

Functional Classification Guidelines

Functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide.

In simplistic terms, "functional classification" reflects a highway's balance between providing land access versus mobility. Functional classification is the process by which public streets and highways are grouped into classes according to the character of service they are intended to provide. Generally, highways fall into one of five broad categories—*Interstate/Expressway, Major arterial, Minor arterials, Collector roads, and Local roads.*

Interstate/Expressway routes typically have limited access control with median separation and have high speed limits; **Arterials** provide longer through travel between major trip generators (larger cities, recreational areas, etc.); **Collector** roads collect traffic from the local roads and also connect smaller cities and towns with each other and to the arterials; **Local** roads provide access to private property or low volume public facilities.

Hierarchy of Urbanized Functional Systems:

- Interstate
- Expressway
- Major Arterial
- Minor Arterial
- Collector
- Local streets

Typically, travelers will use a combination of arterial, collector, and local roads for their trips. Each type of road has a specific purpose or function. Some provide land access to serve each end of the trip. Others provide travel mobility at varying levels, which is needed en route.

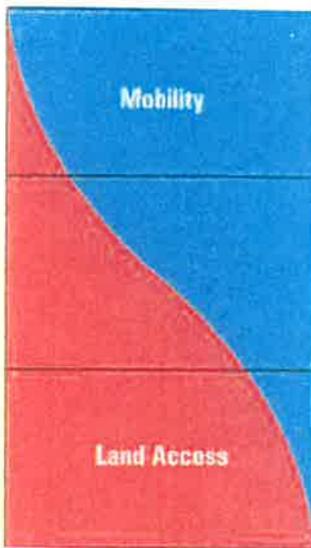
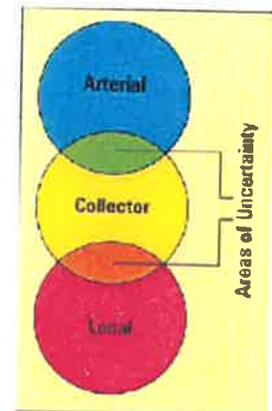


Figure 1 Relationship of functionally classified highway systems in serving traffic mobility and land access.

There is a basic relationship between functionally classified highway systems in serving traffic mobility and land access, as illustrated in Figure 1. For example, arterials provide a high level of mobility and a greater degree of access control, while local facilities provide a high level of access to adjacent properties but a low level of mobility. Collector roadways provide a balance between mobility and land access.

The Functional Classification Process Is Not an Exact Science. One of the difficulties surrounding the relationship between highway functional classification and design guidelines is that the classification process is not an exact science. The predominant traffic service associated with a particular route cannot be definitely determined without exhaustive surveys of traffic origin-destination patterns on each link of the road network. Engineering judgment based on experience must play a role in making design decisions.



Chapter 5

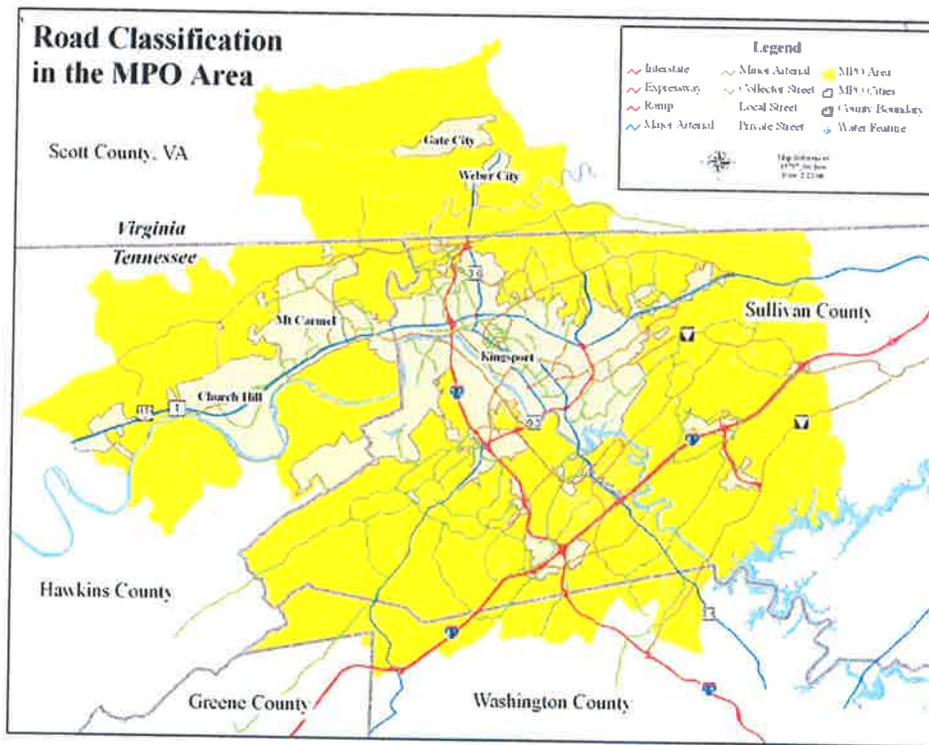
Existing Transportation System Conditions & Deficiency Assessment

A. Roadway Network

Functional Classification

The functional classification of roadways in the Kingsport MPO Area is the basis for the regional transportation system. Classifications are defined and described by the Federal Highway Administration, utilizing a guidebook that links traffic volumes, system connectivity, usage, purpose, and land connectivity in identifying the differences between each. With assistance from the Kingsport MPO staff, the Tennessee and Virginia Departments of Transportation have classified or labeled streets and roads within the study area. Additionally, these guidelines also include distance of roadways (miles) and the share or typical percentages for each classification in relation to other classifications. Figure 13 shows the functional classification system, or regional transportation system in the Kingsport MPO area.

Figure 13: Functional Classification System





AGENDA

BOARD OF MAYOR AND ALDERMEN REGULAR WORK SESSION

Monday, June 30, 2008
Council Room — City Hall
4:30 p.m.

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman Valerie Joh

Vice Mayor Benjamin K. Mallicote

Alderman Charles K. Marsh, Jr.

Alderman Larry Munsey

Alderman Patrick W. Shull

Alderman Jantry Shupe

Leadership Team

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

Tom Bowman, Leisure Services Director

Jim Demming, City Recorder/CFO

Craig Dye, Fire Chief

Jeff Fleming, Assistant City Manager, Development Services

Chris McCart, Assistant to the City Mgr.

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. Discuss Relocation Study for New Aquatics Center – Tom Bowman/ Chris McCart
4. Discuss Kingsport Town Center – Jeff Fleming
5. Presentation on Swap of Land for RCAM – Valerie Joh/ John Campbell
6. Work Session Tickler
7. Review of Items on July 1, 2008 Regular Business Agenda
8. Adjourn

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

**Work Session Tickler
June 30, 2008**

- **Fordtown Road Project - (Bill Albright) – NO UPDATE June 27, 2008 –**
- **Netherland Inn Bridge project - (Gary Dault) – UPDATED June 27, 2008- Work continues to progress on schedule, which is scheduled for completion December 2009. The last pier in the river is being set with rebar and is scheduled to pour next week. Installation of water line sewer line relocation is ongoing.**
- **Traffic Calming Measures – (Michael Thompson) – NO UPDATE June 27, 2008 –**
- **Energy Efficiency Measures – (Russ Nelson) – UPDATED June 27, 2008 – Bays Mountain Park project (which is part of the phase II Energy Management Project for buildings not addressed in the first effort), these are the key activities taking place. Week of June 16th Activities * Detailed Lighting audit (all buildings) * Detailed analysis of potential HVAC upgrades (Improvement buildings, Allendale, Bays Mt Park) * Analysis of options for Bay Mt Park for Photo Voltaic and or solar water heating * Ongoing analysis of Bays Mt Park micro hydro power production (based on the current engineering analysis, assistance from AEP is being requested to improve feasibility/options) * Detailed control system analysis is being conducted on each facility to validate current control method and define upgrade options * Restroom upgrades are being reviewed for applicable buildings * Final review of planned window upgrades at applicable facilities * Options being defined for a Bays Mt Park “Energy Efficiency Exhibit” On engineering timeline is targeting the first week of July to have our primary recommendations defined and an overview of the project financials completed.**
- **Higher Education - (Jeff Fleming) –UPDATED June 25, 2008 -**
 - May 6 - The Design Development Drawings were delivered and reviewed by the City.**
 - May 9 - MHM Architects met with representatives of Northeast State, King College, and UT to finalize design issues.**
 - May 9 - Morris Baker submitted the final EDA Grant application.**
 - May 23 – Meeting with Wilbur Smith Associates, AEP, City Engineering Dept., and David Mason to review utility relocations. Determined that the acquisition of the Fireman’s Hall and Pete’s Generator shop are critical to maintaining the project schedule.**
 - May 27 – Meeting with Dr. Locke, Mayor Phillips, John Campbell, Jeff Fleming, David Mason, and additional NSTCC reps. to**

discuss furniture and equipment budget. Identified some items that could be included in the building project costs.

June 4 – Design Development Estimate will be ready. Meeting scheduled to review with MHM, City, & J.A. Street.

June 11 – Meeting with John Campbell, Jeff Fleming, David Mason, J.A. Street, McCarty Holsaple McCarty to review Design Development pricing. The current estimated costs are on target with the budget.

June 13 – EDA announced the award of \$1.5 million grant for KHEC. J.A. Street is proceeding with subcontractor pricing for the early package of site earthwork and the long lead time items of structural steel and elevators.

The groundbreaking ceremony is scheduled for July 7, 2008.

- **Dog Park – (Kitty Frazier) — UPDATED FOR June 30, 2008 –** Eastman Chemical company will begin excavation June 27, 2008. Paving and fencing should begin within 3 weeks of excavation. Site amenities (i.e. benches and trash receptacles) have been ordered. The Committee has developed a logo design and are preparing by laws for a Dog Park association. The Dog park committee will participate in an upcoming event in Johnson City to promote the new Kingsport Park.
- **Netherland Terrace Street Lighting – (Michael Thompson) – NO UPDATE June 27, 2008 –**
- **KAHR Program – (Chris McCartt) – UPDATED June 30, 2008 there will be a committee meeting for the KAHR program to discuss the progress to date and path forward. An update will provided following the meeting.**
- **Netherland Inn Bank Barn – (Bill Albright) – NO UPDATE June 27, 2008 -**



AGENDA

BOARD OF MAYOR AND ALDERMEN

REGULAR BUSINESS MEETING

**Tuesday, July 1, 2008
Large Court Room – City Hall
7:00 P.M.**

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman Valerie Joh
Vice Mayor Benjamin K. Mallicote
Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey
Alderman Patrick W. Shull
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** – Richard Dice, Pastor – The King's Highway Temple
- III.B ROLL CALL**
- IV. RECOGNITIONS AND PRESENTATIONS**
 - A. TCAPWA Murphy-Snoderly Award – Ryan McReynolds and Ronnie Hammonds
- V. APPROVAL OF MINUTES**
 1. June 2, 2008 Regular Work Session
 2. June 3 and June 17, 2008 Regular Business Meeting

VI. COMMUNITY INTEREST ITEMS

AA. PUBLIC HEARINGS

1. Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Stapleton Drive to R-1B Single Family Residential District (AF: 178-2008)
 - Public Hearing
 - Ordinance (Zoning) – First Reading
2. Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Eastman Road to P-1, Professional Office District (AF: 179-2008)
 - Public Hearing
 - Ordinance (Zoning) – First Reading

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Consideration of a Resolution Authorizing the Mayor to Continue the Interlocal Agreement with the Town of Mount Carmel for Land-Use Planning Services and Consideration of an Ordinance to Amend the General Fund Development Services (AF: 198-2008)
 - Resolution
 - Ordinance – First Reading
2. Consideration of an Ordinance Appropriating Matching Funds for the Madd Branch Phase II Watershed Plan Implementation Project (AF: 203-2008)
 - Ordinance – First Reading
3. Consideration of an Ordinance to Condemn in Fee Property for the Site of the Future Fire Station #7 (AF: 205-2008)
 - Ordinance – First Reading
4. Consideration of an Ordinance to Amend the General Project-Special Revenue Fund Budget by Appropriating Funds Received From the U.S. Chamber of Commerce – Economic Development Administration for the Kingsport Center for Higher Education (AF: 199-2008)
 - Ordinance – First Reading

5. Consideration of a Resolution to Authorize the City's Participation with Sullivan County for the Bloomingdale Trunkline Extension Project and an Ordinance to Appropriate Funds for the City's Portion of the Project (AF: 206-2008)
 - Resolution
 - Ordinance – First Reading
6. Consideration of an Ordinance to Amend the General Fund, General Project Fund, Debt Service Fund, Eastman Annex Fund and Visitor Enhancement Fund Budgets (AF: 200-2008)
 - Ordinance – First Reading
7. Resolution and Ordinance Authorizing Contract Amendment Between the City of Kingsport and the Tennessee Department of Transportation for Installation of a Traffic Signal and Associated Geometric Improvements at the Intersection of State Route 93 (N John B Dennis Highway) and Pavilion Drive (AF: 181-2008)
 - Resolution
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

D. OTHER BUSINESS

1. Consideration of a Resolution to Enter into a Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Operating expenses for FY-09 (AF: 186 -2008)
 - Resolution
2. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary to Apply and Accept for a Section 5307, Federal Transit Administration Grant, from the U.S. Department of Transportation (AF: 187 -2008)
 - Resolution
3. Consideration of a Resolution Awarding the Bid for the Purchase of Unleaded Gasoline for Use by all City Departments and Schools to Pioneer Petroleum Company for FY09 (AF: 195 -2008)
 - Resolution
4. Consideration of a Resolution Awarding the Bid for Crushed Stone for Use by All City Departments to Vulcan Construction Materials and Aggregates U.S.A., LLC for FY09 (AF: 196 -2008)
 - Resolution
5. Consideration of a Resolution Authorizing the Kingsport Economic Development Board to Negotiate with Kingsport Town Center Regarding Payment in Lieu of Taxes (PILOT) (AF: 197 -2008)
 - Resolution

6. Consideration of a Resolution Awarding the Bid for the Purchase of Trash Can Liners, Toilet Tissue, Jumbo Roll Toilet Tissue and Brown Roll Towels to JanPak Paper Supply Company for FY09 (AF: 202-2008)
 - Resolution
7. Consideration of a Resolution to Rename Sam Walton Drive to Jericho Drive (AF: 201-2008)
 - Resolution
8. Consideration of a Resolution to Authorize the Mayor to Execute all Documents Necessary for Amendments to the Kingsport Higher Education Center Architect's Agreement with McCarty Holsaple McCarty Architects, Inc. (AF: 204-2008)
 - Resolution
9. Consideration of a Resolution Authorizing the Mayor to Sign all Documents Necessary to Enter into an Agreement with Embarq for Long Distance Telephone Service for the City of Kingsport (AF: 176-2008)
 - Resolution
10. Consideration of a Resolution Authorizing the Re-imbusement of Materials Agreement Funds to Jeff McKee for the Settler's Ridge Phase II Development (AF: 190-2008)
 - Resolution
11. Consideration of a Resolution Authorizing the Mayor to Execute an Amendment to the Contract Between the City of Kingsport and the Tennessee Department of Environment and Conservation (TDEC) (AF: 208-2008)
 - Resolution
12. Consideration of a Resolution Awarding the Bid for 8.5" x 11", 20 Lb. Copier Paper and 1, 2, and 3 Part Green Bar Paper to JanPak Paper Supply Company for FY09 (AF: 209-2008)
 - Resolution
13. Consideration of a Resolution Awarding the Bid for Biodiesel Fuel to Pilot Travel Centers, LLC and Authorizing the Mayor to Sign all Applicable Documents (AF: 210-2008)
 - Resolution
14. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for an Upgrade to the Direct Fiber Ethernet Cable with Internet Access with Embarq-United Telephone Southeast, Inc. (AF: 213-2008)
 - Resolution

15. Consideration of a Resolution Awarding the Bid for the Purchase of Asphalt to APAC-Atlantic, Inc. and A&J Asphalt, Inc. for FY09 (AF: 214-2008)
 - Resolution
16. Consideration of a Resolution Authorizing the Mayor to Execute an Inter-Local Agreement with the Kingsport Emergency Communications District "E-911" of the City of Kingsport, Tennessee (AF: 169-2008)
 - Resolution
17. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant from Target Stores, Inc. for Crime Prevention and Youth Mentorship (AF: 211-2008)
 - Resolution
18. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant for \$13,478.00 from the Department of Justice, 2008 Local Justice Assistance Grant Program (JAG) (AF: 212-2008)
 - Resolution
19. Consideration of a Resolution Awarding a Contract for a Guaranteed Maximum Price to J.A. Street & Associates as Construction Manager/General Contractor for the Construction of the Higher Education Building and Authorizing the Mayor to Execute a Contract to Begin Construction (AF: 216-2008)
 - Resolution

E. APPOINTMENTS

VII. CONSENT AGENDA

All matters listed under the Consent Agenda are considered in the ordinary course of business by the Board of Mayor and Aldermen and will be enacted on by one motion in the form listed. If discussion is desired by either the Board or the audience, the item in question will be removed from the Consent Agenda and considered separately.

1. Consideration of an Ordinance Appropriating Matching Funds Necessary and Proper to Apply for and Receive a 319 Watershed Implementation Grant (AF: 175 -2008)
 - Ordinance– Second Reading and Final Adoption

2. Consideration of an Ordinance Authorizing the Collection of Delinquent Real Property Taxes (AF: 192 -2008)
 - Ordinance– Second Reading and Final Adoption

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

**June 2, 2008
Regular Work
Session Minutes
will be at the
BMA Table
on
Monday
June 30, 2008**

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, June 3, 2008, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Vice-Mayor Benjamin K. Mallicote
Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey
Alderman Patrick W. Shull
Alderman Jantry Shupe

City Administration

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

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
 - II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by City Planning Director Alan Webb.
 - II.B. **INVOCATION:** by Pastor Gary Bement of Bethel Presbyterian Church.
 - III. **ROLL CALL:** By City Recorder Demming.
 - IV. **RECOGNITIONS AND PRESENTATIONS.**
 - V. **APPROVAL OF MINUTES.**
Motion/Second: Marsh/Shull, to approve minutes for the following meetings:
 - A. May 19, 2008 Regular Work Session, as amended
 - B. May 20, 2008 Regular Business MeetingApproved: All present voting "aye."
 - VI. **COMMUNITY INTEREST ITEMS.**
 - AA. **PUBLIC HEARINGS.**
 1. **Public Hearing for Annexation Annual Plan of Services Report** (AF: 140-2008). City Planner Forrest Koder explained this action.
- PUBLIC COMMENT ON ITEM VI.AA.1.** None.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

2. Public Hearing and Consideration of an Ordinance to Adopt the FY08-09 Budget (AF: 166-2008). Alderman Joh commended City Manager Campbell for presenting a budget without a necessary tax increase. Alderman Marsh expressed his disappointment in the proposed budget, which he sees as obligating the City to spend more money in unsteady economic times by hiring additional personnel and incurring additional debt. He pointed out that he had supported the generous FY08 budget on the basis of aggressive annexation actions taking place, which now appear to have been premature and have resulted in expensive investment for necessary infrastructure, without receiving anticipated revenue to offset that expense. He would like to see the City hold the line on expenses and cannot support this budget, believing it would be irresponsible to do so.

Alderman Shull voiced his basic agreement with Mr. Marsh's points and stated he is voting against this budget because he believes the City can spend less money and still provide excellent services. He had proposed, in early budget discussions, ways to cut over \$400,000, some of which have been implemented by the City Manager, and he added he would like to see the City Manager's salary considered separately and froze at its current generous level. He expressed concern about the possible long term effects of personnel costs and future retirement implications and, without some type of analysis, cannot support increasing City personnel at this time.

Further Board discussion centered about the recent A-1 bond rating received from Moody's and Alderman Munsey reminded Board members that Moody's considered Kingsport's revenues and expenses in announcing this favorable rating. Vice-Mayor Mallicote also disagreed with the bleak economic picture painted by Aldermen Marsh and Shull and mentioned several economic development projects recently constructed, currently under construction, and those to be constructed in Kingsport.

Alderman Marsh asked to make four points: 1) the only sector growing is the public sector, which is not revenue-generating; 2) over last three years, City employment costs have increased 25% and adding more City positions will be exponentially unsustainable; 3) building permits are far less than last year; and 4) his proposed budget cuts would not impact capacity at all.

City Manager Campbell clarified, for the public's sake, that City employees have not received a 25% increase in pay over last three years and conceded that, while pay has increased, the increase has been about half of that amount.

Motion/Second: Joh/Munsey, to pass:

AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye," except Marsh and Shull voting "nay."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

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

**3. Public Hearing and Consideration of an Ordinance to Adopt the
FY08-09 Water Fund Budget (AF: 167-2008)**

Motion/Second: Joh/Mallicote, to pass:

AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL
WATER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR
BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

PUBLIC COMMENT ON ITEM VI.AA.3. None.

**4. Public Hearing and Consideration of an Ordinance to Adopt the
FY08-09 Sewer Fund Budget (AF: 168-2008)**

Motion/Second: Mallicote/Joh, to pass:

AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL
SEWER BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR
BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

PUBLIC COMMENT ON ITEM VI.AA.4. None.

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 Amending the FY 2007-2008
General Purpose School Fund Budget and the General Project Fund Budgets
(AF: 149-2008)**

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE
GENERAL PROJECT FUND BUDGETS; AND, TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

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

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

**2. Consideration of an Ordinance to Amend Various Revenue and
Expenditure Accounts Within the School's Federal Projects Fund (AF: 150-2008)**

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO AMEND THE SCHOOL FEDERAL GRANT PROJECTS FUND
BUDGET; 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 Revenue and
Expenditure Accounts Within the School's Special Projects Fund (AF: 151-2008)**

Motion/Second: Munsey/Mallicote, to pass:

AN ORDINANCE TO AMEND THE SCHOOL SPECIAL PROJECTS FUND BUDGET;
AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

[Alderman Joh left the meeting at this time - around 8:00 p.m.]

**4. Consideration of an Ordinance Providing for the FY09
Community Development Block Grant Budget (AF: 156-2008)**

Motion/Second: Munsey/Mallicote, to pass:

AN ORDINANCE TO APPROPRIATE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE
FISCAL YEAR ENDING JUNE 30, 2009; AND, TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

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

**5. Consideration of an Ordinance Providing for the FY09
Emergency Shelter Grant Budget (AF: 157 -2008)**

Motion/Second: Mallicote/Shupe, to pass:

AN ORDINANCE TO APPROPRIATE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT EMERGENCY SHELTER GRANT FUNDS FOR THE FISCAL YEAR
ENDING JUNE 30, 2009; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**6. Consideration of an Ordinance to Amend the Meadowview
Conference Center's Budget by Appropriating Funds From the FF&E Sinking
Fund (AF: 159 -2008)**

Motion/Second: Munsey/Mallicote, to pass:

AN ORDINANCE TO AMEND THE MEADOWVIEW CONFERENCE CENTER FUND
BUDGET BY APPROPRIATING FUNDS FROM THE FF&E SINKING FUND FOR THE

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

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

**7. Consideration of an Ordinance to Amend the Cattails Golf
Course by Increasing the Revenue and Expenditures to Reflect Cattails Golf
Course Operations (AF: 160 -2008)**

Motion/Second: Munsey/Mallicote, to pass:

AN ORDINANCE TO AMEND THE CATTAILS GOLF COURSE FUND BUDGET BY
APPROPRIATING FUNDS FROM CATTAILS OPERATIONS FOR THE FISCAL YEAR
ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**8. Consideration of an Ordinance to Adopt the FY08-09
Metropolitan Planning Project Grant Budget (AF: 161 -2008)**

Motion/Second: Mallicote/Shupe, to pass:

AN ORDINANCE TO APPROPRIATE METROPOLITAN PLANNING GRANT PROJECT
FUNDS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**9. Consideration of an Ordinance to Adopt the FY08-09 School
Public Law 93-380 Grant Project Fund Budget (AF: 163 -2008)**

Motion/Second: Shupe/Mallicote, to pass:

AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE
PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE
DATE OF THIS ORDINANCE

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

**10. Consideration of an Ordinance to Adopt the FY08-09 Special
Schools Projects Grant Fund Budget (AF: 164 -2008)**

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145
FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS
AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**11. Consideration of an Ordinance to Amend the General Project
Fund, Debt Service Fund, Water Project Fund and Water Fund by Appropriating
the 2008 Bond Issue (AF: 158 -2008)**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO AMEND THE DEBT SERVICE FUND, THE GENERAL PROJECT FUND, WATER FUND AND THE WATER PROJECT FUND BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2008; FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

12. Consideration of an Ordinance to Adopt the FY08-09 Urban Mass Transit Budget (AF: 162-2008)

Motion/Second: Mallicote/Munsey, to pass:

AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

~~13. Consideration of a Resolution Authorizing the Mayor to Execute all Document Necessary and Proper to Apply for and Receive a 319 Watershed Implementation Grant and Consideration of an Ordinance Appropriating Matching Funds from GP0605 (Minor Drainage Improvements) to Supplement the 319 Watershed Implementation Grant (AF: 175-2008). This item was pulled for consideration at the next meeting.~~

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property at 4320 West Stone Drive to B-3, General Business District (AF: 121 -2008)

Motion/Second: Shupe/Mallicote, to pass:

Ordinance No. 5688, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WEST STONE DRIVE TO B-3 GENERAL BUSINESS DISTRICT, IN THE 7TH CIVIL DISTRICT OF HAWKINS 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: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

2. Consideration of Ordinances to Amend Zoning of Three (3) Parcels Located in the Old Island Development off Island Road (AF: 117 -2008)

Motion/Second: Marsh/Shull, to pass:

Ordinance No. 5689, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY WITHIN THE OLD ISLAND DEVELOPMENT OFF BRAEMERE DRIVE AND OLD ISLAND ROAD FROM PD, PLANNED DISTRICT,

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

AND B-1, NEIGHBORHOOD COMMERCIAL TO R-1B, SINGLE FAMILY 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: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Amend Zoning Code, Text and Map, to Zone Property along Virgil Avenue to R-3, Multi-Family Residential District (AF: 122 -2008)

Motion/Second: Marsh/Shupe, to pass:

Ordinance No. 5690, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG VIRGIL AVENUE TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT, IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

4. Consideration of Ordinances to Annex/Amend Zoning of the Owner Initiated Rock Springs South Annexations and Consideration of a Resolution Adopting the Plan of Services (AF: 131 -2008)

Motion/Second: Shupe/Mallicote, to pass:

Ordinance No. 5691, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE OWNER PETITIONED AREAS OF ROCK SPRINGS SOUTH AREA 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: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

Motion/Second: Marsh/Mallicote, to pass:

Ordinance No. 5692, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG ROCK SPRINGS ROAD KNOWN AS THE OWNER INITIATED ANNEXATION AREAS OF ROCK SPRINGS SOUTH TO R-1B SINGLE FAMILY RESIDENTIAL DISTRICT, IN THE 13TH 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: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute a Concession Agreement With Holston Valley Futbol Club to Provide Concessions at Eastman Park (AF: 153-2008).

Motion/Second: Shupe/Shull, to pass:

Resolution No. 2008-219, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION LEASE AGREEMENT WITH HOLSTON VALLEY FUTBOL CLUB FOR THE SALE OF FOOD, REFRESHMENTS, CONFECTIONERY AND BEVERAGES AT THE EASTMAN PARK SOCCER FIELDS

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with Holston Valley Futbol Club to Provide a Recreational Youth Soccer Program at Sullivan Gardens (AF: 154-2008).

Motion/Second: Mallicote/Shupe, to pass:

Resolution No. 2008-220, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE HOLSTON VALLEY FUTBOL CLUB TO PROVIDE A RECREATIONAL YOUTH SOCCER PROGRAM AT EASTMAN PARK

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Services in Fiscal Year 2008-2009 Benefiting the General Welfare of Kingsport Residents (AF: 152-2008).

Motion/Second: Shupe/Mallicote, to pass:

Resolution No. 2008-221, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR SERVICES IN FISCAL YEAR 2008-2009 BENEFITING THE GENERAL WELFARE OF KINGSFORT RESIDENTS

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Execute a Concession Agreement with the Senior Center Athletic Club to Provide Concessions at Legion Pool (AF: 155-2008).

Motion/Second: Shupe/Munsey, to pass:

Resolution No. 2008-222, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONCESSION LEASE AGREEMENT WITH THE SENIOR CENTER ATHLETIC CLUB FOR THE SALE OF FOOD, REFRESHMENTS, CONFECTIONERY AND BEVERAGES AT LEGION POOL

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, June 3, 2008**

**5. Consideration of a Resolution Setting Fees and Charges Provided
for in the City Code (AF: 170-2008).**

Motion/Second: Munsey/Shull, to pass:

**Resolution No. 2008-218, A RESOLUTION SETTING THE RATES, FEES AND
CHARGES AS PROVIDED BY THE CITY OF KINGSPORT CODE OF ORDINANCES**

Passed: All present voting "aye."

**6. Consideration of a Resolution Awarding the Bid for 330 Pipe
Joints of Item Number 41864 8"X18" DI Pushon Pipe to H.D. Supply Wasteworks
for the Old Island Phase II Materials Agreement (AF: 172-2008).**

Motion/Second: Marsh/Munsey, to pass:

**Resolution No. 2008-223, A RESOLUTION AWARDING THE BID FOR PURCHASE
OF CERTAIN WATERLINE MAINTENANCE ITEMS TO H.D. SUPPLY WATERWORKS
FOR THE OLD ISLAND PHASE II MATERIALS AGREEMENT**

Passed: All present voting "aye."

