEMENT FUND OPERATING BUDGET TO FUND THE MEADOWVIEW WINERY 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."

3. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Tennessee Arts Commission (AF: 230-2012).

Motion/Second: Segelhorst/Clark, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION; 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 Authorizing the Mayor to Sign a Document for Approval for Northeast State Community College to Sublease Room KC304 of the Kingsport Center for Higher Education to Lincoln Memorial University for Purposes of Operations Related to Their Course Offerings in the Facility (AF: 222-2012). City Manager Campbell explained this faculty office space would now be used for the nurse practitioner program.

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2013-013, A RESOLUTION APPROVING AN AGREEMENT BETWEEN NORTHEAST STATE COMMUNITY COLLEGE AND LINCOLN MEMORIAL UNIVERSITY TO SUBLEASE ROOM KC304 OF THE KINGSFORT CENTER FOR HIGHER EDUCATION TO LINCOLN MEMORIAL AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL APPLICABLE DOCUMENTS TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, July 24, 2012

2. Consideration of a Resolution for the City Recorder to Reconcile and Adjust Uncollectible Public Utility Property Tax for the Tax Year 2001 (AF: 229-2012). Vice-Mayor Parham pointed out the rate of delinquency is less than one percent and commented favorable on Kingsport's process.

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-014, A RESOLUTION AUTHORIZING THE CITY RECORDER TO RECONCILE AND ADJUST DELINQUENT PUBLIC UTILITY PROPERTY TAX RECEIVABLES IN FISCAL YEAR 2012 FOR THE TAX YEAR 2001; AND AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY RECORDER TO EXECUTE ANY PLEADINGS NECESSARY AND PROPER FOR THE DELINQUENT TAX COLLECTION LAWSUIT

Passed: All present voting "aye."

3. Consideration of a Resolution Accepting a Contract with the Tennessee Department of Transportation for Federal and State Transportation Planning Funds on Behalf of the Kingsport MPO and Allowing the Mayor to Sign All Related Documents (AF: 206-2012).

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-015, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Purchase of 800MHz Radios for Public Works Crews to Replace Current Radio System Due to Narrowbanding Requirements of the FCC (AF: 227-2012). City Manager Campbell noted the bands that are currently being used will be outlawed by December 31st. He further stated this new system would conform and modernize to the current standards.

Motion/Second: Segelhorst/Shupe, to pass:

Resolution No. 2013-016, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MOTOROLA FOR 800MHZ RADIOS FOR PUBLIC WORKS

Passed: All present voting "aye."

5. Consideration of a Resolution Approving a Takeover Agreement with Companion Property & Casualty Insurance Company and Authorizing the Mayor to Execute the Agreement (AF: 236-2012). City Manager Campbell stated this approved the payment to fix the Netherland Inn Roundabout. Vice-Mayor Parham commented we should not publicize any dates until we know for sure.

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Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-017, A RESOLUTION APPROVING A TAKEOVER AGREEMENT WITH COMPANION PROPERTY & CASUALTY INSURANCE COMPANY, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Touring Arts Grants from the Tennessee Arts Commission (AF: 231-2012).

Motion/Second: Clark/Segelhorst, to pass:

Resolution No. 2013-018, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TOURING ARTS GRANT FROM THE TENNESSEE ARTS COMMISSION

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Builds Communities Grant from the Tennessee Arts Commission (AF: 232-2012). City Manager Campbell stated this was a \$2,000 grant to help promote the carousel.

Motion/Second: Parham/Clark, to pass:

Resolution No. 2013-019, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS BUILDS COMMUNITIES GRANT FROM THE TENNESSEE ARTS COMMISSION FOR THE CAROUSEL PROJECT

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Arts Works Grant from the National Endowment for the Arts (AF: 233-2012). City Manager Campbell stated this grant was not always available and would be used in conjunction with the Aquatic Center. Alderman Clark commented, noting the City does a nice job with these grants.

Motion/Second: Clark/Parham, to pass:

Resolution No. 2013-020, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS WORK GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS

Passed: All present voting "aye."

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9. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary and Proper to Apply for and Receive Innovation Grant from the Americans for the Arts (AF: 234-2012).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-021, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN INNOVATION GRANT FROM THE AMERICANS FOR THE ARTS

Passed: All present voting "aye."

10. Consideration of a Resolution Authorizing the Mayor to Sign a Contract with the Tennessee Department of Transportation Accepting a Federal Enhancement Grant for Extension of the Greenbelt (Rotherwood Section) (AF: 224-2012). City Manager Campbell provided details on this item, noting the Governor of Tennessee made a trip to Kingsport regarding this grant because it is the largest one ever received of this nature, providing a bridge to connect the greenbelt. Alderman Segelhorst pointed out this will take the greenbelt into Hawkins County. Vice-Mayor Parham noted this has been a four year effort by City staff.

Motion/Second: Parham/McIntire, to pass:

Resolution No. 2013-022, A RESOLUTION APPROVING RECEIPT OF A GRANT AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE A FEDERAL ENHANCEMENT GRANT ADMINISTERED THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR EXTENSION OF THE GREENBELT

Passed: All present voting "aye."

11. Consideration of a Resolution Awarding the Bid for Sullivan Street Improvements Phase I and Authorize the Mayor to Sign All Applicable Documents (AF: 235-2012). City Manager Campbell gave information on this item. He stated three lanes would be built with an eight foot mobility path on one side and a sidewalk on the other. Mr. Campbell further stated that both concrete and asphalt were evaluated, noting that staff is recommending the use of concrete.

Motion/Second: McIntire/Segelhorst, to pass:

Resolution No. 2013-023, A RESOLUTION AWARDED THE BID FOR SULLIVAN STREET IMPROVEMENTS PHASE I TO THOMAS CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

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VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Parham/Segelhorst, to adopt:

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Donations (AF: 213-2012).

Adopt:

Ordinance No. 6229, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM ENGAGE KINGSFORT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Consideration of an Ordinance Suspending the Full Reading of Pre-Filed Ordinances (AF: 217-2012).

Adopt:

Ordinance No. 6230, AN ORDINANCE PROVIDING FOR SUSPENSION OF THE FULL READING OF ALL PRE-FILED ORDINANCES PURSUANT TO ARTICLE IV, SECTION 2 OF THE CHARTER OF THE CITY OF KINGSFORT

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Amend the Code of Ordinances, Section 62-123 Relating to Waste and Garbage Disposal in Mobile Home Parks and Section 90-1 Relating to the Definitions of the Terms "Nonresidential Producer" and "Residential Producer" (AF: 205-2012).

Adopt:

Ordinance No. 6231, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, SECTION 62-123 RELATING TO WASTE AND GARBAGE DISPOSAL IN MOBILE HOME PARKS; SECTION 90-1 RELATING TO THE DEFINITIONS OF THE TERMS "NONRESIDENTIAL PRODUCER" AND "RESIDENTIAL PRODUCER"; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance Transferring Funds to Various Projects for End of Year Clean Up (AF: 170-2012).

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Adopt:

Ordinance No. 6232, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell stated the Funfest committee did a good job and thanked all employees who helped out, especially police, fire and public works. He also noted some additional assistance was received from the Bristol Police Department in return for our help during race weekends.

B. MAYOR AND BOARD MEMBERS. Alderman McIntire thanked the city employees and volunteers who helped with Funfest as well as everyone who attended.

Alderman Segelhorst additionally thanked the sponsors of Funfest and wished Alderman Shupe a happy birthday this Friday. Mr. Segelhorst also reminded everyone that school would be starting soon and to drive safely and watch out for children.

Alderman Clark commented on Funfest and commended the efforts of the Chamber of Commerce.

Vice-Mayor Parham stated he believed there was record attendance at Funfest, in spite of the bad weather. He also congratulated Joe Herron and his family, noting it was a pleasure to work with him on the SBK (Sullivan County/Bluff City/Kingsport Animal Shelter) committee.

Mayor Phillips stated Funfest was a great event. He pointed out the highlight was probably the rained out Christian concert on Thursday night that was moved inside to the gym, noting he has heard many favorable comments.

C. RECORDER, JAMES DEMMING.

Mr. Demming provided a copy of the following to each Board member:

1. Acknowledgement of report on debt obligation for the issuance of \$3,110,000 General Obligation Bonds, Series 2012A; \$9,970,000 General Obligation Refunding Bonds, Series 2012B; and \$9,305,000 General Obligation Public Improvement Bonds, Series 2012C sold in June, 2012.
2. Submission of Letters of Approval from the State of Tennessee for Issuance of Inter-Fund Loan Capital Outlay Notes.

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D. VISITORS. Ms. Barbara Brown commented favorably on Mr. Joe Herron. She also asked the Board to consider operating one additional swimming pool in addition to the Aquatic Center.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:40 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor



AGENDA ACTION FORM

Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Colonial Heights Area 7 Part A 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.: AF: 237-2012
 Work Session: August 6, 2012
 First Reading: August 7, 2012
 Final Adoption: August 21, 2012
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance for the Colonial Heights Area 7 Part A annexation
- Approve ordinance amending the zoning ordinance for the Colonial Heights Area 7 Part A annexation
- Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is the Colonial Heights Area 7 Part A annexation of approximately 109 acres/139 parcels located on the east side of Lebanon Road, with an approximate population of 235 residents (including 28 children currently attending county schools). The current county zoning of the area is R-1 (Low Density District) and B-4 (Arterial Business Service District). The proposed city zoning for the area is R-1B (Residential District) and B-4P (Planned Business District).

During their July 2012 regular meeting, the Kingsport Regional Planning Commission voted (5-2) to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation based on a 5 year sanitary sewer implementation schedule. The two negative votes were favorable to an 8 year sanitary sewer implementation recommendation. City Planning Staff, based on extensive work by the Public Works Director for when different projects can be paid as well as comments from the BMA and Planning Commission during the joint session on 6 February 2012, recommended an 8 year sanitary sewer implementation schedule. Please note that all other plan of service items remain standard. With the exception of sewer work, the other expenses involved with this annexation have a rapid pay back. The Notice of Public Hearing was published on July 23, 2012.

Attachments:

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

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, August 7, 2012, to consider the annexation, zoning, and plan of services for the Colonial Heights Area 7 Part A 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 60, Tax Map 92K; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 990 feet to a point, said point being the eastern corner of parcel 30; thence in a southwesterly direction, approximately 350 feet to a point, said point being the northern corner of parcel 32; thence in a southeasterly direction, approximately 225 feet to a point, said point being the southern corner of parcel 31; thence in a northeasterly direction, approximately 420 feet to a point, said point being the eastern corner of parcel 31 in common with the southwestern right-of-way of Fort Henry Drive; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 435 feet to a point, said point being the northern corner of parcel 1; thence in a southwesterly direction, following the eastern right-of-way of the railroad, approximately 555 feet to a point, said point being the western corner of parcel 3; thence in a northeasterly direction, approximately 50 feet to a point, said point being the northeast corner of parcel 9; thence in a southeasterly direction, approximately 370 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, crossing the right-of-way of Fairlane Drive, approximately 270 feet to a point, said point lying on the parcel boundary of parcel 10; thence in a southeasterly direction, following the eastern right-of-way of Fairlane Drive, approximately 160 feet to a point, said point being the southern corner of parcel 10; thence in a southwesterly direction, following the northern right-of-way of Interstate 81, approximately 2,020 feet to a point, said point being the eastern corner of parcel 3; thence in a northwesterly direction, approximately 120 feet to a point, said point lying on the parcel boundary of parcel 13; thence in a southwesterly direction, approximately 500 feet to a point, said point being the southern corner of parcel 3.10; thence in a northwesterly direction, following the western right-of-way of Bel Air Lane and crossing the right-of-way of Altamont Drive, approximately 620 feet to a point, said point lying on the parcel boundary of parcel 37; thence in a southwesterly direction, crossing the right-of-way of Lebanon Road, approximately 200 feet to a point, said point being the eastern boundary of parcel 42; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 100 feet to a point, said point being the eastern boundary of parcel 42; thence in a northeasterly direction, crossing the right-of-way of Lebanon Road, approximately 770 feet to a point, said point being the eastern corner of parcel 38.35; thence in a northwesterly direction, approximately 360 feet to a point, said point being the northern corner of parcel 38.45; thence in a southwesterly direction, approximately 600 feet to a point, said point being the southern corner of parcel 39; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 1,330 feet to a point, said point being the western corner of parcel 1; thence in a northeasterly direction, approximately 830 feet to a point, said point being the northern corner of parcel 1; thence in a southeastern direction, approximately 550 feet to a point, said point being the southern corner of parcel 2; thence in a northeasterly direction, crossing the right-of-way of Fairlawn Drive and following the eastern right-of-way of Wilmont Drive, approximately 450 feet to a point, said point lying on the northwestern boundary of parcel 7; thence in a northwesterly direction, crossing the right-of-way of Wilmont Drive, approximately 170 feet to a point, said point being the western corner of parcel 20; thence in a northeasterly direction, crossing the right-of-way of Ridgemont Drive, approximately 350 feet to a point, said point being the eastern corner of parcel 66; thence in a northwesterly direction, approximately 100 feet to a point, said point being the western corner of parcel 64; thence in a northeasterly

direction, approximately 100 feet to a point, said point being the western corner of parcel 62; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 61; thence in a southwesterly direction, approximately 100 feet to a point, said point being the southern corner of parcel 60; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 60; thence in a northeasterly direction, approximately 330 feet to the point of BEGINNING, and being all of parcels 1, 2, 2, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5, 5, 6, 6, 6, 6, 7, 7, 7, 7, 7, 8, 8, 8, 8, 8, 9, 9, 9, 9, 10, 10, 10, 10.10, 10.15, 10.20, 10.30, 10.40, 10.45, 10.50, 10.55, 11, 11, 11, 12, 12, 12, 13, 13, 13, 14, 14, 14, 15, 15, 15, 15, 16, 16, 16, 17, 17, 17, 18, 18, 18, 19, 19, 19, 20, 20, 20, 20, 21, 21, 22, 22, 22, 23, 23, 23, 24, 25, 25, 26, 26, 27, 27, 28, 28, 29, 29, 30, 30, 31, 32, 32, 33, 33, 34, 34, 35, 35, 36, 36, 37, 37.10, 38, 39, 39, 40, 40, 41, 60, 61, 62, 63, 64, and 65, as well as the streets of Bel Air Lane, approximately 400 feet in length, Ridgmont Drive, approximately 120 feet in length, Wilmont Drive, approximately 620 feet in length, Fairlawn Drive, approximately 300 feet in length, Oak Tree Lane, approximately 100 feet in length, Green Hills Drive, approximately 1,200 feet in length, Brightwood Lane, approximately 700 feet in length, Castle Oaks Drive, approximately 700 feet in length, Summit Oaks Circle, approximately 550 feet in length, Fairlane Drive, approximately 330 feet in length, Tall Oak Court, approximately 650 feet in length, Woodmere Drive, approximately 1,800 feet in length, Altamont Drive, approximately 770 feet in length, Highlea Drive, approximately 500 feet in length, Belvedere Lane, approximately 1,400 feet in length, and Lebanon Road, approximately 100 feet in length, Tax Maps 92K, 92O, 92N, and 106C as shown on the March 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: 7/23/12

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 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 7 PART A 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 7th day of August, 2012, and notice thereof published in the Kingsport Times-News on the 23rd day of July, 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 7th day of August, 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. 14 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northern corner of parcel 60, Tax Map 92K; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 990 feet to a point, said point being the eastern corner of parcel 30; thence in a southwesterly direction, approximately 350 feet to a point, said point being the northern corner of parcel 32; thence in a southeasterly direction, approximately 225 feet to a point, said point being the southern corner of parcel 31; thence in a northeasterly direction, approximately 420 feet to a point, said point being the eastern corner of parcel 31 in common with the southwestern right-of-way of Fort Henry Drive; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 435 feet to a point, said point being the northern corner of parcel 1; thence in a southwesterly direction, following the

eastern right-of-way of the railroad, approximately 555 feet to a point, said point being the western corner of parcel 3; thence in a northeasterly direction, approximately 50 feet to a point, said point being the northeast corner of parcel 9; thence in a southeasterly direction, approximately 370 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, crossing the right-of-way of Fairlane Drive, approximately 270 feet to a point, said point lying on the parcel boundary of parcel 10; thence in a southeasterly direction, following the eastern right-of-way of Fairlane Drive, approximately 160 feet to a point, said point being the southern corner of parcel 10; thence in a southwesterly direction, following the northern right-of-way of Interstate 81, approximately 2,020 feet to a point, said point being the eastern corner of parcel 3; thence in a northwesterly direction, approximately 120 feet to a point, said point lying on the parcel boundary of parcel 13; thence in a southwesterly direction, approximately 500 feet to a point, said point being the southern corner of parcel 3.10; thence in a northwesterly direction, following the western right-of-way of Bel Air Lane and crossing the right-of-way of Altamont Drive, approximately 620 feet to a point, said point lying on the parcel boundary of parcel 37; thence in a southwesterly direction, crossing the right-of-way of Lebanon Road, approximately 200 feet to a point, said point being the eastern boundary of parcel 42; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 100 feet to a point, said point being the eastern boundary of parcel 42; thence in a northeasterly direction, crossing the right-of-way of Lebanon Road, approximately 770 feet to a point, said point being the eastern corner of parcel 38.35; thence in a northwesterly direction, approximately 360 feet to a point, said point being the northern corner of parcel 38.45; thence in a southwesterly direction, approximately 600 feet to a point, said point being the southern corner of parcel 39; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 1,330 feet to a point, said point being the western corner of parcel 1; thence in a northeasterly direction, approximately 830 feet to a point, said point being the northern corner of parcel 1; thence in a southeastern direction, approximately 550 feet to a point, said point being the southern corner of parcel 2; thence in a northeasterly direction, crossing the right-of-way of Fairlawn Drive and following the eastern right-of-way of Wilmont Drive, approximately 450 feet to a point, said point lying on the northwestern boundary of parcel 7; thence in a northwesterly direction, crossing the right-of-way of Wilmont Drive, approximately 170 feet to a point, said point being the western corner of parcel 20; thence in a northeasterly direction, crossing the right-of-way of

Ridgemont Drive, approximately 350 feet to a point, said point being the eastern corner of parcel 66; thence in a northwesterly direction , approximately 100 feet to a point, said point being the western corner of parcel 64; thence in a northeasterly direction, approximately 100 feet to a point, said point being the western corner of parcel 62; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 61; thence in a southwesterly direction, approximately 100 feet to a point, said point being the southern corner of parcel 60; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 60; thence in a northeasterly direction, approximately 330 feet to the point of BEGINNING, and being all of parcels 1, 2, 2, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5, 5, 6, 6, 6, 6, 7, 7, 7, 7, 7, 8, 8, 8, 8, 9, 9, 9, 9, 10, 10, 10, 10.10, 10.15, 10.20, 10.30, 10.40, 10.45, 10.50, 10.55, 11, 11, 11, 12, 12, 12, 13, 13, 13, 14, 14, 14, 15, 15, 15, 16, 16, 16, 17, 17, 17, 18, 18, 18, 19, 19, 19, 20, 20, 20, 20, 21, 21, 22, 22, 22, 23, 23, 23, 24, 25, 25, 26, 26, 27, 27, 28, 28, 29, 29, 30, 30, 31, 32, 32, 33, 33, 34, 34, 35, 35, 36, 36, 37, 37.10, 38, 39, 39, 40, 40, 41, 60, 61, 62, 63, 64, and 65, as well as the streets of Bel Air Lane, approximately 400 feet in length, Ridgemont Drive, approximately 120 feet in length, Wilmont Drive, approximately 620 feet in length, Fairlawn Drive, approximately 300 feet in length, Oak Tree Lane, approximately 100 feet in length, Green Hills Drive, approximately 1,200 feet in length, Brightwood Lane, approximately 700 feet in length, Castle Oaks Drive, approximately 700 feet in length, Summit Oaks Circle, approximately 550 feet in length, Fairlane Drive, approximately 330 feet in length, Tall Oak Court, approximately 650 feet in length, Woodmere Drive, approximately 1,800 feet in length, Altamont Drive, approximately 770 feet in length, Highlea Drive, approximately 500 feet in length, Belvedere Lane, approximately 1,400 feet in length, and Lebanon Road, approximately 100 feet in length, Tax Maps 92K, 92O, 92N, and 106C as shown on the March 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:

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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

