



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

**Monday, October 19, 2020, 4:30 p.m.
City Hall, 225 W. Center St., Council Room**

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
Ken Weems, Planning Manager
Jessica Harmon, Assistant to City Manager

1. Call to Order
2. Roll Call
3. A determination by the board that meeting electronically and prohibiting the physical presence of the public at the meeting is necessary to protect public health, safety, and welfare or all concerned in light of the COVID-19 virus.
4. Neighborhood Commission Report – Ted Fields
5. Parks and Recreation Master Plan – Kitty Frazier
6. Review of Items on October 20, 2020 Business Meeting Agenda
7. Adjourn

Next Work Session November 2: Fire Facilities Plan Overview; Transit Study; Disposal of Midland & Improvement Building Sites

BMA Report, October 19, 2020



Kingsport Employee Wellness, George DeCroes

	01/01/2020 – 09/30/2020	10/01/2020 – 10/13/2020
Total Utilization	83.7%	83.1%
City – Active Employees	63.8%	72.8%
City – Dependents	31.6%	21.5%
City – Retirees	0.6%	0.0%
Extended-Patient Services/Other	0.0%	0.8%
Work Comp	0.5%	0.0%
No Show	3.5%	4.9%

Worker's Compensation, Mike Billingsley

For the month of September 2020, the city had five recordable worker's compensation claims that involved lost time or restricted duty. Of the five claims involved, two are restricted duty and three are lost time.

City of Kingsport

October 20, 2020

Project Status in Pictures

1 West Kingsport Force Main

Construction crews are making good progress with the portion of work along the Greenbelt.

3 Greenbelt Fitness Equipment

More fitness equipment has been installed along the Greenbelt near the new Riverfront parking lot.

2 Fort Robinson Sewer Improvements

The project is nearing completion with crews needing to complete sidewalks and landscaping.

4 Eastern Greenbelt Extension

Paving crews have started to tackle paving the new extension with hopes of being complete by end of October.



Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	Current Status
\$13,500,000.00	Ryan McReynolds	SR 347 (Rock Springs Road) [State & MTPO funded]	TDOT Managed, joint funded reconstruction of the State portion of Rock Springs Road	12/31/2022	TDOT contract amendment approved by BMA and is routed for signatures. This reduced the local commitment from \$2.0 million to \$1.0 million MPO funds. Updated estimated cost to reflect amendment.
\$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	Appraisals for 11 of 12 properties affected were received 9/4/2020.
\$5,963,000.00	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	Rehab of West Kingsport SLS (#119) and installation of new forcemain to the WWTP.	2/2/2021	Wet well pre-work inspection complete - results favorable. FM E/I/B continues down Greenbelt. Demo still ongoing inside pump station.
\$3,500,000.00	Michael Thompson	Island Road Improvements from SR-126 to Kingsport City Limits	This project will realign Island Road to the southeast to improve vertical and horizontal roadway geometry for better traffic management and safety. The remaining unused portion of Island Road will be converted into a separated buffered multi-use path co	4/30/2024	Mattern & Craig still working on NEPA document.
\$2,888,300.00	Niki Ensor	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.	11/1/2020	9/15/20 - issued substantial completion
\$2,508,812.00	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.	5/18/2021	9/29/20 - TEC mobilizing on site.
\$2,500,000.00	Michael Thompson	2021 Main Road Paving (MTPO Funded)	Paving of functionally classified roadways: Meadowview Pkwy, Moreland Dr, Cooks Valley, Fall Creek and Netherland Inn Road	12/31/2021	NEPA documents submitted to TDOT on 7/6/2020.
\$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	Architect is working on plans and having discussions with staff.
\$2,225,522.00	Ryan McReynolds	City Hall Relocation - Phase 2	Renovations of floors 1 & 2 for the consolidation of City offices to one location at 415 Broad Street.	12/23/2020	Generator work in conjunction with AEP started this week.
\$2,225,522.00	Ryan McReynolds	City Hall Relocation - Phase 2	Renovations of floors 1 & 2 for the consolidation of City offices to one location at 415 Broad Street.	12/23/2020	Sheetrock work continues; work on life safety systems continues.
\$1,477,741.00	Chad Austin	Phase 5 Water Improvements	Project includes water line replacements in Fort Robinson area, Sherwood Road, Roller Street area, Gibson Mill area, and Waverly Road.	9/3/2021	Contractor to begin work in the fall.

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	CurrentStatus
\$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	NEPA document has been submitted to TDOT and going thru their review process.
\$1,000,000.00	Michael Thompson	Area 11b Asphalt Paving	Paving of asphalt streets in Upper Sevier Terrace (area between Fairview, W. Stone Drive, Lynn Garden Dr)	10/30/2020	City crews continuing to pave in this area.
\$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]	10/9/2020	Paving complete.
\$873,345.88	Chad Austin	2019 I & I Sewer Rehab/Replacement	Project will include sanitary sewer rehab/replacement in the White Street/Gibson Mill area, Fort Robinson area, Konnarock Road, Brooks Street Alley, and DB Track & Field.	2/12/2021	Contractor is currently working in the Ft Robinson area.
\$699,000.00	Niki Ensor	Hillcrest & Allandale Water Storage Tank Rehabilitation	Will be a partial rehabilitaion Allandale tank and a full rehabilitation of Hillcrest Tank.	1/3/2021	Work is 95% complete on Hillcrest. Contractor awaiting materials for TideFlex mixing syste. Issues with TideFlex getting materials. They estimate 8 weeks for delivery. Once on site 5-7 days of work to complete tank.
\$670,291.15	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]	5/28/2021	Work is underway. Contractor started on Phase 2 end of project.
\$461,607.00	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%]	5/28/2021	Current work is in the vicinity of Dunkin Donuts and CVS Pharmacy.
\$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.	8/31/2021	TDOT to begin construction June 1, 2020; project estimated completion dated 8/31/2021
\$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
\$197,791.00	Kitty Frazier	Riverfront Parking Facility	Construction of a 23 space parking lot on the south side of Industry Drive.	11/24/2020	Concrete work for curb and sidewalk to begin soon.
\$135,715.47	Kitty Frazier	Preston Forest Park - Trails and Parking Improvements	Construction of parking and trails in Preston Forest Park.	10/16/2020	Project is complete except landscaping, bench installation, and asphalt coating.

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AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

**Tuesday, October 20, 2020, 7:00 p.m.
City Hall, 225 W. Center St., Courtroom**

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
Ken Weems, Planning Manager
Jessica Harmon, Assistant to City Manager

I. CALL TO ORDER

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG

II.B. INVOCATION – Carl Strickler, Retired Minister

III.A. ROLL CALL

III.B. A determination by the board that meeting electronically with limited physical presence of the public at the meeting is necessary to protect public health, safety, and welfare or all concerned in light of the COVID-19 virus.

IV.A. RECOGNITIONS & PRESENTATIONS

1. Jay Church – Kingsport Carousel (Alderman Phillips)
2. High School Golf Teams (Alderman Olterman)
 - Kara Carter, South High School
 - Isabella van der Biest, Dobyns-Bennett High School
 - Taylor Kilgore, Zac Fletcher, William Karst, Ethan Lawson, Eli Murdock and Sam Barbour, Dobyns-Bennett High School

IV.B. APPOINTMENTS

1. Appointment to the Neighborhood Commission (AF: 278-2020) (Mayor Shull)
 - Appointment

V. APPROVAL OF MINUTES

1. Work Session – October 5, 2020
2. Business Meeting – October 6, 2020

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

None

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Budget Adjustment Ordinance for Various Funds in FY21 (AF: 279-2020) (Chris McCartt)
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Amend Zoning of 606, 610, and 614 Arch Street from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) (AF: 271-2020) (Ken Weems)
 - Ordinance – Second Reading and Final Adoption
2. Amend Zoning of 4250, 4270, and 4280 W. Stone Drive from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) (AF: 272-2020) (Ken Weems)
 - Ordinance – Second Reading and Final Adoption
3. Amend Zoning of 800 Stonegate Road, Parcels 41.20, 23, and 23.20 from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) (AF: 273-2020) (Ken Weems)
 - Ordinance – Second Reading and Final Adoption

4. Appropriate Funds from the Department of Justice, Office of Justice Programs FY20 Edward Byrne Memorial Justice Assistance Grant Program (AF: 262-2020) (David Quillin)
 - Ordinance – Second Reading and Final Adoption
5. Accept a Private Monetary Donation for the Police Department and Appropriate Funds (AF: 270-2020) (David Quillin)
 - Ordinance – Second Reading and Final Adoption
6. Amend the Current First Tennessee Agency on Aging Grant Contract Due to Corona Virus Grant and Appropriate Funds (AF: 259-2020) (Shirley Buchanan)
 - Ordinance – Second Reading and Final Adoption
7. Budget Adjustment Ordinance for Various Funds in FY21 (AF: 267-2020) (Chris McCartt)
 - Ordinance – Second Reading and Final Adoption

D. OTHER BUSINESS

1. Apply for and Receive the 2021/Childhood Obesity Prevention/ Environment Health Sustainability Awards through the United States Conference of Mayors (AF: 283-2020) (Chris McCartt)
 - Resolution
2. Authorization to Apply for the TDOT “State Industrial Access, SIA, Program” for the Relocation of Jared Drive (AF: 281-2020) (Ryan McReynolds)
 - Resolution
3. Execute an Agreement with Camelot Care Centers, Inc. for Kingsport City Schools (AF: 280-2020) (David Frye)
 - Resolution
4. Architectural Services for the Justice Center Master Planning (AF: 277-2020) (Ryan McReynolds)
 - Resolution

VII. CONSENT AGENDA

1. Reject Proposals for Stop Loss Insurance (AF 282-2020) (George DeCroes)
 - Resolution
2. Amend the Community Agreement with Kingsport Chamber Foundation, Inc., Small Business Development and Entrepreneurship Program (AF: 284-2020) (Chris McCartt)
 - Resolution
3. Renew Agreement with Delta Dental of Tennessee for Employee Dental Insurance (AF: 258-2020) (George DeCroes)
 - Resolution

VIII. COMMUNICATIONS

- A. City Manager
- B. Mayor and Board Members
- C. General Obligation School Capital Outlay Notes Series 2020 (Sid Cox)
- D. 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



AGENDA ACTION FORM

Appointment to the Neighborhood Commission

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

Action Form No.: AF-278-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 2020
 Staff Work By: Commission
 Presentation By: Mayor Shull

Recommendation: Approve Appointment.

Executive Summary: It is recommended to appoint Denny "Trey" Darnell to the Neighborhood Commission to fulfill an unexpired term. If approved by the Board of Mayor and Aldermen the recommended table reflects term dates. Terms limits are three years and no more than two consecutive terms. The commission is comprised of twelve (12) at-large members who represent all of Kingsport.

Current Committee:			
Member	Term Expires	No. of Terms	Eligibility
Anitra Little	12/31/20	Fulfilling unexpired term	KPT Resident Midtown
Al Crymble	12/31/20	1	KPT Resident Holston Hills/Cliffside
Ted Fields	12/31/22	2	KPT Resident Fall Creek
Tammy Fannon	12/31/22	Fulfilling unexpired term	KPT Resident Lynn Garden
Suzanne Burns	12/31/22	1	KPT Resident Downtown
Jamie Jackson	12/31/22	2	KPT Resident Edinburgh
Shannon Morelock	12/31/20	Fulfilling unexpired term	KPT Resident Green Acres
Julie Hammonds	12/31/20	Fulfilling unexpired term	KPT Resident Colonial Heights
Deborah Mullins	12/31/20	2	KPT Resident Cooks Valley
Margot Seay	12/31/21	2	KPT Resident Preston Woods
Jessica Slaughter	12/31/21	2	KPT Resident Midtown
Spencer Snook	12/31/21	2	KPT Resident Ridgefields

Recommended Committee:			
Member	Term Expires	No. of Terms	Eligibility
Anitra Little	12/31/20	Fulfilling unexpired term	KPT Resident Midtown
Al Crymble	12/31/20	1	KPT Resident Holston Hills/Cliffside
Ted Fields	12/31/22	2	KPT Resident Fall Creek
Tammy Fannon	12/31/22	Fulfilling unexpired term	KPT Resident Lynn Garden
Suzanne Burns	12/31/22	1	KPT Resident Downtown
Jamie Jackson	12/31/22	2	KPT Resident Edinburgh
Shannon Morelock	12/31/20	Fulfilling unexpired term	KPT Resident Green Acres
Trey Darnell	12/31/20	Fulfilling unexpired term	KPT Resident Fairacres
Deborah Mullins	12/31/20	2	KPT Resident Cooks Valley
Margot Seay	12/31/21	2	KPT Resident Preston Woods
Jessica Slaughter	12/31/21	2	KPT Resident Midtown
Spencer Snook	12/31/21	2	KPT Resident Ridgefields

Attachments:

1. Trey Darnell Bio

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

Denny "Trey" Darnell

Denny "Trey" Darnell is a 41-year-old native of Kingsport, Tennessee. Following his medical retirement as a Commercial Airline Captain, Denny is a stay-at-home father to his seven-year-old adopted daughter Harper. Denny has a Master of Studies in Law (MSL) from Wake Forest University and a Bachelor of Science degree in Organizational Leadership from East Tennessee State University. While at ETSU, he served as an Admissions Ambassador, Preview Leader, and president of his national fraternity chapter. He also received honors in the ETSU Service Learning program. Additionally, Denny holds certifications in Legal Investigation and Alternative Dispute Resolution.

In the early 2000s, as the operations manager at the Elizabethton Municipal Airport, Denny helped create a municipally-owned flight school where he served as the Chief Flight Instructor. You might recognize Denny's voice as the on-air talent known as "Mike Casey" from Oldies 104.9, Electric 94.9, and 96.9 WXBQ. As Mike Casey, Denny anchored the number two share—ratings—7 pm to midnight radio show in the country during his stint with WXBQ. His tag line was how he ended every broadcasted show, "It's Mike Casey waving goodbye."

Denny identifies as a servant leader and always says "Yes" to volunteer opportunities within the community. He enjoys being a part of the Abraham Lincoln Elementary School Parent Teacher Organization and chairperson for The Lincoln Playground Project. Trey especially enjoys being a recognizable dad at the school while volunteering. Trey serves on the board of directors for several organizations within the region and in numerous leadership roles. He was just selected to join the board for the national non-profit organization Military Family Advisory Network. Trey recently participated in the Citizen's Review Board for the United Way of Greater Kingsport, currently volunteers as a council member for PEAK Kingsport Young Professionals, and immensely enjoyed participating in Insight Kingsport.

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, October 5, 2020, 4:30 PM
Council Room – City Hall

PRESENT: 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

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J Michael Billingsley, City Attorney
Sid Cox, City Recorder
Angie Marshall, City Clerk/Deputy City Recorder
Ken Weems, Planning Manager
Dale Phipps, Deputy Police Chief
Scott Boyd, Fire Chief
John Morris, Budget Officer
Adrienne Batara, Public Information & Communications Director
Jessica Harmon, Assistant to City Manager
Kitty Frazier, Parks and Recreation Manager
Shirley Buchanan, Senior Center Manager

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Patrick W. Shull.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. A determination by the board that meeting electronically and prohibiting the physical presence of the public at the meeting is necessary to protect public health, safety and welfare of all concerned in light of the COVID-19 virus.
Mayor Shull made this declaration and each alderman verbally affirmed.
4. **USA PICKLEBALL ASSOCIATION.** Anna Walters gave a presentation on this item, noting the growing popularity of this game. She discussed how other local cities have responded to this need. Parks and Recreation Manager Kitty Frazier provided further details and answered questions from the board.
5. **REVIEW OF AGENDA ITEMS ON THE OCTOBER 6, 2020 REGULAR BUSINESS MEETING AGENDA.** City Manager McCartt gave a summary for each item on the proposed agenda. The following items were discussed at greater length or received specific questions or concerns.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, October 5, 2020

VI.B.4 Amend City Code of Ordinances, Chapter 14 - Animals (AF: 275-2020) Adrienne Batara presented this item, noting this issue was brought before the Neighborhood Commission. Alderman Adler provided further details. Alderman Duncan commented he would like this singular ordinance to be tabled at this time so that staff could take a comprehensive look at the entire animal ordinance and address any other issues that may be present. Vice-Mayor George agreed that violations and who would be enforcing them needs to be more clear. Some discussion followed.

VI.D.2 Approve a Real Estate Purchase and Sales Contract and Related Documents with Cayenne Rental Properties, GP to Purchase Unit 304 and Additional Areas Located in the Press Building Condominium (AF: 274-2020). School Superintendant Dr. Moorhouse gave details on this item and answered questions, noting the school board would be meeting before the BMA tomorrow night to also vote. He stated it was a unique opportunity they were not expecting but wanted to make happen if possible. There was considerable discussion.

VI.D.3 Authorize Qualified Tax-Exempt General Obligation School Capital Outlay Notes, Series 2020 (AF: 247-2020). City Recorder Cox provided information on this item.

VI.D.4 Authorize General Obligation Refunding Bonds, Series 2020 (AF: 265-2020). City Recorder Cox provided information on this item, pointing out the financial benefit to the city. Some discussion ensued as he answered questions from the board.

VI.D.10 Apply for a TDOT “Multimodal Access Grant” for Sidewalks along Fort Henry Drive in Colonial Heights (AF: 175-2020). Mr. McCartt gave details on this item. Discussion followed.

6. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Shull adjourned the meeting at 6:17 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, October 6, 2020, 7:00 PM
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen
Mayor Patrick W. Shull, Presiding
Vice-Mayor Colette George
Alderman Jennifer Adler (via zoom call)
Alderman Betsy Cooper
Alderman Darrell Duncan
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
Angie Marshall, City Clerk/Deputy City Recorder

I. CALL TO ORDER: 7:00 p.m., by Mayor Patrick W. Shull.

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG: Planning Manager Ken Weems.

II.B. INVOCATION: Pastor Trevor Knight, Rock Heritage Baptist Church.

III.A. ROLL CALL: By City Recorder Cox. All Present.

III.B. A determination by the board that meeting electronically and prohibiting the physical presence of the public at the meeting is necessary to protect public health, safety and welfare of all concerned in light of the COVID-19 virus.

Mayor Shull made this declaration and each alderman verbally affirmed.

IV.A. RECOGNITIONS AND PRESENTATIONS. None.

IV.B. APPOINTMENTS/REAPPOINTMENTS. None.

V. APPROVAL OF MINUTES.

Motion/Second: Olterman/Cooper, to approve minutes for the following meetings:

A. September 14, 2020 Regular Work Session

B. September 15, 2020 Regular Business Meeting

Approved in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

1. Amend Zoning of 606, 610 and 614 Arch Street from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) (AF: 271-2020) (Ken Weems).

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

Motion/Second: George/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG ARCH STREET FROM R-4, MEDIUM DENSITY APARTMENT DISTRICT TO R-5, HIGH DENSITY APARTMENT DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman and Shull voting "aye."