~~**7. Consideration of a Resolution Authorizing the Mayor to Sign all
Documents Necessary to Enter into an Agreement With Embarq for Long
Distance Telephone Service for the City of Kingsport (AF: 176-2008).**~~ City
Manager Campbell deferred this item to allow for the opportunity to get competitive bids.

**8. Consideration of a Resolution Authorizing Application for
Annual MPO Grant Funds and Execution of Contract Between the Virginia
Department of Transportation and the City of Kingsport on Behalf of the
Kingsport MPO for Fiscal Year 2009 Federal Transit Administration Section 5303
Planning Funds (AF: 174-2008).**

Motion/Second: Munsey/Marsh, to pass:

**Resolution No. 2008-224, A RESOLUTION AUTHORIZING THE FILING OF AN
APPLICATION WITH THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC
TRANSPORTATION FOR GRANTS OF FEDERAL FUNDS UNDER THE FEDERAL
TRANSIT ADMINISTRATION SECTION 5303 PROGRAM AND STATE MATCHING
FUNDS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS
NECESSARY AND PROPER TO APPLY FOR AND RECEIVE THE FUNDS**

Passed: All present voting "aye."

E. APPOINTMENTS.

**1. Consideration of Appointment and Reappointment to the
Kingsport Regional Planning Commission (AF: 173-2008).**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

Motion/Second: Munsey/Mallicote, to approve:

- APPOINT MR. ANDREW HALL TO FILL THE FOUR-YEAR TERM OF RETIRING MEMBER, MR. JOHN FAUST, ON THE KINGSFORT REGIONAL PLANNING COMMISSION, EFFECTIVE SEPTEMBER 1, 2008 AND EXPIRING AUGUST 30, 2012
- REAPPOINT MS. COLETTE GEORGE TO SERVE AN ADDITIONAL FOUR-YEAR TERM ON THE KINGSFORT REGIONAL PLANNING COMMISSION, EFFECTIVE JULY 1, 2008 AND EXPIRING JUNE 30, 2012

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Mallicote/Munsey, to adopt:

1. Consideration of an Ordinance to Appropriate the Funds to Enter Into an Agreement for Grant Funds With the Cherokee Preservation Foundation (AF: 147-2008).

Adopt:

Ordinance No. 5693, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BY APPROPRIATING FUNDS RECEIVED FROM THE CHEROKEE PRESERVATION FOUNDATION GRANT AND BY TRANSFERRING FUNDS FROM THE GENERAL FUND BUDGET TO ESTABLISH THE RIVERWALK PROJECT (NC0809) GRANT FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell thanked City staff for all their hard work on FY09 budget over last five months.

B. MAYOR AND BOARD MEMBERS. Alderman Shupe commented on importance of the proposed Senior Center position included in this year's budget. The Center is very tight on space and experienced an amazing increase in membership last year so this new position will allow members to take part in activities at satellite locations.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 3, 2008**

Alderman Shull stated that he and his family have chosen to live in Kingsport after 17 moves in the military and their two children are currently in the City's public school system, which he has been impressed with. He added that both he and Mr. Marsh have invested significant amounts of money in Kingsport's businesses and he believes the private sector should be the economic driver, not the BMA who should only facilitate. It is his belief regarding the proposed budget, that the City can provide outstanding services and still save money.

Mayor Phillips thanked City Planner Alan Webb, who was born in England, for his positive comments after being asked to lead the pledge.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.

ELIZABETH A. GILBERT
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, June 17, 2008, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Vice-Mayor Benjamin K. Mallicote
Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey
Alderman Patrick W. Shull
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
Lisa Winkle, Deputy City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Ms. Doris Ladd, Kingsport Housing and Redevelopment Authority's (KHRA) HOPE VI Director.
- II.B. **INVOCATION:** by Pastor Paul Becker, Pastor, Concordia Lutheran Church.
- III. **ROLL CALL:** By Deputy City Recorder Winkle.
- IV. **RECOGNITIONS AND PRESENTATIONS**
 - A. **KEEP KINGSFORT BEAUTIFUL BEAUTIFICATION AWARD.** Mr. Bill Fortenberry, a volunteer member of Keep Kingsport Beautiful, presented and narrated a pictorial slide presentation of landscapes showing several residences, a business, and a church selected to receive Keep Kingsport Beautiful Award honors sponsored by Blue Ridge Properties for June 2008. Alderman Joh commended the award winners on their contributions to the attractive surroundings of Kingsport and presented award certificates to those honorees in attendance.
 - B. **PROCLAMATION FOR NATIONAL HOMEOWNERSHIP MONTH.** Mayor Phillips read a proclamation naming June 2008 as National Homeownership Month in the City of Kingsport and presented the proclamation to Mr. Terry Cunningham, Executive Director of KHRA. He recognized various agencies and organizations who partner with KHRA and the City to make homeownership happen. Mr. Cunningham thanked the BMA for its support and spoke about the status of various current projects, those involved, and the positive contributions of each.
- V. **APPROVAL OF MINUTES.** None.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

VI. COMMUNITY INTEREST ITEMS.

AA. PUBLIC HEARINGS. None.

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

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a 319 Watershed Implementation Grant and Consideration of an Ordinance Appropriating Matching Funds for the Madd Branch Phase II Stormwater Treatment (AF: 175-2008).

Motion/Second: Munsey/Joh, to pass:

Resolution 2008-225, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE TENNESSEE DEPARTMENT OF AGRICULTURE 319 WATERSHED IMPLEMENTATION GRANT FUNDS AND ACCEPTING CORPORATE DONATIONS FOR MATCHING FUNDS

Passed: All present voting "aye."

Motion/Second: Munsey/Shupe, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE MADD BRANCH PHASE II STORMWATER TREATMENT DEVICE INSTALLATIONS GRANT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Consideration of an Ordinance Authorizing the Collection of Delinquent Real Property Taxes (AF: 192-2008).

Motion/Second: Joh/Munsey, to pass:

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF DELINQUENT REAL PROPERTY TAXES, PENALTIES AND INTEREST DUE THE CITY OF KINGSPORT FOR THE YEARS 2006 AND PRIOR; BY REFERRING SAME TO THE DELINQUENT TAX ATTORNEY; TO ESTABLISH PROCEDURES FOR SUCH COLLECTION; TO RATIFY AND CONFIRM ALL ACTIONS HERETOFORE TAKEN FOR SUCH COLLECTION; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, June 17, 2008

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Adopt the FY08-09 Budget (AF: 166 -2008).

Motion/Second: Mallicote/Joh, to amend:

THE CURRENT ORDINANCE BY SUBSTITUTING IN ITS PLACE THE ORDINANCE MARKED "REVISED BUDGET ORDINANCE FOR REVISED AF: 166-2008 – 6/17/08" TO INCORPORATE A \$1,008,000 REDUCTION IN THE CITY SCHOOL'S OPERATING BUDGET IN SECTION I AND PROVIDE FOR SOME CHANGES IN THE LANGUAGE IN SECTION VIII PERTAINING TO RETIREE'S HEALTH INSURANCE TO CLARIFY THE INTENT

Passed in a roll call vote: Joh, Mallicote, Munsey, Shull, Shupe and Phillips voting "aye" and Marsh voting "nay."

Alderman Marsh explained why he could not support the proposed FY09 budget and would like to see a hold or decrease in costs rather than an increase in debt and personnel during economic times when the City should be cautious and prudent. He cited discussion held earlier in the meeting regarding the issue of real property tax values as an example that the City's tax base/revenue has shrunk in last fiscal year and he views this budget as building costs that will become embedded as recurring expenses. He added that the BMA has been irresponsible by not considering the City Manager's salary, apart from other City staff, on an annual basis.

Alderman Shull stated that he voted against this budget, as presented, on first reading and would do so again on second reading, largely, in part, because he concurred with Mr. Marsh's remarks and believed Board members could have provided better guidance to the City Manager in the budget preparation process.

Motion/Second: Joh/Mallicote, to pass, as amended:

ORDINANCE NO. 5694, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Munsey, Shupe and Phillips voting "aye" and Marsh and Shull voting "nay."

2. Consideration of an Ordinance to Adopt the FY08-09 Water Fund Budget (AF: 167 -2008).

Motion/Second: Joh/Mallicote, to pass:

ORDINANCE NO. 5695, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL WATER FUND BUDGET AND APPROPRIATING

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Marsh, Mallicote, Munsey, Shull, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Adopt the FY08-09 Sewer Fund Budget (AF: 168 -2008)

Motion/Second: Mallicote/Joh, to pass:

ORDINANCE NO. 5696, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL SEWER BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Marsh, Mallicote, Munsey, Shull, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance to Adopt the FY08-09 Special Schools Projects Grant Fund Budget (AF: 164-2008).

Motion/Second: Joh/Mallicote, to amend:

THE CURRENT ORDINANCE BY SUBSTITUTING IN ITS PLACE THE ORDINANCE MARKED "REVISED BUDGET ORDINANCE FOR REVISED AF: 164-2008 – 6/17/08" TO REFLECT A \$124,127 REDUCTION IN STATE FUNDING FOR THE SPECIAL SCHOOL PROJECTS GRANT

Passed in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

Motion/Second: Munsey/Joh, to pass, as amended:

ORDINANCE NO. 5697, AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145 FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Marsh, Mallicote, Munsey, Shull, Shupe and Phillips voting "aye."

D. OTHER BUSINESS.

1. Consideration of a Resolution Awarding the Bid for the Purchase of a Tri-Axle Tanker Truck for Use at the Water Filter Plant to Worldwide Equipment, Inc. (AF: 171 -2008).

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-226, A RESOLUTION AWARDING THE BID FOR PURCHASE OF A TRI AXLE TANKER TRUCK FOR USE AT THE WATER FILTER PLANT TO WORLDWIDE EQUIPMENT, INC.

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, June 17, 2008

2. Consideration of a Resolution Authorizing the Award of Bid of Civil and Mechanical Installation Packages to W & O Construction Company Through Camp Dresser and McKee on Behalf of the City for Phase II of the Wastewater Treatment Plant Improvements (AF: 185 -2008).

Motion/Second: Shull/Mallicote, to pass:

Resolution No. 2008-227, A RESOLUTION AUTHORIZING THE AWARD OF BID FOR CIVIL AND MECHANICAL INSTALLATION PACKAGES TO W & O CONSTRUCTION COMPANY THROUGH CAMP DRESSER AND MCKEE FOR PHASE II OF THE WASTEWATER TREATMENT PLANT IMPROVEMENTS

Passed: All present voting "aye."

3. Consideration of a Resolution Authorizing the Mayor to Execute Agreements with Various Agencies and Organizations for Community Development Block Grant and Emergency Shelter Grant Funding in Fiscal Year 2008-2009 (AF: 189 -2008).

Motion/Second: Mallicote/Munsey, to pass:

Resolution No. 2008-228, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND EMERGENCY SHELTER GRANT FUNDING IN FISCAL YEAR 2008-2009

Passed: All present voting "aye."

4. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute all Documents Necessary for the Acquisition of 217 Revere Street (AF: 188 -2008). City Manager Campbell explained that Higher Education Center (HEC) Project Manager, David Mason, sees this property falling in the "critical path" for (HEC) utility lines. Alderman Marsh disagreed with this property acquisition being necessary because the City owns a common alley the length of this property, along with three other sides and a second alley nearby that could accommodate necessary HEC utility lines. Alderman Shull indicated he would like to review additional information on the necessity of acquiring this property and Mr. Campbell offered to make Mr. Mason available. Alderman Shull want to clarify that, by voting "no" on this action, his vote was not tantamount to agreeing to eminent domain.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2008-229, 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 217 REVERE STREET

Passed: All present voting "aye," except Marsh and Shull voting "nay."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

5. Consideration of a Resolution Authorizing the Mayor to Sign a Contract with the Virginia Department of Transportation Accepting Federal and State Transportation Planning Funds on Behalf of the Kingsport MPO (AF: 183 -2008).

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2008-230, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION PL-112 PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE FISCAL YEAR 2009

Passed: All present voting "aye."

6. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute all Documents Necessary for the Acquisition of 214 Clay Street (AF: 191 -2008). Alderman Marsh expressed his dismay at the outlandish price the City is proposing to pay for this piece of property. In response to an inquiry from Alderman Shupe, City Manager Campbell confirmed that the City was given an opportunity to purchase this property at the price the Firefighters Association (FFA) paid and opted not to do so at that time. Vice-Mayor Mallicote pointed out that the City's appraisal on this property was \$110,000 and that was the amount that set the base for the City's negotiations to purchase, not the price paid by the FFA. Alderman Shull mentioned that, while it would not be esthetically pleasing to leave this building next to the HEC, acquisition is not absolutely required to complete the construction of the HEC.

Motion/Second: Mallicote/Munsey, to pass:

Resolution No. 2008-231, 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 214 CLAY STREET

Passed: All present voting "aye," except Marsh and Shull voting "nay."

7. Consideration of a Resolution Authorizing the Mayor to Execute Lease Agreements with the Arts Council of Greater Kingsport, The Kingsport Art Guild, The Kingsport Theatre Guild and Symphony of the Mountains for Spaces in the Renaissance Center (AF: 177 -2008).

Motion/Second: Mallicote/Munsey, to pass:

Resolution No. 2008-232, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE LEASE AGREEMENTS WITH THE ARTS COUNCIL OF GREATER KINGSFORT, THE KINGSFORT ART GUILD, THE KINGSFORT THEATRE GUILD

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

AND SYMPHONY OF THE MOUNTAINS FOR CERTAIN SPACES LOCATED IN THE
CITY'S RENAISSANCE CENTER

Passed: All present voting "aye."

E. APPOINTMENTS.

1. Consideration of Reappointments for Mr. Gary Mayes, Mrs. Ruth Montgomery, Mr. Richard Currie, and Mr. John Vogt to the Senior Center Advisory Council to Serve an Additional Two-Year Term (AF: 37-2008).

Motion/Second: Munsey/Mallicote, to approve the following reappointments:
REAPPOINT MR. GARY MAYES, MRS. RUTH MONTGOMERY, MR. RICHARD
CURRIE AND MR. JOHN VOGT, EACH TO SERVE AN ADDITIONAL TWO-YEAR
TERM ON THE SENIOR CENTER ADVISORY COUNCIL, EFFECTIVE JANUARY 1,
2008 AND EXPIRING DECEMBER 31, 2009

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Munsey/Mallicote, to adopt:

**1. Consideration of an Ordinance Amending the FY 2007-2008
General Purpose School Fund Budget and the General Project Fund Budgets
(AF: 149 -2008).**

Adopt:

**Ordinance No. 5698, AN ORDINANCE TO AMEND THE GENERAL PURPOSE
SCHOOL FUND AND THE GENERAL PROJECT FUND BUDGETS; AND, TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE**

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe
and Phillips voting "aye."

**2. Consideration of an Ordinance Amend Various Revenue and
Expenditure Accounts With in the School's Federal Projects Fund (AF: 150 -2008).**

Adopt:

**Ordinance No. 5699, AN ORDINANCE TO AMEND THE SCHOOL FEDERAL GRANT
PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE**

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe
and Phillips voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

3. Consideration of an Ordinance to Amend Various Revenue and Expenditure Accounts Within the School's Special Projects Fund (AF: 151-2008).

Adopt:

Ordinance No. 5700, AN ORDINANCE TO AMEND THE SCHOOL SPECIAL PROJECTS FUND BUDGET AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance Providing for the FY09 Community Development Block Grant Budget (AF: 156-2008).

Adopt:

Ordinance No. 5701, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

5. Consideration of an Ordinance Providing for the FY09 Emergency Shelter Grant Budget (AF: 157-2008).

Adopt:

Ordinance No. 5702, AN ORDINANCE TO APPROPRIATE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT EMERGENCY SHELTER GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

6. Consideration of an Ordinance to Amend the Meadowview Conference Center's Budget by Appropriating Funds From the FF&E Sinking Fund (AF: 159-2008).

Adopt:

Ordinance No. 5703, AN ORDINANCE TO AMEND THE MEADOWVIEW CONFERENCE CENTER FUND BUDGET BY APPROPRIATING FUNDS FROM THE FF&E SINKING FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

7. Consideration of an Ordinance to Amend the Cattails Golf Course by Increasing the Revenue and Expenditures to Reflect Cattails Golf Course Operations (AF: 160-2008).

Adopt:

Ordinance No. 5704, AN ORDINANCE TO AMEND THE CATTAILS GOLF COURSE FUND BUDGET BY APPROPRIATING FUNDS FROM CATTAILS OPERATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

8. Consideration of an Ordinance to Adopt the FY08-09 Metropolitan Planning Project Grant Budget (AF: 161-2008).

Adopt:

Ordinance No. 5705, AN ORDINANCE TO APPROPRIATE METROPOLITAN PLANNING GRANT PROJECT FUNDS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

9. Consideration of an Ordinance to Adopt the FY08-09 School Public Law 93-380 Grant Project Fund Budget (AF: 163-2008).

Adopt:

Ordinance No. 5706, AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

~~**10. Consideration of an Ordinance to Adopt the FY08-09 Special Schools Projects Grant Fund Budget (AF: 164-2008).**~~ This item was moved to Item VI.C.4 where it was considered and passed in a roll call vote.

10. Consideration of an Ordinance to Amend the General Project Fund, Debt Service Fund, Water Project Fund and Water Fund by Appropriating the 2008 Bond Issue (AF: 158 -2008).

Adopt:

Ordinance No. 5707, AN ORDINANCE TO AMEND THE DEBT SERVICE FUND, THE GENERAL PROJECT FUND, WATER FUND AND THE WATER PROJECT FUND

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 17, 2008**

BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2008; FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

11. Consideration of an Ordinance to Adopt the FY08-09 Urban Mass Transit Budget (AF: 162-2008).

Adopt:

Ordinance No. 5708, AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

12. Consideration of an Approval of Offer for Easements and Rights-of-Way for the Orebank Road Storm Water Drainage Project (AF: 184-2008).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE OREBANK ROAD STORM WATER DRAINAGE PROJECT

Passed in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

13. Consideration of Approval to Authorize the City Recorder to Reconcile and Adjust Uncollectible Property Tax for Year 1997 (AF: 182-2008).

Approve:

AUTHORIZING CITY RECORDER TO RECONCILE AND ADJUST UNCOLLECTIBLE PROPERTY TAX FOR YEAR 1997

Passed in a roll call vote: Joh, Mallicote, Marsh, Munsey, Shull, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell shared that a City employee has won a special, statewide award but was not at liberty to release information yet but would announce the award at the next meeting. Mr. Campbell thanked employees and department heads for their hard work on budget and stated City staff has worked hard to look for budget efficiencies and he is challenging them to continue to do so.

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, June 17, 2008

B. MAYOR AND BOARD MEMBERS. Alderman Shupe was pleased that Governor Bredesen chose Kingsport for his recent visit to the Renaissance Center to sign legislation for long-term care.

Alderman Joh mentioned her appreciation for the donations of dog food to the local animal shelter and how much she also appreciates the wonderful opportunities City staff provide through the Bay Mountain Park children's program, where she has grandchildren enjoying the program.

Mayor Phillips introduced Deputy City Recorder Lisa Winkle who was sitting in for City Recorder Jim Demming. The Mayor asked City Attorney Billingsley to comment on news received today regarding the lawsuit over the sale of the AEP building. Mr. Billingsley reported that the City received notice that the Supreme Court appeal was denied in the *Dossett v. City of Kingsport* case involving the sale of the AEP building and that will conclude any and all litigation on that matter.

C. VISITORS. Mr. Matthew Sorge, 4052 Lakota Place, Kingsport, identified himself as the president of the Firefighters Association and a 10-year employee of the City's fire department. Mr. Sorge, on behalf of the 90 members of FFA who owned the 214 Clay Street real property, thanked the majority of the BMA for approving the purchase of that property. He noted that open and honest communication is the key to successful negotiations and indicated the FFA would like to continue to build on this relationship as they protect the citizens of this area.

Mr. Kevin Mitchell of 517 Walnut Avenue, Kingsport, stated he is both a City resident and City employee, also with the fire department and a member of the FFA. He provided information on the purchase of and improvements made to that during the last two years ago. If the property were not needed for construction of the Higher Education Center, the FFA would remain many more years. He also thanked Board members, on behalf of the FFA, with special thanks to City Attorney Billingsley for his forthrightness in working out this matter. He shared many of the community-minded and charity works done by the FFA in serving the area. In response to a Board member's inquiry, the FFA has not yet found another location but is searching for one in the downtown area.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:30 p.m.

ELIZABETH A. GILBERT
Deputy City Recorder

DENNIS R. PHILLIPS
Mayor



AGENDA ACTION FORM

Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Stapleton Drive to R-1B, Single Family Residential District

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

Action Form No.: AF-178-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008
 Final Adoption: July 15, 2008
 Staff Work By: Karen Combs
 Presentation By: Karen Combs

BMA Strategic Plan 2005-2006
 (CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)
 CV #:
 KSF #
 KSO #

Recommendation:

- Hold public hearing.
- Approve ordinance.

Executive Summary:

The request is to rezone property along Stapleton Drive from A-1, Agricultural District to R-1B, Single Family Residential District. The rezoning will allow the owner to construct a 22 lot subdivision on this property. The A-1, Agricultural District is traditionally the City's "hold" zone until a plan can be submitted to the Planning Commission for review. The Kingsport Regional Planning Commission unanimously sent a favorable recommendation for this request during their May 15, 2008 meeting to the Board of Mayor and Alderman. The Notice of Public Hearing was published June 12, 2008.

Attachments:

1. Staff Report
2. Notice of Public Hearing
3. Zoning Ordinance
4. Map

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

REZONING REPORT
File No.: 08-101-00010

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Karen B. Combs, PLANNER

DATE: June 20, 2008

APPLICANT: Andy Brooks, Property Owner

REQUESTED ACTION: City rezoning of approximately 10 acres of property from A-1, Agricultural District to R-1B, Single Family Residential District.

LOCATION: Property fronts Stapleton Drive as identified on Tax Map 30A, Group A Parcel 8 on the 2008 Sullivan County Tax Maps. The lot is located in 12th Civil District.

EXISTING LAND USE: Vacant

PROPOSED USE: 22 lot subdivision of single family residential

SURROUNDING ZONING AND LAND USE:

North: County R-1, Single Family Residential that is currently vacant.

South: R-1B, Single Family Residential with single family residents.

East: A-1, Agricultural District with vacant property.

West: R-1A and R-1B, Single Family Residential with single family residents.

LAND USE PLAN (S): The site is inside the 2010 Conceptual Land Use Plan (Kingsport Land use Plan, 1988) and the recommended land use for this area according to the plan is Residential.

UTILITIES: Water is furnished to the site and is adequate for the development. Sanitary sewer will be installed to the parcel by the City and throughout the development by the developer.

TRANSPORTATION: The property is located Stapleton Drive is listed as a local street according to the Major Street & Road Plan (2000). There will be an entrance into the development off of Stapleton Drive. The

Developer will construct all roads to public standards within the development.

PHYSICAL CHARACTERISTICS:

The property requesting rezoning totals approximately 10 acres in area and fronts Stapleton Drive. Staff does not foresee any problems in developing this site to R-1B standards.

OPTIONS:

The Planning Commission's options are as follows:

1. Approve the rezoning.
2. Disapprove the rezoning and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

STAFF

RECOMMENDATION: The Kingsport Planning Division recommends Option 1 for the following reason:

1. The rezoning conforms with the adopted Long Range Land Use Plan
2. This request is compatible and in keeping with the existing surrounding zoning and land uses.
3. This request would be an extension of the R-1B zoning.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday July 1, 2008 to consider the rezoning for Parcel 80 on tax map 30A located along Stapleton Drive from A-1, Agricultural District to R-1B, Single Family Residential. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the southeast corner of parcel 80 on the April 2008 Sullivan County tax map 30A; thence N02°11'E approximately 382 feet to a point; thence N36°41'E approximately 465 feet to a point; thence S57°49'E approximately 455 feet to a point, thence southeastern direction approximately 102 feet to a point; thence in a southern direction approximately 166 feet to a point said point being the southeastern corner of parcel 80 and the southwestern corner of parcel 79; thence across Stapleton drive approximately 50 feet to a point, said point being the southern Right of Way of Stapleton Drive; thence in a southern direction approximately 205 feet to a point, said point being the southeastern corner of parcel 80 and the southwestern corner of parcel 68; thence in a western direction approximately 306 feet to a point, said point being the eastern Right of Way of Audie Street; thence across Audie Street approximately 50 feet to a point said point being the western Right of Way of Audie Street and the Northeastern corner of parcel 41; thence in a western direction following the southern Right of Way of Stapleton Drive approximately 382 feet to a point; said point being the southern Right of Way of Stapleton Drive and parcel 67; thence in a northwestern direction approximately 50 feet to the point of said BEGINNING located on the northern right-of-way for Stapleton Drive; and being all of Parcel 80 on April 2008 Sullivan County tax map 30A.

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

CITY OF KINGSPORT
Liz Gilbert, City Clerk
PIT: 6/12/08

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG STAPLETON DRIVE TO R-1B, SINGLE FAMILY RESIDENTIAL DISTRICT, IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY OF KINGSPORT, FOLLOWS:

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

BEGINNING at a point, said point being the southeast corner of parcel 80 on the April 2008 Sullivan County tax map 30A; thence N02°11'E approximately 382 feet to a point; thence N36°41'E approximately 465 feet to a point; thence S57°49'E approximately 455 feet to a point, thence southeastern direction approximately 102 feet to a point; thence in a southern direction approximately 166 feet to a point said point being the southeastern corner of parcel 80 and the southwestern corner of parcel 79; thence across Stapleton drive approximately 50 feet to a point, said point being the southern Right of Way of Stapleton Drive; thence in a southern direction approximately 205 feet to a point, said point being the southeastern corner of parcel 80 and the southwestern corner of parcel 68; thence in a western direction approximately 306 feet to a point, said point being the eastern Right of Way of Audie Street; thence across Audie Street approximately 50 feet to a point said point being the western Right of Way of Audie Street and the Northeastern corner of parcel 41; thence in a western direction following the southern Right of Way of Stapleton Drive approximately 382 feet to a point; said point being the southern Right of Way of Stapleton Drive and parcel 67; thence in a northwestern direction approximately 50 feet to the point of said BEGINNING located on the northern right-of-way for Stapleton Drive; and being all of Parcel 80 on April 2008 Sullivan County tax map 30A.

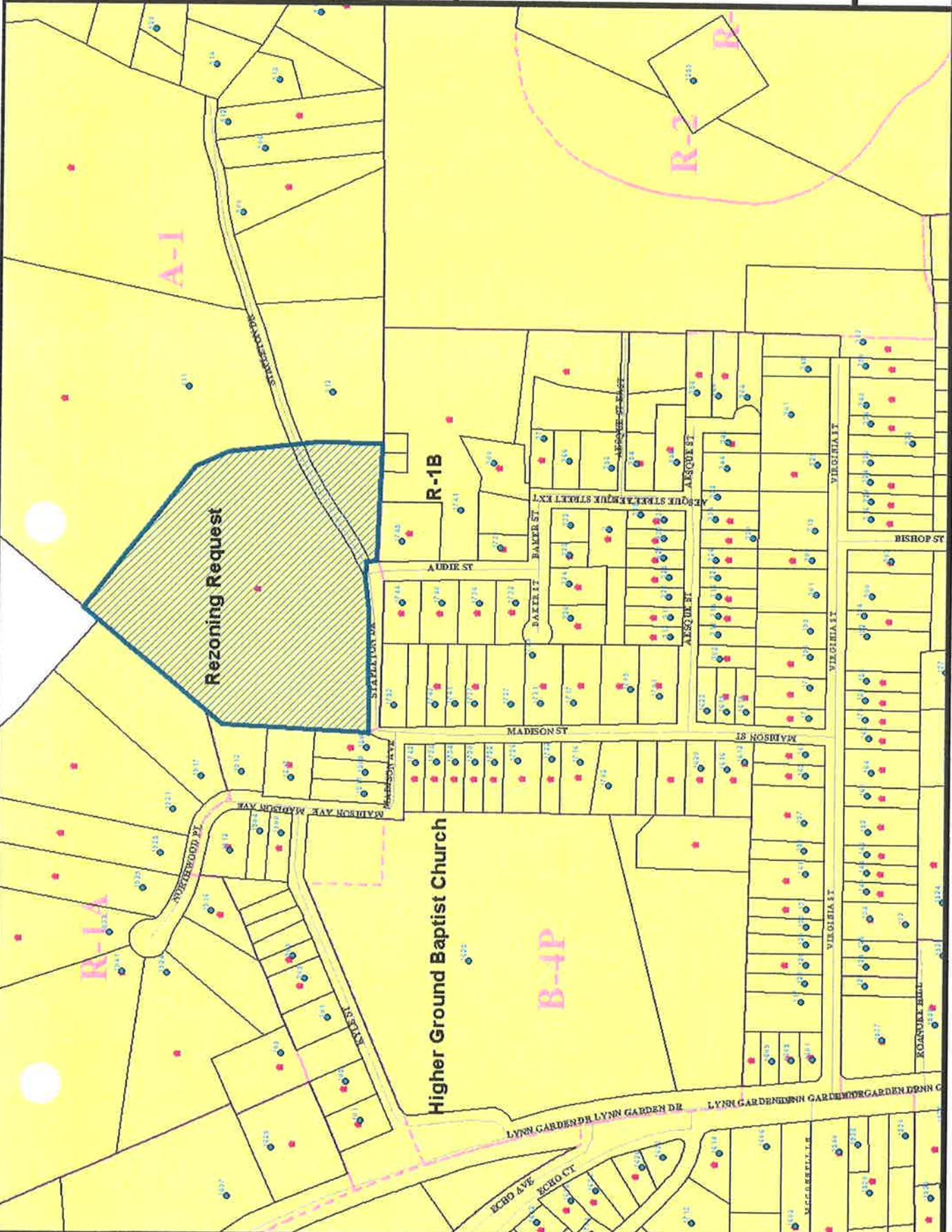
SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

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

DENNIS PHILLIPS
Mayor

ATTEST:

- Property Lines
- City Limits
- Address
- Building Permits
- Street
- Public Works
- Public Utility
- Public Works/Community Safety
- City Limits



Stapleton Drive Rezoning Request

1 in. = 341.3 feet



AGENDA ACTION FORM

Public Hearing and Consideration of an Ordinance to Amend the Zoning Code, Text and Map, to Zone Property along Eastman Road to P-1, Professional Office District

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

Action Form No.: AF-179-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 15, 2008
 Staff Work By: Karen Combs
 Presentation By: Karen Combs

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #:

KSF #

KSO #

Recommendation:

- Hold public hearing.
- Approve ordinance.

