



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

Monday, February 5, 2018, 4:30 p.m.
City Hall, 225 W. Center St., Council Room, 2nd Floor

Board of Mayor and Aldermen

Mayor John Clark, Presiding
Vice Mayor Mike McIntire
Alderman Jennifer Adler
Alderman Joe Begley

Alderman Betsy Cooper
Alderman Colette George
Alderman Tommy Olterman

Leadership Team

Jeff Fleming, City Manager
Chris McCartt, Assistant City Manager for Administration
Ryan McReynolds, Assistant City Manager for Operations
J. Michael Billingsley, City Attorney
Jim Demming, City Recorder/Chief Financial Officer
David Quillin, Police Chief

Scott Boyd, Fire Chief
Lynn Tully, Development Services Director
George DeCroes, Human Resources Director
Heather Cook, Marketing and Public Relations Director

1. Call to Order
2. Roll Call
3. Farmers Market – Chris McCartt
4. City Website Review/Metrics – Heather Cook
5. Review of Items on February 6, 2018 Business Meeting Agenda
6. Adjourn

Addition →

Next Work Session, Feb. 19: Regions Update and Projects Status

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

City of Kingsport

Project Status in Pictures



1



2



3



4



5

1 Buffalo Grasslands Boardwalk

Boardwalk is complete, with only adding topsoil and additional grading for grass being left for the project.

2 Pendragon Sidewalk & Water Improvements

Crews are grading for sidewalks and preparing to install line on Brandonwood Road.

3 Reedy Creek Sewer Trunkline

Crews are working alongside Lynn Garden Drive. Road surface coat is planned for W Center Street.

4 Farmer's Market Poster Contest

Market posters will help promote healthy food and communities. The contest is open until February 28.

5 KATS Transit Center

Ongoing work includes the tying of rebar in preparation for the placement of the concrete footers.

Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$7,500,000.00	Ryan McReynolds	Thompson, Michael	SR 347 (Rock Springs Road) [State & MTPO funded]	No City Funds	12/31/2020	Per TDOT Field Survey was completed and turned over to Design week of 11/12/2017.
\$6,719,995.10	Chad Austin	Chad Austin	Reedy Creek Sewer Trunk Line	SW1706	3/21/2018	Crews working at both ends of Lomax. Binder is down on W Center St. TDOT is requiring a surface coat which is planned to be placed
\$6,600,000.00	Niki Ensor	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	WA1700/ SW1700/ SW1603	4/1/2019	Site visit scheduled for the week of February 5, 2018.
\$4,400,000.00	Niki Ensor	Niki Ensor	WWTP Electrical Improvements	SW1800	9/1/2019	30% plans should be available for staff review week of February 12th.
\$4,300,000.00	Chad Austin	Hank Clabaugh	Border Regions Utility Upgrades		2/17/2020	Engineering is finalizing the construction documents and have added a section of waterline on Fordtown Road.
\$4,186,000.00	Chris McCartt	Melton, Dawn	New KATS Transit Center	GP1718	1/18/2019	Water Quality piping is complete and unit backfilled and capped this week.
\$3,750,000.00	Niki Ensor	Niki Ensor	Chemical Feed Design	WA1403	4/1/2019	60% design meeting held 1/23/18
\$3,740,000.00	Niki Ensor	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	SW1708	6/1/2019	In the process of obtaining easements. Meeting with property owners.
\$3,300,000.00	Michael Thompson	Thompson, Michael	Indian Trail Drive Extension	GP1615	6/30/2019	Still awaiting RPAI (East Stone Commons Owner) coordination with designer on access needs.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	4/1/2021	Designer continues work towards 40% design plans. Expected delivery is late February 2018.
\$1,688,507.50	Chad Austin	Pamela Gilmer	Pendragon Sidewalk & Water Improvement	WA1803/G P1830	9/18/2018	Crews connecting meters on Pendragon Road, grading for sidewalks, and preparing to install line on Brandonwood Rd.
\$1,250,000.00	Niki Ensor	Niki Ensor	Pipe Gallery Improvements	WA1505	3/31/2018	Received only one bid. Plan to reject and rebid at a later date.
\$961,140.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to Lynn Garden Drive [95% State Funded 5% City]		8/31/2020	PreliminaryDesign underway. Current status is 50% of NEPA phase complete as of 1/25/2017
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	11/1/2019	Additional Survey plats created and submitted to satisfy mortgage holder requirements to release liens.
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 1 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	Value Engineering underway to meet funding availability.

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\$600,000.00	Kitty Frazier	Melton, Dawn	Riverbend Park	GP1512	2/28/2018	Public input meeting scheduled for 01-17-18
\$420,000.00	Rob Cole	Harris, David	Bays Mountain Dam Rehabilitation	GP1711		Signed Contract - Scheduling Pre-Construction Meeting with Contractor and Engineer
\$415,000.00	Chad Austin	Chris Alley	SR 93- Fall Branch section (TDOT)		12/31/2020	Project moved to 2019; "B Date" package due 9/26/2018; TDOT Letting Date: December 2018
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\$221,800.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	10/31/2018	Advertise for bids 1/21/18, prebid conference 1/31/18, open bids 2/14/18.
\$218,713.00	Chad Austin	Spud Myrick	Hunt Rd waterline extension	WA1805	3/2/2018	Waterline has been installed. Three more services to be installed when weather breaks.
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\$50,000.00	Steve Robbins	David Edwards	Main St. & Sullivan St. System Upgrades			Coordination underway with KATS site contractor
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BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

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Board of Mayor and Aldermen

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I. CALL TO ORDER

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG

II.B. INVOCATION – Minister Penny Hagy, Evangel Family Worship Center

III. ROLL CALL

IV.A. RECOGNITIONS & PRESENTATIONS

1. Kingsport Police Dept. Officer Commendations – Chief Quillin
2. Recognition of New Fire Chief, Scott Boyd – Jeff Fleming

IV.B. APPOINTMENTS

1. Appointments to SBK (Sullivan County, Bluff City and City of Kingsport) Animal Control Center, Inc. d/b/a PETWORKS (AF: 17-2018) (Mayor Clark)
 - Appointments

V. APPROVAL OF MINUTES

1. Work Session – January 22, 2018
2. Business Meeting – January 23, 2018

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

None

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Amend the FY 2018 General Project Fund Budget (AF: 16-2018) (Sid Cox)
 - Ordinance

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Public Hearing and Consideration of Resolution to Annex/Adopt Plan of Service for the Bays Mountain Park and Planetarium Addition Annexation and Consideration of an Ordinance to Amend Zoning (AF: 05-2018) (Nathan Woods)
 - Ordinance – **Second Reading and Final Adoption**

D. OTHER BUSINESS

1. Acquisition of Portion of Property for Stormwater Utility (AF: 15-2018) (Ryan McReynolds)
 - Resolution
2. Implementation of Policies and Procedures for Operation of a Seasonal Farmers Market and Authorization to Apply for and Receive Funding from the USDA for SNAP (Supplemental Nutrition Assistance Program) at the Kingsport Farmers Market (AF: 14-2018) (Chris McCartt)
 - Resolution

VII. CONSENT AGENDA

1. Grant Application for Resurfacing 6 Tennis Courts at Borden Park (AF: 08-2018) (Chris McCartt)
 - Resolution

2. Rejecting Single Bid for Water Treatment Plant Filter Gallery Project (AF: 13-2018) (Ryan McReynolds)
 - Resolution
3. Certificate of Compliance for Business to Sell Retail Alcoholic Beverages (AF: 18-2018) (Jim Demming)
 - Certificate

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



AGENDA ACTION FORM

Appointments to SBK (Sullivan County, Bluff City and City of Kingsport) Animal Control Center, Inc. d/b/a PETWORKS

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-17-2018
Work Session: February 5, 2018
First Reading: N/A

Final Adoption: February 6, 2018
Staff Work By: Judy Smith, Jeff Fleming
Presentation By: Mayor Clark

Recommendation:

Approve appointments.

Executive Summary:

Withdrawal and termination of the inter-local agreement by Sullivan County and Bluff City from the SBK Animal Control Center, Inc. has resulted in four vacancies for PETWORKS.

It is recommended by the PETWORKS Board of Directors that the following be appointed to fill three of the vacancies for Sullivan County. The appointment for Bluff City's vacancy will come to the Board of Mayor and Aldermen at a later date.

If approved by the Board of Mayor and Aldermen the terms for the appointments will be effective immediately and will expire as indicated.

- Dr. Gary Andes, one-year term; February 28, 2019
- Terri Jones, two-year term; February 28, 2020
- Dr. MaryLee Davis, three-year term; February 28, 2021

Attachments:

1. Bios

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Oiterman	—	—	—
Clark	—	—	—

Gary Andes, DVM

Dr. Gary Andes grew up in Kingsport, graduated from Dobyons-Bennett High School then attended the University of Tennessee's Pre-Vet Undergraduate Program where afterwards he attended UT's College of Veterinary Medicine and graduated in the 2nd class in 1981. His father, Dr. Garald Andes, and Dr. Tyler Young started the practice, Young-Andes Veterinary Hospital in 1947. Dr. Andes joined the practice in 1981 and upon his dad's retirement, assumed partnership role in the practice.

Dr. Andes lives in Kingsport with his wife, Andrea. They have a daughter, Ashley, who lives with her husband in Macon, GA. They have a one, Alex, deceased.

Dr. Andes enjoys working on his bonsai trees, antiques, playing racquetball and helping the local animal shelters.

Terri Jones

Terri Jones is a life-long resident of Kingsport. She owns and operates The Carriage House, a successful business that has been located in downtown Kingsport for over 40 years. Terri supports the local economy and understands the importance of community dynamics. She believes in working hard and adapting to exceed her customer's expectations.

In addition, she is passionate about animals and loves to connect pets to the right family. She and her husband currently have five dogs, two of which are shelter rescues.

Terri loves all things involving fiber arts and knitting and enjoys spending time with her family, especially her three grandchildren.

MaryLee Davis, Ph.D.

Dr. Davis is a Kingsport native, attended Dobyns- Bennett High School. She received a B. S. & M. S. degree from the University of Tennessee and a Ph.D. from Michigan State University.

