



AGENDA

BOARD OF MAYOR AND ALDERMEN REGULAR WORK SESSION

**Tuesday, March 6, 2012
Council Room — 2nd Floor, City Hall
4:30 p.m.**

Board of Mayor and Aldermen

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

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

Leadership Team

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

Chris 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. Update on Aquatic Center – Frank Brewer
6. Review of Items on March 6, 2012 Regular Business Agenda
7. 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

March 6, 2012

Special Projects

Welcome Center

Michael Thompson

March 6, 2012

Charles Blalock & Sons, Inc. continues retaining wall construction and rock excavation. The bridge abutment on the east side has been poured. The center pier foundation & stem has been poured. The westbound exit ramp has been graded to subgrade level. Blasting on the west side continues. 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 schedule for the Welcome Center building construction is currently estimated to be June - December 2012

Quebecor Redevelopment Project

John Campbell

March 6, 2012

Press, LLC (private rehabilitation of 200,000 sq. ft.) is Mountain Region Family Practice, 67,000 sq. ft, occupied the building in December and is now seeing patients daily. A psychiatrist has just signed a contract for approximately 3,000 sq. ft., and Integrity Capital has committed to 4,000 sq. ft. on the third floor. The partners are close to signing a Middle Tennessee health related firm to 4,000 sq. ft. 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. They are preparing the parking lot for paving and entrances.

Board of Education/Chamber of Commerce Building (100,000 sq. ft. building on Press Street to be reduced to approximately 55,000 sq. ft.)

The parking lot base paving and concrete curbs and sidewalks are complete. The lot will be temporarily striped for opening and the finish paving course will be installed in early March. The second and third floors are substantially complete, and the Building Dept. will be inspecting for occupancy on 2/29. The school's furniture deliveries will then begin arriving. The first floor life safety systems are complete for occupancy. First floor carpeting is scheduled to begin 3/5 and furniture deliveries will begin on 3/20.



Special Projects (continued)

Farmers' Market, Phase II and III

Chris McCartt

March 6, 2012

GRC Construction has been secured as the construction manager for the Farmer's Market project. The city is currently working to secure bids for the sprinkler system, radiant heating system and the floor refinishing. Additionally, design work is underway for the remodeling of the two story structure which will be bid out later this spring.

City Departments

Fire Department

Fire Station Eight

Craig Dye

March 6, 2012

The windows and garage doors are being installed and should already be complete as of this reading. The front driveway has been poured. The first coat of paint is done on interior. Some landscaping has been placed. Brick work is near completion. Exterior lights have been installed. The furniture is on order. Everything is going great so far.



Public Works

Gibson Mill Phase IV

Michael Thompson

March 6, 2012

Thomas Construction Co., Inc. began the construction for this project on February 1, 2012. Current work includes demolishing the existing Gibson Mill Road bridge over Reedy Creek. The bridge deck is totally demolished. The bridge piers/footers will be demolished by the end of the week.

Construction of the retaining wall and sanitary sewer is expected to begin soon.

Contract time is 275 days with an expected project completion date of November 2, 2012.

Engineering

Cleek Road Improvements Phase 2

Hank Clabaugh

March 6, 2012

Design of this project is complete with construction anticipated to start in the summer of 2012. Property appraisal has been completed and acquisition is ongoing. 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. Annexation of the area not in the City has begun.

Transportation

Wayfinding

Tim Elsea

March 6, 2012

Seventy of the seventy-three concrete bases have been placed. Each base will need at least seven days curing before signs can be installed. Installation of signs will be done by City Staff as bases are ready.

PHASE II TENTATIVE SCHEDULE OF ACTIVITIES

Sign Delivery	January-February 2012
Construction of foundations	January-March 2012
Completion	April 2012

GX-1: 51 of 55 installed

GX-2: 13 of 13 installed

GX-3: 1 of 7 installed

The Gateway sign has been placed. All that remains is the decorative stone work around the base. It is located near the intersection of John B Dennis Hwy & I-26 ramp on Wilcox Drive.

Gateway Sign: 1 of 1 installed

Netherland Inn Bump Out

Tim Elsea

March 6, 2012

The striping has been finished so this project is now complete.

Leisure Services

Aquatic Center

Chris McCartt

March 6, 2012

Local grading contractor Vic Davis Construction continues to make good progress on the grading operations. Grading operations will continue to fill the parking lot and the entrance drive areas for several more weeks. Work is underway to install the large culverts under the proposed entrance road from Meadowview Parkway. The main sanitary sewer line is also being installed. The first building footings were poured on Feb. 22nd, with many more to follow.

Aquatic Center (aerial view)



Riverfront Redevelopment/Greenbelt

Stephen Robbins

March 6, 2012

Progress continues with site grading nearly complete. Duco construction will soon be spreading topsoil and start seeding. Paving for the Greenbelt extension will be completed in March. There will be great views of the Holston River from the site once the work is completed.

Riverfront Redevelopment/Greenbelt (aerial photo)



Cultural Arts

Bonnie Macdonald

March 6, 2012

Carousel. Painting began on the animals February 21. Suzanne Barrett Justis will be lead painter for animals.

Painting for the Rounding Boards began on March 3. Lead artists will be Ellen Elmes and Cindy Saadeh.

A grant of \$5,000 from the Kingsport Community Foundation has been awarded to the carousel project to help provide instruction for the painting of animals and rounding boards.

Public Art Kingsport Requests for Proposals. Public Art Kingsport along with Engage Kingsport are accepting proposals for the following efforts. See www.PublicArt.Kingsport.gov or www.EngageKingsport.com for more information.

Call for Artists to Exhibit in Municipal Galleries

Call for Artists to Submit Proposals for Parking Garage Benches

Call for Artists to Submit Proposals for Parking Garage Banners

Call for Artists to Submit for Sculpture Walk VI exhibition.

Peggy Woods Townsend has been secured as curator for Sculpture Walk VI. She is currently serving as the Public Art Director for Chattanooga and has been involved with that program since its inception.

Art Nights/City Lights. Ball in the House. A men's acapella group will be in performance on Thursday, March 22 at 7 PM. All tickets are \$12. This concert will be held at Sevier Middle School to accommodate a larger crowd. The Sevier Chorus is preparing the song 'Superstition' and will participate in a workshop with Ball in the House as well as perform that song with the group at the concert. This concert is sponsored by the Tennessee Arts Commission Touring Grant Program.

Artisan/ Entertainer, Networking and Business Workshop. In partnership with the Holston Business Development Center, Cultural Arts and Engage Kingsport will host a networking dinner and business workshop on Thursday, March 8th, at Stir Fry Café in downtown Kingsport.



AGENDA

BOARD OF MAYOR AND ALDERMEN

REGULAR BUSINESS MEETING

Tuesday, March 6, 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** – Russ Pearson – Youth Minister First Presbyterian Church

- III.A **SWEARING-IN OF ELECTED BOARD MEMBER OFFICIALS** – James Demming -
City Recorder

- III.B **ROLL CALL**

- IV. **RECOGNITIONS**

- V. **APPROVAL OF MINUTES**
 - 1. Regular Worksession 02/20/12
 - 2. Regular Business Meeting 02/21/12
 - 3. Special Called Business Meeting 02/21/12

VI. COMMUNITY INTEREST ITEMS**AA. PUBLIC HEARINGS**

None

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

None

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Consideration of an Ordinance Establishing a Golf Course Community Zoning District (AF: 31-2012)
 - Ordinance – Second Reading & Final Adoption
2. Consideration of an Ordinance Vacating Two Alleys Located Behind 301 E. Center Street and Declaring the Property Surplus (AF: 32-2012)
 - Ordinance – Second Reading & Final Adoption

D. OTHER BUSINESS

1. Consideration of a Resolution to Ratify the Mayor's Signature in Signing All Documents Necessary to Apply for and Receive a Tennessee State Library and Archives Grant for the Kingsport Public Library Renovation/ Expansion Project (AF: 62-2012)
 - Resolution
2. Consideration of a Resolution Accepting the Donation of a License to Use Real Property and Authorizing the Mayor to Execute a Lease of Property Located at 2309 East Center Street (AF: 69-2012)
 - Resolution
3. Consideration of a Resolution Approving Settlement of a Lawsuit (AF: 58-2012)
 - Resolution
4. Consideration of a Resolution to Authorize the Rejection of all Bids Submitted for the Safe Routes to School (SRTS) Project for Roosevelt and Kennedy Elementary Schools (AF: 70-2012)
 - Resolution

REVISED 03/05/12

E. APPOINTMENTS

1. Consideration of an Appointment to the Sidewalk Committee Board (AF: 26-2012)
 - Appointment
2. Consideration of a Reappointment to the Kingsport Public Library Commission (AF: 45-2012)
 - Appointment
3. Consideration of a Reappointment to the Historic Zoning Commission (AF:63-2012)
 - Appointment
4. Consideration of an Appointment to the 911 Board of Directors (AF: 71-2012)
 - Appointment
5. Consideration of a Reappointment to the Kingsport Housing & Redevelopment Authority (AF: 74-2012)
 - Appointment

VII. CONSENT AGENDA

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received From Kingsport Community Foundation (AF: 43-2012)
 - Ordinance – Second Reading & Final Adoption
2. Consideration of an Ordinance to Amend Project GP 0902 Budget by Appropriating Funds from the Criminal Forfeiture Fund (AF: 55-2012)
 - Ordinance – Second Reading & Final Adoption
3. Consideration of an Ordinance to Amend Various Projects (AF: 56-2012)
 - Ordinance – Second Reading & Final Adoption
4. Consideration of Approval of Offers for Easements and Right-of-Ways for Phase II of the Cleek Road Improvement Project (AF: 68-2012)

VIII. 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, February 20, 2012, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor Dennis Phillips

Alderman Valerie Joh

Alderman Benjamin K. Mallicote

Vice-Mayor Tom C. Parham

Alderman Tom Segelhorst

Alderman Jantry Shupe (*joined*

telephonically from 5:15 p.m.-6:00 p.m.)

City Administration

John G. Campbell, City Manager

Joseph E. May, Assistant City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Phillips.
2. **ROLL CALL:** By City Recorder Demming. Absent: Alderman Mike McIntire.

Note: *Item 5 was discussed at this time before resuming the regular work session agenda.*

3. **WORK SESSION TICKLER.** Mayor Phillips commented he would like the Board's input on what they expected from the upcoming budget. He pointed out key issues included the need to be fully staffed and the adequacy of the road fund. The Mayor also noted there was a substantial fee increase regarding garbage pickup for the Housing Authority. Public Works Director Ryan McReynolds explained they were working with them on this issue. The Mayor then challenged the Board, along with future Boards, to keep up with the storm water fees and eliminate them when possible. Mayor Phillips then mentioned he had received a letter from Temple Baptist Church regarding a business that was possibly selling synthetic drugs and asked Chief Osborne what was being done. The Chief stated he has spoken with the District Attorney, but was unable to share publicly the points of the investigation, although this issue is scheduled to be addressed by the state legislature in March. The Mayor asked for something to be done before the next meeting, noting people are scared to walk in their neighborhoods. Alderman Segelhorst noted that construction on the inside of the winery at Meadowview Conference and Convention Center had begun.

4. **CONSIDER OPTIONS ON PUBLIC SAFETY BRIDGE.** City Manager Campbell presented information on this item, noting it would only be available to police and fire employees between the ages of fifty-five and sixty-two years old. Mr. Campbell stated the cost would be about 3.5% of all police and fire personnel and the savings was based on eligible retirees. He further noted the benefits of this program, especially if it was done in a financially responsible way. Human Resources Manager Barbara Duncan answered questions from the board members and clarified the salary savings. Mr. Campbell also cited examples of how other cities have handled implementing this program and pointed out it could become cost neutral in a few years.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, February 20, 2012

5. UPDATE FROM BOE APPOINTED COMMITTEE ON STADIUM. Mr. Todd East presented information to the Board recommending enhancements to the J. Fred Johnson Stadium that would include adding 1,700 to 1,800 seats, increasing the number of bathrooms and installing other safety features to the structure such as railing and an elevator. Mr. East noted the benefits of these improvements and pointed out that the cost would be significantly offset by selling season tickets for the new seats. Considerable discussion followed, with the Mayor pointing out that if the seats didn't sell, the City would still be obligated to pay. Mr. East also noted that timing was a key issue, noting the work had to begin before April in order for the renovations to be completed by the first football game in August. Mr. East further stated that a design build company has been consulted and will have a representative at the regular business meeting tomorrow night to make a presentation and answer questions.

6. REVIEW OF AGENDA ITEMS ON THE FEBRUARY 21, 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 Ordinance Establishing a Golf Course Community Zoning District (AF: 31-2012). City Planner Karen Combs gave a brief presentation on this item, noting this was essentially a zoning name change for the residents affected, with the major differences being the clarification of lot frontages and the addition of a master plan. She further noted this would ensure the structural set up at the golf course would remain unchanged. Ms. Combs pointed out that out of over 500 letters sent out in regards to this action, only one complaint was received.

VI.AA.2 Public Hearing and Consideration of an Ordinance Vacating Two Alleys Located Behind 301 East Center Street and Declaring the Property Surplus (AF: 32-2012). City Planner Karen Combs provided information on this item and stated the reason this project has taken some time was because it had to be determined if the property was owned in fee or if the City just had a designated right of way, noting that when the City vacates its interest, it is also vacating the public's interest as well. Alderman Mallicote commented on the disposal of property without an appraisal as discussed after the recent audit.

VI.D.10 Consideration of a Resolution Approving a Renewal of a License Agreement with the Tennessee Department of Transportation for Use of Certain Real Property Beneath the Interstate 26 Bridges (AF: 52-2012). Assistant City Attorney May gave information on this item and the following item, noting these properties were different because they were done at different times. He further explained the license was for the Greenbelt walking trail and the lease was for Domtar Park. City Manager Campbell confirmed there was no cost to the city for either case.

VI.D.11 Consideration of a Resolution Approving a Renewal of a Lease Agreement with the Tennessee Department of Transportation for Use of Certain Real Property Beneath the Interstate 26 Bridges (AF: 53-2012). See Item VI.D.10.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, February 20, 2012

BOARD COMMENT. Fire Chief Dye discussed the new city-wide siren system, noting the Siren Committee held its last meeting last week. He explained there was no cost to the city and further stated the system utilized a reverse calling system along with four sirens, noting the ability to add sirens at a later date. He also discussed the many benefits of this new set-up. Alderman Segelhorst asked if visitors could be alerted. The Chief stated that cell phone numbers could be notified, but they had to sign up. Public Works Director Ryan McReynolds confirmed that technology was coming in the future to address this issue.

PUBLIC COMMENT. None.

7. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Phillips adjourned the meeting at 6:40 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, February 21, 2012, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Benjamin K. Mallicote
Alderman Michael McIntire

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

City Administration

John G. Campbell, City Manager
Joseph E. May, Assistant 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:** Mr. Logan Hewlitt.
- II.B. **INVOCATION:** By Ed Clevinger, Pastor – Grace Covenant Church.
- III. **ROLL CALL:** By City Recorder Jim Demming.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. **J. Fred Johnson Stadium Update** – BOE Appointed Committee.
Due to some of the committee members not being present yet, this item was postponed until after the consent agenda.

V. **APPROVAL OF MINUTES.**

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

- A. February 6, 2012 Regular Work Session
- B. February 6, 2012 Special Called Business Meeting
- C. February 7, 2012, Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinance Establishing a Golf Course Community Zoning District** (AF: 31-2012). City Planner Karen Combs provided information on this item, noting this would adhere to the original plan. Mayor Phillips pointed out it would also protect the neighborhood from a business going in.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 21, 2012**

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

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 114, ARTICLE III, TO ESTABLISH GOLF COURSE COMMUNITY DISTRICT ZONING; 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."

2. Public Hearing and Consideration of an Ordinance Vacating Two Alleys Located Behind 301 East Center Street and Declaring the Property Surplus (AF: 32-2012). City Planner Karen Combs gave details on this item, stating the Bank of Tennessee needed these alleys to incorporate them into their redevelopment plan. Alderman Joh pointed out that the bank does own all of the surrounding property.