Executive Summary:

The request is to rezone property along Eastman Road from R-1C, Single Family Residential District to P-1, Professional Office District. The rezoning will allow the owner to provide a professional office in the current structure located on this property. P-1, Professional Office District is used buffer and transition a higher business use from the residential districts. The Kingsport Regional Planning Commission unanimously sent a favorable recommendation for this request during their May 15, 2008 meeting to the Board of Mayor and Alderman. The Notice of Public Hearing was published June 12, 2008.

Attachments:

1. Staff Report
2. Notice of Public Hearing
3. Zoning Ordinance
4. Map

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

REZONING REPORT
File No.: 08-101-00003

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Karen B. Combs, PLANNER

DATE: June 25, 2008

APPLICANT: Pensco Trust, Sharron P. Byrd

REQUESTED ACTION: Rezone two lots (one parcel) from R-1C, Single Family Residential District to P-1, Professional Office District.

LOCATION: Property requested for rezoning is located at 2105 Hemlock Lane at its intersection with Eastman Road as identified on Tax Map 61E, Parcel 33 on the 2006 Sullivan County Tax Maps.

EXISTING LAND USE: A single family residence is located on the site.

PROPOSED USE: Professional Office space (undesignated)

SURROUNDING ZONING AND LAND USE:

North: Directly to the north of the site is R-4, Medium Density Apartment District consisting of Eastman Road right-of-way and Pleasant View Baptist Church. R-1C, Single Family Residential District is located across Hemlock Lane with three occupied single family homes.

South: Directly to the south is B-3, General Business District, the intersection of Fort Henry Drive and Eastman Road and Concord Custom Cleaners. Also adjacent to the request are several R-1C, single family homes that front along Memorial Court.

East: Directly to the east is R-1C zoning. The area is vacant with part of the lots fronting Memorial Court. There is one vacant lot fronting Hemlock Lane.

West: To the west of this request, across Eastman Road, is B-3, General Business District. It consists of the City owned building occupied by the City's Engineering Department. Also R-4, Medium Density Apartment District with J. Fred Johnson Park.

LAND USE PLAN (S): The site is inside the 2010 Conceptual Land Use Plan (Kingsport Land use Plan, 1988) and the recommended land use for this area according to the plan is Commercial.

UTILITIES: Water and Sanitary sewer are furnished to the site and are adequate for the development.

TRANSPORTATION: The property is located bounded by Fort Henry Drive, Eastman Road and Hemlock Lane. According to the Major Street & Road Plan (2003), Fort Henry Drive and Eastman Road are principal arterial while Hemlock Lane is considered a local street that is a short cul-de-sac serving 4 properties. The intersection of Eastman Road and Fort Henry Drive does experience some traffic conjection, but the Hemlock Lane intersection is approximately 450 ft. north of the major intersection. There is a center turn lane on Eastman Road that would allow for safe turning movements onto Hemlock Lane. These conditions should safely accommodate professional office traffic counts.

PHYSICAL CHARACTERISTICS: The property requesting rezoning has a single family residence on it in standard condition. The current entrance to the property is from Eastman Road. The proposed development intends to use the current entranceway. The lot is level and a zoning development plan has been submitted meeting all zoning requirements for P-1.

OPTIONS: The Planning Commission's options are as follows:

1. Approve the rezoning.
2. Disapprove the rezoning and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

STAFF

RECOMMENDATION: The Kingsport Planning Division recommends Option 1 for the following reasons:

1. This request conforms with the adopted land use plan which proposes commercial for the area..
2. This request meets the intent of the P-1, Professional Office District which contains offices and acts as a buffer between residential areas and commercial areas.
3. The site can accommodate the use while conforming to P-1, Professional Office restrictions.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday July 1, 2008 to consider the rezoning for Parcel 27 on tax map 61E located along Eastman Road from R-1C, Single Family Residential District to P-1, Professional Office District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the southeast corner of parcel 27 on the April 2008 Sullivan County tax map 61E; thence $N41^{\circ}19'05''E$ approximately 148 feet to a point, said point being the northeast corner of parcel 27 and the northwest corner of parcel 23; thence $N48^{\circ}34'39''W$ approximately 123 feet to a point said point being the eastern Right of Way line for N Eastman Road; thence crossing N Eastman Road approximately 50 feet to the center point of Right of Way; thence southwestern direction approximately 184 feet following the Right of Way to a point, thence southeastern direction approximately 50 feet to a point, said point being the southwestern corner of parcel 27 and the northwestern corner of parcel 26; thence following property line $S60^{\circ}38'31''$ approximately 132 feet to the point of BEGINNING, said point located on the southeastern corner of parcel 27 and the southwestern corner of parcel 23; and being all of Parcel 27 on April 2008 Sullivan County tax map 61E.

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

CITY OF KINGSPORT
Liz Gilbert, City Clerk
PIT: 6/12/08

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EASTMAN ROAD TO P-1, PROFESSIONAL OFFICE DISTRICT, IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY OF KINGSPORT, FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property along Eastman Road to P-1, Professional Office District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the southeast corner of parcel 27 on the April 2008 Sullivan County tax map 61E; thence N41°19'05"E approximately 148 feet to a point, said point being the northeast corner of parcel 27 and the northwest corner of parcel 23; thence N48°34'39"W approximately 123 feet to a point said point being the eastern Right of Way line for N Eastman Road; thence crossing N Eastman Road approximately 50 feet to the center point of Right of Way; thence southwestern direction approximately 184 feet following the Right of Way to a point, thence southeastern direction approximately 50 feet to a point, said point being the southwestern corner of parcel 27 and the northwestern corner of parcel 26; thence following property line S60°38'31" approximately 132 feet to the point of BEGINNING, said point located on the southeastern corner of parcel 27 and the southwestern corner of parcel 23; and being all of Parcel 27 on April 2008 Sullivan County tax map 61E.

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

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

DENNIS PHILLIPS
Mayor

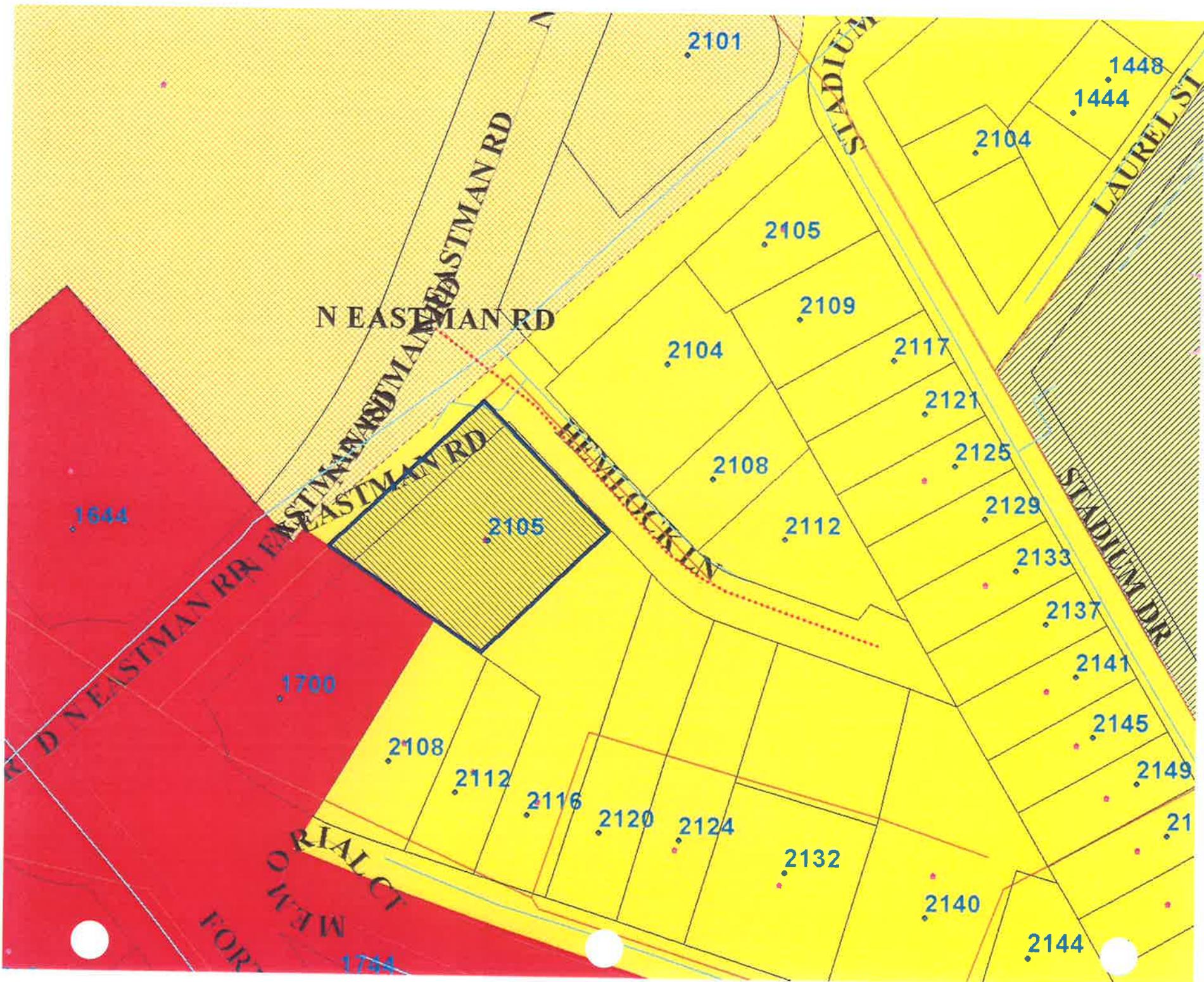
ATTEST:

LIZ GILBERT
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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





AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Continue the Interlocal Agreement with the Town of Mount Carmel for Land-Use Planning Services and Consideration of an Ordinance to Amend the General Fund Development Services Budget for FY09.

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

Action Form No.: AF-198-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008
 Final Adoption: July 15, 2008

Staff Work By: Chris McCartt/Jack Qualls
 Presentation By: Chris McCartt/Jack Qualls

BMA Strategic Plan 2007-2008
 (CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)
CV # 6: Partnerships – We value regional partnerships.
KSF # 4, 6: Stewardship of Public Funds; Reliable and Dependable Infrastructure
KSO #:

Recommendation:
 Approve resolution and ordinance.

Executive Summary:

The Town of Mount Carmel has formally requested that the City of Kingsport continue the Interlocal Government agreement in order to provide land-use planning services for the Town. The Kingsport Metropolitan Planning Organization, which provides regional transportation planning, will provide this service to the Town at an annual cost of \$6800. The MPO will charge staff time to the \$6800. Under this agreement, staff will provide the basic services needed to support the Town’s Planning Commission such as: attending regular meetings, review and comment on all agenda items, pre-construction meetings for subdivisions, and comprehensive plan review. This work will be conducted with the highest level of professionalism keeping the Towns interest as the number one priority. The ordinance will appropriate funds received from the Town of Mount Carmel for these services.

- Attachments:**
1. Resolution
 2. Ordinance

Funding source appropriate and funds are available: Yes

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING CONTINUATION OF THE AUGUST 2007 INTER-LOCAL COOPERATION AGREEMENT FOR LOCAL PLANNING ASSISTANCE TO SERVE THE TOWN OF MOUNT CARMEL AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE CONTINUATION OF THE AGREEMENT

WHEREAS, on August 7, 2007 the Board of Mayor and Aldermen approved execution of an Inter-Local Cooperation Agreement For Local Planning Assistance To Serve The Town of Mount Carmel, at an annual cost of \$6,800 which will be paid by the Town of Mount Carmel to the City of Kingsport in equal quarterly installments, for an initial term one (1) year term ending June 30, 2008 with automatic renewal for two (2) additional years unless terminated by either party upon one hundred and twenty (120) days written notice to the other; and

WHEREAS, the Town of Mount Carmel and the city desire to continue the agreement to provide the land-use planning services through the Kingsport Metropolitan Planning Organization under the same terms and conditions for the fiscal year ending June 30, 2009.

Now therefore,

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

SECTION I. That continuation of the August 2007 Inter-Local Cooperation Agreement For Local Planning Assistance To Serve The Town of Mount Carmel under the same terms and conditions for the fiscal year ending June 30, 2009 is approved.

SECTION II. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, all documents necessary and proper to effectuate continuation of the agreement.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

PRE-FILED
CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TOWN OF MOUNT CARMEL FOR PLANNING ASSISTANCE FOR FISCAL YEAR ENDING JUNE 30, 2009; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Fund budget be amended by appropriating funds received in the amount of \$6,800 from the Town of Mount Carmel for planning assistance. The Town of Mount Carmel has requested that the City of Kingsport continue the Inter-local Government agreement to provide land-use planning services for the Town.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
General Project Fund 110:			
Revenues:			
110-0000-348-4500 Other Expenses/Mt. Carmel Consulting Fees	\$ 0	\$ 6,800	\$ 6,800
Totals:	<u>0</u>	<u>6,800</u>	<u>6,800</u>
Expenditures:			
110-2506-436-1010 Salaries	191,700	5,700	197,400
110-2506-436-1020 Social Security	13,500	1,100	14,600
Totals:	<u>205,200</u>	<u>6,800</u>	<u>212,000</u>

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

ATTEST:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

AGREEMENT
BETWEEN
THE TOWN OF MOUNT CARMEL, TENNESSEE
AND
THE CITY OF KINGSFORT, TENNESSEE

**INTER-LOCAL COOPERATION AGREEMENT
FOR LOCAL PLANNING ASSISTANCE
TO SERVE THE TOWN OF MOUNT CARMEL**

- WHEREAS,** the Town of Mount Carmel, Tennessee, is a municipal corporation of the State of Tennessee pursuant to *Tenn Code Ann. §§6-1-101 et seq.* the Mayor — Aldermanic Charter; and,
- WHEREAS,** the City of Kingsport, Tennessee, is a municipal corporation of the State of Tennessee pursuant to *1917 Tenn. Pri. Acts, ch. 76* as amended, its Charter; and,
- WHEREAS,** pursuant to *Tenn. Code Ann. §12-9-104* the Town of Mount Carmel, Tennessee, and the City of Kingsport, Tennessee, have the power to enter into a joint powers agreement with one or more other public agencies for joint or cooperative action; and,
- WHEREAS,** it would be to the economic benefit of the Town of Mount Carmel, Tennessee, to improve its planning program to serve the present and future needs of the Town of Mount Carmel; and,
- WHEREAS,** the City of Kingsport, Tennessee, has a professional planning staff with sufficient resources to provide planning assistance to the Town of Mount Carmel, Tennessee. Now therefore,

THIS AGREEMENT made and entered into as of the 1st day of July, 2007, by and between the Town of Mount Carmel, Tennessee, hereinafter referred to as "TOWN," and the City of Kingsport, Tennessee, hereinafter called "CITY."

1. **PURPOSE.** This Agreement shall be for the purpose of providing planning assistance with all phases of the comprehensive planning program for TOWN.

2. **CONSIDERATION.** For and in consideration of the services to be provided hereunder by CITY to TOWN, TOWN shall pay the sum of SIX THOUSAND EIGHT HUNDRED AND 00/100'S DOLLARS to CITY annually.
4. **PAYMENT.** TOWN shall pay CITY in equal quarterly installments.
5. **TERM.** The initial term of this Agreement shall be for the municipal fiscal year ending June 30, 2008, and shall automatically renew for two (2) additional years, at which time TOWN and CITY may continue this agreement on such terms as may be agreed upon; except that if either party reasonably determines for any reason that the services requested or provided are no longer effective, each will have the right, on one hundred and twenty (120) days written notice to the other, to terminate this Agreement without penalty or recourse, in which event the effective termination date of this Agreement will be at the end of the one hundred and twenty (120) days period following the date of the written notice of termination.
6. **SERVICES.** CITY shall provide access to its Development Services Division to provide the following services to TOWN:
 - a. have one or more professional planners available to confer with TOWN staff and Planning Commissioners regarding long-range programs of the Planning Commission; provide guidance with comprehensive plans and other planning studies and documents;
 - b. have one or more professional planners available to assist in the preparation of land use controls, including but not limited to zoning ordinances, subdivision regulations, flood plain management regulations or other land use controls; and, provide advice and assistance to TOWN staff and Planning Commissioners in evaluating development proposals;

- c. have one or more professional planners available to attend monthly meetings of TOWN Planning Commission;
- d. have one or more Geographic Information System technicians available to provide technical support for mapping and similar activities;
- e. provide access to planning related research and library materials;
- f. have one or more professional planners available to provide training for the members of TOWN's Planning Commission, Board of Zoning Appeals, Zoning Administrator and staff such as shall comply with the requirements of *Tenn. Code Ann. §§13-3-101, 13-4-101 and 13-7-205* and similar laws or regulations as may be applicable; and,
- g. have one or more professional planners available to provide advice and assistance on all matters relating to state, federal and regional programs which impact planning and implementation for TOWN.

IN WITNESS WHEREOF, the parties have executed this agreement as of the day and

year first above written.

THE TOWN OF MOUNT CARMEL, TENNESSEE

GARY LAWSON
 Mayor

ATTEST:

Marian Sandidge, Recorder

THE CITY OF KINGSPORT, TENNESSEE

DENNIS R. PHILLIPS
 Mayor

ATTEST:

James Demming, Recorder



Gary Lawson
MAYOR

Town of Mount Carmel

OFFICE OF THE MAYOR

100 East Main Street
Post Office Box 1421
Mount Carmel, Tennessee 37645

Phone (423) 357-7311 ** Fax (423) 357-7710
E-Mail MCCH @ CharterTn.net

COPY

May 28, 2008

City of Kingsport
225 W. Center St.
Kingsport, TN 37660

Attn: Jeff Fleming

Dear Mr. Fleming:

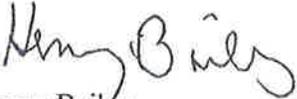
I am sorry that I have been so long getting back to you concerning our evaluation of Jack Qualls as our planner. I had to wait until the Board of Mayor and Alderman had their May meeting.

I have polled both the Planning Commission and the Board of Mayor and Alderman for their feelings concerning Mr. Qualls. The Planning Commission and the Board of Mayor and Alderman are both very satisfied with Mr. Qualls work.

Jack is very knowledgeable of his job and has a good working relationship with our staff. He is very dependable and stays in contact with staff when asked to work on a project. Therefore, the Planning Commission and Board of Mayor and Alderman are asking to continue our contract with the City of Kingsport and keep Jack Qualls as our planner.

If there are any questions, please feel free to contact us at 423-357-8125.

Sincerely,
TOWN OF MT. CARMEL


Henry Bailey
Planning Commission Chairman


Gary Lawson
Mayor of Mt. Carmel

pc: Board of Mayor and Alderman
Planning Commission



AGENDA ACTION FORM

Consideration of an Ordinance Appropriating Matching Funds for the Madd Branch Phase II Watershed Plan Implementation Project

TO: Board of Mayor and Aldermen

FROM: John G. Campbell, City Manager

Agenda Form No.: AF 203-2008

Work Session: June 30, 2008

First Reading: July 1, 2008

Final Adoption: July 15, 2008

Staff Work: Dan Wankel

Presentation: Dan Wankel

Recommendation:

Approve the ordinance.

Executive Summary:

This ordinance provides for the 40 percent matching funds for the second phase of the Madd Branch Project as part of the Tennessee Department of Agriculture's 319 Watershed Implementation Grant Program. Phase I resulted in the development of a watershed plan designed to identify and offer solutions to offset the detrimental effects urban stormwater runoff is having on the stream. Phase II took those items from the plan determined to be most feasible and effective toward removing the stream from the State's list of impaired waters. These items include restoration of eroded streambanks, educational initiatives (clean ups, inlet labeling, environmental signage, multi-media campaign, retrofit of stormwater treatment devices and stakeholder involvement) and stream buffer enhancement.

A contract has been prepared providing for a cash match of \$36,000 to fund the implementation of the watershed plan created in Phase I of the Project. An Ordinance is presented to facilitate the funding of the match.

Attachments:

- 1. Ordinance

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE 319 WATER SHED GRANT FOR THE FISCAL YEAR ENDING JUNE 30, 2009; 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 appropriating funds received from the Tennessee Department of Agriculture in the amount of \$67,440 for the 319 Watershed Implementation Grant to establish the Mad Branch Implementation Plan Phase II project (GP0817). The 40% local match is provided for through the Public Works Storm Water Facility project (GP0702) in the amount of \$32,000, the Minor Drainage Improvement project (GP0701) in the amount of \$4,000 and the remaining \$8,960 will be provided for through staff salaries and volunteer labor.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
110-2504-434-1010 Salaries & Wages	745,500	(2,400)	743,100
110-2504-434-1020 Social Security	54,000	(400)	53,600
110-2504-434-1030 Group Health Ins	96,800	(800)	96,000
110-2504-434-1040 Retirement	118,200	(800)	117,400
110-2504-434-1050 Life Ins	2,200	(100)	2,100
110-2504-434-1052 Long Term Disability	1,800	(100)	1,700
110-2504-434-1060 Workmen's Comp	5,900	(100)	5,800
110-2504-434-1061 Unemployment	700	(100)	600
110-2504-434-2020 Professional Consultant	4,000	(2,660)	1,340
110-4804-481-7036 Transfer/General Proj Fund	190,000	7,460	197,460
Totals:	1,219,100	0	1,219,100

Fund 311: General Project Fund

Minor Drainage Improvement (GP0701)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-0100 From the General Fund	69,000	(4,000)	65,000
Totals:	69,000	(4,000)	65,000

Account Number/Description:

Expenditures:

311-0000-601-2022 Construction Contracts
311-0000-601-2023 Arch/Eng/Landscaping

Totals:

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
	\$	\$	\$
	63,500	(4,000)	59,500
	5,500	0	5,500
	69,000	(4,000)	65,000

Fund 311: General Project Fund

Minor Drainage Improvement (GP0701)

Revenues:

311-0000-391-01 From the General Fund

Totals:

	\$	\$	\$
	32,000	(32,000)	0
	32,000	(32,000)	0

Expenditures:

311-0000-601-2022 Construction Contracts
311-0000-601-2023 Arch/Eng/Landscaping

Totals:

	\$	\$	\$
	25,000	(25,000)	0
	7,000	(7,000)	0
	32,000	32,000	0

Fund 311: General Project Fund

Mad Branch Implementation Plan Phase II (GP0900)

Revenues:

311-0000-391-0100 From the General Fund
311-0000-332-6100 TN. Dept of Agriculture
311-0000-364-8648 In-kind Volunteer Labor

Totals:

	0	43,460	43,460
	0	67,440	67,440
	0	1,500	1,500
	0	112,400	112,400

Expenditures:

311-0000-601-1010 Salaries and Wages
311-0000-601-1020 Social Security
311-0000-601-1030 Group Health Ins
311-0000-601-1040 Retirement
311-0000-601-1050 Life Ins
311-0000-601-1052 Long Term Disability
311-0000-601-1060 Worker's Comp
311-0000-601-1061 Unemployment
311-0000-601-2022 Construction Contracts
311-0000-601-3011 Postage
311-0000-601-3022 Operating Supplies & Tools

Totals:

	0	4,200	4,200
	0	600	600
	0	1,300	1,300
	0	1,300	1,300
	0	100	100
	0	100	100
	0	100	100
	0	100	100
	0	87,000	87,000
	0	5,000	5,000
	0	12,600	12,600
	0	112,400	112,400

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 Condemn in Fee Property for the Site of the Future Fire Station #7

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

Action Form No.: AF-205-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 15, 2008
 Staff Work By: R. Trent, S. Payne, C. Dye
 Presentation By: M. Billingsley

Recommendation: Approve the Ordinance.

Executive Summary:

The Fire Department has requested property to be purchased in fee for the site of the future Fire Station #7 that will serve the Rock Springs/Sullivan Gardens area. This location will also serve as a police sub-station and possible storage for the Public Works Department. The attached ordinance authorizes and directs the City Attorney to initiate condemnation proceedings to acquire the property in fee that cannot be voluntarily acquired for the Fire Station #7.

Attachments:

1. Ordinance
2. Location Map

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

PRE-FILED

ORDINANCE NO. _____ CITY RECORDER

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the construction of the Public Works Projects are deemed a matter of highest priority for the public health, welfare, safety and convenience of the citizens and the public at large; and

WHEREAS, pursuant to the provisions of Tenn. Code Ann. Section 7-35-101 et seq., the City has embarked upon the accomplishment of the herein named Public Works Project in accordance with the terms and provisions of said Act; and

WHEREAS, the City is empowered by ordinance, in accordance with the provisions of Article I, Section 2, Subsection 9 of the Charter, to condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the City, for present or future public use, and in accordance with the terms and provisions of the general law of the State regarding eminent domain; and

WHEREAS, it may become necessary in the accomplishment of the herein named Public Works Projects to initiate litigation to acquire property, real or personal, or any easement, interest, estate or use therein, in connection with the herein named Public Works Project; and

WHEREAS, time is of the essence in the accomplishment of the herein named Public Works Project,

Now therefore,

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

SECTION I. In accordance with the provision of Article I, Section 2, Subsection 9 of the Charter, the City Attorney is hereby authorized and directed to initiate eminent domain proceedings to condemn property, real or personal, or any easement, interest, estate or use therein, for the accomplishment of the following Public Works Project:

City of Kingsport Fire Station #7

SECTION II. That since time is of the essence in the expeditious acquisition of property, real or personal, or any easement, interest, estate or use therein, to accomplish the foregoing stated purposes, the City Attorney is further directed to proceed forthwith to institute eminent domain proceedings as authorized by Resolution.

DENNIS R. PHILLIPS, Mayor

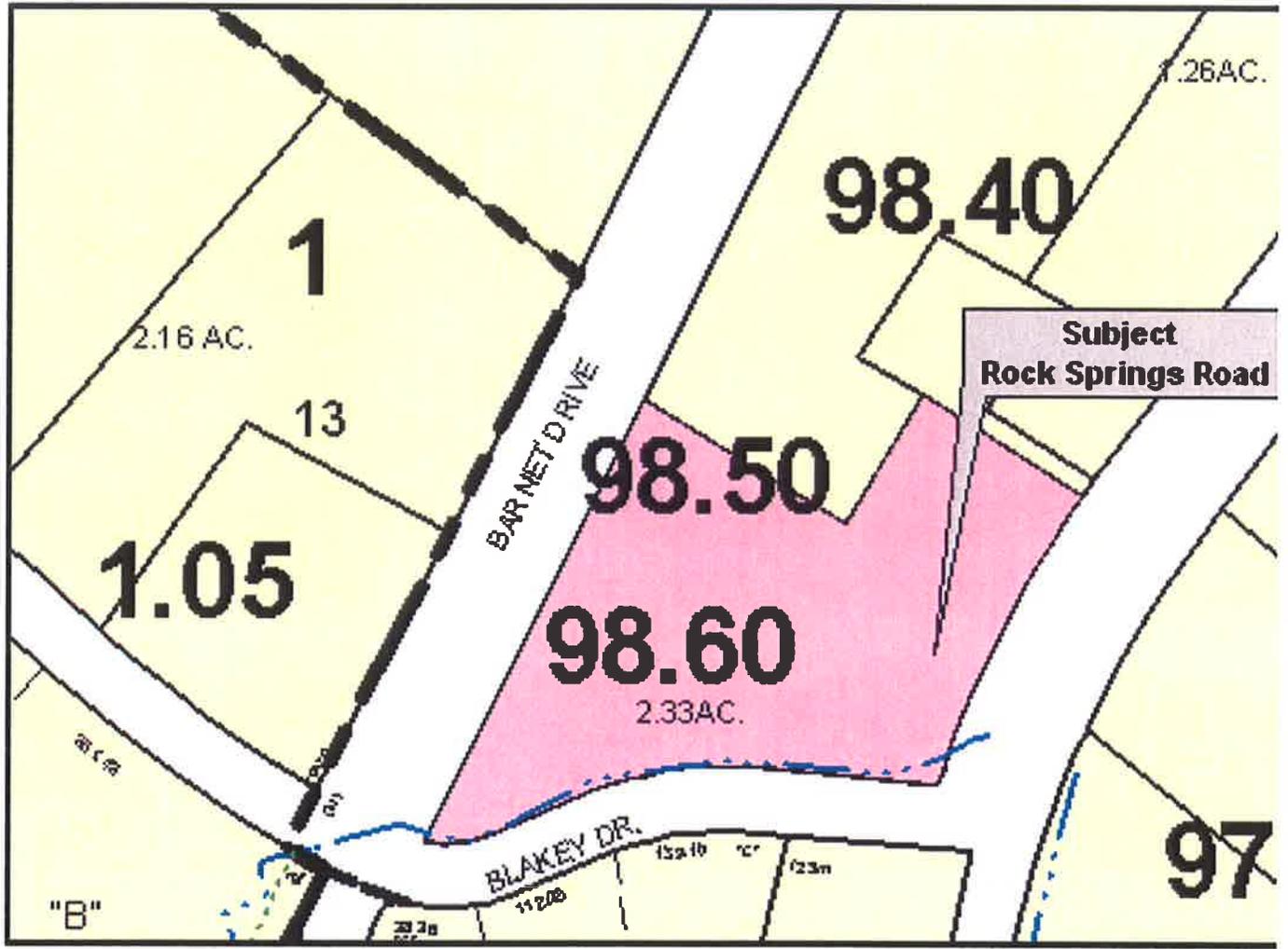
ATTEST:

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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





AGENDA ACTION FORM

Consideration of an Ordinance to Amend the General Project-Special Revenue Fund Budget by Appropriating Funds Received From the U.S. Chamber of Commerce – Economic Development Administration for the Kingsport Center for Higher Education.