MaryLee has a distinguished career in fields including education, university administration, health and Hospital administration, National Association of United Way, Salvation Army, Girl Scouts of Michigan and many other and state community Boards.

She not only served many organization but led efforts that resulted in local, state and national recognition. These include:

- Michigan Woman's Hall of Fame
- MSU Lifetime Achievement Award
- Top 100 Most influential People for greater Lansing
- MSU Outstanding Faculty Award
- Michigan Health & Hospital Leadership
- American Society for Public Administration
- Distinguished Citizen and Leadership Scout Award

Current service includes:

- U T Legislative Council
- Kiwanis Club of Kingsport
- National Board of Girl Scouts of USA

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, January 22, 2018, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor John Clark

Vice-Mayor Mike McIntire

Alderman Jennifer Adler

Alderman Joe Begley

Alderman Betsy Cooper

Alderman Colette George

Alderman Tommy Olterman

(arrived after roll call/left at 6:05 pm)

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder/Chief Financial Officer

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Clark.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. **FY17 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) PRESENTATION AND EXPLANATION.** Vice-Mayor McIntire provided information on this item, pointing out the significance of the high rating and no reported deficiencies or weaknesses. He also introduced Richard Linnen and David Elkins who were present and representing the auditing firm of Brown Edwards.

NOTE: This item was presented in greater detail by City Comptroller Lisa Winkle after the agenda discussion at the end of the meeting (from 5:00 pm to 6:30 pm) to provide utility training which is required for the BMA.
4. **SALES TAX, WELLNESS CLINIC & SAFETY.** City Manager Fleming provided details on this item.
5. **REVIEW OF AGENDA ITEMS ON THE JANUARY 23, 2018 REGULAR BUSINESS MEETING AGENDA.** City Manager Fleming and members of staff gave a summary or presentation for each item on the proposed agenda. The following items were discussed at greater length or received specific questions or concerns.

VI.A.1 Consideration of Resolutions to Annex/Adopt Plan of Services for the Bays Mountain Park and Planetarium Addition Annexation and Consideration of an Ordinance to Amend Zoning (AF: 05-2018). Alderman George asked if the information regarding this property, such as on a plaque, would be posted somewhere. Assistant City Manager Christ McCartt stated there were plans to place this information at the Nature Center where more people would see it.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, January 22, 2018

VI.D.1 Authorize the Industrial Development Board of the City of Kingsport, Tennessee to Execute a Payment on Lieu of Tax Provision (AF: 12-2018). Clay Walker, NETWORKS, presented this item and answered questions from the board. He noted the incentive was for an existing company that was growing and making \$557,000 investment in equipment as well as bringing in 25 new positions. He pointed out that nothing would be taken off of the tax rolls.

VI.D.2 Assistance to Firefighters Grant (AFG) through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 07-2018). Acting Fire Chief Scott Boyd provided details on this item stated the last major purchase for these air tanks was in 2005, noting they have a life expectancy of ten years.

VII.1 Apply for a Federal Historic Preservation Grant from the Tennessee Historical Commission (AF: 06-2018). City Planner Nathan Woods pointed out this has not been updated since 1980's-1990's.

6. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 6:30 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, January 23, 2018, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Vice Mayor Mike McIntire, Presiding	Alderman Betsy Cooper
Alderman Jennifer Adler	Alderman Colette George
Alderman Joe Begley	Alderman Tommy Olterman

City Administration

Jeff Fleming, City Manager
J. Michael Billingsley, City Attorney
James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Vice Mayor Mike McIntire.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Deputy Chief Darryl Hayes, Kingsport Fire Department.
- II.B. **INVOCATION:** Pastor Richard Dice, Christ Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Mayor John Clark.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
1. Kingsport Fire Department, Technical Rescue Team - Ropes Certification
 2. Chad Arnold - TDEC Distribution Certification.

IV.B. **APPOINTMENTS/REAPPOINTMENTS.**

1. **Reappointment to the Kingsport Housing and Redevelopment Authority** (AF: 10-2018) (Mayor Clark).

Motion/Second: George/Adler, to approve:

REAPPOINTMENT OF MR. TONY JENNINGS TO SERVE ANOTHER FIVE-YEAR TERM ON THE ***KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY*** EFFECTIVE IMMEDIATELY AND EXPIRING ON FEBRUARY 28, 2023.

Passed: All present voting “aye.”

V. **APPROVAL OF MINUTES.**

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

- A. January 8, 2018 Regular Work Session
- B. January 9, 2018 Regular Business Meeting
- C. January 16, 2018 Called Work Session

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, January 23, 2018**

Approved: All present voting “aye.”

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. Consideration of Resolutions to Annex/Adopt Plan of Services for the Bays Mountain Park and Planetarium Addition Annexation and Consideration of an Ordinance to Amend Zoning (AF: 05-2018) (Nathan Woods). City Planner Nathan Woods gave a presentation on this item.

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

Motion/Second: George/Cooper, to pass:

Resolution No. 2018-103, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE BAYS MOUNTAIN PARK AND PLANETARIUM ADDITION ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting “aye.”

Motion/Second: Adler/Begley, to pass:

Resolution No. 2018-104, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE BAYS MOUNTAIN PARK AND PLANETARIUM ADDITION ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting “aye.”

Motion/Second: Cooper/Olterman, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ADJACENT TO BAYS MOUNTAIN PARK AND PLANETARIUM FROM COUNTY A-1, AGRICULTURAL DISTRICT TO CITY A-1, AGRICULTURAL 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. Vice Mayor McIntire invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING. None.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, January 23, 2018**

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Appropriate Funds for Grant from the East Tennessee Foundation to Support Kingsport Centennial Park Project Plaques (AF: 02-2018) (Chris McCartt).

Motion/Second: George/Adler, to pass:

ORDINANCE NO. 6711, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM THE EAST TENNESSEE FOUNDATION FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. Authorize the Industrial Development Board of the City of Kingsport, Tennessee to Execute a Payment on Lieu of Tax Provision (AF: 12-2018) (Staff).

Motion/Second: Cooper/Begley, to pass:

Resolution No. 2018-105, A RESOLUTION CONSENTING TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE (THE “BOARD”) TO NEGOTIATE AND ACCEPT PAYMENTS IN LIEU OF AD VALOREM PERSONAL PROPERTY TAX WITH RESPECT TO A CERTAIN PROJECT IN THE CITY OF KINGSPORT, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305.

Passed: All present voting “aye.”

2. Assistance to Firefighters Grant (AFG) through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 07-2018) (Scott Boyd)

Motion/Second: Cooper/Begley, to pass:

Resolution No. 2018-106, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE UNITED STATES FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY FOR THE KINGSPORT FIRE DEPARTMENT

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, January 23, 2018**

3. Bid Award for Purchase of Three (3) Cutaway Cargo Vans to Ted Russell Ford (AF: 09-2018) (Steve Hightower).

Motion/Second: Adler/Cooper, to pass:

Resolution No. 2018-107, A RESOLUTION AWARDDING THE BID FOR THE PURCHASE OF THREE CUTAWAY CARGO VANS TO TED RUSSELL FORD, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

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

Motion/Second: George/Cooper, to adopt:

1. Apply for a Federal Historic Preservation Grant from the Tennessee Historical Commission (AF: 06-2018) (Nathan Woods).

Pass:

Resolution No. 2018-108, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR A FEDERAL HISTORIC PRESERVATION GRANT FROM THE TENNESSEE HISTORICAL COMMISSION

Passed: All present voting "aye."

2. Grant Application for Greenbelt "Information and Rest Areas" (AF: 11-2018) (Kitty Frazier, Bill Albright).

Pass:

Resolution No. 2018-109, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A STATE OF TENNESSEE DEPARTMENT OF HEALTH "ACCESS TO HEALTH THROUGH HEALTHY ACTIVE BUILT ENVIRONMENTS PROGRAM"

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming commented on a new Kingsport publication highlighting changes that have been made since 1917. He pointed out the last one was published in 1967. He also commented on the Tri-Cities Legislative Agenda that has already been formally approved, stating staff and the BMA would be travelling to Nashville next week for further discussion with state officials.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, January 23, 2018**

B. MAYOR AND BOARD MEMBERS. Alderman Olterman congratulated Dobyne Bennett on their victory over Science Hill. Alderman George commented on the upcoming Chamber dinner and the Neighborhood Commission meeting. Alderman Adler pointed out the Neighborhood Commission meeting would be Thursday at 6:00pm at the Kingsport Center for Higher Education. She also noted the draft plan presentation for downtown would be at the same time and location. Alderman Cooper commented on the CAFR presentation at the work session yesterday and the budget process in general. Vice-Mayor McIntire provided some details on the 2017 audit report, noting the city had received the highest rating a CPA firm could give. He also pointed out there were no reported deficiencies or weaknesses. Lastly, the Vice-Mayor mentioned the recent SAFE Communities designation for Sullivan County recognizing Kingsport, Bristol, and Sullivan County, as well as their respective fire departments, police departments, hospitals and the sheriff's department and their efforts for being prepared.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Vice Mayor McIntire adjourned the meeting at 7:38 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor



AGENDA ACTION FORM

Amend the FY 2018 General Project Fund Budget

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-16-2018
 Work Session: February 5, 2018
 First Reading: February 6, 2018

Final Adoption: February 20, 2018
 Staff Work By: Sid Cox / Judy Smith
 Presentation By: Sid Cox

Recommendation:

Approve the Ordinance.

