



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

**Monday, July 2, 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. H.O.P.E. Presentation – Stella Robinette
4. Review of Items on July 3, 2018 Business Meeting Agenda
5. Adjourn

Next Work Session, July 16: Kingsport Ballet and Borden Park

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 Fiddler's Way Contracted Paving

The project is complete, other than permanent striping and markings.

2 Reedy Creek Sewer Trunk Line

The project is substantially complete. Paving is proceeding behind Fairway Ford properties.

3 Kingsport Public Library

Drywall, block and electrical work are underway with estimated completion in July.

4 Bays Mountain Dam Repair

Grout and stone repointing work continues on the dam.

5 Carousel Park

The site has been graded and the concrete plaza is ready to be poured.

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	Preliminary design plans are near complete. A public design meeting is being planned for late Summer 2018.
\$6,719,995.10	Chad Austin	Chad Austin	Reedy Creek Sewer Trunk Line	SW1706	7/20/2018	Project is substantially complete. Punch list has been made. Paving is proceeding on Pizza Plus and Fairway Ford properties and Lomx St.
\$6,600,000.00	Niki Ensor	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	WA1700/ SW1700/ SW1603	4/1/2019	Working to complete Radio Pathway study for remote water sites.
\$4,400,000.00	Niki Ensor	Niki Ensor	WWTP Electrical Improvements	SW1800	9/1/2019	Working towards 90% design.
\$4,186,000.00	Chris McCartt	Melton, Dawn	New KATS Transit Center	GP1718	1/18/2019	Interior framework has started.
\$3,867,000.00	Chad Austin	Hank Clabaugh	Border Regions Sewer Extensions		2/17/2020	Preliminary survey has started.
\$3,750,000.00	Niki Ensor	Niki Ensor	Chemical Feed Design	WA1403	4/1/2019	90% design complete. Project is on hold until funding becomes available.
\$3,740,000.00	Niki Ensor	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	SW1708	6/1/2019	Three easements remain - Miller, Byrd, Micheli.
\$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	Preliminary plans comments returned from TDOT and addressed. Work continues towards Right of Way Plans submission (70%).
\$1,688,507.50	Chad Austin	Pamela Gilmer	Pendragon Sidewalk & Water Improvement	WA1803/G P1830	9/18/2018	Cleanup and paving remaining.
\$961,140.00	Michael Thompson	Elsea, Tim	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to Lynn Garden Drive [95% State Funded 5% City]	GP1725	8/31/2020	Meeting on 5/3/18 with designer to address comments from City. Once comments are addressed plans will be submitted to TDOT for design review comments.
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	11/1/2019	The City was issued orders of possession on remaining tracts at hearings on June 19. Information submitted and TDOT is in the process of certifying the ROW, which will allow the obligation of federal funds for the construction phase of this project.
\$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]	GP1623	12/7/2019	Value Engineering underway to meet funding availability.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$619,720.46	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	11/12/2018	NTP with construction was set for 6/11/2018
\$600,000.00	Kitty Frazier	Melton, Dawn	Riverbend Park	GP1512	12/31/2018	BARGE still working on design.
\$420,000.00	Rob Cole	Harris, David	Bays Mountain Dam Rehabilitation (2017-C28)	GP1711	12/22/2018	Grout and Stone repointing continues.
\$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
\$397,700.00	Chad Austin	Hank Clabaugh	Border Regions Area 3 Water Upgrades		12/30/2018	Contract is working it's way through the signature phase.
\$352,000.00	Chad Austin	Chris Alley	SR 93- Horse Creek/Derby Drive Section (TDOT)		12/31/2021	Project moved to 2020; "B Date" package due 9/25/2019; TDOT Letting Date: December 2019
\$350,000.00	Rob Cole	Austin, Chad	Bays Mountain Septic System Upgrades	GP1704	9/30/2018	Bids under review.
\$288,000.00	Chris McCartt	Hickman, Mike	Carousel Park		10/31/2018	Concrete plaza ready to be poured. Site graded.
\$246,225.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	10/31/2018	Contractor is working on installing the conduit from Tranbarger Drive to Truxton Drive.
\$230,000.00	Chris McCart	Hickman, Mike	Library Colonnade Expansion	GP1807	8/3/2018	Drywall complete. Mudding in progress.
\$206,280.76		Clabaugh, Hank	2018 Contracted Paving - Barnett Drive and Fiddlers Way	NC1800	7/15/2018	The project is complete other than permanent asphalt markings and striping.
\$150,000.00	Steve Robbins	Steve Robbins	Bloomington Culvert Replacement		11/30/2018	90% design plans and cost estimate received from Mattern & Craig.
\$128,747.00		Clabaugh, Hank	Center Street Sidewalk Improvements - Phase 1		9/2/2018	Demolition and rebuild continues. Current work area is in area near intersection of Center St/Dale St.
\$50,000.00	David Edwards	David Edwards	Main St. & Sullivan St. System Upgrades		8/17/2018	Plans approved. Construction to start on 7/2/18.
	Chad Austin	Pamela Gilmer	Phase 4 Water Improvements			Survey and design.

Status Updates on Active Projects sorted by Completion Date

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AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

Tuesday, July 3, 2018, 7:00 p.m.
City Hall, 225 W. Center St., Courtroom, 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

City Administration

Jeff Fleming, City Manager
Chris McCartt, Assistant City Manager for Administration
Ryan McReynolds, Assistant City Manager of Operations
J. Michael Billingsley, City Attorney
James 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

I. CALL TO ORDER

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG

II.B. INVOCATION – Vice Mayor Mike McIntire

III. ROLL CALL

IV.A. RECOGNITIONS & PRESENTATIONS

None

IV.B. APPOINTMENTS

1. Appointments to the Public Art Committee
 - Appointment

V. APPROVAL OF MINUTES

1. Work Session – June 18, 2018
2. Business Meeting – June 19, 2018

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

1. Amend Zoning of 1629 Virginia Avenue (AF: 151-2018) (Ken Weems)
 - Public Hearing
 - Ordinance – First Reading

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Amendment to the City Code Section 98-407 Pertaining to Penalties for Violations of Seat Belt Usage (AF: 150-2018) (David Quillin)
 - Ordinance – First Reading
2. Ordinance to Adopt the 2018 International Building, Fire and Related Codes, 2017 National Electric Code (AF: 154-2018) (Lynn Tully)
 - Ordinance – First Reading
3. Amend Sections 38-19, 38-34 and 62-126 of the Code of Ordinance Clarifying that Certain Storage of Inoperable Vehicles on Property a Nuisance (AF: 157-2018) (Mike Billingsley)
 - Ordinance – First Reading
- Revised 7/2/18 4. Budget Adjustment Ordinance for FY18 (AF: 156-2018) (Jeff Fleming)
 - Ordinance – First Reading
- Added 7/2/18 5. Budget Adjustment Ordinance for FY19 (AF: 162-2018) (Jeff Fleming)
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Annex/Adopt Plan of Service for the 2215 Cleek Road Annexation and Amend Zoning (AF: 116-2018) (Nathan Woods)
 - Ordinance – **Second Reading & Final Adoption**
2. Budget Adjustment Ordinance for FY18 (AF: 147-2018) (Jeff Fleming)
 - Ordinance – **Second Reading & Final Adoption**

D. OTHER BUSINESS

1. Execute Various Merchant Services Applications with Elavon, Inc. for Processing Services Relating to the City's Acceptance of Credit and Debits Cards for the Payment of Various City Service (AF: 149-2018) (Sid Cox, Lisa Winkle)
 - Resolution
2. Purchase Pearson Middle School Interactive Science Digital License for Grades 6-8 from Tennessee Book Company (AF: 146-2018) (David Frye, Brian Cinnamon)
 - Resolution
3. Award of Bid to W-L Construction for 2018 Contracted Paving Area 10 – West Lynn Garden (AF: 152-2018) (Ryan McReynolds)
 - Resolution
4. Award the Sale of City-Owned Parcel Which Has Been Declared Surplus Property (AF: 155-2018) (Lynn Tully)
 - Resolution
5. Award the Contract for Tri County Tank Replacement Project (AF: 134-2018)
 - Resolution
6. Extension of Agreement with Med Fit LLC for a City-wide Medical Wellness Pilot Program (AF: 160-2018) (Chad Austin)
 - Resolution

Revised 7/3/18

VII. CONSENT AGENDA

None

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 the Public Art Committee

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

Action Form No.: AF-158-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Committee
 Presentation By: Mayor Clark

Recommendation:

Approve appointments.

Executive Summary:

In an effort to have the Public Art Committee on a better rotation schedule so there will be an exchange of committee members each year, the following recommendations are being made.

If approved by the Board of Mayor and Aldermen, appointment of Shelburne Ferguson and Dr. Joshua Reid for a three-year term effective immediately and expiring July 31, 2021, and reappointment of the following committee members as indicated.

	<u>Term Expires</u>
Bruce Shine	July 31, 2019
Brad Hoover	July 31, 2019
Julie Gunn	July 31, 2020
Chrissy Idlette	July 31, 2020

In addition to the committee members, the following will serve in term of their position.

Gail Cole, Engage Kingsport
 Jessica Harmon, Planning Department
 Melissa Sanders, Downtown Kingsport Association
 Greg Willis, Public Works
 Chris Campbell, Transportation
 John Morris, Budget Office

Attachments:

1. Shelburne Ferguson Bio
2. Dr. Joshua Reid Bio

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

Shelburne Ferguson

- Graduate of the Milligan College with Double Majors in English and Sociology
- Graduate of the University of Tennessee, College of Law with the degree of Doctor of Jurisprudence
- Currently a member of the American Bar Association, Tennessee Bar Association and Kingsport Bar Association
- Member of the Family Law Sections of the Tennessee and American Bar Associations
- Recently served on the Executive Board of the Tennessee Bar Association Family Law Section
- Recently served on the Tennessee Bar Association Family Law Code Commission
- Appointed by Tennessee Governor as Commissioner on the Tennessee Commission on Aging and Disability
- In addition to practicing in the field of Family Law, Mr. Ferguson practices Business Law assisting clients in starting, organizing and managing their businesses and with clients will and estate matters.

Joshua Reid

Dr. Josh Reid is an Assistant Professor of English and Assistant Chair for Undergraduate Studies for the Department of Literature and Language at East Tennessee State University. Dr. Reid has been a Kingsport native since 2012: his wife, Dr. Erin Reid, is a Dermatologist at Dermatology Associates of Kingsport, and their three children go to Washington Elementary for school and child care. Dr. Reid brings years of experience teaching art history and art appreciation for the university and broader community. He acquired a Masters in Art History at the University of Kentucky in 2012, and he has published academic articles and presented conference papers on the relationship between literature and the visual arts. He has taught courses on Art Appreciation for the University of Illinois-Springfield, and he has collaborated with the Reece Museum at ETSU on their 2017 and 2018 exhibits of Salvador Dali's illustrations for Dante's *Divine Comedy*, including giving public lectures and involving his students with the content and promotion of the exhibits. This fall, Dr. Reid will curate an exhibit on Salvador Dali's illustrations for Milton's *Paradise Lost*. In Kingsport, Dr. Reid gave an art appreciation lecture and sculpture walk tour for the Kingsport Alliance for Continued Learning in 2013. Dr. Reid has been an avid supporter of Engage Kingsport—from the Carousel Project to Rise Together—and he would be honored to help nourish and promote Kingsport's rich arts tradition.

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, June 18, 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

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Clark.
2. **ROLL CALL:** By Deputy City Recorder Angie Marshall.
3. **DOWNTOWN MASTER PLAN.** Development Services Director Lynn Tully introduced Adam Williamson and Kristy Carter with TSW who each presented details on this item, pointing out key takeaways included walkable development with parks, a hotel and youth activities as well as beautification efforts. Mr. Williamson noted this was a 20 year vision while Ms. Carter provided marketing information. Some discussion followed.
4. **NEIGHBORHOOD COMMISSION.** Ms. Margot Seay gave a presentation on this item, highlighting the progress, achievements and goals that have been made in the last six months. She stated the main issues have centered around traffic, paving, and pet waste. Marketing and Public Relations Director Heather Cook and Alderman Adler made further comments.
5. **PROJECTS STATUS.** City Manager Fleming discussed this item.
6. **REVIEW OF AGENDA ITEMS ON THE JUNE 19, 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.D.2 Bid Award for School Crossing Guard Services (AF: 135-2018). Police Chief David Quillin provided details on this item and answered questions from the board members.

VI.D.10 Agreements with Various Agencies and Organizations for Services in FY18-19 Benefiting the General Welfare of Kingsport Residents (AF: 131-2018). City Manager Fleming provided information on this item, noting these organizations would continue to present to the board at the work sessions throughout the year.

**Minutes of the Regular Work Session of the Board of Mayor and Aldermen of
Kingsport, Tennessee, Monday, June 18, 2018**

7. **ADJOURN.** Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 6:07 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, June 19, 2018, 7:00 PM
Large Court Room – City Hall

PRESENT:

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

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 Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Matty Hayes.
- II.B. **INVOCATION:** Pastor Paul Becker, Concordia Lutheran Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV.A. **RECOGNITIONS AND PRESENTATIONS.**
 - 1. Coach Graham Clark (Mayor Clark)
 - 2. Employee Dependent Scholarship Recipients (George DeCroes)
 - 3. Keep Kingsport Beautiful Beautification Awards (Robin Cleary)

IV.B. APPOINTMENTS/REAPPOINTMENTS.

- 1. **Reappointment to the Beverage Board** (AF: 138-2018) (Mayor Clark).

Motion/Second: George/Adler, to approve:

REAPPOINTMENT OF MR. LONNIE SALYER TO SERVE A SECOND THREE-YEAR TERM ON THE **BEVERAGE BOARD** EFFECTIVE IMMEDIATELY AND EXPIRING ON JUNE 30, 2021.

Passed: All present voting "aye."

V. APPROVAL OF MINUTES.

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

- A. June 4, 2018 Regular Work Session
- B. June 5, 2018 Regular Business Meeting

Approved: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 19, 2018**

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

**1. Annex/Adopt Plan of Service for the 2215 Cleek Road
Annexation and Amend Zoning (AF: 116-2018) (Nathan Woods).**

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

Motion/Second: McIntire/George, to pass:

Resolution No. 2018-189, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 10th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS 2215 CLEEK ROAD 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: McIntire/Adler, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ADJACENT TO CLEEK ROAD FROM COUNTY A-1, AGRICULTURAL DISTRICT TO CITY R1-B, RESIDENTIAL DISTRICT IN THE 10TH 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."

Motion/Second: McIntire/George, to pass:

Resolution No. 2018-190, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE 2215 CLEEK ROAD ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

2. Annexation Annual Plan of Services Report (AF: 117-2018)
(Nathan Woods). City Planner Nathan Woods gave a brief presentation on this item.

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

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

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Budget Adjustment Ordinance for FY18 (AF: 147-2018)
(Jeff Fleming).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, June 19, 2018**

Motion/Second: McIntire/Begley, to pass:

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Adopt the FY18-19 Budget (AF: 104-2018) (Jeff Fleming).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6725, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**2. Adopt the FY18-19 Water Fund Budget (AF: 105-2018)
(Ryan McReynolds).**

Motion/Second: George/Adler, to pass:

ORDINANCE NO. 6726, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL WATER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**3. Adopt the FY18-19 Sewer Fund Budget (AF: 106-2018)
(Ryan McReynolds)**

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6727, AN ORDINANCE OF THE CITY OF KINGSPORT, TENNESSEE, ADOPTING A FINAL SEWER FUND BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**4. Amend Zoning of 2000 Stonebrook Place (AF: 123-2018)
(Ken Weems)**

Motion/Second: McIntire/Cooper, to pass:

ORDINANCE NO. 6728, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG STONEBROOK PLACE TO

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B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Amend Zoning of Parcels 54, 55 and 56 Located Along North Eastman Road (AF: 124-2018) (Ken Weems)

Motion/Second: McIntire/Begley, to pass:

ORDINANCE NO. 6729, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG NORTH EASTMAN ROAD FROM R-1B, RESIDENTIAL DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Amend Zoning Code Pertaining to Duties of the Zoning Administrator (AF: 125-2018) (Ken Weems)

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6730, AN ORDINANCE AMENDING VARIOUS SECTION OF CHAPTER 114 OF THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, PERTAINING TO ZONING BY TRANSFERRING CERTAIN ZONING CODE OFFICIAL DUTIES FROM THE BUILDING OFFICIAL TO THE ZONING ADMINISTRATOR; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

7. Adopt FY18-19 Metropolitan Planning Project Grant Budget (AF: 107-2018) (Judy Smith, Bill Albright)

Motion/Second: McIntire/Adler, to pass:

ORDINANCE NO. 6731, AN ORDINANCE TO APPROPRIATE METROPOLITAN TRANSPORTATION PLANNING GRANT PROJECT FUNDS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

8. Adopt FY18-19 Urban Mass Transit Budget (AF: 108-2018) (Chris McCartt)

Motion/Second: George/McIntire, to pass:

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ORDINANCE NO. 6732, AN ORDINANCE TO APPROPRIATE URBAN MASS TRANSIT GRANT PROJECT FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

9. Adopt FY18-19 School Public Law 93-380 Grant Project Fund Budget (AF: 109-2018) (Jeff Fleming, David Frye)

Motion/Second: Begley/Cooper, to pass:

ORDINANCE NO. 6733, AN ORDINANCE TO ESTABLISH PL93-380 GRANT PROJECT FUND FOR THE PL93-380 GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

10. Adopt FY18-19 Special Schools Projects Grant Fund Budget (AF: 110-2018) (Jeff Fleming, David Frye)

Motion/Second: Begley/Olterman, to pass:

ORDINANCE NO. 6734, AN ORDINANCE TO ESTABLISH SPECIAL SCHOOL GRANT PROJECT FUND 145 FOR SPECIAL SCHOOL PROJECTS GRANT, TO APPROPRIATE SUCH FUNDS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

11. FY19 Community Development Block Grant Budget (AF: 111-2018) (Lynn Tully)

Motion/Second: McIntire/Adler, to pass:

ORDINANCE NO. 6735, AN ORDINANCE TO APPROPRIATE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2019; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

12. Materials Agreement with The Edinburgh Group, LLC Related to Phase 11 of the Edinburgh Development and an Ordinance to Appropriate the Funds (AF: 96-2018) (Ryan McReynolds)

Motion/Second: George/Begley, to pass:

ORDINANCE NO. 6736, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE 11

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MATERIALS AGREEMENT PROJECTS (WA1887 AND SW1887); AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

D. OTHER BUSINESS.

1. American Red Cross, NE Chapter Facility Use Agreement
(AF: 126-2018) (Chris McCartt).

Motion/Second: Begley/George, to pass:

Resolution No. 2018-191, A RESOLUTION APPROVING A FACILITY USE
AGREEMENT WITH THE AMERICAN NATIONAL RED CROSS, NE CHAPTER AND
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF
THE AGREEMENT

Passed: All present voting "aye."

2. Bid Award for School Crossing Guard Services (AF: 135-2018)
(David Quillin)

Motion/Second: McIntire/Begley, to pass:

Resolution No. 2018-192, A RESOLUTION AWARDED THE BID FOR THE SCHOOL
CROSSING GUARDS TO CROSS SAFE AND AUTHORIZING THE MAYOR TO SIGN
AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND
PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**3. Amend Fee Resolution for FY19 Fees and Charges Provided
for in the City Code** (AF: 133-2018) (Jeff Fleming).

Motion/Second: Begley/Olterman, to pass:

Resolution No. 2018-193, A RESOLUTION SETTING THE RATES, FEES AND
CHARGES AS PROVIDED BY THE CITY OF KINGSPORT CODE OF ORDINANCES

Passed: All present voting "aye."

**4. Amended Agreement with BlueCross BlueShield of
Tennessee, Inc.** (AF: 132-2018) (George DeCroes).

Motion/Second: George/Begley, to pass:

Resolution No. 2018-194, A RESOLUTION APPROVING AN AMENDED
AGREEMENT WITH BLUECROSS BLUESHIELD OF TENNESSEE, INC. AS THE
THIRD PARTY ADMINISTRATOR FOR THE CITY OF KINGSPORT SELF-FUNDED
HEALTH INSURANCE PROGRAM AND AUTHORIZING THE MAYOR TO SIGN THE
AMENDED AGREEMENT WITH BLUECROSS BLUESHIELD OF TENNESSEE, INC.

