



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

**Monday, September 30, 2019, 4:30 p.m.
City Hall, 225 W. Center St., Council Room, 2nd Floor**

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Jennifer Adler
Alderman Betsy Cooper

Alderman Darrell Duncan
Alderman Tommy Olterman
Alderman James Phillips

Leadership Team

Chris McCartt, City Manager
Ryan McReynolds, Deputy City Manager
J. Michael Billingsley, City Attorney
Sid Cox, City Recorder/Chief Financial Officer
Scott Boyd, Fire Chief
David Quillin, Police Chief
George DeCroes, Human Resources Director
Heather Cook, Communications Director

1. Call to Order
2. Roll Call
3. MeadowView Annual Report – Ramona Jackson
4. Neighborhood Advisory Commission Quarterly Report – Margot Seay
5. Review of Items on October 1, 2019 Business Meeting Agenda
6. Adjourn

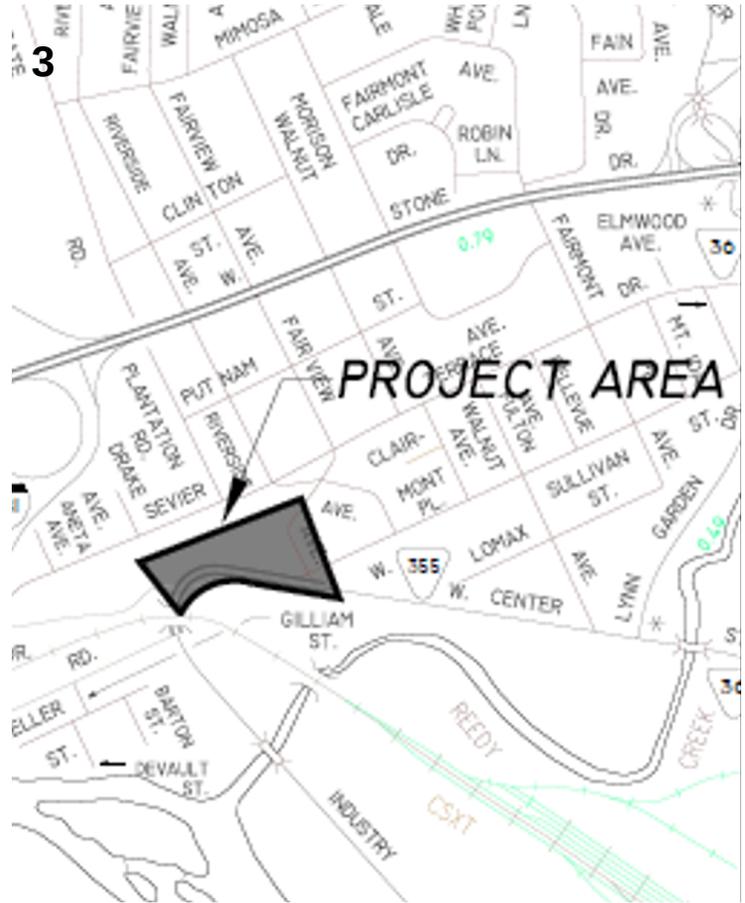
Next Work Session Oct. 14: Safety Update

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.

City of Kingsport

Project Status in Pictures

September 30, 2019



1 Kingsport Aquatic Center

Concrete is being placed to create the pool form which includes steps, sitting ledge, and hydrotherapy space.

2 Sustainable Paving Plan

Crews are in Upper Sevier Terrace area milling and placing a leveling layer before paving.

3 West Center Street Sewer Line

The city is relocating a gravity sanitary sewer line from CSX Railroad right-of-way to West Center Street.

4 Greenbelt Extension

While the elevated walkway is still in progress, woody debris is being removed from the future path surface.

Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	CurrentStatus
\$7,500,000.00	Ryan McReynolds	SR 347 (Rock Springs Road) [State & MTPO funded]	TDOT Managed, joint funded reconstruction of the State portion of Rock Springs Road	12/31/2021	TDOT, MTPO and City staff met 8/13/19 to discuss scope. A revised scope and contract are expected.
\$6,000,000.00	Michael Thompson	Main Street Rebuild	The reconstruction of Main Street from Sullivan Street to Clay Street. [City & MTPO Funded]	6/1/2021	MOU was approved by BMA July 2019. Working on obtaining AEP easements.
\$4,400,000.00	Niki Ensor	WWTP Electrical Improvements	Design of wastewater treatment plant improvements. Project includes replacement of the Main Switchgear, Switchgear SB-1 and related equipment at the wastewater treatment plant.	12/31/2020	Plans and specification have been finalized. Target bid date set for January 2020. Following rebid of West Kingsport.
\$3,867,000.00	Chad Austin	Border Regions Sewer Extensions Areas	Sewer extensions to serve the Border Regions Annexations in the vicinity of Tri-Cities Crossing and Fordtown Rd.	2/17/2020	Areas 1 & 3 bids opened Merkel Bro. apparent low bidder at \$746,995.00
\$3,750,000.00	Niki Ensor	Chemical Feed Design	Design of WTP Chemical Feed improvements. Project will include new facilities for pre and post chemical feed and implementation of bulk bleach for disinfection.	11/1/2020	Awaiting proposal for final design and construction phase services. Funding included in FY20 CIP.
\$3,740,000.00	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	Elimination of Pendragon SLS (#120) with gravity. Rehab of West Kingsport SLS (#119) and installation of new forcemain to the WWTP.	6/1/2020	9/8/19 - Bid advertisement; 9/17/19 - Pre bid meeting; 9/25/19 - last day for questions; 10/8/19 - Bid opening
\$3,312,698.00	Ryan McReynolds	City Hall Relocation - Phase 1	Renovations of floors 3 thru 6 for the consolidation of City offices to one location at 415 Broad Street.	6/1/2020	Interior selective demolition of 6th floor nearing completion.
\$2,888,300.00	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	Design and installation of SCADA/Telemetry system that will serve both water and sewer plants, sewer lift stations, water pump stations and boosters, along with monitoring in the distribution and collection systems.	4/1/2020	8/8/19 - Held progress meeting. Sewer SCADA - Finish installing pads and racks for equipment at SLS. Water SCADA - received FCC radio authorization for water sites. Will begin radio pathway study.
\$2,300,000.00	Ryan McReynolds	Justice Center Renovations	Renovations and expansion of Justice Center that will accommodate court space and county offices currently residing in City Hall.	12/31/2020	A progress meeting was held with KPD on 8/27/19 to review layouts. Architects continue to work on plans.
\$1,044,000.00	Kitty Frazier	Kingsport Greenbelt Extension from Rotherwood Drive to Lewis Lane	This project will build an extension of the Kingsport Greenbelt walking and biking path west from the end of the current Greenbelt at Rotherwood Drive to Lewis Lane on West Stone Drive (State Route 1).	5/31/2024	Awaiting Notice to proceed with the environmental document from TDOT.
\$997,475.00	Michael Thompson	Stone Drive - Phase 1 (SR 1, US 11W) Sidewalk Improvements	Construction of sidewalk along Stone Drive from Stonebrook Place Pvt. Dr. to American Way where current sidewalk gaps exist. Includes work to make existing driveways ADA accessible. [95% State Funded 5% City]	8/31/2020	Still addressing TDOT comments necessary to finalize right of way phase.

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	CurrentStatus
\$937,442.00	Kitty Frazier	Kingsport Greenbelt - Eastern Extension - Phase 1 (2019-C6)	New 1 mile long Greenbelt section from the 0.4 mile marker (bottom of the hill from Exchange Place) to Cleek Road. [Fed. Grant & City funded]	11/1/2019	Boardwalk Construction continues - Grading and Retaining Wall Construction to begin next week
\$661,140.00	Michael Thompson	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements	Construction of sidewalk along Stone Drive from Stonebrook Place Pvt. Dr. to Lynn Garden Dr. [95% State Funded 5%]	8/31/2020	Still addressing TDOT comments necessary to finalize right of way phase.
\$577,000.00	Niki Ensor	Tri-County Tank Replacement Project	Replacement of 160,000 gallon steel water storage tank in Tri-County Pressure Zone, located on Big Ridge Rd.	7/1/2019	70% of rewelding of weld seams are complete. Have started replacing the warped panels. The X-Ray of completed welds will take place 9/20. Estimated completion is 10/21.
\$481,183.00	Ryan McReynolds	Wilcox Bridge (Wilcox Dr. & E. Sullivan St.)	Bridge re-painting and landscaping	11/1/2019	Contractor is finalizing paperwork with CSX. Anticipates beginning work on October 7th.
\$415,000.00	Chad Austin	SR 93- Fall Branch section (TDOT)	TDOT project to improve State Route 93 in the Fall Branch area. Impacted waterlines in this area will be are to be relocated as part of the TDOT project.	7/30/2021	
\$352,000.00	Chad Austin	SR 93- Horse Creek/Derby Drive Section (TDOT)	TDOT project to improve State Route 93 in the Horse Creek/Derby Drive area. Project also includes improvements with the intersection with Derby Drive, along with a new bridge crossing Horse Creek. Impacted waterlines in this area will be are to be reloc	8/31/2022	TDOT "B Date" package due date pushed back to 5/28/2021; anticipated letting December 2021

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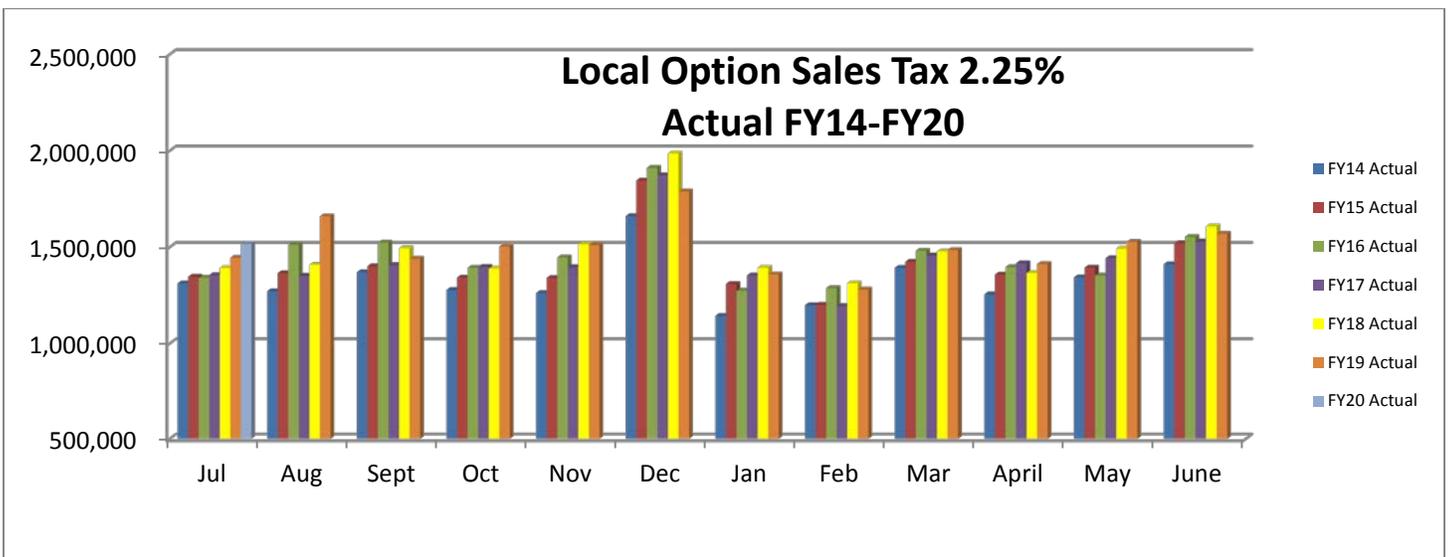
BMA Report, September 30, 2019



Financial Comments – Judy Smith

Local Option Sales Tax 2.25% - Five Year History

	FY14 Actual	FY15 Actual	FY16 Actual	FY17 Actual	FY18 Actual	FY19 Actual	FY20 Actual	Adopted FY20 Budget	Variance		% of Growth	
									FY20 Over/ Under Budget	FY20 Over/Under Prev. Year Actual	FY20 Over/Under Prev. Year Actual	FY20 Over/ Under Budget
Jul	\$ 1,312,286	\$ 1,346,896	\$ 1,341,027	\$ 1,354,948	\$ 1,392,147	\$ 1,444,727	\$ 1,517,710	\$ 1,474,300	\$ 43,410	\$ 72,983	5.05%	2.94%
Aug	\$ 1,271,614	\$ 1,365,262	\$ 1,513,366	\$ 1,351,703	\$ 1,408,119	\$ 1,660,189		\$ 1,488,900				
Sept	\$ 1,369,878	\$ 1,401,017	\$ 1,523,474	\$ 1,407,707	\$ 1,493,952	\$ 1,440,056		\$ 1,445,618				
Oct	\$ 1,278,027	\$ 1,342,308	\$ 1,392,699	\$ 1,397,511	\$ 1,389,451	\$ 1,503,032		\$ 1,445,705				
Nov	\$ 1,261,963	\$ 1,340,457	\$ 1,446,687	\$ 1,396,643	\$ 1,515,210	\$ 1,510,894		\$ 1,519,047				
Dec	\$ 1,661,378	\$ 1,845,794	\$ 1,911,650	\$ 1,873,531	\$ 1,985,601	\$ 1,788,766		\$ 1,884,702				
Jan	\$ 1,143,685	\$ 1,309,305	\$ 1,274,292	\$ 1,353,575	\$ 1,392,917	\$ 1,358,902		\$ 1,382,547				
Feb	\$ 1,198,993	\$ 1,201,182	\$ 1,287,536	\$ 1,194,890	\$ 1,312,713	\$ 1,280,154		\$ 1,291,256				
Mar	\$ 1,392,759	\$ 1,424,090	\$ 1,481,645	\$ 1,457,518	\$ 1,477,699	\$ 1,484,980		\$ 1,491,207				
April	\$ 1,255,243	\$ 1,357,635	\$ 1,396,651	\$ 1,416,452	\$ 1,366,099	\$ 1,412,517		\$ 1,428,727				
May	\$ 1,343,786	\$ 1,393,582	\$ 1,353,162	\$ 1,442,890	\$ 1,492,028	\$ 1,527,469		\$ 1,502,537				
June	\$ 1,411,977	\$ 1,520,599	\$ 1,552,713	\$ 1,529,681	\$ 1,608,149	\$ 1,569,726		\$ 1,579,454				
Total	\$ 15,901,589	\$ 16,848,127	\$ 17,474,902	\$ 17,177,049	\$ 17,834,085	\$ 17,981,413	\$ 1,517,710	\$ 17,934,000	\$ 43,410	\$ 72,983	5.05%	2.94%





AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

Tuesday, October 1, 2019, 7:00 p.m.
City Hall, 225 W. Center St., Courtroom, 2nd Floor

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Jennifer Adler
Alderman Betsy Cooper

Alderman Darrell Duncan
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Chris McCartt, City Manager
Ryan McReynolds, Deputy City Manager
J. Michael Billingsley, City Attorney
Sid Cox, City Recorder/Chief Financial Officer
David Quillin, Police Chief
Scott Boyd, Fire Chief
George DeCroes, Human Resources Director
Heather Cook, Communications Director

I. CALL TO ORDER

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Change 10/1/19 II.B. INVOCATION – Alderman Jennifer Axsom Adler

III. ROLL CALL

IV.A. RECOGNITIONS & PRESENTATIONS

1. Proclamation – Mamie Riddle (Mayor Shull)
Addition 9/30/19 2. Jud Teague, Tourism Profession of the Year (Vice Mayor George)

IV.B. APPOINTMENTS

None

V. APPROVAL OF MINUTES

1. Work Session – September 16, 2019
2. Business Meeting – September 17, 2019

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

1. Amend Zoning Text to Create a Definition for Funeral and Interment Services (AF: 213-2019) (Ken Weems)
 - Public Hearing
 - Ordinance – First Reading

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Appropriate Funds Received from ALA Great Stories Club: Growing Up Brave on the Margins Grant for the Library (AF: 216-2019) (Chris McCartt)
 - Ordinance – First Reading
2. Consideration of a Budget Ordinance to Appropriate Funds from the Tennessee Highway Safety Office (THSO) FY '20 Grant (AF: 223-2019) (David Quillin)
 - Ordinance – First Reading
3. Appropriate Grant Funds from the Tennessee Arts Commission (AF: 215-2019) (Hannah Powell)
 - Ordinance – First Reading
4. Budget Adjustment for FY20 Water and Sewer Funds (AF: 227-2019) (Ryan McReynolds)
 - Ordinance – First Reading
5. Budget Adjustment Ordinance for FY20 (AF: 226-2019) (Chris McCartt)
 - Ordinance – First Reading
6. Enter into a Materials Agreement with The Edinburgh Group, LLC Related to the Edinburgh South Phase 3 of the Edinburgh Development and an Ordinance to Appropriate the Funds (AF: 230-2019) (Ryan McReynolds)
 - Resolution
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Appropriating a \$3,000 Donation Made in Honor of Former City Manager, Jeff Fleming, by Eastman Chemical Company, to the General Project Fund, Project# GP1839 – Bays Mountain Nature Center Exhibits (AF: 211-2019) (Chris McCartt)
 - Ordinance – Second Reading & Final Adoption
2. Agreement with State of Tennessee to Extend Waterline into Warrior's Path State Park (AF: 169-2019) (Chris McCartt)
 - Ordinance – Second Reading & Final Adoption
 - Resolution
3. Amendment to City Code Section 6-207 and 6-213 Pertaining to Beer Permits (AF: 206-2019) (Chris McCartt)
 - Ordinance – Second Reading & Final Adoption

D. OTHER BUSINESS

1. Award Bid to Merkel Brothers Construction, Inc. for the Border Regions Areas 1 & 3 Sanitary Sewer Facilities Extension Project (AF: 218-2019) (Ryan McReynolds)
 - Resolution
2. Awarding the Bid for Duplex Pump Station for Sewer Lift Station #110 Clouds Ford to Southern Sales Company (AF: 225-2019) (Ryan McReynolds)
 - Resolution
3. Renew the Stop Loss Contract for the City's Self-Funded Health Insurance Program (AF: 224-2019) (George DeCroes)
 - Resolution
4. Application for TDOT Transportation Alternative Funds for Further Development of the Kingsport Greenbelt (AF: 220-2019) (Mike Thompson)
 - Resolution
5. Application for TDOT Transportation Alternative Funds for Further Development of Brickyard Pedestrian Bridge (AF: 228-2019) (Mike Thompson)
 - Resolution

VII. CONSENT AGENDA

1. Apply and Accept Tennessee Highway Safety Office (THSO) Coordinator Grant for Participation in their Law Enforcement Liaison (LEL) Program (AF: 219-2019) (David Quillin)
 - Resolution
2. Accept Deed and Deeds of Easement (AF: 217-2019) (Mike Billingsley)
 - Resolution

3. Execute a Signature Authority Form Allowing the Chief of Police or Designee to Complete Grant Reports as Required for the Tennessee Highway Safety Office FY '20 Grant (AF: 222-2019) (David Quillin)
 - Resolution

VIII. COMMUNICATIONS

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

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

IX. ADJOURN

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, September 16, 2019, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding

Alderman Jennifer Adler

Alderman Betsy Cooper

Alderman Darrell Duncan

Alderman Colette George

Alderman Tommy Olterman

Alderman James Phillips

City Administration

Chris McCartt, City Manager

J. Michael Billingsley, City Attorney

Sidney H. Cox, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Patrick W. Shull.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. **KEDB/NETWORKS QUARTERLY UPDATE.** Craig Denison from KEDB and Clay Walker with NETWORKS provided information on their respective organizations.
4. **REGIONAL ECONOMIC FORUM.** There was considerable discussion on the recent suggestion to change the name of the Tri-Cities area to the Appalachian Highlands region.
5. **THE INVENTOR CENTER.** *(NOTE: This item was moved before the KEDB/NETWORKS update and is related to agenda item VI.D.1.)* Heath Gunn gave a presentation on this item and the move from Engage Kingsport to the Model City Makers. Some discussion ensued as Mr. Gunn answered questions from the board.
6. **COMMUNICATIONS UPDATE.** Heather Cook presented this item.

(NOTE: A five minute break was taken at this time and Mayor Shull left the meeting.)

7. **REVIEW OF AGENDA ITEMS ON THE SEPTEMBER 17, 2019 REGULAR BUSINESS MEETING AGENDA.** City Manager McCartt and members of staff gave a summary or presentation for each item on the proposed agenda. The following items were discussed at greater length or received specific questions or concerns.

VI.B.2 Agreement with State of Tennessee to Extend Waterline into Warrior's Path State Park (AF: 169-2019). Robert Reedy provided details on this item. City Manager McCartt noted it was subject of approval by Sullivan County.

VI.B.3 Amendment to City Code Section 6-207 and 6-213 Pertaining to Beer Permits (AF: 206-2019). City Manager McCartt stated this item would allow beer to be sold by hotels in their lobby area.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, September 16, 2019

VI.D.3 Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Improvement Bonds, Series 2019 in an Amount Not to Exceed \$20,250,000 (AF: 205-2019). City Recorder Sid Cox provided details on the process of issuing bonds. City Manager McCartt pointed out there was \$250,000 less than what was presented in the spring, noting the streetscape was tied back to the franchise fee.

8. ADJOURN. Seeing no other matters presented for discussion at this work session, Vice-Mayor George adjourned the meeting at 7:05 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, September 17, 2019, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Pat Shull, Presiding
Vice Mayor Colette George
Alderman Jennifer Adler
Alderman Betsy Cooper

Alderman Tommy Olterman
Alderman James Phillips

City Administration

Chris McCartt, City Manager
J. Michael Billingsley, City Attorney
Sidney H. Cox, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Pat Shull.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by New Vision Youth.
- II.B. **INVOCATION:** Pastor Randy Frye, First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Cox. Absent: Alderman Darrell Duncan.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
 1. Keep Kingsport Beautiful Beautification Awards - Robin Cleary.
- IV.B. **APPOINTMENTS/REAPPOINTMENTS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: George/Adler, to approve minutes for the following meetings:

- A. September 3, 2019 Regular Work Session
- B. September 3, 2019 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

- A. **PUBLIC HEARINGS.** None.

