



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

**Monday, August 2, 2021, 4:30 p.m.
City Hall, 415 Broad Street, Boardroom**

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

Leadership Team

Chris McCartt, City Manager
Michael Borders, Assistant City Manager
J. Michael Billingsley, City Attorney
Scott Boyd, Fire Chief
George DeCroes, Human Resources Director
Adrienne Batara, Public Relations Director
John Rose, Economic Development Director

Ryan McReynolds, Deputy City Manager
Jessica Harmon, Assistant to City Manager
Lisa Winkle, City Recorder/CFO
Dale Phipps, Police Chief
Ken Weems, Planning Manager
John Morris, Budget Director

1. Call to Order
2. Roll Call
3. Citizen Survey Custom Question Discussion – Jessica Harmon
4. Review of items on August 3, 2021 Business Meeting Agenda
5. Adjourn

Next Work Session, August 16, 2021

City of Kingsport

August 3, 2021

Project Status in Pictures

1 Fire Training Classroom

The foundation has been poured and the structural steel pieces are currently being installed and hung.

3 Legion Drive Paving

City employees are working on asphalt marking and striping, completing this project.

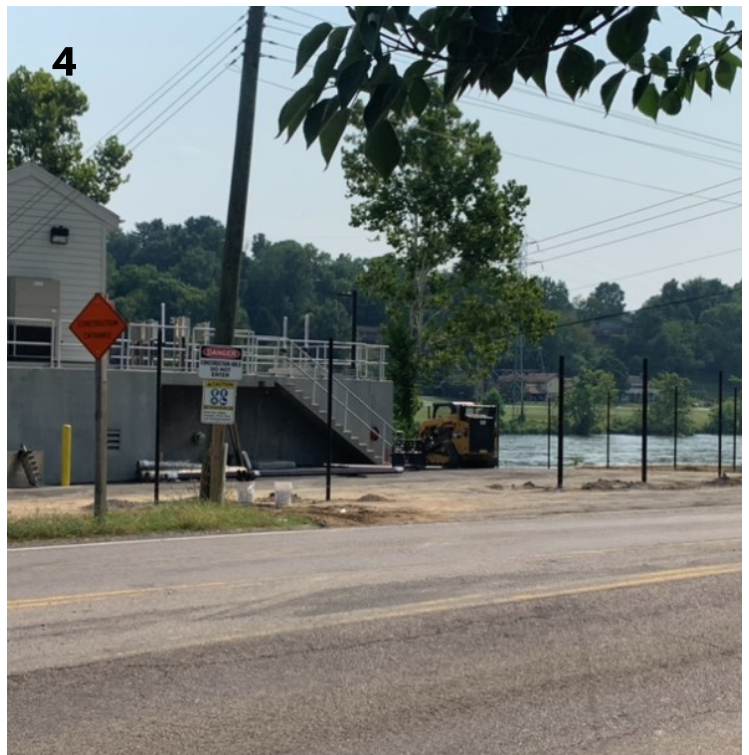


2 Grove Drive

Crews worked on construction of stormwater system improvements along Grove Drive.

4 West Kingsport Forcemain

Paving of the lift station parking lot has occurred and fence posts have been placed.



Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	CurrentStatus
\$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.
\$10,000,000.00	Michael Thompson	Main Street Rebuild	The reconstruction of Main Street from Sullivan Street to Clay Street. [City & MTPO Funded]	7/1/2024	Still working to secure Row Certification. Holston Land property (CSX owned) requires a plan revision.
\$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.	9/1/2021	Week of 7/12/21 - paving of lift station parking lot and Greenbelt.
\$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 has received responses from all agencies and can now begin drafting the NEPA document.
\$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 document has been approved. Awaiting NTP for Design from TDOT.
\$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.	12/31/2021	Architect is working on plans and having discussions with staff.
\$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.	11/30/2021	Contractor is testing lines in the Gibson Mill area.
\$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	Response from TDOT Environmental on 5/17 and 6/11 still in the queue for review.
\$1,041,845.18	Ryan McReynolds	2021 Area 35A Paving	Paving a portion of the Eastern Star Area to the east of I-26. This work is paving roadways that have been impacted by water and sewer work due to Border Regions Annexation plan of service requirements.	10/30/2021	Recommendation to BMA on 7/19 & 7/20 to award contract to W-L Construction & Paving
\$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
\$400,000.00	Michael Thompson	2020 Contracted Paving - E Sullivan Street	Paving of E. Sullivan Street from E. Center Street to Church Circle	10/30/2020	Advertise for bids on 7/11/21. Bid Opening is scheduled for 7/27/2021.

Estimated Cost	Project Owner	Project Name	Project Description	Completion Date	CurrentStatus
\$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
\$110,000.00	Randy Salyer	Riverfront Park Pedestrian Swinging Bridge Improvements	Structural improvements to the swinging bridge at Riverfront Park.	1/31/2022	BMA voted to reject all bids. Project will be rebid once the construction climate improves.
		Area 31 Paving (in house)	Paving of selected roadways near Tri-Cities Airport with Kingsport City Limits: Browder Rd, Lynn Rd, Buttermilk rd, Shipley Ferry Rd, Rocky Branch Rd	8/31/2021	Crews have finished Lynn Road and Browder Road. Working on Shipley Ferry Road.

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AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

**Tuesday, August 3, 2021, 7:00 p.m.
City Hall, 415 Broad Street, Boardroom**

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Chris McCartt, City Manager
Michael Borders, Assistant City Manager
J. Michael Billingsley, City Attorney
Lisa Winkle, City Recorder/CFO
George DeCroes, Human Resources Director
Adrienne Batara, Public Relations Director
John Rose, Economic Development Director

Ryan McReynolds, Deputy City Manager
Jessica Harmon, Assistant to City Manager
Dale Phipps, Police Chief
Scott Boyd, Fire Chief
Ken Weems, Planning Manager
John Morris, Budget Director

- I. SWEARING IN OF CITY RECORDER – Deputy City Recorder Angela Marshall**
- Lisa Winkle AS City Recorder/CFO

II.A CALL TO ORDER

II.B PLEDGE OF ALLEGIANCE TO THE FLAG

II.C INVOCATION – Minister Phip Sams, First Christian Church

III. ROLL CALL

IV.A. RECOGNITIONS & PRESENTATIONS

1. National Farmers Market Week
2. Miss. Sullivan County – Eliza Sanders
3. Fun Fest 40th Anniversary Proclamation, Emily Thompson and Lucy Fleming – Alderman Phillips

IV.B. APPOINTMENTS

None

V. APPROVAL OF MINUTES

1. Work Session – July 19, 2021
2. Business Meeting – July 20, 2021

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

1. Amending the Zoning Code by Removing the Prohibition of Certain Building Materials for the Purpose of Compliance with New State Law Public Chapter 332. THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS (AF:241-2021) (Ken Weems)
 - Public Hearing
 - Ordinance – First Reading

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

None

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Amend Zoning of Tax Map 105, a Portion of Parcel 074.23 Located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District) (AF:226-2021) (Ken Weems)
 - Ordinance – Second Reading and Final Adoption
2. Amend the FY 2022 the General Purpose School Fund and the General Project Fund Budgets (AF:225-2021) (David Frye)
 - Ordinance – Second Reading and Final Adoption
3. Budget Adjustment Ordinance for General Project Fund in FY22 (AF:232-2021) (Chris McCartt)
 - Ordinance – Second Reading and Final Adoption

D. OTHER BUSINESS

1. Awarding the Bid for the Construction of the Scott Adams Memorial Skatepark (AF:205-2021) (Michael Borders/Kitty Frazier)
 - Resolution
2. Awarding the Bid for the Purchase of Road Salt for FY22 (AF:238-2021) (Ryan McReynolds)
 - Resolution

3. Amend Professional Service Agreement with CDM Smith for the Wastewater Treatment Plant Electrical Improvements Project (AF:239-2021) (Ryan McReynolds)
 - Resolution
4. Award of Bid to W-L Construction & Paving, Inc. for 2021 Contracted Paving-Sullivan Street Authorizing the Mayor to Sign All Applicable Documents (AF:243-2021) (Ryan McReynolds)
 - Resolution

All matters listed under the Consent Agenda are considered in the ordinary course of business by the Board of Mayor and Aldermen and will be enacted on by one motion by a roll call vote. However, if discussion of an item is desired by any member of the board, the item will be removed from the Consent Agenda and considered separately.

VII. CONSENT AGENDA

1. Accepting the 2021 Kingsport Parks and Recreation Master Plan as a Guiding Document (AF:240-2021) (Frazier/Borders)
 - Resolution
- ~~2. Authorizing the Mayor to Execute All Necessary and Proper Documents with Flexible Benefit Administrators for COBRA Administrative Services (AF:237-2021) (George DeGroes)~~
2. Ratifying the Mayor's Signature on a Release of Lien (AF:244-2021) (J. Michael Billingsley)
 - Resolution

Pulled from
Agenda

VIII. COMMUNICATIONS

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

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

IX. ADJOURN

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Tuesday, July 19, 2021, 4:30 PM
City Hall, Boardroom, 415 Broad Street

PRESENT: Board of Mayor and Aldermen
Mayor Patrick W. Shull, Presiding
Vice-Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan
Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration
Chris McCartt, City Manager
Ryan McReynolds, Deputy City Manager
Michael Borders, Assistant City Manager
J. Michael Billingsley, City Attorney
Angie Marshall, City Clerk/Deputy City Recorder
Scott Boyd, Fire Chief
Dale Phipps, Police Chief
George DeCroes, Human Resources Manager
John Morris, Budget Officer
Ken Weems, Planning Manager
John Burkholder, Risk Manager
John Rose, Economic Development Director
Jessica Harmon, Assistant to City Manager
Adrienne Batara, Public Relations Director

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Patrick W. Shull.
2. **ROLL CALL:** Deputy City Recorder Marshall.
3. **KEDB/NETWORKS UPDATE.** Craig Denison provided an update on KEDB projects including façade grants and redevelopment agreements and highlighting the Eastman PILOT and the donation to the Chamber Foundation. He also provided details on the Main Street property as well as the Midland property. He also noted the same officers were re-elected to the board. Clay Walker discussed the happenings with NETWORKS, providing information on projects and pointing out a return to normalcy after last year. There was some discussion as both answered questions from the board.
4. **REVIEW OF AGENDA ITEMS ON THE JULY 20, 2021 REGULAR BUSINESS MEETING AGENDA.** City Manager McCartt gave a summary for each item on the proposed agenda. He stated there would be a presentation added and an item regarding the opioid lawsuit. He also discussed the process for appointing volunteers to committees. 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, Tuesday, July 19, 2021

VI.A.1 Amend Zoning of Tax Map 105, a Portion of Parcel 074.23 Located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District) (AF: 226-2021). Ken Weems discussed this item, noting project consisted of 57 single family homes and 31 town houses. He stated there was support for the single family units but not as much for the multi use. Alderman Duncan pointed out the property values should go up..

VI.D.2 Agreement with Frontier Health for Counseling Services for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 223-2021). Alderman Montgomery stated he was a member of this board and would recuse himself from the discussion and vote tomorrow night.

VI.D.4 Bid Award to W-L Construction & Paving, Inc. for 2021 Contracted Paving Area 35A - Eastern Star Authorizing the Mayor to Sign All Applicable Documents (AF: 221-2021). Deputy City Manager McReynolds confirmed the timeline for this project in response to Vice-Mayor George.

VI.D.7 Reject Bid for the Riverfront Park Pedestrian Bridge Repairs Project (AF: 234-2021). Deputy City Manager McReynolds discussed this item in response to questions from the board. He noted they had expected three to five bidders rather than just one, pointing out companies don't want to acquire a project they can't deliver on. Some discussion ensued.

VI.D.8 Authorize Mayor to Sign Documents Necessary and Proper to Enter into an Agreement with the Boone Lake Association (AF: 235-2021). City Manager McCartt described the adjustments that were made to this agreement after the last vote.

City Manager McCartt reminded the board to wear their Funfest shirts tomorrow night. Alderman Duncan commented on the Fusion Open House at the Event Center. Alderman Montgomery reminded everyone of the Funfest events at Riverview starting at 6:00. Vice-Mayor George commented on the good report by NETWORKS.

5. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Shull adjourned the meeting at 5:25 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, July 20, 2021, 7:00 PM
City Hall, 415 Broad Street, Boardroom

PRESENT:

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding	
Vice Mayor Colette George	Alderman Paul Montgomery
Alderman Betsy Cooper	Alderman Tommy Olterman
Alderman Darrell Duncan	Alderman James Phillips

City Administration

Chris McCartt, City Manager
J. Michael Billingsley, City Attorney
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: Ken Weems, Planning Manager.

II.B. INVOCATION: Retired Pastor Jack Edwards, United Methodist Churches.

III.A. ROLL CALL: By Deputy City Recorder Marshall. All Present.

IV.A. RECOGNITIONS AND PRESENTATIONS.

1. Keep Kingsport Beautiful Beautification Awards
2. Former Miss Kingsport, Taylor Hubbard, and new Miss Kingsport, Lauren Ross

IV.B. APPOINTMENTS/REAPPOINTMENTS. (*These items are considered under one motion.*)

Motion/Second: George/Duncan, to approve:

1. Reappointments/Appointment to the Parks and Recreation Advisory Committee (AF: 228-2021) (Mayor Shull).

Approve:

REAPPOINT ALAN MEADE AND REBA BARBER AND APPOINT ANDREW ZUEHLKE, REPLACING HEATHER QUIGLEY, TO THE **PARKS AND RECREATION ADVISORY COMMITTEE** FOR THREE-YEAR TERMS EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2024.

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 20, 2021**

2. Reappointments to PETWORKS (AF: 229-2021) (Mayor Shull).

Approve:

REAPPOINT JEFF FLEMING AND JOHN CAMPBELL TO SERVE ANOTHER TERM ON **PETWORKS** EFFECTIVE IMMEDIATELY. JOHN CAMPBELL'S TERM WILL EXPIRE ON JULY 1, 2022 AND MR. FLEMING'S TERM WILL EXPIRE ON JULY 1, 2023.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

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

- A. July 6, 2021 Regular Work Session
- B. July 6, 2021 Regular Business Meeting

Approved: All present voting "aye."

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Amend Zoning of Tax Map 105, a Portion of Parcel 074.23 Located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District) (AF: 226-2021) (Ken Weems).

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

Motion/Second: George/Olterman, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG COX HOLLOW ROAD FROM MX, MIXED-USE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

PUBLIC COMMENT. Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. Val Kosdimer commented on the Boone Lake Association agreement. Jane Henry commented on the opioid lawsuit. There being no one else coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Amend FY22 General Purpose School Fund and the General Project Fund Budgets (AF: 225-2021) (David Frye).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 20, 2021**

Motion/Second: Montgomery/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Budget Adjustment for General Project Fund in FY22
(AF: 232-2021) (Chris McCartt).

