



## AGENDA

### BOARD OF MAYOR AND ALDERMEN WORK SESSION

**Monday, February 1, 2016**  
**Council Room, 2<sup>nd</sup> Floor, City Hall, 4:30 p.m.**

#### **Board of Mayor and Aldermen**

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Darrell Duncan  
Alderman Colette George

Alderman Michele Mitchell  
Alderman Tommy Olterman  
Alderman Tom C. Parham

#### **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  
Morris Baker, Community Services Director  
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. Key Budget Messages – Jeff Fleming
4. Review of Current 5-Year CIP – Jeff Fleming
5. Project Status – Jeff Fleming
6. Quarterly Financials – Jeff Fleming
7. Review of Items on February 2, 2016 Business Meeting Agenda
8. Adjourn

**Next work session, February 15, 2016:** Transportation Project Priorities, School Facilities, ONEKingsport Summit Groups - 2<sup>nd</sup> Update, Project Status

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

# Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$13,537,873.00	Niki Ensor	Niki Ensor	Raw Water Intake Replacement (1.5 M EDA Grant)	WA1504	5/7/2017	Drilling Contractor is working on verticle bores for pump shafts at WTP. Blasting has begun for horizontal tunnels at the raw water intake.
\$7,500,000.00	Michael Thompson	Thompson, Michael	SR 347 (Rock Springs Road) [State & MTPO funded]	No City Funds	12/31/2020	Conference call held with TDOT Region One staff (Danny Oliver, John Barrett, Eric Wilson) and TDOT Local Programs in Nashville (Whitney Sullivan). Whitney Sullivan will prepare the contract.
\$5,600,000.00	Chad Austin	Norman Eichmann	Reedy Creek Sewer Trunk Line		6/30/2017	TDOT & TDEC and CSX approvals have been received. Still working with one property owner for easement.
\$3,250,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph II Sewer & Water	SW1501	3/7/2017	Contract signed. Scheduling preconstruction meeting.
\$2,609,000.00	Chad Austin	Pamela Gilmer	System Wide Water Upgrades FY15 Phase 1	WA1601	3/15/2016	Thomas requested 60 day contract extension.
\$2,609,000.00	Chad Austin	Pamela Gilmer	System Wide Water Upgrades FY15 Phase 1	WA1601	3/15/2016	Removed back T from Azalea Place over to Cindy Place. Installing short connections on Woodbine St.
\$2,500,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph IV Sewer & Water	SW1511	3/3/2017	Project is in design phase.
\$2,500,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph V Sewer & Water		12/29/2017	Project is in design phase.
\$1,886,220.00	Chad Austin	Pamela Gilmer	System Wide Water Upgrades FY15 Phase 2	TBD	9/30/2016	TDOT permit application approved.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	12/31/2018	Awaiting contract from TDOT.
\$1,600,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph III Sewer & Water	SW1502/WA1502	4/28/2017	Aquiring easements.
\$1,539,990.00	Hank Clabaugh	Mike Hickman	Colonial Heights Ph I Sewer & Water	WA1402 SW1307	2/12/2016	Waterlines being installed.
\$1,076,018.00	Ronnie Hammonds	Stephen Robbins	Demolition Landfill Clay Liner	DL 1500	5/1/2016	The contract was put on hold as of January 7, 2016 due to weather conditions. The project was 70% complete as of that date.
\$1,002,226.46	Michael Thompson	Clabaugh, Hank	Riverbend Drive - Road Improvements and Construction	GP1512	2/29/2016	TDOT is reviewing the possibility of open cutting the conduit crossing across Ft Henry Drive.
\$950,000.00	Chad Austin	Pamela Gilmer	Ft. Henry and Moreland Dr. Sewer Rehabilitation		9/30/2016	Received TDEC and ARAP approval.
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	11/1/2017	All information for NEPA approval has been submitted. NTP with Design phase expected by January.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$900,000.00	Chad Austin	Sam Chase	ARC Kingsport Sewer System Upgrade	SW-1504	12/31/2016	Littlejohn addressing comments from Nov. meeting.
\$750,000.00	Hank Clabaugh	Mason, David	130 Shelby St. - Engineering Bldg. Renovation	GP1514	12/31/2016	Scheduled to advertise 1/17/16 and open bids 2/11/16
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	TDOT has given the notice to proceed with Environmental Phase. TDOT Nashville to do Categorical Exclusion document.
\$671,382.14	Kitty Frazier	Clabaugh, Hank	Greenbelt (Rotherwood/Pedestrian Bridge) [Fed. Grant and City Funded]	GP1013	4/30/2016	TDOT Nashville staff have approved redesign for Thibault property and we are now moving forward with ROW acquisition process.
\$631,700.00	Chris McCartt	Elsa, Tim	Wilcox Sidewalk Phase 5 [State & MTPO funded]	MPO15D	6/30/2016	Awaiting on response from District Attorney in regards on how to proceed with contract wording.
\$550,000.00	Michael Thompson	Grieb, Jacob	Enterprise Place roadway Improvements	GP1611	12/31/2016	Design Phase/ creating construction documents for review and submittal to state agencies and bidding for the City
\$500,000.00	Michael Thompson	Clabaugh, Hank	2016 Citywide Sidewalk Extension	GP1403	12/31/2016	Survey of the project is currently ongoing. Project is expected to be advertised for bids Spring 2016.
\$500,000.00	Niki Ensor	Niki Ensor	WWTP Blower (175,000 CTEG Grant)	SW1507	5/1/2016	Blower expected to be delivered to WWTP at the end of February.
\$487,800.00	Chad Austin	Hank Clabaugh	Citywide Sewer Replacements & Extensions:SW1600/W A1404		2/28/2016	Work has started on the Emory Church Road portion.
\$450,000.00	Chad Austin	Chad Austin	Border Regions Areas 1, 2 & 3 - Water	TBD	2/17/2017	Currently in FY18 CIP.
\$400,000.00	Chad Austin	Pamela Gilmer	W. Center St. Sewer Rehabilitation		9/30/2016	TDEC approval received.
\$400,000.00	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	12/31/2016	In ROW phase. Currently obtaining appraisal consultants.
\$267,670.00	Craig Dye	Mason, David	Fire Station 3	GP1210	2/5/2016	Completing punch-list items.
\$265,100.00	Helen Whittaker	Mason, David	Library Window Replacement	GP1400	2/5/2016	The 4 improperly sized windows have been installed and punch list completed. Awaiting custom repair of leaded glass transom window to close out project.
\$221,800.00	Tim Elsa	Elsa, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	1/31/2018	NTP with NEPA 11/4/2015. Will advertise RFQ for engineering services in Jan 2016.
\$131,000.00	Chad Austin	Chad Austin	JB Dennis Annexation - Water		7/1/2017	Project has funding. We are currently working with Bloomingdale UD on a plan for them to upgrade the waterlines.

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$90,000.00	Chad Austin	Chad Austin	Kingsport South Annexation - Water	TBD	4/3/2017	Lebanon Road hydrant will be installed with CH I I Sewer Project.
\$90,000.00	Kitty Frazier	Clabaugh, Hank	Reedy Creek Terrace Bridge	ST1503	12/31/2016	Revised environmental review comments were received on 1/13/16. Spoden Wilson is currently addressing these comments.
\$75,000.00	Chad Austin	Hank Clabaugh	Cliffside Dr Force Main Replacement		5/30/2016	The design plans are complete. The project will be advertised for bids once the Riverbend Road "B" project is closed and reallocated.
\$50,000.00	David Quillen	Pamela Gilmer	Police Seize Car Lot - Landfill	GP1609	4/1/2016	Obtaining bids for project.
\$50,000.00	Tim Elsea	Elsea, Tim	Portable Camera Equipment Purchase [MTPO & City funded]	MPO15B	6/30/2016	No RFQs were submitted for this project. Staff reviewing specifications and having discussions with vendors.
\$40,000.00	Chad Austin	Jim Gilreath	Clinchfield Street Waterline Replacement	Operating	4/30/2016	New waterline to be installed on west side of Clinchfield this spring.
\$29,995.00	Kitty Frazier	Mason, David	Playground at Preston Forest Park	GP1523	2/5/2016	Completion date extended for installation of final component anticipated during the week of 1/25.
\$18,000.00	Chad Austin	Chris Alley	Sullivan County Agriculture Center Waterline Extension	Operating	6/15/2016	JC has sent plans to TDEC for approval.
\$15,000.00	Chad Austin	Harvey Page	Centennial Park sewer line replacement - Main St.	Operations	12/31/2016	Pre-design meeting with Engineering scheduled for 2/1/2016.

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**FY16 First Quarter Report  
General Fund Summary**

General Fund Fund	Previous Quarters		Year to Date at 25% of Year Lapsed			% YTD Variance
	FY14 Actual	FY15 Actual	FY16 Actual	Actual YTD Total	Revised Annual Budget	
<b>Revenue</b>						
Property Taxes <sup>1</sup>	\$ 747,814	\$ 242,980	\$ 487,918	\$ 487,918	\$ 37,768,000	1.29%
Gross Receipts	\$ 1,234,424	\$ 1,001,424	\$ 1,118,432	\$ 1,118,432	\$ 5,357,400	20.88%
License & Permits <sup>2</sup>	\$ 66,504	\$ 191,960	\$ 102,811	\$ 102,811	\$ 457,100	22.49%
Fines & Forfeitures	\$ 179,624	\$ 189,792	\$ 198,644	\$ 198,644	\$ 757,500	26.22%
Earnings On Investments	\$ 1,546	\$ 2,061	\$ 257	\$ 257	\$ 10,500	2.45%
Charges for Services	\$ 345,684	\$ 458,998	\$ 457,535	\$ 457,535	\$ 1,986,400	23.03%
Inter-Local Revenue <sup>3</sup>	\$ 1,550	\$ 114	\$ 5,981	\$ 5,981	\$ 426,100	1.40%
Local Option Sales Tax	3,953,778	4,113,175	4,377,867	4,377,867	\$ 16,814,000	26.04%
State Shared Revenue <sup>4</sup>	\$ 989,420	\$ 1,035,589	\$ 1,107,815	\$ 1,107,815	\$ 5,898,990	18.78%
Transfers In	\$ 725,073	\$ 787,664	\$ 798,451	\$ 798,451	\$ 3,570,039	22.37%
Fund Balance Appropriation	\$ -	\$ 2,800,000	\$ -	\$ -	\$ -	
Other Revenue <sup>5</sup>	\$ 235,447	\$ 31,040	\$ 16,769	\$ 16,769	\$ 228,075	7.35%
<b>Total General Fund Revenue</b>	<b>\$ 8,480,864</b>	<b>\$ 10,854,797</b>	<b>\$ 8,672,481</b>	<b>\$ 8,672,481</b>	<b>\$ 73,274,104</b>	<b>11.84%</b>
<b>Expenses</b>						
Salaries & Benefits	\$6,165,473	\$6,119,888	\$6,062,080	\$6,062,080	\$32,881,700	18.44%
Contractual Services	\$1,591,452	\$1,624,310	\$1,573,131	\$1,573,131	\$6,235,694	25.23%
Commodities	\$242,372	\$289,907	\$365,937	\$365,937	\$1,681,823	21.76%
Insurance	\$229,340	\$227,227	\$224,026	\$224,026	\$895,200	25.03%
Other Expenses	\$313,279	\$331,939	\$374,689	\$374,689	\$985,296	38.03%
Subsidies <sup>6</sup>	\$667,530	\$753,558	\$694,742	\$694,742	\$2,632,069	26.40%
TIFS <sup>7</sup>	\$0	\$0	\$0	\$0	\$369,700	0.00%
Capital Outlay	\$5,408	\$56,513	\$24,932	\$24,932	\$99,345	25.10%
Other Transfers <sup>8</sup>	\$836,177	\$3,462,568	\$421,004	\$421,004	\$1,201,777	35.03%
To Solid Waste Fund	778,275	827,025	863,750	863,750	3,455,000	25.00%
To Schools MOE	2,512,850	2,587,850	2,587,850	2,587,850	10,351,400	25.00%
To Schools Debt Serv.	287,221	286,075	384,362	384,362	3,302,000	11.64%
To Debt Serv. Fund	1,132,391	1,231,176	1,649,708	1,649,708	8,007,200	20.60%
To State Street Aid	-	255,624	75,227	75,227	1,175,900	6.40%
<b>Total General Fund Expenses</b>	<b>\$ 14,761,768</b>	<b>\$ 18,053,660</b>	<b>\$ 15,301,438</b>	<b>\$ 15,301,438</b>	<b>\$ 73,274,104</b>	<b>20.88%</b>

**Revenue**

1. Most of the property tax revenue is collected in the 2nd Quarter.

The revenue received for Property Taxes in the 1st quarter of each year is mostly prior year revenue. FY16 Property taxes for Sullivan County residents

## **FY16 First Quarter Report General Fund Summary**

**were billed October 12, 2015. Property taxes are due November 30.**

Prior Year Collections for FY14 were higher in the first quarter than in FY15 and FY16.

2. Building permits increased for FY15 due to the tornado damage in July and also the construction of the ballfield complex.
3. Most of the Inter-Local Revenue is received in the fourth quarter.
4. Hall Income Tax is recorded at year-end (4th quarter report). It is received in Aug. or September of each year and accrued back to the 4th quarter.  
TVA In Lieu Of Taxes are received in the 2nd quarter, 3rd and 4th quarters.
5. Other Revenue increased in FY14 due to \$188,500 in land sales.

### **Expenditure**

6. Some of the Special Programs are paid annually while others are paid quarterly.
7. TIF payments are made in the 4th quarter.
8. In FY15, \$2.8 M was funded from fund balance for Brickyard Park Baseball/Softball complex and returned to fund balance when the bonds were issued in Nov.  
Transfers to Capital Projects are included in other transfers.

**FY16 First Quarter Report**

**Water Fund Summary**

Water Fund Revenue	Previous Quarters		Year to Date at 25% of Year Lapsed			% YTD Variance
	FY14 Actual	FY15 Actual	FY16 Actual	Actual YTD Total	Revised Annual Budget	
Investments/Int. Earned	\$36,682	\$34,037	\$33,230	\$33,229	\$72,200	46.02%
Water Sales	\$3,051,021	\$3,340,396	\$3,348,586	\$3,348,586	\$12,515,500	26.76%
Fee/Charges	\$199,200	\$268,332	\$262,875	\$262,875	\$842,000	31.22%
Fund Balance Approp. <sup>1</sup>	\$0	\$0	\$0	\$0	\$865,940	0.00%
Admin Service Recovery	\$40,800	\$35,400	\$36,900	\$36,900	\$133,800	27.58%
<b>Total Water Revenue</b>	<b>\$3,327,703</b>	<b>\$3,678,165</b>	<b>\$3,681,591</b>	<b>\$3,681,590</b>	<b>\$14,429,440</b>	<b>25.51%</b>

**Expenses**

Salaries & Benefits	\$783,655	\$760,311	\$762,283	\$762,283	\$4,539,100	16.79%
Contractual Services	\$394,208	\$408,802	\$392,512	\$392,512	\$2,298,571	17.08%
Commodities	\$151,020	\$179,800	\$165,493	\$165,493	\$870,153	19.02%
Insurance	\$14,529	\$14,642	\$13,992	\$13,992	\$58,800	23.80%
Other Expenses <sup>2</sup>	\$683,476	\$786,967	\$823,783	\$823,783	\$5,213,300	15.80%
CIP/Developer Material	\$33,726	\$0	\$1,230,000	\$1,230,000	\$1,280,000	96.09%
Capital Outlay <sup>3</sup>	\$158,256	\$220,008	\$4,107	\$4,107	\$169,516	2.42%
<b>Total Water Expenditures</b>	<b>\$2,218,870</b>	<b>\$2,370,530</b>	<b>\$3,392,170</b>	<b>\$3,392,170</b>	<b>\$14,429,440</b>	<b>23.51%</b>

1. Fund Balance Appropriations are used to fund Capital.

2. Capitalized Interest is budgeted in the Enterprise Operating budget because it is an expense. These expenses are reclassified to a capitalized interest account at the end of the fiscal year for accounting purposes. Most of the bond principal is paid in January and February of each year.

3. All of the Capital Project funding is transferred to projects in July.

**FY16 First Quarter Report  
Sewer Fund Summary**

Sewer Fund Revenue	Previous Quarters		Year to Date at 25% of Year Lapsed			% YTD Variance
	FY14 Actual	FY15 Actual	FY16 Actual	Actual YTD Total	Revised Annual Budget	
Investments/Int. Earned	\$50,383	\$52,959	\$56,842	\$56,842	\$162,300	35.02%
Sewer Sales	\$3,140,934	\$3,316,699	\$3,465,786	\$3,465,786	\$12,700,000	27.29%
Fee/Charges <sup>1</sup>	\$184,195	\$365,111	\$154,232	\$154,232	\$668,400	23.07%
Fund Balance Approp. <sup>2</sup>	\$0	\$0	\$1,891,314	\$1,891,314	\$3,802,315	0.00%
Other Revenue	\$1,350	\$1,450	\$1,854	\$1,854	\$6,000	\$0
<b>Total Sewer Revenue</b>	<b>\$3,376,862</b>	<b>\$3,736,219</b>	<b>\$5,570,028</b>	<b>\$5,570,028</b>	<b>\$17,339,015</b>	<b>32.12%</b>
<b>Expenses</b>						
Salaries & Benefits	\$516,583	\$511,510	\$523,682	\$523,682	\$3,073,500	17.04%
Contractual Services	\$226,396	\$250,108	\$152,779	\$152,779	\$1,701,749	8.98%
Commodities	\$177,628	\$149,025	\$86,315	\$86,315	\$528,586	16.33%
Insurance	\$15,777	\$15,812	\$15,815	\$15,815	\$63,400	24.94%
Other Expenses <sup>3</sup>	\$674,108	\$881,110	\$942,206	\$942,206	\$8,234,000	11.44%
Capital Outlay <sup>4</sup>	\$96,078	\$84,506	\$920	\$920	\$117,780	0.78%
CIP/Developer lines	\$625,666	\$600,000	\$3,550,000	\$3,550,000	\$3,620,000	98.07%
<b>Total Sewer Expenditures</b>	<b>2,332,236</b>	<b>2,492,071</b>	<b>5,271,717</b>	<b>5,271,717</b>	<b>17,339,015</b>	<b>30.40%</b>

1. Fees/Charges for Service increased due to Tap Fees increasing for the 1st quarter in FY15.
2. Fund Balance Appropriations are used to fund Capital.
3. Capitalized Interest is budgeted in the Enterprise Operating budget because it is an expense. These expenses are reclassified to a capitalized interest account at the end of the fiscal year for accounting purposes. Most of the bond principal is paid in January and February of each year.
4. All of the Capital Project funding is transferred to projects in July.



# Memorandum

**To:** Jeff Fleming, City Manager  
**From:** Judy Smith, Budget Director  
**Date:** 10/23/2015  
**Re:** FY15 Fourth Quarter Report

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I have enclosed the FY15 Fourth Quarter Year End Reports for your review. They include summaries of the General Fund, Water and Sewer Funds.

The General Fund ended the year with estimated revenues of \$1.1 million over expenditures. The major revenues which are Local Option Sales Tax, Property Tax and State Shared Taxes exceeded the budget. Sales Tax exceeded the budget by \$548,000 and Hall Income Tax exceeded the budget by \$415,000. Hall Income tax has not been this strong since FY08. Savings on the expenditure side included personal costs due to early retirement incentives and debt service.

The Water and Sewer Fund ended the year in a positive. The Water Fund was budgeted to use \$895,000 from fund balance for one-time capital but was able to fund the capital projects without the use of fund balance. The Sewer Fund was budgeted to use \$1.8 million from fund balance for one-time capital but was able to fund the capital projects by only using \$532,000.

The audit will not be completed until December 31 and these final estimates could change.

Due to the FY15 audit being finalized December 31, the First Quarter report will be sent to the BMA January 8, 2016.

The schedule for FY16 Quarter Reports is as Follows:

First Quarter-January 8, 2016  
Second Quarter-March 25, 2016  
Third Quarter-June 24, 2016  
Year End Report-October 28, 2016

## FY15 Fourth Quarter Report

### General Fund Summary

#### Previous Quarters

General Fund <u>Revenue</u>	Previous Quarters		Actual 4th Qtr Total	Revised Annual Budget	% YTD Variance
	FY13 Actual	FY14 Actual			
Property Taxes	\$34,989,925	\$37,056,891	\$39,862,023	\$39,680,775	100.46%
Gross Receipts	\$4,850,387	\$4,847,133	\$5,470,325	\$5,347,066	102.31%
License & Permits <sup>1</sup>	\$347,518	\$510,953	\$506,959	\$506,984	100.00%
Fines & Forfeitures	\$648,888	\$753,558	\$749,630	\$744,532	100.68%
Earnings On Invesments	\$37,942	\$10,561	\$11,559	\$11,192	103.28%
Charges for Services	\$2,221,252	\$1,994,212	\$2,162,305	\$2,020,437	107.02%
Inter-Local Revenue	\$433,370	\$413,914	\$437,891	\$438,200	99.93%
Local Option Sales Tax	\$15,439,971	\$15,901,590	\$16,848,128	\$16,678,163	101.02%
State Shared Revenue <sup>2</sup>	\$5,829,751	\$6,205,754	\$6,433,236	\$6,377,126	100.88%
Transfers In	\$2,341,658	\$2,233,894	\$1,923,618	\$1,915,186	100.44%
Other Revenue <sup>3</sup>	\$1,204,769	\$218,623	\$246,970	\$251,250	98.30%
<b>Total General Fund Revenue</b>	<b>\$68,345,431</b>	<b>\$70,147,083</b>	<b>\$74,652,644</b>	<b>\$73,970,911</b>	<b>100.92%</b>

#### Expenses

Salaries & Benefits	\$31,403,364	\$32,367,460	\$32,876,764	\$32,970,436	99.72%
Contractual Services	\$5,840,796	\$6,133,185	\$5,813,794	\$5,992,195	97.02%
Commodities	\$1,411,198	\$1,565,612	\$1,500,750	\$1,518,713	98.82%
Insurance	\$800,620	\$917,137	\$909,988	\$910,201	99.98%
Other Expenses	\$1,228,532	\$1,283,424	\$1,359,492	\$1,359,603	99.99%
Subsidies <sup>4</sup>	\$2,954,924	\$2,502,589	\$2,548,523	\$2,583,953	98.63%
TIFS <sup>5</sup>	\$348,273	\$24,338	\$319,210	\$319,626	99.87%
Capital Outlay	\$123,144	\$138,633	\$55,031	\$59,822	91.99%
Other Transfers <sup>6</sup>	\$951,215	\$1,141,801	\$2,218,598	\$2,340,500	94.79%
To Solid Waste Fund	\$3,178,100	\$3,413,900	\$3,308,300	\$3,308,300	100.00%
To Schools MOE	\$9,801,400	\$10,201,400	\$10,351,400	\$10,351,400	100.00%
To Schools Debt Serv.	\$3,378,802	\$3,412,571	\$3,278,818	\$3,278,819	100.00%
To Debt Serv. Fund	\$6,007,128	\$5,890,768	\$7,439,148	\$7,439,149	100.00%
To State Street Aid	\$917,935	\$1,020,939	\$1,538,194	\$1,538,194	100.00%
<b>Total General Fund Expenses</b>	<b>\$68,345,431</b>	<b>\$70,013,757</b>	<b>\$73,518,010</b>	<b>\$73,970,911</b>	<b>99.39%</b>

#### Revenue

1. Building permits increased for FY15. Roofs & Other repairs due to the tornado damage in July and also the ballfield complex.
2. Hall Income Tax is recorded at year-end (4th quarter report). It is received in Sept. or October of each year and accrued back to the 4th quarter. TVA In Lieu Of Taxes are received in the 2nd quarter, 3rd and 4th quarters.
3. Other Revenue for FY13 included appropriations of \$806,900 in Reserves to complete the Central Offices for the Schools, Encumbered PO's and Street Resurfacing.

#### Expenditure

4. The Subsidies decreased due to the last payment for the Pavillion Shopping Center being made in FY13. Some of the Special Programs are paid quarterly and some are paid annually.
5. TIFS-In FY14 KHRA agreed for the City to use the Downtown and Riverwalk TIFs for special projects. The funding was moved to a project account for each.
6. Other Transfers include MPO, Transit and the project funds.

**FY15 Fourth Quarter Report  
Water Fund Summary**

Water Fund	Previous Quarters		Actual 4th Qtr Total	Revised Annual Budget	% YTD Variance
	FY13 Actual	FY14 Actual			
<b>Revenue</b>					
Investments/Int. Earned	\$128,500	\$84,960	\$79,209	\$92,200	85.91%
Water Sales	\$11,443,437	\$11,893,453	\$12,218,413	\$12,221,870	99.97%
Fee/Charges	\$792,112	\$897,882	\$1,043,916	\$805,900	129.53%
Fund Balance Approp. <sup>1</sup>	\$121,250	\$0	\$0	\$895,284	0.00%
Admin Service Recovery	\$134,465	\$133,761	\$122,159	\$140,000	87.26%
<b>Total Water Revenue</b>	<b>\$12,619,764</b>	<b>\$13,010,056</b>	<b>\$13,463,697</b>	<b>\$14,155,254</b>	<b>95.11%</b>

**Expenses**

Salaries & Benefits	\$4,252,188	\$4,230,988	\$4,193,566	\$4,436,557	94.52%
Contractual Services	\$1,688,043	\$1,753,853	\$1,886,453	\$2,126,086	88.73%
Commodities	\$782,845	\$823,696	\$761,767	\$827,652	92.04%
Insurance	\$57,599	\$57,872	\$58,018	\$58,847	98.59%
Debt Service <sup>2</sup>	\$3,062,701	\$3,231,278	\$3,456,659	\$3,528,700	97.96%
Other Expenses <sup>3</sup>	\$1,864,865	\$1,862,182	\$2,000,538	\$2,081,738	96.10%
CIP/Developer Material	\$831,227	\$65,914	\$762,556	\$771,086	98.89%
Capital Outlay	\$80,296	\$18,890	\$92,317	\$324,588	28.44%
<b>Total Water Expenditures</b>	<b>\$12,619,764</b>	<b>\$12,044,673</b>	<b>\$13,211,874</b>	<b>\$14,155,254</b>	<b>93.34%</b>

1. Fund Balance Appropriations are used to fund Capital.

2. Capitalized Interest is budgeted in the Enterprise Operating budget because it is an expense. These expenses are reclassified to a capitalized interest account at the end of the fiscal year for accounting purposes. Most of the bond principal is paid in January and February of each year (3rd quarter and 4th quarters).

3. Other Expenses include admin fees, PILOT, Fleet Vehicle Rental Fee and collection fees.

**FY15 Fourth Quarter Report  
Sewer Fund Summary**

Sewer Fund Revenue	Previous Quarters		Actual 4th Qtr Total	Revised Annual Budget	% YTD Variance
	FY13 Actual	FY14 Actual			
Investments/Int. Earned	\$329,754	\$125,054	\$125,011	\$130,000	96.16%
Sewer Sales	\$11,910,771	\$12,489,247	\$12,527,428	\$12,476,300	100.41%
Fee/Charges <sup>1</sup>	\$706,892	\$661,179	\$786,476	\$659,700	119.22%
Fund Balance Approp. <sup>2</sup>	\$0	\$0	\$532,766	\$1,837,923	0.00%
Other Revenue	\$6,413	\$4,528	\$7,809	\$6,000	\$0
<b>Total Sewer Revenue</b>	<b>\$12,953,830</b>	<b>\$13,280,008</b>	<b>\$13,979,490</b>	<b>\$15,109,923</b>	<b>92.52%</b>

**Expenses**

Salaries & Benefits	\$2,599,296	\$2,744,619	\$2,863,318	\$2,925,763	97.87%
Contractual Services	\$1,265,577	\$1,257,807	\$1,378,509	\$1,467,581	93.93%
Commodities	\$616,410	\$614,084	\$452,888	\$476,322	95.08%
Insurance	\$63,155	\$63,167	\$63,488	\$63,488	100.00%
Debt Service <sup>3</sup>	\$5,187,090	\$5,348,987	\$5,947,698	\$6,788,716	87.61%
Other Expenses <sup>4</sup>	\$1,675,550	\$1,651,065	\$1,811,271	\$1,860,313	97.36%
Capital Outlay	\$29,843	\$63,254	\$17,751	\$69,985	25.36%
CIP/Developer lines <sup>5</sup>	\$793,381	\$189,679	\$1,444,568	\$1,457,755	99.10%
<b>Total Sewer Expenditures</b>	<b>12,230,302</b>	<b>11,932,662</b>	<b>13,979,490</b>	<b>15,109,923</b>	<b>92.52%</b>

1. Fees/Charges for Service increased due to Tap Fees increasing.
2. Fund Balance Appropriations are used to fund Capital.
3. Capitalized Interest is budgeted in the Enterprise Operating budget because it is an expense. These expenses are reclassified to a capitalized interest account at the end of the fiscal year for accounting 3rd and 4th quarters.
4. Other Expenses include admin fees, PILOT, Fleet Vehicle Rental Fee and collection fees.
5. All of the Capital Project funding is transferred in July.



## **AGENDA**

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

#### **BUSINESS MEETING**

**Tuesday, February 2, 2016**  
**Large Courtroom – 2<sup>nd</sup> Floor, City Hall**  
**7:00 p.m.**

#### **Board of Mayor and Aldermen**

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Darrell Duncan  
Alderman Colette George

Alderman Michele Mitchell  
Alderman Tommy Olterman  
Alderman Tom C. Parham

#### **City Administration**

Jeff Fleming, City Manager  
Chris McCartt, Assistant City Manager for Administration  
Ryan McReynolds, Assistant City Manager for Operations  
J. Michael Billingsley, City Attorney  
James Demming, City Recorder/Chief Financial Officer  
David Quillin, Police Chief  
Craig Dye, Fire Chief  
Morris Baker, Community Services Director  
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 – Minister Penny Hagy, Evangel Family Worship Center**

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

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

1. Budget Award - Judy Smith & John Morris – Jeff Fleming
2. Excellence in Snow Operations – Ronnie Hammonds, Rodney Deel, Greg Willis, Lewis Bausell, Jason Neely, Dana Bernard and Steve Hightower accepting on behalf of the entire Public Works Dept. – Ryan McReynolds

**V. APPROVAL OF MINUTES**

1. Called Work Session – January 14, 2016
2. Work Session – January 19, 2016
2. Business Meeting – January 19, 2016

**VI. COMMUNITY INTEREST ITEMS**

**A. PUBLIC HEARINGS**

1. Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits (AF: 28-2016) (Corey Shepherd)
  - Public Hearing
  - Ordinance – First Reading
2. Amend the Zoning Ordinance to Create the B-2E Central Business Edge District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 12-2016) (Justin Steinmann)
  - Public Hearing
  - Ordinance – First Reading
3. Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown (AF: 13-2016) (Justin Steinmann)
  - Public Hearing
  - Ordinance – First Reading
4. Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 25-2016) (Justin Steinmann)
  - Public Hearing
  - Ordinance – First Reading

**COMMENT**

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

**B. BUSINESS MATTERS REQUIRING FIRST READING**

1. Ordinance to Condemn (AF: 21-2016) (Mike Billingsley)
  - Ordinance – First Reading
2. Condemn Property for the Indian Highland Park Parking Lot Project (AF: 27-2016) (Mike Billingsley)
  - Ordinance – First Reading

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

1. Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Childress Ferry Road 2015 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 05-2016) (Curtis Montgomery)
  - Ordinance – **Second Reading & Final Adoption**
2. Award Contract and Transfer Funds for Sanitary Sewer Facilities and Waterline Upgrades - Colonial Heights Phase 2 Project (AF: 07-2016) (Ryan McReynolds)
  - Ordinance – **Second Reading & Final Adoption**
3. Amending the FY 2016 CDBG Budget (AF: 16-2016) (Lynn Tully)
  - Ordinance – **Second Reading & Final Adoption**
4. Amend the FY 2016 General Project Fund Budget (AF: 14-2016) (David Frye)
  - Ordinance – **Second Reading & Final Adoption**
5. Franchise Agreement with Kingsport Power Company (d.b.a American Electric Power), an Ordinance Establishing the Franchise Fee (AF: 20-2016) (Ryan McReynolds)
  - Ordinance – Franchise Agreement – **Second Reading & Final Adoption**
  - Ordinance – Franchise Fee – **Second Reading & Final Adoption**
6. Budget Cleanup Ordinance for FY16 (AF: 18-2016) (Jeff Fleming)
  - Ordinance – **Second Reading & Final Adoption**

**D. OTHER BUSINESS**

1. Purchase of Heart Monitors from Physio Controls. Inc. (AF: 23-2016) (Scott Boyd)
  - Resolution

**E. APPOINTMENTS**

None

**VII. CONSENT AGENDA**

1. Right-of-Way Easement with Kingsport Power Company (AF: 19-2016) (Ryan McReynolds)
  - Resolution
2. Adoption of the Sullivan County Basic Emergency Operations Plan (AF: 26-2016) (Scott Boyd)
  - 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 Special Called Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Thursday, January 14, 2016, 4:00 PM  
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Colette George

Alderman Michele Mitchell

Alderman Tommy Olterman

Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:00 p.m. by Mayor Clark.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. **ONEKingsport Summit Focus Area Reports.** The stewards of the post-summit committee groups related their progress thus far to the BMA. Reporting for Health and Wellness was Charlie Glass. Housing was presented by former Mayor Jeanette Blazier. Julie Bennett discussed Job Creation and Entrepreneurship. Lastly, Lafe Cook reported on Arts and Entertainment. Mayor Clark then highlighted the five step summit process. City Planner Justin Steinmann followed up by discussing the next steps and the recommendation process.
4. **ADJOURN.** Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 5:30 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor

Minutes of the Regular Work Session of the  
Board of Mayor and Aldermen, City of Kingsport, Tennessee  
Tuesday, January 19, 2016, 4:00 PM  
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Vice-Mayor Mike McIntire  
Alderman Darrell Duncan  
Alderman Michele Mitchell

Alderman Colette George  
Alderman Tommy Olterman  
Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager  
J. Michael Billingsley, City Attorney  
James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:00 p.m. by Vice-Mayor McIntire.
2. **ROLL CALL:** By Deputy City Recorder Marshall. Absent: Mayor John Clark.
3. **AUDIT.** Mr. Richard Lennon with Brown Edwards presented the audit for fiscal year 2015 to the board. He discussed highlights of the report and answered questions, noting it was a clean or unmodified report. Mr. Lennon pointed out this was the 15<sup>th</sup> consecutive year that Kingsport has received the certificate of achievement. City Manager Fleming pointed out this report was also available online.
4. **PROJECT REVIEW (TICKLER).** City Manager Fleming explained the purpose of this report was to replace the previous tickler which was presented at work sessions to keep track of city projects. Alderman George requested these projects be sorted (or able to be sorted) by date rather than just cost. Mr. Fleming stated it is still a work in progress and can be adjusted to better suit the needs of the board.
5. **DISCUSS 2016 BOARD PLANNING CALENDAR & FORMAT CHANGES.** City Manager Fleming provided details on items that are scheduled to be presented to the board at work sessions over the course of the next year. The purpose is for board members to be able to plan ahead, as well as set a precedent for regularly scheduled presentations. Alderman George requested the work sessions, as well as their agendas, be better advertised before each meeting so citizens will have a greater understanding of what the BMA will be discussing.
6. **AEP FRANCHISE AGREEMENT.** City Manager Fleming provided a background on the city over the last several years, noting aspects such as growth, needs, budgets, and employees per capita. He stated this new agreement is a major key to complete the current plan and set the foundation for the city. Assistant City Manager for Operations Ryan McReynolds then gave a presentation on the goal and process of this new 20 year agreement. He discussed the relationship Kingsport has with AEP as compared to other cities and their power sources. He talked about the purpose of the agreement, the budgetary impact and staff's recommendation. There was considerable discussion. City Attorney Billingsley pointed out a couple of typographical amendments that need to be made at the business meeting.

**Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Tuesday, January 19, 2016**

**7. REVIEW OF AGENDA ITEMS ON THE JANUARY 19, 2016 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 are items the Board discussed at greater length or which received specific questions or concerns.

**VII.10 Apply for and Receive a “Multi-Modal Access Fund” Grant from the Tennessee Department of Transportation (AF: 17-2016) (Michael Thompson, Troy Ebbert).** City Manager Fleming provided details on this item, noting it was for installation of a sidewalk on Stone Drive. Alderman George asked for this item to be pulled from the consent agenda to be discussed further at the business meeting.

**BOARD COMMENT.** None.

**PUBLIC COMMENT.** None.

**7. ADJOURN.** Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 6:15 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, January 19, 2016, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding  
Vice Mayor Mike McIntire  
Alderman Darrell Duncan  
Alderman Colette George

Alderman Michele Mitchell  
Alderman Tommy Olterman  
Alderman Tom C. Parham

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:** Led by Ms. Hagan Dietrich.
- II.B. **INVOCATION:** Pastor Richard Dice, Christ Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
  1. Recognition of Rodney Dye – Ryan McReynolds.
  2. Hagan Dietrich – Honorary City Manager for a Day – Jeff Fleming.
- V. **APPROVAL OF MINUTES.**

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

- A. December 14, 2015 Regular Work Session
- B. December 15, 2015 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Childress Ferry Road Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 05-2016) (Curtis Montgomery).** City Planner Ken Weems gave a presentation on this item.

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

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, January 19, 2016**

Motion/Second: McIntire/Mitchell, to pass:

**Resolution No. 2016-099**, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 7<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE CHILDRESS FERRY ROAD 2015 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting "aye."

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO CHILDRESS FERRY ROAD FROM A-1, AGRICULTURE DISTRICT TO R-1B, RESIDENTIAL DISTRICT IN THE 7<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2016-100**, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE CHILDRESS FERRY ROAD 2015 ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

**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. Award Contract and Transfer Funds for Sanitary Sewer Facilities and Waterline Upgrades – Colonial Heights Phase 2 Project (AF: 07-2016) (Ryan McReynolds).**

Motion/Second: McIntire/Mitchell, to pass:

**Resolution No. 2016-101**, A RESOLUTION AWARDDING THE BID FOR THE SANITARY SEWER FACILITIES AND WATERLINE UPGRADES -- COLONIAL HEIGHTS PHASE 2 PROJECT TO MERKEL BROTHERS CONSTRUCTION, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen  
of the City of Kingsport, Tennessee, Tuesday, January 19, 2016**

Motion/Second: Parham/Duncan, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT AND SEWER PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE COLONIAL HEIGHTS PHASE 2 PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**2. Amend the FY16 CDBG Budget (AF: 16-2016) (Lynn Tully).**

Motion/Second: McIntire/George, to pass:

AN ORDINANCE TO AMEND VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**3. Amend the FY16 General Project Fund Budget (AF: 14-2016)  
(David Frye).**

Motion/Second: Olterman/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND AND THE WATER AND SEWER FUND BUDGETS BY APPROPRIATING GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2012C; FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**4. Franchise Agreement with Kingsport Power Company (dba American Electric Power) and an Ordinance Establishing the Franchise Fee (AF: 20-2016) (Ryan McReynolds).** Alderman George moved to amend Section 16(B) of the ordinance by deleting the word "tax" in the first line and substituting the word "fee" in its place. Vice-Mayor McIntire seconded this motion with all present voting "aye" on the amendment.