PUBLIC COMMENT ON ITEM VI.AA.2. None.

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO VACATE FOR PUBLIC USE AND DECLARE SURPLUS TWO ALLEYS SITUATED IN KINGSPORT, TENNESSEE, ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Kingsport Community Foundation (AF: 43-2012).

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM KINGSPORT COMMUNITY FOUNDATION FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance to Amend Project GP0902 Budget by Appropriating Funds from the Criminal Forfeiture Fund (AF: 55-2012). City Manager Campbell provided details on this item, stating this would purchase the last key piece of software for the police department. Mayor Phillips pointed out that the criminals would be paying for it.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, February 21, 2012

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BY TRANSFERRING FUNDS FROM THE CRIMINAL FORFEITURE FUND FOR THE FISCAL 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 Amend Various Projects (AF: 56-2012).

Motion/Second: Parham/Joh, to pass:

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 first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Annex/Amend Zoning of the Old Mill Annexation (AF: 34-2012).

Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6176, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 7TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE OLD MILL ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: McIntire/Shupe, to pass:

ORDINANCE NO. 6177, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG FALL CREEK ROAD, WOODOAK DRIVE, GRANDVIEW COURT, OLD MILL ROAD, OLD MILL COURT, STONE COURT, AND TRACE COURT TO A-1, AGRICULTURAL DISTRICT, R-1B, RESIDENTIAL DISTRICT, R-3, RESIDENTIAL DISTRICT, AND B-1, NEIGHBORHOOD BUSINESS 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 second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Public Hearing and Consideration of an Ordinance to Amend Zoning of Parcel 30 on Tax Maps 92G, 92J, 92O, 92I located at 252 Lebanon Road from R-1B Zoning to A-1 Zoning (AF: 33-2012). Vice-Mayor Parham pointed out this was a request of Mr. James Brotherton and would enable lower taxes on this property. City Manager Campbell noted this area was 99 acres and included the Harris Farm.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 21, 2012**

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6178, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY AT 252 LEBANON ROAD FROM R-1B, RESIDENTIAL DISTRICT TO A-1, AGRICULTURAL 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

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

D. OTHER BUSINESS.

1. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute All Documents Necessary for Property Acquisition for the Kingsport City School System (AF: 46-2012).

Motion/Second: Joh/McIntire, to pass:

Resolution No. 2012-143, A RESOLUTION APPROVING AN OFFER AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1808 – 1810 EAST CENTER STREET

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute Rights-of-Way Easements with Kingsport Power Company (AF: 49-2012).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2012-144, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHTS-OF-WAY EASEMENT WITH KINGSPOUR POWER COMPANY

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Apply for and Receive an Area Agency on Aging and Disability Grant for FY12-13 to Help Defray the Costs of ADA Transportation and to Provide Wellness, Recreational and Educational Opportunities for the Members of the Kingsport Senior Center (AF: 47-2012).

Motion/Second: Shupe/McIntire, to pass:

Resolution No. 2012-145, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE GRANT FUNDING FOR FISCAL YEAR 2012-2013 FROM THE AREA AGENCY ON AGING AND DISABILITY

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, February 21, 2012**

4. Consideration of a Resolution Authorizing the Mayor to Execute a Lease with James Palmer for City-Owned Real Property Located at 2102 East Center Street (AF: 44-2012).

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-146, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT FOR PROPERTY AT 2102 EAST CENTER STREET WITH JAMES H. PALMER AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LEASE

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Execution of an Amendment to the Agreement with Gordon Food Service and Authorizing the Mayor to Sign All Applicable Documents (AF: 57-2012).

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2012-147, A RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT FOR VARIOUS GROCERY ITEMS FOR USE BY KINGSPORT SCHOOL NUTRITION PROGRAM TO GORDON FOOD SERVICE AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

6. Consideration of a Resolution Approving a Fiber Purchase Agreement with Domtar Paper Company, LLC (AF: 54-2012).

Motion/Second: Parham/Joh, to pass:

Resolution No. 2012-148, A RESOLUTION APPROVING A FIBER PURCHASE AGREEMENT WITH DOMTAR PAPER COMPANY, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye" except Segelhorst "abstaining."

7. Consideration of a Resolution to Enter into a Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Operating Expenses for FY11 (AF: 42-2012).

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-149, A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2011-2012

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, February 21, 2012**

8. Consideration of a Resolution Approving an Amendment to the Management Agreement for MeadowView and Authorizing the Mayor to Execute the Same (AF: 50-2012).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2012-150, A RESOLUTION APPROVING AN AMENDMENT TO THE MANAGEMENT AGREEMENT WITH MARRIOTT HOTEL SERVICES, INC. AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

9. Consideration of a Resolution Appointing Commissioners for the Tri-Cities Airport Authority (AF: 48-2012). Mayor Phillips noted that the same individuals were involved under the new airport authority. City Manager Campbell confirmed this would be the last step needed to set up their corporation.

Motion/Second: Shupe/McIntire, to pass:

Resolution No. 2012-151, A RESOLUTION APPROVING THE APPOINTMENT OF COMMISSIONERS TO THE TRI-CITIES AIRPORT AUTHORITY

Passed: All present voting "aye."

10. Consideration of a Resolution Approving a Renewal of a License Agreement with the Tennessee Department of Transportation for Use of Certain Real Property Beneath the Interstate 26 Bridges (AF: 52-2012).

Motion/Second: Segelhorst/Joh, to pass:

Resolution No. 2012-152, A RESOLUTION AUTHORIZING RENEWAL OF A LICENSE AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION THE PURPOSE OF CONSTRUCTING INSTALLING AND MAINTAINING A GREENBELT TRAIL AND PARKING AREA UNDER THE INTERSTATE 26 BRIDGES OVER THE HOLSTON RIVER AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE RENEWAL

Passed: All present voting "aye."

11. Consideration of a Resolution Approving a Renewal of a Lease Agreement with the Tennessee Department of Transportation for Use of Certain Real Property Beneath the Interstate 26 Bridges (AF: 53-2012).

Motion/Second: Parham/Mallicote, to pass:

Resolution No. 2012-153, A RESOLUTION AUTHORIZING RENEWAL OF A LEASE AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION THE PROPERTY BENEATH THE INTERSTATE 26 BRIDGES OVER THE LONG ISLAND OF THE HOLSTON RIVER FOR PARKING AND

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 21, 2012**

AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY AND
PROPER TO EFFECTUATE THE RENEWAL

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS.

**1. Consideration of Reappointments to the Meadowview Resort &
Convention Center Advisory Committee (AF: 38-2012).**

Motion/Second: McIntire/Joh, to approve the following:
REAPPOINTMENTS OF MESSRS. MILES BURDINE, OLAN JONES, KEN MANESS,
MIKE O'NEIL AND LYNN SHIPLEY TO SERVE ANOTHER THREE-YEAR TERM ON
THE **MEADOWVIEW RESORT & CONVENTION CENTER ADVISORY COMMITTEE**,
EFFECTIVE IMMEDIATELY AND EXPIRING JANUARY 31, 2015

Passed: All present voting "aye."

**2. Consideration of an Appointment to the Meadowview Resort &
Convention Center Advisory Committee (AF: 39-2012).**

Motion/Second: McIntire/Joh, to approve the following:
APPOINTMENT OF MR. WAYNE CULBERTSON TO SERVE A THREE-YEAR TERM
ON THE **MEADOWVIEW RESORT & CONVENTION CENTER ADVISORY
COMMITTEE** EFFECTIVE IMMEDIATELY AND EXPIRING JANUARY 31, 2015

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: McIntire/Joh, to adopt:

**1. Consideration of an Ordinance Amending Kingsport City Code
Section 94-156(a) Pertaining to the Membership of the Sidewalk Board
(AF: 36-2012).**

Adopt:

**Ordinance No. 6179, AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 94-156(a)
RELATING TO THE CREATION AND DUTIES OF THE SIDEWALK BOARD; AND
TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

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

**2. Consideration of an Ordinance to Amend the FY12 General
Purpose School Fund Budget (AF: 40-2012).**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 21, 2012**

Adopt:

Ordinance No. 6180, AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND BUDGET 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: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

NOTE: At this time, Mr. Todd East, Chair of a special committee appointed by the Board of Education, presented to the BMA the committee's recommendation regarding the future of J. Fred Johnson Stadium. He described possible options, outlining the pros and cons of each one and ultimately recommended enhancing the stadium to increase the number of seats and bathrooms while adding an elevator and other safety features. Mr. East further noted if this project was put off, the costs would only increase and people would be shut out of the football games. He also stated that the new seating would generate revenue to offset the cost.

Mayor Phillips stated he was concerned that a project of this size was just now coming before the Board, especially if the issues of concern have been on the school system's radar for some time. Board of Education member Betsy Cooper stated she was not representing the BOE at this time and they have not made a formal recommendation on this project since they have only discussed it at one work session. She did mention that this project has been looked at several times over the last thirty years. Ms. Cooper did state that as a citizen of Kingsport and a football fan she was in favor of this project.

Bill Brock spoke, representing Dant Clayton, the design build company from Louisville, Kentucky that has been consulted on this project. Mr. Brock gave a brief presentation on the background of the company and discussed the proposed changes to the stadium. He also provided details on how the cost estimate was calculated. Mr. Brock commented that the easiest way to accomplish what needed to be done was to expand the stadium and add the additional seating.

The high school track coach, Mr. Bob Bingham and the football coach Mr. Graham Clark both spoke in favor of this project, noting the current facilities were not meeting the needs of students and visitors. Ms. Jenny Rogers, citizen, also spoke in favor, pointing out that money spent can't go wrong if it's for the kids. Mayor Phillips voiced concerns, noting the lighting needs to be fixed and was not included in this estimate. He also pointed out this was a lot of money based on a gut feeling that enough seats would be sold to pay for it. Alderman Joh commented this should have been done before and needs to be done now, and at least this way does offer a solution to help pay for it.

There was considerable discussion. The Mayor requested an official poll be taken to get an idea of how many seats would actually sell. He also stated that everything should be included in this remodel, including the lights and the scoreboard. Lastly, he asked the Board of Education to make a formal recommendation to the BMA about this project, noting the BMA would not be forced into making a quick decision without more facts.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, February 21, 2012

VIII. COMMUNICATIONS.

- A. **CITY MANAGER.** Mr. Campbell stated he appreciated Alderman Mallicote's role as one of his bosses. He further commended Mr. Mallicote's stewardship of the city and his advocacy for downtown.
- B. **MAYOR AND BOARD MEMBERS.** Alderman Mallicote stated that it is with great sadness that he leaves the Board of Mayor and Alderman, noting he felt good about what the BMA has accomplished during his tenure. Mr. Mallicote thanked the city employees as well as present and past Board members. He also commended the Mayor's leadership. He stated it was an honor to serve and he was thankful for the opportunity.

Alderman McIntire offered thanks and appreciation to Mr. Mallicote for serving the last seven years and wished him the best in the future.

Alderman Segelhorst thanked Mr. Mallicote for his guidance, wisdom and knowledge. He also mentioned that FunFest had won two awards at the Southeast Festival and Event Planners Convention currently being held at Meadowview.

Vice-Mayor Parham stated is has been a pleasure to serve with Mr. Mallicote, noting that people like what the BMA is doing.

Alderman Shupe stated he that he agreed with Mr. Mallicote's comments regarding the Mayor. He further commented that he was encouraged by Mr. Mallicote's passion as a young leader, noting he was a great example.

Alderman Joh stated Mr. Mallicote would be impossible to replace, noting she would miss his legal mind and adversarial ability.

- C. **VISITORS.** Mr. Bill Anders and Mr. John Hollowell, representing the Kingsport Firefighter's Association presented Alderman Mallicote with a plaque, thanking him for working with the fire department on several issues and wishing him success on his future endeavors. Mr. Bill Hudson commented on the benefits of communication.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 9:35 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor

Minutes of the Special Called Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, February 21, 2012 (upon adjournment of regular meeting)
Council Room – City Hall

PRESENT:

Board of Mayor and Aldermen

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

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

City Administration

John G. Campbell, City Manager
Joseph E. May, Assistant City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 9:35 p.m., by Mayor Dennis R. Phillips.
- II. **PLEDGE OF ALLEGIANCE TO THE FLAG.**
- III. **ROLL CALL:** By City Recorder Demming.
- IV. **OTHER BUSINESS.**

1. **Declare a vacancy on the Board of Mayor and Alderman.** Mayor Phillips declared a vacancy due to the resignation of Alderman Mallicote and opened the floor for consideration of a replacement candidate.

2. **Consideration to appoint a replacement to the Board of Mayor and Alderman.** Alderman Joh made a motion to appoint Mr. John Clark for this position, noting she has known him for twenty years and he would represent Kingsport well. Alderman Segelhorst seconded this motion. All present voting "aye." Mr. Clark thanked the Board members for this opportunity and gave a brief history of himself and his family, highlighting his passion for the City of Kingsport and his business background in the health care industry.

V. **CITIZENS' COMMENTS.** None.

VI. **ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 10:00 p.m.

ANGELA MARSHALL
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor



AGENDA ACTION FORM

Consideration of an Ordinance Establishing a Golf Course Community Zoning District

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

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

Action Form No.: AF-31-2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012

Final Adoption: March 6, 2012
 Staff Work By: Planning Division
 Presentation By: K. Combs

Recommendation:

- Approve the ordinance.

Executive Summary:

In 2011, the Ridgefields Golf Course and Country Club was purchased by Mr. Stan Pace. The golf course and surrounding neighborhood is currently zoned R-1A with the golf course and its accessory uses deemed a "private club" and is considered a special exception in a R-1A Residential District by the Board of Zoning Appeals. At Mr. Pace's request the restaurant building was rezoned to a B-4P, Planned Business District so the restaurant could serve the public and serve alcohol. It also permitted the planning staff to devise a permanent solution.

The attached ordinance creates the GC (Golf Course Community) zoning district, which will allow residential development in areas developed integrally with a new and/or existing golf course. It is the intent of this district to permit golf course development by providing for a more flexible placement of buildings, and providing for flexibility in accessory uses associated with a golf course, while protecting the integrity of the surrounding residential community.

Planning staff held a public meeting on January 12th at the Ridgefields Country Club with about 25 people in attendance. There were no negative comments received at the meeting. On January 19, 2012, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board of Mayor and Aldermen for the establishment of the Golf Course Community District. The Commission did not receive any negative comments regarding this issue. The Public Hearing was published on February 1, 2012.

Attachments:

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

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Conduct a Public Hearing and Consideration of an Ordinance Establishing a Golf Course Community Zoning District

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

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

Action Form No.: AF-31-2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012

Final Adoption: March 6, 2012
 Staff Work By: Planning Division
 Presentation By: K. Combs

Recommendation:

- Conduct the public hearing
- Approve the ordinance.

Executive Summary:

In 2011, the Ridgefields Golf Course and Country Club was purchased by Mr. Stan Pace. The golf course and surrounding neighborhood is currently zoned R-1A with the golf course and its accessory uses deemed a "private club" and is considered a special exception in a R-1A Residential District by the Board of Zoning Appeals. At Mr. Pace's request the restaurant building was rezoned to a B-4P, Planned Business District so the restaurant could serve the public and serve alcohol. It also permitted the planning staff to devise a permanent solution.

The attached ordinance creates the GC (Golf Course Community) zoning district, which will allow residential development in areas developed integrally with a new and/or existing golf course. It is the intent of this district to permit golf course development by providing for a more flexible placement of buildings, and providing for flexibility in accessory uses associated with a golf course, while protecting the integrity of the surrounding residential community.

Planning staff held a public meeting on January 12th at the Ridgefields Country Club with about 25 people in attendance. There were no negative comments received at the meeting. On January 19, 2012, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to the Board of Mayor and Aldermen for the establishment of the Golf Course Community District. The Commission did not receive any negative comments regarding this issue. The Public Hearing was published on February 1, 2012.