Executive Summary:

The FY 2018 General Project Fund included \$71,935 in funding for the renovation of the lower level bathrooms at Bays Mountain Park and Planetarium. After receiving bids it is necessary to amend the budget through the transfer of \$12,640 from the Bays Mountain Park Improvements Project (GP1707) to the Bays Mountain Park Lower Level Bathroom Project (GP1838). This transfer will cover the cost of the construction low bid of \$75,797, provide for a 6% contingency of \$4,548 and provide for the estimated engineering inspection and miscellaneous costs of \$ 4,230, for a total project budget of \$84,575.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: _____

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND GENERAL PROJECT FUND
BUDGET FOR THE YEAR ENDING JUNE 30, 2018; AND
TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project Fund budgets be amended by transferring \$12,640 from the Bays Mountain Park Improvements Project (GP1707), to the Bays Mountain Park Lower Level Bathroom Project (GP1838).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
<u>Bays Mountain Park Improvements Project (GP1707)</u>			
<u>Revenues:</u>			
311-0000-368-1047 2014 A GO Bonds	\$ 349,439	\$ (12,640)	\$ 336,799
Totals:	349,439	(12,640)	336,799

<u>Expenditures:</u>			
311-0000-601-2023 Architecture/Engineering	\$ 79,829	\$ (12,640)	\$ 67,189
311-0000-601-9003 Capital Outlay Improvement	269,610	0	269,610
Totals:	349,439	(12,640)	336,799

Fund 311: General Project Fund			
<u>Bays Mountain Park Lower Level Bathroom Project (GP1838)</u>			
<u>Revenues:</u>			
311-0000-368-1047 2014 A GO Bonds	\$ 0	\$ 12,640	\$ 12,640
311-0000-368-1055 2017 A GO Bonds	68,791	0	68,791
311-0000-368-2101 Premium from Bond Sale	3,144	0	3,144
Totals:	71,935	12,640	84,575

<u>Expenditures:</u>			
311-0000-601-4001 Bond Sale Expense	\$ 935	\$ 0	\$ 935
311-0000-601-9003 Capital Outlay Improvement	71,000	12,640	83,640
Totals:	71,935	12,640	84,575

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.

JOHN CLARK, Mayor



AGENDA ACTION FORM

Bays Mountain Park and Planetarium Consideration of an Ordinance to Amend Zoning

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager

Action Form No.: AF-05-2018
Work Session: January 22, 2018
First Reading: January 23, 2018

Final Adoption: February 6, 2018
Staff Work By: Woods
Presentation By: Woods

Recommendation:

- ~~Hold public hearing~~
- ~~Approve resolution for the Bays Mountain Park & Planetarium Addition Annexation~~
- Approve ordinance amending the zoning ordinance for the Bays Mountain Park & Planetarium Addition Annexation
- ~~Approve resolution adopting a plan of services for the annexation area~~

Executive Summary:

This is the owner-requested Bays Mountain Park & Planetarium Addition annexation of approximately 63.88 acres/8 parcels located off of Hood Road. The current county zoning of the property is County A-1 (Agricultural District). The proposed city zoning for the area is City A-1 (Agricultural District) The applicant is requesting a limited offering of City services and to allow the land to remain a nature preserve. During their December 2017 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. The Notice of Public Hearing was published December 25, 2017.

Attachments:

1. Notice of Public Hearing
2. Annexation Resolution
3. Zoning Ordinance
4. POS Resolution
5. Staff Report
6. Maps

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ADJACENT TO BAYS MOUNTAIN PARK AND PLANETARIUM FROM COUNTY A-1, AGRICULTURAL DISTRICT TO CITY A-1, AGRICULTURAL 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 KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property adjacent to Bays Mountain Park and Planetarium from County A-1, Agricultural District to City A-1, Agricultural 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 point, said point being the Northeast corner of Tax Map 75, Parcel 31.08; thence in a southwesterly direction, approximately 982 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southeasterly direction, approximately 2,178 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southwesterly direction, approximately 512 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a northeasterly direction, approximately 460 feet to a point, said point lying on the parcel boundary of parcel 31.02; thence in a southwesterly direction, approximately 122 feet to a point, said lying on the parcel boundary of parcel 31.06; thence in a westerly direction, approximately 210 feet to a point, said point lying on the parcel boundary of parcel 31.06; thence in a northerly direction, approximately 2,793 feet to a point lying on the parcel boundary of parcel 31.07; thence in a northeasterly direction, approximately 1,672 feet to the point of the BEGINNING, and being a portion of Tax Map 75, parcel 31.08, 31.01, 31.02, 31.03, 31.04, 31.05, 31.06, 31.07 as shown on the December 2016 Sullivan County Tax Maps.

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

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

JOHN CLARK
Mayor

ATTEST:

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

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



AGENDA ACTION FORM

Public Hearing and Consideration of Resolution to Annex/Adopt Plan of Service for the Bays Mountain Park and Planetarium Addition Annexation and Consideration of an Ordinance to Amend Zoning

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-05-2018
 Work Session: January 22, 2018
 First Reading: January 23, 2018
 Final Adoption: February 6, 2018
 Staff Work By: Woods
 Presentation By: Woods

Recommendation:

- Hold public hearing
- Approve resolution for the Bays Mountain Park & Planetarium Addition Annexation
- Approve ordinance amending the zoning ordinance for the Bays Mountain Park & Planetarium Addition Annexation
- Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is the owner-requested Bays Mountain Park & Planetarium Addition annexation of approximately 63.88 acres/8 parcels located off of Hood Road. The current county zoning of the property is County A-1 (Agricultural District). The proposed city zoning for the area is City A-1 (Agricultural District) The applicant is requesting a limited offering of City services and to allow the land to remain a nature preserve. During their December 2017 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. The Notice of Public Hearing was published December 25, 2017.

Attachments:

1. Notice of Public Hearing
2. Annexation Resolution
3. Zoning Ordinance
4. POS Resolution
5. Staff Report
6. Maps

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

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, January 23, 2018, to consider the annexation, zoning, and plan of services for the Bays Mountain Park and Planetarium Addition annexation. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for annexation is generally described as follows:

BEGINNING at a point, said point being the Northeast corner of Tax Map 75, Parcel 31.08; thence in a southwesterly direction, approximately 982 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southeasterly direction, approximately 2,178 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southwesterly direction, approximately 512 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a northeasterly direction, approximately 460 feet to a point, said point lying on the parcel boundary of parcel 31.02; thence in a southwesterly direction, approximately 122 feet to a point, said lying on the parcel boundary of parcel 31.06; thence in a westerly direction, approximately 210 feet to a point, said point lying on the parcel boundary of parcel 31.06; thence in a northerly direction, approximately 2,793 feet to a point lying on the parcel boundary of parcel 31.07; thence in a northeasterly direction, approximately 1,672 feet to the point of the BEGINNING, and being a portion of Tax Map 75, parcel 31.08, 31.01, 31.02, 31.03, 31.04, 31.05, 31.06, 31.07 as shown on the December 2016 Sullivan County Tax Maps.

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

CITY OF KINGSPORT

James H. Demming, City Recorder

P1T: 01/08/2018

RESOLUTION NO. _____

A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE BAYS MOUNTAIN PARK AND PLANETARIUM ADDITION ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, a public hearing before the board of mayor and aldermen of the City of Kingsport, Tennessee, was held on the 23th day of January 2018, and notice thereof published in the Kingsport Times-News on the 8th day of January 2018; and

WHEREAS, the Board of Mayor and Aldermen finds that the annexation will materially benefit the health, safety, and welfare of the citizens and property owners of the city and the territory annexed; and

WHEREAS, the annexation of such property is deemed necessary for the welfare of the residents and property owners thereof and the city as a whole; and

WHEREAS, pursuant to *Tenn. Code Ann. § 6-51-104(a)* the property owners of the affected territory have requested annexation of their property by the City of Kingsport by submitting written consent signed by the property owners to the city; and

WHEREAS, a plan of services for this area was adopted by resolution on the 23th day of January 2018, as required by *Tenn. Code Ann. § 6-51-102, et seq.*

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

SECTION I. Pursuant to the authority conferred by Tennessee Code Annotated §6-51-102 *et seq.* and upon written consent signed by the property owners in the affected territory submitted to the city there is here-by annexed to the City of Kingsport, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries: embracing that certain part of Civil District No. 13 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the Northeast corner of Tax Map 75, Parcel 31.08; thence in a southwesterly direction, approximately 982 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southeasterly direction, approximately 2,178 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southwesterly direction, approximately 512 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a northeasterly direction, approximately 460 feet to a point, said point lying on the parcel boundary of parcel 31.02; thence in a southwesterly direction, approximately 122 feet to a point, said lying on the parcel boundary

of parcel 31.06; thence in a westerly direction, approximately 210 feet to a point, said point lying on the parcel boundary of parcel 31.06; thence in a northerly direction, approximately 2,793 feet to a point lying on the parcel boundary of parcel 31.07; thence in a northeasterly direction, approximately 1,672 feet to the point of the BEGINNING, and being a portion of Tax Map 75, parcel 31.08, 31.01, 31.02, 31.03, 31.04, 31.05, 31.06, 31.07 as shown on the December 2016 Sullivan County Tax Maps.

SECTION II. That this resolution shall take effect thirty (30) days from and after the date of its adoption, the public welfare of the citizens of Kingsport, Tennessee requiring it.

ADOPTED this the 23rd day of January 2018.

JOHN CLARK, Mayor

ATTEST:

JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE
BAYS MOUNTAIN PARK AND PLANETARIUM ADDITION
ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE**

WHEREAS, before any territories may be annexed under Tennessee Code Annotated §6-51-102, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and

WHEREAS, a plan of services for the proposed Bays Mountain Park and Planetarium Addition annexation was submitted to the Kingsport Regional Planning Commission on December 21, 2017, for its consideration and a written report; and

WHEREAS, prior to the adoption of a plan of services, the City shall hold a public hearing; and

WHEREAS, a public hearing was held January 23, 2018; and

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality a minimum of seven (7) days prior to the hearing; and

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on January 8th 2017; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 13th Civil District of Sullivan County, Tennessee, commonly known as the Bays Mountain Park and Planetarium Addition Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the Northeast corner of Tax Map 75, Parcel 31.08; thence in a southwesterly direction, approximately 982 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southeasterly direction, approximately 2,178 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a southwesterly direction, approximately 512 feet to a point, said point lying on the parcel boundary of parcel 31.01; thence in a northeasterly direction, approximately 460 feet to a point, said point lying on the parcel boundary of parcel 31.02; thence in a southwesterly direction, approximately 122 feet to a point, said lying on the parcel boundary of parcel 31.06; thence in a westerly direction, approximately 210 feet to a point, said point lying on the parcel boundary of parcel 31.06; thence in a northerly direction, approximately 2,793 feet to a point lying on the parcel boundary of parcel 31.07; thence in a northeasterly direction, approximately 1,672 feet to the point of the BEGINNING, and being a portion of Tax Map 75, parcel 31.08,

31.01, 31.02, 31.03, 31.04, 31.05, 31.06, 31.07 as shown on the
December 2016 Sullivan County Tax Maps.