PUBLIC COMMENT. Mayor Shull 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.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 17, 2019**

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Appropriate \$3,000 Donation in Honor of Former City Manager, Jeff Fleming, Made by Eastman Chemical Company to the General Project Fund, Project#GP1839-Bays Mountain Nature Center Exhibits(AF:211-2019)(Chris McCartt)

Motion/Second: George/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED AS A DONATION FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

2. Agreement with State of Tennessee to Extend Waterline into Warrior’s Path State Park (AF: 169-2019) (Chris McCartt).

Motion/Second: Adler/Phillips, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

3. Amendment to City Code Section 6-207 and 6-213 Pertaining to Beer Permits (AF: 206-2019) (Chris McCartt).

Motion/Second: Olterman/George, to pass:

AN ORDINANCE AMENDING SECTION 6-207 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO TYPES DESIGNATED AND AMENDING SECTION 6-213 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO GENERAL RESTRICTIONS ON ISSUANCE OF RETAIL PERMITS AND BUSINESS OPERATIONS; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Appropriate Funding for Phase II Transit Garage A&E (AF: 197-2019) (Chris Campbell).

Motion/Second: Adler/Cooper, to pass:

ORDINANCE NO. 6816, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING STATE AND FEDERAL GRANT FUNDS TO THE TRANSIT CENTER PROJECT FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting “aye.”

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, September 17, 2019

2. Budget Adjustment Ordinance for FY20 (AF: 200-2019) (Chris McCartt).

Motion/Second: George/Phillips, to pass:

ORDINANCE NO. 6817, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting “aye.”

D. OTHER BUSINESS.

1. Approve Mutual Termination of Agreement and Lease Agreement with Engage Kingsport and Approve Agreement and Lease Agreement with Model City Makerspace for Operation of the Product Creation Center (AF: 204-2019) (Chris McCartt).

Motion/Second: George/Cooper, to pass:

Resolution No. 2020-046, A RESOLUTION APPROVING A MUTUAL TERMINATION OF AN AGREEMENT AND LEASE AGREEMENT WITH ENGAGE KINGSFORT; APPROVING AN AGREEMENT AND LEASE AGREEMENT WITH MODEL CITY MAKERSPACE FOR OPERATION OF THE PRODUCT CREATION CENTER; AUTHORIZING THE MAYOR TO EXECUTE THE DOCUMENTS SET OUT IN THE RESOLUTION AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS AND THIS RESOLUTION

Passed: All present voting “aye” except Adler “abstained.”

2. Authorize City of Kingsport to Participate in the TML Risk Management Pool “Driver Safety” Matching Grant Program (AF: 202-2019) (Mike Billingsley)

Motion/Second: Olterman/Cooper, to pass:

Resolution No. 2020-047, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM PUBLIC ENTITY PARTNERS FOR THE PURCHASE OF SAFE DRIVING RELATED TRAINING AND MATERIALS

Passed: All present voting “aye.”

3. Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Improvement Bonds, Series 2019 in an Amount Not to Exceed \$20,250,000 (AF: 205-2019) (Chris McCartt).

Motion/Second: George/Adler, to pass:

Resolution No. 2020-048, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,250,000 GENERAL OBLIGATION IMPROVEMENT BONDS,

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 17, 2019**

SERIES 2019 OF THE CITY OF KINGSPORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting “aye.”

Motion/Second: Phillips/George, to pass:

Resolution No. 2020-049, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$20,250,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2019, OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

Passed: All present voting “aye.”

4. Bid Award for Purchase of One (1) Van Body Single Axle Truck for School Nutrition Services to Triad Freightliner of TN (AF: 210-2019) (Steve Hightower).

Motion/Second: Olterman/George, to pass:

Resolution No. 2020-050, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF ONE 2020 FREIGHTLINER M2106 WITH A MICKEY VAN BODY TRUCK TO TRIAD FREIGHTLINER OF TENNESSEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting “aye.”

5. Purchase Two (2) Chevrolet Traverse from Tennessee State Contract (AF: 212-2019) (Ryan McReynolds, Steve Hightower).

Motion/Second: Cooper/George, to pass:

Resolution No. 2020-051, A RESOLUTION PURCHASING TWO CHEVROLET TRAVERSE VEHICLES FROM TENNESSEE CONTRACT NUMBER 56444 FROM FREELAND CHEVROLET AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting “aye.”

6. Apply for Improve Act Funds through the Tennessee Department of Transportation (AF: 209-2019) (Chris Campbell).

Motion/Second: Adler/George, to pass:

Resolution No. 2020-052, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR IMPROVEMENT ACT PUBLIC TRANSIT CAPITAL GRANT FUNDS THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION

Passed: All present voting “aye.”

VII. CONSENT AGENDA. (These items are considered under one motion.)

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, September 17, 2019**

Motion/Second: George/Phillips, to adopt:

1. Approve Additional Easements and Right-of-Way (AF: 208-2019)
(Ryan McReynolds).

Approve:

APPROVAL OF ADDITIONAL EASEMENTS AND RIGHTS-OF-WAY

Passed in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting
“aye.”

**2. Annual Renewal of Public Library Maintenance of Effort
Agreement with the Tennessee State Library and Archives for Services via the
Holston River Regional Library (AF: 207-2019) (Chris McCartt).**

Pass:

Resolution No. 2020-053, A RESOLUTION APPROVING THE PUBLIC LIBRARY
SERVICE AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES
AND AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF SAME
TO RECEIVE FUNDING FOR BOOKS, TRAINING, AND SERVICES THROUGH THE
HOLSTON RIVER REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2019/2020

Passed in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting
“aye.”

**3. Accept Donation to Bays Mountain Park & Planetarium by
Eastman Chemical Company in Honor of Former City Manager Jeff Fleming (AF:
203-2019) (Chris McCartt).**

Pass:

Resolution No. 2020-054, A RESOLUTION ACCEPTING A DONATION FROM
EASTMAN CHEMICAL COMPANY TO THE BAYS MOUNTAIN PARK AND
PLANETARIUM FOR EXHIBIT DEVELOPMENT IN HONOR OF JEFF FLEMING

Passed in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting
“aye.”

**4. Acquisition of Property for Border Regions Sanitary Sewer
Extension Project (AF: 214-2019) (Ryan McReynolds).**

Pass:

Resolution No. 2020-055, A RESOLUTION APPROVING AN OFFER FOR THE
PURCHASE OF REAL PROPERTY FOR SANITARY SEWER PROJECT;
AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT,
IF NECESSARY; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE
PURPOSE OF THIS RESOLUTION

Passed in a roll call vote: Adler, Cooper, George, Olterman, Phillips and Shull voting
“aye.”

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, September 17, 2019

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. McCartt commented on the ribbon cutting held earlier tonight at Dobyms Bennett High School for the new science and technology wing.
- B. MAYOR AND BOARD MEMBERS.** Alderman Phillips commended city staff for the work on the budget as well as for all the major events that went on September 7th without any issues. Alderman Adler commented on the Inventor Center and encouraged citizens to check it out. She also pointed out colleges and universities were in their fourth week of the semester and asked folks to reach out to any new students that may need guidance or assistance. Alderman Olterman congratulated the Dobyms Bennett, Sullivan South and Sullivan North for making it into the football playoffs. Alderman Cooper also commented on the DB ribbon cutting. She also noted the library is still requesting citizens participate in their online survey, pointing out there is maker space there as well. Vice-Mayor George thanked Mr. Goode's class for staying to the end of the meeting. She also mentioned the recent ribbon cutting at STEMWORKS and the fundraising gala for PETWORKS, noting there is still an ongoing need. Lastly she stated the fundraising gala for the band is this weekend, pointing out the silent auction was online as well as other opportunities to sponsor. Mayor Shull stated he attended the Furball and \$80,000 was raised for operations and they were also presented with a check for \$20,000 to go towards the building. He also stated he declared by proclamation yesterday was Dan Estes day in Kingsport for sponsoring the national putt-putt competition.
- C. VISITORS.** Paul Becker, DeRhonda Bearden, Tim Sanders and Joe Carr made comments.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:35 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



AGENDA ACTION FORM

Amend Zoning Text to Create a Definition for Funeral and Interment Services

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-213-2019
 Work Session: September 30, 2019
 First Reading: October 1, 2019
 Final Adoption: October 15, 2019
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning text to create a definition for funeral and interment services

Executive Summary:

At the request of a local funeral home owner/operator, planning staff proposes creation of a definition for "funeral and interment services" to be added to the city zoning code. The proposed definition will clarify that cremation services are an appropriate accessory use for a building that is used for funeral services. Adjacent city and county zoning codes currently allow cremation services as accessory uses for funeral homes. Trinity Memorial made the request for the zoning text amendment. The four other existing city funeral homes (Carter-Trent, Hamlett-Dobson, Clark, and Oak Hill) were notified of the zoning text change proposal. Carter-Trent has chosen to remain neutral on the proposal while thanking staff for the foresight regarding the funeral industry and cremation trends. No other public comment was received on the proposal. Once approved, this zoning text change will allow cremation as an accessory use for all existing and new funeral homes. Currently, the only reference to cremation in city zoning is as a principal use in an industrial zone. During their September 19, 2019 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation in support of the zoning text change to the Board of Mayor and Aldermen. The notice of public hearing was published on September 16, 2019.

Attachments:

1. Notice of Public Hearing
2. Zoning Text Amendment Ordinance
3. Staff Report

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

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, October 1, 2019 to consider amending the Code of Ordinances to add a definition for funeral and interment services to Sec. 114-1. - Definitions of the Code of Ordinances. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

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

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
P1T: 9/16/19

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-1; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Section 114-1 of the Code of Ordinances, City of Kingsport, Tennessee is amended by adding the following definition to the Section 114-1. - Definitions:

Funeral and interment services means a building or part thereof used for funeral services. Such building may contain space and facilities for the accessory uses of (a) embalming and the performance of other services used in the preparation of the dead for burial; (b) the storage of caskets, funeral urns, and other related funeral supplies; (c) the storage of funeral vehicles; and (d) facilities for cremation. Where funeral and interment services are permitted, a funeral chapel shall also be permitted.

SECTION II. 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.

PATRICK W. SHULL
Mayor

ATTEST:

SIDNEY H. COX
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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

Introduction:

Acting on application from a local funeral home owner/operator, planning staff drafted a zoning text change (below) that adds a definition for the principal land use of Funeral and Interment Services.

The applicant desires to add a crematory to his existing funeral home. The City's existing zoning text identifies Funeral and Interment Services as an appropriate use in B-3 and B-4P zones, however the use is not defined in the Definitions section of the zoning code. The only reference of crematory use in the zoning code is for a standalone crematory that is restricted to industrial zones (M-1, M-1R, and M-2 zones).

The proposed definition will clarify that cremation service is an appropriate accessory use for a building that is used for funeral services. It should be noted that existing zoning for Bristol, Johnson City, Sullivan County, and Washington County already provide for cremation services as an appropriate accessory use for funeral homes.

The City of Kingsport currently contains 5 funeral homes. None of the existing funeral homes contain crematories, and no standalone crematories exist inside city limits. This text amendment proposal would allow crematory accessory use for all existing funeral home buildings as well as any new funeral homes where they are permitted.

Proposed Code Change:

The proposed definition of Funeral and Interment Services recommended for addition to Section 114-1. Definitions:

Funeral and interment services, means a building or part thereof used for funeral services. Such building may contain space and facilities for the accessory uses of (a) embalming and the performance of other services used in the preparation of the dead for burial; (b) the storage of caskets, funeral urns, and other related funeral supplies; (c) the storage of funeral vehicles; and (d) facilities for cremation. Where funeral and interment services are permitted, a funeral chapel shall also be permitted.

09-07

APPLICATION
Zoning Text Amendment (City)



APPLICANT INFORMATION:

Last Name. LEONARD	First JAMES	M.I. W	Date 08/30/2019
Street Address. 1221 Stewball Circle		Apartment/Unit #	
City Kingsport	State TN	ZIP 37660	
Phone 423-723-8177	E-mail Address.		

PROPERTY INFORMATION: IF APPLICABLE

Tax Map Information	Tax map: 76	Group:	Parcel: 19.3	Lot: 4
Street Address. 1221 Stewball Circle				Apartment/Unit #
Current Zone. B4-P	Proposed Zone. B4-P. NO CHANGE			
Current Use. Funeral Home	Proposed Use Funeral Home with Accessory Crematory Use			

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Planning Commission will review my application. I further state that I am/we are requesting that the current zoning code be amended.

Signature 	Date 9/3/19
--	--------------------

Signed before me on this 3rd day of September
a notary public for the State of Tennessee
County of Sullivan



Notary 
My Commission Expires 5/22/2023

CITY PLANNING OFFICE

Received Date:	Received By:
Application Fee Paid:	
Planning Commission Meeting Date	
Board of Mayor and Alderman Meeting Date	
Previous requests or file numbers	
Signature of City Planner	Date



Tel: 423-723-8177
Fax: 423-723-8169

**1221 Stewball Circle
Kingsport, TN 37660**

To Whom it may concern,

My name is Weston Leonard the owner of Trinity Memorial Funeral Home in Kingsport. Trinity was opened in Nov 2013 and since its opening has grown rapidly in the past 6 years. I will be launching a new corporate brand that has been pre-approved for \$50 million in acquisitions. The new entity will be purchasing existing funeral homes within a 500 mile radius of our area.

I am hoping to get the zoning text change made to our existing Trinity location to allow a 6,000 square foot expansion to put the corporate offices, headstone business, casket business, and crematory open to other funeral homes to use as well. This will be a \$2 million dollar investment to bring a much needed state of the art crematory to our area.

Sincerely yours,

Weston Leonard
Owner

First Viewable Crematory for Public in East TN

There are no crematories within 45 miles that are setup to allow families to assist with the process. Why is this important? Cremations are almost to 60% in Tennessee and rising. However there is a missing piece of closure that graveside services provide. In several studies of people who chose cremations for their loved ones their seems to be a lack of finality or closure like traditional burials provide at graveside.

Our goal is to create a crematory that is well kept with a viewing area for the family and pastor to have a "cremation side" service and help provide that closure that has been missing. We firmly believe this will become a normal part of the immediate family's process when dealing with grief and cremation is chosen.

We have also worked with many families who wanted to view for religious reasons. In the Hindu religion the family must do part of the ceremony at the crematory and then push the box into the machine. We also have hispanic families that needed to be present when the box was placed into the machine. Outside of religious we do see more and more people wanting to witness the process. Some out of concern from seeing news reports of cremating the wrong person and some for just peace of mind.

The crematory will be available for other funeral homes to use as well. We expect to see an increase in hotel bookings at the next door Holiday Inn Express as more families come in from out of town to be part of these services. We currently work with them to provide a discounted funeral rate and often families stay there when attending a service at our facility.

Below is an idea of what a viewing room would look like.



09-07

There are around 2,400 cremations completed in East TN annually. The majority of funeral homes do not have a crematory they rely on stand alone crematories. The Tri-Cities has a lack of available crematories and so customer service and time it takes to complete the process are woefully lacking. Trinity alone does 300 cremations a year currently. Below is a list public crematories in our area:

BRISTOL: In the city limits in the garage of Oakley Cook Funeral Home right on the parkway 2223 Volunteer Pkwy, Bristol, TN 37620



ELIZABETHTON: Teatrick Cremations & Pet Cremations 220 N Riverside Drive in the Downtown area



JOHNSON CITY: 1428 TN-91 Professional Cremation Services. Limited capacity older machines used by 5 funeral homes about 800 year.





AGENDA ACTION FORM

Appropriate Funds Received from ALA Great Stories Club: Growing Up Brave on the Margins Grant for the Library

To: Board of Mayor and Aldermen
From: Chris McCart, City Manager *CM*

Action Form No.: AF-216-2019
Work Session: September 30, 2019
First Reading: October 1, 2019

Final Adoption: October 15, 2019
Staff Work By: Chris Markley
Presentation By: Chris McCart

Recommendation:

Approve the Ordinance.

Executive Summary:

The Library applied for and received the ALA (American Library Association) Great Stories Club Grant (AF-162-2019). This grant will allow the Library to partner with Girls, Inc. to form a reading and discussion program to engage teens who are facing difficult challenges through a literature-based outreach program. The grant will provide copies of 4 theme related books to a group of 10 teens and provide training to the Youth Services Librarian on how to lead and facilitate the discussion.

\$390 was received to purchase supplies in conjunction with the Grant programming.

This grant did not require a match.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: *js*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE AMERICAN LIBRARY ASSOCIATION FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Projects-Special Revenue Fund budget be amended by appropriating grant funds received from the American Library Association (ALA) Great Stories Club Grant in the amount of \$390 to the Great Stories Club project (NC2002) to purchase supplies.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 111: General Projects-Special Rev Fund</u>			
<u>Great Stories Club (NC2002)</u>			
<u>Revenues:</u>			
111-0000-364-3000 From Non-Profit Groups	\$ 0	\$ 390	\$ 390
<i>Totals:</i>	0	390	390
<u>Expenditures:</u>			
111-0000-601-3020 Operating Supplies & Tools	\$ 0	\$ 390	\$ 390
<i>Totals:</i>	0	390	390

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.

PATRICK W. SHULL, Mayor

ATTEST:

ANGIE MARSHALL
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 Budget Ordinance to Appropriate Funds from the Tennessee Highway Safety Office (THSO) FY '20 Grant

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-223-2019
Work Session: September 30, 2019
First Reading: October 1, 2019
Final Adoption: October 15, 2019
Staff Work By: Capt. Randall Gore
Presentation By: Chief David Quillin

Recommendation:

Approve the Budget Ordinance.

Executive Summary:

On March 19, 2019 via AF-49-2019, the Board of Mayor and Aldermen approved the Mayor executing any and all documents necessary to apply for and receive a Tennessee Highway Safety Office (THSO) Grant. We have been notified that we were approved for \$30,000.00 in grant funds for the upcoming fiscal year. The grant will be utilized for traffic safety enforcement overtime.

There are no matching fund requirements.

Attachments:

- 1. Budget Ordinance

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE HIGHWAY SAFETY OFFICE (THSO) FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project/Special Revenue Fund budget be amended by appropriating funds received from the Tennessee Highway Safety Office in the amount of \$30,000 to the TN Highway Safety Office Grant project (NC2003) to enforce traffic safety. No matching funds are required.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 111: General Project/Special Rev Fund</u>			
<u>TN Highway Safety Office Grant (NC2003)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-337-6010 Safety/Homeland Security	0	30,000	30,000
Totals:	0	30,000	30,000

<u>Expenditures:</u>	\$	\$	\$
111-0000-601-1011 Overtime	0	19,840	19,840
111-0000-601-1020 Social Security	0	2,300	2,300
111-0000-601-1030 Health Insurance	0	400	400
111-0000-601-1041 TCRS Retirement	0	5,400	5,400
111-0000-601-1043 ICMA/Retirement		1,600	1,600
111-0000-601-1050 Life Insurance	0	100	100
111-0000-601-1052 Long Term Disability	0	60	60
111-0000-601-1060 Workmen's Comp	0	200	200
111-0000-601-1061 Unemployment Ins.	0	100	100
Totals:	0	30,000	30,000

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.

PATRICK W. SHULL, Mayor

ATTEST:

ANGIE MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Appropriate Grant Funds from the Tennessee Arts Commission

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-215-2019
 Work Session: September 30, 2019
 First Reading: October 1, 2019
 Final Adoption: October 15, 2019
 Staff Work By: H. Powell
 Presentation By: H. Powell

Recommendation:
 Approve the Ordinance.

Executive Summary:

Appropriate grant funds from the Tennessee Arts Commission, Partnership Support, AF 03-2019 to pay for artists' work on public art programs, such as the sculpture walk and Lynn View mural. Allocate to NC 2001.

\$9,000

Grant match is 1:1 ratio with \$6000 in donations and \$3000 from the Cultural Arts operating budget: Accept donation funds from Engage Kingsport to match grant project, private donations from the community, to fund supplies and work on the Lynn View mural. Allocate to NC 2001

\$6,000

From 110-4505-471.20-20 to NC 2001

\$3,000

Attachments:

1. Ordinance

Funding source appropriate and funds are available: *JP*

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olteman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT SPECIAL REVENUE FUND BUDGETS BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION FOR THE YEAR ENDING JUNE 30, 2020; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project Special Revenue Fund budget be amended by appropriating grant funds received from the Tennessee Arts Commission in the amount of \$9,000, by appropriating \$6,000 received in donations from Engage Kingsport and by transferring \$3,000 from the Cultural Arts operating budget to the Creative Partnership Support Grant project (NC2001). The grant requires a 1:1 match. The match was provided by Engage Kingsport and the Cultural Arts operating budget. The grant funds will be used for public art initiatives and community engagement such as the Sculpture Walk and the Lynn View mural.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 111: General Project Special Rev. Fund</u>			
<u>Creative Partnership Support Grant (NC2001)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-332-3200 TN. Arts Commission	0	9,000	9,000
111-0000-364-3000 From Non-Profits	0	6,000	6,000
111-0000-391-0100 From General Fund	0	3,000	3,000
<i>Totals:</i>	0	18,000	18,000
<hr/>			
<u>Expenditures:</u>	\$	\$	\$
111-0000-601-2020 Professional Consultant	0	18,000	18,000
<i>Totals:</i>	0	18,000	18,000
<hr/>			
<u>Fund 110: General Fund</u>			
<u>Expenditures:</u>	\$	\$	\$
110-4505-471-2020 Professional Consultant	23,000	(3,000)	20,000
110-4804-481-7035 To Gen. Proj. Spec. Rev	2,168,200	3,000	2,171,200
<i>Totals:</i>	2,191,200	0	2,191,200

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.