Attachments:

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

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
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 February 21, 2012 to consider an ordinance to amend the Code of Ordinances, City of Kingsport, Tennessee, Chapter 114, Article III, to establish a Golf Course Community District Zoning. 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.

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

CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 2/1/12

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 114, ARTICLE III, TO ESTABLISH GOLF COURSE COMMUNITY DISTRICT ZONING; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

PRE-FILED
CITY RECORDER

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

SECTION I. That section 114-184 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to add a subsection 9 to read as follows:

(9) The GC (Golf Course Community) zoning district has been established to permit residential development in areas developed integrally with a new and/or existing golf course. It is the intent of this district to permit golf course development by providing for a more flexible placing of buildings on land, and providing for flexibility in accessory uses associated with a golf course while protecting the integrity of the surrounding residential community. In addition to the requirements specified herein for this zoning district, the planning commission and/or the board of mayor and aldermen may impose any reasonable conditions deemed necessary to safeguard the health, safety, welfare, and property values of the surrounding area of the city.

SECTION II. That the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended by adding the following section, to be numbered 114-210, which said section read as follows:

Section 114-210. Golf Course Community District (GC).

(a) Principal uses. Principal uses for the GC district area are as follows:

- (1) One (1) single-family detached dwelling unit per lot.
- (2) Public uses, including but not limited to playgrounds, parks, recreational buildings, fire and police stations, and reservoirs.
- (3) Golf course uses, including driving ranges, practice putting greens, clubhouses with parking, maintenance buildings, and restroom outbuildings.
- (4) Recreational uses, including swimming pools, tennis courts, and basketball courts.

(b) Accessory uses. Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the GC district as follows:

(1) Golf course accessory uses:

- a. One public or private banquet facility with parking.
- b. One public or private restaurant with no drive-thru.
- c. Retail sales utilized by golf course and club members, but not including the sale of motorized golf carts or vehicles.
- d. On-premise alcohol sales.
- e. One Public or private club with kitchen facilities.

(2) Residential Accessory Uses

- a. Accessory to single family residences - private garages, storage sheds, parking and private recreation.
- b. Accessory to single family residences - living quarters without cooking facilities, but only for guests or domestic employees.
- c. Accessory to single family residences – home occupations.

(c) Special Exceptions. Uses permitted only with the approval of the board of zoning appeals are allowed as follows:

- (1) Churches and other places of worship.
- (2) On-site subdivision sales offices while sales are underway.

(d) Prohibited Uses in the GC District are as follows:

- (1) Residential, other than single family detached dwellings.
- (2) Commercial uses other than use incidental to the golf course or club members.
- (3) Manufacturing/industrial uses.
- (4) Any use not listed in this section as a principal use, accessory use, or special exception use.

(e) Design Standards

(1) Minimum requirements

- a. Minimum lot area, 10,000 square feet.
- b. Lot frontage, 60 feet; and all non residential uses must have access directly from an arterial or collector street as designated by the Major Street and Road Plan.
- c. Front yard, minimum front yard setback shall be 40 feet.
- d. Side yard, minimum side yard setback shall be 10 feet for one or two stories; 15 feet for three stories; plus 50 percent of the side yard setback listed above for a side yard abutting a public street.
- e. Rear yard, minimum rear yard setback shall be 30 feet.

(2) Maximum permitted allowances

- a. Lot coverage, 30 percent including accessory buildings.
- b. Building height, three stories up 35 feet maximum height.

(3) Master Plan

- a. Must be submitted and approved by the Kingsport Regional Planning Commission.
- b. Must be stamped and signed by the director of planning and recorded with the Sullivan County Register of Deeds prior to the issuance of a building permit.
- c. Any development, uses, location of buildings or facilities must adhere to the approved master plan.

(f) Parking and Loading. Parking and loading requirements for the GC District shall be regulated by the following provisions:

- (1) For all residential units, a driveway for at least two spaces per dwelling unit shall be provided and only one such space shall be required to have direct access to a street.
- (2) For the number of parking spaces required for all other uses, see Article V of this chapter.
- (3) Parking areas for non residential uses in excess of 5,000 square feet must contain interior landscaping. This requirement is not satisfied by any other required setback planting, buffering or screening areas.

- a. All parking rows shall end in a landscape island containing one small maturing tree. All landscape islands shall be a minimum of 9 feet by 18 feet and shall be protected around the perimeter of the island.
- b. A landscaped island is required every 12 (twelve) parking spaces and it shall contain one small maturing tree.
- c. A credit of two planted trees for each existing tree saved will be given when the existing tree saved exceeds the required minimum size tree at planting. (See Landscaping Article IV of the Chapter)
- d. All loading docks and bays shall be screened from public streets.

(g) Lighting. All lighting for non residential areas shall be sufficient for the safe use of the facilities and shall not create a traffic hazard. The use of cut-off boxes shall be required for lighting adjacent to residential areas to reduce light spillage.

(h) Signs. Signs as allowed section 114-564 are permitted. Signs, other than residential signs or signs as allowed section 114-564, within the district shall be reviewed by the planning commission as part of the site plan approval process. Additionally, the following shall apply:

(1) Freestanding signs are permitted for non residential areas as follows:

- a. Freestanding Signs are only permitted at the main ingress/egress to the lot and only one sign shall be permitted.
- b. The sign shall not exceed thirty-two (32) square feet in area per side.
- c. The sign shall be a monument style sign mounted on a solid base and shall not exceed five (5) feet in height.
- d. No freestanding sign shall be closer than 15 feet to any public street or permanent easement.
- e. Signs shall only be illuminated externally.

(2) Signs for residential areas are permitted as follows:

- a. Home occupations conducted in a dwelling are permitted one freestanding sign, provided:
 - 1. The area of one side of the sign does not exceed three square feet; and
 - 2. The sign shall not be illuminated by any means.
- b. Single family residences are permitted one temporary sign, provided:
 - 1. The area of the sign does not exceed three square feet;
 - 2. The sign shall not be illuminated by any means; and
 - 3. The sign shall be placed no more than three consecutive days at a time.
- c. Single-family residential subdivisions are permitted one permanent identification sign at each major street access, provided:
 - 1. Such sign does not exceed 32 square feet per side with a maximum number of two sides;
 - 2. The height of the sign shall not exceed five feet;
 - 3. The sign shall be set back a minimum of twenty feet from any property line, except that a sign may be permitted in a grassed median with the approval of the public works director, provided the sign does not interfere with traffic; and

4. The sign shall only be illuminated externally.

(i) Landscaping, screening and buffering. Landscaping, screening and buffering shall be allowed as set forth in Article VI of this chapter.

SECTION III. Any person violating any provision 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 as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

DENNIS PHILLIPS, Mayor

ATTEST:

JAMES DEMMING, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

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

MEMORANDUM

TO: KINGSFORT REGIONAL PLANNING COMMISSION
FROM: KAREN B. COMBS, PLANNER
SUBJECT: GOLF COURSE COMMUNITY ZONING TEXT AMENDMENT
DATE: 1/9/12
PROJECT NO: 11-801-00004

INTRODUCTION

Consider recommending the addition to the City Zoning Code of the Golf Course Community District (GC District) to the Kingsport Board of Mayor and Alderman.

PRESENTATION

A public meeting will be held on January 12, 2012 to gather information from Ridgefield's property owners on this ordinance. The results from this meeting will be presented to the Planning Commission on January 19, 2012 during Kingsport Regional Planning Commission Meeting.

The Golf Course Community District will allow the commercial uses associated with a golf course/country club atmosphere while keeping the integrity of the adjoining residential neighborhood.

The GC district intent is:

To permit residential development in areas developed integrally with a new and/or existing golf course. It is the intent of this district to permit golf course development by providing for a more flexible placing of buildings on land, and providing for flexibility in accessory uses associated with a golf course while protecting the integrity of the surrounding residential community. In addition to the requirements specified herein for this zoning district, the Planning Commission and/or the Board of Mayor and Aldermen may impose any reasonable conditions deemed necessary to safeguard the health, safety, welfare, and property values of the surrounding area of the City.

OPTIONS

The Planning Commission's options are as follows:

1. Recommend the zoning amendments to the Kingsport Board of Mayor and Alderman.

2. Make minor changes and recommend to the Board of Mayor and Alderman.
3. Schedule a work session to review the proposal and possible changes.

RECOMMENDATION

Option 1. **Recommend approval** for the following reason:

1. This district will allow limited commercial uses associated with golf courses/country clubs to be established that under the current ordinances, would not be permitted.
2. This district will protect and maintain the integrity of existing residential neighborhoods associated with the golf course.
3. This district will provide adequate guidelines for the development of new residential neighborhoods associated with golf courses and their specific accessory uses.



AGENDA ACTION FORM

Consideration of an Ordinance Vacating Two Alleys Located Behind 301 E. Center Street and Declaring the Property Surplus

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

Action Form No.: AF-32-2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012
 Final Adoption: March 6, 2012
 Staff Work By: K. Combs/J. Demming
 Presentation By: K. Combs

Recommendation:

- Approve the Ordinance

Executive Summary:

Bank of Tennessee has requested that the city vacate its interest in two alleys located behind 301 E. Center Street. Bank of Tennessee would like to incorporate this property into its redevelopment plans of this site. No city department has a future use for this property. The Kingsport Regional Planning Commission recommends that the city vacate its interest in the alleys described in the attached ordinance and declare them surplus. At its April 21, 2011 meeting the Kingsport Regional Planning Commission determined that the public interest of the city is best served by vacating that portion of platted public right-of-way described in the ordinance, consistent with the existing nature and extent of its public use, no future use of same for right-of-way purposes is reasonably anticipated; and declared the real property surplus. A Notice of Public Hearing was published in the Kingsport Times News on February 6, 2012.

Attachments:

1. ~~Notice of Public Hearing~~
2. Ordinance
3. Planning Commission Report
4. Planning Commission Minutes
5. City Recorder's Letter
6. Maps of Alleys

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Public Hearing and Consideration of an Ordinance Vacating Two Alleys Located Behind 301 E. Center Street and Declaring the Property Surplus

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

Action Form No.: AF-32-2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012
 Final Adoption: March 6, 2012
 Staff Work By: K. Combs/J. Demming
 Presentation By: K. Combs

Recommendation:

- Conduct a Public Hearing
- Approve the Ordinance

Executive Summary:

Bank of Tennessee has requested that the city vacate its interest in two alleys located behind 301 E. Center Street. Bank of Tennessee would like to incorporate this property into its redevelopment plans of this site. No city department has a future use for this property. The Kingsport Regional Planning Commission recommends that the city vacate its interest in the alleys described in the attached ordinance and declare them surplus. At its April 21, 2011 meeting the Kingsport Regional Planning Commission determined that the public interest of the city is best served by vacating that portion of platted public right-of-way described in the ordinance, consistent with the existing nature and extent of its public use, no future use of same for right-of-way purposes is reasonably anticipated; and declared the real property surplus. A Notice of Public Hearing was published in the Kingsport Times News on February 6, 2012.

Attachments:

1. Notice of Public Hearing
2. Ordinance
3. Planning Commission Report
4. Planning Commission Minutes
5. City Recorder's Letter
6. Maps of Alleys

Funding source appropriate and funds are available: _____

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

PRE-FILED
ORDINANCE NO. _____ CITY RECORDER

AN ORDINANCE TO VACATE FOR PUBLIC USE AND DECLARE SURPLUS TWO ALLEYS SITUATED IN KINGSPORT, TENNESSEE, ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, after due investigation and careful consideration at its regular monthly meeting held April 21, 2011, the Kingsport Regional Planning Commission determined that the public interest of the City is best served and warrants vacating that portion of platted public right-of-way described herein, in that consistent with the existing nature and extent of its public use, no future use of same for right-of-way purposes is reasonably anticipated; and,

WHEREAS, the Kingsport Regional Planning Commission at its regular monthly meeting held April 21, 2011 recommended to the Kingsport Board of Mayor and Aldermen vacation of the right-of-ways and declared them surplus.

WHEREAS, a Notice of Public Hearing was published in the Kingsport Times News on February 6, 2012, and a public hearing was held on February 21, 2012, prior to the Now therefore,

BE IT ORDAINED by the City of Kingsport as follows:

SECTION I. That all of a certain section of right-of-way, located within the City of Kingsport, 11th Civil District of Sullivan County, Tennessee, is hereby vacated and closed to public use and is declared surplus, being further described as follows:

Being that part of a 20 foot alley south of Center Street and laying between Cherokee Street and Cumberland Street as shown in Block 11 of a plat entitled "Survey of Part of Blocks 9, 10, 11, 155 & 156" and recorded in Plat Book 3, page 74 in the Register of Deeds for Sullivan County, Tennessee at Blountville, to which reference is here made.

Also being an alley laying perpendicular to and between the alley described above and another alley south of the alley described above as shown in Block 11 of a plat entitled "City of Kingsport, Tennessee" and recorded in Plat Book A, page 25 in the Register of Deeds for Sullivan County, Tennessee at Blountville, to which reference is here made.

SECTION II. That this ordinance shall be effective from and after the date of its passage, as the law directs, the public welfare of the citizens of Kingsport 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: _____

MEMORANDUM

TO: KINGSFORT REGIONAL PLANNING COMMISSION
FROM: KAREN B. COMBS, PRINCIPAL PLANNER
SUBJECT: VACATING ALLEYS BEHIND 301 E. CENTER STREET
DATE: 4/5/11
PROJECT NO: 11-401-00003

INTRODUCTION

Consider a request and recommend to the Board of Mayor and Alderman that the City of Kingsport vacate all interest in the Right of Way along the alleys located behind 301 E. Center Street and declare the real property surplus.

PRESENTATION

Bank of Tennessee has requested that the City of Kingsport vacate their interest in the alleys located behind 301 E. Center Street. The Kingsport Regional Planning Commission can determine that the public interest of the City is best served and warrants vacating that portion of platted public right-of-way described herein, in that consistent with the existing nature and extent of its public use, no future use of same for right-of-way purposes is reasonably anticipated; and, declare the real property surplus. Bank of Tennessee would like to incorporate this property into their redevelopment plans of this site. No City Department foresees a future use for this property. Staff recommends that the City of Kingsport vacate their interest in this alley and declare the real property surplus.

OPTIONS

The Planning Commission's options are as follows:

1. Grant approval.
2. Deny approval and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

RECOMMENDATION

Option 1 - **Grant approval** for the following reasons:

1. City staff sees no future use for this Right of Way.

APPLICATION

Vacation of City Right-of-Way



APPLICANT INFORMATION:

Last Name Bank of Tennessee First _____ M.I. _____ Date _____
 Street Address 301 E. Cedar Street Apartment/Unit # _____
 City Kingsport State Tennessee ZIP 37660
 Phone 423-279-2549 or 423-361-4495 E-mail Address slambert@bankoftennessee.com

PROPERTY INFORMATION:

Tax Map Information Tax map: _____ Group: _____ Parcel: _____ Lot: _____
 Street Address Cedar Street - Alley #15 608 #613 Apartment/Unit # _____
 City See Attached Property Map State _____ ZIP _____

DISCLAIMER AND SIGNATURE

The applicant agrees to indemnify and hold harmless the City of Kingsport from any and all claims, demands, losses, causes of action, damage, lawsuits, judgments, including attorneys' fees and costs, arising out of or relating to the vacating and surplus of the requested property.

If this application leads to the attainment of requested property, I understand that I will be required to pay for all costs incurred by the City associated with the transfer of property. If the appraised value of the property is \$5,000 or more the City will first offer the property for sale to the adjacent property owners. (Reference City of Kingsport Code of Ordinances Sections 2-461 and 2-462.)

I understand that if for any reason I choose not to acquire the property after the appraisal services are obtained, or of the Kingsport Board of Mayor and Aldermen (BMA) disapproves conveyance of the property, I will not be entitled to a refund. I also understand that if for any reason the BMA approves conveyance of the property to any party other than myself, I will receive a refund for this appraisal fee after the property is fully conveyed.