Motion/Second: Duncan/George, to pass:

AN ORDINANCE TO AMEND GENERAL PROJECT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2022; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Code of Ordinances Chapter 98, Section 238 (AF: 211-2021) (Chief Phipps).

Motion/Second: Phillips/Montgomery, to pass:

ORDINANCE NO. 6954, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, CHAPTER 98, ARTICLE IV, REGARDING AUTHORIZED USES OF CITY OWNED PARKING FACILITIES; FIXING THE PENALTY FOR A VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

2. Appropriation of Funds from the Tennessee Arts Commission for the Partnership Support Annual Grant (AF: 215-2021) (Michael Borders).

Motion/Second: George/Cooper, to pass:

ORDINANCE NO. 6955, AN ORDINANCE TO AMEND GENERAL PROJECTS-SPECIAL REVENUE PROJECT FUND BUDGET 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: Cooper, Duncan, George, Montgomery, Olterman, Phillips and Shull voting "aye."

3. Budget Adjustment for Various Funds in FY21 (AF: 209-2021) (Chris McCartt)

Motion/Second: Montgomery/Olterman, to pass:

ORDINANCE NO. 6956, AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2021; 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, July 20, 2021**

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

4. Adopt State Equalized Property Tax Rate for FY22 (AF: 210-2021) (Chris McCartt)

Motion/Second: Duncan/Phillips, to pass:

ORDINANCE NO. 6957, AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL, PERSONAL, AND MIXED PROPERTY WITHIN THE CITY OF KINGSPORT, SULLIVAN COUNTY AND THE CITY OF KINGSPORT, HAWKINS COUNTY WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE COUNTY PROPERTY ASSESSORS, THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE, AND THE STATE BOARD OF EQUALIZATION FOR THE TAX YEAR 2021; AND TO FIX THE EFFECTIVE DATE OF THE ORDINANCE

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

D. OTHER BUSINESS.

1. Authorize the Mayor to Sign Instructure Services Order Form for the School District (SY21-22) (AF: 222-2021) (David Frye).

Motion/Second: Montgomery/Olterman, to pass:

Resolution No. 2022-016, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE TWO YEAR INSTRUCTURE RENEWAL SERVICES ORDER FORM WHICH UTILIZES CANVAS ONLINE LEARNING AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting “aye.”

2. Agreement with Frontier Health for Counseling Services for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 223-2021) (David Frye)

Motion/Second: George/Duncan, to pass:

Resolution No. 2022-017, A RESOLUTION APPROVING AN AGREEMENT WITH FRONTIER HEALTH FOR 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

Passed: All present voting “aye” with Montgomery “abstaining.”

3. Renew MOU with Camelot Care Centers, Inc., for Kingsport City Schools and Authorize the Mayor to Sign All Applicable Documents (AF: 224-2021) (David Frye).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 20, 2021**

Motion/Second: Phillips/Cooper, to pass:

Resolution No. 2022-018, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH CAMELOT CARE CENTERS, INC. FOR BEHAVIORAL HEALTH AND COUNSELING SERVICES FOR KINGSFORT CITY SCHOOLS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

Passed: All present voting “aye” with Montgomery “abstaining.”

4. Bid Award to W-L Construction & Paving, Inc. for 2021 Contracted Paving Area 35A - Eastern Star Authorizing the Mayor to Sign All Applicable Documents (AF: 221-2021) (Ryan McReynolds).

Motion/Second: George/Montgomery, to pass:

Resolution No. 2022-019, A RESOLUTION AWARDED THE BID FOR CONTRACTED PAVING AREA 35A EASTERN STAR TO W-L CONSTRUCTION & PAVING, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

5. Apply and Receive American Recovery Plan Act Grant for the Library (AF: 230-2021) (Michael Borders).

Motion/Second: Duncan/Phillips, to pass:

Resolution No. 2022-020, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN AMERICAN RECOVERY PLAN ACT GRANT FROM THE TENNESSEE STATE LIBRARY AND ARCHIVES FOR THE KINGSFORT PUBLIC LIBRARY

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

6. Right-of-Way Easement with Kingsport Power Company (AF: 233-2021) (Michael Billingsley).

Motion/Second: Montgomery/Cooper, to pass:

Resolution No. 2022-021, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

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

7. Reject Bid for the Riverfront Park Pedestrian Bridge Repairs Project (AF: 234-2021) (Ryan McReynolds).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 20, 2021**

Motion/Second: George/Olterman, to pass:

Resolution No. 2022-022, A RESOLUTION REJECTING ALL BIDS RELATED TO THE RIVERFRONT PARK PEDESTRIAN BRIDGE PROJECT

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

8. Authorize Mayor to Sign Documents Necessary and Proper to Enter into an Agreement with the Boone Lake Association (AF: 235-2021) (Chris McCartt/Mayor Shull). Alderman Cooper stated she was glad to see the changes that had been made to the agreement, but would still be voting no because she had heard from too many citizens who opposed this item. Vice-Mayor George stated she would be voting no because the city had never given money to a non-profit outside of Kingsport and stated this would set a new precedent. Alderman Duncan stated he saw this as a regional project and would continue to support it. Alderman Phillips stated his concern was that a different precedent would be set to keep changing items just to get the vote.

Motion/Second: Montgomery/Olterman, to pass:

Resolution No. 2022-023, A RESOLUTION APPROVING A DONATION AGREEMENT WITH THE BOONE LAKE ASSOCIATION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

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

9. Authorize Mayor to Approve Settlement in Opioid Litigation (AF: 236-2021) (Chris McCartt).

Motion/Second: George/Olterman, to pass:

Resolution No. 2022-024, A RESOLUTION AUTHORIZING THE MAYOR UPON CONSULTATION WITH RETAINED COUNSEL, THE CITY MANAGER, AND CITY ATTORNEY TO APPROVE ANY TERMS OR AGREEMENTS WHICH RESOLVE THE CITY’S INTEREST IN THE OPIOID LITIGATION AND TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

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

VII. CONSENT AGENDA. None.

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. McCartt commented on the recent Carousel Birthday celebration at 1:00 on Saturday noting there was also a good turnout for the parade and complimenting the library for the book drill. He also mentioned the high attendance numbers for the first events of Funfest, including Kidsfest and Seniorfest and commended staff for their extra efforts.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, July 20, 2021**

B. MAYOR AND BOARD MEMBERS. Alderman Duncan stated it feels good to see people out after last year, mentioning Buskerfest and Riverview events. He commended public works for their cleanup efforts and also gave a shout out to the police department and fire department. Lastly, he mentioned the 15 Funfest balloonists, pointing out that many of them were from out of town. Alderman Cooper commented on the chairs people placed on the street at 9am to watch the night parade. She also mentioned a picture from years ago that showed her daughters running in the Crazy Eights race when they were little, and now her grandson is that age now and ran in his first one over the weekend. Alderman Montgomery commented on the beautification awards and also encouraged everyone to participate in Funfest as a former chair. Alderman Phillips also talked about Funfest and commended the police department for their quick efforts to reunite a child and a lost parent at the splash pad earlier today. Alderman Olterman commented his kids went to Funfest when it first started and encouraged everyone to stay safe and enjoy it. Vice-Mayor George commented on the Bays Mountain anniversary events, noting a movie on Friday the 13th in August. She commented on the touch a truck event at Buskerfest and commended city staff who worked it. Lastly she mentioned how nice the carousel birthday blended with the other Funfest events. Mayor Shull commented on the city clerk singing at Buskerfest Saturday and thanked her for her participation. He reminded everyone to leave the fireworks to the professionals and to just enjoy the Funfest fireworks Saturday night. Lastly he commented on an editorial on Economic Development in Northeast Tennessee, pointing out the city is not the driver in the economy but can certainly help.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Shull adjourned the meeting at 8:12 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



AGENDA ACTION FORM

Amending the Zoning Code by Removing the Prohibition of Certain Building Materials for the Purpose of Compliance with New State Law Public Chapter 332. THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS

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

Action Form No.: AF-241-2021
 Work Session: August 2, 2021
 First Reading: August 3, 2021

Final Adoption: August 17, 2021
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing.
- Approve ordinance amending the zoning ordinance to remove the prohibition of certain building materials for the purpose of compliance with new state law Public Chapter 332.

Executive Summary:

This is a staff-initiated zoning text amendment generated for the purpose of being compliant with new state law Public Chapter 332. This new state law ends prohibition of certain construction materials that are approved by a national building code or state fire marshal. This new state law also requires a local government to allow for consideration of waivers for building materials that were previously prohibited. The proposed changes will impact both the Gateway District Overlay and the B-2/ B-2E Central Business District zones. During their July regular meeting, the Planning Commission voted to send a positive recommendation to the Board to approve the amendment. The notice of public hearing was published on July 19, 2021.

Attachments:

1. Notice of Public Hearing
2. Zoning Ordinance
3. Staff Report
4. PC 332
5. Maps

Funding source appropriate and funds are available: NA

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: NA

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, August 3, 2021 to consider amending the Code of Ordinances. THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS. The regular business meeting will begin at 7:00 p.m. in the boardroom located on the third floor of City Hall, 415 Broad Street, Kingsport, Tennessee.

All interested persons are invited to attend this meeting and public hearing. A detailed description of the zoning text amendment is on file in the offices of the City Manager, City Planning Manager, and public library for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9368.

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) 229-9485 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: 7/19/2021

PRE-FILED
CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 114 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO ZONING BY REMOVING THE PROHIBITION OF CERTAIN CONSTRUCTION MATERIALS; CREATING A WAIVER PROCESS FOR THE USE OF CERTAIN CONSTRUCTION MATERIALS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION I. That Section 114-421(b)5(a)2 Code of Ordinances, City of Kingsport, Tennessee is amended by deleting the existing text and substituting in its place the following:

2. Materials requiring a waiver granted by the gateway review commission to use include: plywood or plywood-based products, pre-engineered metal, painted or natural concrete block, composite building panels, and vinyl siding. The gateway review commission, in reviewing a waiver request, may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.

SECTION II. That Section 114-421(c)5(a)2 Code of Ordinances, City of Kingsport, Tennessee is amended by deleting the existing text and substituting in its place the following:

2. Materials requiring a waiver granted by the gateway review commission to use include: plywood or plywood-based products, pre-engineered metal, painted or natural concrete block, composite building panels, and vinyl siding. The gateway review commission, in reviewing a waiver request, may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.

SECTION III. That Section 114-421(d)3(b) Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

b. No building shall be constructed of exposed concrete block unless it is split face, fluted, or such blocks are covered with stucco, Dryvit or equivalent without the grant of a waiver by the gateway review commission. The gateway review commission, in reviewing a waiver request, may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.

SECTION IV. That Section 114-194(f)2 Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(2) Cladding. Building materials for areas visible from streets, excluding alleys, may consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. The Planning Commission shall review requests for waivers of the building material requirements of this section. The Planning

Commission in reviewing a request may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.

SECTION V. That Section 114-203(f)2 Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(2) Cladding. Building materials for areas visible from streets, excluding alleys, may consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. The Planning Commission shall review requests for waivers of the building material requirements of this section. The Planning Commission in reviewing a request may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.

SECTION VI. 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:

ANGELA MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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

Construction Materials Zoning Text Amendment

Property Information	Gateway Overlay District and the B-2/ B-2E zones		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Kingsport Regional Planning Commission Address: City: State: Zip Code: Email: Phone Number:		Intent: To amend Chapter 114, Sections 114-421, parts b(5)a(2), c(5)a(2), d(3)b, Section 114-194(f)2, and Section 114-203(f)2, removing the prohibition of certain building materials for the sake of compliance with new state law Public Chapter 332.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL.			
Planner:	Ken Weems	Date:	7/6/20
Planning Commission Action		Meeting Date:	7/22/20
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

To amend Chapter 114, Sections 114-421, parts b(5)a(2), c(5)a(2), d(3)b, Section 114-194(f)2, and Section 114-203(f)2, removing the prohibition of certain building materials for the sake of compliance with new state law Public Chapter 332.

Introduction:

In May of 2021, Governor Bill Lee signed House Bill No. 749 which became Public Chapter 332. Public Chapter 332 amends Tennessee Code Annotated section 68-120-101. As a result of the amendment to T.C.A. 68-120-101 a local government may require certain construction materials but shall not prohibit any construction materials approved by a national building code or the state fire marshal. Additionally, T.C.A. 68-120-101 requires that any ordinance which pertains to construction materials must allow the consideration of a waiver. The following text amendment removes the aspect of prohibition and creates a waiver for the previously prohibited building materials in the Kingsport code, impacting both the Gateway District Overlay and the B-2/B-2E (Central Business District) zones:

Presentation:

Certain construction materials are currently prohibited in Kingsport's Gateway District Overlay (GDO), the B-2 (Central Business District) and the B-2E (Central Business Edge District) zones. This text amendment seeks to eliminate the prohibition of certain construction materials and provide a waiver process where certain construction materials are required.

The GDO zoning overlay district currently prohibits plywood, plywood based products, pre-engineered metal, painted or natural concrete block, composite building panels, and vinyl siding in the design strategies for the P-1, B-1, B-3, B-4P, BC, and TA/C zoning districts. The prohibition is being replaced with requirements and a waiver process with the end result as shown below:

Current wording:

Chapter 114, Sections 114-421, parts b(5)a(2) & c(5)a(2): *Materials considered unacceptable include: plywood or plywood-based products, pre-engineered metal, painted or natural concrete block, composite building panels, and vinyl siding.*

Proposed wording:

Chapter 114, Sections 114-421, parts b(5)a(2) & c(5)a(2): *Materials requiring a waiver granted by the gateway review commission to use include: plywood or plywood-based products, pre-engineered metal, painted or natural concrete block, composite building panels, and vinyl siding. The gateway review commission, in reviewing a waiver request, may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.*

Current wording:

Chapter 114, Section 114-421, part d(3)b: *No building shall be constructed of exposed concrete block unless it is split face, fluted, or such blocks are covered with stucco, Dryvit or equivalent.*

Proposed wording:

Chapter 114, Section 114-421, part d(3)b: *No building shall be constructed of exposed concrete block unless it is split face, fluted, or such blocks are covered with stucco, Dryvit or equivalent without the grant of a waiver by the gateway review commission. The gateway review commission, in reviewing a waiver request, may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.*

In addition to the GDO, both the B-2 (Central Business District) and the B-2E (Central Business Edge District) zoning texts currently contain language that prohibits certain types of construction materials.

Current wording:

Chapter 114, Section 114-194(f)2 & Section 114-203(f)2: *Cladding. Building materials for areas visible from streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.*

Proposed wording:

Chapter 114, Section 114-194(f)2 & Section 114-203(f)2: *Cladding. Building materials for areas visible from streets, excluding alleys, may consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. The Planning Commission shall review requests for waivers of the building material requirements of this section. The Planning Commission in reviewing a request may consider the proposed building design and property conditions associated with the proposal and the character of adjacent properties in the area.*

It should be noted that the City's Historic Zoning Commission uses a set of design guidelines when judging the appropriateness of construction materials. The design guidelines do not prohibit construction materials.