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AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE
PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

5. Bid Award for Purchase of Propane for FY19 (AF: 137-2018)
(Ryan McReynolds, Steve Hightower)

Motion/Second: George/Adler, to pass:

Resolution No. 2018-195, A RESOLUTION AWARDDING THE BID FOR PURCHASE
OF PROPANE AUTO GAS FOR USE IN CITY EQUIPMENT FOR FISCAL YEAR 2019
TO BLOSSMAN GAS AND AUTHORIZING THE CITY MANAGER TO EXECUTE
PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

6. Bid Award for Purchase of One (1) Boom Mower (AF: 140-2018)
(Ryan McReynolds, Steve Hightower)

Motion/Second: George/Olterman, to pass:

Resolution No. 2018-196, A RESOLUTION AWARDDING THE BID FOR THE
PURCHASE OF ONE BOOM MOWER TO CMI EQUIPMENT AND AUTHORIZING
THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

**7. Bid Award for School Nutrition Services Kitchen Equipment to
KaTom Restaurant Supply, Inc. (AF: 143-2018) (David Frye, Jennifer Walker)**

Motion/Second: Adler/Begley, to pass:

Resolution No. 2018-197, A RESOLUTION AWARDDING THE BID FOR PURCHASE
OF VARIOUS KITCHEN EQUIPMENT ITEMS FOR USE BY KINGSFORT SCHOOL
NUTRITION SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE A
PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

8. Bid Award for the Purchase of Salt Spreaders (AF: 141-2018)
(Ryan McReynolds, Steve Hightower)

Motion/Second: George/Olterman, to pass:

Resolution No. 2018-198, A RESOLUTION AWARDDING THE BID FOR THE
PURCHASE OF STAINLESS STEEL SALT SPREADERS TO CMI EQUIPMENT AND
AWARDDING THE BID FOR PURCHASE OF POLY V-BOX SALT SPREADERS TO
KINGSFORT IRON AND METAL AND AUTHORIZING THE CITY MANAGER TO
EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

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9. Amendment to Existing Agreement with Source Technologies, LLC for Odor and Corrosion Control at Sewer Lift Stations (AF: 139-2018) (Ryan McReynolds)

Motion/Second: Cooper/Begley, to pass:

Resolution No. 2018-199, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH SOURCE TECHNOLOGIES, LLC FOR ODOR AND CORROSION CONTROL AT SEWER LIFT STATIONS; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

10. Agreements with Various Agencies and Organizations for Services in FY18-19 Benefiting the General Welfare of Kingsport Residents (AF: 131-2018) (Jeff Fleming)

Motion/Second: Olterman/McIntire, to pass:

Resolution No. 2018-200, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR SERVICES IN FISCAL YEAR 2018-2019 BENEFITING THE GENERAL WELFARE OF KINGSFORT RESIDENTS

Passed: All present voting "aye."

VII. CONSENT AGENDA. (*considered under one motion in a roll call vote.*)

Motion/Second: George/Begley, to adopt:

1. Approve FY18-19 Library Service Agreement with Holston River Sullivan County (AF: 136-2018) (Chris McCartt).

Pass:

Resolution No. 2018-201, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL RENEWAL OF THE PUBLIC LIBRARY SERVICE AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES TO RECEIVE FUNDING FOR BOOKS, TRAINING, AND SERVICES THROUGH THE HOLSTON RIVER REGIONAL LIBRARY SYSTEM FOR FISCAL YEAR 2018/2019

Passed: All present voting "aye."

2. Reject Bids for School Nutrition Services Chemical Products (AF: 144-2018) (David Frye, Jennifer Walker).

Pass:

Resolution No. 2018-202, A RESOLUTION REJECTING ALL BIDS RELATED TO THE SCHOOLS NUTRITION SERVICES CHEMICAL PRODUCTS

Passed: All present voting "aye."

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3. Purchase Chromebook Devices from Firefly Computers for KCS Students (AF: 142-2018) (David Frye, Scott Pierce).

Pass:

Resolution No. 2018-203, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO FIREFLY COMPUTERS FOR 2,225 ACER C731 CHROMEBOOKS FOR USE BY STUDENTS AT KINGSPORT CITY SCHOOLS

Passed: All present voting "aye."

4. Approval of Right-of-Way for the Pendragon Sidewalk Extension Project (AF: 148-2018) (Ryan McReynolds).

Approve:

RIGHT-OF-WAY FOR THE PENDRAGON SIDEWALK EXTENSION PROJECT

Passed: All present voting "aye."

5. Purchase Discovery Education Digital Techbook License for K-5 from Tennessee Book Company (AF: 145-2018) (David Frye, B. Cinnamon).

Pass:

Resolution No. 2018-204, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR DISCOVERY EDUCATION DIGITAL TECHBOOK LICENSE FROM TENNESSEE BOOK COMPANY

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming commented on the recent award presented to Kingsport at the TML conference and thanked the leadership from the BMA

B. MAYOR AND BOARD MEMBERS. Alderman Adler commented on the fee resolution, noting there are plenty of options for events in town. She also mentioned the presentation of the Downtown Master Plan yesterday and noted it was the opening night for the Kingsport Mets. Alderman Cooper thanked the BMA from two years ago for making the tough decision regarding the sanitation fee, because that made working with this year's budget shortfall easier. She also pointed out that the funding that made ONEKingsport projects whole this year was merely a band-aid and would not be there in future years. Vice-Mayor McIntire promoted the upcoming Liberty Celebration on June 29 and 30. He also commented on the many happenings in the past year that Kingsport should be proud of. Alderman Begley thanked the property owner who asked for the rezoning for moving his business to Kingsport from another city. He also congratulated Mayor Clark for being selected for the Leadership Tennessee class. Alderman Olterman commented on local baseball and the upcoming Longest Drive event at

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Meadowview. Alderman George stated the Funfest store opens tomorrow and encourage people to sign up for the block parties. She commented on the upcoming Long Island Tea contest and also the Neighborhood Commission. She stated Kingsport is blessed with the many activities and opportunities for all ages to enjoy. Mayor Clark commented on the Kingsport Mets and once again recognized Graham Clark. He also noted that although the Downtown Master Plan is a 20 year vision, he challenged the BMA and staff to get there in half that time.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:25 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor



AGENDA ACTION FORM

Amend Zoning of 1629 Virginia Avenue

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

Action Form No.: AF-151-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 17, 2018
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone 1629 Virginia Avenue from R-1B, Residential District to R-2, Two-Family Residential District.

Executive Summary:

This is an owner-requested rezoning of approximately .44 acres located at 1629 Virginia Avenue from R-1B to R-2. The purpose of the rezoning is to accommodate construction of two duplexes on the property. The Planning Department has received two public comments on the proposal, both supportive of the rezoning. During their June 2018 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation in support of the rezoning to the Board of Mayor and Aldermen. The notice of public hearing was published on June 18, 2018.

Attachments:

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

	<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 July 3, 2018 to consider the rezoning for parcel 41 along McCoy Street from R-1B District to R-2 District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the eastern corner of parcel 41, Tax Map 62H, in common with the southern right-of-way of McCoy Street; thence in a westerly direction, following the southern right-of-way of McCoy Street, approximately 205 feet to a point, said point being the northern corner of parcel 41 in common with the eastern right of way of Leaside Drive; thence in a southeasterly direction, following the eastern right-of-way of parcel 41 approximately 249 feet to a point, said point being the southern corner of parcel 41 in common with the eastern right-of-way of Leaside Drive; thence in a northeasterly direction, approximately 81 feet to a point, said point being the northern corner of parcel 40; thence in a northeasterly direction, approximately 96 feet to the point of BEGINNING, and being all of parcel 41, Tax Map 62H, 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 and description is on file in the offices of the City Manager, Kingsport Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
PIT: 6/18/18

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG MCCOY STREET FROM R-1B, RESIDENTIAL DISTRICT TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along McCoy Street from R-1B, Residential District to R-2, Two-Family Residential District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the eastern corner of parcel 41, Tax Map 62H, in common with the southern right-of-way of McCoy Street; thence in a westerly direction, following the southern right-of-way of McCoy Street, approximately 205 feet to a point, said point being the northern corner of parcel 41 in common with the eastern right of way of Leaside Drive; thence in a southeasterly direction, following the eastern right-of-way of parcel 41 approximately 249 feet to a point, said point being the southern corner of parcel 41 in common with the eastern right-of-way of Leaside Drive; thence in a northeasterly direction, approximately 81 feet to a point, said point being the northern corner of parcel 40; thence in a northeasterly direction, approximately 96 feet to the point of BEGINNING, and being all of parcel 41, Tax Map 62H, 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 _____

Rezoning Report

Kingsport Regional Planning Commission

File Number 18-101-00006

McCoy Street Rezoning

Property Information			
Address	1629 Virginia Avenue		
Tax Map, Group, Parcel	Map 62H, Group C, Parcel 41		
Civil District	11		
Overlay District	n/a		
Land Use Designation	Single Family		
Acres	.44 +/-		
Existing Use	Vacant / former site of a single family home	Existing Zoning	R-1B
Proposed Use	Two duplexes	Proposed Zoning	R-2
Owner /Applicant Information			
Name: Joe Begley Address: 1611 Fairridge Pl City: Kingsport State: TN Zip Code: 37664 Phone: (423) 677-6778		Intent: <i>To rezone from R-1B (Residential District) to R-2 (Two-Family District) to accommodate construction of two duplexes on the parcel.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends sending a POSITIVE recommendation to the Kingsport Board of Mayor and Aldermen for the following reasons:</p> <ul style="list-style-type: none"> • <i>The proposed R-2 zone will maintain essential character of the neighborhood, matching the similar multi-family uses along all of McCoy Street.</i> • <i>The submitted zoning development plan conforms to R-2 zoning standards.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>The rezoning site is currently a vacant lot.</i> • <i>The site of the former Dickson School, across McCoy Street from the rezoning site, will be zoned PD, Planned Development with an effective date of June 16, 2018</i> 			
Planner:	Ken Weems	Date:	June 1, 2018
Planning Commission Action		Meeting Date:	June 21, 2018
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

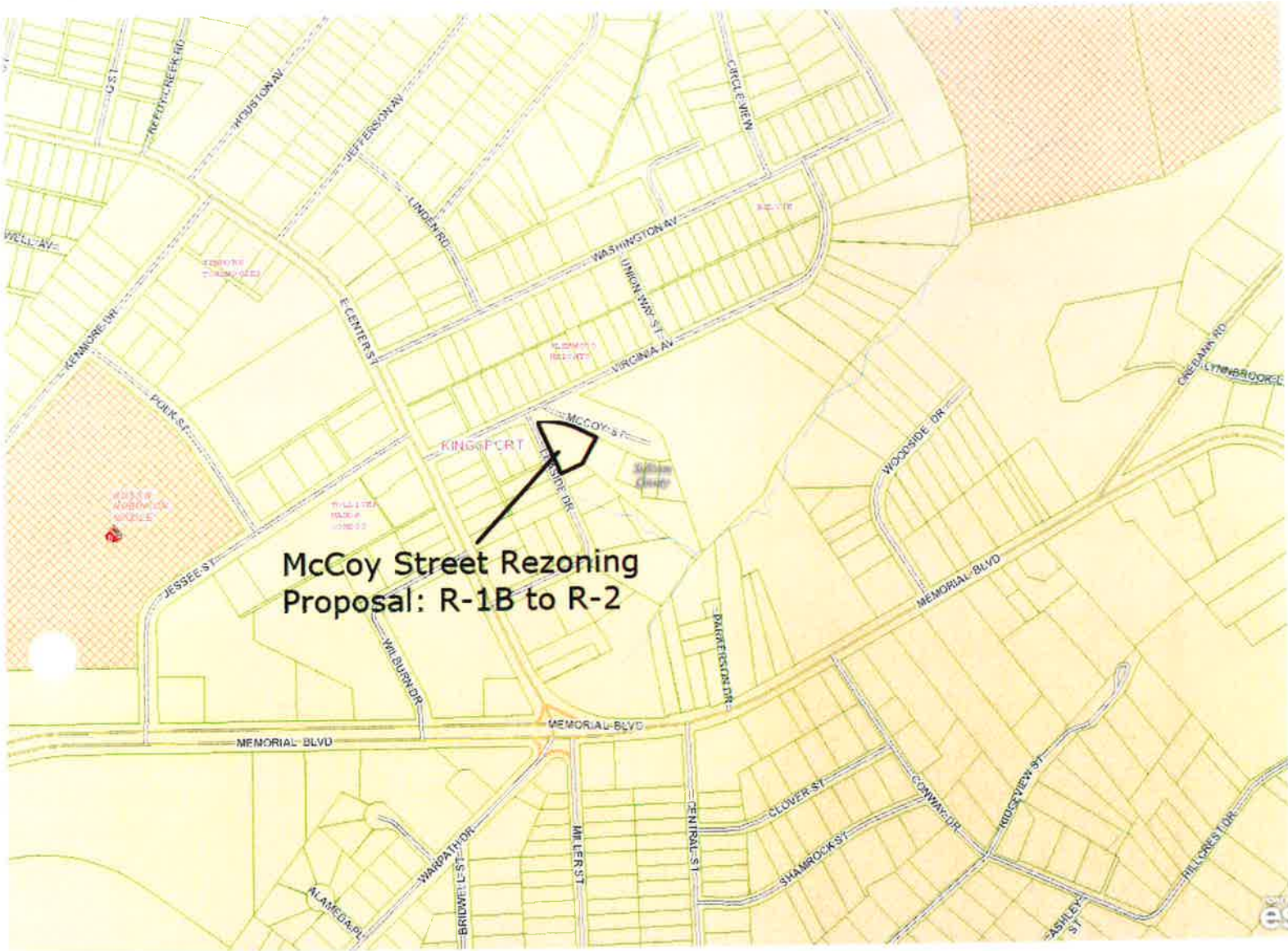
PROPERTY INFORMATION

ADDRESS	1629 Virginia Ave
DISTRICT	11
OVERLAY DISTRICT	n/a
EXISTING ZONING	R-1B (Residential District)
PROPOSED ZONING	R-2 (Two-Family District)
ACRES	.44 +/-
EXISTING USE	Vacant lot/ former site of a single family home
PROPOSED USE	two duplexes to be constructed

PETITIONER**ADDRESS** 23177 Kestrel Ln, Bristol, VA 24202**INTENT**

To rezone from R-1B (Residential District) to R-2 (Two-Family District) to accommodate construction of two duplexes on the parcel.

Vicinity Map



Surrounding Zoning Map



**Future Land Use Plan 2030
Designation: Single Family**



Aerial



North View (Homes Along Virginia Ave)



East View (Multi-Family Homes Along McCoy St)



South View (With Rezoning Site in Foreground)



West View (View Down Virginia Ave Toward E. Center St)



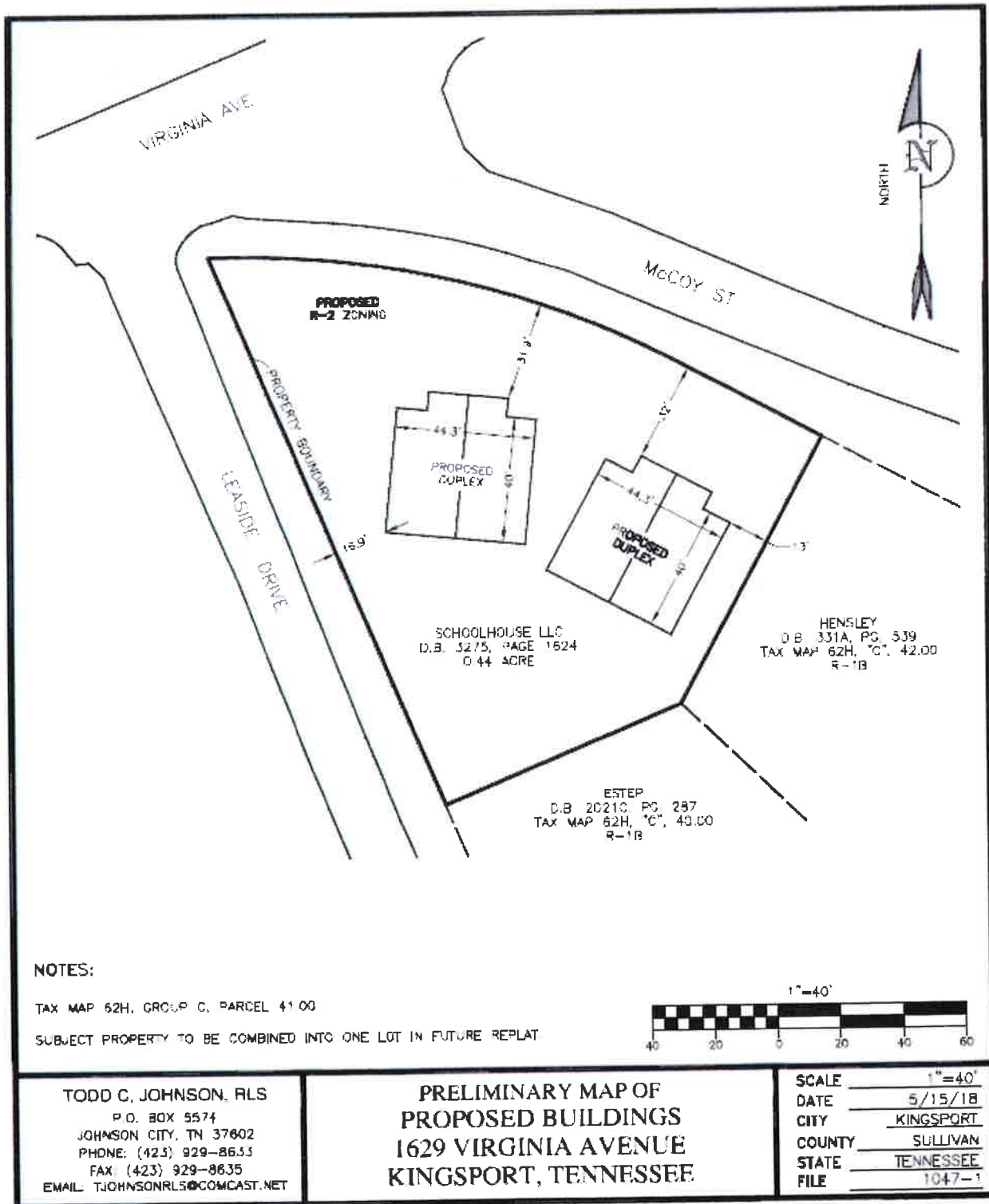
Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Use	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-1B</u> <u>Use: Single Family</u>	n/a
Further North and Northwest	2	<u>Zone: City R-1B</u> <u>Use: Single Family</u>	n/a
East	3	<u>Zone: City R-1B</u> <u>Use: Multi-Family</u>	n/a
Further East	4	<u>Zone: City PD (pending 6/16/2018)</u> <u>Use: future residential</u>	Rezoned from R-1B to PD on 16 June 2018
Southeast and South	5	<u>Zone: City R-1B</u> <u>Use: Single Family</u>	n/a
Further South	6	<u>Zone: City R-1B</u> <u>Use: vacant</u>	n/a
West	7	<u>Zone: City R-1B</u> <u>Use: golf driving range</u>	n/a

Existing Uses Location Map



Zoning Development Plan



ZDP Analysis and Property Features

The rezoning site is the previous location of a single family home that has since been removed. The rezoning site slopes downhill towards the rear of the property (opposite Virginia Avenue). The proposal of constructing two duplexes on the property will preserve the essential character of the neighborhood by matching similar multi-family structures along all of McCoy Street.

Standards of Review

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

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?** The proposal of constructing two duplexes on the property will preserve the essential character of the neighborhood by matching similar multi-family structures along all of McCoy Street.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal. The proposal is similar to the other multi-family uses along McCoy Street.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property to be affected by the proposal has a reasonable economic use as currently zoned. A similarly reasonably economic use is acknowledged for the proposed R-2 zone as well.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal of will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The land use plan addresses the rezoning site as appropriate for single family use. It is staff's opinion that the property's highest and best use can also be captured by implementing the R-2 zone. This is the same use that the other structures along McCoy Street have had for decades (legal non-conforming to current zoning standards).
6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or**

disapproval of the proposal? The existing conditions of the property present an opportunity for use of an otherwise vacant property.

- 7. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed.
- 8. Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning is considered an extension of the legally non-conforming use of multi-family to the north of the rezoning site. By virtue of the other structures along McCoy Street being legally nonconforming multi-family structures, the proposed isolated district will preserve the essential character of the neighborhood.
- 9. Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically drawn in relation to the existing conditions.
- 10. Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not constitute a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends sending a POSITIVE recommendation to rezone from R-1B to R-2. The rationale for this recommendation is based upon preserving the essential character of the neighborhood by implanting a similar use to the existing uses along McCoy Street.



AGENDA ACTION FORM

Amendment to the City Code Section 98-407 Pertaining to Penalties for Violations of Seat Belt Usage

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

Action Form No.: AF-150-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 17, 2018
 Staff Work By: Capt. Gore
 Presentation By: Chief Quillin

Recommendation:

Approve the Ordinance.

Executive Summary:

Recently, the fine amount for seatbelt violations was changed in the state code. Accordingly, it is recommended to amend the city code to reflect the fine amounts.

A first offense seatbelt violation by an adult offender was increased from \$25.00 to \$30.00.

All offense seatbelt violations by a 16-17 yr. old increased from \$25.00 to \$30.00.

Attachments:

1. Ordinance
2. Copy of Affected Code Provision with Changes Shown

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 98-406 RELATING TO USE OF SAFETY BELTS IN PASSENGER VEHICLES; SECTION 98-407 RELATING TO PENALTIES FOR VIOLATION OF USE OF SAFETY BELTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Section 98-406 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 98-406. Use of Safety Belts in Passenger Vehicles.

(a) As used in section 98-406, unless specified otherwise, "passenger motor vehicle" does not include any motor vehicle that is used as a public or livery conveyance for passengers or any motor vehicles that are not required by federal law to be equipped with safety belts, except autocycles as defined herein. As used in this section and in sections 98-407 through 98-409 the term "autocycle" means a three-wheeled motorcycle that is equipped with safety belts, steering wheel, and nonstraddle seating, and is manufactured to comply with federal safety requirements for motorcycles.