**PRE-FILED
CITY RECORDER**

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG RIDGEMONT DRIVE, WILMONT DRIVE, FAIRLAWN DRIVE, GREEN HILLS DRIVE, BRIGHTWOOD LANE, CASTLE OAKS DRIVE, SUMMIT OAKS CIRCLE, FAIRLANE DRIVE, TALL OAK COURT, WOODMERE DRIVE, ALTAMONT DRIVE, HIGHLEA DRIVE, AND LEBANON ROAD TO R-1B, RESIDENTIAL DISTRICT AND B-4P, PLANNED BUSINESS 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 along Ridgemont Drive, Wilmont Drive, Fairlawn Drive, Green Hills Drive, Brightwood Lane, Castle Oaks Drive, Summit Oaks Circle, Tall Oak Court, Woodmere Drive, Altamont Drive, Highlea Drive, and Lebanon Road to R-1B, Residential District, in the 14th 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 60, Tax Map 92K; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 990 feet to a point, said point being the eastern corner of parcel 30; thence in a southwesterly direction, approximately 350 feet to a point, said point being the northern corner of parcel 32; thence in a southeasterly direction, approximately 225 feet to a point, said point being the southern corner of parcel 31; thence in a northeasterly direction, approximately 420 feet to a point, said point being the eastern corner of parcel 31 in common with the southwestern right-of-way of Fort Henry Drive; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 435 feet to a point, said point being the northern corner of parcel 1; thence in a southwesterly direction, following the eastern right-of-way of the railroad, approximately 555 feet to a point, said point being the western corner of parcel 3; thence in a northeasterly direction, approximately 25 feet to a point, said point lying on the boundary of parcel 9; thence in a southwesterly direction, approximately 950 feet to a point, said point being the southern corner of parcel 9; thence in a southwesterly direction, following the northern right-of-way of Interstate 81, approximately 1,180 feet to a point, said point being the eastern corner of parcel 3; thence in a

northwesterly direction, approximately 120 feet to a point, said point lying on the parcel boundary of parcel 13; thence in a southwesterly direction, approximately 500 feet to a point, said point being the southern corner of parcel 3.10; thence in a northwesterly direction, following the western right-of-way of Bel Air Lane and crossing the right-of-way of Altamont Drive, approximately 620 feet to a point, said point lying on the parcel boundary of parcel 37; thence in a southwesterly direction, crossing the right-of-way of Lebanon Road, approximately 200 feet to a point, said point being the eastern boundary of parcel 42; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 100 feet to a point, said point being the eastern boundary of parcel 42; thence in a northeasterly direction, crossing the right-of-way of Lebanon Road, approximately 770 feet to a point, said point being the eastern corner of parcel 38.35; thence in a northwesterly direction, approximately 360 feet to a point, said point being the northern corner of parcel 38.45; thence in a southwesterly direction, approximately 600 feet to a point, said point being the southern corner of parcel 39; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 1,330 feet to a point, said point being the western corner of parcel 1; thence in a northeasterly direction, approximately 830 feet to a point, said point being the northern corner of parcel 1; thence in a southeastern direction, approximately 550 feet to a point, said point being the southern corner of parcel 2; thence in a northeasterly direction, crossing the right-of-way of Fairlawn Drive and following the eastern right-of-way of Wilmont Drive, approximately 450 feet to a point, said point lying on the northwestern boundary of parcel 7; thence in a northwesterly direction, crossing the right-of-way of Wilmont Drive, approximately 170 feet to a point, said point being the western corner of parcel 20; thence in a northeasterly direction, crossing the right-of-way of Ridgemont Drive, approximately 350 feet to a point, said point being the eastern corner of parcel 66; thence in a northwesterly direction, approximately 100 feet to a point, said point being the western corner of parcel 64; thence in a northeasterly direction, approximately 100 feet to a point, said point being the western corner of parcel 62; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 61; thence in a southwesterly direction, approximately 100 feet to a point, said point being the southern corner of parcel 60; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 60; thence in a northeasterly direction, approximately 330 feet to the point of BEGINNING, and being all of parcels 1, 2, 2, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5, 5, 6, 6, 6, 6, 7, 7, 7, 7, 8, 8, 8, 8, 9, 9, 9, 10, 10, 10, 10.10, 10.15, 10.20, 10.30, 10.40, 10.45,

10.50, 10.55, 11, 11, 11, 12, 12, 12, 13, 13, 13, 14, 14, 14, 15, 15, 15, 15, 16, 16, 16, 17, 17, 17, 18, 18, 18, 19, 19, 19, 20, 20, 20, 20, 21, 21, 22, 22, 22, 23, 23, 23, 24, 25, 25, 26, 26, 27, 27, 28, 28, 29, 29, 30, 30, 31, 32, 32, 33, 33, 34, 34, 35, 35, 36, 36, 37, 37.10, 38, 39, 39, 40, 40, 41, 60, 61, 62, 63, 64, and 65, as well as the streets of Bel Air Lane, approximately 400 feet in length, Ridgemont Drive, approximately 120 feet in length, Wilmont Drive, approximately 620 feet in length, Fairlawn Drive, approximately 300 feet in length, Oak Tree Lane, approximately 100 feet in length, Green Hills Drive, approximately 1,200 feet in length, Brightwood Lane, approximately 700 feet in length, Castle Oaks Drive, approximately 700 feet in length, Summit Oaks Circle, approximately 550 feet in length, Fairlane Drive, approximately 330 feet in length, Tall Oak Court, approximately 650 feet in length, Woodmere Drive, approximately 1,800 feet in length, Altamont Drive, approximately 770 feet in length, Highlea Drive, approximately 500 feet in length, Belvedere Lane, approximately 1,400 feet in length, and Lebanon Road, approximately 100 feet in length, Tax Maps 92K, 92O, 92N, and 106C as shown on the March 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 Fairlane Drive to B-4P, Planned Business District, in the 14th 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 8, Tax Map 92N; thence in a southeasterly direction, approximately 370 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, crossing the right-of-way of Fairlane Drive, approximately 270 feet to a point, said point lying on the parcel boundary of parcel 10; thence in a southeasterly direction, following the eastern right-of-way of Fairlane Drive, approximately 160 feet to a point, said point being the southern corner of parcel 10; thence in a southwesterly direction, following the northern right-of-way of Interstate 81, approximately 840 feet to a point, said point being the southern corner of parcel 8; thence in a northerly direction, approximately 950 feet to a point, said point lying on the parcel boundary of parcel 8; thence in a northeasterly direction, approximately 25 feet to the point of BEGINNING, and being all of parcels 7, 8, and 9, as well as a portion of Fairlane Drive, approximately 330 feet in length, Tax Map 92N as shown on the March 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 COLONIAL HEIGHTS AREA 7 PART A 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 Colonial Heights Area 7 Part A annexation was submitted to the Kingsport Regional Planning Commission on July 19, 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 August 7, 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 July 23, 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 14th Civil District of Sullivan County, Tennessee, commonly known as the Colonial Heights Area 7 Part A Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northern corner of parcel 60, Tax Map 92K; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 990 feet to a point, said point being the eastern corner of parcel 30; thence in a southwesterly direction, approximately 350 feet to a point, said point being the northern corner of parcel 32; thence in a southeasterly direction, approximately 225 feet to a point, said point being the southern corner of parcel 31; thence in a northeasterly direction, approximately 420 feet to a point, said point being the eastern corner of parcel 31 in common with the southwestern right-of-way of Fort Henry Drive; thence in a southeasterly direction, following the southwestern right-of-way of Fort Henry Drive, approximately 435 feet to a point, said point being the northern corner of parcel 1; thence in a southwesterly direction, following the eastern right-of-way of the railroad, approximately 555 feet to a point, said point

being the western corner of parcel 3; thence in a northeasterly direction, approximately 50 feet to a point, said point being the northeast corner of parcel 9; thence in a southeasterly direction, approximately 370 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, crossing the right-of-way of Fairlane Drive, approximately 270 feet to a point, said point lying on the parcel boundary of parcel 10; thence in a southeasterly direction, following the eastern right-of-way of Fairlane Drive, approximately 160 feet to a point, said point being the southern corner of parcel 10; thence in a southwesterly direction, following the northern right-of-way of Interstate 81, approximately 2,020 feet to a point, said point being the eastern corner of parcel 3; thence in a northwesterly direction, approximately 120 feet to a point, said point lying on the parcel boundary of parcel 13; thence in a southwesterly direction, approximately 500 feet to a point, said point being the southern corner of parcel 3.10; thence in a northwesterly direction, following the western right-of-way of Bel Air Lane and crossing the right-of-way of Altamont Drive, approximately 620 feet to a point, said point lying on the parcel boundary of parcel 37; thence in a southwesterly direction, crossing the right-of-way of Lebanon Road, approximately 200 feet to a point, said point being the eastern boundary of parcel 42; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 100 feet to a point, said point being the eastern boundary of parcel 42; thence in a northeasterly direction, crossing the right-of-way of Lebanon Road, approximately 770 feet to a point, said point being the eastern corner of parcel 38.35; thence in a northwesterly direction, approximately 360 feet to a point, said point being the northern corner of parcel 38.45; thence in a southwesterly direction, approximately 600 feet to a point, said point being the southern corner of parcel 39; thence in a northwesterly direction, following the western right-of-way of Lebanon Road, approximately 1,330 feet to a point, said point being the western corner of parcel 1; thence in a northeasterly direction, approximately 830 feet to a point, said point being the northern corner of parcel 1; thence in a southeastern direction, approximately 550 feet to a point, said point being the southern corner of parcel 2; thence in a northeasterly direction, crossing the right-of-way of Fairlawn Drive and following the eastern right-of-way of Wilmont Drive, approximately 450 feet to a point, said point lying on the northwestern boundary of parcel 7; thence in a northwesterly direction, crossing the right-of-way of Wilmont Drive, approximately 170 feet to a point, said point being the western corner of parcel 20; thence in a northeasterly direction, crossing the right-of-way of Ridgemont Drive, approximately 350 feet to a point, said point being the eastern corner of parcel 66; thence in a northwesterly direction, approximately 100 feet to a point, said point being the western corner of parcel 64; thence in a northeasterly direction, approximately 100 feet to a point, said point being the western corner of parcel 62; thence in a

northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 61; thence in a southwesterly direction, approximately 100 feet to a point, said point being the southern corner of parcel 60; thence in a northwesterly direction, approximately 120 feet to a point, said point being the western corner of parcel 60; thence in a northeasterly direction, approximately 330 feet to the point of BEGINNING, and being all of parcels 1, 2, 2, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5, 5, 6, 6, 6, 6, 7, 7, 7, 7, 7, 8, 8, 8, 8, 8, 9, 9, 9, 9, 10, 10, 10, 10.10, 10.15, 10.20, 10.30, 10.40, 10.45, 10.50, 10.55, 11, 11, 11, 12, 12, 12, 13, 13, 13, 14, 14, 14, 15, 15, 15, 15, 16, 16, 16, 17, 17, 17, 18, 18, 18, 19, 19, 19, 20, 20, 20, 20, 21, 21, 22, 22, 22, 23, 23, 23, 24, 25, 25, 26, 26, 27, 27, 28, 28, 29, 29, 30, 30, 31, 32, 32, 33, 33, 34, 34, 35, 35, 36, 36, 37, 37.10, 38, 39, 39, 40, 40, 41, 60, 61, 62, 63, 64, and 65, as well as the streets of Bel Air Lane, approximately 400 feet in length, Ridgemont Drive, approximately 120 feet in length, Wilmont Drive, approximately 620 feet in length, Fairlawn Drive, approximately 300 feet in length, Oak Tree Lane, approximately 100 feet in length, Green Hills Drive, approximately 1,200 feet in length, Brightwood Lane, approximately 700 feet in length, Castle Oaks Drive, approximately 700 feet in length, Summit Oaks Circle, approximately 550 feet in length, Fairlane Drive, approximately 330 feet in length, Tall Oak Court, approximately 650 feet in length, Woodmere Drive, approximately 1,800 feet in length, Altamont Drive, approximately 770 feet in length, Highlea Drive, approximately 500 feet in length, Belvedere Lane, approximately 1,400 feet in length, and Lebanon Road, approximately 100 feet in length, Tax Maps 92K, 92O, 92N, and 106C as shown on the March 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 Colonial Heights Area 7 Part A 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:

**Colonial Heights Area 7 Part A 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 Johnson City Power Board and is currently available.

5. Sanitary Sewer

- A. City of Kingsport sanitary sewer will be installed and extended to the property within five (5) years after the effective date of annexation. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system.
- 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 Johnson City Power Board 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 B-4P (Planned Business 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 7th day of August 2012.

ATTEST:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

**ANNEXATION REPORT
COLONIAL HEIGHTS AREA 7 PART A ANNEXATION
FILE: 12-301-00006**

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Ken Weems, Planner

DATE: 2 July 2012

APPLICANT: City of Kingsport

REQUESTED ACTION: Annexation and zoning to an R-1B (Residential District) and B-4P (Planned Business District) of approximately 109 acres/139 parcels.

LOCATION: The area proposed for annexation is located in the western quadrant of the Highway 36/ Interstate 81 intersection, 14th Civil District of Sullivan County.

EXISTING LAND USE: Single Family Residential and a middle school

PROPOSED USE: same

SURROUNDING ZONING DISTRICTS & LAND USES:

General: The annexation area is surrounded by County R-1 (Single Family), City R-1B (Residential District), City TA (Tourist Accomodation), and City B-3 (Highway Oriented Business District).

The annexation area is currently zoned County R-1 (Low Density Residential District) and B-4 (Arterial Business Service District).

LAND USE PLAN: The Kingsport 2030 Land Use Plan addresses this area's use as single family, retail, and public.

UTILITIES: The annexation area is currently served by City of Kingsport water service. Both a sanitary sewer and water upgrade is necessary.

TRANSPORTATION:

Public streets in this annexation area consist of (approximate ft):

Ridgemont Dr 120
Wilmont Dr 620

Fairlawn Dr 300
Oak Tree Ln 100
Green Hills Dr 1200
Brightwood Ln 700
Castle Oaks Dr 700
Summit Oaks Cr 550
Fairlane Dr 330
Tall Oak Ct 650
Woodmere Dr 1800
Altamont Dr 770
Highlea Dr 500
Lebanon Rd 100

Total: 8,440 ft or 1.6 miles

POPULATION:

The annexation area contains approximately 235 residents (102 single family homes).

SCHOOLS:

Currently, the annexation area is zoned for the County Schools of:

Elementary: Miller Perry
Middle: Colonial Heights
High: South

The City School zone for the annexation area consists of the following:

Elementary: John Adams
Middle: Robinson
High: Dobyys-Bennett

The current amount of county school children residing in the annexation area consists of:

Elementary: 15
Middle: 9
High: 4

OPTIONS: The Planning Commission's options are the following:

1. Send a favorable recommendation for annexation to the Board of Mayor and Alderman for the annexation, zoning, and plan of services for the Colonial Heights Area 7 Part A annexation area.
2. Recommend disapproving the annexation areas, stating the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

The Planning Division recommends option #1, the annexation of the parcels identified in this study to the Board of Mayor and Aldermen. The rationale for this recommendation is based on the following:

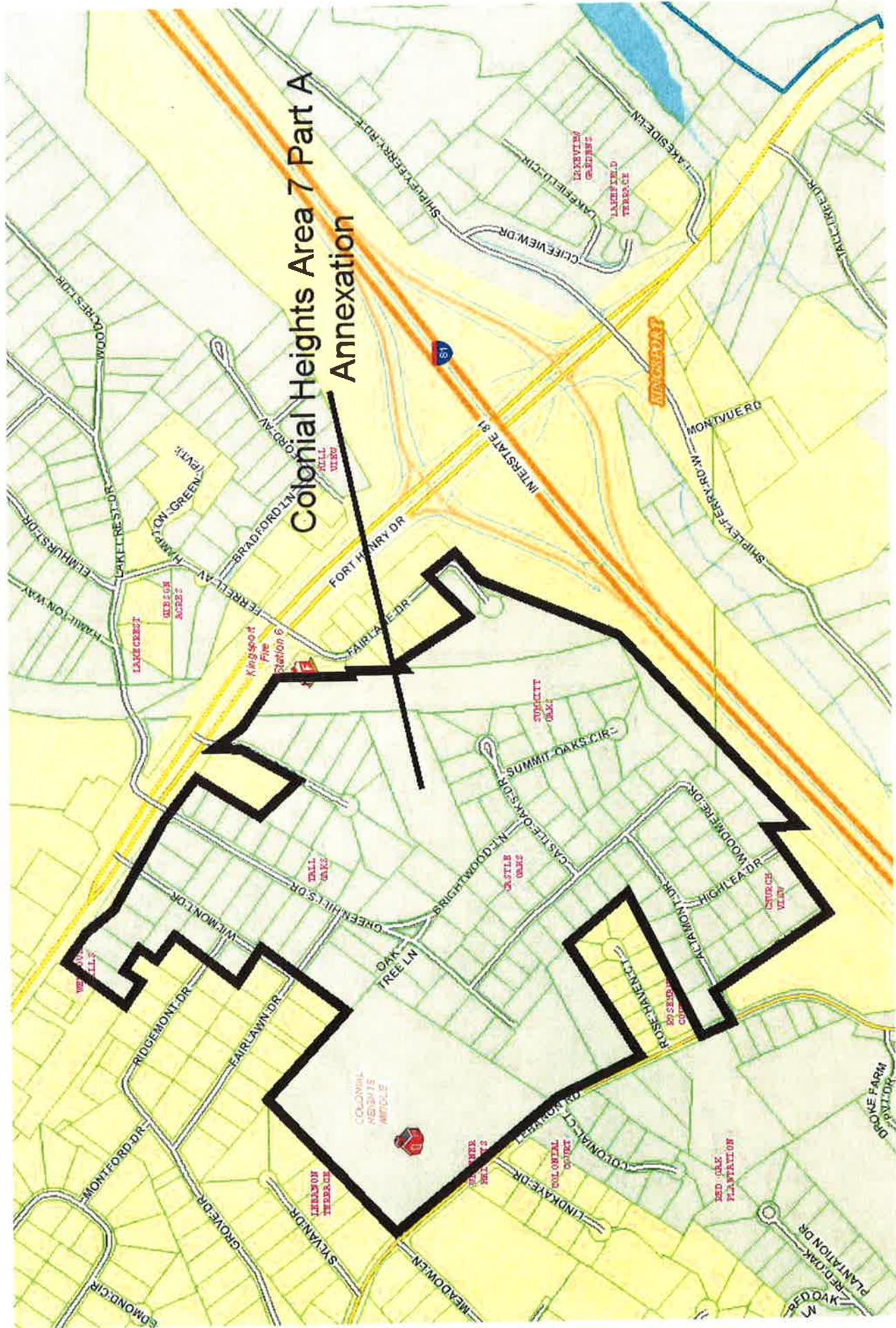
1. The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.
2. Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.
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.

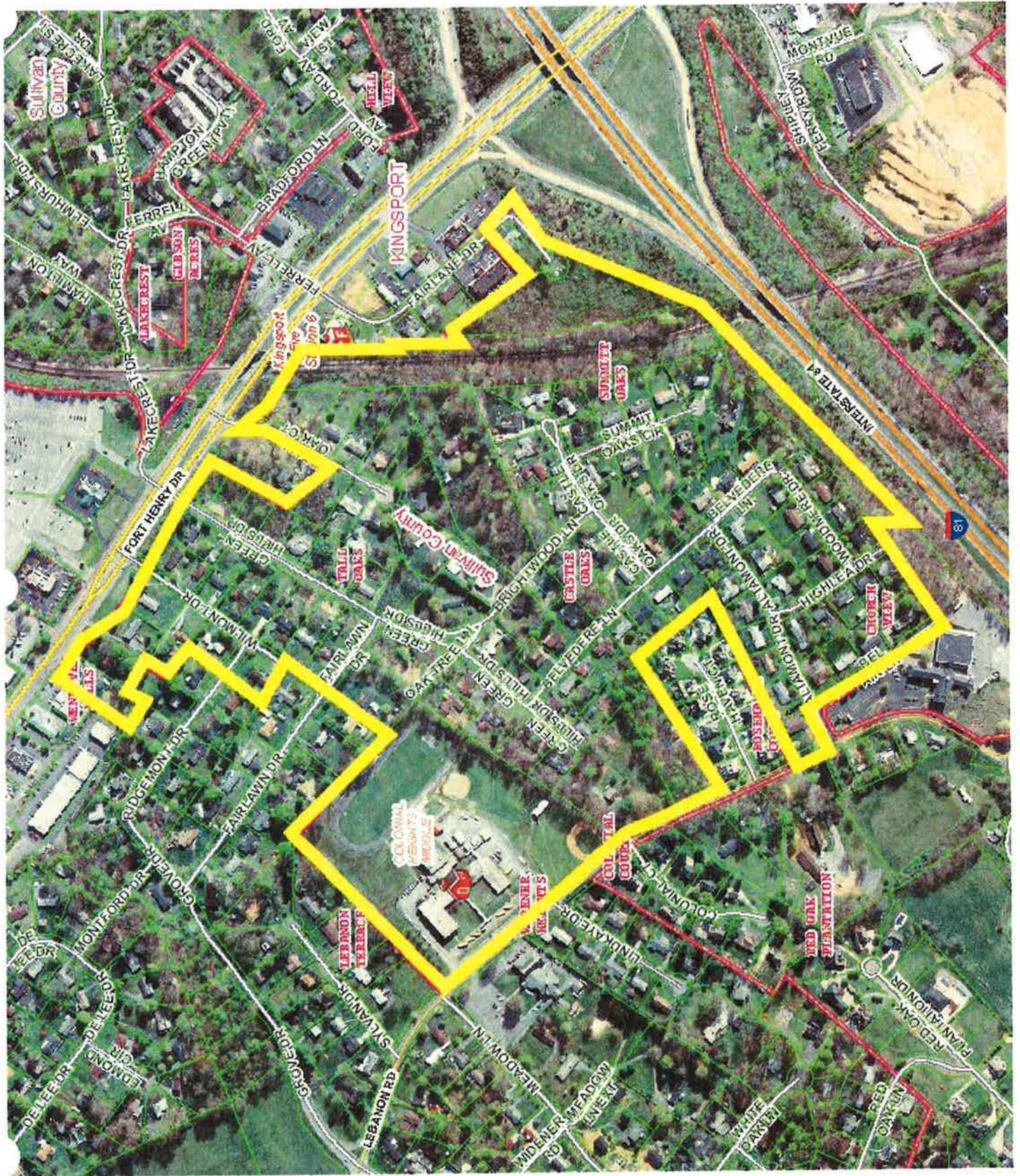
**Colonial Heights Area 7 Part A Annexation Area
COST ESTIMATE/ tax records as of 3 Jul 12**

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$71,745.00	
State Shared	X	\$24,440.00	235 res x 104 (estimated)
Sewer Tap Fees	\$214,500.00	\$0.00	110 taps
Water & Sewer Rev (loss)	X	-\$26,010.00	
Total	\$214,500.00	\$70,175.00	

Expenses	One Time	Reoccurring (annual)	
Operating Budget			
Police & Fire Service	6,000.00	13,000.00	
Street Lighting	30,000.00	7,131.00	
Traffic Controls	9,750.00	0.00	
Streets & Sanitation	0.00	34,333.00	
Subtotal	45,750.00	54,464.00	
Capital Budget			
Water	21,000.00	0.00	6 hydrants
Sewer	2,737,000.00	0.00	
Streets	50,068.00	0.00	
Subtotal	2,808,068.00	0.00	
Grand Total	\$2,853,818.00	\$54,464.00	

Colonial Heights Area 7 Part A Annexation





Average Property Owner Impact

average city tax based on 2009 tax assessments: \$597

average annual savings on water/ sewer based on inside city rates: \$255

average annual garbage savings based on \$18 per month: \$216

total annual savings based on the above criteria: \$471

•Additional savings can often be found with property owner insurance discounts and itemized tax deductions (for city Property tax) varies

Colonial Heights Annexation Area 7, Parts A & B School
Maximum Possible Impact

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>	<u>Total</u>
Area 7(A)	15	9	4	28
Area 7(B)	10	5	10	25
Total	25	14	14	53

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

Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Colonial Heights Area 7 Part B 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.: AF: 238-2012
 Work Session: August 6, 2012
 First Reading: August 7, 2012
 Final Adoption: August 21, 2012
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance for the Colonial Heights Area 7 Part B annexation
- Approve ordinance amending the zoning ordinance for the Colonial Heights Area 7 Part B annexation
- Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is the Colonial Heights Area 7 Part B annexation of approximately 110 acres/74 parcels located on the west side of Lebanon Road, with an approximate population of 140 residents (including 25 children currently attending county 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).