Staff recommends sending a positive recommendation to the Board of Mayor and Aldermen to approve the zoning text amendment. The changes will make the City's zoning code compliant with the state's new Public Chapter 332.



State of Tennessee

PUBLIC CHAPTER NO. 332

HOUSE BILL NO. 749

By Representatives Boyd, Smith, Keisling, Sparks, Lynn, Todd, Mannis

Substituted for: Senate Bill No. 631

By Senators Bell, Massey

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, relative to construction.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-120-101, is amended by deleting subdivision (a)(5) and substituting:

(5) Shall not discriminate against or in favor of particular construction materials or construction techniques;

SECTION 2. Tennessee Code Annotated, Section 68-120-101(b), is amended by adding the following as a new subdivision:

(7)

(A)

(i) Notwithstanding subdivision (a)(5), a local government may adopt a regulation or code, pertaining to construction materials by ordinance or resolution, as appropriate, by majority vote.

(ii) If passage of the ordinance or resolution requires two (2) readings, then the requirement may only be adopted after reading it in open session of the legislative body at meetings on two (2) different days.

(iii) If passage of the ordinance or resolution requires three (3) readings, then the last two (2) readings must occur on two (2) different days.

(iv) A proposed requirement pertaining to construction materials must be a separate item on the agenda and include, in bold type and all caps, the following statement in the meeting notice:

THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS.

(B) The consideration of a requirement pertaining to construction materials must be by separate vote. If the requirement is to be part of a general ordinance or resolution, then the requirement pertaining to construction materials must be severable from the rest of the ordinance or resolution, and voted on separately.

(C) If a local government seeks to modify a regulation, code, or ordinance adopted pursuant to this subdivision (b)(7), then the local government shall make the modification in the same manner as required to adopt a requirement under this subdivision (b)(7).

(D) A regulation, ordinance, or code adopted pursuant to this subdivision (b)(7) shall not prohibit a particular construction material that is approved by a national building code or the state fire marshal.

HB749

(E) A regulation, ordinance, or code adopted pursuant to this subdivision (b)(7) must allow for the consideration of waivers of the adopted regulation, ordinance, or code pertaining to construction materials, in whole or in part, during the development approval process.

(F) Denial of a waiver related to a regulation, ordinance, or code referenced in subdivision (b)(7)(E) does not constitute a prohibition under subdivision (b)(7)(D).

(G) Except to the extent local law conflicts with these provisions, this section neither grants nor removes local governmental authority to promulgate provisions under home rule charters, private acts, or general state law.

(H) This subdivision (b)(7) does not limit the professional judgment of a licensed design professional with respect to electrical, mechanical, or plumbing standards.

SECTION 3. For purposes of local government adoption of a regulation, code, or ordinance relating to construction materials, this act takes effect upon becoming law, the public welfare requiring it. For all other purposes, this act takes effect September 1, 2021, the public welfare requiring it.

HOUSE BILL NO. 749

PASSED: April 21, 2021



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

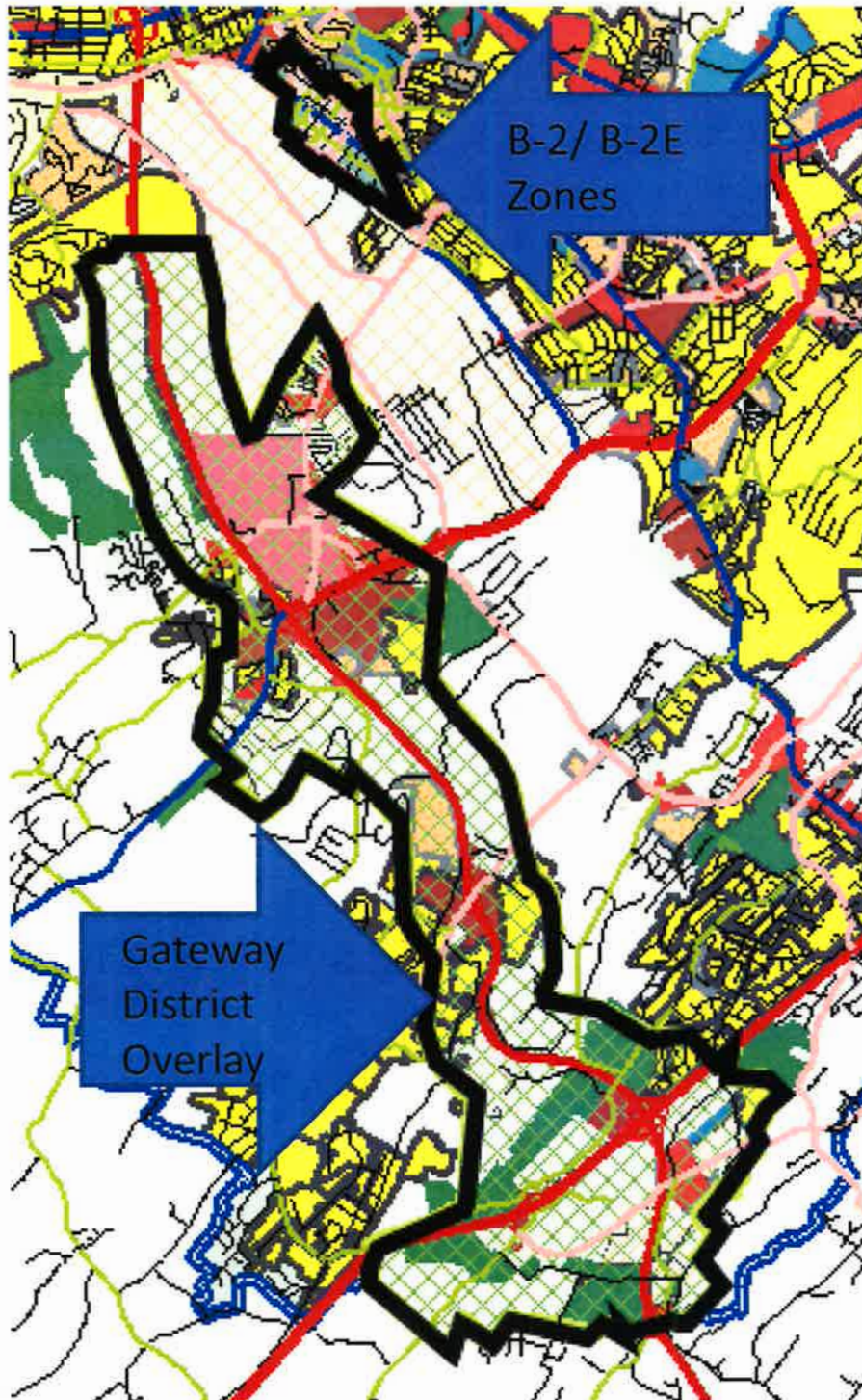


RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 4th day of May 2021



BILL LEE, GOVERNOR

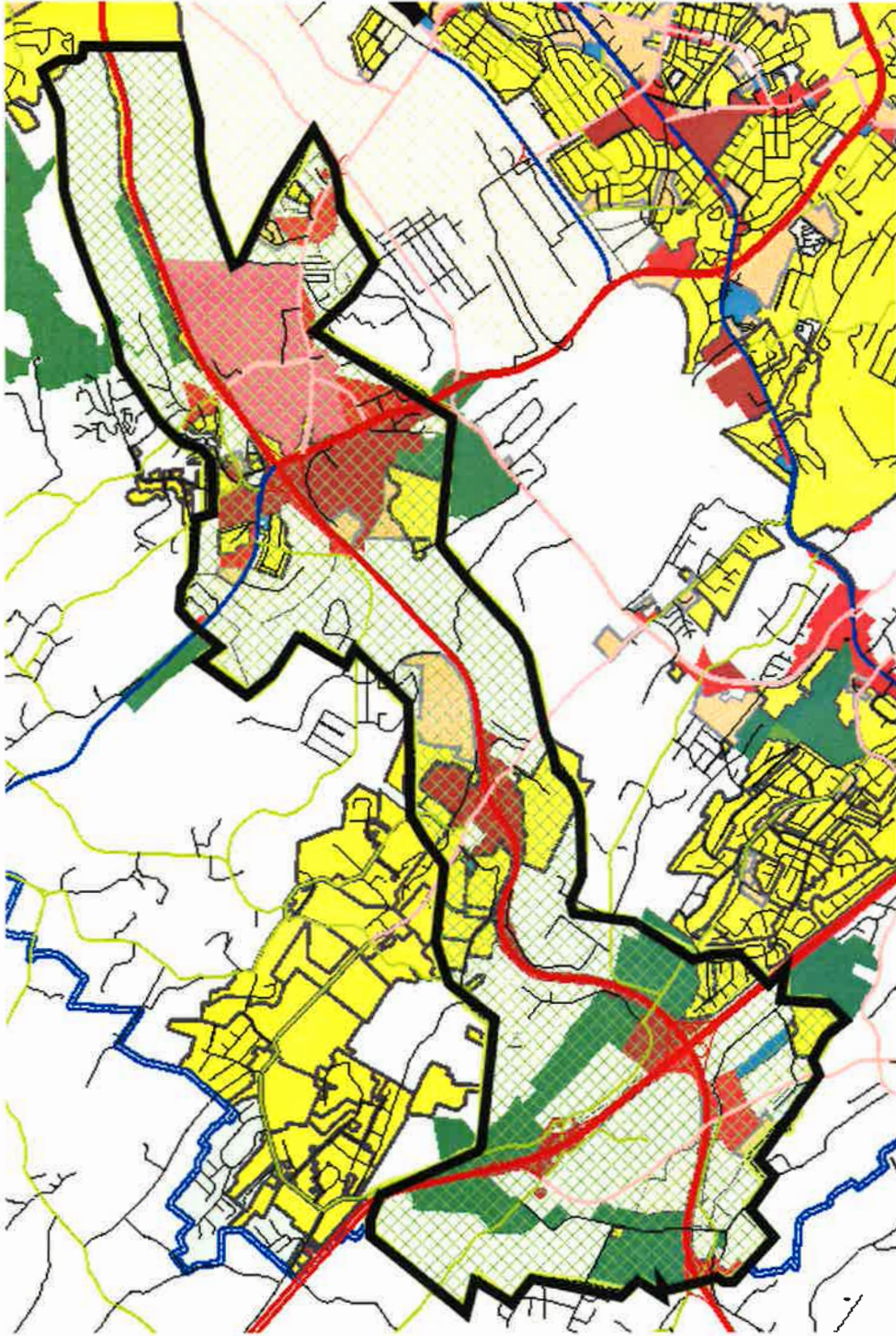


Public Chapter 332 signed by Governor Bill Lee on May 4, 2021

Prevents a local government from prohibiting construction materials that are approved by a national building code or state fire marshal

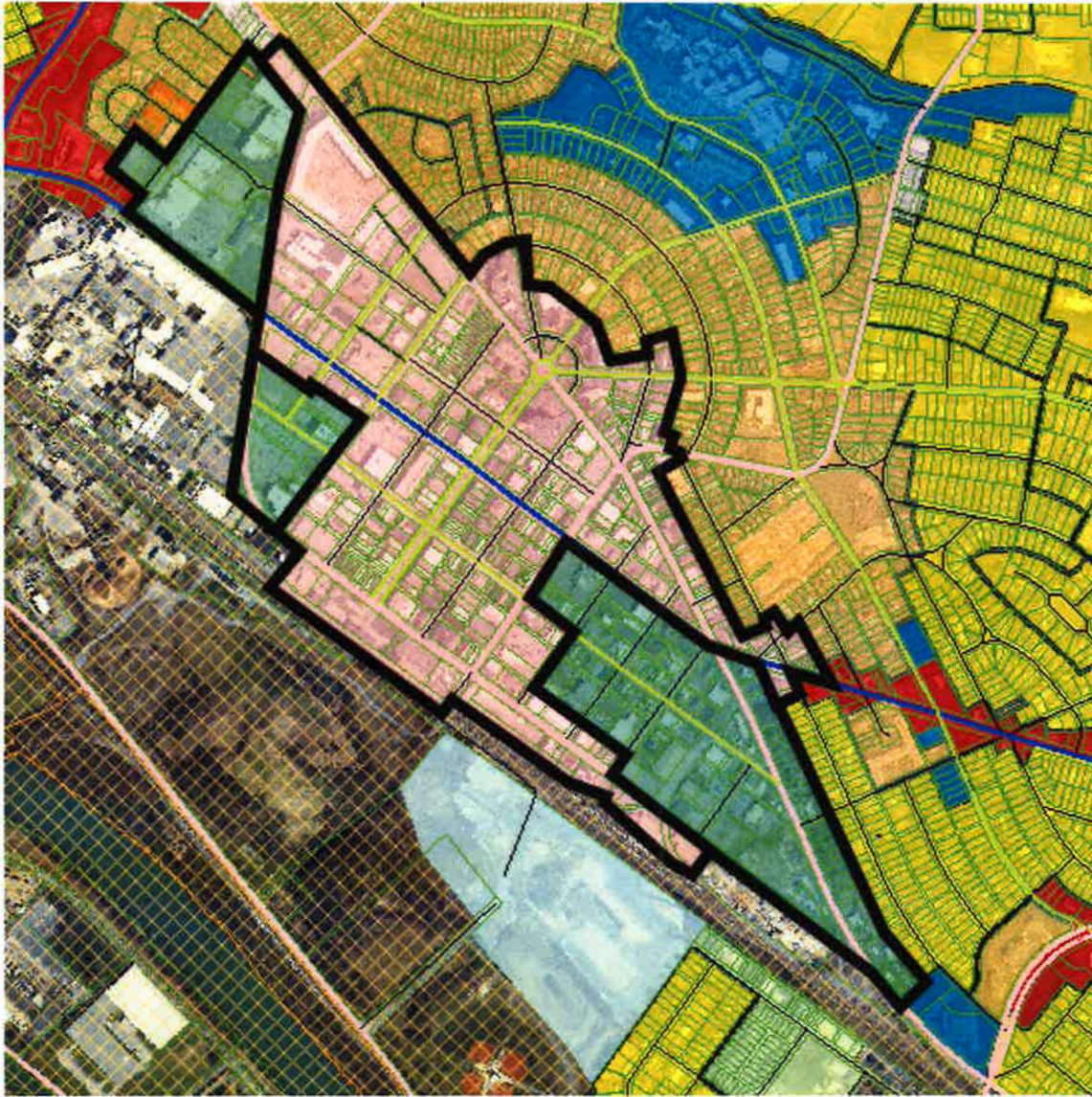
Creates a waiver process for owners wishing to use construction materials that were previously prohibited

Local governments have until September 1, 2021 to update any ordinances that currently prohibit types of construction materials



Gateway District Overlay (GDO)

- The design requirements for P-1, B-1, B-3, B-4P, BC, and TA/C zones prohibit **plywood, plywood-based products, pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding**
- The design requirements for M-1, M-1R, and M-2 zones prohibit **buildings constructed of exposed concrete block** unless it is split face, fluted, or covered with stucco or Dryvit.
- Waivers for previously prohibited construction materials are judged by the Gateway Commission on the proposed building design, property conditions associated with the proposal, and the character of adjacent properties in the area



- Both the B-2 and B-2E zones currently prohibit **pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding**
- Waivers for previously prohibited construction materials are judged by the Planning Commission on the proposed building design, property conditions associated with the proposal, and the character of adjacent properties in the area.