(b) No person shall operate a passenger motor vehicle on any street or highway within the city unless such person and all passengers four years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

(c) No person four years of age or older shall be a passenger in a passenger motor vehicle on any street or highway within the city, unless such person is restrained by a safety belt at all times the vehicle is in forward motion.

(d) Except as otherwise set out in this section 98-408(d) this section shall apply only to the operator and all passengers occupying the front seat of a passenger motor vehicle. If the vehicle is equipped with a rear seat which is capable of folding, this section shall only apply to front seat passengers and the operator if the back seat is in the fold-down position. Notwithstanding any provision of this section to the contrary, no person between sixteen (16) years of age and up to and through the age of seventeen (17) years of age, shall operate a passenger motor vehicle, or be a passenger therein, unless the person is restrained by a safety belt at all times the vehicle is in forward motion. Notwithstanding any provision of this section 98-408(d) to the contrary all occupants between sixteen (16) years of age and eighteen (18) years of age occupying any seat in a passenger motor vehicle shall be restrained by a safety belt at all times the vehicle is in forward motion. Notwithstanding anything in this section 98-408(e) to the contrary no person with a learner permit or an intermediate driver license shall operate a passenger motor vehicle in this state unless the person and all passengers between the ages of four (4) and seventeen (17) years of age are restrained by a safety belt at all times the vehicle is in forward motion.

(e) Except as set out in section 98-408(d) this section shall not apply to any vehicle exempted from similar provisions of state law by T.C.A. § 55-9-603(h).

(f) A law enforcement officer observing a violation of this section shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this section.

SECTION II. That Section 98-407 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 98-407. Penalties for violation of use of safety belts.

(a) A person convicted of a violation of section 98-406 shall be fined \$30.00 for a first violation and \$50.00 for each subsequent violation. A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of \$30.00 for a first violation, and \$50.00 for a second or subsequent violation to the clerk of the city court.

(b) No clerk's fee nor court costs, including, but not limited to, any statutory fees of officers, shall be imposed or assessed against anyone convicted of a violation of this section. No litigation tax levied pursuant to T.C.A. title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this section.

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 _____

T. C. A. § 55-9-603

§ 55-9-603. Use; definitions; crimes and offenses; license suspension or revocation; exceptions

Currentness

(a)(1) No person shall operate a passenger motor vehicle on any highway, as defined in [§ 55-8-101](#), in this state unless the person and all passengers four (4) years of age or older are restrained by a safety belt at all times the vehicle is in forward motion.

(2) No person four (4) years of age or older shall be a passenger in a passenger motor vehicle on any highway, as defined in [§ 55-8-101](#), in this state, unless the person is restrained by a safety belt at all times the vehicle is in forward motion.

(b)(1) This section shall apply only to the operator and all passengers occupying the front seat of a passenger motor vehicle.

(2) If the vehicle is equipped with a rear seat that is capable of folding, this section shall only apply to front seat passengers and the operator if the back seat is in the fold down position.

(c) As used in this section, unless specified otherwise, "passenger car" or "passenger motor vehicle" does not include any motor vehicle that is used as a public or livery conveyance for passengers or any motor vehicles that are not required by federal law to be equipped with safety belts, except autocycles as defined in [§ 55-1-103](#).

(d)(1) A violation of this section is a Class C misdemeanor. All proceeds from the fines imposed by this subsection (d), except as otherwise provided by subdivisions (d)(2) and (3), shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in [§ 49-11-602](#), who have been severely injured in motor vehicle accidents.

(2)(A) A person charged with a violation of this section may, in lieu of appearance in court, submit a fine of ~~twenty-five dollars (\$25.00)~~ **thirty dollars (\$30.00)** for a first violation, and ~~fifty dollars (\$50.00)~~ **fifty-five dollars (\$55.00/\$50.00 for municipal courts)** for a second or subsequent violation to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed.

(B) The revenue generated by fifteen dollars (\$15.00) of the ~~twenty-five-dollar~~ **thirty-dollar** fine in subdivision (d)(2)(A) for a person's first conviction shall be deposited in the state general fund without being designated for any specific purpose. The remaining ~~ten~~ **ten** dollars (\$10.00) of the ~~twenty-five-dollar~~ **thirty-dollar** fine for the person's first conviction under subdivision (d)(2)(A) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in [§ 49-11-602](#), who have been

severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the thirty-dollar fine for the person's first conviction under subdivision (d)(2)(A) shall be retained by the court clerk.

(C) The revenue generated by thirty dollars (\$30.00) of the fifty-five-dollar fine under subdivision (d)(2)(A) for a person's second or subsequent conviction shall be deposited in the state general fund without being designated for any specific purpose. The remaining ~~ten~~ **[T]**twenty dollars (\$20.00) of the fifty-five-dollar fine for the person's second or subsequent conviction under subdivision (d)(2)(A) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in [§ 49-11-602](#), who have been severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the fifty-five-dollar fine for the person's second or subsequent conviction under subdivision (d)(2)(A) shall be retained by the clerk.

(3)(A) Notwithstanding subdivision (d)(2), a person charged with a violation of subsection (i) may, in lieu of appearance in court, submit a fine of ~~twenty-five dollars (\$25.00)~~ **thirty dollars (\$30.00)** to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed.

(B) Notwithstanding subdivision (d)(2), the revenue generated by fifteen dollars (\$15.00) of the ~~twenty-five-dollar~~ **thirty-dollar** fine under subdivision (d)(3)(A) for a person's first conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. The remaining ~~ten~~ **[T]**en dollars (\$10.00) of the ~~twenty-five-~~ **thirty-**dollar fine for the person's first conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in [§ 49-11-602](#), who have been severely injured in motor vehicle accidents. The remaining five dollars (\$5.00) of the thirty-dollar fine for the person's first conviction under subdivision (i) shall be retained by the court clerk.

(C) The revenue generated by five dollars (\$5.00) of the ~~twenty-five-~~ **thirty-**dollar fine under subdivision (d)(3)(A) for a person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund without being designated for any specific purpose. The remaining ~~ten~~ **[T]**twenty dollars (\$20.00) of the ~~twenty-five-dollar~~ **thirty-dollar** fine for the person's second or subsequent conviction under subsection (i) shall be deposited in the state general fund and designated for the exclusive use of the division of vocational rehabilitation to assist eligible individuals with disabilities, as defined in [§ 49-11-602](#), who have been severely injured in motor

vehicle accidents. The remaining five dollars (\$5.00) of the thirty-dollar fine for the person's second or subsequent conviction under subdivision (i) shall be retained by the court clerk.

(e) ~~No~~ Except as otherwise provided by subdivisions (d)(2) and (3), no clerk's fee nor court costs, including, but not limited to, any statutory fees of officers, shall be imposed or assessed against anyone convicted of a violation of this section. No litigation tax levied pursuant to title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this section.

(f)(1) A law enforcement officer observing a violation of this section shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this section.

(2) The department of safety shall not report any convictions under this section except for law enforcement or governmental purposes.

(g) In no event shall a violation of this section be assigned a point value for suspension or revocation of a license by the department of safety, nor shall the violation be construed as any other offense under this title.

(h) This section does not apply to:

(1) A passenger or operator with a physical disability which prevents appropriate restraint in a safety seat or safety belt; provided, that the condition is duly certified in writing by a physician who shall state the nature of the disability, as well as the reason a restraint is inappropriate;

(2) A passenger motor vehicle operated by a rural letter carrier of the United States postal service while performing the duties of a rural letter carrier;

(3) Salespersons or mechanics employed by an automobile dealer who, in the course of their employment, test-drive a motor vehicle, if the dealership customarily test-drives fifty (50) or more motor vehicles a day, and if the test-drives occur within one (1) mile of the location of the dealership;

(4) Water, gas, and electric meter readers, and utility workers, while the meter reader or utility worker is:

(A) Emerging from and reentering a vehicle at frequent intervals; and

(B) Operating the vehicle at speeds not exceeding forty miles per hour (40 mph);

(5) A newspaper delivery motor carrier service while performing the duties of a newspaper delivery motor carrier service; provided, that this exemption shall only apply from the time of the actual first delivery to the customer until the last actual delivery to the customer;

(6) A vehicle in use in a parade if operated at less than fifteen miles per hour (15 mph);

(7) A vehicle in use in a hayride if operated at less than fifteen miles per hour (15 mph);

(8) A vehicle crossing a highway from one field to another if operated at less than fifteen miles per hour (15 mph); or

(9) An ADS or an ADS-operated vehicle. Except as otherwise provided by [§ 55-9-606\(2\)](#), for purposes of an ADS-operated vehicle, a passenger or human operator required to be restrained by a

safety belt pursuant to this section is solely responsible for the passenger's or human operator's compliance with such requirement. [\[this subdivision became effective June 6, 2017, Pub. Ch. 474\]](#)

(i)(1) Notwithstanding any provision of this section to the contrary, no person between sixteen (16) years of age and up to and through the age of seventeen (17) years of age, shall operate a passenger motor vehicle, or be a passenger therein, unless the person is restrained by a safety belt at all times the vehicle is in forward motion.

(2) Notwithstanding subdivision (b)(1), this subsection (i) shall apply to all occupants between sixteen (16) years of age and eighteen (18) years of age occupying any seat in a passenger motor vehicle.

(3) Notwithstanding subdivision (f)(1), a law enforcement officer observing a violation of this subsection (i) shall issue a citation to the violator, but shall not arrest or take into custody any person solely for a violation of this subsection (i).

(j) Notwithstanding subsection (b), no person with a learner permit or an intermediate driver license shall operate a passenger motor vehicle in this state unless the person and all passengers between the ages of four (4) and seventeen (17) years of age are restrained by a safety belt at all times the vehicle is in forward motion.

Credits

1986 Pub.Acts, c. 866, §§ 3, 4, 7, 8, 11; 1989 Pub.Acts, c. 591, § 113; [1994 Pub.Acts, c. 661, §§ 2, 4, eff. March 23, 1994](#); [2000 Pub.Acts, c. 700, § 3, eff. July 1, 2001](#); [2000 Pub.Acts, c. 945, §§ 2 to 4, eff. July 1, 2000](#); [2004 Pub.Acts, c. 893, §§ 1 to 5, eff. July 1, 2004](#); [2011 Pub.Acts, c. 47, §§ 59, 60, eff. July 1, 2011](#); [2015 Pub.Acts, c. 25, § 1, eff. July 1, 2015](#); [2015 Pub.Acts, c. 296, § 1, eff. Jan. 1, 2016](#); [2016 Pub.Acts, c. 723, § 1, eff. April 7, 2016](#); [2016 Pub.Acts, c. 1015, § 17, eff. July 1, 2016](#); [2017 Pub.Acts, c. 474, § 8, eff. June 6, 2017](#).



THOMSON REUTERS



AGENDA ACTION FORM

Ordinance to Adopt the 2018 International Building, Fire and Related Codes, 2017 National Electric Code

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

Action Form No.: AF-154-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 17, 2018
 Staff Work By: Keith Bruner
 Presentation By: Lynn Tully

Recommendation:

Approve the Ordinance.

Executive Summary:

In order to comply with T.C.A 68-120-101, new building codes must be adopted this year. After careful review staff has decided to adopt the 2018 editions of the International Building Codes, International Existing Building Code, International Property Maintenance Code, International Residential Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Fire Code, the 2018 edition of the International Energy Conservation Code, 2017 National Electric Code and the 2018 Swimming Pool Code, with amendments.

The Amendments primarily address the current process and procedures found in the department.

Attachments:

1. Ordinance

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTIONS 22-96, 22-121, 22-391, 22-411, 22-522 and 42-46 RELATING TO ADOPTION BY REFERENCE OF VARIOUS INTERNATIONAL CODES PERTAINING TO PROPERTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Section 22-96 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-96. Code adopted by reference.

(a) *Building Code*. The provisions of the International Building Code, 2018 edition, including appendices B, C, J, and K, published by the International Code Council, are hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and the one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Building Code, 2018 edition is hereby amended as follows:

Section 104 is amended by adding a new section to read "104.10.2 All references to flood prone areas contained within this code shall comply with Kingsport's duly adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained herein and those contained in the Flood Insurance Program, the duly adopted Flood Insurance Program shall apply."

Section 105.2 pertaining to work exempt from permit is amended by deleting the phrase "Fences not over 7 feet (2133 mm) high" and in lieu thereof substituting the phrase "Fences not over 8 feet high."

Section 202 pertaining to definitions is pursuant to TCA § 68-120-101(a)(8)(C)(i)(a) amended by deleting the definition of TOWNHOUSE in its entirety and in lieu thereof substituting the phrase "A single-family dwelling unit constructed in a group of three or more attached units in which each unit is separated by a 2 hour fire wall extending from foundation to roof and with a yard or public way on not less than two sides being exempt from sprinkler requirements of Section R313.1 and Section P2904 of the IRC, however, if a sprinkler system is installed it shall meet the requirements of these sections."

Section 3301.1 pertaining to the scope is amended by adding the following language at the end of the section "The provisions of this chapter shall not apply when in conflict with the Tennessee Occupational Safety and Health Act (TOSHA) or other applicable local, State or Federal requirements affecting safeguards during construction."

Section 3001 is amended by adding a new section to read "3001.1.1 Permitting and inspections. Any elevator regulated by the State of Tennessee must be

inspected and comply with all applicable State regulations. Any conflict between this code and State Law, State Law shall prevail."

(b) *Existing Buildings Code.* The provisions of the International Existing Buildings Code, 2018 edition, published by the International Code Council, are adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Existing Buildings Code, 2018 edition is hereby amended as follows:

(1) Sections 112.1 through 112.3 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code shall be an issue by creating a board of appeals. The board of appeals as referenced in the International Building Code, 2018 edition shall serve as the board of appeals for the International Existing Buildings Code, 2018 edition.

Section 112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rule legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive the requirements of this code.

Sections 112.3 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

(c) *Property Maintenance Code.* The provisions of the International Property Maintenance Code, 2018 edition, published by the International Code Council, are adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Property Maintenance Code, 2018 edition is hereby amended as follows:

(1) Section 101.1 pertaining to title is amended by deleting the phrase "[name of jurisdiction]" and in lieu thereof substituting the phrase "the City of Kingsport, Tennessee."

(2) Section 103.1 pertaining to general is amended by deleting the phrase "department of property maintenance" and all such references in the code and in lieu thereof substituting the phrase "building department, sometimes referenced as the building and codes division."

(3) Section 103.5 pertaining to fees is amended by deleting the text in its entirety and in lieu thereof substituting the following: Fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the board of mayor and aldermen.

(4) Section 111 pertaining to means of appeal, including all subsections, is amended by deleting the text of the section in its entirety and in lieu thereof substituting the following:

"111.1 Right to appeal. Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal to the city manager, or designee, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the city manager or designee. A hearing will be held before the city manager or designee at a time and place therein fixed not less than ten days or more than thirty days after receipt of the application for appeal. The appellant and the city shall have the right to appear and in person or by counsel and give testimony under oath at the place and time fixed in the notice of the hearing. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the city manager or designee.

111.2 Decision in writing. The decision of the city manager or designee shall be made in writing within ten business days following the hearing and a copy shall be furnished to the appellant and to the code official.

111.3 Enforcement. The building official shall take immediate action in accordance with the decision of the city manager or designee.

111.4 Appeal of decision of city manager or designee. Any aggrieved party may appeal the decision of the city manager or designee to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101. Any decision of the city manager or designee will be effective during appeal unless otherwise stayed by a court of competent jurisdiction."

(5) Section 112.4 pertaining to failure to comply is amended by deleting the phrase "not less than [AMOUNT] dollars or more than [AMOUNT] dollars" and in lieu thereof substituting the phrase "up to fifty (50) dollars per day that the unauthorized work is continued."

(6) Section 302.4 pertaining to weeds is amended by deleting the text of the section in its entirety and in lieu thereof substituting the following: All premises and exterior property shall be maintained free from grass, weeds or uncultivated vegetation in accordance with Sections 106-49 through 106-54 of the Kingsport City Code.

(7) Section 302.8 pertaining to motor vehicles is deleted in its entirety.

(8) Section 304.14 pertaining to insect screens is amended by deleting the phrase "During the period from [DATE] to [DATE]."

(9) Section 602.3 pertaining to heat supply is amended by deleting the phrase "from [DATE] to [DATE]."

(10) Section 602.4 pertaining to occupiable work spaces is amended by deleting the phrase "from [DATE] to [DATE]."

(d) *Energy Conservation Code*. The provisions of the International Energy Conservation Code, 2018 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and

revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Energy Conservation Code, 2018 edition is hereby amended as follows:

(1) Section C109.1 pertaining to board of appeals general is hereby amended by adding a new sentence to read "The Board of Appeals as referenced in the International Building Code, 2018 edition shall serve as the Board of Appeals for the International Energy Conservation Code, 2018 edition."

(2) Section R109.1 pertaining to board of appeals general is hereby amended by adding a new sentence to read "The Board of Appeals as referenced in the International Building Code, 2018 edition shall serve as the Board of Appeals for the International Energy Conservation Code, 2018 edition."

(e) *Residential Code*. The provisions of the International Residential Code, 2018 edition, including appendix F, Q, and J for one and two-family dwellings, published by the International Code Council, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Residential Code, 2018 edition is hereby amended as follows:

(1) Section R104 is amending by adding a new section to read "R104.10.2 All references to flood prone areas contained within this code shall comply with Kingsport's duly adopted Flood Insurance Program requirements as shown on the current Flood Insurance Rate Maps (FIRM) or the Flood Boundary and Floodway Maps (FBFM) provided by the National Flood Insurance Program. Any conflicts between the requirements contained herein and those contained in the Flood Insurance Program, the duly adopted Flood Insurance Program shall apply."

(2) Section R105.2 pertaining to work exempt from permit is amended by deleting the phrase "200 square feet" and in lieu thereof substituting the phrase "120 square feet."

(3) Section R105.2 pertaining to work exempt from permit is amended by deleting the phrase "Fences not over 7 feet (2133 mm) high" and in lieu thereof substituting the phrase "Fences not over 8 feet high."

(4) Section R202 pertaining to definitions is pursuant to TCA § 68-120-101(a)(8)(C)(i)(a) amended by deleting the definition of TOWNHOUSE in its entirety and in lieu thereof substituting the phrase "A single-family dwelling unit constructed in a group of three or more attached units in which each unit is separated by a 2 hour fire wall extending from foundation to roof and with a yard or public way on not less than two sides being exempt from sprinkler requirements of Section R313.1 and Section P2904 of the International Residential Code, 2018 edition, however, if a sprinkler system is installed it shall meet the requirements of these sections."

(5) Pursuant to TCA 68-120-101(a)(8)(A), the sprinkler requirements in section R313.2 and section P2904 shall not be mandatory for One-and Two Family Dwellings, provided however, if a sprinkler system is installed it shall meet the requirements of section R313.2 and section P2904.

(f) *Accessibility Code*. The provisions of the Chapter 11 of the International Building Code, 2018 edition, is hereby adopted by reference as though copied verbatim in this subsection. One copy of said code and revisions thereto was on file in the office of the city recorder for

a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection, and examination.

SECTION II. That Section 22-121 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-121. Electrical code adopted by reference.

The provisions of the National Electrical Code 2017 edition published by the National Fire Protection Association, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination.

SECTION III. That Section 22-284 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-284. Code adopted by reference.

The provisions of the International Fuel Gas Code, 2018 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Fuel Gas Code, 2018 edition is hereby amended as follows:

(1) Sections 109.2 through 109.7 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 109.2 Board of appeals. The board of appeals as referenced in the International Building Code, 2018 edition shall serve as the board of appeals for the International Fuel Gas Code, 2018 edition.

Section 109.3 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

SECTION IV. That Section 22-391 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-391 Code adopted by reference.

The provisions of the International Mechanical Code, 2018 edition, published by the International Code council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that one copy of said code and revisions thereto shall remain on file in the office of the city recorder for public use, inspection and examination. The International Mechanical Code, 2018 edition is hereby amended as follows:

(1) Sections 109.2 through 109.7 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 109.2 Board of appeals. The board of appeals as referenced in the International Building Code, 2018 edition shall serve as the board of appeals for the International Mechanical Code, 2018 edition.

Section 109.3 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

SECTION V. That Section 22-411 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 22-411. Code adopted by reference.

The provisions of International Plumbing Code, 2018 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain on file in the office of the city recorder for public use, inspection and examination. The International Plumbing Code, 2018 edition is hereby amended as follows:

(1) Sections 109.2 through 109.7 pertaining to appeals is hereby deleted in its entirety and in lieu thereof substituting the following:

"Section 109.2 Board of appeals. The board of appeals as referenced in the International Building Code, 2018 edition shall serve as the board of appeals for the International Plumbing Code, 2018 edition.

Section 109.3 Court review. Any aggrieved party may appeal the decision of the board of appeals to the appropriate court by filing a petition for writ of common law certiorari in the manner and time required by T.C.A. section 27-8-101."

SECTION VI. That Section 22-522 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows

Sec. 22-522. Swimming Pool Code. Code adopted by reference.

The provisions of the International Swimming Pool and Spa Code, 2018 edition, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain on file in the office of the city recorder for public use, inspection and examination.