2. Amend Zoning of 4250, 4270 and 4280 West Stone Drive from B-3 (Highway Oriented Business District) to R-5 (High Density Apartment District) (AF: 272-2020) (Ken Weems).

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

Motion/Second: Phillips/Cooper, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG W. STONE DRIVE FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 1ST CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading in a roll call vote: Adler, Cooper, Duncan, George, Olterman, Phillips and Shull voting "aye."

3. Amend Zoning of 800 Stonegate Road, Parcels 41.20, 23 and 23.20 from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) (AF: 273-2020) (Ken Weems).

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

Motion/Second: Duncan/George, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG STONEGATE ROAD FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 11TH AND 12TH CIVIL DISTRICTS OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

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

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.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Appropriate Funds from the Department of Justice, Office of Justice Programs FY21 Edward Byrne Memorial Justice Assistance Grant Program (AF: 262-2020) (David Quillin).

Motion/Second: Adler/George, to pass:

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Accept a Private Monetary Donation for the Police Department and Appropriate Funds (AF: 270-2020) (David Quillin).

Motion/Second: Olterman/George, to pass:

Resolution No. 2021-064, A RESOLUTION ACCEPTING A DONATION OF FUNDS FROM DR. DAVID GARRAHAN FOR THE KINGSFORT POLICE DEPARTMENT

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

Motion/Second: Cooper/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

3. Amend Current First Tennessee Agency on Aging Grant Contract Due to Corona Virus Grant and Appropriate Funds (AF: 259-2020) (Shirley Buchanan).

Motion/Second: George/Olterman, to pass:

Resolution No. 2021-065, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPROVE AMENDMENT 1 TO THE FIRST TENNESSEE DEVELOPMENT DISTRICT’S AREA AGENCY ON AGING

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

AND DISABILITY GRANT FOR FISCAL YEAR 2020-2021

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

Motion/Second: George/Adler, to pass:

AN ORDINANCE TO AMEND GENERAL FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

~~4. **Amend City Code of Ordinances, Chapter 14 - Animals**
(AF: 275-2020) (Chris McCartt).~~ This item was withdrawn on October 6, 2020.

5. Budget Adjustment for Various Project Funds in FY21
(AF: 267-2020) (Chris McCartt).

Motion/Second: George/Duncan, to pass:

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

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Kingsport City Code to Make Various Changes to the PD, Planned Development Zoning District (AF: 246-2020) (Ken Weems).

Motion/Second: George/Olterman, to pass:

ORDINANCE NO. 6893, AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 114, ARTICLE III, DIVISION 6 OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, PERTAINING TO VARIOUS CHANGES IN THE PD, PLANNED DEVELOPMENT ZONE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

2. Amend Kingsport City Code Sections 98-497, 98-498 and 98-499 Pertaining to Traffic Enforcement Cameras (AF: 250-2020) (Chris McCartt).

Motion/Second: Adler/Cooper, to pass:

ORDINANCE NO. 6894, AN ORDINANCE TO AMEND SECTIONS 98-497, 98-498, AND 98-499 OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, PERTAINING TO TRAFFIC ENFORCEMENT CAMERAS; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

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

3. Budget Adjustment for Various Funds in FY21 (AF: 248-2020)
(Chris McCartt).

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6895, AN ORDINANCE TO AMEND VARIOUS PROJECT FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Materials Agreement with The Edinburgh Group, LLC Related to the Gibson Springs Phase 3 Development and Appropriate Funds (AF: 217-2020)
(Ryan McReynolds).

Motion/Second: Duncan/George, to pass:

ORDINANCE NO. 6896, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE GIBSON SPRINGS PHASE 3 MATERIALS AGREEMENT PROJECTS (WA2150 AND SW2150); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. 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: 263-2020) (Chris McCartt).

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2021-066, 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, Duncan, George, Olterman, Phillips and Shull voting “aye.”

2. Approve a Real Estate Purchase and Sales Contract and Related Documents with Cayenne Rental Properties, GP to Purchase Unit 304 and Additional Areas Located in the Press Building Condominium (AF: 274-2020)
(David Frye).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2021-067, A RESOLUTION APPROVING A REAL ESTATE PURCHASE AND SALE CONTRACT; A TERMINATION OF LEASE AGREEMENT; A TERMINATION OF RIGHT OF FIRST REFUSAL AND PURCHASE OPTION AGREEMENT; AND ACCEPTANCE OF A WARRANTY DEED WITH CAYENNE RENTAL PROPERTIES, GP FOR SPACE LOCATED IN THE PRESS BUILDING CONDOMINIUM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PURCHASE

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

3. Authorize Qualified Tax-Exempt General Obligation School Capital Outlay Notes, Series 2020 (AF: 247-2020) (Chris McCartt, Sid Cox).

Motion/Second: Olterman/Adler, to pass:

Resolution No. 2021-068, RESOLUTION OF THE GOVERNING BODY OF THE CITY OF KINGSPORT, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF GENERAL OBLIGATION SCHOOL CAPITAL OUTLAY NOTES, SERIES 2020 NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00), PURSUANT TO THE INFORMAL BID PROCESS

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

4. Authorize General Obligation Refunding Bonds, Series 2020 (AF: 265-2020) (Chris McCartt, Sid Cox).

Motion/Second: George/Duncan, to pass:

Resolution No. 2021-069, RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$15,300,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020 (FEDERALLY TAXABLE), OF THE CITY OF KINGSPORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF

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

5. Amend Continuing Municipal Services Agreement with Raymond James & Associates, Inc. to Include Project Amendment II, the Issuance and Sale of General Obligation Refunding Bonds, Series 2020 (AF: 264-2020) (Chris McCartt, Sid Cox).

Motion/Second: George/Olterman, to pass:

Resolution No. 2021-070, A RESOLUTION APPROVING PROJECT AMENDMENT II TO THE AGREEMENT WITH RAYMOND JAMES & ASSOCIATES, INC. TO THE MUNICIPAL ADVISORY AGREEMENT REGARDING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS 2020; AUTHORIZING THE MAYOR TO

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

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

6. Agreement with Northeast State Community College and Walters State Community College and the City of Kingsport (AF: 254-2020) (Scott Boyd).

Motion/Second: Olterman/Adler, to pass:

Resolution No. 2021-071, A RESOLUTION APPROVING AGREEMENTS WITH NORTHEAST STATE COMMUNITY COLLEGE AND WALTERS STATE COMMUNITY COLLEGE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

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

7. Authorize Reimbursement of Materials Agreement Funds to School House, LLC for the Cherokee Bend Phase 2 Development (AF: 257-2020) (Ryan McReynolds).

Motion/Second: George/Duncan, to pass:

Resolution No. 2021-072, A RESOLUTION AUTHORIZING REIMBURSEMENT OF MATERIALS AGREEMENT FUNDS TO SCHOOL HOUSE, LLC FOR CHEROKEE BEND PHASE 2

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

8. Accept Property Donation at West Park Development (AF: 230-2020) (Chris McCartt).

Motion/Second: Duncan/Cooper, to pass:

Resolution No. 2021-073, A RESOLUTION APPROVING THE DONATION OF PROPERTY AT THE WEST PARK DEVELOPMENT FROM WSD GROUP, GP; AND AUTHORIZING THE MAYOR TO EXECUTE THE DONATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE DONATION OR THIS RESOLUTION

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

9. Execute an Amendment to the Contract between the City of Kingsport and the Tennessee Department of Environment and Conservation (TDEC) (AF: 261-2020) (Ryan McReynolds).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

Motion/Second: George/Phillips, to pass:

Resolution No. 2021-074, A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT IN LIEU OF PERFORMANCE BOND WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION INCREASING THE AMOUNT OF FINANCIAL ASSURANCE FOR THE LANDFILL; AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT OR THIS RESOLUTION

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

10. Apply for a TDOT “Multimodal Access Grant” for Sidewalks along Fort Henry Drive in Colonial Heights (AF: 175-2020) (Ryan McReynolds).

Motion/Second: Phillips/Olterman, to pass:

Resolution No. 2021-075, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR A TENNESSEE DEPARTMENT OF TRANSPORTATION MULTI-MODAL GRANT FOR COLONIAL HEIGHTS SIDEWALKS ALONG FORT HENRY DRIVE

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

11. Endorse the Industrial Highway Improvements Developed by the Tennessee Department of Transportation (TDOT) for Domtar Corporation (AF: 268-2020) (Ryan McReynolds).

Motion/Second: George/Duncan, to pass:

Resolution No. 2021-076, A RESOLUTION ENDORSING THE INDUSTRIAL HIGHWAY IMPROVEMENTS DEVELOPED BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR DOMTAR CORPORATION; AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL SIGNAL MAINTENANCE AGREEMENTS ASSOCIATED WITH THE DEVELOPMENT; AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ENDORSEMENT

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

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

Motion/Second: George/Phillips, to adopt:

1. Approval of Offers for Right-of-Way and Easements (AF: 260-2020) (Ryan McReynolds).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

Approve:

APPROVE OFFERS FOR RIGHT-OF-WAY AND EASEMENTS

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

**2. Terminate Memorandum of Understanding with KHRA
(AF: 276-2020) (Ken Weems).**

Pass:

Resolution No. 2021-077, A RESOLUTION APPROVING THE TERMINATION OF A MEMORANDUM OF UNDERSTANDING WITH THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY AND AUTHORIZING THE MAYOR TO EXECUTE A NOTICE OF TERMINATION AND ANY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE TERMINATION

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

**3. Ratify the Mayor’s Signature Certifying Consistency with the
Consolidated Plan (AF: 266-2020) (Ken Weems).**

Pass:

Resolution No. 2021-078, A RESOLUTION TO CERTIFY CONSISTENCY WITH THE CONSOLIDATED PLAN, AND TO RATIFY THE MAYOR’S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO ASSIST THE GREATER KINGSPORT ALLIANCE FOR DEVELOPMENT THROUGH THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY TO RECEIVE A 2020 CARES ACT EMERGENCY SOLUTIONS GRANT FROM THE TENNESSEE HOUSING DEVELOPMENT AGENCY

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

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. McCartt state the Senior Center was now open and are utilizing safety precautions like other open facilities throughout the city. He mentioned that someone has planted pumpkins on the greenbelt and challenged citizens to get out and try to find them. Lastly he recognized all the custodians and thanked them for their hard work to keep facilities open during COVID.
- B. MAYOR AND BOARD MEMBERS.** Alderman Phillips offered his condolences to Chief Quillin and the other aldermen echoed this sentiment. He then commented on the paving that has been done in the Sevier Terrace area, noting it was a great job. Lastly he commended the city staff for making Kingsport a more homebuilding friendly city. Alderman Cooper commented on all the positive items on the agenda tonight. Alderman Olterman wished the football teams good luck and then commented on the recent blessing of his dog by his

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2020**

minister, noting that was a first for him. Alderman Adler commented on the letter the BMA received from Corey Carter on recycling. She also mentioned the pet waste ordinance that was pulled from the agenda tonight in order to take more comprehensive look at the entire animal ordinance. She encouraged citizens to reach out to the BMA with thoughts or concerns. Alderman Duncan also thanked Corey for his letter and coming to the meeting tonight. He also mentioned all the positive things going on in Kingsport even with a pandemic, noting it was an exciting time. Lastly, he pointed out it was peak time at Bays Mountain and the United Way campaign was underway. Vice-Mayor George noted all the new housing that was approved was needed in Kingsport and we needed to keep moving forward. She also discussed the many things going on at Bays Mountain. Mayor Shull commented on the many services of the city, with an emphasis on promoting economic development.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:41 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



AGENDA ACTION FORM

Budget Adjustment Ordinance for Various Funds in FY21

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

Action Form No.: AF-279-2020
Work Session: October 19, 2020
First Reading: October 20, 2020

Final Adoption: November 3, 2020
Staff Work By: Morris
Presentation By: McCartt

Recommendation:

Approve the Ordinance.

Executive Summary:

This ordinance amends the General Fund to use excess Fund Balance rolled over from FY 2020 to FY 2021 to fund \$1,745,000 in "year-end" projects.

General Project Fund projects funded through Fund Balance total \$1,475,000. They are as follows: \$50,000 to Lynn View Improv-Phase 1 (GP2006), \$75,000 to AEP Sidewalk Improvements (GP2015), \$25,000 to Signal Cabinet Replacement (GP2018), \$100,000 to Building Code Enforcement (GP2024), \$125,000 to Concrete Work Five Points (GP2102), \$700,000 to Public Safety Software & Equip (GP2103), \$100,000 to the Swinging Bridge (GP2104), \$150,000 to Skate Park (GP2105), \$100,000 to General Park Improvements (GP2106), and \$50,000 to Cement Hill (GP2107),.

General Projects-Special Revenue Fund projects funded through Fund Balance total \$270,000. They are as follows: \$90,000 to Demolition KHRA (NC2104), \$150,000 to Enhanced Landscaping (NC2105), and \$30,000 to Five Points AEP 3-Phase (NC2106).

This ordinance also accepts a \$10,615 payment in lieu of sidewalk into the AEP Sidewalk Improvement project (GP2015).

This ordinance also moves the remaining \$61,006 from the General Parks Improvements project (GP1816) to the General Parks Improvements project (GP2106) and closes GP1816.

This ordinance also appropriates \$20,200 in grant funds received from the Tennessee Arts Commission for Creative Partnership support to the TAC Creative Partner Grant project (NC2107).

Attachments:

1. Ordinance

Funding source appropriate and funds are available: *CM*

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure: *CM*

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

PRE-FILED CITY RECORDER

ORDINANCE NO.

AN ORDINANCE TO AMEND GENERAL PROJECTS
FUND, THE GENERAL PROJECTS-SPECIAL REVENUE
FUND, AND THE GENERAL FUND BUDGETS FOR THE
YEAR ENDING JUNE 30, 2021; 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 Fund budget be amended by moving \$61,006 from the General Park Improvements project (GP1816) to the General Park Improvements project (GP2106), by accepting a payment in lieu of sidewalk in the amount of \$10,615 to the AEP Sidewalk Improvement project (GP2015), and by appropriating \$1,475,000 from the General Fund, Fund Balance to the Lynn View Improv-Phase 1 project (GP2006) in the amount of \$50,000, to the AEP Sidewalk Improvement project (GP2015) in the amount of \$75,000, to the Signal Cabinet Replacement project (GP2018) in the amount of \$25,000, to the Building Code Enforcement project (GP2024) in the amount of \$100,000, to the Five Points Concrete Work project (GP2102) in the amount of \$125,000, to the Public Safety Software & Equip project (GP2103) in the amount of \$700,000, to the Swinging Bridge project (GP2104) in the amount of \$100,000, and to the Skate Park project (GP2105) in the amount of 150,000, and to the General Park Improvements project (GP2106) in the amount of \$100,000, and to the Cement Hill project (GP2107) in the amount of \$50,000. Close GP1816.

SECTION II. That the General Projects-Special Revenue Fund budget be amended by appropriating \$270,000 from the General Fund, Fund Balance to the Demolition KHRA project (NC2104) in the amount of \$90,000, to the Enhanced Landscaping project (NC2105) in the amount of \$150,000, and to the Five Points AEP 3 Phase project (NC2106) in the amount of \$30,000 and by appropriating \$20,200 grant received from the Tennessee Arts Commission to the TAC Creative Partner Grant project (NC2107).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
General Park Improvements (GP1816)			
Revenues:	\$	\$	\$
311-0000-364.20-00 From Corporations	2,000	(2,000)	0
311-0000-364.30-00 From Non-Profit Groups	13,000	(13,000)	0
311-0000-368.10-55 Series 2017 A GO Bonds	48,445	(26,950)	21,495
311-0000-368.10-66 Series 2019 GO Improvment	11,128	(11,128)	0
311-0000-368.21-01 Premium From Bond Sale	3,086	(2,104)	982
311-0000-391.69-00 Visitors Enhancement Fund	5,824	(5,824)	0
Totals:	83,483	(61,006)	22,477
Expenditures:	\$	\$	\$
311-0000-601.20-23 Arch/Eng/Landscaping Serv	858	0	858
311-0000-601.40-41 Bond Sale Expense	659	0	659
311-0000-601.90-03 Improvements	81,966	(61,006)	20,960
Totals:	83,483	(61,006)	22,477

Lynn View Improv-Phase 1 (GP2006)

<u>Revenues:</u>	\$	\$	\$
311-0000-368.10-66 Series 2019 GO Improvment	69,545	0	69,545
311-0000-368.21-01 Premium From Bond Sale	6,251	0	6,251
311-0000-391.01-00 From General Fund	0	50,000	50,000
<i>Totals:</i>	75,796	50,000	125,796

<u>Expenditures:</u>	\$	\$	\$
311-0000-601.40-41 Bond Sale Expense	796	0	796
311-0000-601.90-03 Improvements	75,000	50,000	125,000
<i>Totals:</i>	75,796	50,000	125,796

AEP Sidewalk Improvements (GP2015)

<u>Revenues:</u>	\$	\$	\$
311-0000-364.20-00 From Corporations	35,098	10,615	45,713
311-0000-368.10-66 Series 2019 GO Improvment	30,382	0	30,382
311-0000-368.21-01 Premium From Bond Sale	2,382	0	2,382
311-0000-391.01-00 From General Fund	407,236	75,000	482,236
<i>Totals:</i>	475,098	85,615	560,713

<u>Expenditures:</u>	\$	\$	\$
311-0000-601.90-03 Improvements	124,118	85,615	209,733
311-0000-601.90-06 Purchases \$5,000 & Over	350,980	0	350,980
<i>Totals:</i>	475,098	85,615	560,713

Signal Cabinet Replacement (GP2018)

<u>Revenues:</u>	\$	\$	\$
311-0000-391.01-00 From General Fund	30,000	25,000	55,000
<i>Totals:</i>	30,000	25,000	55,000

<u>Expenditures:</u>	\$	\$	\$
311-0000-601.90-03 Improvements	30,000	25,000	55,000
<i>Totals:</i>	30,000	25,000	55,000

Building Code Enforcement (GP2024)

<u>Revenues:</u>	\$	\$	\$
311-0000-391.01-00 From General Fund	70,000	100,000	170,000
<i>Totals:</i>	70,000	100,000	170,000

<u>Expenditures:</u>	\$	\$	\$
311-0000-601.20-22 Construction Contracts	68,000	100,000	168,000
311-0000-601.20-23 Arch/Eng/Landscaping Serv	2,000	0	2,000
<i>Totals:</i>	70,000	100,000	170,000

Concrete Work Five Points (GP2102)**Revenues:**

311-0000-391.01-00 From General Fund

Totals:

\$	\$	\$
0	125,000	125,000
0	125,000	125,000

Expenditures:

311-0000-601.90-03 Improvements

Totals:

\$	\$	\$
0	125,000	125,000
0	125,000	125,000

Public Safety Software & Equip (GP2103)**Revenues:**

311-0000-391.01-00 From General Fund

Totals:

\$	\$	\$
0	700,000	700,000
0	700,000	700,000

Expenditures:

311-0000-601.90-04 Equipment

311-0000-601.90-08 Software \$5,000 & Over

Totals:

\$	\$	\$
0	50,000	50,000
0	650,000	650,000
0	700,000	700,000

Swinging Bridge (GP2104)**Revenues:**

311-0000-391.01-00 From General Fund

Totals:

\$	\$	\$
0	100,000	100,000
0	100,000	100,000

Expenditures:

311-0000-601.90-03 Improvements

Totals:

\$	\$	\$
0	100,000	100,000
0	100,000	100,000

Skate Park (GP2104)**Revenues:**

311-0000-391.01-00 From General Fund

Totals:

\$	\$	\$
0	150,000	150,000
0	150,000	150,000

Expenditures:

311-0000-601.90-03 Improvements

Totals:

\$	\$	\$
0	150,000	150,000
0	150,000	150,000

General Park Improvements (GP2105)**Revenues:**

	\$	\$	\$
311-0000-364.20-00 From Corporations	0	2,000	2,000
311-0000-364.30-00 From Non-Profit Groups	0	13,000	13,000
311-0000-368.10-55 Series 2017 A GO Bonds	0	26,950	26,950
311-0000-368.10-66 Series 2019 GO Improvment	0	11,128	11,128
311-0000-368.21-01 Premium From Bond Sale	0	2,104	2,104
111-0000-391.01-00 From General Fund	0	100,000	100,000
311-0000-391.69-00 Visitors Enhancement Fund	0	5,824	5,824
Totals:	0	161,006	161,006

Expenditures:

	\$	\$	\$
311-0000-601.20-23 Arch/Eng/Landscaping Serv	0	0	0
311-0000-601.90-03 Improvements	0	161,006	161,006
Totals:	0	161,006	161,006

Account Number/Description:**Fund 111: General Proj-Special Revenue Fund**
Demolition KHRA (NC2104)**Revenues:**

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
	\$	\$	\$
111-0000-391.01-00 From General Fund	0	90,000	90,000
Totals:	0	90,000	90,000

Expenditures:

	\$	\$	\$
111-0000-601.20-22 Construction Contracts	0	90,000	90,000
Totals:	0	90,000	90,000

Enhanced Landscaping (NC2105)**Revenues:**

	\$	\$	\$
111-0000-391.01-00 From General Fund	0	150,000	150,000
Totals:	0	150,000	150,000

Expenditures:

	\$	\$	\$
111-0000-601.20-23 Arch/Eng/Landscaping Serv	0	150,000	150,000
Totals:	0	150,000	150,000

AEP 3-Ph Ext. Five Points (NC2106)**Revenues:**

	\$	\$	\$
111-0000-391.01-00 From General Fund	0	30,000	30,000
Totals:	0	30,000	30,000

Expenditures:

	\$	\$	\$
111-0000-601.90-03 Improvements	0	30,000	30,000
Totals:	0	30,000	30,000

TAC Creative Partner Grant (NC2107)**Revenues:**

	\$	\$	\$
111-0000-332.32-00 TN Arts Commission	0	20,200	20,200
Totals:	0	20,200	20,200

Expenditures:

	\$	\$	\$
111-0000-601.20-20 Professional/Consultant	0	20,200	20,200
Totals:	0	20,200	20,200

Cement Hill Pump Track (GP2107)**Revenues:**

	\$	\$	\$
311-0000-391.01-00 From General Fund	0	50,000	50,000
Totals:	0	50,000	50,000

Expenditures:

	\$	\$	\$
311-0000-601.20-22 Construction Contracts	0	50,000	50,000
Totals:	0	50,000	50,000

Fund 110: General Fund**Revenues:**

	\$	\$	\$
110-0000-392.01-00 Fund Bal Appropriations	1,686,579	1,745,000	3,431,579
Totals:	1,686,579	1,745,000	3,431,579

Expenditures:

	\$	\$	\$
110-4804-481.70-35 To Gen Proj-Special Rev	174,175	270,000	444,175
110-4804-481.70-36 General Project Fund	950,000	1,475,000	2,425,000
Totals:	1,124,175	1,745,000	2,869,175

SECTION IV. That this Ordinance shall take effect from and after its date of passage, as the law directs, 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

Amend Zoning of 606, 610, and 614 Arch Street from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District)

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

Action Form No.: AF-271-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

Approve ordinance amending the zoning ordinance to rezone the property containing 606, 610, and 614 Arch Street from R-4, Medium Density Apartment District to R-5, High Density Apartment District.

Executive Summary:

This is an owner-requested rezoning of an approximately .42 acres located at 606, 610, and 614 Arch Street from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District). The applicant desires to construct a 14 unit apartment building on the property. During their September 2020 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to rezone the property to the Board of Mayor and Aldermen by a vote of 7-0-1, with James Phillips recusing himself from the item. This rezoning effort has not received any public comment. The notice of public hearing was published on September 21, 2020.

Attachments:

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

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

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG ARCH STREET FROM R-4, MEDIUM DENSITY APARTMENT DISTRICT TO R-5, HIGH DENSITY APARTMENT DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along Arch Street from R-4, Medium Density Apartment District to R-5, High Density Apartment District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at an old 1/2 inch iron pin on the northeasterly right of way of Arch Street, corner to property of 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4; thence with the northeasterly right of way of Arch Street 3 calls : N 55° 45' W, 60.50' to a old 1 inch iron pipe; N 55°40' W, 60.00' to an old 1 inch iron pipe and N 55°44' W, 48.00' to a new iron pin, corner to property of Gary and Alice Meade Alexander – Lot 22 and part of Lot 23, Block 38, Kingsport Improvement Corporation, Addition #4; thence with Gary and Alice Meade Alexander – Lot 22 and part of Lot 23, Block 38, Kingsport Improvement Corporation, Addition #4 N 34°20' E, 108.00' to a new iron pin, corner to property of James and Crystal Phillips - Lot 18, Block 38, Kingsport Improvement Corporation, Addition #4; thence with James and Crystal Phillips - Lot 18, Block 38, Kingsport Improvement Corporation, Addition #4 S 55°33' E, 48.00' to an old 3/8 inch iron pin, corner to property of James William Phillips - Lot 2, Replat of Lots 16, 17, 29, 30 and 31, Block 38, City of Kingsport, Tennessee; thence with James William Phillips - Lot 2, Replat of Lots 16, 17, 29, 30 and 31, Block 38, City of Kingsport, Tennessee 2 calls : S 55°42' E, 120.13' to an old 3/8 inch iron pin and S 34°01' W, 50.12' to an old 3/8 inch iron pin, corner to property of 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4; thence with 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4 S 34°14' W, 57.75' to the point of BEGINNING, being 0.42 acres.

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

SECTION III. That this ordinance shall take effect from and after the date of its passage

and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

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 _____

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 October 6, 2020 to consider the rezoning of parcels along Arch Street, Tax Map 46H, Parcels 11, 11.10, and 12 from the R-4 district to the R-5 district. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at an old 1/2 inch iron pin on the northeasterly right of way of Arch Street, corner to property of 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4; thence with the northeasterly right of way of Arch Street 3 calls : N 55° 45' W, 60.50' to a old 1 inch iron pipe; N 55°40' W, 60.00' to an old 1 inch iron pipe and N 55°44' W, 48.00' to a new iron pin, corner to property of Gary and Alice Meade Alexander – Lot 22 and part of Lot 23, Block 38, Kingsport Improvement Corporation, Addition #4; thence with Gary and Alice Meade Alexander – Lot 22 and part of Lot 23, Block 38, Kingsport Improvement Corporation, Addition #4 N 34°20' E, 108.00' to a new iron pin, corner to property of James and Crystal Phillips - Lot 18, Block 38, Kingsport Improvement Corporation, Addition #4; thence with James and Crystal Phillips - Lot 18, Block 38, Kingsport Improvement Corporation, Addition #4 S 55°33' E, 48.00' to an old 3/8 inch iron pin, corner to property of James William Phillips - Lot 2, Replat of Lots 16, 17, 29, 30 and 31, Block 38, City of Kingsport, Tennessee; thence with James William Phillips - Lot 2, Replat of Lots 16, 17, 29, 30 and 31, Block 38, City of Kingsport, Tennessee 2 calls : S 55°42' E, 120.13' to an old 3/8 inch iron pin and S 34°01' W, 50.12' to an old 3/8 inch iron pin, corner to property of 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4; thence with 2TNCANES, GP - Lot 28, Block 38, Kingsport Improvement Corporation, Addition #4 S 34°14' W, 57.75' to the point of BEGINNING, being 0.42 acres.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the 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.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9401, ext. 5 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.

CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 9/21/2020

Kingsport Regional Planning Commission
Rezoning Report

File Number 20-101-00007

Arch Street Rezoning

Property Information			
Address		606 Arch St., 610 Arch St., 614 Arch St., Kingsport, TN 37660	
Tax Map, Group, Parcel		Map 46H, Parcels 11, 11.10, 12	
Civil District		11	
Overlay District		n/a	
Land Use Designation		Single Family	
Acres		.42 acres +/-	
Existing Use	Vacant (Structures currently being razed)	Existing Zoning	R-4
Proposed Use	14 unit apartment bldg	Proposed Zoning	R-5
Owner /Applicant Information			
Name: James Phillips Address: 832 Ridgefields Rd City: Kingsport State: TN Zip Code: 37660 Phone: (423) 863-3998		Intent: <i>To rezone from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) to accommodate a 14 dwelling unit apartment building.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The R-5 zone proposal is appropriate for the area and considered an extension of the existing R-5 zone to the northeast side of the rezoning area.</i> • <i>The Arch Street area is transitioning from a single-family land use area to a multi-family land use area.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>The proposal will allow the same use that is currently contained on the property that abuts the rezoning site on the northeast side. The appearance will be comparable as well.</i> • <i>As of September 10, 2020, the planning department has not received any public comment about the rezoning.</i> 			
Planner:	Ken Weems	Date:	September 8, 2020
Planning Commission Action		Meeting Date:	September 17, 2020
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	606 Arch St., 610 Arch St., 614 Arch St.
DISTRICT	11
OVERLAY DISTRICT	n/a
EXISTING ZONING	R-4 (Medium Density Apartment District)
PROPOSED ZONING	R-5 (High Density Apartment District)
ACRES	.42 +/-
EXISTING USE	Vacant land with a remaining home scheduled to be razed
PROPOSED USE	14 unit apartment building

PETITIONER

ADDRESS 832 Ridgefields Rd, Kingsport, TN 37660

REPRESENTATIVE

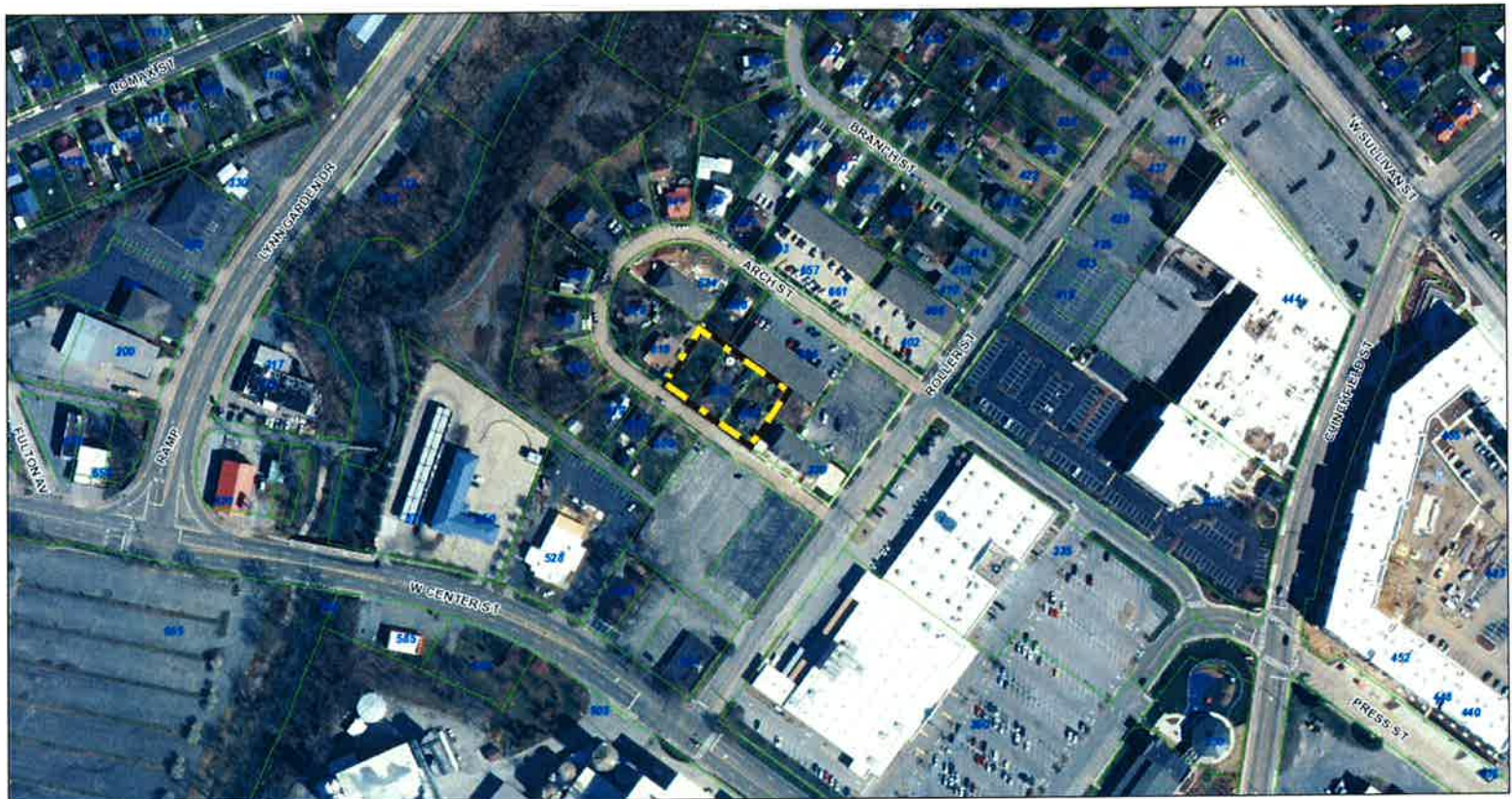
PHONE (423) 863-3998

INTENT

Intent: To rezone from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) to accommodate a 14 dwelling unit apartment building.

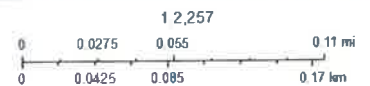
Vicinity Map

ArcGIS Web Map



9/8/2020, 9:02:13 AM

- | | | |
|-------------------------|------------------------|-----------------------|
| Kpt 911 Address | River | Railroad_ROW |
| Sullivan County Parcels | Street_ROW | River |
| Lake_Pond | Hawkins County Parcels | Street_ROW |
| Parcel_Conflict | Lake_Pond | Urban Growth Boundary |
| Parcels | Parcel_Conflict | |
| Railroad_ROW | Parcels | |



Web AppBuilder for ArcGIS

Surrounding Zoning Map

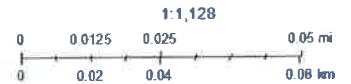
ArcGIS Web Map



3/2020, 9:42:14 AM

- Kpt 911 Address
- Hawkins County Parcels
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- River
- Street_ROW
- Urban Growth Boundary
- City Zoning
- <Null>

- TAC
- R-5
- GC
- B-2E
- A-1
- A-2
- AR
- B-1
- B-2
- B-3
- B-4
- B-4P
- B-4P
- BC
- GC
- M-1
- M-1R
- M-2
- MX
- P-1
- P-D
- PBD-3
- PBD/*
- PD
- PMD-1
- PMD-2
- PUD
- PVD
- R-1
- R-1A
- R-1B
- R-1C
- R-2
- R-3
- R-3A
- R-3B
- R-4
- Split
- TA
- TA-C
- UAE



Web AppBuilder for ArcGIS

File Number 20-101-00007

ArcGIS Web Map



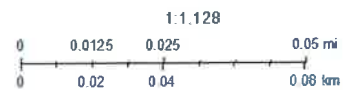
Aerial

ArcGIS Web Map



020, 9:45:07 AM

Kpt 911 Address	River	Railroad_ROW
Hawkins County Parcels	Street_ROW	River
Lake_Pond	Hawkins County Parcels	Street_ROW
Parcel_Conflict	Lake_Pond	Urban Growth Boundary
Parcels	Parcel_Conflict	
Railroad_ROW	Parcels	



Web AppBuilder for ArcGIS

View Toward Roller St



North View of Rear Area of the Rezoning Site (Dog Park on Right)



West View (Arch Street)



Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-4</u> Use: apartment building	n/a
Further North and Northwest	2	<u>Zone: City R-4</u> Use: Single Family	n/a
East	3	<u>Zone: City R-4</u> Use: parking lot	n/a
Further East	4	<u>Zone: City B-2E</u> Use: Food City Shopping Center Complex	n/a
Southeast and South	5	<u>Zone: City B-2E</u> Use: parking lot	n/a
Further South	6	<u>Zone: City B-3</u> Use: parking lot	n/a
West	7	<u>Zone: City R-4</u> Use: single family	n/a

EXISTING USES LOCATION MAP



Zoning Development Plan

SITE DATA:

610 ARCH STREET
KINGSPORT, TENNESSEE

ZONING (CURRENT): R-4 (MEDIUM DENSITY
APARTMENT DISTRICT, 20 UNITS / ACRE)
ZONING (PROPOSED): R-5 (HIGH DENSITY
APARTMENT DISTRICT, 40 UNITS / ACRE)

SIZE: 18,166 SF (0.42 ACRES)±

SETBACKS: NONE

PROPOSED PAVED PARKING: 5,882 SF
(24 SPACES)

PROPOSED BUILDING:
2-STORY, 14 UNIT APARTMENT BUILDING
11,622 GSF
8,511 SF FOOTPRINT

NOTE: THE SITE IS ESSENTIALLY FLAT SO
NO TOPOGRAPHIC INFORMATION HAS
BEEN PROVIDED

NEW CONC.
INGRESS/EGRESS RAMP
PER CITY OF
KINGSPORT
REQUIREMENTS (TYP.
FOR 2)

NEW ASPHALT
SURFACED PARKING
LOT (24 SPACES)

GARY ALEXANDER
AND ALICE MEADE
ALEXANDER

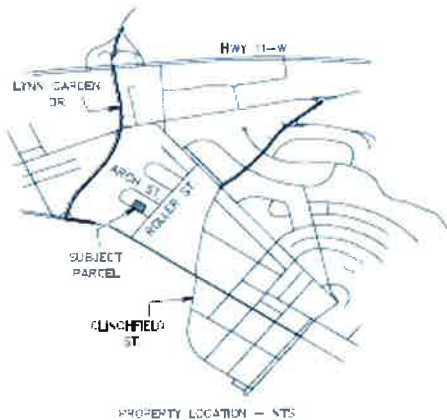
JAMES AND
CRYSTAL
PHILLIPS

JAMES WILLIAM
PHILLIPS

2THCAMES
GROUP

ARCH STREET
R.O.W.