AGENDA ACTION FORM

Amend Zoning of Tax Map 105, a Portion of Parcel 074.23 Located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District)

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

Action Form No.: AF-226-2021
 Work Session: July 19, 2021
 First Reading: July 20, 2021

Final Adoption: **August 3, 2021**
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Approve ordinance amending the zoning ordinance to rezone the property containing Tax Map 105, a portion of parcel 074.23 located off Cox Hollow Road from MX (Mixed-Use District) to PD (Planned Development District).

Executive Summary:

This is an owner-requested rezoning of approximately 15.71 acres located along Cox Hollow Road from MX, Mixed-Use District, to PD, Planned Development District. The applicant desires to construct a new residential development consisting of both single and multi-family homes on the property. During their June 2021 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to rezone the property to the Board of Mayor and Aldermen. This rezoning has received a total of 3 comments from adjacent property owners. The comments were generally supportive of the rezoning, with one comment being opposed to the aspect of multi-family use. The notice of public hearing was published on July 5, 2021.

Attachments:

1. Zoning Ordinance

Funding source appropriate and funds are available: *NA*

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: *NA*

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

ORDINANCE NO. _____

PRE-FILED
CITY RECORDER

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG COX HOLLOW ROAD FROM MX, MIXED-USE DISTRICT TO PD, PLANNED DEVELOPMENT DISTRICT IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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 Cox Hollow Road from MX, Mixed-Use District to PD, Planned Development District in the 13th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Beginning at a new iron pin on the easterly right of way of Cox Hollow Road, corner to property of Jason Douglas and Kimberly Lynn Wheeler, Tax Map 105-K, Parcel B-1.00; thence with Jason Douglas and Kimberly Lynn Wheeler, Tax Map 105-K, Parcel B-1.00, two calls : S 66°54' E, 8.01' to a new iron pin at a wood post and N 89°22' E, 298.30' to a new iron pin in a post hole; corner to property of The Industrial Development Board of the City of Kingsport, Tennessee, Tax Map 105, Parcel 74.60; thence with The Industrial Development Board of the City of Kingsport, Tennessee, Tax Map 105, Parcel 74.60 S 28°34' E, 225.31' to an old iron pin with a cap marked "Mize;" thence a new line S 12°55' W, 63.99' to a point in the center of Straight Branch; thence with the center of Straight Branch 28 Calls : S 38°21' E, 68.21' to a point; S 33°32' E, 88.53' to a point; S 50°01' E, 86.35' to a point; N 42°10' E, 15.74' to a point; S 28°11' E, 85.34' to a point; S 41°50' E, 55.33' to a point; S 30°23' E, 39.62' to a point; S 18°39' E, 33.19' to a point; S 56°56' E, 54.06' to a point; S 20°15' E, 33.77' to a point; S 64°38' E, 38.12' to a point; S 39°33' E, 80.56' to a point; S 70°55' E, 58.37' to a point; S 55°05' E, 50.59' to a point; S 35°36' E, 33.62' to a point; S 53°31' E, 67.29' to a point; S 59°13' E, 74.84' to a point; S 26°46' E, 24.51' to a point; S 65°24' E, 72.49' to a point; S 26°54' E, 42.53' to a point; S 87°36' E, 35.89' to a point; S 42°32' E, 65.08' to a point; S 86°29' E, 25.64' to a point; S 9°22' E, 25.36' to a point; S 17°43' W, 28.23' to a point; N 63°41' E, 22.56' to a point; S 56°13' E, 122.70' to a point and S 21°05' E, 60.64' to a point, corner to property of Weldon L. Cox, L/E; Tod H. Cox, R/M, Tax Map 105, Parcel 74.10; thence with Weldon L. Cox, L/E; Tod H. Cox, R/M, Tax Map 105, parcel 74.10, S 27°53' W, 372.44' to a new iron pin, corner to property of Weldon L. Cox, L/E; Tod H. Cox, R/M, Tax Map 105, Parcel 74.00; thence with Weldon L. Cox, L/E; Tod H. Cox, R/M, Tax Map 105, Parcel 74.00, S 89°20' W, 616.23' to an old iron pin on the easterly right of way of Cox Hollow Road; thence with the easterly right of way of Cox Hollow Road 11 calls : N 7°22' E, 256.82 to an old iron pin; N 1°31' E, 92.66' to an old iron pin; N 3°25' W, 204.57' to an old iron pin; N 10°25' W, 131.35' to an old iron pin; N 26°22' W, 117.43' to an old iron pin; N 39°26' W, 123.83' to an old iron pin; N 41°12' W, 194.35' to an old iron pin; N 39°27' W, 302.10' to an old iron pin; N 33°13' W, 143.65' to an old iron pin; N 20°33' W, 108.84' to an old iron pin and N 27°17' W, 75.94' to the point of beginning, containing 15.71 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:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING _____

PASSED ON 2ND READING _____



AGENDA ACTION FORM

Amend the FY 2022 the General Purpose School Fund, Debt Service Fund, and the General Project Fund Budgets

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

Action Form No.: AF-225-2021
 Work Session: July 19, 2021
 First Reading: July 20, 2021

Final Adoption: August 3, 2021
Staff Work By: David Frye
Presentation By: David Frye

Recommendation:

Approve the Ordinance

Executive Summary:

The Board of Education approved fiscal year 2022 budget amendment number one at their meeting on June 13, 2021. This amendment increases the General Purpose School Fund budget by \$99,000. The estimated revenue for BEP funds is being increased by \$99,000. The increase in BEP funds and a decrease in debt service funds of \$204,900 are being used to help fund teacher salary and benefit increases. This increase in salary funds will assist transition to the teacher salary scale that was implemented in FY 2021. This amendment also establishes a new project in the General Project Fund for Energy Systems Improvements. This project is being funded by an EESI Loan in the amount of \$2,976,123. This project will replace all of the lighting in the KCS system with LED lights as well as upgrade the HVAC control systems. The loan will be repaid from energy savings within the existing KCS budget. The Debt Service Fund will be reduced by \$204,900 to maintain the balance of transfers between funds.

Attachments:

1. Ordinance
2. Ordinance if Amended

Funding source appropriate and funds are available: *jm*

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: *aw*

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PURPOSE
SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS
FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND TO FIX
THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Purpose School Fund Budget be amended by increasing the estimated revenue for Basic Education Funds by \$99,000. The expenditure budget will be amended by increasing the appropriations for various teacher salary and benefit account by \$303,900 and by decreasing the appropriations for Debt Service by \$204,900. The General Project Fund Budget will be amended by increasing the estimated revenue for the Energy Systems project (GP2200) – EESI Loan by \$2,976,123 and by increasing the appropriation for Construction Contracts by \$2,976,123.

Fund 141: General Purpose School Fund

Revenues:

	\$	\$	\$
141-0000-338-6511 Basic Education Funds	33,568,000	99,000	33,667,000
Totals	33,568,000	99,000	33,667,000

Expenditures:

	\$	\$	\$
141-7150-711-0116 Reg Ed – Teacher Salaries	26,400,650	205,000	26,605,650
141-7150-711-0201 Reg Ed – Social Security	1,643,000	12,000	1,655,000
141-7150-711-0204 Reg Ed – State Retirement	2,706,000	19,000	2,725,000
141-7150-711-0212 Reg Ed – Medicare	384,100	3,000	387,100
141-7150-721-0116 Sp Ed – Teacher Salaries	3,150,600	20,000	3,170,600
141-7150-721-0171 Sp Ed – Speech Teachers	615,700	3,500	619,200
141-7150-721-0201 Sp Ed – Social Security	255,500	1,500	257,000
141-7150-721-0204 Sp Ed – State Retirement	395,700	2,500	398,200
141-7150-721-0212 Sp Ed – Medicare	59,800	500	60,300
141-7100-731-0116 Voc Ed – Teacher Salaries	1,082,500	9,600	1,092,100
141-7100-731-0201 Voc Ed – Social Security	64,000	600	64,600
141-7100-731-0204 Voc Ed – State Retirement	109,000	1,000	110,000
141-7250-773-0123 Oth Std Sup – Counselors	1,324,800	7,500	1,332,300
141-7250-773-0201 Oth Std Sup – Social Security	100,700	500	101,200
141-7250-773-0204 Oth Std Sup – St Retirement	175,300	1,000	176,300
141-7250-781-0123 Reg Ed Sup – Librarians	758,600	5,900	764,500
141-7250-781-0189 Reg Ed Sup – Other Salaries	643,200	3,000	646,200
141-7250-781-0201 Reg Ed Sup – Social Sec	121,200	600	121,800
141-7250-781-0204 Reg Ed Sup – St Retirement	203,500	1,000	204,500
141-7250-782-0124 Sp Ed Sup – Psych Salaries	197,700	2,500	200,200
141-7250-782-0599 Sp Ed Sup – Other Salaries	177,000	2,500	179,500
141-7250-782-0201 Sp Ed Sup – Social Security	30,300	500	30,800
141-7250-782-0204 Sp Ed Sup – St Retirement	55,100	700	55,800

141-7750-891-0601 Debt Service – Principal	2,473,400	(166,700)	2,306,700
141-7750-891-0602 Debt Service – Interest	804,000	(38,200)	765,800
Totals	43,931,350	99,000	44,030,350

Fund 311: General Project Fund
School Energy Systems Project (GP2200)

<u>Revenues:</u>	\$	\$	\$
311-0000-332-6300 EESI Loan	0	2,976,123	2,976,123
Total:	0	2,976,123	2,976,123

<u>Expenditures:</u>			
311,0000-601-202 Construction Contracts	0	2,976,123	2,976,123
Total:	0	2,976,123	2,976,123

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

ATTEST:

PAT SHULL, Mayor

APPROVED AS TO FORM:

ANGELA MARSHALL, Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND, DEBT SERVICE FUND, AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2022; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Purpose School Fund Budget be amended by increasing the estimated revenue for Basic Education Funds by \$99,000. The expenditure budget will be amended by increasing the appropriations for various teacher salary and benefit account by \$303,900 and by decreasing the appropriations for Debt Service by \$204,900. The General Project Fund Budget will be amended by increasing the estimated revenue for the Energy Systems project (GP2200) – EESI Loan by \$2,976,123 and by increasing the appropriation for Construction Contracts by \$2,976,123. The Debt Service Fund will be reduced by \$204,900 to maintain the balance of transfers between funds.

Fund 141: General Purpose School Fund

Revenues:

	\$	\$	\$
141-0000-338-6511 Basic Education Funds	33,568,000	99,000	33,667,000
<u>Total: Totals</u>	33,568,000	99,000	33,667,000

Expenditures:

	\$	\$	\$
141-7150-711-0116 Reg Ed – Teacher Salaries	26,400,650	205,000	26,605,650
141-7150-711-0201 Reg Ed – Social Security	1,643,000	12,000	1,655,000
141-7150-711-0204 Reg Ed – State Retirement	2,706,000	19,000	2,725,000
141-7150-711-0212 Reg Ed – Medicare	384,100	3,000	387,100
141-7150-721-0116 Sp Ed – Teacher Salaries	3,150,600	20,000	3,170,600
141-7150-721-0171 Sp Ed – Speech Teachers	615,700	3,500	619,200
141-7150-721-0201 Sp Ed – Social Security	255,500	1,500	257,000
141-7150-721-0204 Sp Ed – State Retirement	395,700	2,500	398,200
141-7150-721-0212 Sp Ed – Medicare	59,800	500	60,300
141-7100-731-0116 Voc Ed – Teacher Salaries	1,082,500	9,600	1,092,100
141-7100-731-0201 Voc Ed – Social Security	64,000	600	64,600
141-7100-731-0204 Voc Ed – State Retirement	109,000	1,000	110,000
141-7250-773-0123 Oth Std Sup – Counselors	1,324,800	7,500	1,332,300
141-7250-773-0201 Oth Std Sup – Social Security	100,700	500	101,200
141-7250-773-0204 Oth Std Sup – St Retirement	175,300	1,000	176,300
141-7250-781-0123 Reg Ed Sup – Librarians	758,600	5,900	764,500
141-7250-781-0189 Reg Ed Sup – Other Salaries	643,200	3,000	646,200
141-7250-781-0201 Reg Ed Sup – Social Sec	121,200	600	121,800
141-7250-781-0204 Reg Ed Sup – St Retirement	203,500	1,000	204,500
141-7250-782-0124 Sp Ed Sup – Psych Salaries	197,700	2,500	200,200
141-7250-782-0599 Sp Ed Sup – Other Salaries	177,000	2,500	179,500
141-7250-782-0201 Sp Ed Sup – Social Security	30,300	500	30,800
141-7250-782-0204 Sp Ed Sup – St Retirement	55,100	700	55,800
141-7750-891-0601 Debt Service – Principal	2,473,400	(166,700)	2,306,700
141-7750-891-0602 Debt Service – Interest	804,000	(38,200)	765,800
<u>Total: Totals</u>	43,931,350	99,000	44,030,350

Fund 311: General Project Fund
School Energy Systems Project (GP2200)

Revenues:

	\$	\$	\$
311-0000-332-6300 EESI Loan	0	2,976,123	2,976,123
Total:	0	2,976,123	2,976,123

Expenditures:

311,0000-601-202 Construction Contracts	0	2,976,123	2,976,123
Total:	0	2,976,123	2,976,123

Fund 211: Debt Service Fund

Revenues:

	\$	\$	\$
211-0000-391.21-00 From School Fund	3,277,400	(204,900)	3,072,500
Total:	3,277,400	(240,900)	3,072,500

Expenditures:

211-4805-481.40-07 Bond Principal-School	2,306,700	0	2,306,700
211-4805-481.40-09 Bond Interest-School	970,700	(204,900)	765,800
Total:	3,277,400	(240,900)	3,072,500

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

ATTEST:

PAT SHULL, Mayor

APPROVED AS TO FORM:

ANGELA MARSHALL, Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Budget Adjustment Ordinance for General Project Fund in FY22

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

Action Form No.: AF-232-2021
 Work Session: July 19, 2021
 First Reading: July 20, 2021

Final Adoption: **August 3, 2021**
 Staff Work By: John Morris
 Presentation By: C. McCartt

Recommendation:

Approve the Ordinance

Executive Summary:

The General Projects Fund is being amended by exchanging bond money from the IT-Tech Infra & back Office project (GP2005) with General Fund cash from the Sullivan Street Paving project (GP2113). IT expenses, such as computers, servers, and software have a shorter useful life than the desired 20 year bond repayment. Exchanging the bonded funds in the IT project with the cash funding in the recently created Sullivan Street project will allow for the IT department to catch up with some needed purchases.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: *JM*

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: *20*

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

ORDINANCE NO.