Motion/Second: Parham/McIntire, to pass *as amended*:

AN ORDINANCE GRANTING KINGSFORT POWER COMPANY D/B/A AEP APPALACHIAN POWER AN ELECTRIC UTILITY FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

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Alderman Parham moved to amend Section 1 of the ordinance by adding a paragraph at the end of the section as follows: "4. That the actions authorized by this ordinance are in the public interest and will promote the health, comfort and prosperity of the public." Alderman George seconded this motion with all present voting "aye" on the amendment.

Motion/Second: McIntire/Duncan, to pass *as amended*:

AN ORDINANCE ENACTING A FRANCHISE FEE FOR THE USE BY KINGSPORT POWER COMPANY D/B/A AEP APPALACHIAN POWER OF THE PUBLIC STREETS, ALLEYS, OTHER PUBLIC PLACES FOR ITS FRANCHISE FOR A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

**5. Budget Cleanup Ordinance for FY16 (AF: 18-2016)**  
(Jeff Fleming).

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye," except for Alderman George who voted "nay."

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

**1. Amend Zoning of the Armory Property Located Adjacent to the Intersection of West Stone Drive and Netherland Inn Road (AF: 303-2015)**  
(Ken Weems).

Motion/Second: McIntire/George, to pass:

**ORDINANCE NO. 6532**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO WEST STONE DRIVE FROM M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 7<sup>TH</sup> CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**2. Public Hearing and Consideration of an Ordinance to Amend the Sign Ordinance by Adding Decorative Lighting Regulations (AF: 304-2015)**  
(Ken Weems).

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Motion/Second: McIntire/Mitchell, to pass:

**ORDINANCE NO. 6533**, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114-536 BY ADDING THE REQUIREMENT THAT DECORATIVE LIGHTING IS ONLY ALLOWED IN B-2, B-3, AND B-4P ZONES; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**3. Amend the Fiscal Year Budget for the Addition of One (1) Position within the Engineering Division of the Public Works Department (AF: 291-2015) (Ryan McReynolds).**

Motion/Second: Parham/Duncan, to pass:

**ORDINANCE NO. 6534**, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY ADDING A SENIOR PROJECT MANAGER POSITION FOR THE ENGINEERING DIVISION OF PUBLIC WORKS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**4. Appropriate Funds Received from Coca-Cola Bottling Company for Pouring Rights at Brickyard Park, Domtar Park and Eastman Park at Horse Creek (AF: 282-2015) (Morris Baker).**

Motion/Second: Olterman/Mitchell, to pass:

**ORDINANCE NO. 6535**, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM COCA-COLA BOTTLING COMPANY FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**5. Accept a \$1,000 Grant from Swimming Saves Lives Foundation of U.S. Masters Swimming and Appropriate Funds (AF: 310-2015) (Chris McCartt).**

Motion/Second: Mitchell/George, to pass:

**ORDINANCE NO. 6536**, AN ORDINANCE TO AMEND THE AQUATIC CENTER FUND BUDGET BY APPROPRIATING GRANT FUNDS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

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**D. OTHER BUSINESS.**

**1. Acceptance of FY16 Comprehensive Annual Financial Report**  
(AF: 22-2016) (Jim Demming, Mike McIntire).

Motion/Second: Duncan/Parham, to pass:

ACCEPT THE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING  
JUNE 30, 2015

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS.**

**1. Reappointments to the Kingsport Economic Development  
Board** (AF: 08-2016) (Mayor Clark).

Motion/Second: McIntire/Mitchell, to approve:

REAPPOINTMENTS OF MR. KEN FROHLICH, MRS. CEEGEE MCCORD AND MR.  
KEITH WILSON TO SERVE ANOTHER SIX-YEAR TERM ON THE **KINGSPORT  
ECONOMIC DEVELOPMENT BOARD (INDUSTRIAL DEVELOPMENT BOARD OF  
THE CITY OF KINGSPORT)**. ALL REAPPOINTMENTS ARE EFFECTIVE  
IMMEDIATELY AND EXPIRE ON JANUARY 1, 2023.

Passed: All present voting "aye."

**VII. CONSENT AGENDA.**

*(These items were considered under one motion, except for Item 10, which was  
pulled for further discussion and voted on separately.)*

Motion/Second: McIntire/George, to adopt:

**1. Apply for and Receive Grant Application for a Tennessee State  
Library and Archives Construction Grant** (AF: 03-2016) (Morris Baker).

Pass:

**Resolution No. 2016-102**, A RESOLUTION AUTHORIZING THE MAYOR TO  
EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND  
RECEIVE A TENNESSEE STATE LIBRARY AND ARCHIVES CONSTRUCTION  
GRANT

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and  
Parham voting "aye."

**2. Approval of Easement and Right-of-Way for Tranbarger Drive  
Sewer Extension Project** (AF: 01-2016) (Ryan McReynolds).

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Pass:

APPROVAL OF EASEMENT AND RIGHT-OF-WAY FOR TRANBARGER DRIVE  
SEWER EXTENSION PROJECT

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and  
Parham voting "aye."

**3. Approval of Easements and Rights-of-Way for Citywide Water  
Line System Improvements Project – Phase II (AF: 06-2016) (Ryan McReynolds).**

Pass:

APPROVAL OF EASEMENTS AND RIGHTS-OF-WAY FOR CITYWIDE WATER LINE  
SYSTEM IMPROVEMENTS PROJECT – PHASE II

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and  
Parham voting "aye."

**4. Apply for Membership with Tennessee One-Call System, Inc.  
(AF: 11-2016) (Ryan McReynolds).**

Pass:

**Resolution No. 2016-103**, A RESOLUTION APPROVING AN APPLICATION WITH  
TENNESSEE ONE-CALL SYSTEM, INC. AND AUTHORIZING THE MAYOR TO  
EXECUTE THE APPLICATION AND ALL OTHER DOCUMENTS NECESSARY AND  
PROPER TO EFFECTUATE THE PURPOSE OF THE APPLICATION

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and  
Parham voting "aye."

**5. Amend the Agreement with Prairie Farms Dairy to Renew for  
an Additional Year (AF: 09-2016) (Jennifer Walker).**

Pass:

**Resolution No. 2016-104**, A RESOLUTION APPROVING AN ADDENDUM TO THE  
AGREEMENT WITH PRAIRIE FARMS DAIRY FOR DAIRY ITEMS FOR THE  
KINGSPORT CITY SCHOOL NUTRITION SERVICES; AUTHORIZING AND  
DIRECTING THE MAYOR TO EXECUTE THE ADDENDUM; AND ALL OTHER  
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF  
THE ADDENDUM

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and  
Parham voting "aye."

**6. Amend the Agreement with Gordon Food Service to Renew for  
an Additional Year (AF: 10-2016) (Jennifer Walker).**

Pass:

**Resolution No. 2016-105**, A RESOLUTION APPROVING AN ADDENDUM TO THE  
AGREEMENT WITH GORDON FOODS FOR FOOD AND BEVERAGE ITEMS FOR

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THE KINGSPORT CITY SCHOOL NUTRITION SERVICES; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE ADDENDUM; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ADDENDUM

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**7. Funding Agreement between the U.S. Geological Survey, National Geospatial Technical Operations Center and the City of Kingsport, TN for LIDAR Data Collection Spring 2016 (AF: 04-2016) (Jake White).**

Pass:

**Resolution No. 2016-106**, A RESOLUTION APPROVING A JOINT FUNDING AGREEMENT AND A STATEMENT OF WORK WITH THE UNITED STATES GEOLOGICAL SURVEY, NATIONAL GEOSPATIAL TECHNICAL OPERATIONS CENTER FOR LIDAR DATA COLLECTION, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**8. Apply and Receive the Assistance to Firefighters (AFG) Grant through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF: 02-2016) (Scott Boyd).**

Pass:

**Resolution No. 2016-107**, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE UNITED STATES FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY FOR THE KINGSPORT FIRE DEPARTMENT

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**9. Apply for and Receive Arts Project Support Grant from the Tennessee Arts Commission (AF: 24-2016) (Morris Baker).**

Pass:

**Resolution No. 2016-108**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ARTS PROJECT SUPPORT GRANT FROM THE TENNESSEE ARTS COMMISSION

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Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

**10. Apply for and Receive a “Multi-Modal Access Fund” Grant from the Tennessee Department of Transportation (AF: 17-2016) (Michael Thompson, Troy Ebbert).**

Motion/Second: McIntire/George, to pass:

**Resolution No. 2016-109, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A MULTI-MODAL ACCESS FUND GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION**

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

**11. Amend the Fees for Various Programs and Admissions at the Kingsport Aquatic Center (AF: 15-2016) (Chris McCartt).**

Pass:

**Resolution No. 2016-110, A RESOLUTION AMENDING RESOLUTION NO. 2015-201 TO PROVIDE FOR CHANGES IN THE CHARGES IN CHAPTER 66-PARKS AND RECREATION**

Passed in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

**VIII. COMMUNICATIONS.**

- A. CITY MANAGER.** Mr. Fleming congratulated Hagan Dietrich for being honorary city manager and sitting through both the work session and the business meeting today.
- B. MAYOR AND BOARD MEMBERS.** Alderman Olterman thanked Hagan and her family and wished everyone a happy new year. Alderman George commented on the cold weather and the need for supplies, such as blankets and towels, in local shelters for both animals and people. She also challenged citizens to donate blood. Vice-Mayor McIntire noted the deteriorating forecast, urging folks to be careful. He also commented on the Kingsport Community Foundation drive for Centennial Park. Alderman Duncan stated his tie tonight was signed by Stella Robinette’s HOPE group and he provided details on this organization. Alderman Mitchell noted the momentum from the recent summit group presentations. She also encouraged citizens to participate in the “your story” segment on the ONEKingsport website. Alderman Parham commented on the successful drive for pet adoptions last week at the SBK Animal Shelter, noting the danger of cold weather to pets. Mayor Clark discussed the Martin

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Luther King, Jr. prayer service, walk, and vigil held yesterday, noting that is what ONEKingsport is all about – citizens coming together.

**C. VISITORS.** Ms. Mary McNabb commented on favorably about the police department.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:30 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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JOHN CLARK  
Mayor



**AGENDA ACTION FORM**

**Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits**

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

Action Form No.: AF-28-2016  
Work Session: February 1, 2016  
First Reading: February 2, 2016  
Final Adoption: February 16, 2016  
Staff Work By: C. Shepherd  
Presentation By: C. Shepherd

**Recommendation:**

- Hold public hearing
- Approve ordinance amending the zoning ordinance to formalize the Historic Zoning Commission's Chairman expedited approval (in-house) approval

**Executive Summary:**

At the request of several historic district residents, staff has formally identified the procedure for the chairman expedited approval (in-house). When residents within historic zoning districts wish to make external improvements to their properties they must submit an application that includes specifics about the work to be done. If these projects are to be quite significant, the resident is required to come before the Kingsport Historic Zoning Commission to present the project. However, if the project is to be minor in nature (replacement of shingles, painting approved paint colors, or other minor cosmetic repairs, etc.), the Historic Zoning Commission Chairman in conjunction with staff, will approve the project without requiring the applicant's presence at an HZC meeting.

This informal process has been followed for at least a decade in an effort to make the HZC process as citizen-friendly as possible while honoring the intent of historic zoning. This ordinance change simply formalizes the process. The Notice of Public Hearing was published January 18, 2016.

**Attachments:**

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

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Oiterman	—	—	—
Parham	—	—	—
Clark	—	—	—

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday February 2, 2016 to consider amending the Code of Ordinances to establish in-house approval procedures for the Kingsport Historic Zoning Commission. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

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

CITY OF KINGSPORT  
Angie Marshall, Deputy City Clerk  
P1T: 1/18/16

# PRE-FILED CITY RECORDER

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,  
CITY OF KINGSPORT, TENNESSEE, SECTION 114-242(3) BY  
ADDING A PARAGRAPH PERTAINING TO MINOR  
IMPROVEMENTS; AND TO FIX THE EFFECTIVE DATE OF  
THIS ORDINANCE

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

SECTION I. That Section 114-242(3), of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended by adding the following:

(d) *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official, or designee, shall be responsible for reviewing an application that substantially conforms to the district guidelines and is minor. Minor improvements will not alter the appearance or integrity of the structure, (for example, minor improvements include things such as roof shingles, paint color, or any cosmetic repairs) provided chairman and building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

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

\_\_\_\_\_  
JOHN CLARK  
Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

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

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_



**PROPERTY INFORMATION**

City-wide

**INTENT**

At the request of several historic district residents, staff has formally identified the procedure for the chairman expedited approval (in-house). When residents within historic zoning districts wish to make external improvements to their properties they must submit an application that includes specifics about the work to be done. If these projects are to be quite significant, the resident is required to come before the Kingsport Historic Zoning Commission to present the project. However, if the project is to be minor in nature (replacement of shingles, painting approved paint colors, or other minor cosmetic repairs, etc.), the Historic Zoning Commission Chairman in conjunction with staff, will approve the project without requiring the applicant's presence at an HZC meeting.

This informal process has been followed for at least a decade in an effort to make the HZC process as citizen-friendly as possible while honoring the intent of historic zoning. This ordinance change simply formalizes the process.

**Changes to the Current Zoning Code:**

**Sec. 114-242. – Building permits.**

**Add the following:**

- (3) (d) *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official, or designee, shall be responsible for reviewing an application that substantially conforms to the district guidelines and is minor. Minor improvements will not alter the appearance or integrity of the structure, (for example, minor improvements include things such as roof shingles, paint color, or any cosmetic repairs) provided chairman and building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

## Sec. 114-242. - Building permits.

In an historic district, any building permit issued shall be in conformance with the following:

- (1) *Permit required.* No alteration, moving, demolition, addition or new construction shall take place in an historic district until an application for a certificate of appropriateness has been filed with the building official and an approved permit obtained for the proposed work. In addition, an application shall be made in the same manner for any work, including but not limited to alterations, additions, demolition, removal or new construction which alters or contributes to the exterior appearance of existing structures, including but not limited to exterior painting or finishing of structures and their roofs, guttering, siding, trim and foundations, or their environment, including but not limited to isolated features such as chimneys, walls, trees, streams, foundations, roadbeds and general grading, and an approved building permit shall be obtained before work can begin.
- (2) *Application for certificate of appropriateness.* An application for a certificate of appropriateness shall be referred directly by the building official to the historic zoning commission. In applying to the building official for a certificate of appropriateness, the applicant shall submit a dimensional scale plan indicating the shape, size and location of the lot to be built upon and the shape, size, height and location of all buildings to be erected, altered or moved and of any building already on the lot. The applicant shall also state the existing and intended use of all such buildings and shall provide preliminary exterior elevations indicating material, color, architectural features, signs and such other information as may be required by the building official or the historic zoning commission for determining whether this chapter is being observed.
- (3) *Historic zoning commission action.* Upon receiving the application, the historic commission shall, within 30 days following the availability of sufficient data, issue to the office of the building official a letter stating its approval, with or without attached conditions, or disapproval with the grounds for disapproval stated in writing.
  - a. *Commission review.* In its review of material submitted, the historic zoning commission shall give consideration to:
    1. The historic and architectural value of the present structure;
    2. The relationship of exterior architectural features of such structure to the rest of the structures of the surrounding area;
    3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used; and
    4. Any other factor, including aesthetics, which is deemed pertinent.
  - b. *Disapproval.* If disapproval is being considered, the historic zoning commission shall describe to the applicant, if possible, the types of changes in the application that would be necessary for the historic zoning commission to consider approval.
  - c. *Limitations on historic zoning commission.* The historic zoning commission shall not consider or make any requirements pertaining exclusively to the interior of a structure, shall not grant variances from the terms of this chapter and shall not make any requirement except for the purpose of preventing developments obviously incongruous to the historic aspects of the district.
  - d. *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official, or designee, shall be responsible for reviewing an application that substantially conforms to the district guidelines and is minor. Minor improvements will not alter the appearance or integrity of the structure, (for example, minor improvements include things such as roof shingles, paint color, or any cosmetic repairs) provided chairman and

building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

(Code 1981, app. A, art. VI, § 5; Code 1998, § 114-285)

**CONCLUSION**

Staff recommends **APPROVAL** to amend Kingsport's zoning code pertaining to the Historic Zoning Commission Chairman's expedited approval process (in-house) as presented.



**AGENDA ACTION FORM**

**Amend the Zoning Ordinance to Create the B-2E Central Business Edge District, to Better Accommodate Existing and Proposed Uses Downtown**

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

Action Form No.: AF-12-2016  
Work Session: February 1, 2016  
First Reading: February 2, 2016  
Final Adoption: February 16, 2016  
Staff Work By: Justin Steinmann  
Presentation By: Justin Steinmann

**Recommendation:**

- Hold public hearing
- Approve ordinance amending the Zoning Ordinance to create the B-2E Central Business Edge District, to better accommodate existing and proposed uses downtown.

**Executive Summary:**

This zoning text amendment (ZTA) creates a new B-2E Central Business Edge District, including changes to permitted and prohibited uses; allowance for a greater setback for certain uses, changes to fenestration requirements; changes to cladding requirements, clarifications to concealment requirements and blade sign requirements, greater allowance for signage, allowance for reductions in landscape and screening requirements if public enhancements are proposed, and a reduction in the number of dwelling units that trigger residential parking requirements. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to approve this zoning text amendment to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

Please note that approval of AF 13-2016 is contingent upon approval of this item.

**Attachments:**

1. Notice of Public Hearing
2. Zoning Text Amendment in Ordinance Format
3. Staff Report

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, February 2, 2016 to consider amending the Code of Ordinances to create the B-2 Edge zone to better accommodate existing and proposed uses on the periphery of downtown. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

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

CITY OF KINGSPORT  
Angie Marshall, Deputy City Clerk  
P1T: 1/18/16

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

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,  
CITY OF KINGSPORT, TENNESSEE, AND TO FIX THE  
EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Code of Ordinances, City of Kingsport, TN is hereby amended by adding a section numbered 114-202, B-2E (Central Business Edge District), which section reads:

(a) *Principal uses.* Principal uses permitted in the B-2E, Central Business Edge District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.
- (6) Climate-controlled indoor storage, provided that said facilities are only permitted to occupy existing buildings.
- (7) Municipal and other government uses.

(b) *Accessory uses.* Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage other than climate-controlled indoor storage as described in (a)(6) is permitted when accessory and incidental to a residential use.

*Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2E district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site.

*Prohibited uses.* Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
  - (2) Truck terminals and freight yards.
  - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.
  - (4) Single-family detached dwellings.
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2E district are as follows:

(1) *Minimum requirements.* No requirements are applicable to this district.

(2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall have a maximum setback from the front property line of 20 feet, excepting uses as described in (a)(7). Structures housing uses as described in (a)(1) and (a)(3) through (a)(6) as a principal use at ground level shall be built to the property line for at least 75% of the building frontage.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

(1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing public streets, excluding alleys, for retail and office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.

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

(3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

(4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.

(5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall comply with the recommendations.

(f) *Signs.*

(1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings or new construction with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.

(2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 150

square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

- (3) Murals and banners shall not be permitted in the B-2E district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2E district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.

(g) *Parking.*

(1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to public space, sidewalks, streetscapes, or parking lot screening are proposed by the property owner.

(2) *Residential uses.* Residential uses in the B-2E zone of 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of 13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Surface parking adjacent to any street, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street frontage. Reductions in screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means, or if enhancements to public space, sidewalks, or streetscapes are proposed by the property owners. Alleys are not required to be screened.

SECTION II. That, Section 114-533 of the Code of Ordinances, City of Kingsport, Tennessee is amended by adding a new subsection, which subsection reads as follows:

(15) *B-2E (Central Business Edge District)*

See B-2E (Central Business Edge District).

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

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JOHN CLARK  
Mayor

ATTEST:

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JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

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J. MICHAEL BILLINGSLEY  
City Attorney

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_



Introduction:

In April 2015, in an effort to adapt the city zoning code to better serve the evolving needs of downtown, the B-2 Central Business District was modified to help protect the traditional character of downtown. Key points from the zoning text amendment included:

Key points from the April 2015 B-2 amendment:

1. Single-family detached dwellings, animal boarding facilities and car dealerships will be prohibited.
2. Facilities with drive-throughs will be more closely regulated.
3. Maximum setbacks and building heights will be established.
4. Design requirements for windows, cladding, equipment concealment and sidewalks will be added.
5. Signage requirements will be changed to encourage building signage over freestanding signage.
6. Residential parking requirements will become more flexible.
7. Commercial parking requirements will be eliminated.
8. Requirements for location of parking lots on individual sites and screening of parking lots will be established

At the time the changes were adopted, it was noted that staff recognized that portions of downtown further from the core do have a different character than the heart of downtown. Staff planned to return at a subsequent Planning Commission meeting with a stepped-down version of the B-2 changes that would apply to some of the outlying areas of downtown. This proposed zoning text amendment represents that stepped-down version of B-2.

In an effort to better accommodate existing and proposed uses on the periphery of downtown, a new B-2E Central Business Edge District is proposed, as provided below.

Key points for the proposed January 2016 B-2E amendment:

1. Allow climate-controlled indoor storage in existing buildings only.
2. Clarify that single-family detached dwellings are a prohibited use.
3. Allow a setback of up to 20 feet for selected uses; allow greater setbacks for government uses.
4. Establish a 15% fenestration requirement for retail and office uses
5. Clarify that fenestration requirements apply only to building walls facing public streets.
6. Allow architectural metal as a primary cladding material.
7. Allow freestanding signs for new construction with a setback of ten feet or greater.

8. Allow additional wall signage for larger uses.
9. Require that cooling towers are concealed.
10. Specify maximum distance a blade sign can extend from a building.
11. Eliminate specific requirement that parking at grade be located behind a building; in practice this will be enforced by other provisions of the code.
12. Allow reductions in parking lot planting and screening requirements if enhancements to public space, sidewalks, streetscapes, *et cetera* are proposed as part of a project.
13. Change the threshold for the required number of dwelling units in a single project that trigger parking requirements from 25 to 12.

Presentation:

The wording proposed for the B-2E Central Business Edge District is below.

Creation of Article III, Section 114-202 – B-2E, Central Business Edge District:

- (a) *Principal uses.* Principal uses permitted in the B-2E, Central Business Edge District are as follows:
- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
  - (2) Financial offices.
  - (3) Residential, except single-family detached dwellings.
  - (4) Establishments for the sale or provision of personal appearance or care, finance, ~~insurance, real estate, clothing and goods repair~~, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
  - (5) On-premises and off-premises alcoholic beverage sales.
  - (6) Climate-controlled indoor storage, provided that said facilities are only permitted to occupy existing buildings.
  - (7) Municipal and other government uses.
- (b) *Accessory uses.* ~~Accessory uses which~~ Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage ~~besides other than~~ climate-controlled indoor storage as described in Section 114-202(a)(6) is permitted when accessory and incidental to a residential use.

*Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2E district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site.

*Prohibited uses.* Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
  - (2) Truck terminals and freight yards.
  - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.
  - (4) Single-family detached dwellings.
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2E district are as follows:
- (1) *Minimum requirements.* No requirements are applicable to this district.
  - (2) *Maximum permitted.*
    - (a) *Setbacks.* Structures housing principal uses shall have a maximum setback from the front property line of 20 feet, excepting uses as described in ~~Section 114-202(a)(7)~~. Structures housing uses as described in ~~Section 114-202(a)(1)~~ and ~~Section 114-202(a)(3)~~ through ~~(a)(6)~~ as a principal use at ground level shall be built to the property line for at least 75% of the building frontage.
    - (b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.
- (f) *Design Requirements.*
- (1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing public streets, excluding alleys, for retail and office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or ~~structural~~structural uses that would preclude meeting the requirement.
  - (2) *Cladding.* Building materials for areas visible from ~~street right-of-way~~streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, architectural metal, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, and wood. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.
  - (3) *Concealed Equipment.* The following shall be located or screened so as not to visible from any ~~street right-of-way~~, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbeques, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

- (4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs ~~must~~shall not be accessed via ~~alleys or side streets.~~ ~~For purposes of this section side streets include all downtown streets except from~~ the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via an ~~alley or side street~~Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.
- (5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the ~~Board~~board of ~~Mayor~~mayor and ~~Aldermen~~aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall ~~be required to comply with said~~the recommendations.
- (~~g~~) *Signs.*
- (1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings or new construction with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.
- (2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to ~~400~~150 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.
- (3) Murals and banners shall not be permitted in the B-2E district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2E district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.
- (~~h~~) *Parking.*
- (1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(~~Dd~~). Parking lot landscaping requirements may be reduced if enhancements to public space, sidewalks, streetscapes, or parking lot screening are proposed by the property ~~owners~~owner.

(2) *Residential uses.* Residential uses in the B-2E zone of less than 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of ~~42~~13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Surface parking adjacent to any street ~~right-of-way, excluding alleys,~~ excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street ~~right-of-way~~ frontage. Reductions in ~~plantings~~screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means, or if enhancements to public space, sidewalks, or streetscapes are proposed by the property owners. -Alleys are not required to be screened.

Changes to Article IV, Section 114-533. - On-Premises Signs [adding paragraph 15]:

(15) *B-2E (Central Business Edge District)*

See B-2E (Central Business Edge District).



**AGENDA ACTION FORM**

**Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown**

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

Action Form No.: AF-13-2016  
Work Session: February 1, 2016  
First Reading: February 2, 2016  
Final Adoption: February 16, 2016  
Staff Work By: Justin Steinmann  
Presentation By: Justin Steinmann

**Recommendation:**

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone multiple parcels from B-2, Central Business District to B-2E, Central Business Edge District.

**Executive Summary:**

This is a City-initiated rezoning of approximately 86.68 acres located in three areas downtown from B-2 to B-2E. The purpose of the rezoning is to better accommodate existing and proposed uses downtown. As of January 26, 2016, the Planning Department has received several inquiries regarding the rezoning proposal but no opposition. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation for the rezoning to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

Approval of this rezoning is contingent upon approval of AF 12-2016, the B-2E, Central Business Edge District Zoning Text Amendment.

**Attachments:**

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

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on February 2, 2016 to consider the rezoning for portions of downtown from B-2 District to B-2 Edge District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

### **Area 1:**

BEGINNING at a point, said point lying at the intersection of the centerline of West Main Street and Clay Street, Tax Map 46P; thence in a northwesterly direction, approximately 364 feet to a point, said point lying at the southeastern corner of parcel 23; thence in a northeasterly direction, approximately 894 feet to a point, said point lying on the centerline of Clinchfield Street; thence in a southeasterly direction, crossing through parcel 11, approximately 423 feet to a point, said point being the centerline of Revere Street; thence in a northeasterly direction, following the centerline of Revere Street, approximately 38 feet to a point, said point lying on the centerline of Revere Street; thence in a southeasterly direction, following the centerline of an unnamed alley, approximately 383 feet to a point, said point lying on the centerline of Clay Street; thence in a southwesterly direction, approximately 879 feet to the point of BEGINNING, and being all of parcels 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 11.01, 11.02, 12.00, 13.00, 15.00, 16.00, 17.00, 18.00, 19.00, 19.10, 20.00, 21.00, 22.00 and a portion of parcel 11.00, Tax Maps 46I and 46P, as well as a portion of Clinchfield Street, approximately 267 feet in length, Clay Street, approximately 879 in length, an unnamed alley, approximately 383 feet in length, West Main Street, approximately 627 feet in length, and Revere Street, approximately 38 feet in length as shown on the August 2015 Sullivan County Tax Maps.

### **Area 2:**

BEGINNING at a point, said point being the intersection of the centerline of Clinchfield Street and West Center Street, Tax Map 46I; thence in a northwesterly direction, following the centerline of West Center Street, approximately 1,026 feet to a point, said point being the intersection of the centerline of West Center Street and Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 162 feet to a point, said point lying on the centerline of Roller Street; thence in a northwesterly direction, following the southwestern property line of parcel 22.50, approximately 258 feet to a point, said point being the western corner of parcel 22.50; thence in a northeasterly direction, crossing the right-of-way of Arch Street, approximately 239 feet to a point, said point being the western corner of parcel 10; thence in a southeasterly direction, following the northeastern right-of-way of Arch Street, approximately 250 feet to a point, said point being the centerline of Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 415 feet to a point, said point lying on the centerline of Roller Street; thence in a southeasterly direction, following the southwest boundary of

parcel 3, approximately 158 feet to a point, said point being the southern corner of parcel 3; thence in a northeasterly direction, crossing the right-of-way of an unnamed alley, approximately 402 feet to a point, said point lying on the boundary of parcel 2.10; thence in a northwesterly direction, following the southwestern boundary of parcel 2.10, approximately 58 feet to a point, said point being the western corner of parcel 2.10; thence in a northeasterly direction, approximately 177 feet to a point, said point lying on the centerline of West Sullivan Street; thence in a southeasterly direction, following the centerline of West Sullivan Street, approximately 312 feet to a point, said point being the intersection of the centerline of West Sullivan Street and Clinchfield Street; thence in a southwesterly direction, following the centerline of Clinchfield Street, approximately 1,484 feet to the point of BEGINNING, and being all of parcels 22.00 and 22.50 of Tax Map 46H, Group J and parcels 2.00, 2.02, 2.03 2.04, 2.05, 2.10 of Tax Map 46H, Group K, as well as a portion of Clinchfield street, approximately 1,484 feet in length, a portion of West Center Street, approximately 1,026 feet in length, a portion of Arch Street, approximately 225 feet in length, a portion of Roller Street, approximately 577 feet in length, a portion of an unnamed alley, approximately 58 feet in length, and a portion of West Sullivan Street, approximately 312 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

#### Area 3:

BEGINNING at a point, said point lying at the intersection of the centerline of Cherokee Street and East Center Street, Tax Map 46P; thence in a southeasterly direction, following the centerline of East Center Street, approximately 1,452 feet to a point, said point lying on the centerline of East Center Street; thence in a southeasterly direction, following the centerline of Dale Alley, approximately 2,246 feet to a point, said point lying on the centerline of Dale Alley; thence in a southwesterly direction, crossing into the right-of-way of East Sullivan Street, approximately 183 feet to a point, said point lying on the centerline of East Sullivan Street; thence in a northwesterly direction, following the centerline of East Sullivan Street, approximately 296 feet to a point, said point lying at the intersection of the centerline of East Sullivan Street and East Main Street; thence in a northwesterly direction, following the centerline of East Main Street, approximately 2,018 feet to a point, said point lying at the intersection of the centerline of East Main Street and Wexler Street; thence in a northeasterly direction, following the centerline of Wexler Street, approximately 168 feet to a point, said point lying on the centerline of Wexler Street; thence in a northwesterly direction, following the centerline of an unnamed alley and crossing into the right-of-way of Cumberland Street, approximately 717 feet to a point, said point lying on the centerline of Cumberland Street; thence in a northeasterly direction, following the centerline of Cumberland Street, approximately 424 feet to a point, said point lying at the intersection of the the centerline of Cumberland Street and East Market Street; thence in a northwesterly direction, crossing into the right-of-way of Cherokee Street, approximately 375 feet to a point, said point lying at the intersection of the centerline of Cherokee Street and East Market Street; thence in a northeasterly direction, following the centerline of Cherokee Street, approximately 456 feet to the point of BEGINNING, and being all of parcels 25.02, 26.00, 27.00, 28.00 of Tax Map 46O, Group A; parcel 23.00 of Tax Map 46O, Group E; parcels 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 11.00, 12.00, 13.00, 14.00, 15.00, 18.00, 19.00, 20.00 of Tax Map 46O, Group F; parcels 1.00, 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.00, 11.00, 15.00, 15.20, 19.00,

20.00, 21.00, 22.00, 23.00, 24.00, 24.01, 25.00, 26.00, 27.02, 27.04, 27.05 of Tax Map 46O, Group G; parcels 46.00, 47.00, 48.00, 49.00, 51.00, 52.00, 53.00, 54.00, 55.00, 56.00, 57.00, 58.00, 58.10, 59.00 of Tax map 46O, Group H; parcels 4.00, 4.10, 5.00, 5.10, 6.00, 7.00, 8.00, 9.00, 10.00, 10.50, 11.00, 29.00, 30.00, 31.00, 32.00, 33.00, 34.00, 34.10 of Tax Map 46P, Group D; parcels 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 9.05, 9.10, 10.00, 11.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00, 21.00, 21.01, 21.02, 21.03, 22.00, 24.00, 29.00, 30.00 of Tax Map 46P, Group E; parcels 16.00, 17.00 of Tax Map 46P, Group F; parcels 26.01, 27.00, 27.01 of Tax Map 46P, Group G; parcels 4.00, 5.00, 6.00, 6.01, 7.00, 8.00, 9.00, 10.00, 11.00, 17.00, 18.00, 19.00, 20.00, 21.00, 22.00, 23.00, 242.00, 25.00, 25.01, 52.00, 53.00, 54.00, 55.00, 56.00 of Tax Map 61B, Group A; and parcels 12.00, 14.00 of Tax Map 61B, Group G, as well as the streets of Dale Alley, approximately 2,246 feet in length, East Sullivan Street, approximately 2,538 feet in length, Oak Street, approximately 184 feet in length, Unicoi Street, approximately 562 feet in length, East Market Street, approximately 1962 feet in length, Wexler Street, approximately 1,018 feet in length, Island Street, approximately 877 feet in length, Cumberland Street, approximately 877 feet in length, and Cherokee Street, approximately 456 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

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

CITY OF KINGSPORT  
Angie Marshall, Deputy City Clerk  
PIT: 1/18/16

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

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PORTIONS OF DOWNTOWN FROM B-2, CENTRAL BUSINESS DISTRICT TO B-2E, CENTRAL BUSINESS EDGE DISTRICT IN THE 11<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text and map, be and the same is hereby amended to rezone portions of downtown from B-2, Central Business District to B-2E, Central Business Edge District in the 11<sup>th</sup> Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Area 1:

BEGINNING at a point, said point lying at the intersection of the centerline of West Main Street and Clay Street, Tax Map 46P; thence in a northwesterly direction, approximately 364 feet to a point, said point lying at the southeastern corner of parcel 23; thence in a northeasterly direction, approximately 894 feet to a point, said point lying on the centerline of Clinchfield Street; thence in a southeasterly direction, crossing through parcel 11, approximately 423 feet to a point, said point being the centerline of Revere Street; thence in a northeasterly direction, following the centerline of Revere Street, approximately 38 feet to a point, said point lying on the centerline of Revere Street; thence in a southeasterly direction, following the centerline of an unnamed alley, approximately 383 feet to a point, said point lying on the centerline of Clay Street; thence in a southwesterly direction, approximately 879 feet to the point of BEGINNING, and being all of parcels 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 11.01, 11.02, 12.00, 13.00, 15.00, 16.00, 17.00, 18.00, 19.00, 19.10, 20.00, 21.00, 22.00 and a portion of parcel 11.00, Tax Maps 46I and 46P, as well as a portion of Clinchfield Street, approximately 267 feet in length, Clay Street, approximately 879 in length, an unnamed alley, approximately 383 feet in length, West Main Street, approximately 627 feet in length, and Revere Street, approximately 38 feet in length as shown on the August 2015 Sullivan County Tax Maps.