NOTE:
OWNER TO PROVIDE 4 NEW TREES, MEETING
LANDSCAPING REQUIREMENTS, AS SHOWN ON PLAN,
IN LIEU OF LOCATING NEW TREES IN BUFFER

**ARCHITECTURAL SITE PLAN**

SCALE: 1" = 30'-0"



ZONING DEVELOPMENT PLAN

**610 ARCH STREET
KINGSPORT, TENNESSEE**

ZDP
20-20-00025
9/7/2020

DEVELOPMENT STANDARDS : R-5**District minimum requirements:**

- Maximum density is 40 dwelling units per acre/ proposed density= 33.9 du/acre
- Parking required: 1.5 spaces per unit/ site plan identified parking: 1.66 spaces per unit

The ZDP indicates compliance with the development standards in an R-5 District.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** The proposal will permit a use that is suitable with adjacent property as multi-family use and zone.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal. The proposed apartment units will be in keeping with the existing (recently constructed) apartments.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a reasonable economic use for the proposed zone with similar density calculations to the adjacent apartments.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal will not cause a burdensome use of existing streets, transportation facilities, or schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

Proposed use: 14 unit apartment building

The Future Land Use Plan Map recommends Single Family

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing conditions support approval of the proposed rezoning.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed.

8. **Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning will be an extension of the existing R-5 zone to the northeast.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically drawn as is in comparison to the existing conditions.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends sending a positive recommendation to the BMA to rezone from R-4 to R-5. The proposal is in keeping with current and trending land use and density in the vicinity.



AGENDA ACTION FORM

Amend Zoning of 4250, 4270, and 4280 W. Stone Drive from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District)

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

Action Form No.: AF-272-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

Approve ordinance amending the zoning ordinance to rezone the property containing 4250, 4270, and 4280 W. Stone Drive from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District).

Executive Summary:

This is an owner-requested rezoning of an approximately 7.6 acres located at 4250, 4270, and 4280 W. Stone Drive from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District). The applicant desires to construct 86 townhouse units on the property. During their September 2020 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to rezone the property to the Board of Mayor and Aldermen by a vote of 8-0. This rezoning effort has not received any public comment. The notice of public hearing was published on September 21, 2020.

Attachments:

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

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

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG W. STONE DRIVE FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 1ST CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along W. Stone Drive from B-3, Highway Oriented Business District to R-3, Low Density Apartment District in the 1st Civil District of Hawkins County; said area to be rezoned being further and more particularly described as follows:

Commencing at Kingsport Geodetic Reference Monument 029 at the intersection of West Stone Drive and Netherland Inn Road; thence departing said monument and continuing N. 15° -01' 54" E. 222.80' to a 1/2" rebar; thence departing said rebar and continuing N. 03° 10' 1211W. 20.58 to the-Point of Beginning at a rebar and cap stamped "TN 1599", said rebar being in the northerly right-of-way line of West Stone Drive, corner to First Bank & Trust Company of Tennessee (Deed Book 416, page 315 and Deed Book 416, page 312) and Kingsport Power Company (Deed Book 119, page 253); thence departing said rebar and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Kingsport Power Company the following two calls: N. 02° 50' 53" W. 257.06' to a rebar and cap stamped "TN 1599"; thence N. 02° 49' 20" W. 512.21' to a rebar and cap stamped IIRLS 891", corner to First Bank & Trust Company of Tennessee, Kingsport Power Company, Timber Ridge Subdivision and Kingsport Housing Authority (Deed Book 272, page 329); thence departing said rebar and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Kingsport Housing Authority the following two calls: N. 89° 49' 19" E. 313.98' to a rebar and cap stamped "RLS 891"; thence S. 89° 58' 54" E. 199.82' to a " pipe corner to First Bank & Trust Company of Tennessee, Kingsport Housing Authority, Rotherwood Heights and Eighty Four Development(Deed Book 256;page 1);thence departing said pipe and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Eighty Four Development the following two calls: S. 01° 33' 48" E. 340.59' to a rebar and cap stamped "TN 1599"; thence S. 02° 29' 28" E. 260.72' to a rebar and cap stamped "TN 1599" in the right-of-way line of West Stone Drive, corner to First Bank & Trust Company of

Tennessee and Eighty Four Development; thence departing said rebar and continuing coincident with said right-of-way line the following five calls: S. 71° 10' 15" W. 150.34' to a rebar and cap stamped "TN 1599"; thence S. 71° 11' 25" W. 59:98' to a rebar and cap stamped "TN 1959"; thence S. 71° 08' 10" W. 142.36' to a rebar and cap stamped "Miller Land Surveying LLC"; thence with the arc of a curve to the right having a chord bearing and distance of S. 71° 15' 06" W. 15.40', a radius of 5619.65' and an arc length of 15.40' to a rebar and cap stamped "TN1599"; thence with the arc of a curve to the right having a chord bearing and distance S. 72° 07' 24" W. 161.82', and a radius of 5619.65' and an arc length of 161.83' to the Beginning containing 8.06 acres more or less.

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

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

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 _____

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 October 6, 2020 to consider the rezoning of parcels along W. Stone Drive, Tax Map 022, Parcels 73, 73.02, and 73.03 from the B-3 district to the R-3 district. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

Commencing at Kingsport Geodetic Reference Monument 029 at the intersection of West Stone Drive and Netherland Inn Road; thence departing said monument and continuing N. 15° -01' 54" E. 222.80' to a 1/2" rebar; thence departing said rebar and continuing N. '03° 10' 1211W. 20.58 to the-Point of Beginning at a rebar and cap stamped "TN 1599", said rebar being in the northerly right-of-way line of West Stone Drive, corner to First Bank & Trust Company of Tennessee (Deed Book 416, page 315 and Deed Book 416, page 312) and Kingsport Power Company (Deed Book 119, page 253); thence departing said rebar and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Kingsport Power Company the following two calls: N. 02° 50' 53" W. 257.06' to a rebar and cap stamped "TN 1599"; thence N. 02° 49' 20" W. 512.21' to a rebar and cap stamped "IRLS 891", corner to First Bank & Trust Company of Tennessee, Kingsport Power Company, Timber Ridge Subdivision and Kingsport Housing Authority (Deed Book 272, page 329); thence departing said rebar and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Kingsport Housing Authority the following two calls: N. 89° 49' 19" E. 313.98' to a rebar and cap stamped "RLS 891"; thence S. 89° 58' 54" E. 199.82' to a " pipe corner to First Bank & Trust Company of Tennessee, Kingsport Housing Authority, Rotherwood Heights and Eighty Four Development(Deed Book 256;page 1);thence departing said pipe and continuing coincident with the divisional line between First Bank & Trust Company of Tennessee and Eighty Four Development the following two calls: S. 02° 29' 28" E. 260.72' to a rebar and cap stamped "TN 1599"; thence S. 02° 29' 28" E. 260.72' to a rebar and cap stamped "TN 1599" in the right-of-way line of West Stone Drive, corner to First Bank & Trust Company of Tennessee and Eighty Four Development; thence departing said rebar and continuing coincident with said right-of-way line the following five calls: S. 71° 10' 15" W. 150.34' to a rebar and cap stamped "TN 1599"; thence S. 71° 11' 25" W. 59.98' to a rebar and cap stamped "TN 1959"; thence S. 71° 08' 10" W. 142.36' to a rebar and cap stamped "Miller Land Surveying LLC"; thence with the arc of a curve to the right having a chord bearing and distance of S. 71° 15' 06" W. 15.40', a radius of 5619.65' and an arc length of 15.40' to a rebar and cap stamped "TN1599"; thence with the arc of a curve to the right having a chord bearing and distance S. 72° 07' 24" W. 161.82', and a radius of 5619.65' and an arc length of 161.83' to the Beginning containing 8.06 acres more or less.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the 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.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9401, ext. 5 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies

of any documents used are available in accessible formats upon request.

CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 9/21/2020

Kingsport Regional Planning Commission
Rezoning Report

File Number 20-101-00008

North Park Rezoning

Property Information			
Address		4250, 4270, and 4280 W. Stone Dr., Kingsport, TN 37660	
Tax Map, Group, Parcel		Map 022, Parcels 73, 73.02, and 73.03	
Civil District		1	
Overlay District		n/a	
Land Use Designation		Retail/ Commercial	
Acres		7.6 acres +/-	
Existing Use	Vacant	Existing Zoning	B-3
Proposed Use	86 townhouse units	Proposed Zoning	R-3
Owner /Applicant Information			
Name: Carla Karst Address: 1504 Dobyns Dr. City: Kingsport State: TN Zip Code: 37664 Phone: (423) 967-1690		Intent: <i>To rezone from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) to accommodate 86 townhouse units.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <i>The R-3 zone proposal is appropriate for the area and considered an extension of the existing R-3 zone north of the rezoning area.</i> <i>The development will be served by private drives off of W. Stone Drive.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> <i>The proposal will allow the same use that is currently contained on the property that abuts the rezoning site on the north side.</i> <i>As of September 10, 2020, the planning department has not received any public comment about the rezoning.</i> <i>Note that a portion of the maps are blacked out due to the nearby presence of BAE. Staff is working to regain the aerals in the same vicinity.</i> 			
Planner:	Ken Weems	Date:	September 8, 2020
Planning Commission Action		Meeting Date:	September 17, 2020
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	4250, 4270, and 4280 W. Stone Dr., Kingsport, TN 37660
DISTRICT	1
OVERLAY DISTRICT	n/a
EXISTING ZONING	B-3 (Highway Oriented Business District)
PROPOSED ZONING	R-3 (Low Density Apartment District)
ACRES	7.6 +/-
EXISTING USE	Vacant land
PROPOSED USE	86 townhouse units

PETITIONER
ADDRESS 1504 Dobyys Dr., Kingsport, TN 37664

REPRESENTATIVE
PHONE (423) 967-1690

INTENT

Intent: To rezone from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) to accommodate 86 townhouse units.

Vicinity Map

ArcGIS Web Map



9/8/2020, 2:45 16 PM

Sullivan County Parcels

 Lake Pond

Parcel Conflict

Parcelle

- ☐ Falters
- ☒ Breited POW

RanUad_ROW

River

☐ Street ROW

Hawkins County Parcels

 Lake Pond

Parcel Conflict

 Parcel_Colored

Parcels
Soil Use LULU Railroad ROW

River

Street ROW

Urban Growth Boundary

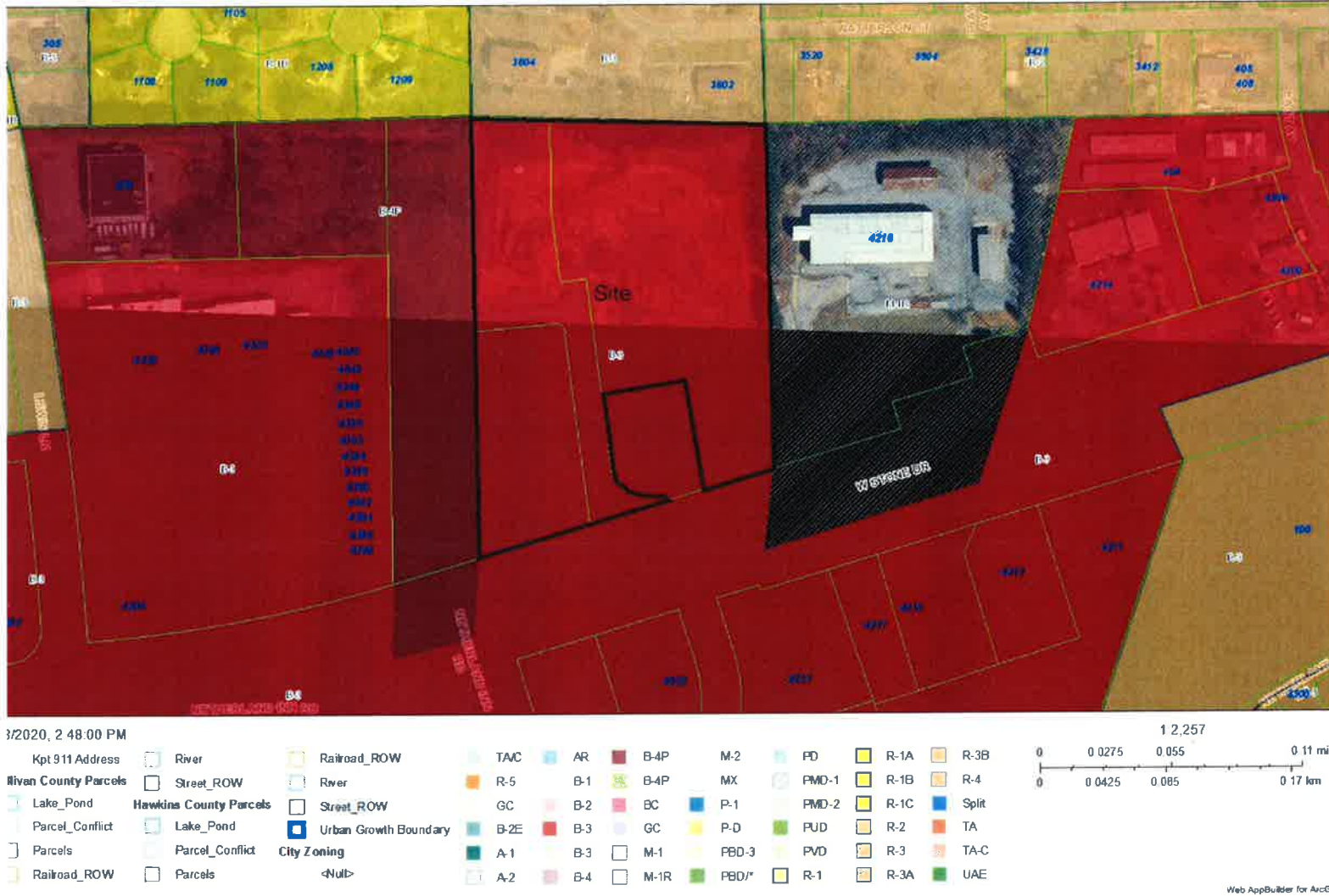
 Urban Growth Boundary

118.056

Web AppBuilder for ArcGI

Surrounding Zoning Map

ArcGIS Web Map



Future Land Use Plan 2030

ArcGIS Web Map



3/2020, 2:49:09 PM

- | | | | |
|-----------------------|------------------------|-----------------------|-------------------|
| Kpt 911 Address | River | Railroad_ROW | Single Family |
| Hilvan County Parcels | Street_ROW | River | Multi-Family |
| Lake_Pond | Hawkins County Parcels | Street_ROW | Industrial |
| Parcel_Conflict | Lake_Pond | Urban Growth Boundary | Retail/Commercial |
| Parcels | Parcel_Conflict | Future Land Use | Public |
| Railroad_ROW | Parcels | Agri/Vacant | Utilities |



Web AppBuilder for ArcGIS

File Number 20-101-00008

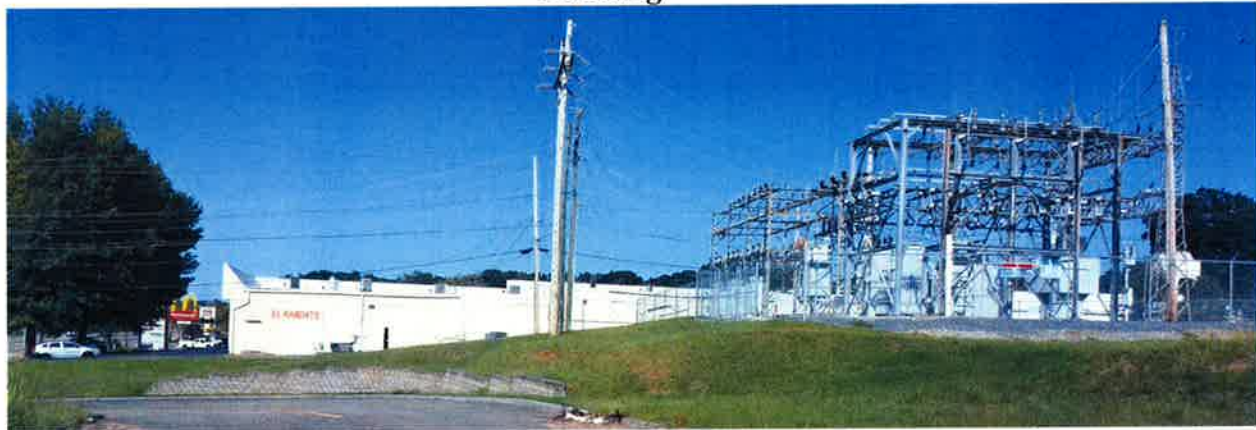
ArcGIS Web Map



View Toward W. Stone Dr.



View of Abutting AEP Station



Northern Extent of Site



Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-3</u> Use: apartment development	n/a
Further North and Northwest	2	<u>Zone: City R-1B</u> Use: Single Family	n/a
East	3	<u>Zone: City M-1R</u> Use: vacant structure	n/a
Further East	4	<u>Zone: City B-3</u> Use: Fitness Center	n/a
Southeast and South	5	<u>Zone: City B-3</u> Use: vacant lot	n/a
Further South	6	<u>Zone: City B-3</u> Use: parking lot	n/a
West	7	<u>Zone: City B-3</u> Use: Verizon Store	n/a

EXISTING USES LOCATION MAP



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12,257

Zoning Development Plan



DEVELOPMENT STANDARDS : R-3

District minimum requirements:

- Maximum density is 15 dwelling units per acre/ proposed density= 11.3 du/acre
- Parking required: 1.5 spaces per unit/ site plan identified parking: 2 spaces per unit (one inside a private garage and one in the driveway) plus 28 additional parking spaces throughout the site

The ZDP indicates compliance with the development standards in an R-3 District.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** The proposal will permit a use that is suitable with adjacent property as a multi-family use and zone.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a reasonable economic use for the proposed zone with similar density calculations to the adjacent apartments.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal will not cause a burdensome use of existing streets, transportation facilities, or schools.
5. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing conditions support approval of the proposed rezoning.

6. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed.
7. **Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning will be an extension of the existing R-3 zone to the north.
8. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically drawn as is in comparison to the existing conditions.
9. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends sending a positive recommendation to the BMA to rezone from B-3 to R-3. The proposal is a suitable proposal for the site.



AGENDA ACTION FORM

Amend Zoning of 800 Stonegate Road, Parcels 41.20, 23, and 23.20 from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District)

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

Action Form No.: AF-273-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

Approve ordinance amending the zoning ordinance to rezone the property containing 800 Stonegate Road, Parcels 41.20, 23, and 23.20 from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District).

Executive Summary:

This is an owner-requested rezoning of an approximately 16 acres located at 800 Stonegate Road, parcels 41.20, 23, and 23.20 from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District). The applicant desires to construct 77 single family homes and 14 townhouse apartments on the property. During their September 2020 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation to rezone the property to the Board of Mayor and Aldermen by a vote of 8-0. This item received opposition from two people during the meeting. The opposition was generated from the belief that the rezoning will facilitate an expansion of the existing apartments on the north side of the rezoning site. The notice of public hearing was published on September 21, 2020.