PATRICK W. SHULL, Mayor

ATTEST:

ANGIE MARSHALL



AGENDA ACTION FORM

Budget Adjustment for FY20 Water and Sewer Funds

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-227-2019
Work Session: September 30, 2019
First Reading: October 1, 2019
Final Adoption: October 15, 2019
Staff Work By: C. Austin, J. Smith
Presentation By: Ryan McReynolds

Recommendation:
Approve the Ordinance.

Executive Summary:

This budget adjustment ordinance will amend the water and sewer funds to close out old projects, and to provide funding for two projects that are to be funded by the bond issue but need to start the purchase process now in in order to get the project and purchase completed in the time required.

The Sewer Fund will be amended by transferring \$309,139 to SW1902 Miscellaneous Sewerline project, \$125,000 to Systemwide Flow Monitoring, and \$296,900 to New Sewer Crew Equipment project. SW1804 and SW1808 will be closed as a result of these transfers.

The Water Fund will be amended by transferring \$11,168 to WA1907 Maintenance Facility Improvements project and \$58,502 to WA1902 Fire Protection/Water Age Upgrades project. WA 1805 and WA1806 will be closed as a result of these transfers.

Attachments:
1. Budget Ordinance

Funding source appropriate and funds are available: *[Signature]*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR
THE YEAR ENDING JUNE 30, 2020; 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 budgets be amended by transferring \$112,000 from WWTP Equalization Basin (SW1707), \$565,272 from Miscellaneous Sewerline (SW1804), \$44,767 from Maintenance Facility Improvements (SW1808) to the Miscellaneous Sewerline Rehab project (SW1902) in the amount of \$300,139, \$125,000 to the Systemwide Flow Monitoring project (SW2004) and \$296,900 to the New Crew Equipment project (SW2003).

SECTION II. That the Water Project Fund budgets be amended by transferring \$11,168 from the Maintenance Facility Improvement project (WA1805) to the Maintenance Facility Improvement project (WA1907) and by transferring \$58,502 from the Border Regions Area 3 Upgrade project (WA1806) to the Fire Protection/Water Age Upgrades project (WA1902).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 452: Sewer Project Fund			
WWTP Equalization Basin (SW1707)			
Revenues:			
452-0000-391-0545 Series 2016 GO (Nov 4)	\$ 412,000	\$ (112,000)	\$ 300,000
Totals:	412,000	(112,000)	300,000
Expenditures:			
452-0000-606-2023 Arch/Eng/Landscaping	\$ 72,000	\$ 0	\$ 72,000
452-0000-606-9003 Improvements	340,000	(112,000)	228,000
Totals:	412,000	(112,000)	300,000
Fund 452: Sewer Project Fund			
Miscellaneous Sewerline (SW1804)			
Revenues:			
452-0000-391-0540 Series 2015A (Oct) GO Pub Imp	\$ 165,729	\$ (40,053)	\$ 125,676
452-0000-391-4200 From Sewer Fund	525,219	(525,219)	0
Totals:	690,948	(565,272)	125,676
Expenditures:			
452-0000-606-2023 Arch/Eng/Landscaping	\$ 81,000	\$ (62,858)	\$ 18,142
452-0000-606-9003 Improvements	609,948	(502,414)	107,534
Totals:	690,948	(565,272)	125,676

Fund 452: Sewer Project Fund
Maint. Facility Improvements (SW1808)

Revenues:	\$	\$	\$
452-0000-391-4200 From Sewer Fund	238,572	(44,767)	193,805
Totals:	238,572	(44,767)	193,805

Expenditures:	\$	\$	\$
452-0000-606-9003 Improvements	238,572	(44,767)	193,805
Totals:	238,572	(44,767)	193,805

Fund 452: Sewer Project Fund
Miscellaneous Sewerline Rehab (SW1902)

Revenues:	\$	\$	
452-0000-391-0540 Series 2015A (Oct) GO PI	290,694	40,053	330,747
452-0000-391-0545 Series 2016 GO (Nov 4)	0	112,000	112,000
452-0000-391-4200 From the Sewer Fund	723,269	148,086	871,355
Totals:	1,013,963	300,139	1,314,102

Expenditures:	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	150,000	0	150,000
452-0000-606-9003 Improvements	863,963	300,139	1,164,102
Totals:	1,013,963	300,139	1,314,102

Fund 452: Sewer Project Fund
Systemwide Flow Monitoring (SW2004)

Revenues:	\$	\$	
452-0000-391-4200 From the Sewer Fund	0	125,000	125,000
Totals:	0	125,000	125,000

Expenditures:	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	0	125,000	125,000
Totals:	0	125,000	125,000

Fund 452: Sewer Project Fund
New Crew Equipment (SW2003)

Revenues:	\$	\$	
452-0000-391-4200 From the Sewer Fund	0	296,900	296,900
Totals:	0	296,900	296,900

Expenditures:	\$	\$	\$
452-0000-606-9006 Purchases \$5,000 & Over	0	296,900	296,900
Totals:	0	296,900	296,900

Fund 451: Water Project Fund
Maint. Facility Improvement (WA1805)

Revenues:	\$	\$	
451-0000-391-4500 From the Water Fund	120,000	(11,168)	108,832
Totals:	120,000	(11,168)	108,832

<u>Expenditures:</u>	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	10,000	(10,000)	0
451-0000-605-9003 Improvements	110,000	(1,168)	108,832
Totals:	120,000	(11,168)	108,832

Fund 451: Water Project Fund
Border Reg Area 3 Upgrade (WA1806)

<u>Revenues:</u>	\$	\$	
451-0000-391-4547 Series 2017B GO Bonds	455,000	(58,502)	396,498
Totals:	455,000	(58,502)	396,498

<u>Expenditures:</u>	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	56,000	(5,242)	50,758
451-0000-605-9003 Improvements	399,000	(53,260)	345,740
Totals:	455,000	(58,502)	396,498

Fund 451: Water Project Fund
Maint. Facility Improvement (WA1907)

<u>Revenues:</u>	\$	\$	
451-0000-391-4500 From the Water Fund	100,000	11,168	111,168
Totals:	100,000	11,168	111,168

<u>Expenditures:</u>	\$	\$	\$
451-0000-605-9019 Pump Stations	100,000	11,168	111,168
Totals:	100,000	11,168	111,168

Fund 451: Water Project Fund
Fire Protect Age Upgrade (WA1902)

<u>Revenues:</u>	\$	\$	
451-0000-391-4547 Series 2017B GO Bonds	0	58,502	58,502
451-0000-391-4548 Series 2018B GO Bonds	1,442,000	0	1,442,000
Totals:	1,442,000	58,502	1,500,502

<u>Expenditures:</u>	\$	\$	\$
451-0000-605-9019 Pump Stations	1,442,000	58,502	1,500,502
Totals:	1,442,000	58,502	1,500,502

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.

 PATRICK W. SHULL, Mayor

ATTEST:

SIDNEY H. COX, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Budget Adjustment Ordinance for FY20

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-226-2019
Work Session: September 30, 2019
First Reading: October 1, 2019
Final Adoption: October 15, 2019
Staff Work By: Judy Smith
Presentation By: Chris McCartt

Recommendation:
Approve the Ordinance.

Executive Summary:
This ordinance will appropriate \$1,285,000 from the General Fund-Fund Balance for FY19 revenue over expenditures. The projects will be funded as follows: \$20,000 for AED Devices in public buildings, \$60,000 to the LPRF Grant project for Preston Park and Borden Park, \$70,000 for Building Code Enforcement, \$100,000 for the City Hall-BMA Board Room, \$60,000 for IT, \$130,000 for the Downtown Project, \$20,000 for the Riverwalk project, \$252,000 for the Community Development Software project, \$73,000 for the Bentek Payroll Benefits Software project and \$500,000 for Street Resurfacing.

Attachments:
1. Ordinance

Funding source appropriate and funds are available: *js*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR
THE YEAR ENDING JUNE 30, 2020; 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, General Project Special Revenue Fund and the General Project Fund budgets be amended by appropriating \$1,285,000 from the General Fund, Fund Balance to the LPRF Grant(GP2022) in the amount of \$60,000, \$70,000 to the Building Code Enforcement Project (GP2024), \$100,000 to the City Hall Board Room (GP2029), \$130,000 to the Downtown Project (GP2025), \$20,000 to the Riverwalk project (GP2026), \$60,000 to the IT project (NC2005), \$20,000 to the AED Devices project (NC2004), \$252,000 to the Community Development Software project (GP2027), \$73,000 to the Bentek Payroll Benefits Software (GP2028) and \$500,000 to the Street Resurfacing project (NC2007).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 110: General Fund</u>			
<u>Revenue</u>			
110-0000-392-0100 Fund Balance Appropriation	351,875	1,285,000	1,636,875
Total	351,875	1,285,000	1,636,875

<u>Expenditures:</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
110-4804-481-7035 To Gen Proj-Special Rev.	2,171,200	580,000	2,751,200
110-4804-481-7036 To General Project Fund	1,233,750	705,000	1,938,750
Totals:	3,404,950	1,285,000	4,689,950

<u>Fund 311: General Project Fund</u>			
<u>LPRF Grant (GP2022)</u>			
<u>Revenues:</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
311-0000-332-7201 Dept of Conserv/LPRF Grant	250,000	0	250,000
311-0000-391-0100 From General Fund	0	60,000	60,000
Totals:	250,000	60,000	310,000

<u>Expenditures:</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
311-0000-601-2022 Construction Contracts	0	20,000	20,000
311-0000-601-2023 Arch/Eng/Landscaping	0	40,000	40,000
311-0000-601-9003 Improvements	250,000	0	250,000
Totals:	250,000	60,000	310,000

Fund 311: General Project Fund
Building Code Enforcement (GP2024)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	70,000	70,000
Totals:	0	70,000	70,000

Expenditures:	\$	\$	\$
311-0000-601-2022 Construction Contracts	0	68,000	68,000
311-0000-601-2023 Arch/Eng/Landscaping	0	2,000	2,000
Totals:	0	70,000	70,000

Fund 311: General Project-Special Rev. Fund
City Hall Board Room (GP2029)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	100,000	100,000
Totals:	0	100,000	100,000

Expenditures:	\$	\$	\$
311-0000-601-9003 Improvements	0	100,000	100,000
Totals:	0	100,000	100,000

Fund 311: General Project Fund
Downtown Project (GP2025)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	130,000	130,000
Totals:	0	130,000	130,000

Expenditures:	\$	\$	\$
311-0000-601-2022 Construction Contracts	0	70,000	70,000
311-0000-601-8078 KEDB Façade Program	0	60,000	60,000
Totals:	0	130,000	130,000

Fund 311: General Project Fund
Riverwalk (GP2026)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	20,000	20,000
Totals:	0	20,000	20,000

Expenditures:	\$	\$	\$
311-0000-601-2022 Construction Contracts	0	20,000	20,000
Totals:	0	20,000	20,000

Fund 111: General Project/Spec. Rev. Fund
IT (NC2005)

Revenues:	\$	\$	\$
111-0000-391-0100 From General Fund	0	60,000	60,000
Totals:	0	60,000	60,000

Expenditures:	\$	\$	\$
111-0000-601-2075 Temporary Employees	0	60,000	60,000
Totals:	0	60,000	60,000

Fund 111: General Project Special Rev. Fund
AED Devices (NC2004)

Revenues:	\$	\$	\$
111-0000-391-0100 From General Fund	0	20,000	20,000
Totals:	0	20,000	20,000

Expenditures:	\$	\$	\$
111-0000-601-3020 Operating Supplies & Tools	0	20,000	20,000
Totals:	0	20,000	20,000

Fund 311: General Project Fund
Community Development Software (GP2027)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	252,000	252,000
Totals:	0	252,000	252,000

Expenditures:	\$	\$	\$
311-0000-601-2045 Training	0	100,000	100,000
311-0000-601-2057 Computer Repairs & Maint.	0	152,000	152,000
Totals:	0	252,000	252,000

Fund 311: General Project Fund
Bentek Payroll Benefits Software (GP2028)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	0	73,000	73,000
Totals:	0	73,000	73,000

Expenditures:	\$	\$	\$
311-0000-601-2057 Computer Repairs & Maint.	0	73,000	73,000
Totals:	0	73,000	73,000

Fund 111: General Project Special Rev. Fund
Street Resurfacing (NC2007)

Revenues:	\$	\$	\$
111-0000-391-0100 From General Fund	0	500,000	500,000
Totals:	0	500,000	500,000

Expenditures:

111-0000-601-2022 Construction Contracts	\$	\$	\$
	0	500,000	500,000
Totals:	0	500,000	500,000

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.

PATRICK W. SHULL, Mayor

ATTEST:

SIDNEY H. COX, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Enter into a Materials Agreement with The Edinburgh Group, LLC Related to the Edinburgh South Phase 3 of the Edinburgh Development and an Ordinance to Appropriate the Funds

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-230-2019
Work Session: September 30, 2019
First Reading: October 1, 2019
Final Adoption: October 15, 2019
Staff Work By: David Harris
Presentation By: R. McReynolds

Recommendation:

Approve the Resolution and Ordinance.

Executive Summary:

In an effort to promote smart growth and infill 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 Edinburgh Group, LLC has requested that the proposed Edinburgh South Phase 3 of the Edinburgh Development, be allowed to participate in the materials agreement program. The total amount of the agreement is proposed at \$38,378.10 for a new nineteen (19) lot development.

To date, including this development, the program has supported 851 new/proposed lots within the City of Kingsport. Of those lots, 531 Building Permits and 452 Certificates of Occupancy have been issued to date.

Attachments:

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

Funding source appropriate and funds are available: *je*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MATERIALS AGREEMENT WITH EDINBURG GROUP, LLC RELATED TO EDINBURG SOUTH PHASE 3 DEVELOPMENT AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, pursuant to the Materials Agreement Policy as set forth in Resolution 2007-084, Edinburg Group, LLC would like to enter into a Materials Agreement for the provision of certain water and sewer materials by the city for Edinburg South Phase 3, a 19 lot development; and

WHEREAS, the total amount of the agreement as proposed is \$38,378.10;

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 and directed to execute, in a form approved by the city attorney, a Materials Agreement with Edinburg Group, LLC to provide certain water and sewer materials by the city for Edinburg South Phase 3, in the amount of \$38,378.10, and the mayor is further authorized and directed to execute all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE 3 MATERIALS AGREEMENT PROJECTS (WA2051 AND SW2051); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Water Fund project and the Sewer Fund project budgets be amended by decreasing the funds transferred from the Water Fund operating budget by \$28,318 and by decreasing the funds transferred from the Sewer Fund operating budget by \$6,731 to the Edinburgh Development Phase 3 projects (WA2051 and SW2051) to fund the materials agreement.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Water Project Fund:451			
Edinburgh Phase 3 (WA2051)			
Revenues			
451-0000-391-4500 From the Water Fund	0	28,318	28,318
Totals:	0	28,318	28,318
Expenditures:			
451-0000-605-9003 Improvements	0	28,318	28,318
Totals:	0	28,318	28,318

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Sewer Project Fund:452			
Edinburgh Phase 3 (SW2051)			
Revenues			
452-0000-391-4200 From the Sewer Fund	0	6,731	6,731
Totals:	0	6,731	6,731
Expenditures:			
452-0000-606-9003 Improvements	0	6,731	6,731
Totals:	0	6,731	6,731

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.

PATRICK W. SHULL, Mayor

ATTEST:

SIDNEY H. COX
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

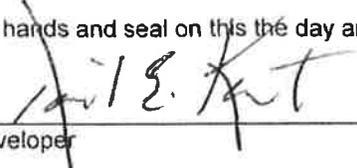
MATERIALS AGREEMENT

This AGREEMENT, made and entered into on this 15th day of October, 2019, by and between The Edinburgh Group, LLC, hereinafter "Developer", and the City of Kingsport, Tennessee, a municipal corporation, hereinafter "City".

WITNESSETH:

1. The Developer has subdivided a tract of land known as Edinburgh South Phase 3, and preliminary approval having been heretofore granted by the Planning Commission.
2. The plans for the proposed water and sewer line improvement of the subdivided property have been submitted to and approved by the City of Kingsport, City Engineer and will require 1,100 LFT of Waterline and 700 LFT of Sanitary Sewer Line to construct.
3. The estimated cost of the materials listed in paragraph 2 above is approximately \$38,378.10. The Developer will purchase this material from the City for use for construction pursuant to this contract only.
4. The Developer will install the lines according to City's specifications, and will pay all costs for installation of all mains, valves, hydrants and other appurtenances, and will furnish the City "as built" drawings showing the cost lists of all pipe fittings, as well as their exact location.
5. The Developer, upon completion of the work and acceptance by the City, will tender to the City an instrument conveying unencumbered ownership of the lines and easement over and under the land where said lines are laid. Once this conveyance has been made and all the permits needed have been issued, all the inspections completed and passed, and all the payments have been made to the City by the Developer, the City will cause the said line to be connected to the main distribution line of the City.
6. The Developer will reimburse the City for any materials or engineering work required not covered by this agreement.
7. Prior to any reimbursement by the City to the Developer, the Developer will cause the property to be completely annexed into the corporate limits of the City.
8. The Developer will save the City harmless from any and all responsibility for laying any lines, etc., on or across any private premises not dedicated to public use.
9. The Developer will pay the City for the materials listed above and supplied by the City, and upon completion of the laying of water and sewer lines according to specification of and the plans approved by the City, and upon the Developer fully performing all the requirements contained in this agreement the City will reimburse the Developer for the amount paid to the City for the pipe purchased and used in the subdivision, less state and local sales tax.
10. The purpose of this agreement is to reimburse the Developer for 100% of cost of the water and sewer material, less state and local sales tax, with said materials being purchased from the City, and reimbursement for the cost of the materials being made to the Developer subject to the satisfactory completion of all terms of this agreement including complete annexation of the property into the corporate limits of the City.
11. It is understood that the Developer will do any and all ditching, laying of the pipelines, and any and all other work that may be necessary to meet the specifications of the City.
12. Any unused materials acquired by the Developer from the City will be returned to the City and the costs of such material, if returned undamaged, will be credited to the Developer.

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



 Developer

Patrick W. Shull, Mayor

Approved as to form:

Attest:

Sidney H. Cox, City Recorder

J. Michael Billingsley, City Attorney

Materials Agreement

Project: Edinburgh South Phase 3
 Date: September 27, 2019
 Developer: Edinburgh Group, LLC

File No.: 2019-D18

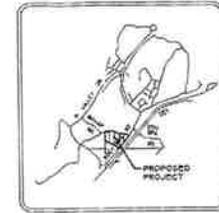
Water Line		Anticipated		Estimated	
Item #	Item Description	Units	U/M	Price	Total
41864	8" x 18' D.I. Pipe	62.00	Joints	\$269.15	\$16,687.30
42120	4' Bury Hydrant	2.00	each	\$1,350.97	\$2,701.94
42325	6" Gate Valve	2.00	each	\$472.00	\$944.00
42335	8" MJ Gate Valve	10.00	each	\$725.10	\$7,251.00
42100	8x8x8 Anchor Tee	2.00	each	\$117.90	\$235.80
43031	8x8x6 Anchor Tee	2.00	each	\$103.97	\$207.94
41794	8" Plug w/ 2" Tap	3.00	each	\$42.61	\$127.83
42845	6" Anchor Coupling	2.00	each	\$81.09	\$162.18
Building Code					
	Receipt To:				
Subtotal:	451-0000-208-1250				\$28,317.99
Sales Tax:	451-0000-207-0201			9.50%	\$2,690.21
Project #	WA2051			Water Total:	\$31,008.20
	Expense To:				
Water Acct. #	451-0000-605-9003				



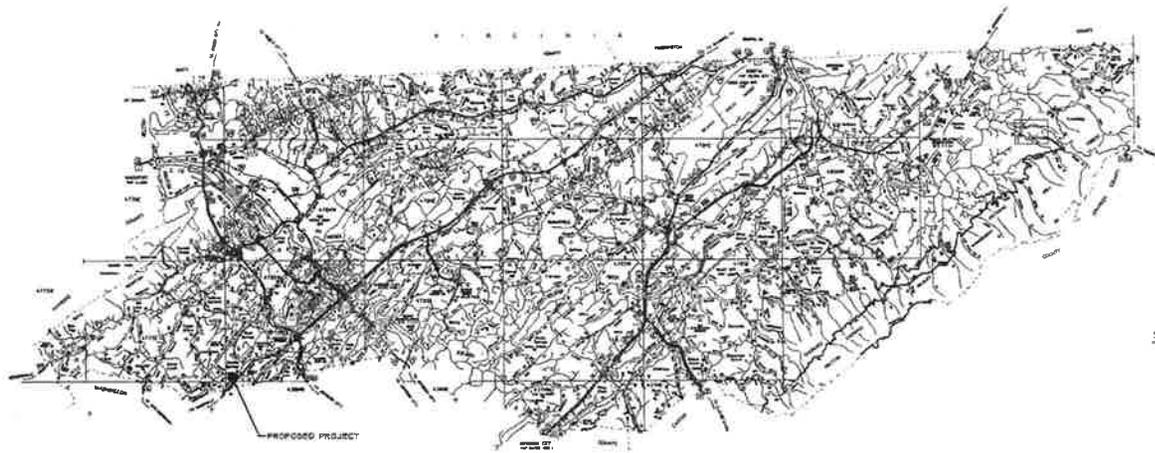
EDINBURGH SOUTH - PHASE III

THE EDINBURGH GROUP, LLC.

KINGSPORT, SULLIVAN COUNTY, TENNESSEE



LOCATION MAP
N.T.S.