Area 2:

BEGINNING at a point, said point being the intersection of the centerline of Clinchfield Street and West Center Street, Tax Map 46I; thence in a northwesterly direction, following the centerline of West Center Street, approximately 1,026 feet to a point, said point being the intersection of the centerline of West Center Street and Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 162 feet to a point, said point lying on the centerline of Roller Street; thence in a northwesterly direction, following the southwestern property line of parcel 22.50, approximately 258 feet to a point, said point being the western corner of parcel 22.50; thence in a northeasterly direction, crossing the right-of-way of Arch Street, approximately 239 feet to a point, said point being the western corner of parcel 10; thence in a southeasterly direction, following the northeastern right-of-way of Arch Street, approximately 250 feet to a point, said point being the centerline of Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 415 feet to a point, said point lying on the centerline of Roller Street; thence in a southeasterly direction, following the southwest boundary of parcel 3, approximately 158 feet to a point, said point being the southern corner of parcel 3; thence in

a northeasterly direction, crossing the right-of-way of an unnamed alley, approximately 402 feet to a point, said point lying on the boundary of parcel 2.10; thence in a northwesterly direction, following the southwestern boundary of parcel 2.10, approximately 58 feet to a point, said point being the western corner of parcel 2.10; thence in a northeasterly direction, approximately 177 feet to a point, said point lying on the centerline of West Sullivan Street; thence in a southeasterly direction, following the centerline of West Sullivan Street, approximately 312 feet to a point, said point being the intersection of the centerline of West Sullivan Street and Clinchfield Street; thence in a southwesterly direction, following the centerline of Clinchfield Street, approximately 1,484 feet to the point of BEGINNING, and being all of parcels 22.00 and 22.50 of Tax Map 46H, Group J and parcels 2.00, 2.02, 2.03 2.04, 2.05, 2.10 of Tax Map 46H, Group K, as well as a portion of Clinchfield street, approximately 1,484 feet in length, a portion of West Center Street, approximately 1,026 feet in length, a portion of Arch Street, approximately 225 feet in length, a portion of Roller Street, approximately 577 feet in length, a portion of an unnamed alley, approximately 58 feet in length, and a portion of West Sullivan Street, approximately 312 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

### Area 3:

BEGINNING at a point, said point lying at the intersection of the centerline of Cherokee Street and East Center Street, Tax Map 46P; thence in a southeasterly direction, following the centerline of East Center Street, approximately 1,452 feet to a point, said point lying on the centerline of East Center Street; thence in a southeasterly direction, following the centerline of Dale Alley, approximately 2,246 feet to a point, said point lying on the centerline of Dale Alley; thence in a southwesterly direction, crossing into the right-of-way of East Sullivan Street, approximately 183 feet to a point, said point lying on the centerline of East Sullivan Street; thence in a northwesterly direction, following the centerline of East Sullivan Street, approximately 296 feet to a point, said point lying at the intersection of the centerline of East Sullivan Street and East Main Street; thence in a northwesterly direction, following the centerline of East Main Street, approximately 2,018 feet to a point, said point lying at the intersection of the centerline of East Main Street and Wexler Street; thence in a northeasterly direction, following the centerline of Wexler Street, approximately 168 feet to a point, said point lying on the centerline of Wexler Street; thence in a northwesterly direction, following the centerline of an unnamed alley and crossing into the right-of-way of Cumberland Street, approximately 717 feet to a point, said point lying on the centerline of Cumberland Street; thence in a northeasterly direction, following the centerline of Cumberland Street, approximately 424 feet to a point, said point lying at the intersection of the centerline of Cumberland Street and East Market Street; thence in a northwesterly direction, crossing into the right-of-way of Cherokee Street, approximately 375 feet to a point, said point lying at the intersection of the centerline of Cherokee Street and East Market Street; thence in a northeasterly direction, following the centerline of Cherokee Street, approximately 456 feet to the point of BEGINNING, and being all of parcels 25.02, 26.00, 27.00, 28.00 of Tax Map 46O, Group A; parcel 23.00 of Tax Map 46O, Group E; parcels 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 11.00, 12.00, 13.00, 14.00, 15.00, 18.00, 19.00, 20.00 of Tax Map 46O, Group F; parcels 1.00, 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.00, 11.00, 15.00, 15.20, 19.00, 20.00, 21.00, 22.00, 23.00, 24.00, 24.01, 25.00, 26.00, 27.02, 27.04, 27.05 of Tax Map 46O, Group G; parcels 46.00, 47.00, 48.00, 49.00, 51.00, 52.00, 53.00, 54.00, 55.00, 56.00, 57.00, 58.00, 58.10, 59.00 of Tax map 46O, Group H; parcels 4.00, 4.10, 5.00, 5.10, 6.00, 7.00, 8.00, 9.00, 10.00, 10.50, 11.00, 29.00, 30.00, 31.00, 32.00, 33.00, 34.00, 34.10 of Tax Map 46P, Group D; parcels 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 9.05, 9.10, 10.00, 11.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00, 21.00, 21.01, 21.02, 21.03, 22.00, 24.00, 29.00, 30.00 of Tax Map 46P, Group E; parcels 16.00, 17.00 of Tax Map 46P, Group F; parcels 26.01, 27.00, 27.01 of Tax Map 46P, Group G; parcels 4.00, 5.00, 6.00, 6.01, 7.00, 8.00, 9.00, 10.00, 11.00, 17.00, 18.00, 19.00, 20.00, 21.00, 22.00, 23.00, 242.00, 25.00, 25.01, 52.00, 53.00, 54.00, 55.00, 56.00 of Tax Map 61B, Group A; and parcels 12.00, 14.00 of Tax Map 61B, Group G, as well as the streets of Dale Alley, approximately 2,246 feet in

length, East Sullivan Street, approximately 2,538 feet in length, Oak Street, approximately 184 feet in length, Unicoi Street, approximately 562 feet in length, East Market Street, approximately 1962 feet in length, Wexler Street, approximately 1,018 feet in length, Island Street, approximately 877 feet in length, Cumberland Street, approximately 877 feet in length, and Cherokee Street, approximately 456 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

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

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

\_\_\_\_\_  
JOHN CLARK  
Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

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

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_



**PROPERTY INFORMATION**

<b>ADDRESS</b>	Multiple
<b>DISTRICT</b>	11
<b>OVERLAY DISTRICT</b>	Gateway
<b>EXISTING ZONING</b>	B-2 (Central Business District)
<b>PROPOSED ZONING</b>	B-2E (Central Business Edge District)
<b>ACRES</b>	86.68 +/-
<b>EXISTING USE</b>	Mixed-Use
<b>PROPOSED USE</b>	n/a

**PETITIONER**

**ADDRESS**                    **225 West Center Street**

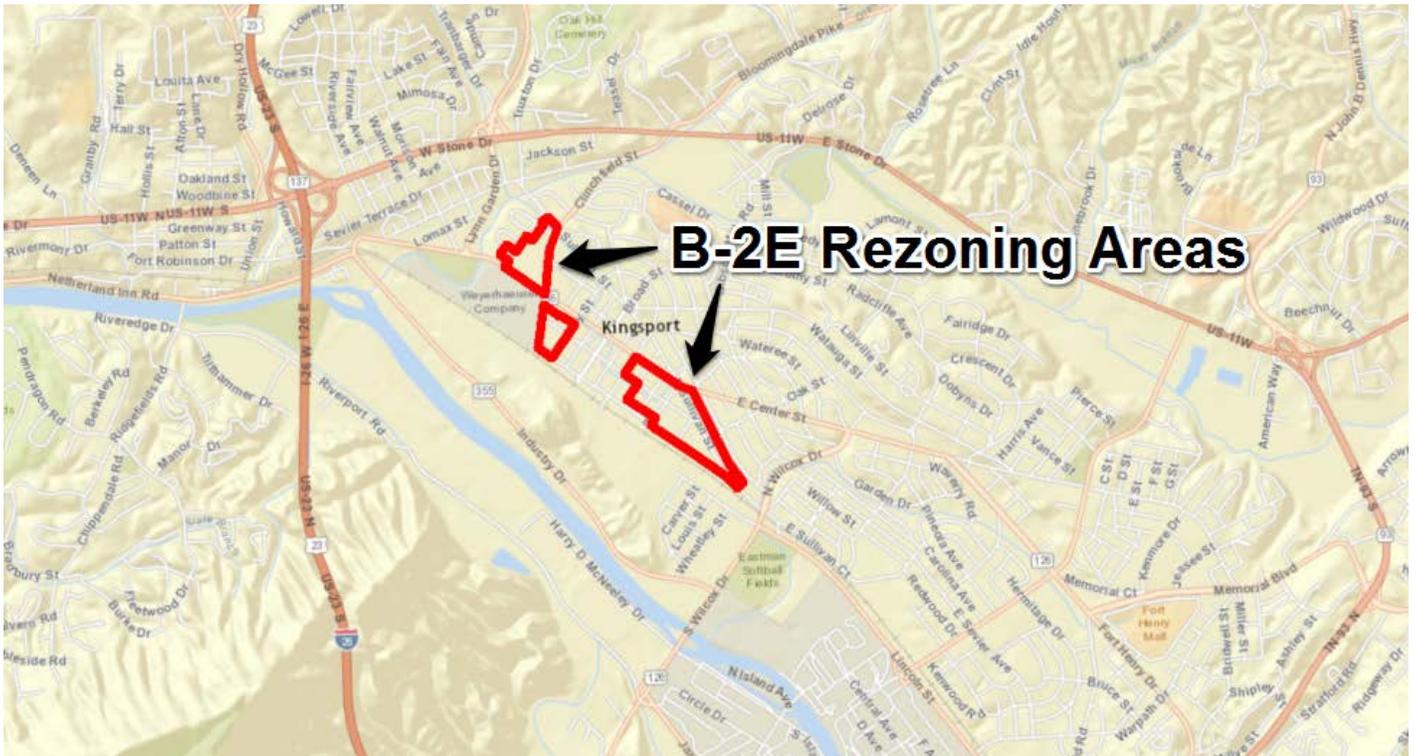
**REPRESENTATIVE**

**PHONE**                      **(423) 229-9485**

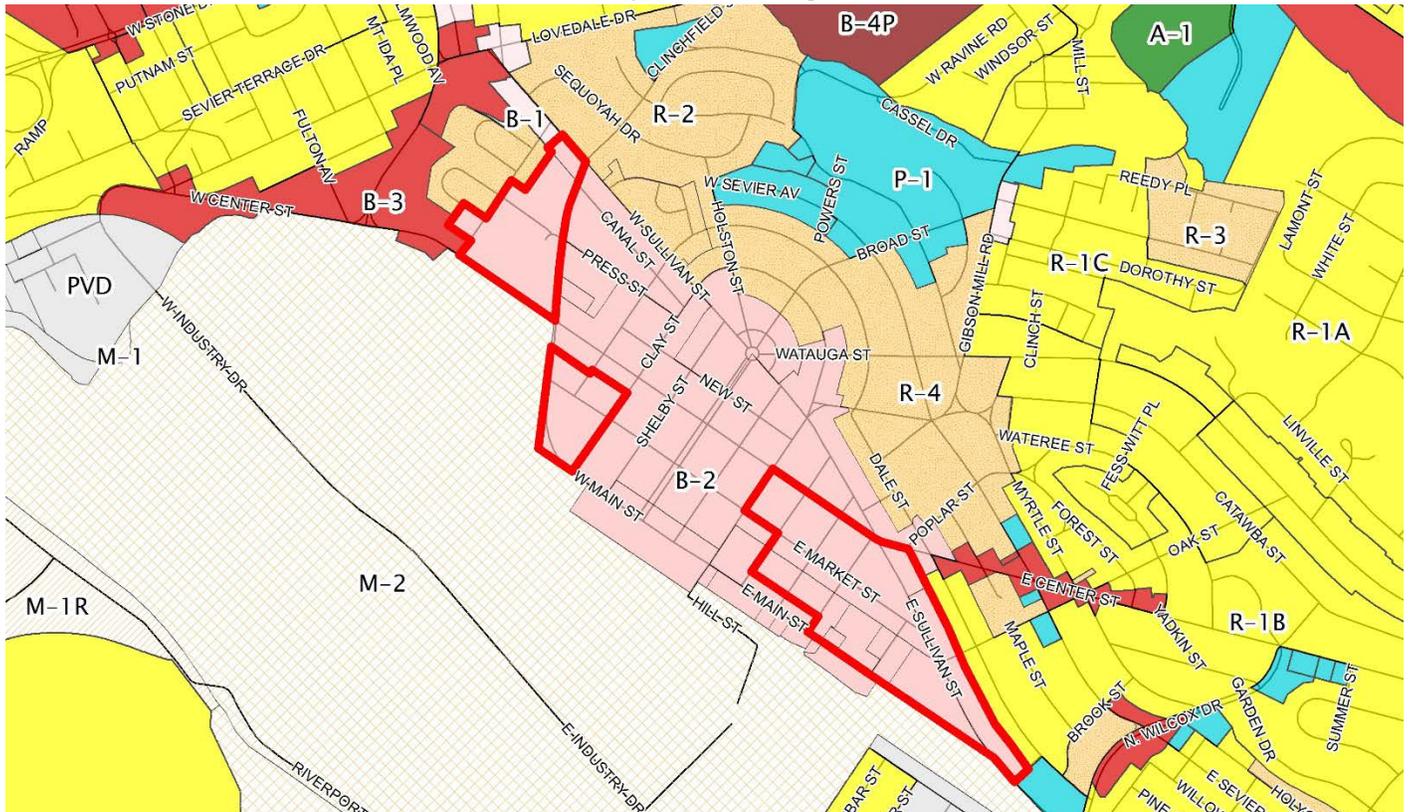
**INTENT**

*To rezone from B-2, Central Business District to B-2E, Central Business Edge District to better accommodate existing and proposed uses in downtown.*

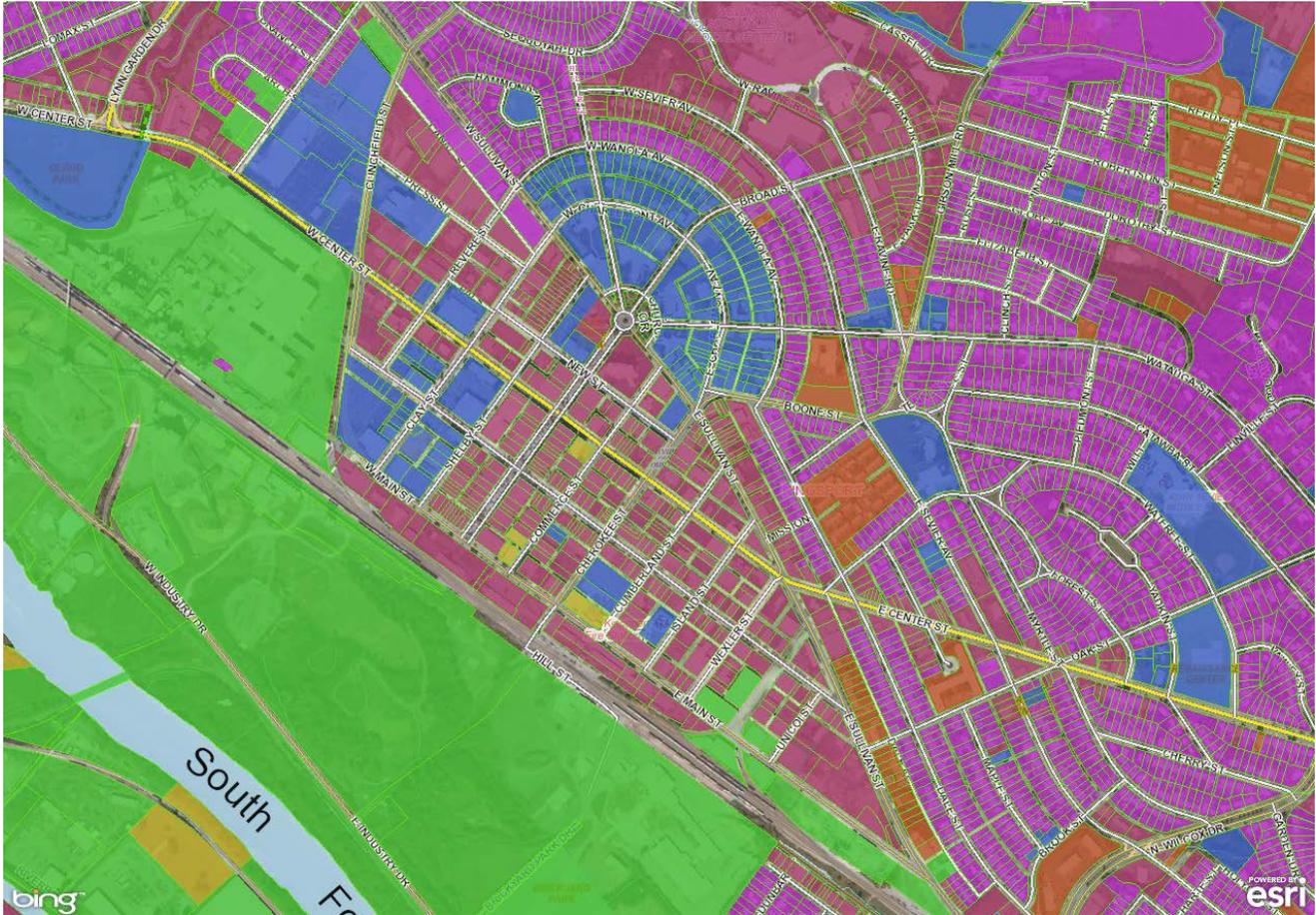
Vicinity Map



Adjacent Zoning



**Future Land Use Map**





**View From East Sullivan/Main Street Intersection Looking West**



**From Center St/Sullivan St Intersection Looking South**



**From Cherokee St/Center St Intersection Looking Southwest**



**Farmer's Market and Carousel**



**Chamber of Commerce**



### Food City



#### Adjacent Zoning and Land Use

The proposed district adjoins a variety of zoning districts and land uses, including industrial, commercial, multifamily, and single-family districts and uses. The only single-family area that the proposed B-2E district adjoins is north of Sullivan Street along Dale Alley.

#### Property Features

The west rezoning areas contain the Food City shopping center, the Farmer's Market and Carousel, and the Press Building, including the Chamber of Commerce and Kingsport City Schools office building. A mostly undeveloped portion of the Academic Village campus also lies within the rezoning boundary. To the east, a mix of office and warehouse uses predominate; some warehouses have been repurposed into uses such as youth basketball courts. Topography is mostly flat with the exception of properties along the east side of Sullivan Street which are built into or on the significant slope.

#### Standards of Review

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

- 1. Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?** The proposal will permit mixed-use development and other uses that will be suitable in regard to abutting zones.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal.

3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. The proposed zone, however, better accommodates existing and proposed uses within the proposed rezoning area.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** The proposal will not cause a burdensome use of existing streets, transportation facilities, or schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

**Proposed use:** The uses permitted in the proposed B-2E zone are substantially similar to those permitted in the B-2 zone. The future land use plan predominantly recommends commercial and public uses in this area; the plan does not contain a category for mixed-uses. The permitted zone will allow commercial and public uses.

**The Future Land Use Plan Map recommends** predominantly recommends commercial and public uses for the property proposed for rezoning.

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** Existing and proposed uses within the area proposed for rezoning will be better accommodated by the B-2E zone than the current B-2 zone.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No adverse uses are permitted within the zone.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposal will be substantially similar to the existing B-2 zone, and is being rezoned entirely from areas that are currently zoned B-2.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** This is a new zoning district, so the question does not apply.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

**CONCLUSION**

Staff recommends APPROVAL to rezone from B-2 to B-2E. This rezoning will better accommodate existing and proposed uses in downtown.

**Note:**

The following communication was received by staff in regard to the B-2E zoning text amendment and rezoning cases. Staff plan to further examine the issues raised by Mr. King as part of the downtown master plan study effort to follow the Summit.

## Steinmann, Justin

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**From:** Jack King <jackking@oechoosting.com>  
**Sent:** Wednesday, January 27, 2016 12:24 PM  
**To:** Steinmann, Justin  
**Subject:** Revere Street Zoning

Dear Mr. Steinmann,

As a property owner in downtown Kingsport, I wanted to bring a certain parcel of property to the committee's attention as it relates to the ongoing discussion regarding the B-2 and B-2 Edge zoning considerations. I was not made aware of the B-2 zoning enhancements and restrictions that apparently took place in early 2015 and while it is possible that communication from the City was publicized during that restriction enhancement period, I do not recall being made aware of such developments. Regardless, under the relaxed zoning of the B-2 Edge, I am requesting that my property located at 320 Revere Street be included. I have never publicly sought to sell this piece of real estate, however, over the last few years there have been certain interests for the development of new businesses. I believe that if the restrictive covenants now existing in the B-2 zone, which this property is currently part of, that most of the prospective real estate transactions could not have taken place and potential for this property to be developed and to bring additional tax revenue to Kingsport would be lost.

Several of the types of businesses which expressed an interest in this piece of real estate could not operate if the structure were required to be built at the curb. A carve out of this piece of real estate into the B-2 edge with permission for this property to have additional uses is in the best interest of the property owner and, for that matter, the City of Kingsport. To allow these restrictions to continue would amount to stifling the possible future development of this property going forward.

I appreciate your consideration regarding this request.

If you have any questions, please do not hesitate to contact me by calling 423-341-0420.

Sincerely,  
John R. "Jack" King



**AGENDA ACTION FORM**

**Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown**

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

Action Form No.:	AF-25-2016	Final Adoption:	February 16, 2016
Work Session:	February 1, 2016	Staff Work By:	Justin Steinmann
First Reading:	February 2, 2016	Presentation By:	Justin Steinmann

**Recommendation:**

- Hold public hearing
- Approve ordinance amending Ordinance 6475, the B-2 Central Business District, to better accommodate existing and proposed uses downtown.

**Executive Summary:**

This zoning text amendment (ZTA) proposes amendments to the B-2 zone, including changes to permitted and prohibited uses; changes to fenestration requirements; clarifications to concealment requirements and blade sign requirements, and a reduction in the number of dwelling units that trigger residential parking requirements. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to approve this zoning text amendment to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

**Attachments:**

1. Notice of Public Hearing
2. Zoning Text Amendment in Ordinance Format
3. Staff Report

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, February 2, 2016 to consider amending the Code of Ordinances to amend the B-2 zone to better accommodate existing and proposed uses downtown. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

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

CITY OF KINGSPORT  
Angie Marshall, Deputy City Clerk  
P1T: 1/18/16

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

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, ORDINANCE 6475; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Article III, Section 114-194. - B-2 Central Business District, City of Kingsport, Tennessee is amended by deleting the entire section and substituting in its place the following:

(a) *Principal uses.* Principal uses permitted in the B-2, Central Business District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.
- (6) Municipal and other government uses.

(b) *Accessory uses.* Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage is permitted when accessory and incidental to a residential use.

*Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2 district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site.

*Prohibited uses.* Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
  - (2) Truck terminals and freight yards.
  - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.
  - (4) Single-family detached dwellings
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2 district are as follows:
- (1) *Minimum requirements.* No requirements are applicable to this district.

(2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall be built to the front property line for at least 75% of the building frontage. For structures on corner lots, both street frontages shall be considered front property lines for purposes of these requirements. Buildings must provide a primary building entry at the front property line.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

(1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing streets, excluding alleys, for office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line, and 30% for all other uses. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.

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

(3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

(4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.

(5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall comply with the recommendations.

(g) *Signs.*

(1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.

(2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

- (3) Murals and banners shall not be permitted in the B-2 district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2 district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.

(h) *Parking.*

(1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to sidewalks, streetscapes, or parking lot screening are proposed by the property owner.

(2) *Residential uses.* Residential uses in the B-2 zone of 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of 13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Parking at grade must be located behind a building and screened from view by the building. If it is determined by the Planning Division that this requirement cannot be met, parking may be located to the side of the building. In no case excepting existing surface parking for existing buildings shall surface parking be located between the front of the building and the street. Surface parking adjacent to any street, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street frontage. Reductions in screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means. Alleys are not required to be screened.

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

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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 \_\_\_\_\_



Introduction:

In April 2015, in an effort to adapt the city zoning code to better serve the evolving needs of downtown, the B-2 Central Business District was modified to help protect the traditional character of downtown. Key points from the zoning text amendment include:

Key points from the April 2015 B-2 amendment:

1. Single-family detached dwellings, animal boarding facilities and car dealerships will be prohibited.
2. Facilities with drive-throughs will be more closely regulated.
3. Maximum setbacks and building heights will be established.
4. Design requirements for windows, cladding, equipment concealment and sidewalks will be added.
5. Signage requirements will be changed to encourage building signage over freestanding signage.
6. Residential parking requirements will become more flexible.
7. Commercial parking requirements will be eliminated.
8. Requirements for location of parking lots on individual sites and screening of parking lots will be established

In an effort to better accommodate existing and proposed uses downtown, modifications are proposed to the B-2 zone as enumerated below.

Key points for the proposed January 2016 B-2 amendment:

1. Provide clarifications to the list of permitted and prohibited uses.
2. Reduce the fenestration requirement for office uses from 30% to 15%.
3. Clarify that fenestration requirements apply only to building walls facing public streets.
4. Clarify that equipment concealment requirements apply to cooling towers.
5. Specify maximum distance a blade sign can extend from a building.
6. Correct a paragraph numbering error.
7. Change the threshold for the required number of dwelling units in a single project that trigger parking requirements from 25 to 12.
8. Various other clarifications/corrections.

Presentation:

The wording proposed for modifications to the B-2 zone is below in a strike-through/underline format.

Changes to Ordinance 6475:

(a) *Principal uses.* Principal uses permitted in the B-2, Central Business District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, ~~insurance, real estate,~~ clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.

(6) Municipal and other government uses.

(b) *Accessory uses.* ~~Accessory uses which~~ Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2 district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage is permitted when accessory and incidental to a residential use.

*Special exceptions.* Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2 district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site.

*Prohibited uses.* Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
  - (2) Truck terminals and freight yards.
  - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.
  - (4) Single-family detached dwellings.
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2 district are as follows:
- (1) *Minimum requirements.* No requirements are applicable to this district.

(2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall be built to the front property line for at least 75% of the building frontage. For structures on corner lots, both street frontages shall be considered front property lines for purposes of these requirements. Buildings must provide a primary building entry at the front property line.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

(1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing streets, excluding alleys, for office uses is required to be a minimum of 15%~~30%~~ of the total façade area from finish floor line to finish floor line, and 30% for all other uses. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.

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

(3) *Concealed Equipment.* The following shall be located or screened so as not to visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbeques, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

(4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. ~~Drive-throughs must be accessed via alleys or side streets. For purposes of this section side streets include all downtown streets except the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, should take their access via an alley or side street if possible. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8<sup>th</sup> edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.~~

(5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment ~~shall be required to comply with said recommendations~~ shall comply with the recommendations.

(g) *Signs.*

- (1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.
  - (2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.
  - (3) Murals and banners shall not be permitted in the B-2 district, except as approved by the board of mayor and aldermen.
  - (5) Electronic message boards are prohibited in the B-2 district.
  - (6) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.
- (h) *Parking.*
- (1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to sidewalks, streetscapes, or parking lot screening are proposed by the property owner.
  - (2) *Residential uses.* Residential uses in the B-2 zone of ~~less than 25~~ 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of ~~25~~ 13 or more residential units shall provide 1.5 spaces per unit, either:
    - (a) Onsite.
    - (b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;
  - (3) *Screening.* Parking at grade must be located behind a building and screened from view by the building. If it is determined by the Planning Division that this requirement cannot be met, parking may be located to the side of the building. In no case excepting existing surface parking for existing buildings shall surface parking be located between the front of the building and the street. Surface parking adjacent to any street ~~right-of-way~~, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street ~~street right-of-way~~ frontage. Reductions in screening requirements and buffer width may be requested

due to site conditions, including limited space on site or screening being available through other means. Alleys are not required to be screened.



**AGENDA ACTION FORM**

**Ordinance to Condemn**

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

Action Form No.: AF-21-2016  
 Work Session: February 1, 2016  
 First Reading: February 2, 2016

Final Adoption: February 16, 2016  
 Staff Work By: R. Trent, H. Clabaugh  
 Presentation By: M. Billingsley

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

The Public Works Department has requested easements and right-of-ways for Phase 3 of the Colonial Heights Sanitary Sewer Extension Project. The attached ordinance authorizes and directs the City Attorney to initiate condemnation proceedings to acquire easements and rights-of-way that cannot be voluntarily acquired on Phase 3 of the Colonial Heights Sanitary Sewer Extension Project.

**Attachments:**

1. Ordinance
2. Project Location Map

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the construction of the Public Works Projects are deemed a matter of highest priority for the public health, welfare, safety and convenience of the citizens and the public at large; and

WHEREAS, pursuant to the provisions of Tenn. Code Ann. Section 7-35-101 et seq., the City has embarked upon the accomplishment of the herein named Public Works Project in accordance with the terms and provisions of said Act; and

WHEREAS, the City is empowered by ordinance, in accordance with the provisions of Article I, Section 2, Subsection 9 of the Charter, to condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the City, for present or future public use, and in accordance with the terms and provisions of the general law of the State regarding eminent domain; and

WHEREAS, it may become necessary in the accomplishment of the herein named Public Works Projects to initiate litigation to acquire property, real or personal, or any easement, interest, estate or use therein, in connection with the herein named Public Works Project; and

WHEREAS, time is of the essence in the accomplishment of the herein named Public Works Project,

Now therefore,

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

SECTION I. In accordance with the provision of Article I, Section 2, Subsection 9 of the Charter, the City Attorney is hereby authorized and directed to initiate eminent domain proceedings to condemn property, real or personal, or any easement, interest, estate or use therein, for the accomplishment of the following Public Works Project:

Colonial Heights Sanitary Sewer Extension Project– Phase 3

SECTION II. That since time is of the essence in the expeditious acquisition of property, real or personal, or any easement, interest, estate or use therein, to accomplish the foregoing stated purposes, the City Attorney is further directed to proceed forthwith to institute eminent domain proceedings as authorized by Resolution.

\_\_\_\_\_  
JOHN CLARK, Mayor

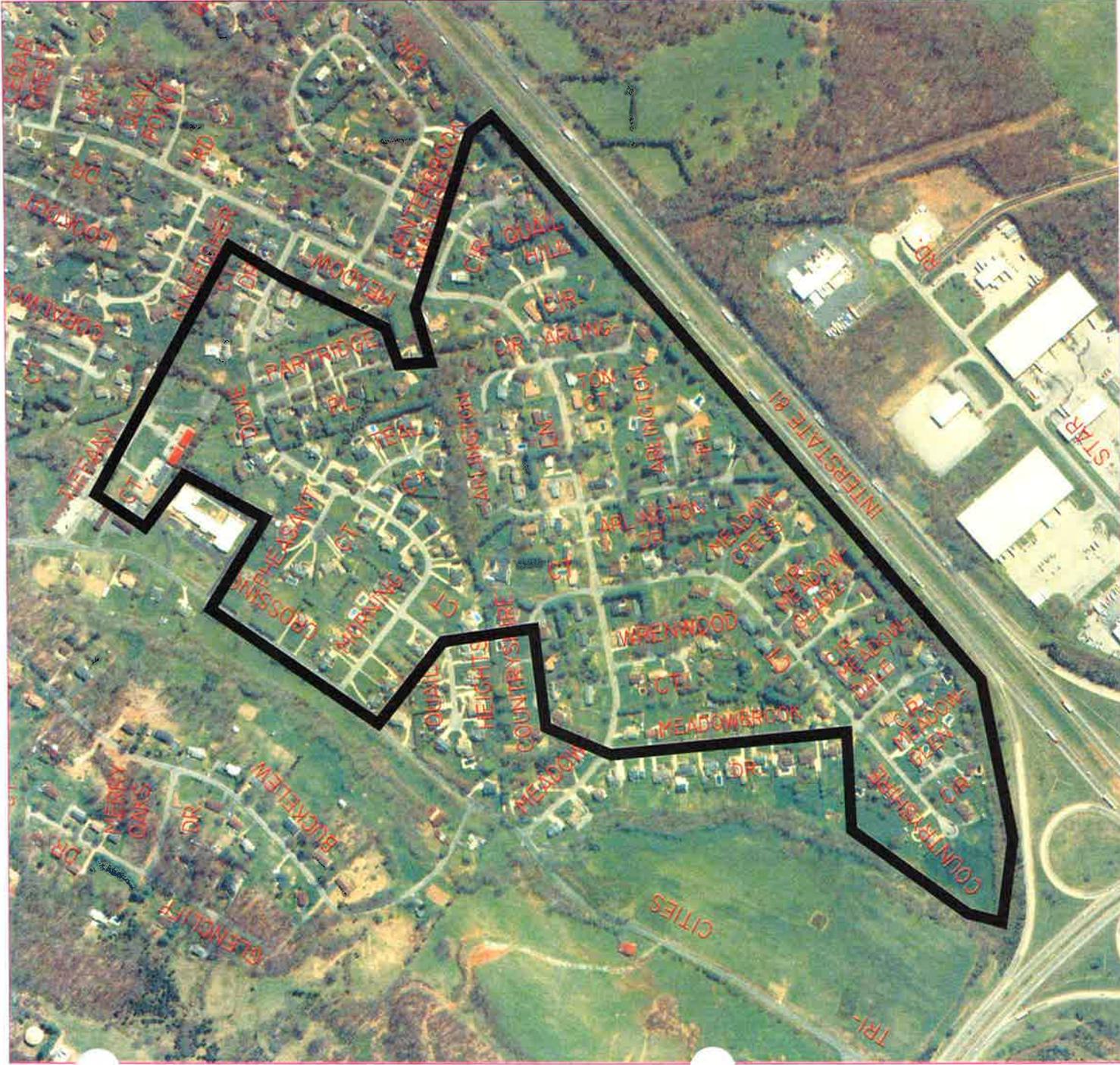
ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

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

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_



PROPOSED SANITARY SEWER FACILITIES  
COLONIAL HEIGHTS PHASE III



**AGENDA ACTION FORM**

**Condemn Property for the Indian Highland Park Parking Lot Project**

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

Action Form No.: AF-27-2016  
Work Session: February 1, 2016  
First Reading: February 2, 2016

Final Adoption: February 16, 2016  
Staff Work By: R. Trent, D. Frye  
Presentation By: M. Billingsley

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

The board of education has requested acquisition of the property located at 1810 East Center Street for the school department to complete the Indian Highland Park Parking Lot Project. The property is located between Indian Highland Park and the remaining property on the north side of Center Street, which is used for parking. The property is needed to complete the parking lot. The parking will be used for school purposes. It appears there are some issues with the title to the property, and condemnation should clear the title for the governmental use of the property. The attached ordinance authorizes and directs the city attorney to initiate condemnation proceedings to acquire the property for the completion of the Indian Highland Park Parking Lot Project.

A map showing the location of the property is attached.

**Attachments:**

- 1. Ordinance
- 2. Tax Map Location

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE TO AUTHORIZE AND TO DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF A CERTAIN PUBLIC WORKS PROJECT, TO WIT, INDIAN HIGHLAND PARK PARKING LOT PROJECT; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, the construction of the public works projects are deemed a matter of highest priority for the public health, welfare, safety and convenience of the citizens and the public at large; and

WHEREAS, pursuant to the provisions of *Tenn. Code Ann.* section 7-35-101 et seq., the city has embarked upon the accomplishment of the herein named public works project in accordance with the terms and provisions of said Act; and

WHEREAS, the city is empowered by ordinance, in accordance with the provisions of Article I, Section 2, Subsection 9 of the Charter, to condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the city, for present or future public use, and in accordance with the terms and provisions of the general law of the State regarding eminent domain; and

WHEREAS, it may become necessary in the accomplishment of the herein named public works project to initiate litigation to acquire property, real or personal, or any easement, interest, estate or use therein, in connection with the herein named public works project; and

WHEREAS, time is of the essence in the accomplishment of the herein named public works project,

Now therefore,

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

SECTION I. In accordance with the provision of Article I, Section 2, Subsection 9 of the Charter, the city attorney is hereby authorized and directed to initiate eminent domain proceedings to condemn property, real or personal, or any easement, interest, estate or use therein, including the property described in deed book 227A, page 327, recorded in the office of the Sullivan County Register of Deeds, at Blountville, for the accomplishment of the following public works project:

Indian Highland Park Parking Lot Project

SECTION II. That since time is of the essence in the expeditious acquisition of property, real or personal, or any easement, interest, estate or use therein, to accomplish the foregoing stated purposes, the city attorney is further directed to proceed forthwith to institute eminent domain proceedings as authorized by resolution.

\_\_\_\_\_  
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 \_\_\_\_\_



**RON HILLMAN**  
**PROPERTY ASSESSOR**  
**SULLIVAN COUNTY**  
3411 HIGHWAY 126, SUITE 103  
BLOUNTVILLE, TN 37617

Parcel: 061D D 02200 00011061D  
Owner Name: SHIPLEY MABLE B

Tax Year: 2015  
Mailing: 1102 OAK ST KINGSPORT TN 37660

Location: CENTER ST E 1810



Field	Value
ASSMT CLASS	08
FINAL VALUE	16500
MUN CODE	380
NEIGHBORHOOD	A60



**AGENDA ACTION FORM**

**Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Childress Ferry Road 2015 Annexation and Consideration of a Resolution Adopting the Plan of Services**

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

Action Form No.: AF-05-2016  
Work Session: January 19, 2019  
First Reading: January 19, 2016

Final Adoption: February 2, 2016  
Staff Work By: Curtis Montgomery  
Presentation By: Curtis Montgomery

**Recommendation:**

- ~~Hold public hearing~~
- ~~Approve resolution for the Childress Ferry Road 2015 annexation~~
- Approve ordinance amending the zoning ordinance for the Childress Ferry Road 2015 annexation
- ~~Approve resolution adopting a plan of services for the annexation area~~

**Executive Summary:**

This is the Childress Ferry Road 2015 annexation of 1 parcel consisting of approximately 7.82 acres. The annexation area contains one single-family home. The current county zoning of the area is A-1 (Agriculture District). The proposed city zoning for the annexation area is R-1B (Residential District). The purpose of this owner-requested annexation is to ensure availability of city schools for their child. This annexation meets the criteria of the current Board of Mayor and Aldermen annexation policy. During their December 2015 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. The Notice of Public Hearing was published on January 4, 2016.

**Attachments:**

1. Notice of Public Hearing
2. Annexation Resolution
3. Zoning Ordinance
4. Plan of Services Resolution
5. Staff Report

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



**AGENDA ACTION FORM**

**Public Hearing and Consideration of Ordinances to Annex/ Amend Zoning of the Childress Ferry Road 2015 Annexation and Consideration of a Resolution Adopting the Plan of Services**

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

Action Form No.: AF-05-2016  
 Work Session: January 19, 2019  
 First Reading: January 19, 2016  
 Final Adoption: February 2, 2016  
 Staff Work By: Curtis Montgomery  
 Presentation By: Curtis Montgomery

**Recommendation:**

- Hold public hearing
- Approve resolution for the Childress Ferry Road 2015 annexation
- Approve ordinance amending the zoning ordinance for the Childress Ferry Road 2015 annexation
- Approve resolution adopting a plan of services for the annexation area

**Executive Summary:**

This is the Childress Ferry Road 2015 annexation of 1 parcel consisting of approximately 7.82 acres. The annexation area contains one single-family home. The current county zoning of the area is A-1 (Agriculture District). The proposed city zoning for the annexation area is R-1B (Residential District). The purpose of this owner-requested annexation is to ensure availability of city schools for their child. This annexation meets the criteria of the current Board of Mayor and Aldermen annexation policy. During their December 2015 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the annexation, zoning, and plan of services to the Board of Mayor and Aldermen for this annexation. The Notice of Public Hearing was published on January 4, 2016.

**Attachments:**

1. Notice of Public Hearing
2. Annexation Resolution
3. Zoning Ordinance
4. Plan of Services Resolution
5. Staff Report

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, January 5, 2015, to consider the annexation, zoning, and plan of services for the Childress Ferry Road annexation. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for annexation is generally described as follows:

*BEGINNING* at a point, said point being the northwest corner of parcel 24.6, Tax Map 78H; thence in a northeasterly direction, approximately 405 feet to a point; said point being the northeastern corner of parcel 24.6; thence in a southeasterly direction, approximately 842 feet to a point; said point being the southeastern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a southerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in southwesterly direction following the southern boundary of Childress Ferry Road, approximately 414 feet to a point, said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in a northerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being the southwestern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a northwesterly direction, approximately 851 feet to a point; said point being the point of *BEGINNING*, and being all of parcel 24.6, Tax Map 78H of the Sullivan County April 2008 Tax Maps.

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

CITY OF KINGSPORT  
James H. Demming, City Recorder  
P1T: 09/21/15

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

A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 7<sup>th</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE CHILDRESS FERRY ROAD 2015 ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

WHEREAS, a public hearing before the board of mayor and aldermen of the City of Kingsport, Tennessee, was held on the 19<sup>th</sup> day of January 2016, and notice thereof published in the Kingsport Times-News on the 4<sup>th</sup> day of January 2016; and

WHEREAS, the board of mayor and aldermen finds that the annexation will materially benefit the health, safety, and welfare of the citizens and property owners of the city and the territory annexed; and

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

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

WHEREAS, a plan of services for this area was adopted by resolution on the 19<sup>th</sup> day of January 2016, as required by *Tenn. Code Ann.* § 6-51-102, *et seq.*

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

SECTION I. Pursuant to the authority conferred by Tennessee Code Annotated §6-51-102 *et seq.* and upon written consent signed by the property owners in the affected territory submitted to the city there is here-by annexed to the City of Kingsport, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries: embracing that certain part of Civil District No. 7 of Sullivan County, Tennessee, and more fully described to-wit:

BEGINNING at a point, said point being the northwest corner of parcel 24.6, Tax Map 78H; thence in a northeasterly direction, approximately 405 feet to a point; said point being the northeastern corner of parcel 24.6; thence in a southeasterly direction, approximately 842 feet to a point; said point being the southeastern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a southerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in southwesterly direction following the southern boundary of Childress Ferry Road, approximately 414 feet to a point, said point being on the

southern boundary of the right-of-way of Childress Ferry Road; thence in a northerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being the southwestern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a northwesterly direction, approximately 851 feet to a point; said point being the point of BEGINNING, and being all of parcel 24.6, Tax Map 78H of the Sullivan County April 2008 Tax Maps.

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

ADOPTED this the 2<sup>nd</sup> day of February 2016.

\_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

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

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

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO CHILDRESS FERRY ROAD FROM A-1, AGRICULTURE DISTRICT TO R-1B, RESIDENTIAL DISTRICT IN THE 7<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property adjacent to Childress Ferry Road from County A-1, Agriculture District to City R-1B, Residential District in the 7<sup>th</sup> Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the northwest corner of parcel 24.6, Tax Map 78H; thence in a northeasterly direction, approximately 405 feet to a point; said point being the northeastern corner of parcel 24.6; thence in a southeasterly direction, approximately 842 feet to a point; said point being the southeastern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a southerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in southwesterly direction following the southern boundary of Childress Ferry Road, approximately 414 feet to a point, said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in a northerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being the southwestern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a northwesterly direction, approximately 851 feet to a point; said point being the point of BEGINNING, and being all of parcel 24.6, Tax Map 78H of the Sullivan County April 2008 Tax Maps.