Attachments:

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

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

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG STONEGATE ROAD FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 11TH AND 12TH CIVIL DISTRICTS OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along Stonegate Road from B-3, Highway Oriented Business District to R-3, Low Density Apartment District in the 11th and 12th Civil Districts of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the southern corner of parcel 23 in common with the eastern right-of-way of Stonegate Road, Tax Map 45D, thence in a northwesterly direction, crossing the right-of-way of Stonegate Road, approximately 65 feet to a point, said point being the southern corner of parcel 41.20 in common with the western right-of-way of Stonegate Road; thence in a westerly direction, following the southern boundary of parcel 41.20, approximately 437 feet to a point, said point being the northwestern corner of parcel 43; thence in a northwesterly direction, following the eastern boundary of Interstate 26, approximately 1,123 feet to a point, said point lying on the boundary of parcel 41.20 in common with the eastern boundary of Interstate 26 right-of-way; thence in an easterly direction, approximately 901 feet to a point, said point lying on the centerline of Stonegate Road right-of-way; thence in a southerly direction, following the centerline of Stonegate Road right-of-way, approximately 731 feet to a point, said point lying on the centerline of Stonegate Road right-of-way; thence in a northeasterly direction, crossing over Stonegate Road right-of-way, following the centerline of Clinton Street approximately 221 feet to a point, said point lying on the centerline of Clinton Street; thence in a southeasterly direction, crossing through Clinton Street right-of-way and following the eastern boundary of parcel 23.20, approximately 194 feet to a point, said point being the southeastern corner of parcel 23 in common with the western right-of-way of Riverside Avenue; thence in a southwesterly direction, approximately 214 feet to the point of BEGINNING, and being all of parcels 23, 23.20, and a portion of 41.20 as well as a portion of Stonegate Road, approximately 950 feet in length, and a portion of Clinton Street, approximately 221 feet in length, Tax Maps 45C,

45D, 45E, and 45F as shown on the July 2020 Sullivan County Tax
Maps.

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

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

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 _____

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 October 6, 2020 to consider the rezoning of parcels along Stonegate Road and Clinton Street, Tax Map 45C, 45D, 45E, and 45F, Parcels 23, 23.20, and a portion of 41.20 from the B-3 district to the R-3 district. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the southern corner of parcel 23 in common with the eastern right-of-way of Stonegate Road, Tax Map 45D, thence in a northwesterly direction, crossing the right-of-way of Stonegate Road, approximately 65 feet to a point, said point being the southern corner of parcel 41.20 in common with the western right-of-way of Stonegate Road; thence in a westerly direction, following the southern boundary of parcel 41.20, approximately 437 feet to a point, said point being the northwestern corner of parcel 43; thence in a northwesterly direction, following the eastern boundary of Interstate 26, approximately 1,123 feet to a point, said point lying on the boundary of parcel 41.20 in common with the eastern boundary of Interstate 26 right-of-way; thence in an easterly direction, approximately 901 feet to a point, said point lying on the centerline of Stonegate Road right-of-way; thence in a southerly direction, following the centerline of Stonegate Road right-of-way, approximately 731 feet to a point, said point lying on the centerline of Stonegate Road right-of-way; thence in a northeasterly direction, crossing over Stonegate Road right-of-way, following the centerline of Clinton Street approximately 221 feet to a point, said point lying on the centerline of Clinton Street; thence in a southeasterly direction, crossing through Clinton Street right-of-way and following the eastern boundary of parcel 23.20, approximately 194 feet to a point, said point being the southeastern corner of parcel 23 in common with the western right-of-way of Riverside Avenue; thence in a southwesterly direction, approximately 214 feet to the point of BEGINNING, and being all of parcels 23, 23.20, and a portion of 41.20 as well as a portion of Stonegate Road, approximately 950 feet in length, and a portion of Clinton Street, approximately 221 feet in length, Tax Maps 45C, 45D, 45E, and 45F as shown on the July 2020 Sullivan County Tax Maps.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the 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.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9401, ext. 5 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.

CITY OF KINGSFORT
Angie Marshall, City Clerk
PIT: 9/21/2020

Rezoning Report

Kingsport Regional Planning Commission

File Number 20-101-00008

Stonegate Road Rezoning

Property Information			
Address	800 Stonegate Road, Kingsport, TN 37660		
Tax Map, Group, Parcel	Map 045C, Parcels 41.20, 23.20, and 23		
Civil District	11 and 12		
Overlay District	n/a		
Land Use Designation	Retail/ Commercial		
Acres	16 acres +/-		
Existing Use	Vacant (former Walmart and Car Wash)	Existing Zoning	B-3
Proposed Use	77 single family and 14 townhouse apartments	Proposed Zoning	R-3
Owner /Applicant Information			
Name: Carla Karst Address: 1504 Dobyns Dr. City: Kingsport State: TN Phone: (423) 967-1690		Zip Code: 37664 Intent: <i>To rezone from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) to accommodate 77 single family and 14 townhouse apartments.</i>	
Planning Department Recommendation			
The Kingsport Planning Division recommends approval for the following reasons: <ul style="list-style-type: none"> <i>The R-3 zone proposal is appropriate for the area and considered an extension of the existing R-3 zone north of the rezoning area.</i> <i>The development will be served by Stonegate Road, Clinton Street, Riverside Avenue, and new public streets proposed internal to the development.</i> <i>A portion of the parent parcel for 800 Stonegate Road is already zoned R-3.</i> Staff Field Notes and General Comments: <ul style="list-style-type: none"> <i>The proposal will allow the same use that is currently contained on the property that abuts the rezoning site on the north side.</i> <i>As of September 10, 2020, the planning department has not received any public comment about the rezoning.</i> 			
Planner:	Ken Weems	Date:	September 10, 2020
Planning Commission Action		Meeting Date:	September 17, 2020
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	800 Stonegate Road, Kingsport, TN 37660
DISTRICT	11 and 12
OVERLAY DISTRICT	n/a
EXISTING ZONING	B-3 (Highway Oriented Business District)
PROPOSED ZONING	R-3 (Low Density Apartment District)
ACRES	16 +/-
EXISTING USE	Vacant land (former Walmart and Car Wash businesses)
PROPOSED USE	77 single family and 14 townhouse apartments

PETITIONER

ADDRESS 1504 Dobyys Dr., Kingsport, TN 37664

REPRESENTATIVE

PHONE (423) 967-1690

INTENT

Intent: To rezone from B-3 (Highway Oriented Business District) to R-3 (Low Density Apartment District) to accommodate 77 single family and 14 townhouse apartments.

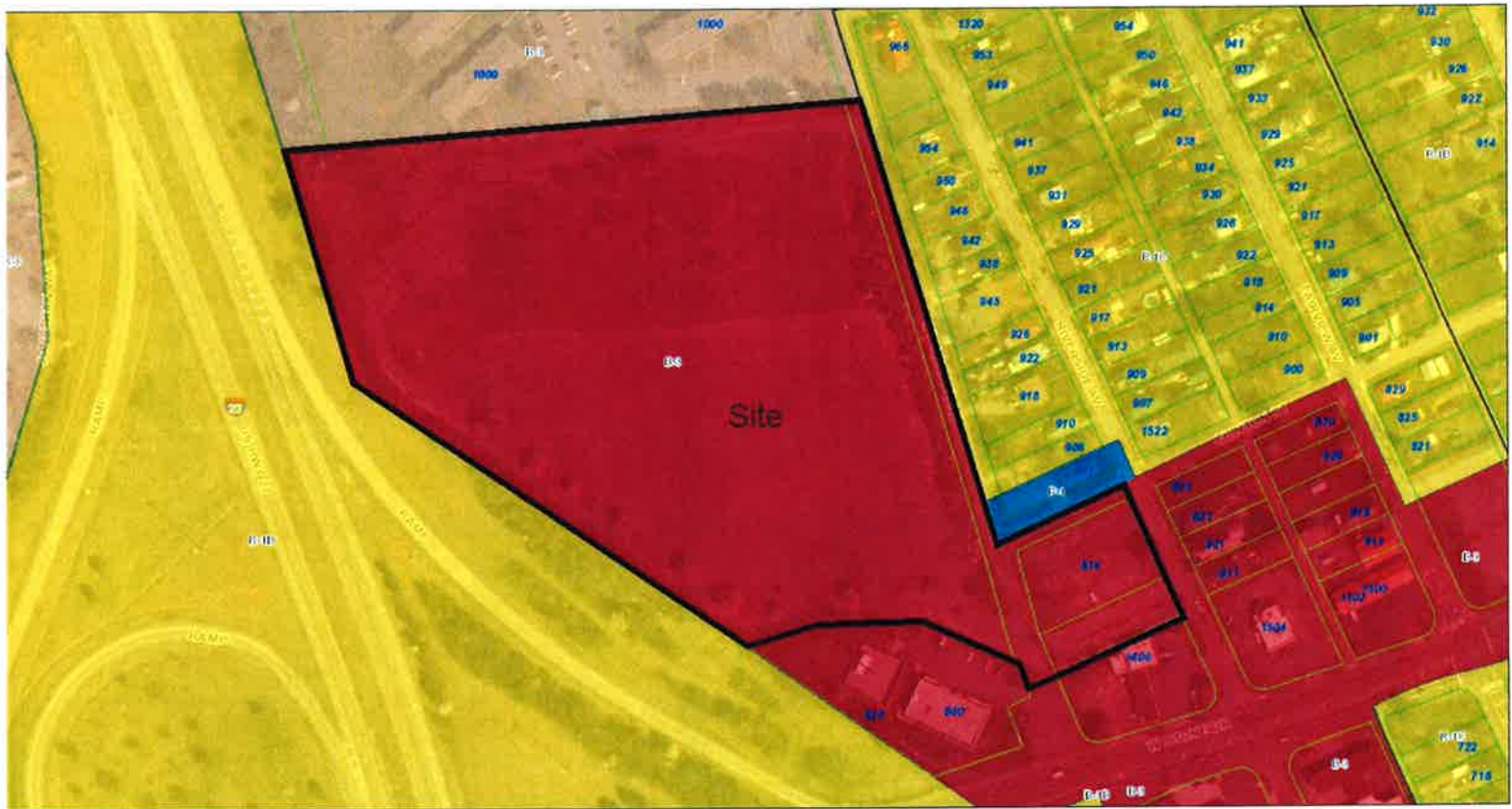
File Number 20-101-00008

ArcGIS Web Map



Surrounding Zoning Map

ArcGIS Web Map



3/2020, 8:38:12 AM

Kpt 911 Address
Hawkins County Parcels
Lake_Pond
Parcel_Conflict
Parcels
Railroad_ROW

River
Street_ROW
River
Street_ROW
Urban Growth Boundary
City Zoning
<Null>

TAC	AR	B-4P	M-2	PD	R-1A	R-3B
R-5	B-1	B-4P	MX	PMD-1	R-1B	R-4
GC	B-2	BC	P-1	PMD-2	R-1C	Split
B-2E	B-3	GC	P-D	PUD	R-2	TA
A-1	B-3	M-1	PBD-3	PVD	R-3	TA-C
A-2	B-4	M-1R	PBD/	R-1	R-3A	UAE



Web AppBuilder for ArcGIS

Kingsport Regional Planning Commission

Rezoning Report

File Number 20-101-00008

Future Land Use Plan 2030

ArcGIS Web Map



Aerial

ArcGIS Web Map



3/2020, 8:50:27 AM

Kpt 911 Address

Hawkins County Parcels

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Lake_Pond

Parcel_Conflict

Parcels

Railroad_ROW

River

Street_ROW

Urban Growth Boundary

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Web AppBuilder for ArcGIS

South of 800 Stonegate Road (Former Walmart)



North of the Former Car Wash



Northern View of 800 Stonegate Road (Former Walmart Area)



Stonegate Road and Eastern Boundary of 800 Stonegate Road (Former Walmart)



Northern Portion of 800 Stonegate Road (Former Walmart)



Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-3</u> Use: apartment development	n/a
Further North and Northwest	2	<u>Zone: City R-3</u> Use: Vacant/ a portion of the parent parcel that is being rezoned	n/a
East	3	<u>Zone: City R-1C</u> Use: single family	n/a
Further East	4	<u>Zone: City B-3</u> Use: restaurant	n/a
Southeast and South	5	<u>Zone: City B-3</u> Use: gas station	n/a
Further South	6	<u>Zone: City B-3</u> Use: strip center	n/a
West	7	<u>Zone: City R-1B</u> Use: I-26 right-of-way	n/a

ArcGIS Web Map



DEVELOPMENT STANDARDS : R-3

District minimum requirements:

- Maximum density is 15 dwelling units per acre/ proposed density= 5.1 du/acre for the single family portion (former Walmart site) and 14.7 du/acre for the townhouse apartment site
- Parking required: 2 spaces per unit for single family with 2 spaces per single family unit provided & 1.5 spaces per multifamily unit required with 2 spaces per multifamily unit provided

The ZDP indicates compliance with the development standards in an R-3 District.

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, below, as well as any other factors it may find relevant.

- 1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** The proposal will permit a use that is suitable with adjacent property as a multi-family use and zone.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal.
- 3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a reasonable economic use for the proposed zone with similar density calculations to the adjacent apartments.
- 4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal will not cause a burdensome use of existing streets, transportation facilities, or schools.
- 5. Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing conditions support approval of the proposed rezoning.

- 6. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed.
- 7. Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning will be an extension of the existing R-3 zone to the north.
- 8. Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends sending a positive recommendation to the BMA to rezone from B-3 to R-3. The proposal is a suitable proposal for the site.



AGENDA ACTION FORM

Appropriate Funds from the Department of Justice, Office of Justice Programs FY20 Edward Byrne Memorial Justice Assistance Grant Program

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

Action Form No.: AF-262-2020
Work Session: October 5, 2020
First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
Staff Work By: Capt. Randall Gore
Presentation By: Chief David Quillin

Recommendation:

Approve the Budget Ordinance.

Executive Summary:

On July 21, 2020 via AF-179-2020, the Board of Mayor and Aldermen approved the Mayor executing any and all documents necessary to apply for and receive a grant from the Department of Justice FY '20 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. We have been notified that we were approved for \$22,847.00 in grant funds for the upcoming fiscal year. The grant will be utilized to purchase equipment and/or technology improvements, specifically high definition in-car video camera packages.

There are no matching fund requirements.

Attachments:

1. Ordinance

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

ORDINANCE NO.

AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Justice Assistant Grant Fund budget be amended by appropriating grant funds received from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) in the amount of \$22,847 to the Justice Assist/Technology project (JG2100) to purchase equipment and/or technology improvements. No matching funds are required.

Fund 134: Justice Assist Grant Fund
Justice Assist/Technology (JG2100)

Revenues:

	\$	\$	\$
134-0000-331.45-37 BUREAU OF JUSTICE / JAG	0	22,847	22,847
<i>Totals:</i>	0	22,847	22,847

Expenditures:

134-3030-443.90-06 PURCHASES \$5,000 & OVER	0	22,847	22,847
<i>Totals:</i>	0	22,847	22,847

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law directs, 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

Accept a Private Monetary Donation for the Police Department and Appropriate Funds

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

Action Form No.: AF-270-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Comm. J. Bellamy
 Presentation By: Chief D. Quillin

Recommendation:

Approve the Ordinance.

Executive Summary:

Kingsport resident, Dr. David Garrahan, is an avid supporter of the Kingsport Police Department and its employees. Dr. Garrahan has, on occasion, demonstrated his support through financial contributions. On September 23, 2020 Dr. Garrahan submitted a check in the amount of \$10,000 to be used in a manner that benefits the police department.

There is a current need to purchase a K-9 to replace K-9 Nim, who was recently retired. It is the police department's desire to utilize Dr. Garrahan's generous gift to make this acquisition. It is with this action that the police department respectfully requests the board accept Dr. Garrahan's contribution and place the funds into project line NC1808 so they may be utilized for furtherance of the Kingsport Police Department K-9 program.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: *fm*

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure: *AK*

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

ORDINANCE NO.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2021; 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 a donation received from an individual donor to the K-9 Donation project (NC1808) in the amount of \$10,000.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>General Projects-Special Revenue Fund: 111</u>			
<u>K-9 Donation (NC1808)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-364.10-00 Individuals	6,500	10,000	16,500
<i>Totals:</i>	6,500	10,000	16,500
<u>Expenditures:</u>	\$	\$	\$
111-0000-601.30-12 Food	2,000	0	2,000
111-0000-601-30-20 Operating Supplies & Tool	4,500	10,000	14,500
<i>Totals:</i>	6,500	10,000	16,500

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law directs, 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

Amend the Current First Tennessee Agency on Aging Grant Contract Due to Corona Virus Grant and Appropriate Funds

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

Action Form No.: AF-259-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Shirley Buchanan
 Presentation By: Shirley Buchanan

Recommendation:

Approve the Ordinance.

Executive Summary:

The FTAAAD has received additional federal funds to supply each Senior Center with an additional \$5,000 to be used to upgrade technology. This award is to help the Senior Centers maintain contact with its members by way of virtual platforms and social media.

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 GENERAL FUND BUDGET FOR
THE YEAR ENDING JUNE 30, 2021; AND, TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Fund budget be amended by appropriating additional funds granted from the First Tennessee Agency on Aging grant received from the First Tennessee Development District in the amount of \$5,000.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>General Fund: 110</u>			
<u>Revenues:</u>	\$	\$	\$
110-0000-332.71-00 FTDD Area Agency On Aging	32,000	5,000	37,000
Totals:	32,000	5,000	37,000
 <u>Expenditures:</u>	 \$	 \$	 \$
110-4520-472.20-20 Professional/Consultant	32,000	5,000	37,000
Totals:	32,000	5,000	37,000

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law directs, 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 Various Funds in FY21

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

Action Form No.: AF-267-2020
 Work Session: October 5, 2020
 First Reading: October 6, 2020

Final Adoption: **October 20, 2020**
 Staff Work By: Morris
 Presentation By: McCartt

Recommendation:

Approve the Ordinance.

Executive Summary:

This ordinance amends the General Projects-Special Revenue Fund by appropriating sales tax received from the State of Tennessee for the Border Region District in the amount of \$259,591 to the Border Regions District Sales Tax project (NC2013).

This ordinance also amends the General Projects-Special Revenue Fund by appropriating a \$200 donation for the Lynn Garden Mural project to the Creative Partnership Support project (NC2001).

This ordinance amends the Fleet Fund by appropriating fund balance to cover encumbered vehicle purchases rolled over from FY 2020 in the amount of \$500,000.

This ordinance also appropriates proceeds from General Obligation Schools Capital Outlay Note Series 2020 to the KCS/Press Bldg Space Purchase project (GP2101) in the amount of \$2,000,000

Attachments:

1. Ordinance

Funding source appropriate and funds are available: *AM*

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure *SK*

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

PRE-FILED CITY RECORDER

ORDINANCE NO.