By signing below I state that I have read and understand the conditions of this application.

Signature [Handwritten Signature]

Date 11/20/11

Signed before me on this 20th day of November 2011
 a notary public for the State of Tennessee
 County of Washington

Notary Laura J. Hamilton
 My Commission Expires 3/26/12



FOR CITY RECORDER'S OFFICE

City Deed Number Allaymap in City Attorney's office
 Signature of City Recorder Angie Marshall

Date 11/22/11

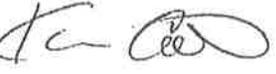
CITY PLANNING OFFICE

Received Date: 12/22/11

Application Fee Paid: yes

Planning Commission Meeting Date April 2011

Board of Mayor and Alderman Meeting Date Dec. 16, 2011

Signature of City Planner 

Received By:

Date 11/28/11

APPLICATION FOR CITY TO VACATE CITY OF KINGSPORT RIGHT OF WAY

Submit this application to:

Office of the City Recorder
City of Kingsport
225 West Center Street Kingsport, TN 37660

NOTICE: The person(s) acquiring the property will be required to pay for all costs incurred by the City associated with the transfer of the property. If the appraised value of the property is \$5,000 or more, the City will first offer the property for sale to the adjacent property owners. (Reference: City of Kingsport Code of Ordinances Sections 2-461 and 2-462.)

Part 1. Applicant's Name: Bank of Tennessee

Address: 301 E Center Street Kingsport TN Zip Code 37660

Telephone Number: 423-279-2549 - 423-361-4495 - Steve

Information about the property being applied for: Property surrounding Alley #'s 608 & 613

Street Address: "Please See Attached Property List"

City, State & Zip:

Parcel Number: Location ID Number:

Applicant's Signature Steve Lambert, VP, Facilities Director Date February 10, 2010

For City Recorder's Office to Complete: City Deed No.:

Date received: Forwarded to: Date:

Part 2. (Complete after being notified that the property has been declared as 'surplus property.' Possible restrictions may apply and an appraisal may be required.)

I [DO] [DO NOT] want to proceed with the property acquisition.

I [WILL] [WILL NOT] provide \$ for appraisal services AND a copy of this application to the City of Kingsport Accounts Receivable Office.

I understand that if for any reason I choose not to acquire the property after the appraisal services are obtained, or if the Kingsport Board of Mayor and Aldermen (BMA) disapproves conveyance of the property, I will not be entitled to a refund. I also understand that if for any reason the BMA approves conveyance of the property to any party other than myself I will receive a refund for this appraisal fee after the property is fully conveyed.

Applicant's Signature Date

For City Accounts Receivable Office to Complete: Amount Received: \$

Receipt No. Received By: Printed Name Signature

Property owned by Bank of TN.

	<u>Parcel Number</u>	<u>Location ID Number</u>
214 Cumberland Street 49.58 x 140 Block 11 lot 33 & 34 ^N	3200	046P
Cumberland Street 25 x 140 Block 11 Lot 32	3110	046P
^N Cumberland Street 25 x 140 Block 11 Lot 31	3100	046P
^N Cumberland Street 25 x 140 Block 11 Lot 30	3000	046P
343 E Center Street Cumberland Building Block 11 Lot 23 & 24	2900	046P
^N 335 E Center 25 x 104 Block 11 Lot 22	1100	046P
^N 333 E Center 25 x 104 Block 11 Lot 21	1050	046P
^N E Center 50 x 104 Block 11 Lots 19 and 20	1000	046P
^N 301 E Center Street (Cherokee & Center) Block 11 Lot 13-16 Branch #1	800	046P
Cherokee Street 50 x 140 Block 11 Lot 25 & 26	700	046P
^N Cherokee Street 74.58 x 140 Block 11 Lot 27-29	600	046P
^N 321 317 E Center Street Lot 17 & 18	900	046P



**MINUTES OF THE REGULAR MEETING OF THE
KINGSPORT REGIONAL PLANNING COMMISSION**

April 21, 2011

7:00 p.m.

Members Present

George Coleman, Chairman
Dennis Ward, Vice-Chairman
Tom Parham, Alderman
Mike McIntire
Colette George
Hoyt Denton
Jim Lewis
Dave Stauffer

Members Absent

Andy Hall

Staff Present

Jeff Fleming
Chris Alley
Karen Combs
Forrest Koder
Jason Meredith
Ken Weems

Visitors List

Gregg Teansonne
Donald Jobe
John Rose
Steve Lambert
Danny Karst

At 7:00 p.m., Chairman George Coleman called the meeting to order, welcomed the audience, introduced the Commissioners and staff, and summarized meeting procedures. Staff advised there had been one change made to the Tentative Agenda; at the request of the Commission one item had been added; the consideration of appointing an interim secretary. A motion was made by Mike McIntire, seconded by Tom Parham, to approve the Agenda as amended. This motion was approved unanimously. A second motion was made by Tom Parham, seconded by Mike McIntire, to approve the minutes of the Regular Meeting held March 17, 2011. This motion was approved unanimously.

The first item on the agenda was to consider the appointment of an interim secretary for the Board. The retirement of Alan Webb, Planning Manager, created a vacancy on the Commission for Secretary. Jeff Fleming, Assistant City Manager for Development, has been named as the interim Planning Manager. On a motion made by Mike McIntire, seconded by Tom Parham; Jeff Fleming was named as the interim Planning Commission Secretary. The motion was approved unanimously.

CONSENT AGENDA

Request to Amend the Plan of Services for Parker Lane Annexation – (09-301-00005) – The Planning Commission considered amending the Plan of Services contained in Resolution No. 2010-024 for the Parker Lane Annexation of the City of Kingsport, Tennessee, to indicate that street lights will not

be installed for the lots in the Parker Lane Annexation Area at the request of a majority of the property owners of the annexed territory.

Request to Approve Irrevocable Letter of Credit Reduction for Edinburgh Subdivision, Phase 2a (08-201-00068) – The Planning Commission considered an Irrevocable Letter of Credit Reduction for Edinburgh, Phase 2a. Staff received a request from the developer to reduce the ILOC from \$330,200 to \$193,600 for infrastructure completed. The Engineering Department furnished a cost estimate for remaining work in the lower amount. Staff supported the request to reduce the ILOC to \$193,600.

A motion was entertained by the Chairman George Coleman, and was made by Tom Parham, seconded by Mike McIntire, to approve the Consent Agenda as submitted. The motion was approved unanimously.

UNFINISHED BUSINESS

Edinburgh Subdivision Phase 2b & 2c-Preliminary Plat – 24Lots (11-201-00018) - The Planning Commission considered a request for approval of a preliminary plat for Edinburgh Subdivision Phase 2b and 2c. Staff stated property owner is requesting preliminary plat approval before the Planning Commission for a total of twenty-four (24) lots respectively, in the previously approved (Feb. 21, 2008) Phase 2 portion of Edinburgh. (Phase 2b-11 lots and 2c-13 lots) All proposed lots meet the size requirements for the PD, Planned Development District. All streets provided in these Phases will be dedicated to the City after construction and acceptance by the City Engineering Department. Utilities in the form of water and sewer will be extended to the lots as well as streets and storm drains. The engineering documents have been submitted, and are being reviewed. As in previous phases, the developer will probably bond infrastructure improvements after the bond amount is set by the Engineering Department prior to applying for the final plat.

The Edinburgh Group is requesting a variance to street width from the current required width of 24 feet down to 22 feet in width. The rationale being the number of units on both of these streets is minimal and also the fact that staff is currently working on an amendment to the Minimum Subdivision Regulations to include a street standard for a 22 foot paved street.

Staff stated all other requirements of the *Minimum Subdivision Regulations for the City of Kingsport* have been met. Staff recommended the Planning Commission grant Preliminary Plat approval for Phase 2b & 2c of the Edinburgh development with the variance.

Secretary Fleming stated the developer would be forthcoming, possibly next month with a request for a variance to the installation of sidewalks on the 40 foot right-of-way streets. The variance would be to install a nature trail in-lieu of the sidewalks. It was recommended to the developer that a comprehensive plan be completed for possible presentation during the next Commission meeting. The developer stated they would work toward that end. Chairman Coleman recommended staff be looking at alternatives to sidewalks for the purpose of a walking or nature trail to be incorporated into the *Minimum Subdivision Regulations* rather than having to grant variances for this issue.

After some discussion, and questions by the Commission, a motion was made to accept staff's recommendation by Jim Lewis, seconded by Tom Parham. The Commission voted 7-0 in favor of granting acceptance of the preliminary plat.

NEW BUSINESS

Willowbrook Trace Road Dedication Plat (11-201-00014) - The Planning Commission considered a request to adopt a certain portion of property owned by the Willowbrook Homeowner's Association as part of the Willowbrook Trace right-of-way dedication on a subdivision plat. Staff stated it had come to their attention that Willowbrook Trace has several problems associated with street placement and right-of-way for maintenance of utilities. Willowbrook was annexed after development occurred in this area and the streets were dedicated by deed. Taking over the street was part of the annexation agreement. Additionally, there is a portion of Willowbrook Trace that is not currently connected via right-of-way; thereby, leaving a gap in the existing street. What this does is leave maintenance of utilities and the portion of the street in private hands, as the City cannot initiate work on private property without at a minimum an easement.

The property owners of Willowbrook Planned Development have agreed to provide a subdivision plat indicating property they are willing to give-up in order to provide enough right-of-way for maintenance of City utilities, and also to close the gap in the street connecting the two sections. This would allow the City to maintain all utilities within the new right-of-way and clean up a problem that has been identified. Staff further stated this had been review by Engineering and had been approved.

Staff recommended approval of the Final Plat for dedication of public right-of-way for Willowbrook Trace to the Planning Commission. A motion was made by Tom Parham, seconded by Dennis Ward, to accept staff's recommendation. This motion was approved unanimously.

Vacation and Surplus Property located behind 301 E. Center Street (11-401-00003) - The Planning Commission considered a request to send a recommendation to the Board of Mayor and Alderman to vacate the City's interest in the alleys located behind 301 East Center Street and declare the real property surplus. Bank of Tennessee requested that the City of Kingsport vacate their interest in the alleys located behind 301 E. Center Street. Staff informed the Commission that they can determine that the public interest of the City is best served, and warrants vacating that portion of platted public right-of-way described herein, in that consistent with the existing nature and extent of its public use, no future use of same for right-of-way purposes is reasonably anticipated; and, declare the real property surplus. Bank of Tennessee would like to incorporate this property into their redevelopment plans of this site. No City Department foresees a future use for this property. During the presentation, staff explained the process for declaring property surplus. Staff recommended that the Planning Commission send a favorable recommendation to the Board of Mayor and Alderman to vacate the City's interest in these alleys and declare the real property surplus. A motion was made by Mike McIntire, seconded by Hoyt Denton, to approve the request as presented by staff. The motion was approved unanimously.

Sullivan County Zoning Text Amendment on Cargo Shipping Containers (11-801-00001) - The Planning Commission considered a zoning text amendment request from the Sullivan County Planning Department. The text amendment proposed to amend article 3-102A, Accessory Uses and Activities Table to allow the adaptive reuse of steel cargo shipping containers on five acre minimum tracts zoned A-1 only with the following supplemental design guidelines and definitions added to Appendix A-103.6, add number 7. Definition proposed by County Commissioner; and Appendix B, B-105.2, add number 7, Accessory Uses and Activities- to read:

- Steel Storage/Cargo Shipping Containers may be adapted and re-used as residential or agricultural storage buildings with the following supplemental design criteria:
 - Conditional Use reviewed for approval by the Board of Zoning Appeals;

- Tract of land must be a minimum of five acres and zoned A-1;
 - An evergreen planted buffer around the perimeter of the structure (see buffer code in Article 8) may be required at the discretion of the Board of Zoning Appeals based upon site visibility to neighbors;
 - Added structural pitched roof built to current building code;
 - Anchored/tied down containers that are set plumb and level at grade;
 - No commercial activity within;
 - Cannot exceed two containers high;
 - Total structure shall be setback a minimum of 30 feet along all property lines;
 - Shall not exceed the square footage limitation set forth in article 3-103.6 for Customary Residential Accessory Structures;
 - Building permit required.
- Definition to read:
- Steel Storage Container Structure (SSCS): The standard steel cargo container sizes are 20 feet long by 8 feet wide by 8 ½ feet high or 40 feet long by 8 feet wide by 8 ½ feet high.

During their March regular meeting, the Sullivan County Planning Commission voted unanimously in favor of these text amendments. Staff recommended Option 1, that the Planning Commission approve the zoning text amendment and send a favorable recommendation to the Sullivan County Commission.

A motion was made by Mike McIntire, seconded by Jim Lewis, to approve the request and send a favorable recommendation to the Sullivan County Commission. The motion was approved unanimously.

OTHER BUSINESS

The Planning Commission received, for informational purpose only, the minutes of the Board of Zoning Appeals Regular Meeting held November 4, 2010.

The Planning Commission received, for informational purpose only, the minutes of the Historic Zoning Commission Regular Meeting held February 14, 2011.

The Planning Commission received, for informational purpose only, a report of the FY2011 Year-to-Date Relocation Report.

The Planning Commission received, for informational purpose only, the Building Division Monthly Report for March.

The Planning Commission received, for informational purposes only, a Building Division Quarterly Report.

The Planning Commission received report, for informational purpose only, of permits issued by the Building Division for the period of March 1-31, 2011.

The Planning Commission received, for informational purpose only, a report of New Businesses as provided by Jeff Fleming.

Under other items of interest, staff presented the same PowerPoint presentation on future annexations that was presented to the Board of Mayor and Alderman (BMA) on Monday, April 18, 2011. Staff outlined the proposal for the next 5 years of annexation, showing next 6 month, next 1.5 years, and next 5 years conceptual annexation schedule.

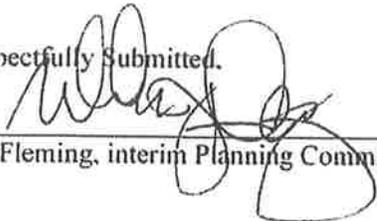
Staff discussed conceptual annexation areas within the North Kingsport area, located west of Lynn Garden Drive and east of the Holston River, and along West Carter's Valley Road. This area has an estimated population of 985 residents. Phase I describes areas that require minor, if any water and sewer upgrades, and could potentially be annexed within 6 to 18 months. Included in Phase I are roughly 288 parcels, made up of approximately 645 acres, or 1 square mile. Additionally, an estimated 28,537 linear feet, or 5.4 miles of streets are included in Phase I. The conceptual Phase II of the North Kingsport Area, which could potentially be annexed within five (5) years, will require minor water and sewer costs and includes roughly 272 parcels, made up of approximately 376 acres, or .58 square miles. An estimated 24,890 linear feet, or 4.7 square miles of streets are included in Phase II. Next, staff addressed the conceptual Fall Creek Annexation area, located along Fall Creek Road. The projected area could potentially be annexed within the next five (5) years. The Fall Creek area includes an estimated population of 2,563 people and contains roughly 1,349 parcels, made up of approximately 2,305 acres, or 10.94 square miles. Additionally, an estimated 98,379 linear feet, or 18.61 square miles of streets are included in this projected area. Portions of the Fall Creek area currently have water and sewer available, while other portions will require minor costs.