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

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

\_\_\_\_\_  
JOHN CLARK  
Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

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

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_

## **RESOLUTION NO.**

### **A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE CHILDRESS FERRY ROAD 2015 ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE**

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

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

WHEREAS, a plan of services for the proposed Childress Ferry Road 2015 annexation was submitted to the Kingsport Regional Planning Commission on December 17, 2015 for its consideration and a written report; and

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

WHEREAS, a public hearing was held January 19, 2016; and

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

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on January 4, 2016; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 7<sup>th</sup> Civil District of Sullivan County, Tennessee, commonly known as the Childress Ferry Road 2015 Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northwest corner of parcel 24.6, Tax Map 78H; thence in a northeasterly direction, approximately 405 feet to a point; said point being the northeastern corner of parcel 24.6; thence in a southeasterly direction, approximately 842 feet to a point; said point being the southeastern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a southerly direction crossing Childress Ferry Road, approximately 30 feet to a point; said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in southwesterly direction following the southern boundary of Childress Ferry Road, approximately 414 feet to a point, said point being on the southern boundary of the right-of-way of Childress Ferry Road; thence in a northerly direction crossing Childress Ferry Road,

approximately 30 feet to a point; said point being the southwestern corner of parcel 24.6 being in common with the northern boundary of Childress Ferry Road; thence in a northwesterly direction, approximately 851 feet to a point; said point being the point of BEGINNING, and being all of parcel 24.6, Tax Map 78H of the Sullivan County April 2008 Tax Maps.

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

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

SECTION I. That a Plan of Services for the Childress Ferry Road 2015 Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

**Childress Ferry Road 2015 Annexation  
Plan of Services**

**1. Police Protection**

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

- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.
- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

## **2. Fire Protection**

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

## **3. Water**

- A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.

- B. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.
- C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.
- D. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- E. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

#### **4. Electricity**

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

#### **5. Sanitary Sewer**

- A. City of Kingsport Sanitary sewer currently serves the annexation area.
- B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.
- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines to provide sewer service to our customers.
- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

## **6. Solid Waste Disposal**

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

## **7. Public Road/Street Construction & Repair**

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

## **8. Recreational Facilities**

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

#### **9. Street Lighting**

Sufficient lighting adequately serves the annexation area.

#### **10. Zoning Services**

- A. The property is currently zoned A-1 and will be zoned R-1B.
- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.
- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.
- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

#### **11. Schools**

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.

- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

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

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**12. Traffic Control**

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

**13. Inspection Services**

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

**14. Animal Control**

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

**15. Storm Sewers**

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

**16. Leaf Removal**

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

**17. Litter Control**

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

**18. Graffiti Control**

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

**19. Other Services**

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

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

ADOPTED this the 2<sup>nd</sup> day of February 2016.

ATTEST:

\_\_\_\_\_  
JOHN CLARK, Mayor

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

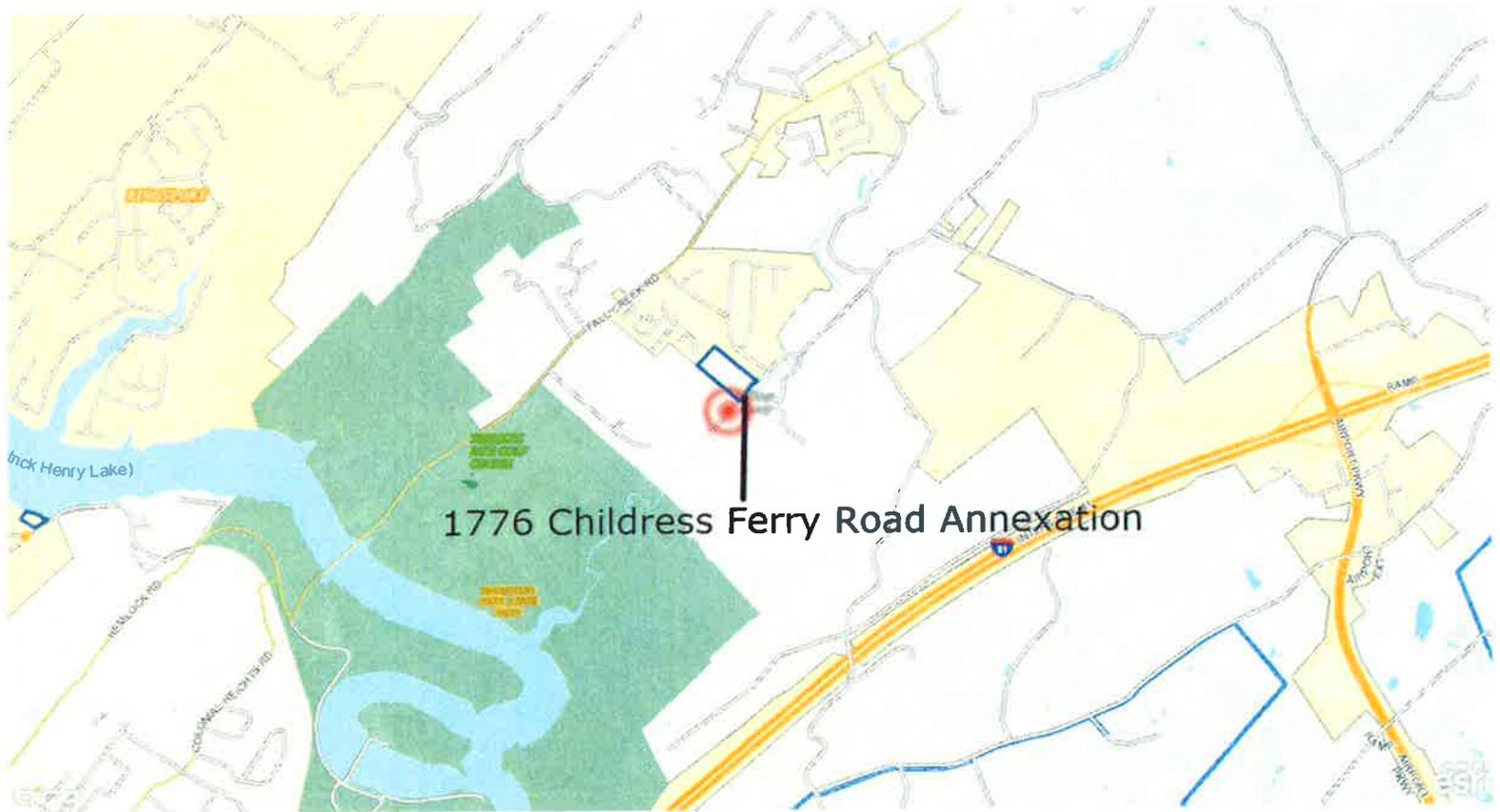
APPROVED AS TO FORM:

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

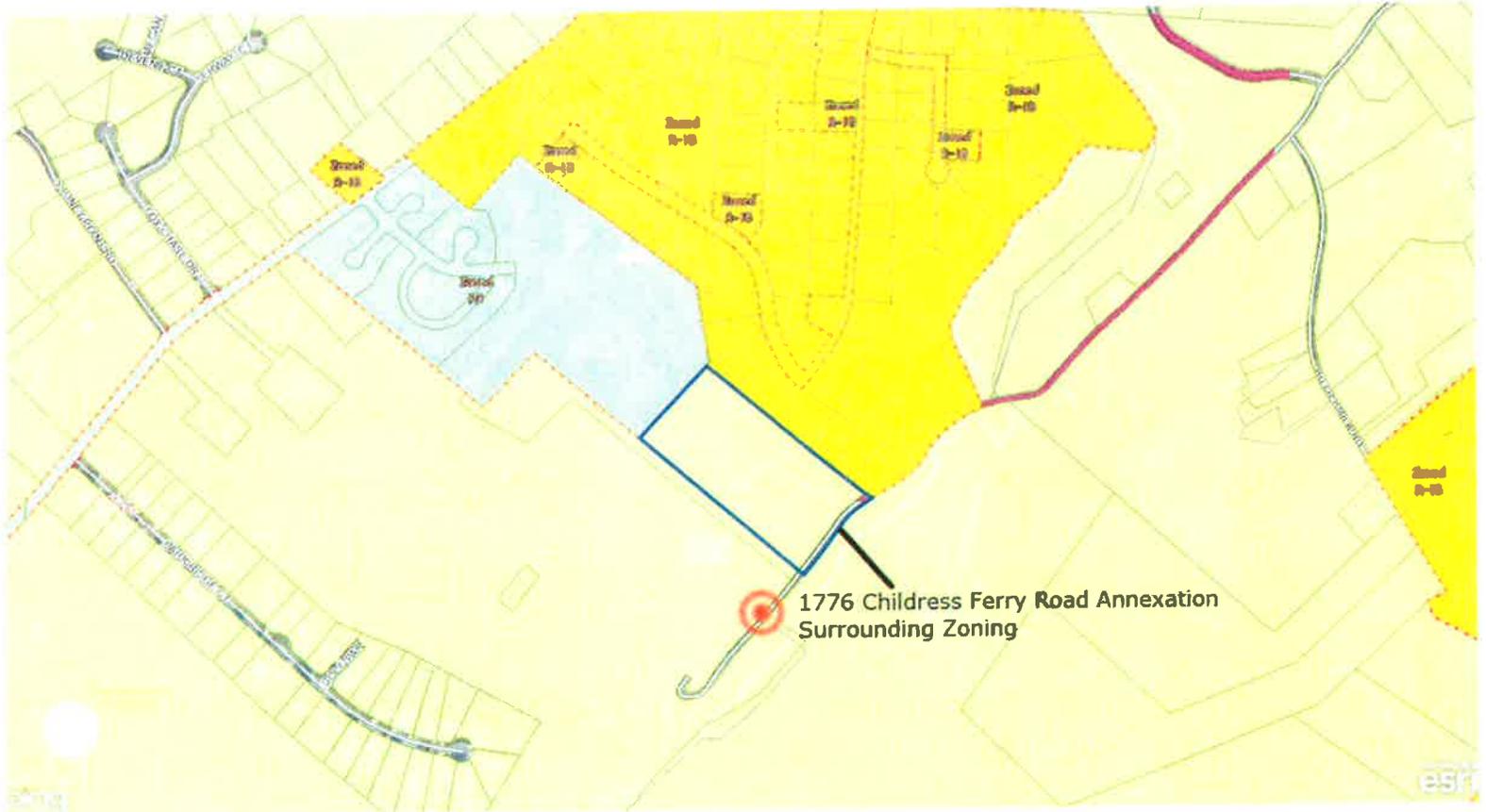
Childress Ferry Road 2015 Annexation

<b>Property Information</b>			
<b>Address</b>		1776 Childress Ferry Road	
<b>Tax Map, Group, Parcel</b>		78H, 24.6	
<b>Civil District</b>			
<b>Overlay District</b>		N/A	
<b>Land Use Plan Designation</b>		Residential	
<b>Acres</b>		7.82 +/-	
<b>Existing Use</b>	Residential	<b>Existing Zoning</b>	County A-1
<b>Proposed Use</b>	Residential	<b>Proposed Zoning</b>	City R-1B
<b>Owner Information</b>			
<b>Name:</b> Garnett E. Simmers <b>Address:</b> 1776 Childress Ferry Road <b>City:</b> Jonesborough <b>State:</b> TN <b>Zip Code:</b> 37659 <b>Email:</b> <b>Phone Number:</b>		<b>Intent:</b> <i>Annexation by request of a single-family home.</i>	
<b>Planning Department Recommendation</b>			
<p><b>RECOMMENDATION:</b> APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i></li> <li>• <i>The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.</i></li> <li>• <i>Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b> This is a property owner-requested annexation submitted by Garnett Simmers. Mr. Simmers has requested annexation to guarantee availability of city schools for his child.</p> <p>Utilities: City of Kingsport water and sanitary sewer services are available to the property.</p>			
<b>Planner:</b>	Curtis Montgomery	<b>Date:</b>	November 25, 2015
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>December 17, 2015</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

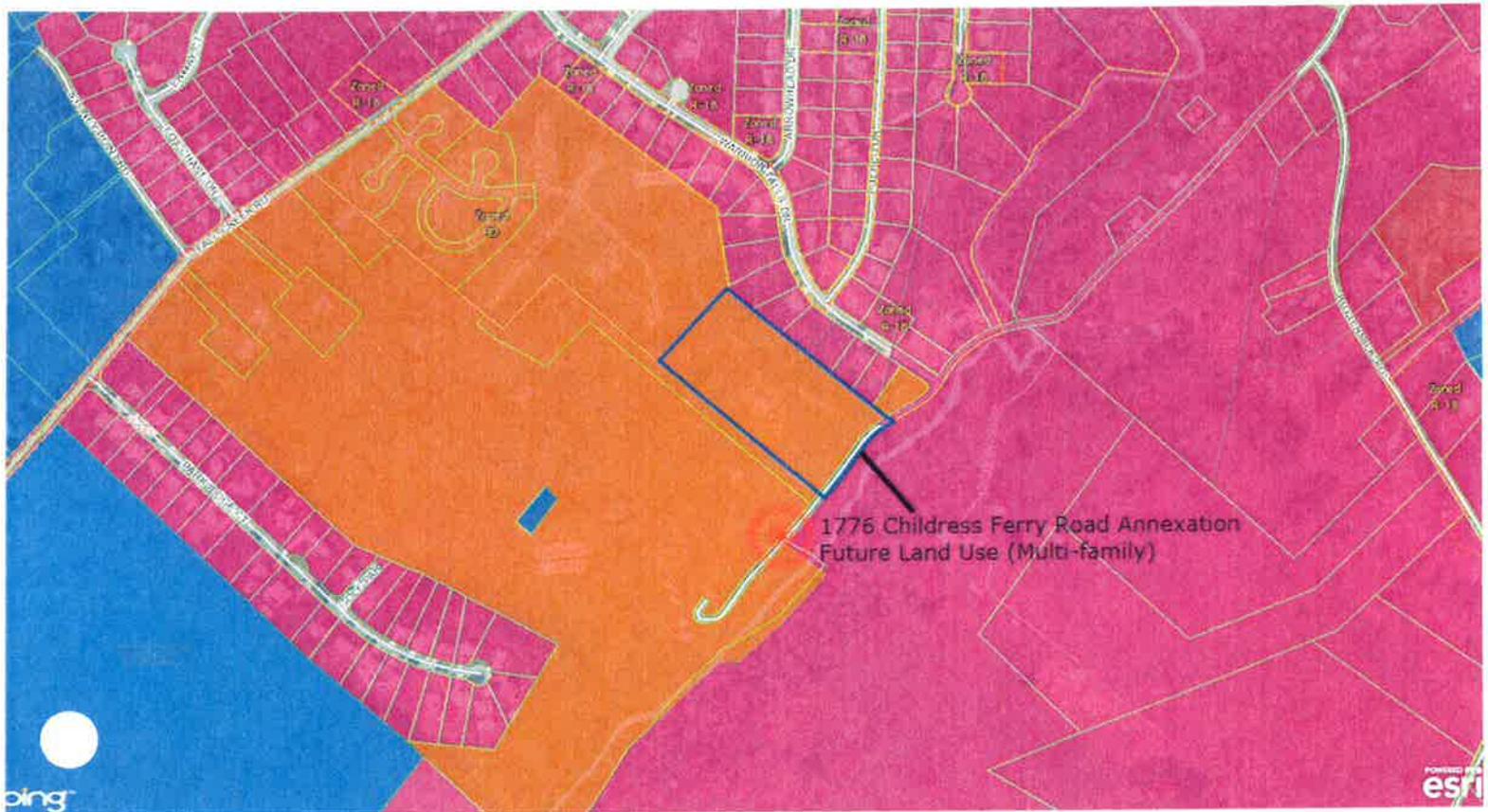
**Vicinity Map**



**Current Zoning Map**



**Future Land Use Plan**



Cost

**Childress Ferry Road Annexation  
Cost Estimate/ tax records as of 30 November  
2015**

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$2,304.00	
State Shared	X	\$336.00	\$112 (estimated) for every person. The annexation contains three people.
Sewer Tap Fees	X	\$0.00	
Water Rev (Loss)	X	\$(348.00)	Average based upon converting from outside city rate to inside city rate
<b>Total</b>	<b>\$0.00</b>	<b>\$2,292.00</b>	

Expenses	One Time	Reoccurring (annual)	
<b>Operating Budget</b>			
Police & Fire Service	0.00	0.00	minimal extra area
Transit Service	0.00	0.00	
Street Lighting	1,297.00	297.00	2 new street lights
Traffic Controls	0.00	0.00	
Streets & Sanitation	0	891.00	
Subtotal	\$1,297.00	\$1,188.00	
<b>Capital Budget</b>			
Water	0.00	0.00	
Sewer	0.00	0.00	
Streets	1,326.00	0.00	
Stormwater	19,400.00	0.00	culvert replacement
Subtotal	\$20,726.00	0.00	
<b>Grand Total</b>	<b>\$22,023.00</b>	<b>\$1,188.00</b>	

Existing Surrounding Land Uses



Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City PD</u> Use: Chase Meadows Development	Annexed in 2007
Further North and Northwest	2	<u>Zone: City PD</u> Use: Chase Meadows Development	Annexed in 2007
East	3	<u>Zone: City R-1B</u> Use: Warrior Falls Development	Annexed in 2008
Further East	4	<u>Zone: County A-1</u> Use: Agricultural	n/a
Southeast and South	5	<u>Zone: County A-1</u> Use: Agricultural	n/a
Further South	6	<u>Zone: County A-1</u> Use: Agricultural	n/a
West	7	<u>Zone: County A-1</u> Use: Agricultural	n/a

CONCLUSION

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

**Aerial Photo**



From Childress Ferry Rd.



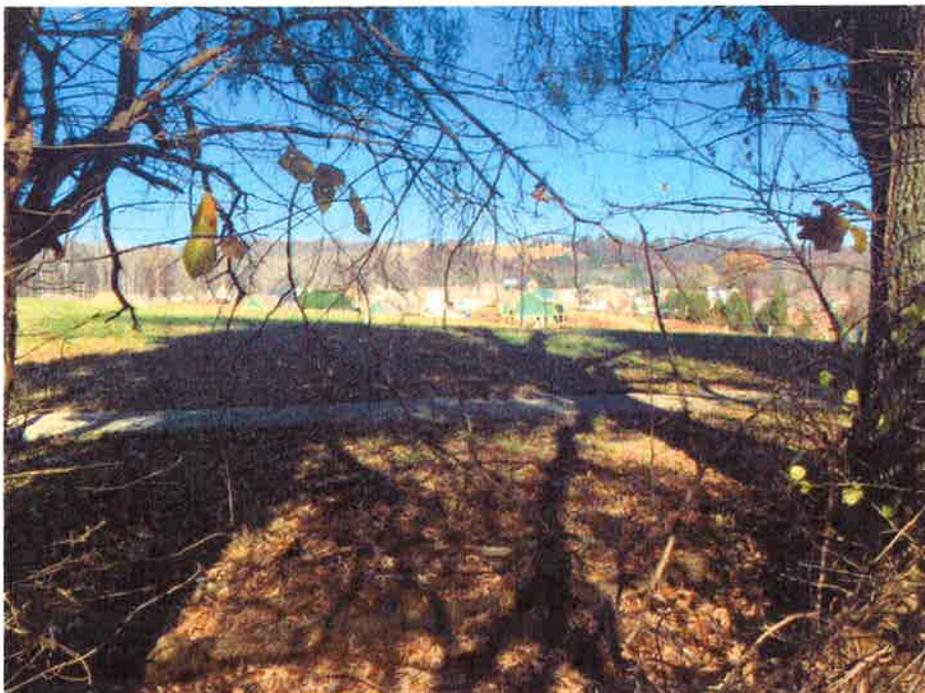
Northern Portion of Property



**Facing East Beside the House.**



**Facing Chase Meadows near Northern Portion of Property.**



**ANNEXATION PETITION**

**PETITIONER INFORMATION:**

Last Name Simmers First Garnett M.I. E. Date 11-4-15  
Street Address 1776 Childress Ferry Road Apartment/Unit #  
City Blountville State TN ZIP 37617  
Phone 423-323-1620 E-mail Address msimmers@eastman.com  
# in Household and Ages: 3 - 41, 38, 5

**PROPERTY INFORMATION:**

Tax Map Information (if known) Tax map: Group: Parcel: Lot:  
Street Address 1776 Childress Ferry Road Apartment/Unit #  
Current Use: residential

**OTHER INFORMATION:**

**DISCLAIMER AND SIGNATURE**

By signing below I state that I have read and understand the conditions of this annexation petition. I further state that I am/we are the sole and legal owner(s) of the property described herein.

Signature: Garnett E. Simmers Date: 11/4/15

Signed before me on this 4th day of November, 2015,  
a county public for the State of Tennessee,  
County of Sullivan  
Notary Ashley Floyd  
My Commission Expires Nov. 20th 2016



Staff recommends sending a **POSITIVE** recommendation to the Board of Mayor and Alderman for the annexation, zoning, and plan of services for the Childress Ferry Road annexation.



AGENDA ACTION FORM

**Award Contract and Transfer Funds for Sanitary Sewer Facilities and Waterline Upgrades - Colonial Heights Phase 2 Project**

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

Action Form No.: AF-07-2016  
Work Session: January 19, 2016  
First Reading: January 19, 2016

Final Adoption: February 2, 2016  
Staff Work By: C. Austin, J. Smith  
Presentation By: Ryan McReynolds

**Recommendation:** Approve the Resolution and Budget Ordinance.

**Executive Summary:**

Bids were opened for the Sanitary Sewer Facilities and Waterline Upgrades - Colonial Heights Phase 2 project on December 2, 2015. This project consists of construction of approximately 20,500 LF sanitary sewer infrastructure, including manholes and laterals; and approximately 3,400 LF of waterlines, including appurtenances. The allotted time for construction will be 360 calendar days.

Funding has been identified and allocated to various projects in the Water and Sewer Funds. To more accurately track expenses for individual projects, new project accounts need to be opened for each specific project. This ordinance will reallocate existing funds to the project; no new funds are being requested.

City staff reviewed the bids and recommends awarding the contract to the apparent low bidder, Merkel Brothers Construction as follows:

Base Bid .....	\$3,192,108.00
Engineering Fees 14% .....	493,100.00
Contingency 6% .....	191,600.00
Total Project Cost .....	\$3,876,808.00

A budget ordinance appropriating funds to SW1501 from SW1307 and to WA1501 from WA1402, WA1500, and WA1503 is requested.

Engineering estimate for the base bid of the referenced project was \$3,249,606.00.

**Attachments:**

1. Resolution
2. Budget Ordinance
3. Bid Opening Minutes
4. Map

Funding source appropriate and funds are available:

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



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**Executive Summary:**

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Funding has been identified and allocated to various projects in the Water and Sewer Funds. To more accurately track expenses for individual projects, new project accounts need to be opened for each specific project. This ordinance will reallocate existing funds to the project; no new funds are being requested.

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George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

A RESOLUTION AWARDING THE BID FOR THE SANITARY SEWER FACILITIES AND WATERLINE UPGRADES- COLONIAL HEIGHTS PHASE 2 PROJECT TO MERKEL BROTHERS CONSTRUCTION, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened December 2, 2015, for the Sanitary Sewer Facilities and Waterline Upgrades - Colonial Heights Phase 2 project; and

WHEREAS, upon review of the bids, the board finds Merkel Brothers Construction, Inc. is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for construction of approximately 20,500 linear feet of sanitary sewer infrastructure, including manholes and laterals; and approximately 3,400 linear feet of waterlines, including appurtenances, from Merkel Brothers Construction, Inc. at an estimated construction cost of \$3,192,108.00; and

WHEREAS, funding is identified in project numbers SW1501 and WA1501.

Now therefore,

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

SECTION I. That the bid for the Sanitary Sewer Facilities and Waterline Upgrades - Colonial Heights Phase 2 project, consisting of construction of approximately 20,500 linear feet of sanitary sewer infrastructure, including manholes and laterals; and approximately 3,400 linear feet of waterlines, including appurtenances, at an estimated cost of \$3,192,108.00 is awarded to Merkel Brothers Construction, Inc., and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

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

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

ADOPTED this the 19th day of January, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

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

AN ORDINANCE TO AMEND THE WATER PROJECT AND SEWER PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE COLONIAL HEIGHTS PHASE 2 PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Water Project Fund budget be amended by transferring \$511,500 from the Colonial Heights System Upgrades project (WA1402), by transferring \$169,173 from the Beech Creek Area Water Line Improvement project(WA1503) and by transferring \$11,387 from the Cooks Valley Road Phase 2 Water project (WA1500) to the Colonial Height Phase 2 Water project (WA1501)in the amount of \$692,060.

SECTION II. That the Sewer Project Fund budget be amended by transferring \$355,948 from the Colonial Heights EF13-05 project (SW1307) to the Colonial Heights Phase 2 Sewer project(SW1501).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 451: Water Fund</b>			
<b>Colonial HGTS System UPGR (WA1402)</b>			
<b>Revenues:</b>			
451-0000-391-0529 2013B GO Pub Imp. Bonds	\$ 750,000	\$ (511,500)	\$ 238,500
<b>Totals:</b>	<b>750,000</b>	<b>(511,500)</b>	<b>238,500</b>
<b>Expenditures:</b>			
451-0000-605-2023 Arch/Eng/Landscaping	90,000	(60,400)	29,600
451-0000-605-9001 Land	10,000	(10,000)	0
451-0000-605-9003 Improvements	650,000	(441,100)	208,900
<b>Totals:</b>	<b>750,000</b>	<b>(511,500)</b>	<b>238,500</b>
<b>Fund 451: Water Project Fund</b>			
<b>Beech Creek Area WL Imp. (WA1503)</b>			
<b>Revenues:</b>			
451-00000-333-6600 Hawkins County CDBG Funds	\$ 500,000	\$ 0	\$ 500,000
451-0000-391-0526 Series 2011 GO Bonds	268,463	0	268,463
451-0000-391-0527 Series 2012C GO Pub Imp	126,294	0	126,294
451-0000-391-4500 From Water Fund	365,243	(169,173)	196,070
<b>Totals:</b>	<b>1,260,000</b>	<b>(169,173)</b>	<b>1,090,827</b>
<b>Expenditures:</b>			
451-0000-605-2020 Professional Consultant	31,500	0	31,500
451-0000-605-2023 Arch/Eng/Landscaping	130,500	(3,500)	127,000
451-0000-605-9003 Improvements	1,066,000	(155,100)	910,900
451-0000-605-9004 Equipment	32,000	(10,573)	21,427
<b>Totals:</b>	<b>1,260,000</b>	<b>(169,173)</b>	<b>1,090,827</b>
<b>Fund 451: Water Project Fund</b>			
<b>Cooks Valley Rd Ph 2 Water (WA1500)</b>			
<b>Revenues:</b>			
451-0000-391-0527 Series 2012C GO Pub Imp	\$ 92,400	\$ (11,387)	\$ 81,013
<b>Totals:</b>	<b>92,400</b>	<b>(11,387)</b>	<b>81,013</b>

**Expenditures:**

451-0000-605-2023 Arch/Eng/Landscaping	5,400	(814)	4,586
451-0000-605-9003 Improvements	87,000	(10,573)	76,427
<b>Totals:</b>	<b>92,400</b>	<b>(11,387)</b>	<b>81,013</b>

**Fund 451: Water Project Fund  
Colonial Heights Phase 2 (WA1501)****Revenues:**

	\$	\$	\$
451-0000-391-0527 Series 2012C GO Pub Imp	0	11,387	11,387
451-0000-391-0529 2013B GO Pub Imp. Bonds	0	511,500	511,500
451-0000-391-4500 From Water Fund	0	169,173	169,173
<b>Totals:</b>	<b>0</b>	<b>692,060</b>	<b>692,060</b>

**Expenditures:**

451-0000-605-2023 Arch/Eng/Landscaping	0	88,300	88,300
451-0000-605-9003 Improvements	0	603,760	603,760
<b>Totals:</b>	<b>0</b>	<b>692,060</b>	<b>692,060</b>

**Fund 452 Sewer Fund  
Colonial Hqts. EF13-5 (SW1307)****Revenues:**

	\$	\$	\$
452-0000-391-0529 2013B GO Pub Imp. Bonds	3,350,000	(335,948)	2,994,052
452-0000-391-4200 From Sewer Fund	19,000	0	19,000
<b>Totals:</b>	<b>3,369,000</b>	<b>(355,948)</b>	<b>3,013,052</b>

**Expenditures:**

452-0000-606-2023 Arch/Eng/Landscaping	19,000	0	19,000
452-0000-606-9001 Land	50,000	0	50,000
452-0000-606-9003 Improvements	3,300,000	(355,948)	2,944,052
<b>Totals:</b>	<b>3,369,000</b>	<b>(355,948)</b>	<b>3,013,052</b>

**Fund 452 Sewer Fund  
Colonial Hqts. Phase 2 (SW1501)****Revenues:**

	\$	\$	\$
452-0000-391-0529 2013B GO Pub Imp. Bonds	100,000	335,948	435,948
452-0000-391-0531 2014 B GO Bonds	2,850,000	0	2,850,000
452-0000-391-4200 From Sewer Fund	100,000	0	100,000
<b>Totals:</b>	<b>3,050,000</b>	<b>335,948</b>	<b>3,385,948</b>

**Expenditures:**

452-0000-606-2020 Professional Consultant	45,000	0	45,000
452-0000-606-2023 Arch/Eng/Landscaping	350,500	56,000	406,500
452-0000-606-9001 Land	154,500	0	154,500
452-0000-606-9003 Improvements	2,500,000	279,948	2,779,948
<b>Totals:</b>	<b>3,050,000</b>	<b>335,948</b>	<b>3,385,948</b>

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

\_\_\_\_\_  
JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
ANGELA L. MARSHALL  
Deputy City Recorder

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

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

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

MINUTES  
BID OPENING  
December 2, 2015  
4:00 P.M.

Present: Sandy Crawford, Procurement Manager; Darrell Sherer; and Mike Hickman, Engineering

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

The Procurement Manager opened with the following bids:

COLONIAL HEIGHTS PHASE II SANITARY SEWER FACILITIES AND WATERLINE UPGRADES		
Vendor:	Total Cost:	Comments:
ET TN Turf & Landscape DBA Nicholas Overbay	N/A	Incomplete bid. Bid signature sheet not in documents. Took bid back.
Summers Taylor, Inc.	\$4,791,895.75	N/A
Thomas Construction Co.	\$3,214,604.50	N/A
Merkel Bros. Construction, Inc.	\$3,192,108.00	N/A

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

**BID TABULATION FOR COLONIAL HEIGHTS PHASE 2**

ITEM NO.	QUAN	UNIT	DESCRIPTION	MERKE, BROTHERS CONST.		THOMAS CONSTRUCTION		SUMMERS-TAYLOR, INC.	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	2,173	T	CRUSHED STONE FOR PAVEMENT MAINTENANCE AND SHOULDER REPLACEMENT (SECTION 31 23 33)	\$ 10.00	\$ 21,730.00	\$ 1.00	\$ 2,173.00	\$ 29.75	\$ 64,646.75
2	1	LS	MOBILIZATION, CLEARING AND GRUBBING (SECTION 31 11 00)	\$ 125,000.00	\$ 125,000.00	\$ 100,000.00	\$ 100,000.00	\$ 190,000.00	\$ 190,000.00
3	1	LS	PROTECTION OF LIVING SHRUBS AND TREES (SECTION 31 11 00)	\$ 5,000.00	\$ 5,000.00	\$ 1,350.00	\$ 1,350.00	\$ 5,000.00	\$ 5,000.00
4	14,280	T	CRUSHED STONE FOR BACKFILL @ ROAD & DRIVEWAY CROSSINGS (SECTION 31 23 33)	\$ 23.00	\$ 328,440.00	\$ 16.00	\$ 228,480.00	\$ 30.75	\$ 439,110.00
5	10,801	CY	SOLID ROCK EXCAVATION IN TRENCH (SECTION 31 23 33) ALLOWANCE	\$ 35.00	\$ 378,035.00	\$ 35.00	\$ 378,035.00	\$ 35.00	\$ 378,035.00
6	40	LF	18" RCP STORM SEWER IF REQ'D (SECTION 33 40 00)	\$ 30.00	\$ 1,200.00	\$ 20.00	\$ 800.00	\$ 100.00	\$ 4,000.00
7	40	LF	24" CMP STORM SEWER IF REQ'D (SECTION 33 40 00)	\$ 40.00	\$ 1,600.00	\$ 19.00	\$ 760.00	\$ 100.00	\$ 4,000.00
8	30	LF	15" CMP STORM SEWER IF REQ'D (SECTION 33 40 00)	\$ 30.00	\$ 900.00	\$ 12.00	\$ 360.00	\$ 125.00	\$ 3,750.00
9	10	LF	15" RCP STORM SEWER IF REQ'D (SECTION 33 40 00)	\$ 30.00	\$ 300.00	\$ 16.00	\$ 160.00	\$ 125.00	\$ 1,250.00
10	10	LF	12" RCP STORM SEWER IF REQ'D (SECTION 33 40 00)	\$ 30.00	\$ 300.00	\$ 16.00	\$ 160.00	\$ 150.00	\$ 1,500.00
11	2,265	LF	FENCE REPLACEMENT (MATCH EXIST) (IF NECESSARY)(SECTION 32 31 13)	\$ 5.00	\$ 11,325.00	\$ 12.00	\$ 27,180.00	\$ 18.00	\$ 40,770.00
12	1	LS	SEEDING WITH MULCH (SECTION 32 92 20)	\$ 100,000.00	\$ 100,000.00	\$ 36,000.00	\$ 36,000.00	\$ 93,000.00	\$ 93,000.00
	719	GA	TACK COAT (SECTION 32 12 16)	\$ 2.00	\$ 1,438.00	\$ 3.50	\$ 2,516.50	\$ 1.00	\$ 719.00
14	1,500	T	ASPHALT BINDER 4" IN TRENCH (SECTION 32 12 16)	\$ 86.00	\$ 129,000.00	\$ 100.00	\$ 150,000.00	\$ 155.00	\$ 232,500.00
15	1,400	T	ASPHALT TOPPING 1-1/4" : TDOT E-MIX (SECTION 32 12 16)	\$ 85.00	\$ 119,000.00	\$ 96.00	\$ 134,400.00	\$ 97.00	\$ 135,800.00
16	1,300	T	ASPHALT TOPPING 1-1/4" : TDOT D-MIX (SECTION 32 12 16)	\$ 110.00	\$ 143,000.00	\$ 102.00	\$ 132,600.00	\$ 105.00	\$ 136,500.00
17	80	LF	EXTRUDED CONCRETE CURB (SECTION 32 16 13)	\$ 30.00	\$ 2,400.00	\$ 15.00	\$ 1,200.00	\$ 8.00	\$ 640.00
18	19,220	LF	8" PVC GRAVITY SEWER PIPE (SECTION 33 30 00)	\$ 34.00	\$ 653,480.00	\$ 43.00	\$ 826,460.00	\$ 55.00	\$ 1,057,100.00
19	1,380	LF	8" HDPE GRAVITY SEWER PIPE (SECTION 33 05 15)	\$ 50.00	\$ 69,000.00	\$ 60.00	\$ 82,800.00	\$ 65.00	\$ 117,300.00
20	60	LF	6" HDPE GRAVITY SEWER PIPE (SECTION 33 05 15)	\$ 40.00	\$ 2,400.00	\$ 62.00	\$ 3,720.00	\$ 95.00	\$ 5,700.00
21	3,630	LF	6" PVC SEWER (SECTION 33 30 00)	\$ 25.00	\$ 90,750.00	\$ 29.50	\$ 107,085.00	\$ 79.00	\$ 286,770.00
22	130	LF	BORING AND JACKING 8" CARRIER IN 16" CASING SEE DETAIL A.2.4 (SECTION 33 05 23)	\$ 325.00	\$ 42,250.00	\$ 400.00	\$ 52,000.00	\$ 750.00	\$ 97,500.00
23	173	EA	SEWER LATERAL ASSEMBLIES (8x8x6 PVC TEES) (SECTION 33 30 00)	\$ 150.00	\$ 25,950.00	\$ 150.00	\$ 25,950.00	\$ 45.00	\$ 7,785.00
24	188	EA	CLEANOUT ASSEMBLIES @ LATERALS (SECTION 33 30 00)	\$ 350.00	\$ 65,800.00	\$ 420.00	\$ 78,960.00	\$ 200.00	\$ 37,600.00
25	122	EA	STANDARD SEWER MANHOLES (SECTION 33 30 00)	\$ 2,150.00	\$ 262,300.00	\$ 2,000.00	\$ 244,000.00	\$ 3,500.00	\$ 427,000.00
26	4	EA	ADJUST EXISTING MANHOLES (SECTION 33 30 00)	\$ 1,500.00	\$ 6,000.00	\$ 1,100.00	\$ 4,400.00	\$ 6,500.00	\$ 26,000.00
	3	EA	WATERTIGHT LIDS & CASTINGS (SECTION 33 30 00)	\$ 400.00	\$ 1,200.00	\$ 240.00	\$ 720.00	\$ 500.00	\$ 1,500.00

ITEM NO.	QUAN	UNIT	DESCRIPTION	MERKEL BROTHERS CONST.		THOMAS CONSTRUCTION		SUMMERS-TAYLOR, INC.	
				UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
	5	EA	MANHOLE INSIDE DROP CONNECTION (DOES NOT INCLUDE MANHOLE) (SECTION 33 30 00)	\$ 1,500.00	\$ 7,500.00	\$ 1,100.00	\$ 5,500.00	\$ 1,750.00	\$ 8,750.00
29	53	VF	EXTRA DEPTH MANHOLE (SECTION 33 30 00)	\$ 250.00	\$ 13,250.00	\$ 200.00	\$ 10,600.00	\$ 100.00	\$ 5,300.00
30	1	EA	PROJECT SIGN (SEE DETAIL)	\$ 1,500.00	\$ 1,500.00	\$ 600.00	\$ 600.00	\$ 1,500.00	\$ 1,500.00
31	1	EA	RELOCATE OR REPLACE (AFTER CONSTRUCTION) UTILITY BUILDING LOCATED ON LINE I	\$ 2,500.00	\$ 2,500.00	\$ 600.00	\$ 600.00	\$ 7,500.00	\$ 7,500.00
32	1	LS	LANDSCAPING ALLOWANCE (SEE GENERAL NOTES)	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
<b>WATERLINE QUANTITIES</b>									
33	665	CY	SOLID ROCK EXCAVATION IN TRENCH (SECTION 31 23 33) ALLOWANCE	\$ 35.00	\$ 23,275.00	\$ 35.00	\$ 23,275.00	\$ 35.00	\$ 23,275.00
34	700	T	CRUSHED STONE FOR BACKFILL @ ROAD & DRIVEWAY CROSSINGS (SECTION 31 23 33)	\$ 23.00	\$ 16,100.00	\$ 16.00	\$ 11,200.00	\$ 32.00	\$ 22,400.00
35	80	GA	TACK COAT (SECTION 32 12 16)	\$ 2.00	\$ 160.00	\$ 3.50	\$ 280.00	\$ 1.00	\$ 80.00
36	140	T	ASPHALT BINDER 4" IN TRENCH (SECTION 32 12 16)	\$ 100.00	\$ 14,000.00	\$ 100.00	\$ 14,000.00	\$ 175.00	\$ 24,500.00
37	275	T	ASPHALT TOPPING 1-1/4" : TDOT E-MX (SECTION 32 12 16)	\$ 105.00	\$ 28,875.00	\$ 96.00	\$ 26,400.00	\$ 110.00	\$ 30,250.00
38	10	SY	6" CONCRETE DRIVEWAY REPAIR (SECTION 03 30 00)	\$ 100.00	\$ 1,000.00	\$ 165.00	\$ 1,650.00	\$ 200.00	\$ 2,000.00
39	4,000	LF	6" CEMENT LINED DUCTILE IRON WATER PIPE CLASS 350 (SECTION 33 11 00)	\$ 30.00	\$ 120,000.00	\$ 25.00	\$ 100,000.00	\$ 64.00	\$ 256,000.00
40	1	EA	CONNECT TO EXISTING METERS 3/4" & 1" COPPER SERVICE - SHORT SERVICE WITH METER BOX AND SETTER (33 11 00)	\$ 650.00	\$ 650.00	\$ 500.00	\$ 500.00	\$ 1,500.00	\$ 1,500.00
41	7	EA	CONNECT TO EXISTING METERS 3/4" & 1" COPPER SERVICE - LONG SERVICE WITH METER BOX AND SETTER (33 11 00)	\$ 1,000.00	\$ 7,000.00	\$ 1,700.00	\$ 11,900.00	\$ 1,500.00	\$ 10,500.00
42	3	EA	FIRE HYDRANT ASSEMBLY ON NEW 6" LINE (SECTION 33 11 00)	\$ 4,000.00	\$ 12,000.00	\$ 3,810.00	\$ 11,430.00	\$ 5,000.00	\$ 15,000.00
43	43	EA	FIRE HYDRANT ASSEMBLY ON EXISTING 6" LINE (SECTION 33 11 00)	\$ 5,000.00	\$ 215,000.00	\$ 5,000.00	\$ 215,000.00	\$ 8,500.00	\$ 365,500.00
44	6	EA	FIRE HYDRANT ASSEMBLY ON EXISTING 8" LINE (SECTION 33 11 00)	\$ 5,000.00	\$ 30,000.00	\$ 5,250.00	\$ 31,500.00	\$ 8,500.00	\$ 51,000.00
45	1	EA	FIRE HYDRANT ASSEMBLY ON EXISTING 10" LINE (SECTION 33 11 00)	\$ 5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00	\$ 8,500.00	\$ 8,500.00
46	15	EA	FIRE HYDRANT ASSEMBLY ON EXISTING 12" LINE (SECTION 33 11 00)	\$ 5,000.00	\$ 75,000.00	\$ 6,100.00	\$ 91,500.00	\$ 8,500.00	\$ 127,500.00
47	1	EA	FIRE HYDRANT ASSEMBLY ON EXISTING 16" LINE (SECTION 33 11 00)	\$ 7,000.00	\$ 7,000.00	\$ 10,500.00	\$ 10,500.00	\$ 8,500.00	\$ 8,500.00
48	4	EA	6" GATE VALVES & BOXES (SECTION 33 11 00)	\$ 1,000.00	\$ 4,000.00	\$ 700.00	\$ 2,800.00	\$ 950.00	\$ 3,800.00
49	2	EA	CONNECT NEW 6" DIP TO EXISTING 12" DIP WATERLINE WITH 6" WET TAP TAPPING SLEEVE & VALVE (SECTION 33 11 00)	\$ 4,500.00	\$ 9,000.00	\$ 2,700.00	\$ 5,400.00	\$ 5,500.00	\$ 11,000.00
50	1	EA	CONNECT NEW 6" DIP TO EXISTING 2" WATERLINES (SECTION 33 11 00)	\$ 1,500.00	\$ 1,500.00	\$ 1,700.00	\$ 1,700.00	\$ 2,065.00	\$ 2,065.00
<b>PROJECT TOTAL:</b>				\$ 3,192,109.00		\$ 3,214,604.50		\$ 4,791,895.75	





**AGENDA ACTION FORM**

**Amending the FY 2016 CDBG Budget**

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

Action Form No.: AF-16-2016  
Work Session: January 19, 2016  
First Reading: January 19, 2016

Final Adoption: February 2, 2016  
Staff Work By: Haga, Smith  
Presentation By: Lynn Tully

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

Periodically, the Community Development program requests that the Board approve budget amendments which allow for the closure of completed projects and the reallocation of unused funds to projects which are current and continue to advance the mission of the program. Attached is an ordinance which allows the program to close five existing projects, which currently have no activity, and reallocate fund balances to the current KAHR program which provides emergency repair and rehabilitation to low and moderate income, owner-occupied housing. KAHR continues to experience an uptick in emergency repair needs and these funds would assist in meeting current demands.