AND WHEREAS, the City of Kingsport deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSFORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the Bays Mountain Park and Planetarium Addition Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation resolution for the annexation area, the said Plan of Services to be as follows:

**Bays Mountain Park and Planetarium Addition
Plan of Services**

1. Police Protection

- A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.
- B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.
- C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.
- D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.
- E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.
- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include

department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.

- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

2. Fire Protection

- A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.
- B. The City of Kingsport Fire Department is an Internationally Accredited Agency, one of only four in the State of Tennessee. We operate 8 fire stations, housing fire suppression, hazardous materials, rescue and other emergency equipment. Staffed by 106 full-time professional firefighters, 24 hours a day, 365 days a year to provide service. The City of Kingsport maintains a Class 2 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 53 seconds after we receive the call from our dispatch center.
- C. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upgraded within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.
- D. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.
- E. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.
- F. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

3. Water

- A. No Plan of Services to be provided

4. Electricity

Electric service in this area is currently under the jurisdiction of American Electric Power

5. Sanitary Sewer

- A. No Plan of Services to be provided

6. Solid Waste Disposal

- A. No Plan of Services to be provided

7. Public Road/Street Construction & Repair

- A. No Plan of Services to be provided

8. Recreational Facilities

- A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.
- B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.
- C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.
- D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volley ball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

9. Street Lighting

- A. No Plan of Services to be provided

10. Zoning Services

- A. The area will be zoned A-1 (Agricultural)
- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.
- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.

- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

11. Schools

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.
- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

12. Traffic Control

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

13. Inspection Services

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

14. Animal Control

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

15. Storm Sewers

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as

needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

16. Leaf Removal

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

17. Litter Control

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

18. Graffiti Control

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

19. Other Services

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

SECTION II. This Resolution shall be effective from and after its adoption, the public welfare requiring it.

ADOPTED this the 23th day of January 2018.

ATTEST:

John Clark, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

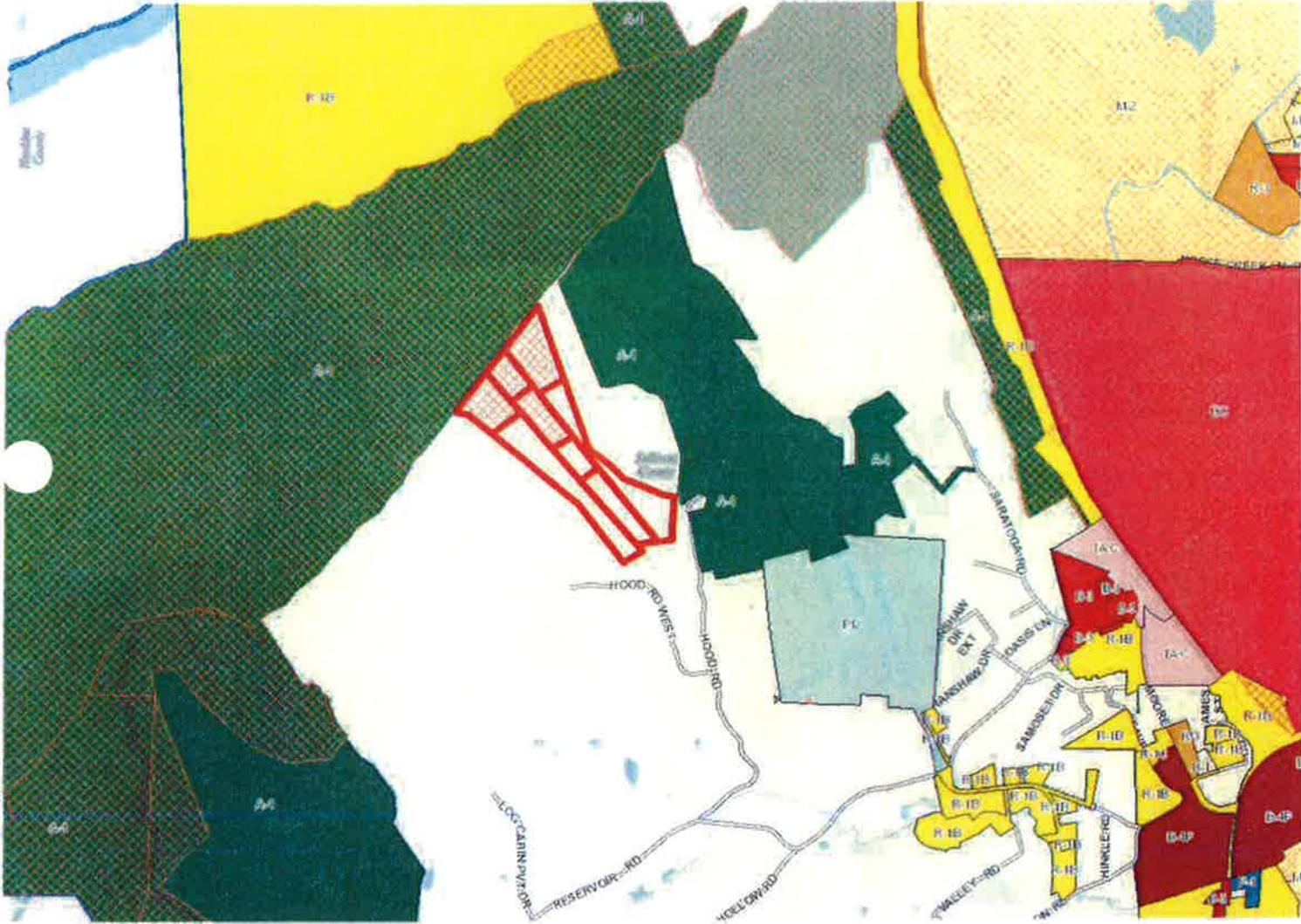
J. MICHAEL BILLINGSLEY, City Attorney

Kingsport Regional Planning Commission
Annexation Report

File Number 17-301-00002

Property Information	Bays Mountain Park & Planetarium Addition Annexation		
Address	n/a		
Tax Map, Group, Parcel	Tax Map 075, Parcels 031.01, 031.02, 031.03, 031.04, 031.05, 031.06, 031.07, and 031.08		
Civil District	13		
Overlay District	NA		
Land Use Plan Designation	Agricultural/Vacant		
Acres	63.88 +/-		
Existing Use	Vacant	Existing Zoning	County A-1
Proposed Use	Nature Preserve	Proposed Zoning	City A-1
Owner Information		Owner Information	
Name: City of Kingsport Address: 225 W. Center Street City: Kingsport State: TN Zip Code: 37660 Email: sidcox@kingsporttn.gov Phone Number: 423-224-2918		Name: Address: City: State: Zip Code: Email: Phone Number:	
Planning Department Recommendation			
<p>RECOMMENDATION: APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.</i> • <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i> • <i>The City of Kingsport will be required to provide a limited plan of services as the property owner has stated that all major services will be unnecessary because the land will remain part of a natural preserve.</i> • <i>Annexation of this property will allow the park to expand and prevent any obtrusive adjacent development in this area.</i> • <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i> <p>Staff Field Notes and General Comments: This is a property owner-requested annexation submitted by the City of Kingsport/ Sid Cox. The City recently purchased the property for Bays Mountain Park and Planetarium. The property is adjacent to Bays Mountain Park. The property owner has not requested City Services for this development including: Water, Sewer, and Street Lighting. Currently, the property is zoned County A-1 and staff is proposing City A-1. This annexation meets the criteria set forth by the City Annexation Policy.</p>			
Planner:	Nathan Woods	Date:	December 4, 2017
Planning Commission Action		Meeting Date:	December 21, 2017
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Location Map



Current City Zoning Map



Future Land Use Map



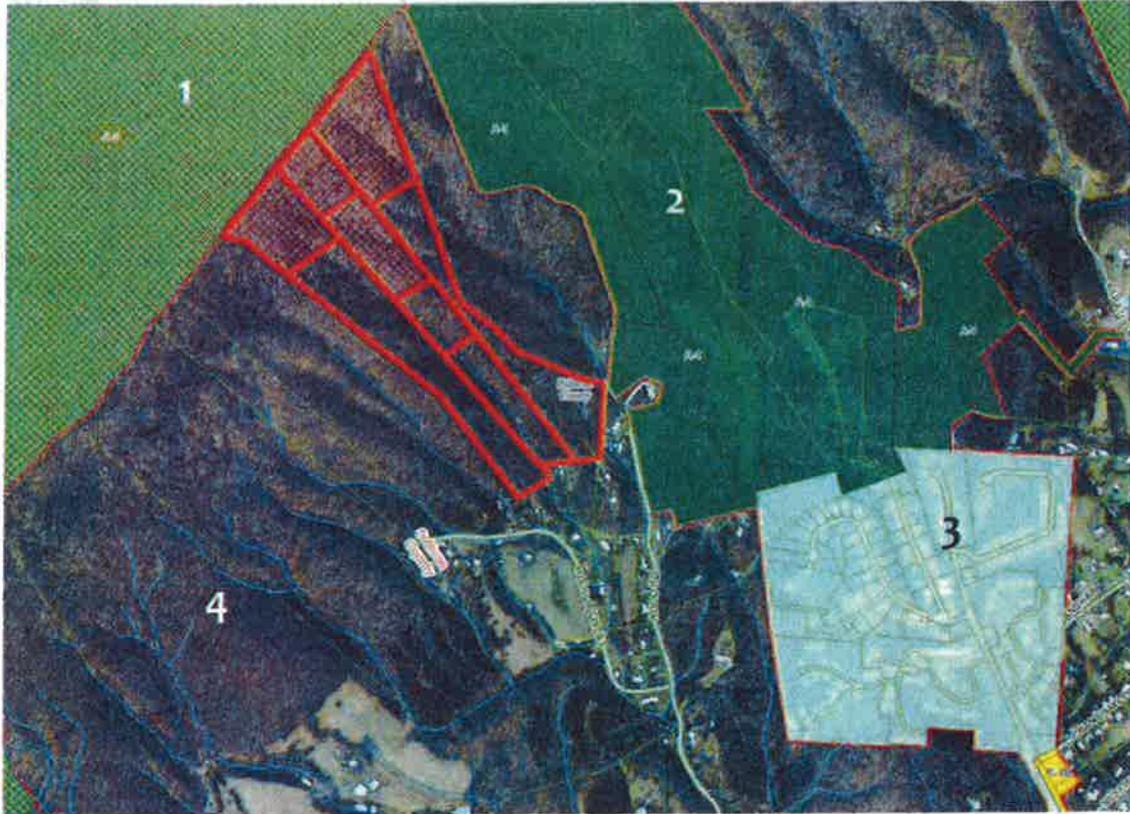
Cost

**Bays Mountain
Pierce Property**
Cost Estimate/ tax records as of December 2017

Revenues	One Time	Reoccurring (annual)
Property Taxes	X	X
State Shared	X	X
Sewer Tap/Water Meter	X	X
Water & Sewer Rev (loss) *	X	X
Total	X	X