Staff also reported on the Colonial Heights, Sullivan Gardens, and Reservoir Road areas of the City concerning future annexation possibilities. The Colonial Heights area included areas that already receive sewer services for the next 6 months portion of annexation. These areas include portions of Wendover Hills Subdivision, the Rosehaven Court Subdivision, and a small portion of Quail Creek Estates. In all an approximate total of 117 parcels, all with sewer available. The areas defined as being annexed in the next 1.5 years included the Colonial Acres Subdivision, the remaining county property between Lebanon Road and Fort Henry Drive (north of I-81), as well as parcels fronting Colonial Heights Road (east of Fort Henry Drive). In all, a total of approximately 370 parcels in the next 1.5 years (excluding the parcels defined as being annexed within the next 6 months). Conceptual annexation areas that were likely to be annexed within the next 5 years (less the 6 month and 1.5 year areas) included the remaining sections of Colonial Heights (west of Fort Henry Drive), parcels collected on Colonial Heights Road, as well as parcels that front Sullivan Gardens Parkway and Reservoir Road (over 1,100 parcels total). While the Commission agreed that annexing the parcels that currently have sanitary sewer made sense, the Commission expressed concern over the cost of annexing many areas that would require sanitary sewer built as part of the annexation plan of services. The Commission asked the planning staff to provide cost estimates for the sewer work for the areas outlined by the next meeting, or to have a projected date of when the cost figures would be available by next meeting.

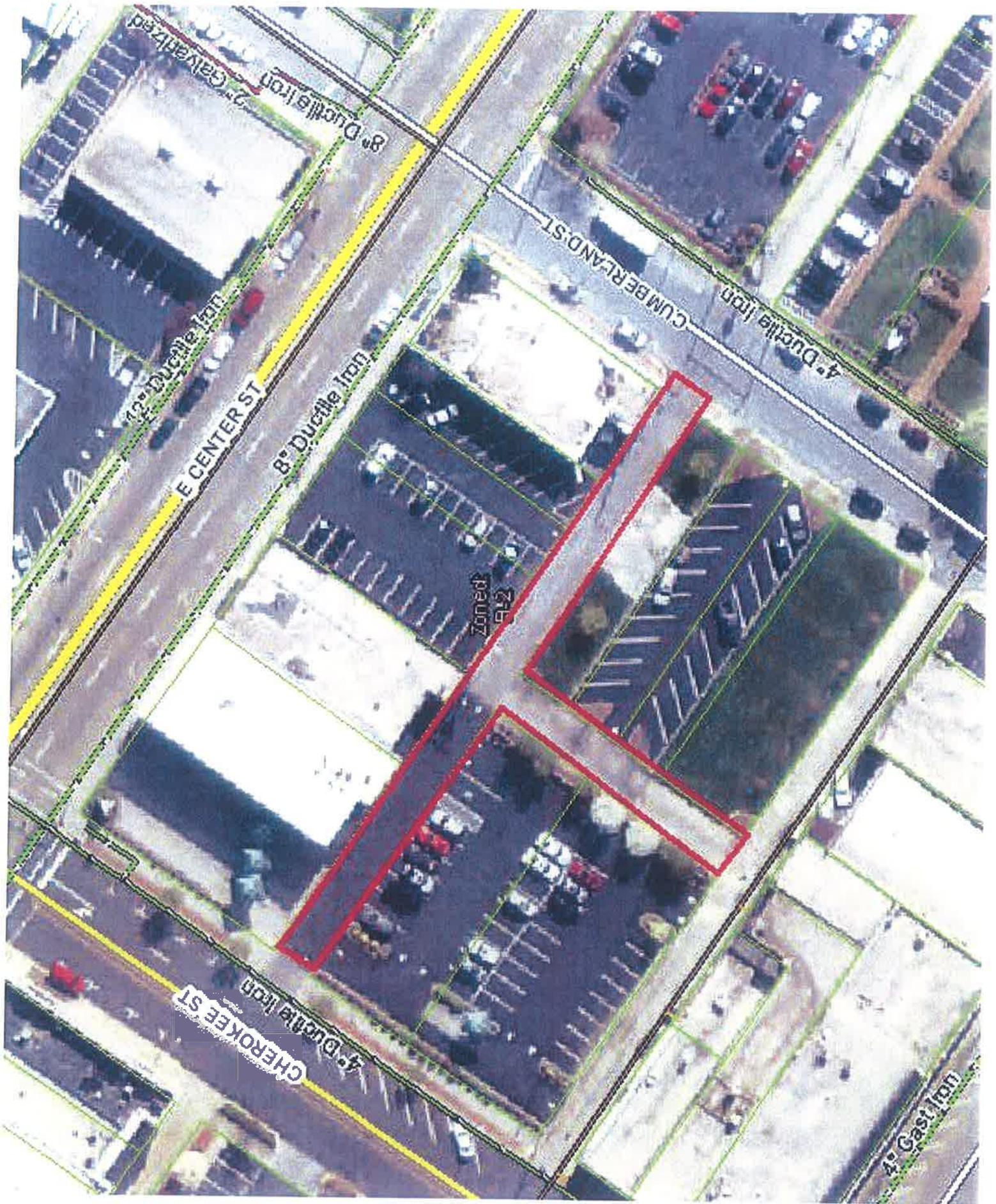
ADJOURNMENT

There being no further business the meeting was adjourned at 8:37 p.m.

Respectfully Submitted,



Jeff Fleming, interim Planning Commission Secretary





CITY OF KINGSPORT, TENNESSEE

February 2, 2012

Kingsport Board of Mayor and Aldermen
225 West Center Street
Kingsport, TN 37660

RE: Surplus Property Request from Bank of Tennessee

Dear Board Members,

Under Section 2-462(4) of the Kingsport Code and Ordinances I, James H. Demming, as City Recorder have determined that the two alleys located behind 301 East Center Street requested by Bank of Tennessee are surplus as declared by the Kingsport Regional Planning Commission at their April 2011 meeting and that the value of the surplus property is nominal and would be less than the cost of an appraisal and disposal is for the convenience of the City. I hereby waive the requirement for an appraisal, and the designated alderman may dispose of said property.

Sincerely,

James H. Demming
City Recorder

cc: Kingsport Regional Planning Commission
KC file



AGENDA ACTION FORM

Consideration of a Resolution to Ratify the Mayor's Signature in Signing All Documents Necessary to Apply for and Receive a Tennessee State Library and Archives Grant for the Kingsport Public Library Renovation/ Expansion Project

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

Action Form No.: AF- 62-2012
Work Session: March 6, 2012
First Reading: N/A
Final Adoption: March 6, 2012
Staff Work By: Helen Whittaker, Morris Baker
Presentation By: Chris McCart

Recommendation: Adopt the resolution.

Executive Summary:

The Tennessee State Library and Archives, through the State budget, annually makes funds available for library construction grant dollars available for public library building projects. Public libraries are allowed to apply for a maximum of \$100,000.

This funding will assist with the design development and construction drawings phase of the Kingsport Public Library Renovation/Expansion Project. This project calls for a new 39,000 square foot wing along with renovating 20,000 square feet of the existing building. If future funding is approved, library construction is tentatively scheduled to begin in the fall of 2014.

Please refer to the supplemental information for more information on the Library Renovation/Expansion Project.

This grant request is for \$100,000 and requires no match.

Attachments:

- 1. Resolution

Funding source appropriate and funds are available: _____

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

RESOLUTION NO. _____

A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON TENNESSEE STATE LIBRARY AND ARCHIVES APPLICATION FOR A GRANT AND ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE STATE LIBRARY AND ARCHIVES GRANT FOR THE KINGSPORT PUBLIC LIBRARY

WHEREAS, the city applied for a Tennessee State Library and Archives state construction grant for the public library for a maximum of \$100,000.00; and

WHEREAS, if awarded, the grant will assist with the design, development and construction drawings phase of the Library Renovation/Expansion Project; and

WHEREAS, no matching funds are required.

Now therefore,

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

SECTION I. That the application submitted by the city for a Tennessee State Library and Archives Grant for the Kingsport Public Library Renovation/Expansion Project is ratified, including the execution of same by the mayor.

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, all documents necessary and proper to apply for and receive a Tennessee State Library and Archives Grant in the maximum amount of \$100,000.00 with no matching funds required for the Library Renovation/Expansion Project.

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

ADOPTED this the 6th of March, 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 a Resolution Accepting the Donation of a License to Use Real Property and Authorizing the Mayor to Execute a Lease of Property Located at 2309 East Center Street

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

Action Form No.: AF-69-2012
 Work Session: March 6, 2012
 First Reading: N/A

Final Adoption: March 6, 2012
 Staff Work By: Campbell/Billingsley
 Presentation By: J. Campbell

Recommendation: Approve the resolution.

Executive Summary:

The owner of the real property located at 2309 East Center Street has offered to lease the property to the city at a nominal rent of one dollar per month for the purpose of maintaining a police substation in the Highlands neighborhood. Pending such action the owner has leased the property to Gale Osborne, who in turn has donated the use of the property to the city for a police substation. Chief Osborne has accomplished this by executing and delivering a license of use for the property to the city. A copy of the license is attached. This has allowed the city to establish a police substation in the Highlands neighborhood. The owner the property is agreeable to lease the property directly to the city for a nominal rent of one dollar per month on the same terms on which Chief Osborne currently leases the property. A copy of the proposed lease is included in the resolution. Approval of the resolution confirms the acceptance of the donation of the use of the property from Chief Osborne, and authorizes the mayor to execute a lease agreement with the property owner directly for use of the property as a police substation. Upon execution of the lease of the city it is intended that the lease between Chief Osborne and the owner of the property will terminate.

Attachments:

1. Resolution
2. License to Use Real Property
3. Map

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 ACCEPTING A DONATION, BY ACCEPTANCE OF LICENSE OF THE USE OF REAL PROPERTY LOCATED AT 2309 EAST CENTER STREET FOR USE AS A SUBSTATION FOR THE POLICE DEPARTMENT; APPROVING A LEASE OF THE PROPERTY FROM THE OWNER; AUTHORIZING THE MAYOR TO EXECUTE A LEASE FOR THE PROPERTY WITH THE OWNER AND ALL DOCUMENTS TO EFFECTUATE THE PURPOSE OF THE LEASE; AND AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE LEASE, IF NEEDED

WHEREAS, the city is establishing a police substation in the Highlands neighborhood;
and

WHEREAS, the chief of police has leased the property located at 2309 East Center Street and has donated the use of the property to the city for use as a police substation; and

WHEREAS, the owner of the property has indicated a willingness to lease the property to the city; and

WHEREAS, the board wishes to commemorate the acceptance of the donation from Chief Osborne, approve a lease with the property owner and authorize the mayor to execute a lease for the property same for use as a police substation;

Now therefore,

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

SECTION I. That the board accepts the donation of the use of the real property located at 2309 East Center Street, Kingsport, Tennessee and the License to Use Real Property executed by Gale Osborne and delivered to the city on February 28, 2012.

SECTION II. That the board approves the lease of the real property located at 2309 East Center Street, Kingsport, Tennessee generally on the terms set out as follows:

LEASE

THIS LEASE entered into the 27th day of February, 2012 by and between KORY WIESNER, (hereinafter Landlord) and the CITY OF KINGSPORT, TENNESSEE, (hereinafter Tenant).

WITNESSETH:

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties contained herein and the payment of rent in the amount of One Dollar (\$1.00) per month from Tenant to Landlord, cash in hand paid, the parties agree as follows:

SECTION 1. PREMISES. Landlord hereby leases to Tenant and Tenant hereby leases and takes from Landlord the property at 2309 East Center Street, Kingsport, Tennessee (hereinafter the "Premises") and all improvements located thereon.

SECTION 2. LEASE TERM. The term of this Lease begins on March 7, 2012, at noon and terminates one year thereafter at noon, unless sooner terminated by Tenant. Tenant may terminate this Lease for his convenience upon thirty (30) days notice to Landlord, and such termination will not be deemed a breach of this Lease.

SECTION 3. RENT. Tenant will pay Landlord as rent for the Premises the sum of One Dollar (\$1.00) per month due on the 7th day of each month during the term of this Lease. Tenant may prepay the rent for part or all of the term of this Lease.

SECTION 4. USE OF PREMISES, ASSIGNMENT AND SUBLETTING. Tenant may use the Premises to maintain a police substation on the Premises.

SECTION 5. UTILITIES. During the term of this Lease, Tenant will be responsible for the payment of any and all utilities of the Premises used by Tenant, its licensees, assignees or sub-lessees, including, but not limited to, gas, electric, telephone, cable and any service fees required for the installation of these utilities.

SECTION 6. CLEAN AND SANITARY CONDITION. At the end of the term of this Lease Tenant will return the possession of the Premises broom clean, in good condition, reasonable wear and tear excepted.

SECTION 7. ALTERATIONS. Tenant has the right, at its sole expense, from time to time, to make such alterations and changes to the Premises as Tenant deems expedient or necessary for his purposes without approval of Landlord. Tenant agrees to pay promptly when due the entire cost of any work done by him upon the Premises so that the Premises at all times shall be free of liens for labor and materials from the work performed by Tenant.

SECTION 8. SIGNS AND PARKING. Tenant, its licensees, assignees and sub-lessees, may post a sign on the outside of the building at or above the entrances to the Premises designating the Premises as a City of Kingsport police substation. Tenant, its licensees, assignees and sub-lessees may use the parking area adjacent to the Premises for parking.

SECTION 9. SURRENDER. On or before the termination of this Lease, Tenant will peacefully and quietly surrender the Premises to Landlord. Furniture, fixtures, and equipment will remain the property of Tenant, licensee, assignee, or sub-lessee, and may be removed at any time during the term of this Lease or upon termination of this Lease. Removal of such items shall be accomplished within a reasonable amount of time upon termination of this Lease.

SECTION 10. SUCCESSORS. All rights and liabilities herein given to, or imposed upon, the respective parties hereto extend to and bind the several respective heirs, executors, administrators, successors, and assigns of the said parties.

SECTION 11. GENERAL. The following applies to this Lease:

- (a) The invalidity or unenforceability of any clause or provision of this Lease will not affect or render invalid or unenforceable any other clause or provision hereof;
- (b) Any action or proceeding arising out of the subject matter of this Lease will be brought within one year after the cause of action has occurred and only in a state court in Kingsport, Tennessee;
- (c) This Lease is made and delivered in the state of Tennessee, and will be interpreted, construed, and enforced in accordance with the laws thereof, and all legal proceedings relating to the subject matter of this Lease will be maintained in the state courts for Kingsport, Sullivan County, Tennessee, and the parties agree that jurisdiction and venue

for any such legal proceeding will lie exclusively with such courts, and the parties waive their right to a jury trial;

(d) This Lease is the result of negotiations between parties of equal bargaining strength, and when executed by both parties will constitute the entire agreement between the parties, superseding all prior oral and written agreements, representations, statements and negotiations relating in any way to the subject matter herein. This Lease may not be extended or amended except by written agreement signed by both parties, or as otherwise provided herein, and no other subsequent oral or written representation shall have any effect hereon;

(e) The headings and captions in this Lease are for convenience only and will not be considered part of the terms hereof.

SECTION 12. TIME. Time is of the essence in this Lease.

SECTION 13. AUTHORITY TO LEASE. Landlord represents to Tenant that he has sole and complete authority to lease the Premises to Tenant and to execute this Lease for the purposes contained therein.

IN WITNESS WHEREOF, the Parties hereto executed this Lease in duplicate originals.
(Acknowledgements have been deleted for purposes of 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, the Lease set out herein and all other documents necessary and proper and take such acts as necessary to effectuate the purpose of the Lease or this resolution.

SECTION IV. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the Lease that do not substantially alter the material provisions of the Lease or this resolution and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

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

ADOPTED this the 6th day of March, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

LICENSE TO USE REAL PROPERTY

I, Gale Osborne, the lessee of the property located at 2309 East Center Street, Kingsport, Tennessee, hereby donates as a license, the use of said leased property to the City of Kingsport, Tennessee for use as a police substation for a period of one year from February 28, 2012, along with all other rights I possess in the leased property, including the right to place a sign at the entrance to the leased property identifying the entrance to the leased property as a police substation and the use of the parking area connected with the leased property The City of Kingsport, Tennessee may make immediate use of the property for the police substation for the Highlands area of the city, along with other areas of the city.

IN WITNESS WHEREOF, this instrument is executed on the 28th day of February, 2012.