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

Action Form No.: AF 199-2008
Work Session: June 30, 2008
First Reading: July 1, 2008, 2008

Final Adoption: July 1, 2008
Staff Work By: Smith/Baker
Presentation By: Smith

Recommendation:

Approve the ordinance.

Executive Summary:

The City of Kingsport received a U.S. Department of Commerce Economic Development Administration Grant in the amount of \$1,500,000 to assist with construction of the Kingsport Center for Higher Education. Of the total amount, \$677,450 is from EDA's Global Climate Mitigation Fund for the costs attributable to the LEED certification for the building.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR CONSTRUCTION OF THE KINGSPORT HIGHER EDUCATION CENTER; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Fund budget be amended by appropriating funds received from the U.S. Department of Commerce in the amount of \$1,500,000 for the Economic Development Administration grant to assist in constructing the Kingsport Higher Education Center.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
Higher Education Center Project (GP0726)			
Revenues:			
311-0000-368-1031 GO Pub Improv. Series 2007	\$ 700,000	\$ 0	\$ 700,000
311-0000-391-0100 From General Fund	1,486,922	0	1,486,922
311-0000-331-3401 EDA Grant/Pub Wrks. Invest.	0	1,500,000	1,500,000
Totals:	2,186,922	1,500,000	3,686,922
Expenditures:			
311-0000-601-2022 Construction Contracts	\$ 30,000	\$ 0	\$ 30,000
311-0000-601-2023 Arch/Eng/Landscaping	738,389	0	738,389
311-0000-601-9001 Land	1,418,533	0	1,418,533
311-0000-601-9003 Improvements	0	822,550	822,550
311-0000-601-9012 Cap. Outlay/Leed Green Bldg	0	677,450	677,450
Totals:	2,186,922	1,500,000	3,686,922

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 a Resolution to Authorize the City's Participation with Sullivan County for the Bloomingdale Trunkline Extension Project and an Ordinance to Appropriate Funds for the City's Portion of the Project

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

Agenda Form No.: AF 206-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 15, 2008
 Staff Work: R. McReynolds, J. Smith,
 M. Hickman
 Presentation: R. McReynolds

BMA Strategic Plan 2005-2006
 (CV=Core Value, KSF=Key Success Factor, KSO = Key Strategic Objective)

Recommendation: Approve the resolution and ordinance.

Executive Summary:

Bloomingdale Trunkline Extension includes portions from Idle Hour Road to Brooklawn Drive. This phase will serve 80 homes with the potential of serving 332 homes in the future. A survey conducted by Sullivan County of sixty homes in this area found that more than half of the residential septic tanks are failing. To remedy this problem, the County has received a Community Development Block Grant from the State of Tennessee for \$300,000 to help fund this project and to assist lower and middle income families who qualify to tie on to the sewer system. This project consists of approximately 9,240 linear feet of 10 inch PVC sewer pipe, and 1,620 linear feet of 8 inch sewer pipe. With the County as a beneficiary of the CDBG Grant, this project was bid by Sullivan County on April 29, 2008 with the total cost for the installation of the trunkline and collector lines are \$1,914,621.00. The City of Kingsport's Engineering Department will administer and inspect this project.

Under the latest City-County Sewer Agreement, The City of Kingsport pays for the installation of sewer collector lines under 10 inches. The City's cost for this portion of the project is \$436,000.00.

Attachments:

1. Resolution
2. Ordinance
3. Location Map

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PARTICIPATION WITH
SULLIVAN COUNTY, TENNESSEE FOR THE BLOOMINGDALE
TRUNKLINE EXTENSION PROJECT

WHEREAS, the Bloomingdale Trunkline Extension includes portions from Idle Hour Road to Brooklawn Drive; and

WHEREAS, Sullivan County, Tennessee has received a Community Development Block Grant (CDBG) from the State of Tennessee, in the amount of \$300,000, to help fund this phase of the project which will serve 80 homes with the potential of serving 332 homes in the future, and to assist eligible lower and middle income families to tie on to the sewer system; and

WHEREAS, with Sullivan County as a beneficiary of the CDBG grant this project was bid by the county on April 29, 2008 with the total cost for the installation of the trunkline and collector lines in the amount of \$1,914,621.00; and

WHEREAS, the City of Kingsport desires to participate with Sullivan County for the project; and

WHEREAS, the city's cost for this portion of the project is \$436,000.00; and

WHEREAS, the city's engineering department will administer and inspect this project.

Now therefore,

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

SECTION I. That the city's participation in the Bloomingdale Trunkline Extension project with Sullivan County, Tennessee on the general terms above is approved.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE SEWER PROJECT FUND BUDGET BY TRANSFERRING FUNDS FROM THE COUNTY COLLECTORS PROJECT (SW0413) TO ESTABLISH THE BLOOMINGDALE SEWER LINE EXTENSION PROJECT (SW0900); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Sewer Project Fund budget be amended by transferring funds from the County Collectors Project (SW0413) to establish the Bloomingdale Sewer Line Extension Project (SW0900) in the amount of \$436,000 for the City of Kingsport's portion of the line extension. This project will be constructed under the City-County Sewer Line Extension Agreement. The total cost of the project is \$1,914,621.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Sewer Project Fund 452:</u>			
<u>County Collectors (SW0413)</u>			
<u>Revenue</u>			
	\$	\$	\$
452-0000-391-0511 G.O. WA & SW 2003 Principal	231,000	(221,700)	9,300
452-0000-391-0516 2004 WA & SW R&T	400,000	(214,300)	185,700
452-0000-391-0912 2004 WA & SW Refunding	75,385	0	75,385
452-0000-391-0913 G.O. Refunding 2004	93,615	0	93,615
452-0000-391-4200 From Sewer Fund	366,218	0	366,218
Totals:	1,166,218	(436,000)	730,218
<u>Expenditures</u>			
452-0000-606-2022 Construction Contracts	1,073,433	(438,149)	635,284
452-0000-606-2023 Arch/Eng/Landscaping	67,990	0	67,990
452-0000-606-2097 State Reviews & Permits	3,095	280	3,375
452-0000-606-3022 Maintenance Supplies	0	1,869	1,869
452-0000-606-9001 Land	21,700	0	21,700
Totals:	1,166,218	(436,000)	730,218
<u>Sewer Project Fund 452:</u>			
<u>Bloomingdale Sewer Line Extension (SW0900)</u>			
<u>Revenues:</u>			
	\$	\$	\$
452-0000-391-0511 G.O. WA & SW 2003 Principal	0	221,700	221,700
452-0000-391-0516 2004 WA & SW R&T	0	214,300	214,300
Totals:	0	436,000	436,000
<u>Expenditures:</u>			
452-0000-606-2023 Arch/Eng/Landscaping	0	58,600	58,600
452-0000-606-9003 Improvements	0	377,400	377,400
Totals:	0	436,000	436,000

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

ATTEST:

DENNIS R. PHILLIPS, Mayor

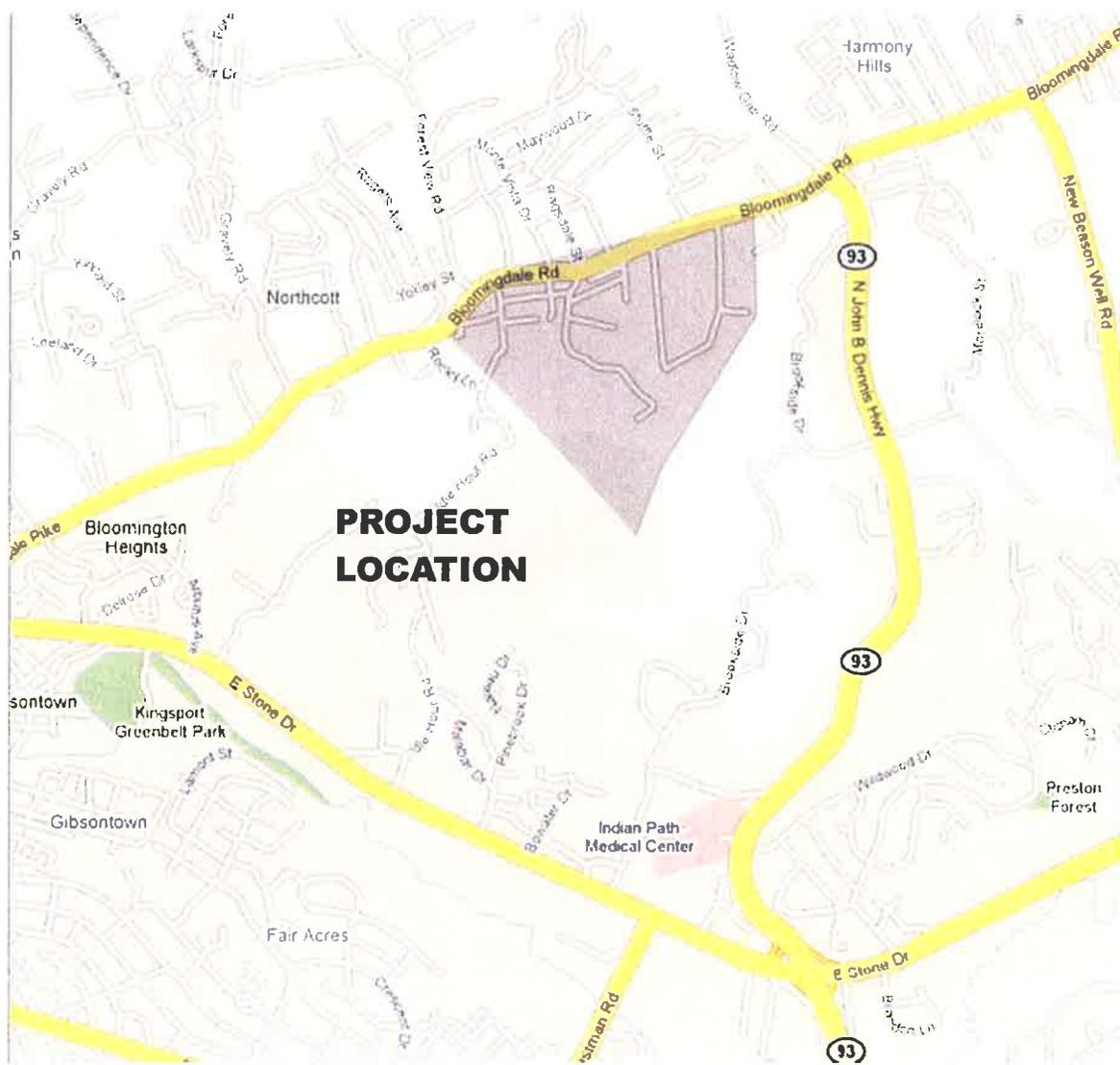
JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



**FIGURE 1—PROJECT LOCATION MAP
BLOOMINGDALE TRUNK LINE
BROOKLAWN DRIVE
KINGSPORT, TENNESSEE**



AGENDA ACTION FORM

Consideration of an Ordinance to Amend the General Fund, General Project Fund, Debt Service Fund, Eastman Annex Fund, Water Fund, Water Fund Project, and Visitor Enhancement Fund Budgets

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

Action Form No.: AF200-2008
Work Session: June 30, 2008
First Reading: July 1, 2008
Final Adoption: July 15, 2008
Staff Work By: Smith
Presentation By: Smith/Campbell

BMA Strategic Plan 2005-2006
(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)
CV #:
KSF #
KSO #

Recommendation:
Approve the ordinance.

Executive Summary:

This ordinance is a year end clean up ordinance for various projects.

The Motel-Room Occupancy Tax budget is being amended due to the rate increase. The FY08 budget was approved before the new increase was passed. The Visitor's Enhancement Program receives 25% of the Occupancy tax increase and the Kingsport Convention and Visitor's Bureau receives 62.5%. This budget ordinance will appropriate the increased estimated revenue.

Each year the Fire Department receives funds from Sullivan County. This year they received \$161,400 to purchase equipment. These funds will be transferred to a project. Funds will also be transferred from the General Fund to the City Hall Renovation project and to the Building Facilities Maintenance project to complete scheduled renovations.

The Water Fund is being amended to transfer funds set aside for upgrading meter reading devices to a project to purchase the devices in the next fiscal year.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND, GENERAL PROJECT FUND, DEBT SERVICE FUND, EASTMAN ANNEX FUND, WATER FUND AND WATER PROJECT FUND AND THE VISITOR ENHANCEMENT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Fund budget be amended by appropriating funds in the amount of \$477,500 from the Motel-Room Occupancy Tax. The revenue increase is due to the rate increase which was passed after the FY08 budget was approved.

SECTION II. That the General Project Fund Budgets be amended by transferring county funds in the amount of \$161,400 to the Fire Department Equipment Project (GP0708) to be used for equipment, and by transferring funds from the General Fund to the City Hall Renovations project (GP0818) in the amount of \$233,300 and to the Building Facilities Maintenance project (GP0819) in the amount of \$90,000. That the Eastman Annex Fund budget be amended by reducing the personal property budget in the amount of \$88,000. That the Water Fund and the Water Project Fund budgets be amended by transferring funds from the operating budget to the Meter Reading Device Project (WA0805) in the amount of \$34,884.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
Revenues:			
	\$	\$	\$
110-0000-316-2000 Motel –Room Occupancy Tax	848,100	533,600	1,381,700
110-0000-332-3500 Supplement Fireman Salary	32,200	22,400	54,600
110-0000-332-4000 Supplement Police Salary	50,000	10,000	60,000
110-0000-391-3300 From Eastman Annex Fund	166,600	(56,100)	110,500
Totals:	1,096,900	509,900	1,606,800

Expenditures:			
110-4804-481-7085 Transfer Tax-Other Room Occupancy	0	324,300	324,300
110-1005-405-8015 Tourism Council	700,000	153,200	853,200
110-3501-451-1018 State Supplemental Pay	41,800	12,800	54,600
110-3020-442-1018 State Supplemental Pay	0	10,000	10,000
110-4804-481-7082 Eastman Annex Fund-TXPERL	1,206,500	(128,100)	1,078,400
110-4804-481-7036 Transfer to General Proj. Fund	3,407,522	484,700	3,892,222
110-4804-481-7029 Transfer to Debt Service	2,177,100	(343,095)	1,834,005
110-1007-407-9006 Purchases \$5,000 and Over	6,250	(3,905)	2,345
Totals:	7,539,172	509,900	8,049,072

Fund 133: Eastman Annex			
Revenues:			
	\$	\$	\$
133-0000-391-0182 From General Fund Pers Property	1,206,500	(128,100)	1,078,400
133-0000-392-0100 Fund Balance Appropriation	0	40,100	40,100
Totals:	1,206,500	(88,000)	1,118,500

Expenditures:			
133-4804-481-7037 School Project Fund	387,600	(31,900)	355,700
133-4804-481-7001 Transfer to General Fund	166,600	(56,100)	110,500
Totals:	554,200	(88,000)	466,200

Account Number/Description:

Fund 211: Debt Service Fund

Revenues:

211-0000-391-0100 From General Fund
211-0000-392-0100 From Fund Balance

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
	\$	\$	\$
	2,177,100	(343,095)	1,834,005
	23,412	343,095	366,507
	<u>2,200,512</u>	<u>0</u>	<u>2,200,512</u>

Fund 135: Visitor's Enhancement

Revenues:

135-0000-391-0185 Tax-Other-Room Occupancy
135-0000-392-0100 Fund Balance Appropriation

Totals:

	310,240	14,060	324,300
	0	(14,060)	(14,060)
	<u>310,240</u>	<u>0</u>	<u>310,240</u>

Fund 311: General Project Fund

Fire Department Equipment Project (GP0708)

Revenues:

311-0000-391-0100 From General Fund

Totals:

	\$	\$	\$
	307,350	161,400	468,750
	<u>307,350</u>	<u>161,400</u>	<u>468,750</u>

Expenditures:

311-0000-601-9004 Equipment
311-0000-601-9006 Purchases over \$5,000

Totals:

	66,035	161,400	227,435
	241,315	0	241,315
	<u>307,350</u>	<u>161,400</u>	<u>468,750</u>

Fund 311: General Project Fund

City Hall Renovations (GP0818)

Revenues:

311-0000-391-0100 From General Fund

Totals:

	\$	\$	\$
	0	233,300	233,300
	<u>0</u>	<u>233,300</u>	<u>233,300</u>

Expenditures:

311-0000-601-9003 Improvements

Totals:

	0	233,300	233,300
	<u>0</u>	<u>233,300</u>	<u>233,300</u>

Fund 311: General Project Fund

Facilities Maintenance (GP0819)

Revenues:

311-0000-391-0100 From General Fund

Totals:

	\$	\$	\$
	0	90,000	90,000
	<u>0</u>	<u>90,000</u>	<u>90,000</u>

Expenditures:

311-0000-601-9003 Improvements

Totals:

	0	90,000	90,000
	<u>0</u>	<u>90,000</u>	<u>90,000</u>

Fund 411: Water Fund

Expenditures:

411-5002-501-9004 Equipment
411-6996-696-7601 To Water Project

Totals:

	47,320	(34,884)	12,436
	2,254,200	34,884	2,289,084
	<u>2,301,520</u>	<u>0</u>	<u>2,301,520</u>

Fund 451: Water Project Fund

Meter Reading Device Project (WA0805)

Revenues:

451-0000-391-4500 From Water Fund

Totals:

	0	34,884	34,884
	<u>0</u>	<u>34,884</u>	<u>34,884</u>

Expenditures:

451-0000-605-9004 Equipment

Totals:

	0	34,884	34,884
	<u>0</u>	<u>34,884</u>	<u>34,884</u>

SECTION III. 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

Resolution and Ordinance Authorizing a Contract Amendment Between the City of Kingsport and the Tennessee Department of Transportation for Installation of a Traffic Signal and Associated Geometric Improvements at the Intersection of State Route 93 (N John B Dennis Highway) and Pavilion Drive

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

Action Form No.: AF-181-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 15, 2008
 Staff Work By: Chris Campbell, Bill Albright
 Presentation By: Chris Campbell

BMA Strategic Plan 2007-2008

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #6: Partnerships – We value regional partnerships and work with national and state organizations

KSF #6: Reliable, Dependable Infrastructure – to provide a sustainable transportation system

KSO #8: Provide a well-maintained and expanding infrastructure that promotes safety

Recommendation:

Approve resolution and budget ordinance

Executive Summary:

Kingsport currently has a contract with the Tennessee Department of Transportation to install a multi-phase traffic signal at the intersection of SR 93 (N John B Dennis Hwy) and Pavilion Dr. A traffic study conducted last year determined that this intersection meets engineering warrants for such a signal. Since the original contract was signed, additional geometric improvements have been added to the project that will greatly enhance the intersection's function and safety. In addition to the traffic signal, the project calls for the addition of a left and right turn lane for southbound SR 93, improved right turn lane from Pavilion Dr, and advanced signal ahead signs for both south and northbound lanes of SR 93 (see attached location map). These additional geometric improvements require an amendment to the original contract and a 10% local match (Signal 100% Federal; Geometric Improvements 80% Federal, 10% State, 10% Local). The local match is estimated to be \$40,000. The Kingsport MPO Executive Board approved this project and amended the Transportation Improvement Plan (TIP) to reflect the amendment.

Attachments:

1. Resolution
2. Ordinance
3. Contract Amendment
4. Location Map

Funding source appropriate and funds are available: Yes

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 1 TO CONTRACT NUMBER 070170, PROJECT IDENTIFICATION NUMBER 109896.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF PAVILION DRIVE AND JOHN B. DENNIS HIGHWAY (STATE ROUTE 93)

WHEREAS, on October 16, 2007 the Board of Mayor and Aldermen authorized execution of a contract with the Tennessee Department of Transportation for engineering, design and installation of a multi-phase traffic signal and associated geometric improvements at the intersection of Pavilion Drive and John B. Dennis Highway (State Route 93) (Resolution 2008-072).

WHEREAS, additional geometric improvements, including the addition of a left and right turn lane for southbound State Route 93, improved right turn lane from Pavilion Drive and advanced signal ahead signs for both southbound and northbound lanes of State Route 93, are needed to enhance the intersection's function and safety; and

WHEREAS, the additional improvements require an amendment to the original contract and ten percent (10%) local matching funds, in the estimated amount of \$40,000; and

WHEREAS, the matching funds are provided in the General Fund.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, Amendment Number 1 to Contract Number 070170, Project Identification Number 109896.00 requiring ten percent (10%) local matching funds, in the estimated amount of \$40,000, with the State of Tennessee Department of Transportation for additional geometric improvements at the intersection of Pavilion Drive and John B. Dennis Highway (State Route 93).

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

ADOPTED this the 1st day of July 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND AND THE GENERAL PROJECT FUND BUDGETS BY APPROPRIATING FUNDS TO FUND THE LOCAL MATCH FOR THE AMENDED CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND TO ESTABLISH THE STATE ROUTE 93 AND PAVILION DRIVE PROJECT (GP0820); AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Fund and General Project Fund budgets be amended by appropriating funds to fund the local match in the amount of \$40,000 for the amended contract with the Tennessee Department of Transportation and to establish the State Route 93 and Pavilion Drive Project (GP0820). The amended contract included additional geometric improvements, including the addition of a left and right turn lane for southbound State Route 93, improved right turn lane from Pavilion Drive and advanced signal ahead signs for both southbound and northbound lanes of State Route 93. The local match that is required is 10%.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
Expenditures:			
110-4811-481-4013 Other Interest	500	(500)	0
110-4810-481-2056 Repair & Maint. Vehicles	165,150	(39,500)	125,650
110-4804-481-7036 Transfer to General Proj. Fund	3,892,222		
	2	40,000	3,932,222
	4,057,872		
	2	0	4,057,872

Fund 311: General Project Fund			
State Route 93 and Pavilion Dr. Project (GP0820)			
Revenues:			
311-0000-391-0100 From General Fund	\$ 0	\$ 40,000	\$ 40,000
Totals:	0	40,000	40,000

Fund 311: General Project Fund			
State Route 93 and Pavilion Dr. Project (GP0820)			
Expenditures:			
	\$	\$	\$

311-0000-601-9003	Improvements	0	40,000	40,000
Totals:		0	40,000	40,000

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

DENNIS R. PHILLIPS, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



RECEIVED
MAY 23 2008
City Managers Office

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

Local Programs Development Office
SUITE 600, JAMES K. POLK BUILDING
NASHVILLE, TENNESSEE 37243-0341

Phone: 615-741-5314

FAX: 615-741-9673

Find Information for Local Governments at <http://www.tdot.state.tn.us/local/>

Email: Teresa.Estes@state.tn.us

May 23, 2008

The Honorable Dennis Phillips
Mayor, City of Kingsport
225 W. Center St.
Kingsport, TN 37660-4237

Re: PIN#109896.00, Contract#070170, STP-M-93(6) Signal on SR-93 (John B. Dennis Hwy) @ Pavilion Dr, as well as geometric improvements, Kingsport, Sullivan County

Dear Mayor Phillips:

I am attaching an amended contract providing for the development of the referenced project. Please review the contract and advise me if it requires any additional explanation. If you find the contract fully satisfactory, please execute it in accordance with all rules, regulations and laws, obtain the signature of the attorney for your agency and return the contract to me. Once the amended contract is fully executed we will forward a copy to you for your records.

If you have any questions or need any additional information, please contact Maria Hunter at 615-532-3632 or maria.hunter@state.tn.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Teresa Estes".

Teresa Estes
Transportation Coordinator

cc: Chris Campbell, TPO Coordinator

AMENDMENT NO: 1
CONTRACT NO: 070170
PROJECT IDENTIFICATION NO: 109896.00
FOR IMPLEMENTATION OF SURFACE TRANSPORTATION
PROGRAM ACTIVITY

This CONTRACT, by and between the State of Tennessee, hereinafter referred to as the Department and the City of Kingsport, hereinafter referred to as the Agency, is hereby amended as follows:

- 1. Delete Exhibit A in its entirety and replace with the revised Exhibit A.**

All other provisions not amended herewith will remain in affect.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their respective authorized officials on this _____ day of _____, 20____.

CITY OF KINGSPORT

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

By: _____
Mayor

By: _____
Gerald F. Nicely
Commissioner

**APPROVED AS TO FORM AND
LEGALITY**

**APPROVED AS TO FORM AND
LEGALITY**

By: _____
Attorney

By: _____
John Reinbold
General Counsel

Amended EXHIBIT "A "

CONTRACT NO.: 070170

PROJECT IDENTIFICATION NO.: 109896.00

PROJECT DESCRIPTION: SR-93 (John B. Dennis) @ Pavillion Drive

TYPE OF WORK: Installation of new Multi-phase traffic signal at intersection of SR-93 (John B. Dennis Hwy) and Pavilion Dr, to improve access to Indian Path Hospital. Install roadway geometric improvements (turning lanes, lengthen and widen stacking lanes, deceleration lanes, etc.).

CHANGE IN COST: Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

Preliminary Engineering to be accomplished:		TDOT			
ROW to be accomplished by:		TDOT			
Construction will be accomplished:		State Let			
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE	L-STP	100	0	0	\$35,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
ROW	L-STP	80	10	10	15,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
CONST	L-STP	100	0	0	\$150,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
CONST	L-STP	80	10	10	\$200,000.00

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds following expenditure of the most recently approved TIP cost or if the use of said federal funds is ruled ineligible at any time by the Federal Highway Administration.

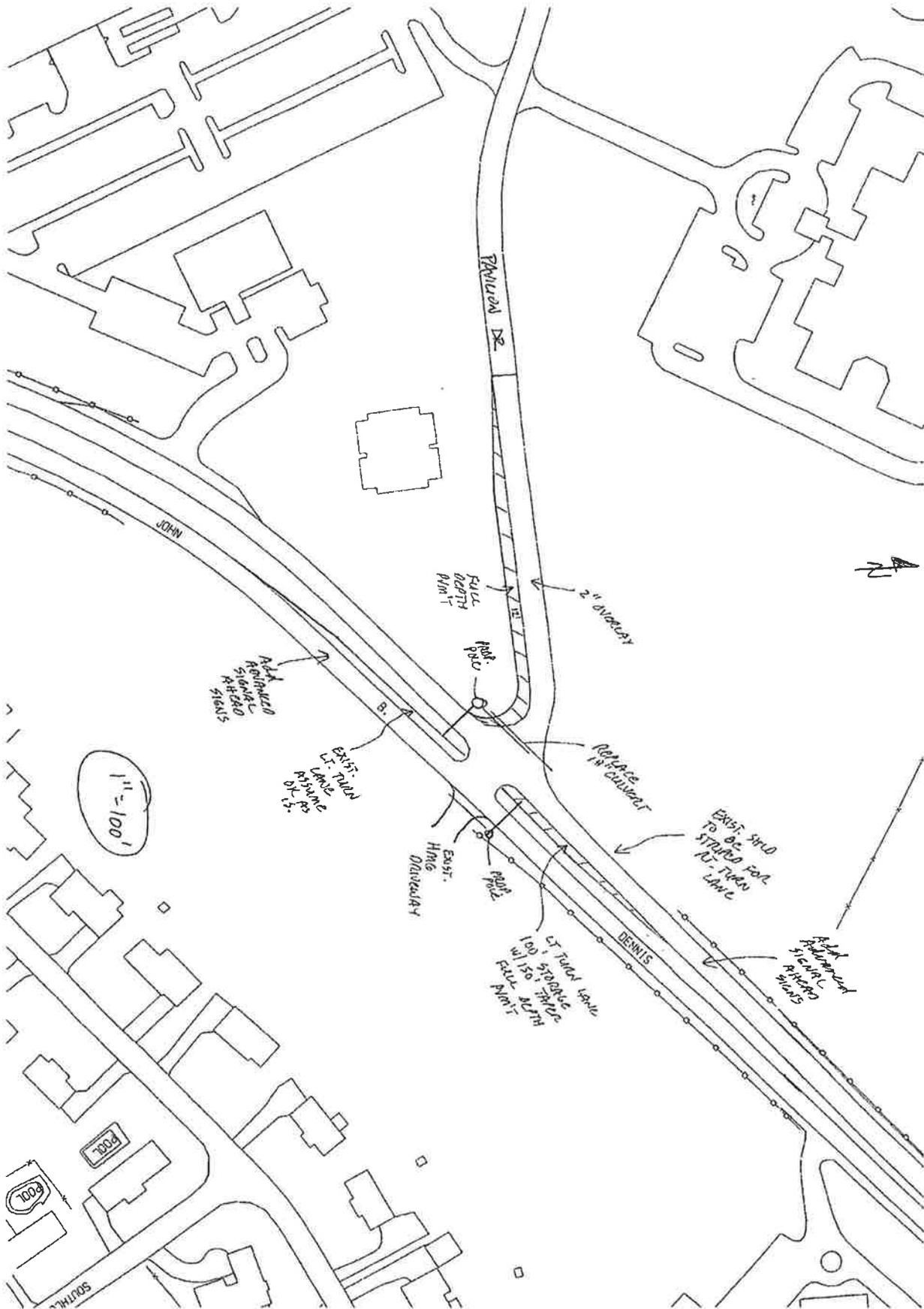
Legislative Authority:

STP: 23 U.S.C.A., Section 133, Surface Transportation Program funds allocated or subject to allocation to the Agency.