INDEX OF SHEETS

SHEET NO.	SHEET TITLE
COVER	COVER
SP-1	ROADWAY AND SIDEWALK DETAILS
SP-2	OVERALL SITE PLAN
SP-3	SITE ROADWAY LAYOUT AND STAKING PLAN
SP-4	SITE GRADING AND DRAINAGE PLAN
SP-5	STREET PROFILES AND UTILITIES PROFILES - STORM SEWER
SP-6	SITE STORM DETAILS
SP-7	SANITARY SEWER UTILITIES PLAN
SP-8	STREET PROFILES AND UTILITIES PROFILES - SANITARY SEWER
SP-9	SITE UTILITIES DETAILS - SANITARY SEWER
SP-10	WATER UTILITIES PLAN
SP-11	SITE UTILITIES DETAILS - WATER
SP-12	EROSION CONTROL PLAN
SP-13	EROSION CONTROL DETAILS
SP-14	SWPPP NARRATIVE AND SEEDING SCHEDULES



SPODEN & WILSON
CONSULTING ENGINEERS
 338 EAST CENTER STREET, SUITE 2
 KINGSPORT, TENNESSEE 37660
 Phone: (423) 246-1181 Fax: (423) 245-0862
 email: sweng@spodenwilson.com

SET NO. _____

DATE: 08-20-2019
 FILE NO: 16090



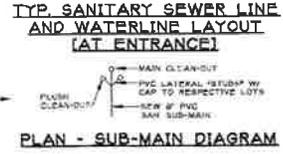
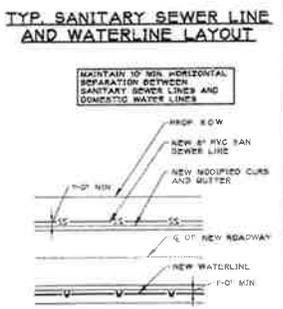
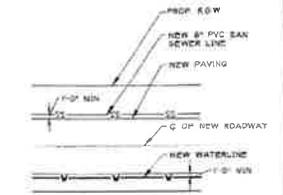
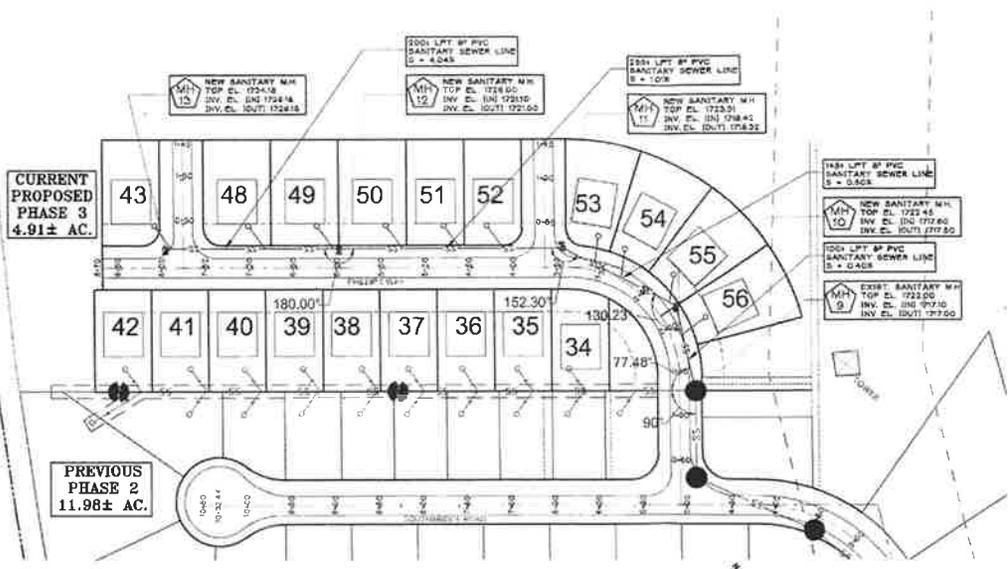
SPODEN & WILSON
CONSULTING ENGINEERS
 430 CLAY STREET
 KINGSPORT, TENNESSEE 37660
 Phone: (423) 246-1811 Fax: (423) 246-0862
 email: sww@spodenwilson.com

EDINBURGH SOUTH PHASE III
 TENNESSEE
THE EDINBURGH GROUP, LLC
 KINGSPORT
 KINGSPORT

SANITARY SEWER UTILITIES PLAN
 SHEET TITLE

DATE	FILE NO.
06-20-2010	10040
NO.	REVISION
1	06-20-10

SP-7



SANITARY SEWER UTILITIES PLAN

- NOTES:**
1. SANITARY SEWER PIPING TO BE ASTM 3034 CLASS PVC IN ACCORDANCE WITH THE CITY OF KINGSPORT, TENNESSEE STANDARDS.
 2. PROVIDE TWO-WAY SANITARY SEWER CLEANOUTS AT EDGE OF EACH EASEMENT LINE.
 3. ALL 6" SANITARY SEWER LATERALS TO BE 450' MIN. DEPTH AT PROPERTY LINE. TYP. THURST BLOCKING MUST BE DONE IN ACCORDANCE WITH CITY OF KINGSPORT SPECIFICATIONS FOR REDUCTION FROM 6" AND LARGER LINES TO 24" LINE. BEFORE FINAL PLAT IS SIGNED FOR SANITARY SEWER, FURNISH CITY OF KINGSPORT SEWER DEPARTMENT "AS-BUILT" DRAWINGS OF ALL MANHOLE LOCATIONS AND LINE LOCATIONS AND MEASUREMENTS IN AUTOCAD AND PDF FORMAT IN KORN / DIGITAL FORMAT.

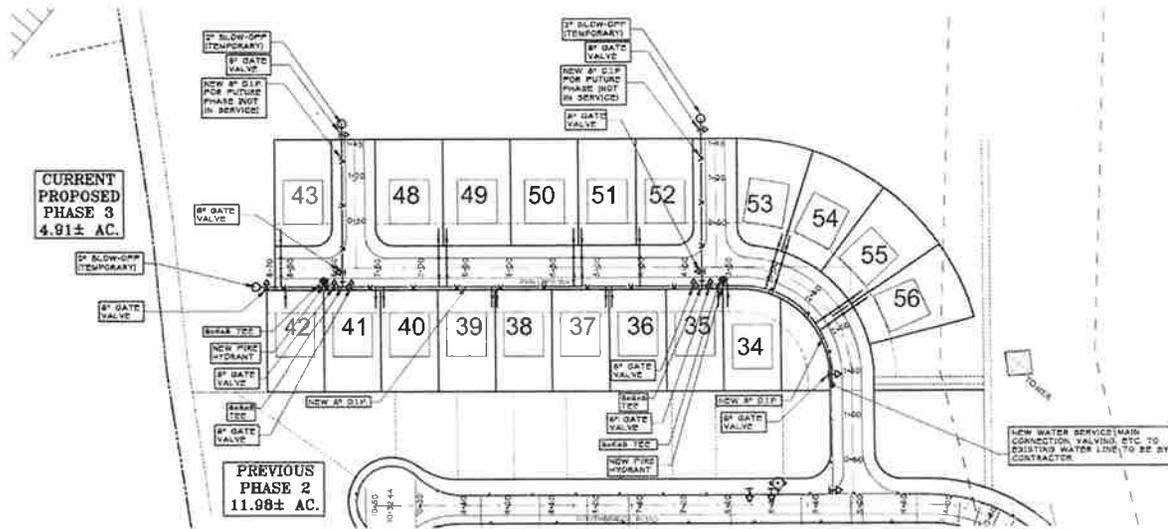
Manhole #	MH Type	MH Depth	Top Elev.	Invert In.	Invert Out.	Routing (S)	Existing (S)	MH Connection #	Separation
MH 10	Existing	3.00	1722.00	1721.00	1721.00	04632 88	02344 18	1.0 PVC	80' 11.41'
MH 11	Existing	4.00	1722.45	1721.45	1721.45	04630 75	20709 06	2.0 PVC	120.27'
MH 12	Existing	4.00	1722.31	1721.31	1721.31	04630 81	20709 06	2.0 PVC	120.27'
MH 13	Existing	3.00	1726.35	1725.35	1725.35	04630 78	20709 06	2.0 PVC	120.27'
MH 14	Existing	3.00	1726.18	1725.18	1725.18	04630 82	00704 04	1.0 PVC	80'

* DENOTES EXISTING MANHOLE INSTALLED IN PREVIOUS PHASES

- PROVIDE TYP. CHECK DAMS AT UPSTREAM END OF ALL MANHOLES, TYP.
- ALL SANITARY SEWER LINES THIS SHEET (PHASE 3) ARE 6" PVC. ALL SUB-MAINS ARE 6" PVC.
- NOTE: PROVIDE 18" EASEMENTS FOR ALL SANITARY SEWER LINES, 6" SUB-MAINS, LATERALS AND APPURTENANCES. EASEMENTS SHALL CENTER ON INDICATED LINE LOCATIONS AND ON EACH APPLICABLE LOT LINE.
- ALL SANITARY SEWER PIPING MATERIALS, SIZES AND APPURTENANCES SHALL BE STRICTLY IN ACCORDANCE WITH CITY OF KINGSPORT, TENNESSEE STANDARD PUBLIC WORKS SPECIFICATIONS.
- FOR SANITARY SEWER LINES OF SLOPE GREATER THAN 1/8" PROVIDE ANCHORS AT SPACINGS INDICATED ON THIS PLAN IN ACCORDANCE WITH CITY OF KINGSPORT STANDARDS AND SPECIFICATIONS.

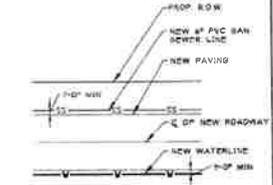
NOTE: ALL FLUSH CLEAN-OUTS DEPICTED IN PLAN ARE TO BE PLACED WITHIN OR ON THE PUBLIC ROW LINE. PLAN VIEW DEPICTION FOR GRAPHICAL CLARITY ONLY.

NOTE: PLAN INFORMATION INCLUDING LOT LAYOUT, ROADWAY LAYOUT AND SITE SURVEY INFORMATION INCLUDING EXISTING TOPOGRAPHY PROVIDED BY ALLEY & ASSOCIATES.

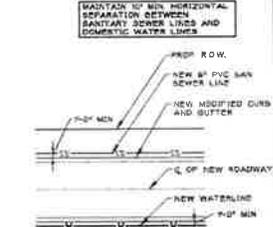


CURRENT PROPOSED PHASE 3
4.91± AC.

PREVIOUS PHASE 2
11.98± AC.



TYP. SANITARY SEWER LINE AND WATERLINE LAYOUT



TYP. SANITARY SEWER LINE AND WATERLINE LAYOUT (AT ENTRANCE)

WATER UTILITIES PLAN

- NOTES:**
1. ALL WATERLINES TO BE 2'-4" MIN BELOW FINISH GRADE. CONFIRM ELEVATIONS W/ OTHER UTILITIES. ALL WATERLINES 18" THRU 36" TO BE DUCTILE IRON PVC PIPE 30# 21 CLASS 200 PRESSURE RATED CONFORMING TO ASTM D2241 (2" THRU 48" PIPE MUST BEAR THE NATIONAL SANITATION FOUNDATION TESTING LABORATORIES, INC SEAL OF APPROVAL FOR POTABLE WATER. ON AN APPROVED EQUAL. CITY OF KINGSFORD WILL FURNISH WITHIN TWO WEEKS NOTICE) ALL METER SETTERS AND METER BOXES FOR WATER SERVICES. DEVELOPER IS REQUIRED TO INSTALL ALL SERVICES. ALL WATER SERVICES TO BE FIELD LOCATED. ALL TAPS ARE TO BE MADE UNDER GRASSY AREAS NOT UNDER ASPHALT OR CONCRETE. ALL WATER SERVICES TO BE LOCATED SO THAT THEY WILL NOT BE LOCATED IN DRIVEWAYS AND METERS THAT NEED TO BE MOVED LATER MUST BE MOVED AT DEVELOPER'S COST.
 2. CITY OF KINGSFORD WATER SERVICES DIVISION WILL TAP EXISTING LINE IF RECORD DEVELOPER MUST REIMBURSE THE CITY ALL ITEMS USED IN TAP WITHIN FOUR WEEKS OF MAKING THE TAP. TDC STANDARDS FOR DISINFECTION OF NEWLY INSTALLED WATERLINES MUST BE FOLLOWED.
 3. METALLIC JOINT RESTRAINTS SHALL BE USED AT ALL VALVES AND FITTINGS WITHOUT EXCEPTION AND SHALL BE INSTALLED AS SPECIFIED BY THE MANUFACTURER. THRUST BLOCKING SHALL BE USED IN CONJUNCTION WITH MISCELLANEOUS WHERE APPROPRIATE. THRUST BLOCKING SHALL BE INSTALLED AS SHOWN AND SPECIFIED IN THE STANDARD DETAILS PROVIDED IN THE CONTRACT DRAWINGS.
 4. ALL SLOW-OFFERS SHALL BE LOCATED IN ROW OR WITHIN DESIGNATED CABINET.
 5. BEFORE FINAL PLAN IS SIGNED FOR WATER, FURNISH CITY OF KINGSFORD WATER DEPARTMENT TAB-BUILT DRAWINGS OF ALL VALVES, HYDRANTS, SLOW-OFFERS, ETC AND MEASUREMENTS IN AUTOCAD AND PDF FORMAT IN KORN / DIGITAL FORMAT.

NOTE:
PLAN INFORMATION INCLUDING LOT LAYOUT, ROADWAY LAYOUT AND SITE SURVEY INFORMATION INCLUDING EXISTING TOPOGRAPHY PROVIDED BY ALLEY & ASSOCIATES

ALL WATER LINES AND MATERIALS, DEVICES AND APPURTENANCES SHALL BE STRICTLY IN CONFORMANCE WITH CITY OF KINGSFORD, TENNESSEE STANDARD PUBLIC WORKS SPECIFICATIONS

WATER LINE TYP. VALVING AND APPURTENANCES, ETC.

- AT INTERSECTION OF 8" D.I.P. TO 8" D.I.P. PROVIDE 8" x 8" x 8" TEE AND 8" GATE VALVE AND 8" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION
- AT INTERSECTION OF 8" D.I.P. TO 8" D.I.P. PROVIDE 8" x 8" x 8" TEE AND 8" GATE VALVE AND 8" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION
- AT INTERSECTION OF 8" D.I.P. TO 24" PVC PROVIDE 8" x 8" x 24" TEE AND 24" GATE VALVE AND 8" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION



SPODEN & WILSON CONSULTING ENGINEERS
430 CLAY STREET
KINGSFORD, TENNESSEE 37660
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e-mail: awilson@spodenwilson.com

EDINBURGH SOUTH PHASE III
KINGSFORD TENNESSEE
THE EDINBURGH GROUP, LLC
KINGSFORD TENNESSEE

SHEET TITLE
WATER UTILITIES PLAN

DATE	REV. NO.	
09-20-2018	0000	
NO.	DATE	REVISIONS
1	09-20-18	
2	09-27-18	

SP-10

City of Kingsport
MATERIALS AGREEMENT

Developer	Development	Proposed Lots/Development	Agreement Amt.	Date	Bldg. Permits	CO's	Status
Butch Rose	Hillcrest Heights	6	\$5,140.09	06/19/07	3	3	Closed
	Windridge Phase IV	40	\$92,202.29	04/15/08	15	15	Closed
Jeff McKee	Settler's Ridge Phase I	41	\$45,344.29	03/20/07	Total of 7	7	Closed
	Settler's Ridge Phase II	7	\$18,822.89	11/06/07			Closed
Edinburgh Group LLC	Edinburgh Phase I, Section 1	32	\$42,867.62	02/19/07	Total of 198	177	Closed
	Edinburgh Phase I, Section 2	15	\$25,205.92	04/17/07			Closed
	Edinburgh Phase 2, Section 1A	6	\$2,852.48	02/02/10			Closed
	Edinburgh Phase 2, Section 2	6	\$11,976.02	11/16/10			Closed
	Edinburgh Phase 2, Section 2B	11	\$9,472.85	10/18/11			Closed
	Edinburgh Phase 2, Section 2C	14	\$20,128.29	04/03/12			Closed
	Edinburgh Phase 2, Section 2E	8	\$25,177.34	10/02/12			Closed
	Edinburgh Phase 2, Section 2F	9	\$19,382.60	05/07/13			Closed
	Edinburgh Phase 4	17	\$65,033.97	07/24/13			Closed
	Edinburgh Phase V	12	\$51,965.42	10/7/2014			Closed
	Edinburgh Phase VII	20	\$27,552.51	6/2/2015			Closed
	Edinburgh Phase 9	6	\$5,917.93	5/5/2016			Open
	Edinburgh Phase 10	10	\$38,265.22	3/1/2017			Open
	Edinburgh South Phase I	23	\$36,694.42	11/1/2016			Open
Jerry Petzoldt	Old Island Phase II	59	\$118,027.86	05/06/08	40	35	Closed
Jim Nottingham	Riverwatch	29	\$47,605.13	04/15/08	22	14	Closed
Harold Slemp & Jack McMurray	Villas at Andover - Polo Fields	104	\$76,522.72	08/07/07	53	36	Closed
George Hunt	Hunts Crossing Phase II	22	\$18,375.20	04/15/08	6	5	Closed
Rob McLean	Anchor Point	80	\$72,552.51	07/15/08	42	34	Closed
	Anchor Point – Topsail Court	Included in Anchor Point	\$3,816.08	08/05/08		0	Closed
	Stapleton Dr Phase I	7	\$8,757.81	08/19/08	4	4	Closed
Ken Bates	Chase Meadows Phase I	15	\$39,418.91	07/15/08	Total of 52	46	Closed
	Chase Meadows Phase II	87	\$68,096.96	08/19/08			Closed
Terry Orth	Autumn Woods Phase I	19	\$30,628.25	10/07/08	19	19	Closed
	Autumn Woods Phase II	51	\$97,091.46	09/01/09	42	40	Closed
Gary Alexander	Riverbend Phase I	15	\$65,938.71	02/03/09	10	0	Closed
	Riverbend - Epcon Phase II	9	\$33,171.54	02/01/11			Closed
Leonard & Cynthia Gerber	St. Andrew's Garth Phase I	40	\$34,049.03	03/16/10	8	8	Closed
Jane Karst	Jane Karst Subdivision	4	\$4,100.78	09/20/11			Closed
M & M Builders	Brookton Park Subdivision	7	\$2,145.88	09/20/11	7	7	Closed
Vic Davis	The Summitt at Preston Park Ph. 3	20	\$79,327.82	12/03/13	3	2	Closed
	TOTAL	851	\$1,343,628.89		531	452	

Revised 09/05/19



AGENDA ACTION FORM

Appropriating a \$3,000 Donation Made in Honor of Former City Manager, Jeff Fleming, by Eastman Chemical Company, to the General Project Fund, Project# GP1839 – Bays Mountain Nature Center Exhibits

To: Board of Mayor and Aldermen
From: Chris McCart, City Manager *CM*

Action Form No.: AF-211-2019
Work Session: September 16, 2019
First Reading: September 17, 2019

Final Adoption: **October 1, 2019**
Staff Work By: Judy Smith / Sid Cox
Presentation By: Chris McCart

Recommendation:

Approve the Ordinance.

Executive Summary:

This Ordinance approves the appropriation of \$3,000 in donated funds from Eastman Chemical Company, in honor of former City Manager, Jeff Fleming, for use in the enhancement and or creation of exhibit space, at the Bays Mountain Park & Planetarium Nature Center.

Attachments:

- 1. Ordinance

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Oltzman	—	—	—
Phillips	—	—	—
Shull	—	—	—



AGENDA ACTION FORM

Appropriating a \$3,000 Donation Made in Honor of Former City Manager, Jeff Fleming, by Eastman Chemical Company, to the General Project Fund, Project# GP1839 – Bays Mountain Nature Center Exhibits

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-211-2019
Work Session: September 16, 2019
First Reading: September 17, 2019

Final Adoption: October 1, 2019
Staff Work By: Judy Smith / Sid Cox
Presentation By: Chris McCartt

Recommendation:
Approve the Ordinance.

Executive Summary:
This Ordinance approves the appropriation of \$3,000 in donated funds from Eastman Chemical Company, in honor of former City Manager, Jeff Fleming, for use in the enhancement and or creation of exhibit space, at the Bays Mountain Park & Planetarium Nature Center.

Attachments:
1. Ordinance

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED AS A DONATION FOR THE YEAR ENDING JUNE 30, 2020; 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 Eastman Chemical Company as a donation in the amount of \$3,000 for creating or enhancing exhibit space at the Bays Mountain Park and Planetarium Nature Center in honor of former City Manager Jeff Fleming.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
<u>Bays MTN Nature Center Exhibit (GP1839)</u>			
Revenues:			
	\$	\$	\$
311-0000-364-2000 From Corporations	0	3,000	3,000
311-0000-368-1055 Series 2017A GO Bonds	84,294	0	84,294
311-0000-368-2101 Premium From Bond Sale	3,852	0	3,852
311-0000-391-0100 From General Fund	8,700	0	8,700
Totals:	96,846	3,000	99,846
Expenditures:			
	\$	\$	\$
311-0000-601-2020 Professional Consultant	0	3,000	3,000
311-0000-601-4041 Bond Sale Expense	1,146	0	1,146
311-0000-601-9003 Improvements	95,700	0	95,700
Totals:	96,846	3,000	99,846

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

PATRICK W SHULL, Mayor

ATTEST:

ANGIE MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Agreement with State of Tennessee to Extend Waterline into Warrior's Path State Park

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-169-2019
 Work Session: September 16, 2019
 First Reading: September 17, 2019
 Final Adoption: **October 1, 2019**
 Staff Work By: C. Austin
 Presentation By: C. McCartt

Recommendation: Approve the Ordinance and Resolution.

Executive Summary:

The State of Tennessee has earmarked \$6.8M for Warrior's Path State Park in order to provide upgrades to the RV campground, marina, boat slips, visitor center, and offices. They are nearly finished with their design plans and are planning to move to construction soon.

During review by the State Fire Marshall's office, it was determined that in order to upgrade the marina, an automatic sprinkler system and fire hydrants would need to be included. Their current water system would not meet this need as most of it is below the size needed for fire flows.

They have asked the City of Kingsport and Sullivan County to partner with them to extend the public waterline from their current service down to the marina area, allowing the proper flows and pressures to supply their fire suppression needs.

They have estimated the cost to be \$150,000 for this new waterline. The cost is planned to be split between the City and County. Therefore, the City's portion would be \$75,000.

The State has asked that the City and County approve this agreement, which is attached.

At the end of the project, the new waterline would belong to the City of Kingsport's water distribution system to maintain. The City would also be responsible for managing the bid and construction process. Sullivan County will provide their portion of the funds to the City upon County Commission approval.