**Attachments:**

- 1. Budget Ordinance

Funding source appropriate and funds are available: *js*

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



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**Attachments:**  
1. Budget Ordinance

Funding source appropriate and funds are available: 

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE TO AMEND VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT PROJGECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Community Development Block Grant budget be amended by transferring \$42,318 from the CDBG Administration project (CD1001), by transferring \$12,152 from the CDBG Administration project (CD1101), by transferring \$22,543 from the CDBG Administration project (CD1301), by transferring \$10,349 from the CDBG Administration project (CD1401) and by transferring \$5,306 from the CDBG Administration project (CD1501) to the KAHR Program project (CD1604) in the amount of \$92,668.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 124: Community Development Fund</b>			
<b>CDBG Administration (CD1001)</b>			
<b>Revenues:</b>	\$	\$	\$
124-0000-331-1000 Community Development	123,370	(42,318)	81,052
<b>Totals:</b>	<b>123,370</b>	<b>(42,318)</b>	<b>81,052</b>
<b>Expenditures:</b>	\$	\$	\$
124-0000-603-1010 Salaries & Wages	79,674	(22,991)	56,683
124-0000-603-1020 Social Security	8,031	(3,904)	4,127
124-0000-603-1030 Group Health	230	240	470
124-0000-603-1040 Retirement	15,720	(6,756)	8,964
124-0000-603-1050 Life Ins.	233	(31)	202
124-0000-603-1052 Long Term Disability	183	(44)	139
124-0000-603-1060 Workmen's Comp	148	(85)	63
124-0000-603-1061 Unemployment	40	38	78
124-0000-603-2010 Advertising & Publication	1,500	58	1,558
124-0000-603-2021 Accounting and Auditing	4,765	(565)	4,200
124-0000-603-2022 Construction Contracts	825	0	825
	746	(746)	0
124-0000-603-2025 Public Relations			
124-0000-603-2034 Telephone	1,500	(888)	612
124-0000-603-2040 Travel	4,675	(3,615)	1,060
124-0000-603-2044 Literature/Subscriptions	1,800	(86)	1,714
124-0000-603-3010 Office Supplies	3,000	(2,643)	357
124-0000-603-3011 Postage	300	(300)	0
<b>Totals:</b>	<b>123,370</b>	<b>(42,318)</b>	<b>81,052</b>

**Fund 124: Community Development Fund  
CDBG Administration (CD1101)**

<b>Revenues:</b>	\$	\$	\$
124-0000-331-1000 Community Development	70,000	(12,152)	57,848
<b>Totals:</b>	<b>70,000</b>	<b>(12,152)</b>	<b>57,848</b>

<b>Expenditures:</b>	\$	\$	\$
124-0000-603-1010 Salaries & Wages	43,867	(2,731)	41,136
124-0000-603-1020 Social Security	4,970	(1,545)	3,425
124-0000-603-1040 Retirement	9,721	(2,429)	7,292
124-0000-603-1050 Life Ins.	234	(58)	176
124-0000-603-1052 Long Term Disability	179	(53)	126
124-0000-603-1060 Workmen's Comp	98	(30)	68
124-0000-603-1061 Unemployment	55	(22)	33
124-0000-603-2010 Advertising & Publication	500	(370)	130
124-0000-603-2021 Accounting and Auditing	4,765	(3,265)	1,500
124-0000-603-2034 Telephone	1,000	(438)	562
124-0000-603-2040 Travel	3,100	(852)	2,248
124-0000-603-2044 Literature/Subscriptions	800	(86)	714
124-0000-603-3010 Office Supplies	500	(109)	391
124-0000-603-3011 Postage	211	(164)	47
<b>Totals:</b>	<b>70,000</b>	<b>(12,152)</b>	<b>57,848</b>

**Fund 124: Community Development Fund  
CDBG Administration (CD1301)**

<b>Revenues:</b>	\$	\$	\$
124-0000-331-1000 Community Development	66,860	(22,543)	44,317
<b>Totals:</b>	<b>66,860</b>	<b>(22,543)</b>	<b>44,317</b>

<b>Expenditures:</b>	\$	\$	\$
124-0000-603-1010 Salaries & Wages	38,049	(12,570)	25,479
124-0000-603-1020 Social Security	5,205	(3,122)	2,083
124-0000-603-1040 Retirement	11,397	(6,996)	4,401
124-0000-603-1050 Life Ins.	286	(187)	99
124-0000-603-1052 Long Term Disability	205	(127)	78
124-0000-603-1060 Workmen's Comp	110	(64)	46
124-0000-603-1061 Unemployment	50	(26)	24
124-0000-603-2010 Advertising & Publication	500	(466)	34
124-0000-603-2021 Accounting and Auditing	4,500	(2,500)	2,000
124-0000-603-2034 Telephone	1,000	(394)	606
124-0000-603-2040 Travel	4,000	3,819	7,819
124-0000-603-2041 Registration Fees/Tuition	0	55	55
124-0000-603-2043 Dues and Membership	575	0	575

124-0000-603-2044 Literature/Subscriptions	225	325	550
124-0000-603-3010 Office Supplies	500	(93)	407
124-0000-603-3011 Postage	258	(197)	61
<b>Totals:</b>	<b>66,860</b>	<b>(22,543)</b>	<b>44,317</b>

**Fund 124: Community Development Fund  
CDBG Administration (CD1401)**

<b>Revenues:</b>	\$	\$	\$
124-0000-331-1000 Community Development	66,860	(10,349)	56,511
<b>Totals:</b>	<b>66,860</b>	<b>(10,349)</b>	<b>56,511</b>

<b>Expenditures:</b>	\$	\$	\$
124-0000-603-1010 Salaries & Wages	38,049	679	38,728
124-0000-603-1020 Social Security	5,205	(2,046)	3,159
124-0000-603-1030 Group Health Ins.	0	2,017	2,017
124-0000-603-1040 Retirement	11,397	(4,568)	6,829
124-0000-603-1050 Life Ins.	286	(141)	145
124-0000-603-1052 Long Term Disability	205	(136)	69
124-0000-603-1060 Workmen's Comp	110	(39)	71
124-0000-603-1061 Unemployment	50	(17)	33
124-0000-603-2010 Advertising & Publication	500	(475)	25
124-0000-603-2021 Accounting and Auditing	4,500	(3,400)	1,100
124-0000-603-2034 Telephone	1,000	(272)	728
124-0000-603-2040 Travel	4,000	(1,237)	2,763
124-0000-603-2041 Registration Fees/Tuition	0	327	327
124-0000-603-2044 Literature/Subscriptions	800	(800)	0
124-0000-603-3010 Office Supplies	500	(37)	463
124-0000-603-3011 Postage	258	(204)	54
<b>Totals:</b>	<b>66,860</b>	<b>(10,349)</b>	<b>56,511</b>

**Fund 124: Community Development Fund  
CDBG Administration (CD1501)**

<b>Revenues:</b>	\$	\$	\$
124-0000-331-1000 Community Development	66,026	(5,306)	60,720
<b>Totals:</b>	<b>66,026</b>	<b>(5,306)</b>	<b>60,720</b>

<b>Expenditures:</b>	\$	\$	\$
124-0000-603-1010 Salaries & Wages	32,783	1,945	34,728
124-0000-603-1020 Social Security	5,451	(2,620)	2,831
124-0000-603-1030 Group Health Ins.	4,300	358	4,658
124-0000-603-1040 Retirement	11,323	(6,306)	5,017

124-0000-603-1050 Life Ins.	222	(106)	116
124-0000-603-1052 Long Term Disability	240	(190)	50
124-0000-603-1060 Workmen's Comp	113	(44)	69
124-0000-603-1061 Unemployment	44	18	62
124-0000-603-2010 Advertising & Publication	500	(447)	53
124-0000-603-2021 Accounting and Auditing	4,500	(3,300)	1,200
124-0000-603-2034 Telephone	1,000	(10)	990
124-0000-603-2040 Travel	3,860	4,794	8,654
124-0000-603-2043 Dues and Memberships	940	0	940
124-0000-603-2044 Literature/Subscriptions	0	0	0
124-0000-603-3010 Office Supplies	500	852	1,352
124-0000-603-3011 Postage	250	(250)	0
<b>Totals:</b>	<b>66,026</b>	<b>(5,306)</b>	<b>60,720</b>

**Fund 124: Community Development Fund**  
**KAHR Program (CD1604)**

<b><u>Revenues:</u></b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
124-0000-331-1000 Community Development	110,603	92,668	203,271
<b>Totals:</b>	<b>110,603</b>	<b>92,668</b>	<b>203,271</b>

<b><u>Expenditures:</u></b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
124-0000-603-1010 Salaries & Wages	38,631	10,000	48,631
124-0000-603-1020 Social Security	0	1,881	1,881
124-0000-603-1030 Group Health Ins.	0	2,217	2,217
124-0000-603-1040 Retirement	0	3,000	3,000
124-0000-603-1050 Life Ins.	0	60	60
124-0000-603-1052 Long Term Disability	0	30	30
124-0000-603-1060 Workmen's Comp	0	34	34
124-0000-603-1061 Unemployment	0	10	10
124-0000-603-4023 Other Expenses/Grants	71,972	75,436	147,408
<b>Totals:</b>	<b>110,603</b>	<b>92,668</b>	<b>203,271</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:





**AGENDA ACTION FORM**

**Amend the FY 2016 General Project Fund Budget**

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

Action Form No.: AF-14-2016  
 Work Session: January 19, 2016  
 First Reading: January 19, 2015

Final Adoption: February 2, 2016  
 Staff Work By: David Frye  
 Presentation By: David Frye

**Recommendation:**  
 Approve the Ordinance.

**Executive Summary:**

The Board of Education approved fiscal year 2016 budget amendment number three at their meeting on January 7, 2016. This amendment closes 4 capital projects and transfers the balance of \$116,025 to a new capital project for school system property purchase. The 4 projects to be closed and their balances are; GP1233 School Improvements - \$23,466, GP1302 Jackson Secure Entrance - \$7,694, GP1303 RNR Parking Lot Improvements - \$7,025, and GP1411 School Improvements - \$77,840. The School Improvements projects accounted for several Projects including: Stadium Lighting, Legion Center Renovations, Wireless Installation, Dobyans-Bennett and Kennedy Library Improvements, Pridmore Theatre Improvements, Park St. Property Purchase, Lincoln Roof, Sevier Roof and Washington Cooling Tower Replacement. Please see the attached BOE Budget Amendment Number 3 for more detail. Funds placed the new project for property purchase will be used towards the acquisition of 2 properties. One property is located at Park and E Center St. and the other is located on Overlook Rd.

**Attachments:**

1. Ordinance
2. BOE Budget Amendment Number Three – FY 2016

Funding source appropriate and funds are available: *JF*

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



**AGENDA ACTION FORM**

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1. Ordinance
2. BOE Budget Amendment Number Three – FY 2016

Funding source appropriate and funds are available: *JF*

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George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE TO AMEND THE GENERAL PROJECTS  
FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30,  
2016; AND TO FIX THE EFFECTIVE DATE OF THIS  
ORDINANCE

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

SECTION I. That the General Project Fund Budget be amended by decreasing the estimated revenue for the School Improvements Project (GP1233) – 2012C General Obligation Bonds by \$23,466 and by decreasing the appropriation for Construction Contracts by \$57,756 and by increasing the appropriations for Architect Fees by \$31,960 and Equipment by \$2,330; by decreasing the estimated revenue for the Jackson Secure Entrance Project (GP1302) - 2013B General Obligation Bonds by \$7,694 and by decreasing the appropriation for Construction Contracts by \$12,680 and by increasing the appropriation for Architect Fees by \$4,986; by decreasing the estimated revenue for the Robinson Parking Lot Improvement Project (GP1303) – Transfers from General Purpose School Fund by \$7,025 and decreasing the appropriations for Construction Contracts by \$5,130 and Architect Fees by \$1,895; by decreasing the estimated revenue for the School Improvements Project (GP1411) – 2013B General Obligation Bonds by \$137,424 and by increasing the estimated revenue for Premium form Bonds by \$73,697 and by increasing the appropriation for Construction Contracts by \$439,681, Bond Sale Expense by \$14,114, Land Acquisition by \$65,797, and Equipment by \$61,047 and by decreasing the appropriations for Architect Fees by \$71,981 and for Capital Improvements by \$572,385; by creating a new project for School System Property Purchase (GP1612) and establishing estimated revenue for 2012C General Obligations Bonds of \$23,466, 2013B General Obligations Bonds of \$85,534, and Transfers from General Purpose School Fund of \$7,025 and an appropriation for Land Purchase of \$116,025.

**Fund 311: General Project Fund**  
**School Improvements (GP1233)**

<b><u>Revenues:</u></b>		\$	\$	\$
311-0000-368-1041	Series 2012 C GO PUB IMP	1,204,436	(23,466)	1,180,970
	<b>Total:</b>	<b>1,204,436</b>	<b>(23,466)</b>	<b>1,180,970</b>

<b><u>Expenditures:</u></b>				
311-0000-601-2022	Construction Contracts	1,040,320	(57,756)	982,564
311-0000-601-2023	Arch/Eng/Landscaping Serv	67,270	31,960	99,230
311-0000-601-9004	Equipment	320,143	2,330	322,473
	<b>Total:</b>	<b>1,427,733</b>	<b>(23,466)</b>	<b>1,404,267</b>

**Jackson Secure Entrance (GP1302)**

<b><u>Revenues:</u></b>		\$	\$	\$
311-0000-368-1046	Series 2013 B GO PUB IMP	183,923	(7,694)	176,229
	<b>Total:</b>	<b>183,923</b>	<b>(7,694)</b>	<b>176,229</b>

**Expenditures:**

311-0000-601-2022	Construction Contracts	269,770	(12,680)	257,090
311-0000-601-2023	Arch/Eng/Landscaping Serv	27,750	4,986	32,736
	<b>Total:</b>	<b>297,520</b>	<b>(7,694)</b>	<b>289,826</b>

**RNR Parking Lot Improvements (GP1303)****Revenues:**

		\$	\$	\$
311-0000-391-2100	General Purpose Schl Fund	16,836	(7,025)	9,811
	<b>Total:</b>	<b>16,836</b>	<b>(7,025)</b>	<b>9,811</b>

**Expenditures:**

311-0000-601-2022	Construction Contracts	178,500	(5,130)	173,370
311-0000-601-2023	Arch/Eng/Landscaping Serv	25,000	(1,895)	23,105
	<b>Total:</b>	<b>203,500</b>	<b>(7,025)</b>	<b>196,475</b>

**School Improvements Project (GP1411)****Revenues:**

		\$	\$	\$
311-0000-368-1046	Series 2013 B GO PUB IMP	829,413	(137,424)	691,989
311-0000-368-2101	Premium from Bonds	0	73,697	73,697
	<b>Total:</b>	<b>829,413</b>	<b>(63,727)</b>	<b>765,686</b>

**Expenditures:**

311-0000-601-2022	Construction Contracts	129,413	439,681	569,094
311-0000-601-2023	Arch/Eng/Landscaping Serv	100,000	(71,981)	28,019
311-0000-601-4041	Bond Sale Expense	0	14,114	14,114
311-0000-601-9001	Land Acquisition	0	65,797	65,797
311-0000-601-9003	Capital Improvements	600,000	(572,385)	27,615
311-0000-601-9004	Equipment	0	61,047	61,047
	<b>Total:</b>	<b>829,413</b>	<b>(63,727)</b>	<b>765,686</b>

**School system Property Acquisition (GP1612)****Revenues:**

		\$	\$	\$
311-0000-368-1041	Series 2012 C GO PUB IMP	0	23,466	23,466
311-0000-368-1046	Series 2013 B GO PUB IMP	0	85,534	85,534
311-0000-391-2100	Transfer from School Fund	0	7,025	7,025
	<b>Total:</b>	<b>0</b>	<b>116,025</b>	<b>116,025</b>

**Expenditures:**

311-0000-601-9001	Land Acquisition	0	116,025	116,025
	<b>Total:</b>	<b>0</b>	<b>116,025</b>	<b>116,025</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:

APPROVED AS TO FORM:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

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

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

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

January 7, 2016

KINGSPORT CITY SCHOOLS  
FISCAL YEAR 2015-2016  
BUDGET AMENDMENT NUMBER THREE

**CAPITAL PROJECTS FUND**

There are four open capital projects on the City's books that are now completed. These projects all have balances remaining that need to be appropriated to another capital project. The total amount of funds remaining is \$116,025. There is a current need for a couple of items that these funds can be used for.

1. Indian Highland Property Purchase – Funds were appropriated from the Fund Balance in FY 2015 for this purchase. As you now the purchase did not go through and the funds reverted back to the Fund Balance. The previously agreed upon sales price was \$35,000.
2. Overlook Road – There is one remaining property on Overlook Road, behind Jefferson School, that we do not own. The property owners recently contacted the City's Property Acquisition Agent and expressed an interest in selling. We have ordered an appraisal on the property. In January, 2012 this property appraised for \$63,000.

Below is the detail of the projects that need to be closed:

Project Number	Project Description	Budget	Expenses	Balance
GP1233	School Improvements	1,427,733	1,404,267	23,466
GP1302	Jackson Secure Entrance	297,520	289,826	7,694
GP1303	RNR Parking Lot Improvements	203,500	196,475	7,025
GP1411	School Improvements	829,413	751,573	77,840
	Totals	2,758,166	2,642,141	116,025

Below is more detail on the 2 projects with descriptions of School Improvements:

GP1233	Stadium Lighting	509,640	509,095	545
GP1233	Legion Center Renovations	660,000	652,075	7,925
GP1233	Wireless Installation	258,093	243,096	14,997
	Totals	1,427,733	1,404,267	23,466
GP1411	D-B Library Improvements	31,217	31,217	0
GP1411	Door Locks	51,390	0	51,390
GP1411	Pridmore Theatre Audio	29,831	29,831	0
GP1411	Park St. Property Purchase	65,797	65,797	0
GP1411	Kennedy Library Renovations	27,615	27,615	0
GP1411	Lincoln Roof	130,777	130,777	0
GP1411	Sevier Roof	362,736	336,286	26,450
GP1411	Washington Cooling Tower	130,050	130,050	0
	Totals	829,413	751,573	77,840

It is recommended that the four projects listed above be closed and the total balance of \$116,025 be transferred to a new project for School System Property Purchase.



**AGENDA ACTION FORM**

**Franchise Agreement with Kingsport Power Company (d.b.a American Electric Power),  
an Ordinance Establishing the Franchise Fee**

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

Action Form No.: AF-20-2016  
Work Session: January 19, 2016  
First Reading: January 19, 2016

Final Adoption: February 2, 2016  
Staff Work By: Ryan McReynolds  
Presentation By: Ryan McReynolds

**Recommendation:**

Approve the Ordinances.

**Executive Summary:**

The City of Kingsport and Kingsport Power Company (d.b.a AEP) have presented for the Board's consideration a franchise agreement that allows Kingsport Power the right to utilize the Right of Ways within the City of Kingsport and therefore the ability to serve the citizens of Kingsport. Since AEP is a privately held company and not a public utility and since they are serving the citizens with a necessary utility, their relationship with the City is defined through a Franchise Agreement.

The City and AEP have enjoyed a 99 year relationship through a long standing agreement that was a vital building block for the creation and expansion of Kingsport as an industrial, business and residential destination. The attached agreement extends this partnership and reflects the value each party provides each other. For the citizens of Kingsport, the agreement ensures a necessary service by a proven partner as well as a source for reinvestment into the community. For AEP, the agreement ensures a platform for partnership and confidence in their ability to meet their corporate objectives. Additionally, the corresponding fee resolution is a supplement to the agreement and mirrors similar agreements the City has with utility providers as well as is consistent with franchise agreements that have been in place the past few decades throughout the country.

**Attachments:**

- 1. Ordinance – Agreement
- 2. Ordinance – Franchise Fee

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



**AGENDA ACTION FORM**

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an Ordinance Establishing the Franchise Fee**

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Staff Work By: Ryan McReynolds  
Presentation By: Ryan McReynolds

**Recommendation:**

Approve the Ordinances.

**Executive Summary:**

The City of Kingsport and Kingsport Power Company (d.b.a AEP) have presented for the Board's consideration a franchise agreement that allows Kingsport Power the right to utilize the Right of Ways within the City of Kingsport and therefore the ability to serve the citizens of Kingsport. Since AEP is a privately held company and not a public utility and since they are serving the citizens with a necessary utility, their relationship with the City is defined through a Franchise Agreement.

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**Attachments:**

- 1. Ordinance – Agreement
- 2. Ordinance – Franchise Fee

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Oteman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE GRANTING KINGSPORT POWER COMPANY D/B/A AEP APPALACHIAN POWER AN ELECTRIC UTILITY FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, Kingsport Power Company d/b/a AEP Appalachian Power (herein referred to collectively as the "Company"), is a regulated investor owned utility that provides electric power and energy to the citizens of the City of Kingsport (herein referred to as the "City") and other surrounding areas;

WHEREAS, providing electrical power and energy requires the installation, operation and maintenance of power poles and other related facilities to be located within the public ways of the City;

WHEREAS, the City desires to set forth the terms and conditions by which the Company shall use the public ways of the City;

WHEREAS, the City and the Company recognize that both parties benefit from economic development within the City;

NOW, THEREFORE,

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

SECTION I: DEFINITIONS.

That for the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular include the plural number. The word "shall" is always mandatory and not merely directory.

a) Board of Mayor and Aldermen – the Board of Mayor and Aldermen of the City of Kingsport, Tennessee.

b) City – the City of Kingsport, Tennessee, and its respective successors and assigns.

c) City Manager – the City Manager of the City of Kingsport, Tennessee as duly appointed pursuant to Charter. The term "City Manager" also includes his designee.

d) Company – Kingsport Power Company d/b/a AEP Appalachian Power, a corporation organized under the laws of the Commonwealth of Virginia and its lawful successors and assigns.

e) Construction – the installation, laying, erection, renewal, repair, replacement, extension, or removal of an electric transmission and distribution system and such activity as may be necessary to construct, maintain and operate an electric system.

f) Electricity – electricity transmitted and distributed into the City by the Company.

g) Electric System – any lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public service and supply electric energy for heat, light, power or any other purpose or purposes for which electric energy is now or may hereafter be used.

h) Streets — the public streets, highways, avenues, roads, courts, alleys, lanes, ways, utility easements, parkways, public rights-of-way, or other public grounds, held or controlled by the City, in the City as they now exist or as they may be established at any time during the term of this franchise in the City, but only to the extent of the City's right, title, interest or authority to grant a license or franchise to occupy and use such streets and easements for the construction and operation of a public utility system.

i) T.R.A. — the Tennessee Regulatory Authority or any successor state agency having jurisdiction over the Company.

## SECTION II. GRANT OF FRANCHISE.

The City hereby grants to the Company the non-exclusive right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, guy anchors, vaults, transformers, transmission lines, and communication lines (collectively referred to herein as “Electric Facilities”) in the public streets, highways, avenues, roads, courts, alleys, lanes, ways, utility easements, parkways, public rights-of-way, or other public grounds, held or controlled by the City (collectively referred to herein as “Public Ways”), in the City as they now exist or as they may be established at any time during the term of this franchise in the City, but only to the extent of the City's right, title, interest or authority to grant a license or franchise to occupy and use such streets and easements for the construction and operation of a public utility system for the purpose of supplying and transmitting electric power and energy to the inhabitants of the City and persons and corporations beyond the limits thereof.

## SECTION III. TERM.

The term of this Franchise is for a period of twenty (20) years from the date of the Company's acceptance hereof.

## SECTION IV. ACCEPTANCE BY COMPANY.

Within sixty (60) days of the approval of this Franchise Ordinance, including the Franchise Fee discussed herein, by the TRA, the Company shall file an unqualified written

acceptance thereof with the City. Otherwise the ordinance and the rights granted herein shall be null and void.

#### SECTION V. NON-EXCLUSIVE FRANCHISE.

The right to use and occupy the Public Ways of the City shall be nonexclusive and the City reserves the right to use the Public Ways for itself or any other entity that provides service to City residences; provided, however, that such use shall not unreasonably interfere with the Company's Electric Facilities or rights as granted herein.

#### SECTION VI. CITY REGULATORY AUTHORITY.

The City and Company recognize that under the law of the State of Tennessee, the TRA is granted "...general supervisory and regulatory power, jurisdiction and control over public utilities, and also over their property, property rights, facilities and franchise..." T.C.A. § 65-4-104. However, to the extent not preempted by Tennessee state law, the City reserves the right to adopt such additional ordinances and exercise its regulatory powers as may be deemed necessary in the exercise of its police powers for the protection of the health, safety and welfare of its citizens and their properties.

#### SECTION VII. COMPLIANCE WITH APPLICABLE LAWS.

The Electrical Facilities shall be constructed, maintained and operated, in good and safe condition, in accordance with standard engineering practices, and in accordance with any applicable Federal Laws and Regulations, Statutes of the State of Tennessee, the Rules and Regulations of the T.R.A., and Ordinances of the City which do not conflict with any such federal or state laws, rule or regulation, as such practices and laws, statutes, ordinances, rules and regulations now exist or as they may be from time to time amended, changed or modified.

#### SECTION VIII. STANDARD OF CARE.

That the Company shall at all times employ a reasonable standard of care and shall install and maintain and use industry standard or other reasonable methods and devices for preventing failure or accidents which are likely to cause damages, injuries or nuisances to the public.

#### SECTION IX. LOCATION OF FACILITIES.

(A) The City and the Company agree that it is beneficial to both parties to this agreement and to the citizens of Kingsport that the City and the Company work together to plan the location of utility facilities as they relate to the City's infrastructure and community planning. Towards that end, the Company and the City commit to meet at least quarterly to review upcoming utility projects and the City's ongoing planning efforts. In addition, the Company and the City agrees to jointly plan new development and redevelopment efforts to configure utilities in a way that compliments those efforts while affecting economical solutions to those desires.

(B) The Company understands that the City reserves the right, by ordinance or resolution of the Board of Mayor and Aldermen, or otherwise through proper representatives of the City, to designate specifically the location of the Electric Facilities of the Company with references to municipal facilities, such as sewer and water mains, drainage facilities, fiber optic cable, signal poles and lines and similar services, other facilities, such as public telephone

utilities, public electric utilities, public cable television utilities, and railway communication and power lines, in such a manner as to protect the public safety and public and private property and to facilitate the creation of a convenient, attractive and harmonious community. Failure by the City to so designate does not relieve the Company of its responsibilities in matters of public safety as provided in this Ordinance. The Company shall construct, maintain and locate its Electric Facilities so as not to unreasonably interfere with the construction, location and maintenance of sewer, water, drainage, electrical, signal and fiber optic facilities owned or operated by the City.

The rights and privileges granted by this franchise shall not be in preference or hindrance to the rights of the City and any other lawful governmental authorities having jurisdiction to perform or carry out any public works or public improvements within the Public Ways.

#### SECTION X. USE OF PUBLIC WAYS.

(A) That the Company, in any opening it shall make in the Public Ways of the City, shall be subject to the provisions of this Ordinance and to all applicable ordinances, codes and regulations of the City. Specifically, in addition to the requirements contained herein, except in the cases of emergencies, the Company shall at all times comply with Chapter 90, Streets, Sidewalks and Other Public Places, of the Code of Ordinances, City of Kingsport, 2012, as amended, with respect to any opening it shall make in the Public Ways of the City. The proposed location of any part of the Electric Facilities to be constructed by the Company in, upon, across, under or over the Public Ways of the City shall not unreasonably interfere with:

- (1) the public safety or the convenience of persons using the Public Ways;
- (2) the use of Public Ways for purpose of travel;
- (3) with any use or contemplated use of Public Ways by the City either above or below the surface of the Public Ways for which plans have been prepared or for which plans are in the course of preparation, which plans have been authorized by the City, and of which the Company has been previously notified by the City; or
- (4) personal property lawfully in, upon, along, across, under or over the Public Ways.

(B) The Company's location, construction and maintenance shall not unduly burden regular maintenance procedures of the City and shall be coordinated with the City's annual paving program through the City Manager.

(C) The Company shall submit to the City Manager a drawing of all proposed street cuts prior to performing the work except in the case of an emergency excavation.

In the case of emergency excavations made in the Public Ways, the Company shall make a report of each such excavation to the City within two (2) working days. Any inspections related to repair of excavations shall be promptly acted upon by the City so as not to unreasonably delay the Company in discharging its public service obligation.

The Company shall use its best efforts to not interfere with or injure any utility or any other public improvement which the City has heretofore made or may hereinafter make in, upon, across, along or under any Public Ways and shall not unnecessarily obstruct or impede such Public Ways of the City.

The Company shall promptly remove or correct any obstruction, damage or defect in any Street which was caused by the Company in the installation, operation, maintenance or

extension of the Electric Facilities. Any such obstruction, damage, or defect which is not promptly removed, repaired or corrected by the Company after proper notice to do so, given by the City to the Company, may be removed or corrected by the City, and the cost thereof shall be charged against the Company. Any expense, cost, or damages incurred for repair, relocation, or replacement to City water, sanitary sewer, storm sewer, storm drainage, communication facilities or other property resulting from construction, operation, maintenance or extension of the Electric Facilities shall be borne by the Company and any and all expense and cost incurred in connection therewith by the City shall be fully reimbursed by the Company to the City.

D) If weather or other conditions do not permit the complete restoration required by this Section, the Company shall temporarily restore the affected Public Ways or property. Such temporary restoration shall be at the Company's sole expense and the Company shall promptly undertake and complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration.

(E) The Company shall not open, disturb or obstruct, at any one time, any more of the Public Ways than reasonably may be necessary to enable it to proceed in laying or repairing the Electric Facilities. Neither shall the Company permit any Street so opened, disturbed or obstructed by it in the installation, construction, repair or extension of its Electric Facilities to remain open or the Public Ways disturbed or obstructed for a longer period of time than reasonably shall be necessary.

(F) Whenever the City shall widen, reconstruct, realign, pave or repave, or otherwise work on any Public Ways, or shall change the grade or line of any Public Ways, or shall construct or reconstruct any water, sanitary sewer, storm sewer, drainage or communications facility of the City, it shall be the duty of the Company at the Company's cost and expense to move, alter or relocate its Electric Facilities originally constructed on a Public Way (that is not secured by a private easement) or any part thereof as reasonably requested by the City. Upon written notice by the City Manager of the City's intention to perform work as specified above, the Company shall within a reasonable period of time accomplish its obligation in accordance with and to conform to the plans of the City for such construction, reconstruction or improvements.

(G) All trees, landscaping and grounds removed, damaged or disturbed as a result of the construction, installation, maintenance, repair or replacement of underground Electric Facilities must, to the extent the landscaping does not interfere with the safe operation of the facilities, be replaced or restored as nearly as may be practicable, to the condition existing prior to performance of work. The City understands that vegetation growing in the vicinity of overhead power lines must be trimmed and maintained away from those lines to allow for safe operation of those lines.

(H) The Company shall give all required notices and comply with all laws, ordinances, rules and regulations bearing on the conduct of the construction being performed.

(I) Inspections during construction may be made by the City.

(J) Construction and repair shall be performed with the least practical hindrance of the Public Ways for the purpose of travel or any other public purpose. After any work has commenced by the Company, in, upon, along, across, under, or over the Public Ways of the City, the same shall be continued in good faith and with due diligence until completed. If, as determined by the City Manager, the Company refuses or fails to proceed in good faith, or any separable part thereof, with such diligence as will ensure its completion within a reasonable

period of time, the City Manager will issue notice to the Company of his findings and instructions and, if after three (3) days of receipt of such notice, the Company has not commenced to re-execute the work, the City Manager will cause the construction required in said notice to be performed and charge the Company the entire cost and expense plus ten (10%) percent of the construction.

(K) When any construction opening or excavation, disturbance, cut or damage is made in, along, upon, across, under or over the Public Ways for any purpose whatsoever by the Company, any portion of said Public Ways affected or damaged thereby shall be restored, as promptly as possible to as useful, safe, durable, in as good condition as existed prior to making of such opening or such excavation or such damage. If the company is unable to comply with the provisions of this section by reason of strikes, riots, acts of God, or acts of public enemies or other factors beyond its control, restorative work of a temporary nature allowing for such requirements as trench and backfill consolidation and fine grading and vegetative stabilization will be performed. The temporary restorative work shall be accomplished immediately in accordance with best acceptable construction procedures and shall be continuously maintained in a useful and safe condition pending permanent restoration, as per detail attached as Exhibit 1. Where a cut or disturbance is made in a section of sidewalk rather than replacing only the area actually cut, the Company shall replace the full width of the existing sidewalk as determined by the City Manager and the full length of the section or sections cut, a section being defined as that area marked by expansion joints or scoring. Where a cut or disturbance is made by the Company in a section of pavement, rather than repaving only the actual area cut the Company shall, if requested by the City Manager, repave the area between the street cuts when there are two or more street cuts made by the Company within twenty (20) feet of each other. The width of the repavement shall correspond to the width of the street cut made by the Company. If the Company fails to timely perform said restoration and repair within a reasonable time, the City Manager may issue notice to the Company of his findings and instructions and, if after three (3) days the Company has not commenced the restoration and/or repair, the City Manager will cause the work required in said notice to be done and performed and charge the Company the entire cost and expense of restoration or repair plus ten (10%) percent.

(L) After the work of restoring such portion of the Street has been completed as provided herein, the Company shall keep such portion of such Street repaired or restored in as useful, safe, durable, and good condition as it existed prior to the making of such opening, excavation or damage, ordinary wear and tear excepted, for a period of eighteen (18) months from the completion of repair or restoration, if the City Manager determines that such portion of the Street was affected or damaged by the work of the Company.

(M) When Public Ways are opened, excavated, disturbed, obstructed or any other construction activity is required in the Public Ways by the Company, said Company, or other person acting on its behalf, shall place and maintain all necessary safety devices, barriers, lights, and warnings to properly notify all persons of any dangers resulting from such construction entrances, and to prevent injury or damage to any person, vehicle or property by reason of such work in or affecting the Street and shall comply with all federal, state and local laws and regulations, including the Manual of Uniform Traffic Control Devices flagging requirements, the Manual for Streets and Highways, as approved by the Federal Highway Administrator and as may be amended from time to time shall be the standard used in determining the necessary placement of such devices, barrier, lights and warnings.