AN ORDINANCE TO AMEND GENERAL PROJECT FUND
BUDGET FOR THE YEAR ENDING JUNE 30, 2022; AND, TO FIX
THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project Fund budget be amended by transferring \$262,894 from the IT Tech Infra & Back Office project (GP2005) to the Sullivan Street Paving project (GP2113) and by transferring \$262,894 from the Sullivan Street Paving project (GP2113) to the IT Tech Infra & Back Office project (GP2005).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>General Project Fund: 311</u>			
<u>IT-Tech Infra & Back Office (GP2005)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368.10-66 Series 2019 GO Improvment	333,816	(241,213)	92,603
311-0000-368.21-01 Premium From Bond Sale	30,005	(21,681)	8,324
311-0000-391.01-00 From General Fund	0	262,894	262,894
Totals:	363,821	0	363,821
<u>Expenditures:</u>			
311-0000-601.20-57 Computer Repairs/Mainten	0	262,894	262,894
311-0000-601.40-41 Bond Sale Expense	3,821	0	3,821
311-0000-601.90-03 Improvements	273,200	(262,841)	10,359
311-0000-601.90-06 Purchases \$5,000 & Over	86,800	(53)	86,747
Totals:	363,821	0	363,821
<u>Sullivan Street Paving (GP2113)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368.10-66 Series 2019 GO Improvment	0	241,213	241,213
311-0000-368.21-01 Premium From Bond Sale	0	21,681	21,681
311-0000-391.01-00 From General Fund	500,000	(262,894)	237,106
Totals:	500,000	0	500,000
<u>Expenditures:</u>			
311-0000-601.90-03 Improvements	500,000	0	500,000
Totals:	500,000	0	500,000

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:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:

PASSED ON 2ND READING:



AGENDA ACTION FORM

Awarding the Bid for the Construction of the Scott Adams Memorial Skatepark

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

Action Form No.: AF-205-2021
 Work Session: August 2, 2021
 First Reading: NA

Final Adoption: August 3, 2021
 Staff Work By: Kitty Frazier
 Presentation By: Michael Borders/Kitty Frazier

Recommendation:

Approve the Resolution

Executive Summary:

Bids were opened on July 22, 2021 for the construction of a new Scott Adams Memorial Skatepark, to be located at Brickyard Park. Bids were received from two contractors for this solicitation. It is the recommendation of staff and design team to accept the apparent low compliant bid, including all 3 alternates, from GRC Construction in the amount of \$1,866,441. and authorize contingency in the amount of \$111,987. Funds are available in GP2105.

Attachments:

1. Resolution
2. Bid minutes
3. Recommendation of award

Funding source appropriate and funds are available: *aw*

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: *aw*

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

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR THE SCOTT ADAMS MEMORIAL SKATEPARK CONSTRUCTION PROJECT TO BE LOCATED AT BRICKYARD PARK TO GRC CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened July 22, 2021, for the new Scott Adams Memorial Skate Park construction project, to be located at Brickyard Park; and

WHEREAS, upon review of the bids, the board finds GRC Construction is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and it is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for the new Scott Adams Memorial Skate Park construction project with parking and restrooms, to be located at Brickyard Park with GRC Construction at an estimated construction cost of \$1,866,441.00; and

WHEREAS, funding is identified in project numbers GP2105;

Now therefore,

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

SECTION I. That the bid for the new Scott Adams Memorial Skate Park construction project, to be located at Brickyard Park, with parking and restrooms, at an estimated cost of \$1,866,441.00, is awarded to GRC Construction.

SECTION II. That the mayor the mayor or in his absence, incapacity, or failure to act the vice mayor is authorized to execute in a form approved by the city attorney an agreement for the same and all documents necessary and proper to effectuate the purpose of the agreement.

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 3rd day of August, 2021.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES BID OPENING

July 22, 2021

4:00 P.M.

Present: Brent Morelock, Procurement Manager; Nikisha Eichmann, Assistant Procurement Manager; Kitty Frazier, Parks & Rec. Manager; Michael Borders, Assistant City Manager; Jennifer Salyers, Barge Design; Nelson Elam, Barge Design

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

The Procurement Manager opened with the following bids:

SCOTT ADAMS MEMORIAL SKATE PARK - PHASE I									
Vendor:	Base Bid:	Bid Alt. #1 Skate Park Lightning	Bid Alt. #2 Site Furnishings	Bid Alt. #3 Decorative Metal Panels	Utility Tap Fee Allowance	Geotechnical Services Fee Allowance	Excavation & Removal of Rock (per CY)	Excavation & Removal of Unsuitable Soils (per CY)	Compacted Fill Material (per CY)
Goins Rash Cain dba GRC Construction	\$1,746,206.00	\$94,820.00	\$11,115.00	\$2,250.00	\$2,050.00	\$10,000.00	\$300.00	\$14.00	\$23.00
Armstrong Construction Co., Inc.	\$2,673,000.00	\$116,700.00	\$17,200.00	\$2,600.00	\$2,050.00	\$10,000.00	\$110.00	\$50.00	\$65.00

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



July 23, 2021

Ms. Kitty Frazier
Parks & Recreation Manager
City of Kingsport
1550 Fort Henry Drive
Kingsport, Tennessee 37664

RE: Recommendation of Award
Scott Adams Memorial Skate Park – Phase 1

Dear Ms. Frazier:

The aforementioned project was publicly advertised in the Kingsport Times-News on June 9, 2021. Bids were received on Thursday, July 22, 2021, at the City Hall Conference Room, Kingsport, TN, and publicly read at 4:00 p.m. local time. There were two contractors that provided a bid. The apparent low bidder is Goins Rash Cain, Inc. (doing business as GRC Construction) with a bid of \$1,866,441.00 for the base bid plus all bid alternates and allowances. The Goins Rash Cain, Inc. bid was reviewed for responsiveness by Barge Design Solutions. Based on our review Barge recommends Goins Rash Cain, Inc. as the successful, responsive and responsible low bidder for the project.

Thank you for the opportunity to have been of service on this project. If we may be of further assistance, please do not hesitate to call me at 423-247-5525.

Sincerely,

Barge Design Solutions, Inc.

Jennifer A. Salyer, PLA
Project Manager

c: Mr. Michael Borders, Assistant City Manager, City of Kingsport
Mr. Brent Morelock, Procurement Manager, City of Kingsport
Mr. Nelson Elam, RLS, Barge Design Solutions

Enclosures:

Bid Summary

Barge project #37343-01



AGENDA ACTION FORM

Awarding the Bid for the Purchase of Road Salt for FY22

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

Action Form No.: AF-238-2021
Work Session: August 2, 2021
First Reading: NA

Final Adoption: August 3, 2021
Staff Work By: Committee
Presentation By: R. McReynolds

Recommendation:

Approve the Resolution

Executive Summary:

Bids were opened on July, 21 2021 for the purchase of road salt for use by the Public Works Department on an as needed basis. This bid was issued by the City of Knoxville, TN as a cooperative bid with thirteen East Tennessee government agencies participating. It is recommended to award the primary bid for the purchase of road salt to the apparent low bidder Compass Minerals America, Inc., at a cost of \$100.81 per ton. The estimated annual cost is \$403,240.00 based on purchasing 4,000 tons. The City included an option in the bid documents to be able to purchase up to an additional 2,000 tons of road salt if needed. It is also recommended to award a secondary bid to Cargill, Incorporated-Salt Road Safety at a cost of \$111.45.

The City is not required to purchase road salt unless and until it is needed.

Funding for up to \$250,000 is identified in account number 12140244613038. Any charges over that amount will require a General Fund transfer.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memo

Funding source appropriate and funds are available: *2w*

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: *2w*

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Ottermann	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ROAD SALT TO COMPASS MINERALS AMERICA, INC., AS A PRIMARY SOURCE AND CARGILL, INC., AS A SECONDARY SOURCE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

WHEREAS, bids were opened July 21, 2021, for the purchase of road salt for use by public works on an as needed basis; and

WHEREAS, upon review of the bids, the board finds Compass Minerals America, Inc., is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work, or service desired and it is in the best interest and advantage to the city, and the City of Kingsport desires to purchase road salt from Compass Minerals America, Inc., as a primary source, at a cost of \$100.81 per ton, with an estimated annual cost of \$403,240.00, based on 4,000 tons, with the option to purchase an additional 2,000 tons if needed; and

WHEREAS, upon review of the bids, the board finds Cargill, Incorporated-Salt Road Safety is the second lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work, or service desired and it is in the best interest and advantage to the city, and the City of Kingsport desires to purchase road salt from Cargill, Inc., as a secondary source on an as needed basis at an estimated cost of \$111.45 per ton; and

WHEREAS, funding is identified in 12140244613038.

Now therefore,

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

SECTION I. That the bid for purchase of road salt for use by the public works department is awarded to Compass Minerals America, Inc., as the primary source at a cost of \$100.81 per ton, with an estimated annual cost of \$403,240.00, based on 4,000 tons, with the option to purchase an additional 2,000 tons if needed and the city manager is authorized to execute blanket purchase orders for the same.

SECTION II. That the bid for purchase of road salt for use by the public works department is awarded Cargill, Incorporated-Salt Road Safety as the secondary source on an as needed basis at a cost of \$111.45 per ton, and the city manager is authorized to execute blanket purchase orders for the same

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 3rd day of August, 2021.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MEMORANDUM

July 22, 2021

TO: Brent Morelock, Procurement Manager
FROM: Tim Elsea, Public Works Manager
SUBJECT: Rock Salt Bid Award

Greg Willis and I have reviewed the recent bids for Rock Salt.

Our recommendation for the Rock Salt bid would be to award to Compass Minerals America, Incorporated as the primary vendor. They were low bidder. We would like to set up Cargill, Incorporated as secondary vendor. This would be a safeguard for the City having a purchasing option with them in case of an emergency situation such as a bad winter where salt supply or delivery becomes an issue.

If you have any questions please contact me at your convenience at 229-9451.



AGENDA ACTION FORM

Amend Professional Service Agreement with CDM Smith for the Wastewater Treatment Plant Electrical Improvements Project

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

Action Form No.: AF-239-2021
 Work Session: August 2, 2021
 First Reading: NA

Final Adoption: August 3, 2021
 Staff Work By: Niki Ensor
 Presentation By: R. McReynolds

Recommendation:

Approve the Resolution

Executive Summary:

It is necessary to amend CDM Smith's contract to coincide with contract time extension granted to TEC for equipment delays due to COVID-19 and supply chain disruptions for the above referenced project.

On July 22, 2021, an Administrative Change Order approved a contract time extension of 110 days due to delay of the electrical building for the wastewater treatment plant improvement project. Per this change order the revised substantial and final completion dates are August 31, 2021 and October 1, 2021.

This amendment request includes construction administration services through completion of the project. Total amount for this request is \$17,500. Funding is available in SW1800.

Original Contract Amount	\$328,136.00
Contract Amendment 1	\$ 17,500.00
Current Contract Amount	\$345,636.00

Attachments:

1. Resolution
2. CDM Smith Proposal
3. Change Order – Contract Time Extension

Funding source appropriate and funds are available: *mw*

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: *mw*

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

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH FOR THE WASTEWATER TREATMENT PLANT ELECTRICAL IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT AND THIS RESOLUTION

WHEREAS, the board approved a resolution authorizing the mayor to sign an agreement with CDM Smith for the design of the water and wastewater treatment plant electrical improvements project in the amount of \$328,136.00; and

WHEREAS, it is necessary to amend CDM Smith's contract for the above referenced project to coincide with a contract time extension granted to TEC which in turn was necessitated by equipment delivery delays and supply chain disruptions caused by COVID-19; and

WHEREAS, the extension of time is for 110 days, changing the final completion dates to August 31, 2021, and October 1, 2021, with costs for services during this additional period in the amount of \$17,500.00, making the total of the contract \$345,636.00; and

WHEREAS, funding is available in SW1800

Now therefore,

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

SECTION I. That an amendment to the professional services agreement with CDM Smith for the design of the water and wastewater treatment plant electrical improvements project 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 professional services agreement with CDM Smith for oversight and inspection services related to the water and wastewater treatment plant electrical improvements project and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and 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 3rd day of August, 2021.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



1100 Marion Street, Suite 300
Knoxville, TN 37921
tel: 865 963-4300
fax: 865 963-4301

July 7, 2021

Ms. Niki Ensor
Water/Wastewater Facilities Manager
City of Kingsport
620 West Industry Drive
Kingsport, TN 37660

Subject: Proposal for Amendment to Construction General Services for
Kingsport Wastewater Treatment Plant 5kV Main Switchgear

Dear Niki:

Background

The City of Kingsport (City) owns and operates the City of Kingsport Wastewater Treatment Plant (WWTP). Much of the WWTP electrical equipment is reaching the end of its useful service life and should be programmed for replacement. In order to support the renewal of the service life and improve operations and maintenance capabilities of the electrical distribution equipment, CDM Smith completed the Kingsport WWTP Electrical Evaluation Report in July 2016, which provides specific upgrade recommendations which can be phase over the next several years as funding becomes available.

In accordance with the recommendations, the City initiated a project that would replace the Main Switchgear and Switchgear SB-1 and the WWTP in September of 2017. Construction of the project began in May 2020 and is yet to completed. The contract substantial completion date was to be May 13, 2021, but the Contractor has recently submitted a schedule projecting a final completion date of August 31, 2021. Because the construction contract will extend due the contractor's late finish, the budget for the Limited General Services During Construction, as detailed in the original contract (September 2017), is nearly expended and will require an amendment to finalize the scope of services. All of the Task 1 and Task 2 services from the original contract have been completed and only Task 3 requires an amendment.

Task 3 includes the following subtasks and remains unchanged from the original contract.

Task 3.1: General Administration of Construction Contract – ENGINEER shall consult with and advise OWNER and act as OWNER's representative as provided in the Standard General Conditions. The extent and limitations of the duties, responsibilities, and authority of the ENGINEER as assigned in said Standard General Conditions shall not be modified, except to the extent provided herein. All of OWNER's instructions to Contractor will be issued through ENGINEER who shall have authority to act on behalf of OWNER in dealings with Contractor to the extent provided in this Agreement and said Standard General Conditions, except as otherwise provided in writing.



Niki Ensor
July 7, 2020
Page 2

Task 3.2: Visits to Site and Observation of Construction – In connection with observations of the work of Contractor while in progress:

ENGINEER shall make visits to the site at intervals appropriate to the various stages of construction as ENGINEER deems necessary in order to observe as an experienced and qualified design professional the progress and quality of the various aspects of the Contractor's work. Such visits and observations by ENGINEER are not intended to be exhaustive or to extend to every aspect of the work in progress, or to involve detailed inspections of the work beyond the responsibilities specifically assigned to ENGINEER in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the work based on ENGINEER's exercise of professional judgment. Based on information obtained during such visits and such observations, ENGINEER shall endeavor to determine in general if such work is proceeding in accordance with the Contract Documents, and ENGINEER shall keep OWNER informed of the progress of the work. The responsibilities of ENGINEER contained in this paragraph are expressly subject to the limitations set forth in the following paragraph and other express or general limitations in this Agreement and elsewhere.