A budget ordinance is included to set up a new project to receive and disburse funds for this project.

Attachments:

1. Ordinance
2. Resolution
3. Letter of Intent from Sullivan County
4. Letter of Intent from TN Department of General Services
5. Location Map

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

Funding source appropriate and funds are available: *JP*

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH THE STATE OF TENNESSEE TO EXTEND A WATERLINE INTO WARRIOR'S PATH STATE PARK AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, the State of Tennessee is nearly finished with the design plans and is preparing to move into the construction phase of the Warrior's Path State Park upgrades; and

WHEREAS, during inspections, it was found that the water lines currently in the park are not sufficient for the upgrades; and

WHEREAS, the State of Tennessee has asked that the city work in conjunction with Sullivan County to extend the public waterline from their current service down to the marina area, allowing the proper flows and pressures to supply their fire suppression needs; and

WHEREAS, the estimated cost of the project is \$150,000.00, which will be divided equally between the city and the county; and

WHEREAS, funding for the \$75,000.00 of the city's portion is available in account #GP2023.

Now therefore,

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

SECTION I. That an agreement with the State of Tennessee to extend the waterline in Warrior's Path State Park for upgrades, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the agreement with the State of Tennessee to extend the waterline in Warrior's Path State Park for upgrades, and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution.]

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

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Sullivan County
Board of County Commissioners
239th Annual Session

Item 3
 No. 2019-08-64

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of August, 2019.

RESOLUTION TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A SIX-INCH WATER LINE AT WARRIORS' PATH STATE PARK

WHEREAS, the State of Tennessee is wanting to enter into a project at Warriors' Path State Park with the City of Kingsport and Sullivan County to upgrade the water quality for the park and install adequate fire protection requirements; and

WHEREAS, currently there is only a four-inch water line on a portion of the property and only one fire hydrant in the park with a two-inch water line which does not produce adequate water pressure in the event of an emergency; and,

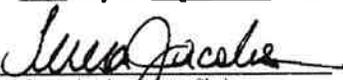
WHEREAS, the project will include the demolition of the existing Marina Building and the construction of a new Marina Building. Also, the existing Recreation Building located on Duck Island will be renovated to include a new Visitor's Center, Park Ranger offices, and facilities for community events; and,

WHEREAS, the State of Tennessee is requesting the City of Kingsport and Sullivan County to install a new six-inch water line at Warriors' Path State Park to achieve an adequate gallons per minute flow and residual water pressure required for proper fire protection which will meet the State Fire Marshal's requirement of locating a fire hydrant within one hundred feet of the Marina Building.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee hereby appropriate from the general fund an amount up to \$75,000 to join with the City of Kingsport and the State of Tennessee in the installation of a six-inch water line at Warriors' Path State Park.

Approved this 19th day of September, 2019.

Attest:


 Teresa Jacobs, County Clerk

Appro


 Richard S. Venable, County Mayor

Sponsored By: Commissioner Sam Jones

Co-Sponsor(s): Commissioner Angie Stanley, Commissioner Joe Herron and Commissioner Colette George added as co-sponsors.

2019-08-64 ACTIONS: 08/15/19 - 1st Reading; 9/10/19 Executive Cmte – Motion to approve- passed unanimously; 9/10/19 Administrative Cmte – Motion to approve – passed; 09/19/19 Approved 15 Yes, 1 Abstain, 4 No, 4 Absent



AGENDA ACTION FORM

Agreement with State of Tennessee to Extend Waterline into Warrior's Path State Park

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-169-2019
Work Session: September 16, 2019
First Reading: September 17, 2019
Final Adoption: October 1, 2019
Staff Work By: C. Austin
Presentation By: C. McCartt

Recommendation: Approve the Ordinance

Executive Summary:

The State of Tennessee has earmarked \$6.8M for Warrior's Path State Park in order to provide upgrades to the RV campground, marina, boat slips, visitor center, and offices. They are nearly finished with their design plans and are planning to move to construction soon.

During review by the State Fire Marshall's office, it was determined that in order to upgrade the marina, an automatic sprinkler system and fire hydrants would need to be included. Their current water system would not meet this need as most of it is below the size needed for fire flows.

They have asked the City of Kingsport and Sullivan County to partner with them to extend the public waterline from their current service down to the marina area, allowing the proper flows and pressures to supply their fire suppression needs.

They have estimated the cost to be \$150,000 for this new waterline. The cost is planned to be split between the City and County. Therefore, the City's portion would be \$75,000.

The State has asked that the City and County approve this agreement, which is attached.

At the end of the project, the new waterline would belong to the City of Kingsport's water distribution system to maintain. The City would also be responsible for managing the bid and construction process. Sullivan County will provide their portion of the funds to the City upon County Commission approval.

A budget ordinance is included to set up a new project to receive and disburse funds for this project.

Attachments:

- 1. Ordinance
- 2. Letter of Intent from TN Department of General Services
- 3. Location Map

Funding source appropriate and funds are available: *[Signature]*

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PROJECT
FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2020;
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 and the VEP Fund budget be amended by transferring \$75,000 to the Warriors Path Waterline Extension project and by appropriating \$75,000 received from Sullivan County.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
Warriors Path Waterline Extension (GP2023)			
Revenues:			
	\$	\$	\$
311-0000-333-9900 Other County Revenue	0	75,000	75,000
311-0000-391-6900 From Visitors Enhancement Fund	0	75,000	75,000
Totals:	0	150,000	150,000
Expenditures:			
	\$	\$	\$
311-0000-601-9003 Improvements	0	75,000	75,000
Totals:	0	75,000	75,000
 Fund 135: Visitors Enhancement Fund			
Expenditures:			
	\$	\$	\$
135-1015-405-3020 Operating Supplies & Tools	103,750	(75,000)	28,750
135-4804-481-7036 General Project Fund	0	75,000	75,000
Totals:	103,750	0	103,750

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.

PATRICK W. SHULL, Mayor

ATTEST:

SIDNEY H. COX, City Recorder



King County Assessor
May 24, 2019 11:17:48 AM

RECEIVED
JUN 28 2019
CITY OF KINGSFORT
CITY MANAGERS OFFICE

June 24, 2019

Mr. Chris McCartt
Assistant City Manager
City of Kingsport
225 W. Center Street
Kingsport, TN 37660

Mr. Richard Venable
County Mayor
County of Sullivan
3411 TN-126
Blountville, TN 37617

RE: Warriors' Path State Park 6 Inch Water Line

Dear Mr. McCartt and Mayor Venable,

We are requesting that the City of Kingsport and Sullivan County install a new six inch water line at Warriors' Path State Park. The reason for this request is due to fire protection requirements and to upgrade the water quality for the park.

Our project will include the demolition of the existing Marina Building and the construction of a new Marina Building to the west of this existing structure. Also, the existing Recreation Building located on Duck Island will be renovated to include a new Visitors Center, Park Ranger Offices, and facilities for community events.

In order for the State of Tennessee to proceed with this project, and the project to be approved by the State of Tennessee Fire Marshal's Office, the facilities will require adequate fire protection. The State Fire Marshal's Office requires a fire hydrant to be located within one hundred feet of the Fire Department Connection (FDC) at the Marina Building (this building is sprinkled since the occupant load is greater than one hundred and has food service), and a fire hydrant will be located within a four hundred foot hose lay at the renovated Visitors Center.

Currently, there is only a four inch water line on a portion of the property, and the only fire hydrant located in the entire park is served by a two inch line with inadequate flow and pressure. To achieve the adequate gallons per minute flow and residual water pressure required for proper fire protection, this will require a new six inch water line attached to the existing City of Kingsport six inch water line located at the southwest entrance of the park (the rear entrance that enters the park crossing the railroad line).

The Designer's estimate for labor and materials to install this line will be between \$135,000 to \$150,000. The State of Tennessee will provide the professional services fee for a Civil Engineer to prepare Construction Documents for the project, and it will also provide an easement for the installation of the water line and for its continued maintenance after installation by the local utility. The City of Kingsport and Sullivan County will conduct the bidding process, prepare the Contract between Owner and Contractor, provide the funds for construction, and administer the project through construction. Please confirm to me that the City of Kingsport and Sullivan County will continue to own the water line after its installation.

If you need additional information, please feel free to contact our office or the Designer, Mr. Robert Reedy, at Reedy & Sykes Architecture and Design, (423) 543-4781. Lastly, please apprise me when the terms of this agreement have been approved by the City Council and the County Commission.

Sincerely,

Tennessee State Parks

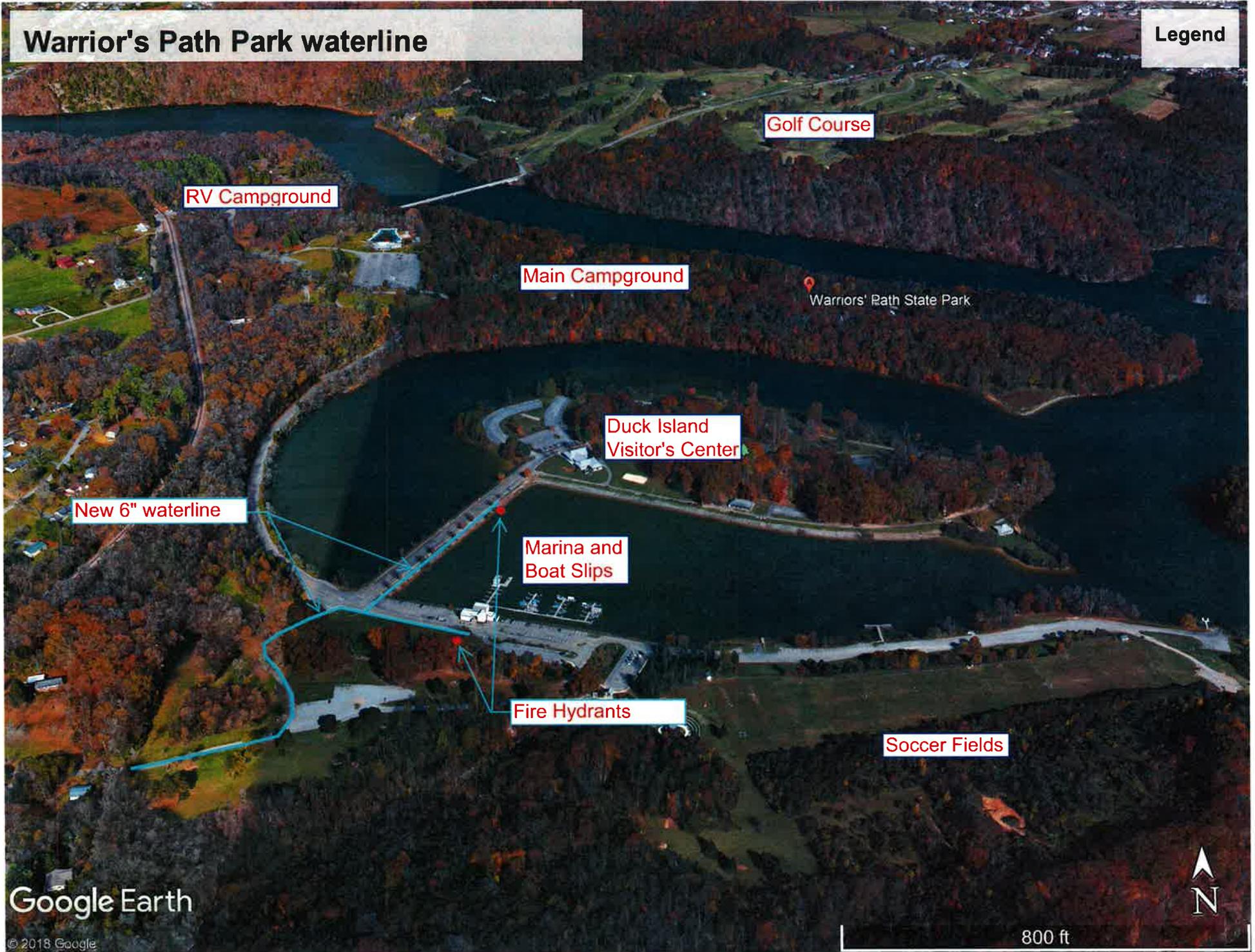
A handwritten signature in black ink, appearing to read "John Hull", written in a cursive style.

John Hull
Department of General Services Deputy Commissioner

cc: Reedy & Sykes
Lanette M. Phillips
Ben C. Dunn

Warrior's Path Park waterline

Legend



RV Campground

Golf Course

Main Campground

Warriors' Path State Park

Duck Island
Visitor's Center

New 6" waterline

Marina and
Boat Slips

Fire Hydrants

Soccer Fields

Google Earth

© 2018 Google

800 ft





AGENDA ACTION FORM

Amendment to City Code Section 6-207 and 6-213 Pertaining to Beer Permits

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-206-2019
Work Session: September 16, 2019
First Reading: September 17, 2019

Final Adoption: **October 1, 2019**
Staff Work By: Mike Billingsley
Presentation By: Chris McCartt

Recommendation:
Approve the Ordinance.

Executive Summary:
A request has been made for a beer permit for a hotel. There is not an ordinance for the issuance of such a permit.

The Beverage Board has requested an amendment to the ordinances pertaining to the sale of beer to include an on-premises permit for hotel/motels. An ordinance amending the necessary city code sections is attached, to allow such a permit, in accordance with state law.

Also attached is the current code sections with the amendments shown in red font.

- Attachments:**
1. Ordinance
 2. Copies of affected code provisions

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—



AGENDA ACTION FORM

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To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

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Also attached is the current code sections with the amendments shown in red font.

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1. Ordinance
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Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 6-207 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO TYPES DESIGNATED AND AMENDING SECTION 6-213 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO GENERAL RESTRICTIONS ON ISSUANCE OF RETAIL PERMITS AND BUSINESS OPERATIONS; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Section 6-207 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 6-207. - Types designated.

The types of beer permits shall be as follows:

- (1) *On-premises permit.* An on-premises permit shall be issued for the consumption of beer on the premises. Provided the other requirements of this article are met, an on-premises permit shall be issued only to restaurants or eating places, nonprofit clubs, hotel or motel, and for certain temporary permits.
- (2) *Off-premises permit.* An off-premises permit shall be issued for sale of both refrigerated and unrefrigerated beer to be consumed off the premises.
- (3) *Multiple-type permit.* A multiple-type permit constitutes both an on-premises permit and an off-premises permit and shall be issued for both on-premises consumption and off-premises consumption. Anyone who has consumed beer on the premises shall be prohibited from purchasing beer for off-premises consumption when leaving the premises, except this prohibition shall not apply to permits issued to a manufacturer as part of a manufacturer's permit. Provided the other requirements of this article are met, a multiple-type permit shall be issued only to restaurants or eating places, nonprofit clubs, manufacturers, and for certain temporary permits.
- (4) *Manufacturer's permit.* This permit shall be issued to manufacturers upon whose premises beer is brewed or otherwise manufactured. A manufacturer's permit may include certain on premises and/or off-premises retail sales, as hereinafter set out. A manufacturer's permit that includes on- premises and off-premises consumption, allows anyone who has lawfully consumed beer on the premises to purchase beer for off-premises consumption, when leaving the premises.
- (5) *Wholesaler's permit.* This permit shall be issued to operators who have a warehouse in the city and sell or otherwise distribute beer at wholesale.
- (6) *Other permits.* Permits that are otherwise authorized by this article.

SECTION II. That Section 6-213 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 6-213. - General restrictions on issuance of permits and business operations.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Bona fide charitable or nonprofit organization means any corporation which has been recognized as exempt from federal taxes under section 501(c) of the Internal Revenue Code.

Bona fide political organization means any political campaign committee as defined in T.C.A. § 2-10-101(a) or any political party as defined in T.C.A. § 2-13-101.

Outdoor service area means a patio, deck, courtyard, or other outdoor area, where the permitted establishment provides service where the outdoor serving area is:

- (1) Contiguous to the exterior of the building in which the business is located;
- (2) Operated and controlled by the business; and
- (3) Fenced or surrounded on all sides except for designated entrances and exits. The fencing or surrounding barrier need not be permanent but must consist of a barrier not less than 40 inches high and must be constructed of a substantial material without gaps or spaces that would allow ingress and egress of the premises except through designated entrances and exits. Examples of substantial materials would include but not be limited to securely connected planters, decorative fencing or other decorative architectural or landscaping materials. An outdoor serving area may not include all or any part of an area otherwise used by the business or by the public for parking.

(b) *Restaurants and eating places (on-premises)*. The issuance of beer permits for restaurants and eating places pursuant to this chapter and the operation of such establishments shall be subject to the following:

- (1) Permits for the retail sale of beer for on-premises consumption shall be issued subject to the approval of the beverage board to the owner or operator of any regularly conducted restaurant or eating place. The applicant shall fulfill all other general requirements for the retail sale of beer prescribed in this chapter.
- (2) In addition, the restaurant or eating place shall be classified with a value of not less than passing as judged by appropriate state authorities.
- (3) No permit shall be issued to the owner or operator of any restaurant unless such owner or operator is the holder of a current, valid business license issued by the city.
- (4) If, after the issuance of a permit for on-premises consumption, the grade of passing is reduced by the appropriate state agency responsible for the grading of restaurants, the beverage board shall notify the permittee to appear before the beverage board to show cause why his permit should not be revoked. The beverage board shall have the authority to grant a temporary extension, not to exceed 90 days, for the permittee to make the corrections necessary and have the numerical grade increased to at least passing.
- (5) The restaurant or eating place must be kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served or provided with adequate and sanitary kitchen and dining room equipment and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for the permittee's guests. If it is shown that any permittee's premises are no longer meeting these regulations, the beverage board may cancel and revoke the permit.
- (6) No beer shall be served at tables, stools or booths or in any other manner or place outside of the building except when a beverage permit includes an approved outdoor service area or sidewalk cafe dining facility.

(c) *On premises permits for operation of a hotel or motel*

- (1) Hotel or motel shall have the same meaning as provided in T.C.A. § 57-4-102.
- (2) Hotels or Motels holding on-premises permits shall sell beer only to persons who remain inside the establishment, or in the permitted service area, to consume the same.
- (3) Hotels or Motels holding a license issued by the Tennessee Alcohol Commission for the sale of alcoholic beverages under T.C.A. § 57-4-201 et seq. (liquor by the drink) shall operate the establishment in accordance with the applicable provisions of state law and the rules and regulations of the commission.

(d) *Nonprofit club permits.*

- (1) Club permits may be issued to allow the sale of beer to be consumed on the premises of any nonprofit association, organized and existing under the laws of the state, which has been in existence and operating as a nonprofit association for at least two years prior to the application for a permit. The club shall:
 - a. Have at least 100 members regularly paying dues;

b. Be organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any shareholder or member; and

c. Own, hire or lease a building or space therein for the reasonable use of its members with suitable kitchen and dining room space and equipment and maintaining and using a sufficient number of employees for cooking, preparing and serving meals for its members and guests.

(2) No member or officer, agent or employee of the club shall be paid or directly or indirectly receive, in the form of salary or other compensation, any profits from the sale of spirituous liquors, wines, champagnes or malt beverages beyond the amount of such salary as may be fixed by club members at an annual meeting or by the club's governing body out of the general revenue of the club.

(3) For the purpose of this subsection (c), tips which are added to the bills under club regulations shall not be considered as profits. The beverage board shall have specific authority through rules and regulations to define with specificity the terms used in this subsection (c) and to impose additional requirements upon applicants seeking a club permit not inconsistent with the definition in this subsection.

(e) *Manufacturers.* Upon meeting the necessary federal, state and local license requirements and pursuant to T.C.A. section 57-5-101(c)(1) a manufacturer of beer may operate as a retailer at the manufacturer's location or a site contiguous thereto for sales of not more than 25,000 barrels of beer annually for consumption on or off premises, provided it meets the licensing requirements of this chapter for on and off premises permits.

(f) *Off-premises merchant's permits.* Off-premises permits shall be issued only to bona fide merchants who have been licensed to conduct a merchandising business in the city. For the purpose of this subsection, the term "bona fide merchants" means persons regularly operating and conducting business to serve the public on a regular basis, with regular business hours of operation. However, no such off-premises permit shall hereafter be issued for the sale of beer at any place of business where the sale of beer is to be made directly to an automobile and its occupants by means of drive-in window facility. It shall be unlawful to sell or give beer through a drive-in window to an automobile, its occupants or to any person outside the drive-in window. It shall be unlawful for any permittee to construct a drive-in window or to alter in any manner his place of business so as to permit the sale of beer through a drive-in window to an automobile, its occupants or to any person outside the drive-in window.

(g) *Temporary (special event) permits.* Temporary beer licenses or permits shall be governed by the following provisions:

(1) *Newly annexed business:* Temporary beer licenses or permits not to exceed 30 days' duration may be issued at the discretion of the secretary of the beverage board to newly annexed businesses which hold a valid county beer permit. The beverage board, at its next regular meeting, may make only one extension of the temporary permit for no longer than 30 days.

(2) *One event permit for private businesses:* Temporary beer licenses or permits not to exceed 24-hour duration may be issued by the beverage board at the request of the applicant upon the same conditions governing permanent permits. For the purposes of these provisions, the same conditions governing permanent permits shall apply to temporary permits and shall include the application for a temporary beer license or permit, a fee of \$50.00, and a written plan detailing how the event will be conducted in order to provide for a safe and controlled environment. Such a temporary license or permit shall not allow the sale, storage or manufacture of beer on publicly owned property.

(3) *One event permits for nonprofit organizations:* A temporary license authorizing the sale of beer on public property may be issued to a bona fide charitable or nonprofit organization or bona fide political organization, subject to the approval of the appropriate governmental authority charged with the management of such publicly owned property and the beverage board. Documents showing evidence of the type of organization shall be submitted with the application. Such a temporary license or permit shall be limited to two events per organization in any 12-month period.