(N) The Company shall provide the City with a master set "as built" drawings and/or maps in an electronic form agreed to by City and the Company showing the location of all its

underground Electric Facilities within the City. To the extent City and the Company cannot agree on an appropriate electronic form for the above referenced map or maps, the Company agrees to provide City with such information in hard copy or paper format. The Company shall also provide the City with a list of Public Ways along which its above ground Electric Facilities is located. The Company shall provide updated maps in accordance with this Section on an annual basis if changes have occurred. The Company also agrees to cooperate with and participate in Tennessee One Call. On at least an annual basis the Company shall meet with the City Manager to discuss its plans for construction and/or maintenance of its Electric Facilities for the following year.

(O) In addition to the installation of underground electric distribution lines as provided by applicable state law and regulations, the Company, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed electric distribution lines underground as may be required by City ordinance. The Company and the City agree to work together to jointly plan new facilities so the new facilities are operationally appropriate for the Company while providing the aesthetics desired by the City and accomplishing the desired goal at the least cost to the Company's customers and the City's citizens.

(P) The City shall have the right without cost to use all poles and suitable overhead structures owned by the Company within Public Ways for City wires used in connection with its governmental purposes; provided, however, any such uses shall be for activities owned, operated or used by the City for a public purpose. Provided, that the Company shall assume no liability nor shall it incur, directly or indirectly, any additional expense in connection therewith, and the use of said poles and structures by the City shall be in such a manner as to prevent safety hazards or interferences with the Company's use of the same. Nothing herein shall be construed to require the Company to increase pole size, or alter the manner in which the Company attaches its equipment to poles, or alter the manner in which it operates and maintains its Electric Facilities. City attachments shall be installed and maintained in accordance with the reasonable requirements of the Company and the current edition of the National Electrical Safety Code pertaining to such construction. Further, City attachments shall be attached or installed only after written approval by the Company in conjunction with the Company's standard pole attachment application process. The Company shall have the right to inspect such attachments to ensure compliance with this Section and to require the City to remedy any defective attachments.

(Q) If the Company is dissatisfied with any determination of the City Manager permitted by the foregoing sections thereof, it may petition the Board of Mayor and Aldermen within ten (10) days after such determination to review the same, which review shall be taken up by the Board of Mayor and Aldermen in the normal course of business.

#### SECTION XI. INSURANCE.

The Company hereby agrees, upon official request of the City, to furnish to the City evidence of insurance on such amounts as may be reasonably necessary to protect the City. However, the coverage shall, at a minimum, include Workers' Compensation insurance covering the Company's statutory obligation under the laws of the State of Tennessee and Employer's Liability insurance for all its employees engaged in work under the franchise. Minimum limits of liability for Employer's Liability insurance shall be \$100,000 bodily injury each occurrence; \$500,000 bodily injury by disease (policy limit); and \$100,000 bodily injury by disease (each employee).

## SECTION XII. HAZARDOUS WASTE.

The Company shall not transport, dispose of or release any hazardous waste within the Streets. If utilizing any hazardous material in the ordinary course of its business, the Company shall comply with all federal, state, and local laws, rules, regulations, and ordinances controlling air, water, noise, solid wastes, and other pollution, and relating to the storage, transport, release, or disposal of hazardous material, substances or waste. Regardless of the City's acquiescence, the Company shall indemnify and hold City, its officers, agents, employees and volunteers harmless from all costs, claims, damages, causes of action, liabilities, fines or penalties, including reasonable attorney's fees, resulting from the Company's, its agents, assigns, violation of this paragraph and Company agrees to reimburse City for all costs and expenses incurred by City in eliminating or remedying such violations, including all remediation and cleanup costs. This provision shall survive the expiration, revocation or termination of this franchise.

## SECTION XIII. INDEMNIFICATION.

(A) The Company shall at all times defend, indemnify and hold harmless the City and any of the City's representatives from and against all loss sustained by the City on account of any suit, judgment, execution, claim or demand whatsoever resulting fully or in part from the failure of the Company or its employees to exercise due care and diligence in the construction, operation, and maintenance of its Electric Facilities in the City provided the Company shall have been notified in writing of any claim against the City on account thereof and shall have been given ample opportunity to defend same. The Company shall indemnify, defend and hold harmless the City from any and all demands for fees, claims, suits, actions, causes of action, or judgments based on the alleged infringement or violation of any patent, invention, article, arrangement, or other apparatus that may be used in the performance of any work or activity arising out of the use of any Electric Facilities or the provision of electric service.

(B) The right of indemnification shall include and extend to reasonable attorney fees and trial preparation expenses and other litigation expenses reasonably incurred in defending a claim arising from the operation of the Electric Facilities by the Company, whether or not the claim be proved to be without merit. This provision shall survive the expiration, revocation or termination of this franchise.

## SECTION XIV. ANNEXATION.

Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Electrical Facilities owned, maintained, or operated by the Company located within any public ways of the annexed territory shall thereafter be subject to all of the terms hereof.

## SECTION XV. VEGETATION MANAGEMENT.

The Company or its contractors may prune all trees and vegetation which encroach upon the Public Ways, whether such trees or vegetation originate within or outside the Public Ways to prevent the branches or limbs of other part of such trees or vegetation from interfering with the Company's Electrical Facilities. Such pruning shall comply with *the American National Standard for Tree Care Operation (ANSI A300)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. A growth inhibitor treatment may be used for trees and vegetation species that are fast-growing and / or problematic. Nothing

contained in this Section shall prevent the Company, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang Public Ways.

#### SECTION XVI. FRANCHISE FEE.

(A) The City may impose upon Company the requirement that Company pay a franchise fee to the City. The TRA, as with its jurisdictional obligation to approve this Franchise Ordinance, also must approve the amount of the franchise fee before its imposition. If approved by the TRA, Company shall pass the imposed franchise fee on to its customers for payment, with same being shown as a separate line item of the customer's electric bill from Company. Should the TRA approve the Franchise Agreement but not the amount of the franchise fee, the Agreement shall become effective and the parties may, thereafter, petition the TRA for approval of a different franchise fee. Any franchise fee will be collected by Company and distributed to the City on a monthly basis as soon as practical.

(B) The franchise fee shall be the maximum tax collected by the City other than ad valorem taxes on property and any other fees set forth in this document with respect to the Company's electric business or the exercise of this franchise within the corporate limits of the City and the amount due to the City under any such other license, occupation, franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting therefrom the amount of said franchise fee paid hereunder.

(C) The City may inspect the Company books of account for the City of Kingsport at any time during business hours and may audit such books from time to time, provided that only franchise payments which occurred during a period of 36 months prior to the date the City notifies the Company of its intent to conduct an inspection shall be subject to such review. The City may also request the Company to provide an audit report of franchise fees calculated and remitted from the gross revenues derived from its sale of electricity within the city limits at the company's expense or an audit report prepared by an approved independent accounting firm at the City's expense, but not more than once per calendar year.

#### SECTION XVII: ABANDONMENT OF FACILITIES.

Upon abandonment of any of the facilities or equipment of the Company located above or below the surface of the Public Ways, the Company shall notify the City Manager in writing of such abandonment within a reasonable time thereafter and if such abandoned facilities or equipment will then interfere with the use of the Public Ways by the City, the City Manager shall give written notice thereof to the Company and the Company shall commence to remove the same within twenty (20) days following the date of the written notice and continue the work to completion with reasonable diligence and at its own cost and expense.

All rights and privileges granted hereby are subject to the lawful exercise of the police power of the City to adopt and enforce local laws, rules and regulations necessary to the health, safety and general welfare of the public. Expressly reserved to the City is the right to adopt such additional ordinances and regulations as are necessary for the lawful exercise of its police power for the benefit and safety of the public. Further the City hereby reserves:

(1) The right to grade, widen, relocate, sewer, pave, macadamize, lay conduits and pipe and to install manholes, poles or other structures therein, or to alter, repair or otherwise provide for the making of local improvements in the Street;

(2) The right to make and enforce all such local police, sanitary or other regulations by ordinance in the exercise of its police power;

(3) The right to make and provide for the making of local improvements by special assessment.

The enumeration herein of specific rights reserved shall not be taken as exclusive, or as limiting the reservation made herein.

#### SECTION XVIII. TRANSFER OF ASSETS.

In the event the Company desires to sell, transfer, or lease the entire assets of the Electric System, which is the subject of this Ordinance, the following conditions shall apply:

(A) A statutory merger, consolidation, recapitalization or sale and transfer of common stock of the Company does not constitute a sale or transfer of assets for purposes of this Section.

(B) Any transfer of assets, whether by sale, assignment or lease by the Company shall first be subject to approval by the TRA. Thereafter, same shall be subject to approval by the City.

(C) To effect the transfer of assets, the Company shall have duly executed a good and sufficient instrument making such sale, transfer, or lease; and, a duplicate original of said instrument shall be filed with the City.

(D) The purchaser, transferee, or leasee shall have duly executed a good and sufficient instrument accepting said purchase, transfer or lease and assuming all obligations of Company under this Ordinance; and, a duplicate original of the instrument shall be filed with the City.

#### SECTION XIX. T.R.A. RULES AND REGULATIONS.

(A) The City and the Company hereby agree that this Ordinance is subject to the approval of the T.R.A. and that the Ordinance shall also be subject to the rules and regulations of the State of Tennessee as they may from time to time be changed and that all such rules and regulations become part of this Ordinance to the same extent and with the same effect as if said rules and regulations were herein set out in full.

(B) The Company shall make every reasonable effort to furnish an ample and uninterrupted supply of electricity to all customers throughout its entire system within the City and on any enlargements and extensions thereof within the City. The Company shall not unreasonably or arbitrarily refuse to make an extension thereof within the City. At the time each and every annexation ordinance of the City becomes operative the City Planning Department shall provide the Company with a copy of the ordinance and its accompanying map precisely describing said annexed territory. The Company shall not unreasonably or arbitrarily refuse to make an extension for the purpose of giving Electric Service to the City, the inhabitants, institutions and businesses thereof. The Company shall also file with the City its extension policy and any changes as may from time to time be adopted, as filed with and approved by the T.R.A.

(C) The Company shall at all times keep the City Manager apprised of its current electrical rates, charges, and pricing policies charged to City residents and changes to such rates, charges, and pricing policies whether changes are initiated by the Company or by a third party. In the event the Company files a rate change request with the Tennessee regulatory authority, it shall provide the City Manager with a copy of the request at the time of filing.

#### SECTION XX. ANNUAL REPORT.

The Company shall, upon request by the City, file with the City Manager a duplicate original of the Annual Report of the Company's operations in the City filed with the T.R.A., as now required by the Public Utility Act, or as may be required by any other act of legislature of the State of Tennessee, as soon as practical after one duplicate original of said report has been filed with said authority or its successors.

#### SECTION XXI. OPTION TO PURCHASE.

During the term of this Franchise, and during any renewal period thereof, the City is granted the option to purchase the Company's entire system, including those portions of the system located outside the City's boundaries. The City must provide eighteen (18) months prior written notice of its decision to exercise its option and the City must pay Company the fair market value of the system, for both real and personal property, easements and all other property. "Fair Market Value" is the value which might be derived if one party is willing to sell but does not have to sell, and another party is willing to buy but does not have to buy. If the Company and the City are unable to arrive at an agreed upon price and the City still desires to exercise its option to purchase, the City shall file a declaratory judgment action in the Circuit Court for the Second Judicial District requesting the Court determine the fair market value to be paid to the Company for the Company's entire system.

#### SECTION XXII. RENEWAL.

At least 120 days prior to the expiration of this Franchise, the Company and the City either shall agree to extend the term of this Franchise for a mutually acceptable period of time or the parties shall use best faith efforts to renegotiate a replacement Franchise. The Company shall have the continued right to use the Public Ways of the City as set forth herein in the event an extension or replacement Franchise is not entered into upon expiration of this Franchise. The City shall continue to receive any and all fees and payments due in the event an extension or replacement Franchise is not entered into upon expiration of this Franchise.

#### SECTION XXIII. DEFAULT AND CURE.

Both the Company and the City recognize there may be circumstances whereby compliance with the provisions of this Ordinance is impossible or is delayed because of circumstances beyond the Company's control. In this instance, the Company shall use its best efforts to comply in a timely manner and to the extent possible. In the event of a substantial breach by Company of any material provision of this Ordinance, the City, acting by and through its Board of Mayor and Aldermen, may terminate the franchise and rights granted to Company hereunder, provided, however, that such termination shall not be effective unless and until the procedures described below have been followed:

(1) The City must deliver to Company, by certified or registered mail, a written notice. Such notice must (i) fairly and fully set forth in detail each of the alleged acts or omissions of Company that the City contends constitutes a substantial breach of any material provision hereof within 60 days of the alleged breach or within 60 days of the City's actual or constructive notice of the alleged breach whichever is later; and (ii) designate which of the terms and conditions hereof the City contends Company breached.

(2) The City shall permit Company the opportunity to substantially correct and cure all of the breaches hereof set forth in the written notice described in subsection (1) above within sixty (60) days after Company's receipt of such notice before termination may occur.

(3) If the Company objects and disagrees with the City's determination that a substantial breach of a material provision has occurred, the Company may submit the issue to the Board of Mayor and Aldermen for review within thirty (30) days of receipt of the written notice described in subsection (1) above. Termination of this Ordinance shall be stayed during the course of any such review or subsequent litigation on the issue until the matter is either resolved by agreement between the parties or upon entry of a final order of a court authorizing termination by the City.

In the event the Ordinance is properly terminated pursuant to the terms of this section prior to the expiration of the twenty five year period or any renewal period thereafter, the Company shall not be entitled to claim lost profits against the City for the balance of time remaining under the twenty five year period or any renewal period thereafter in a sale of assets to the City or any condemnation action. In the event of termination and/or expiration of this Ordinance, the Company may continue to operate on the same terms and conditions pending either a negotiated sale of its assets, negotiation of a new franchise or condemnation, whichever first occurs, with a minimum period of six months and a maximum period of 24 months, absent agreement of the parties.

#### SECTION XXIV. NO WAIVER.

Neither the City nor the Company shall be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

#### SECTION XXV. AMENDMENT.

At any time during the term of this Franchise, the City through its Board of Mayor and Aldermen, or the Company may propose amendments to this Franchise by giving thirty (30) days written notice to the other party of the proposed amendment(s) desired, and both parties thereafter, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendment(s). No amendment or amendments to this Franchise shall be effective until mutually agreed upon by the City and the Company and formally adopted as an ordinance amendment, which is accepted in writing by the Company and approval by T.R.A. Notwithstanding anything in this ordinance to the contrary this ordinance is subject to any ordinance that may be adopted by the City establishing reasonable uniform rules, procedures and obligations concerning the use of streets for construction and operation of utility systems.

#### SECTION XXVI. NOTICES.

Unless otherwise specified herein, all notices from the Company to the City pursuant to or concerning this Franchise shall be delivered to the City Manager with a copy to the City Attorney. Unless otherwise specified herein, all notices from the City to the Company pursuant to or concerning this Franchise shall be delivered to William K. Castle, Director, Regulatory Services VA/TN, Appalachian Power Company, Three James Center, Suite 1100 1051 E. Cary Street, Richmond, VA 23219-4029, with a copy to William C. Bovender/Joseph B. Harvey, Hunter, Smith & Davis, LLP, PO Box 3740, 1212 North Eastman Road, Kingsport, TN 37664, 423-378-8800.

**SECTION XXVII. SEVERABILITY.**

If any section, sentence, paragraph, term or provision hereof is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

**SECTION XXVIII. GOVERNING LAW.**

The Agreement and the rights and obligations of the parties are governed by the laws of the State of Tennessee, without regard to its conflict of laws principles.

**SECTION XXIX. NO ARBITRATION, JURISDICTION, WAIVER OF JURY TRIAL, VENUE.**

Notwithstanding any other provision in the Agreement to the contrary, arbitration is not permitted and if a dispute arises between the parties concerning any aspect of the Agreement, and it cannot be resolved by mutual agreement, any party may resort to resolution of the dispute by litigation in the state or federal courts for Kingsport, Sullivan County, Tennessee. The parties waive their right to a jury trial. Mandatory and exclusive venue and jurisdiction for any disputes shall be in state courts or federal for Kingsport, Sullivan County, Tennessee.

**SECTION XXX. EFFECTIVE DATE.**

The franchise granted by this Ordinance shall become effective when the Company files its unqualified written acceptance thereof with the City, pursuant to the procedure set forth in SECTION IV hereinabove.

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

ATTEST:

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

APPROVED AS TO FORM:

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

Passed on first reading \_\_\_\_\_  
Passed on second reading \_\_\_\_\_

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

AN ORDINANCE ENACTING A FRANCHISE FEE FOR THE USE BY KINGSPORT POWER COMPANY D/B/A AEP APPALACHIAN POWER OF THE PUBLIC STREETS, ALLEYS, OTHER PUBLIC PLACES FOR ITS FRANCHISE FOR A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, Kingsport Power Company d/b/a AEP Appalachian Power (the Company) is a regulated investor owned utility that provides electric power and energy to the citizens of the city of Kingsport and other surrounding areas;

WHEREAS, providing electrical power and energy requires the installation, operation and maintenance of power poles and other related facilities to be located within the public ways of the city;

WHEREAS, the parties are working to obtain approval of a new franchise to replace the franchise agreement that will expire this year;

WHEREAS, the franchise allows the city impose a franchise fee; and

WHEREAS, the city and the Company recognize that both parties benefit from economic development in the city.

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

SECTION I. The board makes the following findings:

1. That Kingsport Power d/b/a Appalachian Power, hereinafter Company, has a franchise with the city to sell electrical power in the corporate limits of the city.
2. That the Company uses the public streets, alleys, other public places and other real property owned or controlled by the city to transmit electrical power for sale and should remit a fee to the city for the use of the public streets, alleys or other public places and for the expenses for the administration of the franchise.
3. That industrial power customers of a grantee are determined by the kilowatt hours sold to such customers as set out in the then current tariff approved by the Tennessee Regulatory Authority; that such customers are very few, approximately 98 out of approximately 25,650 customers, requiring a use of only a small percentage of the public streets, alleys, other public places and other real property owned or controlled by the city; that as purchasers of large amounts of electricity if the fee imposed is the same as other customers, it will result in a

significantly higher percentage of all the fees paid, estimated to be more than one-half, when compared to the number of customers in all customer classes set out in the approved tariff; and accordingly, a lower percentage fee should be imposed on industrial power users.

SECTION II. That the Company for its use of the public streets, alleys, other public places and other real property owned or controlled by the city and for the expenses for the administration of the franchise shall pay to the city a fee equal to the aggregate of the following:

1. One and one-half percent (1 1/2%) of the Company's gross receipts derived from the retail electrical power and energy sales within the corporate limits of the city to industrial power customers as determined by the then most recent tariff for the company approved by the Tennessee Regulatory Authority or its successor;
2. Five percent (5%) of Company's gross receipts derived from retail electrical power and energy sales in the corporate limits of the city to all other classes of customers.

SECTION III. Such fee shall be paid monthly not later than 30 days after the last day of each month. The fee shall be in addition to any and all taxes which are now or may be required hereafter to be paid pursuant to any federal, state or local law. On a monthly basis the Company shall furnish to the city a report showing the monthly amount of gross revenues, and commodity volumes by rate class, for the Company's sale of electricity in the corporate limits of the city.

SECTION IV. Acceptance of payments of the fee shall not be construed as a release or as an accord and satisfaction of any claim the city may have for further or additional sums payable hereto.

SECTION V. As may be permitted by state law, the Company may show the fees paid to the city hereto as a line item charge on the bills of the Company's customers served by the Company within the corporate limits of the city. The Company shall pay to the city the fee from the gross receipts derived from the retail electrical power and energy sales. The Company shall use its usual collection procedures, including potential cessation of service, to collect the fee from customers who have not paid their bill in full, including the fee imposed herein.

SECTION VI. The city will promptly notify the Company in writing of any geographic areas annexed by the city. Any such notice will be sent to the Company by certified mail, return receipt request, and shall contain the effective date of the annexation, maps showing the annexed area and such other information as the Company may reasonably require in order to ascertain whether there exist any customers of the Company receiving electrical service in the annexed area. To the extent there are customers of the Company therein, the gross revenues of the Company derived from the sale and distribution of electrical power and energy to such customers shall become subject to the fee provisions hereof effective on the first day of the Company's billing cycle immediately following the Company's receipt of the notice.

SECTION VII. That this ordinance shall be effective from and after the date of its passage, as the law directs, approval by the Tennessee Regulatory Authority, as needed, the public welfare of the citizens of Kingsport requiring it.

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JOHN CLARK, MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

Passed on first reading \_\_\_\_\_

Passed on second reading \_\_\_\_\_



AGENDA ACTION FORM

**Budget Cleanup Ordinance for FY16**

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

Action Form No.: AF-18-2016  
Work Session: January 19, 2016  
First Reading: January 19, 2016

Final Adoption: February 2, 2016  
Staff Work By: Judy Smith  
Presentation By: Jeff Fleming

**Recommendation:**

Approve the Ordinance.

**Executive Summary:**

The ordinance will transfer \$32,000 from the Library Improvement project to reimburse the Street Resurfacing project for funds used for the Library MOE. The Justice Center project will be closed out and \$30,000 will be transferred to the Marketing and Public Relations operating budget. A transfer in the amount of \$15,000 will be made from the Fire Department Generator project to fund a match for a grant to purchase Cardiac Monitors, \$26,000 will be transferred from the Land Acquisition project to the Police Storage project and \$44,000 will be transferred from the Cooks Valley Road project to the Reedy Creek Terrace Bridge project. A transfer of \$19,000 will be made from the Veterans Memorial project to the Brickyard Park Softball/Baseball Complex for additional electrical and site items needed to complete the project. A transfer of \$20,000 from the Granby/Lewis Lane/University Blvd. resurfacing project to the Lincoln/Cooks Valley resurfacing project will be made to complete the project. A transfer of \$37,512 will be made from the FY15 MPO Administration project to the FY16 MPO Administration project to fund a consultant for the Long Range Transportation plan.

The ordinance will appropriate funds received from the State of Tennessee for the Border Regions allocation of sales tax in the amount of \$76,103.

The ordinance will move money from old projects to newer projects in the Water and Sewer Funds by transferring \$78,684 from the Water Plant Improvements project (WA1200) to the Water Plant Improvements project (WA1505) and close WA1200 and transferring \$51,477 from the Lift Station Telemetry project (SW0902) to the Lift Station Telemetry (SW1603) and close SW0902.

**Attachments:**

- 1. Ordinance

Funding source appropriate and funds are available:

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

**Budget Cleanup Ordinance for FY16**

To: Board of Mayor and Aldermen  
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**Recommendation:**

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The ordinance will appropriate funds received from the State of Tennessee for the Border Regions allocation of sales tax in the amount of \$76,103.

The ordinance will move money from old projects to newer projects in the Water and Sewer Funds by transferring \$78,684 from the Water Plant Improvements project (WA1200) to the Water Plant Improvements project (WA1505) and close WA1200 and transferring \$51,477 from the Lift Station Telemetry project (SW0902) to the Lift Station Telemetry (SW1603) and close SW0902.

**Attachments:**

- 1. Ordinance

Funding source appropriate and funds are available: gs

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR  
THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE  
EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project Fund and General Project Special Revenue Fund budgets be amended by transferring \$32,000 from the Library Improvements Project (GP1400) to the Street Resurfacing Project (GP1606), by transferring \$15,000 from the Generator Fire Station 5 project and \$30,000 from the Justice Center project (GP0915) to the Street Resurfacing project (GP1606), by transferring \$45,000 from the Street Resurfacing project (NC1600) to the Marketing and Public Relations operating budget in the amount of \$30,000 and \$15,000 to the Cardiac Monitors project (GP1541), by transferring \$26,000 from the Land Acquisition project (GP1515) to the Police Storage Lot Improvements project (GP1609), by transferring \$44,000 from the Cooks Valley Road project (GP1401) to the Reedy Creek Terrace Bridge project (GP1613), by transferring \$19,000 from the Veterans Memorial project (GP1540) to the Softball Baseball Complex project (GP1409), by transferring \$69,566 from the Lincoln Street Resurfacing project (GP1501) to the Rotherwood Greenbelt project (GP1013) and by appropriating funds received from the Douglas Alumni Association in the amount of \$250 to the Parks and Recreation operating budget and by appropriating State Sales Tax revenue in the amount of \$76,103 to the Border Regions project (GP1228).

SECTION II. That the MPO Fund budgets be amended by transferring \$20,000 from the Granby/Lewis Lane/University Blvd Resurfacing project (MPO11B) to the Lincoln/Cooks Valley Resurfacing project (MPO11A) and by transferring \$37,512 from the MPO Administration project (MPO015) to the MPO Administration project (MPO016).

SECTION III. That the Water Project Fund budgets be amended by transferring \$78,684 from the Water Plant Improvements project (WA1200) to the Water Plant Improvements project (WA1505) and to close project WA1200.

Section IV. That the Sewer Project Fund budgets be amended by transferring \$51,477 from the Lift Station Telemetry project (SW0902) to the Lift Station Telemetry project (SW1603).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/&lt;Decr&gt;</u>	<u>New Budget</u>
<b>Fund 311: General Project Fund</b>			
<b>Library Improvements (GP1400)</b>			
<b>Revenues:</b>	\$	\$	\$
311-0000-368-1041 Series 2012C GO Pub Imp	46,170	0	46,170
311-0000-368-1046 Series 2013B GO Pub Imp	156,808	0	156,808
311-0000-368-1047 Series 2014A GO Bonds	97,000	0	97,000
311-0000-368-1051 Series 2015A (Oct) GP PI	252,971	(32,000)	220,971

311-0000-368-2101 Premium From Bond Sale	21,270	0	21,270
<b>Totals:</b>	<b>574,219</b>	<b>(32,000)</b>	<b>542,219</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	38,000	0	38,000
311-0000-601-4041 Bond Sale Exp.	6,757	0	6,757
311-0000-601-9003 Improvements	529,462	(32,000)	497,462
<b>Totals:</b>	<b>574,219</b>	<b>(32,000)</b>	<b>542,219</b>

**Fund 311: General Project Fund**  
**Street Resurfacing (GP1606)**

<b>Revenues:</b>	\$	\$	\$
311-0000-368-1040 Series 2011 GP Pub Imp	0	30,000	30,000
311-0000-368-1046 Series 2013B GO Pub Imp	28,733		28,733
311-0000-368-1047 Series 2014A GO Bonds	20,148	0	20,148
311-0000-368-1051 Series 2015A (Oct) GP PI	0	47,000	47,000
<b>Totals:</b>	<b>48,881</b>	<b>77,000</b>	<b>125,881</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	48,881	77,000	125,881
<b>Totals:</b>	<b>48,881</b>	<b>77,000</b>	<b>125,881</b>

**Fund 111: General Project-Special Rev. Fund**  
**Street Resurfacing (NC1600)**

<b>Revenues:</b>	\$	\$	\$
111-0000-391-0100 From General Fund	711,920	(45,000)	666,920
<b>Totals:</b>	<b>711,920</b>	<b>(45,000)</b>	<b>666,920</b>

<b>Expenditures:</b>	\$	\$	\$
111-0000-601-2022 Construction Contracts	644,493	(45,000)	599,493
111-0000-601-2023 Arch/Eng/Landscaping	67,427	0	67,427
<b>Totals:</b>	<b>711,920</b>	<b>(45,000)</b>	<b>666,920</b>

**Fund 311: General Project Fund**  
**Justice Center (GP0915)**

<b>Revenues:</b>	\$	\$	\$
311-0000-368-1035 Series 2009A GO Pub Imp	7,307	0	7,307
311-0000-368-1037 Series 2009D (BABS) GO	2,269	0	2,269
311-0000-368-1040 Series 2011 GP Pub Imp	30,000	(30,000)	0
311-0000-368-2101 Bond Premium	3,130	0	3,130
<b>Totals:</b>	<b>42,706</b>	<b>(30,000)</b>	<b>12,706</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	35,083	(30,000)	5,083

311-0000-601-4041 Bond Sale Exp.	7,623	0	7,623
<b>Totals:</b>	<b>42,706</b>	<b>(30,000)</b>	<b>12,706</b>

**Fund 311: General Project Fund**  
**Generator Fire Station 5 (GP1604)**

<b>Revenues:</b>	\$	\$	\$
311-0000-368-1051 Series 2015A (Oct) GP PI	29,534	(15,000)	14,534
311-0000-368-2101 Bond Premium	1,028	0	1,028
<b>Totals:</b>	<b>30,562</b>	<b>(15,000)</b>	<b>15,562</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-4041 Bond Sale Expense	562	0	562
311-0000-601-9006 Purchases Over \$5,000	30,000	(15,000)	15,000
<b>Totals:</b>	<b>30,562</b>	<b>(15,000)</b>	<b>15,562</b>

Fund 311: General Project Fund  
**Cardiac Monitors (GP1541)**

<b>Revenues:</b>	\$	\$	\$
311-0000-391-0100 From General Fund	100,000	15,000	115,000
<b>Totals:</b>	<b>100,000</b>	<b>15,000</b>	<b>115,000</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-9006 Purchases Over \$5,000	100,000	15,000	115,000
<b>Totals:</b>	<b>100,000</b>	<b>15,000</b>	<b>115,000</b>

**Fund 110: General Fund**

<b>Revenues:</b>	\$	\$	\$
110-0000-341-1080 Com Center Bldg. Rental	11,000	250	11,250
<b>Totals:</b>	<b>11,000</b>	<b>250</b>	<b>11,250</b>

<b>Expenditures:</b>	\$	\$	\$
110-4804-481-7035 General Proj.-Special Rev	701,651	(30,000)	671,651
110-1007-407-2020 Professional Consultant	35,824	20,000	55,824
110-1007-407-2025 Public Relations	7,385	10,000	17,385
110-4502-471-3012 Food	800	250	1050
<b>Totals:</b>	<b>745,660</b>	<b>250</b>	<b>745,910</b>

**Fund 311: General Project Fund**  
**Border Regions Road Improvements (GP1228)**

<b>Revenues:</b>	\$	\$	\$
311-0000-332-1015 State Rev. Sales Tax	0	76,103	76,103
311-0000-368-1041 Series 2012C GO Bonds	292,234	0	292,234
311-0000-368-2101 Bond Premium	19,633	0	19,633

<b>Totals:</b>	<b>311,867</b>	<b>76,103</b>	<b>387,970</b>
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<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-2020 Professional Consultant	60,258	10,000	70,258
311-0000-601-2023 Arch/Eng/Landscaping	104,066	0	104,066
311-0000-601-4041 Bond Sale Expense	11,867	0	11,867
311-0000-601-9001 Land	110,000	0	110,000
311-0000-601-9003 Improvements	25,676	66,103	91,779
<b>Totals:</b>	<b>311,867</b>	<b>76,103</b>	<b>387,970</b>

**Fund 311: General Project Fund**  
**Land Acquisitions (GP1515)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-368-1047 Series 2014A GO Bonds	30,965	(16,346)	14,619
311-0000-368-2101 Premium From Bond Sale	11,096	(9,654)	1,442
<b>Totals:</b>	<b>42,061</b>	<b>(26,000)</b>	<b>16,061</b>

<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-4041 Bond Sale Exp.	1,442	0	1,442
311-0000-601-9001 Land	40,619	(26,000)	14,619
<b>Totals:</b>	<b>42,061</b>	<b>(26,000)</b>	<b>16,061</b>

**Fund 311: General Project Fund**  
**Police Storage Lot Imp. (1609)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-368-1047 Series 2014A GO Bonds	23,500	16,346	39,846
311-0000-368-2101 Premium From Bond Sale	0	9,654	9,654
311-0000-391-0100 From General Fund	26,500	0	26,500
<b>Totals:</b>	<b>50,000</b>	<b>26,000</b>	<b>76,000</b>

<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-9003 Improvements	50,000	26,000	76,000
<b>Totals:</b>	<b>50,000</b>	<b>26,000</b>	<b>76,000</b>

**Fund 311: General Project Fund**  
**Cooks Valley Road (GP1401)**

<b>Revenues:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-368-1040 Series 2011 GO Pub Imp	459,694	0	7,307
311-0000-368-1046 Series 2013BGO Pub Imp	938,586	(44,000)	894,586
311-0000-368-2101 Bond Premium	61,414	0	3,130
<b>Totals:</b>	<b>1,459,694</b>	<b>(44,000)</b>	<b>905,023</b>

<b>Expenditures:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
311-0000-601-2023 Arch/Eng/Landscaping	160,000	0	160,000

311-0000-601-2097 State Reviews & Permits	2,000	0	2,000
311-0000-601-4041 Bond Sale Exp.	11,762	0	11,762
311-0000-601-9001 Land	6,238	0	6,238
311-0000-601-9003 Improvements	1,279,694	(44,000)	1,235,694
<b>Totals:</b>	<b>1,459,694</b>	<b>(44,000)</b>	<b>1,415,694</b>

**Fund 311: General Project Fund**  
**Reedy Creek Terrace Bridge (GP1613)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-368-1046 Series 2013BGO Pub Imp	0	44,000	44,000
<b>Totals:</b>	<b>0</b>	<b>44,000</b>	<b>44,000</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-9003 Improvements	0	44,000	44,000
<b>Totals:</b>	<b>0</b>	<b>44,000</b>	<b>44,000</b>

**Fund 311: General Project Fund**  
**Veterans Memorial (GP1540)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-364-1000 Contributions/Individual	34,859	0	34,859
311-0000-364-1020 From Corporations	10,000	0	10,000
311-0000-364-3000 From Non-Profits	183,315	0	183,315
311-0000-368-1047 2014 A GO Bonds	75,000	0	75,000
311-0000-391-0100 From General Fund	79,800	(19,000)	60,800
311-0000-391-6900 Visitor's Enhancement Fund	3,510	0	3,510
<b>Totals:</b>	<b>386,484</b>	<b>(19,000)</b>	<b>367,484</b>

<b><u>Expenditures:</u></b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	335,609	0	335,609
311-0000-601-2023 Arch/Eng/Landscaping	45,375	(18,263)	27,112
311-0000-601-2075 Temporary Employees	5,000	(737)	4,263
311-0000-601-3010 Office Supplies	26	0	26
311-0000-601-3022 Maintenance Supplies	474	0	474
<b>Totals:</b>	<b>386,484</b>	<b>(19,000)</b>	<b>367,484</b>

**Fund 311: General Project Fund**  
**Softball Baseball Complex (GP1409)**

<b><u>Revenues:</u></b>	\$	\$	\$
311-0000-334-0945 Other Agencies/IDBK(KEDB)	3,829	0	3,829
311-0000-368-1046 Series 2013B GO Pub Imp	2,721,899	0	2,721,899
311-0000-368-1047 Series 2014A GO	3,591,008	0	3,591,008
311-0000-391-0100 From General Fund	0	19,000	19,000
311-0000-368-2101 Bond Premium	561,986	0	561,986

<b>Totals:</b>	<b>6,878,722</b>	<b>19,000</b>	<b>6,897,722</b>
<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2020 Professional Consultant	14,600	0	14,600
311-0000-601-2022 Construction Contracts	186,686	0	186,686
311-0000-601-2023 Arch/Eng/Landscaping	98,874	0	98,874
311-0000-601-2095 Public Art Contracts	35,000	0	35,000
311-0000-601-4041 Bond Sale Exp	84,002	0	84,002
311-0000-601-9001 Land	2,500	0	2,500
311-0000-601-9003 Improvements	6,457,060	19,000	6,476,060
<b>Totals:</b>	<b>6,878,722</b>	<b>19,000</b>	<b>6,897,722</b>

**Fund 311: General Project Fund**  
**Lincoln Street Resurfacing (GP1501)**

<b>Revenues:</b>	\$	\$	\$
311-0000-368-1040 Series 2011 GO Pub Imp	69,566	(69,566)	0
<b>Totals:</b>	<b>69,566</b>	<b>(69,566)</b>	<b>0</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	69,566	(69,566)	0
<b>Totals:</b>	<b>69,566</b>	<b>(69,566)</b>	<b>0</b>

**Fund 311: General Project Fund**  
**Rotherwood Greenbelt (GP1013)**

<b>Revenues:</b>	\$	\$	\$
311-0000-337-5210 FHWA/TNFHWA 80%	652,577	0	652,577
311-0000-368-1037 Series 2009D BABS	277,269	0	277,269
311-0000-368-1040 Series 2011 GO Pub Imp	0	69,566	69,566
311-0000-368-2101 Bond Premium	285	0	285
<b>Totals:</b>	<b>930,131</b>	<b>69,566</b>	<b>999,697</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2010 Advertising & Publication	2,000	0	2,000
311-0000-601-2020 Professional Consultant	21,441	0	21,441
311-0000-601-2023 Arch/Eng/Landscaping	143,068	0	143,068
311-0000-601-4041 Bond Sale Expense	2,554	0	2,554
311-0000-601-9001 Land	74,183	0	74,183
311-0000-601-9003 Improvements	686,885	69,566	756,451
<b>Totals:</b>	<b>930,131</b>	<b>69,566</b>	<b>999,697</b>

**Fund 122: MPO Fund**  
**RESRF Granby/Lewln/Unibvd (MPO11B)**

<b>Revenues:</b>	\$	\$	\$
122-0000-367-5210 FHWA/TN FHWA 80%	1,175,423	0	1,175,423
122-0000-391-0100 From General Fund	418,972	(20,000)	398,972

**Totals:**

<b>1,594,395</b>	<b>(20,000)</b>	<b>1,574,395</b>
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**Expenditures:**

122-0000-609-2010 Advertising & Publications	303	0	303
122-0000-609-2022 Construction Contracts	1,506,250	0	1,506,250
122-0000-609-2023 Arch/Eng/Landscaping	87,842	(20,000)	67,842

\$	\$	\$
303	0	303
1,506,250	0	1,506,250
87,842	(20,000)	67,842
<b>1,594,395</b>	<b>(20,000)</b>	<b>1,574,395</b>

**Totals:**

**Fund 122: MPO Fund**

**RESRF Lincoln/Cooks Villy (MPO11A)**

**Revenues:**

122-0000-367-5210 FHWA/TN FHWA 80%	973,714	0	973,714
122-0000-391-0100 From General Fund	139,090	20,000	159,090

\$	\$	\$
973,714	0	973,714
139,090	20,000	159,090
<b>1,112,804</b>	<b>20,000</b>	<b>1,132,804</b>

**Totals:**

**Expenditures:**

122-0000-609-2010 Advertising & Publications	301	0	301
122-0000-609-2022 Construction Contracts	995,703	20,000	1,015,703
122-0000-609-2023 Arch/Eng/Landscaping	116,800	0	116,800

\$	\$	\$
301	0	301
995,703	20,000	1,015,703
116,800	0	116,800
<b>1,112,804</b>	<b>20,000</b>	<b>1,132,804</b>

**Totals:**

**Fund 122: MPO Fund**

**MPO Administration (MPO015)**

**Revenues:**

122-0000-367-5210 FHWA/TN FHWA 80%	202,306	(30,010)	172,296
122-0000-367-5225 FHWA/VA FHWA 100%	630	0	630
122-0000-391-0100 From General Fund	50,576	(7,502)	43,074

\$	\$	\$
202,306	(30,010)	172,296
630	0	630
50,576	(7,502)	43,074
<b>253,512</b>	<b>(37,512)</b>	<b>216,000</b>