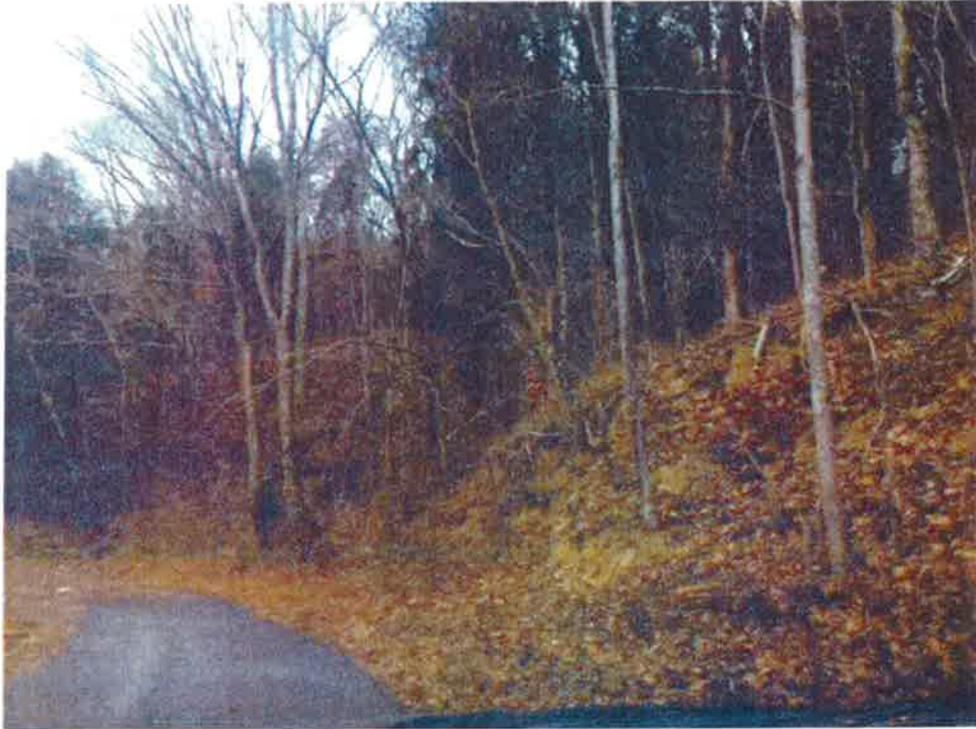
Expenses	One Time	Reoccurring (annual)
Operating Budget		
Police & Fire Service	0.00	0.00
Transit Service	0.00	0.00
Street Lighting	0.00	0.00
Traffic Controls	0.00	0.00
Streets & Sanitation	0.00	0.00
Subtotal	0.00	0.00
Capital Budget		
Water	0.00	0.00
Sewer	0.00	0.00
Streets	0.00	0.00
Subtotal	0.00	0.00
Grand Total	0.00	0.00

Proximity Map



Existing Surrounding Land Uses

Location	Parcel / Zoning Petition	Zoning / Name
Northwest	1	<u>Zone: City A-1</u> Use: Park "Bays Mountain Park & Planetarium"
East	2	<u>Zone: City A-1</u> Use: Agricultural
Southeast	3	<u>Zone: City PD</u> Use: Single Family Residential "Willowbrook"
West	4	<u>Zone: County A-1</u> Use: Agricultural



CONCLUSION

The Kingsport Planning Division recommends sending a favorable recommendation to the Board of Mayor and Alderman for the annexation, zoning, and Plan of Services for the Bays Mountain Park and Planetarium Addition Annexation based on the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport will be required to provide a limited plan of services as the property owner has stated that all major services will be unnecessary because the land will remain part of a natural preserve.*
- *Annexation of this property will allow the park to expand and prevent any obtrusive adjacent development in this area.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*



Prepared by the City of Kingsport
Geographic Information System (G.I.S)

Date: 1-2-18
Map File Name: 18768wo11062

Copyright 2018 by the City of Kingsport, Tennessee. All rights reserved. This map is a digital file and is not to be used for any other purpose without the express written permission of the City of Kingsport, Tennessee. The City of Kingsport, Tennessee, is not responsible for any errors or omissions in this map. The City of Kingsport, Tennessee, is not responsible for any damages or losses resulting from the use of this map. The City of Kingsport, Tennessee, is not responsible for any claims or lawsuits filed against the City of Kingsport, Tennessee, or any of its employees, officers, or agents, arising out of or in connection with the use of this map. The City of Kingsport, Tennessee, is not responsible for any claims or lawsuits filed against the City of Kingsport, Tennessee, or any of its employees, officers, or agents, arising out of or in connection with the use of this map.



AGENDA ACTION FORM

Acquisition of Portion of Property for Stormwater Utility

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-15-2018
Work Session: February 5, 2018
First Reading: N/A

Final Adoption: February 6, 2018
Staff Work By: R. Trent; S. Robbins
Presentation By: R. McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

The Stormwater Utility has the desire to preserve and protect the water quality of Reedy Creek, an impaired stream. Wallace Douglas Alley and Sharon S. Alley have the desire to sell the 0.33 acre portion of property located between the proposed east end Greenbelt extension and Reedy Creek. The property lies within the floodway and/or buffer zone of Reedy Creek. Staff recommends allowing the Stormwater utility to purchase this land as a means of protecting the water quality of Reedy Creek. The purchase price is proposed at \$10,350.00 which is the same appraised value per square foot as the Greenbelt project purchase from these same property owners last year.

This project will be funded under #ST1801.

Attachment:

- 1. Resolution
- 2. Property Location Map

Funding source appropriate and funds are available: *JF*

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF A PORTION OF REAL PROPERTY FOR STORMWATER UTILITY; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

WHEREAS, Stormwater Utility has the desire to preserve and protect the water quality of Reedy Creek, an impaired stream; and

WHEREAS, Wallace Douglas Alley and wife, Sharon S. Alley desire to sell the remaining portion of property which lies between the proposed east end of the Greenbelt extension and Reedy Creek and is located within the floodway and /or buffer zone of Reedy Creek; and

WHEREAS, the purchase of this portion of property will allow Stormwater Utility to protect the water quality of Reedy Creek; and

Now therefore,

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

SECTION I. That pursuant to the appraisal of property indicating the fair market value of the property, an offer of \$10,350.00 is approved for the purchase of a portion of property identified as tax map 47, parcel 35.05, Spring Creek Wynd, subject to such conditions as set out in the Agreement of Sale set out below for use as water quality protection of Reedy Creek.

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 Agreement of Sale for a portion of property identified as tax map 47, parcel 35.05, Spring Creek Wynd, and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

AGREEMENT OF SALE

FEDERAL PROJECT _____ COUNTY SULLIVAN

STATE PROJECT _____ TRACT 3

This agreement entered into on this the _____ day of _____, 2018, between Wallace Douglas Alley and wife, Sharon S. Alley, herein after called the Seller and the City of Kingsport, shall continue for a period of 90 days under the terms and conditions listed below. This Agreement embodies all considerations agreed to between the Seller and the City of Kingsport.

A. The Sellers hereby offer and agree to convey to the City of Kingsport lands identified as portion of TRACT 3 on the right-of-way plan for the above referenced project upon the City of Kingsport tendering the purchase price of \$ 10,350.00, said tract being further described on the attached legal description.

B. The City of Kingsport agrees to pay for the expenses of title examination, preparation of instrument of conveyance and recording of deed. The City of Kingsport will reimburse the Sellers for expenses incident to the transfer of the property to the City of Kingsport. Real estate taxes will be prorated.

The following terms and conditions will also apply unless otherwise indicated:

C. Retention of Improvements Does not Retain Improvements [] Not Applicable [X]

Sellers agree to retain improvements under the terms and conditions stated in the attached agreement to this document and make a part of this Agreement of Sale.

D. Utility Adjustment Not Applicable [X]

The Sellers agree to make at their expense the below listed repair, relocation or adjustment of utilities owned by them. The purchase price offered includes \$ -0- to compensate the owner for their expenses.

E. Other

F. The Sellers state in the following space the name of any Lessee of any part of the property to be conveyed and the name of any other parties having any interest of any kind in said property.

[Acknowledgements Deleted for Inclusion in this Resolution]

EXHIBIT A

Description of Real Property

That 0.33 acre portion of property identified as Tract 3 and as shown on the R.O.W. Plans for the Greenbelt prepared by Alley & Associates, Inc., 243 E. Market Street, Kingsport, Tennessee, Dated: 1-3-17.