During their July 2012 regular meeting, the Kingsport Regional Planning Commission voted (5-2) to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation based on a 5 year sanitary sewer implementation schedule. The two negative votes were favorable to an 8 year sanitary sewer implementation recommendation. City Planning Staff, based on extensive work by the Public Works Director for when different projects can be paid as well as comments from the BMA and Planning Commission during the joint session on 6 February 2012, recommended an 8 year sanitary sewer implementation schedule. Please note that all other plan of service items remain standard. With the exception of sewer work, the other expenses involved with this annexation have a rapid pay back. The Notice of Public Hearing was published on July 23, 2012.

Attachments:

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

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, August 7, 2012, to consider the annexation, zoning, and plan of services for the Colonial Heights Area 7 Part B 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 39, Tax Map 92O; thence in a southeasterly direction, following the western right-of-way of Lebanon Road, approximately 2,060 feet to a point, said point being the northern corner of parcel 12; thence in a southwesterly direction, approximately 930 feet to a point, said point being the western corner of parcel 2; thence in a northwesterly direction, approximately 250 feet to a point, said point being the northern corner of parcel 3; thence in a southwesterly direction, approximately 237 feet to a point, said point being the western corner of parcel 4; thence in a northwesterly direction, approximately 1,200 feet to a point, said point being the northern corner of parcel 30; thence in a southwesterly direction, approximately 1,100 feet to a point, said point being the eastern corner of parcel 1; thence in a northwesterly direction, approximately 340 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, crossing the right-of-way of Claymore Drive, approximately 150 feet to a point, said point lying on the parcel boundary of parcel 13 in common with the right-of-way of Claymore Drive; thence in a northwesterly direction, following the northeastern right-of-way of Claymore Drive, approximately 50 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, approximately 140 feet to a point, said point being the northern corner of parcel 13; thence in a southeasterly direction, approximately 80 feet to a point, said point being the southern corner of parcel 15; thence in a northeasterly direction, crossing the right-of-way of Garmon Drive and the right-of-way of Harding Drive, approximately 900 feet to a point, said point lying on the parcel boundary of parcel 5 in common with the northeastern right-of-way of Harding Drive; thence in a southeasterly direction, following the northeastern right-of-way of Harding Drive, approximately 80 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, approximately 130 feet to a point, said point being the northern corner of parcel 4; thence in a southeasterly direction, approximately 830 feet to a point, said point being the southern corner of parcel 14; thence in a northeasterly direction, crossing the right-of-way of Red Oak Lane, approximately 780 feet to a point, said point being the eastern corner of parcel 14; thence in a northwesterly direction, approximately 87 feet to a point, said point being the western corner of parcel 39.40; thence in a northeasterly direction, approximately 830 feet to the point of BEGINNING, and being all of parcels 1, 1, 1, 2, 2, 2, 2, 2.01, 3, 3, 3, 3, 4, 4, 4, 4, 5, 6, 6, 7, 7, 8, 8, 9, 9, 10, 10, 11, 11, 12, 12, 13, 13, 14, 15, 15, 16, 16, 17, 17, 18, 18, 19, 19, 20, 20, 21, 21, 22, 22, 23, 24, 25, 26, 27, 28, 29, 39, 39.10, 39.20, 39.30, 39.40, 39.50, 39.60, 39.70, 39.80, 39.90, 40, 41, 42, 42.10, 43, 43.10, 44, and 45, as well as the streets of Harding Road, approximately 700 feet in length, Garmon Drive, approximately 250 feet in length, Claymore Drive, approximately 1,250 feet in length, Red Oak Lane, approximately 280 feet in length, Red Oak Plantation Drive, approximately 880 feet in length, Colonial Court, approximately 600 feet in length, and Droke Farm Private Drive, approximately 630 feet in length, Tax Maps 92O, 92N, 106B, and 106C as shown on the March 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: 7/23/12

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 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 7 PART B 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 7th day of August, 2012, and notice thereof published in the Kingsport Times-News on the 23rd day of July, 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 7th day of August, 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. 14 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northern corner of parcel 39, Tax Map 920; thence in a southeasterly direction, following the western right-of-way of Lebanon Road, approximately 2,060 feet to a point, said point being the northern corner of parcel 12; thence in a southwesterly direction, approximately 930 feet to a point, said point being the western corner of parcel 2; thence in a northwesterly direction, approximately 250 feet to a point, said point being the northern corner of parcel 3; thence in a southwesterly direction, approximately 237 feet to a point, said point being the western corner of parcel 4; thence in a northwesterly direction, approximately 1,200 feet to a point, said point being the northern corner of parcel 30; thence in a southwesterly direction, approximately 1,100 feet to a point, said point being the eastern corner of parcel 1; thence in a northwesterly direction, approximately 340 feet to a point, said point

being the western corner of parcel 13; thence in a northeasterly direction, crossing the right-of-way of Claymore Drive, approximately 150 feet to a point, said point lying on the parcel boundary of parcel 13 in common with the right-of-way of Claymore Drive; thence in a northwesterly direction, following the northeastern right-of-way of Claymore Drive, approximately 50 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, approximately 140 feet to a point, said point being the northern corner of parcel 13; thence in a southeasterly direction, approximately 80 feet to a point, said point being the southern corner of parcel 15; thence in a northeasterly direction, crossing the right-of-way of Garmon Drive and the right-of-way of Harding Drive, approximately 900 feet to a point, said point lying on the parcel boundary of parcel 5 in common with the northeastern right-of-way of Harding Drive; thence in a southeasterly direction, following the northeastern right-of-way of Harding Drive, approximately 80 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, approximately 130 feet to a point, said point being the northern corner of parcel 4; thence in a southeasterly direction, approximately 830 feet to a point, said point being the southern corner of parcel 14; thence in a northeasterly direction, crossing the right-of-way of Red Oak Lane, approximately 780 feet to a point, said point being the eastern corner of parcel 14; thence in a northwesterly direction, approximately 87 feet to a point, said point being the western corner of parcel 39.40; thence in a northeasterly direction, approximately 830 feet to the point of BEGINNING, and being all of parcels 1, 1, 1, 2, 2, 2, 2, 2.01, 3, 3, 3, 3, 4, 4, 4, 5, 6, 6, 7, 7, 8, 8, 9, 9, 10, 10, 11, 11, 12, 12, 13, 13, 14, 15, 15, 16, 16, 17, 17, 18, 18, 19, 19, 20, 20, 21, 21, 22, 22, 23, 24, 25, 26, 27, 28, 29, 39, 39.10, 39.20, 39.30, 39.40, 39.50, 39.60, 39.70, 39.80, 39.90, 40, 41, 42, 42.10, 43, 43.10, 44, and 45, as well as the streets of Harding Road, approximately 700 feet in length, Garmon Drive, approximately 250 feet in length, Claymore Drive, approximately 1,250 feet in length, Red Oak Lane, approximately 280 feet in length, Red Oak Plantation Drive, approximately 880 feet in length, Colonial Court, approximately 600 feet in length, and Droke Farm Private Drive, approximately 630 feet in length, Tax Maps 92O, 92N, 106B, and 106C as shown on the March 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 _____

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG HARDING ROAD, GARMON DRIVE, CLAYMORE DRIVE, RED OAK LANE, RED OAK PLANTATION DRIVE, AND COLONIAL COURT TO R-1B, RESIDENTIAL 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 along Harding Road, Garmon Drive, Claymore Drive, Red Oak Lane, Red Oak Plantation Drive, and Colonial Court to R-1B, Residential District, in the 14th 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 39, Tax Map 920; thence in a southeasterly direction, following the western right-of-way of Lebanon Road, approximately 2,060 feet to a point, said point being the northern corner of parcel 12; thence in a southwesterly direction, approximately 930 feet to a point, said point being the western corner of parcel 2; thence in a northwesterly direction, approximately 250 feet to a point, said point being the northern corner of parcel 3; thence in a southwesterly direction, approximately 237 feet to a point, said point being the western corner of parcel 4; thence in a northwesterly direction, approximately 1,200 feet to a point, said point being the northern corner of parcel 30; thence in a southwesterly direction, approximately 1,100 feet to a point, said point being the eastern corner of parcel 1; thence in a northwesterly direction, approximately 340 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, crossing the right-of-way of Claymore Drive, approximately 150 feet to a point, said point lying on the parcel boundary of parcel 13 in common with the right-of-way of Claymore Drive; thence in a northwesterly direction, following the northeastern right-of-way of Claymore Drive, approximately 50 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, approximately 140 feet to a point, said point being the northern corner of parcel 13; thence in a southeasterly direction, approximately 80 feet to a point, said point being the southern corner of parcel 15; thence in a northeasterly direction, crossing the right-of-way of Garmon Drive and the right-of-way of Harding Drive, approximately 900 feet to a

point, said point lying on the parcel boundary of parcel 5 in common with the northeastern right-of-way of Harding Drive; thence in a southeasterly direction, following the northeastern right-of-way of Harding Drive, approximately 80 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, approximately 130 feet to a point, said point being the northern corner of parcel 4; thence in a southeasterly direction, approximately 830 feet to a point, said point being the southern corner of parcel 14; thence in a northeasterly direction, crossing the right-of-way of Red Oak Lane, approximately 780 feet to a point, said point being the eastern corner of parcel 14; thence in a northwesterly direction, approximately 87 feet to a point, said point being the western corner of parcel 39.40; thence in a northeasterly direction, approximately 830 feet to the point of BEGINNING, and being all of parcels 1, 1, 1, 2, 2, 2, 2, 2.01, 3, 3, 3, 3, 4, 4, 4, 5, 6, 6, 7, 7, 8, 8, 9, 9, 10, 10, 11, 11, 12, 12, 13, 13, 14, 15, 15, 16, 16, 17, 17, 18, 18, 19, 19, 20, 20, 21, 21, 22, 22, 23, 24, 25, 26, 27, 28, 29, 39, 39.10, 39.20, 39.30, 39.40, 39.50, 39.60, 39.70, 39.80, 39.90, 40, 41, 42, 42.10, 43, 43.10, 44, and 45, as well as the streets of Harding Road, approximately 700 feet in length, Garmon Drive, approximately 250 feet in length, Claymore Drive, approximately 1,250 feet in length, Red Oak Lane, approximately 280 feet in length, Red Oak Plantation Drive, approximately 880 feet in length, Colonial Court, approximately 600 feet in length, and Droke Farm Private Drive, approximately 630 feet in length, Tax Maps 92O, 92N, 106B, and 106C as shown on the March 2011 Sullivan County Tax Maps.

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:

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 COLONIAL HEIGHTS AREA 7 PART B 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 Colonial Heights Area 7 Part B annexation was submitted to the Kingsport Regional Planning Commission on July 19, 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 August 7, 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 July 23, 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 14th Civil District of Sullivan County, Tennessee, commonly known as the Colonial Heights Area 7 Part B Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northern corner of parcel 39, Tax Map 920; thence in a southeasterly direction, following the western right-of-way of Lebanon Road, approximately 2,060 feet to a point, said point being the northern corner of parcel 12; thence in a southwesterly direction, approximately 930 feet to a point, said point being the western corner of parcel 2; thence in a northwesterly direction, approximately 250 feet to a point, said point being the northern corner of parcel 3; thence in a southwesterly direction, approximately 237 feet to a point, said point being the western corner of parcel 4; thence in a northwesterly direction, approximately 1,200 feet to a point, said point being the northern corner of parcel 30; thence in a southwesterly direction, approximately 1,100 feet to a point, said point being the eastern corner of parcel 1; thence in a northwesterly direction, approximately 340 feet to a point, said point being the western

corner of parcel 13; thence in a northeasterly direction, crossing the right-of-way of Claymore Drive, approximately 150 feet to a point, said point lying on the parcel boundary of parcel 13 in common with the right-of-way of Claymore Drive; thence in a northwesterly direction, following the northeastern right-of-way of Claymore Drive, approximately 50 feet to a point, said point being the western corner of parcel 13; thence in a northeasterly direction, approximately 140 feet to a point, said point being the northern corner of parcel 13; thence in a southeasterly direction, approximately 80 feet to a point, said point being the southern corner of parcel 15; thence in a northeasterly direction, crossing the right-of-way of Garmon Drive and the right-of-way of Harding Drive, approximately 900 feet to a point, said point lying on the parcel boundary of parcel 5 in common with the northeastern right-of-way of Harding Drive; thence in a southeasterly direction, following the northeastern right-of-way of Harding Drive, approximately 80 feet to a point, said point being the southern corner of parcel 5; thence in a northeasterly direction, approximately 130 feet to a point, said point being the northern corner of parcel 4; thence in a southeasterly direction, approximately 830 feet to a point, said point being the southern corner of parcel 14; thence in a northeasterly direction, crossing the right-of-way of Red Oak Lane, approximately 780 feet to a point, said point being the eastern corner of parcel 14; thence in a northwesterly direction, approximately 87 feet to a point, said point being the western corner of parcel 39.40; thence in a northeasterly direction, approximately 830 feet to the point of BEGINNING, and being all of parcels 1, 1, 1, 2, 2, 2, 2, 2.01, 3, 3, 3, 3, 4, 4, 4, 5, 6, 6, 7, 7, 8, 8, 9, 9, 10, 10, 11, 11, 12, 12, 13, 13, 14, 15, 15, 16, 16, 17, 17, 18, 18, 19, 19, 20, 20, 21, 21, 22, 22, 23, 24, 25, 26, 27, 28, 29, 39, 39.10, 39.20, 39.30, 39.40, 39.50, 39.60, 39.70, 39.80, 39.90, 40, 41, 42, 42.10, 43, 43.10, 44, and 45, as well as the streets of Harding Road, approximately 700 feet in length, Garmon Drive, approximately 250 feet in length, Claymore Drive, approximately 1,250 feet in length, Red Oak Lane, approximately 280 feet in length, Red Oak Plantation Drive, approximately 880 feet in length, Colonial Court, approximately 600 feet in length, and Droke Farm Private Drive, approximately 630 feet in length, Tax Maps 92O, 92N, 106B, and 106C as shown on the March 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 Colonial Heights Area 7 Part B 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:

Colonial Heights Area 7 Part B 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 Johnson City Power Board and is currently available.

5. Sanitary Sewer

- A. City of Kingsport sanitary sewer will be installed and extended to the property within five (5) years after the effective date of annexation. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system.
- 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.
- F. Droke Farm Private Drive is not included in this section due to being a private drive. Droke Farm Private Drive construction and repair will be the responsibility of the owners.

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 Johnson City Power Board 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. Droke Farm Private Drive will not receive additional streetlights due to being a private drive. The addition of streetlights to Droke Farm Private Drive will be the responsibility of the owners.

10. Zoning Services

- A. The area will be zoned R-1B (Residential 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 7th day of August 2012.

ATTEST:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

**ANNEXATION REPORT
COLONIAL HEIGHTS AREA 7 PART B ANNEXATION
FILE: 12-301-00007**

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Ken Weems, Planner

DATE: 2 July 2012

APPLICANT: City of Kingsport

REQUESTED ACTION: Annexation and zoning to an R-1B (Residential District) of approximately 110 acres/74 parcels.

LOCATION: The area proposed for annexation is located on the west side of Lebanon Road, between Meadow Lane and Interstate 81 in the 14th Civil District of Sullivan County.

EXISTING LAND USE: Single Family Residential

PROPOSED USE: same

SURROUNDING ZONING DISTRICTS & LAND USES:

General: The annexation area is surrounded by County R-1 (Single Family) and City R-1B (Residential District).

The annexation area is currently zoned County R-1 (Low Density Residential District).

LAND USE PLAN: The Kingsport 2030 Land Use Plan addresses this area's use as single family.

UTILITIES: The annexation area is currently served by City of Kingsport water service. Both a sanitary sewer and water upgrade is necessary.

TRANSPORTATION:

Public streets in this annexation area consist of (approximate ft):

Harding Rd 700
Garmon Dr 250
Claymore Dr 1250
Red Oak Ln 280
Red Oak Plantation Dr 880

Colonial Ct 600

Total: 3,960ft or .75 miles

Also included: 550ft of Droke Farm Private Dr.

POPULATION:

The annexation area contains approximately 140 residents (61 single family homes).

SCHOOLS:

Currently, the annexation area is zoned for the County Schools of:

Elementary: Miller Perry
Middle: Colonial Heights
High: South

The City School zone for the annexation area consists of the following:

Elementary: John Adams
Middle: Robinson
High: Dobyns-Bennett

The current amount of county school children residing in the annexation area consists of:

Elementary: 10
Middle: 5
High: 10

OPTIONS: The Planning Commission's options are the following:

1. Send a favorable recommendation for annexation to the Board of Mayor and Alderman for the annexation, zoning, and plan of services for the Colonial Heights Area 7 Part B annexation area.
2. Recommend disapproving the annexation areas, stating the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

The Planning Division recommends option #1, the annexation of the parcels identified in this study to the Board of Mayor and Aldermen. The rationale for this recommendation is based on the following:

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.

