



## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN WORK SESSION**

**Tuesday, September 5, 2017, 4:00 p.m.  
City Hall, 225 W. Center St., Council Room, 2<sup>nd</sup> 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

Craig Dye, 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. Kingsport Theatre Guild Update – Tina Radtke
4. Aesthetics & Beautification Update – Ryan McReynolds
5. Review of Items on Sept. 5, 2017 Business Meeting Agenda
6. Adjourn

**Next Work Session, Sept. 18:** Holston Business Development Center, Code Enforcement and Fire Dept.  
Capital Facilities FY18

***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 Bays Mountain Park**

*Evening barge rides on the lake are popular during the long summer days.*

### **2 Reedy Creek Sewer Line Project**

*This Greenbelt section will reopen September 7 after the Reedy Creek Sewer line work finishes.*

### **3 Centennial Park Opens**

*Hundreds of people came out for the grand opening of Centennial Park!*

### **4 Children's Area - Kingsport Library**

*The newly remodeled 'woodland themed' children's area is now open for all readers.*

### **5 Raw Water Intake**

*Aerial view of the now- completed project site. Dedication date is upcoming.*

### **6 Street Signal Installation**

*Contractor is working on installing signal pole foundations and conduit at the corner of Sullivan and Clay Street.*



# 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	TDOT plans to have a Preliminary ROW plans for review Fall 2017.
\$6,616,000.00	Chad Austin	Chad Austin	Reedy Creek Sewer Trunk Line	SW1706	3/21/2018	The first two manholes have been set at the WWTP. Greenbelt will remain closed through September. Work to start on Lomax in mid September.
\$6,600,000.00	Niki Ensor	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	WA1700/ SW1700/ SW1603	4/1/2019	Design underway
\$4,300,000.00	Chad Austin	Hank Clabaugh	Border Regions Utility Upgrades		2/17/2020	Design to begin January 2018
\$4,186,000.00	Chris McCartt	Mason, David	New KATS Transit Center	GP1718	11/15/2018	Executing contract documents
\$3,750,000.00	Niki Ensor	Niki Ensor	Chemical Feed Design	WA1403	4/1/2019	Design underway.
\$3,740,000.00	Niki Ensor	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	SW1708	6/1/2018	Received revised final plans 7/25/17 for comment. Will begin working with Rochelle to purchase easements.
\$3,300,000.00	Michael Thompson	Thompson, Michael	Indian Trail Drive Extension	GP1615	12/31/2017	Final bridge design underway. Utility coordination and ROW exhibit development continue.
\$2,291,714.00	Chad Austin	Mike Hickman	Colonial Heights Ph V Sewer & Water	SW1512/ WA1404	11/15/2017	Contractor working in Chesterfield Area
\$2,236,500.00	Chad Austin	Pamela Gilmer	Pendragon Sidewalk & Water Improvement	WA1803	9/15/2018	Pre-con set for 8/31/17 @ 11 a.m.
\$1,926,364.00	Chad Austin	Mike Hickman	Colonial Heights Ph IV Sewer & Water	SW1511	9/15/2017	Contractor working in Droke Farm and Brightwood Ln Areas.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	4/1/2021	Public Hearing held 8/21/17. Additional stakeholder meetings continue.
\$1,500,000.00	Rob Cole	Harris, David	Bays Mountain Dam Rehabilitation	GP1707	12/31/2017	Drawings anticipated mid-August for review and submission to TDEC 9/1/17.
\$1,250,000.00	Niki Ensor	Niki Ensor	Pipe Gallery Improvements	WA1505	3/31/2018	Finalizing plans.
\$977,566.00	Ronnie Hammonds	Clabaugh, Hank	Wilcox Sidewalk Phase 5 [State & MTPO funded]	MPO15D	11/17/2017	Rebar work has began on the sluice bridge parapet wall. Some areas of this wall are still awaiting demolition.
\$961,140.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to Lynn Garden Drive [95% State Funded 5% City]		8/31/2020	Contract documents underway for consultant contract for survey and design.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	12/31/2017	ROW acquisition is ongoing, issues with partial release of leins from lenders has slowed closing on several parcels.
\$831,797.00	Niki Ensor	Hank Clabaugh	Colonial Heights SLS	SW1511	9/15/2017	Site work continues on the Lebanon Rd/Droke Farm site.
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 1 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	Plans and Design Certification have been submitted to TDOT for review.
\$638,357.70		Clabaugh, Hank	2017 Contracted Paving - Colonial Heights Area		12/1/2017	The Notice to Proceed Date is October 2nd. Contractual completion date is December 1st.
\$600,000.00	Kitty Frazier	Mason, David	Riverbend Park	GP1512	1/31/2018	Site surveying is complete. Preparing preliminary master plan.
\$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
\$400,000.00	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	9/30/2019	Single bid received from Summers-Taylor, Inc. Staff has reviewed and will forward to TDOT for concurrence. Ence.
\$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	Kitty Frazier	Clabaugh, Hank	Buffalo Grasslands Boardwalk/Greenbelt Connector		12/31/2017	The Parks and Recreation Division is preparing the funding package.
\$245,100.00	Rob Cole	Austin, Chad	Bays Mountain - Pavillion at Lily Pad Cove	GP1707	11/2/2017	Foundations have been set and pier posts are being installed.
\$221,800.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	1/31/2018	Working thru comments from TDOT for approval of bid documents and plans.
\$200,000.00	Kitty Frazier	Mason, David	J. Fred Johnson Park Improvements	GP1629	9/15/2017	Unsuitable soils encountered and remediation completed 8/30. Installing stone sub-base.
\$179,260.00	Tim Elsea	Elsea, Tim	Sullivan Street & Clay Street Signal	GP1740	10/17/2017	Contractor is working on installing signal pole foundations and conduit.
\$172,500.00	Lynn Tully	Mason, David	Church Circle Improvements	GP1224	11/17/2017	Pre-construction meeting scheduled for 9/5/17.
\$138,500.00	Kitty Frazier	Clabaugh, Hank	Reedy Creek Terrace Bridge	ST1503	12/31/2017	The Parks and Recreation Division is working on the funding package.
\$50,000.00		David Edwards	Main St. & Sullivan St. System Upgrades			Design phase underway.
\$45,884.40	Kitty Frazier	Mason, David	Shade Structures at Brickyard Park	GP1729	10/16/2017	Materials have been delivered. Installer scheduled to begin 9/11.
		Steve Robbins	Bloomington Culvert Replacement			Currently being surveyed by Alley & Associates



# Status Updates on Active Projects sorted by Completion Date

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$50,000.00		David Edwards	Main St. & Sullivan St. System Upgrades			Design phase underway.
		Steve Robbins	Bloomington Culvert Replacement			Currently being surveyed by Alley & Associates
\$1,926,364.00	Chad Austin	Mike Hickman	Colonial Heights Ph IV Sewer & Water	SW1511	9/15/2017	Contractor working in Droke Farm and Brightwood Ln Areas.
\$200,000.00	Kitty Frazier	Mason, David	J. Fred Johnson Park Improvements	GP1629	9/15/2017	Unsuitable soils encountered and remediation completed 8/30. Installing stone sub-base.
\$831,797.00	Niki Ensor	Hank Clabaugh	Colonial Heights SLS	SW1511	9/15/2017	Site work continues on the Lebanon Rd/Droke Farm site.
\$45,884.40	Kitty Frazier	Mason, David	Shade Structures at Brickyard Park	GP1729	10/16/2017	Materials have been delivered. Installer scheduled to begin 9/11.
\$179,260.00	Tim Elsea	Elsea, Tim	Sullivan Street & Clay Street Signal	GP1740	10/17/2017	Contractor is working on installing signal pole foundations and conduit.
\$245,100.00	Rob Cole	Austin, Chad	Bays Mountain - Pavillion at Lily Pad Cove	GP1707	11/2/2017	Foundations have been set and pier posts are being installed.
\$2,291,714.00	Chad Austin	Mike Hickman	Colonial Heights Ph V Sewer & Water	SW1512/ WA1404	11/15/2017	Contractor working in Chesterfield Area
\$172,500.00	Lynn Tully	Mason, David	Church Circle Improvements	GP1224	11/17/2017	Pre-construction meeting scheduled for 9/5/17.
\$977,566.00	Ronnie Hammonds	Clabaugh, Hank	Wilcox Sidewalk Phase 5 [State & MTPO funded]	MPO15D	11/17/2017	Rebar work has began on the sluice bridge parapet wall. Some areas of this wall are still awaiting demolition.
\$638,357.70		Clabaugh, Hank	2017 Contracted Paving - Colonial Heights Area		12/1/2017	The Notice to Proceed Date is October 2nd. Contractual completion date is December 1st.
\$350,000.00	Kitty Frazier	Clabaugh, Hank	Buffalo Grasslands Boardwalk/Greenbelt Connector		12/31/2017	The Parks and Recreation Division is preparing the funding package.
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	12/31/2017	ROW acquisition is ongoing, issues with partial release of leins from lenders has slowed closing on several parcels.
\$138,500.00	Kitty Frazier	Clabaugh, Hank	Reedy Creek Terrace Bridge	ST1503	12/31/2017	The Parks and Recreation Division is working on the funding package.
\$3,300,000.00	Michael Thompson	Thompson, Michael	Indian Trail Drive Extension	GP1615	12/31/2017	Final bridge design underway. Utility coordination and ROW exhibit development continue.
\$1,500,000.00	Rob Cole	Harris, David	Bays Mountain Dam Rehabilitation	GP1707	12/31/2017	Drawings anticipated mid-August for review and submission to TDEC 9/1/17.
\$600,000.00	Kitty Frazier	Mason, David	Riverbend Park	GP1512	1/31/2018	Site surveying is complete. Preparing preliminary master plan.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$221,800.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	1/31/2018	Working thru comments from TDOT for approval of bid documents and plans.
\$6,616,000.00	Chad Austin	Chad Austin	Reedy Creek Sewer Trunk Line	SW1706	3/21/2018	The first two manholes have been set at the WWTP. Greenbelt will remain closed through September. Work to start on Lomax in mid September.
\$1,250,000.00	Niki Ensor	Niki Ensor	Pipe Gallery Improvements	WA1505	3/31/2018	Finalizing plans.
\$3,740,000.00	Niki Ensor	Niki Ensor	West Kingsport Forcemain and Pump Station Improvements	SW1708	6/1/2018	Received revised final plans 7/25/17 for comment. Will begin working with Rochelle to purchase easements.
\$2,236,500.00	Chad Austin	Pamela Gilmer	Pendragon Sidewalk & Water Improvement	WA1803	9/15/2018	Pre-con set for 8/31/17 @ 11 a.m.
\$4,186,000.00	Chris McCartt	Mason, David	New KATS Transit Center	GP1718	11/15/2018	Executing contract documents
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 1 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	Plans and Design Certification have been submitted to TDOT for review.
\$3,750,000.00	Niki Ensor	Niki Ensor	Chemical Feed Design	WA1403	4/1/2019	Design underway.
\$6,600,000.00	Niki Ensor	Niki Ensor	Water & Wastewater Facilities SCADA/Telemetry Project	WA1700/ SW1700/ SW1603	4/1/2019	Design underway
\$400,000.00	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	9/30/2019	Single bid received from Summers-Taylor, Inc. Staff has reviewed and will forward to TDOT for concurrence. Ence.
\$4,300,000.00	Chad Austin	Hank Clabaugh	Border Regions Utility Upgrades		2/17/2020	Design to begin January 2018
\$961,140.00	Michael Thompson	Thompson, Michael	Stone Drive - Phase 2 (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to Lynn Garden Drive [95% State Funded 5% City]		8/31/2020	Contract documents underway for consultant contract for survey and design.
\$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
\$7,500,000.00	Ryan McReynolds	Thompson, Michael	SR 347 (Rock Springs Road) [State & MTPO funded]	No City Funds	12/31/2020	TDOT plans to have a Preliminary ROW plans for review Fall 2017.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	4/1/2021	Public Hearing held 8/21/17. Additional stakeholder meetings continue.
\$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



## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

#### **BUSINESS MEETING**

**Tuesday, September 5, 2017, 7:00 p.m.  
City Hall, 225 W. Center St., Courtroom, 2<sup>nd</sup> 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  
Craig Dye, 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 – Mike Beverly, Minister, Indian Springs Christian Church**