Portion of Tax Map 047; Parcel 035.05

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

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

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

ADOPTED this the 6th day of February, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

TRACT 3:
 WALLACE DOUGLAS ALLEY AND WIFE,
 SHARON S. ALLEY
 2 SPRING CREEK WYND
 KINGSFORT, TN 37760

L17	S 21°46'19" E	149.52'
L18	S 21°46'19" E	50.84'
L19	N 20°37'05" W	49.53'
L20	N 20°37'05" W	84.72'

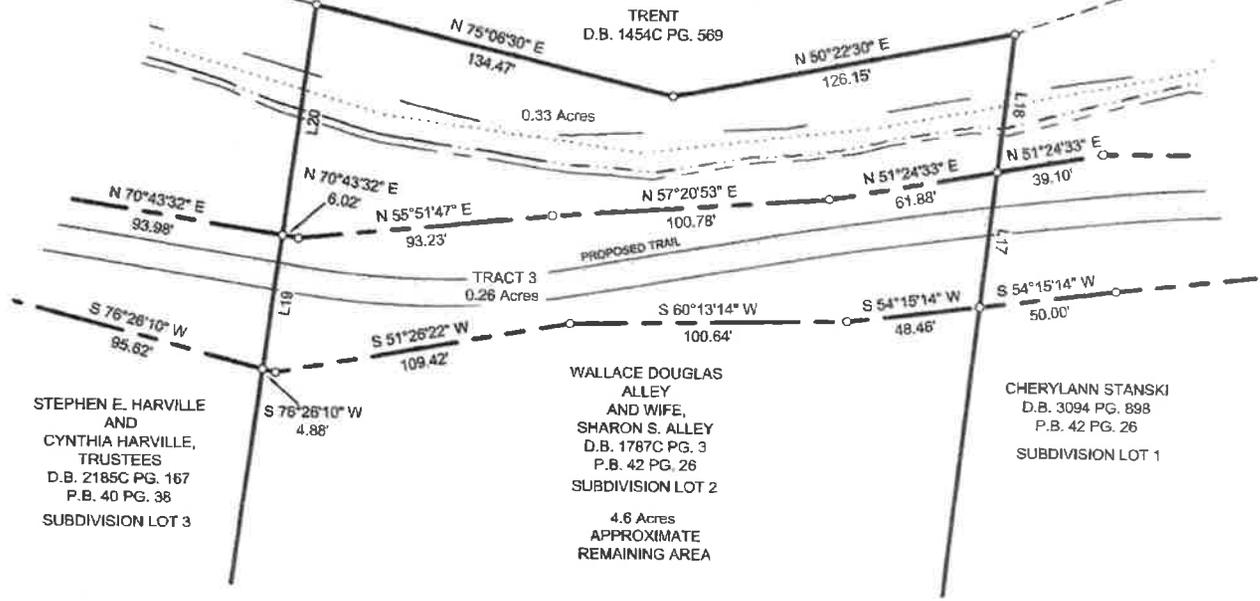
REEDY CREEK



Vicinity Map
(not to scale)

Legend

- Calculated Point
- Floodway Boundary
- - - - Zone AE 1% Boundary
- - - - 0.2% Flood Boundary
- - - - Trail R.O.W. Boundary
- - - - Deed Line (not surveyed)
- Boundary Line



I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THIS SURVEY IS BETTER THAN 1:10,000 AND WAS DONE IN COMPLIANCE WITH THE TENNESSEE MINIMUM STANDARDS OF PRACTICE



ALLEY & ASSOCIATES, INC.

○ SURVEYORS ○
 243 E. MARKET STREET
 KINGSFORT, TENNESSEE 37660
 TELEPHONE (423) 392-8896
 FAX : (423) 392-8898
 E-MAIL: tlingerfelt@alleyassociates.com

R.O.W. PLANS
 GREENBELT

REFERENCES

DEED BOOK 1787C PAGE 3
 10th Civil District, Sullivan County, TN
 DATE: 1-30-17 DRAWN BY: MDL
 JOB # 16028

CHECKED BY: ARS



SCALE 1" = 50'



AGENDA ACTION FORM

Implementation of Policies and Procedures for Operation of a Seasonal Farmers Market and Authorization to Apply for and Receive Funding from the USDA for SNAP (Supplemental Nutrition Assistance Program) at the Kingsport Farmers Market

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-14-2018
 Work Session: February 4, 2018
 First Reading: February 5, 2018

Final Adoption: February 5, 2018
 Staff Work By: B. Macdonald
 Presentation By: C. McCartt

Recommendation:

Approve the Resolution.

Executive Summary:

The goal of the City of Kingsport Farmers Market Program is to provide a vibrant, diverse market of local and regional produce for the recreational and nutritional benefit of the citizens and visitors of Kingsport. City Staff will support an application process for vendors at the Kingsport Farmers Market that will enhance accessibility and clarity process, with on-line information for vendors as well as availability of product for citizens. Additionally city staff will implement a SNAP program to make the market more accessible to citizens with lower incomes. SNAP helps low-income people buy the food they need for good health.

America's farmers markets and direct marketing farmers are a great source of fresh fruits, vegetables, and other healthy foods; the USDA has made it a priority to expand access to such food for SNAP participants. There is no match necessary and any SNAP benefits paid out to customers of the market are reimbursed in full to the City.

Attachments:

1. Resolution
2. Farmers Market Vendor Application
3. Farmers market Policies & Procedures

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT POLICIES AND PROCEDURES FOR THE OPERATION OF A SEASONAL FARMERS MARKET AT THE FARMERS MARKET FACILITY AND TO DEVELOP APPLICATIONS AND AGREEMENTS FOR THAT OPERATION; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO FACILITATE THE CITY'S OPERATION OF THE FARMERS MARKET WITH VENDORS; APPROVING THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AT THE FARMERS MARKET FACILITY; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE FUNDING FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AT THE KINGSPORT FARMERS MARKET

WHEREAS, the city will be handling all aspects of the Kingsport Farmers Market including implementing policies and procedures, rules and regulations and developing applications and agreements for vendors of the seasonal farmers market; and

WHEREAS, the city has learned about a Supplemental Nutrition Assistance Program (SNAP) through the United States Department of Agriculture (USDA) which will allow eligible citizens to acquire fresh fruits and vegetables and participate in fresh food at the Kingsport Farmers Market; and

WHEREAS, the city, through the Kingsport Farmer's Market, would like to apply for a funding from the USDA for the SNAP program; and

WHEREAS, there is no match necessary and any SNAP benefits paid out to customers of the market are reimbursed in full to the city.

Now therefore,

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

SECTION I. That the city manager is authorized to implement policies, procedures, rules and regulations for the operation of a seasonal farmers market at the Kingsport Farmers Market Facility and develop applications and agreements for that operation.

SECTION II. That the city manager is authorized to execute all documents necessary and proper to facilitate the city's operation of the Kingsport Farmers Market with vendors of the seasonal farmers market.

SECTION III. That the implementation of the United States Department of Agriculture (USDA) for Supplemental Nutrition Assistance Program (SNAP) at the Kingsport Farmers Market is approved.

SECTION IV. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive funds from the United States Department of Agriculture (USDA) for Supplemental Nutrition Assistance Program (SNAP) at the Kingsport Farmer's Market.

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

SECTION VI. 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 as well as allow eligible citizens of SNAP to participate in the recreational and nutritional benefits of the Kingsport Farmers Market.

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

ADOPTED this the 6th day of February, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



Kingsport Farmers Market Vendor Application – 2018 Season

Name _____ Phone _____ Alternate # _____

Address _____ City _____ State _____

Zip Code _____

Email Address _____

List other individuals that will sell for you or with you:

Please circle the type of vendor

1. Home-Grown - Defined as a vendor who grows at least 75% of the produce they sell at the market. Items not grown by you must be labeled with the place of origin, which cannot exceed a 100 mile radius of the Kingsport Farmers Market.
2. Prepared Food - Defined as a vendor who sells items such as homemade baked goods, honey, jams, jellies and canned foods. All items must meet all state and local health department and TDA regulations/standards.
3. Craft - Defined as a vendor who sell products crafted by the vendor. All crafts sold must be hand-crafted by the vendor.
4. Commercial - Defined as a vendor selling less than 75% home-grown produce or vendors selling non-homegrown natural product, processed product or animal product. These vendors also encompass those who sell items purchased on a wholesale basis for resale. Items not grown by vendor must be labeled with the place of origin, which cannot not exceed a 100 mile radius of the Kingsport Farmers Market.

On the calendar provided, please circle all of the dates you would like to attend the market.

What is your location preference? (check one)

Inside ____ Outside ____

If selected to be a vendor at the Kingsport Farmers Market, how would you like to be notified? (check one)

Phone ____ Email ____



List all products for sale _____ . These are the only product that you will be allowed to offer for sale.

I agree to abide by all ordinances, policies, procedures, rules, and regulations of the City of Kingsport pertaining to the Farmers Market, as amended from time to time and all state and federal laws and regulations, as amended from time to time pertaining to a vendor or vending at the Farmers Market. I have read and agree to comply with the Farmers Market State Compliance Guide of the Tennessee Department of Agriculture, Division of Consumer and Industry Services, as amended from time to time. The current guide is available at <https://www.tn.gov/content/dam/tn/agriculture/documents/agadvancement/AgFarFMRules.pdf>.

I, (herein Vendor), will indemnify, defend, and hold harmless the City of Kingsport, including without limitation, its officers, agents, employees, and volunteers (herein Indemnified Parties) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature, including attorney fees, that an Indemnified Parties may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with Vendor's performance, including its officers, employees, and agents, under the terms of this Agreement, except any liability arising out of the sole negligence of an Indemnified Parties. Such indemnification includes any damage to the person(s), or property(ies) of Indemnified Parties or third persons; and any and all federal, state and local taxes, charges, fees, or contributions required to be paid with respect to Vendor, its officers, employees and agents, (including, without limitation, sales or use taxes, unemployment insurance, social security, payroll tax withholding,).

I declare under penalty of perjury under the laws of the State of Tennessee that foregoing is true, correct, and complete.

Applicant name – print

Applicant name – signature

Date

Business name (if applicable)

Drop off completed applications to:

Kingsport City Hall, 225 W Center St, Kingsport, TN 37660, 8 a.m. – 5 p.m. Monday through Friday or
Kingsport Carousel, 350 Clinchfield St, Kingsport, TN 37660, Wednesday through Sunday

Kingsport Farmers Market Vendor Handbook

This document outlines the policies and procedures of the Kingsport Farmers Market.

Mission: The goal of the City of Kingsport Farmers Market Program is to provide a vibrant, diverse market of local and regional produce for the recreational and nutritional benefit of the citizens and visitors of Kingsport.