SECTION VII. That Section 42-46 of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

Sec. 42-46. Code adopted by reference.

(a) The provisions of International Fire Code, 2018 edition, to include appendices A, B, C, D, E, F, G, H, I, J, K, L, M, and N, published by the International Code Council, is hereby adopted by reference as though copied verbatim herein. One copy of said code and revisions thereto was on file in the office of the city recorder for a period of 15 days prior to adoption, and that copy of said code and revisions there to shall remain on file in the office of the city recorder for public use, inspection and examination.

(b) The fire official may utilize any of the codes, standards, manuals and recommended practices contained within the National Fire Codes as a guide and/or reference in the enforcement of fire protection and prevention provisions of the adopted codes.

SECTION VIII. 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

Amend Sections 38-19, 38-34 and 62-126 of the Code of Ordinance Clarifying that Certain Storage of Inoperable Vehicles on Property a Nuisance

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

Action Form No.: AF-157-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 17, 2018
 Staff Work By: M. Adkins, M. Billingsley
 Presentation By: Mike Billingsley

Recommendation:

Approve the Ordinance.

Executive Summary:

Section 38-34 of the Code of Ordinances is currently entitled "abandon automobiles". Essentially it makes it unlawful to keep an abandoned vehicle on a private property. An abandoned vehicle is really an inoperable vehicle. Because of the common meaning of the word "abandoned" this wording has created some misunderstandings by the property owners. The attached ordinance uses the term "inoperable" in place of "abandoned". It also includes some exceptions to the ordinance, along with a penalty for violating this section. The definition for "inoperable vehicle" is included in section 38-19, which is the section that includes definitions used for section 38-34.

Section 62-126 of the Code of Ordinances pertaining to nuisances is also amended to make it clear that it includes an inoperable vehicle.

Attachments:

1. Ordinance
2. Tracked changes to code sections

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 38-19 TO INCLUDE A DEFINITION OF INOPERABLE VEHICLE; SECTION 38-34 TO INCLUDE THE STORAGE OF AN INOPERABLE VEHICLE ON PRIVATE PROPERTY AS A NUISANCE; SECTION 62-126 TO INCLUDE THE STORAGE OF AN INOPERABLE VEHICLE ON PRIVATE PROPERTY IN THE LISTING OF NUISANCES; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION 1. That section 38-19 of the Code of Ordinances, City of Kingsport, Tennessee, is amended to include the definition of "inoperable vehicle" as follows:

Inoperable vehicle means any vehicle which has one or more of the following characteristics:

- lacks major or essential mechanical or body parts;
- is junked or partially disassembled;
- has been burned or flooded throughout;
- cannot be driven legally upon the public streets and highways under the ordinances of the city or the laws of the state;
- is incapable of moving under its own power;
- does not comply with state law with respect to registration;
- has one or more tires missing or not fully inflated;
- has more than one (1) broken window;
- is economically impracticable to restore to operating condition; or
- has not moved under its own power in fifteen (15) days.

SECTION II. That section 38-34 of the Code of Ordinances, City of Kingsport, Tennessee, is amended as follows:

38-34. – Declaration of nuisance; defenses.

(a) It shall be unlawful for any person to park, keep, store, permit, suffer, or allow the accumulation of any inoperable vehicle, unlicensed motor vehicle, worthless vehicle or parts thereof, or allow any vehicle at any time to be in a state of major disassembly, disrepair, or which is in the process of being stripped, dismantled, or painted upon any private property or vacant lot owned, occupied or under the control of such person and any such act is declared a nuisance.

(b) The occupant or tenant of such property who is not an owner of the real property, shall not be penalized for such nuisance if, after being notified in writing by the city manager or designee of such condition, such occupant or tenant shall give the notice to the owner and after such notice the owner shall cure such nuisance within five days after such notice. Upon failure to comply with the notice, the owner of the property and the tenant or occupant, upon conviction, shall be guilty of a violation of this section.

(c) This section shall not apply to any vehicle on private property which is not visible from the street or from other public or private property, if the vehicle is completely enclosed within a permanent or portable building consisting of four (4) walls and a roof and which is in compliance with all gas, plumbing, electrical, zoning and mechanical codes, and with the building code as adopted by the city; or to any vehicle held in connection with a business

enterprise lawfully licensed by the city and properly operated in the appropriate zone pursuant to the zoning ordinance of the city, if the storage or parking of such vehicle is necessary to the operation of such business enterprise.

(d) Every person convicted of a violation of any provision of this section shall be punished by a penalty of not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed herein, the city may pursue other remedies at law or equity, including, but not limited to abatement of nuisances or injunctive relief.

SECTION III. That section 62-126(1) of the Code of Ordinances, City of Kingsport, Tennessee, is amended as follows:

(1) Rubbish, trash, refuse, junk and other abandoned materials, metals, any inoperable vehicle as defined in section 38-19, subject to the exceptions in 38-34(c), lumber or other things.

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

Sec. 38-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aircraft means any contrivance known or invented, used or designed for navigation and for flight in the air. The term "aircraft" shall include helicopters, lighter-than-air dirigibles and balloons.

Authorized private receptacle means a litter storage and collection receptacle as required and authorized in chapter 86.

Commercial handbill means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper booklet or any other printed or otherwise reproduced original or copy of any matter of literature.

Garbage means putrescible animal and vegetable waste resulting from the transporting, handling, preparation, cooking and consumption of food.

Inoperable vehicle means any vehicle which has one or more of the following characteristics:

- lacks major or essential mechanical or body parts;
- is junked or partially disassembled;
- has been burned or flooded throughout;
- cannot be driven legally upon the public streets and highways under the ordinances of the city or the laws of the state;
- is incapable of moving under its own power;
- does not comply with state law with respect to registration;
- has one or more tires missing or not fully inflated;
- has more than one (1) broken window;
- is economically impracticable to restore to operating condition; or
- has not moved under its own power in fifteen (15) days.

Litter means garbage, refuse and rubbish and all other waste material.

Motor vehicle means every vehicle which is self-propelled, excluding motorized bicycles and every vehicle which is not propelled by electric power obtained from overhead trolley wires.

Newspaper means any newspaper of general circulation, or any newspaper duly entered with the United States Postal Service, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law and, in addition, means and includes any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

Noncommercial handbill means any printed or written matter, any sample, device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definition of a commercial handbill or newspaper.

Park means a public park, reservation, playground, recreation center or any other public area in the city and the buildings and structures thereon owned or used by the city and devoted to active, inactive or passive recreation.

Private premises means any privately owned parcel of land, dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited temporarily or

continuously and whether uninhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such land, dwelling, house, building or other structure.

Public place means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, grounds and buildings and commons.

Refuse means all organic and inorganic waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned or junk automobiles, other junk, market and industrial waste.

Rubbish means nonputrescible waste consisting of both combustible and noncombustible waste, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a public way, including devices used exclusively upon stationary rails or tracks.

Sec. 38-34. — Declaration of nuisance: defenses. ~~Abandoned automobiles.~~

(a) It shall be unlawful for any person to park, keep, store, permit, suffer or allow the accumulation of any ~~old, abandoned inoperable vehicle, unlicensed motor vehicle, or worthless vehicle~~ automobile or parts thereof, or allow any vehicle at any time to be in a state of major disassembly, disrepair, or which is in the process of being stripped, dismantled, or painted upon any private property or vacant lot owned, occupied or under the control of such person and any such act is declared a nuisance.

(b) The occupant or tenant of such property ~~lot or the tenant, if he is who is not the owner~~ of the real property, shall not be penalized for such nuisance if, after being notified in writing by the city manager or his designee of such condition, such occupant or tenant shall give the notice to the owner and after such notice the owner shall cure such nuisance ~~remove from the property such old, abandoned or worthless automobiles~~ within five days after such notice. Upon failure to comply with the notice, the owner of the property and the tenant or occupant, upon conviction, shall be guilty of a violation of this section.

(c) This section shall not apply to any vehicle on private property which is not visible from the street or from other public or private property, if the vehicle is completely enclosed within a permanent or portable building consisting of four (4) walls and a roof and which is in compliance with all gas, plumbing, electrical, zoning and mechanical codes, and with the building code as adopted by the city; or to any vehicle held in connection with a business enterprise lawfully licensed by the city and properly operated in the appropriate zone pursuant to the zoning ordinance of the city, if the storage or parking of such vehicle is necessary to the operation of such business enterprise.

(d) Every person convicted of a violation of any provision of this section shall be punished by a penalty of not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed herein, the city may pursue other remedies at law or equity, including, but not limited to abatement of nuisances or injunctive relief.

Sec. 62-126. - Certain items declared a nuisance, nonconclusive.

Placing, depositing, leaving or permitting to be or remain on any public or private property any of the following items is declared to be and shall constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

- (1) Rubbish, trash, refuse, junk and other abandoned materials, metals, ~~inoperative automobiles~~ any inoperable vehicle as defined in section 38-19 and subject to the exceptions in 38-34(c), lumber or other things.
- (2) Creating or maintaining any condition that provides harborage for rats, mice, snakes and other vermin or that provides breeding places for disease or disease-carrying pests such as flies, mosquitoes, etc.
- (3) Creating or causing unnecessary or unauthorized noises or annoying vibrations, including animal noises.
- (4) Creating or causing disagreeable or obnoxious odors and stench, as well as causing or maintaining the conditions, substances or other causes which give rise to the emission or generation of such odors and stench.
- (5) Failing to dispose of the carcasses of animals or fowl within a reasonable time after death.
- (6) Polluting any public water supply, stream, lake, canal, body of water by placing therein sewage, dead animals, debris, rubbish, trash, industrial wastes or other substances.
- (7) Creating or causing any accumulation of stagnant water on any lot or piece of ground.
- (8) Creating or causing dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.



AGENDA ACTION FORM

Budget Adjustment Ordinance for FY18

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

Action Form No.: AF-156-2018
Work Session: July 2, 2018
First Reading: July 3, 2018

Final Adoption: July 17, 2018
Staff Work By: Judy Smith
Presentation By: Jeff Fleming

Recommendation:

Approve the Ordinance.

Executive Summary:


The ordinance will transfer \$20 to the General Shale Land Acquisition project and close GP1827.

The ordinance will transfer \$25,858 from the Eastman CBC Service Upgrades project and \$165,729 from the Colonial Heights Phase 3 project to the Miscellaneous Sewer Line project and close projects SW1502 and SW1504.

The ordinance will transfer \$455,000 to the Border Regions Area 3 Water Upgrades project.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: 

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROJECTS 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 and General Project Special Revenue Funds be amended by transferring \$2,700,000 to the Street Resurfacing project (GP1846) from the Court/Public Facility Plan (GP1820), by transferring \$600,000 from Street Resurfacing (NC1800) and \$2,100,000 from Street Resurfacing (NC1900) to the Court/Public Facility Plan (GP1820) by transferring \$300,000 from the Street Resurfacing project (NC1800) to the Indian Trail Drive project (GP1615), by transferring \$160,000 from the AEP Sidewalk project (GP1914) to the Indian Trail Drive project (GP1615) and by transferring \$160,000 from the Indian Trail Drive project (GP1615) to the ADP Sidewalks project (GP1914) and \$300,000 from the Indian Trail Drive project (GP1615) to the Street Resurfacing project (GP1846) and by transferring \$20 from the Centennial/Downtown Parks project (GP1627) to the General Shale Land Acquisition project (GP1827)

SECTION II. That the Sewer Project Fund be amended by transferring \$25,658 from the Eastman CBC Service Upgrades (SW1504) and \$165,729 from the Colonial Heights Phase 3 project (SW1502) to the Miscellaneous Sewer Line project (SW1804)..

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 311: General Project Fund</u>			
<u>Court/Public Facility Plan (GP1820)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368-1055 Series 2017 A GO Bonds	3,778,687	(2,700,000)	1,078,687
311-0000-368-2101 Premium From Bond Sale	172,697	0	172,697
311-0000-601-9001 From General Fund	0	2,700,000	2,700,000
Totals:	3,951,384	0	3,951,384
<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	150,000	0	150,000
311-0000-601-4041 Bond Sales Expense	51,384	0	51,384
311-0000-601-9002 Building	0	2,700,000	2,700,000
311-0000-601-9006 Purchases Over \$5,000	3,750,000	(2,700,000)	1,050,000
Totals:	3,951,384	0	3,951,384
<u>Fund 111: General Project Special Rev Fund</u>			
<u>Street Resurfacing (NC1800)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-391-0100 From General Fund	1,450,698	(900,000)	550,698
Totals:	1,450,698	(900,000)	550,698
<u>Expenditures:</u>	\$	\$	\$

111-0000-601-2022	Construction Contracts	1,434,000	(898,271)	535,729
111-0000-601-2023	Arch/Eng/Landscaping	16,698	(1,729)	14,969
Totals:		1,450,698	(900,000)	550,698

Fund 311: General Project Fund

Indian Trail Dr. Ext (GP1615)

Revenues:

311-0000-368-1040	Series 2011 GO Pub Imp	\$ 254,796	\$ 0	\$ 254,796
311-0000-368-1046	Series 2013B GO Pub Imp	45,000	0	45,000
311-0000-368-1047	Series 2014 A GO Bonds	7,741	0	7,741
311-0000-368-1054	Series 2016 GO (Nov 4)	3,018,464	(460,000)	2,558,464
311-0000-368-2101	Premium From Bond Sale	250,188	0	250,188
311-0000-391-0100	From General Fund	90,845	460,000	550,845
Totals:		3,667,034	0	3,667,034

Expenditures:

311-0000-601-2023	Arch/Eng/Landscaping	\$ 397,221	\$ 0	\$ 397,221
311-0000-601-4041	Bond Sale Exp.	34,346	0	34,346
311-0000-601-9001	Land	761,161	0	761,161
311-0000-601-9003	Improvements	2,474,306	0	2,474,306
Totals:		3,667,034	0	3,667,034

Fund 311: General Project Fund

Street Resurfacing (GP1846)

Revenues:

311-0000-368-1041	Series 2012 C GO Pub Imp	\$ 6,032	\$ 0	\$ 6,032
311-0000-368-1051	Series 2015 A (Oct) GO PI	23,102	0	23,102
311-0000-368-1054	Series 2016 GO (Nov 4)	0	300,000	300,000
311-0000-368-1055	Series 2017 A GO Bonds	285,000	2,700,000	2,985,000
Totals:		314,134	3,000,000	3,314,134

Expenditures:

311-0000-601-2023	Arch/Eng/Landscaping	\$ 0	\$ 13,120	\$ 13,120
311-0000-601-9003	Improvements	314,134	2,986,880	3,301,014
Totals:		314,134	3,000,000	3,314,134

Fund 111: General Project Special Rev Fund

Street Resurfacing (NC1900)

Revenues:

111-0000-391-0100	From General Fund	\$ 2,100,000	\$ (2,100,000)	\$ 0
Totals:		2,100,000	(2,100,000)	0

Expenditures:

111-0000-601-2022	Construction Contracts	\$ 2,100,000	\$ (2,100,000)	\$ 0
Totals:		2,100,000	(2,100,000)	0

Fund 311: General Project Fund

AEP Sidewalks (GP1914)**Revenues:**

311-0000-368-1054 Series 2016 GO (Nov 4)
 311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
0	160,000	160,000
400,000	(160,000)	240,000
400,000	0	400,000

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping Ser
 311-0000-601-9003 Improvements

Totals:

\$	\$	\$
20,000	0	20,000
380,000	0	380,000
400,000	0	400,000

**Fund 311: General Project Fund
Centennial/Downtown Parks (GP1627)****Revenues:**

311-0000-364-1000 Contributions/Individual
 311-0000-364-3000 From Non-Profit Groups
 311-0000-364-5621 East TN. Foundations
 311-0000-368-1047 Series 2014 A GO Bonds
 311-0000-368-1054 Series 2016 GO (Nov 4)
 311-0000-368-2101 Premium From Bond Sale
 311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
650	0	650
670	0	670
666,053	0	666,053
126,266	0	126,266
26,643	0	26,643
27,074	0	27,074
876,200	(20)	876,180
1,723,556	(20)	1,723,536

Expenditures:

311-0000-601.20-22 Construction Contracts
 311-0000-601-2023 Arch/Eng/Landscaping
 311-0000-601-2095 Public Art Contracts
 311-0000-601-4041 Bond Sale Expense
 311-0000-601-9001 Land
 311-0000-601-9003 Improvements
 311-0000-601.90-06 Purchases \$5,000 & Over

Totals:

\$	\$	\$
227	0	227
77,315	0	77,315
25,000	0	25,000
3,717	0	3,717
31,658	0	31,658
1,556,639	(20)	1,556,619
29,000	0	29,000
1,723,556	(20)	1,723,536

**Fund 311: General Project Fund
PK Land Acq General Shale (GP1827)****Revenues:**

311-0000-368-1055 Series 2017A GO Bonds
 311-0000-368-2101 Premium From Bond Sale
 311-0000-391-0100 General Fund

Totals:

\$	\$	\$
968,894	0	968,894
44,281	0	44,281
385	20	405
1,013,560	20	1,013,580

Expenditures:

311-0000-601-4041 Bond Sale Expense
 311-0000-601-9001 Land

Totals:

\$	\$	\$
13,175	0	13,175
1,000,385	20	1,000,405
1,013,560	20	1,013,580

Fund 452: Sewer Project Fund

Eastman CBC Service Upgrades (SW1504)**Revenues:**

452-0000-331-3200 Federal Revenue/ARC
 452-0000-391-4200 From Sewer Fund

Totals:

\$	\$	\$
300,000	0	300,000
600,000	(25,858)	574,142
900,000	(25,858)	874,142

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping
 452-0000-606-9003 Improvements

Totals:

\$	\$	\$
93,900	(2,843)	91,057
806,100	(23,015)	783,085
900,000	(25,858)	874,142

Fund 452: Sewer Project Fund**Colonial Hqts PH 3 (SW1502)****Revenues:**

452-0000-391-0531 Series 2014 B GO Bonds
 452-0000-391-0540 Series 2015A (Oct) GO PI

Totals:

\$	\$	\$
1,851,408	0	1,851,408
1,201,757	(165,729)	1,036,028
3,053,165	(165,729)	2,887,436

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping
 452-0000-606-9001 Land
 452-0000-606-9003 Improvements

Totals:

\$	\$	\$
362,881	(20,421)	342,460
116,036	756	116,792
2,574,248	(146,064)	2,428,184
3,053,165	(165,729)	2,887,436

Fund 452: Sewer Project Fund**Miscellaneous Sewer Line (SW1804)****Revenues:**

452-0000-391-0540 Series 2015A (Oct) GO PI
 452-0000-391-4200 From the Sewer Fund

Totals:

\$	\$	\$
0	165,729	165,729
499,361	25,858	525,219
499,361	191,587	690,948

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping
 452-0000-606-9003 Improvements

Totals:

\$	\$	\$
81,000	0	81,000
418,361	191,587	609,948
499,361	191,587	690,948

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

 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:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROJECTS 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 \$20 from the Centennial/Downtown Parks project (GP1627) to the General Shale Land Acquisition project (GP1827)

SECTION II. That the Water Project Fund be amended by transferring \$455,000 from the Master Plan Water Upgrade project (WA1704) to the Border Regions Area 3 Water Upgrades project (WA1806).

SECTION III. That the Sewer Project Fund be amended by transferring \$25,658 from the Eastman CBC Service Upgrades (SW1504) and \$165,729 from the Colonial Heights Phase 3 project (SW1502) to the Miscellaneous Sewer Line project (SW1804)..