NOTE: Where the local government is managing any phase of the project the Department shall provide various activities necessary for project development. The estimated cost, for these activities are included in the funds shown as OVERS above.

For federal funds included in this contract, the CFDA Number is 20.205.

SR 93 / Pavilion Dr Intersection Improvement Location Map:



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF CITY TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2008-2009

WHEREAS, annually the city enters into a reimbursement contract with the Tennessee Department of Transportation (TDOT) for operation of transit services; and

WHEREAS, the city's total allocation from TDOT for fiscal year 2008-2009 is \$354,463; and

WHEREAS, a reimbursement contract with TDOT for must be executed to receive the funds.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney, a reimbursement contract with the Tennessee Department of Transportation (TDOT) funds, in the amount of \$354,463, for operation of city transit system services in fiscal year 2008-2009.

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

ADOPTED this the 1st day of July 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5307 FUNDS FROM THE U.S. DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2008-2009

WHEREAS, Federal Transit Administration Section 5307 Grant Funds Grant, in the total amount of \$1,243,800 including a \$252,000 local match, are available for operation of a fixed route bus service and ADA/handicapped transportation service for fiscal year 2008-2009; and

WHEREAS, the City of Kingsport must enter into a contract with the Federal Transit Administration to receive the funds under Section 5307 funds; and

WHEREAS, the \$252,000 local match will be provided by the city from fare box revenues and income received from leasing of space to the RCAT Center.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney, all documents necessary and proper to apply for and receive Federal Transit Administration Section 5307 Grant Funds, in the total amount of \$1,243,800 including a \$252,000 local match provided from fare box revenues and lease income, available through the Tennessee Department of Transportation for operation of a fixed route bus service and ADA/handicapped transportation service for fiscal year 2008-2009.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
June 8, 2007
4:00 P.M.

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

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

The Procurement Manager opened with the following bids:

UNLEADED GASOLINE	
Vendor:	Price:
Rogers Petroleum, Inc.	+\$.0471
Pilot Travel Centers, LLC	+\$.0420
Petroleum Traders Corp.	+\$.0354
Pioneer Petroleum Co.	+\$.0197

The Procurement Manager will study the bids submitted and make a recommendation at a later date.

Isaacs Enterprises Inc.

DBA Pioneer Petroleum Co./Fastop Markets

101 N. Fairmont Ave.

P.O. Box 1176

Morristown, Tennessee 37816-1176

423-586-7090

865-475-3078

Fax: 423-586-4622

May 19, 2008

City of Kingsport
ATTN: Brent Morelock
225 W. Center Street
Kingsport, TN 37660

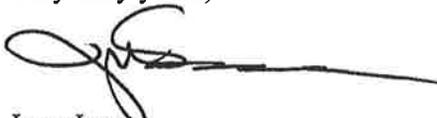
Dear Mr. Morelock,

Thank you for your call this afternoon. We have certainly enjoyed our long association with the City of Kingsport.

We will continue our contract under the same terms as bid on June 8th 2007 for the next year.

Trusting this meets your approval, I remain.

Very truly yours,



Jerry Isaacs



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for Crushed Stone for Use by All City Departments to Vulcan Construction Materials and Aggregates U.S.A., LLC for FY09

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

Action Form No.: AF-196-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Committee
 Presentation By: S. Crawford

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve the resolution.

Executive Summary: Bids were opened on June 8, 2007 for the purchase of crushed stone for use by all City Departments on an as needed basis. This bid was issued as a joint invitation to bid with the City of Church Hill, TN. The specifications contained within the invitation to bid state that "Award(s) may be made on a geographical basis". Therefore, the Committee recommends awarding the Northside geographical area to Vulcan Construction Materials and the Southside portion to Aggregates U.S.A., LLC (formerly known as Rinker Materials). The specifications also included a renewal option clause which enables the City to award the purchase on an annual basis in one year increments up to three years providing all terms, conditions and costs are acceptable to both parties. Vulcan Construction Materials is honoring their original bid prices for FY09. Aggregates U.S.A., LLC is requesting an increase to their original bid prices as outlined in the attached letter for FY09.

Funding is identified in various department accounts.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Renewal Option Memos from the Vendors

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDED THE BID FOR PURCHASE OF
CRUSHED STONE FOR USE BY ALL CITY DEPARTMENTS TO
VULCAN CONSTRUCTION MATERIALS AND AGGREGATES
U.S.A., LLC

WHEREAS, bids were opened June 8, 2007 for the purchase of crushed stone for use by the all city departments; and

WHEREAS, this bid was issued as a joint invitation to bid with the City of Church Hill, Tennessee; and

WHEREAS, the bid contained specifications that the award(s) could be made on a geographical basis (Northside and Southside) and included a renewal option clause which enables the city to award the purchase on an annual basis in one year increments up to three years providing all terms, conditions and costs are acceptable to the parties; and

WHEREAS, Vulcan Construction Materials is honoring their original June 8, 2007 bid prices for fiscal year 2009; and

WHEREAS, Aggregates U.S.A., LLC has requested an increase to their original June 8, 2007 bid prices; and

WHEREAS, upon review of the bids, the board finds Vulcan Construction Materials is the lowest compliant bidder in the best interest and advantage to the city for the Northside geographical area and that Aggregates U.S.A., LLC is the lowest compliant bidder in the best interest and advantage to the city for the Southside geographical area and the City of Kingsport desires to purchase the crushed stone from Vulcan Construction Materials and Aggregates U.S.A., LLC for fiscal year 2009; and

WHEREAS, funding will be provided from various department accounts.

Now therefore,

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

SECTION I. That the bid for purchase of crushed stone for use by all city departments for the Northside geographical area for fiscal year 2009 is awarded to Vulcan Construction Materials at the original June 8, 2007 bid price as follows and the City Manager is authorized to execute a purchase order for same:

Crusher Run	\$ 9.40
#68	\$11.20
#57	\$11.20
# 8	\$11.45
#10	\$11.45

SECTION II. That the bid for purchase of crushed stone by all city departments for the Southside geographical area for fiscal year 2009 is awarded to Aggregates U.S.A., LLC with an increase to their original June 8, 2007 bid price as follows and the City Manager is authorized to execute a purchase order for same:

<u>Product</u>	<u>\$ per ton</u>
Crusher run	\$10.25
#57 stone	\$12.65
# 8 stone	\$12.65
#10 stone	\$12.95
Haul 1-5 miles	\$ 3.25
Haul 6-10 miles	\$ 4.00.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
 BID OPENING
 June 8, 2007
 4:00 P.M.

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

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

The Procurement Manager opened with the following bids:

STONE		
Vendor:	Rinker Materials South-Central	Vulcan Materials Co.
Item 1 City of Kingsport:	\$8.75	\$9.40
Item 1 City of Church Hill:	\$8.75	\$9.40
Item 2 City of Kingsport:	N/A	\$11.20
Item 2 City of Church Hill:	N/A	\$11.20
Item 3 City of Kingsport:	\$11.10	\$11.20
Item 3 City of Church Hill:	\$11.10	\$11.20
Item 4 City of Kingsport:	\$11.10	\$11.45
Item 4 City of Church Hill:	\$11.10	\$11.45
Item 5 City of Kingsport:	\$11.25	\$11.45
Item 5 City of Church Hill:	\$11.25	\$11.45
Delivery Charges 1-5 Miles City of Kingsport:	\$2.75	\$3.10
Delivery Charges 1-5 Miles City of Church Hill:	N/A	\$3.10
Delivery Charges 6-10 Miles City of Kingsport:	\$3.50	\$3.50
Delivery Charges 6-10 Miles City of Church Hill:	N/A	\$3.50
Comments:	Haul charges based on truck having full load.	Minimum of 20 Ton load stone. Minimum of 22 Ton load of Rip Rap.

The Procurement Manager will study the bids submitted and make a recommendation at a later date.

Morelock, Brent

From: Wamack, Albert [WamackA@VMCMAIL.com]

Sent: Sunday, May 18, 2008 11:28 PM

To: Morelock, Brent

Subject: Extending 07 Bid price

Brent Morelock,

Vulcan Materials Kingsport will honor the 07 Bid prices until June 30th, 2009. for the Kingsport and Church Hill Bid.

Crusher Run \$9.40

68 \$ 11.20

57 \$ 11.20

8 \$ 11.45

#10 \$ 11.45

Albert Wamack

100 Deneen Lane

Kingsport, TN 37660

5/19/2008

Aggregates USA

PHONE: (423) 926-0111 FAX (423) 926-6025

FAX COVER SHEET

To:	Brent Morelock	From:	Jim McGill
Fax:	224-2433	Date:	May 28, 2008
Phone:		Pages:	
Re:	2008/2009 stone prices	CC:	

•Comments:

Mr. Morelock,

If the City of Kingsport would like to use the escalation clause in last years bid contract I would like to submit the following prices for the 2008/2009 physical year.

Product	\$ per ton
Crusher run	10.25
#57 stone	12.65
#8 stone	12.65
#10 stone	12.95
Haul 1-5 miles	3.25
Haul 6-10 miles	4.00

Please let me know if we may be of service, and I apologize for the delay in getting you this information.


Jim McGill



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Kingsport Economic Development Board to Negotiate With Kingsport Town Center Regarding Payment In Lieu Of Taxes (PILOT)

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

Action Form No.: AF-197-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008
 Final Adoption: n/a
 Staff Work By: KEDB, Campbell, Fleming
 Presentation By: Fleming

BMA Strategic Plan 2005-2006
 (CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)
KSF #3: Economic Growth, Development & Redevelopment
KSF #5: Create a healthy economy by continuing efforts to expand and diversify our economic base

Recommendation:
 Pass the Resolution

Executive Summary:
 This proposal would authorize KEDB to negotiate with Kingsport Town Center regarding PILOT (Payment In Lieu of Taxes) as an incentive to redeveloping the Kingsport region's most substantial retail center.

Attachments:
 1. Resolution

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Shupe	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Phillips	—	—	—

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE TO NEGOTIATE AND ACCEPT FROM FORT HENRY MALL, LLC OR AN AFFILIATED ENTITY PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO RETAIL SHOPPING FACILITIES KNOWN AS THE KINGSPORT TOWN CENTER IN THE CITY OF KINGSPORT, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305.

WHEREAS, the Board of Mayor and Aldermen (the "Governing Body") of the City of Kingsport, Tennessee (the "Municipality") has met pursuant to proper notice; and

WHEREAS, the Governing Body had previously authorized the incorporation of The Industrial Development Board of the City of Kingsport, Tennessee (the "Board") as an industrial development board duly organized and existing under the provisions of Title 53 of Chapter 7, Tennessee Code Annotated (the "Act"); and

WHEREAS, Fort Henry Mall, LLC (the "Company") has requested the Board to take leasehold ownership of certain property on which the Company proposes to make improvements to retail shopping facilities known as the Kingsport Town Center, which is a project that is eligible to be owned by the Board under the Act and which is located in the Municipality (the "Project"); and

WHEREAS, as a part of such discussions, the Company has requested that the Board lease the Project to the Company or an affiliated entity under an arrangement whereby the Company or its affiliated entity will make payments in lieu of ad valorem taxes; and

WHEREAS, upon the acquisition of the Project by the Board and the lease of the Project to the Company or an affiliated entity, the Company intends to make improvements to and expand facilities on the Project site; and

WHEREAS, Tennessee Code Annotated Section 7-53-305(b) authorizes the Governing Body to delegate to the Board the authority to negotiate and accept from the lessees of the Board payments in lieu of ad valorem taxes upon the finding that such payments are deemed to be in furtherance of the public purposes of the Board as defined in that Code Section; and

WHEREAS, the improvement and expansion of the Project would enhance employment opportunities in the City of Kingsport, Tennessee and would generate additional sales tax revenues and other revenues for the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, as follows:

1. The Governing Body hereby finds that the negotiation and acceptance by the Board from the Company of payments in lieu of ad valorem taxes consistent with this resolution are deemed to be in furtherance of the public purposes of the Board as defined in Tennessee Code Annotated Section 7-53-305, and the City hereby delegates to the Board the authority to negotiate and accept such payments in lieu of ad valorem taxes from the Company or an affiliated entity.

2. The Board's agreement with the Company concerning payments in lieu of ad valorem taxes may provide that any ad valorem taxes paid by the Company to any taxing jurisdiction with respect to its leasehold interest in the Project shall constitute a credit against the payments in lieu of ad valorem taxes due such taxing jurisdiction.

3. The Board's agreement with the Company concerning payments in lieu of ad valorem taxes may contain such administrative provisions not inconsistent with this resolution as the Board deems appropriate.

4. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

Adopted this the ____ day of June, 2008.

ATTEST:

James H. Demming, City Recorder

Dennis R. Phillips, Mayor

APPROVED AS TO FORM:

J. Michael Billingsley, City Attorney



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for the Purchase of Trash Can Liners, Toilet Tissue, Jumbo Roll Toilet Tissue and Brown Roll Towels to JanPak Paper Supply Company for FY09

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 202-2008

Final Adoption: July 1, 2008

Work Session: June 30, 2008

Staff Work By: Committee

First Reading: N/A

Presentation By: S. Crawford

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve the resolution.

Executive Summary: On July 3, 2007 the BMA awarded the bid for trash can liners, toilet tissue, jumbo roll toilet tissue and brown roll towels to JanPak Paper Supply Company for FY08. The City's invitation to bid included a renewal option on an annual basis in one (1) year increments up to three (3) years providing all terms, conditions and cost are acceptable to both parties. It is the recommendation of the Committee to award the purchase of trash can liners, toilet tissue, jumbo roll toilet tissue and brown roll towels to JanPak Paper Supply Company at the proposed pricing as outlined in the attached letter for FY09.

Funding is identified in various City and Schools accounts.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Renewal Option Letter from JanPak
4. Original Recommendation Memo's

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

MINUTES
 BID OPENING
 June 8, 2007
 4:00 P.M.

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

The Bid Opening was held in the Council Room, City Hall. The Procurement Manager opened with the following bids:

JANITORIAL SUPPLIES						
Vendor:	Unipak	Interboro Packaging Corp.	Kelsan, Inc.	Jan-Pak	Ford System	Pioneer Industrial Sales
Trash Can Liner 15x9x32	\$17.00	Bid A - \$13.32 Bid B - \$13.32 Bid C - \$13.32	\$10.55	\$14.42	\$24.75	\$26.57 Alt. 1 - \$18.35 Alt. 2 - \$21.78
Trash Can Liner 40x46.78 mil.	\$10.88	Bid A - \$10.48 Bid B - \$7.98 Bid C - \$7.32	\$11.67	\$10.82	\$5.95	\$13.88 Alt. 1 - \$11.05 Alt. 2 - \$11.38
Toilet Tissue, 2-Ply.	No Bid	No Bid	\$28.44	\$30.08 \$33.39	\$31.25	\$53.46 Alt. 1 - \$40.10 Alt. 2 - \$43.82
Single Fold Towel	No Bid	No Bid	\$11.51	\$12.30	\$16.56	\$18.90 Alt. 1 - \$15.69 Alt. 2 - \$15.49
Multi Fold Towel	No Bid	No Bid	\$11.51	\$12.30	\$16.56	\$18.90 Alt. 1 - \$14.99 Alt. 2 - \$15.49
Household Type Roll Towel	No Bid	No Bid	\$15.16	\$16.23	\$20.50	\$23.17 Alt. 1 - \$18.49 Alt. 2 - \$18.99
Natural PH Disinfectant	No Bid	No Bid	\$22.34	\$20.87	\$23.25	\$28.56 Alt. 1 - No Bid Alt. 2 - \$26.53
Mop Head Screw End	No Bid	No Bid	\$57.12	\$44.98	\$5.85	No Bid Alt. 1 - No Bid Alt. 2 - No Bid
Jumbo Roll Toilet Tissue	No Bid	No Bid	\$14.17	\$21.61 \$23.99	\$19.50	\$25.39 Alt. 1 - \$26.49 Alt. 2 - \$20.80
Brown Roll Towels	No Bid	No Bid	\$17.50	\$15.47	\$19.74	\$37.82 Alt. 1 - \$19.89 Alt. 2 - \$31.00
Comments:	N/A	Samples are included	There are markovers regarding sizes, package, etc.	Prices listed are firm unless industry wide increases.	Changes to description regarding quantity.	Changes to document; crossover on last item. Pricing good until manufacturing increase.

The Procurement Manager will study the bids submitted and make a recommendation at a later date.



June 12, 2008

Brent Morelock
City of Kingsport
225 West Center Street
Kingsport, TN 37660

Dear Brent:

Thank you for your inquiry regarding the extension of your janitorial products pricing. I am pleased to confirm that your current towel and tissue prices are guaranteed through December 31, 2008. Your prices are:

RTK800	Roll Towels	\$19.89 case
TP534	Toilet Tissue	\$32.98 case
JRT902-1	Jumbo Tissue	\$19.50 case

Your can liner pricing (shown below) is guaranteed through July 31, 2008.

CRX46W	Liner	\$12.69 case
--------	-------	--------------

Thanks for your business, and if you have any questions, feel free to contact Johnny Painter or myself at (423) 968-7255.

Sincerely,

Angie Clendenin
Office Manager/HR

Memo

To: Brent Morelock
From: Randy Salyer
Date: June 24, 2008
Re: Janitorial bid

In reference to the 07-08 Janitorial Supplies bid on two ply 4.5x4.5-500 toilet tissue, Kelsan went off the bid sheet on toilet tissue and therefore the sheets were smaller and there were not as many rolls in a case. The bid sheet called for 4.5x4.5 by 500 sheets. $(4.5 \times 500 = 2250)$ kelsans was $4.05 \times 550 = 2227.5$ that is 12.5 in per roll shorter and 10 rolls per case shorter. In reference to the jumbo roll toilet tissue kelsans dispensers were \$15.90 each. kelsans bid on jumbo roll toilet tissue size was lowered from 3.96 to 3.55 and they bid 8 rolls per case and the other bids were for 12 rolls per case.

The Ford system bid was the next lowest bid on jumbo roll tissue and when we weighed their rolls they were .5 lbs. lighter than Jan-pac and the dispensers were 19.60 each

After going through the bids it would be in the city of Kingsport's best interest to go with Jan-Pac on the 2-ply toilet tissue 4.5x4.5-500 and the jumbo roll toilet tissue because the rolls are larger and the dispensers cost less (Jan-Pac dispensers were \$5.00 each)

Thank You

Randy Salyer

Memo

To: Sandy Crawford

Cc: Randy Salyer, Willie Neeley

From: Brent Morelock

062507

RE: Trash Can Liners Clarification

The apparent low bid of \$10.55 from Kelsan regarding 15x9x32 trash can liners is not the actual low bid because the specifications called for 1000 each per case. Kelsan's bid reflected a product packaged 500 each per case.

Interboro Packaging Corp. submitted a price of \$13.32 per case for 15x9x32 trash can liners but after receiving clarification the City would be required to purchase 34 cases delivered to one location each time we ordered to get prepaid freight. Per Willie Neeley, this would not be in the schools best interest because they often order less than 34 cases of 15x9x32 trash can liners per delivery and the liners are shipped directly to each school. Interboro Packaging is located in New York State and the City would be responsible for paying freight on orders less than 34 cases from New York. Estimated freight from New York on each case is \$10.00 to \$15.00 per Interboro Packaging Corp.

The recommendation of the committee is to award 15x9x32 trash can liners to Janpak @ \$14.42 per case as they were the lowest bid meeting specifications and in the best interest and advantage of the City of Kingsport.

The apparent low bid of \$5.95 from Ford System regarding 40x46 trash can liners is not the actual low because the specifications called for 25 each per roll and 4 rolls per case. Ford System's bid reflected a product packaged 50 each per roll and 1 roll per case.

Interboro Packaging Corp. submitted a bid of \$10.48 per case for 40x46 trash can liners but after receiving clarification the City would be required to purchase 145 cases delivered to one location each time we ordered to get prepaid freight. Per Willie Neeley, this would not be in the schools best interest because they often order less than 145 cases of 40x46 trash can liners per delivery and the liners are shipped directly to each school. Interboro Packaging is located in New York State and the City would be responsible for paying freight on orders less than 145 cases from New York. Estimated freight from New York on each case is \$10.00 to \$15.00 per Interboro Packaging Corp.

The recommendation of the committee is to award 40x46 trash can liners to Janpak @ 10.82 per case as they were the lowest bid meeting specifications and in the best interest and advantage of the City of Kingsport.



AGENDA ACTION FORM

Consideration of a Resolution to Rename Sam Walton Drive to Jericho Drive

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

Agenda Form No.: AF - 201-2008

Work Session: June 30, 2008

First Reading: July 1, 2008

Final Adoption: July 1, 2008

Staff Work: J. Campbell, D. Phillips

Presentation: D. Phillips, J. Campbell

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO = Key Strategic Objective)

Recommendation: Approve the Resolution

Executive Summary:

The renaming of Sam Walton Drive to Jericho Drive is the result of a year long evaluation from citizens of Kingsport and Mayor Phillips. There are two parcels along on the Drive that will be affected immediately by the street renaming. Both have been contacted and have no opposition to this change. Two other parcels are currently vacated and one parcel is addressed off of Airport Parkway. Once approved by the Board of Mayor and Aldermen City staff will notify the affected property owners of their address change.

Attachments:

1. Resolution
2. Map

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING THE RENAMING OF SAM
WALTON DRIVE TO JERICO DRIVE

WHEREAS, the Jericho Temple, through their many charitable contributions is "Helping Kids Defy the Odds"; and

WHEREAS, the city desires to recognize the work of Jericho Temple by renaming Sam Walton Drive in its entirety to Jericho Drive.

Now therefore,

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

SECTION I. That Sam Walton Drive in its entirety is renamed Jericho Drive.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

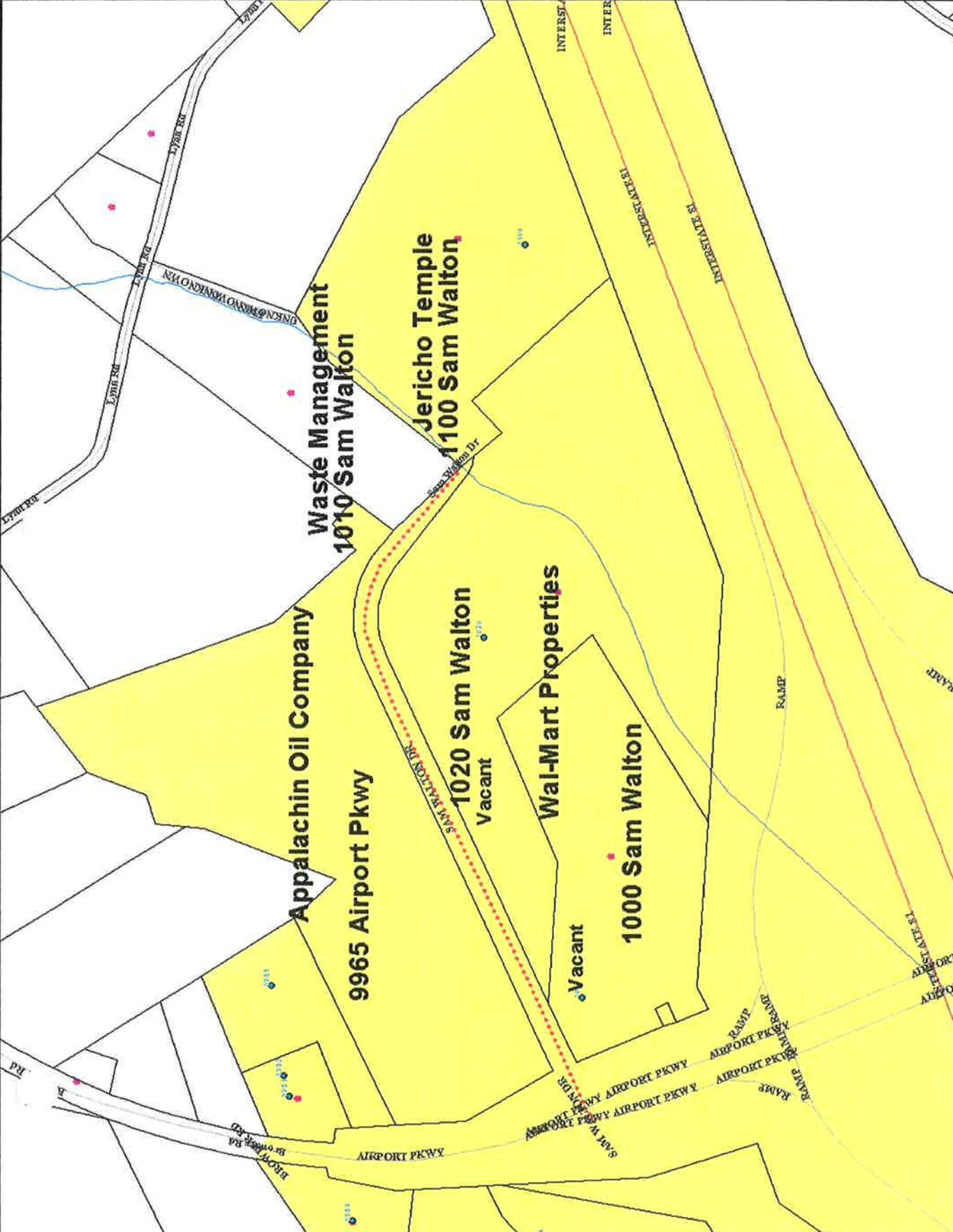
ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

- Parcel
- Color Line
- Address
- Building Permits
- Blotter
- Person File
- Development/Construction/Utility
- City Limits



Sam Walton/Jericho Drive

1 in. = 329.3 feet



AGENDA ACTION FORM

Consideration of a Resolution to Authorize the Mayor to Execute all Documents Necessary for Amendments to the Kingsport Higher Education Center Architect's Agreement with McCarty Holsaple McCarty Architects, Inc.

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-204-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 1, 2008
 Staff Work By: D. Mason/J. Fleming
 Presentation By: Fleming/Campbell

Recommendation: Approve the resolution.

Executive Summary:

During the course of developing the design for the Kingsport Higher Education Center, revisions to the scope of work have necessitated modification of the Architect's compensation for Basic A/E Services under the original agreement. In addition, the requirements of the EDA grant that has been awarded to the City necessitate that the Architect's contract for basic A/E services be stipulated as a lump sum, not to exceed amount.

Further additional services are required from the Architect in order to achieve certification of compliance with the USGBC's Leadership in Energy Efficient Design (LEED) standards.

The costs for these additional services have been accounted for on a continuing basis, in the design portion of the budget, and do not impact the overall project budget.

Attachments:

1. Resolution
2. Supplemental Agreement No. 1
3. Supplemental Agreement No. 2

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE AGREEMENT WITH MCCARTY HOLSAPLE MCARTY ARCHITECTS, INC., AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR DESIGN SERVICES RELATED TO THE KINGSPORT HIGHER EDUCATION CENTER

WHEREAS, the City and McCarty Holsaple McCarty Architects, Inc. (ARCHITECT) entered into a contract on October 7, 2007, to acquire professional design services for the new Kingsport Higher Education Center; and

WHEREAS, the scope of the project has been refined since the execution of the original agreement; and

WHEREAS, the City wishes to modify the agreement to include LEED related design and construction services; and

WHEREAS, these additional services and amendments have previously been accounted for in the design budget, and do not alter the final project budget;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN as follows:

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, Supplemental Agreement No. 1, modifying the ARCHITECT'S agreement to increase the Basic A/E fees to a lump sum, not-to-exceed amount of \$690,510.00 and to account for estimated reimbursable costs up to \$57,500.00.

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, Supplemental Agreement No. 2, modifying the ARCHITECT'S agreement to include LEED related design and construction services for a total amount of \$153,515.00.

SECTION IV. That this resolution shall take effect immediately upon its adoption, the public welfare requiring it.

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**AGREEMENT BETWEEN OWNER AND ARCHITECT
SUPPLEMENTAL AGREEMENT NO. 1**

THE KINGSPORT HIGHER EDUCATION CENTER

SUPPLEMENTAL AGREEMENT made and entered into this ____ day of _____, 2008, by and between the City of Kingsport, hereinafter referred to as "Owner" and McCarty Holsaple McCarty Architects, Inc., hereinafter referred to as the "Architect".

WITNESSETH THAT:

WHEREAS, the Owner and the Architect entered into a contract on October 7, 2007, to acquire professional design services for the new Kingsport Higher Education Center; and

WHEREAS, the size of the project has increased and the Owner wishes to modify the agreement to quantify reimbursable expenses;

NOW THEREFORE, it is hereby agreed between the parties hereto that the contract of October 7, 2007 be modified as follows:

SCOPE OF SERVICES

The scope of the project is hereby amended as shown on the attached Exhibits:

Exhibit A – Correspondence dated December 31, 2007 and March 11, 2008 detailing revisions to basic Architectural / Engineering fees.