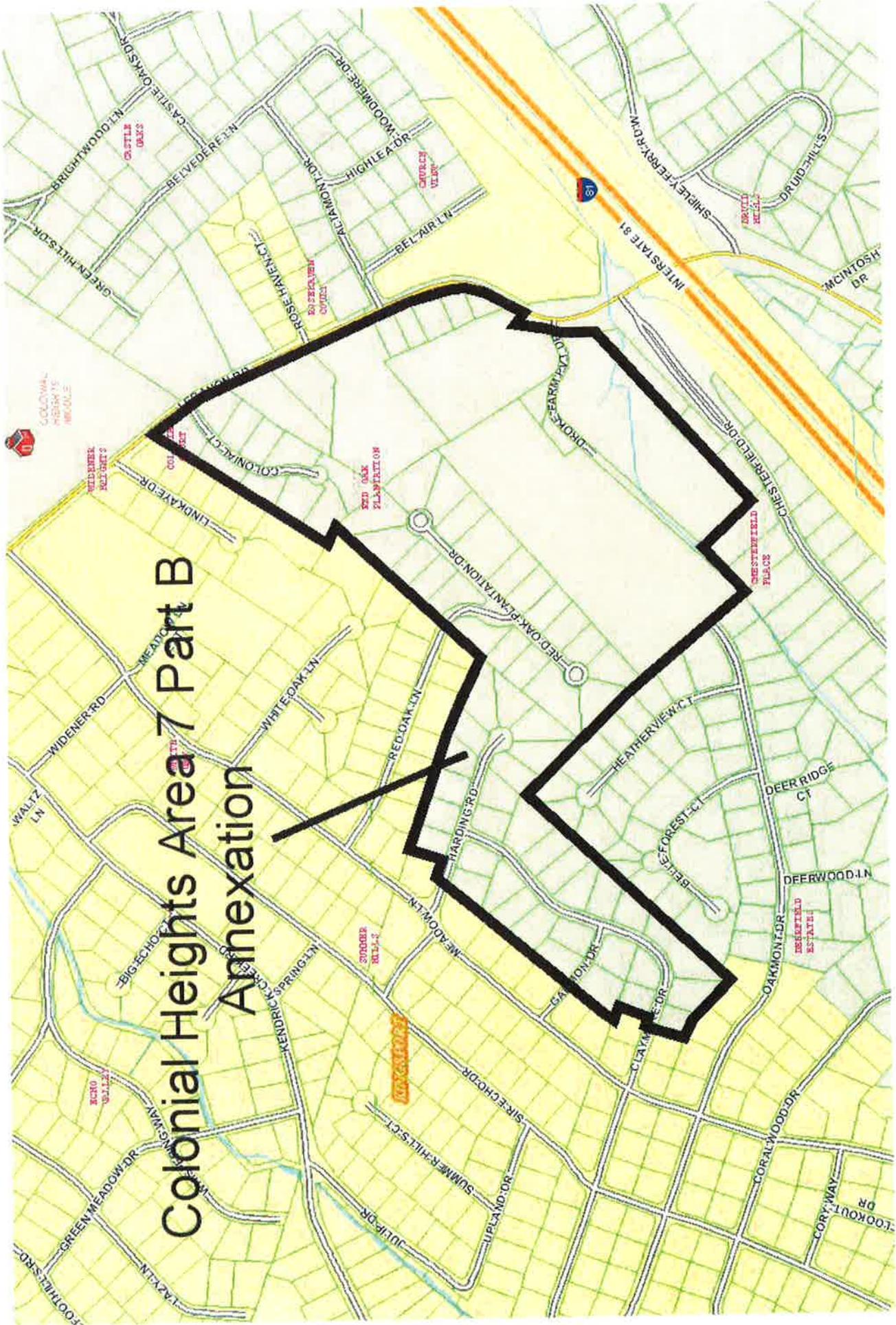
Colonial Heights Area 7 Part B Annexation Area

COST ESTIMATE/ tax records as of 3 Jul 12

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$72,178.00	
State Shared	X	\$14,560.00	140 res x 104 (estimated)
Sewer Tap Fees	\$118,950.00	\$0.00	61 taps
Water & Sewer Rev (loss)	X	-\$21,960.00	
Total	\$118,950.00	\$64,778.00	

Expenses	One Time	Reoccurring (annual)	
Operating Budget			
Police & Fire Service	6,000.00	13,000.00	
Street Lighting	27,800.00	3,652.00	
Traffic Controls	1,350.00	0.00	
Streets & Sanitation	0.00	18,153.00	
Subtotal	35,150.00	34,805.00	
Capital Budget			
Water	14,000.00	0.00	4 hydrants
Sewer	1,669,000.00	0.00	
Streets	26,412.00	0.00	
Subtotal	1,709,412.00	0.00	
Grand Total	\$1,744,562.00	\$34,805.00	

Colonial Heights Area 7 Part B Annexation



Average Property Owner Impact

average city tax based on 2009 tax assessments: \$1,093

average annual savings on water/ sewer based on inside city rates: \$360

average annual garbage savings based on \$18 per month: \$216

total annual savings based on the above criteria: \$576

•Additional savings can often be found with property owner insurance discounts and itemized tax deductions (for city Property tax) varies

Colonial Heights Annexation Area 7, Parts A & B School
Maximum Possible Impact

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>	<u>Total</u>
<i>Area 7(A)</i>	15	9	4	28
Area 7(B)	10	5	10	25
Total	25	14	14	53

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 to Authorize the Mayor to Sign all Documents Necessary to Enter into a Materials Agreement with Danny Karst Related to the Edinburgh Phase 2 Sections 2E and 2F Development and an Ordinance to Appropriate the Funds

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

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

Action Form No.: AF-243-2012
 Work Session: August 6, 2012
 First Reading: August 7, 2012

Final Adoption: August 21, 2012
 Staff Work By: R. McReynolds
 Presentation By: R. McReynolds

Recommendation: Approve the resolution and ordinance

Executive Summary:

In an effort to promote smart growth and infield development as well as encourage the new housing market within the Kingsport city limits, the City of Kingsport passed the Materials Agreement Policy as set forth in Resolution 2007-084. Developers have the opportunity to enter into an agreement with the City whereas the City furnishes the water and sewer materials for the developers use within the developer's proposed subdivision. The developer would be responsible for posting a cash bond covering the cost of the materials that would be available for refund (minus sales tax) once the project is completed and has been approved by the City Engineer and the Regional Planning Commission.

Pursuant to the policy, Danny Karst has requested that his proposed development, Edinburgh Phase 2 Sections 2E and 2F Development be allowed to participate in the material agreement program. The total amount of the agreement is proposed at \$36,164.57 for a new eighteen (18) lot development.

To date, including this development, the program has supported 738 new/proposed lots within the City of Kingsport. Of those lots, 148 Building Permits and 100 Certificates of Occupancy have been issued to date.

Attachments:

1. Resolution
2. Ordinance
3. Agreement
4. Cost Table
5. Development Chart
6. Location Maps

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MATERIALS AGREEMENT WITH DANNY KARST FOR THE PROVISION OF CERTAIN WATER AND SEWER MATERIALS BY THE CITY FOR EDINBURGH PHASE 2, SECTIONS 2E AND 2F

WHEREAS, pursuant to the Materials Agreement Policy as set forth in Resolution 2007-084, Danny Karst desires to enter into a Materials Agreement, in the amount of \$36,164.57, with the city for provision of certain water and sewer materials by the city for Edinburgh Phase 2, Sections 2E and 2F; and

WHEREAS, approval of the Materials Agreement will promote smart growth and infield development and encourage the new housing market within the city's corporate limits.

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, Chapter 10 of the Charter of the City of Kingsport, a Materials Agreement, in the amount of \$36,164.57 with Danny Karst for the provision of certain water and sewer materials by the city for Edinburgh Phase 2, Sections 2E and 2F.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE 2 SECTION 2E and 2F MATERIALS AGREEMENT PROJECTS (WA1377 AND SW1377); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Water Fund project and the Sewer Fund project budgets be amended by transferring \$20,632 from the Water Fund operating budget and by transferring \$12,395 from the Sewer Fund operating budget to the Edinburgh Phase 2 Section 2E and 2F projects (WA1377 and SW1377) to fund the materials agreement.

Account Number/Description:

Water Project Fund:451
Edinburgh Phase 2 Sect 2C (WA1377)
Revenues

451-0000-391-4500 From the Water Fund
Totals:

<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
0	20,632	20,632
0	20,632	20,632

Expenditures:

451-0000-605-9003 Improvements
Totals:

0	20,632	20,632
0	20,632	20,632

Account Number/Description:

Sewer Project Fund:452
Edinburgh Phase 2 Sect 2C (SW1377)
Revenues

452-0000-391-4200 From the Sewer Fund
Totals:

0	12,395	12,395
0	12,395	12,395

Expenditures:

452-0000-606-9003 Improvements
Totals:

0	12,395	12,935
0	12,395	12,395

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: _____

MATERIALS AGREEMENT

This AGREEMENT, made and entered into on this 21st day of August, 2012, by and between Danny Karst, hereinafter "Developer", and the City of Kingsport, Tennessee, a municipal corporation, hereinafter "City".

WITNESSETH:

1. The Developer has subdivided a tract of land known as Edinburgh Phase 2 Sections 2E and 2F, and preliminary approval having been heretofore granted by the Planning Commission.

2. The plans for the proposed water and sewer line improvement of the subdivided property have been submitted to and approved by the City of Kingsport, City Engineer and will require 1050 LF of Waterline and 615 LF of Sewerline to construct.

3. The estimated cost of the materials listed in paragraph 2 above is approximately \$36,164.57. The Developer will purchase this material from the City for use for construction pursuant to this contract only.

4. The Developer will install the lines according to City's specifications, and will pay all costs for installation of all mains, valves, hydrants and other appurtenances, and will furnish the City "as built" drawings showing the cost lists of all pipe fittings, as well as their exact location.

5. The Developer, upon completion of the work and acceptance by the City, will tender to the City an instrument conveying unencumbered ownership of the lines and easement over and under the land where said lines are laid. Once this conveyance has been made and all the permits needed have been issued, all the inspections completed and passed, and all the payments have been made to the City by the Developer, the City will cause the said line to be connected to the main distribution line of the City.

6. The Developer will reimburse the City for any materials or engineering work required not covered by this agreement.

7. Prior to any reimbursement by the City to the Developer, the Developer will cause the property to be completely annexed into the corporate limits of the City.

8. The Developer will save the City harmless from any and all responsibility for laying any lines, etc., on or across any private premises not dedicated to public use.

9. The Developer will pay the City for the materials listed above and supplied by the City, and upon completion of the laying of water and sewer lines according to specification of and the plans approved by the City, and upon the Developer fully performing all the requirements contained in this agreement the City will reimburse the Developer for the amount paid to the City for the pipe purchased and used in the subdivision, less state and local sales tax.

10. The purpose of this agreement is to reimburse the Developer for 100% of cost of the water and sewer material, less state and local sales tax, with said materials being purchased from the City, and reimbursement for the cost of the materials being made to the Developer subject to the satisfactory completion of all terms of this agreement including complete annexation of the property into the corporate limits of the City.

11. It is understood that the Developer will do any and all ditching, laying of the pipelines, and any and all other work that may be necessary to meet the specifications of the City.

12. Any unused materials acquired by the Developer from the City will be returned to the City and the costs of such material, if returned undamaged, will be credited to the Developer.

IN TESTIMONY WHEREOF, the parties hereto have unto set their hands and seal on this the day and year first above written.

Developer

Dennis R. Phillips, Mayor

Approved as to form:

Attest:

James Demming, City Recorder

J. Michael Billingsley, City Attorney

Materials Agreement

Project: Edinburgh Phase 2 Section 2E & 2F
 Date: August 1, 2012
 Developer: Danny Karst

Water line		Anticipated		Estimated	
Item #	Item description	Units	U/M	Price	Total
40835	8" joint restraint kit	22.00	ea	\$40.00	\$880.00
40845	6" joint restraint kit	2.00	ea	\$33.00	\$66.00
41864	8" x 18' DI push on pipe	57.00	jt	\$251.00	\$14,307.00
42115	3.6' bury hydrant	1.00	ea	\$1,450.00	\$1,450.00
42325	6" mj gate valve	1.00	ea	\$395.00	\$395.00
42335	8" mj gate valve	4.00	ea	\$620.00	\$2,480.00
42845	6" x 18" mj anchoring coupling	1.00	ea	\$95.00	\$95.00
41794	8" Plug w/2" tap	1.00	ea	\$40.00	\$40.00
43031	8"x8"x6" Anchoring Tee	1.00	ea	\$120.00	\$120.00
42209	8" Long Sleeve	2.00	ea	\$85.00	\$170.00
42129	8" Accessory kit	6.00	ea	\$21.00	\$126.00
41828	6" Accessory kit	2.00	ea	\$18.00	\$36.00
42100	8"x 8" MJ Tee	1.00	ea	\$115.00	\$115.00
42540	8" 22.5° Bend	4.00	ea	\$65.00	\$260.00
42149	8" x 2" Tapped Tee	1.00	ea	\$92.00	\$92.00
Building code					
Receipt To:					
Subtotal:	451-0000-208-1250				\$20,632.00
Sales Tax:	451-0000-207-0201			9.50%	\$1,960.04
Project #	WA1377			Water Total:	\$22,592.04
Expense To:					
Water acct. #	451-0000-605-9003				

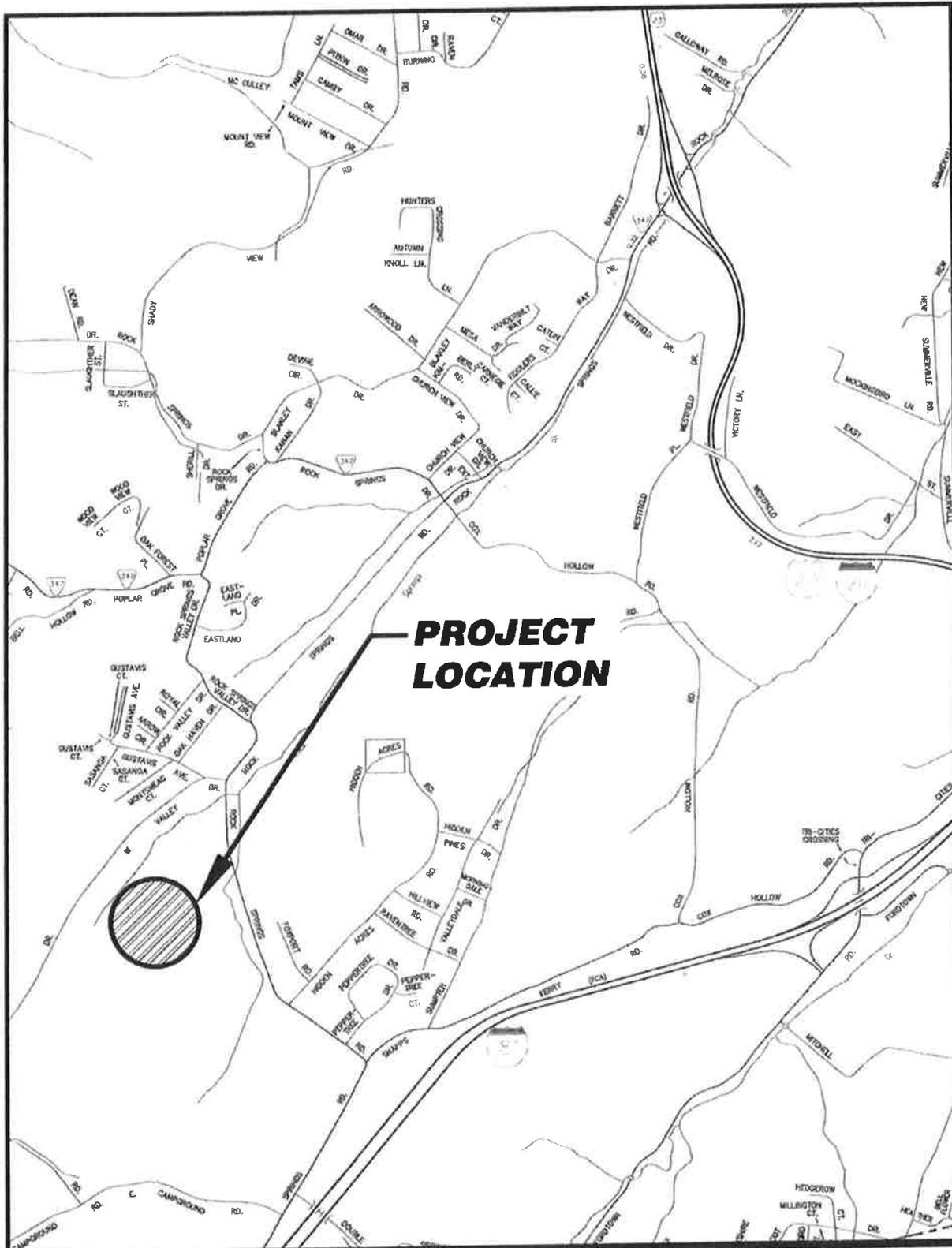


MATERIALS AGREEMENT Development Chart

Developer	Development	Proposed Lots/Development	Agreement Amt.	Date	Bldg. Permits	CO's	Status
Butch Rose	Hillcrest Heights	6	\$5,140.09	06/19/07	3	3	Closed
	Windridge Phase IV	40	\$92,202.29	04/15/08	0	0	Closed
Jeff McKee	Settler's Ridge Phase I	41	\$45,344.29	03/20/07	Total of 7	1	Closed
	Settler's Ridge Phase II	7	\$18,822.89	11/06/07		2	Closed
Edinburgh Group LLC	Edinburgh Phase I, Section 1	32	\$42,867.62	02/19/07	Total of 41	28	Closed
	Edinburgh Phase I, Section 2	15	\$25,205.92	04/17/07			Closed
	Edinburgh Phase II	Never Started	\$36,122.45	10/02/07			
	Edinburgh Phase II Section 1A	Never Started	\$2,852.48	01/12/10			
	Edinburgh Phase 2, Section 2	6	\$11,976.02	11/16/10			Open
	Edinburgh Phase 2, Section 2B	11	\$9,472.85	10/18/11			Open
	Edinburgh Phase 2, Section 2C	14	\$20,128.29	04/03/12			Open
	Edinburgh Phase 2, Sec 2E & 2F	18	\$36,164.57	08/21/12			Open
Jerry Petzoldt	Old Island Phase II	59	\$118,027.86	05/06/08	8	7	Closed
Jim Nottingham	Riverwatch	29	\$47,605.13	04/15/08	2	1	Closed
Harold Slemp & Jack McMurray	Villas at Andover	104	\$76,522.72	08/07/07	9	2	Closed
George Hunt	Hunts Crossing Phase II	22	\$18,375.20	04/15/08	2	3	Closed
Rob McLean	Anchor Point	80	\$72,552.51	07/15/08	7	2	Closed
	Anchor Point - Topsail Court	Included in Anchor Point	\$3,816.08	08/05/08		0	Closed
	Stapleton Dr Phase I	7	\$8,757.81	08/19/08	4	4	Closed
Ken Bates	Chase Meadows Phase I	15	\$39,418.91	07/15/08	Total of 14	9	Closed
	Chase Meadows Phase II	87	\$68,096.96	08/19/08			Closed
Terry Orth	Autumn Woods Phase I	19	\$30,628.25	10/07/08	19	19	Closed
	Autumn Woods Phase II	51	\$97,091.46	09/01/09	11	10	Closed
Gary Alexander	Riverbend Phase I	15	\$65,938.71	02/03/09	10	0	Closed
	Riverbend - Epcon Phase II	9	\$33,171.54	02/01/11			Open
Leonard & Cynthia Gerber	St. Andrew's Garth Phase I	40	\$34,049.03	03/16/10	8	8	Closed
Jane Karst	Jane Karst Subdivision	4	\$4,100.78	09/20/11			Closed
M & M Builders	Brookton Park Subdivision	7	\$2,145.88	09/20/11	3	1	Closed
TOTAL		738	\$1,066,598.59		148	100	

Revised 08/01/12





**PROJECT
LOCATION**

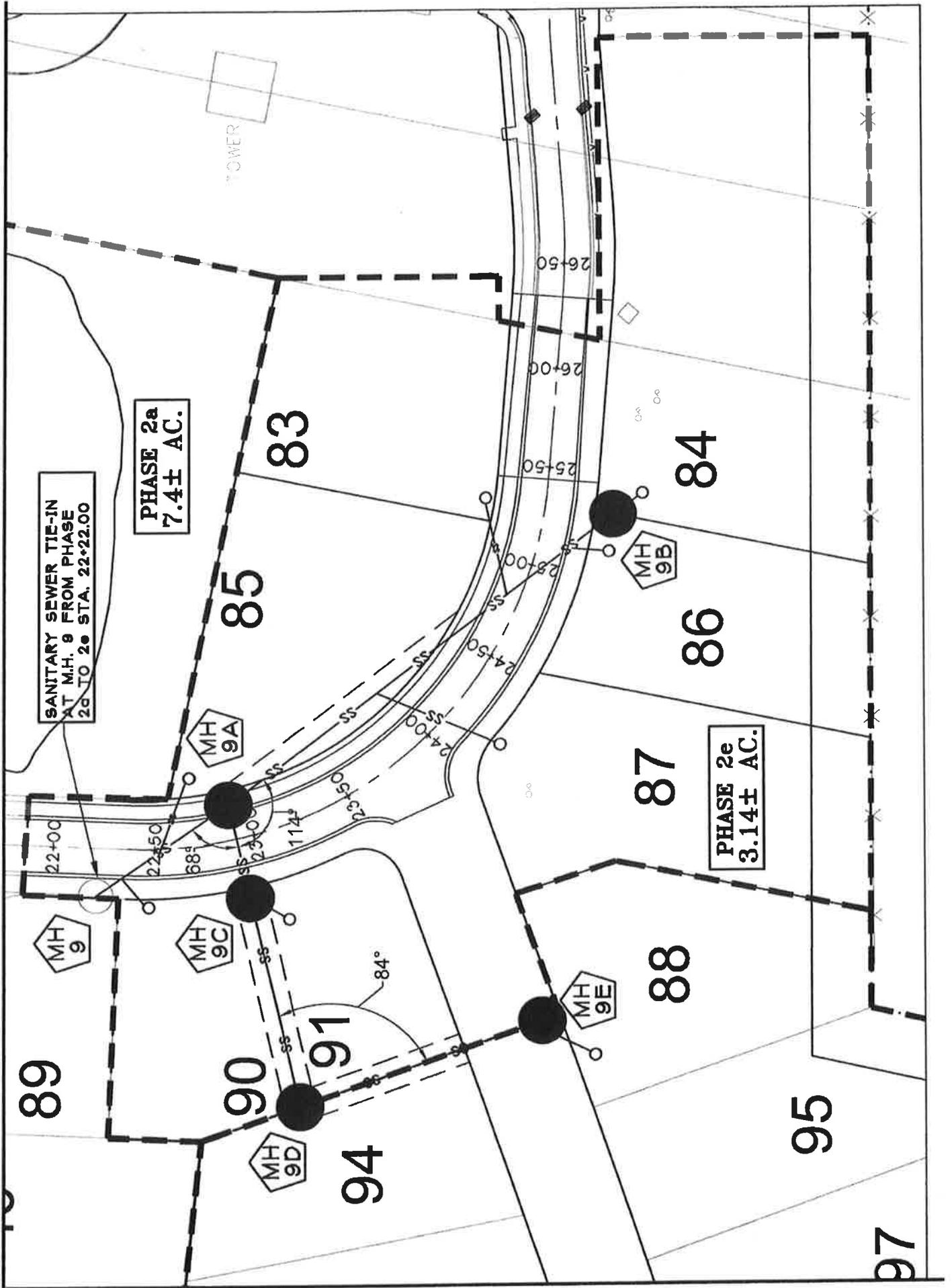
ALL BEARINGS KGRN
(KINGSPORT GEODETIC
REFERENCE NETWORK)



**MATERIALS AGREEMENT FOR
EDINBURGH PHASE 2
SECT. 2E&2F**

NO SCALE

01 AUGUST 2012





AGENDA ACTION FORM

Consideration of an Ordinance to Amend the Various Funds to Adjust Budgets for Year End

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

Action Form No.: AF- 242 - 2012
 Work Session: August 6, 2012
 First Reading: August 7, 2012

Final Adoption: August 21, 2012
 Staff Work By: J. Smith
 Presentation By: John Campbell

Recommendation: Approve the Ordinance.