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 311: General Project Fund</u>			
<u>Centennial/Downtown Parks (GP1627)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-364-1000 Contributions/Individual	650	0	650
311-0000-364-3000 From Non-Profit Groups	670	0	670
311-0000-364-5621 East TN. Foundations	666,053	0	666,053
311-0000-368-1047 Series 2014 A GO Bonds	126,266	0	126,266
311-0000-368-1054 Series 2016 GO (Nov 4)	26,643	0	26,643
311-0000-368-2101 Premium From Bond Sale	27,074	0	27,074
311-0000-391-0100 From General Fund	876,200	(20)	876,180
<u>Totals:</u>	<u>1,723,556</u>	<u>(20)</u>	<u>1,723,536</u>
<u>Expenditures:</u>	\$	\$	\$
311-0000-601.20-22 Construction Contracts	227	0	227
311-0000-601-2023 Arch/Eng/Landscaping	77,315	0	77,315
311-0000-601-2095 Public Art Contracts	25,000	0	25,000
311-0000-601-4041 Bond Sale Expense	3,717	0	3,717
311-0000-601-9001 Land	31,658	0	31,658
311-0000-601-9003 Improvements	1,556,639	(20)	1,556,619
311-0000-601.90-06 Purchases \$5,000 & Over	29,000	0	29,000
<u>Totals:</u>	<u>1,723,556</u>	<u>(20)</u>	<u>1,723,536</u>
<u>Fund 311: General Project Fund</u>			
<u>PK Land Acq General Shale (GP1827)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368-1055 Series 2017A GO Bonds	968,894	0	968,894
311-0000-368-2101 Premium From Bond Sale	44,281	0	44,281
311-0000-391-0100 General Fund	385	20	405
<u>Totals:</u>	<u>1,013,560</u>	<u>20</u>	<u>1,013,580</u>

Expenditures:

311-0000-601-4041 Bond Sale Expense

311-0000-601-9001 Land

Totals:

\$	\$	\$
13,175	0	13,175
1,000,385	20	1,000,405
1,013,560	20	1,013,580

Fund 451: Water Project Fund**Master Plan WA Upgrade (WA1704)****Revenues:**

451-0000-391-0540 Series 2015A (Oct) GO PI

451-0000-391-0545 Series 2016 GO (Nov 4)

451-0000-391-0547 Series 2017 B GO Bonds

451-0000-391-4500 From Water Fund

Totals:

\$	\$	\$
288,552	0	288,552
485,023	0	485,023
1,200,000	(455,000)	745,000
36,395	0	36,395
2,009,970	(455,000)	1,554,970

Expenditures:

451-0000-605-2023 Arch/Eng/Landscaping

451-0000-605-9001 Land

451-0000-605-9003 Improvements

Totals:

\$	\$	\$
89,030	0	89,030
970	0	970
1,919,970	(455,000)	1,464,970
2,009,970	(455,000)	1,554,970

Fund 451: Water Project Fund**Border Regions Area 3 Water Upgrades****(WA1806)****Revenues:**

451-0000-391-0547 Series 2017 B GO Bonds

Totals:

\$	\$	\$
0	455,000	455,000
0	455,000	455,000

Expenditures:

451-0000-605-2023 Arch/Eng/Landscaping

451-0000-605-9003 Improvements

Totals:

\$	\$	\$
0	56,000	56,000
0	399,000	399,000
0	455,000	455,000

Fund 452: Sewer Project Fund**Eastman CBC Service Upgrades (SW1504)****Revenues:**

452-0000-331-3200 Federal Revenue/ARC

452-0000-391-4200 From Sewerr Fund

Totals:

\$	\$	\$
300,000	0	300,000
600,000	(25,858)	574,142
900,000	(25,858)	874,142

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping

452-0000-606-9003 Improvements

Totals:

\$	\$	\$
93,900	(2,843)	91,057
806,100	(23,015)	783,085
900,000	(25,858)	874,142

Fund 452: Sewer Project Fund**Colonial Hgts PH 3 (SW1502)****Revenues:**

\$	\$	\$
----	----	----

452-0000-391-0531 Series 2014 B GO Bonds	1,851,408	0	1,851,408
452-0000-391-0540 Series 2015A (Oct) GO PI	1,201,757	(165,729)	1,036,028
Totals:	3,053,165	(165,729)	2,887,436

Expenditures:	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	362,881	(20,421)	342,460
452-0000-606-9001 Land	116,036	756	116,792
452-0000-606-9003 Improvements	2,574,248	(146,064)	2,428,184
Totals:	3,053,165	(165,729)	2,887,436

Fund 452: Sewer Project Fund

Miscellaneous Sewer Line (SW1804)

Revenues:	\$	\$	\$
452-0000-391-0540 Series 2015A (Oct) GO PI	0	165,729	165,729
452-0000-391-4200 From the Sewer Fund	499,361	25,858	525,219
Totals:	499,361	191,587	690,948

Expenditures:	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	81,000	0	81,000
452-0000-606-9003 Improvements	418,361	191,587	609,948
Totals:	499,361	191,587	690,948

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

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

Budget Adjustment Ordinance for FY19

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

Action Form No.: AF-162-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 17, 2018
 Staff Work By: Judy Smith
 Presentation By: Jeff Fleming

Recommendation:


Approve the Ordinance.

Executive Summary:

This ordinance is a budget adjustment to transfer bonds for cash in the amount of \$2,700,000 to purchase the Regions Bank due to the bank occupying part of the building and to reimburse KEDB \$450,000 for the purchase of the Ryder Drive Property.

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 VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2019; 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 and the General Project Special Revenue Fund budgets be amended by transferring \$2,700,000 to the Street Resurfacing project (GP1846) from the Court/Public Facility Plan (GP1820), by transferring \$600,000 from the Street Resurfacing project (NC1800) and \$2,100,000 from the Street Resurfacing project (NC1900) to the Court/Public Facility Plan (GP1820), by transferring \$300,000 from the Street Resurfacing project (NC1800) to the Indian Trail Drive project (GP1615), by transferring \$160,000 from the AEP Sidewalk project (GP 1914) to the Indian Trail Drive project (GP1615) and by transferring \$160,000 from the Indian Trail Drive project (GP1615) to the AEP Sidewalk project (GP1914) and by transferring \$300,000 from the Indian Trail Drive project (GP1615) to the Street Resurfacing project (GP1846).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 311: General Project Fund</u>			
<u>Court/Public Facility Plan (GP1820)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368-1055 Series 2017A GO Bonds	3,778,687	(2,700,000)	1,078,687
311-0000-368-2101 Premium From Bond Sale	172,697	0	172,697
311-0000-391-0100 From General Fund	0	2,700,000	2,700,000
<u>Totals:</u>	3,951,384	0	3,951,384

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	150,000	0	150,000
311-0000-601-4041 Bond Sale Expense	51,384	0	51,384
311-0000-601-9002 Building	0	2,700,000	2,700,000
311-0000-601.90-06 Purchases \$5,000 & Over	3,750,000	(2,700,000)	1,050,000
<u>Totals:</u>	3,951,384	0	3,951,384

Fund 111: General Project Fund

Street Resurfacing (NC1800)

<u>Revenues:</u>	\$	\$	\$
111-0000-391-0100 General Fund	1,450,698	(900,000)	550,698
<u>Totals:</u>	1,450,698	(900,000)	550,698

<u>Expenditures:</u>	\$	\$	\$
111-0000-601-2022 Construction Contracts	1,434,000	(898,271)	535,729
111-0000-601-2023 Land	16,698	(1,729)	14,969
<u>Totals:</u>	1,450,698	(900,000)	550,698

Fund 311: General Project Fund

Indian Trail Dr. Ext (GP1615)**Revenues:**

	\$	\$	\$
311-0000-368-1040 Series 201 GO Pub Imp	254,796	0	254,796
311-0000-368-1046 Series 2013B GO Pub Imp	45,000	0	45,000
311-0000-368-1047 Series 2014 A GO Bonds	7,741	0	7,741
311-0000-368-1054 Series 2016 GO (Nov 4)	3,018,464	(460,000)	2,558,464
311-0000-368-2101 Premium From Bond Sale	250,188	0	250,188
311-0000-391-0100 From General Fund	90,845	460,000	550,845
Totals:	3,667,034	0	3,667,034

Expenditures:

	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	397,221	0	397,221
311-0000-601-4041 Bond Sale Exp	34,346	0	34,346
311-0000-601-9001 Land	761,161	0	761,161
311-0000-601-9003 Improvements	2,474,306	0	2,474,306
Totals:	3,667,034	0	3,667,034

Fund 311: General Project Fund**Street Resurfacing (GP1846)****Revenues:**

	\$	\$	\$
311-0000-368-1041 Series 2012 C GO Pub Imp	6,032	0	6,032
311-0000-368-1051 Series 2015A (Oct) GO PI	23,102	0	23,102
311-0000-368-1054 Series 2016 GO (Nov 4)	0	300,000	300,000
311-0000-368-1055 Series 2017A GO Bonds	285,000	2,700,000	2,985,000
Totals:	314,134	3,000,000	3,314,134

Expenditures:

	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	0	13,120	13,120
311-0000-601-9003 Improvements	314,134	2,986,880	3,301,014
Totals:	314,134	3,000,000	3,314,134

Fund 111: General Project Special Rev Fund**Street Resurfacing (NC1900)****Revenues:**

	\$	\$	\$
111-0000-391-0100 From General Fund	2,100,000	(2,100,000)	0
Totals:	2,100,000	(2,100,000)	0

Expenditures:

	\$	\$	\$
111-0000-601-2022 Construction Contracts	2,100,000	(2,100,000)	0
Totals:	2,100,000	(2,100,000)	0

Fund 311: General Project Fund**AEP Sidewalks (GP1914)****Revenues:**

	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	0	160,000	160,000
311-0000-391-0100 From General Fund	400,000	(160,000)	240,000
Totals:	400,000	0	400,000

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping

311-0000-601-9003 Improvements

Totals:

\$	\$	\$
20,000	0	20,000
380,000	0	380,000
400,000	0	400,000

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

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

Annex/Adopt Plan of Service for the 2215 Cleek Road Annexation and Amend Zoning

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

Action Form No.: AF-116-2018
 Work Session: June 18, 2018
 First Reading: June 19, 2018

Final Adoption: July 3, 2018
 Staff Work By: Woods
 Presentation By: Woods

Recommendation:

- ~~Held public hearing~~
- ~~Approve resolution for the 2215 Cleek Road Annexation~~
- Approve ordinance amending the zoning ordinance for the Cleek Road Annexation
- ~~Approve resolution adopting a plan of services for the annexation area~~

Executive Summary:

This is an owner-requested 2215 Cleek Road annexation of approximately 3.23 acres located off of Cleek Road. The current county zoning of the property is County A-1 (Agricultural District). The proposed city zoning for the area is City R1-B (Residential District). The applicant is requesting an amended offering of City services and will use the land to construct a single family residence. During their May 2018 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 June 1st, 2018.

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	—	—	—



AGENDA ACTION FORM

Annex/Adopt Plan of Service for the 2215 Cleek Road Annexation and Amend Zoning

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

Action Form No.: AF-116-2018
 Work Session: June 18, 2018
 First Reading: June 19, 2018

Final Adoption: July 3, 2018
 Staff Work By: Woods
 Presentation By: Woods

Recommendation:

- Hold public hearing
- Approve resolution for the 2215 Cleek Road Annexation
- Approve ordinance amending the zoning ordinance for the Cleek Road Annexation
- Approve resolution adopting a plan of services for the annexation area

Executive Summary:

This is an owner-requested 2215 Cleek Road annexation of approximately 3.23 acres located off of Cleek Road. The current county zoning of the property is County A-1 (Agricultural District). The proposed city zoning for the area is City R1-B (Residential District). The applicant is requesting an amended offering of City services and will use the land to construct a single family residence. During their May 2018 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 June 1st, 2018.

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	—	—	—

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, June 18, 2018, to consider the annexation, zoning, and plan of services for 2215 Cleek Road 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 northwestern corner of Tax Map 47D, Parcel 60.00, in common with the northern right-of-way of Cleek Road; thence in a northeasterly direction, approximately 512 feet to a point; thence in a southeasterly direction, approximately 329 feet to a point; thence in a southwesterly direction, approximately 425 feet to a point, in common with the northern right-of-way of Cleek Road; thence in a northwesterly direction, following the northern right-of-way of Cleek Road, approximately 328 feet to a point of the BEGINNING, and being a portion of Tax Map 47D, parcel 60.00 as shown on the July 2013 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: 06/01/2018

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 10th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS 2215 CLEEK ROAD 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 19th day of June 2018, and notice thereof published in the Kingsport Times-News on the 1st day of June 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 19th day of June 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. 10 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northwestern corner of Tax Map 47D, Parcel 60.00, in common with the northern right-of-way of Cleek Road; thence in a northeasterly direction, approximately 512 feet to a point; thence in a southeasterly direction, approximately 329 feet to a point; thence in a southwesterly direction, approximately 425 feet to a point, in common with the northern right-of-way of Cleek Road; thence in a northwesterly direction, following the northern right-of-way of Cleek Road, approximately 328 feet to a point of the BEGINNING, and being a portion of Tax Map 47D, parcel 60.00 as shown on the July 2013 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 19rd day of June 2018.

JOHN CLARK, Mayor

ATTEST:

JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

ORDINANCE NO. _____

PRE-FILED
CITY RECORDER

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ADJACENT TO CLEEK ROAD FROM COUNTY A-1, AGRICULTURAL DISTRICT TO CITY R1-B, RESIDENTIAL DISTRICT IN THE 10TH 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 Cleek Road from County A-1, Agricultural District to City R1-B, Residential District in the 10th 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 northwestern corner of Tax Map 47D, Parcel 60.00, in common with the northern right-of-way of Cleek Road; thence in a northeasterly direction, approximately 512 feet to a point; thence in a southeasterly direction, approximately 329 feet to a point; thence in a southwesterly direction, approximately 425 feet to a point, in common with the northern right-of-way of Cleek Road; thence in a northwesterly direction, following the northern right-of-way of Cleek Road, approximately 328 feet to a point of the BEGINNING, and being a portion of Tax Map 47D, parcel 60.00 as shown on the July 2013 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 _____

RESOLUTION NO. _____

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE 2215 CLEEK ROAD 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 2215 Cleek Road annexation was submitted to the Kingsport Regional Planning Commission on May 17, 2018, 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 June 19, 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 June 1, 2018; 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 10th Civil District of Sullivan County, Tennessee, commonly known as the 2215 Cleek Road Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northwestern corner of Tax Map 47D, Parcel 60.00, in common with the northern right-of-way of Cleek Road; thence in a northeasterly direction, approximately 512 feet to a point; thence in a southeasterly direction, approximately 329 feet to a point; thence in a southwesterly direction, approximately 425 feet to a point, in common with the northern right-of-way of Cleek Road; thence in a northwesterly direction, following the northern right-of-way of Cleek Road, approximately 328 feet to a point of the BEGINNING, and being a portion of Tax Map 47D, parcel 60.00 as shown on the July 2013 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 KINGSPORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the 2215 Cleek Road 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:

**2215 Cleek Road Annexation
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. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The property owner has been advised that water service will be extended as part of their water tap fee.
- C. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.

- D. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.
- E. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- F. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

4. Electricity

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

5. Sanitary Sewer

- A. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system. The property owner has been advised that any sewer connection costs above the normal tap fee will be the owner's responsibility as they are subdividing property that already has sewer service.
- B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.
- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines to provide sewer service to our customers.
- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

6. Solid Waste Disposal

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and recycling collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

7. Public Road/Street Construction & Repair

- A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pothole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.
- B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.
- C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.
- D. Routine Right of Way maintenance is also provided on the effective date of annexation. These crews include a certified Arborist, certified Pesticide Applicators, and other trained personnel to respond to emergencies and routine maintenance requests.
- E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

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. Sufficient street lighting exists at the time of annexation. Therefore, street lighting will not be a part of this annexation plan of services

10. Zoning Services

- A. The area will be zoned R1-B Residential District
- 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.
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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.

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

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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.

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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.

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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 19th day of June 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 18-301-00002

Property Information	2215 Cleek Road Annexation		
Address	2215 Cleek Road		
Tax Map, Group, Parcel	Tax Map 047, Parcel 060.00		
Civil District	10		
Overlay District	NA		
Land Use Plan Designation	Single Family		
Acres	3.231 +/-		
Existing Use	Vacant/Agricultural	Existing Zoning	County A-1
Proposed Use	Residential	Proposed Zoning	City R-1B
Owner Information		Owner Information	
Name: Velma Vanover Address: 1101 New Beason Well Rd. City: Kingsport State: TN Zip Code: 37660 Email: rzvanover@charter.net Phone Number: 423-817-0589		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 past annexations have extended the bulk of the infrastructure needed to reach the property.</i> • <i>Annexation of this property will allow the resident to take full advantage of city services.</i> <p>Staff Field Notes and General Comments: This is a property owner-requested annexation submitted by the property owner. Some time ago the city annexed a portion of the property for a future home site, and the owner desires that the home site now be shifted to the detailed location. The property owner is aware that any sewer costs above the normal tap fee will be their responsibility, per conversations on site with our Water/Sewer Department. Water service will be extended as part of the water tap fee. Street lights and roadway improvements were already provided to this area as part of past annexations. Currently, the property is zoned County A-1 and staff is proposing City R-1B. This annexation meets the criteria set forth by the City Annexation Policy.</p>			
Planner:	Nathan Woods	Date:	May 1, 2018
Planning Commission Action		Meeting Date:	May 17, 2018
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

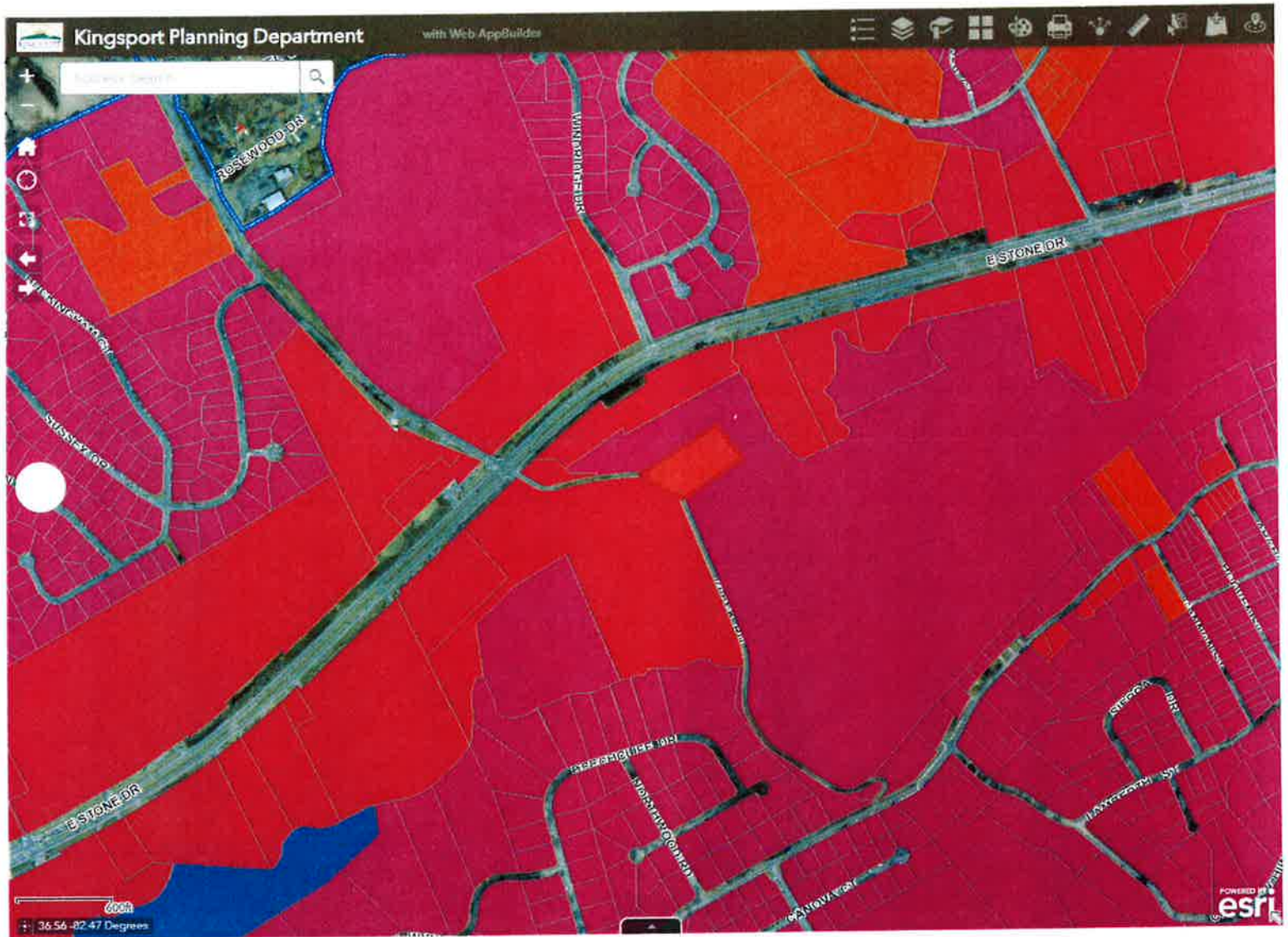
Location Map



Current City Zoning Map



Future Land Use Map



Cost

Cleek Property

Cost Estimate/ tax records as of May 2018

Revenues	One Time	Reoccurring (annual)
Property Taxes	X	TBD
State Shared	X	336.00
Sewer Tap/Water Meter	8265.00	X
Water & Sewer Rev (loss) *	X	40.70
Total	8265.00	376.70

\$1.97 City Property Taxes
 \$112.00 x 3 residents
 \$5,800 Residential Lift station
 tap fee + \$1,800 Extra Work
 Costs + 665 Water

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	History Zoning Action
NorthEast	1	<u>Zones: B-3, A-1, R-1B & B-1</u> Use: TBD	Slowly subdividing and developing parcels
East	2	<u>Zone: County A-1</u> Use: Agricultural	Part of Cleek Family Farm
South	3	<u>Zone: County A-1</u> Use: Agricultural	Part of Cleek Family Farm
West	4	<u>Zone: City M1-R</u> Use: Single Family residential	Former Drag Strip

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 Cleek Road 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 spoken with City staff and is aware that connecting to the existing available sewer will be the responsibility of the property owner.*
- *Annexation of this property will allow the owner to take full advantage of other city services such as schools, police, and fire.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

<p>SAVOIN ASSOCIATES</p> <p>11111 Highway 100 Kingsport, TN 37660 Phone: 423-246-1111 Fax: 423-246-1112 Email: info@savinassociates.com</p>		<p>PROJECT INFORMATION</p> <p>Project Name: <u>Annexation of L.T. 100</u></p> <p>Project Number: <u>18-301-00002</u></p> <p>Project Date: <u>May 17, 2018</u></p>	
<p>PROPERTY INFORMATION</p> <p>Property Address: <u>L.T. 100</u></p> <p>Property Owner: <u>SAVOIN ASSOCIATES</u></p> <p>Property Size: <u>100.00 Acres</u></p>		<p>ANNEXATION INFORMATION</p> <p>Annexation Type: <u>Voluntary</u></p> <p>Annexation Date: <u>May 17, 2018</u></p> <p>Annexation Area: <u>L.T. 100</u></p>	
<p>ANNEXATION MAP</p>		<p>ANNEXATION LEGEND</p> <p>1. <u>Annexation Area</u></p> <p>2. <u>City Limits</u></p> <p>3. <u>County Line</u></p>	
<p>ANNEXATION DESCRIPTION</p> <p>The annexation area is located within the Kingsport city limits. The area is currently zoned <u>Single-Family Residential</u>. The annexation is being requested for <u>Single-Family Residential</u> zoning.</p>		<p>ANNEXATION COMMENTS</p> <p>The annexation area is located within the Kingsport city limits. The area is currently zoned <u>Single-Family Residential</u>. The annexation is being requested for <u>Single-Family Residential</u> zoning.</p>	
<p>ANNEXATION APPROVALS</p> <p>City Council: <u>Approved</u></p> <p>Mayor: <u>Approved</u></p> <p>Commissioner: <u>Approved</u></p>		<p>ANNEXATION SIGNATURES</p> <p>Project Manager: <u>[Signature]</u></p> <p>City Manager: <u>[Signature]</u></p> <p>Commissioner: <u>[Signature]</u></p>	

**2215 Cleek Road Annexation
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. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The property owner has been advised that water service will be extended as part of their water tap fee.
- C. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.
- D. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection

Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.