#### **III. ROLL CALL**

#### **IV.A. RECOGNITIONS & PRESENTATIONS**

1. Capture Kingsport – Leadership Kingsport (Alderman Adler)
2. Above and Beyond - Officer Clint Womack (Vice Mayor McIntire)

#### **IV.B. APPOINTMENTS**

1. Reappointments to the Beverage Board (AF: 231-2017) (Mayor Clark)
  - Reappointments



2. Appointments to the Senior Center Advisory Council (AF: 234-2017) (Mayor Clark)
  - Appointments

## **V. APPROVAL OF MINUTES**

1. Work Session – August 14, 2017
2. Business Meeting – August 15, 2017

## **VI. COMMUNITY INTEREST ITEMS**

### **A. PUBLIC HEARINGS**

None

### **COMMENT**

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

### **B. BUSINESS MATTERS REQUIRING FIRST READING**

Revised 9/5/17

1. Budget Adjustment Ordinance for FY18 (AF: 235-2017) (Jeff Fleming)
  - Ordinance – First Reading

### **C. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

1. Appropriate Funds Received from Walmart Community Grant (AF: 223-2017) (Craig Dye, Robert Sluss)
  - Ordinance – **Second Reading and Final Adoption**
2. Consideration of a Budget Adjustment Ordinance for FY18 (AF: 225-2017) (Jeff Fleming)
  - Ordinance – **Second Reading and Final Adoption**

### **D. OTHER BUSINESS**

1. Signal Maintenance Agreement with the Tennessee Department of Transportation (TDOT) for Upgrades to Existing Traffic Signals (AF: 224-2017) (Ryan McReynolds)
  - Resolution
2. Signal Maintenance Agreement with the Tennessee Department of Transportation (TDOT) for Installation of a Traffic Signal (AF: 229-2017) (Ryan McReynolds)
  - Resolution
3. Participate in the TML Risk Management Pool “Driver Safety” Matching Grant Program (AF: 233-2017) (Mike Billingsley)
  - Resolution

4. Recreation Trails Program (RTP) Grant Authorization Signatures (AF: 143-2017) (Chris McCartt)
  - Resolution

**VII. CONSENT AGENDA**

1. Amendment to the Contract between the City of Kingsport and Advanced Disposal Services (AF: 232-2017) (Ryan McReynolds)
  - Resolution
2. Right-of-Way Easement with Johnson City Power Board (AF: 237-2017) (Ryan McReynolds)
  - Resolution

**VIII. COMMUNICATIONS**

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

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

**IX. ADJOURN**

Minutes of the Regular Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Monday, August 14, 2017, 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  
(arrived at 4:42 p.m.)  
Alderman Tommy Olterman  
(left at 6:03 p.m.)

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 Marshall.

3. **ONEKINGSPORT FY18 PROJECTS UPDATE.** Mayor Clark welcomed everyone and stated the objective of the upcoming presentations was for the BMA to receive the top recommendations for the last 22 months to achieve a higher quality of life in Kingsport. He then gave a brief history on the summit process. Ms. Jane Henry then gave an introduction to the purpose of the committee, noting there is no funding authority. She was followed by Rob Cole (Bays Mountain), Chris McCartt (Downtown Playground), Bill Sumner (Product Creation Center), Charlie Nitschke (Neighborhood Commission), and Seth Jervis (Riverfront). Ms. Henry concluded the presentation, noting the projects are in the BMA's hands now. She answered questions and discussion followed. Alderman George stated since there was no cost to the neighborhood commission and suggested staff go ahead and move forward. Everyone agreed.

4. **PROJECTS STATUS.** Assistant City Manager for Administration Chris McCartt presented this item, highlighting the history of the property in regards to economic development in Kingsport, the recommendation being presented to the board [see Item VI.D.4 on the business meeting agenda] and the future vision for the property, including the next steps. Discussion ensued. Aldermen Olterman expressed concerns with purchasing land when there is other property that is not being used. Alderman George stated she was ok with the purchase as long as there was a firm commitment to take action and move forward. James Phillips and Lafe Cook provided further details.

*[NOTE: The board took a ten minute break at this time.]*

Upon reconvening the work session, City Manager Fleming stated there was a public hearing scheduled from 4:00pm to 6:00pm on August 21<sup>st</sup> for the Main Street rebuild. The hearing will be held at the RCAM building.



**Minutes of the Regular Work Session of the Board of Mayor and Aldermen of  
Kingsport, Tennessee, Monday, August 14, 2017**

**5. REVIEW OF AGENDA ITEMS ON THE AUGUST 15, 2017 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 the KATS Transit Center Project (AF: 221-2017).** Assistant City Manager for Administration stated this project is on schedule to begin this fall with a plan to celebrate at the groundbreaking. He pointed out this would be a pivotal point in transit history in Kingsport, noting KATS is up to around 150,000 trips a year. Some discussion followed.

City Manager Fleming advised the board it was looking like Sullivan County would not approve the animal shelter, stating there could be a potential crisis situation soon.

Ms. Gail Cole, President of Engage Kingsport, asked the board what will happen after today's presentations. Discussion ensued and the Mayor stated there would need to be a called work session devoted to discussion of the ONEKingsport projects once each board member has received all the details, including funding.

**6. ADJOURN.** Seeing no other matters presented for discussion at this work session, Vice-Mayor McIntire adjourned the meeting at 7:17 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, August 15, 2017, 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:** Dobyns-Bennett Government Class.

II.B. **INVOCATION:** Pastor Tiger Brooks, Indian Springs Baptist Church.

III. **ROLL CALL:** By City Recorder Demming. All Present.

IV.A. **RECOGNITIONS AND PRESENTATIONS.**

1. ONEKingsport FY18 Projects Update - Lynn Tully and Jane Henry.

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

1. **Appointment and Reappointment to the Employee Dependent Scholarship Program (AF: 193-2017) (Mayor Clark).**

Motion/Second: McIntire/George, to approve:

APPOINTMENT OF MS. MELISSA SANDERS TO FULFILL THE UNEXPIRED TERM OF SHERRI MOSLEY AND REAPPOINTMENT OF DR. JEFF MCCORD FOR A SECOND THREE-YEAR TERM ON THE **EMPLOYEE DEPENDENT SCHOLARSHIP PROGRAM** EFFECTIVE IMMEDIATELY. MS. SANDERS' TERM WILL EXPIRE ON APRIL 30, 2019 AND DR. McCORD'S TERM WILL EXPIRE AUGUST 31, 2020.

Passed: All present voting "aye."

V. **APPROVAL OF MINUTES.**

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

A. July 31, 2017 Regular Work Session

B. August 1, 2017 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, August 15, 2017**

**VI. COMMUNITY INTEREST ITEMS.**

**A. PUBLIC HEARINGS.** 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. Appropriate Funds Received from Walmart Community Grant**  
(AF: 223-2017) (Craig Dye/Robert Sluss).

Motion/Second: Olterman/Cooper, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM WALMART FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**2. Budget Adjustment Ordinance for FY18** (AF: 225-2017)  
(Jeff Fleming).

Motion/Second: McIntire/Begley, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND 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. Amend Ordinance No. 5540 Changing Certain Eligibility Parameters for Retiree Health Insurance** (AF: 209-2017) (Jeff Fleming).

Motion/Second: Adler/Cooper, to pass:

**ORDINANCE NO. 6689**, AN ORDINANCE AMENDING SECTION II OF ORDINANCE NO. 5540 REGARDING CATEGORIES OF EMPLOYEES FOR THE PROVISION OF HEALTH INSURANCE UPON RETIREMENT FROM EMPLOYMENT WITH THE CITY; 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."

**2. Amend Water Project Fund and General Project Fund Budgets by Transferring Funds for the Pendragon Sidewalk and Water Improvements Project** (AF: 217-2017) (Ryan McReynolds).



**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, August 15, 2017**

Motion/Second: McIntire/George, to pass:

**ORDINANCE NO. 6690**, AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGETS AND THE GENERAL PROJECT FUND BUDGETS BY TRANSFERRING FUNDS FOR THE PENDRAGON WATER AND SIDEWALKS IMPROVEMENTS PROJECT FOR THE YEAR ENDING JUNE 30, 2018; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**3. Final Budget Adjustment Ordinance for FY17 (AF: 210-2017)**  
(Jeff Fleming)

Motion/Second: McIntire/Adler, to pass:

**ORDINANCE NO. 6691**, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2017; 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. Apply for and Receive Grant for \$21,030 from the Department of Justice Edward Byrne Memorial Justice Assistance Program (JAG) FY17 Local Solicitation (AF: 220-2017) (David Quillin).**

Motion/Second: George/Begley, to pass:

**Resolution No. 2018-025**, A RESOLUTION APPROVING AN APPLICATION FOR AND RECEIPT OF A FISCAL YEAR 2017 LOCAL SOLICITATION GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR SUCH APPLICATION AND RECEIPT OF GRANT FUNDS

Passed: All present voting "aye."

**2. Bid Award for the KATS Transit Center Project (AF: 221-2017)**  
(Chris McCartt)

Motion/Second: McIntire/Adler, to pass:

**Resolution No. 2018-026**, A RESOLUTION AWARDED A CONTRACT FOR THE CONSTRUCTION OF THE KATS TRANSIT CENTER TO ARMSTRONG CONSTRUCTION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, August 15, 2017**

**3. Change Order No. 2 for Borden Park Phase 1 Improvements**  
(AF: 226-2017) (Chris McCartt).

Motion/Second: George/Olterman, to pass:

**Resolution No. 2018-027**, A RESOLUTION APPROVING CHANGE ORDER #2 TO THE CONTRACT WITH DUCO CONSTRUCTION LLC FOR BORDEN PARK – PHASE I IMPROVEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE CHANGE ORDER

Passed: All present voting “aye.”

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

Motion/Second: McIntire/Cooper, to adopt:

**1. Accept Deeds and Deeds of Easements** (AF: 222-2017)  
(Mike Billingsley).

Pass:

**Resolution No. 2018-028**, A RESOLUTION TO ACCEPT DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE FROM THE VARIOUS PROPERTY OWNERS AND OTHERS HAVING AN INTEREST IN PROPERTY AS HEREINAFTER SET OUT, CONVEYING TO THE CITY OF KINGSPORT, A MUNICIPAL CORPORATION OF THE STATE OF TENNESSEE, TITLE TO THE PROPERTY DESCRIBED IN SUCH DEEDS, DEEDS OF EASEMENT, AND OTHER MUNIMENT OF TITLE, LOCATED IN THE 7<sup>TH</sup>, 11<sup>TH</sup>, 13<sup>TH</sup> AND 14<sup>TH</sup> CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE AND THE 7<sup>TH</sup> CIVIL DISTRICT OF HAWKINS COUNTY, TENNESSEE

Passed: All present voting “aye.”

**2. Right-of-Way Easement with Kingsport Power Company**  
(AF: 228-2017) (Ryan McReynolds).

Pass:

**Resolution No. 2018-029**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER COMPANY

Passed: All present voting “aye.”

**VIII. COMMUNICATIONS.**

- A. CITY MANAGER.** Mr. Fleming mentioned the transit center was a milestone, noting the conversations that were had about it many years ago. He also recognized Rochelle Trent from legal for all her legwork behind the scenes to accomplish the property acquisition necessary for water, sewer, and greenbelt projects.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, August 15, 2017**

**B. MAYOR AND BOARD MEMBERS.** Alderman Begley stated he was at Centennial Park today and invited everyone to the grand opening on the 26<sup>th</sup>. Alderman Olterman pointed out it was football time and wished all the local teams success. Alderman George noted it was race weekend and there will be lots of visitors in town. She also mentioned this Friday is the final downtown concert this summer. Alderman Adler thanked everyone involved with the ONEKingsport presentation yesterday at the work session. She sent well wishes to the students going back to school at the Higher Education Center. Lastly, she stated the Kingsport Theatre Guild would be performing Pinkalicious this weekend at the Renaissance Center, noting this was KTG's 70<sup>th</sup> anniversary season. Alderman Cooper also commended the ONEKingsport presentations yesterday, stating there were no negatives and encouraging everyone to keep the momentum going. Vice-Mayor McIntire expressed thanks to staff for receiving approval from the State on the budget, applauding Judy Smith, John Morris, and the leadership of each department. He stated there will be a public hearing for the Main Street rebuild on Monday from 4:00pm to 6:00pm at RCAM. The Vice-Mayor wished everyone a great Labor Day weekend and to be safe. Mayor Clark talked about ONEKingsport, noting it was the role of the city to create a great environment for the private sector to flourish by adding to our portfolio of great assets. He thanked the Summit Advisory Committee, stating it was all about future initiatives. Lastly, he mentioned a proclamation that was presented to Healthy Kingsport and their 23 platinum partners that share the value of health and wellness with citizens.