Executive Summary:

Each year at the end of the fiscal year, an ordinance is prepared to adjust the budget to actuals. This ordinance will adjust the budget to actual for various revenue and expense accounts in the General Fund, Solid Waste Fund, Health Insurance Fund and Retiree Health Insurance Fund.

The Solid Waste Fund will be adjusted by transferring \$260,060 additional funds from the General Fund.

The Debt Service Fund budgets will be adjusted to reduce the amount transferred from the General Fund. We were able to reduce the transfer from the General Fund to the Debt Service Fund by \$150,000 because the payment for the General Fund Debt was paid by using bond interest money.

The Health Insurance Fund will be adjusted by appropriating funds from the Stop Loss Refunds, Prescription Refunds and by appropriating \$123,000 from the Health Insurance Fund Balance to cover Health Insurance Claims and premiums. The total appropriation is \$588,137.

The transfer from the Health Insurance Fund to the Retiree Health Insurance Fund will be increased by \$148,800 to cover the Retiree Health Insurance claims and premiums.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE FISCAL 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 Fund budget be amended by adjusting the revenue to actual for contracted maintenance on state roads in the amount of \$105,334, for building permits in the amount of \$55,436, for Earnings on investments in the amount of \$217,641, and Fines and court costs in the amount of \$339,536 and by amending the Debt Service Fund in the amount of \$240,793.

SECTION II. That the Solid Waste Fund be amended by transferring \$206,100 from the General Fund to cover expenses for year end.

SECTION III. That the Health Insurance Fund be amended by appropriating \$271,800 from Health Insurance Fund balance to cover the Health Insurance Claims, travel expense, and premiums in the amount of \$123,000 and Retiree Health Insurance claims and premiums in the amount of \$148,800.

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
Revenues:	\$	\$	\$
110-0000-348-6800 Contracted Maint. State Roads	175,000	(105,334)	69,666
110-0000-322-1000 Building Permits	300,000	(55,436)	244,564
110-0000-361-1000 Earnings on Investments	300,000	(217,641)	82,359
110-0000-351-3100 Court Costs	160,900	(42,221)	118,679
110-0000-351-3166 Red Light Camera Court Costs	400,000	(297,315)	102,685
Total:	1,335,900	(717,947)	617,953
Expenditures:			
110-4804-481-7022 Transfer/Solid Waste Fund	3,100,000	206,100	3,306,100
110-4804-481-7025 School Debt Principal	2,314,700	(75,300)	2,239,400
110-4804-481-7028 School Debt Interest	1,166,400	(37,893)	1,128,507
110-4804-481-7029 To Debt Service	6,011,900	(618,868)	5,393,032
110-4804-481-7085 To Visitors Enhancement Fund	185,000	(185,000)	0
110-4810-481-2010 Advertising & Publication	8,873	(6,986)	1,887
Total:	12,786,873	(717,947)	12,068,926
Fund 415: Solid Waste Fund			
Revenues:	\$	\$	\$
415-0000-391-0100 From General Fund	3,100,000	206,260	3,306,260
415-0000-343-1000 Refuse Collection Charges	479,900	(206,260)	273,640
Total:	3,579,900	0	3,579,900
Fund 211: Debt Service Fund			
Revenues:	\$	\$	\$
211-0000-391-0100 From General Fund	6,131,900	(738,868)	5,543,032
211-0000-391-2100 From School Fund	3,407,999	(40,103)	3,367,896
211-0000-331-9700 ARRA BABS Int Subsidy	0	244,923	244,923
211-0000-361-1000 Earnings on Investment	60,900	72,355	133,255
211-0000-361-1006 QZAB Investment Credit	0	70,900	70,900
211-0000-392-0100 Fund Balance	43,418	150,000	193,418
Total:	9,600,799	(240,793)	9,360,006

Expenditures:	\$	\$	\$
211-4805-481-4008 Bond Interest	3,548,529	(164,363)	3,384,166
211-4805-481-4013 Other Interest	60,800	(60,800)	0
211-4805-481-2020 Professional Consultant	68418	(15,630)	52,788
Total:	3,677,747	(240,793)	3,436,954

Fund 625: Health Insurance Fund

Revenues:	\$	\$	\$
625-0000-392-0100 Fund Balance Appropriation	300,000	271,800	571,800
625-0000-363-1035 City Contributions/Emp. HI	4,437,200	20,440	4,457,640
625-0000-363-2014 Employees Health Ins.	1,660,000	66,789	1,726,789
625-0000-363-2043 COBRA	0	5,660	5,660
625-0000-368-7235 Stop Loss Refunds	0	188,428	188,428
625-0000-368-7237 Prescription Refunds	0	35,020	35,020
Total:	6,397,200	588,137	6,985,337

Expenditures:

625-1604-413-2040 Travel Exp	948	334	1282
625-1604-413-2061 Wellness Program	5,633	2,580	8,213
625-1604-413-5015 Insurance Premiums	355,968	5,325	361,293
625-1704-413-5100 Insurance Claims	5,299,291	431,098	5,730,389
625-1604-413-7050 Retiree Health Ins	0	148,800	148,800
Total:	5,661,840	588,137	6,249,977

Fund 626: Retiree Health Insurance

Revenues:	\$	\$	\$
626-0000-331-8000 ERP Reimbursement	0	13,903	13,903
626-0000-391-6800 From Health Ins Fund	0	148,800	148,800
Total:	0	162,703	162,703

Expenditures:

626-1604-413-5015 Insurance Premiums	41,151	798	41,949
626-1704-413-5100 Insurance Claims	908,157	161,905	1,070,062
Total:	949,308	162,703	1,112,011

SECTION IV. 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 Postponement of Second Reading of the Annexation and Zoning Ordinance for the Childress Ferry Annexation

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

Action Form No.: AF-241-2012
Work Session: August 6, 2012
First Reading: N/A

Final Adoption: August 7, 2012
Staff Work By: Ken Weems
Presentation By: Ken Weems

Recommendation: Approve a motion to postpone consideration of second reading of the annexation and zoning ordinances.

Executive Summary:

As you may recall, this is an owner-requested annexation of one parcel of property that is approximately 8.2 acres located on Childress Ferry Road. At this time, the petitioner has requested postponement of the second reading of the Childress Ferry annexation. The petitioner plans on moving forward with the annexation in the future. A motion to postpone the second reading of both the annexation and zoning ordinances until the owner requests annexation would be the appropriate procedure to delay the second reading.

Attachments:

None

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 Childress Ferry 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.: AF: 215-2012
Work Session: July 23, 2012
First Reading: July 24, 2012
Final Adoption: August 7, 2012
Staff Work By: Ken Weems
Presentation By: Ken Weems

Recommendation:

- Hold public hearing
• Approve ordinance for the Childress Ferry annexation
• Approve ordinance amending the zoning ordinance for the Childress Ferry annexation
• Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is the owner-requested Childress Ferry annexation of approximately 8.2 acres/ 1 parcel located on Childress Ferry Road, with a population of 4 residents (including 1 child currently attending city schools). The current county zoning of the area is A-1 (Agricultural District). The proposed city zoning for the area is A-1 (Agricultural District). During their June 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. This item has not received any opposition as of July 16, 2012. The Notice of Public Hearing was published on July 9, 2012.

Attachments:

- 1. Notice of Public Hearing
2. Annexation Ordinance
3. Zoning Ordinance
4. Resolution
5. Staff Report
6. Cost Estimate
7. Maps
8. Petition

Funding source appropriate and funds are available: _____

Table with columns Y, N, O and rows for 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, July 24, 2012, to consider the annexation, zoning, and plan of services for the Childress Ferry 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 24.60, Tax Map 78H; thence in a southeasterly direction, crossing the right-of-way of Childress Ferry Road, approximately 880 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a southwesterly direction, following the southeastern right-of-way of Childress Ferry Road, approximately 430 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a northwesterly direction, crossing the right-of-way of Childress Ferry Road, approximately 890 feet to a point, said point being the western corner of parcel 24.60; thence in a northeasterly direction, approximately 400 feet to the point of BEGINNING, and being all of parcel 24.60 as well as a portion of Childress Ferry Road, approximately 430 feet in length as shown on the March 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: 7/9/12

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 7TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE CHILDRESS FERRY 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 24th day of July, 2012, and notice thereof published in the Kingsport Times-News on the 9th day of July, 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 24th day of July, 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. 7 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northern corner of parcel 24.60, Tax Map 78H; thence in a southeasterly direction, crossing the right-of-way of Childress Ferry Road, approximately 880 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a southwesterly direction, following the southeastern right-of-way of Childress Ferry Road, approximately 430 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a northwesterly direction, crossing the right-of-way of Childress Ferry Road, approximately 890 feet to a point, said point being the western corner of parcel 24.60; thence in a northeasterly direction, approximately 400 feet to the point of BEGINNING, and being all of parcel 24.60 as well as a portion of Childress Ferry Road, approximately 430 feet in length as shown on the March 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 CHILDRESS FERRY ROAD TO A-1, AGRICULTURAL DISTRICT, IN THE 7TH 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 Childress Ferry Road to A-1, Agricultural District, in the 7th 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 24.60, Tax Map 78H; thence in a southeasterly direction, crossing the right-of-way of Childress Ferry Road, approximately 880 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a southwesterly direction, following the southeastern right-of-way of Childress Ferry Road, approximately 430 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a northwesterly direction, crossing the right-of-way of Childress Ferry Road, approximately 890 feet to a point, said point being the western corner of parcel 24.60; thence in a northeasterly direction, approximately 400 feet to the point of BEGINNING, and being all of parcel 24.60 as well as a portion of Childress Ferry Road, approximately 430 feet in length as shown on the March 2011 Sullivan County Tax Maps.

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:

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 CHILDRESS FERRY 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 Childress Ferry annexation was submitted to the Kingsport Regional Planning Commission on June 21, 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 July 24, 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 July 9, 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 7th Civil District of Sullivan County, Tennessee, commonly known as the Childress Ferry Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northern corner of parcel 24.60, Tax Map 78H; thence in a southeasterly direction, crossing the right-of-way of Childress Ferry Road, approximately 880 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a southwesterly direction, following the southeastern right-of-way of Childress Ferry Road, approximately 430 feet to a point, said point lying on the southeastern right-of-way of Childress Ferry Road; thence in a northwesterly direction, crossing the right-of-way of Childress Ferry Road, approximately 890 feet to a point, said point being the western corner of parcel 24.60; thence in a northeasterly direction, approximately 400 feet to the point of BEGINNING, and being all of parcel 24.60 as well as a portion of Childress Ferry Road, approximately 430 feet in length as shown on the March 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 KINGSPORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the Childress Ferry 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:

**Childress Ferry 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. City of Kingsport sanitary sewer serves the annexation area.
- 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

Street lighting will not be provided per request of the property owner.

10. Zoning Services

- A. The area will be zoned 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 24th day of July 2012.

ATTEST:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

**ANNEXATION REPORT
CHILDRESS FERRY ANNEXATION
FILE: 12-301-00005**

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Ken Weems, Planner

DATE: 29 May 2012

APPLICANT: Owner requested (petition attached)

REQUESTED ACTION: Annexation and zoning to an A-1 (Agricultural District) of approximately 8.2 acres/1 parcel.

LOCATION: The area proposed for annexation is located south of the Chase Meadows Development in Fall Creek.

EXISTING LAND USE: Residential

PROPOSED USE: Same

SURROUNDING ZONING DISTRICTS & LAND USES:

General: The annexation area is surrounded by County A-1 (Agricultural), City PD (Planned Development), and City R-1B (Single Family) zoning.

The annexation area is currently zoned County A-1 (Agricultural District).

LAND USE PLAN: The Kingsport 2030 Land Use Plan addresses this area's use as appropriate for Multi Family use.

UTILITIES: The annexation area is currently served by City of Kingsport water and sanitary sewer service.

TRANSPORTATION:

Public streets in this annexation area consist of (approximate ft.):

Childress Ferry Road: 450

POPULATION:

The annexation area contains 4 residents.

SCHOOLS:

Currently, the annexation area is zoned for the County Schools of:

Elementary: Indian Springs

Middle: Holston

High: Central

The City School zones for the annexation area consist of the following:

Elementary: John Adams

Middle: Robinson

High: Dobyys-Bennett

OPTIONS: The Planning Commission's options are the following:

1. Send a favorable recommendation for annexation to the Board of Mayor and Alderman for the annexation, zoning, and plan of services for the Childress Ferry annexation.
2. Recommend disapproving the annexation area, stating the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

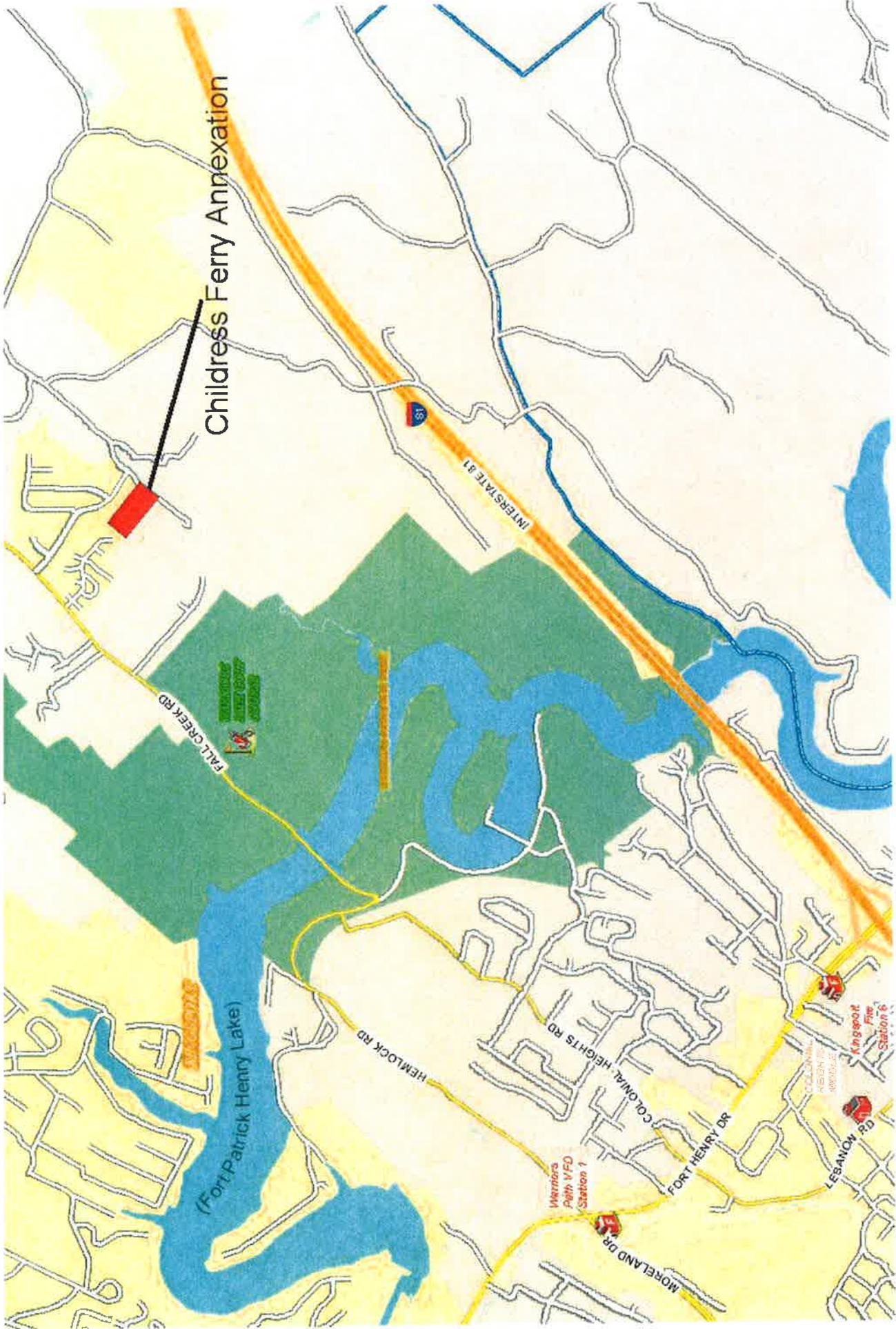
The Planning Division recommends option #1, the annexation of the parcel identified in this study to the Board of Mayor and Aldermen. The rationale for this recommendation is based on the following:

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.

Childress Ferry Annexation Area
COST ESTIMATE/ tax records as of 29 May 2012

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$1,561.00	4 res x 104 (estimated)
State Shared	X	\$416.00	
Sewer Tap Fees	X	\$0.00	water only
Water & Sewer Rev (loss)	X	-\$350.00	
Stormwater revenue		\$42.00	
Total	\$0.00	\$1,669.00	

Expenses	One Time	Reoccurring (annual)	
Operating Budget			
Police & Fire Service	0.00	0.00	no street lights per owner request
Street Lighting	0.00	0.00	
Traffic Controls	0.00	0.00	
Streets & Sanitation	0.00	728.00	
Subtotal	0.00	728.00	
Capital Budget			
Water	0.00	0.00	
Sewer	0.00	0.00	
Streets	1,358.00	0.00	
Subtotal	1,358.00	0.00	
Grand Total	\$1,358.00	\$728.00	



Childress Ferry Annexation

WATER TOWER

FALL CREEK RD

(Fort Patrick Henry Lake)

HEMLOCK RD

INTERSTATE 81

Warriners Pkth VFD Station 1

COLONIAL HEIGHTS RD

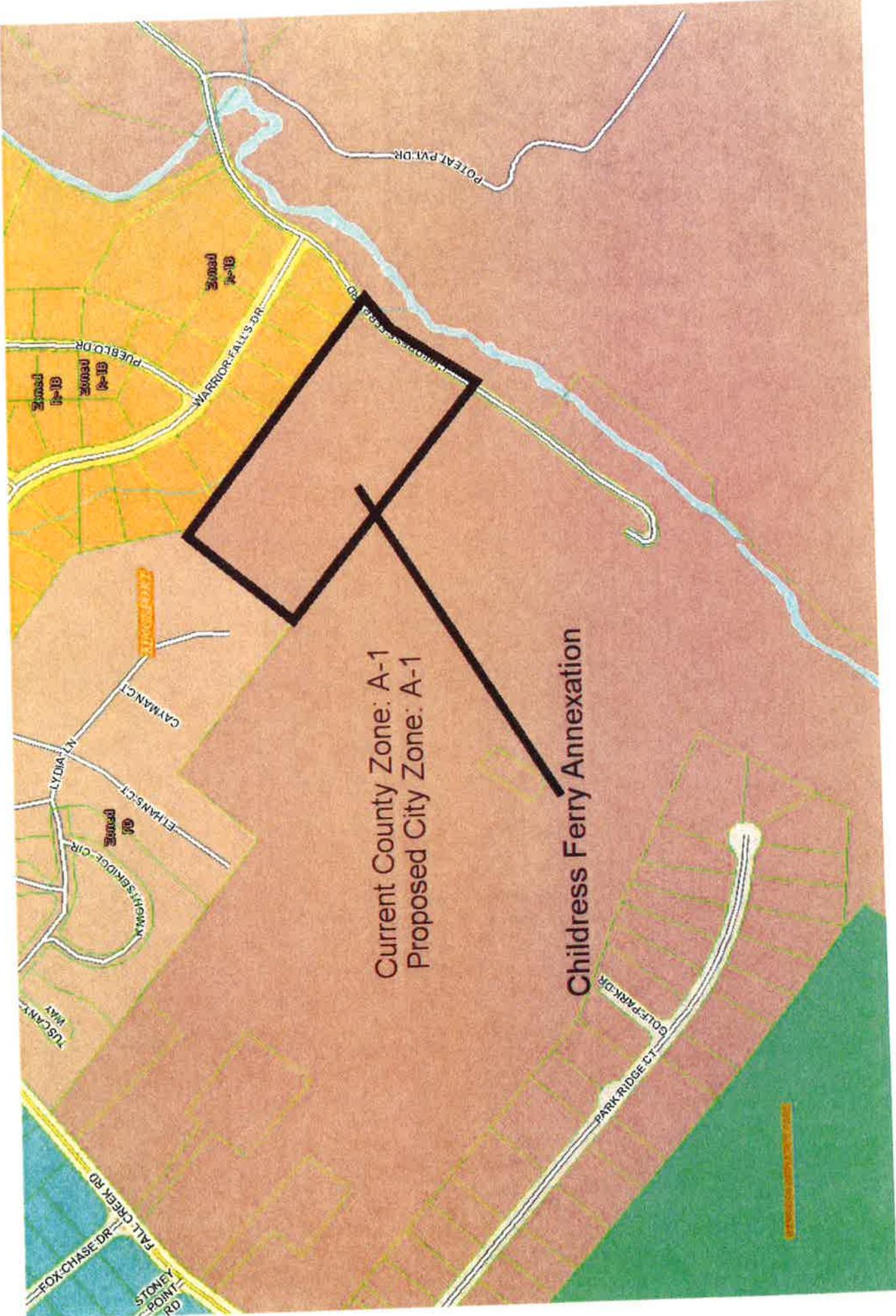
FORT HENRY DR

LEBANON RD

Kingport Fire Station 6

ASBESTOS

MORELAND DR



Current County Zone: A-1
Proposed City Zone: A-1

Childress Ferry Annexation

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.