(4) *Multiple event permit for nonprofit organizations:* Subject to the submission of a proper application and the payment of the application fee, the beverage board is authorized and empowered in its discretion to issue special event licenses to bona fide charitable or nonprofit organization for special events with the duration of said license being for a period

of not more than one year. No single special event shall be longer than 72 hours in duration. The beverage board may issue a special event license under such terms, conditions, rules and regulations as the beer board may establish which are not inconsistent with state law regulating the sale of beer.

(5) *Notice of intent to conduct a special event.* Any person, organization or other entity with a special event license conducting an event during which beer is to be sold shall provide at least 30 days' advance written notice to the chairperson of the beverage board, with a copy to the city recorder, of the intent to conduct such a special event. The notice required by this part shall include, but not necessarily be limited to, the following information:

- a. Date and time of the event;
- b. The sponsor of the event;
- c. The specific location where any beer is to be sold outside;
- d. Any plans for proposed temporary closure of public rights-of-way;
- e. Plans for security and policing of the event;
- f. The anticipated number of persons attending the event;
- g. Plans for clean up during and after the event;
- h. Plans for sanitary facilities and for safety inspections as determined needed by the fire department;
- i. Indemnification : A written agreement that will indemnify and hold the city, its officials and employees harmless from any claim resulting from the event; and
- j. Liability insurance: Provide to the city from an insurance company authorized to do business in the state a comprehensive general liability insurance policy, applicable to the serving of beer at the event and providing insurance coverage for all liabilities including death, personal injury or property damage, arising out of, or in any way related to, the event described, in the amount of \$1,000,000.00 combined single limits. Such insurance shall be in a form satisfactory to the city's risk manager, shall include an endorsement naming the city as additional insured under the coverage afforded, shall be primary and noncontributing with respect to any other insurance available to the city, shall contain a severability of interest (cross liability) clause, and shall require the insurer to provide to the city at least

30 days' prior notice of cancellation. Proof of such insurance, also in a form satisfactory to the city's risk manager, shall be filed with the risk manager prior to the date of the event of the sponsoring organization.

Upon receipt of the notice as required in this subsection (e)(5), the proposed special event shall be placed on the agenda of the beverage board for its next regularly scheduled meeting following receipt of the notice, and the sponsor of the proposed event shall send a representative or representatives (both a representative of the nonprofit organization and a representative of the professional organization running the event, if applicable) to the beverage board meeting to address any questions or issues arising out of the proposed special event.

(6) *The Downtown District:* The beverage board is hereby authorized and empowered in its discretion to permit the sale of beer in the downtown district, being the area bounded by Main Street, Clinchfield Street, Sullivan Street and Wexler Street, and also including the area across Main Street in the 100 and 200 blocks, to a bona fide charitable or nonprofit organization holding a temporary permit or a special event license at such times and events and under such terms, conditions, rules and regulations as the beverage board may establish which are not inconsistent with state law regulating the sale of beer, and including the temporary closure of public rights-of-way within the area with the express permission and cooperation of the city police department and city transportation department.

(h) *Purchase from source other than licensee prohibited.* No charitable, nonprofit or political organization possessing a temporary permit or special occasion licenses shall purchase for sale or distribution beer from any source other than a licensee as provided pursuant to state law.

(i) *Special permits for sale in certain areas.* Beer permits shall not be valid for any sidewalk, street, alley, or other public right-of-way contiguous or adjacent to the permitted establishment. Provided, however, in the downtown business area, as defined in section 90-74, the beverage board may issue a special beer permit for such areas, if the permitted establishment obtains and maintains a permit for sidewalk cafe dining facility from the department of public works as set out in chapter 90, article III, division 2, pertaining to sidewalk dining facilities. The sale, service or distribution of beer in the sidewalk cafe dining facility shall be under terms, conditions, rules and regulations as the beverage board shall establish, including but not limited to the length and periods of time during

which a special permit may be valid, which are not inconsistent with state law regulating the sale of beer. Such terms, conditions, rules, and regulations may include the requirement of the submission to the beverage board of the following information:

- (1) The identity of such person who is requesting the special permit;
- (2) The site plan for the outdoor seating area showing where any beer is to be sold, served, or consumed, the specific location of any furniture and equipment and how the area of public right-of-way is to be separated from the remainder the public right-of-way or property; The safety and liability measures already taken and those that shall continue to be taken by such person with respect to the outdoor serving area.

The person requesting the special permit shall send representatives to the beverage board meeting to address any questions or issues that may arise regarding the request. Notwithstanding any other provisions of this chapter to the contrary, beer shall not be dispensed from any outdoor bar or serving station. Further, the issuance of a special permit by the beverage board pursuant to this subsection (g) does not authorize any person to utilize the public right-of-way in the downtown business area for any purpose without express permission granted by the department of public works in the form of a permit for a sidewalk cafe dining facility.

(j) *Manufacturer's permit.* Permits for the manufacture of beer shall be issued in accordance with the general requirements of this chapter and the following:

- (1) A permit authorizing the manufacture, storage, sale and distribution of beer, not to be consumed on the premises of the manufacturer, except as otherwise provided hereinafter may be issued. In addition to the manufacture and storage of beer, a manufacturer's permit shall authorize the sale and distribution of the beer through the standard non-retail system to the extent allowed by applicable law.
- (2) A manufacturer of beer can include in its application a request for the privilege of retail sale for on-premises and/or off premises consumption of the beer pursuant to T.C.A. § 57-5-101(c), at the manufacture's location or a site contiguous thereto for sales of not more than 25,000 barrels of beer annually for consumption on or off the premises.
- (3) A manufacturer's permit that authorizes the manufacture of beer may include, pursuant to T.C.A. § 57-5-101(c), the privilege of conducting on-premises retail sales, even though it does not maintain or have a regularly conducted restaurant or eating place.
- (4) A manufacturer's permit that authorizes the manufacture of beer and pursuant to T.C.A. § 57-5-101(c) the sale of beer for off-premises consumption shall be sold for off-premises consumption in sizes and containers that are made available through the general wholesale/retail distribution system, including such containers generally known as growlers.
- (5) A manufacturer's permit that authorizes for retail sales may take place within the same store licensed by the state alcohol beverage commission for the sale of high alcohol content beer, provided the other requirements of this chapter are met.
- (6) Documentation by the manufacturer of the number of barrels sold each calendar year may be required by the beverage board.

(k) *Wholesaler's permit.* Permits for the wholesale sale of beer for operators who have a warehouse in the city and sell or otherwise distribute beer at wholesale, shall be issued in accordance with the general requirements of this chapter and such rules established by the beverage board not in conflict with the provisions of this chapter.

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.

PATRICK W. SHULL, Mayor

ATTEST:

SIDNEY H. COX, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING _____

PASSED ON 2ND READING _____

Sec. 6-207. - Types designated.

The types of beer permits shall be as follows:

- (1) *On-premises permit.* An on-premises permit shall be issued for the consumption of beer on the premises. Provided the other requirements of this article are met, an on-premises permit shall be issued only to restaurants or eating places, nonprofit clubs, **hotel or motel**, and for certain temporary permits.
- (2) *Off-premises permit.* An off-premises permit shall be issued for sale of both refrigerated and unrefrigerated beer to be consumed off the premises.
- (3) *Multiple-type permit.* A multiple-type permit constitutes both an on-premises permit and an off-premises permit and shall be issued for both on-premises consumption and off-premises consumption. Anyone who has consumed beer on the premises shall be prohibited from purchasing beer for off-premises consumption when leaving the premises, except this prohibition shall not apply to permits issued to a manufacturer as part of a manufacturer's permit. Provided the other requirements of this article are met, a multiple-type permit shall be issued only to restaurants or eating places, nonprofit clubs, manufacturers, and for certain temporary permits.
- (4) *Manufacturer's permit.* This permit shall be issued to manufacturers upon whose premises beer is brewed or otherwise manufactured. A manufacturer's permit may include certain on premises and/or off-premises retail sales, as hereinafter set out. A manufacturer's permit that includes on- premises and off-premises consumption, allows anyone who has lawfully consumed beer on the premises to purchase beer for off-premises consumption, when leaving the premises.
- (5) *Wholesaler's permit.* This permit shall be issued to operators who have a warehouse in the city and sell or otherwise distribute beer at wholesale.
- (6) *Other permits.* Permits that are otherwise authorized by this article.

Sec. 6-213. - General restrictions on issuance of permits and business operations.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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Bona fide political organization means any political campaign committee as defined in T.C.A. § 2-10-101(a) or any political party as defined in T.C.A. § 2-13 -101.

Outdoor service area means a patio, deck, courtyard, or other outdoor area, where the permitted establishment provides service where the outdoor serving area is:

- i. Contiguous to the exterior of the building in which the business is located;
- ii. Operated and controlled by the business; and
- iii. Fenced or surrounded on all sides except for designated entrances and exits. The fencing or surrounding barrier need not be permanent but must consist of a barrier not less than 40 inches high and must be constructed of a substantial material without gaps or spaces that would allow ingress and egress of the premises except through designated entrances and exits. Examples of substantial materials would include but not be limited to securely connected planters, decorative fencing or other decorative architectural or landscaping materials. An outdoor serving area may not include all or any part of an area otherwise used by the business or by the public for parking.

(b) *Restaurants and eating places (on-premises)*. The issuance of beer permits for restaurants and eating places pursuant to this chapter and the operation of such establishments shall be subject to the following:

1. Permits for the retail sale of beer for on-premises consumption shall be issued subject to the approval of the beverage board to the owner or operator of any regularly conducted restaurant or eating place. The applicant shall fulfill all other general requirements for the retail sale of beer prescribed in this chapter.
2. In addition, the restaurant or eating place shall be classified with a value of not less than passing as judged by appropriate state authorities.
3. No permit shall be issued to the owner or operator of any restaurant unless such owner or operator is the holder of a current, valid business license issued by the city.
4. If, after the issuance of a permit for on-premises consumption, the grade of passing is reduced by the appropriate state agency responsible for the grading of restaurants, the beverage board shall notify the permittee to appear before the beverage board to show cause why his permit should not be revoked. The beverage board shall have the authority to grant a temporary extension, not to exceed 90 days, for the permittee to make the corrections necessary and have the numerical grade increased to at least passing.
5. The restaurant or eating place must be kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served or provided with adequate and sanitary kitchen and dining room equipment and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for the permittee's guests. If it is shown that any permittee's premises are no longer meeting these regulations, the beverage board may cancel and revoke the permit.
6. No beer shall be served at tables, stools or booths or in any other manner or place outside of the building except when a beverage permit includes an approved outdoor service area or sidewalk cafe dining facility.

(c) *On premises permits for operation of a hotel or motel*

1. **Hotel or motel shall have the same meaning as provided in T.C.A. § 57-4-102.**
2. **Hotels or Motels holding on-premises permits shall sell beer only to persons who remain inside the establishment, or in the permitted service area, to consume the same.**
3. **Hotels or Motels holding a license issued by the Tennessee Alcohol Commission for the sale of alcoholic beverages under T.C.A. § 57-4-201 et seq. (liquor by the drink) shall operate the establishment in accordance with the applicable provisions of state law and the rules and regulations of the commission.**

(d) *Nonprofit club permits*.

1. Club permits may be issued to allow the sale of beer to be consumed on the premises of any nonprofit association, organized and existing under the laws of the state, which has been in existence and operating as a nonprofit association for at least two years prior to the application for a permit. The club shall:
 - d. Have at least 100 members regularly paying dues;
 - e. Be organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any shareholder or member; and
 - f. Own, hire or lease a building or space therein for the reasonable use of its members with suitable kitchen and dining room space and equipment and maintaining and using a sufficient number of employees for cooking, preparing and serving meals for its members and guests.
2. No member or officer, agent or employee of the club shall be paid or directly or

indirectly receive, in the form of salary or other compensation, any profits from the sale of spirituous liquors, wines, champagnes or malt beverages beyond the amount of such salary as may be fixed by club members at an annual meeting or by the club's governing body out of the general revenue of the club.

3. For the purpose of this subsection (c), tips which are added to the bills under club regulations shall not be considered as profits. The beverage board shall have specific authority through rules and regulations to define with specificity the terms used in this subsection (c) and to impose additional requirements upon applicants seeking a club permit not inconsistent with the definition in this subsection.

(e) *Manufacturers.* Upon meeting the necessary federal, state and local license requirements and pursuant to T.C.A. section 57-5-101(c)(1) a manufacturer of beer may operate as a retailer at the manufacturer's location or a site contiguous thereto for sales of not more than 25,000 barrels of beer annually for consumption on or off premises, provided it meets the licensing requirements of this chapter for on and off premises permits.

(f) *Off-premises merchant's permits.* Off-premises permits shall be issued only to bona fide merchants who have been licensed to conduct a merchandising business in the city. For the purpose of this subsection, the term "bona fide merchants" means persons regularly operating and conducting business to serve the public on a regular basis, with regular business hours of operation. However, no such off-premises permit shall hereafter be issued for the sale of beer at any place of business where the sale of beer is to be made directly to an automobile and its occupants by means of drive- in window facility. It shall be unlawful to sell or give beer through a drive-in window to an automobile, its occupants or to any person outside the drive-in window. It shall be unlawful for any permittee to construct a drive-in window or to alter in any manner his place of business so as to permit the sale of beer through a drive-in window to an automobile, its occupants or to any person outside the drive- in window.

(g) *Temporary (special event) permits.* Temporary beer licenses or permits shall be governed by the following provisions:

1. *Newly annexed business:* Temporary beer licenses or permits not to exceed 30 days' duration may be issued at the discretion of the secretary of the beverage board to newly annexed businesses which hold a valid county beer permit. The beverage board, at its next regular meeting, may make only one extension of the temporary permit for no longer than 30 days.

2. *One event permit for private businesses:* Temporary beer licenses or permits not to exceed 24-hour duration may be issued by the beverage board at the request of the applicant upon the same conditions governing permanent permits. For the purposes of these provisions, the same conditions governing permanent permits shall apply to temporary permits and shall include the application for a temporary beer license or permit, a fee of \$50.00, and a written plan detailing how the event will be conducted in order to provide for a safe and controlled environment. Such a temporary license or permit shall not allow the sale, storage or manufacture of beer on publicly owned property.

3. *One event permits for nonprofit organizations:* A temporary license authorizing the sale of beer on public property may be issued to a bona fide charitable or nonprofit organization or bona fide political organization, subject to the approval of the appropriate governmental authority charged with the management of such publicly owned property and the beverage board. Documents showing evidence of the type of organization shall be submitted with the application. Such a temporary license or permit shall be limited to two events per organization in any 12-month period.

4. *Multiple event permit for nonprofit organizations:* Subject to the submission of a proper application and the payment of the application fee, the beverage board is authorized and empowered in its discretion to issue special event licenses to bona fide charitable or nonprofit organization for special events with the duration of said license

being for a period of not more than one year. No single special event shall be longer than 72 hours in duration. The beverage board may issue a special event license under such terms, conditions, rules and regulations as the beer board may establish which are not inconsistent with state law regulating the sale of beer.

5. *Notice of intent to conduct a special event.* Any person, organization or other entity with a special event license conducting an event during which beer is to be sold shall provide at least 30 days' advance written notice to the chairperson of the beverage board, with a copy to the city recorder, of the intent to conduct such a special event. The notice required by this part shall include, but not necessarily be limited to, the following information:

- (a) Date and time of the event;
- (b) The sponsor of the event;
- (c) The specific location where any beer is to be sold outside;
- (d) Any plans for proposed temporary closure of public rights-of-way;
- (e) Plans for security and policing of the event;
- (f) The anticipated number of persons attending the event;
- (g) Plans for clean up during and after the event;
- (h) Plans for sanitary facilities and for safety inspections as determined needed by the fire department;
- (i) Indemnification : A written agreement that will indemnify and hold the city, its officials and employees harmless from any claim resulting from the event; and
- (j) Liability insurance: Provide to the city from an insurance company authorized to do business in the state a comprehensive general liability insurance policy, applicable to the serving of beer at the event and providing insurance coverage for all liabilities including death, personal injury or property damage, arising out of, or in any way related to, the event described, in the amount of \$1,000,000.00 combined single limits. Such insurance shall be in a form satisfactory to the city's risk manager, shall include an endorsement naming the city as additional insured under the coverage afforded, shall be primary and noncontributing with respect to any other insurance available to the city, shall contain a severability of interest (cross liability) clause, and shall require the insurer to provide to the city at least

30 days' prior notice of cancellation. Proof of such insurance, also in a form satisfactory to the city's risk manager, shall be filed with the risk manager prior to the date of the event of the sponsoring organization.

Upon receipt of the notice as required in this subsection (e)(5), the proposed special event shall be placed on the agenda of the beverage board for its next regularly scheduled meeting following receipt of the notice, and the sponsor of the proposed event shall send a representative or representatives (both a representative of the nonprofit organization and a representative of the professional organization running the event, if applicable) to the beverage board meeting to address any questions or issues arising out of the proposed special event

6. *The Downtown District:* The beverage board is hereby authorized and empowered in its discretion to permit the sale of beer in the downtown district, being the area bounded by Main Street, Clinchfield Street, Sullivan Street and Wexler Street, and also including the area across Main Street in the 100 and 200 blocks, to a bona fide charitable or nonprofit organization holding a temporary permit or a special event license at such times and events and under such terms, conditions, rules and regulations as the beverage board may establish which are not inconsistent with state law regulating the sale of beer, and including the temporary closure of public rights-of-way within the area with the express permission and cooperation of the city police department and city transportation department.

- (h) *Purchase from source other than licensee prohibited.* No charitable, nonprofit or political organization possessing a temporary permit or special occasion licenses shall purchase for sale or distribution beer from any source other than a licensee as provided pursuant

to state law.

(i) *Special permits for sale in certain areas.* Beer permits shall not be valid for any sidewalk, street, alley, or other public right-of-way contiguous or adjacent to the permitted establishment. Provided, however, in the downtown business area, as defined in section 90-74, the beverage board may issue a special beer permit for such areas, if the permitted establishment obtains and maintains a permit for sidewalk cafe dining facility from the department of public works as set out in chapter 90, article III, division 2, pertaining to sidewalk dining facilities. The sale, service or distribution of beer in the sidewalk cafe dining facility shall be under terms, conditions, rules and regulations as the beverage board shall establish, including but not limited to the length and periods of time during which a special permit may be valid, which are not inconsistent with state law regulating the sale of beer. Such terms, conditions, rules, and regulations may include the requirement of the submission to the beverage board of the following information:

- (1) The identity of such person who is requesting the special permit;
- (2) The site plan for the outdoor seating area showing where any beer is to be sold, served, or consumed, the specific location of any furniture and equipment and how the area of public right-of-way is to be separated from the remainder the public right-of-way or property;
- (3) The safety and liability measures already taken and those that shall continue to be taken by such person with respect to the outdoor serving area.

The person requesting the special permit shall send representatives to the beverage board meeting to address any questions or issues that may arise regarding the request. Notwithstanding any other provisions of this chapter to the contrary, beer shall not be dispensed from any outdoor bar or serving station. Further, the issuance of a special permit by the beverage board pursuant to this subsection (g) does not authorize any person to utilize the public right-of-way in the downtown business area for any purpose without express permission granted by the department of public works in the form of a permit for a sidewalk cafe dining facility.

(j) *Manufacturer's permit.* Permits for the manufacture of beer shall be issued in accordance with the general requirements of this chapter and the following:

- (1) A permit authorizing the manufacture, storage, sale and distribution of beer, not to be consumed on the premises of the manufacturer, except as otherwise provided hereinafter may be issued. In addition to the manufacture and storage of beer, a manufacturer's permit shall authorize the sale and distribution of the beer through the standard non-retail system to the extent allowed by applicable law.
- (2) A manufacturer of beer can include in its application a request for the privilege of retail sale for on-premises and/or off premises consumption of the beer pursuant to T.C.A. § 57-5-101(c), at the manufacture's location or a site contiguous thereto for sales of not more than 25,000 barrels of beer annually for consumption on or off the premises.
- (3) A manufacturer's permit that authorizes the manufacture of beer may include, pursuant to T.C.A. § 57-5-101(c), the privilege of conducting on-premises retail sales, even though it does not maintain or have a regularly conducted restaurant or eating place.
- (4) A manufacturer's permit that authorizes the manufacture of beer and pursuant to T.C.A. § 57-5-101(c) the sale of beer for off-premises consumption shall be sold for off-premises consumption in sizes and containers that are made available through the general wholesale/retail distribution system, including such containers generally known as growlers.
- (5) A manufacturer's permit that authorizes for retail sales may take place within the same store licensed by the state alcohol beverage commission for the sale of high alcohol content beer, provided the other requirements of this chapter are met.

(6) Documentation by the manufacturer of the number of barrels sold each calendar year may be required by the beverage board.

(k) *Wholesaler's permit.* Permits for the wholesale sale of beer for operators who have a warehouse in the city and sell or otherwise distribute beer at wholesale, shall be issued in accordance with the general requirements of this chapter and such rules established by the beverage board not in conflict with the provisions of this chapter.



AGENDA ACTION FORM

Award Bid to Merkel Brothers Construction, Inc. for the Border Regions Areas 1 & 3 Sanitary Sewer Facilities Extension Project

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-218-2019
 Work Session: September 30, 2019
 First Reading: N/A

Final Adoption: October 1, 2019
 Staff Work By: C. Austin/H. Clabaugh
 Presentation By: Ryan McReynolds

Recommendation:
 Approve the Resolution.

Executive Summary:

Bids were opened on September 4, 2019 for the Border Regions Areas 1 & 3 Sanitary Sewer Facilities Extension Project. This project consists of construction of approximately 3,350 LF of gravity sanitary sewer line and appurtenances, including manholes, and laterals. The project location is for the areas of Fordtown Road, Mitchell Road, and Bob Jobe Road. The project shall be completed by February 29, 2020.

City staff reviewed the bids and recommends awarding the contract to the apparent low bidder, Merkel Brothers Construction, Inc. in the amount of \$746,995.00.

Base Bid	\$746,995.00
Contingency 6%	44,819.70
Engineering Inspection & Admin 14%	<u>110,854.06</u>
Total Project Cost	\$902,668.76

Funding is available and identified in SW1801.