COMPENSATION

Section 1.5 of the Agreement is hereby modified as follows:

Delete paragraph 2 of Section 1.5.1 in its entirety and replace with:

“Basic A/E Services for the project shall be a lump sum, not-to-exceed amount of **\$690,510.00** calculated as follows: (\$10,428,600 MACC x 6.46%) + (\$260,400 Additional Lab Equip. x 6.46%)”

Add the following to Section 1.5.4:

“Reimbursable Expenses shall not exceed **\$57,500.00** without prior written approval of the Owner.”

ORIGINAL CONTRACT

All requirements of the aforesaid contract of October 2, 2007, except as specifically modified by this Supplemental Agreement No. 1, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed by their respective officers duly authorized as of the day and year first above written.

OWNER:
CITY OF KINGSPORT

ARCHITECT:
McCARTY HOLSAPLE McCARTY

John G. Campbell
City Manager

Douglas H. McCarty, AIA
President

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

(Executed in Duplicate Originals)

**AGREEMENT BETWEEN OWNER AND ARCHITECT
SUPPLEMENTAL AGREEMENT NO. 2**

THE KINGSPORT HIGHER EDUCATION CENTER

SUPPLEMENTAL AGREEMENT made and entered into this ____ day of _____, 2008, by and between the City of Kingsport, hereinafter referred to as "Owner" and McCarty Holsaple McCarty Architects, Inc., hereinafter referred to as the "Architect".

WITNESSETH THAT:

WHEREAS, the Owner and the Architect entered into a contract on October 7, 2007, to acquire professional design services for the new Kingsport Higher Education Center; and

WHEREAS, the Owner and the Architect have previously executed Supplemental Agreement No. 1 to the contract; and

WHEREAS, the Owner wishes to modify the agreement to include LEED related design and construction services; and

NOW THEREFORE, it is hereby agreed between the parties hereto that the contract of October 7, 2007 be modified as follows:

SCOPE OF SERVICES

The scope of the project is hereby amended as shown on the attached Exhibits:

Exhibit A – Correspondence dated March 25, 2008 detailing LEED Certification Services during Design.

Exhibit B – Correspondence dated March 25, 2008 detailing LEED Commissioning Services during Design.

Exhibit C – Correspondence dated June 18, 2008 detailing LEED Certification Services during Construction.

Exhibit D – Correspondence dated June 18, 2008 detailing LEED Commissioning Services during Construction.

COMPENSATION

Section 1.5 of the Agreement is hereby modified as follows:

Add the following to Section 1.5.3:

“The following Additional Services are authorized under this Agreement:

§ 1.5.3.1 LEED related Additional Services:

1. LEED Consulting during design phases in an amount not to exceed **\$49,000.00**
2. LEED Commissioning services during design phases in an amount not to exceed **\$28,750.00**
3. LEED Consulting during construction in an amount not to exceed **\$26,765.00**
4. LEED Commissioning services during construction in an amount not to exceed **\$49,000.00**

ORIGINAL CONTRACT

All requirements of the aforesaid contract of October 2, 2007, except as specifically modified by this Supplemental Agreement No. 2, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed by their respective officers duly authorized as of the day and year first above written.

OWNER:
CITY OF KINGSPORT

ARCHITECT:
McCARTY HOLSAPLE McCARTY

John G. Campbell
City Manager

Douglas H. McCarty, AIA
President

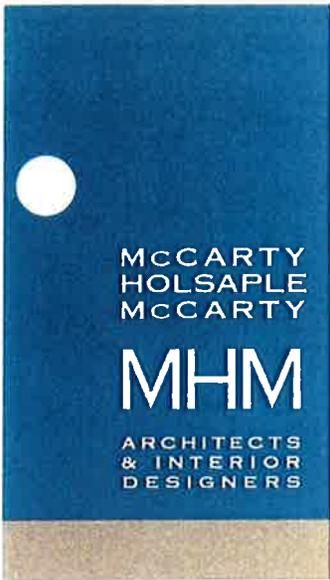
ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

(Executed in Duplicate Originals)



550 W. MAIN STREET
SUITE 300
KNOXVILLE, TN 37902
(865) 544-2000
FAX (865) 544-0402
WWW.MHMINC.COM

March 11, 2008

Mr. Jeff Fleming, Assistant City Manager
City of Kingsport
225 West Center Street
Kingsport, TN 37660-4285

KINGSPORT HIGHER EDUCATION CENTER

Dear Jeff,

I am writing to submit the approved project budget dated March 10, 2008 and to confirm that we are proceeding into Design Development of the project as discussed in our meeting on March 6, 2008. Note the following:

1. The basic Architectural / Engineering services has been revised from \$651,507 to \$690,510 ($\$10,428,600 \text{ MACC} \times 6.46\% = \$673,688 + \$260,400 \text{ additional lab equipment} \times 6.46\% = \$16,822 = \$690,510$)
2. Included in Item VII of the attached budget is LEED consulting through the Construction Documents phase, which will be submitted under a separate letter for your review and approval.

If you agree with the attached project budget and the fee increase in the basic Architectural / Engineering services from \$651,507 to \$690,510, please sign below and return a copy for our records.

Sincerely,

Doug McCarty, AIA

DIRECTORS
DOUGLAS MCCARTY, AIA
JEFFREY D. JOHNSON, AIA
DAVID COLLINS, AIA

FOUNDER
BRUCE MCCARTY, FAIA

SENIOR ASSOCIATES
STUART L. BUTCHER, AIA
JOHN W. GADDIS, R.A.
JOHN HOCKENSMITH
BOB PIERCY, R.A.
SCOTT A. WEBB, AIA

ASSOCIATES
BARBARA TALLENT BACH, IIDA
HEATHER DAVIS
DON W. HORTON, R.A., LAP

Authorized:

Date:

Cc: Scott Webb
Li Wang
Heather Davis
File: 07023/1.1

KINGSPORT HIGHER EDUCATION CENTER

REVISED PROJECT BUDGET SUMMARY:

11-Mar-08 ✓

ITEM NO.	ITEM DESCRIPTION	APPROVED PROJECT BUDGET DATED DEC. 31, 2007	DESIGN DEVELOPMENT PROJECT BUDGET DATED MARCH 11, 2008
I.	BUILDING CONSTR'N. COSTS (54,000 sf @ \$165/sf) (Site Development Costs Omitted)	\$8,910,000	\$8,965,237
II.	SITE ALLOWANCE	\$695,000	\$639,763
III.	RECOMMENDED ALTERNATES (see attached)		\$327,000
	TOTAL CONSTRUCTION COSTS	\$9,605,000	\$9,805,000
IV.	CONSTRUCTION CONTINGENCY (5% of above)	\$480,250	\$496,800
	MAXIMUM ALLOWABLE CONSTRUCTION COST (Per Owner/Architect Agreement)	\$10,085,250	\$10,428,600
V.	TOTAL A/E FEES	\$651,507	\$690,510
	BASIC A/E FEES @ 6.46 % of MACC		\$673,688
	ADDITIONAL FEES FOR LABORATORY EQUIPMENT	\$572,705	\$16,822
VI.	PROGRAMMING/SITE EVAL./MASTER PLAN FEES	\$80,000	\$80,000
VII.	SURVEY/TESTING/COST ESTIMATING/ACOUSTICAL/ LEED CONSULTING (THROUGH CD'S)	\$140,000	\$140,000
VIII.	REIMBURSABLE & MISC. OTHER SOFT COSTS	\$57,500	\$57,500
IX.	ADDITIONAL OWNER CONTINGENCY	-	
	PROJECT BUDGET, LESS LAND ACQUISITION	\$11,014,257	\$11,396,610
X.	LAND ACQUISITION	\$1,603,300	\$1,368,300
A.	A-Hood Bonding (150 Clay St.)	\$126,300	\$126,300
B.	Carriage House (333. W. Market St.)	\$187,000	\$187,000
C.	Paul Adams (331. W. Market St.)	\$359,000	\$310,000
D.	300 W. Market St.	\$72,000	\$72,000
E.	361 W. Market St. (may not be acquired)	\$190,000	-
F.	Wards' Feed Store (230 Revere St.)	\$192,000	\$192,000
G.	Jim's Lawn Center (130 Clay St.)	\$265,000	\$265,000
H.	Generator Shop (217 Revere St.)	\$91,000	\$86,000
I.	Fire Fighting Building	\$121,000	\$130,000
XI.	GEOTECHNICAL / SOILS REMEDIATION	\$150,000	\$102,647
XII.	ENVIRONMENTAL / SITE REMEDIATION	\$75,000	\$75,000
XIII.	BUILDINGS' DEMOLITION	\$150,000	\$50,000
	TOTAL PROJECT BUDGET	\$12,992,557	\$12,992,557

NOTES:

1. Furniture, Fixtures & Equipment (FF&E) Costs Not Included in Line Items Above.
2. Data/communications/telephone wiring not included.
3. Relocation Costs for Overhead Power, Telephone, Fiber Optic and Cable TV Lines Not Included in Line Items Above.
4. Allied Health Building Costs, Related Site Development Costs, and Daycare Center Costs Not Included in Line Items Above.
5. Automatic entrances and library equipment not included.
6. Commissioning fees may not be included.
7. Budget does not include costs for additional laboratory equipment costing \$260,400 which will be designed as an add alternate.

KINGSPORT HIGHER EDUCATION CENTER
RECOMMENDED ALTERNATES
March 7, 2008

1. Demountable Partition allowance for 2 nd floor	\$76,877
2. Exterior sun shades on south elevation for 2 nd & 3 rd floor*	\$59,914
3. Interior light shelves on south elevation (all floors)*	\$28,609
4. Revise brick pavers to stamped stained concrete	(\$12,000)
5. Laboratory casework / fume hoods for 2-classrooms (included infrastructure for all 5-classrooms)	\$173,600

TOTAL RECOMMENDED ALTERNATES: \$327,000

* Design as alternate through Design Development

MCCARTY
HOLSAPLE
MCCARTY

MHM

ARCHITECTS
& INTERIOR
DESIGNERS

December 31, 2007

Mr. Jeff Fleming, Assistant City Manager
City of Kingsport
225 West Center Street
Kingsport, TN 37660-4285

KINGSPORT HIGHER EDUCATION CENTER

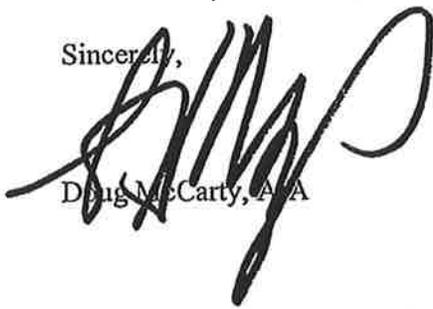
Dear Jeff,

As requested attached is the revised project budget based upon the latest Schematic Design drawings which includes the 3-story connecting space. The total building square footage which includes all of the spaces that is in the approved program is 54,000 gross square feet.

The revised basic architectural / engineering fee has been revised to \$651,507 and the construction costs including the site allowance have revised to \$9,605,000 which will be the budget target when J.A. Street prepares the Schematic Design Cost Estimate.

Please confirm that you agree that the total project budget will be revised from \$12,209,789 (previously approved, dated November 20, 2007) to \$12,992,557 (also attached for your review).

Sincerely,


Doug McCarty, AIA

Cc: Scott Webb
Li Wang
Heather Davis
File: 07023/1.1

DIRECTORS
DOUGLAS MCCARTY, AIA
JEFFREY D. JOHNSON, AIA
DAVID COLLINS, AIA

FOUNDER
BRUCE MCCARTY, FAIA

SENIOR ASSOCIATES
STUART L. BUTCHER, AIA
JOHN W. GADDIS, R.A.
JOHN HOCKENSMITH
BOB PIERCY, R.A.
SCOTT A. WEBB, AIA

ASSOCIATES
BARBARA TALLENT BACH, IIDA
HEATHER DAVIS
DON W. HORTON, R.A., LAP

KINGSPORT HIGHER EDUCATION CENTER

REVISED PROJECT BUDGET SUMMARY:

31-Dec-07

ITEM NO.	ITEM DESCRIPTION	
I.	BUILDING CONSTR'N. COSTS (54,000 sf @ \$165/sf) (Site Development Costs Omitted)	\$8,910,000
II.	SITE ALLOWANCE	\$695,000
	TOTAL CONSTRUCTION COSTS	\$9,605,000
III.	CONSTRUCTION CONTINGENCY (5% of above)	\$480,250
	MAXIMUM ALLOWABLE CONSTRUCTION COST (Per Owner/Architect Agreement)	\$10,085,250
IV.	BASIC A/E FEES @ 6.46 % of MACC	\$651,507
V.	PROGRAMMING/SITE EVAL./MASTER PLAN FEES	\$80,000
VI.	SURVEY/TESTING/COST ESTIMATING/SPECIALTY SERVICES ALLOWANCE	\$140,000
VII.	REIMBURSABLE & MISC. OTHER SOFT COSTS	\$57,500
	PROJECT BUDGET, LESS LAND ACQUISITION	\$11,014,257
VIII.	LAND ACQUISITION	
	A. A-Hood Bonding (150 Clay St.)	\$126,300
	B. Carriage House (333. W. Market St.)	\$187,000
	C. Paul Adams (331. W. Market St.)	\$359,000
	D. Vacant Lot (300 W. Market St.)	\$72,000
	E. Vacant Lot (361 W. Market St.)	\$190,000
	F. Wards' Feed Store (230 Revere St.)	\$192,000
	G. Jim's Lawn Center (130 Clay St.)	\$265,000
	H. Generator Shop (217 Revere St.)	\$91,000
	I. Fire Fighting Building	\$121,000
		\$1,603,300
IX.	GEOTECHNICAL / SOILS REMEDIATION	\$150,000
X.	ENVIRONMENTAL / SITE REMEDIATION	\$75,000
XI.	BUILDINGS' DEMOLITION	\$150,000
	TOTAL PROJECT BUDGET	\$12,992,557

NOTES: 1. Furniture, Fixtures & Equipment (FF&E) Costs Not Included In Line Items Above.
2. Relocation Costs for Overhead Power, Telephone, Fiber Optic and Cable TV Lines Not Included In Line Items Above.
3. Allied Health Building Costs, Related Site Development Costs, and Daycare Center Costs Not Included In Line Items Above.

KINGSPORT HIGHER EDUCATION CENTER

REVISED PROJECT BUDGET SUMMARY:

20-Nov-07

ITEM NO.	ITEM DESCRIPTION		
I.	BUILDING CONSTR'N. COSTS (50,000 sf @ \$165/sf) (Site Development Costs Omitted)	\$8,250,000	
II.	SITE ALLOWANCE	\$695,000	
III.	CONSTRUCTION CONTINGENCY (5% of Bid Target))	\$447,250	
	MAXIMUM ALLOWABLE CONSTRUCTION COST (Per Owner/Architect Agreement)	\$9,392,250	
IV.	BASIC A/E FEES @ 6.46 % of MACC	\$606,739	
V.	PROGRAMMING/SITE EVAL./MASTER PLAN FEES	\$80,000	
VI.	SURVEY/TESTING & COST ESTIMATING ALLOWANCE	\$95,000	
VII.	REIMBURSABLE & MISC. OTHER SOFT COSTS	\$57,500	
	PROJECT BUDGET, LESS LAND ACQUISITION	\$10,231,489	
VIII.	LAND ACQUISITION		
	A. A-Hood Bonding (150 Clay St.)	\$126,300	
	B. Carriage House (333. W. Market St.)	\$187,000	
	C. Paul Adams (331. W. Market St.)	\$359,000	
	D. Vacant Lot (300 W. Market St.)	\$72,000	
	E. Vacant Lot (361 W. Market St.)	\$190,000	
	F. Wards' Feed Store (230 Revere St.)	\$192,000	
	G. Jim's Lawn Center (130 Clay St.)	\$265,000	
	H. Generator Shop (217 Revere St.)	\$91,000	
	I. Fire Fighting Building	\$121,000	\$1,603,300
IX.	GEOTECHNICAL / SOILS REMEDIATION	\$150,000	
X.	ENVIRONMENTAL / SITE REMEDIATION	\$75,000	
XI.	BUILDINGS' DEMOLITION	\$150,000	
	TOTAL PROJECT BUDGET	\$12,209,789	

- NOTES:
1. Furniture, Fixtures & Equipment (FF&E) Costs Not Included In Line Items Above.
 2. Relocation Costs for Overhead Power, Telephone, Fiber Optic and Cable TV Lines Not Included In Line Items Above.
 3. Allied Health Building Costs, Related Site Development Costs, and Daycare Center Costs Not Included In Line Items Above.



March 25, 2008

Jeff Fleming
 Assistant City Manager
 City of Kingsport
 225 West Center Street
 Kingsport Tennessee 37660-4237

**KINGSPORT HIGHER EDUCATION CENTER
 PROPOSAL FOR LEED CERTIFICATION SERVICES**

Dear Jeff,

550 W. MAIN STREET
 SUITE 300
 KNOXVILLE, TN 37902
 (865) 544-2000
 FAX (865) 544-0402
 WWW.MHMINC.COM

As discussed, we are pleased to offer this proposal to provide additional services for sustainable design and LEED Consulting through the design Development and Construction Document phases of this project. Attached is a project checklist that shows the probable credits for a LEED Silver Certification. This proposal includes the professional services, based on LEED-NC v.2.2, through the design phase needed to work toward this certification. There are other costs that will be required during the construction phase in order to be eligible for the certification. It should be pointed out that if the construction phase activities are not approved, the work authorized during the design phase, in our opinion, will add value to the project through improved energy performance and environmental quality.

For the work described above MHM and our consultants proposes a total fee of \$49,000.00, plus expenses. Refer to Attachment "A" for the Scope of Services and Attachment "B" Preliminary LEED Checklist.

A/E FEES	\$37,245
LEED Administration	\$11,305
Registration & Certification Fees	\$450
<u>Total Services for Design and Construction Documents</u>	<u>\$49,000</u>

Commissioning is an integral part of the design and certification process. MHM will coordinate the efforts of the Commissioning Agent with the Design Team, Owner and Users to meet the requirements of LEED EAp 1. A separate agreement will be submitted for these services through the Construction Documents Phase.

If you are in agreement with this proposal, please sign below and return a copy for our record.

Sincerely,

Doug McCarty, AIA

Authorized by:

4/7/08
 Date:

Cc: Scott Welch, Li Wang, Don Horton, Heather Davis, File: 07023/1.1

- DIRECTORS**
 DOUGLAS MCCARTY, AIA
 JEFFREY D. JOHNSON, AIA
 DAVID COLLINS, AIA
- FOUNDER**
 BRUCE MCCARTY, FAIA
- SENIOR ASSOCIATES**
 STUART L. BUTCHER, AIA
 JOHN W. GADDIS, R.A.
 JOHN HOCKENSMITH
 BOB PIERCY, R.A.
 SCOTT A. WEBB, AIA
- ASSOCIATES**
 BARBARA TALLENT BACH, IIDA
 HEATHER DAVIS
 DON W. HORTON, R.A., LAP

SCOPE OF SERVICES FOR LEED-NC CERTIFICATION

The Design team, working in collaboration with the Owner and Users of the building, will review the project activities and accomplishments to date for compliance with Kingsport Higher Education Center goals and their relationship to LEED Certification.

Green Design Charrette

Conduct a Charrette of the Schematic Design for the design of the building systems, site and the indoor environmental quality and establish requirements of design and engineering disciplines.

- Review Prerequisite Requirements
- Establish list of credits to be sought for certification
- Assign credit responsibilities to Team members

Create Energy Model

A computer analysis of all energy systems and the building envelop based on the Schematic Design will be completed to determine a base line for energy performance. The model will allow the Team to make refinements to the design to achieve better performance.

Develop a Schedule for completion of credits

Review certification credits being sought and develop strategies and a time line for meeting credit requirements.

Commissioning

With the input from the full team, a commissioning plan will be developed. Specifications will be reviewed and modified for compliance with commissioning.

Document Review

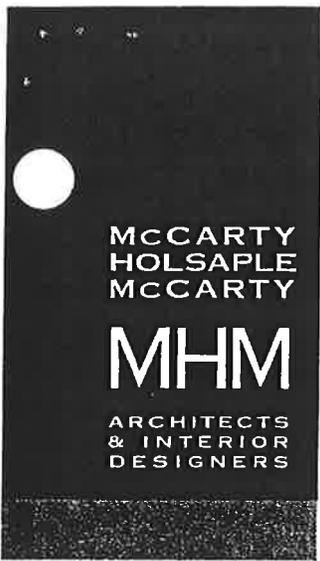
Review drawings for compliance with Kingsport Higher Education Center goals and LEED-NC Reference Guide v2.2.

Design Development Phase:

- Review plans and specifications for compliance with credits being sought
- Review Site Drawings and indicate requirements and constraints.
- Indicate changes required to the Building Design to meet credit requirements
- Make preliminary selection of building materials and evaluate for LEED credit compliance.
- Complete energy modeling

Construction Document Phase:

- Review of Document Progress
- Review Specifications
- Complete material selections
- Review building for constructability
- Coordinate work with the Commissioning Agent



550 W. MAIN STREET
SUITE 300
KNOXVILLE, TN 37902
(865) 544-2000
FAX (865) 544-0402
WWW.MHMINC.COM

March 25, 2008

Jeff Fleming
Assistant City Manager
City of Kingsport
225 West Center Street
Kingsport Tennessee 37660-4237

**KINGSPORT HIGHER EDUCATION CENTER
PROPOSAL FOR LEED COMMISSIONING SERVICES**

Dear Jeff,

The process of commissioning a facility will begin during the preparation of the construction documents. The commissioning agent working with the design team will define the proper procedures are set into place for bidding and constructing the project. MHM will coordinate the work of the commissioning agent with the design team, owner and building users.

We propose to work with the selected commissioning agent, TLC Engineering for Architecture, to provide the design phase commissioning services for a lump sum of \$28,750.00 that includes the MHM markup for reimbursable expenses. Attached is the proposal from TLC that outlines commissioning services for the entire project. MHM will be authorizing only the design phase of this proposal at this time.

If you are in agreement with this proposal, please sign below and return a copy for our records.

Sincerely,

Doug McCarty, AIA

Authorized by:

4/7/08
Date:

DIRECTORS
DOUGLAS MCCARTY, AIA
JEFFREY D. JOHNSON, AIA
DAVID COLLINS, AIA

FOUNDER
BRUCE MCCARTY, FAIA

SENIOR ASSOCIATES
STUART L. BUTCHER, AIA
JOHN W. GADDIS, R.A.
JOHN HOCKENSMITH
BOB PIERCY, R.A.
SCOTT A. WEBB, AIA

ASSOCIATES
BARBARA TALLENT BACH, IIDA
HEATHER DAVIS
DON W. HORTON, R.A., LAP

Cc: Scott Webb, Li Wang, Don Horton, Heather Davis, File: 07023/1.1



February 11, 2008

Don Horton AIA LEED AP
McCarty Holsaple McCarty
550 West Main Street
Suite 300
Knoxville, TN 37902-2515

**Re: Kingsport Higher Education Center
Commissioning Services Proposal**

Dear Don:

TLC Engineering for Architecture, Inc. (TLC) is delighted to submit the following fee proposal to provide commissioning services for the above-referenced project. We look forward to and appreciate the opportunity to work with you and your design team on this project.

PROJECT SCOPE

We understand the project is to consist of a 54,000 SF classroom and lab building. The project budget is approximately \$9,000,000. It will be located in Kingsport. We are assuming that the commissioned systems will include the three packaged rooftop HVAC units, VAV terminal units, exhaust fans, water heaters and recirculation systems, building lighting controls including occupancy sensors and daylight harvesting, and three VAV fume hoods. TLC's proposal is based on information provided in our phone conversations and our email exchanges February 5-6, 2008.

SCOPE OF SERVICES

Fundamental Commissioning of the Building Energy Systems

TLC will perform the commissioning authority's services as described in the LEED-NC v2.2 Reference Guide for Energy and Atmosphere Prerequisite 1. Please note that the Owner's Project Requirements and Basis of Design documents are to be developed by the Owner and design team, respectively.

We will visit the site once in design to meet with the Owner and project team, once to kick-off the commissioning process with the construction team, 6 times during construction to verify installation, once during system startup, and then once during system acceptance testing. If we are required to make additional trips, we will treat them as hourly cost-plus add services.

ADDITIONAL SERVICES

Additional services, when requested in writing by McCarty Holsaple McCarty, shall be performed at an hourly rate per the TLC rates schedule shown in ATTACHMENT A.

TLC shall submit the estimated additional services cost for approval and authorization prior to proceeding with a design.

PREVIOUSLY
APPROVED

FEE

Our fees (not including travel expense) are ~~\$25,000 in design~~ and ~~\$49,000 in construction~~, plus reimbursable expenses at 1.1 times direct cost. Reimbursable expenses include all out-of-metro Nashville travel-related costs, (TLC's Brentwood office to be considered point-of-origin for all trips), airfare, mileage, meals, lodging, plotting and printing (except as required for in-house coordination), photography, courier services, shipping and express mail. Billing will be monthly, based upon percentage of services completed and reimbursable expenses. Payment is due within 15 days of receipt of payment from client.

If our proposal is acceptable, your signature below will confirm our authorization to proceed. Retain one copy and return one copy to TLC Engineering for Architecture, Inc. at the address on page 1 of this proposal. This authorization constitutes your commitment to pay the fee and reimbursable expenses, and represents that approval has been received by your firm from the client. Alternatively, we can enter into a contract agreement using AIA Document B211 – 2004 Edition – Standard Form of Architect's Services: Commissioning.

We look forward to your favorable selection of TLC and the opportunity to assist your team for this and future projects. Please give me a call with any questions or comments.

Yours truly,

TLC ENGINEERING FOR ARCHITECTURE, INC.



Kim E. Shinn, PE, LEED AP, CxA
Project Manager



Stephan H. Kemp, PE
Division Director

MCCARTY HOLSAPLE MCCARTY

By: _____

Print Name and Title _____

Date _____



ATTACHMENT A
Kingsport Higher Education Center
Commissioning Services Proposal
February 11, 2008

TLC Engineering for Architecture, Inc. (TLC)

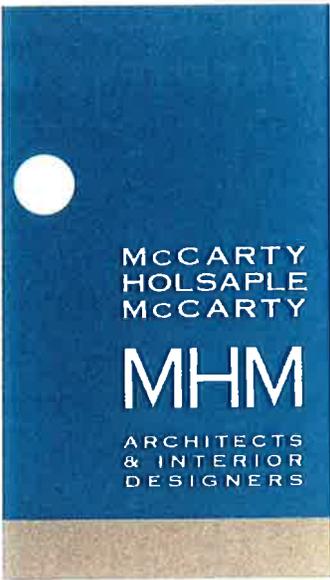
BILLING FACTOR	DESIGNATION	8/1/07 - 7/31/08 BILLING RATES
6	Director	\$ 195
5	Senior Engineer, Manager	165
4	Project Engineer, Manager	135
3	Engineer, Specialist	105
2	Graduate Engineer, Designer, Administrative Secretary	85
1	Technician, Secretary, Intern, Clerical	60

Rates subject to change with 30 days prior notice.

Special Consulting - 1.5 to 2.0 times normal billing rate

Rev. 7/31/07





550 W. MAIN STREET
SUITE 300
KNOXVILLE, TN 37902
(865) 544-2000
FAX (865) 544-0402
WWW.MHMINC.COM

June 18, 2008

David Mason, Project Manager
City of Kingsport
225 West Center Street
Kingsport Tennessee 37660-4237

**KINGSPORT HIGHER EDUCATION CENTER
PROPOSAL FOR LEED CERTIFICATION SERVICES – CONSTRUCTION PHASES**

Dear David,

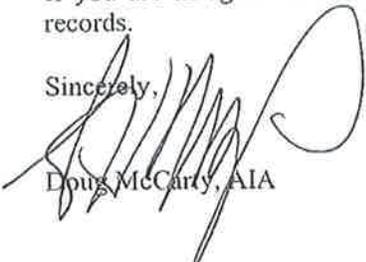
As discussed, we are pleased to offer this proposal to provide additional services for sustainable design and LEED Consulting through the Construction Phase of this project.

MHM and our consultants proposes a total fee of \$26,765.00, plus expenses. Please refer to Attachment "A" for the Scope of Services (attached).

LEED Administration	\$22,375.00
USGBC Fees	\$1,890.00
Civil Engineering	\$700.00
MEP Engineering	\$1,800.00
Total Services for Construction Phase	\$26,765.00

If you are in agreement with this proposal, please sign below and return a copy for our records.

Sincerely,


Doug McCarty, AIA

DIRECTORS
DOUGLAS McCARTY, AIA
JEFFREY D. JOHNSON, AIA
DAVID COLLINS, AIA

FOUNDER
BRUCE McCARTY, FAIA

SENIOR ASSOCIATES
STUART L. BUTCHER, AIA
JOHN W. GADDIS, R.A.
JOHN HOCKENSMITH
BOB PIERCY, R.A.
SCOTT A. WEBB, AIA

ASSOCIATES
BARBARA TALLENT BACH, IIDA
HEATHER DAVIS
DON W. HORTON, R.A., LAP

Authorized by: _____

Date: _____

Cc: Jeff Fleming
Li Wang
Warren Ince
File: 07023/1.1

Scott Webb
Don Horton
Heather Davis

SCOPE OF SERVICES FOR LEED-NC CERTIFICATION

The Design Team will work in collaboration with the Owner, Contractor and Commissioning Agent to complete submittal and verification process for the LEED-NC certification process.