**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 7:55 p.m.

---

ANGELA MARSHALL  
Deputy City Recorder

---

JOHN CLARK  
Mayor





## AGENDA ACTION FORM

### Reappointments to the Beverage Board

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

Action Form No.: AF-231-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Lesley Phillips  
 Presentation By: Mayor Clark

### Recommendation:

Approve reappointments.

### Executive Summary:

It is requested that Mr. Charles Nitschke and Mr. Keener Mallicote be reappointed to a three-year term to the Beverage Board. If approved by the Board of Mayor and Aldermen, both terms will be effective immediately and will expire September 30, 2020.

### Attachments:

None

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



## AGENDA ACTION FORM

### Appointments to the Senior Center Advisory Council

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

Action Form No.: AF-234-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Shirley Buchanan  
 Presentation By: Mayor Clark

### Recommendation:

Approve appointments.

### Executive Summary:

The Kingsport Senior Center Advisory Council is composed of eleven members of which seven shall be participants at the center and four are at-large regardless of age and affiliation.

The terms of seven members of the council have recently expired. It is requested that the following be appointed to a two-year term. If approved by the Board of Mayor and Aldermen, their terms will take effect immediately and will expire September 30, 2019.

- Laurel McKinney, Health Resource Centers, RN Manager
- Darrell Duncan, Town and Country Reality, Rhodia-Acetow and former City of Kingsport Alderman
- Linda Gemayel, Retired Wellmont Health System Clinical Audiologist, Active Senior Member
- Deborah Eury, Active Senior Member
- Rick Currie, Retired Kingsport Attorney
- Peter Shang, Retired Eastman Research Chemist, Active Senior Member
- Lisa Shipley, Staff Assistant to CEO at Eastman Credit Union

### Attachments:

1. Bio – McKinney
2. Bio – Duncan
3. Bio – Gemayel
4. Bio – Eury
5. Bio – Currie
6. Bio – Shang
7. Bio - Shipley

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

## Laurel McKinney

Laurel McKinney is a registered nurse and the manager of the Indian Path and Johnson City Health Resources Centers. She graduated from Evangelical School of Nursing in 1978. Following graduation, Laurel worked for 18 years in a variety of positions, including the Emergency Department and Employee Health, for Saint Margaret Mercy Hospital located in a Northwest Indiana suburb of Chicago. Upon her move to Kingsport 20 years ago, she joined Mountain States Health Alliance as a telephone triage nurse and when the Indian Path Health Resources Center opened in November of 2011 she assumed her current role as manager of that department. Laurel is an active member of the Healthy Kingsport Leadership team, receiving their Most Valued Partner Award last year.

Laurel is married to Gary, a local real estate appraiser and has 2 grown children, Diana and Reid, as well as one spoiled senior dog named Zeke. She attends Colonial Heights Christian Church. In her spare time Laurel enjoys nature and is a graduate of Bays Mountain's Tennessee Certified Naturalist program. She loves to bake, read and travel.

Darrell Duncan

Darrell and his wife Sharon have been Kingsport residents for more than 37 years. During this time Darrell has invested numerous hours of community service and considers it a privilege to be able to serve in the community that he cares about so much.

Darrell retired from Eastman Chemical in 2016 and is currently employed by Rhodia-Acetow, a large German Chemical Company. Darrell also is a licensed realtor for Town and Country Reality Company.

Over the years Darrell has served on numerous boards, and committees, Darrell also spends hours in organizing many local events. Darrell is currently serving on Keep Kingsport Beautiful, Kingsport Chamber's KCVB, Move to Kingsport, Broad Street United Methodist Church Nominations Committee, InterCity Ballet, and the PEAK Advisory Board. Darrell also works closely with the D.B. Football team and visits Holston Valley's Pediatric unit during the fall before each game, by many during the holidays he is known as *Santa* and makes many visits for many needy children throughout the community.

Darrell at this time would like to be considered to join the Kingsport Senior Center Advisory Board.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Darrell R. Duncan', with a large, stylized loop at the end.

Darrell R. Duncan

Linda C. Gemayel, M.S., CCC-A  
457 Berkley Road  
Kingsport, TN 37660  
lindagemayel@hotmail.com  
423-247-3801 / 423-292-8910 (c)

Linda retired in 2013 from Wellmont Health System as a Clinical Audiologist and is an active member of the Senior Center. Since retirement, she has been busier than she can imagine and still enjoys reading new literature regarding audiology. She has become active in art theory, is a member at First Broad Street United Methodist Church and has a continued interest in the education of young people.

***Deborah E. Eury was born in Bristol, VA, graduated from Virginia High school and attended Bristol Commercial College.***

***In 1970 was employed by then NY Telephone now Verizon. By working for the phone company, many opportunities where obtain by promotions or lateral moves. So after thirty plus years, I retired in 2001. Not fully ready to retire out of the work force; the Lord provided not one, but two part-time jobs; the first as an office assistant and the other a secretary for my church.***

***Yet my heart was to return to my roots, so in 2005, I said good-bye to my daughter (April) and son-in-law (Ray) and moved to Kingsport, TN.***

***Not one to sit still, once again I found myself working; for a phone company as a cell phone repair tech and a receptionist in a construction company. Now fully retired, in keeping with my faith in servicing the Lord Jesus Christ, I attend the Westminster Presbyterian church, volunteering for the Shepherd Center and a Silver Sneaker member at the Senior Citizen Center.***



## **RICHARD M. CURRIE, JR.**

Rick Currie practiced law with Wilson Worley, P. C. for 45 years and retired at the end of 2016. In 1995, he was one of the first Tennessee attorneys to be certified as a Civil Trial Specialist by the Tennessee Commission on Continuing Legal Education and Specialization. He is listed with the Tennessee Supreme Court Commission on Alternate Dispute Resolution as a Rule 31 Mediator and still has an active mediation practice.

He is an active member of the First Broad Street United Methodist Church and the Kingsport Sertoma Club. He serves on the Boards of The Mountain Region Speech & Hearing Center and The Friends of the Kingsport Pubic Library. He has served on several other non-profits over the years and The Bays Mountain Park Commission. He is a past chairman of the Board of Trustees of Holston United Methodist Home for Children and served, pro bono, as counsel to administration of the Home and Board of Trustees for over 30 years,

He is married to Sally Currie and has two adult children, who live in Kingsport. He is an avid photographer and fly fisherman.

## **Peter Shang**

Peter Shang, came from Taiwan in 1977 to attend North Carolina State University as a graduate student. I achieved a MS and a PhD degree in Fiber and Polymer Science from NUSU. I met my wife Susan there, Got married in Dec. 1979. We were busy pursuing our career, no kids. I started my first career with Eastman in 1985, in R& D Division.

After 31 great years with Eastman, I retired last year. My wife & I enjoy our living in this beautiful countryside and nice people in the area. We love to travel, we've been to every continent except Australia, enjoy reading and swimming.

# **Lisa W. Shipley**

## **Biographical Information**

Lisa Shipley is a Staff Assistant to the CEO at Eastman Credit Union (ECU) with over 37 years of service. She has been a resident of the City of Kingsport all of her life and is a graduate of Dobyns-Bennett High School. Lisa began working at Eastman Chemical Company after graduation and was transferred to ECU in 1986, where she has worked in various assignments including Senior Loan Coordinator and Executive Administrative Assistant.

Lisa is a 2008 Leadership Kingsport graduate and is an active member of Sullivan Baptist Church where she serves as Historian and on the Teller Committee. She has also served on the Finance and Hostess Committees.

Lisa and her husband, Alan, have one son, Todd, who is a Band Director at the Martin Luther King Magnet School in Nashville.

### **Contact Information:**

#### **Home Address:**

941 Clara Drive  
Kingsport, TN 37660  
Cell #: 423-335-1977

#### **Work Address:**

Eastman Credit Union  
2021 Meadowview Lane  
Kingsport, TN 37660  
Work #: 423-578-7307

#### **E-mail:**

lshipley@ecu.org



## AGENDA ACTION FORM

### **Budget Adjustment Ordinance for FY18**

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

Action Form No.: AF-235-2017  
Work Session: September 5, 2017  
First Reading: September 5, 2017

Final Adoption: September 19, 2017  
Staff Work By: Judy Smith  
Presentation By: Jeff Fleming

### **Recommendation:**

Approve the Ordinance.

### **Executive Summary:**

The Board of Mayor and Alderman asked the City Manager to identify \$1,000,000 in capital improvements to Bays Mountain. The funding for these projects are from several sources; the Petworks New Animal Shelter, One Kingsport and General Projects account. Funds were also transferred from old projects and the projects were closed.

The ordinance will transfer \$450,000 to the Bays Mountain Improvement project, \$275,000 to the Bays Mountain Road Improvement project, and \$275,000 to the Bay Mountain Parking Lot project making total of \$1,000,000 for Bays Mountain Improvements. It also includes \$10,000 for improvements at the Farmer's Market for door access and a door at the top of the stairs, \$13,000 for Historical Survey of Downtown buildings and \$5,000 for fiber switches for Traffic Signal Cabinet. The following project will be closed: GP1224, NC1201, NC 1515, GP1748, GP1625 and GP1726.

### **Attachments:**

1. Ordinance

Funding source appropriate and funds are available: Ja

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

# PRE-FILED CITY RECORDER

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 \$680,000 from the Petworks New Shelter project (GP1748), \$224,700 from the One Kingsport project (GP1702) and \$95,300 from the General Projects (GP1750) to the Bays Mountain Park Improvements project (GP1828) in the amount of \$450,000, by transferring \$275,000 to the Bays Mountain Road Improvement project (GP1832) and \$275,000 to the Bays Mountain Parking Lot Improvement project (GP1833), by transferring \$25,000 from the Dilapidated Structures project (GP1625) to the Dilapidated Structures project (GP1742) and by transferring \$50,358 from the Model City Coalition project (GP1224) to the Model City Coalition project (GP1834), by transferring \$485 from the Traffic Flashing Yellow Light Upgrade project (GP1726) to the Traffic Signal Cabinet project (GP1743), and by amending the General Project-Special Revenue Fund by transferring \$1,535 from the AARP City Services project (NC1201) to the Model City Coalition project (GP1834), and by transferring \$74,205 from the Power Franchise Study project (NC1515) to the Traffic Signal Cabinet project (GP1743) in the amount of \$4,515, and \$3,500 to the HR operating budget, \$7,500 to the Development Services operating budget, \$10,000 to the Farmers Market operating budget, \$25,300 to the Legal Department's operating budget, and \$23,390 to the miscellaneous budget.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b><u>Fund 311: General Project Fund</u></b>			
<b><u>Petworks New Shelter (GP1748)</u></b>			
<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	680,000	(680,000)	0
<b><i>Totals:</i></b>	<b>680,000</b>	<b>(680,000)</b>	<b>0</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9002 Buildings	680,000	(680,000)	0
<b><i>Totals:</i></b>	<b>680,000</b>	<b>(680,000)</b>	<b>0</b>
<b><u>Fund 311: General Project Fund</u></b>			
<b><u>One Kingsport (GP1702)</u></b>			
<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	874,700	(224,700)	650,000
<b><i>Totals:</i></b>	<b>874,700</b>	<b>(224,700)</b>	<b>650,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2020 Professional Consultant	50,000	0	50,000
311-0000-601-2022 Construction Contracts	374,700	0	374,700
311-0000-601-2023 Arch/Eng/Landscaping	100,000	0	100,000
311-0000-601-8050 Tap Fee Incentive	50,000	0	50,000
311-0000-601-9003 Improvements	300,000	(224,700)	75,300
<b>Totals:</b>	<b>874,700</b>	<b>(224,700)</b>	<b>650,000</b>