**Totals:**

**Expenditures:**

122-0000-609-1010 Salaries & Wages	145,200	(438)	144,762
122-0000-609-1020 Social Security	11,000	0	11,000
122-0000-609-1030 Group Health Ins.	16,500	0	16,500
122-0000-609-1040 Retirement	12,200	417	12,617
122-0000-609-1050 Life Ins.	350	3	353
122-0000-609-1052 Long Term Disability	80	18	98
122-0000-609-1060 Workmen's Comp	590	(11)	579
122-0000-609-1061 Unemployment	150	11	161
122-0000-609-2010 Advertising & Publications	1,450	0	1,450
122-0000-609-2011 Printing and Binding	500	0	500
122-0000-609-2020 Professional Consultant	37,512	(37,512)	0
122-0000-609-2021 Accounting and Auditing	1,200	0	1,200
122-0000-609-2034 Telephone	400	0	400

\$	\$	\$
145,200	(438)	144,762
11,000	0	11,000
16,500	0	16,500
12,200	417	12,617
350	3	353
80	18	98
590	(11)	579
150	11	161
1,450	0	1,450
500	0	500
37,512	(37,512)	0
1,200	0	1,200
400	0	400

122-0000-609-2040	Travel	7,250	(224)	7,026
122-0000-609-2041	Registration Fees/Tuition	1,000	224	1,224
122-0000-609-2042	Personal Vehicle Reimb	1,000	0	1,000
122-0000-609-2043	Dues & Membership	550	0	550
122-0000-609-2044	Literature/Subscriptions	700	0	700
122-0000-609-2054	Machinery/Equipment Rental	5,500	0	5,500
122-0000-609-2099	Miscellaneous	500	0	500
122-0000-609-3010	Office Supplies	3,900	0	3,900
122-0000-609-3011	Postage	500	0	500
122-0000-609-3012	Food	630	0	630
122-0000-609-3044	Motor Pool Charges	1,750	0	1,750
122-0000-609-5012	Liability Ins.	100	0	100
122-0000-609-9004	Equipment	3,000	0	3,000
<b>Totals:</b>		<b>253,512</b>	<b>(37,512)</b>	<b>216,000</b>

**Fund 122: MPO Fund**

**MPO Administration (MPO016)**

<b>Revenues:</b>	\$	\$	\$
122-0000-367-5210 FHWA/TN FHWA 80%	217,904	30,010	247,914
122-0000-367-5225 FHWA/VA FHWA 100%	21,111	0	21,111
122-0000-391-0100 From General Fund	54,476	7,502	61,978
<b>Totals:</b>	<b>293,491</b>	<b>37,512</b>	<b>331,003</b>

<b>Expenditures:</b>	\$	\$	\$
122-0000-609-1010 Salaries & Wages	151,400	0	151,400
122-0000-609-1020 Social Security	11,600	0	11,600
122-0000-609-1030 Group Health Ins.	17,300	0	17,300
122-0000-609-1040 Retirement	14,900	0	14,900
122-0000-609-1050 Life Ins.	370	0	370
122-0000-609-1052 Long Term Disability	240	0	240
122-0000-609-1060 Workmen's Comp	550	0	550
122-0000-609-1061 Unemployment	160	0	160
122-0000-609-2010 Advertising & Publications	1,000	0	1,000
122-0000-609-2011 Printing and Binding	500	0	500
122-0000-609-2020 Professional Consultant	46,010	37,512	83,522
122-0000-609-2021 Accounting and Auditing	1,200	0	1,200
122-0000-609-2034 Telephone	600	0	600
122-0000-609-2040 Travel	8000	0	8000
122-0000-609-2041 Registration Fees/Tuition	1,000	0	1,000
122-0000-609-2042 Personal Vehicle Reimb	800	0	800
122-0000-609-2043 Dues & Membership	800	0	800
122-0000-609-2044 Literature/Subscriptions	350	0	350
122-0000-609-2054 Machinery/Equipment Rental	5,500	0	5,500
122-0000-609-2099 Miscellaneous	500	0	500
122-0000-609-3010 Office Supplies	3,500	0	3,500

122-0000-609-3011 Postage	500	0	500
122-0000-609-3012 Food	1,370	0	1,370
122-0000-609-3020 Operating Supplies & Tools	19,741	0	19,741
122-0000-609-3044 Motor Pool Charges	2,500	0	2,500
122-0000-609-5012 Liability Ins.	100	0	100
122-0000-609-9004 Equipment	3,000	0	3,000
<b>Totals:</b>	<b>293,491</b>	<b>37,512</b>	<b>331,003</b>

**Fund 451: Water Project Fund**  
**Water Plant Improvements (WA1200)**

<b>Revenues:</b>	\$	\$	\$
451-0000-391-0526 Series 2011 GO Bonds	800,000	0	800,000
451-0000-391-4500 From Water Fund	381,991	(78,684)	303,307
<b>Totals:</b>	<b>1,181,991</b>	<b>(78,684)</b>	<b>1,103,307</b>

<b>Expenditures:</b>	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	1,049,382	5,419	1,054,801
451-0000-605-9001 Land	100,000	(62,174)	37,826
451-0000-605-9003 Improvements	32,609	(21,929)	10,680
<b>Totals:</b>	<b>1,181,991</b>	<b>(78,684)</b>	<b>1,103,307</b>

**Fund 451: Water Project Fund**  
**Water Plant Improvements (WA1505)**

<b>Revenues:</b>	\$	\$	\$
451-0000-391-0531 Series 2014B GO Bonds	1,200,000	0	1,200,000
451-0000-391-4500 From Water Fund	0	78,684	78,684
<b>Totals:</b>	<b>1,200,000</b>	<b>78,684</b>	<b>1,278,684</b>

<b>Expenditures:</b>	\$	\$	\$
451-0000-605-2023 Arch/Eng/Landscaping	1,200,000	0	1,200,000
451-0000-605-9003 Improvements	0	78,684	78,684
<b>Totals:</b>	<b>1,200,000</b>	<b>78,684</b>	<b>1,278,684</b>

**Fund 452: Sewer Project Fund**  
**Lift Station Telemetry (SW0902)**

<b>Revenues:</b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	490,000	(51,477)	438,523
<b>Totals:</b>	<b>490,000</b>	<b>(51,477)</b>	<b>438,523</b>

<b>Expenditures:</b>	\$	\$	\$
452-0000-606-2022 Construction	490,000	(51,477)	438,523
<b>Totals:</b>	<b>490,000</b>	<b>(51,477)</b>	<b>438,523</b>

**Fund 452: Sewer Project Fund**  
**Lift Station Telemetry (SW1603)**

<b><u>Revenues:</u></b>	\$	\$	\$
452-0000-391-4200 From Sewer Fund	630,000	51,477	681,477
<b><i>Totals:</i></b>	<b><u>630,000</u></b>	<b><u>51,477</u></b>	<b><u>681,477</u></b>
<b><u>Expenditures:</u></b>	\$	\$	\$
452-0000-606-2023 Arch/Eng/Landscaping	243,078	0	243,078
452-0000-606-9006 Equipment	386,922	51,477	438,399
<b><i>Totals:</i></b>	<b><u>630,000</u></b>	<b><u>51,477</u></b>	<b><u>681,477</u></b>

SECTION V. 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:

APPROVED AS TO FORM:

\_\_\_\_\_  
 JAMES H. DEMMING, City Recorder

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

PASSED ON 1ST READING:  
 PASSED ON 2ND READING:



**AGENDA ACTION FORM**

**Purchase of Heart Monitors from Physio Controls. Inc.**

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

Action Form No.: AF-23-2016  
 Work Session: February 1, 2016  
 First Reading: N/A  
 Final Adoption: February 2, 2016  
 Staff Work By: Deputy Chief Everhart, Asst. Chief Boyd, S. Crawford  
 Presentation By: Asst. Chief Boyd

**Recommendation:**  
 Approve the Resolution.

**Executive Summary:**  
 In late 2014, the Fire Department's Medical Operations Committee recommended replacement of the ten (10) cardiac/heart monitors that were purchased in 2008 using grant funds received through the Department of Homeland Security. The need for much better transmission capabilities of information from the engine companies to the medical facilities was a primary factor since this does greatly impact the health and safety of the Citizens we serve. The Medical Operations Committee did research on units from three (3) different manufacturers and found that the Physio Control Lifepack 15 's monitors did totally meet the needs regarding the transmission capabilities, the technology integration as well as the transfer plug in. In April 2015, two (2) units were purchased from Physio Controls, Inc. In the FY2016 budget monies have been provided to purchase an additional four (4) units and the Committee recommends that we purchase the same units from Physio Controls, Inc. as a one source product since the Physio Control Lifepack 15 's does provide interconnectivity /technology integration and the transfer plug in capabilities. The total amount to purchase these four (4) units is \$105,179.24, which will represent replacement of a total of six (6) units.

The Fire Department staff is seeking grant monies to allow the purchase of four (4) more of these units which would complete the replacement of all ten (10) units.

- Attachments:**  
 1. Resolution  
 2. Memorandum Approval from City Manager's Office

Funding source appropriate and funds are available: *JF*

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR FOUR LIFEPAK 15 HEART MONITORS FROM PHYSIO CONTROL, INC.

WHEREAS, Physio Control, Inc. provides Life Pack 15 heart monitors that meet the city's need for better transmission of information from fire department engine companies to the medical facilities, which will impact the health and safety of the citizens; and

WHEREAS, the city has previously purchased two (2) Life Pack 15 heart monitors for the fire department from Physio Control, Inc.; and

WHEREAS, it is critical to have equipment continuity in the fire department; and

WHEREAS, to ensure continuity, Physio Control, Inc. has been deemed as a sole source by the city manager;

WHEREAS, the city would like to execute a purchase order for four (4) Lifepack 15 heart monitor's from Physio Control, Inc. in the amount of \$105,179.24; and

WHEREAS, funding is identified in 110-3501-451-3025 and project GP1541, account number 311-0000-602-9006.

Now therefore,

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

SECTION I. That the city manager is authorized to execute a one source purchase order to Physio Control, Inc., for the purchase of four (4) Lifepack 15 heart monitor's from Physio Control, Inc. in the amount of \$105,179.24.

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 2nd day of February, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

**Memorandum**

TO: Jeff Fleming, City Manager  
FROM: Craig Dye, Fire Chief  
DATE: January 12, 2016  
RE: Cardiac Monitors

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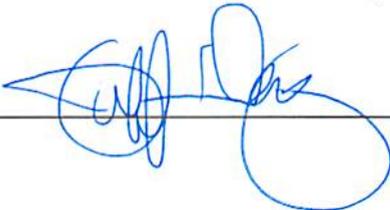
As you are aware, the Kingsport Fire Department recently purchased two LIFEPAK 15 Monitors/Defibs from Physio-Controls, Inc. This equipment was purchased in May of 2015.

As we continue to move forward on the purchase of additional LIFEPAK 15 Monitors/Defibs, it is critical to have equipment continuity across the department. Additionally, LIFEPAK 15 Monitors/Defibs provides technology integration with the transfer plug-in capability.

The Kingsport Fire Department is requesting that we continue to utilize the vendor relationship with Physio-Control, Inc. through a one source contract.

City Code Section 2-599 permits the City Manager to enter in to a one source contract when it is determined to be in the best interest of the City of Kingsport. It is my opinion that this present situation warrants such simply because of the history Physio Controls, Inc. has with the City of Kingsport Fire Department with our current LIFEPAK 15 Monitors/Defibs and maintaining this continuity.

If you are in agreement with this recommendation I would ask that you sign below in order to have documentation in the file. Should you have any questions please feel free to contact me.

Approved:  \_\_\_\_\_ Date: 1/28/16 \_\_\_\_\_

# SULLIVAN COUNTY



## BASIC EMERGENCY OPERATIONS PLAN

## Basic Emergency Operations Plan

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### I Introduction

#### A Purpose

This document establishes a comprehensive emergency plan for Sullivan County and its political subdivisions. This emergency management plan directs actions aimed at accomplishing four general goals: (1) to mitigate potential effects of various hazards that might impact the county, (2) to prepare to take actions which will save lives and minimize damage, (3) to respond rapidly to the needs of the citizens and local jurisdictions during emergencies, and (4) to provide for organized recovery to return the county and its communities to normal as soon as possible after disaster. This plan defines the roles and responsibilities associated with the mitigation, preparedness, response, and recovery efforts directed at natural disasters, technological accidents, terrorist attacks, and other major events that may impact Sullivan County.

#### B Scope

This plan describes emergency functions in Sullivan County, except those emergencies for which the state or federal government has primary responsibility (e.g. Hazardous Material release from Dept. of Energy sites or TVA Nuclear Power Plant). County and city emergency services include: fire and police, emergency medical services; rescue; warning; communications; engineering; hazardous materials response, evacuation; emergency welfare and emergency transportation and all other functions related to the protection of the civil population as defined by Tennessee Code Annotated (TCA 58-2-102). Also, responsibilities concerning preparedness for, response to, and recovery from disasters, enemy attack, sabotage, hostile acts, mob violence, power failures, energy emergencies and/or their threatened occurrence are addressed.

This plan also discusses potential problems resulting from natural disasters, enemy attack, and all technological incidents exclusive of those associated with nuclear power plants. Detailed plans for each of the nuclear facilities are maintained separately by the Tennessee Emergency Management Agency as required by the Nuclear Regulatory Commission and FEMA.

Two key areas are addressed: (1) the relationships between emergency response organizations and related agencies in Sullivan County, (these organizations include various departments and divisions of county government, local governments, the state and federal governments, and the private sector that provide services before or during disasters and/or that assist with recovery efforts) and (2) procedures to ensure that ongoing review and update of this plan and supporting procedures plans are performed and exercises, that test this plan, are carried out.

### II Situation and Assumptions

#### A Situation

Sullivan County is located in East Tennessee. There are three incorporated towns in the county. The 2010 census indicated the county's population was 156,823. The plan's introduction, hazard identification (pages xii to xv), describes various hazards that may affect the county. Events that occur in Sullivan County may also affect an adjoining county and vice versa.

#### B Threat

Sullivan County's potential for disasters, whether natural, technological, or nuclear is increasing. Although the occurrence of natural disasters is fairly consistent, there are more people in the county to be affected by disasters. Other events, such as unlawful or careless actions of people, are a source of man-made disasters. International terrorism, racial or ethnic strife, and economic struggles cause conflict. Several countries have, or may have, the capability of waging a limited unconventional war and, therefore, the possibility of a chemical, biological or nuclear attack on the United States is still present. Current knowledge and technology cannot eliminate these threats. However, the steps prescribed by this plan should reduce the dangers faced by the citizens of Sullivan County.

### C Planning Assumptions

- 1 Emergencies and disasters will occur in Sullivan County. Citizens of this county and its political subdivisions will be affected. In addition to hazards identified in the Hazard Analysis other hazards may occur in the future.
- 2 The full authority and resources of Sullivan County will be used to cope with the situation.
- 3 State and/or federal assistance will be available, when requested, for those situations which exceed the capabilities of county and municipal government.
- 4 The Sullivan County Basic Emergency Operations Plan (BEOP) is the basis for emergency management actions in the county. It is invoked by the County Mayor when a county wide or other disaster occurs that requires deploying nearly all of the county's resources and may require a presidential declaration of disaster.

## III Concept of Operations

### A General

- 1 Local government has the primary responsibility to prepare for emergencies and to take actions that protect life and property. If local government cannot adequately respond, the state is asked to assist. It is Tennessee's responsibility to deal with emergencies that exceed the capabilities of its political subdivisions. Similarly, the state requests help from the federal government to meet emergency needs beyond the state's capabilities to respond.
- 2 Emergency functions of the response organizations generally parallel daily functions. To the greatest extent possible, the same people and resources will be used in emergencies.
- 3 Daily functions which do not directly contribute to emergency operations may be suspended for the duration of the emergency. Personnel normally required for those functions will be redirected to accomplishing emergency tasks by the agency concerned.
- 4 An integrated emergency management plan is concerned with all hazardous situations which may develop within the state or county. This BEOP is more than an operations plan in that it includes activities that occur before and after a disaster.
- 5 This plan does not contain a complete listing of all department or agency resources. Each organization will maintain an updated resource list and provide it to the county EMA and other agencies as needed. Local resource lists are maintained by EMA at the EOC.

### B Phases of Management

#### 1 Mitigation

Mitigation activities are those which eliminate or reduce the probability of a disaster occurring, or lessen the damaging effects of those that do. Examples of mitigation activities include; adoption of stronger building codes, tax incentives, zoning and land use management, safety codes, conducting public education or hazard analysis.

#### 2 Preparedness

Preparedness activities develop and improve response capabilities that are needed in an emergency. Planning and training are among the activities done in preparation for emergencies. Other examples include installation of warning and communications systems, development of evacuation plans and mutual aid agreements and conducting exercises.

## Basic Emergency Operations Plan

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### 3 Response

Response provides emergency services during a crisis. These services speed recovery and reduce casualties and damage. Response activities include activation of warning systems, implementing plans, firefighting, rescue and law enforcement.

### 4 Recovery

The process of recovery is both short-term and long-term. Short-term recovery seeks to restore essential services to the county and provide for the individual needs of the public. Long-term recovery focuses on restoring the county as a whole to a near-normal state. Recovery is an opportunity to institute mitigation measures to alleviate the effects of future disasters. Examples of recovery activities include providing food and shelter, restoring utilities and government services, counseling, and providing damage/disaster insurance, loans, or grants. Mitigation during recovery includes better codes enforcement, better flood plain management, and improved infrastructure to better withstand the next natural disaster.

## C **Execution**

- 1 The central point of coordination for overall emergency operations is the Sullivan County Emergency Operations Center (EOC).
- 2 In an emergency there are two levels of control. The first level of control is at the scene of the incident, under the direction of the incident commander (IC). The second level is in the EOC, where overall coordination will be exercised.
- 3 The agency with jurisdiction responds to the scene. On-scene management falls under the local department best qualified to accomplish rescue, recovery, and control operations. The department's most qualified, typically senior representative at the scene is the IC, who is responsible for the overall emergency operation. In the EOC, the specific department that assumes a lead coordination role is specified in annexes to this plan. If state assistance is requested, TEMA provides an on-scene district coordinator whose job it is to coordinate the activities of state personnel with those of the local responders. State personnel do not assume control of a scene unless otherwise specified by current state or federal law, administrative practice, or policy.
- 4 The Sullivan County BEOP identifies the agencies, departments, and organizations which provide resources to support emergency response. This plan reflects all agencies which may be tasked to respond to such events.
- 5 All personnel involved in emergency response must know when and how the County BEOP or various emergency support functions in the plan will be carried out. Guidance concerning the implementation of the plan is in the Direction and Control section of the Basic Plan.

## IV **Organization and Responsibilities**

### A **General**

Most local government departments have emergency functions. Each department will create and maintain operating procedures. Specific responsibilities are outlined below as well as in the ESF annexes that follow. Some organizations not part of local government are also included.

### B **Organization**

#### 1 Geographically

- a The Sullivan County Emergency Management Agency (EMA) is charged with the overall responsibility of coordinating the county's preparedness for and response to disasters. Its authority extends to the entire county. Except for those functions for which the state or federal governments are responsible, the Sullivan County EMA is responsible for the coordination of all other emergency functions as defined by state law.

## Basic Emergency Operations Plan

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For the purposes of direction, administration, and response coordination the county is divided into two regions: incorporated and unincorporated.

- b The EMA Director is notified by 911 and responds to all major incidents occurring in the county. He provides coordination, other assistance and has the authority to request assistance from any agency within the county. This arrangement allows jurisdictional response agencies to perform emergency functions and still enables the EMA Director to more quickly identify needs and call for additional resources.
- c When the EMA Director finds that state assistance is needed, he contacts the State EOC (SEOC). The SEOC notifies the TEMA regional administrator, who then sends a district coordinator to the scene to coordinate state assistance to the county. All requests for state assistance are sent through the SEOC.
- d The County EMA is assisted during emergencies by Emergency Services Coordinators (ESCs). The ESCs represent key local departments, agencies, volunteer and private sector organizations, as well as some state agencies. Each ESC (or alternate) is available by phone or pager 24 hours/day, seven days per week to assist in emergencies involving his/her agency. The ESC is empowered to act for and on behalf of his agency or department, including the commitment of personnel and or resources. The ESCs are responsible for developing and implementing procedures associated with this plan.

### C Responsibilities

#### 1 Common Responsibilities

All county departments and city governments have the following common responsibilities:

- a Disaster preparedness training.
- b Preparation of internal emergency plans, standard operating procedures (SOPs), and implementing instructions, with provisions for:
  - (i) Protection of departmental personnel.
  - (ii) Alerting and warning personnel, determining and reporting readiness.
  - (iii) Transmission of emergency information to Emergency Operations Centers.
  - (iv) Establishment of lines of succession for key personnel.
  - (v) Maintaining a list of available resources within the agency as well as those of the private sector with which they customarily conduct business.
  - (vi) Activating emergency direction and control within the specific agencies to carry out the agencies' emergency responsibilities to the citizens of the county
  - (vii) Complete the tasks given in the Mitigation/Preparedness section of each pertinent ESF and be prepared to carry out the requirements for Response/Recovery.
- c When Activated. Actions required of all tasked organizations even if not tasked to staff the county EOC.
  - (i) Send ESCs to EOC as requested by EMA.
  - (ii) Attend briefings and coordinate activities with other participant organizations.
  - (iii) Set up work area(s), report to the EMA and begin damage assessment activities.
  - (iv) Initiate internal notification/recall actions.
  - (v) Maintain logs of departmental activities, key decisions, messages and activities.
  - (vi) If not assigned specific tasks in this plan, provide support, for emergency operations.

#### 2 Specific agency responsibilities

- a Sullivan County Emergency Management Agency
  - (i) Coordinate all phases of emergency management and EOC operations.
  - (ii) Emergency management planning
  - (iii) Provide timely warning to appropriate officials of information predicting natural or man-made phenomena and attack that could threaten life and/or property.

## Basic Emergency Operations Plan

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- (iv) Radiological protection monitoring support
  - (v) Compile and transmit damage reports to the SEOC to determine eligibility for state and federal disaster assistance and to support applications for public assistance under PL 93-288, as amended.
  - (vi) Manage various ESF sub-functions, see individual ESFs for details.
  - (vii) Coordinate shelter/evacuation/movement operations with the Sheriff and Sullivan County Health Department.
  - (viii) Coordinate general supply and resource management with the County Finance Director, County Trustee and County Purchasing Agent
  - (ix) Develop emergency preparedness training objectives to meet national standards. Provide guidance/assistance to all local agencies, city governments, and citizens
  - (x) Provide guidance & assistance to affected local governments in disaster response.
  - (xi) Coordinate/Review disaster response and recovery actions by local agencies as required by this plan.
  - (xii) Provide overall coordination of quasi-public and private agency disaster assistance.
  - (xiii) Maintain liaison with state and federal agencies.
  - (xiv) Inform individuals, local officials, and businesses of authorized disaster assistance and procedures for obtaining such assistance.
  - (xv) Manage the use of volunteers during emergencies/disasters.
- b County EMS Services/ and Rescue Squads
- (i) Provide Emergency Medical Services to the community.
  - (ii) Provide specialized rescue services in the city and county.
- c County Schools Superintendent
- (i) Provide school buses for use in evacuations.
  - (ii) Provide school facilities for use as shelters.
  - (iii) Conduct damage assessment of school facilities following a disaster.
- d County Finance Director/County Trustee/County Clerk/City Mayors
- (i) Maintain financial records associated with disaster response.
  - (ii) Manage cash donations received during disasters.
  - (iii) Manage logistics operations during disasters
  - (iv) Arrange for payment of vendors.
  - (v) Procure items/resources needed for emergency operations.
  - (vi) Provide unassigned, non-emergency personnel to support emergency operations.
- e County/City Attorney's Offices
- (i) Provide legal/technical advice to County Mayor/City Mayors.
  - (ii) Provide personnel to assist with EOC operations and public information during extended emergencies that require the activation of this plan.
- f County Planning Office
- (i) Conduct building inspections following a disaster.
- g County Coroner / Medical Examiner
- (i) Arrange for identification/transport of deceased victims following a disaster.

## Basic Emergency Operations Plan

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- h County Mayor / City Mayors
  - (i) Exercise direction and control in the EOC during emergency operations.
  
- i Sullivan County Sheriff
  - (i) Conduct law enforcement operations in the county.
  - (ii) Operate the county jail.
  - (iii) Coordinate law enforcement activities with City Police Department and THP.
  - (iv) Assist with search operations in the county.
  - (v) Coordinate evacuations in the county.
  
- j Sullivan County Utility Districts
  - (i) Conduct damage assessment of utility systems following a disaster.
  - (ii) Restore utility services to critical facilities and customers following a disaster.
  - (iii) Conduct damage assessment and restoration of potable water system.
  - (iv) Conduct damage assessment and restoration of sanitary wastewater system (Local Utilities)
  
- k County Emergency Communications District (911)
  - (i) Coordinate the development of emergency communications systems in the county.
  - (ii) Maintain a county 911 capability and alternate facility
  - (iii) Help staff the EOC during periods of communications outage at 911.
  - (iv) Provide overall direction and control of emergency communications systems
  - (v) Provide timely and accurate warning to city and county officials of natural or man-made hazards.
  
- l Sullivan County Fire Departments / City Fire Departments/County Fire Association
  - (i) Perform fire service operations in jurisdiction.
  - (ii) Provide EMS, hazardous materials response, and other operations.
  - (iii) Manage ESF 4 Support and Coordination (Fire Association)
  
- m Hazardous Materials Team
  - (i) Perform hazardous materials response, containment, and mitigation activities.
  
- n Sullivan County Health Department
  - (i) Perform public health functions following a disaster.
  - (ii) Provide assistance on health hazards associated with emergencies/disasters.
  
- o Sullivan County Local Emergency Planning Committee (LEPC)
  - (i) Maintain Records as Required by Federal and State Laws (e.g. SARA Title III)
  - (ii) Assist EMA and County Mayor with planning for hazardous material incidents.
  
- p City Police Departments
  - (i) Provide law enforcement operations within jurisdiction.

## Basic Emergency Operations Plan

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- q Sullivan County Highway Department /City Street Departments
  - (i) Conduct damage assessment, and repair county roads and bridges after a disaster.
  - (ii) Remove debris following a disaster.
  - (iii) Provide assistance with building demolition activities.
  - (iv) Provide containment support to hazardous materials response, in the cold zone.
  - (v) Provide logistical assistance to emergency operations.
  - (vi) Provide technical support for debris removal operations following a disaster. (Highway Department)
  - (vii) Provide assistance with recovery and development issues following disasters.
  
- r County Property Assessor
  - (i) Provide records for use in damage assessment activities following a disaster.
  - (ii) With the Highway Department and Kingsport Building Inspector conduct post disaster damage assessment of county-owned buildings and property.
  - (iii) Provide any available administrative personnel to assist in the EOC.
  - (iv) Provide assistance with recovery and development issues following disasters.
  
- s Disaster Assessment Team (DAT) (When established)
  - (i) Work with all county departments and officials to quickly identify scope of damage following a disaster.
  
- t Solid Waste Director
  - (i) Assist with management of debris removal after disasters.
  
- u Private and Quasi-Governmental Agencies
  - American Red Cross
    - Manage and operate temporary emergency shelters during disasters.
    - Perform damage assessment of shelters and homes following a disaster.
    - Provide assistance to disaster victims.
  
  - Amateur Radio Emergency Services (ARES)
    - Provide communications support to local emergency operations.
  
  - Volunteer Organizations Active in Disasters (VOAD)
    - Provide assistance from volunteer organizations.
    - Provide assistance to the county's Donations Coordination Team.
  
  - (Reserved for future expansion)

## Basic Emergency Operations Plan

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### 3 Assignment of Responsibilities by ESF

#### a ESF 1 – Transportation

##### (i) Transportation Networking

- Lead Agency Sullivan County Highway Department
- Support Agencies City Street Departments  
County Sheriff's Department  
City Police Departments  
Sullivan County Schools Superintendent

#### b ESF 2 – Communications

##### (i) Communications Systems

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Law Enforcement Agencies  
Sullivan County Emergency Management Agency  
Volunteer Fire Departments/City Fire Departments  
Sullivan County Hwy Dept/City PW Departments  
Board of Education  
Amateur Radio Emergency Services (ARES)  
Emergency Communications (E-911)  
Sullivan County EMS/Ambulance/Rescue Services

##### (ii) Warning

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Sullivan County Sheriff's Department, City PD  
Volunteer Fire Departments/ City Fire Departments  
Sullivan County Health Department  
Amateur Radio Emergency Services (ARES)

#### c ESF 3 – Infrastructure

##### (i) Building Inspection and Condemnation

- Lead Agency City Building Inspectors/County Codes Enforcement
- Support Agencies Sullivan County Schools Superintendent  
Sullivan County Highway Department  
City Street Departments  
County EMA Director  
Sullivan County Assessor of Property  
County/City Fire Safety Inspectors

##### (ii) Route Clearance & Bridge Inspection

- Lead Agency County Highway Department
- Support Agencies County Sheriff's Department / City Police Departments  
Fire Departments  
City Street Departments  
County EMS Agencies

## Basic Emergency Operations Plan

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### Rescue Squads

- (iii) Debris Removal
  - Lead Agency Sullivan County Highway Department
  - Support Agencies City Street Departments  
Sullivan County Codes Enforcement  
Solid Waste Department
  
- (iv) Water and Wastewater Systems
  - Lead Agency Jurisdictional Water Commission First Utility District
  - Support Agencies Sullivan County Health Department  
City Water and Sewer Departments  
County Water Utility Districts
  
- d ESF 4 – Firefighting
  - Lead Agency County Fire Association (Coordination & Support)
  - Support Agencies City Fire /County Fire Dept. (Jurisdictional Dept.)  
Sullivan County Emergency Management Agency
  
- e ESF 5 - Information & Planning
  - (i) Disaster Information
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies County Attorney's Office  
All Local Agencies with Emergency Responsibilities
  
  - (ii) Public Information
    - Lead Agencies County Mayor / City Mayors
    - Support Agencies Sullivan County Emergency Management Agency
  
  - (iii) Damage Assessment
    - Lead Agencies Sullivan County Emergency Management Agency
    - Support Agencies County Highway/City Street Departments  
County Assessor of Property/County Commission  
Local Utilities  
Sullivan County Schools Superintendent  
American Red Cross  
County Codes Enforcement/City Building Inspectors
  
- f ESF 6 - Human Services
  - (i) Shelter and Mass Care Operations
    - Lead Agencies Sullivan County Emergency Management
    - Support Agencies American Red Cross (Kingsport)  
Sullivan County Health Department  
County Schools Director  
ARES

## Basic Emergency Operations Plan

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- (ii) Disaster Victim Services
  - Lead Agency American Red Cross (Kingsport)
  - Support Agencies Sullivan County Emergency Management Agency  
ARES
  
- g ESF 7 - Resource Support
  - (i) Logistics
    - Lead Agencies County Emergency Management Agency
    - Support Agencies Sullivan County Mayor/City Mayors  
County Trustee  
County Highway/City Street Departments
  
  - (ii) Resource Management
    - Lead Agency County Mayor / City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
County Trustee
  
  - (iii) Staging Areas
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies Fire Departments  
County EMS and Rescue Squads  
Sheriff's Department/City Police Departments  
Sullivan County Highway Department  
City Street Departments  
Sullivan County Schools Superintendent
  
- h ESF 8 - Health & Medical Services
  - (i) Emergency Medical Services
    - Lead Agency Sullivan County EMS
    - Support Agencies Sullivan County Emergency Management Agency  
County Fire Departments/City Fire Departments  
Sullivan County Sheriff's Department  
City Police Departments  
Sullivan County Coroner/County Medical Examiner  
Rescue Squads  
American Red Cross (Kingsport)
  
  - (ii) Public Health
    - Lead Agency Sullivan County Health Department
    - Support Agencies Sullivan County Medical Center  
County Highway Department  
City Street Departments  
Local Water Utilities  
Sullivan County Emergency Management Agency

## Basic Emergency Operations Plan

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American Red Cross (Kingsport)

(iii) Crisis Intervention Support

- Lead Agency Sullivan County Sheriff's Department
- Support Agencies All Tasked Local Agencies

i ESF 9 - Search & Rescue

- Lead Agency Sullivan County Sheriff's Department
- Support Agencies County/City Fire Department / Rescue Squads  
County EMS Agencies  
Sullivan County Emergency Management  
Sullivan County Emergency Communications District  
County Highway Department  
City Street Departments

j ESF 10 - Environmental Response

(i) Hazardous Materials

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Haz Mat Teams, Kingsport & Bristol Fire Departments  
Volunteer Fire Departments  
Sullivan County Highway Dept/City Public Works  
Sullivan County Sheriff's Dept/City Police Departments  
Sullivan County EMS and Rescue Squads  
American Red Cross  
Local Emergency Preparedness Council (LEPC)  
Tennessee Emergency Management Agency (TEMA)  
Emergency Communications District (911)

(ii) Radiological Materials

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Haz Mat Teams, Kingsport & Bristol Fire Departments  
Bristol, TN Fire Department  
Volunteer Fire Departments  
Sullivan County Sheriff's Dept/City Police Departments  
Sullivan County Hwy Dept/City Public Works  
Sullivan County EMS and Rescue Squads  
American Red Cross  
Local Emergency Preparedness Council (LEPC)  
Tennessee Emergency Management Agency (TEMA)  
Emergency Communications District (911)  
Sullivan County Agricultural Extension Agent  
Division of Radiological Health (DRH)

## Basic Emergency Operations Plan

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- k ESF 11 – Food
- Lead Agency Sullivan County Schools Superintendent
  - Support Agencies Sullivan County Emergency Management Agency  
American Red Cross
- l ESF 12 – Energy
- Lead Agency Jurisdictional Electric System  
Sullivan County Gas Utility District
  - Support Agencies Sullivan County Emergency Management Agency  
Tennessee Valley Authority  
LP Gas Suppliers
- m ESF 13 - Law Enforcement
- (i) Traffic Control
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department  
County Highway Department  
City Street Department
- (ii) Security/Crime Control
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Departments
- (iii) Institutions/Jails
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department
- (iv) Evacuation/Movement
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies County Mayor/City Mayors  
Sullivan County Emergency Management Agency  
City Police / City Fire Departments  
County Fire Departments/Hazardous Materials Team  
County/City Director of Schools  
County EMS Agencies  
Rescue Squads  
County Highway Department  
County Codes Enforcement/City Building Inspector
- (v) Terrorist Incident
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department  
Sullivan County Emergency Management Agency

## Basic Emergency Operations Plan

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- n ESF 14 - Donations/Volunteer Services
  - (i) Donations
    - Lead Agency Sullivan County Finance Director
    - Support Agencies County / City Mayors  
County Sheriff's Department / City Police Departments  
Highway Department / City Street Department  
Sullivan County Emergency Management Agency
  - (ii) Volunteers
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies American Red Cross  
Tennessee Emergency Management Agency
- o ESF 15 – Recovery
  - (i) Assistance Programs
    - Lead Agency County Mayor/City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
County Highway Department/City Street Departments  
County/City Superintendent of Schools  
American Red Cross  
Local Utilities  
County Property Assessor  
County Commission  
City Council
  - (ii) Recovery and Reconstruction
    - Lead Agency County Mayor/City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
Sullivan County Commission  
County Highway Department  
City Council  
City Street Department
- p ESF 16 Animal Care Services and Disease Management
  - (i) Animal Care Services and Housing
    - Lead Agency Sullivan County Agricultural Extension Agent
    - Support Agencies Sullivan County Emergency Management Agency  
County/City Mayors  
Highway and Street Departments  
Sullivan Animal Owners and Producers  
Sullivan Veterinarians

## Basic Emergency Operations Plan

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(ii) Animal Disease Management

- Lead Agency Sullivan County Agricultural Extension Agent
- Support Agencies Sullivan County Emergency Management Agency  
County/City Mayors  
Highway and Street Departments  
Sullivan Animal Owners and Producers  
Sullivan Veterinarians

### V Direction and Control

#### A County Mayor/City Mayors

- 1 The County Mayor and/or City Mayors, through the EMA Director, will exercise direction and control of the emergencies in Sullivan County. The personnel, facilities, and equipment for decision-making and the initiation of response activities are located in the EOC.

#### B EMA Director

- 1 The EMA Director, who is appointed by the County Mayor, has the responsibility for coordinating the entire emergency management program in Sullivan County. The Director makes all routine decisions and advises the officials on courses of action available for major decisions. The Director is responsible for the proper functioning of the EOC. The Director also acts as a liaison with other local, state, and federal emergency management agencies.

#### C Emergency Services Coordinators (ESCs)

- 1 ESCs have the authority and responsibility to respond to county emergencies that require the assistance or resources of their respective agencies. ESCs are responsible to ensure their agencies' emergency functions are carried out per this plan and other guidance from the Sullivan County EMA. Some agencies may be required to relocate to the EOC.
- 2 All ESCs will coordinate their activities with the EOC under the direction of the EMA Director.
- 3 Agencies with emergency responsibilities activate their own office and staffing systems as necessary to fulfill their obligations. ESCs provide the liaison between the EOC and the field units of their respective offices. See Annex 2 to this plan below..
- 4 Specific persons and agencies are responsible to fulfill obligations as noted in the Basic Plan and its functional annexes. Each agency will be responsible for having its own standard operating procedures or plans to be followed during emergency response operations.

#### D EOC Location

- 1 The EOC is in the 911 center located in Blountville. The EMA Director may move the EOC to the alternate site of 200 Shelby St., Kingsport.

#### E Line of Succession

- 1 In the EMA Director's absence, direction and control authority lies with the County Mayor. One of these individuals should be available at all times. If both should be out of service at the same time a memorandum must designate the individual with acting authority.

#### F Heads of Local Departments

- 1 This plan requires that the heads of all local departments and agencies with emergency preparedness responsibilities designate primary and alternate ESCs.
- 2 Department or Agency heads will remain responsible for their personnel and resources.
- 3 Lines of succession to the department heads are as specified in their respective SOPs.

#### G State and Federal Responders

- 1 State and/or federal officials will report to the EOC for a situation briefing and strategy session with the Executive Group, followed by deployment to the field.

**H Alert/Increased Readiness Periods/Levels of Local Operation**

1 To assist emergency service and government officials with managing an event or possible event, different levels of EOC activation were developed to grow or shrink with the incident as with command and control in NIMS. Having different levels of activation also keeps costs to departments and ultimately the public to a minimum. These levels also correspond similarly with the state EOC activation levels set up by TEMA.

**a Level 5 - Normal Operation**

The Sullivan County Emergency Management Agency is tasked with the responsibility of monitoring activities in the event of an emergency that may affect the residents of Sullivan County. EMA staff are present with access to the EOC

The Sullivan County Emergency Management Agency is also charged with the responsibility of maintaining the EOC in a constant state of readiness. This includes regular tests of equipment and procedures to ensure that they are effective and in working order.