Vendor Selection Process

How to apply

- All vendors, returning or new, must submit an application annually.
- Applications are accepted online through Manage My Market on the Kingsport Farmers Market website www.KingsportFarmersMarket.org. Paper applications are also available at the Farmers Market, the Carousel, and City Hall. Completed paper applications may be returned to: Kingsport City Hall, 225 W Center St, Kingsport, TN 37660, 8 a.m. – 5 p.m. Monday through Friday or Kingsport Carousel, 350 Clinchfield St, Kingsport, TN 37660, Wednesday through Sunday.
- You may be required to submit photos of your product.
- A vendor may be required to provide any necessary licenses, permits or certificates.
- If accepted as a vendor, you will be notified of space prior to market day.

Vendor categories

- Home-grown vendors (at least 75% of your produce sold is grown by you). Items not grown by you must be labeled with the place of origin, which must not exceed a 100 mile radius of the farmers market. Priority for vendor selection will be given to home-grown vendors.
- Food (prepared) vendors – items such as homemade baked goods, honey, jams, jellies and canned foods are acceptable given they meet all state and local health department and TDA regulations/standards.
- Craft vendors – All items must be hand-crafted by the vendor.
- Commercial vendor- Defined as a vendor selling less than 75% home-grown produce or vendors selling non-homegrown natural product, processed product or animal product. These vendors also encompass those who sell items purchased on a wholesale basis for resale. Items not grown by vendor must be labeled with the place of origin, which cannot not exceed a 100 mile radius of the Kingsport Farmers Market.

Note that Kingsport Farmers Market Staff (Market Staff) will place a priority on homegrown and local vendors but allow a mix of categories that does not exceed 15% prepared food and 15% craft.

Vendor rates

Inside booth 10' x 20' - \$15 per market
Outside booth - 10' x 20' - \$8 per market

Wednesday rates will be half price:
Inside booth 10' x 20' - \$7 per market
Outside booth - 10' x 20' - \$4 per market

Assignment of Booth Space

- Market Staff will assign booth space. Assignment will be given for each market and will be generally assigned on a first-come first-served basis. Please identify the preferred location your application. Location will be determined by Market Staff.
- Vendors must be setup at the market by 7a.m. With special arrangement a later arrival time might be accommodated provide the request is made to the Market Staff prior to market day. The market will open for vendor set up one hour prior to the market opening for the general public.
- If a vendor has reserved a space but sees that he/she cannot come to the market, the assigned booth fee will be removed from the vendor's account IF he/she notifies Market Staff at least 48 hours in advance. Special consideration can be given to emergency situations. Please see Cancellation Process page 4.
- Vendors who repeatedly fail to show for reserved space or release their space by calling Market Staff will be charged the full fee and will potentially lose space for the rest of the season.
- Vendor who cannot attend the market may send a representative in their place but the vendor is responsible for making all onsite representatives aware of all rules, policies and procedures for the market. The Market Staff must be notified if a representative will be substituted for the vendor prior to the market day.
- Vendors shall be responsible for the actions of employees, agents, or other persons working for, or with, the vendor.

Operations

- Saturday market hours will be each Saturday May-November, 7a.m. - 1p.m.
- Wednesday market hours will be June-October, 7a.m. - 1p.m.
- Vendors shall have access to the market one hour prior to opening for the purpose of unloading and setting up merchandise and must exit the facility and property no later than one hour after closing time. Any additional times for loading/unloading will need to be approved by Market Staff. Failure to be setup by the specified time at the market may result in a loss of vendor space for that market day. Failure to vacate property by 2p.m. may result in a suspension of the vendor from the market for the next market day the vendor was scheduled to attend. If additional infractions occur, the vendor shall be subject to loss of the reserved space for the remainder of the season.

- A Market Manager is on duty at each market and will have authority for last minute additions/changes to market. The Market Manager has the right to require that signage or displays be rearranged when in the opinion of the Market Manager the signage or display is blocking another vendor or the flow of traffic.
- Electricity is not guaranteed for each vendor, if you require electricity please note this on your application.
- Vendors are responsible for cleaning up after themselves. Sweeping and placing garbage in provided lined trash cans and then at the end of the market taking bags out of cans and to the dumpsters located on the property. Vendors should break down boxes before putting in dumpsters. No tape on any surface of the Farmers Market Building itself. Market tables and chairs may be available for use, but the vendor must be return the table and chairs used by the Vendor to the storage carts at the conclusion of market.

Approved Sale Merchandise

Only those vendors approved by Market Staff may sell approved items at the market. All foods, except fresh fruits and vegetables, sold at the farmers market must be properly labeled as according to Tennessee Department of Agriculture (TDA) or United States Department of Agriculture (USDA) requirements. Failure to do so may result in the vendor being asked to remove the product from display/sale. Some fruits and vegetables may still be required to be labeled in compliance with the policies set forth by the Kingsport Farmers Market.

Fruits, vegetables, flowers, plants, herbs and any other produce

- Home-grown vendors must provide at least 75% of the products for sale as grown by the vendor. Vendors with 100% of their product sold being “home-grown” will receive first priority in vendor placement.
- All items for sale not grown by the vendor must be labeled identifying the origin of product, which must not exceed a 100 mile radius of the farmers market. All labeling is subject to approval by Market Staff.
- Any item offered for sale that is not identified in the vendor application must first be approved for sale by Market Staff to ensure the items meet the purpose of the market policies and procedures.
- Market Staff will have the authority to approve or disapprove any items to be sold in the market with accordance with policy.
- At the discretion of the Market Staff, low quality produce may be required to be removed from display or be marked as second quality merchandise.
- Market Staff has the authority to inspect the origin of items sold at the market to ensure product conforms to market standards.

Meats, poultry, eggs

- Animal product may be sold at the market provided it is raised within a 100 mile radius of the market, provided vendor complies with all requirements of the USDA and the TDA. Meat and poultry products are primarily under the jurisdiction of the USDA. Generally, the exception is farm based retail meat that is permitted through the TDA. All meats must be refrigerated or frozen in original packaging, clearly labeled and stored in clean and sanitary refrigerators, freezers or coolers that meet USDA requirements. A Retail Meat Sales Permit is required from vendors selling meat at the market. The permit must be submitted with the vendor application and also displayed at the vendor booth during market days. Compliance with all USDA and TDA guidelines, requirements and restrictions are the sole responsibility of the vendor. Add link on where to find guidelines and local offices??
<http://offices.sc.egov.usda.gov/locator/app>

A producer may sell eggs at a farmers market from his own flock of less than 3,000 birds under the following conditions:

- Compliance with sanitation requirements of egg rules.
- Eggs sold as unclassified or ungraded eggs must be sold in containers that are labeled to indicate the producer of the eggs.
- Eggs deemed adulterated may not be offered for sale.
- Eggs are stored at 41 degrees or below. (21 C.F.R. § 115.50)

Processed product

Vendors may offer for sale homemade baked goods, jams, jellies, honey, sorghum molasses, formulated acid foods or acidified (canned goods) and other prepared foods that meet all TDA requirements and any local and state health department guidelines and are determined to be acceptable by market staff. Items must be prepared by the vendor offering the item for sale. All processed products offered for sale must meet any applicable local, state, federal rules, regulations or laws.

Dairy

Raw milk cannot be offered for sale for human consumption. All dairy products, including ice cream and cheeses, must come from an approved source that is inspected and permitted. All products must meet regulations set forth by the TDA.

Crafts

Crafts offered for sale at the market must be hand-crafted by the vendor. All items offered for sale must be approved by the market staff prior to being displayed or offered at the market for sale. Pictures of items to be sold must be submitted with the vendor application.

Soaps, Pet Food, Plants

Soaps, pet food, and plants may be sold only in compliance with the TDA.



Prohibited items

Selling, distributing, sampling alcoholic beverages, tobacco, or vaping products at the market is prohibited.

The sale of any live animals are prohibited at the market.

SNAP Benefits

All Vendors with eligible items will be requires to participate in the SNAP program when implemented. Training will be provided to vendors to ensure proper compliance with program regulations.

Cancelation Process

- Vendors not attending the market for their reserved time must let farmers market staff know by 48 hours in advance of the market in order to make arrangements to fill the space. Failure to do so will result in a forfeit of payment for that market day. *This may be waived when a vendor has experienced an emergency or extenuating circumstances.* Repeat offenses shall be subject to loss of a reserved space for the remainder of the season. Refunds will be given at discretion of market staff.

Safety, Sanitation, facility guidelines

- Smoking is prohibited on city property.
- The city will provide trash cans and dumpsters for the market. Vendors are responsible for the collection and removal of all refuse generated from sales and activity at their booth space, even if it outside of the booth space, see Operations pg 2. No trash or garbage not generated at the market cannot be deposited in city provided trash cans or dumpsters.
- Each vendor is responsible for leaving their assigned booth space broom clean at the end of each market day.
- All tents on property must be secured per Fire Marshal regulations.
- Vendors may not use duct tape, command strips, etc. on any portion of the facility. Vendors will be responsible to cover the cost of any damages to the facility for failing to comply with this requirement.
- No open flames are allowed in the market.
- Vendors must keep all merchandise, refuse, signage, tents, tables, chairs, personal property, and any equipment within their assigned booth space only.

Vendor Expectations

- Vendors are required to adhere to all local, state and federal food safety regulations and provide applicable certifications when necessary.
- Vendors are required to collect and file any applicable taxes and payment to the appropriate taxing authority. This is the sole responsibility of the vendor.
- Scales used by a vendor are subject to inspection – it is the requirement of each vendor to maintain proper scales.

- Vendors must comply with Market Rules as well as all local, state and federal laws, and regulations.
- Vendors are expected to have positive interactions with other vendors, customers, and market staff.
- Vendors are expected to submit applications, licenses, photos, and other correspondence in a timely manner.
- Vendors are expected to maintain a timely payment history.
- Consuming alcoholic beverages while on city property or during market hours is prohibited.
- Smoking is not allowed at the farmers market facility or grounds.
- Vendors are responsible for the safeguarding of their property; the City of Kingsport and Market Staff are not responsible for any loss or theft.
- Any person under the influence of intoxicants, exhibiting disorderly conduct, or otherwise violating city and/or market regulations may be asked to leave the market property. Persons refusing to vacate the premises upon request will be considered trespassing and will be dealt with in accordance to law.
- No amplified music or sound is allowed from vendor sales areas/booths.
- No vendor or vendor representative shall make a public outcry, engage in “hawking,” or play or emit any musical or electronically-enhanced sound for the purpose of drawing customers or attracting attention to their sales space.
- Vendors must provide their own equipment and any additional materials for display of items.