Construction Phase

- Meet with Contractor and Sub-contractors to review all necessary procedures
- Review LEED requirements with all Construction Forces
- Assist in the development of a Waste Management Plan
- Assist in the development of a construction Air Quality Plan
- Establish the Submittal Review Process for shop drawing review
- Make periodic job site visits to review the work and construction site procedures.
- Coordinate Commissioning Agent activities with the project team.

Certification submittals

- Review data collection
- Submit Construction Credits for USGBC review
- Confirm compliance of Design Credits previously submitted to the USGBC
- Respond to certification review questions and comments
- Project certification.



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Sign all Documents Necessary to Enter into an Agreement with Embarq for Long Distance Telephone Service for the City of Kingsport.

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

Agenda Form No.: AF-176-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 1, 2008
 Staff Work: Chris McCartt
 Presentation: Chris McCartt

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO = Key Strategic Objective)

Recommendation: Approve the Resolution

Executive Summary:

The City of Kingsport is in the process of conducting a telephone audit to evaluate our long distance service, cell phone service, as well as the existing land lines for all city buildings. The purpose of this audit is to evaluate our current services and to implement efficiencies where needed to reduce costs and improve service. The first phase of this audit focused on our current long distance land line telephone service. Below is a listing of the offers we received.

Vendor	Rate/Term
Embarq	\$0.034 / 3 year
Sprint	\$0.051 / 2 year
AT&T	\$0.040 / 2 year
Charter	NA

After conducting an evaluation of this service staff recommends switching our current long distance service from Sprint to Embarq. Presently the City is paying approximately \$0.10 per minute for long distance service through Sprint, and that agreement is set to expire July 1, 2008. Under the proposed Embarq plan the City would pay approximately \$0.03 per minute with a three year agreement.

Attachments:

1. Resolution

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO ENTER INTO AN AGREEMENT WITH EMBARQ FOR LONG DISTANCE TELEPHONE SERVICE

WHEREAS, the city desires to enter into an agreement with Embarq to provide long distance telephone service; and

WHEREAS, presently the city pays approximately \$0.10 per minute for long distance service through another provider; and

WHEREAS under the Embarq plan the city will pay approximately \$0.03 per minute with a three year agreement and will have additional savings by combining local and long distance service.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to enter into an agreement with Embarq for long distance telephone service.

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

ADOPTED this the 1st day of July, 2008.

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 Authorizing the Re-imbusement of Materials Agreement Funds to Jeff McKee for the Settler's Ridge Phase II Development

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

Action Form No.: AF-190-2008
 Work Session: June 30, 2008
 First Reading: July 1, 2008

Final Adoption: July 1, 2008
 Staff Work By: R. McReynolds
 Presentation By: R. McReynolds

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #:

KSF #

KSO #

Recommendation: Approve the resolution

Executive Summary:

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

Pursuant to the policy, the BMA entered into a Materials Agreement with Jeff McKee related to the Settler's Ridge Development, Phase II (AF-356-2007) in the amount of \$18,822.89. Upon construction, adjustment due to sales tax, and close out of the necessary materials, the Developer is due \$17,439.89.

To date, including this development, the program has supported 457 new/proposed lots within the City of Kingsport. Of those lots, 20 Certificates of Occupancy have been issued to date.

Attachments:

1. Resolution
2. Closeout Worksheet
3. Location Map

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING REIMBURSEMENT OF
MATERIALS AGREEMENT FUNDS TO JEFF MCKEE FOR THE
SETTLER'S RIDGE PHASE II DEVELOPMENT

WHEREAS, pursuant to the Materials Agreement Policy as set forth in Resolution 2007-084, Jeff McKee entered into a Materials Agreement in March 2007, in the amount of \$18,822.89, with the city for provision of certain water and sewer materials by the city for the Settler's Ridge Subdivision Phase II Development; and

WHEREAS, upon construction, adjustment due to sales tax, and close out of the necessary materials the developer is due reimbursement funds, in the amount of \$17,439.89 for the Settler's Ridge Subdivision Phase II Development.

Now, therefore,

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

SECTION I. That reimbursement of Material Agreement funds, in the amount of \$17,439.89, to Jeff McKee for the Settler's Ridge Subdivision Phase II Development is approved.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Materials Agreement Close out

Project: Settlers Ridge Phase 1 section 2
 Date: October 27, 2007
 Developer: Jeff McKee

Water line

Item #	Item description	Units	U/M	Price	Total	Units Returned	Total Cost Returned	Non-returned Units	Non-returned Cost
41810	6" x 18' DI pushon pipe	16.0	ea	\$146.70	\$2,347.20		\$0.00		\$0.00
40845	6" joint restraint kit	8.0	ea	\$22.41	\$179.28		\$0.00		\$0.00
42115	3.6' bury hydrant	1.0	ea	\$1,015.22	\$1,015.22		\$0.00		\$0.00
42325	6' mj gate valve	2.0	ea	\$321.67	\$643.34		\$0.00		\$0.00
42845	6" x 18" mj anchoring coupling	1.0	ea	\$79.96	\$79.96		\$0.00		\$0.00
43032	6"x6x6 anchoring tee	2.0	ea	\$82.23	\$164.46		\$0.00		\$0.00
41610	6" Transition gasket	1.0	ea	\$1.98	\$1.98		\$0.00		\$0.00
42545	6" x 11 1/4 mj bend	1.0	ea	\$33.12	\$33.12		\$0.00		\$0.00
42555	6" x 22 1/2 mj bend	1.0	ea	\$36.12	\$36.12		\$0.00		\$0.00
					Total Amount Returned:		\$0.00		
								Non-returned totals:	\$0.00
Project #	WA0858								
	Expensed To:								
Subtotal:	451-0000-605-9003				\$4,500.68				
				Subtotal less returns:	\$4,500.68				
	REVISED SALES TAX			9.50%	\$427.56				
	Amount paid and Receipted To:								
Subtotal:	451-0000-208-1250				\$4,267.41				
Sales Tax:	451-0000-207-0201			9.50%	\$405.40				
	Total Paid			Water Total:	\$4,672.81				
	Sales Tax Adjustment				\$22.16				
								Subtotal:	\$4,245.25
Water	Refund Due Developer								\$4,245.25



Materials Agreement Close out

Sanitary sewer

Item #	Item description	Units	U/M	Price	Total	Units Returned	Total Cost Returned	Non-returned Units	Non-returned Cost
45003	8" x 14' sdr-35 gsktd sewer pipe	33.00	jt	\$39.62	\$1,307.46		\$0.00		\$0.00
45057	8" x 6" tee wye gsktd sewer	4.00	ea	\$24.13	\$96.52		\$0.00		\$0.00
45112	manhole covers v-1312-44	6.00	ea	\$188.00	\$1,128.00		\$0.00		\$0.00
45221	24" conc. Cone	6.00	ea	\$175.00	\$1,050.00		\$0.00		\$0.00
45223	16" conc. Riser	3.00	ea	\$110.00	\$330.00		\$0.00		\$0.00
45226	Manhole base	6.00	ea	\$562.17	\$3,373.02		\$0.00		\$0.00
45230	4" grade ring riser	3.00	ea	\$28.00	\$84.00		\$0.00		\$0.00
45231	6" grade ring riser	5.00	ea	\$40.00	\$200.00		\$0.00		\$0.00
41864	8" x 18' DI push on pipe	11.00	jt	\$226.20	\$2,488.20		\$0.00		\$0.00
Project # SW0858						Total Amount Returned:		\$0.00	
Expensed To:									
Subtotal: 452-0000-606-9003						\$10,057.20		Non-returned Totals: \$0.00	
				Subtotal less returns:		\$10,057.20			
REVISED SALES TAX				9.50%		\$955.43			
Amount Paid and Receipted To:									
Subtotal: 452-0000-208-1250						\$12,922.44			
Sales Tax: 452-0000-207-0201						9.50% \$1,227.63			
Total Paid						Sewer Total: \$14,150.07			
Sales Tax Adjustment						-\$272.20			
Sewer Refund Subtotal						\$13,194.64			
						Total Refund Due Developer:		\$17,439.89	

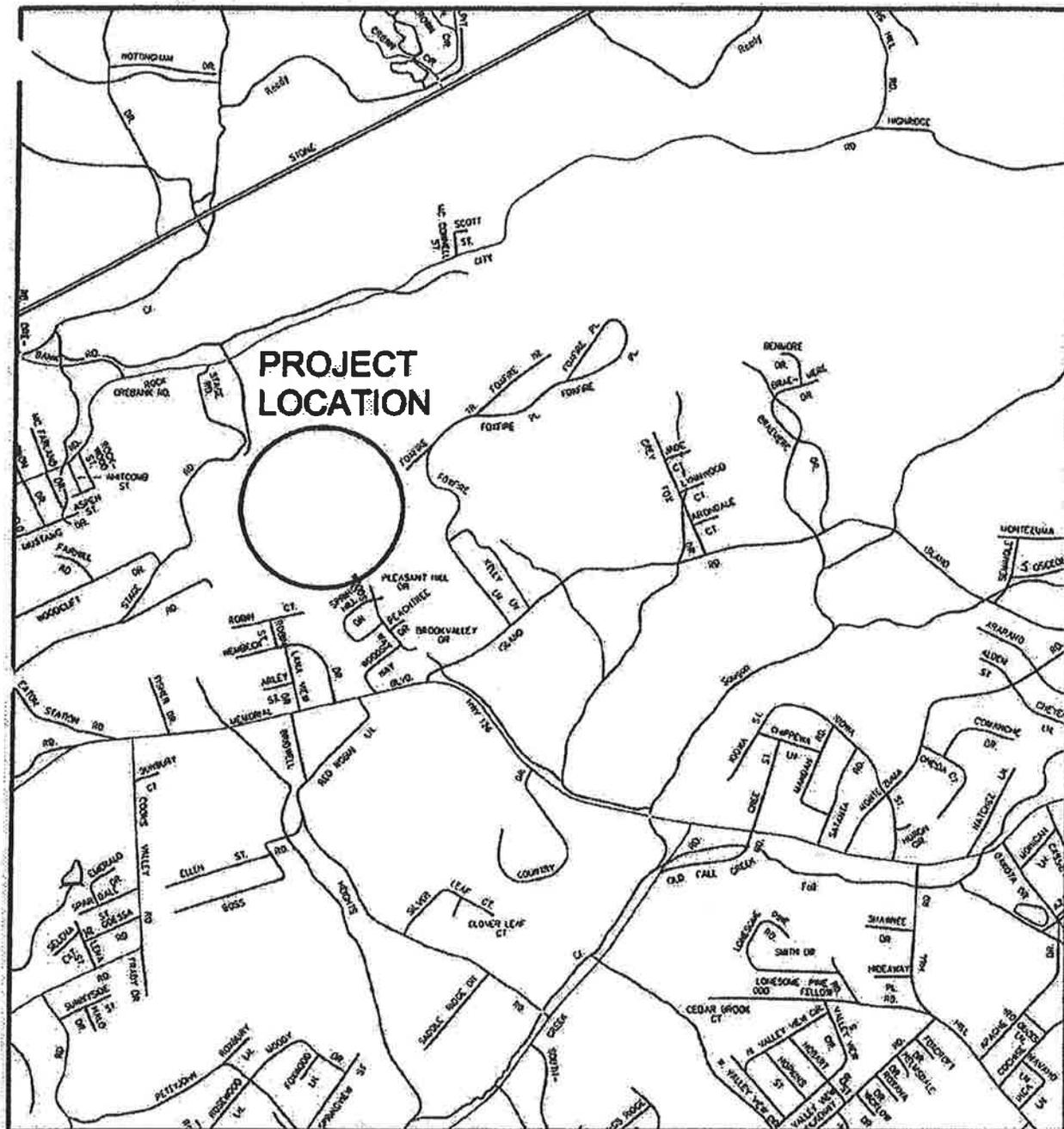
All parties signing this document agree that the items listed, along with their quantities, were received, used and/or returned as shown on this document. Any items due to the City of Kingsport must be received before the materials agreement between the City of Kingsport and the developer is closed out.

City of Kingsport Warehouse: Ben Sk Date: 6-26-08

City of Kingsport Inspector: Frank B. Clayton Date: 6-26-08

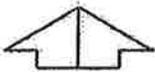
Developer: Jeffery M. Lee Date: 6-26-08





**PROJECT
LOCATION**

**FIGURE 1 - PROJECT LOCATION MAP
SETTLERS RIDGE DEVELOPMENT
CITY OF KINGSFORT, TENNESSEE**



NORTH

NTS



AGENDA ACTION FORM

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

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-208-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Ronnie Hammonds
 Presentation By: Ryan McReynolds

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #3: Stewardship of Public Funds

KSO #3: Appropriately support the KSO's of the BMA

Recommendation:

Approve the resolution.

Executive Summary:

Tennessee's solid waste act requires that landfill owners be able to demonstrate financial responsibility for future closure and post-closure activities. In June 1996, the City executed a contract in lieu of a performance bond. At that time the amount of financial assurance requested was \$1,390,095 for estimated closure/post-closure activities. This amount must be adjusted annually for inflation. The new amount of \$1,764,342 requires an amendment to the contract.

Attachments:

1. Resolution
2. Contract in Lieu of Performance Bond

Funding source appropriate and funds are available: N/A

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

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

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

WHEREAS, the State of Tennessee Department of Environment and Conservation has changed the manner in which annual inflation adjustments are calculated for financial assurance concerning such closure/post-closure care activities; and

WHEREAS, the annual inflation adjustment calculation changes the amount of financial assurance required for the landfill to \$1,764,342; and

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

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, an amendment to the June 1996, contract with the State of Tennessee Department of Environment and Conservation revising the amount of financial assurance required for the city's demolition landfill located on Brookside Drive.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



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

RECEIVED

JUN 5, 2008

City Managers Office

6/6/08 copied
 Ryan McReynolds
 original to
 Liz Gilbert

May 29, 2008

The Honorable Dennis R. Phillips
 City of Kingsport Mayor
 City Hall, 3225 West Center Street
 Kingsport, Tennessee 37660-4237

Certified Mail #7005 1820 0001 5801 5380
 Return Receipt Requested

RE: The Annual Inflation Adjustment of the financial assurance for *the City of Kingsport Landfill Permit # DML 82-0016* as required by Rule Chapter 1200-1-7-.03(3) of the Compilation of the Rules and Regulations of the State of Tennessee.

Dear Mayor Phillips:

The amount of all financial assurance instruments, held by the Department in accordance with the Rule cited above, must be adjusted annually for inflation. This adjustment for inflation must be made annually by no later than the *anniversary date* of the issuance of the financial assurance instrument.

The *Financial Responsibility Group* is using a 2.7% GNP (Gross National Product) inflation factor to be used for inflation adjustments and renewals required for the year 2008.

All Municipal and County Contracts of Obligation, held by the Department, must be adjusted annually for inflation by no later than the anniversary date of the issuance of the financial instrument. The Financial Responsibility Group must receive the amended Contract of Obligation by no later than thirty (30) days after the annual renewal date of the instrument.

The due date(s) and projected amount(s) for the inflation adjustment(s) of your financial instrument(s) are as follows:

Permit #	Instrument Type & No.	Anniversary Due Date	Inflation Adjustment Increase Required	Inflation Adjustment and Allowable Post Closure Reduction	Total Required Amount
DML 82-0016	Contract	6-24-08	\$ 46,385.00		\$ 1,764,342.00

Mayor Phillips
City of Kingsport
May 29, 2008
Page 2

Please see the attached spreadsheets, which also reflect the amount of financial assurance required due to the 2008 annual inflation adjustment and post closure reduction (if applicable) for your permit(s). The spreadsheets also list the current amount of financial assurance on file for each permit.

PLEASE NOTE

- (1) **Contract amendments to increase the amount of a Contract In lieu of Performance Bond may be deferred until the amount of the increase is greater than Five Thousand Dollars (\$5,000.00).**
- (2) **Please see page 3 of the attached spreadsheet, which reflects the amount of financial assurance required due to the annual inflation adjustment for 2008.**
- (3) **If you have been advised by the TDEC Field Office that the required post-closure activities at a permitted site listed herein have not been performed to the satisfaction of the Field Office Staff, do not reduce your financial assurance instrument until the Field Office has approved the reduction in writing with a copy of the approval being sent to the Financial Responsibility Group at the address listed below.**

All financial instruments should be mailed as follows:

State of Tennessee
Dept. of Environment & Conservation
Financial Responsibility Group
Eighth Floor, L & C Annex
401 Church Street
Nashville, TN 37243

If you have any questions, please call me at (615) 532-0877 or James Marks of my staff at (615) 532-0848.

Respectfully,

O. J. Wingfield
Oddie J. Wingfield, Director
Financial Responsibility Group

OJW/JEM

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

Enclosure: Customer Information Spreadsheet, Completed Example and Blanks

Amendment of Contract in Lieu of Performance Bond

Whereas, Kingsport, TN and the State of Tennessee Department of Environment and Conservation, entered into a Contract in Lieu of Performance Bond (Copy attached) for proper operation and closure and/or post-closure of Kingsport Demolition Landfill, Registration Number DML 82-104-0016; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$ 1,717,957.00 from any funds being disbursed or to be disbursed from the State to Kingsport, TN as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and Kingsport, TN desire to change the amount of said financial assurance from \$ 1,717,957.00 to \$ 1,764,342.00.

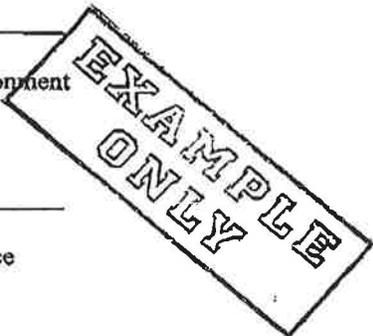
Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The figure "\$1,717,957.00" is deleted and the figure "\$ 1,764,342.00" is substituted in lieu thereof.

Date of Amendment to Contract May 29, _____ 2008

Commissioner
Department of Environment
and Conservation

Commissioner
Department of Finance
and Administration



Title: Mavor
For the City of Kingsport, TN

Title _____
For the County of: _____

Title _____
For _____

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

FINANCIAL RESPONSIBILITY

CUSTOMER DATABASE

DIVISION	Solid Waste Management	Evaluated by:	JEM
(UST ONLY)	<input type="checkbox"/> FUND PARTICIPANT - ELIGIBILITY ASSUMED	<input type="checkbox"/> FUND PARTICIPANT - NOT FUND ELIGIBLE	<input type="checkbox"/> NOT PARTICIPATING IN THE FUND
OWNER/OPERATOR NAME	Kingsport Demolition Landfill		
ADDRESS	City Hall, 225 West Center Street		
	Kingsport, TN 37660-4237		
CONTACT PERSON	The Honorable Dennis R. Phillips	RONNIE HAMMONDS	
TITLE	Mayor	(423) 229-9397	
TELEPHONE #	(423) 229-9400		
FAX NUMBER			
CORPORATE PARENT/OWNER ADDRESS	City of Kingsport, TN		
CONTACT PERSON			
TITLE			
PHONE #			
FAX NUMBER			
HW INSTALLATION ID # (EPA)			
SOLID WASTE PERMIT #	DML 82-0016		
UST OWNER ID #			
RADIOLOGICAL HEALTH PERMIT #			
SUPERFUND PERMIT #			
GEOLOGY (OIL & GAS) PERMIT #			
WATER POLLUTION CONTROL (SURFACE MINING) PERMIT #			

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

FACILITY OR PERMIT ID #

LOCATION OR ADDRESS

DWL 82-0015

Kingsport, Tennessee

Summary Sheet

Amount of Financial Assurance Required

PERMIT ID # OR FACILITY ID # (A)	AMOUNT OF CLOSURE OPERATING CONTINGENCY (A) Attachment (3,4)	AMOUNT OF POST- CLOSURE (B)	AMOUNT OF 3RD PARTY LIABILITY (C)	AMOUNT OF COR- RECTIVE ACTION (D)	INSTRU- MENT TYPE AND ISSUE DATE (E)	ISSUING INSTITU- TION (F)	TOTAL AMOUNT OF FINANCIAL ASSUR (G)
DML 82-0016	\$1,718,649.85	\$45,692.06					\$1,764,341.91
Total Required	\$1,718,649.85	\$45,692.06	\$0.00	\$0.00			Total (A+B+C/D) \$1,764,341.91

Amount of Financial Assurance On File

PERMIT ID # OR FACILITY ID # (A)	AMOUNT OF CLOSURE OPERATING CONTINGENCY ON FILE (AA)	AMOUNT OF POST- CLOSURE ON FILE (BB)	AMOUNT OF 3RD PARTY LIABILITY ON FILE (CC)	AMOUNT OF COR- RECTIVE ACTION ON FILE (DD)	INSTRU- MENT TYPE AND ISSUE DATE (E)	ISSUING INSTITU- TION (F)	TOTAL AMOUNT OF FINANCIAL ASSUR (G)
DML 82-0016	\$1,673,466.26	\$44,490.81			C 8/24/98	Kingsport, TN	\$1,717,957.07
Total on File	\$1,673,466.26	\$44,490.81	\$0.00	\$0.00			Total (AA+BB+CC+DD) \$1,717,957.07
Net amount underfunded as of 05/30/2008	-\$45,183.59	-\$1,201.25					-\$46,384.84

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

Attachment 1 - Calculating Financial Assurance - Inflation Adjustment During the Operating Life of the Facility						
Facility :	City of Kingsport Demolition Landfill					
Permit# :	DML 82-0016					
Initial Year Calculated :	2004					
YEAR (A) (establish date times next year inflation rate)	ANNUAL INFLATION FACTOR (B)	CLOSURE COST (1) (C)	POST CLOSURE COST (2) (D)	OPERATING COST (3) (E)	CONTINGENCY COST (4) (F)	TOTAL AMOUNT OF FINANCIAL ASSURANCE DUE (G)
Year	(1) Formula =	=C17/B18	=D17/B18		=E17*B18	=SUM(C18:F18)
1996	1.025	\$1,272,900.00	\$36,000.00	\$15,000.00	\$66,195.00	\$1,390,095.00
1997	1.020	\$1,298,358.00	\$36,720.00	\$15,300.00	\$67,518.90	\$1,417,896.90
1998	1.020	\$1,324,325.16	\$37,454.40	\$15,606.00	\$68,869.28	\$1,446,254.84
1999	1.010	\$1,337,568.41	\$37,828.94	\$15,762.06	\$69,557.97	\$1,460,717.39
2000	1.015	\$1,357,631.94	\$38,396.38	\$15,998.49	\$70,601.34	\$1,482,628.15
2001	1.021	\$1,386,142.21	\$39,202.70	\$16,334.46	\$72,083.97	\$1,513,763.34
2002	1.022	\$1,416,637.34	\$40,065.16	\$16,693.82	\$73,669.82	\$1,547,066.13
2003	1.011	\$1,432,220.35	\$40,505.88	\$16,877.45	\$74,480.18	\$1,564,083.86
2004	1.016	\$1,455,135.87	\$41,153.97	\$17,147.49	\$75,671.87	\$1,589,109.20
2005	1.022	\$1,487,148.86	\$42,059.36	\$17,524.73	\$77,336.65	\$1,624,069.60
2006	1.027	\$1,527,301.88	\$43,194.96	\$17,997.90	\$79,424.74	\$1,667,919.48
2007	1.030	\$1,573,120.94	\$44,490.81	\$18,537.84	\$81,807.48	\$1,717,957.07
2008	1.027	\$1,615,595.20	\$45,692.06	\$19,038.36	\$84,016.28	\$1,764,341.91

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

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

(3) Calculated at 100 tons per day for individual year x 30 days at \$6.18 per ton.

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

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

A 2008 ASSESSMENT SUMMARY

CO: 082 SULLIVAN

CITY: 380 OR SCH DIST: KINGSPORT

DATE: 06/24/08
DATE LAST UPDATE: 06/23/08

LAND VALUE APPRAISED: \$584,642,400
 IMPROVEMENT VALUE APPRAISED: \$2,252,634,600
 TANGIBLE PERS PROP APPRAISED: \$1,232,811,101
 INTANGIBLE PERS PROP APPRAISED: \$0
 TOTAL VALUE APPRAISED: \$4,070,088,101

TOTAL PARCELS: 24,874
 TAXABLE PARCELS: 24,014
 EXEMPT PARCELS: 860
 TOTAL ASSESSED VALUE \$1,251,530,321

LOCAL REAL PROPERTY ASSESSED

PUB UTIL @55%	\$997810	PAR	2
COMMERCIAL @40%	\$356594040	PAR	2247
INDUSTRIAL @40%	\$101593920	PAR	81
RESIDENT. @25%	\$418004100	PAR	19175
HOME BELT @00%	\$0	PAR	0
FARM @25%	\$3107300	PAR	38
AGRICULT. @25%	\$884250	PAR	52
OPEN SPACE @00%	\$0	PAR	0
FOREST @25%	\$502575	PAR	8
MINERAL @00%	\$0	PAR	0

TANGIBLE PERSONAL PROPERTY ASSESSED

PUB UTIL @55%	\$6397	PAR	2
COMMERCIAL @30%	\$368514816	PAR	2408
INDUSTRIAL @30%	\$1325113	PAR	1
RESIDENT. @00%	\$0	PAR	0
FARM @00%	\$0	PAR	0

INTANGIBLE PERSONAL PROPERTY ASSESSED			
COMMERCIAL @00%	\$0	PAR	0
INDUSTRIAL @00%	\$0	PAR	0

** THE TOTAL DIFFERENCE IN MARKET AND USE APPRAISALS FOR AGRICULTURAL, OPEN **
 ** SPACE, AND FOREST LAND EQUALS ASSESSED VALUE OF \$2,691,725 **

PF1 KEY RETURN MENU

DRAFT
ONLY

DRAFT
ONLY

Value does not
Reflect T.I.F.



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for 8.5" x 11", 20 Lb. Copier Paper and 1, 2 and 3 Part Green Bar Paper to JanPak Paper Supply Company for FY09

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

Action Form No.: AF-209-2008

Work Session: June 30, 2008

First Reading: N/A

Final Adoption: July 1, 2008

Staff Work By: Committee

Presentation By: S. Crawford

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve the resolution.

Executive Summary: Bids were opened on June 25, 2008 for the purchase of copier and green bar paper for use in City and Schools locations. It is the recommendation of the Committee to purchase 8.5" x 11", 20 Lb. copier paper and 1, 2 and 3 part green bar paper on an as requested basis from JanPak Paper Supply Company based upon their reply to our invitation to bid of:

8.5" x 11" Copier Paper, 20 Lb.	- \$28.75/Case
1 Part Green Bar Paper	- \$39.21/Case
2 Part Green Bar Paper	- \$46.70/Case
3 Part Green Bar Paper	- \$54.74/Case

XPEDX appears to have submitted a lower dollar amount bid on 1 and 3 part green bar paper, but after calculating actual cost, because of packaging differences, the bid from JanPak is lower.

Funding is identified in various City and Schools accounts.

Attachments:

1. Resolution
2. Bid Opening Minutes

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR PURCHASE OF
COPIER AND GREEN BAR PAPER FOR USE BY THE CITY AND
KINGSPORT CITY SCHOOLS TO JANPAK PAPER SUPPLY
COMPANY FOR FISCAL YEAR 2009

WHEREAS, bids were opened June 25, 2008 for the purchase of 8.5" x 11' twenty (20) pound copier paper and 1,2, and 3 part green bar paper for use by the city and Kingsport City Schools; and

WHEREAS, upon review of the bids, the board finds JanPak Paper Supply Company is the lowest responsive compliant bidder in the best interest and advantage to the city, and the City of Kingsport desires to purchase the copier and green bar paper on an as requested basis from JanPak Paper Supply Company at a cost of \$28.75 per case for the 8.5" x 11' twenty (20) pound copier paper, \$39.21 per case for 1 part green bar paper, \$46.70 per case for 2 part green bar paper, and \$54.74 per case for 3 part green bar paper for fiscal year 2009; and

WHEREAS, funding will be provided from various city and schools accounts.

Now therefore,

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

SECTION I. That the bid for purchase on an as requested basis of 8.5" x 11' twenty (20) pound copier paper at a cost of \$28.75 per case for the 8.5" x 11' twenty (20) pound copier paper, \$39.21 per case for 1 part green bar paper, \$46.70 per case for 2 part green bar paper, and \$54.74 per case for 3 part green bar paper for use by the city and Kingsport City Schools is awarded to JanPak Paper Supply Company for fiscal year 2009 and the City Manager is authorized to execute a purchase order for same.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
June 25, 2008
4:00 P.M.

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

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

The Procurement Manager opened with the following bids:

COPIER PAPER			
Item:	Vendors:		
	XPEDX	JanPak Supply Solutions, Inc.	Ricoh Americas, Corp.
8.5 x 11	\$31.45	\$28.75	\$28.93
8.5 x 14	\$42.85	No Bid	\$39.34
11 x 17	\$33.70	No Bid	\$31.85
Green Bar - 1 Part	\$32.40	\$39.21	No Bid
Green Bar - 2 Part	\$51.05	\$46.70	No Bid
Green Bar - 3 Part	\$54.30	\$54.74	No Bid

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



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for Biodiesel Fuel to Pilot Travel Centers, LLC and Authorizing the Mayor to Sign all Applicable Documents

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

Action Form No.: AF-210-2008 Final Adoption: July 1, 2008
Work Session: June 30, 2008 Staff Work By: Committee
First Reading: N/A Presentation By: S. Crawford

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve the resolution.