AN ORDINANCE TO AMEND VARIOUS PROJECT FUND
BUDGETS 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 State of Tennessee to the Border Regions District Sales Tax project (NC2013) in the amount of \$259,591 and by appropriating a donation to the Creative Partnership Support project (NC2001) in the amount of \$200.

SECTION II. That the Fleet Fund be amended by appropriating \$500,000 from fund balance (511-0000-392.01-00) to increase the Replacement Vehicles line (511-5008-501.90-10) to cover vehicles budgeted but not purchased in FY 2020.

SECTION III. That the General Project Fund be amended by appropriating proceeds received from General Obligation School Capital Outlay Notes Series 2020 to the KCS/Press Bldg Space Pur project (GP2101) in the amount of \$2,000,000.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>General Projects-Special Revenue Fund: 111</u>			
<u>Border Regions District Sales Tax (NC2013)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-332.10-15 Border Regions Allocation	193,374	259,591	452,965
Totals:	193,374	259,591	452,965
<u>Expenditures:</u>	\$	\$	\$
111-0000-681.75-10 Meade Tractor	193,374	259,591	452,965
Totals:	193,374	259,591	452,965
<u>Creative Partnership Support (NC2001)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-332.32-00 TN Arts Commission	14,000	0	14,000
111-0000-364.10-00 Individuals	0	200	200
111-0000-364.30-00 From Non-Profit Groups	6,100	0	6,100
111-0000-391.01-00 From General Fund	3,000	0	3,000
Totals:	23,100	200	23,300
<u>Expenditures:</u>	\$	\$	\$
111-0000-601.20-20 Professional/Consultant	18,000	200	18,200
111-0000-601.90-06 Purchases \$5,000 & Over	5,100	0	5,100
Totals:	23,100	200	23,300

Account Number/Description:**Fleet Maintenance Fund: 511****Revenues:**

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
511-0000-392.01-00 Fund Balance Appropriations	\$ 5,303,487	\$ 500,000	\$ 5,803,487
<i>Totals:</i>	5,303,487	500,000	5,803,487

Expenditures:

511-5008-501.90-01 Replacement Vehicles	\$ 4,188,907	\$ 500,000	\$ 4,688,907
<i>Totals:</i>	4,188,907	500,000	4,688,907

Account Number/Description:**KCS/Press Bldg Space Pur (GP2101)****General Project Fund: 311****Revenues:**

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
311-0000-368.09-46 Capital Outlay Note 2020	\$ 0	\$ 2,000,000	\$ 2,000,000
<i>Totals:</i>	0	2,000,000	2,000,000

Expenditures:

311-0000-601.90-02 Buildings	\$ 0	\$ 2,000,000	\$ 2,000,000
<i>Totals:</i>	0	2,000,000	2,000,000

SECTION IV. That this Ordinance shall take effect from and after its date of passage, as the law directs, 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

Apply for and Receive the 2021/Childhood Obesity Prevention/ Environment Health Sustainability Awards through the United States Conference of Mayors

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

Action Form No.:	AF-283-2020	Final Adoption:	October 20, 2020
Work Session:	October 19, 2020	Staff Work By:	Robin DiMona
First Reading:	N/A	Presentation By:	Chris McCartt

Recommendation:
 Approve the Resolution.

Executive Summary:
 This grant project will focus on environmental health and sustainability by building an extension of the greenbelt that now ends at Rotherwood boardwalk located at Big Elm Road intersection. This new section of the greenbelt will connect the Rotherwood neighborhood, Church of Latter-day Saints, and a multi-family apartment complex to provide approximately 1,300 Kingsport residents a way to connect to the 11-mile greenbelt network.

The greenbelt connection will enhance the safety of Kingsport residence who currently have to walk along Netherland Inn Road or drive to the nearest greenbelt trailhead. The amount of the award for this category is 1st place award, \$125,000, 2nd place award, \$50,000, and 3rd place award of \$15,000.

Attachments:
 1. Resolution

	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 AND
RECEIVE A 2021 CHILDHOOD OBESITY
PREVENTION/ENVIRONMENT HEALTH SUSTAINABILITY
AWARD THROUGH THE UNITED STATES CONFERENCE OF
MAYORS FOR THE GREENBELT PROJECT

WHEREAS, the city would like to apply for a 2021 Childhood Obesity Prevention/Environment Health Sustainability award through the United States Conference of Mayors for the greenbelt project for the extension of the Greenbelt; and

WHEREAS, this project will focus on environmental health and sustainability by building an extension of the greenbelt that now ends at the Rotherwood boardwalk located at the Netherland Inn Road and Big Elm Road intersections. The planned greenbelt extension will connect the Rotherwood neighborhood, Church of Latter-day Saints, and a multi-family apartment complex to provide approximately 1,300 Kingsport residents a way to connect to the 11-mile greenbelt network; and

WHEREAS, the amount of the award for this category is 1st place award, \$125,000, 2nd place award, \$50,000, and 3rd place award of \$15,000, and there is no match required.

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive a 2021 Childhood Obesity Prevention/Environment Health Sustainability award through the United States Conference of Mayors for the greenbelt project for the extension of the Greenbelt, 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 that are 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 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Authorization to Apply for the TDOT "State Industrial Access, SIA, Program" for the Relocation of Jared Drive

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

Action Form No.: AF-281-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 2020
 Staff Work By: Ryan McReynolds
 Presentation By: Ryan McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

Several years ago, Eastman made a strong long term commitment to their corporate and manufacturing future within the City of Kingsport through Project Inspire. The project not only included the investment of Eastman's Corporate Business Center located along Wilcox Drive, but also a multi-year reinvestment to various manufacturing capabilities within their plant. At the time, the State of Tennessee through the Tennessee Department of Transportation (TDOT) committed to provide assistance related to the road infrastructure improvements necessary to support Eastman's various investments.

In keeping with the investment of Eastman and the commitment of TDOT, the City is applying for the State Industrial Access (SIA) Program that will realign Jared Drive. Presently Jared Drive bisects many aspects of Eastman's operations such as the rail storage yard. In order to expand rail capacity and maximize property available for manufacturing, a new route has been proposed for Jared Drive (attached). The new route will allow for unimpeded passage from Riverport Road to Moreland Drive while allowing Eastman to safely and effectively operate within a contiguous site. Within the SIA Program, the construction of the newly aligned Jared Drive will be funded by TDOT.

Attachments:

1. Resolution
2. Map

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

RESOLUTION NO. _____

A RESOLUTION APPLYING FOR THE STATE INDUSTRIAL ACCESS PROGRAM WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE MAYOR TO EXECUTE THE APPLICATION AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE APPLICATION

WHEREAS, the City of Kingsport is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development; and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of the City of Kingsport; and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee; and

WHEREAS, the City of Kingsport desires to make application to the Tennessee Department of Transportation for assistance in the construction of an industrial highway; more specifically the realignment of Jared Drive generally in the area which lies between the intersections of Jared Drive, Riverport Road, and Wilcox Drive extending east to a point at or near the intersection of Jared Drive and Young Road; and

WHEREAS, currently Jared Drive bisects a portion of Eastman Chemical Company's property and this proposed realignment of Jared Drive will provide improved access, as well as the expansion of rail capacity and manufacturing sites, thus allowing Eastman Chemical Company to continue with its multi-year commitment to reinvestment in manufacturing capabilities as part of Project Inspire; and

WHEREAS, the realignment of Jared Drive as an industrial access road project is necessary and vital to Eastman Chemical Company's reinvestment in manufacturing capabilities and the future economic well-being of this area; and

WHEREAS, the local share for the cost of the project will be determined once the initial cost estimate is completed by the Tennessee Department of Transportation.

Now Therefore,

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

SECTION I. That an application with the Tennessee Department of Transportation for preparation of costs estimates for the construction and completion of the infrastructure under the state industrial access program under the provisions of the Industrial Highway Act of 1959, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney and subject to the

requirements of Article X, Section 10 of the Charter of the City of Kingsport, an application with Tennessee Department of Transportation for assistance preparation of cost estimates for construction and completion of the infrastructure under the state industrial access program under the provisions of the Industrial Highway Act of 1959, and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the application or this resolution.

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

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

ADOPTED this the 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY





AGENDA ACTION FORM

Execute an Agreement with Camelot Care Centers, Inc. for Kingsport City Schools

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

Action Form No.: AF-280-2020
Work Session: October 19, 2020
First Reading: N/A

Final Adoption: October 20, 2020
Staff Work By: Committee
Presentation By: D. Frye

Recommendation:
Approve the Resolution.

Executive Summary:
The administration of Kingsport City Schools desires to enter into this agreement for the purpose of continuing current behavioral health and counseling services provided by Camelot Care Centers, Inc. for eligible students. It is recommended that approval be given to execute the agreement with Camelot Care Centers, Inc. for the not to exceed total of \$162,000.00, to provide behavioral health and counseling services for the students in Kingsport City Schools for the 2020-21 School Year.

Funding for this agreement is contained in Account 141-7250-773.03-99 of the FY 2020-21 budget (\$74,400), Account 145-7250-772.03-99 CHS021 (\$25,600) and Account 142-7250-772.03-99 SSA021 (\$62,000).

Attachments:
1. Resolution
2. Agreement

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

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure: *[Signature]*

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

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH CAMELOT CARE CENTERS, INC. FOR BEHAVIORAL HEALTH AND COUNSELING SERVICES FOR KINGSPORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, Kingsport City Schools currently receives services from Camelot Care Centers, Inc., for behavioral health and consulting services provided to students; and

WHEREAS, the city would like to continue these services; and

WHEREAS, the cost for the services provided by Camelot Care Center, Inc. shall not exceed \$162,000.00 and funding is available in account 141-7250-773.03-99 of the FY 2020-21 budget (\$74,400.00), account 145-7250-772.03-99 CSH021 (\$25,600.00) and account 145-7250-772.03-99 SSA021 (\$62,000.00).

Now therefore,

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

SECTION I. That the agreement with Camelot Care Centers, Inc. 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 Camelot Care Centers, Inc. and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Agreement") is entered into on this 6th day of October, 2020, by and between the City of Kingsport for its Kingsport City School System ("School System") and Camelot Care Centers, Inc. ("Provider").

WHEREAS, School System recognizes that offering mental health and/or other counseling services on-site provides significant benefits to the students without substantial disruption to the educational process.

WHEREAS, Provider is a provider of children and adolescent behavioral health services and has the necessary qualifications, experience, and abilities to provide behavioral health services to students at the following locations: Dobyns-Bennett HS, Ross N. Robinson MS, John Sevier MS, D-B EXCEL, Cora Cox Academy, Andrew Jackson ES, Theodore Roosevelt ES, Abraham Lincoln ES, John F. Kennedy ES, George Washington ES, Thomas Jefferson ES, Andrew Johnson ES, and John Adams ES.

THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. Children Served: Provider will work with each school listed above to offer individual and group therapy services to eligible students, and will respond to any crisis or behavioral issues that may arise at the school, upon request of the principal or principal's designee. Participating children must be determined eligible for services based on assessment by a Provider qualified mental health professional staff member. A parent or guardian must give written consent and must complete all necessary documentation for their child to participate in the program. Eligibility for services will be determined by Provider, based upon payers' eligibility criteria.
2. Staffing: Nine (9) qualified mental health professionals will provide services for the School System. Provider's staff will work with the child, the child's family, and the educational staff at the

School to develop and implement treatment plans and provide services in accordance with the established treatment plans.

3. **Assessment of Eligibility:** Provider will provide all referred students with an appropriate assessment of eligibility to receive services in accordance with applicable payer guidelines, and in accordance with all applicable Federal, State and Provider guidelines. Provider will bill insurance, Medicaid or responsible parties for children who have Medicaid, private insurance or other means of payment. For uninsured children who are referred for services, Provider will provide services on a pro bono basis, as time and resources allow. If Provider is not able to provide pro bono services to all children in need of services, Provider will assist with making appropriate referrals for outpatient services with another organization.
4. **Service Goals:** Provider will provide services that meet the following goals:
 - a. Work with School administrative staff to identify children needing services.
 - b. Coordinate all activities through the Principal or designated staff member to effectively maintain a therapeutically sound clinical service.
 - c. Improve or maintain the child's level of functioning as associated with the targeted behaviors.
 - d. Provide quality, comprehensive and culturally competent services that are age appropriate to respond to the unique needs of each child.
5. **Expectations for School System:**
 - a. Refer children who have been identified as needing services to Provider for assessment.
 - b. Provide appropriate work space for Provider's staff during regular School business hours, including, but not limited to:
 - i. Private space for use during times when individual therapy or parent meetings are necessary;
 - ii. Private group meeting space for group therapy;
 - iii. Access to classroom if classroom observation and/or classroom interventions are determined therapeutically beneficial.
 - c. Provide access to and use of classroom materials for therapeutic activities.
 - d. Provide access to children who have been identified as in-need of services and whose parents/guardians have consented to an assessment for services and treatment.
 - e. Assist Provider in obtaining consent from parents to permit the exchange of information about the child, between School and Provider.
6. **Expectations of Provider:**
 - a. Provide clinically competent services within the dynamics of a school milieu.
 - b. Be accountable for its staff involved in the provision of services at each school.
 - c. Provide all staff supplies and equipment needed for the provision of services at each school.
 - d. Assure professional staff are appropriately licensed or credentialed to provide services to School System's students.
 - e. Provide crisis intervention on-site for emergencies with staff and children who are receiving services.
7. **Duration of Agreement:** This Agreement is for school year 2019-2020, starting August 2019 and ending June, 2020. This Agreement is renewable on a yearly basis. Either party may terminate this Agreement upon 60 days' notice, with or without cause, by providing written notice to the other party.
8. **Coordination:** Any policy changes, concerns, or problems with this Agreement will be addressed by Provider's Assistant State Director and/or staff supervisor and the designated School System contact.
9. **Compensation:** Provider will bill Medicaid, private insurance or responsible parties for services rendered to the children. School System will be billed a fee of One Hundred Sixty-Two Thousand Dollars and No Cents (\$162,000.00) for the services provided by Provider for the term of this Agreement as specified in Section 7. The Provider will issue three (3) invoices for \$54,000.00 to the School System on November 2, 2020, January 2, 2021 and March 1, 2021.
10. **Licensure:** Provider certifies that it has the necessary licensure and/or credentials to perform the services contemplated by this Agreement based on the laws of the State of Tennessee. Provider will maintain valid licensure and/or credentials and agrees to keep licensure and/or credentials in good standing at all times during the term of this Agreement. In the event that Provider's licensure and/or credentials are revoked, suspended, invalidated, and/or terminated during the Agreement term, it must notify School System immediately upon such revocation, suspension, invalidation, and/or termination.
11. **Confidentiality of Records:** Provider shall comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g, et seq.; 34 CFR Part 99). Provider acknowledges that the requirements and terms set forth under FERPA are additional terms under this Agreement and, therefore, fully incorporated herein and made a part hereof. Provider will adhere to requirements as established by School System policies and procedures and FERPA, as specified in 34 C.F.R. Part 99.30, for disclosure of "educational records."

12. Indemnification: Provider shall indemnify School System, its board members, officers, employees, or agents harmless from any liability for any injury (including death) to any persons or damage to any property arising out of the acts, errors, or omissions committed or alleged to have been committed by Provider or its employees. Provider will defend and pay costs to indemnify and hold School System harmless from any and all demands, claims, suits, actions and legal proceedings, including allegations of negligence, brought against School System, its board members, officers, employees or agents arising out of alleged acts or omissions by Provider in the course of performing services pursuant to this Agreement.
13. Insurance: Provider will furnish to School System Certificates of Insurance, or certified copies of policies if so requested at any time, indicating that the following insurance coverages (underlined) have been obtained, which meet the minimum requirements as outlined below:
Professional Liability Insurance in the name of the Provider, pertinent to Provider's profession, including the employees as insureds, at an amount not less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.
For any claims related to this Agreement, Provider's insurance coverage shall be primary insurance with respect to School System, its officers, officials, employees, and agents. Any insurance or self-insurance or other funding mechanism(s) maintained and/or carried by School System, its officers, officials, employees, or agents shall be excess of the Provider's insurance with no right of contribution. Policy or Policies shall provide cross-claim and severability of interest coverage for losses due to the negligence, omission, or other conduct of Provider.
Provider shall provide no less than thirty (30) days written notice to School System at the address listed in this Agreement prior to cancelling any insurance policy coverage required by this Agreement.
14. Notice: Whenever any notice, statement or other communication is required under this Agreement, it shall be sent to the following addresses, unless otherwise specifically advised in writing:
Notice to School System shall be sent to the following:
Jim Nash
Chief Student Services Officer, Kingsport City Schools
400 Clinchfield Street, Suite 200
Kingsport, TN 37660
423-378-2169
jnash@k12k.com
Notice to Provider shall be sent to the following:
Andy Kitzmiller, LPC-MHSP
Chief Operating Officer, Camelot Care Centers, Inc.
2971 Fort Henry Drive
Kingsport, TN 37664
423-392-2975 Ext. 1010
akitzmiller@camelotcare.com
15. Governing Law: This Agreement is made in the State of Tennessee and shall be governed and interpreted according to the laws of the State of Tennessee without giving effect to conflict of law principles. Exclusive jurisdiction and venue of any dispute or legal action relating to this Agreement, including, but not limited to, enforceability of this Agreement, to interpret any provision of this Agreement, or to remedy any breach of this Agreement, shall be brought in the state or federal court(s) of Sullivan County, Tennessee. No claim or cause of action described in this paragraph shall be pursued in any other state or federal jurisdiction.
16. Independent Contractor: Provider is, and shall be, in the provision of all services under this Agreement, an Independent Contractor, and not an employee, agent, or servant of School System. All persons engaged in any of the services performed pursuant to the Agreement shall at all times, and in all places, be subject to Provider's sole direction, supervision and control. Provider shall exercise control over the means and manner in which it and its employees perform the services, and in all respects the Provider's relationship and the relationship of its employees to School System shall be that of an Independent Contractor and not as employees or agents of School System.
17. General Compliance with Laws: Provider certifies that it is qualified to do business in the State of Tennessee and that it will take such action as, from time to time, may be necessary to remain so qualified and it shall obtain, at its expense all licenses, permits, insurance, and governmental approvals, if any, necessary to the performance of its obligations under this Agreement. Provider shall maintain all current certifications, licenses, and registrations relevant to providing services during the term of the Agreement.
18. Severability: If any provision of this Agreement is held to be unlawful, invalid or unenforceable, such provision shall be fully severable; and this Agreement shall then be construed and enforced as if such unlawful, invalid or unenforceable provision had not been a part hereof. The remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by such

unlawful, invalid or unenforceable provision or by its severance here from. Furthermore, in lieu of such unlawful, invalid, or unenforceable provision, there shall be added automatically as a part of this Agreement a provision as similar in terms to such unlawful, invalid or unenforceable provision as may be possible, and be legal, valid and enforceable.