- E. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- F. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

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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.



AGENDA ACTION FORM

Budget Adjustment Ordinance for FY18

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

Action Form No.: AF-147-2018
 Work Session: June 18, 2018
 First Reading: June 19, 2018

Final Adoption: July 3, 2018
 Staff Work By: Judy Smith
 Presentation By: Jeff Fleming

Recommendation:

Approve the Ordinance.

Executive Summary:

The ordinance will transfer \$130,000 Downtown TIF Funds to the Downtown project, \$20,000 Riverwalk TIF Funds to the Riverwalk project. KHRA releases these funds each year and they are transferred to the designated Downtown Riverwalk projects. One Kingsport funding in the amount of \$224,700 was set aside to pay KHRA for debt service for housing. The debt service was not due this year but will be due in FY18-19. The \$224,700 is being transferred into the One Kingsport project. Other transfers are \$50,000 to the Dilapidated Structures project, \$35,000 to the Public Art project, \$10,000 to the mowing project and \$13,000 to the Veterans Memorial project to complete the project.

In water \$3,535 will be transferred to the Water Line Improvement project and \$55,900 will be transferred from the Hund Rd. Waterline Ext. to the Waterline Improvement project, \$70,000 will be transferred from the Water Treatment Plant Improvement project to the TRI County Tank Replacement project and \$832,639 will be transferred to the Water SCADA Improvement project (WA1700), \$29,361 will be transferred from the Colonial Heights Phase 5 project to the Miscellaneous Sewer Line project. Projects WA1709 and SW1512 will be closed.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: 

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



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Approve the Ordinance.

Executive Summary:

The ordinance will transfer \$130,000 Downtown TIF Funds to the Downtown project, \$20,000 Riverwalk TIF Funds to the Riverwalk project. KHRA releases these funds each year and they are transferred to the designated Downtown Riverwalk projects. One Kingsport funding in the amount of \$224,700 was set aside to pay KHRA for debt service for housing. The debt service was not due this year but will be due in FY18-19. The \$224,700 is being transferred into the One Kingsport project. Other transfers are \$50,000 to the Dilapidated Structures project, \$35,000 to the Public Art project, \$10,000 to the mowing project and \$13,000 to the Veterans Memorial project to complete the project.

In water \$3,535 will be transferred to the Water Line Improvement project and \$55,900 will be transferred from the Hund Rd. Waterline Ext. to the Waterline Improvement project, \$70,000 will be transferred from the Water Treatment Plant Improvement project to the TRI County Tank Replacement project and \$832,639 will be transferred to the Water SCADA Improvement project (WA1700), \$29,361 will be transferred from the Colonial Heights Phase 5 project to the Miscellaneous Sewer Line project. Projects WA1709 and SW1512 will be closed.

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 VARIOUS PROJECTS 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 and General Project Special Revenue Funds be amended by transferring \$10,000 to the Temporary Art project (NC1612), by transferring \$10,000 to the Mowing project (NC1709), by transferring \$214,915 to the Debt Service Fund, by transferring \$50,000 to the Dilapidated Structures project (GP1750) by transferring \$35,000 to the Public Art project (GP1630), by transferring \$130,000 to the Downtown project (NC1803), by transferring \$20,000 to the Riverwalk Project (NC1804), by transferring 13,000 to the Veterans Memorial project (GP1540), by transferring \$28,570 to the Community Services Admin project (NC1812) and by transferring \$224,700 to the one Kingsport Project (GP1821) from the General Fund operating budget, by appropriating donations in the amount of \$2,020 to the Centennial/Downtown Parks project (GP1627), by appropriating donations in the amount of \$2,500 to the Temporary Public Art project (NC1612), by appropriating donations in the amount of \$1,000 to the Fire Marshall Office (NC1801) and by appropriating \$494 received from Centennial Merchandise sales to the Centennial Project (NC1613).

SECTION II. That the Water Fund Project budgets be amended by transferring \$3,535 from the Colonial Heights Phase 5 project (WA1709) and \$55,900 from the Hunt Road Waterline Ext. project (WA1804) to the Water Line Improvements project (WA1801), and by transferring \$70,000 from the Water Treatment Plant Improvement project (WA1505) to the TRI County Tank Replacement project (WA1705) and by transferring \$832,639 from the Water Treatment Plant Improvement project (WA1505) to the Water SCADA Improvement project (WA1700).

SECTION III. That the Sewer Project Fund be amended by transferring \$29,361 from the Colonial Heights Phase 5 (SW1512) to the Miscellaneous Sewer Line project (SW1804). Close project SW1512.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 111: General Project Special Rev Fund</u>			
<u>Temporary Public Art (NC1612)</u>			
<u>Revenues:</u>	\$	\$	\$
111-0000-364-2000 From Corporations	5,000	2,500	7,500
111-0000-364-3000 From Non-Profit Groups	6,400	0	6,400
111-0000-391-0100 From General Fund	50,000	10,000	60,000
<u>Totals:</u>	61,400	12,500	73,900
<u>Expenditures:</u>	\$	\$	\$
111-0000-601-2020 Professional/Consultant	41,400	12,000	53,400
111-0000-601-2099 Miscellaneous	10,000	500	10,500

111-0000-601.3020 Operating Supplies & Tools	10,000	0	10,000
Totals:	61,400	12,500	73,900

Fund 111: General Project Special Rev Fund
Mowing (NC1709)

Revenues:	\$	\$	\$
111-0000-391-0100 From General Fund	13,925	10,000	23,925
Totals:	13,925	10,000	23,925

Expenditures:	\$	\$	\$
111-0000-601-2022 Construction Contracts	13,925	10,000	23,925
Totals:	13,925	10,000	23,925

Fund 110: General Fund

Expenditures:	\$	\$	\$
110-3030-443-1010 Salaries & Wages	3,826,000	(237,565)	3,588,435
110-4032-463-2056 Repairs & Maint. Vehicles	325,000	(9,508)	315,492
110-2506-435-1010 Personal Services	311,500	(101,412)	210,088
110-3030-443-1030 Group Health Ins	648,400	(13,000)	635,400
110-1005-405-8073 KHRA One Kingsport Housi	224,700	(224,700)	0
110-4874-481-7423 Downtown TIF	130,000	(130,000)	0
110-4874-481-7424 Riverwalk TIF	20,000	(20,000)	0
110-4804-481-7029 To Debt Service	8,781,400	214,915	8,996,315
110-4804-481-7035 To Gen Proj. Spec. Rev.	1,511,981	198,570	1,710,551
110-4804-481-7036 To General Proj. Fund	1,741,028	322,700	2,063,728
Totals:	17,520,009	0	17,520,009

Fund 211: Debt Service Fund

Revenues:	\$	\$	\$
211-0000-391-0100 From General Fund	8,781,400	214,915	8,996,315
Totals:	8,781,400	214,915	8,996,315

Expenditures:	\$	\$	\$
211-4805-481-4007 Bond Principal Schools	2,818,600	(24,977)	2,793,623
211-4805-481-4008 Bond Interest-General	3,166,500	211,591	3,215,101
211-4805-481-4009 Bond Interest -School	885,700	28,301	914,001
Totals:	6,870,800	214,915	6,922,725

Fund 311: General Project Fund
Dilapidated Structures (GP1742)

Revenues:	\$	\$	\$
311-0000-391-0100 From General Fund	75,460	50,000	125,460
Totals:	75,460	50,000	125,460

Expenditures:

311-0000-601-2022 Construction Contracts

Totals:

\$	\$	\$
75,460	50,000	125,460
75,460	50,000	125,460

Fund 311: General Project Fund**Public Art (GP1630)****Revenues:**

311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
57,000	35,000	92,000
57,000	35,000	92,000

Expenditures:

311-0000-601-9006 Purchases Over \$5,000

Totals:

\$	\$	\$
57,000	35,000	92,000
57,000	35,000	92,000

Account Number/Description:**Fund 111: General Project Special Rev Fund****Downtown Project (NC1803)****Revenues:**

111-0000-391-0100 From General Fund

Totals:

<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
\$	\$	\$
106,750	130,000	236,750
106,750	130,000	236,750

Expenditures:

111-0000-601-2022 Construction Contracts

111-0000-601-2099 Miscellaneous

Totals:

\$	\$	\$
106,750	70,000	176,750
0	60,000	60,000
106,750	130,000	236,750

Account Number/Description:**Fund 111: General Project Special Rev Fund****Riverwalk Project (NC1804)****Revenues:**

111-0000-391-0100 From General Fund

Totals:

<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
\$	\$	\$
20,000	20,000	40,000
20,000	20,000	40,000

Expenditures:

111-0000-601-2022 Construction Contracts

Totals:

\$	\$	\$
20,000	20,000	40,000
20,000	20,000	40,000

Fund 311: General Project Fund**One Kingsport (GP1821)****Revenues:**

311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
700,000	224,700	924,700
700,000	224,700	924,700

Expenditures:

311-0000-601-2020 Professional Consultant

311-0000-601-2022 Construction Contracts

311-0000-601-2023 Arch/Eng/Landscaping

311-0000-601-9003 Improvements

Totals:

\$	\$	\$
50,000	0	50,000
200,000	0	200,000
100,000	0	100,000
350,000	224,700	574,700
700,000	224,700	924,700

Fund 311: General Project Fund
Veterans Memorial (GP1540)

Revenues:

	\$	\$	\$
311-0000-364-1000 Contributions/Individual	38,908	0	38,908
311-0000-364-2000 From Corporations	13,500	0	13,500
311-0000-364-3000 From Non-Profits	186,316	0	186,316
311-0000-368-1046 Series 2013 B GO Pub Imp	2,031	0	2,031
311-0000-368-1047 Series 2014 A Go Bonds	75,000	0	75,000
311-0000-368-10-51 Series 2015 A (Oct) GO PI	875	0	875
311-0000-391-0100 From General Fund	73,783	13,000	86,783
311-0000-391-6900 From Visitors Enhancement	3,510	0	3,510
Totals:	393,923	13,000	406,923

Expenditures:

	\$	\$	\$
311-0000-601-2022 Construction Contracts	361,834	13,000	374,834
311-0000-601-2023 Arch/Eng/Landscaping Ser	27,200	0	27,200
311-0000-601-2075 Temporary Employees	4,378	0	4,378
311-0000-601-3010 Office Supplies	511	0	511
Totals:	393,923	13,000	406,923

Fund 111: General Project Special Rev Fund
Community Services Admin (NC1812)

Revenues:

	\$	\$	\$
111-0000-391-0100 From General Fund	0	28,570	28,570
Totals:	0	28,570	28,570

Expenditures:

	\$	\$	\$
111-0000-601-2010 Advertising & Publication	0	12,900	12,900
111-0000-601-2011 Printing & Binding	0	3,000	3,000
111-0000-601-2040 Travel Expense	0	7,000	7,000
111-0000-601-3020 Operating Supplies & Tools	0	5,670	28,570
Totals:	0	28,570	51,470

Fund 311: General Project Fund
Centennial/Downtown Parks (GP1627)

Revenues:

	\$	\$	\$
311-0000-364-1000 Contributions/Individual	650	0	650
311-0000-364-3000 From Non-Profit Groups	0	670	670
311-0000-364-5621 East TN. Foundations	664,703	1,350	666,053
311-0000-368-1047 Series 2014 A GO Bonds	126,266	0	126,266
311-0000-368-1054 Series 2016 GO (Nov 4)	26,643	0	26,643
311-0000-368-2101 Premium From Bond Sale	27,074	0	27,074
311-0000-391-0100 From General Fund	876,200	0	876,200
Totals:	1,721,536	2,020	1,723,556

Expenditures:

	\$	\$	\$
311-0000-601.20-22 Construction Contracts	227	0	227
311-0000-601-2023 Arch/Eng/Landscaping	77,315	0	77,315
311-0000-601-2095 Public Art Contracts	25,000	0	25,000

311-0000-601-4041 Bond Sale Expense	3,717	0	3,717
311-0000-601-9001 Land	31,658	0	31,658
311-0000-601-9003 Improvements	1,554,619	2,020	1,556,639
311-0000-601.90-06 Purchases \$5,000 & Over	29,000	0	29,000
Totals:	1,721,536	2,020	1,723,556

Fund 111: General Project Special Rev Fund
Fire Marshall Office (NC1801)

Revenues:	\$	\$	\$
111-0000-364-2000 From Corporations	1,000	1,000	2,000
Totals:	1,000	1,000	2,000

Expenditures:	\$	\$	\$
111-0000-601-3020 Operating Supplies & Tools	1,000	1,000	2,000
Totals:	1,000	1,000	2,000

Fund 111: General Project Special Rev Fund
Centennial Project (NC1613)

Revenues:	\$	\$	\$
111-0000-341-1087 Merchandise Sales	1,536	0	1,536
111-0000-341-5010 Centennial Merchandise	10,903	494	11,397
111-0000-364-3000 From Non-Profits	625	0	625
111-0000-368-9900 Miscellaneous	-6	0	-6
111-0000-391-0100 General Fund	90,186	0	90,186
Totals:	103,244	494	103,738

Expenditures:	\$	\$	\$
111-0000-601-3020 Operating Supplies & Tools	94,657	494	95,151
111-0000-631-1010 Salaries & Wages	7,262	0	7,262
111-0000-631-1020 Social Security	1,225	0	1,225
111-0000-631-1060 Workmen's Compensation	20	0	20
111-0000-631-1061 Unemployment	80	0	80
Totals:	103,244	494	103,738

Fund 451: Water Project Fund
Colonial Heights Phase 5 (WA1709)

Revenues:	\$	\$	\$
451-0000-391-0529 Series 2013 B GO Pub Imp	55,625	(3,535)	52,090
Totals:	55,625	(3,535)	52,090

Expenditures:	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	7,100	(701)	6,399
451-0000-605-9003 Improvements	48,525	(2,834)	45,691
Totals:	55,625	(3,535)	52,090

Fund 451: Water Project Fund
Hunt Rd Waterline EXT (WA1804)

Revenues:	\$	\$	\$
451-0000-333-7700 Washington County	218,713	(55,900)	162,813

Totals:	218,713	(55,900)	162,813
Expenditures:	\$	\$	\$
451-0000-605-9003 Improvements	218,713	(55,900)	162,813
Totals:	218,713	(55,900)	162,813

Fund 451: Water Project Fund
Water Line Improvements (WA1801)

Revenues:	\$	\$	\$
451-0000-333-7700 Washington County	0	55,900	55,900
451-0000-391-0529 Series 2013 B GO Pub Imp	51,360	3,535	54,895
451-0000-391-4500 From Water Fund	605,000	0	605,000
451-0000-391-4600 Reserve Outside City Imp	23,640	0	23,640
Totals:	680,000	59,435	739,435

Expenditures:	\$	\$	\$
451-0000-601-9021 New Dist Lines	15,000	0	15,000
451-0000-601-9022 Hydrants	40,000	0	40,000
451-0000-601-9023 New Meters	173,640	(5,465)	168,175
451-0000-605-9024 Replacement Meters	50,000	55,900	105,900
451-0000-605-9025 Replacement Dist Lines	401,360	9,000	410,360
Totals:	680,000	59,435	739,435

Fund 451: Water Project Fund
Water Treatment Plant Imp. (WA1505)

Revenues:	\$	\$	\$
451-0000-391-0531 Series 2014 B GO	1,200,000	(902,639)	297,361
451-0000-391-4500 From Water Fund	78,684	0	78,684
Totals:	1,278,684	(902,639)	376,045

Expenditures:	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	1,200,000	(917,379)	282,621
311-0000-601.90-03 Improvements	78,684	14,740	93,424
Totals:	1,278,684	(902,639)	376,045

Fund 451: Water Project Fund
TRI County Tank Replacement (WA1705)

Revenues:	\$	\$	\$
451-0000-391-0531 Series 2014 B GO	0	70,000	70,000
451-0000-391-4500 From Water Fund	600,000	0	600,000
Totals:	600,000	70,000	670,000

Expenditures:	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping Ser	100,000	0	100,000
451-0000-605-9003 Improvements	500,000	70,000	570,000
Totals:	600,000	70,000	670,000

Fund 451: Water Project Fund
Water SCADA Imp. (WA1700)

Revenues:

451-0000-391-0531 Series 2014 B GO
 451-0000-391-0531 Series 2014 B GO
 451-0000-391-4500 From Water Fund

Totals:

\$	\$	\$
	832,639	832,539
1,200,000	0	1,200,000
102,785	0	102,785
1,302,785	832,639	2,135,324

Expenditures:

451-0000-605-2022 Construction Contracts
 451-0000-605-2023 Arch/Eng/Landscaping

Totals:

\$	\$	\$
1,197,785	832,639	2,030,424
105,000	0	105,000
1,302,785	832,639	2,135,424

Fund 452: Sewer Project Fund
Colonial Hqts PH 5 (SW1512)

Revenues:

452-0000-391-0545 Series 2016 GO (Nov 4)
 452-0000-391-4200 From the Sewer Fund

Totals:

\$	\$	\$
2,500,000	0	2,500,000
300,000	(29,361)	270,639
2,800,000	(29,361)	2,770,639

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping
 452-0000-606-9001 Land
 452-0000-606-9003 Improvements

Totals:

\$	\$	\$
500,000	(183,889)	316,111
200,000	(54,913)	145,087
2,100,000	209,441	2,309,441
2,800,000	(29,361)	2,770,639

Fund 452: Sewer Project Fund
Miscellaneous Sewer Line (SW1804)

Revenues:

452-0000-391-4200 From the Sewer Fund

Totals:

\$	\$	\$
470,000	29,361	499,361
470,000	29,361	499,361

Expenditures:

452-0000-606-2023 Arch/Eng/Landscaping
 452-0000-606-9003 Improvements

Totals:

\$	\$	\$
81,000	0	81,000
389,000	29,361	418,361
470,000	29,361	499,361

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

ATTEST:

JOHN CLARK, Mayor

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

Execute Various Merchant Services Applications with Elavon, Inc. for Processing Services Relating to the City's Acceptance of Credit and Debits Cards for the Payment of Various City Service

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

Action Form No.: AF-149-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Sid Cox / Lisa Winkle
 Presentation By: Sid Cox / Lisa Winkle

Recommendation:

Approve the Resolution.

Executive Summary:

The BMA previously adopted Resolution #2013-138 on March 5, 2013 and Resolution #2015-180 on May 19, 2015 which authorized the Mayor to execute various merchant services applications with Elavon, Inc., for 2 year periods. These applications provide for processing services related to the city's acceptance of credit and debit cards for the payment of various City services. The latest 2 year period has now expired on Resolution #2015-180.

The attached Resolution extends the authorization for the Mayor to sign various merchant services applications with Elavon, Inc. through June 30, 2019.

This Resolution will provide for the immediate need to provide for the acceptance of credit and debit cards in various City Departments including the, Farmers Market, Police Department, Dobyns-Bennett Activity Funds, Library, and others, as needed.

Attachments:

1. Resolution

Funding source appropriate and funds are available: 

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE MERCHANT SERVICES APPLICATIONS WITH ELAVON, INC. FOR CREDIT CARD PROCESSING THROUGH JUNE 30, 2019 AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT FOR PROCESSING SERVICES RELATING TO THE ACCEPTANCE OF CREDIT AND DEBIT CARDS FOR THE PAYMENT OF VARIOUS CITY SERVICES

WHEREAS, the city desires to enter into additional Merchant Services Applications through June 30, 2019, with Elavon, Inc. for processing services in connection with credit and debit card transactions to allow the city to accept payment by credit and debit cards for additional city services and departments; and

WHEREAS, the applications provide for payment of processing fees to Elavon, Inc. based on the total credit and debit card sales and transaction volumes generated by the city for the payment of various city services plus the interchange and card association fees charged by the various debit and credit card providers; and

WHEREAS, it is planned to allow additional departments to accept payments for additional services by credit and debit cards, requiring the execution of applications over a period of time not to exceed June 30, 2019; and

WHEREAS, a separate application is required for each location and account; and

WHEREAS, the applications will generally be in the same form.