**Fund 311: General Project Fund**  
**General Projects (GP1750)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	1,118,923	(95,300)	1,023,623
<b>Totals:</b>	<b>1,118,923</b>	<b>(95,300)</b>	<b>1,023,623</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9003 Improvements	1,118,923	(95,300)	1,023,623
<b>Totals:</b>	<b>1,118,923</b>	<b>(95,300)</b>	<b>1,023,623</b>

**Fund 311: General Project Fund**  
**Bays Mountain Park Improvements (GP1828)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	0	450,000	450,000
<b>Totals:</b>	<b>0</b>	<b>450,000</b>	<b>450,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9003 Improvements	0	450,000	450,000
<b>Totals:</b>	<b>0</b>	<b>450,000</b>	<b>450,000</b>

**Fund 311: General Project Fund**  
**Bays Mountain Road Improvements (GP1832)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	0	275,000	275,000
<b>Totals:</b>	<b>0</b>	<b>275,000</b>	<b>275,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9003 Improvements	0	275,000	275,000
<b>Totals:</b>	<b>0</b>	<b>275,000</b>	<b>275,000</b>

**Fund 311: General Project Fund**  
**Bays Mountain Parking Lot (GP1833)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	0	275,000	275,000
<b>Totals:</b>	<b>0</b>	<b>275,000</b>	<b>275,000</b>



<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9003 Improvements	0	275,000	275,000
<b><i>Totals:</i></b>	<b>0</b>	<b>275,000</b>	<b>275,000</b>

**Fund 311: General Project Fund**

**Model City Coalition (GP1224)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-364-3000 From Non-Profit Groups	10,000	0	10,000
311-0000-368-1041 Series 2012 C GO Pub Imp	196,894	0	196,894
311-0000-368-1047 Series 2014 A GO Bonds	4,412	0	4,412
311-0000-368-1051 Series 2015 A ( Oct) GO PI	460,957	(50,358)	410,599
311-0000-368-2101 Premium From Bond Sale	29,542	0	29,542
<b><i>Totals:</i></b>	<b>701,805</b>	<b>(50,358)</b>	<b>651,447</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2020 Professional Consultant	0	38,127	38,127
311-0000-601-2023 Arch/Eng/Landscaping	219,943	175,970	395,913
311-0000-601-4041 Bond Sale Expense	18,762	0	18,762
311-0000-601-9002 Buildings	1,210	0	1,210
311-0000-601-9003 Improvements	460,614	(264,455)	196,159
311-0000-601-9004 Equipment	1,276	0	1,276
<b><i>Totals:</i></b>	<b>701,805</b>	<b>(50,358)</b>	<b>651,447</b>

**Fund 311: General Project Fund**

**Model City Coalition (GP1834)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-364-3000 From Non-Profit Groups	0	1,535	1,535
311-0000-368-1051 Series 2015 A ( Oct) GO PI	0	50,358	50,358
<b><i>Totals:</i></b>	<b>0</b>	<b>51,893</b>	<b>51,893</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2020 Professional Consultant	0	13,000	13,000
311-0000-601-2023 Arch/Eng/Landscaping	0	10,000	10,000
311-0000-601-9003 Improvements	0	28,893	28,893
<b><i>Totals:</i></b>	<b>0</b>	<b>51,893</b>	<b>51,893</b>

**Fund 311: General Project Fund**

**Dilapidated Structures (GP1625)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	25,000	(25,000)	0
<b><i>Totals:</i></b>	<b>25,000</b>	<b>(25,000)</b>	<b>0</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
-----------------------------	----	----	----

311-0000-601-2022 Construction Contracts	25,000	(25,000)	0
<b>Totals:</b>	<b>25,000</b>	<b>(25,000)</b>	<b>0</b>

**Fund 311: General Project Fund**  
**Dilapidated Structures (GP1742)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-391-0100 From General Fund	50,000	25,000	75,000
<b>Totals:</b>	<b>50,000</b>	<b>25,000</b>	<b>75,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	50,000	25,000	75,000
<b>Totals:</b>	<b>50,000</b>	<b>25,000</b>	<b>75,000</b>

**Fund 311: General Project Fund**  
**Traffic Flash Yellow UPG (GP1726)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	37,331	(485)	36,846
311-0000-368-2101 Premium From Bond Sale	3,094	0	3,094
<b>Totals:</b>	<b>40,425</b>	<b>(485)</b>	<b>39,940</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-4041 Bond Sale Expense	425	0	425
311-0000-601-9006 Purchases \$5,000 & Over	40,000	(485)	39,515
<b>Totals:</b>	<b>40,425</b>	<b>(485)</b>	<b>39,940</b>

**Fund 111: General Project-Special Rev Fund**  
**AARP City Services (NC1201)**

<b><u>Revenues:</u></b>	\$	\$	\$
111-0000-364-3000 From Non-Profits	5,000	(1,535)	3,465
<b>Totals:</b>	<b>5,000</b>	<b>(1,535)</b>	<b>3,465</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
111-0000-601-2011 Printing & Binding	2,000	(2,000)	0
111-0000-601-3020 Operating Supplies & Tools	3,000	465	3,465
<b>Totals:</b>	<b>5,000</b>	<b>(1,535)</b>	<b>3,465</b>

**Fund 111: General Project-Special Rev Fund**  
**Power Franchise (NC1515)**

<b><u>Revenues:</u></b>	\$	\$	\$
111-0000-391-0100 From General Fund	75,000	(74,205)	795
<b>Totals:</b>	<b>75,000</b>	<b>(74,205)</b>	<b>795</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
111-0000-601-2020 Professional Consultant	75,000	(74,205)	795
<b><i>Totals:</i></b>	<b>75,000</b>	<b>(74,205)</b>	<b>795</b>

**Fund 311: General Project Fund**  
**Traffic Signal Cabinet (GP1743)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	0	485	485
311-0000-391-0100 From General Fund	70,000	4,515	74,515
<b><i>Totals:</i></b>	<b>70,000</b>	<b>5,000</b>	<b>75,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9006 Purchases \$5,000 & Over	70,000	5,000	75,000
<b><i>Totals:</i></b>	<b>70,000</b>	<b>5,000</b>	<b>75,000</b>

**Fund 110: General Fund**

<b><u>Expenditures:</u></b>	\$	\$	\$
110-1501-411-2053 Drug/Alcohol Testing	1,500	3,500	5,000
110-2506-436-2020 Professional Consultant	35,000	7,500	42,500
110-4511-471-9006 Purchases \$5,000 & Over	0	10,000	10,000
110-1003-403-1010 Salaries	269,000	25,300	294,300
110-4810-481-2099 Miscellaneous	0	23,390	23,390
110-4804-481-7035 To Gen Proj-Special Rev	1,719,000	(69,690)	1,649,310
<b><i>Totals:</i></b>	<b>2,024,500</b>	<b>0</b>	<b>2,024,500</b>

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

### Appropriate Funds Received from Walmart Community Grant

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

Action Form No.: AF-223-2017  
 Work Session: August 14, 2017  
 First Reading: August 15, 2017

**Final Adoption:** September 5, 2017  
**Staff Work By:** Barry Brickey, Robert Sluss  
**Presentation By:** Craig Dye, Robert Sluss

### Recommendation:

Approve the Ordinance.

### Executive Summary:

The Kingsport Fire Marshal's office applied for and received a Walmart Community Grant. Walmart awards Community Grants that will have a positive impact on the community. This Grant allows the Fire Marshal's office to purchase needed equipment for fire prevention/education, inspection, and fire investigations.

The Walmart Grant totals 1,000.00. A budget ordinance will appropriate the funds.

### Attachments:

1. Ordinance

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



## AGENDA ACTION FORM

### Appropriate Funds Received from Walmart Community Grant

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

Action Form No.: AF-223-2017  
 Work Session: August 14, 2017  
 First Reading: August 15, 2017

Final Adoption: September 5, 2017  
 Staff Work By: Barry Brickey, Robert Sluss  
 Presentation By: Craig Dye, Robert Sluss

### Recommendation:

Approve the Ordinance.

### Executive Summary:

The Kingsport Fire Marshal's office applied for and received a Walmart Community Grant. Walmart awards Community Grants that will have a positive impact on the community. This Grant allows the Fire Marshal's office to purchase needed equipment for fire prevention/education, inspection, and fire investigations.

The Walmart Grant totals 1,000.00. A budget ordinance will appropriate the funds.

### Attachments:

1. Ordinance

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

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS RECEIVED FROM WALMART 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-Special Revenue Fund budget be amended by appropriating funds received from Walmart in the amount of \$1,000 to purchase needed equipment for fire prevention/education, inspection and fire investigations.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b><u>Fund 111: General Project-Special Revenue Fund</u></b>			
<b><u>Fire Marshalls Office (NC1801)</u></b>			
<b><u>Revenues:</u></b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
111-0000-364-2000 From Corporations	0	1,000	1,000
<b><i>Totals:</i></b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>
<b><u>Expenditures:</u></b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
111-0000-601-3020 Operating Supplies & Tools		1,000	1,000
<b><i>Totals:</i></b>	<b>0</b>	<b>1,000</b>	<b>1,000</b>

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:

\_\_\_\_\_  
ANGIE MARSHALL  
Deputy City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, City Attorney



PASSED ON 1ST READING: \_\_\_\_\_

PASSED ON 2ND READING: \_\_\_\_\_



## AGENDA ACTION FORM

### Consideration of a Budget Adjustment Ordinance for FY18

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

Action Form No.: AF-225-2017  
 Work Session: August 14, 2017  
 First Reading: August 15, 2017

Final Adoption: September 5, 2017  
 Staff Work By: Judy Smith  
 Presentation By: Jeff Fleming

### Recommendation:


Approve the Ordinance.

### Executive Summary:

The ordinance will transfer \$30,000 from the Transit Garage project to the Parks and Recreation ADA Analysis project and the ordinance will appropriate \$913,083 in grant funds from the State of Tennessee Department of Transportation to the Stone Drive Sidewalk Extension project. Matching funds are already in the project.

### Attachments:

1. Ordinance

Funding source appropriate and funds are available: 

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



## AGENDA ACTION FORM

### Consideration of a Budget Adjustment Ordinance for FY18

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

Action Form No.: AF-225-2017  
 Work Session: August 14, 2017  
 First Reading: August 15, 2017

Final Adoption: September 5, 2017  
 Staff Work By: Judy Smith  
 Presentation By: Jeff Fleming

### Recommendation:

Approve the Ordinance.

### Executive Summary:

The ordinance will transfer \$30,000 from the Transit Garage project to the Parks and Recreation ADA Analysis project and the ordinance will appropriate \$913,083 in grant funds from the State of Tennessee Department of Transportation to the Stone Drive Sidewalk Extension project. Matching funds are already in the project.

### 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 THE GENERAL PROJECT  
FUND 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 \$30,000 from the Transit Garage project (GP1727) to the Parks and Recreation ADA Analysis project (GP1831) and by appropriating \$913,083 from the State of Tennessee Department of Transportation to the Stone Drive Sidewalk Extension project (GP1725).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b><u>Fund 311: General Project Fund</u></b>			
<b><u>Transit Garage (GP1727)</u></b>			
<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	83,530	(30,000)	53,530
311-0000-368-2101 Premium From Bond Sale	20,499	0	20,499
<b>Totals:</b>	<b>104,029</b>	<b>(30,000)</b>	<b>74,029</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-4041 Bond Sale Expense	2,814	0	2,814
311-0000-601-9003 Improvements	101,215	(30,000)	71,215
<b>Totals:</b>	<b>104,029</b>	<b>(30,000)</b>	<b>74,029</b>
<b><u>Fund 311: General Project Fund</u></b>			
<b><u>Parks &amp; Rec ADA Analysis (GP1831)</u></b>			
<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-368-1054 Series 2016 GO (Nov 4)	0	30,000	30,000
<b>Totals:</b>	<b>0</b>	<b>30,000</b>	<b>30,000</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	0	30,000	30,000
<b>Totals:</b>	<b>0</b>	<b>30,000</b>	<b>30,000</b>
<b><u>Fund 311: General Project Fund</u></b>			
<b><u>Stone Drive Sidewalk Exten(GP1725)</u></b>			
<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-332-9000 Dept. of Transportation	0	913,083	913,083
311-0000-368-1054 Series 2016 GO (Nov 4)	93,326	0	93,326

311-0000-368-2101 Premium From Bond Sale	7,736	0	7,736
<b>Totals:</b>	<b>101,062</b>	<b>913,083</b>	<b>1,014,145</b>
<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-2023 Eng/Landscaping/Arch	0	141,748	141,748
311-0000-601-4041 Bond Sale Expense	1,062	0	1,062
311-0000-601-9003 Improvements	100,000	771,335	871,335
<b>Totals:</b>	<b>101,062</b>	<b>913,083</b>	<b>1,014,145</b>

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

### Signal Maintenance Agreement with the Tennessee Department of Transportation (TDOT) for Upgrades to Existing Traffic Signals

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

Action Form No.: AF-224-2017  
Work Session: September 5, 2017  
First Reading: N/A

Final Adoption: September 5, 2017  
Staff Work By: Tim Elsea  
Presentation By: Ryan McReynolds

#### Recommendation:

Approve the Resolution.