CITY OF KINGSPORT, TENNESSEE

Petition for Annexation

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

1.	<i>Garnett E. Simmers, Jr.</i> name: <i>Melinda B. Simmers</i> address: <i>1776 Childress Ferry Road Blountville, TN 37617</i> parcel # (if known): _____ phone: <i>423-963-7361 (cell)</i> email address: <i>msimmers@castman.com</i> # in household & ages: <i>4; 38, 35, 5, 1</i>
2.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
3.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
4.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
5.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
6.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
7.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
8.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
9.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____
10.	name: _____ address: _____ parcel # (if known): _____ phone: _____ email address: _____ # in household & ages: _____

continue on opposite side



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Issuance of a Purchase Order to Personal Computer Systems, Inc. for the Purchase of Equipment to Provide a Wireless Network at Dobyns-Bennett High School and John Sevier and Ross N. Robinson Middle Schools

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

Action Form No.: AF-239-2012
 Work Session: August 6, 2012
 First Reading: N/A
 Final Adoption: August 7, 2012
 Staff Work By: Committee
 Presentation By: John Payne

Recommendation: Approve the resolution

Executive Summary: Kingsport City Schools (KCS) has approved a project to install a wireless network at Dobyns-Bennett, Sevier and Robinson Schools. The purpose of this installation is to provide students and staff with safe, reliable wireless network access. We are planning to start a Bring Your Own Device program this year. The BYOD program has the potential to save the cost of purchasing computers in the future. We are also planning to allow teachers to place course documents online using a program called Edvance 360. Because of Erate funding we must comply with the Child Internet Protection Act (CIPA). This project also includes management tools to ensure we comply with this law.

Personal Computer Systems, Inc. (PCS) holds a contract for wireless network equipment and software with Haywood County Tennessee that contains a cooperative purchasing clause. T.C.A. section 12-3-1009 permits the City to make purchases for goods and services from holders of cooperative purchasing agreements such as this which complies with our bidding requirements. It is recommended to approve the issuance of a purchase order to PCS in the amount of \$238,270.75 for this equipment and software per the cost summaries attached. Staff has obtained quotes for installation, and upon approval, a separate purchase order will be issued to HiLine Construction, Kingsport, TN in the amount of \$19,822.00 for installation of the wireless network.

Funding for this purchase is contained in Schools budget, Project Number GP1223 Account Number 311-0000-601.90-04

Attachments:

1. Resolution
2. PCS Cost Summaries

Funding source appropriate and funds are available: _____

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

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PURCHASE OF EQUIPMENT AND SOFTWARE FROM PERSONAL COMPUTER SYSTEMS, INC. FOR A WIRELESS NETWORK AT CERTAIN SCHOOLS AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, the school board has approved a project to install a wireless network at Dobyms-Bennett, Sevier and Robinson Schools; and

WHEREAS, the school system expects to begin a Bring Your Own Device program this year; and

WHEREAS, the equipment and software for the wireless network will provide students and staff with safe, reliable wireless network access and provide compliance with the federal Child Internet Protection Act; and

WHEREAS, Personal Computer Systems. Inc. has a contract for wireless network equipment and software with Haywood County, Tennessee that contains a cooperative purchasing clause, and T.C.A. section 12-3-1009 allows the city to purchase goods and services directly from holders of such contracts without conducting the bidding process; and

WHEREAS, the school system requests approval of the issuance of a purchase order to Personal Computer Systems. Inc. in the amount of \$238,270.75 for the purchase of this equipment and software; and

WHEREAS, upon approval of the purchase from Personal Computer Systems, Inc. an agreement will be entered into with HiLine Construction of Kingsport, Tennessee to install the wireless network at a cost of \$19,200; and

WHEREAS, funding for the equipment, software and installation is available in schools budget, Project Number GP1223, account number 311-0000-601.90-04.

Now therefore,

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

SECTION I. That the purchase of equipment and software for a wireless network at Dobyms-Bennett, Sevier and Robinson Schools from Personal Computer Systems. Inc., through the Haywood County, Tennessee contract pursuant to T.C.A. section 12-3-1009, in amount of \$238,270.75 is approved.

SECTION II. That the city manager is authorized to execute a purchase order to Personal Computer Systems, Inc. for such purchase.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



PO BOX 69
 LOUISVILLE, TN 37777-0069
 865-273-1960 Fax: 865-273-1961

Quote #: 6/8/2012
 152072
 Page: 1 of 1

Quoted To:
 City of Kingsport
 225 W. Carter Street
 KINGSPORT CITY SCHOOLS - TECHNOLOGY
 Kingsport, TN 37660

Phone: 423-229-9312
 Cust PO:
 Reference: John Payne

Terms: NET 30
 Ship Via: FEDEX GROUND

Salesperson: DAS
 Valid Through: 7/8/2012

Stock Code	Description	Quantity	Price	Extended
CUSTOMSKUNET	D2-RMT D-SERIES RACK MOUNT KIT	2	85.25	170.50
LABOR-NETWORK	Labor Charge: Installation/Setup/Configuration/Programming of Network Equipment Onsite network services from PCS	1	1,440.00	1,440.00
NETENTC5G124-24P2	Enterasys C5 (24) 10/100/1000 AT-PoE RJ45 Ports, 4 Combo SFP, 2 High Speed Dedicated Stacking, Ex RPS C5G124-24P2	2	2,438.00	4,876.00
NETENTC5G124-48P2	Enterasys C5 (48) 10/100/1000 AT-PoE RJ45 (4) Combo SFP, 2 High Speed Dedicated Stacking Ports and Ex RPS C5G124-48P2	2	3,598.00	7,196.00
NETENTD2G124-12P	Enterasys SECURESWITCH D2 12PT :D2G124-12P	2	1,042.25	2,084.50
NETENTES-SN-S13	Enterasys Support Net 1 Yr Term ES-SN-S13	2	3,725.00	7,450.00
NETENTPS-ESU-1	Enterasys Service Unit PS-ESU-1	1	2,500.00	2,500.00
NETENTWS-AP3610	Enterasys HiPath AP3610 - Wireless access point - 802.11 a/b/g/n (draft)	126	398.00	50,148.00
NETENTWS-C5110-2-SF	ENTERASYS Network management device - Gigabit Ethernet - HTTP,SNMP 2c WS-C5110-2-SR	2	15,997.50	31,995.00
NETENTWS-CTLREG8PI	V8 Regulatory Domain Key for N America. Enables WLAN controller and access points with settings for region ELE. WS-CTLREG8PNAM	2	10.00	20.00

*** MBS - 12/6/2011 09:09 am ***
 ENTERASYS BASE WIRELESS QUOTE FOR DBHS FOR THE CITY OF KINGSPORT Haywood Cty Pricing

SubTotal: 107,880.00
 Tax: 0.00
 Shipping: 0.00
 Total: 107,880.00



PO BOX 69
 LOUISVILLE, TN 37777-0069
 865-273-1960 Fax: 865-273-1961

6/19/2012
 Quote #: 152333
 Page: 1 of 1

Quoted To:
 City of Kingsport
 225 W. Carter Street
 KINGSFORT CITY SCHOOLS - TECHNOLOGY
 Kingsport, TN 37660

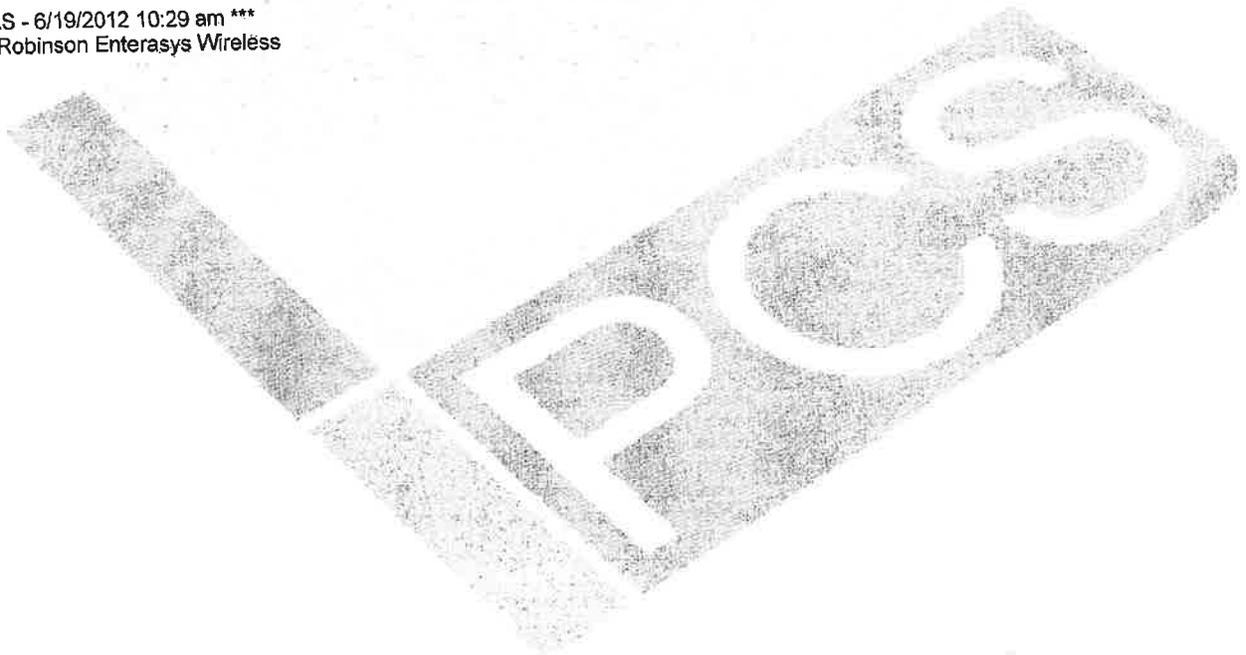
Phone: 423-229-9312
 Cust PO:
 Reference: Ross Robinson

Terms: NET 30
 Ship Via: FEDEX GROUND

Salesperson: DAS
 Valid Through: 7/19/2012

Stock Code	Description	Quantity	Price	Extended
LABOR-NETWORK	Labor Charge: Installation/Setup/Configuration/Programming of Network Equipment Onsite network services from PCS	1	300.00	300.00
NETENTC5G124-24P2	Enterasys C5 (24) 10/100/1000 AT-PoE RJ45 Ports, 4 Combo SFP, 2 High Speed Dedicated Stacking, Ex RPS C5G124-24P2	1	2,438.00	2,438.00
NETENTC5G124-48P2	Enterasys C5 (48) 10/100/1000 AT-PoE RJ45 (4)-Combo SFP, 2 High Speed Dedicated Stacking Ports and Ex RPS C5G124-48P2	1	3,598.00	3,598.00
NETENTWS-AP3610	Enterasys HiPath AP3610 - Wireless access point - 802.11 a/b/g/n (draft)	44	398.00	17,512.00

*** DAS - 6/19/2012 10:29 am ***
 Ross Robinson Enterasys Wireless



SubTotal: 23,848.00
 Tax: 0.00
 Shipping: 0.00
 Total: 23,848.00



PO BOX 69
 LOUISVILLE, TN 37777-0069
 865-273-1960 Fax: 865-273-1961

6/19/2012
 Quote #: 152334
 Page: 1 of 1

Quoted To:
 City of Kingsport
 225 W. Carter Street
 KINGSFORT CITY SCHOOLS - TECHNOLOGY
 Kingsport, TN 37660

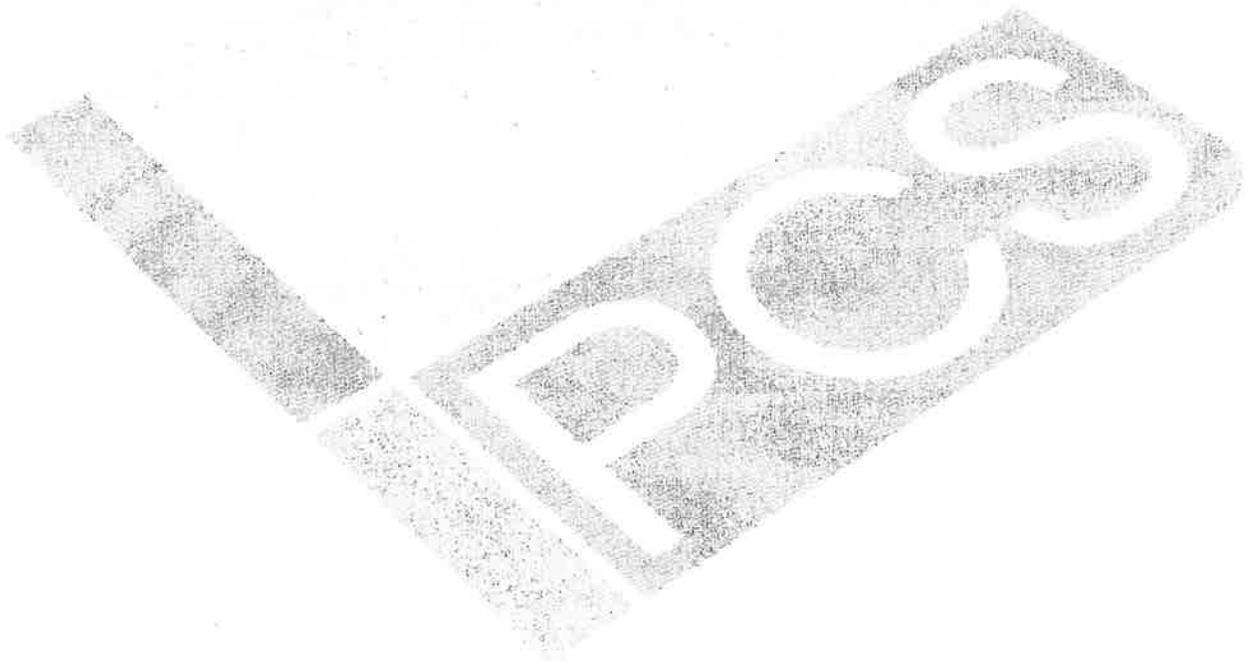
Phone: 423-229-9312
 Cust PO:
 Reference: John Sevier

Terms: NET 30
 Ship Via: FEDEX GROUND

Salesperson: DAS
 Valid Through: 7/19/2012

Stock Code	Description	Quantity	Price	Extended
LABOR-NETWORK	Labor Charge: Installation/Setup/Configuration/Programming of Network Equipment Onsite network services from PCS	1	300.00	300.00
NETENTC5G124-48P2	Enterasys C5 (48) 10/100/1000 AT-PoE RJ45 (4) Combo SFP, 2 High Speed Dedicated Stacking Ports and Ex RPS C5G124-48P2	2	3,598.00	7,196.00
NETENTWS-AP3610	Enterasys HiPath AP3610 - Wireless access point - 802.11 a/b/g/n (draft)	73	398.00	29,054.00

*** DAS - 6/19/2012 10:29 am ***
 John Sevier Middle Enterasys Wireless



SubTotal: 36,550.00
 Tax: 0.00
 Shipping: 0.00
 Total: 36,550.00



PO BOX 69
 LOUISVILLE, TN 37777-0069
 865-273-1960 Fax: 865-273-1961

6/8/2012
 Quote #: 152073
 Page: 1 of 1

Quoted To:
 City of Kingsport
 225 W. Carter Street
 KINGSFORT CITY SCHOOLS - TECHNOLOGY
 Kingsport, TN 37660

Phone: 423-229-9312
 Cust PO:
 Reference: John Payne

Terms: NET 30
 Ship Via: FEDEX GROUND

Salesperson: DAS
 Valid Through: 7/8/2012

Stock Code	Description	Quantity	Price	Extended
CUSTOMSKU	NETENTNS-WAS-CAPUP25 - NMS WAS Capacity Upgrade for 25 Sensors (requires NS-WADVSV4)	1	7,277.00	7,277.00
NETENTES-SAS-S01	Enterasys SupportNet Software Application Service, Includes web support, 24x7 phone support UPD/UPG-ES-SAS-S01	1	360.00	360.00
NETENTES-SAS-S03	Enterasys SupportNet Software Application Service Band 03 - New releases update - 1 year	1	780.00	780.00
NETENTES-SAS-S05	Enterasys SupportNet Software App Svc; Web Support, 24X7 Phone Support, Major/Minor/Maint Updates and Upgrades ES-SAS-S05	1	1,620.00	1,620.00
NETENTES-SAS-S06	Enterasys SupportNet Software App Svc; Web Support, 24X7 Phone Support, Major/Minor/Maint Updates and Upgrades ES-SAS-S06	1	1,980.00	1,980.00
NETENTNS-WADVSV4	Enterasys NMS Wireless Advanced Services with Reporting & 1 Sensor License (requires NS-WS-10, NS-WB-50, or NMS Console)	1	5,197.00	5,197.00
NETENTNS-WAS-FOR	Enterasys NMS Wireless Advanced Services fORENSICS & RF Performance License (requires NS-WADVSV4)	1	5,717.00	5,717.00
NETENTPS-ESU-1	Enterasys Service Unit PS-ESU-1	1	2,500.00	2,500.00
NETENTWS-AP3610	Enterasys HiPath AP3610 - Wireless access point - 802.11 a/b/g/n (draft)	25	398.00	9,950.00
NETENTWS-CTLCAPUP	Enterasys WLAN Control Capacity upgrade increases capacity of WLAN controller -25 AP WS-CTLCAPUP25	1	1,497.50	1,497.50

*** MBS - 12/6/2011 09:39 am ***

ENTERASYS WIRELESS *ADVANCED SERVICES* FOR DBHS FOR THE CITY OF KINGSFORT

SubTotal: 36,878.50
 Tax: 0.00
 Shipping: 0.00
 Total: 36,878.50



PO BOX 69
 LOUISVILLE, TN 37777-0069
 865-273-1960 Fax: 865-273-1961

6/8/2012
 Quote #: 152074
 Page: 1 of 1

Quoted To:
 City of Kingsport
 225 W. Carter Street
 KINGSPORT CITY SCHOOLS - TECHNOLOGY
 Kingsport, TN 37660

Phone: 423-229-9312
 Cust PO:
 Reference: John Payne

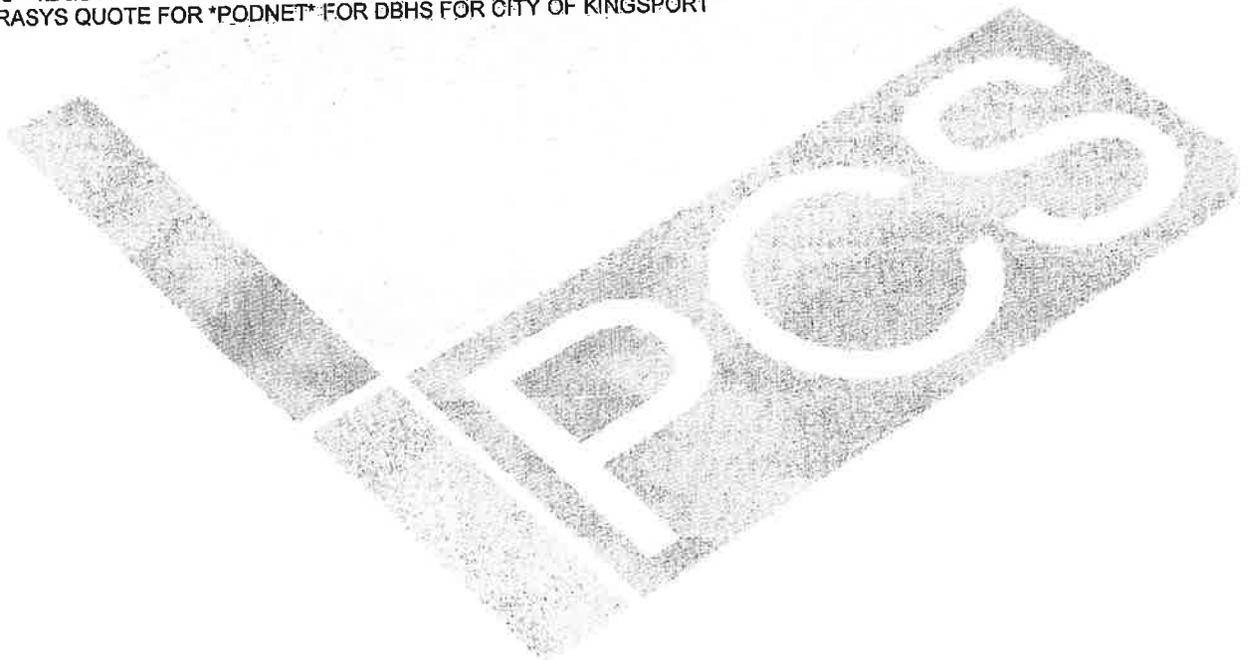
Terms: NET 30
 Ship Via: FEDEX GROUND

Salesperson: DAS
 Valid Through: 7/8/2012

Stock Code	Description	Quantity	Price	Extended
CUSTOMSKU	NETENTNMS-50 - NMS for up to 50 devices and up to 500 thin AP's (includes Console with 25 console 25 concurrent users plus wire)	1	14,997.00	14,997.00
NETENTES-SAS-S10	Enterasys SupportNet Software Application Service Band 10 - New releases update - 1 year ELEC - ES-SAS-S10	1	4,620.00	4,620.00
NETENTNAC-A-20	Enterasys NAC Gateway, Supports up to 3000 End Systems and Available Add on Systems NAC-A-20	1	10,997.25	10,997.25
NETENTPS-ESU-1	Enterasys Service Unit PS-ESU-1	1	2,500.00	2,500.00

*** DAS - 6/18/2012 10:33 am ***

*** MBS - 12/6/2011 10:02 am ***
 ENTERASYS QUOTE FOR *PODNET* FOR DBHS FOR CITY OF KINGSPORT



SubTotal: 33,114.25
 Tax: 0.00
 Shipping: 0.00
 Total: 33,114.25

Harrison, Alison

From: Page, Eddie
Sent: Monday, July 30, 2012 1:50 PM
To: Harrison, Alison; Chicco, Liz
Cc: dfrye@k12k.com; John Payne (jpayne@k12k.com); Crawford, Sandy
Subject: Agenda Action Form AF-239-2012
Attachments: PCS Cost Summaries.pdf; AF-239-2012 Wireless Network Hardware.docx

We need BMA action on a resolution to approve issuance of a purchase order to Personal Computer Systems, Inc. for the materials for a wireless network at three KCS schools. I have attached the subject Agenda Action Form that covers this project. Please let Mr. Campbell know that John Payne, Director of Technology Services for KCS has prepared an information sheet on this project in order to be able to answer any questions from the BMA. Please let me or John Payne know if you have any questions.