Attachments:

- Resolution
- Bid Minutes
- Location Map

Funding source appropriate and funds are available: *js*

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Oltzman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE BORDER REGIONS AREAS 1 & 3 SANITARY SEWER FACILITIES EXTENSION PROJECT AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened September 4, 2019, for the Border Regions Areas 1 & 3 Sanitary Sewer Facilities Extension Project; and

WHEREAS, upon review of the bids, the board finds Merkel Brothers Construction, Inc., is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for the improvements to the existing roadways consisting of construction of approximately 3,350 linear feet of gravity sanitary sewer line and appurtenances, including manholes, and laterals for the areas of Fordtown Road, Mitchell Road, and Bob Jobe Road is awarded to Merkel Brothers Construction, Inc., at an estimated construction cost of \$746,995.00; and

WHEREAS, funding is identified in project numbers SW1801.

Now therefore,

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

SECTION I. That the bid for the Border Regions Areas 1 & 3 Sanitary Sewer Facilities Extension Project, consisting of construction of approximately 3,350 linear feet of gravity sanitary sewer line and appurtenances, including manholes, and laterals for the areas of Fordtown Road, Mitchell Road, and Bob Jobe Road at an estimated cost of \$746,995.00 is awarded to Merkel Brothers Construction, Inc., and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
September 4, 2019
4:00 P.M.

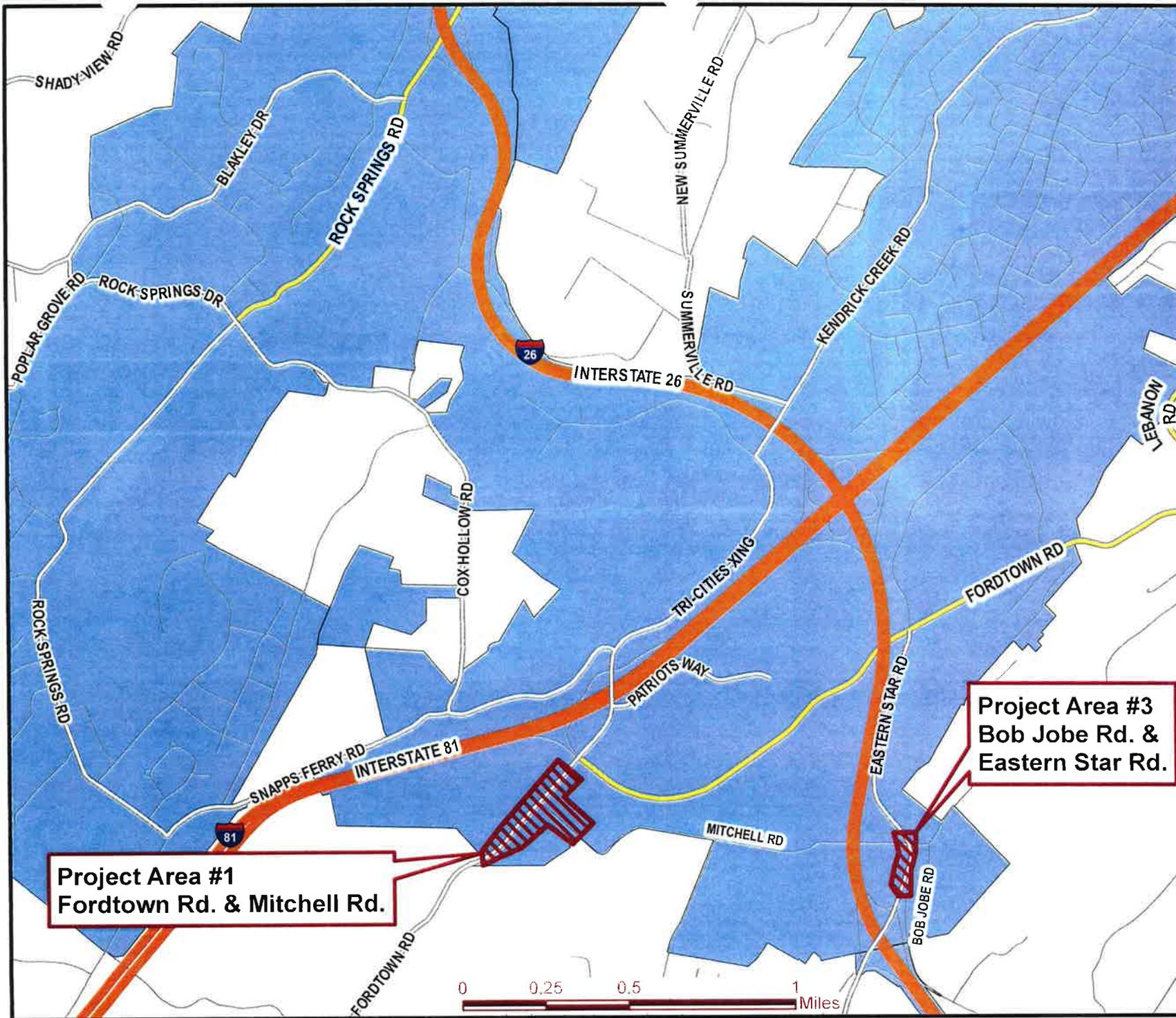
Present: Brent Morelock, Procurement Manager; and Nikisha Eichmann, Assistant Procurement Manager

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

The Procurement Manager opened with the following bids:

BORDER REGIONS AREAS 1 & 3 SANITARY SEWER FACILITIES EXTENSION	
Vendor:	Base Bid:
Merkel Brothers Construction, Inc.	\$746,995.00
Thomas Construction Company	\$954,410.00

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



Project Area #1
Fordtown Rd. & Mitchell Rd.

Project Area #3
Bob Jobe Rd. & Eastern Star Rd.



Legend

- Collector Street
- Expressway
- Interstate
- Minor Arterial
- Major Arterial
- Local Streets
- Kingsport Limits



Project Location Map
Border Regions 1 & 3 Sewer



AGENDA ACTION FORM

Awarding the Bid for Duplex Pump Station for Sewer Lift Station #110 Clouds Ford to Southern Sales Company

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-225-2019
Work Session: September 30, 2019
First Reading: N/A

Final Adoption: October 1, 2019
Staff Work By: Niki Ensor
Presentation By: Ryan McReynolds

Recommendation:
Approve the Resolution.

Executive Summary:
Last fall a vehicle drove through the fence and into sewer lift station #110 on Clouds Ford Road. The extensive damage left the station inoperable requiring the use of bypass pumps. The station will be replaced with a factory built station by lift station maintenance staff.

Bids were opened September 18, 2019 for a duplex factory built pump station. Two vendors provided bids: Smith and Loveless Inc. and Southern Sales Company. Smith and Loveless, Inc was low bid by \$5,428. However, the submitted delivery of the Smith and Loveless station is 9 weeks longer. The bypass pump rental utilized at the station is \$2,551 / month not including labor, equipment and fuel costs. The earlier delivery time is necessary in that the bypass pumping does not provide redundancy and requires additional checks and maintenance. Therefore, we recommend awarding the bid to Southern Sales in the amount of \$91,375.

Project funding resides in SW1702.

- Attachments:**
- 1. Resolution
 - 2. Map
 - 3. Pictures
 - 4. Recommendation Memo
 - 5. Certified Bid Tap

Funding source appropriate and funds are available: *js*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE DUPLEX PUMP STATION FOR SEWER LIFT STATION #110 ON CLOUDS FORD ROAD TO SOUTHERN SALES COMPANY AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened September 18, 2019, for a duplex factory built pump station for sewer lift station #110 on Cloud Fords Road; and

WHEREAS, upon review of the bids, the board finds Southern Sales Company is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for a duplex factory built pump station for sewer lift station #110 on Cloud Fords Road from Southern Sales Company at an estimated construction cost of \$91,375.00; and

WHEREAS, funding is identified in project numbers SW1702.

Now therefore,

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

SECTION I. That the bid for a duplex factory built pump station for sewer lift station #110 on Cloud Fords Road at an estimated cost of \$91,375.00 is awarded to Southern Sales Company, and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

SLS #110 Clouds Ford Road







WATER / WASTEWATER FACILITIES

City of Kingsport, Tennessee

Memo

To: Brent Morelock, Procurement Manager
From: Niki Ensor, W/WW Facilities Manager
Date: September 24, 2019
Re: Award Recommendation – SLS #110 Clouds Ford

We have reviewed the bids for SLS 110 Clouds Ford Duplex Pump. Both bids met the specifications. Smith and Loveless, Inc was low bid by \$5,428.00. However, the submitted delivery of the pump station is 9 weeks longer. The bypass pump rental we are utilizing at the station is 2551.00/month not including labor, equipment and fuel costs. The earlier delivery time is necessary in that the bypass pumping does not provide redundancy and requires additional checks and maintenance. Therefore, I would like to award the bid to Southern Sales in the amount of \$91,375.

MINUTES
BID OPENING
September 18, 2019
4:00 P.M.

Present: Nikisha Eichmann, Assistant Procurement Manager; Michelle Ramey, Assistant Procurement Manager, Schools; and Niki Ensor, Water/Wastewater Manager

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

The Procurement Manager opened with the following bids:

PACKAGE PUMP STATION FOR CLOUDS FORD – LIFT STATION #110	
Vendor:	Unit Cost:
Southern Sales Company	\$91,375.00
Smith & Loveless, Inc.	\$85,947.00

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



AGENDA ACTION FORM

Renew the Stop Loss Contract for the City's Self-Funded Health Insurance Program

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-224-2019
Work Session: September 30, 2019
First Reading: N/A

Final Adoption: October 1, 2019
Staff Work By: George DeCroes
Presentation By: George DeCroes

Recommendation:

Approve the Resolution.

Executive Summary:

In 2018 the city issued a request for proposals for the city's self-funded health insurance program excess risk/stop loss insurance coverage. As a result of that process, the city entered into an agreement with ReliaStar Life Insurance Company for the excess risk/stop loss insurance coverage. The agreement contains a renewal provision.

Cost of the insurance coverage for 2019 is on track to be less than the premiums of the previous vendor for the service by more that \$100,000.00. Although the premium for the coverage with ReliaStar Life Insurance Company is increasing for 2020, it is estimated that the premium will remain less than the 2018 premium costs.

The Mark III Employee Benefits Consultant has recommended to increase the individual deductible from \$135,000 to \$150,000 which will change the premium for 2020 to \$57.65 per individual per month with an estimated total cost of \$476,207.76, from \$462,231.84. This is an increase of approximately \$14,000 over the 2019 premium cost.

The reasons for the increase includes industry trends and some projected high claims cases for 2020.

It is the recommendation to renew the agreement for 2020, effective January 1, 2020. The renewal agreement is contained in the body of the attached resolution.

Attachments:

- 1. Resolution

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION RENEWING A POLICY WITH RELIASTAR LIFE INSURANCE COMPANY FOR STOP LOSS INSURANCE COVERAGE AND AUTHORIZING THE MAYOR TO EXECUTE ALL AGREEMENTS FOR STOP LOSS INSURANCE AND OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE RESOLUTION

WHEREAS, in 2018, the city issued a request for proposals for the city's self-funded health insurance excess risk stop loss insurance coverage; and

WHEREAS, as a result of that process, the city entered into an agreement with ReliaStar Life Insurance Company for the excess risk/stop loss insurance coverage; and

WHEREAS, the agreement contains a renewal provision; and

WHEREAS, the board finds it is in the best interest and advantage to the city to renew the agreement for stop loss reinsurance with ReliaStar Life Insurance Company.

Now therefore,

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

SECTION I. That the renewal of the agreement and policy with ReliaStar Life Insurance Company for stop loss reinsurance is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized and directed to execute, in a form approved by the city attorney, acceptance of the renewal as approved above with ReliaStar Life Insurance Company to provide specific stop loss and aggregate stop loss insurance coverage for the city's self-funded health insurance plan effective January 1, 2020, through December 31, 2020, and all agreements and other documents necessary and proper to effectuate the purpose of this resolution, said agreement being as follows:

Stop Loss Proposal for City of Kingsport
Account Assumptions

Renewal as of date	September 23, 2019
Renewal good through	October 6, 2019
Situs State	Tennessee
Claim Administrator	Blue Cross Blue Shield (TN)
Network	2020-01 Blue Cross Blue Shield (State)

Additional Contract Specifications:

- No fully insured lives are covered.
- Plan designs and contribution levels are assumed and submitted to underwriting. Any changes may require an adjustment to the individual excess risk rates and/or monthly aggregate corridor.
- Plan must have medical case management and utilization review.
- All claims are reported/paid in U.S. dollars.
- Any costs charged by the claim administrator for reports required to substantiate claims will be paid by the employer.

- The proposal is based on the data submitted. Any changes to this data may allow us to modify the proposal.
 - We reserve the right to (i) recalculate Monthly Aggregate Factor(s) and Individual Excess Risk Monthly Premium Rates as shown on the Excess Risk Schedule and continue this Policy, or (ii) terminate this Policy in accordance with the Policy termination provision of this Policy if an increase or decrease in the number of Covered Persons and Covered Dependents that exceeds 15% of the current number covered under the Employee Benefit Plan.
 - Premium rates were adjusted via filed and approved underwriting discretion in consideration of the carrier reporting fees assessed by the PBM or TPA, which are directly associated with the claims information we require to administer our Policy.
 - Medicare is primary for retirees age 65 and over.
 - Renewal Rate Cap Endorsement guaranteed your subsequent year's renewal will be capped at 50% and no new individual adjusted deductible will apply open (laser free renewal).
 - Rates are firm through 10/6/19.
- The individual stop loss renewal is based on upon the current leveraged trend factors, market conditions, plan designs and current demographic factors. The aggregate renewal is based upon the experience of the group and current trend. Any plan changes may affect this renewal and need to be disclosed prior to the renewal acceptance.

[Acknowledgements Deleted for Inclusion in this Resolution]

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

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Application for TDOT Transportation Alternative Funds for Further Development of the Kingsport Greenbelt

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-220-2019
 Work Session: September 30, 2019
 First Reading: N/A
 Final Adoption: October 1, 2019
 Staff Work By: Mike Thompson/Bill Albright
 Presentation By: Mike Thompson

Recommendation:
 Approve the Resolution

Executive Summary:
 Over the past several years the City has been applying for and receiving federal funds through the Tennessee Department of Transportation for continued development of the Greenbelt walking and biking pathway. Once again TDOT is accepting applications until October 3, 2019 for new projects. For the FY '20 application the City's Greenbelt Advisory Committee is recommending that the City re-apply for funds to continue building westward past the Rotherwood Mansion in Hawkins County (note; while the 'FY19 application was not awarded, TDOT has encouraged the City to re-apply). The West End section will begin at Rotherwood Drive (the current Greenbelt terminus) and extend along the south side of Netherland Inn Road to Lewis Lane next to the new shopping center (old National Guard Armory site). This will allow the Greenbelt to tie in with Stone Drive at a logical point, offering a signalized crossing area that makes accessibility easier from the Allandale Mansion area, nearby neighborhoods, apartment complexes, and businesses. It is recommended that the City apply for a construction grant of up to \$800,000 for this project, with the understanding that the estimated local share will be 20% (up to \$160,000) and the federal share 80%. Local funding for the match to this grant will be included in the FY21 CIP.

Previously, the BMA approved a MPO project to use \$195,200 in federal STBG funds and \$48,800 in local funds to cover the cost of the environmental review, design/engineering, and right-of-way acquisition phases. Staff recommends the Board approve submittal of the TDOT Transportation Alternative grant application.

- Attachments:**
1. Resolution
 2. Application Cover Page
 3. Map

Funding source appropriate and funds are available: *ja*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR TRANSPORTATION ALTERNATIVE GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR GREENBELT DEVELOPMENT

WHEREAS, for the past several years the city has applied and received federal funds through the Tennessee Department of Transportation for continued development of the Greenbelt walking and biking pathway; and

WHEREAS, the Tennessee Department of Transportation is once again accepting applications until October 3, 2019, for new projects; and

WHEREAS, the city would like to apply for funds to continue building the Greenbelt westward past the Rotherwood Mansion in Hawkins County, beginning at Rotherwood Drive (the current Greenbelt terminus) and extending along the south side of Netherland Inn Road to Lewis Lane next to the old National Guard Armory site; and

WHEREAS, the grant applied for is in an amount up to \$800,000.00, with a local match of 20% up to \$160,000.00.

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 apply for grant funds from the Tennessee Department of Transportation in the amount of \$800,000.00 for the Greenbelt project, which will require a 20% match up to \$160,000.00.

SECTION II. That the mayor is authorized to execute any and all documents including those necessary and proper to demonstrate the city's compliance with the grant requirements or its provisions necessary to effectuate the purpose of the grant or this resolution.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

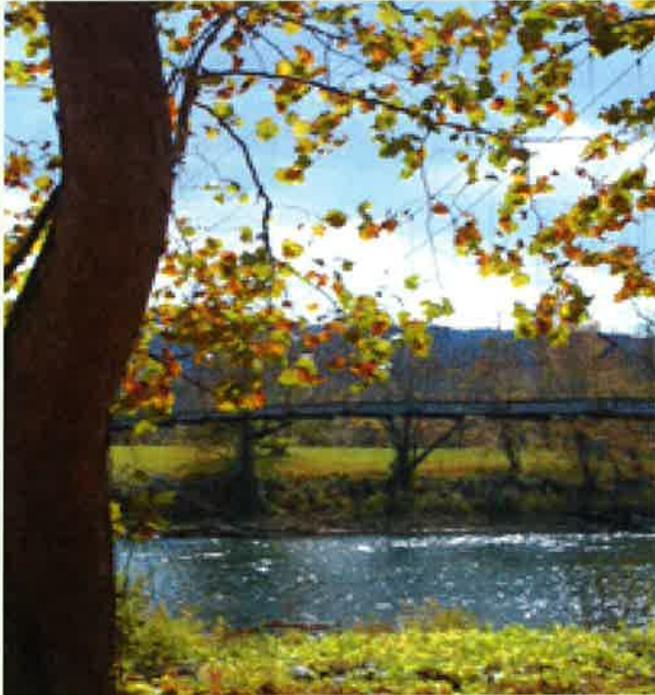
ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Kingsport Greenbelt “West End”



City of Kingsport Tennessee



FY 2020 TRANSPORTATION ALTERNATIVES

APPLICATION (October 2, 2019)

TDOT - Transportation Alternatives Office
Suite 600 James K. Polk Building, 505 Deaderick Street
Nashville, Tennessee 37243-0341
Phone: 615-741-5314



Greenbelt West End Extension



Michelle Bradburn
MTPO Project 50689



West Stone Drive Trailhead Parking



Netherland Inn/Bays Cove Trail Intersection



Netherland Inn/Carongate Road Intersection



Netherland Inn/Rotherwood Drive Termini



AGENDA ACTION FORM

Application for TDOT Transportation Alternative Funds for Further Development of Brickyard Pedestrian Bridge

To: Board of Mayor and Aldermen *CM*
From: Chris McCartt, City Manager

Action Form No.: AF-228-2019
Work Session: September 30, 2019
First Reading: N/A
Final Adoption: October 1, 2019
Staff Work By: Mike Thompson/Bill Albright
Presentation By: Mike Thompson

Recommendation:
Approve the Resolution.

Executive Summary:
Over the past several years the City has been applying for and receiving federal TAP funds through the Tennessee Department of Transportation for continued development of the Greenbelt walking and biking pathway. Once again TDOT is accepting applications until October 3, 2019 for new projects. Recently TDOT indicated that jurisdictions can apply for more than one grant in the same year and has encouraged them to do that. For the Fiscal Year '20 application the City staff is recommending that, in addition to the West End Greenbelt application, the City also apply for funds to build a bicycle and pedestrian bridge over the CSX railroad tracks near Cherokee Street in downtown Kingsport. The purpose is to provide a safe and accessible connection to and from downtown from the Brickyard Park development area. This structure would also link to a bike/ped pathway that will eventually extend to Wilcox Drive. The federal grant provides 80% of the construction cost (only), while the City share is 20%. The remaining costs (NEPA, design, right-of-way) would be covered by City funds earmarked in the CIP. The total grant request is \$3 million, with the federal share being \$2,400,000 and the local match \$600,000. Local funding for the match to this grant will be included in the FY21 CIP. Staff recommends the Board approve submittal of the TDOT Transportation Alternative grant application.

- Attachments:**
- 1. Resolution
 - 2. Application Cover Page
 - 3. Map

Funding source appropriate and funds are available: *Je*

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR TRANSPORTATION ALTERNATIVE GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR DEVELOPMENT OF THE BRICKYARD PEDESTRIAN BRIDGE

WHEREAS, for the past several years the city has applied and received federal funds through the Tennessee Department of Transportation for continued development of the Greenbelt walking and biking pathway; and

WHEREAS, the Tennessee Department of Transportation is once again accepting applications until October 3, 2019, for new projects; and

WHEREAS, the city would like to apply for funds to build a bicycle and pedestrian bridge over the CSX railroad tracks near Cherokee Street in downtown Kingsport, to provide a safe and accessible connection to and from downtown from the Brickyard Park development area; and

WHEREAS, the grant request is in an amount up to \$3,000,000.00, with a local match of 20% up to \$600,000.00 which will be included in the FY21 CIP, if approved by TDOT.

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 apply for grant funds from the Tennessee Department of Transportation in the amount of \$3,000,000.00 for the Brickyard Pedestrian Bridge project, which will require a 20% match up to \$600,000.00.