19. Backgrounds Checks Required. Provider will fully comply and require its employees and contractors to fully comply with the requirements contained in T.C.A. § 49-5-413(d) pertaining to required background checks for contractors who will have employees or subcontractors and employees that have direct contact with school children or a child care center or have access to the grounds of a school when children are present and such individuals will have mandatory backgrounds checks as set out in the statute, and Provider has a duty to require such employee to supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation prior to permitting the person to have contact with the children or enter school grounds. Provider agrees that no employer, or employee of the employer, including contractors of Provider, to whom T.C.A. § 49-5-413(d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that the employer or employee has ever been convicted of any offenses, or the same or similar offense in any jurisdiction, including convictions for the solicitation of, attempt to commit, conspiracy, or acting as an accessory to:

- (i) A sexual offense or a violent sexual offense as defined in § 40-39-202;
- (ii) Any offense in title 39, chapter 13; (Offenses Against Person)
- (iii) §§ 39-14-301 and 39-14-302; (Arson; Aggravated Arson)
- (iv) §§ 39-14-401-39-14-404; (Definitions for burglary and related offenses; Burglary; Aggravated burglary; Especially Aggravated Burglary)
- (v) §§ 39-15-401 and 39-15-402; (Child abuse and child neglect or endangerment; Haley's Law – Aggravated child abuse and aggravated child neglect or endangerment – Definitions)
- (vi) § 39-17-417; (Criminal offenses and penalties) pertains to controlled substances
- (vii) § 39-17-1320; (Providing handgun to juveniles – Penalties) or
- (viii) Any other offense in title 39, chapter 17, part 13. (Weapons)

Prior to Provider providing service to School System pursuant to this Memorandum of Understanding, Provider shall certify in writing to School System that all employees of Provider or its contractors providing service to students or entering on school grounds when children are present have successfully completed the required background or otherwise complied with T.C.A. § 49-5-413(d) and that such employees have none of the convictions listed above, are not registered sex offenders and have no other disqualification under T.C.A. § 49-5-413(d).

[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 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MEMORANDUM

TO: Board of Mayor and Aldermen

FROM: David Frye, Chief Financial Officer
Kingsport City Schools

DATE: October 14, 2020

SUBJECT: Renewal of Camelot Care Centers, Inc. Memorandum of Understanding
(SY 2020-2021)

On October 6, 2020, the Kingsport City Schools Board of Education approved the request to renew the Memorandum of Understanding with Camelot Care Centers, Inc. for the 2020-2021 School Year. Kingsport City Schools is now recommending the Board of Mayor and Aldermen approve the resolution to renew the agreement with Camelot Care Centers, Inc., to ensure the continuation of current Behavioral Health and Counseling Services provided to all students at Kingsport City Schools for the 2020-2021 School Year.

Camelot Care Centers, Inc. is a provider of Behavioral Health and Counseling Services. Camelot mental health professionals work with children, families of KCS Students, and School Staff to develop and implement treatment plans and provide services in accordance with the established treatment plans. Camelot has increased the number of counselors from five to nine to ensure they can continue to meet the needs of the students, while eliminating the disruption to the educational process by allowing counselors to meet with students at the school facility instead of offsite.

Due to the increase in the number of counseling professionals, the contract total has increased by \$72,000.00 making the total not to exceed contract amount \$162,000.00 for the 2020-2021 School Year. Funding for this contract will come from GP School Budget Funds FY 2020-21 Budget, Safe Schools Grant Funds, and from Coordinated School Health Grant Funds.

School General Purpose Budget FY 2020-21 (\$74,400) Account# 141-7250-773.03-99

Safe Schools Grant Funds (\$62,000) Account# 142-7250-772.03-99 SSA021

Coordinated School Health Grant Funds (\$25,600) Account# 145-7250-772.03-99 CHS021

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Agreement") is entered into on this **6th** day of **October, 2020**, by and between the City of Kingsport for its Kingsport City School System ("School System") and Camelot Care Centers, Inc. ("Provider").

WHEREAS, School System recognizes that offering mental health and/or other counseling services on-site provides significant benefits to the students without substantial disruption to the educational process.

WHEREAS, Provider is a provider of children and adolescent behavioral health services and has the necessary qualifications, experience, and abilities to provide behavioral health services to students at the following locations: Dobyns-Bennett HS, Ross N. Robinson MS, John Sevier MS, D-B EXCEL, Cora Cox Academy, Andrew Jackson ES, Theodore Roosevelt ES, Abraham Lincoln ES, John F. Kennedy ES, George Washington ES, Thomas Jefferson ES, Andrew Johnson ES, and John Adams ES.

THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **Children Served:** Provider will work with each school listed above to offer individual and group therapy services to eligible students, and will respond to any crisis or behavioral issues that may arise at the school, upon request of the principal or principal's designee. Participating children must be determined eligible for services based on assessment by a Provider qualified mental health professional staff member. A parent or guardian must give written consent and must complete all necessary documentation for their child to participate in the program. Eligibility for services will be determined by Provider, based upon payers' eligibility criteria.
2. **Staffing:** Nine (9) qualified mental health professionals will provide services for the School System. Provider's staff will work with the child, the child's family, and the educational staff at the School to develop and implement treatment plans and provide services in accordance with the established treatment plans.
3. **Assessment of Eligibility:** Provider will provide all referred students with an appropriate assessment of eligibility to receive services in accordance with applicable payer guidelines, and in accordance with all applicable Federal, State and Provider guidelines. Provider will bill insurance, Medicaid or responsible parties for children who have Medicaid, private insurance or other means of payment. For uninsured children who are referred for services, Provider will provide services on a pro bono basis, as time and resources allow. If Provider is not able to provide pro bono services to all children in need of services, Provider will assist with making appropriate referrals for outpatient services with another organization.
4. **Service Goals:** Provider will provide services that meet the following goals:
 - a. Work with School administrative staff to identify children needing services.
 - b. Coordinate all activities through the Principal or designated staff member to effectively maintain a therapeutically sound clinical service.
 - c. Improve or maintain the child's level of functioning as associated with the targeted behaviors.

- d. Provide quality, comprehensive and culturally competent services that are age appropriate to respond to the unique needs of each child.
5. Expectations for School System:
- a. Refer children who have been identified as needing services to Provider for assessment.
 - b. Provide appropriate work space for Provider's staff during regular School business hours, including, but not limited to:
 - i. Private space for use during times when individual therapy or parent meetings are necessary;
 - ii. Private group meeting space for group therapy;
 - iii. Access to classroom if classroom observation and/or classroom interventions are determined therapeutically beneficial.
 - c. Provide access to and use of classroom materials for therapeutic activities.
 - d. Provide access to children who have been identified as in-need of services and whose parents/guardians have consented to an assessment for services and treatment.
 - e. Assist Provider in obtaining consent from parents to permit the exchange of information about the child, between School and Provider.
6. Expectations of Provider:
- a. Provide clinically competent services within the dynamics of a school milieu.
 - b. Be accountable for its staff involved in the provision of services at each school.
 - c. Provide all staff supplies and equipment needed for the provision of services at each school.
 - d. Assure professional staff are appropriately licensed or credentialed to provide services to School System's students.
 - e. Provide crisis intervention on-site for emergencies with staff and children who are receiving services.
7. Duration of Agreement: This Agreement is for school year 2019-2020, starting August 2019 and ending June, 2020. This Agreement is renewable on a yearly basis. Either party may terminate this Agreement upon 60 days' notice, with or without cause, by providing written notice to the other party.
8. Coordination: Any policy changes, concerns, or problems with this Agreement will be addressed by Provider's Assistant State Director and/or staff supervisor and the designated School System contact.
9. Compensation: Provider will bill Medicaid, private insurance or responsible parties for services rendered to the children. School System will be billed a fee of One Hundred Sixty-Two Thousand Dollars and No Cents (\$162,000.00) for the services provided by Provider for the term of this Agreement as specified in Section 7. The Provider will issue three (3) invoices for \$54,000.00 to the School System on November 2, 2020, January 2, 2021 and March 1, 2021.
10. Licensure: Provider certifies that it has the necessary licensure and/or credentials to perform the services contemplated by this Agreement based on the laws of the State of Tennessee. Provider will maintain valid licensure and/or credentials and agrees to keep licensure and/or credentials in good standing at all times during the term of this Agreement. In the event that

Provider's licensure and/or credentials are revoked, suspended, invalidated, and/or terminated during the Agreement term, it must notify School System immediately upon such revocation, suspension, invalidation, and/or termination.

11. Confidentiality of Records: Provider shall comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g, et seq.; 34 CFR Part 99). Provider acknowledges that the requirements and terms set forth under FERPA are additional terms under this Agreement and, therefore, fully incorporated herein and made a part hereof. Provider will adhere to requirements as established by School System policies and procedures and FERPA, as specified in 34 C.F.R. Part 99.30, for disclosure of "educational records."
12. Indemnification: Provider shall indemnify School System, its board members, officers, employees, or agents harmless from any liability for any injury (including death) to any persons or damage to any property arising out of the acts, errors, or omissions committed or alleged to have been committed by Provider or its employees. Provider will defend and pay costs to indemnify and hold School System harmless from any and all demands, claims, suits, actions and legal proceedings, including allegations of negligence, brought against School System, its board members, officers, employees or agents arising out of alleged acts or omissions by Provider in the course of performing services pursuant to this Agreement.
13. Insurance: Provider will furnish to School System Certificates of Insurance, or certified copies of policies if so requested at any time, indicating that the following insurance coverages (underlined) have been obtained, which meet the minimum requirements as outlined below:

Professional Liability Insurance in the name of the Provider, pertinent to Provider's profession, including the employees as insureds, at an amount not less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

For any claims related to this Agreement, Provider's insurance coverage shall be primary insurance with respect to School System, its officers, officials, employees, and agents. Any insurance or self-insurance or other funding mechanism(s) maintained and/or carried by School System, its officers, officials, employees, or agents shall be excess of the Provider's insurance with no right of contribution. Policy or Policies shall provide cross-claim and severability of interest coverage for losses due to the negligence, omission, or other conduct of Provider.

Provider shall provide no less than thirty (30) days written notice to School System at the address listed in this Agreement prior to cancelling any insurance policy coverage required by this Agreement.

14. Notice: Whenever any notice, statement or other communication is required under this Agreement, it shall be sent to the following addresses, unless otherwise specifically advised in writing:

Notice to School System shall be sent to the following:
Jim Nash
Chief Student Services Officer, Kingsport City Schools
400 Clinchfield Street, Suite 200
Kingsport, TN 37660

423-378-2169
jnash@k12k.com

Notice to Provider shall be sent to the following:
Andy Kitzmiller, LPC-MHSP
Chief Operating Officer, Camelot Care Centers, Inc.
2971 Fort Henry Drive
Kingsport, TN 37664
423-392-2975 Ext. 1010
akitzmiller@camelotcare.com

15. **Governing Law:** This Agreement is made in the State of Tennessee and shall be governed and interpreted according to the laws of the State of Tennessee without giving effect to conflict of law principles. Exclusive jurisdiction and venue of any dispute or legal action relating to this Agreement, including, but not limited to, enforceability of this Agreement, to interpret any provision of this Agreement, or to remedy any breach of this Agreement, shall be brought in the state or federal court(s) of Sullivan County, Tennessee. No claim or cause of action described in this paragraph shall be pursued in any other state or federal jurisdiction.
16. **Independent Contractor:** Provider is, and shall be, in the provision of all services under this Agreement, an Independent Contractor, and not an employee, agent, or servant of School System. All persons engaged in any of the services performed pursuant to the Agreement shall at all times, and in all places, be subject to Provider's sole direction, supervision and control. Provider shall exercise control over the means and manner in which it and its employees perform the services, and in all respects the Provider's relationship and the relationship of its employees to School System shall be that of an Independent Contractor and not as employees or agents of School System.
17. **General Compliance with Laws:** Provider certifies that it is qualified to do business in the State of Tennessee and that it will take such action as, from time to time, may be necessary to remain so qualified and it shall obtain, at its expense all licenses, permits, insurance, and governmental approvals, if any, necessary to the performance of its obligations under this Agreement. Provider shall maintain all current certifications, licenses, and registrations relevant to providing services during the term of the Agreement.
18. **Severability:** If any provision of this Agreement is held to be unlawful, invalid or unenforceable, such provision shall be fully severable; and this Agreement shall then be construed and enforced as if such unlawful, invalid or unenforceable provision had not been a part hereof. The remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by such unlawful, invalid or unenforceable provision or by its severance here from. Furthermore, in lieu of such unlawful, invalid, or unenforceable provision, there shall be added automatically as a part of this Agreement a provision as similar in terms to such unlawful, invalid or unenforceable provision as may be possible, and be legal, valid and enforceable.
19. **Backgrounds Checks Required.** Provider will fully comply and require its employees and

contractors to fully comply with the requirements contained in T.C.A. § 49-5-413(d) pertaining to required background checks for contractors who will have employees or subcontractors and employees that have direct contact with school children or a child care center or have access to the grounds of a school when children are present and such individuals will have mandatory backgrounds checks as set out in the statute, and Provider has a duty to require such employee to supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation prior to permitting the person to have contact with the children or enter school grounds. Provider agrees that no employer, or employee of the employer, including contractors of Provider, to whom T.C.A. § 49-5-413(d) applies, shall come in direct contact with school children or with children in a child care program or enter the grounds of a school or child care center when children are present if the criminal history records check indicates that the employer or employee has ever been convicted of any offenses, or the same or similar offense in any jurisdiction, including convictions for the solicitation of, attempt to commit, conspiracy, or acting as an accessory to:

- (i) A sexual offense or a violent sexual offense as defined in § 40-39-202;
- (ii) Any offense in title 39, chapter 13; (Offenses Against Person)
- (iii) §§ 39-14-301 and 39-14-302; (Arson; Aggravated Arson)
- (iv) §§ 39-14-401-39-14-404; (Definitions for burglary and related offenses; Burglary; Aggravated burglary; Especially Aggravated Burglary)
- (v) §§ 39-15-401 and 39-15-402; (Child abuse and child neglect or endangerment; Haley's Law – Aggravated child abuse and aggravated child neglect or endangerment – Definitions)
- (vi) § 39-17-417; (Criminal offenses and penalties) pertains to controlled substances
- (vii) § 39-17-1320; (Providing handgun to juveniles – Penalties) or
- (viii) Any other offense in title 39, chapter 17, part 13. (Weapons)

Prior to Provider providing service to School System pursuant to this Memorandum of Understanding, Provider shall certify in writing to School System that all employees of Provider or its contractors providing service to students or entering on school grounds when children are present have successfully completed the required background or otherwise complied with T.C.A. § 49-5-413(d) and that such employees have none of the convictions listed above, are not registered sex offenders and have no other disqualification under T.C.A. § 49-5-413(d).

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

Agreed and Accepted by:

PROVIDER:
CAMELOT CARE CENTERS, INC.

SCHOOL SYSTEM:
CITY OF KINGSPORT FOR ITS KINGSPORT
CITY SCHOOL SYSTEM

Name _____
Signature _____
Title _____

Name _____
Signature _____
Title _____



AGENDA ACTION FORM

Architectural Services for the Justice Center Master Planning

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

Action Form No.: AF-277-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 2020
 Staff Work By: Dawn Melton
 Presentation By: Ryan McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

In October 2018 the City entered into an agreement with Cain Rash West (CRW) for architectural services for consolidation and security improvements at the Justice Center (AF-230-2018). The scope of work for the renovations and additions included an expanded and redesigned secured entrance, additional space for Clerks and file storage, juried and non-juried courtrooms, deliberation areas, Judges Offices, and redesign of the Police Department and Sheriff Offices. Site work for this project included redesign of parking and sidewalks.

In our efforts of maximizing prospective future building and site needs it is recommended to amend the agreement with CRW for additional master planning. The scope of work will include, but is not limited to, develop multiple site options for best use of the existing facility and potential use of adjacent properties. These options will reflect new and existing buildings, parking, roads, and outdoor areas. Also included are multiple interior building diagrams specifying space allocations for the Police Department and Courts.

Therefore it is requested to amend the agreement with CRW in the amount of \$24,500.00 for the additional services. Funding is available and identified in GP1820.

Attachments:

1. Resolution
2. Proposal

Funding source appropriate and funds are available: *pm*

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure: *SK*

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

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT THE AGREEMENT WITH CAIN RASH WEST FOR ARCHITECTURAL SERVICES AND MASTER PLANNING FOR THE JUSTICE CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, in October 2018, the city entered into an agreement with Cain Rash West (CRW) to provide architectural services for the design of renovations and additions to the Justice Center which included an expanded and redesigned secured entrance, additional space for clerks and file storage, juried and non-juried courtrooms, deliberation areas, Judges Offices, and redesign of the spaces utilized by the police department and sheriff offices; additionally the site work for this project included redesign of parking and sidewalks.

WHEREAS, in an effort of maximizing prospective future building and site needs, it is recommended to amend the agreement with CRW for additional master planning; and

WHEREAS, the scope of work will include, but is not limited to, develop multiple site options for best use of the existing facility and potential use of adjacent properties, which will reflect new and existing buildings, parking, roads, outdoor areas, and multiple interior building diagrams specifying space allocations for the police department and courts.

WHEREAS, the city would like to amend the agreement with CRW in the amount of \$24,500.00 for the additional services; and

WHEREAS, funding is available and identified in GP1820.

Now therefore,

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

SECTION I. That an amendment to the agreement with Cain Rash West (CRW) for additional architectural services for consolidation and security improvements at the Justice Center, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Cain Rash West (CRW) for additional architectural services for consolidation and security improvements at the Justice Center and all other documents necessary and proper to effectuate the purpose of the agreement or this resolution.

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment 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 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 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



September 28, 2020

Mr. Ryan McReynolds
City of Kingsport, TN
225 W. Center Street
Kingsport, TN 37660

Re: Architectural Services for: Phase II Master Planning – Kingsport Justice Center

Dear Mr. McReynolds,

Thank you for the opportunity to provide a fee proposal for additional master planning needs for the City of Kingsport. We understand the project scope to be based on our in-person meetings with you on September 17th, along with the previously completed site plan layout, attached. The scope of work will develop multiple additional options as indicated below. The goal of this master plan is to accommodate immediate and long-term needs of the Kingsport Police Department, beyond the Phase I courts expansion. The working drawings for the Phase I Expansion are currently on hold until a path forward for a Phase II expansion is determined.

Our Scope of Work Includes the Following:

- Make projections of future building and site needs based on programming data previously provided by Architects Design Group.
- Develop multiple master plan site options to consider best use of the existing facility and potential use of adjacent properties.
- Review the master plan options with you and your staff and make revisions as needed.
- Provide a design and construction budget for the Phase II Work.

Deliverables in your master plan study to include:

- Multiple site plan options indicating new and existing buildings, parking, roads and outdoor areas.
- Multiple interior building diagrams indicating space allocations for the Police Department and Courts.
- A construction budget for the renovated facility prepared by our internal construction estimators.