#### Executive Summary:

TDOT is planning to upgrade existing traffic signals at SR-36 from Wesley Road to northbound SR-93 ramp in an effort to improve driver safety. The upgrades include installing retroreflective strips to the signal head backplates.

This project is part of a state safety audit, and therefore is eligible for the Highway Safety Improvement Program (HSIP) funds, and no local match is required. Entering into this Agreement will allow TDOT to proceed with upgrades to the traffic signals; and by agreeing the City is responsible for maintenance of the signals once modifications are made.

City staff has reviewed the safety audit, and recommends entering into the maintenance agreement with TDOT for the traffic signals at SR-36 from Wesley Road to northbound SR-93 ramp – Agreement No.: 160029; Project Identification No: 120531.00; Federal Project No: P HSIP-36(58); State Project No: 82006-3282-94.

#### Attachments:

1. Resolution
2. Agreement (2 pages)
3. Improvement Details (Memo & Location Map)

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



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AGREEMENT NO. 160029 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE UPGRADES OF EXISTING SIGNALS LOCATED AT SR-36 FROM WESLEY ROAD TO NORTHBOUND SR-93 RAMP AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, TDOT is planning to upgrade existing traffic signals at SR-36 from Wesley Road to northbound SR-93 ramp in an effort to improve driver safety; and

WHEREAS, the upgrades include installing retroreflective strips to the signal head backplates; and

WHEREAS, the agreement will allow TDOT to continue with the upgrades and by agreeing, the city will be responsible for the maintenance of the signal, once modifications are made; and

WHEREAS, this project is part of a state safety audit, and therefore is eligible for the Highway Safety Improvement Program (HSIP) funds, and no local match is required.

Now therefore,

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

SECTION I. That Agreement No. 160029 with the Tennessee Department of Transportation for upgrades to existing traffic signals at SR-36 from Wesley Road to northbound SR-93 ramp 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, Agreement No. 160029 with the Tennessee Department of Transportation for upgrades to existing traffic signals at SR-36 from Wesley Road to northbound SR-93 ramp and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

AGREEMENT No:	160029
PROJECT IDENTIFICATION No:	120531.00
FEDERAL PROJECT No:	PHSIP-36(58)
STATE PROJECT No:	82006-3282-94

**State of Tennessee Department of Transportation  
LOCAL AGENCY PROGRAM AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the City of Kingsport (hereinafter called the "Agency").

WITNESSETH :

WHEREAS, the Department desires to upgrade a traffic signal within the jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from the upgrade of said traffic signal desires to cooperate with the Department such that the traffic signal may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department and the Agency hereby enter into agreement to provide performance of the project.

SECTION I: The Project to be performed is described as follows:

"RSAR: SR-36 from Wesley Rd to Northbound SR-93 Ramp"

SECTION II: The Agency shall be solely responsible for and pay all costs associated with maintenance and operation of all electrically operated devices together with the related equipment, wiring and other necessary appurtenances, and the Agency shall furnish electrical current to all such devices which may be installed as part of the project. Additionally, the Agency shall be solely responsible for and pay all costs associated with the maintenance and operation of solar-powered devices, including, but not limited to, replacement of solar panels, batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this contract. The parties hereby agree that failure of the Agency to comply with this provision shall constitute a material breach of this agreement and subject the Agency to the repayment of all state funds expended, or expenses incurred, under this agreement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

[Acknowledgements Deleted for Inclusion in this Resolution]

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

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

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

ADOPTED this the 5th day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

AGREEMENT NO: 160029  
PROJECT IDENTIFICATION NO: 120531.00  
FEDERAL PROJECT NO: PHSIP-36(58)  
STATE PROJECT NO: 82006-3282-94  
State of Tennessee Department of Transportation

**LOCAL AGENCY PROGRAM AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_ by and between the STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee  
(hereinafter called the "Department") and the City of Kingsport (hereinafter called  
the "Agency").

W I T N E S S E I H:

WHEREAS, the Department desires to upgrade a traffic signal within the  
jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from  
the upgrade of said traffic signal desires to cooperate with the Department such  
that the traffic signal may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department  
and the Agency hereby enter into agreement to provide performance of the  
project.

SECTION I: The Project to be performed is described as follows:

"RSAR: SR-36 from Wesley Rd to Northbound SR-93 Ramp"

SECTION II: The Agency shall be solely responsible for and pay all costs  
associated with maintenance and operation of all electrically operated devices  
together with the related equipment, wiring and other necessary appurtenances,  
and the Agency shall furnish electrical current to all such devices which may be  
installed as part of the project. Additionally, the Agency shall be solely responsible  
for and pay all costs associated with the maintenance and operation of solar-  
powered devices, including, but not limited to, replacement of solar panels,  
batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and  
state laws and regulations in the performance of its duties under this contract. The  
parties hereby agree that failure of the Agency to comply with this provision shall  
constitute a material breach of this agreement and subject the Agency to the  
repayment of all state funds expended, or expenses incurred, under this  
agreement.



*Office of the Assistant City Manager, Operations*

225 West Center Street • Kingsport, TN 37660 • 423-229-9471

RyanMcReynolds@KingsportTN.gov

---

To: BMA Packet

From: RyanMcReynolds, P.E.

Date: September 5, 2017

RE: AF-224-2017 TDOT Signal Maintenance Agreement – Upgrades to Existing Traffic Signals Located at SR-36 from Wesley Road to Northbound SR-93 Ramp

---

This project is an example of the positive collaborative work our Traffic Division performs on an ongoing basis with Region One TDOT staff. Through data collection and analysis, knowledge of the transportation system and expressed concerns from the public; our staff brings various safety related issues to TDOT's attention. Typically, our staff initiates the process by requesting a field review of specific safety issues within the City limits along state owned roadways. Once reviewed, analyzed and designed by TDOT, the projects move to the implementation/construction phase by TDOT.

Past examples of other projects that have either been performed or in process are as follows:

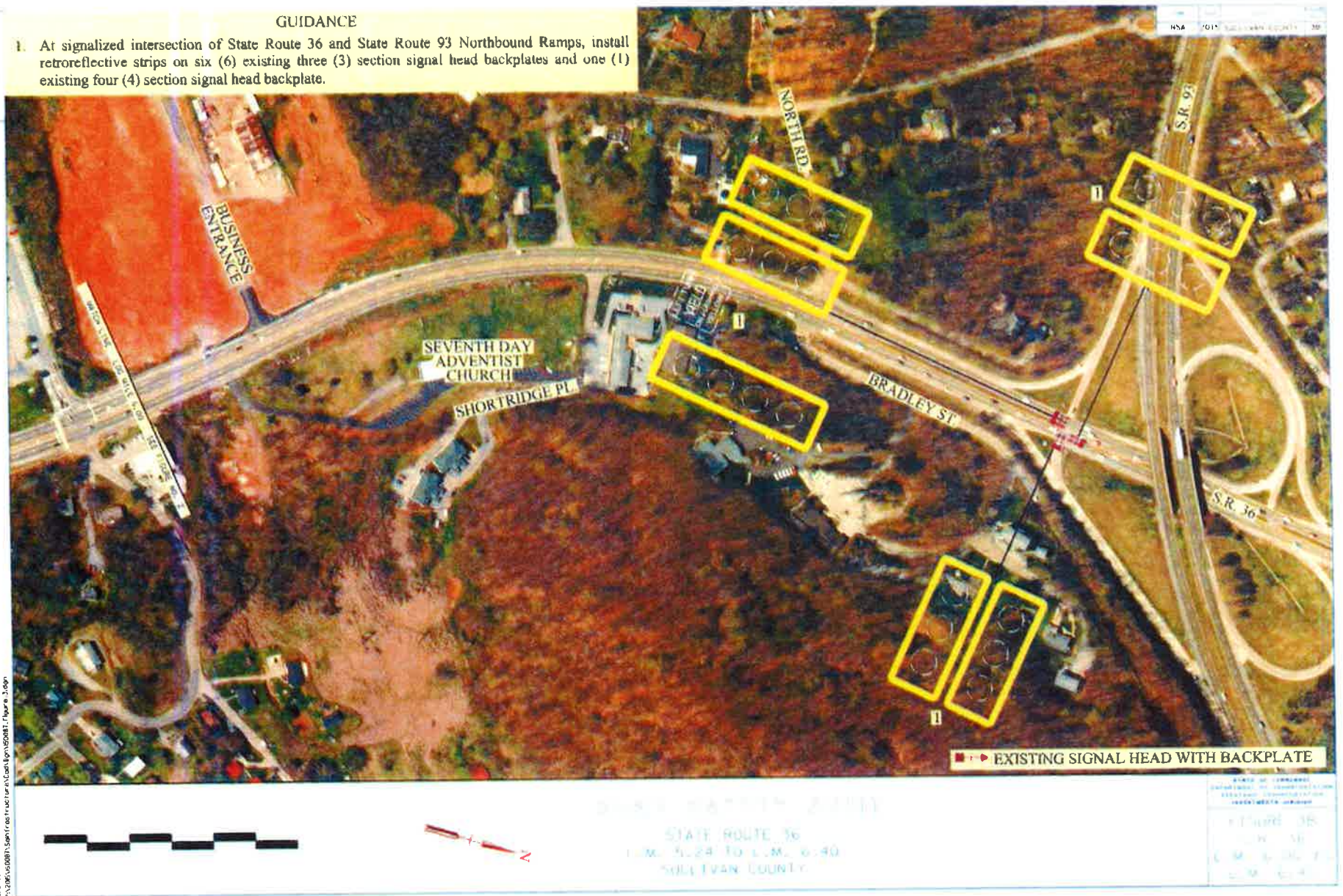
- Signalization improvements of Lynn Garden Drive
- Dedicated turn lanes along Stone Drive (SR-1) at the intersections of East Avenue, Walnut Avenue and Morison Avenue
- Signalization of Carolina Pottery Drive / Overhill Drive and State Route 126,
- Signalization of Flagship Drive and Airport Parkway (SR-357)
- Intersection Improvements at Moreland Drive / Hemlock Road and Ft. Henry Drive (SR-36)
- Intersection Improvements at Memorial Boulevard (SR-126) and Ft. Henry Drive (SR-36)
- School Warning Improvements at Jackson Elementary along Stone Drive (SR-1), Kennedy Elementary (SR-36) and North High School (SR-93)
- Signalization improvements at SR-36 from Wesley Road to Northbound SR-93 Ramp