SECTION II. That the mayor is authorized to execute any and all documents including those necessary and proper to demonstrate the city's compliance with the grant requirements or its provisions necessary to effectuate the purpose of the grant or this resolution.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

BRICKYARD BRIDGE AND TRAIL



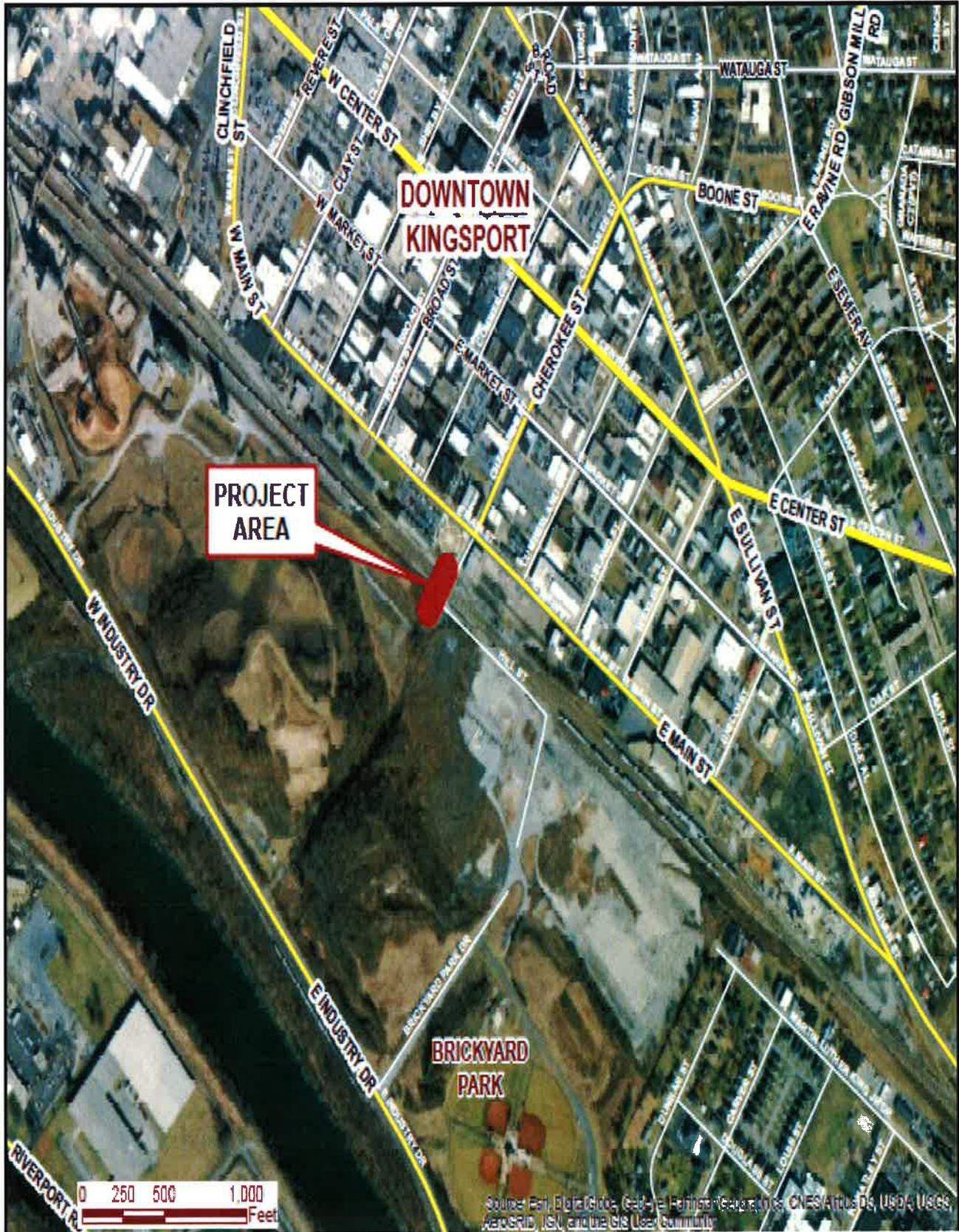
City of Kingsport Tennessee



FY 2020 TRANSPORTATION ALTERNATIVES

APPLICATION (October 2, 2018)

TDOT - Transportation Alternatives Office
Suite 600 James K. Polk Building, 606 Deaderick Street
Nashville, Tennessee 37203-0341
Phone: 615-751-6918



Legend

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



**Project Location Map
Brickyard Park Pedestrian Bridge**



AGENDA ACTION FORM

Apply and Accept Tennessee Highway Safety Office (THSO) Coordinator Grant for Participation in their Law Enforcement Liaison (LEL) Program

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-219-2019
 Work Session: September 30, 2019
 First Reading: N/A
 Final Adoption: October 1, 2019
 Staff Work By: Capt. Gore
 Presentation By: Chief Quillin

Recommendation:
 Approve the Resolution.

Executive Summary:
 The Tennessee Highway Safety Office (THSO) has extended the opportunity to the Kingsport Police Department, specifically Officer Matt McGuire, to be a network coordinator and assist them in their LEL program. The funds provided will pay for Officer McGuire’s travel/training to various traffic related workshops and conferences. Additional funds from this grant may be utilized for traffic enforcement/education items as well as overtime for officers engaged in traffic enforcement activities.

This request is for approximately \$20,000 with no match required. Funding is for a one year period.

There are no matching fund requirements.

- Attachments:**
1. Resolution.
 2. E-mail notification of grant opportunity

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A LAW ENFORCEMENT LIAISON PROGRAM GRANT FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

WHEREAS, the Tennessee Highway Safety Office has extended the opportunity to the city, through the Kingsport Police Department, specifically Officer Matt McGuire, to apply for a grant to be a network coordinator and assist them in their Law Enforcement Liaison (LEL) program; and

WHEREAS, the funds provided will pay for Officer McGuire's travel/training to various traffic related workshops and conferences; and

WHEREAS, additional funds from this grant may be utilized for traffic enforcement/education items as well as overtime for officers engaged in traffic enforcement activities.

WHEREAS, the grant is for approximately \$20,000.00 with no match required, and the funding is for a one year period.

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 apply for and receive grant funds from the Tennessee Highway Safety Office in the amount of \$20,000.00 for the Law Enforcement Liaison (LEL) program, which requires no match.

SECTION II. That the mayor is authorized to execute any and all documents including those necessary and proper to demonstrate the city's compliance with the grant requirements or its provisions necessary to effectuate the purpose of the grant or this resolution.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

From: [Kevin Hager](#)
To: [Gore, Randall](#)
Cc: [Steve Dillard](#); [McGuire, Matthew](#)
Subject: FFY 2020 Network Coordinator Grant Application
Date: Tuesday, September 17, 2019 11:53:57
Attachments: [image001.png](#)
[Allowable Equipment and Supplies.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,

First, I want to thank Kingsport PD for allowing Matt to serve as a network coordinator for our LEL program. I look forward to working with you all. I have started blank application in TN Grants for the FFY 2020 grant year. This is a template based application. The narrative section is pretty much already completed before you. The steps to complete the application are included below.

The network coordinator grants are \$20,000 each. We typically include \$3,000 or so in travel. This covers you costs for the network coordinator workshop in Murfreesboro, the regional LEL conference (hosted by South Carolina in FFY 2020), and TN Lifesavers. The remaining budget can be used for overtime and equipment items. This grant will be funded with Section 402 (PT funds) which allows for overtime focusing on all areas of traffic safety (DUI, Speed, Distracted, Occupant Protection, etc.). Attached is a list of allowable items you may include in your non-personnel section. This is not an all-inclusive list. It contains our most common requests. Please let me know if you have any questions about equipment items.

Here are the steps to complete the application:

1. Login to www.THSGrants.org
2. Open "My Tasks" and click on document name (THSO-2020...). This will take you to the application menu.
3. Select View, Edit and Complete Forms
4. Select Project Type Selection (All program grants must select a project type under the THSO 2020 opportunity)
 - a. Select the button for Network Coordinator
 - b. Save this page
 - c. Return to the Forms Menu (click on Forms Menu or follow the "click here" link)
5. Select Contact and Project Information
 - a. Select 1st Year or Grant Continuation
 - b. Use the drop down box to select the Primary Project Director
 - c. Use the drop down box to select a Secondary Project Director as needed
 - d. Add the Police Chief/Sheriff information (manual entry, no drop down box here)
 - e. Select Quarterly
6. The rest of the application forms are pre-populated
 - a. Open and save each section
 - b. Add a description of the non-personnel items (small equipment, capital purchases, etc.) in the Resources section (required field).
7. Move on the budget section and complete the sections for personnel, non-personnel, and

travel.

8. Change the status to submit your application

I'll be available if you have any questions along the way.

Thank you,



Kevin Hager | Assistant Program Management Administrator

Tennessee Highway Safety Office

Tennessee Tower, 25th Floor

312 Rosa L. Parks Avenue

Nashville, TN 37243

Office: (615) 741 - 6235 | Cell: (615) 415 - 5574

www.TNTrafficSafety.org

www.THSGrants.org



AGENDA ACTION FORM

Accept Deed and Deeds of Easement

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-217-2019
 Work Session: September 30, 2019
 First Reading: N/A
 Final Adoption: October 1, 2019
 Staff Work By: R. Trent
 Presentation By: M. Billingsley

Recommendation:
 Approve the Resolution.

Executive Summary:
 An annual listing of the deeds and deeds of easements required for various city projects located in the 10th, 11th, 12th, 13th and 14th Civil Districts of Sullivan County, Tennessee are included in this Resolution which provides for the formal acceptance of the property and property rights conveyed. The attached supplemental information provides the various projects, deeds and deeds of easement obtained for the fiscal year 2018 - 2019.

- Attachments:**
1. 2019 Acceptance Resolution
 2. Supplemental Information

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION TO ACCEPT DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE FROM THE VARIOUS PROPERTY OWNERS AND OTHERS HAVING AN INTEREST IN PROPERTY AS HEREINAFTER SET OUT, CONVEYING TO THE CITY OF KINGSPORT, A MUNICIPAL CORPORATION OF THE STATE OF TENNESSEE, TITLE TO THE PROPERTY DESCRIBED IN SUCH DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE, LOCATED IN THE 10TH, 11TH, 12TH, 13TH AND 14TH CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE.

WHEREAS, the City of Kingsport, a municipal corporation of the State of Tennessee, accepts Deeds and Deeds of Easement from the various property owners conveying to the City of Kingsport title to the property.

WHEREAS, the City of Kingsport desires to accept from various property owners Deeds and Deeds of Easements located in the 10th, 11th, 12th, 13th and 14th Civil Districts of Sullivan County, Tennessee described in Exhibit "A", the descriptions of such property being more specifically set out in said instruments hereinafter referred to, and which have been made a part of this Resolution by reference, as fully as though copied verbatim herein.

Now therefore,

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

SECTION I. That the Board of Mayor and Aldermen accept the Deeds and Deeds of Easement from the various property owners which convey to the City of Kingsport titles to the property located in the 10th, 11th, 12th, 13th and 14th Civil Districts of Sullivan County, Tennessee and described in Exhibit "A", the descriptions of such property being more specifically set out in said instruments hereinafter referred to, and which have been made a part of this Resolution by reference, as fully as though copied verbatim herein.

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Exhibit "A"

Quitclaim Deed of Gift for the Eastman Chemical Company property dated August 15, 2018 from Eastman Chemical Company to the City of Kingsport, Tennessee, and recorded August 22, 2018 in Deed Book 3301 at page 763 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Permanent Utility Easement across the Eastman Chemical Company property dated August 15, 2018 from Eastman Chemical Company to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded August 22, 2018 in Deed Book 3301 at page 2029 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the S. Darrell Cox and wife, Mitzi M. Cox property dated July 10, 2018 from S. Darrell Cox and wife, Mitzi M. Cox to the City of Kingsport, Tennessee, for the amount of \$161.00 and recorded August 22, 2018 in Deed Book 3301 at page 782 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Dick Daniels, Sam Daniels and Tommy Daniels property dated July 18, 2018 from Dick Daniels, Sam Daniels and Tommy Daniels to the City of Kingsport, Tennessee, for the amount of \$534.00 and recorded August 22, 2018 in Deed Book 3301 at page 785 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Charles Wayne Michelli and wife, Angela Lynn Michelli property dated July 11, 2018 from Charles Wayne Michelli and wife, Angela Lynn Michelli to the City of Kingsport, Tennessee, for the amount of \$3,033.00 and recorded August 22, 2018 in Deed Book 3301 at page 789 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Patricia Brand property dated July 12, 2018 from Patricia Brand to the City of Kingsport, Tennessee, for the amount of \$292.00 and recorded August 22, 2018 in Deed Book 3301 at page 779 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the ADOG Properties, Inc. property dated August 13, 2018 and recorded August 22, 2018 in Deed Book 3301 at page 778 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Permanent Utility Easement across the Eastman Chemical Company property dated August 28, 2018 from Eastman Chemical Company to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded September 12, 2018 in Deed Book 3304 at page 661 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Slope Easement across the Fort Robinson Realty Associates property dated August 68, 2018 from Fort Robinson Realty Associates to the City of Kingsport, Tennessee, for the amount of \$186.00 and recorded September 12, 2018 in Deed Book 3304 at page 667 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Netherland Inn/Exchange Place Association, Inc. property dated July 27, 2017 from Netherland Inn/Exchange Place Association, Inc. to the City of Kingsport, Tennessee, for the amount of \$14,500.00 and recorded July 28, 2017 in Deed Book 3253 at page 271 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1702 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Stephen E. Harville and Cynthia Harville, Trustees under the Harville Living Trust property dated October 17, 2017 from Stephen E. Harville and Cynthia Harville to the City of Kingsport, Tennessee, for the amount of \$6,900.00 and recorded October 20, 2017 in Deed Book 3263 at page 1087 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1707 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Wallace Douglas Alley and Sharon S. Alley property dated September 13, 2017 from Wallace Douglas Alley and Sharon S. Alley to the City of Kingsport, Tennessee, for the amount of \$8,200.00 and recorded September 13, 2017 in Deed Book 3258 at page 2375 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1711 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Cheryl Ann Stanski, Trustee of the Cheryl Ann Stanski Living Trust property dated August 31, 2017 from Cheryl Ann Stanski to the City of Kingsport, Tennessee, for the amount of \$10,700.00 and recorded September 5, 2017 in Deed Book 3257 at page 1883 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1715 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Ronald Vayton Bumpers and Myra Dean Bumpers as co-trustees of the Bumpers Living Trust property dated June 29, 2017 from Ronald Vayton Bumpers and Myra Dean Bumpers to the City of Kingsport, Tennessee, for the amount of \$6,400.00 and recorded June 30, 2017 in Deed Book 3249 at page 978 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1719 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the H. Virgil Stephens and wife, Clara B. Stephens property dated June 29, 2017 from H. Virgil Stephens and wife, Clara B. Stephens to the City of Kingsport, Tennessee, for the amount of \$5,000.00 and recorded June 30, 2017 in Deed Book 3249 at page 974 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1724 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the H. Virgil Stephens and wife, Clara B. Stephens property dated June 29, 2017 from H. Virgil Stephens and wife, Clara B. Stephens to the City of Kingsport, Tennessee, for the amount of \$2,750.00 and recorded June 30, 2017 in Deed Book 3249 at page 971 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1728 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the William C. Ketchie and wife, Rebecca J. Ketchie property dated August 28, 2017 from William C. Ketchie and wife, Rebecca J. Ketchie to the City of Kingsport, Tennessee, for the amount of \$16,100.00 and recorded August 29, 2017 in Deed Book 3256 at page 2149 in the Register's Office for Sullivan County at Blountville, Tennessee. The Scrivener's Affidavit making an addendum to the deed was recorded August 1, 2018 in Deed Book 3298 at page 1732 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Wallace Douglas Alley and wife, Sharon S. Alley property dated April 9, 2018 from Wallace Douglas Alley and wife, Sharon S. Alley to the City of Kingsport, Tennessee, for the amount of \$10,350.00 and recorded April 12, 2018 in Deed Book 3283 at page 2323 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the SBH-Kingsport, LLC property dated February 11, 2019 from SBH-Kingsport, LLC to the City of Kingsport, Tennessee, for the amount of \$1.00 and recorded February 20, 2019 in Deed Book 3322 at page 1390 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Wellmont Health System property dated October 26, 2018 from Wellmont Health System to the City of Kingsport, Tennessee, for the amount of \$2,602.00 and recorded February 20, 2019 in Deed Book 3322 at page 1396 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Jerry L. Miller and wife, Emma L. Miller property dated October 29, 2018 from Jerry L. Miller and wife, Emma L. Miller to the City of Kingsport, Tennessee, for the amount of \$2,035.00 and recorded February 20, 2019 in Deed Book 3322 at page 1399 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Beverly Byrd property dated September 27, 2018 from Beverly Byrd to the City of Kingsport, Tennessee, for the amount of \$1,297.00 and recorded February 20, 2019 in Deed Book 3322 at page 1403 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Three S'S, LLC property dated January 30, 2018 from Three S'S, LLC to the City of Kingsport, Tennessee, for the amount of \$1,092.00 and recorded February 20, 2019 in Deed Book 3322 at page 1406 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Three S'S, LLC property dated January 30, 2018 from Three S'S, LLC to the City of Kingsport, Tennessee, for the amount of \$1,632.00 and recorded February 20, 2019 in Deed Book 3322 at page 1409 in the Register's Office for Sullivan County at Blountville, Tennessee.

Deed of Easement across the Janice Nick Carson property dated October 18, 2018 from Janice Nick Carson to the City of Kingsport, Tennessee, for the amount of \$1,040.00 and recorded February 20, 2019 in Deed Book 3322 at page 1412 in the Register's Office for Sullivan County at Blountville, Tennessee.

Ordinance No. 6777 to vacate a sanitary sewer easement dated January 22, 2019 and recorded February 20, 2019 in Deed Book 3322 at page 1388 in the Register's Office for Sullivan County at Blountville, Tennessee.

Notice of Lien on the Alice & Paul McCrary property dated February 8, 2019 and recorded February 20, 2019 in Deed Book 3322 at page 1394 in the Register's Office for Sullivan County at Blountville, Tennessee.

Release of Lien on the ADOG Properties, Inc. property dated October 17, 2018 and recorded February 20, 2019 in Deed Book 3322 at page 1395 in the Register's Office for Sullivan County at Blountville, Tennessee.

Warranty Deed for a portion of the Jonathan Todd Pierce property dated February 12, 2019 from Jonathan Todd Pierce to the City of Kingsport, Tennessee, for the amount of \$44,000.00 and recorded February 14, 2019 in Deed Book 3321 at page 2436 in the Register's Office for Sullivan County at Blountville, Tennessee.

Judgment for easements across the George William Tindall and wife, Judith Ann Tindall property dated March 22, 2019 from George William Tindall and wife, Judith Ann Tindall for the amount of \$5,368.62 and recorded April 24, 2019 in Deed Book 3330 at page 1043 in the Register's Office for Sullivan County at Blountville, Tennessee.

Judgment for right-of-way across the Danny H. Hester and wife, Virginia C. Hester, Home Point Financial Corporation and J. Robert Boatwright, Trustee property dated May 31, 2019 from Danny H. Hester and wife, Virginia C. Hester for the amount of \$2,950.00 and recorded June 12, 2019 in Deed Book 3337 at page 184 in the Register's Office for Sullivan County at Blountville, Tennessee.

Judgment for right-of-way across the Danny H. Hester and wife, Virginia C. Hester, Home Point Financial Corporation and J. Robert Boatwright, Trustee property dated May 31, 2019 from Danny H. Hester and wife, Virginia C. Hester for the amount of \$3,650.00 and recorded June 12, 2019 in Deed Book 3337 at page 190 in the Register's Office for Sullivan County at Blountville, Tennessee.

SUPPLEMENTAL INFORMATION

AF: 217-2019

<u>Project Name</u>	<u>Project Number</u>
Miscellaneous Water Line Extension Projects	411-5004-501-9001
Miscellaneous Sewer Maintenance Projects	412-5004-501-9001
Greenbelt Eastern End Extension Project	GP1529
West Kingsport Sewer Upgrades Project	SW1708
Granby Road Improvements Project	GP1848
Salt Shed Project	GP1810



AGENDA ACTION FORM

Execute a Signature Authority Form Allowing the Chief of Police or Designee to Complete Grant Reports as Required for the Tennessee Highway Safety Office FY '20 Grant

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-222-2019
Work Session: September 30, 2019
First Reading: N/A

Final Adoption: October 1, 2019
Staff Work By: Capt. Gore
Presentation By: Chief Quillin

Recommendation:

Approve the Resolution.

Executive Summary:

The Tennessee Highway Safety Office (THSO) requires quarterly reports as well as other grant related documents be signed by a representative of the agency (City of Kingsport) receiving grant funds. To that effect, the THSO will include a Signature Authority Consent Form in the paperwork for the grant acceptance, which allows the Mayor to grant signatory authority to sign all grant related documents on behalf of the organization for the FY '20 THSO grant.

Attachments:

- 1. Resolution

	Y	N	O
Adler	—	—	—
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER TO THE TENNESSEE HIGHWAY SAFETY OFFICE DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY GRANTS FROM THE TENNESSEE HIGHWAY SAFETY OFFICE FOR FISCAL YEAR 2020

WHEREAS, the Tennessee Highway Safety Office grant, through the Tennessee Department of Safety and Homeland Security, require a new Signature Authority Consent Form for contracts, invoices, and other documents involved with the grants; and

WHEREAS, the Signature Authority Consent Form authorizes the mayor to execute formal documents, and to designate an individual as signatory authority "to sign grant documents required for reporting as contracted on behalf" of the city for a specific grant;

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an Signature Authority Consent Form for contracts, invoices, and other documents with the Tennessee Highway Safety Office, said Signatory Authority Consent Form being generally as follows:

SIGNATURE AUTHORITY CONSENT FORM

I _____ as the _____ of
Name of Person Granting Signature Authority (Printed) Title of Person Granting Authority

_____ hereby grant the person(s) identified below signatory authority
Name of Organization Receiving Grant

for the 2019-2020 grant awarded by the Tennessee Highway Safety Office.
The following individual or individuals are entitled to sign all grant related documents on behalf of my organization.

Name and Title (Printed)	Signature
Name and Title (Printed)	Signature
Name and Title (Printed)	Signature

The above signatory authority granted to the above individual(s) may be revoked by me or by my organization at any time by written notice to the Tennessee Highway Safety Office.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION II. That the mayor is authorized to designate the chief of police as his designee to complete and execute grant reports and other reporting documents, as required by the grant from the Tennessee Highway Safety Office.

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

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

ADOPTED this the 1st day of October, 2019.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MIKE BILLINGSLEY, CITY ATTORNEY