The purpose of ENGINEER's visits to the site will be to enable ENGINEER to better carry out the duties and responsibilities assigned to and undertaken by ENGINEER during the Construction Phase and, in addition, by the exercise of ENGINEER's efforts as an experienced and qualified design professional, to provide for OWNER a greater degree of confidence that the completed work of Contractor will conform in general to the Contract Documents and that the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents has been implemented and preserved by Contractor. On the other hand, ENGINEER shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work; nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor, or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes, or orders applicable to Contractor's furnishing and performing the work. Accordingly, ENGINEER neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

ENGINEER will prepare for and attend preconstruction conference and monthly progress meetings with Contractor and OWNER and will coordinate with RPR related to the preparation and circulation of minutes thereof.

ENGINEER shall attend field acceptance testing for pumps to be performed by the Contractor in accordance with the Contract Documents.

Task 3.3: Defective Work – During such visits and on the basis of such observations, ENGINEER shall have authority to disapprove of or reject Contractor's work while it is in progress, if

Niki Ensor
July 7, 2020
Page 3

ENGINEER believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.

Task 3.4: Clarifications and Interpretations, Field Orders – ENGINEER shall issue necessary clarifications and interpretations of the Contract Documents, as appropriate to the orderly completion of the work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. ENGINEER may issue Field Orders authorizing minor variations from the requirements of the Contract Documents.

Task 3.5: Change Orders and Work Change Directives – ENGINEER shall recommend Change Orders and Work Change Directives to OWNER as appropriate and shall prepare Change Orders and Work Change Directives as required.

Task 3.6: Shop Drawings – ENGINEER shall review and approve (or take other appropriate action in respect of) Shop Drawings, Samples, Operations and Maintenance Manuals, and other data which Contractor is required to submit but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.

Task 3.7: Substitutes – ENGINEER shall evaluate and determine the acceptability of substitute or or-equal materials and equipment proposed by Contractor. However, services in making revisions to Drawings and Specifications occasioned by the acceptance of substitute materials or equipment other than or-equal items and services after the award of the Construction Contract in evaluating and determining the acceptability of a substitute which is appropriate for the Project or an excessive number of substitutes will only be performed pursuant to an amendment to this Agreement for additional compensation.

Task 3.8: Disagreements between OWNER and Contractor – ENGINEER shall render the initial decisions on all claims of OWNER and Contractor relating to the acceptability of the work or the interpretation of the requirements of the technical and design related portions of the Contract Documents pertaining to the execution and progress of the work. In rendering such decisions, ENGINEER shall be fair and not show partiality to OWNER or Contractor and shall not be liable in connection with any decision rendered in good faith in such capacity. OWNER shall be responsible for interpretation of the requirements of Divisions 00 and 01 of the Contract Documents.

Task 3.9: Applications for Payment – Based on ENGINEER'S on-site observations as an experienced and qualified design professional and on review of Applications for Payment and the accompanying data and schedules:

Niki Ensor
July 7, 2020
Page 4

ENGINEER shall determine the amounts that ENGINEER recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute ENGINEER's representation to OWNER, based on such observations and review, that, to the best of ENGINEER's knowledge, information and belief, the work has progressed to the point indicated, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is ENGINEER's responsibility to observe the work. In the case of unit price work, ENGINEER's recommendations of payment will include final determinations of quantities and classifications of such work (subject to any subsequent adjustments allowed by the Contract Documents). The responsibilities of ENGINEER contained in this paragraph are expressly subject to the limitations set forth in the following paragraph and other express or general limitations in this Agreement and elsewhere.

By recommending any payment, ENGINEER shall not thereby be deemed to have represented that on-site observations made by ENGINEER to check the quality or quantity of Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of the work in progress, or have involved detailed inspections of the work beyond the responsibilities specifically assigned to ENGINEER in this Agreement and the Contract Documents. Neither ENGINEER's review of Contractor's work for the purposes of recommending payments nor ENGINEER's recommendation of any payment (including final payment) will impose on ENGINEER responsibility to supervise, direct, or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with laws, rules, regulations, ordinances, codes, or orders applicable to Contractor's furnishing and performing the work. It will also not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price or to determine that title to any of the work, materials, or equipment has passed to OWNER free and clear of any liens, claims, security interests, or encumbrances or that there may not be other matters at issue between OWNER and Contractor that might affect the amount that should be paid.

Task 3.10: Contractor's Completion Documents – ENGINEER shall receive, review, and transmit to OWNER with written comments maintenance and operation instructions, schedules, guarantees, bonds, certificates, or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, and marked-up Record Documents (including Shop Drawings, Samples, and other data approved as provided under paragraph 5.6 and marked-up record drawings) which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. ENGINEER's review of such documents will only be to determine generally that their content complies with the requirements of and, in the case of certificates of inspections, tests, and approvals, the results certified indicate compliance with, the Contract Documents.

Task 3.11: Substantial Completion – Following notice from Contractor that Contractor considers the entire work ready for its intended use, ENGINEER and OWNER, accompanied by Contractor, shall conduct an inspection to determine if the work is substantially complete. If, after considering any objections of OWNER, ENGINEER considers the work substantially complete ENGINEER shall deliver a certificate of Substantial Completion to OWNER and Contractor.

Task 3.12: Final Notice of Acceptability of the Work – ENGINEER shall conduct a final inspection to determine if the completed work of Contractor is acceptable so that ENGINEER may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, ENGINEER shall indicate that the work is acceptable (subject to the provisions of paragraph 5.10) to the best of ENGINEER's knowledge, information, and belief and based on the extent of the services performed and furnished by ENGINEER under this Agreement.

Task 3.13: Prepare Record Drawings - ENGINEER shall prepare one reproducible record drawing set based on information provided by the Contractor and reviewed as part of Task 3.10. Record Drawings shall also be delivered in electronic format as PDF files on CD.

Limitation of Responsibilities – ENGINEER shall not be responsible for the acts or omissions of any Contractor or of any subcontractor, any supplier, or any other person or organization performing or furnishing any of the work. ENGINEER shall not be responsible for Contractor's failure to perform or furnish the work in accordance with the Contract Documents.

Time of Completion

The following schedule is the anticipated time of completion for the amended scope of work based on the Contractor's most recent schedule:

Task Description	Completion Date
Task 3 – Limited General Services During Construction	September 30, 2021

Payment and Compensation

The City of Kingsport shall compensate the Engineer for providing services set forth herein in accordance with this amendment and the terms of the original Agreement. Invoicing for the work shall be monthly on a lump sum percentage of work completed basis. A status report will accompany each progress invoice. The project total upper limit shall be increased by \$17,500 for the additional services related to Task 3, and the new upper limit will be increased from \$104,306 to \$121,806. Total Contract amount shall not exceed \$345,636 without written amendment to this authorization. An estimated breakdown of cost by task covered in this amendment is provided for billing purposes below.



Niki Ensor
July 7, 2020
Page 6

Task Description	Task Budget
Task 1 – Design Services	\$204,440
Task 2 – Bidding Services	\$19,390
Task 3 – Limited General Services During Construction (Amended)	\$121,806
Amended Contract Total	\$345,636

CDM Smith looks forward to continuing work with the City of Kingsport for the implementation of the SCADA project. Should you have any questions or require additional information, please do not hesitate to contact me at 865-963-4373.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Daniel Unger".

Daniel Unger, PE
Client Service Leader
CDM Smith Inc.

cc: Eric Goodman, PE



SWR800

P.O. # : W00270

ORIGINAL ISSUE DATE: 4/7/2020

CURRENT DATE: 7/8/2021

CHANGE ORDER NO: 2

I, (We) the undersigned hereby certify that the changes in construction charged against the contingency authorized for the herein identified contract were made in compliance with Section 2-514 of the City of Kingsport Code of Ordinances, 2012 edition.

Signatures:



 Project Manager

Date 7-20-21



 City Manager

Date 7-22-21

<u>X</u>	City Recorder (Original)
<u>X</u>	Purchasing Agent (Copy)
X	City Accountant (Copy)

NOTE: Signature(s) required above.
Facsimile is **not** acceptable.

NO EN Duesell 07/23/21

CHANGE ORDER

Page 1 of 2

Contract Number: CDM Smith -224216, City of Kingsport WA 00270

Change Order Number: No. 2

Original Contract Price \$2,508,812.00

Change from Previous Change Orders \$4,448.00

Total Adjusted Contract Price
(Prior Change Orders) \$2,513,260.00

Net **Increase/Decrease** in Contract
Price (this change order) \$0.00

Total Adjusted Contract Price
(including this Change Order) \$2,513,260.00

This change order increases/decreases the time to complete the work by 110 Calendar days.

The extended Substantial Completion date is August 31, 2021. Final Contract date will be 30 days following substantial.

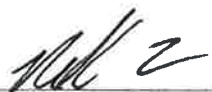
This change order is requested by TEC Industrial

This change order is recommended by:

 7/16/21
Consultant Engineer, Date

The undersigned agree to the terms of the change order.

Dustin Hilton 7/15/21
Contractor, Date

 7/20/21
Owner Date,

Name of City/District etc. City of Kingsport

Contract Number CDM Smith – 224216; City of Kingsport WA 00270

Contract Title WWTP Switchgear Improvements

Change Order Number No.2

Owner's Name: City of Kingsport

Owner's Address: 620 West Industry Drive, Kingsport

Contractor's Name: TEC Industrial

Contractor's Address: 1025 Konnarock Road, Kingsport TN, 37664

Description of Change

Request to extend the substantial completion date due to equipment delivery delays.

Reason for Change

As documented in the attached information, delivery of the Main Switchgear (E-house) was delayed for more than 3 months due to COVID-19 related issues. This prevented the installation, start-up and completion of the installation of the equipment. Attached are the following items:

1. Letter from Schneider Electric / Square D documenting the delay.
2. Revised completion schedule from TEC
3. Request for a revised substantial completion date from TEC



DATE: 5/6/2021

TO: Chris Lawson – Rexel USA, Inc. Kingsport TN

FROM: Mike Slatten

PROJECT NAME: Kingsport WTP Switchgear Replacement

FACTORY ORDER NUMBER: 43077683

RE: Delayed E-House Shipments

Regrettably, the ship date for the equipment listed below has been delayed twice mainly due to COVID-19 along with supply chain constraints.

- E-House – Line Item 023
 - Original Ship Date: 2/10/2021
 - 1st Revised Ship Date: 3/15/21
 - 2nd Revised Ship Date: 4/20/21
 - Current Scheduled Ship Date: 5/20/21

Starting in April 2020 we spaced our associates 6 feet apart to meet COVID-19 government social distancing guidelines to ensure the safety of our employees. This has greatly decreased plant capacity which has resulted in shipment delays. Also, most of our suppliers have also experienced COVID-19 related delays, and several of our main suppliers stopped production.

With limited manufacturing capacity, supplier constraints and the high volume of orders it has been impossible to maintain all ship dates. In addition, the Smyrna, TN plant where the Metal-Clad Switchgear is being manufactured, was shut down 4 days for inclement weather which also compounded these delays.

We are sensitive to each situation and acknowledge the impact these delays may cause.

Please let me know if you have any questions.

Regards,

Mike Slatten

Mike Slatten

Project Manager

6700 Tower Circle Suite 700

Franklin, TN 37067

Email: mike.slatten@se.com

Office: 615-844-8519 Mobile: 615-519-5448

Schneider Electric, Boston One Campus, 800 Federal St, Andover, MA 01810 Tel. (978) 794-0800



1025 Konnarock Rd • Kingsport, TN 37664

423 247-4141

June 23, 2021

Niki Ensor / Eric Goodman

City of Kingsport / CDM Smith
Project Manager
RE: Change Request #001

Ms. Ensor / Mr. Goodman,

This change request is being issued for additional days to be added to the schedule of the waste water treatment electrical upgrade project. The reason for this request is due to various equipment delays that have been associated with COVID-19. (See attached document from mfg. reflecting these delays)

In summary, the 4,160V E-House was delayed in shipment for over four months from the first promised delivery date. This delay created a Domino effect in which all the associated activities would also be delayed.

The new completion date of 8/31/21 is reflected in the attached schedule and all activities associated with the delay are highlighted in green for clarification.

All delays have been discussed and noted by all parties involved during monthly construction meetings. T E C Industrial and all parties involved exhausted every means necessary to pull the schedule back, but due to the COVID-19 pandemic, unfortunately this was not possible.

Feel free to contact me with any questions or concerns.