Please let me know if you need any further information

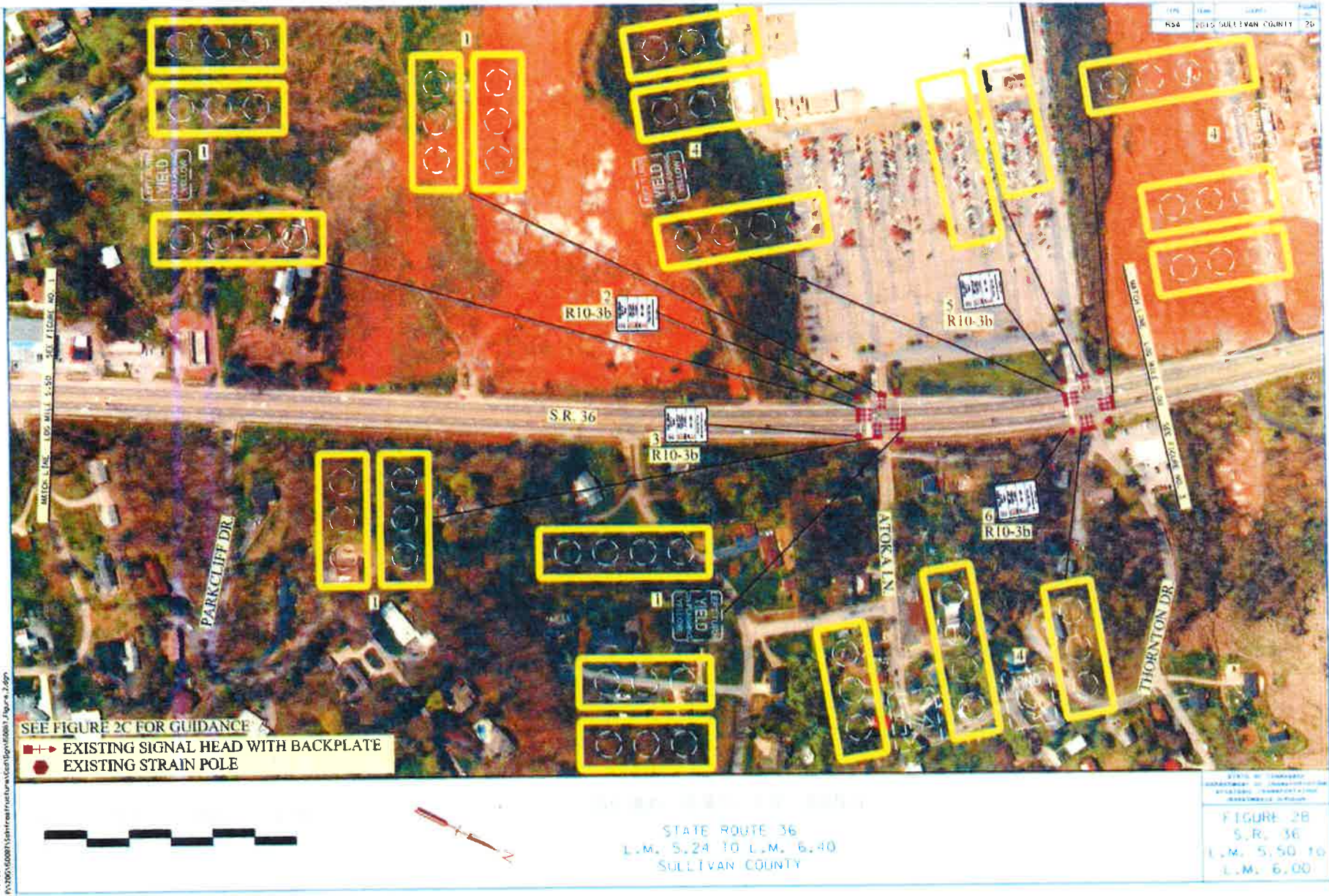


## GUIDANCE

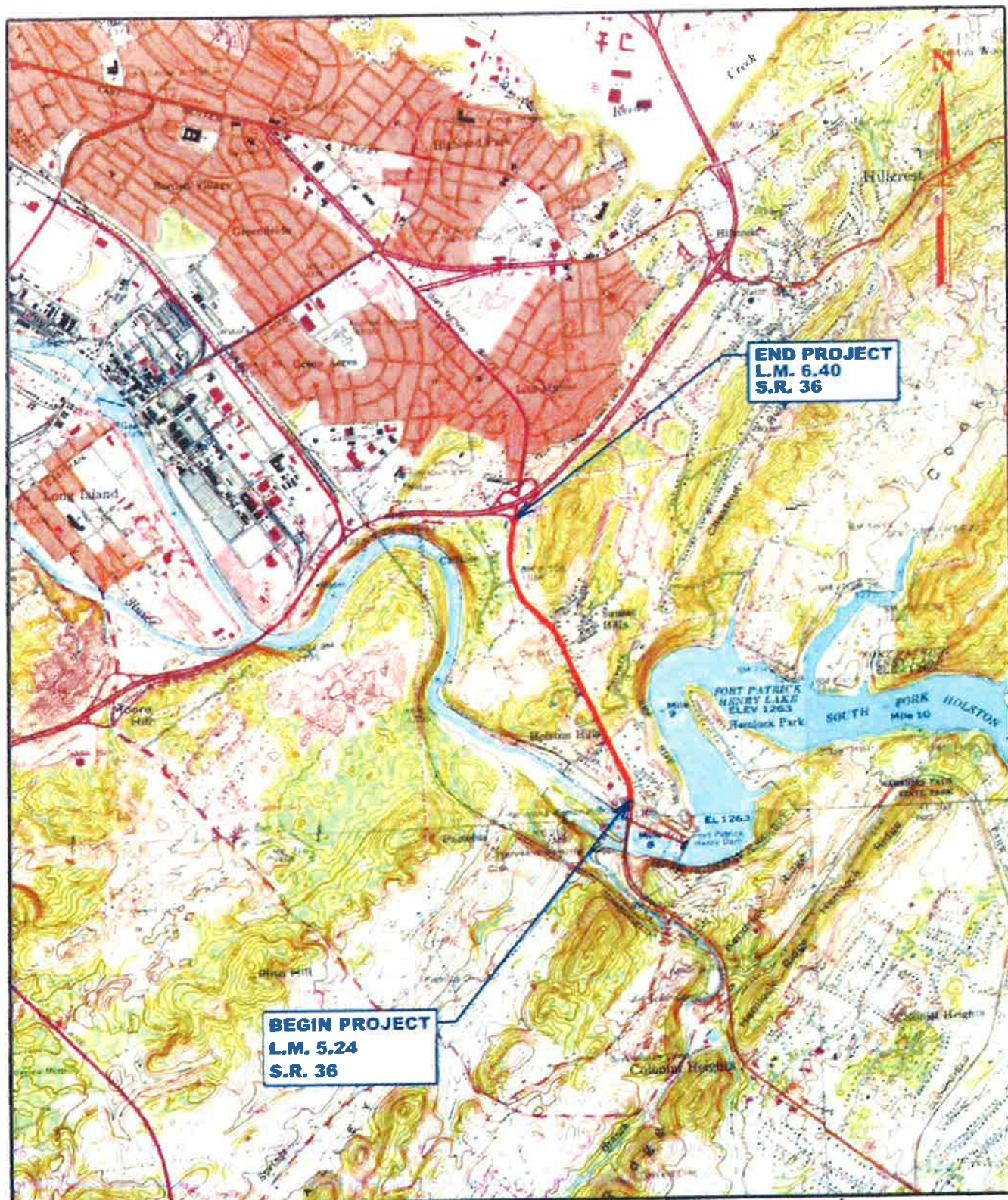
1. At signalized intersection of State Route 36 and State Route 93 Northbound Ramps, install retroreflective strips on six (6) existing three (3) section signal head backplates and one (1) existing four (4) section signal head backplate.











## VICINITY MAP

DRAWN BY:

**JCB**

CHECKED BY:

**ELC**

**S.R. 36**

**PIN 120531.00**

SCALE:

**1"=0.5 MILE**

DATE:

**12/03/15**









## AGENDA ACTION FORM

### **Signal Maintenance Agreement with the Tennessee Department of Transportation (TDOT) for Installation of a Traffic Signal**

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

Action Form No.: AF-229-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Tim Elsea  
 Presentation By: Ryan McReynolds

#### **Recommendation:**

Approve the Resolution.

#### **Executive Summary:**

On June 2, 2015, the BMA approved to accept TDOT's proposal for improvements at S.R. 36 - intersection at Moreland Drive and Hemlock Road (AF-152-2015). The improvements include adding a right turn lane on east bound Ft. Henry turning onto Moreland Drive; improved right turn lane on Hemlock Road; making a right turn movement from Moreland Drive to Ft. Henry, a dual right lane and signalizing. The signal will be converted from span wire to mast arm.

This project is part of a state safety audit, and therefore is eligible for the Highway Safety Improvement Program (HSIP) funds, and no local match is required. Entering into this Agreement will allow TDOT to proceed with the improvements; and by agreeing the City is responsible for maintenance of the traffic signal once installed.

City staff has reviewed TDOT's plans, and recommends entering into the Maintenance Agreement with TDOT for maintaining the mast arm signal once installed – Agreement No.: 170111; Project Identification No.: 120389.00; Federal Project No.: PHSIP-36(55); State Project No.: 82006-2280-94.

#### **Attachments:**

1. Resolution
2. Agreement (2 pages)
3. Improvement Detail (Memo & Location Map)

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AGREEMENT NO. 170111 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE INSTALLATION OF A SIGNAL AT SR-36 INTERSECTION AT MORELOCK/HEMLOCK ROADS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, in June, 2015, the board approved TDOT's proposal for improvements at State Route 36 intersection at Moreland Drive and Hemlock Road, which included adding a right turn lane on east bound Ft. Henry turning onto Moreland Drive; an improved right turn lane on Hemlock Road; making a right turn movement from Moreland Drive to Ft. Henry a dual right lane; and signalizing; and

WHEREAS, the signal will be converted from span wire to mast arm; and

WHEREAS, the agreement will allow TDOT to continue with the improvements and will require the city to be responsible for the maintenance of the signal, once installed; and

WHEREAS, this project is part of a state safety audit it is eligible for the Highway Safety Improvement Program (HSIP) funds, and no local match is required.

Now therefore,

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

SECTION I. That Agreement No. 170111 with the Tennessee Department of Transportation for improvements at State Route 36 intersection at Moreland Drive and Hemlock Road 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, Agreement No. 170111 with the Tennessee Department of Transportation for improvements at S.R. 36 - intersection at Moreland Drive and Hemlock Road and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution, said agreement being as follows:

AGREEMENT No:	170111
PROJECT IDENTIFICATION No:	120389.00
FEDERAL PROJECT No:	R-PHSIP-36(55)
STATE PROJECT No:	82006-3280-94

State of Tennessee Department of Transportation  
LOCAL AGENCY PROGRAM AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the City of Kingsport (hereinafter called the "Agency").

WITNESSETH

WHEREAS, the Department desires to install a traffic signal within the jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from the installation of said traffic signal desires to cooperate with the Department such that the traffic signal may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department and the Agency hereby enter into agreement to provide performance of the project.

SECTION I: The Project to be performed is described as follows:

"SR-36 Intersection at Moreland Dr/Hemlock Rd, LM 4.31"

SECTION II: The Agency shall be solely responsible for and pay all costs associated with maintenance and operation of all electrically operated devices together with the related equipment, wiring and other necessary appurtenances, and the Agency shall furnish electrical current to all such devices which may be installed as part of the project. Additionally, the Agency shall be solely responsible for and pay all costs associated with the maintenance and operation of solar-powered devices, including, but not limited to, replacement of solar panels, batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this contract. The parties hereby agree that failure of the Agency to comply with this provision shall constitute a material breach of this agreement and subject the Agency to the repayment of all state funds expended, or expenses incurred, under this agreement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

[Acknowledgements Deleted for Inclusion in this Resolution]

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

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

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

ADOPTED this the 5th day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER  
APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

AGREEMENT NO: 170111  
PROJECT IDENTIFICATION NO: 120389.00  
FEDERAL PROJECT NO: R-PHSIP-36(55)  
STATE PROJECT NO: 82006-3280-94  
State of Tennessee Department of Transportation

**LOCAL AGENCY PROGRAM AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_ by and between the STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee  
(hereinafter called the "Department") and the City of Kingsport (hereinafter called  
the "Agency").

W I T N E S S E I H:

WHEREAS, the Department desires to install a traffic signal within the  
jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from  
the installation of said traffic signal desires to cooperate with the Department such  
that the traffic signal may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department  
and the Agency hereby enter into agreement to provide performance of the  
project.

SECTION I: The Project to be performed is described as follows:

"SR-36 Intersection at Moreland Dr/Hemlock Rd, LM 4.31"

SECTION II: The Agency shall be solely responsible for and pay all costs  
associated with maintenance and operation of all electrically operated devices  
together with the related equipment, wiring and other necessary appurtenances,  
and the Agency shall furnish electrical current to all such devices which may be  
installed as part of the project. Additionally, the Agency shall be solely responsible  
for and pay all costs associated with the maintenance and operation of solar-  
powered devices, including, but not limited to, replacement of solar panels,  
batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and  
state laws and regulations in the performance of its duties under this contract. The  
parties hereby agree that failure of the Agency to comply with this provision shall  
constitute a material breach of this agreement and subject the Agency to the  
repayment of all state funds expended, or expenses incurred, under this  
agreement.