Exclusions and Assumptions:

- Excluded from our scope is any engineering or the production of a bid set of construction documents and construction administration services. Once we have approval to move forward, we will return to work on the Phase I Expansion Documents (previously billed at 45% complete).
- All deliverables for this Master Plan will be in PDF format.

CRW Fee:

Total Lump Sum Fee

= \$24,500.00

We would be able to begin the documentation phase of work immediately after receiving the executed agreement from City Purchasing. Billing will occur monthly for the percentage of overall work completed. Owner has the right to terminate agreement at any time but will pay for services rendered. Feel free to contact me with any questions at 423.349.7760.

Best regards,

A handwritten signature in black ink, appearing to read 'CDR' with a stylized flourish.

Clinton D. Roberts, AIA NCARB
Cain Rash West Architects



AGENDA ACTION FORM

Reject Proposals for Stop Loss Insurance

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

Action Form No.: AF-282-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 200
 Staff Work By: George DeCroes
 Presentation By: George DeCroes

Recommendation:

Approve the Resolution.

Executive Summary:

An RFP was issued in September and closed October 7 for Stop Loss Insurance. The city only received one proposal which did not match our current plan. After reviewing the proposal it was decided to not proceed, reject the proposal and reissue an RFP at a later time.

- Only one proposal received
- Proposal did not match current plan design

Attachments:

1. Resolutions
2. Former Policy

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

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL PROPOSALS RELATED TO
THE STOP LOSS INSURANCE

WHEREAS, requests for proposals were opened October 7, 2020, for stop loss insurance for city employees; and

WHEREAS, only one proposal was received in response to the request for proposals and that proposal did not equal the current plan design, and

WHEREAS, the interests of the city would be best served by a plan that equals or is substantially similar to the current plan design and the city would benefit from pursuing additional proposals.

Now therefore,

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

SECTION I. That all proposals opened on October 7, 2020, relating to the stop loss insurance are rejected.

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

ADOPTED this the 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Amend the Community Agreement with Kingsport Chamber Foundation, Inc., Small Business Development and Entrepreneurship Program

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

Action Form No.: AF-284-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 2020
 Staff Work By: Morris
 Presentation By: McCartt

Recommendation:

Approve the Resolution.

Executive Summary:

The city enters into annual community services agreements to provide financial assistance to non-profit organizations and not-for-profit corporations. The annual agreements for FY 2020-2021 were approved at the June 2, 2020 business meeting.

In order to achieve the maximum benefits available under a CARES Act small business grant, the Kingsport Chamber Foundation, Inc., Small Business Development and Entrepreneurship Program has requested to amend the agreement to accelerate the payment dates for the last two quarterly payments scheduled for January 1, 2021, and April 1, 2021. Under the terms of the amendment these last two quarterly payments will be paid in a lump sum of \$47,000.00 on October 22, 2020. The Kingsport Chamber Foundation, Inc., Small Business Development and Entrepreneurship Program will receive the same total amount of funds previously approved by the Board, just on an expedited schedule.

Attachments:

1, Resolution

Funding source appropriate and funds are available: *pm*

The money required for such contract, agreement, obligation or expenditure is in the treasury or safely assured to be forthcoming and available in time to comply with or meet such contract, agreement, obligation or expenditure: *[Signature]*

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

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE KINGSPORT CHAMBER FOUNDATION, INC.; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on June 2, 2020, the board approved a resolution authorizing the mayor to sign an annual agreement with Kingsport Chamber Foundation, Inc., to provide for financial assistance to the agency; and

WHEREAS, to allow the Kingsport Chamber Foundation Inc., to achieve the maximum benefits available under a CARES Act small business grant, the Kingsport Chamber Foundation, Inc., has requested to amend the agreement to change the payment dates and amount for the last two quarterly payments of \$23,500.00, due on January 1, 2021, and April 1, 2021, to be paid in full on October 22, 2020, in the amount of \$47,000.00; and

WHEREAS, this amendment will benefit both the city and the Kingsport Chamber Foundation Inc., by maximizing the available funds for small business development and support.

Now therefore,

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

SECTION I. That an amendment to the agreement with the Kingsport Chamber Foundation, Inc. Small Business Development and Entrepreneurship Program amending the agreement to change the payment dates and amount for the last two quarterly payments of \$23,500.00 due on January 1, 2021, and April 1, 2021, to be paid in full on October 22, 2020 in the amount of \$47,000.00, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Kingsport Chamber Foundation, Inc., Small Business Development and Entrepreneurship Program and all other documents necessary and proper to effectuate the purpose of the amendment or this resolution, as set out below:

**AMENDMENT TO AGREEMENT
BETWEEN
THE CITY OF KINGSPORT, TENNESSEE
AND
THE KINGSPORT CHAMBER FOUNDATION
SMALL BUSINESS DEVELOPMENT
AND ENTREPRENEURSHIP PROGRAM**

THIS AMENDMENT to the AGREEMENT formerly made and entered into as of the 1st day of July, 2020, is entered into by and between the City of Kingsport, hereinafter called "CITY", and the Kingsport Chamber Foundation, Inc., hereinafter called "FOUNDATION".

WHEREAS, under the Agreement the CITY has committed to provide financial resources to the FOUNDATION in exchange for small business development and support to be provided by the FOUNDATION; and

WHEREAS, FOUNDATION has been awarded a CARES Act Small Business Grant and in order to receive the maximum benefit thereof, FOUNDATION has requested the payment schedule set forth in the Agreement be accelerated; and

WHEREAS, both CITY and FOUNDATION will benefit from the small business development and support made possible by maximizing the funds afforded under the CARES Act Small Business Grant.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged the parties agree to amend SECTION IV, SUBSECTION (B) of the agreement to read as follows:

CITY will pay the FOUNDATION Twenty Three Thousand and Five Hundred Dollars and NO/100 (\$23,500.00) on July 1, 2020 and payments of Twenty Three Thousand and Five Hundred Dollars and NO/100 (\$23,500.00) on October 1, 2020, and a payment of \$47,000.00 on October 22, 2020, provided the agreement is not otherwise terminated.

All other provisions of the Agreement shall remain in full force and effect during the term of the agreement effective July 1, 2020.

WHEREAS IN WITNESS WHEREOF, the signatures of the parties hereto as of this ____ day of October, 2020.

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment as 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 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Renew Agreement with Delta Dental of Tennessee for Employee Dental Insurance

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

Action Form No.: AF-258-2020
 Work Session: October 19, 2020
 First Reading: N/A

Final Adoption: October 20, 2020
 Staff Work By: Stacey Baumgardner
 Presentation By: George DeCroes

Recommendation:

Approve the Resolution.

Executive Summary:

Delta Dental of Tennessee has been the provider of dental insurance benefits to city employees and their dependents since 2004. The current plan will expire on December 31, 2020. The dental plan is a fully employee funded benefit. Delta Dental is not increasing its rate while maintaining the same coverage as last year.

Attachments:

1. Resolution
2. Declaration Page

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

RESOLUTION NO. _____

A RESOLUTION RENEWING THE AGREEMENT WITH DELTA DENTAL OF TENNESSEE FOR EMPLOYEE DENTAL INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER RENEW THE EMPLOYEE PAID DENTAL INSURANCE PLAN AND ALL APPLICABLE DOCUMENTS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

WHEREAS, Delta Dental is the provider of dental insurance benefits offered to employees which has been paid for fully by the employees since 2004; and

WHEREAS, the city desires to continue to facilitate dental insurance coverage through Delta Dental to employees who qualify; and

WHEREAS, Delta Dental will provide dental insurance coverage for the year 2021 at the same rate employees paid in the year 2020.

Now therefore,

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

SECTION I. That the renewal agreement with Delta Dental of Tennessee as the provider of dental insurance, which is fully paid by employees, for one year, 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, all documents necessary and proper to renew the employee paid dental insurance through Delta Dental of Tennessee and all applicable documents to effectuate the purpose of this resolution.

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

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

ADOPTED this the 20th day of October, 2020.

PATRICK W. SHULL, MAYOR

ATTEST:

SIDNEY H. COX, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



Delta Dental of Tennessee Declaration Page

Group Name: City Of Kingsport
Group Number: 1749
Group Address: 225 W Center St
City, State, Zip Code: Kingsport, TN 37660-4265
Contract Effective Date: January 1, 2021
Contract Renewal Date: January 1, 2022
Benefit Year: January 1 through December 31
Provider Network: Delta Dental PPO (Point-of-Service)

Eligibility Requirements

All permanent, full time EMPLOYEES who work a minimum of 30 hours per week who are hired on or prior to the EFFECTIVE DATE are eligible for enrollment on the EFFECTIVE DATE or when they have met the GROUP's eligibility requirements.

Employees are eligible on the first day of the month following 1 month of continuous employment.

The Dependent Age Limit under this Contract is to age: 26

Monthly Premiums

Subscriber only - \$29.82 per month per Subscriber
Subscriber and spouse - \$58.13 per month per Subscriber
Subscriber and child(ren) - \$65.46 per month per Subscriber
Subscriber, spouse and child(ren) - \$109.35 per month per Subscriber

These rates are contingent upon the enrollment of a minimum of 35 percent of the eligible members of the defined group and their eligible dependents with the full cost paid by the member.

This plan requires a minimum of 406 enrolled primary Subscribers. The GROUP will be billed for the greater of the actual number of Subscribers or the minimum number of Subscribers.

Premiums will be deemed delinquent if not paid as billed and received by the 5th of each month.

Benefits

	Delta Dental PPO Dentist Plan Pays	Delta Dental Premier Dentist Plan Pays	Nonparticipating Dentist Plan Pays
Diagnostic & Preventive			
Diagnostic and Preventive Services - exams, cleanings, fluoride, and space maintainers	100%	100%	100%
Brush Biopsy - to detect oral cancer	100%	100%	100%
Radiographs - X-rays	100%	100%	100%
Periodontal Maintenance - cleanings following periodontal therapy	100%	100%	100%
Basic Services			
Emergency Palliative Treatment - to temporarily relieve pain	80%	80%	80%
Sealants - to prevent decay of permanent teeth	80%	80%	80%
Minor Restorative Services - fillings	80%	80%	80%
Simple Extractions - non-surgical removal of teeth	80%	80%	80%
Other Basic Services - misc. services	80%	80%	80%
Adjustments and Repairs - to bridges and dentures	80%	80%	80%
Major Services			
Crown Repair - to individual crowns	50%	50%	50%
Endodontic Services - root canals	50%	50%	50%
Periodontic Services - to treat gum disease	50%	50%	50%
Other Oral Surgery - dental surgery	50%	50%	50%
Major Restorative Services - crowns	50%	50%	50%
Relines and Rebase - to dentures	50%	50%	50%
Implant Repair - implant maintenance, repair, and removal	50%	50%	50%
Prosthodontic Services - bridges, implants, and dentures	50%	50%	50%
Orthodontic Services			
Orthodontic Services - braces	50%	50%	50%
Orthodontic Age Limit -	to the end of the month of age 19	to the end of the month of age 19	to the end of the month of age 19

- Oral exams are payable twice per calendar year.
- Prophylaxes (cleanings) are payable twice per calendar year.
- People with specific at-risk health conditions may be eligible for additional prophylaxes (cleanings) or fluoride treatment. The patient should talk with his or her dentist about treatment.
- Fluoride treatments are payable twice per calendar year for people age 18 and under.
- Space maintainers are payable once per area per lifetime for people age 14 and under.
- Bitewing X-rays are payable twice per calendar year. Full mouth X-rays (which include bitewing X-rays) are payable once in any three-year period.
- Sealants are payable once per tooth per lifetime for first and second permanent molars for people age 15 and under. The surface must be free from decay and restorations.
- Composite resin (white) restorations are payable on posterior teeth.
- Implants and implant related services are payable once per tooth in any five-year period for people age 19 and older.

Deductible: \$50 Deductible per person total per calendar year limited to a maximum Deductible of \$150 per family per calendar year. The Deductible does not apply to oral exams, prophylaxes (cleanings), fluoride, X-rays, periodontal maintenance, full mouth debridement, diagnostic casts, photos, and orthodontics.

Maximum Payment: \$1,000 per person total per calendar year on all services, except cephalometric film, photos, diagnostic casts, and orthodontics. \$1,000 per person total per lifetime on cephalometric films, photos, diagnostic casts, and orthodontic services.

Delta Dental of Tennessee
Renewal Rates for City Of Kingsport #1749
Effective January 1, 2021

Rates		
Rates per subscriber per month	Current Rate(s) January 1, 2019 through December 31, 2020	Renewal Rate(s) January 1, 2021 through December 31, 2021
Subscriber only	\$29.82	\$29.82
Subscriber and spouse	\$58.13	\$58.13
Subscriber and child(ren)	\$65.46	\$65.46
Subscriber, spouse and child(ren)	\$109.35	\$109.35
Overall Percent Change	0.00%	

Rating Requirements
Minimum client contributions: 0 percent for employee and 0 percent for dependent(s).
Tied to medical: No
Subscribers and eligible dependents must enroll for a minimum of 12 months. If coverage is terminated after 12 months, they may not re-enroll prior to the open enrollment that occurs at least 12 months from the date of termination. Dependents may only enroll if the Subscriber is enrolled (except under COBRA) and must be enrolled in the same plan as the Subscriber. Plan changes are only allowed during open enrollment periods, except that an election may be revoked or changed at any time if the change is the result of a qualifying event as defined under Internal Revenue Code Section 125.

Rating Assumptions
The rates are valid only for the effective date noted above and are guaranteed for a one year contract.
Self-billing is not allowed and you agree to pay as invoiced each month.
Subscriber materials are mailed directly to your members. These include the Summary of Dental Plan Benefits, Certificate, and ID card.
Printed dentist directories are not included. You can find participating dentists on our website at https://www.DeltaDentalTN.com .
The plan specifications are subject to Delta Dental's standard exclusions and limitations, including: <ul style="list-style-type: none">➤ Oral exams are payable twice per calendar year.➤ Prophylaxes (cleanings) are payable twice per calendar year.➤ People with specific at-risk health conditions may be eligible for additional prophylaxes (cleanings) or fluoride treatment. The patient should talk with his or her dentist about treatment.➤ Fluoride treatments are payable twice per calendar year for people age 18 and under.➤ Space maintainers are payable once per area per lifetime for people age 14 and under.➤ Bitewing X-rays are payable twice per calendar year. Full mouth X-rays (which include bitewing X-rays) are payable once in any three-year period.➤ Sealants are payable once per tooth per lifetime for first and second permanent molars for people age 15 and under. The surface must be free from decay and restorations.➤ Composite resin (white) restorations are payable on posterior teeth.➤ Implants and implant related services are payable once per tooth in any five-year period for people age 19 and older.



JUSTIN P. WILSON
Comptroller

JASON E. MUMPOWER
Deputy Comptroller

October 14, 2020

Honorable Patrick W. Shull, Mayor
and Honorable Board of Aldermen
City of Kingsport
225 West Center Street
Kingsport, TN 387660

Dear Mayor Shull and Members of the Board:

Thank you for your recent correspondence. We acknowledge receipt on October 7, 2020, of a request from the City of Kingsport (the "City") for approval to issue twelve-year capital outlay notes in an amount not to exceed \$2,000,000 to be known as the "General Obligation School Capital Outlay Notes, Series 2020" (the "Notes").

Included with the request was a certified copy of Resolution No. 2021-068 adopted on October 6, 2020, authorizing the issuance of the Notes to finance the acquisition of real estate for classroom space for the Kingsport City Schools (the "Project"). The proposed note form was included with the resolution. The executed note form should be submitted when the City files the required debt report: tncot.cc/debt-report.

Note Approval

This letter constitutes approval for the City to issue the Notes by informal bid pursuant to T.C.A. §§ 9-21-608 and 9-21-609. Approval of the sale of the Notes is conditioned upon the City's compliance with all relevant provisions of Tennessee law. Our office has relied upon the city's determination of the cost of the public works project.

The City is responsible for ensuring compliance with Title 9 Chapter 21 Parts 1, 4, and 6 of the Tennessee Code Annotated, its debt management policy, and timely payment of outstanding note principal and interest in accordance with the note provisions.

This letter and the approval to issue debt do not address the compliance with federal tax regulations and should not be relied upon for that purpose. The City should discuss these issues with a tax attorney or bond counsel.

This approval is valid for six months after the date of this letter. If the Notes have not been issued within that time, a new note resolution must be passed by the Governing Body and submitted to this office for approval. Please notify us if the City decides not to issue the Notes.

Purpose, Terms, and Life

This Project meets the definition of a public works project in T.C.A. § 9-21-105, and the City may issue notes under the authority of Title 9 Chapter 21 of the Tennessee Code Annotated to finance such Project. The maturity of the Notes does not exceed the life of the proposed Project as attested by the local governing body. The submitted resolution and supporting documents appear to meet the requirements for the issuance of notes in Title 9 Chapter 21 Parts 1, 4, and 6 of the Tennessee Code Annotated. The maximum maturity for the Notes as authorized by the governing body is twelve fiscal years after the fiscal year of issuance.

In accordance with T.C.A. § 9-21-608, the local government shall retire principal on the notes in an amount that reflects level debt service. In its resolution, the City committed to amortize the Notes in a manner according to this statute.

Requirements After the Notes Have Been Issued


We have included a listing of certain compliance requirements your local government will be responsible for once the Notes have been issued.

Changes to our Office

We are enclosing a memorandum about the newly created Division of Local Government Finance within the Comptroller's Office.

If you should have questions or need assistance, please feel free to contact your financial analyst, Lori Barnard, at 615.747.5347 or Lori.Barnard@cot.tn.gov.

Very truly yours,



Betsy Knotts
Director of the Division of Local Government Finance

cc: Ms. Jean Suh, Contract Audit Review Manager, Local Government Audit, COT

Enclosure: Comptroller's Memorandum Regarding New Division

BK:lb



JUSTIN P. WILSON
Comptroller

JASON E. MUMPOWER
Deputy Comptroller

Requirements After Debt is Issued

- **Debt Report**

Pursuant to T.C.A. § 9-21-151(6) (c), a Debt Report (the “Report”) shall be completed and filed with the governing body of the local government no later than forty-five (45) days after the issuance of the Notes, with a copy (including attachments, if any) filed with the Division of Local Government Finance. The Report and instructions may be accessed at: tncot.cc/debt-report. No public entity may enter into additional debt if it has failed to file the Report.

- **Annual Budget Approval**

Your local government will be subject to an annual budget approval process for the life of the outstanding debt as required by TCA § 9-21-403. Please refer to our online guidance at: tncot.cc/budget.

- **Debt Management Policy**

Your local government should have a plan for regularly reviewing and amending its debt management policy. Please submit any amended policy to our office immediately upon adoption. Guidance concerning debt management policies is available at: tncot.cc/debt-policy.

- **Rule 15c2-12 of the Securities Exchange Act**

Local governments that have issued municipal securities on or after February 27, 2019, are required to report certain information related to the issuance of financial obligations. Information on the reporting requirements is available on the Municipal Securities Rulemaking Board (MSRB) Electronic Municipal Market Access EMMA® website: emma.msrb.org.