Gale Osborne
Gale Osborne

STATE OF TENNESSEE

COUNTY OF SULLIVAN

Personally appeared before me, Elizabeth A. Chicco, a Notary Public in and for the State and County aforesaid, GALE OSBORNE, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledges that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office in this 28th day of February, 2012.

Elizabeth A. Chicco
NOTARY PUBLIC



My Commission Expires:

12-29-2014



2309 E Center Street

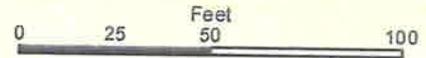
Legend

-  2309 E Center Street
-  Parcels
-  Streets

Copyright 2012 by Esri. All rights reserved. Microsoft, Google, and other names are trademarks of their respective owners.



Prepared by the City of Kingsport
 Geographic Information System (G.I.S)
 Date: 03-02-12
 Map File Name: 16761wo8412





AGENDA ACTION FORM

Consideration of a Resolution Approving Settlement of a Lawsuit

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

Action Form No.: AF: 58-2012
 Work Session: March 6, 2012
 First Reading: N/A

Final Adoption: March 6, 2012
 Staff Work By: Evans/Campbell
 Presentation By: Billingsley/Evans

Recommendation: Approve the resolution.

Executive Summary:

Sometime ago a former employee filed a lawsuit alleging various claims against the city, including age discrimination and retaliatory discharge. The case has been worked on since that time. The case was in the posture that mediation of the dispute occurred. As a result, the parties have, subject to the approval of the board, agreed to a final and complete resolution of the case. The direct payment by the city in settlement is within the amount the city manager authorized and agreed to recommend for settlement. The attorneys representing the city in this case have recommended the settlement of the case. Generally the city's insurance does not cover this type of claim. However the risk pool will pay an amount toward the settlement of the claim, also. Considering the expenses that will be incurred in the further defense of this case and other factors, it is recommended that the board approve the settlement of this matter with the city's direct payment of \$50,000. There will be no admission of liability by the city, and a full and complete release for any such claims will be executed by the plaintiff.

Attachments:

1. Resolution

Funding source appropriate and funds are available: _____

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT; AUTHORIZING ATTORNEYS FOR THE CITY TO ENTER AN ORDER REGARDING THE SAME; AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE SETTLEMENT

WHEREAS, the city has been involved in a lawsuit filed against it by a former employee alleging age discrimination and other claims; and

WHEREAS the parties have participating in mediation and, subject to the approval of the board, have agreed to to settle the case; and

WHEREAS, it is the recommendation of the attorneys for the city that the board approve the settlement of this litigation, which will include a direct payment of \$50,000 by the city; and

Now therefore,

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

SECTION I. That board approves the settlement of the litigation entitled Claude Hall v. City of Kingsport, Tennessee, Chancery Court Civil Action No. K0034830 with a direct payment by the city of \$50,000.

SECTION II. That the board authorizes the attorneys representing the city to execute an order and any and all other documents necessary and proper to complete the settlement of this litigation, and the board authorizes the receipt of an executed release of all claims of this nature by the plaintiff.

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 or as appropriate, the attorneys representing the city in this litigation, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, a settlement agreement, as needed, and all other documents necessary and proper to effectuate the purpose of the settlement or this resolution.

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

ADOPTED this the 6th day of March, 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 a Resolution to Authorize the Rejection of all Bids Submitted for the Safe Routes to School (SRTS) Project for Roosevelt and Kennedy Elementary Schools

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

Action Form No.: AF-70-2012
 Work Session: March 6, 2012
 First Reading: N/A

Final Adoption: March 6, 2012
 Staff Work By: R. McReynolds, M. Thompson
 Presentation By: R. McReynolds

Recommendation: Approve the Resolution

Executive Summary:

Bids were opened on December 14, 2011 for Roosevelt and Kennedy Elementary SRTS project, TDOT PIN 112315.00. Three (3) companies submitted bids for this project; Southern Constructors, Inc. submitted the apparent low bid in the total amount of \$256,800.00.

City staff has reviewed the bids for this project and recommends rejecting all bids submitted due to their substantial premium above the original project estimate. TDOT's Construction Office also concurs to reject all bids submitted due to bids coming in significantly higher than the engineer's cost estimate as well as the grant budget for construction.

In compliance with Ordinance No. 5583 section (e), this resolution shall reject all bids submitted. At this time we are requesting the use of local forces for construction as the solution regarding this project.

Engineering estimate for referenced project \$138,345.00. Historically, the City has been able to build sidewalks via contracts for approximately \$23/linear foot. The engineering estimate was approximately \$45/linear foot, while our lowest bid was approximately \$88/linear foot.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Ltr to TDOT to Reject all Bids
4. Email from TDOT Concurring in the Rejection of all Bids

Funding source appropriate and funds are available: _____

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

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS RELATED
TO THE SAFE ROUTES TO SCHOOL PROJECT
FOR ROOSEVELT AND KENNEDY ELEMENTARY
SCHOOLS

WHEREAS, bids were opened December 14, 2011 for the Roosevelt and Kennedy Safe Routes to School Project; and

WHEREAS, the bids received were higher than the estimate of the project and the funds available, and therefore the city desires to reject all bids;

Now therefore,

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

SECTION I. That bids opened December 14, 2011 relating to the Roosevelt and Kennedy Safe Routes to School Project are rejected.

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

ADOPTED this the 6th day of March, 2012.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



ENGINEERING DEPARTMENT
City of Kingsport, Tennessee

BID CERTIFICATION
SRTS Roosevelt & Kennedy Elementary Schools
City of Kingsport, Tennessee
TDOT PIN 112315.00
Bid Opening: December 14, 2011

Contractor	Bid (As Submitted)	*Adjustments Due to Computational Errors	Total Bid
Armstrong Construction Co., Inc.	\$ 325,215.00	-\$ 3,620.96	\$ 321,594.04
Hoilman Construction Co., Inc.	\$ 862,208.40	-\$ 21.04	\$ 862,187.36
Southern Constructors, Inc.	\$ 256,800.00		\$ 256,800.00

*Note: Tabulations were adjusted based on rounding errors for Unit Cost and Total Cost prices for various items, as well as for computational errors in deriving the Grand Total for both Armstrong Construction and Hoilman Construction. The attached Bid Tabulation indicates the corrected amounts. The original Bid Schedule for each contractor has been attached for reference.

I certify that this tabulation is a correct and true representation of the bids received on December 14, 2011 at 4:00 p.m. local time.



Christopher D. Alley, P.E.
 City of Kingsport

February 3, 2012

Date



ENGINEERING DEPARTMENT
City of Kingsport, Tennessee

February 3, 2012

Ms. Monique Hazlewood
Tennessee Department of Transportation
Office of Local Programs
505 Deaderick Street
Suite 600, James K. Polk Building
Nashville, Tennessee 37243

**RE: SRTS Roosevelt & Kennedy Elementary Schools - Kingsport
TDOT PIN 112315.00**

Dear Ms. Hazelwood:

The City of Kingsport received bids for the above referenced project on December 14, 2011 at 4:00 p.m. local time. A total of 3 companies submitted bids for this project. Southern Constructors, Inc. submitted the lowest of all bids at \$ 256,800.00. Please find attached a certification of the bids, along with detailed tabulations of each bid that was submitted.

After review of the bids, we recommend that all bids be rejected for this project due to their significant premium over the original project estimate of \$ 138,345.00.

If you have any questions or comments, please call me at (423) 224-2416 or Michael Thompson at (423) 224-2748.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Alley".

Chris Alley, P.E.
Engineering Department

Cc: Michael Thompson – City of Kingsport

2010-C14 Bid Certification & Recommendation Letter

Catron, Sheila

From: Thompson, Michael
Sent: Tuesday, February 28, 2012 4:20 PM
To: Catron, Sheila
Subject: FW: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy: PIN 112315.00

From: Monique Hazlewood [<mailto:Monique.Hazlewood@tn.gov>]
Sent: Wednesday, February 08, 2012 12:31 PM
To: Thompson, Michael
Subject: RE: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy: PIN 112315.00

Michael,

The TDOT Construction Office concurs in the rejection of bids for PIN 112315.00, Roosevelt and Kennedy Schools SRTS project, due to bids coming in significantly higher than both the engineer's cost estimate as well as the grant budget for construction.

I understand that Kingsport plans to request the use of local forces for construction. Please address the request to Teresa Estes, Transportation Coordinator, TDOT Office of Local Programs. If you like, you can email the request to me and I will walk it over to her office.

Thanks,
Monique

From: Thompson, Michael [<mailto:MichaelThompson@KingsportTN.gov>]
Sent: Tuesday, February 07, 2012 1:04 PM
To: Monique Hazlewood
Subject: RE: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy: PIN 112315.00

Monique,
Please find attached the requested information.

--Michael

From: Monique Hazlewood [<mailto:Monique.Hazlewood@tn.gov>]
Sent: Wednesday, February 01, 2012 10:02 AM
To: Thompson, Michael
Subject: RE: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy: PIN 112315.00

Thank you for this. I should have been more specific. Construction is asking for the full package. So – please send me the affidavits of publication, and a the bids listed on a certified bid tabulation sheet.

From: Thompson, Michael [<mailto:MichaelThompson@KingsportTN.gov>]
Sent: Wednesday, February 01, 2012 7:33 AM
To: Monique Hazlewood
Subject: FW: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy: PIN 112315.00

Monique,

Attached are the requested documents for the SRTS PIN 112315.00 (Roosevelt & Kennedy).

--Michael

From: Alley, Chris
Sent: Thursday, December 15, 2011 10:14 AM
To: Thompson, Michael
Subject: FW: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy

Chris Alley, PE



Engineering Department
1644 Fort Henry Drive
Kingsport, Tennessee 37664
(423) 224-2416

From: Gillenwater, Michelle
Sent: Thursday, December 15, 2011 8:47 AM
To: Alley, Chris
Subject: Bid Tab and Bid Documents for SRTS - Roosevelt & Kennedy

Chris,

Please see attached for your records. Thanks.

Michelle Gillenwater
Purchasing Secretary
City of Kingsport
Ph. (423) 229-9419
Fx. (423) 224-2433



AGENDA ACTION FORM

Consideration of an Appointment to the Sidewalk Committee Board

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

Action Form No.: AF- 26-2012
Work Session: March 6, 2012
First Reading: N/A

Final Adoption: March 6, 2012
Staff Work By: Alison Harrison
Presentation By: Mayor Phillips

Recommendation: Approve the appointment.

Executive Summary:

Roger Mowen has agreed to serve a three (3) year term on the Sidewalk committee Board, if approved by the Board of Mayor and Alderman. His appointment will be effective immediately and will expire on February 28, 2015.

Attachments:
1.Bio

Funding source appropriate and funds are available: _____

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

Roger K. Mowen Jr.
Biography

Roger K. Mowen Jr. and his wife, Dreana, have two children, Stacey Doran and Christine Lusk. Before his retirement, Mr. Mowen served as senior vice president and a member of the executive team at Eastman Chemical Co. He holds a bachelor's degree from Philadelphia Textile University and a master's degree from North Carolina State University. His areas of interest include community volunteering, business innovation and strategy development. He serves on the boards of the YMCA, Friends in Need, Contact Concern and the ETSU Innovation Lab. He is a member of the Kingsport Kiwanis Club. His pastimes include golf, tennis, jogging, mountain biking and riding his Harley Davidson with his wife. His favorite book is Stephen Covey's "Seven Habits of Highly Effective People."



AGENDA ACTION FORM

Consideration of a Reappointment to the Kingsport Public Library Commission

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

Action Form No.: AF- 45-2012
 Work Session: March 6, 2012
 First Reading: March 6, 2012

Final Adoption: March 6, 2012
 Staff Work By: Whittaker
 Presentation By: Whittaker

Recommendation: Approve the reappointment.

Executive Summary:

Carla Karst has agreed to serve a second three (3) year term on the Kingsport Public Library Committee, if approved by the Board of Mayor and Alderman. Her appointment will be effective April 1, 2012 and will expire on March 31, 2015.

Attachments:

1. Bio

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

Carla Karst

Bio

Carla Karst lives in Kingsport, Tenn., with her husband Daniel and three children, Dustin, Diane and Darah. She travels across the country ministering to thousands through music and song. Karst has produced five albums and a video for one of her songs. She was a featured vocalist at Opryland USA and has ministered on numerous occasions with Billy Graham.



AGENDA ACTION FORM

Consideration of a Reappointment to the Historic Zoning Commission

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

Action Form No.: AF- 63-2012
Work Session: March 6, 2012
First Reading: March 6, 2012

Final Adoption: March 6, 2012
Staff Work By: Alison Harrison
Presentation By: Mayor Phillips

Recommendation: Approve the reappointment.

Executive Summary:

Ted Como has agreed to serve a second five (5) year term on the Historic Zoning Committee, if approved by the Board of Mayor and Alderman. His appointment will be effective immediately and will expire on February 28, 2017.

Attachments:

- 1. Bio

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

Ted Como
Bio

Ted Como has been managing editor of the Kingsport Times-News for the past 29 years and was a journalist in New York State for 15 years prior to that, where he served as a director or officer for numerous organizations including the VFW, Kiwanis Club, Lions Club, American Cancer Society, United Way, the Chenango County Commission for Post Secondary Education and Chenango County Council on the Arts. He is a founding director of the Hands On Museum and Daniel Boone Wilderness Trail Association, graduate of Leadership Kingsport and past president of the UPI Tennessee Association of Newspapers. In more than 40 years as a journalist he has won numerous awards for reporting, photography and editorial writing.



AGENDA ACTION FORM

Consideration of an Appointment to the 911 Board of Directors

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

Action Form No.:	AF- 71-2012	Final Adoption:	March 6, 2012
Work Session:	March 6, 2012	Staff Work By:	Alison Harrison
First Reading:	N/A	Presentation By:	Mayor Phillips

Recommendation: Approve the appointment.

Executive Summary:

Hunter Wright has agreed to serve a four (4) year term on the 911 Board of Directors, if approved by the Board of Mayor and Alderman. His appointment will be effective immediately and will expire on February 28, 2016.

Attachments:

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 Ordinance to Appropriate Cultural Arts Funding Received From Kingsport Community Foundation

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

Action Form No.: AF- 43-2012
Work Session: February 20, 2012
First Reading: February 21, 2012

Final Adoption: March 6, 2012
Staff Work By: Macdonald/J. Smith
Presentation By: C. McCart

Recommendation: Approve the Ordinance

Executive Summary: Cultural Arts Division of Parks and Recreation applied for and received a grant of \$5,000 for artistic consultants for the Carousel Project (AF-271-2011) from the Kingsport Community Foundation. The grant was approved in full and the funds should be appropriated to NC1006 Carousel Project and line item 111-0000-601.20-20 professional/consultant. No match is required for this grant.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Consideration of an Ordinance to Appropriate Cultural Arts Funding Received From Kingsport Community Foundation

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

Action Form No.: AF- 43-2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012

Final Adoption: March 6, 2012
 Staff Work By: Macdonald/J. Smith
 Presentation By: C. McCartt

Recommendation: Approve the Ordinance

Executive Summary: Cultural Arts Division of Parks and Recreation applied for and received a grant of \$5,000 for artistic consultants for the Carousel Project (AF-271-2011) from the Kingsport Community Foundation. The grant was approved in full and the funds should be appropriated to NC1006 Carousel Project and line item 111-0000-601.20-20 professional/consultant. No match is required for this grant.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

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

**PRE-FILED
CITY RECORDER**

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM KINGSFORT COMMUNITY FOUNDATION FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project-Special Revenue Fund budget be amended by appropriating grant funds received from Kingsport Community Foundation of East Tennessee Foundation in the amount of \$5,000 to the Public Arts Carousel Project (NC1006) for artistic consultants.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 111: General Project Special Revenue Fund			
Public Arts Carousel Project (NC1006)			
Revenues:			
	\$	\$	\$
111-0000-332-3200 TN Arts Commission	2,100	0	2,100
111-0000-341-1011 Carousel Classes	1,090	0	1,090
111-0000-341-1087 Merchandise Sales	240	0	240
111-0000-364-1000 From Individuals	13,794	0	13,794
111-0000-364-2000 From Corporations	355	0	355
111-0000-364-3000 From Non-Profit Groups	15,525	0	15,525
111-0000-364-5621 East TN Foundation	3,000	5,000	8,000
Totals:	36,104	5,000	41,104
Expenditures:			
	\$	\$	\$
111-0000-601-2020 Professional Consultant	22,786	5,000	27,786
111-0000-601-3012 Food	418	0	418
111-0000-601-3020 Operating Supplies & Tools	12,900	0	12,900
Totals:	36,104	5,000	41,104

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

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Project GP 0902 Budget by Appropriating Funds from the Criminal Forfeiture Fund

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

Action Form No: AF- 55 - 2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012
 Final Adoption: March 6, 2012
 Staff Work By: D/C Phipps
 Presentation By: Chief Osborne

Recommendation:

Appropriate funding from the Criminal Forfeiture Fund in the amount of \$12,400.