Executive Summary: Bids were opened on June 25, 2008 for the purchase of biodiesel fuel for use in City vehicles and equipment. It is the recommendation of the Committee to purchase biodiesel fuel from Pilot Travel Centers, LLC based upon their reply to our invitation to bid of "cost plus \$.065" per gallon. The biodiesel bid from Pilot Travel Centers, LLC is the lowest, responsible, compliant bidder meeting specifications for the particular grade or class of material, work or service desired in the best interest and advantage to the City.

Funding is identified in Fleet Maintenance Fund Inventory/Inventory Stock Account Number 511-0000-141-0000.

Attachments:

- 1. Resolution
2. Bid Opening Minutes

Funding source appropriate and funds are available: _____

Table with 3 columns: Name, Y, N, O. Rows include Joh, Mallicote, Marsh, Munsey, Shull, Shupe, Phillips.

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR PURCHASE OF BIODIESEL FUEL FOR USE IN CITY EQUIPMENT AND VEHICLES TO PILOT TRAVEL CENTERS, LLC AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURCHASE

WHEREAS, bids were opened June 25, 2008 for the purchase of biodiesel fuel for use in city equipment and vehicles; and

WHEREAS, upon review of the bids, the board finds Pilot Travel Centers, LLC is the lowest responsive compliant bidder in the best interest and advantage to the city, and the City of Kingsport desires to purchase the biodiesel fuel from Pilot Travel Centers, LLC at "cost plus \$.065" per gallon; and

WHEREAS, funding is identified in the Fleet Maintenance Fund Inventory/Inventory Stock Account Number 511-0000-141-0000; and

WHEREAS, certain documents must be executed to effectuate the purchase of the biodiesel fuel.

Now therefore,

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

SECTION I. That the bid for purchase of biodiesel fuel for use in city equipment and vehicles, at "cost plus \$.065" per gallon, is awarded to Pilot Travel Centers, LLC and the City Manager is authorized to execute a purchase order for same.

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, all documents necessary and proper to effectuate the purchase of biodiesel fuel from Pilot Travel Centers, LLC.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**MINUTES
BID OPENING
June 25, 2008
4:00 P.M.**

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

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

The Procurement Manager opened with the following bids:

BIODIESEL		
Vendors:	Markup Margin Per Gallon	
	B20	B10
Petroleum Traders Corp.	+ .1274	+ .1274
Rogers Petroleum	+ .0768	+ .0768
Pilot Travel Centers, LLC	+ .065	+ .065

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



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Execute an Agreement for an Upgrade to the Direct Fiber Ethernet Cable with Internet Access with Embarq-United Telephone Southeast, Inc.

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

Action Form No.: AF-213-2008
Work Session: June 30, 2008
First Reading: N/A

Final Adoption: July 1, 2008
Staff Work By: Info. Tech. Dept.
Presentation By: S. Crawford/T. Wexler

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve a resolution for the Agreement with Embarq-United Telephone-Southeast, Inc. for 10 Mbps Enhanced Ethernet/Dedicated Internet Access.

Executive Summary: See Supplemental Information.

Funding for FY'09 is identified in line item account number 110-4810-481-20-34.

Attachments:

1. Supplemental Information
2. Resolution

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

SUPPLEMENTAL INFORMATION

In February 2007, the City signed a contract with Embarq for enhanced Internet service that consisted of the physical connection to Embarq's network and the provision of access to the Internet over a 5-year period at a cost of approximately \$1560 per month. The Information Technology department determined that a direct Ethernet connection was required for improved reliability and wider bandwidth. This new service fulfilled its purposes for over a year.

A couple of months ago, Embarq instituted a rate reduction and we were presented the opportunity to double our bandwidth connection to Embarq at a cost increase of less than \$200 per month, a vast improvement in service for what seemed a small, incremental rise in price.

At that time, we asked Embarq to proceed with the increase. They came forward with a replacement contract that would extend the original agreement by about 17 months, and increase our monthly cost from \$1560 to \$1756 and double our bandwidth from 5 million bits per second to 10 million bits per second. As we continue to provide new high speed connections to parts of City government that never before had service like this (Bays Mountain Park and the Renaissance Center, to name a couple of examples), and as vendors are starting to offer City departments new Internet-mediated, high-bandwidth services, this new Embarq offering has come not a moment too soon.

This department believes the increased service is necessary and taking advantage of this price reduction is in the best interest of the City now and for the next 5 years.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR AN UPGRADE TO THE DIRECT FIBER ETHERNET CABLE WITH INTERNET ACCESS WITH EMBARQ-UNITED TELEPHONE SOUTHEAST, INC.

WHEREAS, in February 2007 the city entered into a contract with Embarq-United Telephone Southeast, Inc. for enhanced internet service over a five (5) year period at a cost of approximately \$1560 per month; and

WHEREAS, the city desires to enter into a replacement contract with Embarq-United Telephone Southeast, Inc. which will double our bandwidth connection to Embarq from 5 million bits per second to 10 million bits per second; and

WHEREAS, the replacement contract will extend the term of the original contract by about seventeen (17) months and will increase the monthly cost from \$1560 to \$1756; and

WHEREAS, approval of the contract will result in increased internet access service in the best interest of the city.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, a contract with Embarq-United Telephone Southeast, Inc. for an upgrade to the direct fiber Ethernet cable with internet access extending the original February 2007 contract by seventeen (17) months at a cost of \$1756 per month.

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

ADOPTED this the 1st day of July, 2008.

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 Awarding the Bid for the Purchase of Asphalt to APAC-Atlantic, Inc. and A & J Asphalt, Inc. for FY09.

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

Action Form No.: AF-214-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Committee
 Presentation By: S. Crawford

BMA Strategic Plan 2005-2006

(CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)

CV #: N/A

KSF #4: Stewardship of Public Funds

KSO #: N/A

Recommendation: Approve the resolution.

Executive Summary: Bids were opened on June 25, 2008 for the purchase of asphalt material for use by the Public Works Department for FY09. The specifications contained within the invitation to bid state that "the City retains the right to award this bid to more than one vendor due to geographical considerations". Therefore, the Committee recommends awarding the Northside geographical area to APAC-Atlantic, Inc. and the Southside portion to A & J Asphalt, Inc. The specifications also included a renewal option clause for future purchases.

Funding is identified in the State Street Aid Fund for Paving Maintenance.

Attachments:

1. Resolution
2. Bid Opening Minutes

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR PURCHASE OF TO
APAC-ATLANTIC, INC. AND A & J ASPHALT, INC. FOR FISCAL
YEAR 2009

WHEREAS, bids were opened June 25, 2008 for the purchase of asphalt material for use by the public works department for fiscal year 2009; and

WHEREAS, the specifications contained with the bid invitation enable the city to award the bid to more than one vendor due to geographical considerations and include a renewal option clause for future purchases; and

WHEREAS, upon review of the bids, the board finds APAC-Atlantic, Inc. is the lowest responsive compliant bidder in the best interest and advantage to the city for the Northside geographical area and that A & J Asphalt, Inc. is the lowest responsive compliant bidder in the best interest and advantage to the city for the Southside geographical area and the City of Kingsport desires to purchase the asphalt material from these two companies for fiscal year 2009; and

WHEREAS, funding is identified in the State Street Aid Fund for Paving Maintenance.

Now therefore,

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

SECTION I. That the bid for purchase of asphalt material for the Northside geographical area is awarded to APAC-Atlantic, Inc. for fiscal year 2009 at the bid prices listed as follows and the City Manager is authorized to execute a purchase order for same:

411-E - \$65.00
307-C - \$49.00
307-B - \$49.00
411-D - \$68.00.

SECTION II. That the bid for purchase of asphalt material for the Southside geographical area is awarded to A & J Asphalt, Inc. for fiscal year 2009 at the bid prices listed as follows and the City Manager is authorized to execute a purchase order for same:

411-E - \$57.75
307-C - \$45.50
307 B - \$45.50
411-D - \$67.75

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**MINUTES
BID OPENING
June 25, 2008
4:00 P.M.**

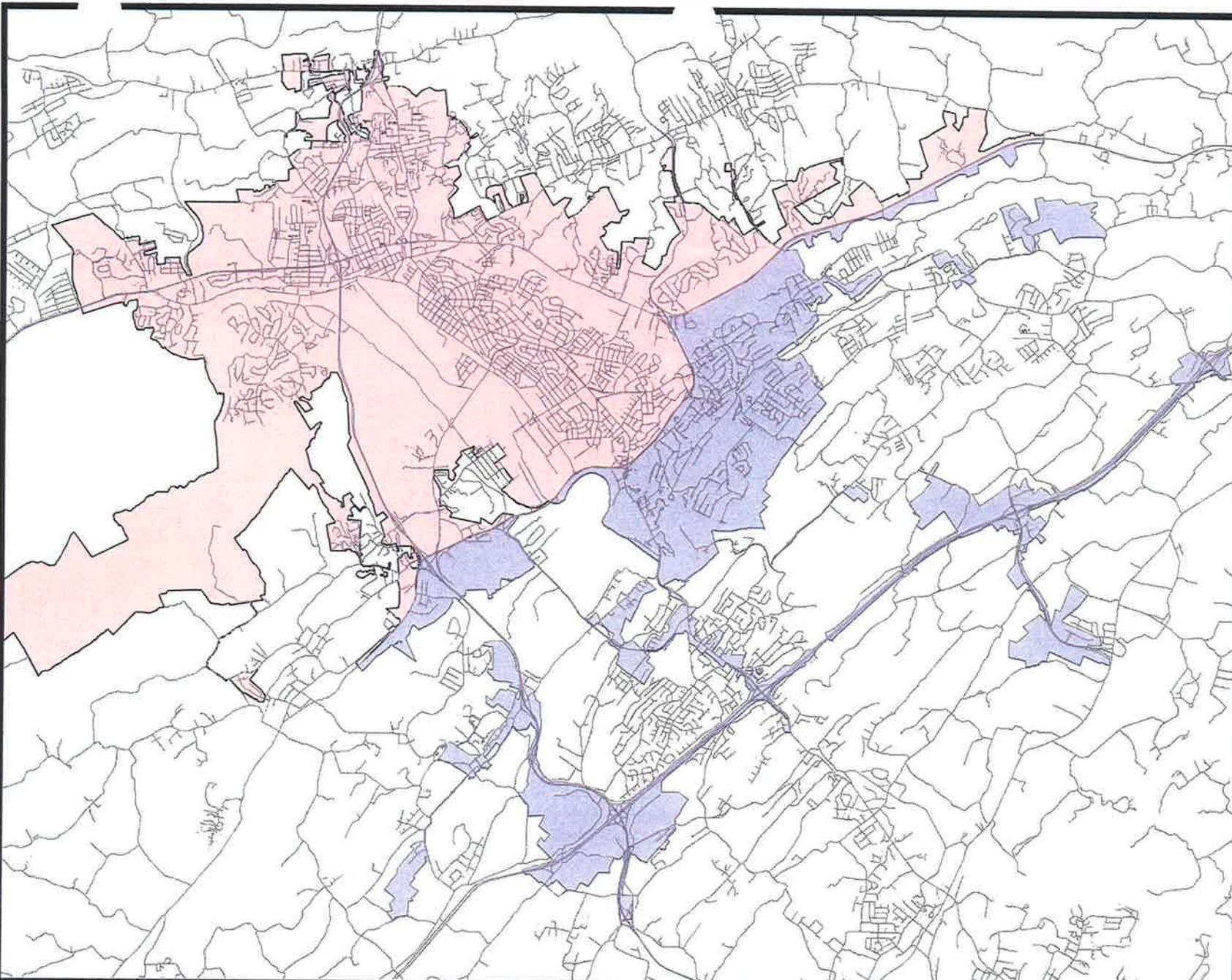
Present: Sandy Crawford, Procurement Manager; and Brent Morelock, Assistant Procurement Manager

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

The Procurement Manager opened with the following bids:

ASPHALT	
Vendor:	Per Ton:
Pavewell Paving Co.	411-E - \$59.25
	307-C - \$53.00
	307-B - \$50.50
	411-D - \$65.00
U.S. Asphalt, Inc.	411-E - \$65.00
	307-C - \$64.00
	307-B - \$63.00
	411-D - No Bid
Summers-Taylor, Inc.	411-E - \$62.85
	307-C - \$52.90
	307-B - \$50.60
	411-D - \$66.70
A & J Asphalt, Inc.	411-E - \$57.75
	307-C - \$45.50
	307-B - \$45.50
	411-D - \$67.75
APAC Atlantic, Inc.	411-E - \$65.00
	307-C - \$49.00
	307-B - \$49.00
	411-D - \$68.00

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



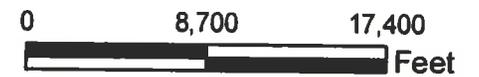
Legend

- North Kingsport
- South Kingsport



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Map Reference#15265
Date:06-27-08

North\South Kingsport Paving





AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Execute an Inter-Local Agreement with the Kingsport Emergency Communications District "E-911" of the City of Kingsport, Tennessee

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-169-2008	Final Adoption:	July 1, 2008
Work Session:	June 30, 2008	Staff Work By:	Capt. Jenny Abernathy
First Reading:	N/A	Presentation By:	Chief Osborne

Recommendation: Approve the Resolution

Executive Summary:

The Kingsport Communications District of the City of Kingsport was established in 1994, and by a vote of the citizens, entered into an agreement with the City of Kingsport, Tennessee for the city to provide facilities and employees necessary to operate and maintain an emergency communications service for the district. The proposed fee which the District will pay to the city is \$266,500 for FY 2008-2009.

Attachments:

1. Resolution
2. Agreement

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL COOPERATION AGREEMENT WITH THE EMERGENCY COMMUNICATIONS DISTRICT OF THE CITY OF KINGSPORT, TENNESSEE, FOR FISCAL YEAR 2008-2009

WHEREAS, the City of Kingsport desires to enter into an inter-local cooperation agreement with the Emergency Communications District of the City of Kingsport to allow the City to provide facilities and employees necessary to operate and maintain an emergency communications service for the District for fiscal year 2008-2009; and

WHEREAS, a fee, in an amount up to \$266,500.00, will be paid by the District to the City for the operation and maintenance the service.

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the City Attorney, an inter-local cooperation agreement with the Emergency Communications District of the City of Kingsport to allow the City to provide facilities and employees necessary to operate and maintain an emergency communications service for the District for fiscal year 2008-2009 for which service the District will pay to the City a fee up to \$266,500.00.

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

AGREEMENT
BETWEEN
THE CITY OF KINGSPORT, TENNESSEE
AND
THE EMERGENCY COMMUNICATIONS DISTRICT
OF THE CITY OF KINGSPORT, TENNESSEE

INTER-LOCAL COOPERATION AGREEMENT
ESTABLISHING POLICIES AND PROCEDURES
FOR MUTUAL AID AND COORDINATION OF
EMERGENCY COMMUNICATIONS SERVICE

THIS AGREEMENT made and entered into as of this 1st day of July, 2008, by and between the City of Kingsport, hereinafter called "CITY", and the Emergency Communications District of the City of Kingsport, Tennessee, hereinafter called "DISTRICT".

W I T N E S S E T H

WHEREAS, CITY, by its Ordinance No. 4920, authorized the execution of an inter-local cooperation agreement between CITY and DISTRICT;

NOW, THEREFORE, the premises considered, the parties agree as follows:

1. **PURPOSE.** This Agreement shall be for the purpose of establishing the terms and conditions by which CITY shall provide facilities and employees necessary to operate and maintain an emergency communications service for DISTRICT.
2. **PHYSICAL PLANT.** CITY shall provide to DISTRICT a Public Safety Answering Point and Central Dispatch with all necessary and desirable associated amenities to make the operation fully functional. CITY will provide to DISTRICT a location to receive mail and reasonably associated administrative facilities, as the same may be necessary from time to time.
3. **TRAINING.** In providing "911" service to the citizens and residents of CITY, and other service users, DISTRICT has elected to utilize the direct dispatch method of responding to emergency calls. This "911" service is provided by means of this inter-local agreement between DISTRICT and CITY.

In compliance with *2003 Tenn. Pub. Acts, chapter 254, Sections 2 and 3*, DISTRICT and CITY agree that each of the 911 dispatchers employed by CITY pursuant to said inter-local agreement, must not only meet the general requirements set forth in *Tenn. Code Ann. Section 7-86-205* and *Tenn. Code Ann. Section 58-2-202*, but must also, within six

six (6) months of their employment with CITY, meet those training and course of study requirements established from time to time by the PUBLIC SAFETY COMMITTEE created by *Tenn. Code Ann. Section 58-2-201* and the EMERGENCY COMMUNICATIONS BOARD, Department of Commerce and Insurance of the State of Tennessee.

It is understood by the Parties that this agreement imposes an obligation on CITY that DISTRICT's expectation of receiving due performance will not be impaired. In order that no reasonable grounds for insecurity shall arise with respect to the performance of CITY, CITY shall provide adequate assurance of its due performance by reporting whether dispatchers have received the statutorily required continuing education on or about the beginning of the calendar year 2009.

4. **EMPLOYEES.** CITY shall provide to DISTRICT a total of 19 personnel for operation of emergency communications services for DISTRICT, including:
 - a. one (1) Watch Commander having the rank of Police Lieutenant, with corresponding salary and benefits, to supervise the operations of Central Dispatch to include training, scheduling of manpower, payroll, budget, etc., for a more closely supervised operation and to otherwise utilize enhanced management practices; and
 - b. one (1) Communications Technical Services Coordinator; and
 - c. one (1) Dispatch Supervisor; and
 - d. four (4) Shift Leaders; and
 - e. twelve (12) Dispatchers.

5. **ADMINISTRATIVE SERVICES.** CITY shall provide to DISTRICT the opportunity to participate in using other services and facilities available to departments of CITY including, but not limited to, electronic data processing, geographic information systems, accounting, record management, insurance and purchasing; and more particularly, the Geographic Information System (GIS) division to provide products and services to DISTRICT, to include maintenance and update of geographic information within the city limits of Kingsport directly and indirectly related to Emergency Communications; data specifically maintained for E911 purposes include point data concerning address information, streets centerline data with address ranges, and emergency service zone information; coordination of the Master Street and Address Guide (MSAG); data update, maintenance and software support to the mapping applications located in the PSAP; coordination with EMBARQ and MicroDATA (mapping vendor) to ensure continuity of operations during upgrades to mapping software; and data not directly related to emergency communication but deemed useful in the PSAP including city limits, fire hydrants, digital orthophotography, emergency service agencies, school grounds, parks, and many other geographic features relevant to emergency communications to be

communications to be updated from GIS to the PSAP regularly on an as-needed basis.

- REIMBURSEMENT.** DISTRICT shall, out of the emergency telephone service charge levied upon service users of the DISTRICT, reimburse CITY for the expenses incurred by it for providing the physical plant, employees and administrative services. The annual amount of such reimbursement shall be TWO HUNDRED SIXTY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$266,500.00) payable quarterly.

Any vacancy shall be filled within sixty (60) days. Failure of CITY to fill any personnel vacancy within the sixty day requirement may allow DISTRICT to withhold funding pro-rated for the quarterly billing cycle.

- TERM.** This Agreement shall be for a period of one year from the date first herein set forth.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**EMERGENCY COMMUNICATIONS DISTRICT
OF THE CITY OF KINGSPORT, TENNESSEE**

JAMES F. KEESLING
Chairman

ATTEST:

BARBARA PEAVLER
Secretary

CITY OF KINGSPORT, TENNESSEE

DENNIS R. PHILLIPS
Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING
City Recorder

J. MICHAEL BILLINGSLEY
City Attorney



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant from Target Stores, Inc. for Crime Prevention and Youth Mentorship

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

Action Form No.: AF-211-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Capt. Abernathy
 Presentation By: Chief Osborne

Recommendation:

Approve the resolution.

Executive Summary:

Target Inc. provides specific grant opportunities to local Law Enforcement through their Target & Blue Campaign. Their desire is to partner with local law enforcement to provide funding for issues such as Crime Prevention and Youth Mentorship. We have titled this opportunity KPDKids; we contact hundreds of children annually in crisis and non-crisis situations. Monies will be utilized to purchase children's badges, pencils and/or small stuffed animals for officers to distribute.

Maximum grant amount is \$2,500.00. No matching monies are required.

Attachments:

1. Resolution

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE TARGET, INC. GRANT FUNDING THROUGH THE TARGET & BLUE CAMPAIGN FOR CRIME PREVENTION AND YOUTH MENTORSHIP

WHEREAS, grant funding, in an amount up to \$2,500, is available from Target, Inc. through its Target & Blue Campaign; and

WHEREAS, if awarded, the grant funds will be used by the Kingsport Police Department for crime prevention and youth mentorship; 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 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, all documents necessary and proper to apply for and receive grant funding, in an amount up to \$2,500, from Target, Inc. through its Target & Blue Campaign for use by the Kingsport Police Department for crime prevention and youth mentorship .

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

ADOPTED this the 1st day of July, 2008.

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 Authorizing the Mayor to Execute all Documents Necessary and Proper to Apply for and Receive a Grant for \$13,478.00 from the Department of Justice, 2008 Local Justice Assistance Grant Program (JAG)

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

Action Form No.: AF-212-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Capt. Abernathy
 Presentation By: Chief Osborne

Recommendation:

Approve the resolution

Executive Summary:

The Kingsport Police Department has ongoing grant opportunities with the Department of Justice/Bureau of Justice Assistance (Justice Assistance Grants -JAG). We have been notified that we are eligible for \$13,478 in grant funds for the upcoming fiscal year. The grant will be utilized to purchase equipment and/or technology.

There are no matching fund requirements.

Attachments:

1. Resolution

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE UNITED STATES DEPARTMENT OF JUSTICE, 2008 LOCAL JUSTICE ASSISTANCE GRANT PROGRAM FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE KINGSPORT POLICE DEPARTMENT

WHEREAS, grant funding, in the amount of \$13,478, is available through the United States Department of Justice, 2008 Local Justice Assistance Grant Program (JAG); and

WHEREAS, the grant funds will be used to purchase equipment and/or technology for the Kingsport Police Department; 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 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, all documents necessary and proper to apply for and receive United States Department of Justice, 2008 Local Justice Assistance Grant funding in the amount of \$13,478 for the purchase of equipment and/or technology for the Kingsport Police Department.

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

ADOPTED this the 1st day of July, 2008.

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 Awarding a Contract for a Guaranteed Maximum Price to J. A. Street & Associates as Construction Manager/General Contractor for the Construction of the Higher Education Building and Authorizing the Mayor to Execute a Contract to Begin Construction

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.: 216-2008
 Work Session: June 30, 2008
 First Reading: N/A

Final Adoption: July 1, 2008
 Staff Work By: Crawford, Fleming, Campbell
 Presentation By: John Campbell

Recommendation: Approve the resolution.

Executive Summary:

The city issued a request for proposal for construction manager/general contractor for the construction of the higher education building. A review and evaluation of the proposals resulted in the recommendation to award the contract to J. A. Street & Associates based on a guaranteed maximum price, subject to final approval by the board. The attached resolution awards J. A. Street & Associates the contract and authorizes the mayor to execute the attached temporary contract (letter contract to proceed) to begin the construction process, and particularly the early structural steel package. The guaranteed maximum price has not yet been established, but the construction schedule dictates the need to begin the scope of the work listed in the subcontract agreement referenced in the letter contract, a copy of which is attached.

Once the guaranteed maximum price is established and a contract is drafted it will be brought to the board for approval.

Attachments:

1. Resolution
2. Letter Contract to Proceed and Subcontract Agreement
3. Minutes of Bid Opening March 18, 2008
4. Proposal Evaluations

Funding source appropriate and funds are available: _____

	Y	N	O
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDDING A CONTRACT FOR A GUARANTEED MAXIMUM PRICE TO J.A. STREET & ASSOCIATES AS CONSTRUCTION MANAGER / GENERAL CONTRACTOR FOR CONSTRUCTION OF THE HIGHER EDUCATION BUILDING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT TO BEGIN CONSTRUCTION

WHEREAS, the city issued a request for proposal for construction manager/general contractor for the construction of the higher education building; and

WHEREAS, a review and evaluation of the proposals resulted in the recommendation to award the contract to J.A. Street & Associates on a guaranteed maximum price, subject to final approval of the Board of Mayor and Aldermen; and

WHEREAS, a temporary contract must be executed to begin the construction process.

Now therefore,

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

SECTION I. That the contract for a guaranteed maximum price is awarded to J.A. Street & Associates as construction manager / general contractor for construction of the higher education building.

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, Chapter 10 of the Charter of the City of Kingsport, a temporary contract with J.A. Street & Associates to begin construction of the higher education building.

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

ADOPTED this the 1st day of July, 2008.

DENNIS R. PHILLIPS, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**Letter of Contract
to Proceed and
Subcontract
Agreement
will be put at the
BMA Table on
Monday
June 30, 2008**

MINUTES
BID OPENING
March 18, 2008
4:00 P.M.

Present: Sandy Crawford, Procurement Manager; Brent Morelock, Assistant Procurement Manager; Jeff Fleming, Developmental Services; John Campbell, City Manager; and Don Solt, BLS.

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

The Procurement Manager opened with the following bids:

RFP FOR CONSTRUCTION MANAGER/GENERAL CONTRACTOR FOR HIGHER EDUCATION FACILITY
Vendor:
J.A. Street and Associates, Inc.
Denark Construction, Inc.
Armstrong Construction
Rentenbach Constructors, Inc.
Merit Construction, Inc.

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

Technical Proposal														
Section B: Qualifications & Experience (40 pts)						Section C: Technical Approach (30 pts)								
Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4	Evaluator 5	Section B Median	Evaluator 1	Evaluator 2	Evaluator 3	Evaluator 4	Evaluator 5	Section C Median	Section B+C Medians Total	Normalized Score	
J.A. Street Associates	36	37	36.8	39	31	36.8	30	25	29.8	28	24	28	64.8	68.73
Merit Construction	37	34	35.37	35	34	35	30	25	29.6	26	26	26	61	64.70
Denark Construction	39	33	35.65	37	40	37	29	23	29.4	27	29	29	66	70.00
Rentenbach Construction	38	38	35.71	34	35	35.71	29	27	29.2	27	26	27	62.71	66.51
Armstrong Construction	36	26	35.4	29	31	31	30	16	28	20	21	21	52	55.15

Max: 66

After interview with Merit Const. and J.A. Street Assoc.

	Preconstruction Phase Services Lump Sum Fee	CM/GC Construction Phase Services Fixed Fee (%)	Fixed Fee X Project Construction Budget (\$9,605,000)	General Conditions Monthly Rate	Monthly Rate X 13 Months	General Conditions Total Lump Sum Cost	Cost Proposal Total	Normalized Score	Total Score
J.A. Street Associates	\$15,000.00	6.00%	\$576,300.00	\$19,129.00	\$248,677.00	\$41,200.00	\$881,177.00	26.85	95.58
Merit Construction	\$15,000.00	3.75%	\$360,187.50	\$25,544.00	\$332,072.00	\$81,479.00	\$788,738.50	30.00	94.70
Denark Construction	\$40,000.00	4.10%	\$393,805.00	\$38,910.00	\$505,830.00	\$85,966.00	\$1,025,601.00	23.07	93.07
Rentenbach Construction	\$56,492.00	2.95%	\$283,347.50	\$34,945.00	\$454,285.00	\$126,294.00	\$920,418.50	25.71	92.22
Armstrong Construction	\$168,251.00	4.50%	\$432,225.00	\$39,732.00	\$516,516.00	\$143,948.00	\$1,260,940.00	18.77	73.92
							Min: \$788,738.50		Max: 95.58



AGENDA ACTION FORM

Consideration of an Ordinance Authorizing the Collection of Delinquent Real Property Taxes

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

Action Form No.: AF-192-2008
 Work Session: June 16, 2008
 First Reading(Public Hearing Held)June17,2008

Final Adoption: July 1, 2008
 Staff Work By: Pam Halbrook
 Presentation By: Joe May

BMA Strategic Plan 2005-2006
 (CV=Core Value, KSF=Key Success Factor, KSO=Key Strategic Objective)
 CV #: N/A
 KSF #4: Stewardship of the Public Funds
 KSO #6: Provide Sound Financial Management

Recommendation: Request Board of Mayor and Aldermen approve an ordinance authorizing the collection of delinquent real property taxes. In addition to the collection of real property taxes, it is recommended that the Board also consider having the Delinquent Tax Attorney take on a detailed review of the unpaid personal property taxes which remain due and owing. These tax accounts may in many, if not most, instances be uncollectible. For example, even before it can be determined whether an individual tax account can be collected, it will require substantial time and effort to make even the determination of whether the tax owed by an out of state trucking company is less than or greater than the cost of collection. With the approval of the Board, this review will be undertaken by the Delinquent Tax Attorney this year.

Executive Summary:

Article XI of the Charter of the City of Kingsport sets forth matters relating to taxation and revenue. The procedure for the initiation of the collection process for real property taxes is found in Section 9 of the Article. Unlike some other powers exercised by the Board of Mayor and Aldermen, the collection of delinquent taxes must be directed by ordinance duly adopted by the Board of Mayor and Aldermen. This ordinance complies with that requirement.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

	<u>Y</u>	<u>N</u>	<u>O</u>
Joh	—	—	—
Mallicote	—	—	—
Marsh	—	—	—
Munsey	—	—	—
Shull	—	—	—
Shupe	—	—	—
Phillips	—	—	—