Thanks!

Eddie Page

Assistant Procurement Manager
Kingsport City Schools
Phone: 423-229-9312
Fax: 423-224-2433



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Execute an Amendment to the Contract Between the City of Kingsport and the Tennessee Department of Environment and Conservation (TCEC)

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

Action Form No.: AF-244-2012
 Work Session: August 6, 2012
 First Reading: N/A

Final Adoption: August 7, 2012
 Staff Work By: Ronnie Hammonds
 Presentation By: Ryan McReynolds

Recommendation:
 Approve the resolution

Executive Summary:
 Tennessee's solid waste act requires that landfill owners be able to demonstrate financial responsibility for future closure and post-closure activities. In June 1996, the City executed a contract in lieu of a performance bond. The present amount of financial assurance is \$1,846,651. This amount must be adjusted annually for inflation. The new amount of \$1,890,970 requires an amendment to the contract.

- Attachments:**
1. Resolution
 2. Contract in Lieu of Performance Bond

Funding source appropriate and funds are available: N/A

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REVISING THE AMOUNT OF FINANCIAL ASSURANCE REQUIRED FOR THE CITY OF KINGSFORT DEMOLITION LANDFILL LOCATED ON BROOKSIDE DRIVE

WHEREAS, in June, 1996, a contract, between the City of Kingsport and the State of Tennessee Department of Environment and Conservation, was executed in lieu of a performance bond to provide financial assurance in the amount of \$1,390,095 concerning closure/post-closure activities at the city's demolition landfill located on Brookside Drive; and

WHEREAS, the State of Tennessee Department of Environment and Conservation requires annual adjustment for inflation for financial assurance concerning such closure/post-closure care activities, which annual inflation adjustment calculation changes the amount of financial assurance required for the landfill to \$1,890,970; and

WHEREAS, an amendment to the existing contract with the State of Tennessee Department of Environment and Conservation must be executed to provide for the change in calculation of financial assurance required.

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, Chapter 10 of the Charter of the City of Kingsport, an amendment to the June 1996, contract with the State of Tennessee Department of Environment and Conservation revising the amount of financial assurance required for the city's demolition landfill located on Brookside Drive to \$1,890,970.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Financial Responsibility
Eighth Floor, L & C Annex
401 Church Street
Nashville, TN 37243
(615) 532-0851

July 2, 2012

The Honorable Dennis R. Phillips
City of Kingsport Mayor
City Hall, 225 West Center Street
Kingsport, Tennessee 37660-4237

RE: Annual Inflation Adjustment of the financial assurance for *the City of Kingsport Landfill, Permit #DML 82-0016* as required by the Regulations of the Division of Solid Waste Management.

Dear Mayor Phillips:

All county and municipal "Contracts in Lieu of Performance Bonds" must be adjusted annually for inflation by no later than the anniversary date of the issuance of the contract.

The staff of the Financial Responsibility Group utilizing data published by the U. S. Department of Commerce has projected the GNP (Gross National Product) inflation factor to be used for the inflation adjustments and renewals required before *March 31, 2012*. Our projection of the inflation factor to be used is **2.4%**. The amount of your financial assurance instrument(s) from the Year 2011 must be multiplied by **1.024**. The permitted facility and/or the Department may reserve the right to adjust this figure later based upon the actual inflation factor published by the U.S. Department of Commerce. The U. S. Department of Commerce does not make this information available until late March of each year.

Effective immediately, any County or Municipal Contract in Lieu of Performance Bond incurring an annual inflation adjustment shall not be processed by amendment until the cumulative amount of the adjustment(s) equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00). This is a change from the previous threshold of Five Thousand Dollars (\$5,000). For example, if the inflation adjustment is \$4,000 in year one, \$5,000 in year two, and \$6,000 in year three, the amendment will be processed in year three when the total of adjustments exceeds \$10,000. We will continue to send your inflation adjustment figures annually for your records whether or not a contract amendment is required.

Please review the amount(s) listed for each permit listed below. If any changes or modifications to your permit(s) have occurred, please contact us as soon as you receive this letter. The due date(s) and projected amount(s) for the inflation adjustment(s) of your financial instrument(s) are as follows:

Inflation Adjustments **REQUIRED** for 2012

Facility Permit #:	Financial Instrument Type & No.:	Financial Instrument Anniversary Due Date:	Present Amount of Financial Assurance "On File"	Inflation Adjustment / Increase Required:	Inflation Adjustment and Allowable Post-Closure Reduction:	Total "Required" Amount of Financial Assurance:
DML 82-0016	Contract	06-24-12	\$ 1,846,651	\$ 44,320.00	\$	\$ 1,890,970.00

Please see the attached spreadsheets, which list in detail the amount of financial assurance required due to the 2010 annual inflation adjustment and/or post closure reduction (if applicable) for your permit(s). The spreadsheets also list the current amount of financial assurance on file for each permit.

PLEASE NOTE

- (1) Any County and/or Municipal Contract In Lieu of Performance Bonds incurring an annual inflation adjustment shall not be processed by amendment until the amount of the adjustment equals or exceeds TEN THOUSAND DOLLARS (\$10,000.00).

If you have any questions, please call me at (615) 532-0848. Please submit the inflation adjusted financial instrument to the Financial Responsibility Group at the address listed on the letterhead as indicated above.

Respectfully,


James Marks, ASA IV
Financial Responsibility Group

CC: Fred Willingham, Manager of Solid Waste Management, Johnson City Field Office, TDEC

Enclosure: Customer Information Spreadsheet

Amendment of Contract in Lieu of Performance Bond

Whereas, **Kingsport, TN** and the State of Tennessee Department of Environment and Conservation, entered into a Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/or post-closure of **Kingsport Demolition Landfill**, Registration Number **DML 82-0016**; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to **\$ 1,846,651.00** from any funds being disbursed or to be disbursed from the State to **Kingsport, TN** as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and **Kingsport, TN** desire to change the amount of said financial assurance from **\$ 1,846,651.00** to **\$ 1,890,970.00**.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The figure "**\$1,846,651.00**" is deleted and the figure "**\$ 1,890,970.00**" is substituted in lieu thereof.

Date of Amendment to Contract July 2, 2012

Commissioner
Department of Environment
and Conservation



Commissioner
Department of Finance
and Administration

Title: **Mayor**
For the City of **Kingsport, TN**

Title _____
For the County of: _____

Title _____
For _____

(Please Type or Complete Form in Ink and Submit Three (3) Signed Originals of this Document)

FINANCIAL RESPONSIBILITY

CUSTOMER DATABASE

DIVISION	Solid Waste Management			Evaluated by:	JEM
(UST ONLY)	<input type="checkbox"/> FUND PARTICIPANT <input type="checkbox"/> ELIGIBILITY ASSUMED	<input type="checkbox"/> FUND PARTICIPANT <input type="checkbox"/> NOT FUND ELIGIBLE	<input type="checkbox"/> NOT PARTICIPATING IN THE FUND		
OWNER/ OPERATOR NAME	Kingsport Demolition Landfill				
ADDRESS	City Hall, 225 West Center Street				
	Kingsport, TN 37660-4237				
CONTACT PERSON	Mr. Dennis R. Phillips	Ms. Betsy Dale			
TITLE	Mayor (Kingsport, TN)				
TELEPHONE #	(423) 229-9400	(423) 229-9493			
FAX NUMBER					
CORPORATE PARENT/OWNER ADDRESS					
CONTACT PERSON					
TITLE					
TELEPHONE #					
FAX NUMBER					
HW INSTALLATION ID # (EPA)					
SOLID WASTE PERMIT #	DML 82-0016				
UST OWNER ID #					
RADIOLOGICAL HEALTH PERMIT #					
SUPERFUND PERMIT #					
GEOLOGY (OIL & GAS) PERMIT #					
WATER POLLUTION CONTROL (SURFACE MINING) PERMIT #					

FACILITY ID#(s) OR PERMIT #(s) UNDER THIS OWNER

FACILITY OR PERMIT
ID #

LOCATION OR ADDRESS

DML 82-0016

Kingsport, TN

Summary Sheet
Amount of Financial Assurance Required

PERMIT ID # OR FACILITY ID # (s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY REQUIRED (A)	AMOUNT OF POST- CLOSURE REQUIRED (B)	AMOUNT OF 3RD PARTY LIABILITY REQUIRED (C)	AMOUNT OF CORRECTIVE ACTION REQUIRED (D)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
DML 82-0016	\$1,841,998.21	\$48,971.41					\$1,890,969.62
Total Required						Total (A,B,C,D)	
	\$1,841,998.21	\$48,971.41	\$0.00	\$0.00			\$1,890,969.62

Amount of Financial Assurance On File

PERMIT ID # OR FACILITY ID#(s)	AMOUNT OF CLOSURE OPERATING CONTINGENCY ON FILE (AA)	AMOUNT OF POST- CLOSURE ON FILE (BB)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (CC)	AMOUNT OF CORRECTIVE ACTION ON FILE (DD)	INSTRUMENT TYPE AND ISSUE DATE (E)	ISSUING INSTITUTION (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE (G)
DML 82-0016	\$1,798,826.37	\$47,823.64			C 6/24/96	Kingsport, TN	\$1,846,650.01
Total on File						Total (AA,BB,CC,DD)	
	\$1,798,826.37	\$47,823.64	\$0.00	\$0.00			\$1,846,650.01
Net amount underfunded as of 07/02/2012	-\$43,171.84	-\$1,147.77					-\$44,319.61

ABBR. C - CONTRACT CB - CASHBOND, CHECK OR CASH CD - CERTIFICATE OF DEPOSIT CG-FT - CORPORATE GUARANTEE
FINANCIAL TEST CI - CERTIFICATE OF INSURANCE FT - FINANCIAL TEST GG - GOVERNMENT GUARANTEE LC - LETTER OF
CREDIT PB - PERFORMANCE BOND S - SECURITIES TF - TRUST FUND

Attachment 1 : Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility

Facility :	City of Kingsport Demolition Landfill					
Permit# :	DML 82-0016					
Initial Year Calculated :	2004					
YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTIN- GENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
Year	(18)Formula=	=C17*B18	=D17*B18		=F17*B18	=SUM(C18:F18)
1996	1.025	\$1,272,900.00	\$36,000.00	\$15,000.00	\$66,195.00	\$1,390,095.00
1997	1.020	\$1,298,358.00	\$36,720.00	\$15,300.00	\$67,518.90	\$1,417,896.90
1998	1.020	\$1,324,325.16	\$37,454.40	\$15,606.00	\$68,869.28	\$1,446,254.84
1999	1.010	\$1,337,568.41	\$37,828.94	\$15,762.06	\$69,557.97	\$1,460,717.39
2000	1.015	\$1,357,631.94	\$38,396.38	\$15,998.49	\$70,601.34	\$1,482,628.15
2001	1.021	\$1,386,142.21	\$39,202.70	\$16,334.46	\$72,083.97	\$1,513,763.34
2002	1.022	\$1,416,637.34	\$40,065.16	\$16,693.82	\$73,669.82	\$1,547,066.13
2003	1.011	\$1,432,220.35	\$40,505.88	\$16,877.45	\$74,480.18	\$1,564,083.86
2004	1.016	\$1,455,135.87	\$41,153.97	\$17,147.49	\$75,671.87	\$1,589,109.20
2005	1.022	\$1,487,148.86	\$42,059.36	\$17,524.73	\$77,336.65	\$1,624,069.60
2006	1.027	\$1,527,301.88	\$43,194.96	\$17,997.90	\$79,424.74	\$1,667,919.48
2007	1.030	\$1,573,120.94	\$44,490.81	\$18,537.84	\$81,807.48	\$1,717,957.07
2008	1.027	\$1,615,595.20	\$45,692.06	\$19,038.36	\$84,016.28	\$1,764,341.91
2009	1.024	\$1,654,369.49	\$46,788.67	\$19,495.28	\$86,032.67	\$1,806,686.11
2010	1.012	\$1,674,221.92	\$47,350.14	\$19,729.22	\$87,065.06	\$1,828,366.35
2011	1.010	\$1,690,964.14	\$47,823.64	\$19,926.52	\$87,935.71	\$1,846,650.01
2012	1.024	\$1,731,547.28	\$48,971.41	\$20,404.75	\$90,046.17	\$1,890,969.62

(1) The estimated 3rd party cost to close the solid waste unit as submitted by owner/operation and as approved and amended by the Division of Solid Waste Management.

(2) The summation of the required years of post closure cost as submitted by the owner/operator and approved or amended by the Division

(3) Calculated at 100 tons per day for individual year x 30 days at \$6.35 per ton.

(4) Calculated at 5% of items (1+2+3) above.

Note: The total amount of financial assurance can be reduced after certification of closure by the sum of closure cost, operations cost, and contingency cost as established by the cumulative annual inflation adjustments at the point of closure.



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Sign an Agreement allowing participating institutions to offer Higher Education programs/ courses in the Kingsport Center for Higher Education and to give approval for Northeast State Community College to enter into sub-lease agreements with participating institutions for office space, common areas and classroom space

John G Campbell

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

Action Form No.:	AF-246-2012	Final Adoption:	August 7, 2012
Work Session:	August 6, 2010	Staff Work By:	Morris Baker
First Reading:	August 7, 2010	Presentation By:	John Campbell

Recommendation:
 Approve resolution

Executive Summary:

The Kingsport Center for Higher Education, at the present time, has four higher education institutions offering program. They are Northeast State Community College (NeSCC), the University of Tennessee, King College and Lincoln Memorial University. These two agreements attached will provide the outline for the basic method by which these institutions can provide educational services at the Kingsport Center for Higher Education for the upcoming year.

The sub-lease agreements attached will be between NeSCC and the other higher education institutions and outline the parameters for space utilization. These agreements must be approved by the BMA to allow NeSCC to sublease space pursuant to the lease agreement for the KCHE between the city and NeSCC. The sublease agreement is a zero dollar lease agreement and outlines out space allocated to each institution.

The Agreement allowing participating institutions to offer Higher Education programs/ courses in the KCHE has been reviewed individually by the Kingsport Higher Education Commission members, appointed by the BMA. Each participating institution will pay a \$50,000 annual fee to NeSCC and be eligible to provide programs approved by the Commission. The programs listed in Exhibit A of the Agreement have been offered over the past three years at the Kingsport Center for Higher Education and shall continue to be offered solely by the higher education institution listed in Exhibit A for the upcoming year (July 1, 2012 – June 30, 2013);

These agreements will be in effect for a one year period.

Attachments:

1. Resolution
2. Program Chart

Funding source appropriate and funds are available: _____

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

A RESOLUTION APPROVING A REQUEST BY NORTHEAST STATE COMMUNITY COLLEGE TO SUBLEASE PART OF THE KINGSFORT CENTER FOR HIGHER EDUCATION TO THE UNIVERSITY OF TENNESSEE, KING COLLEGE AND LINCOLN MEMORIAL UNIVERSITY; APPROVING AN AGREEMENT WITH COLLEGES AND UNIVERSITIES PROVIDING CLASSES AT THE KINGSFORT CENTER FOR HIGHER EDUCATION; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, Northeast State Community College, the University of Tennessee, King College and Lincoln Memorial University offer programs at the Kingsport Center for Higher Education; and

WHEREAS, the city has lease with Northeast State Community College for the Kingsport Higher Education Center, which lease requires the city to approve subleases; and

WHEREAS, the Tennessee Board of Regents, on behalf of Northeast State Community College, wants to enter into sublease agreements with the University of Tennessee, King College and Lincoln Memorial University for space at the Kingsport Center for Higher Education for the upcoming school year; and

WHEREAS, the city wants to enter into an agreement with each institution of higher learning, other than Northeast State Community College, that provide programs at the Kingsport Center for High Education;

Now therefore,

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

SECTION I. That the Tennessee Board of Regents, on behalf of Northeast State Community College, is authorized to sublease space in the Kingsport Center for Higher Education to the University of Tennessee, King College and Lincoln Memorial University, as shown in appendix A attached hereto.

SECTION II. 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 agreement with institutions of higher learning providing classes at the Kingsport Center for Higher Education, other than Northeast State Community College, and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

Agreement Between City of Kingsport And [PARTICIPATING INSTITUTION]

This Agreement shall be in effect from July 1, 2012 through June 30, 2012 for a one year time period and is made between the City of Kingsport, Tennessee, herein City, and [PARTICIPATING INSTITUTION].

WHEREAS, the Institution, may offer programs in the Kingsport Center for Higher Education; and

WHEREAS, the purpose of this Agreement is to outline the basic method by which the institution can provide educational services at the Kingsport Center for Higher Education for the upcoming year; and

WHEREAS, the Institution recognizes that it will have to enter into one or more agreements with Northeast State Community College to provide educational services at the Kingsport Center for Higher Education; and

WHEREAS, the Institution will also comply with the requirements contained herein to provide educational services at the Kingsport Center for Higher Education; and

NOW, THEREFORE, in consideration of the mutual promises contained herein the City and the Institution agree as follows:

Section 1. The Institution shall provide educational services at the Kingsport Center for Higher Education in accordance with the provisions of this Agreement.

Section 2. Northeast State Community College (herein NeSCC) shall have the exclusive right to offer all lower division and associate level programs and courses in the Kingsport Center for Higher Education. NeSCC may allow another educational institution to offer a lower division or associate level course or program in the Kingsport Center for Higher Education. Such consent shall not be withheld if NeSCC cannot or will not offer the course or program at issue. The Commission shall give NeSCC written notice of any lower division or associate level course or program that it proposes to bring to the Kingsport Center for Higher Education. Within ninety (90) day of receipt of such notice, NeSCC shall advise the Commission, in writing, of its intent to provide the course or program or its consent for another institution to provide said course or program. If NeSCC exercises its right to offer the course or program, it has twelve (12) months from the date of its response within which to establish the course or program. If NeSCC consents to allow another provider to offer the course or program, it retains the right to offer the course or program in the future. If NeSCC chooses to exercise this option, it must give the Commission one academic year's written notice of its intent to offer the course or program in question.

Section 3. All programs proposed to be offered by Institution, not otherwise approved pursuant to Section 1, must be approved by the Kingsport Commission on Higher Education and must be designed to enable a student to obtain a baccalaureate or graduate degree in Kingsport. The Institution must provide all coursework for the degree program offered either (1) at the Kingsport Center for Higher Education; (2) elsewhere within the city limits of Kingsport; or (3) in combination at the Kingsport Center for Higher Education or within the city limits and online.

Section 4. The programs listed in Exhibit A, attached, have been offered over the past three years at the Kingsport Center for Higher Education and shall continue to be offered solely by the higher education institution listed in Exhibit A for the upcoming year (July 1, 2012 – June 30, 2013); provided, however, the Family Nurse Practitioner program may be offered by both Lincoln Memorial University and King College.

Section 5. Except as provided in Section 1 coursework offered by Institution must be at the junior, senior or graduate level. The fee to offer programs at the Kingsport Center for Higher Education for upcoming year is Fifty Thousand Dollars (\$50,000) payable in full to NeSCC upon receipt of invoice.

Section 6. Before a program can be approved by the Kingsport Commission on Higher Education articulation agreements between NeSCC and the Institution must be developed and executed for each academic degree program offered.

Section 7. The Institution shall enter into a sub-lease agreement with NSCC and have use of one secure office, assigned by NeSCC on the first floor of the Kingsport Center for Higher Education, along with designated common areas.

Section 8. The Institution shall be provided classroom space in the Kingsport Center for Higher Education, as assigned by NeSCC.

Section 9. The Institution shall be assigned space on the outside of the Kingsport Center for Higher Education to display one institutional banner.

Section 10. The participating institution is expected to and shall:

- a. Maintain its own identity;
- b. Operate within its own governance and administrative framework;
- c. Serve as its own fiscal agent;
- d. Provide its own on-site management;
- e. Undertake its own marketing.

Section 11. Nothing herein shall be construed to conflict with the lease agreement between the City of Kingsport and the State of Tennessee for the Kingsport Center for Higher Education, and if there is any conflict, the language of the lease shall control.

Agreement Indented and reduced to size 9

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Appendix A to Resolution No. _____

This Instrument Prepared By:



Northeast State Community College
Office of the Vice President for Business Affairs
P. O. Box 246
Blountville, TN 37617

This Lease, entered into as of this _____ day of _____,
made by and between

University of Tennessee
hereinafter called the Lessee, and
the Tennessee Board of Regents, on behalf of
Northeast State Community College
hereinafter called the State.

WITNESSETH:

- 1. LOCATION:** The State hereby leases unto the Lessee those certain premises with the appurtenances situated in the
County of Sullivan, City of Kingsport, located at 300 West Market
- 2. DESCRIPTION:** The premises above are more particularly described as follows:
Main office space is KC107
- 3. USE:** The above described premises will be used by the Lessee for the purpose of conducting classes/labs/office space and for no other purpose whatsoever. In using the premises, the Lessee shall comply with all applicable federal, state, and local laws and rules and regulations, as well as the applicable policies of the Tennessee Board of Regents.
- 4. TERM:** The term of this lease shall commence on July 1, 2012 and shall end on June 30, 2013 with such rights of termination as are hereinafter set forth. If the date of occupancy is other than the commencement date, then the rental period shall begin with the date of occupancy.