Vendor agrees to abide by all ordinances and regulations of the City of Kingsport, including all requirements and/or conditions that may be in place or required by Kingsport Farmers Market management.

Vendor agrees to indemnify, defend, and hold harmless the City of Kingsport, including without limitation, its officers, agents, employees, and volunteers (herein Indemnified Parties) from and against: Any and all claims, demands, losses, damages, defense costs, or liability of any kind or nature, including attorney fees, that an Indemnified Parties may sustain or incur or which may be imposed upon it for injury to or death of persons, or damage to property as a result of, arising out of, or in any manner connected with Vendor's performance, including its officers, employees, and agents, under the terms of this Agreement, except any liability arising out of the sole negligence of an Indemnified Parties. Such indemnification includes any damage to the person(s), or property(ies) of Indemnified Parties or third persons; and any and all federal, state and local taxes, charges, fees, or contributions required to be paid with respect to Vendor, its officers, employees and agents, (including, without limitation, sales or use taxes, unemployment insurance, social security, payroll tax withholding,).

Vendor is encouraged to acquire insurance to cover its actions at the market. The City of Kingsport is not responsible for the acts of the Vendor, its employees or agents. By signing this document Vendor agrees to comply with the provisions in this Kingsport Farmers Market Policies and Procedures and other applicable laws and regulations.



**Vendor Handbook
Kingsport Farmers Market 2018 Season**

Vendor name – print

Vendor name – signature

Date

Business name (if applicable)



AGENDA ACTION FORM

Grant Application for Resurfacing 6 Tennis Courts at Borden Park

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-08-2018
Work Session: February 5, 2018
First Reading: N/A

Final Adoption: February 6, 2018
Staff Work By: Robin DiMona
Presentation By: Chris McCartt

Recommendation:

Approve the Resolution/United States Tennis Association Grant Application.

Executive Summary:

The Parks and Recreation Department has contacted the United States Tennis Association to inquire about the 2018 USTA Facility Grant Category II. The USTA project manager has reviewed the preliminary technical components to resurface six outdoor tennis courts located at Borden Park. Parks and Recreation have been approved to proceed with the grant application. This USTA application grant Category II is up to 50% of the total project cost (\$10,000 max). The balance will be funded through GP1713.

Attachments:

- 1. Resolution
- 2. Example of Cracking on Courts

Funding source appropriate and funds are available: *JF*

	Y	N	O
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A UNITED STATES TENNIS ASSOCIATION GRANT CATEGORY II FOR THE BORDEN PARK TENNIS COURTS

WHEREAS, the city, through the Parks and Recreation Department, would like to apply for a grant through the United States Tennis Association, which will provide funds to resurface six outdoor tennis courts at Borden Park; and

WHEREAS, the maximum amount of the grant award is \$10,000.00, and the grant requires a 50% match, which is available in project account GP1713;

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive grant funds from the United States Tennis Association in the amount of \$10,000.00 for the resurface six outdoor tennis courts at Borden Park, which will require a 50% match.

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

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

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

ADOPTED this the 6th day of February, 2018.

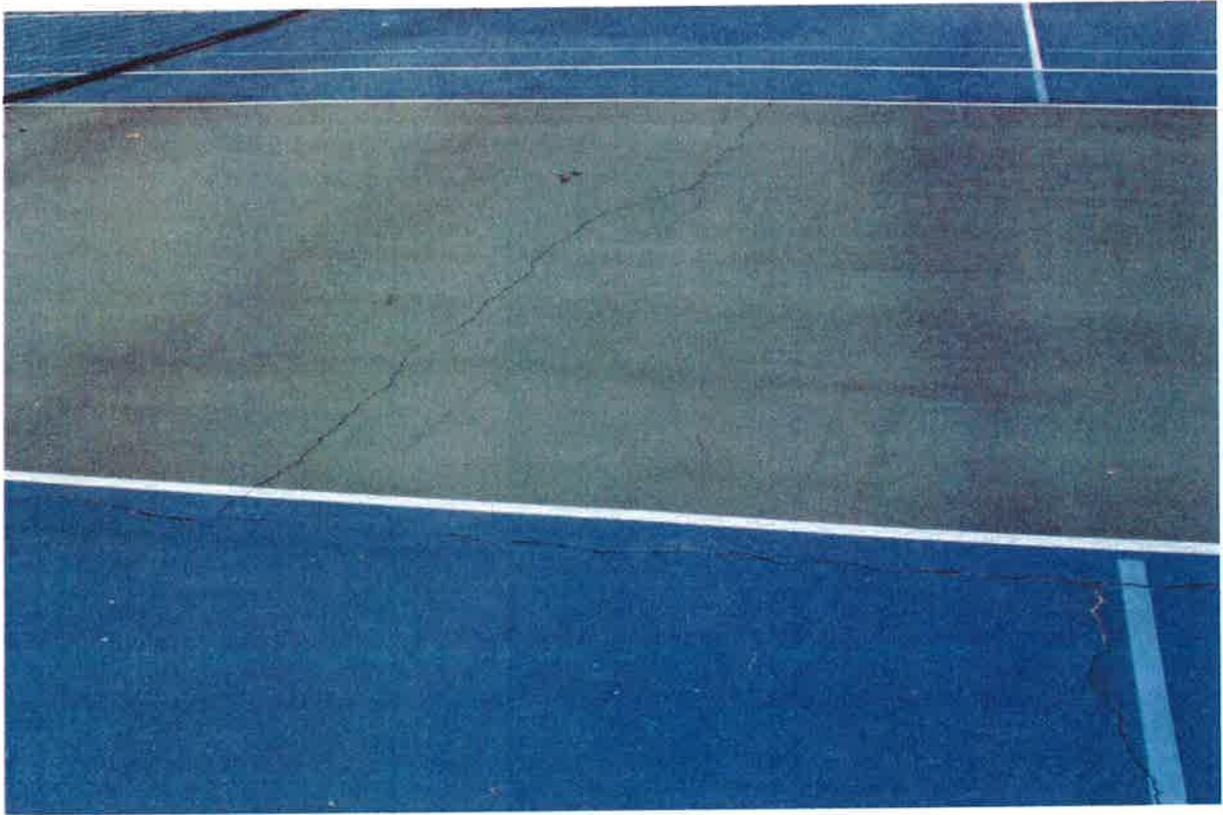
JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY





AGENDA ACTION FORM

Rejecting Single Bid for Water Treatment Plant Filter Gallery Project

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager 

Action Form No.: AF-13-2018
Work Session: February 5, 2018
First Reading: N/A

Final Adoption: February 6, 2018
Staff Work By: N. Ensor
Presentation By: R. McReynolds

Recommendation:
Approve the Resolution.

Executive Summary:
Bids were opened December 13, 2017 for the Water Treatment Plant Filter Gallery Project. Only one bid was received. The bid exceeded both the engineer's estimate and available project funding. Staff will combine this work with another project in an effort to attract a larger bidding pool and/or monitor the bidding climate to advertise and bid at a more competitive time.

Attachment:
1. Resolution
2. Bid Opening Minutes

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS RELATED TO THE
WATER TREATMENT PLANT FILTER GALLERY PROJECT

WHEREAS, bids were opened December 13, 2017, for the water treatment plant filter gallery project; and

WHEREAS, only one bid was received which exceeded the engineer's estimate and the available project funding;

Now therefore,

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

SECTION I. That all bids opened December 13, 2017, relating to the water treatment plant filter gallery project are rejected.

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

ADOPTED this the 6th day of February, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**MINUTES
BID OPENING
December 13, 2017
4:00 P.M.**

Present: Sandy Crawford, Procurement Manager; Brent Morelock, Assistant Procurement Manager; David Harris, Engineering Dept.; Chris McCartt, Assistant to the City Manager; Niki Ensor, Water/Wastewater Manager; and Rob Cole, Bays Mountain Park Manager

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

The Procurement Manager opened with the following bids:

FILTER GALLERY IMPROVEMENTS	
Vendor:	Total Cost:
Frizzell Construction Co.	\$1,277,700.00

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



AGENDA ACTION FORM

Certificate of Compliance for Business to Sell Retail Alcoholic Beverages

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-18-2018
 Work Session: February 5, 2018
 First Reading: N/A
 Final Adoption: February 6, 2018
 Staff Work By: Angie Marshall
 Presentation By: Jim Demming

Recommendation:

Approve the issuance of a Certificate of Compliance to Discount Package Store to sell retail alcoholic beverages.

<u>Store Name</u>	<u>Address</u>	<u>Applicant</u>
Discount Package Store	2716 John B. Dennis Highway	Matthew Wayne Glass

Executive Summary:

The ownership of Discount Package Store is changing from Mr. John Cox to Mr. Matthew Glass. Mr. Glass is in the process of submitting his application to the Tennessee Alcoholic Beverage Commission to reflect this change. A Certificate of Compliance from the City of Kingsport is required to accompany his application.

Section 6-67 of the City Code states that to assure that all requirements are satisfied, no original or renewal Certificate of Compliance shall be issued for any location until:

1. An application has been filed with the City Recorder; and
2. The application complies with all restrictions as to location and number of retail licenses to be issued within the City; and
3. The application has been considered at a regular or called meeting of the Board and approved by a Majority vote.

This application has met the requirements of Section 6-67 of the City Code. Police background checks have been conducted on the applicant with nothing found that would prevent from receiving their certificate.

Staff recommends approval of this certificate to reflect the ownership change.

Attachments:

None

	<u>Y</u>	<u>N</u>	<u>O</u>
Adler	—	—	—
Begley	—	—	—
Cooper	—	—	—
George	—	—	—
McIntire	—	—	—
Olterman	—	—	—
Clark	—	—	—