Executive Summary:

In the early part of 2009, the Police Department began implementing a paperless reporting format designed to utilize PDAs (Personal Data Assistant). The software is designed to reduce paper flow created by incident reports, accident reports, and etc. and to ultimately reduce officers' time spent on calls creating a more efficient means of conducting business. The total cost of the project was \$772,113.00 and was established in Project GP 0902.

The final phase of the project was the implementation of the court system package. The system allows the integration of court tickets, documents, and dockets. Also included in the integration are the red light camera citations. In the early course of implementing the project, unexpected costs arose out of the need for more server space for data. Currently, the court system maintenance has come due and was originally budgeted within the project line, but due to the unexpected costs, the project will have a shortfall of approximately \$12,400.00.

The Criminal Forfeiture Fund was established for any revenue generated from the seizure of asset funds of a suspect where the criminal case was investigated by KPD utilizing federal authorities (i.e. DEA, FBI, IRS, etc). The equitable sharing is between the federal agency and Kingsport Police based on the percentage of participation in the investigation. These funds can be used by a law enforcement agency for law enforcement purposes only. One of the permissible uses under the Guide for Equitable Sharing for State and Local Law Enforcement Agencies is for the purchase of maintenance towards law enforcement equipment or software.

This action will allow the appropriation of funding from the Criminal Forfeiture Fund to be targeted towards Project 0902 in order to complete the project.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Project GP 0902 Budget by Appropriating Funds from the Criminal Forfeiture Fund

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

Action Form No: AF- 55 - 2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012
 Final Adoption: March 6, 2012
 Staff Work By: D/C Phipps
 Presentation By: Chief Osborne

Recommendation:

Appropriate funding from the Criminal Forfeiture Fund in the amount of \$12,400.

Executive Summary:

In the early part of 2009, the Police Department began implementing a paperless reporting format designed to utilize PDAs (Personal Data Assistant). The software is designed to reduce paper flow created by incident reports, accident reports, and etc. and to ultimately reduce officers' time spent on calls creating a more efficient means of conducting business. The total cost of the project was \$772,113.00 and was established in Project GP 0902.

The final phase of the project was the implementation of the court system package. The system allows the integration of court tickets, documents, and dockets. Also included in the integration are the red light camera citations. In the early course of implementing the project, unexpected costs arose out of the need for more server space for data. Currently, the court system maintenance has come due and was originally budgeted within the project line, but due to the unexpected costs, the project will have a shortfall of approximately \$12,400.00.

The Criminal Forfeiture Fund was established for any revenue generated from the seizure of asset funds of a suspect where the criminal case was investigated by KPD utilizing federal authorities (i.e. DEA, FBI, IRS, etc). The equitable sharing is between the federal agency and Kingsport Police based on the percentage of participation in the investigation. These funds can be used by a law enforcement agency for law enforcement purposes only. One of the permissible uses under the Guide for Equitable Sharing for State and Local Law Enforcement Agencies is for the purchase of maintenance towards law enforcement equipment or software.

This action will allow the appropriation of funding from the Criminal Forfeiture Fund to be targeted towards Project 0902 in order to complete the project.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: _____

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

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BY TRANSFERRING FUNDS FROM THE CRIMINAL FORFEITURE FUND 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 Project Fund budget be amended by transferring funds in the amount of \$12,400 from the Criminal Forfeiture Fund to the Police Technology Fund (GP0902) to cover the court system maintenance cost.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 126: Criminal Forfeiture Fund			
Revenues:			
126-0000-392-0318 Forfeited Assets-Federal	0	12,400	12,400
Totals:	0	12,400	12,400
Expenditures:			
126-4804-481-7036 To General Proj Fund	0	12,400	12,400
Totals:	0	12,400	12,400
Fund 311: General Project Fund			
Police Technology Fund (GP0902)			
Revenues:			
311-0000-391-0100 From General Fund	667,113	0	667,113
311-0000-391-7200 From the Drug Fund	75,000	0	75,000
311-0000-391-7400 From Criminal Forfeiture	30,000	12,400	42,400
Totals:	772,113	12,400	784,513
Expenditures:			
311-0000-601-3020 Operating Supplies & Tools	287,280	12,400	299,680
311-0000-601-9004 Equipment	400,230	0	400,230
311-0000-601-9006 Purchases Over \$5,000	84,603	0	84,603
Totals:	772,113	12,400	784,513

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.

ATTEST:

DENNIS R. PHILLIPS, Mayor

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Various Projects

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

Action Form No.: AF- 56 - 2012
 Work Session: February 20, 2012
 First Reading: February 21, 2012

Final Adoption: March 6, 2012
 Staff Work By: J. Smith
 Presentation By: John Campbell

Recommendation: Approve the Ordinance.

Executive Summary:

Every year we try to close some project mid-year and at the end of the fiscal year. This ordinance is to clean up some projects by transferring funds to the projects that have deficits and to close those projects.

The Indian Trail Signalization project was fully funded by TDOT and they also managed the project. This project was set up with a budget. We are reversing the budget to clear the project.

The Urban Mass Transit Projects are also ready to close returning the matching funds back to the General Fund Miscellaneous budget.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Various Projects

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

Action Form No.: AF- 56 - 2012
Work Session: February 20, 2012
First Reading: February 21, 2012
Final Adoption: March 6, 2012
Staff Work By: J. Smith
Presentation By: John Campbell

Recommendation: Approve the Ordinance.

Executive Summary:

Every year we try to close some project mid-year and at the end of the fiscal year. This ordinance is to clean up some projects by transferring funds to the projects that have deficits and to close those projects.

The Indian Trail Signalization project was fully funded by TDOT and they also managed the project. This project was set up with a budget. We are reversing the budget to clear the project.

The Urban Mass Transit Projects are also ready to close returning the matching funds back to the General Fund Miscellaneous budget.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

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

ORDINANCE NO. _____

**PRE-FILED
CITY RECORDER**

AN ORDINANCE TO AMEND VARIOUS PROJECTS 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 Project Fund budgets be amended by transferring funds from the Road Design project (GP0729) in the amount of \$166, from the GO2008 A Road Improvements project (GP0816) in the amount of \$1,351, from the Fire Station 3 Land Purchase project (GP1106) in the amount of \$1,084 and from the Signal Study Project in the amount of \$6,565 to the Rock Springs Safety Audit project (GP0804) in the amount of \$3,870 and to the Center Street Stimulus (MPO 930) in the amount of \$893, to the Orebank Road project (MOI931) in the amount of \$723, to the Eastman Road project (MPO932) in the amount of \$1,813 and to the Clinchfield Street project (MPO 935) in the amount of \$1,867 to cover deficits in the projects and to close the projects.

SECTION II. That the General Project Fund and the General Project-Special Revenue Fund budgets be amended by transferring bond funds from the Road Design Project (GP0729) in the amount of \$1,084, from the Model City Motors Parking Lot project (GP1012) in the amount of \$18,400, from the Energy System Project (GP0713) in the amount \$5,358, from the Netherland Inn 11W Drainage Improvement project (GP0703) in the amount of \$5,543, from the Central Fire Station Roof Replacement project (NC0707) in the amount of \$14,096, from the Street Resurfacing project (NC1200) in the amount of \$50,000, from Pet Dairy Property Purchase (GP1204) in the amount of \$250,000 and from the Fire Alerting Systems project (GP1008) in the amount of \$5,589 to the Street Resurfacing Project (GP1219) in the amount of \$255,589, to the Street Resurfacing project (GP0407) in the amount of \$86,739 and to \$7,742 to the General Fund Miscellaneous budget and that the General Project Fund be amended by appropriating funds received as a donation in the amount of \$1,000 to the Veteran Memorial Phase 2 project (GP1200).

SECTION III. That the Urban Mass Transit Fund Budget be amended by transferring funds from FTA278 in the amount of \$30,908 and from FTA263 in the amount of \$29,541 to the General Fund Miscellaneous budget in the amount of \$60,449.

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
Indian Trail Signalization (GP0707)			
Revenues:			
311-0000-337-6976 Surface Transport Prog/TDOT	\$ 315,000	\$ (315,000)	\$ 0
Total:	315,000	(315,000)	0
Expenditures:			
311-0000-601-2022 Construction Contracts	315,000	(315,000)	0
Total:	315,000	(315,000)	0

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
Rock Springs Safety Aud/Const (GP0804)			
Revenues:			
311-0000-364-2000 From Corporations	\$ 0	\$ 1,084	\$ 1,084
311-0000-368-1033 Bond Proceeds/Series 2008A G.O.	177,604	1,351	178,955
311-0000-391-0100 From General Fund	25,000	166	25,166
311-0000-391-3300 From Eastman Annex	0	1,269	1,269
Total:	202,604	3,870	206,474

Expenditures:

311-0000-601-2022 Construction Contracts	197,545	(2,483)	195,062
311-0000-601-2023 Arch/Eng/Landscaping	2,455	6,353	8,808
311-0000-601-4041 Bond Sale Expense	2,604	0	2,604
Total:	202,604	3,870	206,474

**Fund 311: General Project Fund
Road Design Projects(GP0729)**

Revenues:

311-0000-391-0100 From General Fund	\$ 310,000	\$ (1,250)	\$ 308,750
Total:	310,000	(1,250)	308,750

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping	307,750	0	307,750
311-0000-601-2097 State Reviews & Permits	2,250	(1,250)	1,000
Total:	310,000	(1,250)	308,750

**Fund 311: General Project Fund
GO 2008A Road Improvements (GP0816)**

Revenues:

311-0000-368-1033 Bond Proceeds/Series 2008A GO	\$ 861,726	\$ (1,351)	\$ 860,375
Total:	861,726	(1,351)	860,375

Expenditures:

311-0000-601-2022 Construction Contracts	475,842	0	475,842
311-0000-601-2023 Arch/Eng/Landscaping	366,692	(1,351)	365,341
311-0000-601-4041 Bond Sale Expense	12,636	0	12,636
311-0000-601-9001 Land	6,556	0	6,556
Total:	861,726	(1,351)	860,375

**Fund 311: General Project Fund
Signal Study (GP0612)**

Revenues:

311-0000-391-3300 From Eastman Annex Fund	\$ 50,000	\$ (6,565)	\$ 43,435
Total:	50,000	(6,565)	43,435

Expenditures:

311-0000-601-2020 Professional Consultant	50,000	(6,565)	43,435
Total:	50,000	(6,565)	43,435

**Fund 122: MPO Fund
Center Street Stimulus(MPO930)**

Revenue:

122-0000-337-5215 FHWA/TNFWA 100% ARRA	\$ 510,000	\$ 0	\$ 510,000
122-0000-391-3300 From Eastman Annex	0	893	893
Total:	510,000	893	510,893

**Fund 122: MPO Fund
Center Street Stimulus(MPO930)**

Expenditure:

122-0000-609-2022 Construction Contracts	469,000	893	469,893
122-0000-609-2023 Arch/Eng/Landscaping	41,000	0	41,000
Total:	510,000	893	510,893

Fund 122: MPO Fund

Orebank Road Stimulus(MPO931)

Revenues:

122-0000-337-5215 FHWA/TNFWHA 100% ARRA
122-0000-391-3300 From Eastman Annex

Totals:

\$	\$	\$	
400,000	0	400,000	
0	723	723	
400,000	723	400,723	

Expenditures:

122-0000-609-2022 Construction Contracts
122-0000-609-2023 Arch/Eng/Landscaping

Totals:

373,000	723	373,723	
27,000	0	27,000	
400,000	723	400,723	

Fund 122: MPO Fund

Eastman Road Stimulus(MPO932)

Revenues:

122-0000-337-5215 FHWA/TNFWHA 100% ARRA
122-0000-391-3300 From Eastman Annex

Totals:

\$	\$	\$	
770,000	0	770,000	
0	1,813	1,813	
770,000	1,813	771,813	

Expenditures:

122-0000-609-2022 Construction Contracts
122-0000-609-2023 Arch/Eng/Landscaping

Totals:

720,000	1,813	721,813	
50,000	0	50,000	
770,000	1,813	771,813	

Fund 122: MPO Fund

Clinchfield Street Stimulus(MPO935)

Revenues:

122-0000-337-5215 FHWA/TNFWHA 100% ARRA
122-0000-391-3300 From Eastman Annex

\$	\$	\$	
275,000	0	275,000	
0	1,867	1,867	
275,000	1,867	276,867	

Expenditures:

122-0000-609-2022 Construction Contracts
122-0000-609-2023 Arch/Eng/Landscaping

Totals:

250,000	1,867	251,867	
25,000	0	25,000	
275,000	1,867	276,867	

Fund 311: General Project Fund

Veterans Memorial PH 2 (GP1200)

Revenues:

311-0000-364-3000 From Non-Profit Groups

Totals:

\$	\$	\$	
0	1,000	1,000	
0	1,000	1,000	

Expenditures:

311-0000-601-2022 Construction Contracts
311-0000-601-3022 Maintenance Supplies

0	500	500	
0	500	500	
0	1,000	1,000	

Fund 311: General Project Fund

Street Resurfacing (GP0407)

Revenues:

311-0000-391-0100 From General Fund

Totals:

\$	\$	\$	
414,667	86,739	501,406	
414,667	86,739	501,406	

Expenditures:

311-0000-601-2022 Construction Contracts	181,167	73,480	254,647
311-0000-601-2023 Arch/Eng/Landscaping	28,141	13,259	41,400
311-0000-601-9003 Improvements	205,359	0	205,359
Totals:	414,667	86,739	501,406

Fund 311 General Project Fund
Model City Motors Pkg Lot (GP1012)

Revenues:

311-0000-391-0100 From General Fund	\$ 31,539	\$ (18,400)	\$ 13,139
Totals:	31,539	(18,400)	13,139

Expenditures:

311-0000-601-2022 Construction Contracts	31,539	(18,400)	13,139
Totals:	31,539	(18,400)	13,139

Fund 311 General Project Fund
Fire Station 3 Land Purchase (GP1106)

Revenues:

311-0000-364-2000 From Corporations	\$ 90,000	\$ (1,084)	\$ 88,916
Totals:	90,000	(1,084)	88,916

Expenditures:

311-0000-601-9001 Land	90,000	(1,084)	88,916
Totals:	90,000	(1,084)	88,916

Fund 311 General Project Fund
Energy System Project (GP0713)

Revenues:

311-0000-368-0937 Note Proceeds/CONS 2007	\$ 1,596,900	\$ 0	\$ 1,596,900
311-0000-368-0938 Note Proceeds/State Energy Loan	475,000	0	475,000
311-0000-391-0100 From General Fund	178,987	(5,358)	173,629
311-0000-391-0518 GO Bonds 2005 Series	20,913	0	20,913
311-0000-391-3300 From Eastman Annex Fund	100	0	100
Totals:	2,271,900	(5,358)	2,266,542

Expenditures:

311-0000-601-2022 Construction Contracts	2,185,136	(5,358)	2,179,778
311-0000-601-2023 Arch/Eng/Landscaping	86,764	0	86,764
Totals:	2,271,900	(5,358)	2,266,542