Now therefore,

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

SECTION I. That for a period through June 30, 2019, the mayor is authorized and directed to execute, in a form approved by the city attorney, Merchant Services Applications with Elavon, Inc., for processing services in connection with reasonable credit and debit card payment transactions.

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

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

ADOPTED this 3rd day of July, 2018.

JOHN CLARK, Mayor

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney



AGENDA ACTION FORM

Purchase Pearson Middle School Interactive Science Digital License for Grades 6-8 from Tennessee Book Company

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

Action Form No.: AF-146-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Committee
 Presentation By: D. Frye/B. Cinnamon

Recommendation:

Approve the Resolution.

Executive Summary:

Kingsport City Schools is requesting approval to purchase Pearson TN Middle School Interactive Science from Tennessee Book Company for Students grades 6 - 8. On April 3, 2018, the Board of Education approved the recommendation to adopt the TN Board of Education approved Section C Textbook adoption list.

KCS Curriculum and Instruction department in collaboration with the Middle School Science Textbook Review Committee recommends the purchase of the Pearson resources for the middle schools to support the delivery of instruction in meeting the depth of the new Science standards for 6-8 settings. The Pearson resource will integrate into Canvas which is our learning management system. These resources will provide science teachers curriculum support that aligns to the new academic standards along with applicable assessments

On June 14, 2018, the Board of Education approved the recommendation to purchase 1,847 student licenses. Kingsport City Schools is now recommending the Board of Mayor and Aldermen approve the resolution to purchase Pearson Middle School Interactive Science for 6th-8th grade, from Tennessee Book Company for the total purchase amount of \$121,846.59.

This purchase will be made with FY 2019 budget funds. Account # 141-7105-711.04-49 & #141-7110-711.04-49.

Attachments:

1. Resolution
2. Recommendation Letter
3. Pearson TN Middle School Interactive Science Budget Allocation

Funding source appropriate and funds are available:

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A PURCHASE ORDER FOR PEARSON MIDDLE
SCHOOL INTERACTIVE SCIENCE DIGITAL LICENSES FOR
GRADES 6-8 FROM TENNESSEE BOOK COMPANY

WHEREAS, the Kingsport City Schools would like to purchase Pearson Middle School Interactive Science Digital Licenses from the Tennessee Book Company for students in 6th, 7th and 8th grades; and

WHEREAS, the city school curriculum and instruction department in collaboration with the Middle School Science Textbook Review Committee recommends the purchase of the Pearson resources for the middle schools to support the delivery of instruction in meeting the depth of the new science standards for 6th through 8th grades; and

WHEREAS, the total purchase amount of the purchase Pearson Middle School Science Interactive Digital Licenses from the Tennessee Book Company is \$121,846.59; and

WHEREAS, funding for this purchase is available in the school's budget, account numbers 141-7105-711.04-49 and 141-7110-711.04-49.

Now therefore,

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

SECTION I. That the city manager is authorized to execute a purchase order to the Tennessee Book Company for the purchase of 1,847 Pearson Middle School Interactive Science Digital Licenses from the Tennessee Book Company for students in 6th, 7th and 8th grades in the amount of \$121,846.59.

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

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

ADOPTED this the 3rd day of July, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



To: Kingsport City Schools Board of Education
From: Brian Cinnamon, Lamar Smith
Date: 1 June 2018
Re: Textbook Purchase (Science)

The approved textbook committees recommend blanket adoption of the state approved Section C textbook adoption list. In KCS, this is applicable to the following areas: Science, PE/Wellness, Fine Arts, and Arts, A/V Technology & Communications. The State Board of Education approved textbooks and instructional materials were made available for public review and comment from March 26 – March 31. The Board approved this recommendation at the April 3, 2018 meeting.

The KCS Curriculum and Instruction department in collaboration with the Elementary and Middle School Science Textbook Review Committees have reviewed resource options. The following recommendations have been made:

- The district will purchase the Discovery Education resources for the elementary schools to support the delivery of instruction in meeting the depth of the new Science standards for K-5 settings. This resource will integrate into Canvas which is our learning management system. These resources will provide science teachers curriculum support that aligns to the new academic standards along with applicable assessments.
- The district will purchase the Pearson resource for the middle schools to support the delivery of instruction in meeting the depth of the new Science standards for 6-8 settings. The Pearson resources will integrate into Canvas which is our learning management system. These resources will provide science teachers curriculum support that aligns to the new academic standards along with applicable assessments.



STUDENT FOCUSED ... WORLD CLASS
Facebook: KptSchools
Twitter: @KCS_District
WWW.K12K.COM



**Pearson Middle School Interactive Science
Digital License (Grades 6-8)**

School Name	6	7	8	Total
Robinson MS 141-7105-711.04-49	310 \$ 20,450.70	336 \$ 22,165.92	306 \$ 20,186.82	952 \$ 62,803.44
Sevier MS 141-7110-711.04-49	307 \$ 20,252.79	298 \$ 19,659.06	290 \$ 19,131.30	895 \$ 59,043.15
# of License Total	617 \$ 40,703.49	634 \$ 41,824.98	596 \$ 39,318.12	1847 \$ 121,846.59



AGENDA ACTION FORM

Award of Bid to W-L Construction for 2018 Contracted Paving Area 10 – West Lynn Garden

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

Action Form No.: AF-152-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Tim Elsea
 Presentation By: Ryan McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

Bids were opened on June 13, 2018 for the 2018 Contracted Paving Area 10 – West Lynn Garden project. This project consists of milling, asphalt markings, and other related work associated with the placement of approximately 12,000 tons of asphalt on designated roads/streets in the west Lynn Garden Drive area of the City of Kingsport.

City staff reviewed the bids and recommends awarding the contract to the apparent low bidder, W-L Construction & Paving, Inc. in the amount of \$1,405,205.65 -

Base Bid	\$1,405,205.65
Engineering Inspection & Admin 6%	89,372.00
Contingency 6%	84,313.00
Total Project Cost	<u>\$1,578,890.65</u>

The base bid engineering estimate for the referenced project is \$1,368,425.00.

Funding is available and identified in NC1900.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Map

Funding source appropriate and funds are available: *JA*

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

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR THE 2018 CONTRACTED PAVING AREA 10 - WEST LYNN GARDEN PROJECT AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened June 13, 2018, for the 2018 Contracted Paving Area 10 – West Lynn Garden project; and

WHEREAS, upon review of the bids, the board finds W-L Construction & Paving, Inc. is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for the project consisting of milling, asphalt markings, and other related work associated with the placement of approximately 12,000 tons of asphalt on designated roads/streets in the west Lynn Garden Drive area from W-L Construction & Paving, Inc. at an estimated construction cost of \$1,578,890.65; and

WHEREAS, funding is identified in project number NC1900;

Now therefore,

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

SECTION I. That the bid for the 2018 Contracted Paving Area 10 – West Lynn Garden project, consisting of milling, asphalt markings, and other related work associated with the placement of approximately 12,000 tons of asphalt on designated roads/streets in the west Lynn Garden Drive at an estimated cost of \$1,578,890.65 is awarded to W-L Construction & Paving, Inc., and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 3rd day of July, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
June 13, 2018
4:00 P.M.

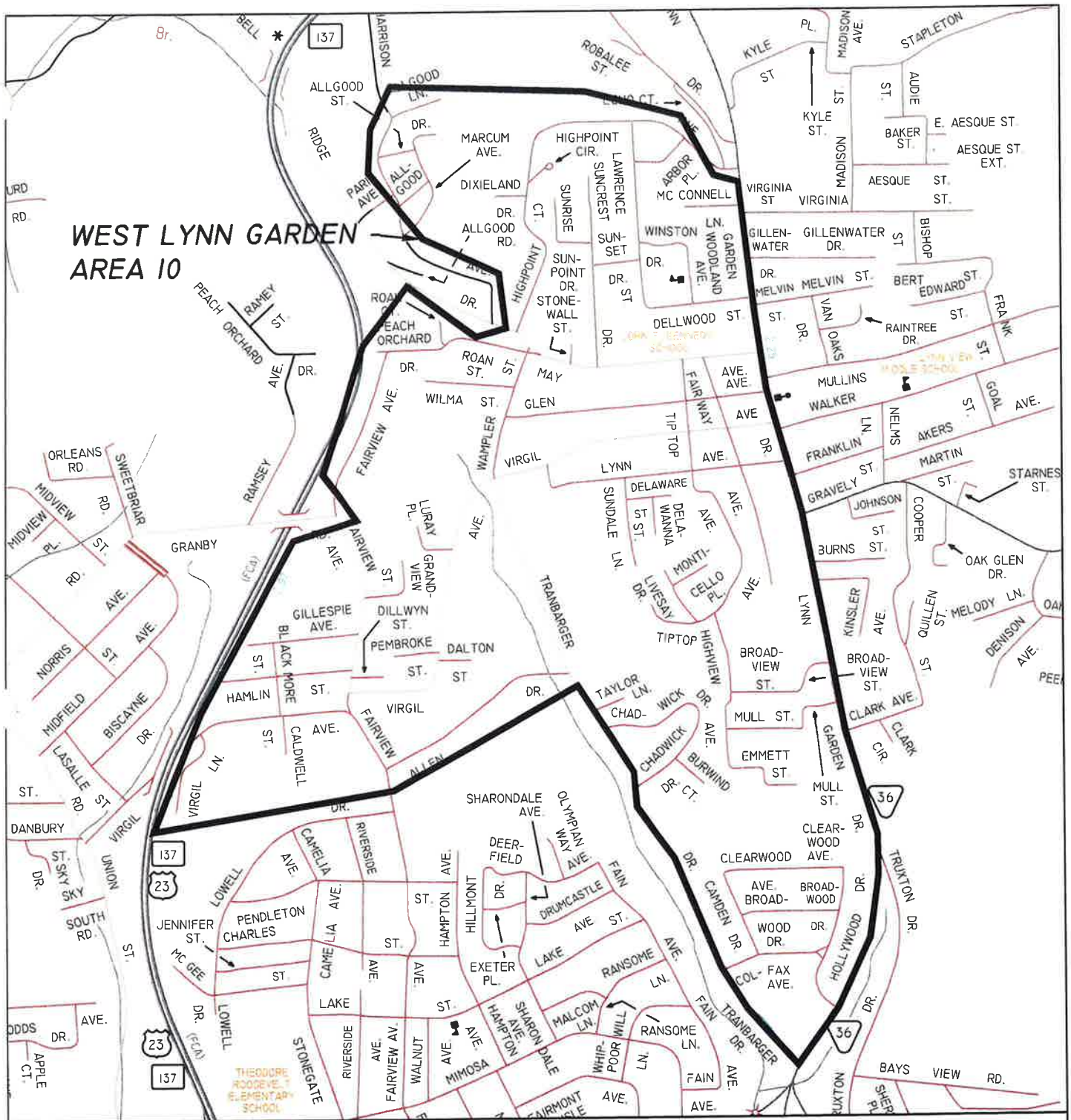
Present: Sandy Crawford, Procurement Manager; and Brent Morelock, Assistant Procurement Manager

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

The Procurement Manager opened with the following bids:

2018 CONTRACTED PAVING AREA 10 - WEST LYNN GARDEN	
Vendor:	Total Bid:
W-L Construction	\$1,405,205.65

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



2018 CONTRACTED PAVING AREA 10 - WEST LYNN GARDEN

LOCATION MAP



AGENDA ACTION FORM

Award the Sale of City-Owned Parcel Which Has Been Declared Surplus Property

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

CA

Action Form No.: AF-155-2018
 Work Session: July 2, 2018
 First Reading: July 3, 2018

Final Adoption: July 3, 2018
 Staff Work By: Angie Marshall, Lynn Tully
 Presentation By: Lynn Tully

Recommendation:

Approve the Resolution awarding the sale of this parcel to the highest bidder.

Executive Summary:

Two surplus properties were recently advertised to accept sealed bids by the City Recorder's Office at the request of management. The minimum bid was set at 10% below the appraisal value. The properties advertised were 232 Cherokee Village Drive (minimum bid \$8,640) and 2520 Westmoreland Avenue (minimum bid \$4,950).

No bids were received for Westmoreland Avenue and this property will be re-advertised. One bid was received for Cherokee Village Drive from Jackie Pierson for \$10,500. Mrs. Pierson owns the adjacent property at 236 Cherokee Village Drive and would like to purchase this property to make a bigger driveway and possibly add on a garage in the future (see attached letter).

Attachments:

1. Resolution
2. Letter from Jackie Pierson
3. Location Map

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

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SALE FOR A PARCEL OF SURPLUS REAL PROPERTY LOCATED AT 232 CHEROKEE VILLAGE DRIVE AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT OR THIS RESOLUTION

WHEREAS, two properties were deemed surplus by the City Recorder and were recently advertised to accept bids; and

WHEREAS, the properties are located 232 Cherokee Village Drive and 2520 Westmoreland Avenue; and

WHEREAS, the minimum bid for 232 Cherokee Village Drive was set at \$8,640.00, which is 10% below the appraisal value; and

WHEREAS, the minimum bid for 2520 Westmoreland Avenue was set at \$4,950.00, which is 10% below the appraisal value; and

WHEREAS, the bids were opened on June 25, 2018; and

WHEREAS, no bid was received for the 252 Westmoreland Avenue property, and that property will be re-advertised; and

WHEREAS, one bid was received for the 232 Cherokee Village Drive property, in the amount of \$10,500.00; and

WHEREAS, upon review of the bids, it is recommended to accept the bid of Jackie Pierson for the property located at 232 Cherokee Village Drive in the amount of \$10,500.00.

Now therefore,

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

SECTION I. That the bid for the property located at 232 Cherokee Village Drive of Jackie Pierson in the amount of \$10,500.00 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized and directed to execute, in a form approved by the city attorney, a purchase agreement with Jackie Pierson for the sale of the real property located at 232 Cherokee Village Drive, in the amount of \$10,500.00, and upon closing execute a quitclaim deed, without warranty, and all other documents necessary and proper to effectuate the purpose of the agreement or this resolution.

SECTION III. That the mayor is further authorized to make such changes to the purchase agreement as approved by the mayor and the city attorney, provided such changes do not substantially alter the material provisions of the purchase 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 public.

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

ADOPTED this the 3rd day of July, 2018.

ATTEST:

JOHN CLARK, Mayor

JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

June 15, 2018

Board of Mayor and Alderman
City of Kingsport, TN
225 W. Center St.
Kingsport, TN 37660

Re: Property Bid

Dear Sirs and Madams,

I would appreciate your consideration of the enclosed bid for the property located at 232 Cherokee Village Dr. I currently own the property located adjacent at 236 Cherokee Village Dr., this is the home I was raised in and my mother (81 yrs old) still lives there. The location is perfect for her since she is still trying to work some at Holston Valley where she has worked for 50 years. I wanted to let you know of my plans for the property. We don't intend to build a residence but would like to have the extra space to make a bigger driveway and addition of a garage at some point. Currently the lot doesn't have room for either and obtaining this vacant lot would allow for the changes. My husband and I would like to eventually live in the house ourselves. We both work for Ballad Health, he is located at Holston Valley and I at the cancer center.

Thank you very much,

A handwritten signature in cursive script that reads "Jackie Pierson". The ink is dark and the signature is fluid.

Jackie Pierson

Sullivan County - Parcel: 046H N 016.00



Date: March 21, 2018
County: Sullivan
Owner: CITY OF KINGSPORT TN
Address: CHEROKEE VILLAGE DR 232
Parcel Number: 046H N 016.00
Dedicated Acreage: 0
Calculated Acreage: 0
Date of Imagery: 2015

TN Comptroller - OLG
Esri, HERE, Garmin, © OpenStreetMap contributors
TDOT
State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.



AGENDA ACTION FORM

Award the Contract for Tri County Tank Replacement Project

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

Action Form No.: AF-134-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Sam Chase
 Presentation By: Ryan McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

Bids were opened on May 31, 2018, for the Tri County Tank Replacement Project. The project consists of the installation of a new steel water storage tank with a capacity of 170,000 gallons and the demolition of the existing 160,000 gallon steel tank. This tank serves the Tri County Pressure Zone Area. The tank will be installed on the same site as existing tank. The existing tank, being in service since 1965 has deteriorated to a point that replacement is a more viable option than rehabilitation.

City staff, along with consulting engineers, has reviewed the bids and recommends awarding the contract to the apparent low bidder, Frizzell Construction Co., Inc. in the amount of \$577,000.00. This amount includes the base bid and contingency items (such as: Soil Undercut and Replacement with Crushed Stone).

Funding will reside in WA1705 – Tri County Tank Replacement Project.

Attachments:

1. Resolution
2. Bid Tabulation
3. Location Map

Funding source appropriate and funds are available:

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

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR THE TRI COUNTY
TANK REPLACEMENT PROJECT TO FRIZZELL
CONSTRUCTION COMPANY AND AUTHORIZING THE MAYOR
TO SIGN AN AGREEMENT FOR THE SAME AND ALL
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE
THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened May 31, 2018, for the tri-county tank replacement project;
and

WHEREAS, upon review of the bids, the board finds Frizzell Construction Company is
the lowest responsible compliant bidder meeting specifications for the particular grade or class
of material, work or service desired and is in the best interest and advantage to the city, and the
City of Kingsport desires to enter into a contract for the installation of a new steel water storage
tank with a capacity of 170,000 gallons and the demolition of the existing 160,000 gallon steel tank
from Frizzell Construction Company at an estimated construction cost of \$577,000.00; and

WHEREAS, funding is identified in project number WA1705;

Now therefore,

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

SECTION I. That the bid for the tri-county tank replacement project, consisting of the
installation of a new steel water storage tank with a capacity of 170,000 gallons and the demolition
of the existing 160,000 gallon steel tank at an estimated cost of \$577,000.00 is awarded to Frizzell
Construction Company, and the mayor is authorized to execute an agreement for same and all
documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 3rd day of July, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**MINUTES
BID OPENING
May 31, 2018
4:00 P.M.**

Present: Sandy Crawford, Procurement Manager; Sam Chase, City Project Manager; Brett Neely and Randy McQueen, Barge Design Solutions

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

The Procurement Manager opened with the following bids:

TRI-COUNTY WATER TANK REPLACEMENT	
Vendor:	Base Bid:
Garney Companies, Inc.	\$599,600.00
Frizzell Construction Co., Inc.	\$577,000.00

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

Tri-County Tank Location

Bays Mountain

Sullivan
Gardens

• Tri-County Tank

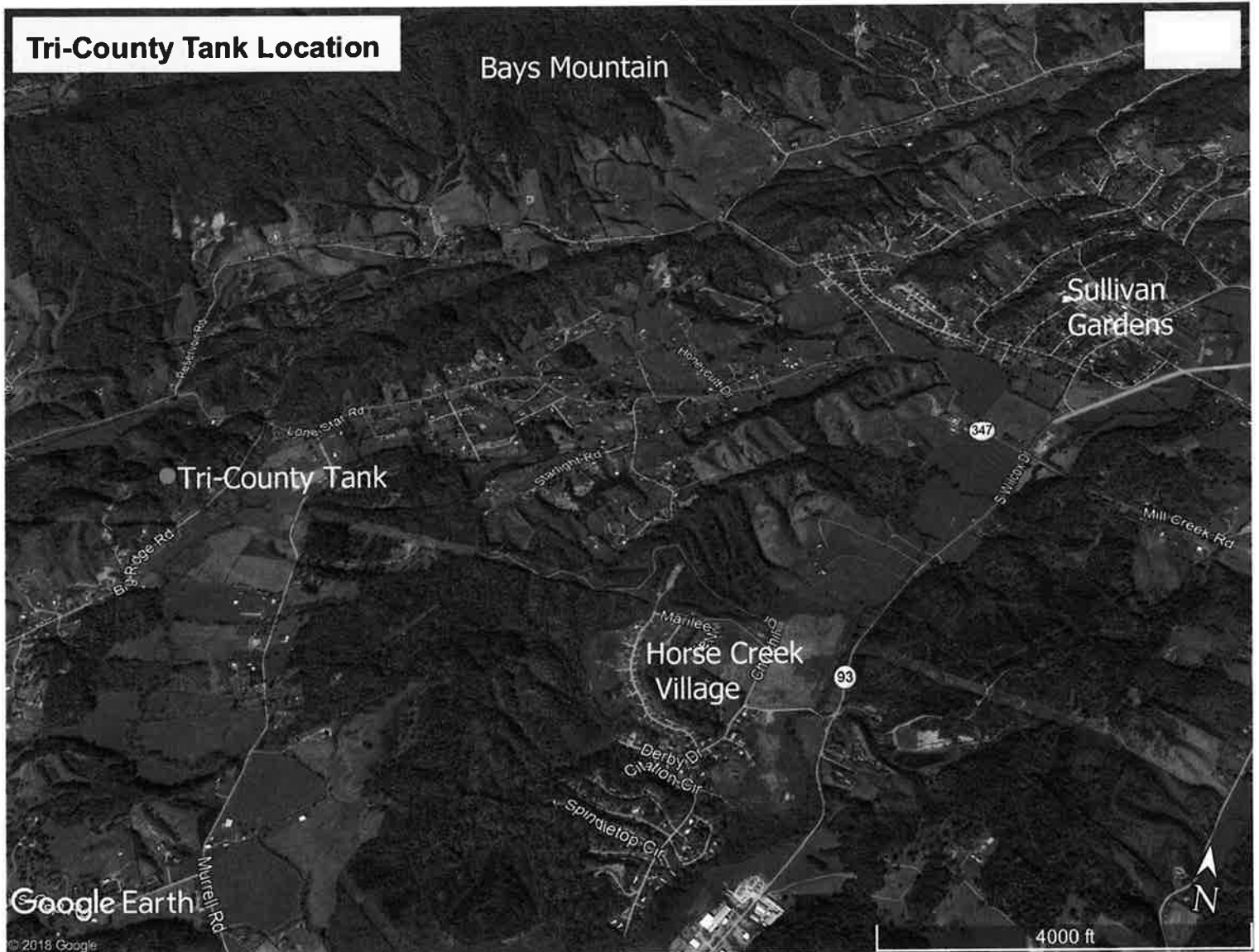
Horse Creek
Village

Google Earth

© 2018 Google

4000 ft

N





AGENDA ACTION FORM

Extension of Agreement with Med Fit LLC for a City-wide Medical Wellness Pilot Program

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

Action Form No.: AF-160-2018
 Work Session: July 2, 2018
 First Reading: N/A

Final Adoption: July 3, 2018
 Staff Work By: Committee
 Presentation By: C. Austin

Recommendation:

Approve the Resolution.