**IN WITNESS WHEREOF**, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

**CITY OF KINGSPORT**

**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION**

<b>By:</b> _____	_____	<b>By:</b> _____	_____
<b>John Clark</b>	<b>Date</b>	<b>John C. Schroer</b>	<b>Date</b>
<b>Mayor</b>		<b>Commissioner</b>	

**APPROVED AS TO  
FORM AND LEGALITY**

**APPROVED AS TO  
FORM AND LEGALITY**

<b>By:</b> _____	_____	<b>By:</b> _____	_____
<b>Mike Billingsley</b>	<b>Date</b>	<b>John Reinbold</b>	<b>Date</b>
<b>Attorney</b>		<b>General Counsel</b>	



*Office of the Assistant City Manager, Operations*

225 West Center Street • Kingsport, TN 37660 • 423-229-9471  
RyanMcReynolds@KingsportTN.gov

---

To: BMA Packet

From: RyanMcReynolds, P.E.

Date: September 5, 2017

RE: AF-229-2017 TDOT Signal Maintenance Agreement – Install a Traffic Signal  
Located at SR-36 Intersection at Moreland Drive / Hemlock Road

---

This project is an example of the positive collaborative work our Traffic Division performs on an ongoing basis with Region One TDOT staff. Through data collection and analysis, knowledge of the transportation system and expressed concerns from the public; our staff brings various safety related issues to TDOT's attention. Typically, our staff initiates the process by requesting a field review of specific safety issues within the City limits along state owned roadways. Once reviewed, analyzed and designed by TDOT, the projects move to the implementation/construction phase by TDOT.

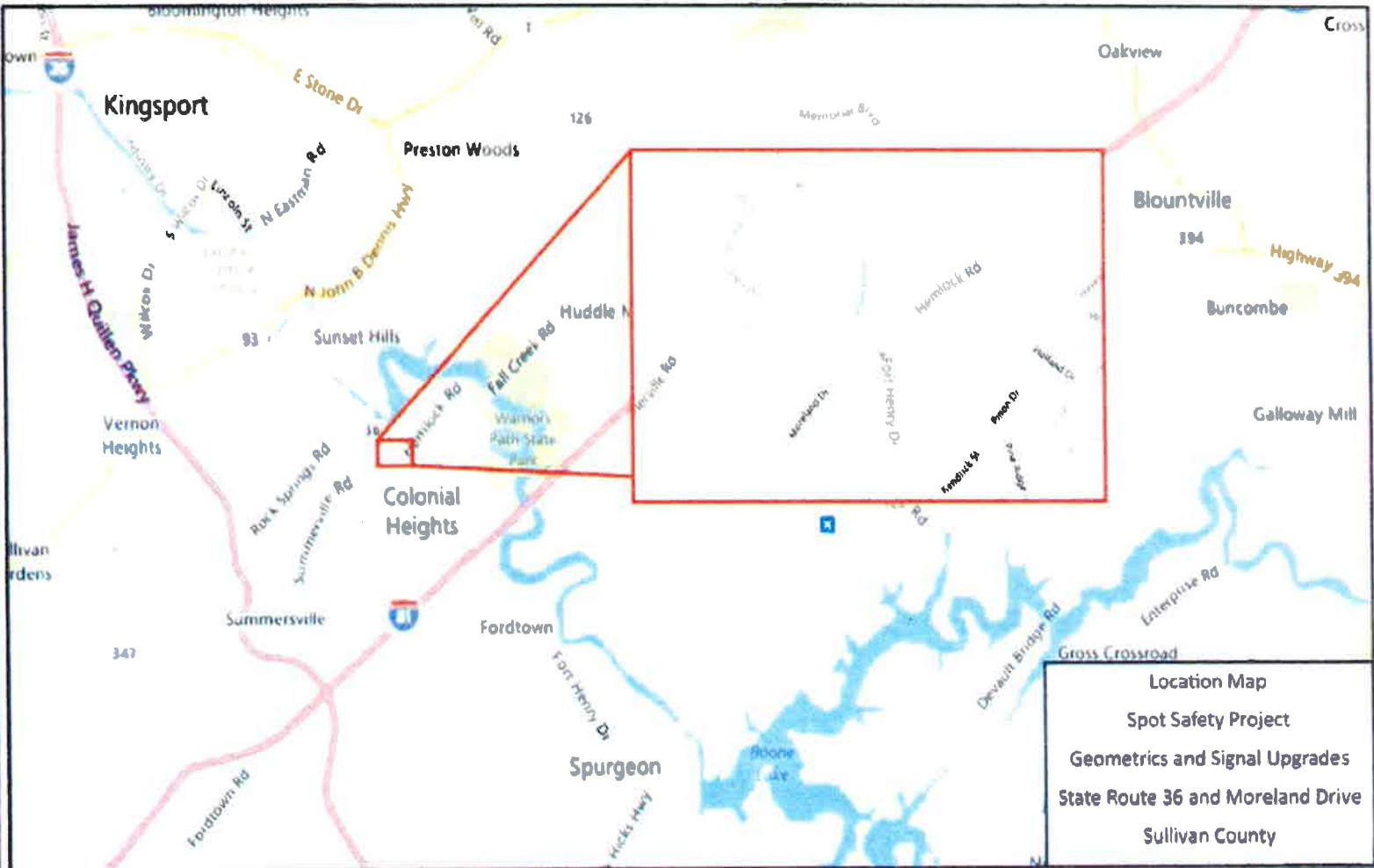
Past examples of other projects that have either been performed or in process are as follows:

- Signalization improvements of Lynn Garden Drive
- Dedicated turn lanes along Stone Drive (SR-1) at the intersections of East Avenue, Walnut Avenue and Morison Avenue
- Signalization of Carolina Pottery Drive / Overhill Drive and State Route 126,
- Signalization of Flagship Drive and Airport Parkway (SR-357)
- Intersection Improvements at Moreland Drive / Hemlock Road and Ft. Henry Drive (SR-36)
- Intersection Improvements at Memorial Boulevard (SR-126) and Ft. Henry Drive (SR-36)
- School Warning Improvements at Jackson Elementary along Stone Drive (SR-1), Kennedy Elementary (SR-36) and North High School (SR-93)
- Signalization improvements at SR-36 from Wesley Road to Northbound SR-93 Ramp

Please let me know if you need any further information



LOCATION MAP



## SPOT SAFETY CONCEPT



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

INTERSECTION IMPROVEMENTS  
STATE ROUTE 36 AT  
MORELAND DRIVE AND  
HEMLOCK ROAD  
SULLIVAN COUNTY



## AGENDA ACTION FORM

### Participate in the TML Risk Management Pool "Driver Safety" Matching Grant Program

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

Action Form No.: AF-233-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Tommy Hughes  
 Presentation By: Mike Billingsley

#### Recommendation:

Approve the Resolution.

#### Executive Summary:

The Tennessee Risk Management Pool is offering a reimbursement grant of one-half of the total costs of materials up to \$5,000.00 toward the purchase of safe driving related training materials. The funds may be used for Computer based training; multi-agency joint training, on-site/off-site Driver Safety training classes, tools and equipment used in providing on-site Driver Safety training such as driving simulators, traffic cones, TV's, DVD players, and other requests that are designed to improve employee driver safety. Entry requirements for grant eligibility include completion of the application and a signed resolution from the Mayor.

Funds are available in the Risk Management operating budget account 615-1601-413-2045.

#### 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 ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM THE TENNESSEE RISK MANAGEMENT POOL FOR THE PURCHASE OF SAFE DRIVING RELATED TRAINING AND MATERIALS

WHEREAS, the Tennessee Risk Management Pool is offering a reimbursement grant up to \$5,000.00 toward the purchase of safe driving related training materials; and

WHEREAS, if awarded, the grant funds will be used as reimbursement for the cost of computer based training; multi-agency joint training; on-site/off-site driver safety training classes; tools and equipment used in providing on-site driver safety training such as driving simulators; traffic cones; TV's; DVD players; and other such items that are designed to improve employee driver safety; and

WHEREAS, the grant pays for one-half of the cost of qualified items; and

WHEREAS, funds are available in the Risk Management operating budget account 615-1601-413-2045 for the required expenditures.

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive a Tennessee Risk Management Pool Drivers Safety reimbursement grant, for one-half of the total cost of materials up to \$5,000.00.

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 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY





## AGENDA ACTION FORM

### Recreation Trails Program (RTP) Grant Authorization Signatures

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

Action Form No.: AF-143-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Kitty Frazier  
 Presentation By: Chris McCartt

### Recommendation:

Approve the Resolution.

### Executive Summary:

The City has received a Recreation Trails Program (RTP) grant in the amount of \$120,000, for construction of a boardwalk and access trail on the Greenbelt. The RTP grant requires several documents and forms to be signed by the authorizing authority. Documents are reviewed and approved by the project manager and/or City attorney. Then the mayor, as the City authorizing authority, needs to be allowed to sign the following grant documents: Certification of Contractor, expenditure report/request for grant reimbursements, project completion certification.

### Attachments:

1. Resolution

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
DOCUMENTS REQUIRED TO RECEIVE A RECREATION  
TRAILS PROGRAM GRANT AND ALL OTHER DOCUMENTS  
NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE  
OF THE GRANT

WHEREAS, the city has applied for and received a Recreation Trails Program grant from the Tennessee Department of Environment and Conservation in the amount of \$120,000.00; and

WHEREAS, as a requirement of the grant, the mayor is required to execute certain documents; and

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the documents necessary and proper to receive and all other documents the Recreation Trails Program Grant and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution.

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

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

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

ADOPTED this the 5th day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY



## AGENDA ACTION FORM

### Amendment to the Contract between the City of Kingsport and Advanced Disposal Services

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

Action Form No.: AF-232-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: Ronnie Hammonds  
 Presentation By: Ryan McReynolds

#### Recommendation:

Approve the Resolution.

#### Executive Summary:

On August 29, 2012 the City entered into an agreement with Advanced Disposal for the disposal of solid waste. The initial agreement was for a five year term, allowing for five consecutive one year renewals. This allows the City to dispose of solid waste at their facility at a cost of \$18.61 per ton. The first one year renewal starts August 30, 2017 and expires on August 29, 2018.

#### Attachments:

1. Resolution
2. Amendment to Agreement

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

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING AN AMENDMENT TO THE  
AGREEMENT WITH ADVANCED DISPOSAL SERVICES;  
AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT;  
AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO  
EFFECTUATE THE PURPOSE OF THE AMENDMENT**

WHEREAS, in August, 2012, the board approved a resolution authorizing the mayor to sign an agreement with Advanced Disposal Services for the disposal of solid waste; and

WHEREAS, the initial agreement was for a five year term, allowing for five consecutive one year renewals; and

WHEREAS, the city would like to amend the original agreement and renew for one year from August 30, 2017, to August 29, 2018, at a cost of \$18.61 per ton.

Now therefore,

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

**SECTION I.** That an amendment to the agreement with Advanced Disposal Services for the disposal of solid waste is approved.

**SECTION II.** That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Advanced Disposal Services for the disposal of solid waste and all other documents necessary and proper to effectuate the purpose of the agreement or this resolution, said amendment being generally as follows:

**FIRST AMENDMENT TO THE SOLID WASTE DISPOSAL SERVICES AGREEMENT BETWEEN  
THE CITY OF KINGSPORT TENNESSEE AND ADVANCED DISPOSAL SERVICES  
TENNESSEE, LLC**

This First Amendment ("Amendment") to the Agreement for Solid Waste Disposal Services dated August 29, 2012 (the "Agreement") is made and entered into this 29<sup>th</sup> day of August 2017 (the "Effective Date") by and between the City of Kingsport, a political subdivision of the State of Tennessee ("City"), and Advanced Disposal Services Tennessee, LLC, a Delaware limited liability company ("Contractor"). Capitalized terms not defined herein shall have the meanings set forth in the Original Agreement.

WHEREAS, the City and Contractor entered into the Agreement which commenced on August 29, 2012 for landfill disposal capacity and the subsequent rates for the disposed material; and

WHEREAS, the City and Contractor desire to extend the tenure of the Agreement on the terms and conditions set forth in this First Amendment; so

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Term. The agreement shall be extended for a period of one (1) year commencing August 30, 2017 and expiring August 29, 2018. There are four (4) remaining one year renewals pending, subject to the conditions stated in the original agreement.