Respectfully,

Dustin Hilton

Dustin Hilton
Manager of Projects
Office: 423.247.4141

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Resource Names	% Complete	Text1
1		PO Award by City of Kingsport	0 days	Mon 4/27/20	Mon 4/27/20					100%
2		TECI Receives Notice to Proceed	1 day	Mon 5/18/20	Mon 5/18/20		3FS-1 day			100%
3		Spec Pre-Approval Submission	30 days	Mon 5/18/20	Fri 6/26/20	2FS-1 day	4FS-1 day,100			0%
4		Spec Pre-Approval Received	0 days	Fri 6/26/20	Fri 6/26/20	3FS-1 day	5			0%
5		Issue PO for Switchgear	1 day	Fri 6/26/20	Fri 6/26/20	4	6			0%
6		Receive Drawings for Approval	6 wks	Mon 6/29/20	Fri 8/7/20	5	7			0%
7		COK Drawing Approval	30 days	Mon 8/10/20	Fri 9/18/20	6	98,99,101,102,13			0%
8		Submittals	238 days?	Thu 5/14/20	Mon 4/12/21					0%
9		Submit Low Voltage Wires and Cables Submittal	1 day	Wed 6/17/20	Wed 6/17/20		10			0% Submittal
10		Get CDM Approval for Low Voltage Wires and Cable	45 days	Thu 6/18/20	Wed 8/19/20	9	11			0% Submittal
11		Issue PO for Med Voltage Electrical Materials	1 day	Thu 8/20/20	Thu 8/20/20	10				0% Submittal
12		Submit Med Voltage Wires and Cables Submittal	1 day	Wed 6/17/20	Wed 6/17/20		13			0% Submittal
13		Get CDM Approval for Med Voltage Wires and Cable	45 days	Thu 6/18/20	Wed 8/19/20	12	14			0% Submittal
14		Issue PO for Med Voltage Electrical Materials	1 day	Thu 8/20/20	Thu 8/20/20	13				0% Submittal
15		Submit Grounding Material Submittal	1 day	Wed 5/20/20	Wed 5/20/20		16			100% Submittal
16		Get CDM Approval for Grounding Materials	45 days	Thu 5/21/20	Wed 7/22/20	15	17			0% Submittal
17		Issue PO for Grounding Materials	1 day	Thu 7/23/20	Thu 7/23/20	16				0% Submittal
18		Submit Raceways, Misc Fittings Submittal	1 day	Fri 5/22/20	Fri 5/22/20		19			100% Submittal
19		Get CDM Approval for Raceways, Fittings	45 days	Mon 5/25/20	Fri 7/24/20	18	20			0% Submittal
20		Issue PO for Raceways and Fittings	1 day	Mon 7/27/20	Mon 7/27/20	19				0% Submittal
21		Submit Underground Systems Submittal	1 day	Thu 6/25/20	Thu 6/25/20		22			0% Submittal
22		Get CDM Approval for Underground Systems	45 days	Fri 6/26/20	Thu 8/27/20	21	23			0% Submittal
23		Issue PO for Underground Systems	1 day	Fri 8/28/20	Fri 8/28/20	22				0% Submittal
24		Submit Electrical System Testing and Settings	1 day	Mon 6/29/20	Mon 6/29/20		25			0% Submittal
25		Get CDM Approval on Electrical System Testing and Settings	45 days	Wed 6/24/20	Tue 8/25/20	24	26			0% Submittal
26		<New Task>	1 day	Wed 8/26/20	Wed 8/26/20	25				0% Submittal
27		Submit Miscellaneous Equipment Submittal	1 day	Tue 6/30/20	Tue 6/30/20		28			0% Submittal
28		Get CDM approval for Micellaneous Equipment	45 days	Wed 6/24/20	Tue 8/25/20	27	29			0% Submittal
29		Issue PO for Miscellaneous Equipment	1 day	Wed 8/26/20	Wed 8/26/20	28				0% Submittal
30		Submit Earthwork Submittal to CDM	1 day	Tue 7/7/20	Tue 7/7/20		31			0% Submittal
31		Get CDM Approval for Earthwork	45 days	Wed 6/24/20	Tue 8/25/20	30	32			0% Submittal
32		Issue PO for Earthwork	1 day	Wed 8/26/20	Wed 8/26/20	31				0% Submittal
33		Submit Dewatering and Drainage Submittal	1 day	Tue 7/7/20	Tue 7/7/20		34			0% Submittal
34		Get CDM Approval for Dewatering and Drainage	45 days	Wed 7/1/20	Tue 9/1/20	33	35			0% Submittal
35		Issue PO for Dewatering and Drainage	1 day	Wed 9/2/20	Wed 9/2/20	34				0% Submittal
36		Submit Granular Materials Submittal	1 day	Thu 7/9/20	Thu 7/9/20		37			0% Submittal
37		Get CDM Approval for Granular Materials	45 days	Wed 7/1/20	Tue 9/1/20	36	38			0% Submittal

Project: City of Kingsport WWT
Date: Wed 7/7/21

Task		Project Summary
Split		Inactive Task
Milestone		Inactive Milestone
Summary		Inactive Summary

Manual Task		Start-only		Deadline
Duration-only		Finish-only		Progress
Manual Summary Rollup		External Tasks		Manual Progress
Manual Summary		External Milestone		

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Resource Names	% Complete	Text1
38		Issue PO for Granular Materials	1 day	Wed 9/2/20	Wed 9/2/20	37				0% Submittal
39		Submit Erosion and Silt Control Submittals	1 day	Thu 7/9/20	Thu 7/9/20		40			0% Submittal
40		Get CDM Approval for Erosion and Silt Control	45 days	Wed 7/1/20	Tue 9/1/20	39	41			0% Submittal
41		Issue PO for Erosion and Silt Control	1 day	Wed 9/2/20	Wed 9/2/20	40				0% Submittal
42		Submit Instrumentation and Controls Submittal	1 day	Tue 7/14/20	Tue 7/14/20		43,45			0% Submittal
43		Get CDM Approval for Instrumentation and Controls	45 days	Wed 7/1/20	Tue 9/1/20	42	44			0% Submittal
44		Issue PO for Instrumentation and Controls	1 day	Wed 9/2/20	Wed 9/2/20	43				0% Submittal
45		Submit Instrumentation and Controls Testing Submi	1 day	Wed 7/15/20	Wed 7/15/20	42	48,46			0% Submittal
46		Get CDM Approval for Instrumentation and Controls Testing	45 days	Tue 7/7/20	Mon 9/7/20	45	47			0% Submittal
47		Issue PO for Instrumentation and Controls Testing	1 day	Tue 9/8/20	Tue 9/8/20	46				0% Submittal
48		Submit Instrumentation and Controls Training Submittal	1 day	Thu 7/16/20	Thu 7/16/20	45	49,50			0% Submittal
49		Get CDM Approval for Instrumentation and Controls Training	45 days	Wed 7/8/20	Tue 9/8/20	48				0% Submittal
50		Submit Instrumentation and Controls / Control and Data Network Equipment	1 day	Fri 7/17/20	Fri 7/17/20	48	51,52			0% Submittal
51		Get CDM Approval for Control and Data Network Equipment	45 days	Tue 7/14/20	Mon 9/14/20	50				0% Submittal
52		Submit Instrumentation and Controls / Control Panel Enclosures and Panel Equipment	1 day	Mon 7/20/20	Mon 7/20/20	50	53			0% Submittal
53		Get CDM Approval for Control Panel Enclosures and Panel Equipment	45 days	Tue 7/28/20	Mon 9/28/20	52	54			0% Submittal
54		Issue PO for Control Panel Enclosures and Panel Equipment	1 day	Tue 9/29/20	Tue 9/29/20	53				0% Submittal
55		Submit Fiber Optic Submittal	1 day	Thu 7/23/20	Thu 7/23/20		56,58FF			0% Submittal
56		Get Approval for Fiber Optic	45 days	Wed 6/24/20	Tue 8/25/20	55	57			0% Submittal
57		Issue PO for Fiber Optic Materials	1 day	Wed 8/26/20	Wed 8/26/20	56				0% Submittal
58		Submit Instrumentation and Controls Engineer Submittal	1 day	Thu 7/23/20	Thu 7/23/20	55FF	59			0% Submittal
59		Get Approval for Instrumentation and Controls	45 days	Thu 5/14/20	Wed 7/15/20	58	60			0% Submittal
60		Issue PO for Instrumentation and Controls	1 day	Thu 7/16/20	Thu 7/16/20	59				0% Submittal
61		Submit Power Study Submittal	1 day	Tue 6/30/20	Tue 6/30/20		62			0% Submittal
62		Get Approval for Power Study	45 days	Thu 5/14/20	Wed 7/15/20	61				0% Submittal
63		Submit Equipment Testing Startup Submittal	1 day	Tue 7/28/20	Tue 7/28/20		64			0% Submittal
64		Get Approval for Equipment Testing Startup	45 days	Fri 7/17/20	Thu 9/17/20	63				0% Submittal
65		Submit Temporary Facilities Submittal	1 day	Tue 6/30/20	Tue 6/30/20		66			0% Submittal
66		Get Approval for Temporary Facilities	45 days	Wed 7/1/20	Tue 9/1/20	65				0% Submittal
67		Submit Coring, Cutting and Patching Submittal	1 day	Tue 7/14/20	Tue 7/14/20		68			0% Submittal
68		Get Approval for Coring, Cutting, and Patching	45 days	Wed 7/15/20	Tue 9/15/20	67				0% Submittal

Project: City of Kingsport WWT
Date: Wed 7/7/21

Task		Project Summary	Manual Task		Start-only		Deadline
Split		Inactive Task	Duration-only		Finish-only		Progress
Milestone		Inactive Milestone	Manual Summary Rollup		External Tasks		Manual Progress
Summary		Inactive Summary	Manual Summary		External Milestone		

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Resource Names	% Complete	Text
69		Submit Operation and Maintenance Data Submittal	1 day	Wed 7/29/20	Wed 7/29/20		70			0% Submittal
70		Get Approval for Operation and Maintenance Data	45 days	Thu 7/30/20	Wed 9/30/20	69				0% Submittal
71		Submit Warranty and Bonds Submittal	1 day	Tue 6/30/20	Tue 6/30/20		72			0% Submittal
72		Get Approval for Warranty and Bonds	45 days	Wed 7/1/20	Tue 9/1/20	71				0% Submittal
73		Submit Project Record Documents Submittal	1 day	Mon 2/8/21	Mon 2/8/21		74			0% Submittal
74		Get Approval for Project Record Documents	45 days	Tue 2/9/21	Mon 4/12/21	73				0% Submittal
75		Submit Demolition and Modifications Submittal	1 day	Thu 7/30/20	Thu 7/30/20		76			0% Submittal
76		Get CDM Approval for Demolition and Modification	45 days	Fri 7/31/20	Thu 10/1/20	75				0% Submittal
77		Submit Concrete and Reinforcing Steel Submittal	1 day	Wed 7/22/20	Wed 7/22/20		78			0% Submittal
78		Get CDM Approval for Concrete and Reinforcing Steel	45 days	Thu 7/23/20	Wed 9/23/20	77				0% Submittal
79		Submit Miscellaneous Metals Submittal	1 day	Thu 7/16/20	Thu 7/16/20		80			0% Submittal
80		Get Approval for Miscellaneous Metals	45 days	Thu 5/14/20	Wed 7/15/20	79				0% Submittal
81		Issue PO for Miscellaneous Metals	1 day	Thu 7/16/20	Thu 7/16/20	80				0% Submittal
82		Submit Aluminum Doors and Frames Submittal	1 day	Thu 7/30/20	Thu 7/30/20		83			0% Submittal
83		Get CDM for Aluminum Doors and Frames	45 days	Thu 5/14/20	Wed 7/15/20	82				0% Submittal
84		Issue PO for Aluminum Doors and Frames	1 day	Thu 7/16/20	Thu 7/16/20	83				0% Submittal
85		Submit Door Hardware Submittal	1 day	Thu 7/30/20	Thu 7/30/20		86			0% Submittal
86		Get CDM Approval for Door Hardware	45 days	Thu 5/14/20	Wed 7/15/20	85				0% Submittal
87		Issue PO for Door Hardware	1 day	Thu 7/16/20	Thu 7/16/20	86				0% Submittal
88		Submit Painting Submittal	1 day	Wed 8/5/20	Wed 8/5/20		89			0% Submittal
89		Get Approval for Painting	45 days	Thu 5/14/20	Wed 7/15/20	88				0% Submittal
90		Submit Surface Preparation Shop Prime Painting Submittal	1 day	Mon 6/22/20	Mon 6/22/20		91			0% Submittal
91		Get CDM Approval for Surface Preparation and Shop Prime Painting	1 day?	Thu 5/14/20	Thu 5/14/20	90				0% Submittal
92		Submit Photographic Documentation Submittals	1 day	Wed 9/30/20	Wed 9/30/20		93			0% Submittal
93		Get CDM Approval for Photographic Documentation	45 days	Thu 5/14/20	Wed 7/15/20	92				0% Submittal
94		Submit Application for Payment Submittal	1 day	Fri 6/19/20	Fri 6/19/20		95			0% Submittal
95		Get CDM Approval for Application for Payment	45 days	Mon 6/22/20	Fri 8/21/20	94				0% Submittal
96		Submit Special Project Procedures Submittal	1 day	Thu 6/25/20	Thu 6/25/20		97			0% Submittal
97		Get CDM Approval for Special Project Procedures	45 days	Thu 5/14/20	Wed 7/15/20	96				0% Submittal
98		Switchgear Released for Fabrication	0 days	Fri 9/18/20	Fri 9/18/20	7	136FS-77 days,13			0%
99		4160 Switchgear (Square D) (E House)	70 days	Mon 9/21/20	Fri 12/25/20	7,98	103,127			0%
100		Pad Mount #3 and #4 Transformers (Square D)	65 days	Mon 9/21/20	Fri 12/18/20	3,7	106FS-12 wks,128			0%
101		2000 Amp Switchboard (Square D)	80 days	Mon 9/21/20	Fri 1/8/21	7	129			0%
102		SB-1 (Square D)	80 days	Mon 9/21/20	Fri 1/8/21	7	130			0%
103		PLC for Medium Voltage SG	1 day	Mon 12/28/20	Mon 12/28/20	99	131			0%
104		Start-up Support (Square D)	1 day?	Wed 5/13/20	Wed 5/13/20					0%

Project: City of Kingsport WWT Date: Wed 7/7/21	Task		Project Summary		Manual Task		Start-only		Deadline
	Split		Inactive Task		Duration-only		Finish-only		Progress
	Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress
	Summary		Inactive Summary		Manual Summary		External Milestone		

















ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Resource Names	% Complete	Text1
105		Construction	249 days?	Wed 5/13/20	Mon 4/26/21					0%
106		Mobilize Glass Construction	1 day	Mon 9/28/20	Mon 9/28/20	100FS-12 wks	107,109,111,116			0%
107		Form / Pour Transformer Pad 1	10 days	Tue 9/29/20	Mon 10/12/20	106	109,108			0%
108		Transformer Pad 1 Cure Time	28 days	Tue 10/13/20	Thu 11/19/20	107	114			0%
109		Form / Pour Transformer Pad 2	10 days	Tue 10/13/20	Mon 10/26/20	106,107	111,110,114			0%
110		Transformer Pad 2 Cure Time	28 days	Tue 10/27/20	Thu 12/3/20	109				0%
111		Form / Pour E-House Pad	20 days	Tue 10/27/20	Mon 11/23/20	106,109	112,113,114			0%
112		E-House Pad Cure Time	28 days	Tue 11/24/20	Thu 12/31/20	111				0%
113		Install E-House Ductbank	10 days	Tue 11/24/20	Mon 12/7/20	111	119			0%
114		Grounding	3 days	Tue 11/24/20	Thu 11/26/20	108,111,109				0%
115		Temporary Power	7 wks	Tue 9/29/20	Mon 11/16/21					0%
116		Temp Power to Existing SWG to RAM Switch #4	5 days	Tue 9/29/20	Mon 10/5/20	106	117			0%
117		Temp Power to Existing SWG to RAM Switch #5	15 days	Tue 10/6/20	Mon 10/26/20	116	118			0%
118		Temp Power to Existing SWG to RAM Switch #6	11 days	Tue 10/27/20	Tue 11/10/20	117				0%
119		4160 Manhole #6 to Chemical Bldg Ductbank	5 days	Tue 12/8/20	Mon 12/14/20	113	120			0%
120		New Transformers to new Circuit Breakers Ductbank	4 days	Tue 12/15/20	Fri 12/18/20	119	121			0%
121		Instruments and Controls Ductbank	1 day	Mon 12/21/20	Mon 12/21/20	120	122			0%
122		E-House Conduit and Wiring	3.5 wks	Tue 12/22/20	Thu 1/14/21	121	123			0%
123		4160 V Monhole #6 to Chemical Bldg Conduit and Wiring	1.5 wks	Thu 1/14/21	Mon 1/25/21	122	124			0%
124		New Transformers to New Circuit Breakers Conduit and Wiring	4 wks	Mon 1/18/21	Fri 2/12/21	123	125			0%
125		New Switchgear SB-1 Conduit and Wiring	7 wks	Mon 2/15/21	Fri 4/2/21	124	126			0%
126		Instrumentation and Controls Conduit and Wiring	3 days	Mon 4/5/21	Wed 4/7/21	125	133			0%
127		Set / Anchor 4160 Switchgear (Square D) (E House)	3 days	Mon 12/28/20	Wed 12/30/20	99	132			0%
128		Set and Anchor Pad Mount #3 and #4 Transformers / RAM Switches (Square D)	6 days	Mon 12/21/20	Mon 12/28/20	100	132			0%
129		Set and Anchor 2000 Amp Switchboard (Square D)	1 day	Mon 1/11/21	Mon 1/11/21	101	132			0%
130		Set and Anchor SB-1 (Square D)	5 days	Mon 1/11/21	Fri 1/15/21	102	132			0%
131		Set and Anchor PLC for Medium Voltage SG	1 day?	Tue 12/29/20	Tue 12/29/20	103	132			0%
132		Architectural	6 days	Mon 1/18/21	Mon 1/25/21	127,128,129,130,133				0%
133		Demo	13 days	Thu 4/8/21	Mon 4/26/21	132,126				0%
134		TECI Install Conduits for pad	1 day?	Wed 5/13/20	Wed 5/13/20					0%
135		Training	1 day?	Wed 5/13/20	Wed 5/13/20					0%
136		Mobilize to Site	1 day?	Thu 6/4/20	Thu 6/4/20	98FS-77 days				0%
137		30 Kva Mini Powerzone	20 days	Mon 9/21/20	Fri 10/16/20	7				0%
138		Construction After	43 days	Mon 9/21/20	Wed 11/18/20	98				0%
219										
220		E-House Arrives onsite and set in place	1 day	Sun 5/24/20	Sun 5/24/20					0%