Executive Summary:

In our efforts of maintaining a healthy workforce and an injury free workplace, proper training and education is required. Med Fit LLC provides an overall medical wellness program through their local Med Fit Center facility. This program includes, but is not limited to, job evaluation (identify needs of ergonomic intervention, recommendation for any workstation changes, provide a strength/flexibility program); job coaching / medical exercise training (assess muscle strength/imbbalances, stretching/exercise program), and educational seminars.

The original agreement with MedFit LLC was signed in May 2017 and was to run through the end of June 2018. There is currently unexpended money in the contract that will allow for a time extension of 2-3 weeks beyond July 1, 2018. The vendor has agreed to extend their contract until July 31, 2018, or until all funds in the agreement have been expended.

This will allow the Physical Wellness committee time to evaluate proposals to continue the program city-wide in FY19. A new agreement will be proposed at the next scheduled BMA meeting.

Attachments:

1. Resolution
2. Email from Vendor
3. Med Fit Proposal (4 pages)

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

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT THE AGREEMENT WITH MED FIT LLC TO EXTEND THE CITY WIDE WELLNESS PILOT PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, in May, 2017, the board approved an agreement with Med Fit LLC for a city-wide medical wellness pilot program; and

WHEREAS, there is unexpended money in the account and the city would like to extend the term of the contract to July 31, 2018, or until the money is expended, whichever is first; and

WHEREAS, Med Fit LLC is agreeable to the amendment.

Now therefore,

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

SECTION I. That an amendment to the agreement with Med Fit, LLC to extend the agreement until July 31, 2018 or until the money in the account is expended, whichever is first, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Med Fit, LLC to extend the agreement until July 31, 2018 or until the money in the account is expended, whichever is first, and all other documents necessary and proper to effectuate the purpose of the agreement or this resolution.

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

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

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

ADOPTED this the 3rd day of July, 2018.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

McBryar, Renee

From: Stan Johnson <stan@greatbodycompany.com>
Sent: Wednesday, June 27, 2018 11:52 AM
To: Austin, Chad
Subject: Contract Extension

Chad,

I am willing to extend the current MedFit contract until July 31st 2018 or until the money from the current contract runs out.

Thank you.

Stan L. Johnson, MS
GBC Wellness Center/MedFit Center
(423) 378-4111 work
(423) 677-1980 cell
www.greatbodycompany.com

PLEASE NOTE THE FOLLOWING

Our organization accepts no liability for the content of this email, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing. Any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the organization.

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The Great Body Company <<http://www.greatbodycompany.com>>

AGREEMENT FOR SERVICES

THIS AGREEMENT, effective on June 8, 2017, by and between THE MED FIT CENTER, hereinafter referred to as "COMPANY" and the CITY OF KINGSPORT, hereinafter referred to as "OWNER".

WITNESSETH:

WHEREAS, OWNER has need for services and other adjunct services as may be authorized by OWNER for City-Wide Medical Wellness Pilot Program, and;

WHEREAS, COMPANY desires to provide such services and being competent to do so;

NOW THEREFORE, OWNER and COMPANY in consideration of the mutual covenants and agreements herein contained, do hereby agree as follows:

ARTICLE I SCOPE OF SERVICES AND SCHEDULE

- 1.1 The work and services to be performed (hereinafter referred to as "Services") by COMPANY shall be in accordance with COMPANY's Scope of Work, as detailed in Appendix A attached hereto and made a part hereof as though fully set out in the body of this Agreement.
- 1.2 On receiving authorization to proceed with the work, COMPANY shall proceed with the Scope of Work contained in Appendix A.
- 1.3 COMPANY shall proceed on a schedule mutually agreed with OWNER.

ARTICLE II INDEPENDENT CONTRACTOR

2.1 COMPANY warrants to be an independent contractor and responsible for its Services, and not as the agent of OWNER, in performing the Agreement, maintaining complete control over its employees and all of its subcontractors. Nothing contained in this Agreement or any subcontract awarded by CONSULTANT shall create any contractual relationship between any such subcontractor and OWNER. COMPANY shall provide services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. The COMPANY shall review State of Tennessee and City of Kingsport laws and regulations applicable to its services. COMPANY agrees to comply with all applicable Federal, State and Local codes and ordinances, including all applicable requirements of the Americans with Disabilities Act, in the design or implementation of the Project.

ARTICLE III COMMITMENT OF PERSONNEL

- 3.1 COMPANY represents that it has, or will secure at its own expense, the qualified personnel required in performing the Services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with OWNER.
- 3.2 All the Services required hereunder will be performed by COMPANY or subcontractors under their supervision and all personnel engaged in the Services shall be fully qualified and shall be authorized or permitted under State of Tennessee and local laws to perform such Services.

ARTICLE IV COMPENSATION

- 4.1 OWNER agrees to compensate COMPANY for Services performed pursuant to Article I, which Services are identified in Appendix A, for an amount not to exceed ONE HUNDRED TWENTY SIX THOUSAND TWO HUNDRED FORTY DOLLARS AND ZERO CENTS (\$126,240.00). Said fee is inclusive of all labor, expenses and subcontracts to complete all elements of the Services for the Scope of Work, (Appendix A) except as may be identified in OWNER'S Responsibilities section of Appendix A, if such is included.
- 4.2 COMPANY shall submit periodic invoices in a form consistent with OWNER'S needs. Invoices for work performed shall indicate the time period during which the work was performed. The invoices are to be signed and certified as to their accuracy.
- 4.3 OWNER will promptly review monthly invoices. OWNER may require any additional information deemed necessary and appropriate to substantiate the invoice. OWNER shall have ten (10) work days from date of receipt from COMPANY of an invoice to reject all or any part of the invoice. OWNER shall pay the undisputed amounts to COMPANY within thirty (30) days of receipt of the invoice. The invoice shall show the percentage of completion of the Services as of the end of the period covered by the invoice. OWNER is not required to pay more than 90% of the compensation set out in 4.1 above until approval of Final Payment. Final payment, constituting the entire unpaid balance of the amount set out in 4.1 above, shall be made by OWNER to COMPANY only after COMPANY has fully performed and achieved Final Completion of the Services, and has provided OWNER all documents required by this Agreement.
- 4.4 COMPANY shall be responsible for alerting OWNER in any instance when it anticipates exceeding the budget amount; shall provide justification for same; and shall do so prior to expending 100% of the amount set out in 4.1 of this Agreement. The Agreement may be amended as the work progresses, provided COMPANY receives written authorization from OWNER to make such amendments.

ARTICLE V PERIOD OF PERFORMANCE

- 5.1 The Scope of the Services to be performed by COMPANY shall be fully and finally completed within twelve (12) months from the date of this Agreement. Final completion is the completion of all Services and all contract requirements by COMPANY.

ARTICLE VI LIABILITY AND INSURANCE

- 6.1 Public and Professional Liability - COMPANY shall fully indemnify, defend and save harmless OWNER, its Board of Mayor and Aldermen, employees and agents from and against damages, liabilities, expenses, compensations, claims, demands, suits or judgments of sums of money, including but not limited to court costs and reasonable counsel fees, to any party for loss of life or injury or damage to persons or property to the extent caused by, any negligent act, error, omission, of COMPANY, its agents, servants, or employees while engaged upon or in connection with the Services required or performed by COMPANY. The provisions of this Article VI shall survive the termination or expiration of this Agreement.
- 6.2 Insurance - Prior to beginning these Services, COMPANY shall, at COMPANY'S expense, obtain, keep in force during the term of this Agreement the following minimum amounts of insurance:
1. General Liability - occurrence basis bodily injury, personal injury and property damage - \$500,000 - \$1,000,000 combined single limit per occurrence;
 2. Automobile liability - owner, hired, and non-owned bodily injury and property damage - \$500,000 - \$1,000,000 combined single limit per occurrence;
 3. Workmen's compensation with statutory limits and employer's liability insurance with minimum limits of \$500,000, to provide for the payment of employees of CONSULTANT employed on or in connection with the work and/or to their dependents, of worker's compensation benefits, including when required, occupational disease benefits in accordance with the U. S. Longshoremen's and Harbor Worker's Compensation Act and the Jones Act. With the prior approval of OWNER, CONSULTANT may substitute different types of coverage for those specified as long as the total amount of required protection is not reduced.

OWNER, its Board of Mayor and Aldermen, its employees, and agents shall be named as additional insured on the certificates of insurance (General Liability or Automobile Liability) for such policies, and a certified copy of such certificates shall be provided to OWNER by COMPANY prior to the start of Services. COMPANY shall provide OWNER, upon its request, a certified copy of any insurance policy required by this Agreement. Any failure or non-coverage by such policy or the limit of any such insurance shall not limit the liability of

COMPANY to OWNER. The policy, or policies, shall contain a provision that such policy or policies may not be cancelled without thirty (30) days prior written notice of such cancellation to OWNER. Insurance required hereunder shall be in companies reasonably acceptable to OWNER.

ARTICLE VII TERMS AND CONDITIONS

- 7.1 Successors and Assigns - This Agreement and all of its terms and conditions shall extend to and be binding upon the parties hereto and upon their respective heirs, executors, administrators, successors, and assigns.
- 7.2 Subletting, Assignment, or Transfer - This Agreement may not be sublet, assigned or transferred, changed, modified, or amended, in whole or in part, except as may be agreed, in writing, and signed by all the parties hereto.
- 7.3 Extent of Agreement - This Agreement constitutes the entire and integrated agreement between OWNER and COMPANY and no other written or oral understanding shall constitute part of this Agreement.
- 7.4 Severability - To the extent that any provision of this Agreement is finally adjudged invalid or unenforceable by a tribunal of competent jurisdiction, such provision shall be deemed modified to the extent necessary to make it enforceable.
- 7.5 Compliance of Laws - COMPANY shall comply with applicable laws, ordinances, rules, regulations and requirements of all federal, state and local governments, courts, boards, commissions or any other body exercising functions similar to the foregoing insofar as carrying out the provisions of this Agreement.
- 7.6 Termination - If through any cause, either party shall fail to fulfill in timely and proper manner the obligations, agreements or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement by filing written notice to the party in breach of such termination and specifying the effective date thereof, at least five days before the effective day of such termination.

In such event, all finished or unfinished documents, data, studies, and reports prepared by COMPANY under this Agreement shall, at the option of OWNER, become its property and COMPANY shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents. Notwithstanding the foregoing, COMPANY shall not be relieved of liability to OWNER for damages sustained by virtue of any breach of the agreement by COMPANY and OWNER may withhold any payments to COMPANY for the purpose of set off until such time as the exact amount of damages due OWNER from COMPANY is determined.

- 7.7 Governing Law - This Agreement shall be interpreted under and governed by the laws of the state of Tennessee.
- 7.8 Right to Rely - The COMPANY shall have the right to reasonably rely upon the accuracy and completeness of the services and information furnished by the OWNER. The COMPANY shall provide prompt written notice to the OWNER if the COMPANY becomes aware of any errors, omissions or inconsistencies in such services or information. Nothing herein shall be construed so as to release COMPANY from its responsibility or liability.
- 7.9 Dispute Resolution - In the event that a conflict arises that cannot be resolved between the parties, OWNER and COMPANY agree that all disputes arising out of or relating to this Agreement or the Project shall be first submitted to non-binding mediation, unless the parties mutually agree otherwise. The mediation shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect. Request for mediation shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. Mediation shall proceed in advance of legal or equitable proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period of agreement of the parties or court order.
- 7.10 Waiver of Consequential Damages - Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the COMPANY, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty.

ARTICLE VIII OWNERSHIP OF DOCUMENTS

- 8.1 All documents, reports and material prepared by COMPANY in the performance of this Agreement shall become the sole property of OWNER upon payment in full of all monies owed the COMPANY, provided COMPANY is not in breach of this Agreement. COMPANY hereby acknowledges that all right, title, and interest in the documents and all related reports, plans, drawings, technical memoranda and other directly related documents of any kind prepared or made by COMPANY or its subcontractors in the performance of or in connection with COMPANY'S Services and duties under this Agreement shall be vested solely with OWNER, including the right to hold, use, or dispose of same as OWNER deems appropriate in its sole discretion, but if OWNER uses such documents for other than intended purpose, OWNER assumes any and all liabilities for such use of the documents and COMPANY waives any property rights and copyright to such documents.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound have caused their duly authorized representative to, set their hand this day, month, and year first above written.

THE MED FIT CENTER

By: Steve S. John

Date: 6-12-17

WITNESS:

CITY OF KINGSPORT

By: John Clark

Date: 6/19/17

ATTEST:

Amya Marshall
City Recorder



APPROVED AS TO FORM:

J. Michael Polley
City Attorney



Employee Health Management Program.

1. Preventative Medical Wellness (Early Intervention)
 - a. Allow assessments of any employee that has an ache or pain.
 - b. Follow up with employees who have been assessed to help mitigate musculoskeletal issues with specific medical exercise training.
 - c. Assess all new hires for muscular imbalances that have the potential to lead to a MSD.
 - d. Methodically work through current hires to get a baseline, determine potential issues and work with them to correct.
2. Ergonomics
 - a. Assess workers at high risk workstations.
 - b. Assess employees' workstations as they come through the program.
 - c. Assess any high risk workstations.
 - d. Make and body mechanic changes or engineering changes and train.
 - e. Use the data to drive a continuous improvement plan.
 - f. Create a standards program for desk workers.
3. New Hire Assessments
 - a. An assessment done on all new hires to identify any medical issues or muscular imbalances that may lead to future injuries. Gives us the ability to address them now before they have a chance to become an injury.
4. Develop an Office Environment Standards Program.
 - a. Develop office equipment that will work ergonomically for all individuals.
 - b. Work spaces will be able to be transferred from person to person and continue to be ergonomically correct.
 - c. Reduces the amount of office furniture buying in the future.
 - d. Creates volume-based discounting on furniture.
 - e. Reduces Health Care costs.
5. Pre shift Stretching Program
 - a. Design a pre shift stretching program for the different areas in the plant. Design specific to the different line needs.
 - b. Educate workforce on the reasons behind pre shift stretching programs.
 - c. Implement program and educate line leaders.

- Provide a strength/flexibility program that will decrease the incidence of injury by addressing muscular weakness/imbbalances and flexibility issues

Workstation assessment for ergonomics. Bidder's employees will evaluate employee workstations as requested and determine recommendations that will reduce pressure on the musculoskeletal system of the employee. The assessment will include the following:

- Confidential employee assessment – symptom survey.
- Comfort level survey.
- Determine if job is high risk for repetitive injury.
- Identify the number of separate regular tasks involved in the job.
- Evaluate each task separately for ergonomic risks.
- Identify risks; and
- Develop recommendations.

3. The cost of the program is \$7800.00 for the PMW and \$2720.00 for ergonomics per month for a total of \$10,520.00/month.
4. We will be able to see up to 58 clients per week and follow up with their workstations if needed. This will allow us to service the needs of Kingsport's 735 employee workforce.

How does the program work?

- The MedFit Center will have a dedicated time for employees to come in and be assessed or perform their Medical Exercise Training. The employees will initially be set by the employer. Follow ups will be directed by the MedFit Center staff as needed.
- The employees will be seen by a Certified Athletic Trainer or a Masters level Exercise Physiologist.
- Employees will go through a 30 minute assessment that will include: Your medical history, any medications, exercise history, job requirements, goals assessment & a complete musculoskeletal assessment.
- During your second session, you will go through your individualized program based on your assessment and your job requirements.
- All of your sessions will be one on one and you will not be put in a group setting or left alone to do your program during an appointment.
- Our goal is to get you comfortable with your program in order for you to be able to do it between your appointments. The frequency of appointments will be determined by the assessment. The employees will have specific MET exercises to perform between sessions.

How does the referral process work?

- You will initially be referred to the MedFit program by your employer. This may be at your request to the employer or your supervisor's request.
- You will be assessed and seen according to the findings of the assessment.
- The MET sessions will be 30 min in length. This time frame will be strictly adhered to in order to get the employees back to their job in an efficient manner.
- The MedFit program will have specific times set up to see employees. These times will be set by the employer and the MedFit Center.
- Once in the program, the MedFit staff will schedule the employees according to their needs.

Metrics will be kept in order to identify the positive outcomes from the program.

Please see the attached document that explains our complete Employee Health Management Program. All of this program can eventually be implemented into this proposal.

Stan L. Johnson, MS, CEAS
MedFit Center
Medfit@charter.net
423 677-1980



Preventative Medical Wellness for the City of Kingsport

The MedFit Center offers an employee-based program positively affects the business in both culture and bottom line – creating cost savings while decreasing lost work time, ultimately increasing productivity and reducing medical expenses. Cost savings can be seen by decreasing medical costs both through decreased injuries and physician visits and also improved navigational efficiency for the employees.

We know that approximately 70% of all injuries start as aches and pains. Our Preventative Medical Wellness program identifies ergonomic issues and imbalances that are causing those aches and pains, so they can be properly addressed prior to injury.

In addition to medical cost savings, the program will have a positive impact on the MOD rating for workers compensation. This rating can significantly decrease workers compensation premiums.

We know that employees that have or are addressing their aches and pains are less likely to have a job related injury. This is due to both decreased aches and pains and an improved work culture. Research tells us that an employees that have pain are more distracted and have decreased productivity. It also tells us that a facility in which employees perceive the employer cares about their well-being also demonstrates lower injury rates, which is why our program is an employee based program that helps the employer and not an employer based program that helps the employee. This a vital thought shift that enables a culture change within an organization.

In creating a healthy continuum, the next step we offer is a significantly reduced rate at our fitness facility for all city employees and their families. Once their medical issues have been addressed, we can encourage a healthier lifestyle and continue education on any population health issues that are present.

The proposal for the City of Kingsport

1. 30 hours per week for the Preventative Medical Wellness (PMW) Program

- **Job Coaching/Assessment/Exercise Training.** Bidder's employees will assess muscle strength/imbalance for employees who voluntarily access the program and compare to their specific job requirements. Assess employees who voluntarily access the program with aches and/or pains. The assessment, coaching, and/or training may include the following:
 - Medical history;
 - Symptom survey;
 - Musculoskeletal assessment;
 - Range of motion assessment;
 - Develop individual improvement plan, with home exercise plan, if necessary;
 - Fitting the worker to his/her workstation;
 - Assess muscle strength/imbalance in the employee;
 - Compare employee assessment with job requirements;
 - Teach body mechanics in order to meet the job requirements in a safer manner;
 - Educate and demonstrate correct mechanics that reduce stress;
 - Stretching program – both general and specific for their job requirements;
 - Provide an exercise program specific to the employee and their job requirements; and/or
 - Help employee to reintegrate back to their job after an injury (provided the injury is not covered by worker's compensation).
- **Educational Seminars.** Bidder will provide seminars as requested at City facilities. Seminars shall be scheduled for the benefit of all parties. Bidder will provide materials and presentation as part of each seminar. The City will be responsible to provide any other necessary items pertaining to the seminar. Seminars will cover the following topics (or any other topic that the bidder and the City deems necessary):
 - Back education;
 - Nutrition;
 - Body mechanics; and
 - Weight Management

2. 32 hours a month for ergonomics throughout the city.

Job evaluation for ergonomics. Evaluate jobs as requested and determine recommendations that will reduce pressure on the musculoskeletal system of the employee. The evaluation may include the following:

- Compile job descriptions;
- Identify the greatest needs for ergonomic intervention;
- Evaluate stressors of each individual job;
- Assess the requirement for the work performed including specific strength and range of motion needs;
- Recommend any changes that may be necessary for the work performed, and