Fund 311 General Project Fund
Neth Inn/11W Drain Improv (GP0703)

Revenues:

311-0000-391-0100 From General Fund	\$ 114,907	\$ (5,543)	\$ 109,364
Totals:	114,907	(5,543)	109,364

Expenditures:

311-0000-601-2022 Construction Contracts	98,305	(5,543)	92,762
311-0000-601-2023 Arch/Eng/Landscaping	12,935	0	12,935
311-0000-601-9001 Land	3,667	0	3,667
Totals:	114,907	(5,543)	109,364

**Fund 111 General Project-Special Revenue Fund
Central Fire Station Roof Replacement (NC0707)**

Revenues:

111-0000-391-0100 From General Fund

Totals:

\$		\$		\$	
	250,250		(14,096)		236,154
	<u>250,250</u>		<u>(14,096)</u>		<u>236,154</u>

Expenditures:

111-0000-601-2022 Construction Contracts

111-0000-601-2023 Arch/Eng/Landscaping

Totals:

	236,750		(10,096)		226,654
	13,500		(4,000)		9,500
	<u>250,250</u>		<u>(14,096)</u>		<u>236,154</u>

**Fund 311 General Project Fund
Fire Alerting Systems (GP1008)**

Revenues:

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

Totals:

\$		\$		\$	
	252,837		(5,589)		247,248
	<u>252,837</u>		<u>(5,589)</u>		<u>247,248</u>

Expenditures:

311-0000-601-4041 Bond Sale Expense

311-0000-601-9006 Purchases Over \$5,000

Totals:

	3,193		0		3,193
	250,000		(5,589)		244,411
	<u>253,193</u>		<u>(5,589)</u>		<u>247,604</u>

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

Revenues:

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

311-0000-368-1040 Series 2011 GO Pub Improv

Totals:

\$		\$		\$	
	0		5,589		5,589
	0		250,000		250,000
	<u>0</u>		<u>255,589</u>		<u>255,589</u>

Expenditures:

311-0000-368-2022 Construction Contracts

Totals:

	0		255,589		255,589
	<u>0</u>		<u>255,589</u>		<u>255,589</u>

**Fund 111 General Project -Special Revenue Fund
Street Resurfacing (NC1200)**

Revenues:

111-0000-391-0100 From General Fund

Totals:

\$		\$		\$	
	400,000		(50,000)		350,000
	<u>400,000</u>		<u>(50,000)</u>		<u>350,000</u>

Expenditures:

111-0000-601-2022 Construction Contracts

Totals:

	400,000		(50,000)		350,000
	<u>400,000</u>		<u>(50,000)</u>		<u>350,000</u>

**Fund 311 General Project Fund
Pet Dairy Property Purchase (GP1204)**

Revenues:

311-0000-368-1040 Series 2011 GO Pub Improv

311-0000-368-2101 Prem From Bond Sale

Totals:

\$		\$		\$	
	353,048		(250,000)		103,048
	4,283		0		4,283
	<u>357,331</u>		<u>(250,000)</u>		<u>107,331</u>

Expenditures:

311-0000-601-4041 Bond Sale Expense

311-0000-601-9001 Land

311-0000-601-9003 Improvements

Totals:

	7,331		0		7,331
	250,000		(250,000)		0
	100,000		0		100,000
	<u>357,331</u>		<u>(250,000)</u>		<u>107,331</u>

Fund 411: Water Fund

Revenues:

411-0000-392-0100 Fund Balance Appropriation	\$		\$		\$
		1,104,266		125,000	1,229,266
Totals:		1,104,266		125,000	1,229,266

Expenditures:

411-5004-501-9001 Land		2,000		125,000	125,000
Totals:		2,000		125,000	125,000

Fund 412: Sewer Fund

Revenues:

412-0000-392-0100 Fund Balance Appropriation	\$		\$		\$
		1,002,087		125,000	1,127,087
Totals:		1,002,087		125,000	1,127,087

Expenditures:

412-5004-501-9001 Land		5,000		125,000	130,000
Totals:		5,000		125,000	130,000

Fund 123: Urban Mass Transit

TN-90-X-278 FY09 (FTA278)

Revenues:

123-0000-331-2000 Fed Rev UMTA Section 9	\$	789,800		\$	789,800
123-0000-332-9000 Dept of Transportation		277,000		0	277,000
123-0000-365-2009 Bus Fares		27,127		0	27,127
123-0000-365-2100 ADA Paratransit		33,884		0	33,884
123-0000-368-1500 Rental of Land & Building		49,000		0	49,000
123-0000-368-2600 Paratransit Charter		5,040		0	5,040
123-0000-391-0100 From General Fund		277,000		(30,908)	246,092
Totals:		1,458,851		(30,908)	1,427,943

Expenditures:

123-5901-602-1010 Salaries & Wages	592,672	(17,850)	574,822
123-5901-602-1011 Overtime	26,119	(12,507)	13,612
123-5901-602-1014 Longevity Pay	8,830	(2,208)	6,622
123-5901-602-1020 Social Security	45,792	0	45,792
123-5901-602-1030 Group Health Ins	57,305	0	57,305
123-5901-602-1040 Retirement	76,084	0	76,084
123-5901-602-1050 Life Ins	1,977	0	1,977
123-5901-602-1052 LTD	800	0	800
123-5901-602-1060 Workmen's Comp	2,384	0	2,384
123-5901-602-1061 Unemployment	1,056	0	1,056
123-5901-602-2010 Advertising & Publication	1,000	0	1,000
123-5901-602-2011 Printing & Binding	6,102	0	6,102
123-5901-602-2030 Electric Service	9,212	0	9,212
123-5901-602-2033 Water and Sewer	1,000	0	1,000
123-5901-602-2034 Telephone	10,695	0	10,695
123-5901-602-2036 Natural Gas	3,047	0	3,047
123-5901-602-2042 Personal Vehicle Reimbursement	28	0	28
123-5901-602-2043 Dues & Membership	3,000	0	3,000
123-5901-602-2044 Literature/Subscriptions	263	0	263
123-5901-602-2045 Training	500	0	500
123-5901-602-2052 Medical Services	2,000	0	2,000
123-5901-602-2054 Machinery/Equipment Rental	4,523	0	4,523
123-5901-602-2055 Repairs & Maintenance	35,076	1,657	36,733
123-5901-602-2075 Temporary Employees	9,486	0	9,486
123-5901-602-2099 Miscellaneous	48,835	0	48,835
123-5901-602-3010 Office Supplies	6,394	0	6,394
123-5901-602-3011 Postage	1,000	0	1,000
123-5901-602-3020 Operating Supplies & Tools	7,611	0	7,611

123-5901-602-3022	Maintenance Supplies	2,559	0	2,559
123-5901-602-3026	Sign Parts & Supplies	9,126	0	9,126
123-5901-602-3029	Clothing & Uniforms	7,623	0	7,623
123-5901-602-3044	Motor Pool Charges	1,000	0	1,000
123-5901-602-5010	Building Insurance	3,000	0	3,000
123-5901-602-5026	Vehicle Ins Charged by Fleet	3,000	0	3,000
123-5902-602-2020	Professional Consultant	10,000	0	10,000
123-5902-602-2021	Accounting and Auditing	5,740	0	5,740
123-5902-602-2040	Travel	2,000	0	2,000
123-5902-602-2041	Registration Fees & Tuition	1,500	0	1,500
123-5902-602-2056	Repair & Maint -Vehicles	185,820	0	185,820
123-5902-602-9003	Improvements	21,603	0	21,603
123-5902-602-9004	Equipment	34,692	0	34,692
123-5902-602-9006	Purchases Over \$5,000	198,397	0	198,397
123-5902-602-9008	Software \$5,000 and Over	10,000	0	10,000
Totals:		1,458,851	(30,908)	1,427,943

Fund 123: Urban Mass Transit
TN-90-X-263 FY08 (FTA263)

Revenues:

	\$	\$	\$	
123-0000-331-2000	Fed Rev UMTA Section 9	753,500	0	753,500
123-0000-332-9000	Dept of Transportation	383,750	0	383,750
123-0000-365-2009	Bus Fares	21,000	0	21,000
123-0000-365-2100	ADA Paratransit	9,000	0	9,000
123-0000-368-1500	Rental of Land & Building	45,000	0	45,000
123-0000-368-2600	Paratransit Charter	9,000	0	9,000
123-0000-368-2700	Families First Charter	5,000	0	5,000
123-0000-391-0100	From General Fund	265,717	(29,541)	236,176
Totals:		1,491,967	(29,541)	1,462,426

Expenditures:

123-5901-602-1010	Salaries & Wages	413,671	0	413,671
123-5901-602-1011	Overtime	24,960	0	24,960
123-5901-602-1020	Social Security	31,483	0	31,483
123-5901-602-1030	Group Health Ins	41,075	0	41,075
123-5901-602-1040	Retirement	53,425	0	53,425
123-5901-602-1050	Life Ins	1,000	0	1,000
123-5901-602-1052	LTD	522	0	522
123-5901-602-1060	Workmen's Comp	505	0	505
123-5901-602-1061	Unemployment	1,000	0	1,000
123-5901-602-2010	Advertising & Publication	1,500	0	1,500
123-5901-602-2011	Printing & Binding	3,200	0	3,200
123-5901-602-2030	Electric Service	5,118	0	5,118
123-5901-602-2033	Water and Sewer	800	0	800
123-5901-602-2034	Telephone	7,100	0	7,100
123-5901-602-2036	Natural Gas	2,800	0	2,800
123-5901-602-2040	Travel	0	1,609	1,609
123-5901-602-2042	Personal Vehicle Reimbursement	55	0	55
123-5901-602-2043	Dues & Membership	2,000	0	2,000
123-5901-602-2044	Literature/Subscriptions	176	0	176
123-5901-602-2052	Medical Services	1,000	0	1,000
123-5901-602-2054	Machinery/Equipment Rental	4,201	0	4,201
123-5901-602-2055	Repairs & Maintenance	4,445	0	4,445
123-5901-602-2075	Temporary Employees	15,715	0	15,715
123-5901-602-2099	Miscellaneous	13,532	0	13,532
123-5901-602-3010	Office Supplies	3,737	0	3,737
123-5901-602-3011	Postage	273	0	273
123-5901-602-3020	Operating Supplies & Tools	29,000	(25,007)	7,611
123-5901-602-3022	Maintenance Supplies	3,719	0	3,719

123-5901-602-3026 Sign Parts & Supplies	5,790	0	5,790
123-5902-602-2020 Professional Consultant	4,500	0	4,500
123-5902-602-2021 Accounting and Auditing	5,500	0	5,500
123-5902-602-2040 Travel	3,000	0	3,000
123-5902-602-2041 Registration Fees & Tuition	2,000	0	2,000
123-5902-602-2056 Repair & Maint --Vehicles	232,928	0	232,928
123-5902-602-5026 Vehicle Ins Charged by Fleet	3,000	0	3,000
123-5902-602-9002 Buildings	155,000	(6,143)	148,857
123-5902-602-9004 Equipment	34,692	0	34,692
123-5902-602-9006 Purchases Over \$5,000	198,397	0	198,397
123-5902-602-9008 Software \$5,000 and Over	10,000	0	10,000
Totals:	1,491,967	(29,541)	1,462,426

Fund 110: General Fund

Expenditures:

110-4804-481-7036 General Project Fund	180,954	(68,191)	112,763
110-4810-481-2099 Miscellaneous	0	68,191	68,191
Totals:	180,954	0	180,954

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.

ATTEST:

DENNIS R. PHILLIPS, Mayor

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 Approval of Offers for Easements and Right-of-Ways for Phase II of the Cleek Road Improvement Project

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

Action Form No.: AF-68-2012
 Work Session: March 6, 2012
 First Reading: N/A

Final Adoption: March 6, 2012
 Staff Work By: R. Trent, H. Clabaugh
 Presentation By: R. McReynolds

Recommendation: Approve the offers.

Executive Summary:

In order to continue to make improvements to Cleek Road, the Public Works Department has requested right-of-ways and easements across affected properties. Appraisals have been prepared in accordance with the City of Kingsport's Real Property Acquisition Policies & Procedures and indicate the fair market values as per the attached property owners.

This project is funded under #GP0916.

Attachments:

1. Cleek Road Improvement Project Phase II Offers
2. Project Location Map

Funding source appropriate and funds are available: _____

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

Cleek Road Improvement Project Phase II Offers

<u>Tax Map & Parcel</u>	<u>Property Owner</u>	<u>Easement Area</u>	<u>Appraised Value</u>
#047; 034.00	Wallace Alley, Jr., etal #2 Spring Creek Wynd Kingsport, TN 37664	ROW .054 acre Perm .0079 acre Temp. .699 acre	\$1,890.00 \$110.00 \$7,340.00
#047; 060.00	C & M Cleek Family Limited Partnership 1101 New Beason Well Road Kingsport, TN 37660	ROW .292 acre Perm. .349 acre Temp. 1.96 acre	\$1,746.00 \$842.00 \$3,525.00
#047E; A-001.00	Sarah McKee 5420 Orebank Road Kingsport, TN 37664	Temp. 123 sq. ft.	\$40.00
#047E; A-011.00	Steven & Kasey Thrift 5417 Heritage Lane Kingsport, TN 37664	ROW .044 acre Temp. .382 acre	\$924.00 \$2,406.00
#047E; A-012.00	Robert & Jean Rogers c/o Nancy McArthus 141 Eagle Rock Avenue Roseland, NJ 07086	ROW .228 acre Temp. .473 acre	\$4,950.00 \$3,080.00
#047E; A-013.00	Edna C. Purvis 1544 Jessee St. Unit K Kingsport, TN 37664	ROW .342 acre Temp. .241 acre	\$9,200.00 \$1,950.00
#047E; A-015.00	William & Rebecca Ketchie 4512 Beechcliff Drive Kingsport, TN 37664	ROW .224 acre Perm. .346 acre Temp. .278 acre	\$2,643.00 \$1,633.00 \$984.00
#048A; A-034.00	Katherine Grigsby, Trustee 5712 Chestnut Hills Drive Kingsport, TN 37664	ROW .381 acre Temp. 5,822 sq. ft.	\$8,020.00 \$850.00
#048H; A-003.00	James Akers, etux Debbie Powers R/M 5605 Orebank Road Kingsport, TN 37664	ROW 2,262 sq. ft. Temp. 1,578 sq. ft.	\$2,020.00 \$420.00
#047; 054.00	Daryel Harold Smith 148 Lake Forrest Road Rogersville, TN 37857	ROW .174 acre Perm. .164 acre Temp. .651 acre	\$2,958.00 \$3,320.00 \$1,116.00
#048H; A-004.00	Jenna Lynn McGee Ketron 5609 Orebank Road Kingsport, TN 37664	ROW 1,709 sq. ft. Temp. 358 sq. ft.	\$1,490.00 \$92.00
#048A; A-033.00	Donald & Karen Thompson 5733 Chestnut Hills Drive Kingsport, TN 37664	ROW 1,748 sq. ft. Temp. 1,095 sq. ft.	\$2,372.00 \$448.00
#047; 053.00	Joseph & Elaine Watson 5433 Orebank Road Kingsport, TN 37664	ROW 778 sq. ft. Temp. 2,395 sq. ft.	\$290.00 \$270.00

#048H; A-001.10	Joseph & Elaine Watson 5433 Orebank Road Kingsport, TN 37664	ROW 1,099 sq. ft. Temp. 850 sq. ft.	\$1,200.00 \$290.00
#048H; A-002.00	Rulison Ward 5601 Orebank Road Kingsport, TN 37664	ROW .110 acre Temp. 1,735 sq. ft.	\$4,400.00 \$500.00



**FIGURE 2 – MAP LOCATION
CLEEK ROAD, NEW BEASON WELL
ROAD IMPROVEMENTS–PHASE II
CITY OF KINGSPORT, TENNESSEE**

NO SCALE

07 MAY 2010