This Instrument Prepared By:



Northeast State Community College
Office of the Vice President for Business Affairs
P. O. Box 246
Blountville, TN 37617

This Lease, entered into as of this _____ day of _____,
made by and between

King College

hereinafter called the Lessee, and

**the Tennessee Board of Regents, on behalf of
Northeast State Community College**

hereinafter called the State.

WITNESSETH:

1. **LOCATION:** The State hereby leases unto the Lessee those certain premises with the appurtenances situated in the

County of Sullivan, City of Kingsport, located at 300 West Market

2. **DESCRIPTION:** The premises above are more particularly described as follows:

Main office space is KC109 and the use of one additional faculty office space

3. **USE:** The above described premises will be used by the Lessee for the purpose of conducting classes/labs/office space and for no other purpose whatsoever. In using the premises, the Lessee shall comply with all applicable federal, state, and local laws and rules and regulations, as well as the applicable policies of the Tennessee Board of Regents.

4. **TERM:** The term of this lease shall commence on July 1, 2012 and shall end on June 30, 2013 with such rights of termination as are hereinafter set forth. If the date of occupancy is other than the commencement date, then the rental period shall begin with the date of occupancy,

This Instrument Prepared By:



Northeast State Community College
Office of the Vice President for Business Affairs
P. O. Box 246
Blountville, TN 37617

This Lease, entered into as of this _____ day of _____,
made by and between

Lincoln Memorial University
hereinafter called the Lessee, and
the Tennessee Board of Regents, on behalf of
Northeast State Community College
hereinafter called the State.

WITNESSETH:

- 1. LOCATION:** The State hereby leases unto the Lessee those certain premises with the appurtenances situated in the
County of Sullivan, City of Kingsport, located at 300 West Market
- 2. DESCRIPTION:** The premises above are more particularly described as follows:
Main office space is KC108 and the use of one additional faculty office space
- 3. USE:** The above described premises will be used by the Lessee for the purpose of conducting classes/labs/office space and for no other purpose whatsoever. In using the premises, the Lessee shall comply with all applicable federal, state, and local laws and rules and regulations, as well as the applicable policies of the Tennessee Board of Regents.
- 4. TERM:** The term of this lease shall commence on July 1, 2012 and shall end on June 30, 2013 with such rights of termination as are hereinafter set forth. If the date of occupancy is other than the commencement date, then the rental period shall begin with the date of occupancy.

Institution	Degree	Program
Northeast State Community College	AA	Associate of Arts
Northeast State Community College	AS	Associate of Science
Northeast State Community College	AAS	Associate of Applied Science
Northeast State Community College	Certificate	Technical Certificate Programs
King College	BBA	Bachelor of Business Administration
King College	BTECH	Bachelor of Information Technology
King College	MBA	Master of Business Administration
King College	BSN	Traditional-Bachelor of Science in Nursing
King College	BSN	RN to BSN-Bachelor of Science in Nursing
King College	MSN	Master of Science in Nursing
King College	MEd	Master of Education - Curriculum and Instruction
LMU	EdS	Educational Specialist - School Counseling
LMU	EdS	Educational Specialist - Administration & Supervision
LMU	EdS	Educational Specialist - Curriculum and Instruction
LMU	MEd	Master of Education - Initial Teacher Licensure (formerly Post-Baccalaureate Teachers)
LMU	MSN	Master of Science in Nursing - Family Nurse Practitioner Concentration
LMU	AAS/AS	Associate of Applied Science in Veterinary Medical Technology/Associate of Science in Veterinary Animal Science
LMU	BS	Bachelor of Science in Veterinary Medical Technology
LMU	BS	Bachelor of Science in Medical Technology
LMU	MEd	Master of Education - Administration & Supervision
University of Tennessee	Ed D	Ed.D. Learning & Leadership



AGENDA ACTION FORM

Consideration of a Resolution Accepting the Proposal of ICMA-RC for the Defined Contribution Retirement Plan and Authorizing the Mayor to Execute the Necessary Documents

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

Action Form No.: AF-240-2012
 Work Session: August 6, 2012
 First Reading: N/A

Final Adoption: August 7, 2012
 Staff Work By: Committee
 Presentation By: John Campbell

Recommendation: Approve the resolution.

Executive Summary:

Last year the board voted to withdraw from the Tennessee Consolidated Retirement System effective July 1, 2012, which impacted eligible city employees hired after June 30, 2012. As a result of that action the board determined that a 401(a) defined contribution retirement plan for eligible employees hired after June 30, 2012 would be implemented. Accordingly, a Request for Proposals for such plan was issued. The city's benefit consultant, Sherrill Morgan, assisted in the design of the RFP and in analyzing the responses. There were eight responses to the RFP. After review and analysis of the proposals and interviews with two of the proposers Sherrill Morgan recommends accepting the proposal of ICMA-RC and the city staff concurs.

ICMA-RC provided a detailed approach to plan management, education, resources and planning. ICMA-RC stated it could implement the new 401(a) plan within approximately 5-10 business days after the plan document is executed, quicker than all other proposals. They have no set up fees or up-front costs associated with the 401(a) plan. Their administrative fee is .29%, which will be extended to the current 457 plan the city has with ICMA-RC. The total average of expense in a typical investment portfolio is 1.18%, which includes the .29% administrative fee, and is the lowest average expense of the proposals that met the city's request. The administrative fee of .29% is set for five years. The city has had a 457(b) deferred compensation plan for current city employees with ICMA-RC for many years, and the .29% administrative fee will apply to that plan, including the current approximately \$7,000,000 in plan assets already in the plan. This is a reduction from the current .55% administrative fee.

Mark Morgan, president of Sherrill Morgan, will be at the work session to present additional information and to answer questions. The attached resolution accepts the proposal of ICMA-RC for the city's 401(a) defined contribution retirement plan and authorizes the mayor to execute the documents necessary to implement the plan. It also provides for the execution of a plan document for a new 457(b) plan for employees hired after June 30, 2012.

Attachments:

1. Resolution

Funding source appropriate and funds are available: _____

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

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE PROPOSAL OF ICMA-RC FOR THE 401(A) DEFINED CONTRIBUTION RETIREMENT PLAN AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE RETIREMENT PLAN

WHEREAS, the city issued Request for Proposals for a 401(a) defined contribution retirement plan for city employees hired after July 1, 2012; and

WHEREAS, upon review of the eight proposals received by the city, the benefits consultant for the city, Sherrill Morgan, recommends accepting the proposal of ICMA-RC; and

WHEREAS, upon review the board finds the proposal of ICMA-RC, includes: a detailed approach to plan management, education, resources and planning; implementation of the 401(a) plan within approximately 5-10 business days after the plan document is executed, no set fees or up-front cost; an administrative fee of .29%, which will be extended to the current 457(b) the city has with ICMA-RC and the new 457(b) plan; a total average of expense in a typical investment portfolio of 1.18%, which includes the .29% administrative fee and is the lowest average expense of the proposals that met the city's request; and the administrative fee of .29% is set for five years.

WHEREAS; the board further finds that the proposal of ICMA-RC is the best proposal for the city and is in the best interest and advantage to the city, and that the city should accept the proposal and enter into an agreement and plan document with ICMA-RC for the 401(a) defined contribution retirement plan for eligible city employees hired after June 30, 2012; and

WHEREAS, a plan document will be required for the 401(a) plan and a new 457 plan for eligible city employees hired after June 30, 2012;

Now therefore,

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

SECTION I. That the board incorporates herein the findings set out hereinabove, and the proposal of ICMA-RC submitted to the city in response to a Request for Proposals for a 401(a) defined contribution retirement plan for eligible city employees hired after June 30, 2012, is accepted.

SECTION II. 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 agreement and plan document with ICMA-RC for the 401(a) defined contribution retirement plan for eligible city employees hired after June 30, 2012 in accordance with the proposal approved herein and all other documents necessary and proper, and to execute such documents and take such acts as necessary, to effectuate the purpose of the agreement or this resolution.

SECTION III. 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 agreement and

plan document with ICMA-RC for a new 457(b) plan for eligible city employees hired after June 30, 2012 in accordance with the proposal approved herein and all other documents necessary and proper, and to execute such documents and take such acts as necessary, to effectuate the purpose of the agreement or this resolution.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO LEASE AGREEMENTS WITH TENNESSEE MUNICIPALITIES FOR USE OF CITY OF KINGSPORT OWNED EQUIPMENT AND AUTHORIZING THE MAYOR TO EXECUTE SUCH LEASE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF SUCH LEASE AGREEMENTS

WHEREAS, in an effort to assist neighboring Tennessee cities in the event of a natural disaster or to assist in daily operational needs, the city staff requests approval of a lease agreement for various pieces of city owned equipment; and

WHEREAS, the approval of the lease will allow for short term lease of equipment to neighboring Tennessee municipalities for use by their city employees; and

WHEREAS, the lease agreement would hold the lessee liable for any damages, and the lease would be for at least \$1.00 which may be greater depending on the value of the equipment;

Now therefore,

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

SECTION I. That a lease agreement with neighboring Tennessee cities is approved.

SECTION II. 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, lease agreements with neighboring Tennessee cities for short term lease of various pieces of equipment for use by their city employees in the event of a natural disaster or to assist in daily operational needs and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreements or this resolution.

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

ADOPTED this the 7th day of August, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

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

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Consideration of Reappointments to the Employee Dependent Scholarship Program

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

Action Form No.: AF- 245-2012
Work Session: August 6, 2012
First Reading: N/A

Final Adoption: August 7, 2012
Staff Work By: Alison Harrison
Presentation By: Mayor Phillips

Recommendation: Approve the Reappointments

Executive Summary: Linda Calvert, Marvin Cameron and Danny Howe have agreed to be reappointed and serve a three (3) year term if approved by the Board of Mayor and Alderman. Their appointments will be effective immediately and expire August 1, 2015.

Attachments:

- 1. Bios

Funding source appropriate and funds are available: _____

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

Bios

Dr. Linda Calvert

Dr. Calvert is the Executive Director of Grant Development at Northeast State Community College. She has served as the Chairman of the Employee Dependent Scholarship Program Board since July 2009.

Dr. Marvin Cameron

Dr. Cameron is the Pastor at First Baptist Church in Kingsport. He received a BA degree from Union University in Jackson, Tennessee. He received Master and Doctorate degrees from The Southern Baptist Theological Seminary in Louisville, Kentucky. Dr. Cameron's wife Penny teaches at Ross N. Robinson Middle School. He has two sons – Chris and Tyler. He has served on the Employee Dependent Scholarship Program Board since July 2009.

Mr. Danny Howe

Mr. Howe is the Missions Director at First Broad Street United Methodist Church. He has served on the Employee Dependent Scholarship Board since May 2010.



AGENDA ACTION FORM

Consideration of an Budget Ordinance to appropriate grant funds approved by the Department of Justice, Justice Assistance Grant Program (JAG)

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

Action Form No.: AF- 226 - 2012
 Work Session: 7/23/2012
 First Reading: 7/24/2012
 Final Adoption: 8/07/2012
 Staff Work By: Capt. Castle
 Presentation By: Chief Osborne

Recommendation:
 Approve the ordinance

Executive Summary:
 On April 16, 2012 the Board approved Action Form (106), a resolution to apply for and receive eligible funding through the Department of Justice, Justice Assistance Grant(s). We were notified on July 11, 2012 that the grant application was approved in the amount of \$26,846.00 for the purchase of in car cameras for police vehicles.

- Attachments:**
1. Ordinance
 2. Grant Letter

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Consideration of an Budget Ordinance to appropriate grant funds approved by the Department of Justice, Justice Assistance Grant Program (JAG)

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

Action Form No.: AF- 226 - 2012
 Work Session: 7/23/2012
 First Reading: 7/24/2012

Final Adoption: 8/07/2012
 Staff Work By: Capt. Castle
 Presentation By: Chief Osborne

Recommendation:

Approve the ordinance

Executive Summary:

On April 16, 2012 the Board approved Action Form (106), a resolution to apply for and receive eligible funding through the Department of Justice, Justice Assistance Grant(s). We were notified on July 11, 2012 that the grant application was approved in the amount of \$26,846.00 for the purchase of in car cameras for police vehicles.

Attachments:

1. Ordinance
2. Grant Letter

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 JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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 Justice Assistance Grant Fund budget be amended by appropriating grant funds received from the Department of Justice Grant Program to the Justice Assistance Grant Project (JG1300) in the amount of \$26,846 to purchase equipment (in-car cameras). This grant does not require matching funds.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 134: Justice Assistant Grant Fund			
Edward Byrne Grant (JG1300)			
Revenues:			
134-0000-331-4537 Bureau of Justice/JAG	\$ 0	\$ 26,846	\$ 26,846
Totals:	0	26,846	26,846
Expenditures:			
134-3030-443-9006 Purchases \$5,000 & Over	0	26,846	26,846
Totals:	0	26,846	26,846

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: _____



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

July 11, 2012

The Honorable Dennis Phillips
City of Kingsport
225 West Center Street
Kingsport, TN 37660-4254

Dear Mayor Phillips:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 12 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation in the amount of \$26,846 for City of Kingsport.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Yolaine Faustin, Program Manager at (202) 353-1720; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise O'Donnell".

Denise O'Donnell
Director

Enclosures

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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 Justice Assistance Grant Fund budget be amended by appropriating grant funds received from the Department of Justice Grant Program to the Justice Assistance Grant Project (JG1300) in the amount of \$26,846 to purchase equipment (in-car cameras). This grant does not require matching funds.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 134: Justice Assistant Grant Fund			
Edward Byrne Grant (JG1300)			
Revenues:	\$	\$	\$
134-0000-331-4537 Bureau of Justice/JAG	0	26,846	26,846
Totals:	<u>0</u>	<u>26,846</u>	<u>26,846</u>
Expenditures:			
134-3030-443-9006 Purchases \$5,000 & Over	0	26,846	26,846
Totals:	<u>0</u>	<u>26,846</u>	<u>26,846</u>

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 Visitor Enhancement Program Funds to the Meadowview Winery Project

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

Action Form No.: AF-228-2012
 Work Session: July 23, 2012
 First Reading: N/A

Final Adoption: August 7, 2012
 Staff Work By: C. McCartt, J. Smith
 Presentation By: C. McCartt

Recommendation:

Approve the Ordinance

Executive Summary:

In May the Visitor Enhancement Program (VEP) approved funding an additional \$25,000 to complete construction and to provide FF&E for the wine tasting room, which is part of the Meadowview Winery project. Approval of this budget ordinance will allow the funds to be moved to the Meadowview Winery project account.

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 to Appropriate Visitor Enhancement Program Funds to the Meadowview Winery Project

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

Action Form No.: AF-228-2012
Work Session: July 23, 2012
First Reading: N/A
Final Adoption: August 7, 2012
Staff Work By: C. McCartt, J. Smith
Presentation By: C. McCartt

Recommendation: Approve the Ordinance

Executive Summary: In May the Visitor Enhancement Program (VEP) approved funding an additional \$25,000 to complete construction and to provide FF&E for the wine tasting room, which is part of the Meadowview Winery project.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MEADOWVIEW PROJECT FUND BUDGET BY TRANSFERRING ADDITIONAL FUNDS FROM THE VISITORS ENHANCEMENT FUND OPERATING BUDGET TO FUND THE MEADOWVIEW WINERY 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 Meadowview Project Fund budget be amended by transferring additional funds in the amount of \$25,000 from the Visitors Enhancement Fund operating budget to the Meadowview Winery Project (MV1200) to complete construction and to provide FF&E.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 135: Visitors Enhancement Fund			
Revenues:			
135-0000-316-2000 Motel Room Occupancy Tax	\$ 0	\$ 350,000	\$ 350,000
135-0000-391-0185 From General Fund	325,000	(325,000)	0
Totals:	325,000	25,000	350,000
Expenditures:			
135-4804-481-7604 Transfer to Meadowview Proj.	150,000	25,000	175,000
Totals:	150,000	25,000	175,000
Fund 135: Visitors Enhancement Fund			
MeadowView Winery Project (MV1200)			
Revenues:			
454-0000-391-6900	\$ 150,000	\$ 25,000	\$ 175,000
Totals:	150,000	25,000	175,000
Expenditures:			
454-0000-601-2023 Arch/Eng./Landscaping	\$ 30,000	\$ 362	\$ 30,362
454-0000-601-9003 Improvements	120,000	24,638	144,638
Totals:	150,000	25,000	175,000

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-230-2012
 Work Session: July 23, 2012
 First Reading: N/A

Final Adoption: August 7, 2012
 Staff Work By: B. Macdonald, J. Smith
 Presentation By: C. McCartt

Recommendation:

Approve the Ordinance

Executive Summary:

Action Form 8-2012 authorized a grant application to the Tennessee Arts Commission for an Arts Project Grant for the Sculpture Walk. The Kingsport Cultural Arts Department has been awarded \$3,600 for support of the Sculpture Walk. This grant will be matched 1:1 from project NC0710 Sculpture Walk.

Attachments:

1. Ordinance
2. Grant Letter

Funding source appropriate and funds are available: _____

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



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-230-2012
Work Session: July 23, 2012
First Reading: N/A

Final Adoption: August 7, 2012
Staff Work By: B. Macdonald, J. Smith
Presentation By: C. McCartt

Recommendation:

Approve the Ordinance

Executive Summary:

Action Form 8-2012 authorized a grant application to the Tennessee Arts Commission for an Arts Project Grant for the Sculpture Walk. The Kingsport Cultural Arts Department has been awarded \$3,600 for support of the Sculpture Walk. This grant will be matched 1:1 from project NC0710 Sculpture Walk.

Attachments:

1. Ordinance
2. Grant Letter

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-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION; 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-Special Revenue Fund budget be amended by appropriating grant funds received from the Tennessee Arts Commission in the amount of \$3,600 to the Sculpture Walk project (NC0710). The grant requires a local match of 1:1 and is provided for in the project.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 111: General Project Special Revenue</u>			
<u>Fund</u>			
<u>KPRT Art & Sculpture Walk (NC0710)</u>			
<u>Revenues:</u>			
	\$	\$	\$
111-0000-332-3200 TN Arts Commission	29,653	3,600	33,253
111-0000-364-1000 From Individuals	5,200	0	5,200
111-0000-364-2000 From Corporations	21,250	0	21,250
111-0000-364-3000 From Non-Profit Groups	43,743	0	43,743
111-0000-391-0100 From General Fund	109,758	0	109,758
Totals:	209,604	3,600	213,204

<u>Expenditures:</u>			
	\$	\$	\$
111-0000-601-1010 Salaries	7,302	0	7,302
111-0000-601-1011 Overtime	200	0	200
111-0000-601-1020 Social Security	888	0	888
111-0000-601-1040 Retirement	213	0	213
111-0000-601-1060 Workmen's Comp	165	0	165
111-0000-601-1061 Unemployment	5	0	5
111-0000-601-2010 Advertising & Publication	11,178	0	11,178
111-0000-601-2020 Professional Consultant	141,891	3,600	145,491
111-0000-601-2040 Travel	5,000	0	5,000
111-0000-601-2099 Miscellaneous	6,240	0	6,240
111-0000-601-3012 Food	5,000	0	5,000
111-0000-601-3020 Operating Supplies & Tools	6,894	0	6,894
111-0000-601-3022 Maintenance Supplies	24,628	0	24,628
Totals:	209,604	3,600	213,204

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: _____



STATE OF TENNESSEE
TENNESSEE ARTS COMMISSION

401 Charlotte Avenue
Nashville, Tennessee 37243-0780
<http://www.tn.gov/arts>

(615) 741-1701

FAX (615) 741-8559

July 1, 2012

TO: Bonnie Macdonald
Cultural Arts Division - City of Kingsport
1200 East Center Street
Kingsport, TN 37660-4958

FROM: Anne B. Pope, Executive Director

RE: Tracking/Application Number FY2013 - 21070; Program APS
for Operating Support

I am pleased to inform you that the Tennessee Arts Commission has approved matching grant assistance to your organization in the amount of \$3,600.00 for the above referenced application submitted for Fiscal Year 2013.

Upon receipt of this letter you have until **September 30, 2012** to submit a revised budget. The revised budget form **must be typed**, and can be found at: http://www.tn.gov/arts/grant_forms.htm. After we receive the revised budget form, a contract and related materials will be mailed to you. Your original grant application will become part of your contract file. The revised budget form must include your grant award with earliest completion date of your project activity and you must submit all fiscal reports in accordance with it. **Failure to submit this revised budget by September 30, 2012 will result in cancellation of this grant award.**

No grant funds may be obligated toward the funded project until a contract between your organization and the Commission has been executed and approved by all parties. **All contracts must be signed and returned by October 30, 2012 or the grant award will be cancelled.**

Project grants must be closed out **no later than 30 days** after the funded activity. For operational grants, close-out must occur **within 30 days** from the time the grant and matching monies can be documented. **Do not wait until the end of the fiscal year to close out your grant.**

As a grantee of the Tennessee Arts Commission, you are required to use the new public awareness logo, **"the arts...changing lives!"** when crediting the Commission for funding. You will receive specific instructions with your contract.

Revenue dedicated from the sale of specialty license plates has allowed the Commission to provide consistent grant awards to Tennessee organizations. The Commission strongly encourages the promotion of specialty license plates by grantees so the citizens of Tennessee have access to and participate in the arts.

AP/vm

cc: Bob Wormsley, TAC Chair