2. Modification of Agreement. Except as expressly set forth herein or as necessary to carry out the terms of this First Amendment, no amendment of the terms of the Original Agreement is intended hereby and the Agreement and all its terms and conditions shall remain in full force and effect.

3. Cooperation among the Parties. Whenever consent, action or inaction is required, such



Consent, action or inaction will not be unreasonably withheld by either party.

4. Severability. The invalidity of one or more of the phrases, sentences, clauses or Sections contained in this Agreement shall not affect the validity of the remaining portion of the Agreement so long as the material purposes of this Agreement can be determined and effectuated.

5. Entirety. This First Amendment together with the Agreement including any Exhibits attached thereto contains the entire agreement between the parties as to the matters contained therein. Any oral representations or modifications concerning the Agreement shall be of no force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to be executed on this \_\_\_\_ day of August 2017.

[Acknowledgements Deleted for Inclusion in this Resolution]

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

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

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

ADOPTED this the 5th day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**FIRST AMENDMENT TO THE SOLID WASTE DISPOSAL SERVICES AGREEMENT  
BETWEEN THE CITY OF KINGSPORT TENNESSEE AND ADVANCED DISPOSAL SERVICES  
TENNESSEE, LLC**

This First Amendment ("Amendment") to the Agreement for Solid Waste Disposal Services dated August 29, 2012 (the "Agreement") is made and entered into this 29<sup>th</sup> day of August 2017 (the "Effective Date") by and between the City of Kingsport, a political subdivision of the State of Tennessee ("City"), and Advanced Disposal Services Tennessee, LLC, a Delaware limited liability company ("Contractor"). Capitalized terms not defined herein shall have the meanings set forth in the Original Agreement.

WHEREAS, the City and Contractor entered into the Agreement which commenced on August 29, 2012 for landfill disposal capacity and the subsequent rates for the disposed material; and

WHEREAS, the City and Contractor desire to extend the tenure of the Agreement on the terms and conditions set forth in this First Amendment; so

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Term. The agreement shall be extended for a period of one (1) year commencing August 30, 2017 and expiring August 29, 2018. There are four (4) remaining one year renewals pending, subject to the conditions stated in the original agreement.

2. Modification of Agreement. Except as expressly set forth herein or as necessary to carry out the terms of this First Amendment, no amendment of the terms of the Original Agreement is intended hereby and the Agreement and all its terms and conditions shall remain in full force and effect.

3. Cooperation among the Parties. Whenever consent, action or inaction is required, such Consent, action or inaction will not be unreasonably withheld by either party.

4. Severability. The invalidity of one or more of the phrases, sentences, clauses or Sections contained in this Agreement shall not affect the validity of the remaining portion of the Agreement so long as the material purposes of this Agreement can be determined and effectuated.

5. Entirety. This First Amendment together with the Agreement including any Exhibits attached thereto contains the entire agreement between the parties as to the matters contained therein. Any oral representations or modifications concerning the Agreement shall be of no force and effect.

(Signatures on following page)

**IN WITNESS WHEREOF**, the parties hereto have caused this First Amendment to be executed on this \_\_\_\_ day of August 2017.

**CITY OF KINGSPORT**, a political subdivision of the  
State of Tennessee

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_

**ADVANCED DISPOSAL SERVICES  
TENNESSEE, LLC**, a Delaware limited liability  
company

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_


\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_



## AGENDA ACTION FORM

### Right-of-Way Easement with Johnson City Power Board

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

Action Form No.: AF-237-2017  
 Work Session: September 5, 2017  
 First Reading: N/A

Final Adoption: September 5, 2017  
 Staff Work By: R. Trent  
 Presentation By: R. McReynolds

### Recommendation:

Approve the Resolution.

### Executive Summary:

Johnson City Power Board has requested a right-of-way easement from the city in order to provide electrical power to the future pump station site located at Lebanon Road and Chesterfield Drive in Colonial Heights.

### Attachment:

1. Resolution
2. Project Location Map and Easement

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
RIGHT-OF-WAY EASEMENT WITH CITY OF JOHNSON CITY,  
TENNESSEE (JOHNSON CITY POWER BOARD)

WHEREAS, the city has requested Johnson City Power Board to provide electrical power to the future sanitary sewer pump station that will be located on Chesterfield Drive and Lebanon Road; and

WHEREAS, in order to provide the electrical power, Johnson City Power Board has requested that the city execute a Right-of-Way Easement to the City of Johnson City, Tennessee (Johnson City Power Board); and

Now therefore,

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

SECTION I. That the Mayor, or in his absence, incapacity, or failure to act, the Vice Mayor, is authorized to execute, in a form approved by the city attorney, a Right-of-Way Easement with Johnson City, Tennessee (Johnson City Power Board).

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

ADOPTED this the 5<sup>th</sup> day of September, 2017.

\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY, CITY ATTORNEY

This Instrument Prepared By: J. Michael Billingsley  
City Attorney for Kingsport, Tennessee  
1324 Midland Drive  
City of Kingsport, Tennessee 37664

THIS DEED OF EASEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2017, between the CITY OF KINGSFORT, TENNESSEE, a municipal corporation of the State of Tennessee, Grantor, and the CITY OF JOHNSON CITY, TENNESSEE (Johnson City Power Board), a municipal corporation of the State of Tennessee, Grantee.

That for and in consideration of the sum of ONE DOLLAR AND 00/100th's (\$1.00) cash in hand paid to Grantor, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor has this day bargained and sold, and by these presents does hereby grant, the Grantee, its successors and assigns, a non-exclusive easement to erect, operate, and maintain lines for the transmission of electric energy for the sole purpose of providing electric service to the sewer pump station of Grantor, upon, across and under a portion of the property owned Grantor pursuant to a deed recorded in Deed Book 3239, page 1590 in the Office of the Register of Deeds for Sullivan County, Tennessee at Blountville, said easement being described as follows, to wit:

Being a strip of land lying in the 11th Civil District, Sullivan County, Tennessee, and being more particularly described as follows, to wit:

Easement

A strip of property lying up to five feet (5') on either side of the center line of an electric power line to be installed as shown as "Install 1 Span of 4-2ACSR Primary" and "Install 4/0AQ" on a sketch titled "Johnson City Power Board" dated 7/7/17 with a location of 630 Lebanon Road, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

And being part of the same property conveyed to Grantor by deed of record in the Register's Office for Sullivan County at Blountville, Tennessee, in Deed Book 3239 at page 1590 to all of which reference is hereby expressly made.

A portion of Tax Map #106; Parcel #012.00

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, a non-exclusive easement to erect, operate, and maintain lines for the transmission of electric energy, including the right to place, erect and install all necessary poles, fixtures, wires, guys and other equipment and including the right to cut, keep clear or remove all trees and other obstructions along said lines in such easement which may be necessary, in the judgment of Grantee, to properly maintain the service, all for the sole purpose of providing electric service to the sewer pump station of Grantor, provided Grantor reserves for itself, its successors and assigns, all right, title and interest in and to the easement granted to Grantee, so long as the same shall not interfere with the construction, operation or maintenance of said lines for the transmission of electric energy to the sewer pump station of Grantor or the Grantor's covenant not to plant trees as set out hereinafter, and should Grantee remove its lines for the transmission of electric energy from the easement, then all rights, title and interest of Grantee in the easement herein above granted shall automatically revert to Grantor, its successors and assigns.

Grantor covenants that it will not plant trees under or within twenty (20) feet on either side of the electric line.

WITNESS the signature of the Grantor, on this the day and year first above written herein.

CITY OF KINGSPORT, TENNESSEE

By: \_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
James Demming, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Michael, Billingsley, City Attorney

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared John Clark, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be the Mayor of The CITY OF KINGSPORT, TENNESSEE, the within-named bargainor, a municipal corporation, and that he as such Mayor executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Mayor.

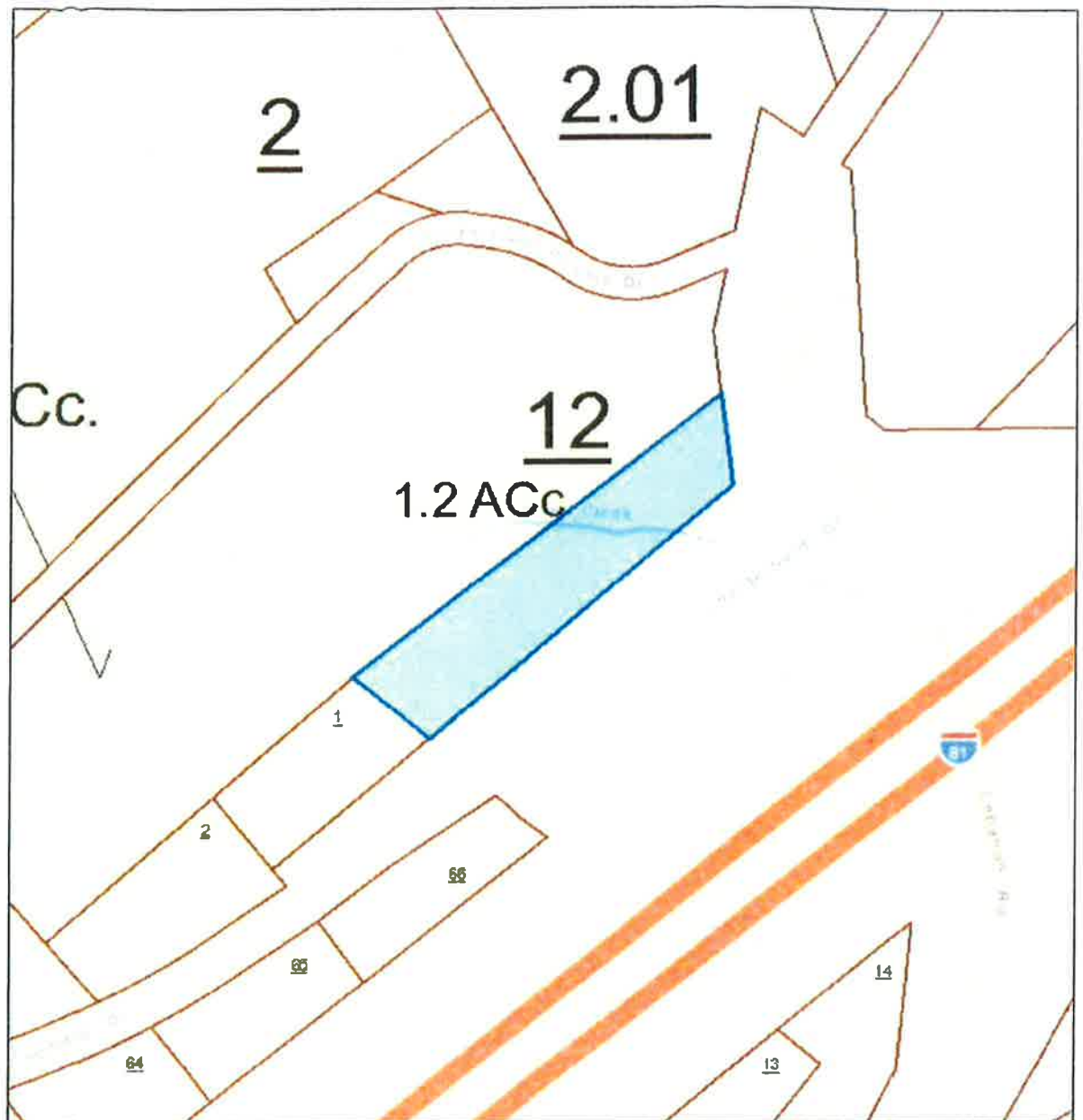
WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

Sullivan County - Parcel: 106 012.00



Date: August 28, 2017  
County: Sullivan  
Owner: PIERCE DITCHING CO  
Address: CHESTERFIELD DR  
Parcel Number: 106 012.00  
Deeded Acreage: 0  
Calculated Acreage: 1.2  
Date of Imagery: 2015

1:2,257  
0 0.0175 0.035 0.07 mi  
0 0.03 0.06 0.12 km

TN Controller - OLG  
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,  
Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),  
MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User  
Community

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.