Project: City of Kingsport WWTP
Date: Wed 7/7/21

Task		Project Summary		Manual Task		Start-only		Deadline
Split		Inactive Task		Duration-only		Finish-only		Progress
Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress
Summary		Inactive Summary		Manual Summary		External Milestone		

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	Successors	Resource Names	% Complete	Text1
221		Set XFMRs	2 days	Wed 5/20/20	Thu 5/21/20					0%
222		Pull 5K Cable from E-House to RAM #1 on Pole	1 day	Sun 5/24/20	Sun 5/24/20					0%
223		Pull 5KV Cable from E-House to underground vault	1 day	Tue 5/26/20	Tue 5/26/20					0%
224		Pull 5KV Cable from E-House to AEP Feed	1 day	Thu 5/28/20	Thu 5/28/20					0%
225		Pull 480V Cable fro, XFMR 3 to 2000amp circuit breaker	1 day	Wed 5/27/20	Wed 5/27/20					0%
226		Pull 480V Cable from both 200amp circuit breakers to 480V SBI Gear	3 days	Sun 5/31/20	Tue 6/2/20		227			0%
227		Terminate Ram Switch 6A	2 days	Wed 6/3/20	Thu 6/4/20	226	228			0%
228		Terminate Ram Switch 6B	2 days	Fri 6/5/20	Mon 6/8/20	227	229			0%
229		Terminate XFMR #3	2 days	Tue 6/9/20	Wed 6/10/20	228	230FS+1 day			0%
230		Terminate XFMR #4	2 days	Fri 6/12/20	Mon 6/15/20	229FS+1 day	231			0%
231		Terminate 2000a Circuit Breaker	2 days	Tue 6/16/20	Wed 6/17/20	230	232FS+1 day			0%
232		Terminate 2000a Feeds In SB1 Gear	2 days	Fri 6/19/20	Mon 6/22/20	231FS+1 day	233			0%
233		Terminate 480V Circuit in MCC15	2 days	Tue 6/23/20	Wed 6/24/20	232	234			0%
234		Terminate 480V Circuit in MPZ House	2 days	Wed 6/24/20	Thu 6/25/20	233	235			0%
235		Verification and final prep before outage tie-ins	5 days	Thu 6/25/20	Wed 7/1/20	234				0%
236		AEP to Single End New 5kv gear	3 days	Mon 7/5/21	Wed 7/7/21		237			0%
237		TECI to Single End new 480V SB1	2 days	Wed 7/7/21	Thu 7/8/21	236	238			0%
238		Power MP2Switch Gear in E-House from MCC-15	1 day	Thu 7/8/21	Thu 7/8/21	237	239FS+2 days			0%
239		Square D to Checkout new E-House once powered up	5 days	Tue 7/13/21	Mon 7/19/21	238FS+2 days	240			0%
240		Southern Flow Integrations	5 days	Wed 7/14/21	Tue 7/20/21	239	241FS+1 day			0%
241		Terminate Perm. Feed to Ram #1	3 days	Thu 7/22/21	Mon 7/26/21	240FS+1 day	242FS+1 day			0%
242		Terminate Perm. Feed to Ram Switch #4,5,6 In Vault	3 days	Mon 7/26/21	Wed 7/28/21	241FS+1 day	243			0%
243		Change Over on VFD-1,3 In SB1	1 day	Wed 7/28/21	Wed 7/28/21	242	244			0%
244		Change Over UV-PDP-1 & MCC-6	1 day	Thu 7/29/21	Thu 7/29/21	243	245FS+1 day			0%
245		Change Over MCC-5 & MCC-14	1 day	Mon 8/2/21	Mon 8/2/21	244FS+1 day	246			0%
246		Change Over VFD-2 & UVPDP-2	1 day	Mon 8/2/21	Mon 8/2/21	245	247			0%
247		Change Over on VFD-4 In SB1	1 day	Tue 8/3/21	Tue 8/3/21	246	248			0%
248		Change Over on Maint-MDP & AB-MDB	2 days	Wed 8/4/21	Thu 8/5/21	247	249,254			0%
249		Demo Old XFMR and Ram Switch	4 days	Fri 8/6/21	Wed 8/11/21	248	250			0%
250		AEP to unhook 4160V from Old E-House before Demo	1 day	Thu 8/12/21	Thu 8/12/21	249	251			0%
251		Demo Old E-House	4 days	Fri 8/13/21	Wed 8/18/21	250	252			0%
252		Demo Old 480V Gear	4 days	Mon 8/16/21	Thu 8/19/21	251	253FS+1 day			0%
253		Patch Floor	2 days	Mon 8/23/21	Tue 8/24/21	252FS+1 day				0%
254		Final Punch List	6 days	Fri 8/6/21	Fri 8/13/21	248	255			0%
255		Demobilization	5 days	Wed 8/25/21	Tue 8/31/21	254				0%
256										
257										

Project: City of Kingsport WWT
Date: Wed 7/7/21

Task		Project Summary		Manual Task		Start-only		Deadline
Split		Inactive Task		Duration-only		Finish-only		Progress
Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress
Summary		Inactive Summary		Manual Summary		External Milestone		



AGENDA ACTION FORM

Award of Bid to W-L Construction & Paving, Inc. for 2021 Contracted Paving-Sullivan Street Authorizing the Mayor to Sign All Applicable Documents

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

Action Form No.: AF-243-2021
 Work Session: August 2, 2021
 First Reading: N/A

Final Adoption: August 3, 2021
 Staff Work By: Committee
 Presentation By: R. McReynolds

Recommendation:

Approve the Resolution

Executive Summary:

Bids were opened on July 27, 2021 for the 2021 Contracted Paving-Sullivan Street project. This project consists of placing approximately 2,500 tons of asphalt on the section of Sullivan Street between Center Street and Church Circle. Project also includes milling, asphalt markings, and other associated work. The project shall be completed by October 15, 2021.

City staff reviewed the bids and recommends awarding the contract to the apparent low bidder, W-L Construction & Paving, Inc. in the amount of \$535,231.30.

Base Bid	\$ 535,231.30
Engineering Inspection & Admin 6%	32,113.88
Contingency 6%	<u>34,040.71</u>
Total Project Cost	\$ 601,385.89

The base engineering estimate for the referenced project is \$454,800.00.

Funding is available and identified in GP 2113 and NC2200.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Map

Funding source appropriate and funds are available: *2w*

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: *2w*

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

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR CONTRACTED
PAVING - SULLIVAN STREET PROJECT TO W-L
CONSTRUCTION & PAVING, INC. AND AUTHORIZING THE
MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE
THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened July 27, 2021, for the 2021 Contracted Paving - Sullivan Street Project; and

WHEREAS, the project consists of placing approximately 2,500 tons of asphalt on the section of Sullivan Street between Center Street and Church Circle, and also includes milling, asphalt markings, and other associated work; and

WHEREAS, upon review of the bids, the board finds W-L Construction & Paving, Inc. is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into an agreement with W-L Construction & Paving, Inc. at an estimated cost of \$535,231.30; and

WHEREAS, funding is available and identified in GP2113 and NC2200.

Now therefore,

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

SECTION I. That the bid for the 2021 Contracted Paving 2021 Contracted Paving Sullivan Street Project consisting of placing approximately 2,500 tons of asphalt on the section of Sullivan Street between Center Street and Church Circle, and also includes milling, asphalt markings, and other associated work, at an estimated cost of \$535,231.30, is awarded to W-L Construction & Paving, Inc. and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 3rd day of August, 2021.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
July 27, 2021
4:00 P.M.

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

The Bid Opening was held in the Conference Room 436, City Hall.

The Procurement Manager opened with the following bids:

2021 CONTRACTED PAVING – SULLIVAN STREET	
Vendor:	Total Cost:
W-L Construction & Paving Inc.	\$535,231.30

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



CITY OF KINGSPORT, TENNESSEE

5-3-21



AGENDA ACTION FORM

Accepting the 2021 Kingsport Parks and Recreation Master Plan as a Guiding Document

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

Action Form No.: AF-240-2021
 Work Session: August 2, 2021
 First Reading: NA

Final Adoption: August 3, 2021
 Staff Work By: Kitty Frazier
 Presentation By: Kitty Frazier/Michael Borders

Recommendation:

Approve the Resolution

Executive Summary:

- In 2019 the City of Kingsport contracted Ragan-Smith Associates, to develop a comprehensive master plan for Kingsport Parks and Recreation.
- The Parks and Recreation citizen advisory committee reviewed and approved a final plan and a summary was presented to the BMA in January 2021.
- TDEC Recreational Educational Services requires the acceptance of the Parks and Recreation Master Plan by the local governing board for future grant opportunities.
- The citizen advisory committee and staff recommend the Parks and Recreation Master plan be accepted as a guiding document for planning, development of facilities, program development and for determining strategic initiatives related to department operations.
- The complete Kingsport Parks and Recreation Master Plan can be viewed at www.kingsportparksandrecreation.org.

Attachments:

1. Resolution

Funding source appropriate and funds are available: NA

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: NA

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

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE 2021 KINGSPORT PARKS AND RECREATION MASTER PLAN AS A GUIDING DOCUMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

WHEREAS, In 2019 the City of Kingsport contracted with Ragan-Smith Associates to help develop a comprehensive master plan for Kingsport Parks and Recreation; and

WHEREAS, over a year and a half time period, extensive community input was received, city services were reviewed, statistical data was gathered, various comparative analysis was done and master plan drafts were developed, and the Parks and Recreation Citizen Advisory Committee reviewed and approved a final plan, and then a summary was presented to the BMA in January 2021; and

WHEREAS, the Kingsport Parks and Recreation Master Plan is a guide to help shape the future of recreation in Kingsport, and the citizen advisory committee and staff recommend the Parks and Recreation Master plan be accepted as a guiding document for planning, development of facilities, program development and for determining strategic initiatives related to department operations.

Now therefore,

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

SECTION I. That the Kingsport Parks and Recreation Master Plan is accepted as a guiding document for planning, development of facilities, program development and for determining strategic initiatives related to department operations 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 any agreements or other documents necessary and proper 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 3rd day of August, 2021.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



AGENDA ACTION FORM

Ratifying the Mayor's Signature on a Release of Lien

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

Action Form No.: AF-244-2021
Work Session: August 2, 2021
First Reading: N/A

Final Adoption: August 3, 2021
Staff Work By: J. Michael Billingsley
Presentation By: J. Michael Billingsley

Recommendation:

Approve the Resolution

Executive Summary:

On September 24, 2009, a sewer tap lien for 1921 Derting Street, in the amount of \$2,250.00, was executed by the property owner and was recorded in the Register of Deeds Office.

Thereafter, a bankruptcy was filed and the bankruptcy court has entered an order requiring the release of the lien.

Accordingly, the mayor executed the release of the lien and this resolution ratifies the execution of the lien as required by the bankruptcy court.

Attachments:

1. Resolution
2. Release

Funding source appropriate and funds are available: **N/A**

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: **N/A**

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
George	—	—	—
Montgomery	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON A
RELEASE OF THE CITY'S LIEN PLACED AGAINST PROPERTY
AND TO EXECUTE ANY AND ALL OTHER DOCUMENTS
NECESSARY TO EFFECTUATE THE PURPOSE OF THIS
RESOLUTION

WHEREAS, on September 24, 2009, a sewer tap lien for 1921 Derting Street, in the amount of \$2,250.00, was executed by the property owner and was recorded in the Register of Deeds Office; and

WHEREAS, thereafter, a bankruptcy was filed and the United States Bankruptcy Court for the Eastern District of Tennessee entered an order requiring the release of the lien; and

WHEREAS, accordingly, the mayor executed the release of the lien and this resolution ratifies the execution of the lien as required by the bankruptcy court

Now therefore,

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

SECTION I. That the Release of Lien, executed by the city on July 30, 2021, is ratified, including the execution of the same by Mayor Patrick W. Shull.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to release the lien.

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

ADOPTED this the 3rd day of August, 2021.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

This Instrument Was Prepared By:

J. Michael Billingsley
City Attorney
415 Broad Street, Ste. 333
Kingsport, Tennessee 37660

FULL RELEASE OF DEED OF TRUST

The undersigned, City of Kingsport, Tennessee, through its duly authorized officers, hereby declares that it is the true and lawful holder and owner of the entire indebtedness fully described in and secured by a Deed of Trust executed by WILLIAM A. LISEBY and wife, LOIS LISEBY to James H. Derming, Trustee, of record in Deed Book 2915C, Page 0208-0210 in the Register's Office for Sullivan County at Blountville, Tennessee, to which reference is hereby made, hereby acknowledges the payment in full of said indebtedness and satisfaction of said Deed of Trust and hereby fully releases and discharges said Deed of Trust.

IN WITNESS WHEREOF, this Full Release of Deed of Trust has been executed on this the _____ day of _____, 2021.

PATRICK W. SHULL, Mayor

ATTEST:

APPROVED AS TO FORM:

City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

STATE OF TENNESSEE

COUNTY OF SULLIVAN

Before me, the undersigned authority, a Notary Public in and for said County and State aforesaid, personally appeared PATRICK W. SHULL, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the Mayor for the City of Kingsport, Tennessee, a municipal corporation, and that he as such Mayor executed the within instrument for the purpose therein contained by personally signing the name of the corporation as City of Kingsport, Tennessee.

WITNESS my hand and official seal, this the _____ day of _____, 2021.

My Commission Expires:

NOTARY PUBLIC