**b Level 4 – Watch**

When an event or situation that may impact the health, welfare or safety of a large number of residents within Sullivan County is detected, The Sullivan County Emergency Management Agency may increase the monitoring activities

**c Level 3 – Limited Activation (1 operational period)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that may have significant impact on the residents of Sullivan County or a serious event were to occur in Sullivan County, a Level 3 Activation may occur.

A Level 3 Activation does not require 24 Hour staffing of the EOC in order to meet the needs of the situation. One shift or operational period is all that is necessary.

**d Level 2 – Limited Activation (2 or more activation periods)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that will require a limited activation of the EOC on a 24 hour basis then a Level 2 Activation of the EOC will occur.

A Level 2 Activation requires 24 Hour staffing of the EOC in order to meet the needs of the situation. Two shifts or operational periods will be required.

**e Level 1 – Full Activation**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation of significant impact to Sullivan County or an event of national significance, a Level 1 Activation of the EOC may occur.

A Level 1 Activation requires complete 24 Hour staffing of the EOC in order to meet the needs of the situation. Two full EOC shifts or operational periods per 24 hour period will be required.

2 Specific actions for individual organizations and/or departments for each of these levels are provided in their respective SOPs and implementing procedures.

**I Legislative Liaison Affairs**

1 The County Mayor and City Mayors will keep the jurisdiction's state and local legislative officials advised as to the status of the event in their respective districts. The City Mayors will keep the County Mayor apprised of municipal briefings of Legislators and their staffs.

### VI Continuity of Government

- A Emergencies/Disasters are rarely of sufficient magnitude to require changes in the governmental structure. Relocating to a structurally sound facility may provide continuity of operations. The size and type of threat or disaster being confronted will dictate whether or not key officials move to other locations.
- B Succession of local government officials will follow lines of succession as prescribed in the state constitution, state law, and local ordinances.
- C Operating Locations - The County Mayor and his staff may relocate to the EOC during major emergencies. County/City government will continue to occupy current facilities unless they are unusable. Each agency will maintain plans for relocation of critical operations in such cases.
- D Preservation of Records - To provide normal government services after a disaster, vital records must be protected. Each local agency will ensure the safety of essential records. Examples of essential records include:
  - 1 Records protecting the rights and interests of individuals, such as vital statistics, land and tax records, license registers, articles of incorporation, and permits.
  - 2 Records relating to emergency operations, such as utility system maps, locations of emergency supplies and equipment, emergency operating procedures, lines of succession, and personnel lists.
  - 3 Records required to re-establish normal governmental functions such as constitutions and charters, statutes and ordinances, court records, official proceedings, and financial records.

### VII Administration and Logistics

#### A Emergency Authority

Authorities for this plan are contained in Part I, Introduction, to this plan.

#### B Agreements and Understandings

Should local resources prove to be inadequate during an emergency, local jurisdictions will ask for assistance from other local governments, higher levels of government, and other agencies per existing or emergency-negotiated mutual-aid agreements, and state law. All agreements will be entered into by authorized officials and will be in writing.

#### C Administration

- 1 Existing forms, reports, and procedures will be used. All records subject to review of actions taken will be retained for at least three years or longer as required by law or ordinance.
- 2 Local agencies occupying the EOC will maintain their own records and administrative forms. Standard forms used in the EOC (i.e., message and activity logs) will be provided by the EMA.
- 3 Reimbursement for expenditures will follow established local administrative procedures.

#### D Plan Development and Maintenance

- 1 The Sullivan County EMA will:
  - a Develop and maintain the Sullivan County Basic Emergency Operations Plan.
  - b Ensure the local BEOP is current by having amendments and changes prepared, coordinated, and issued as necessary.
  - c Annually review the local BEOP to ensure that it reflects current policy and technology.
  - d Maintain stocks of the local BEOP and amendments along with distribution lists to assure all plan recipients are properly serviced.
  - e Review, approve, or disapprove requests for material to be included in the local BEOP.
  - f Ensure all material prepared to insert in the local BEOP adheres to established guidelines.

## Basic Emergency Operations Plan

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- g Prescribe format, review procedures, and submission dates for all local emergency management and supporting plans and operating procedures.
  - h Task local agencies to prepare supporting annexes and documentation for the local BEOP.
- 2 Local Agencies
- a Those agencies in local government that have emergency-oriented missions or support roles are required to provide an emergency response capability 24-hours-a-day, seven days-a-week. Each agency will:
    - (i) Prepare directives and operating procedures in support of this BEOP and provide the Sullivan County EMA with one copy of each for reference.
    - (ii) Annually review published directives and their respective portions of the local BEOP to assure that commitments can be filled and resources provided. Each agency must provide the Sullivan County EMA with a copy of any recommended revisions or a signed statement indicating the directive/plan as written remains current and supports this BEOP on or before October 1 each year.
- 3 City Government will:
- a Prepare plans and directives in support of this plan as it relates to their jurisdiction.
  - b Submit one copy of all supporting plans/documents to EMA for review and approval.

### E Plan Implementation

- 1 This plan (or its components) can be implemented in several ways:
- a By direction of the County Mayor or the Sullivan County EMA Director
  - b As a result of the occurrence of a disaster or an emergency
  - c By requests for assistance from local governments when disasters exceed their capabilities and/or resources
  - d As a response to increased international tensions or the threat of enemy attack
  - e Specific annexes may be activated by the Lead Agency of that annex, with the concurrence of the County Mayor.

### F Primary and Support Responsibilities

- 1 Primary and Support
- Primary and support responsibilities for various emergency functions are assigned to departments and agencies of local government, and to organizations in the state government or private sector. Each department, agency, or organization is either a lead agency or a supporting agency in an ESF. Assignments are based on common functions needed in most large emergencies. The lead agency performs most of the planning and mitigation efforts for that ESF. Many of the agencies with primary responsibilities are included as part of the EOC staff for direction and control. Other supporting agencies will work in locations outside the EOC. Other agencies will not be functional until the recovery phase begins. Only those agencies essential to preserve the continuity of government during an emergency, or those necessary to deal effectively with the given set of circumstances of any emergencies, will staff and augment the EOC.
- 2 Responsibility
- a This plan is binding on all local government agencies authorized or directed to conduct emergency management activities.

## Basic Emergency Operations Plan

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- b The EMA Director's authority under this plan is extensive. As the disaster coordinator, he coordinates the activities of all local organizations as they relate to emergency management. Each local agency that has an emergency-oriented mission will:
  - (i) Assign personnel as directed to augment EOC operations when implemented.
  - (ii) Maintain and operate a 24-hour response capability in the department or agency facilities when this plan is activated in addition to any staff operating from the EOC.
  - (iii) Participate in exercises when scheduled by the EMA Director.
  - (iv) Prepare plans and supporting documents that set forth policies and provisions for carrying out the agency's emergency responsibilities.
  - (v) Conduct training essential to implementation of assigned functions.
  - (vi) Conduct an annual review to update the supporting documentation and operating procedures and advise the EMA Director of modifications required.
- c Each department or agency of local government having a primary or support role, will prepare and maintain standard operating procedures (SOPs) describing how functions will be accomplished. Subordinate divisions of these agencies will also furnish copies of their SOPs to their parent department for inclusion in the department's supporting plan.
- d Several state and federal agencies are delegated responsibilities within this plan. These agencies provide services to local government on a daily basis regardless of whether or not a major disaster declaration exists.

### **G Logistics**

#### **1 Local Agencies**

Local agencies are responsible for their own vehicles.

#### **2 Local Resources**

ESCs responding to a disaster will apply resources available to them as directed by the EMA Director through the authority of the County Mayor.

#### **3 Sullivan County EMA**

The EMA Director or the County Mayor in charge of a disaster response will coordinate with County Trustee and Purchasing Agent to procure and coordinate the use of personnel, materials, equipment, and supplies.

**Basic Emergency Operations Plan  
APPENDIX**

Annex 1	Emergency Operations Center
Appendix A	EOC Activation Checklist
Appendix B	EMA Organizational Chart
Appendix C	EOC Diagram
Appendix D	Planning P
Appendix E	Battle Rhythm Flow Chart
Appendix F	Battle Rhythm Table
Appendix G	EOC Communications Plan
Appendix H	ICS-214
Appendix I	ICS-211B.1
Annex 2	Emergency Service Coordinator (ESC) Program
Appendix A	List of ESC Agencies

**Annex 1**  
**Emergency Operations Center**

**ANNEX 1**  
**EMERGENCY OPERATIONS CENTER**

**I INTRODUCTION**

**A Purpose**

The Emergency Operations Center (EOC) provides a central location to coordinate local emergency management functions. These functions routine activities as well as emergency response and recovery activities.

**B Scope**

Emergency management response for the county is coordinated from the EOC.

**II POLICIES**

- A** EOC access is controlled for security and to ensure control and coordination of local resources during emergencies. The EOC congregates the emergency management staff, Emergency Services Coordinators (ESC) and support personnel from all agencies tasked with emergency responsibilities. Also, National Guard, industry, state and federal relief agencies may also operate from or in concert with the EOC during significant disasters.

**III SITUATION AND ASSUMPTIONS**

**A Situation**

- 1 The EOC is opened when county-wide disasters or other large emergencies occur.
- 2 There are many regional, state, national, and international disasters that may require emergency management activities be coordinated across the county.

**B Planning Assumptions**

- 1 EOC activation may be needed without advance notice. A copy of the EOC activation Checklist can be found in Appendix A.
- 2 Coordination of response activities and resources is within the scope of county staffing.

**IV CONCEPT OF OPERATIONS**

**A General**

- 1 The EOC, when activated, will be staffed around the clock by key decision-makers.
- 2 Primary and Alternate Emergency Operations Centers
  - a Primary EOC - The primary EOC is located in the Sullivan County EMA office, 31193 Hwy. 126, Blountville.
  - b Alternate EOC – Emergency Management Office, 200 Shelby St., Kingsport.
- 3 Primary EOC Operations
  - a When an emergency or disaster occurs, the EMA is notified by radio or telephone. The event is logged by date and time.
  - b The EMA Director briefs the County Mayor as to the situation and has dispatch perform a call out of ESC personnel (See annex 2).
  - c The EOC (or the county's primary warning point) relays pertinent data to adjacent counties' emergency response agencies.
  - d The EOC monitors the progress of the emergency and evaluates efforts to contain the situation. Resource requirements that cannot be met by the county are sent to the State Regional EOC and the appropriate ESCs for action as provided by ESF/individual agency SOPs. This continues until the situation is resolved.

## Annex 1 Emergency Operations Center

- e When the EOC become operational, there is a time table that can be followed to keep the process organized and on schedule. A copy of the planning P and sample battle rhythms can be found in appendices D-F.
- f The EMA Director can request mutual aid from an adjoining county or TEMA. In either case, the respective organizations provide liaison officers to the EOC for coordination of operations.
- g News releases and emergency public information is prepared and disseminated from the EOC via the PIO, County Mayor or jurisdictional department head
- h The EMA Director ensures continuity of operations and sustained manpower capability around the clock for the duration of the emergency.
- i When the emergency ends, EOC staff members conduct after-action debriefings, evaluate responses, and compile reports, decision and message logs and expenses.

### **B Organization and Responsibilities**

#### **1 EMA Director**

The Director of the Sullivan County Emergency Management Agency is the executive head of the agency and is responsible for coordinating all emergency management activities throughout the county. He/she will:

- a Advise elected officials, departments, and agencies of local government and other non-governmental relief agencies with respect to the magnitude and effects of the emergencies that affect Sullivan County. Orient and train the emergency staff, and periodically conduct exercises.
- b Coordinate local emergency operations with TEMA and local emergency management offices in the counties that border Sullivan County.
- c Develop and maintain local emergency staffing capabilities.
- d Develop and maintain appropriate emergency public information, communications and warning capabilities.
- e Develop and maintain the County EM Plan, mutual aid agreements, memoranda of understanding, etc., and periodically test and exercise them.

#### **2 County Mayor**

- a The County Mayor is the chief officer of the county and successor to the Director within the EOC

#### **3 Emergency Services Coordinators (ESCs)**

- a The ESCs represent local, state, private, and quasi-governmental agencies with emergency responsibilities during major disasters. The roles and responsibilities of the ESCs are provided in Annex 2.

#### **4 Public Information**

- a The Sullivan County EMA Director or the County Mayor will designate an individual to act as the Public Information Officer.

**Annex 1**  
**Emergency Operations Center**

5 Support Requirements

a Reports and Records

(i) Messages

- The EMA Director will establish procedures for handling messages.

(ii) Event Logs

- A record of major events will be kept by each ESC. A copy of the ICS-214 can be found in appendix G

(iii) Daily Operations Log

- A log of all major vents, decisions made, and actions taken, is maintained by the EMA or EOC staff.

(iv) Security Log

- A record of all persons entering and leaving the EOC is maintained. A copy of ICS-211B.1 can be found in appendix I.

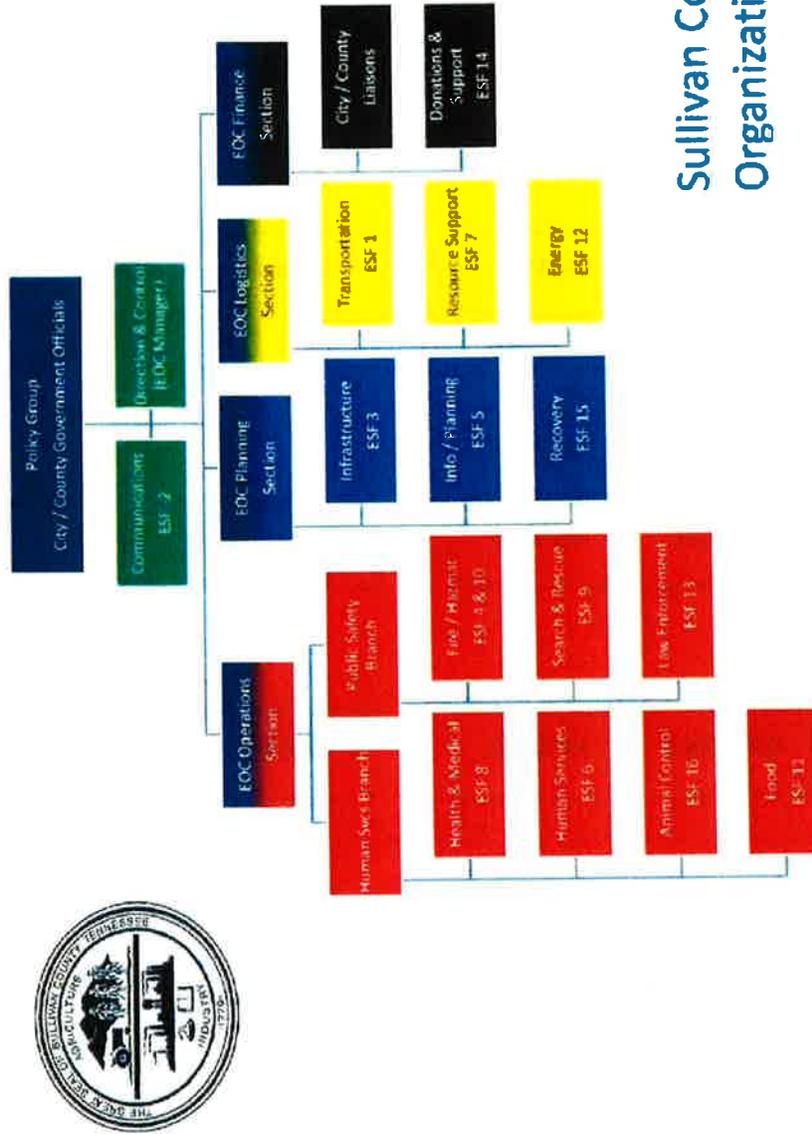
(v) Security

- All EMA staff and ESCs are personally known to each other and have authorized access to the EOC during routine operations.
- During emergency operations, the Sullivan County Sheriff's Department or City Police Departments, stations an officer at the entrance to secure the facility to authorized personnel only.

**Appendix A  
EOC Activation Checklist**

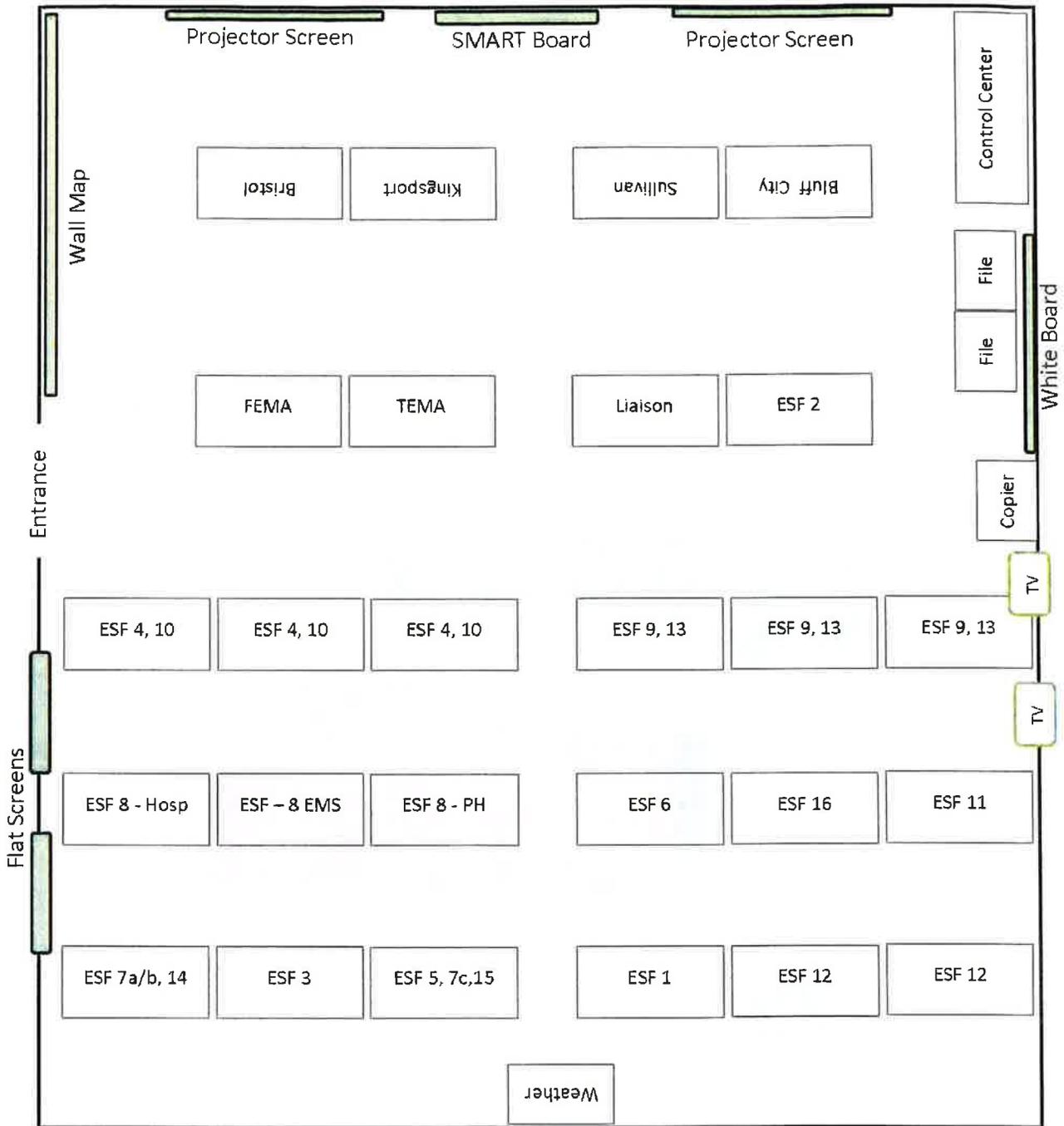
<p><b>EMERGENCY OPERATIONS CENTER ACTIVATION CHECKLIST</b></p>
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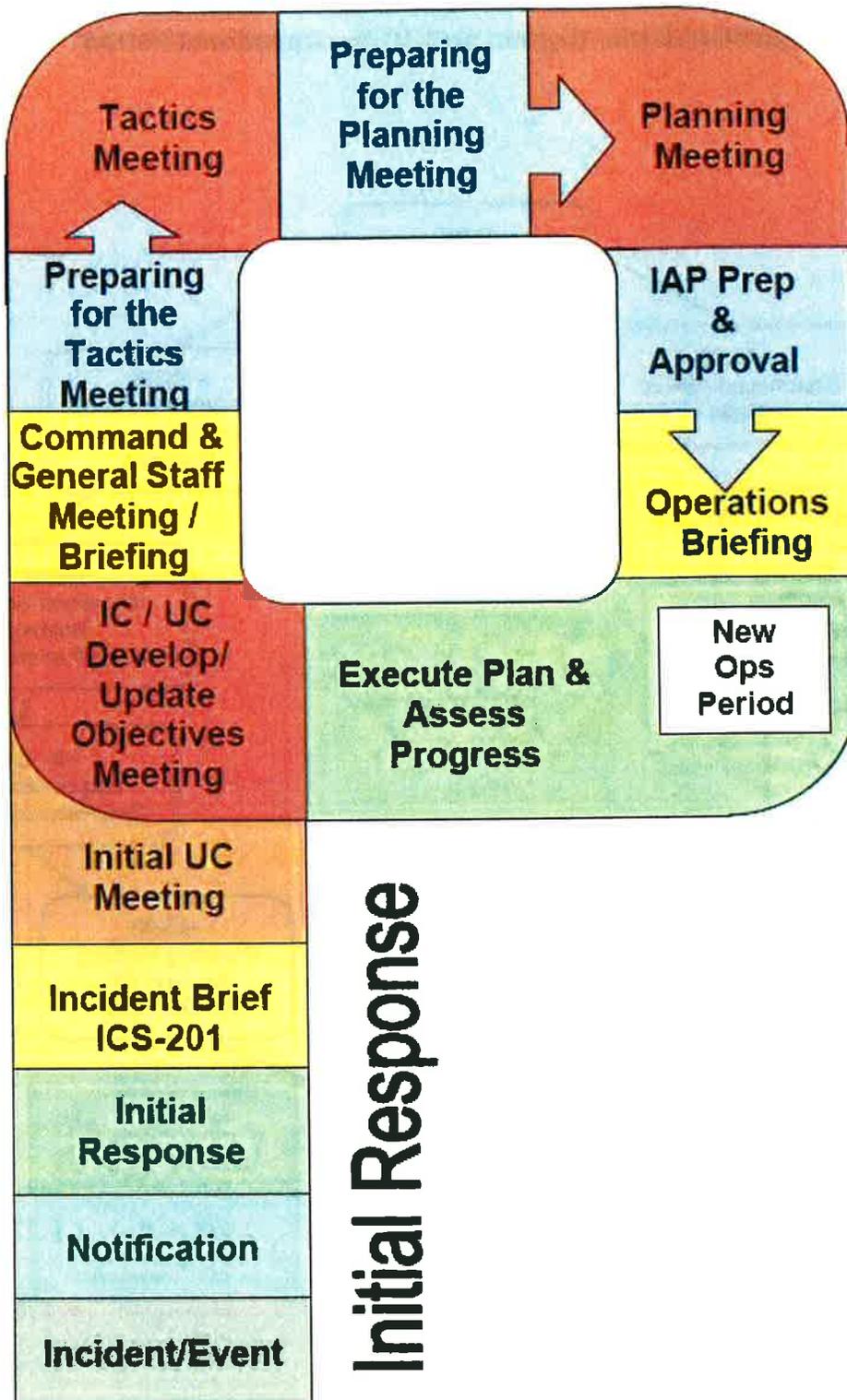
<input type="checkbox"/>	Determine Activation Level	<p>Made by EMA Director or County Mayor or designee Per County BEOP</p> <ul style="list-style-type: none"> <li>▪ Level 5 – Normal Operations</li> <li>▪ Level 4 – Elevated</li> <li>▪ Level 3 – Limited Activation (1 Operational Period)</li> <li>▪ Level 2 – Limited Activation (2+ Operational Periods)</li> <li>▪ Level 1 – Full Activation</li> </ul>
<input type="checkbox"/>	Notify EOC ESC's of Activation Level	Call out through dispatch list in reverse 911 ESC List in EOC Startup shelf (Conference Room)
<input type="checkbox"/>	Establish Sign-in Log Sheet	<ul style="list-style-type: none"> <li>▪ Use form ICS 211-B Check-In List <ul style="list-style-type: none"> <li>○ Located on Clipboard in EOC startup shelf</li> </ul> </li> <li>▪ Place in reception area located at top of stairs</li> </ul>
<input type="checkbox"/>	Power on all A/V Equipment	<ol style="list-style-type: none"> <li>1. Control Computer (should be on but monitor off)</li> <li>2. TVs (Set to local news WCYB &amp; WJHL)</li> <li>3. SMART Board</li> <li>4. Overhead LCDs</li> </ol>
<input type="checkbox"/>	Establish incident in WebEOC	<ul style="list-style-type: none"> <li>▪ Consider need to document in TEMA WebEOC Board</li> </ul>
<input type="checkbox"/>	Advise TEMA of EOC Activation by Phone	State EOC Operations (800.262.3400)
<input type="checkbox"/>	Begin development of IAP	
<input type="checkbox"/>	Conduct Infrastructure Assessment (Cities & County wide)	<ul style="list-style-type: none"> <li>☐ Phone Systems</li> <li>☐ Roads / Bridges</li> <li>☐ Power Outages</li> <li>☐ Water / Sewer Systems</li> </ul>
<input type="checkbox"/>	Policy Level Briefing with Elected Officials	<ul style="list-style-type: none"> <li>☐ County Mayor</li> <li>☐ City Managers / Mayors</li> </ul>
<input type="checkbox"/>	Advise Dispatch Centers of Operational Status	
<input type="checkbox"/>	Consider need for security	



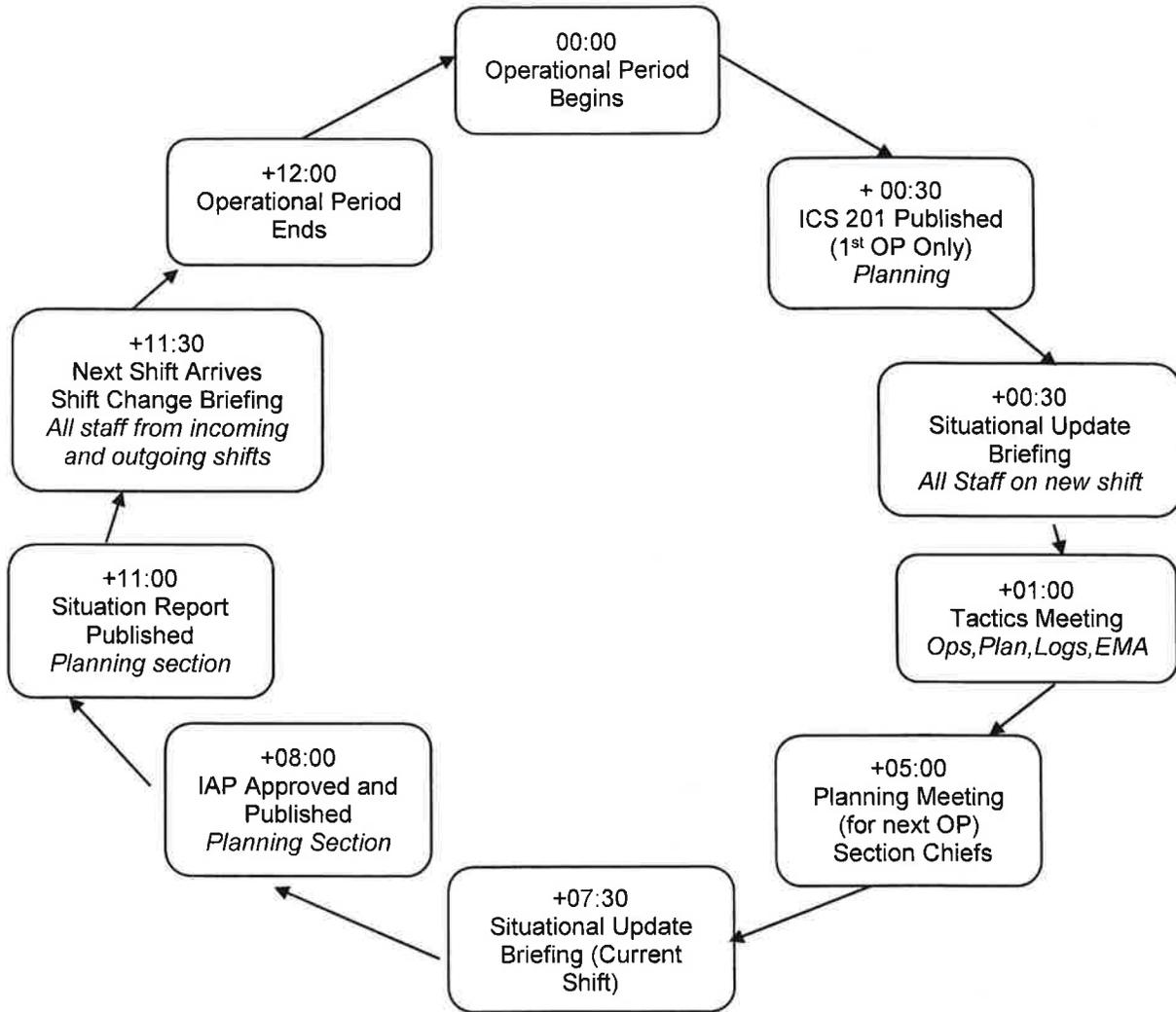
Sullivan County EOC  
Organizational Chart

EMERGENCY OPERATIONS CENTER DIAGRAM





**Suggested Battle Rhythm for EOC by Operational Period**



Appendix F  
Battle Rhythm Table

Time	EOC Actions	Internal / External Reports	Conference Calls / Minutes	Planning Tasks Assigned
0100				
0200		SitRep Updates		
0300	Planning Meeting – Overnight Shift			
0400				
0500	Publish EOC Management TPlan and obtain final approval	NWS Weather Report		
0600	OPS Briefing to begin Day Shift Operational Period @ 0700			
0700		SitRep Updates	Media Releases	
0800			Regional / Local Conference Call	
0900	Mgmt & General Staff Meeting – Day Shift			
1000		SitRep Updates		
1100		NWS Weather Report	Media Releases	
1200	Objectives Meeting Strategies Meeting			
1300		SitRep Updates	Regional / Local Conference Call	
1400			Media Releases	
1500	Planning Meeting – Day Shift			
1600		NWS Weather Report		
1700	Publish EOC Management Plan and obtain final approval	SitRep Updates	Regional / Local Conference Call	
1800	OPS Briefing to begin overnight shift @ 1900			
1900				
2000		NWS Weather Report		
2100	Mgmt & General Staff Meeting – Overnight Shift		Media Releases	
2200		SitRep Updates	Regional / Local Conference Call	
2300				
2400	Objectives Meeting Strategies Meeting	NWS Weather Report		
<b>NOTE:</b>	<b>The schedule and times of events, meetings and calls is dependent on real-life events and is suggestive only.</b>		<b>The listing of conference calls and media releases reflect suggested frequency.</b>	

## INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

1. Incident Name: Sullivan County EOC -Trunked Radio System Plan		2. Date/Time Prepared: Date 09DEC14 Time 0930		3. Operational Period: Date From 01JAN15 Time From		Date To 31DEC15 Time To					
<b>4. Basic Radio Channel Use:</b>											
Zone Grp	Ch #	Function	Charitel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks	
		Emergency Nel 1	CWENET1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Emergency Nel 2	CWENET2	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Sullivan County Disaster	CWDISTR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Kingsport City Emergency	KPTEMR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Bristol Disaster	BSTEMR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Tennessee Mutual Aid Communications	Bristol TMAC	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		8CALL90	8-CALL90	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
		Red Cross	RCADMIN1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System	
<b>5. Special Instructions:</b>											
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bear</u>								Signature _____			
ICS 205								IAP Page <u>1 of 3</u>			
								Date/Time <u>09DEC14 / 0930</u>			

## INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

1. Incident Name: Sullivan County EOC - Trunked Radio System Plan		2. Date/Time Prepared: Date: 09DEC14 Time: 0930		3. Operational Period: Date From: 01JAN15 Time From: _____ Date To: 31DEC15 Time To: _____						
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
		Kingsport City Schools	KPTHOTLN	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol City Schools		EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Sullivan County Schools	SCSCH1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Citywide Dispatch	KPTG DSP	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Citywide Dispatch	BTGDSP	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Countywide Dispatch	CWDSF	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Public Works	BTPW	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Public Works	KPTWATER	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bean</u>				Signature _____						
ICS 205				Date/Time <u>09DEC14 / 1030</u>						
				IAP Page <u>2 of 3</u>						

### INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

<b>1. Incident Name:</b> Sullivan County EOC - Trunked Radio System Plan		<b>2. Date/Time Prepared:</b> Date 09DEC14 Time 0930		<b>3. Operational Period:</b> Date From 01JAN15 Time From Date To 31DEC15 Time To						
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
		Sullivan County Highway Dept	HWYDEPT	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Sullivan County Sheriff's Office	SCSO1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Police Department	KPTPD1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Police Department	BTPD1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Northwest State Police	NSTCC	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Tri-Cities Regional Airport	AIRPS1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bean</u> Date/Time <u>09DEC14 / 0930</u> Signature _____										
ICS 205 IAP Page 3 of 3										

### INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

<b>1. Incident Name:</b> Sullivan County EOC - UHF Communications Plan		<b>2. Date/Time Prepared:</b> Date: 09DEC14 Time: 0930		<b>3. Operational Period:</b> Date From: 01JAN15 Date To: 31DEC15 Time From: Time To:							
<b>4. Basic Radio Channel Use:</b>											
Zone Gp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	RX Freq N or W	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
			UCALL40	453.2125 N	EOC	453.2125 N	156.7 / 293	453.2125 N	156.7 / 293	A	
			UTAC41	453.4625 N	EOC	453.4625 N	156.7 / 293	453.4625 N	156.7 / 293	A, D	
			UTAC42	453.7125 N	EOC	453.7125 N	156.7 / 293	453.7125 N	156.7 / 293	A, D	
			UTAC43	453.8625 N	EOC	453.8625 N	156.7 / 293	453.8625 N	156.7 / 293	A, D	
			UTNTAC44	460.4125 N	EOC	460.4125 N	156.7 / 293	460.4125 N	156.7 / 293	A, D	
			UTNTAC45	460.4125 N	EOC	460.4125 N	156.7 / 293	460.4125 N	156.7 / 293	A, D	
			UTNMA	460.4000 N	EOC	460.4000 N	127.3 / 293	460.4000 N	127.3 / 293	A, D	
			UENSTAC	463.1675 N	EOC	463.1675 N	156.7 / 293	463.1675 N	156.7 / 293	A, D	
<b>5. Special Instructions:</b>											
<b>6. Prepared by (Communications Unit Leader):</b> Name: Jim Bean			Signature: _____								
ICS 205			Date/Time: 09DEC14 / 0930								

**INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)**

1. Incident Name: Sullivan County EOC - VHF Communications Plan		2. Date/Time Prepared: Date: 09DEC14 Time: 0930		3. Operational Period: Date From: 01JAN15 Time From:		Date To: 31DEC15 Time To:				
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, C, or M)	Remarks
			VTACT12	EOC	154.4535 N	156.7 / 293	154.4535 N	156.7 / 293	A	Tactical
			VTACT13	EOC	158.7375 N	156.7 / 293	158.7375 N	156.7 / 293	A	Tactical
			VTACT14	EOC	159.4735 N	156.7 / 293	159.4735 N	156.7 / 293	A	Tactical
			VTNTAC	EOC	159.7050 N	156.7 / 293	159.7050 N	156.7 / 293	A	TN TAC Channel
			VTNMA	EOC	154.7550 N	156.7 / 293	154.7550 N	156.7 / 293	A	Statewide Mutual Aid
			VTNMAAD	EOC	154.7550 N	156.7 / 293	154.7550 N	156.7 / 293	A	Direct for VTNMA
			VENS205	EOC	155.2050 N	D205	155.2050 N	D205	A	EMS Mutual Aid
			VENS295	EOC	155.2950 N	D155	155.2950 N	D155	A	EMS Staging
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bear</u>				Date/Time: <u>09DEC14 / 0930</u>		Signature: _____				
ICS 205				IAP Page 1 of 2						







## **I Purpose**

The Emergency Services Coordinator (ESC) program gives the EMA Director an immediate source of expertise from local agencies to cope with disasters and emergencies. In addition to representation, each local department or agency is required to provide the County EMA with personnel, equipment, facilities, or materials needed for disaster response and recovery.

## **II Scope**

The ESC program encompasses all agencies, departments, divisions, and bureaus that have an emergency mission or a role in recovery. Agencies listed in Appendix 1 of this annex are required to provide ESCs to the Sullivan County EMA. Other agencies and departments may participate at their discretion. ESC program functions also include research, plan development, communications tests, and exercises.

## **III Program Elements**

- A** Department heads and agency executives must ensure that their departments, and agencies under their jurisdiction, promptly respond and fully execute their duties in accordance with this plan. To fulfill this responsibility, each department listed in Appendix 1 will:
- 1 Provide a primary and alternate ESC to represent their department or agency.
  - 2 Ensure ESCs are empowered with the full authority to coordinate and direct all emergency response functions and services of the department head.
  - 3 Provide the EMA Director with the names of the primary and alternate ESCs, the office they represent, home addresses, office and residence phone numbers.
  - 4 Ensure that the ESC on-call can respond within 30 minutes to the EOC. Provide pagers, phones and access to vehicles to carry out ESC duties.
  - 5 Prepare a directive that establishes a departmental ESC program that details the use of government vehicles, radios, cell phones, periods of on-call duty, and provisions for notifying the EMA Director of schedules and changes.
  - 6 Ensure that plans are developed to carry on agency functions and provide suitable space for personnel, equipment, and essential records during disasters. Agencies scheduled to work in the EOC will address the movement of personnel, equipment, and records.

## **IV Concept of Operations**

- A** The EOC can accommodate many of the ESCs by providing workspace, telephone capabilities, and access to radio communications.
- B** Whenever a disaster or emergency threatens or occurs, the EMA Director will determine if any ESCs are to be called in to provide assistance. The EMA Director will assess the situation, bearing in mind that the use and employment of ESCs and their resources must be compatible with the primary responsibility of the agency concerned, and coordinate which, if any, ESCs are to be called.
- C** The EMA Director or County Mayor will notify ESCs of their recall.
- 1 Depending on available information about the emergency, ESCs will be instructed to report to the EOC for briefing by the EMA Director or instructed to report to the scene and be briefed over the telephone or radio enroute.
  - 2 ESCs, once committed, will remain committed through the recovery phase unless relieved by the EMA Director or their appointing authority

**V Implementation**

- A** The EMA Director is responsible for implementing the ESC program. The Director will:
- 1 Coordinate this appendix with affected and interested agencies
  - 2 Establish logs or call sheets to record ESC name, address, and telephone numbers, including rosters to confirm who is on call.
  - 3 Conduct no-notice exercises or calls to ensure that the system is working. Failure to call back within 30 minutes is unsatisfactory.
  - 4 Maintain the ESC program in a current, ready-to-use status.

**APPENDIX 1  
EMERGENCY SERVICE COORDINATOR AGENCIES**

---

The county EOC and Emergency Operations Plan (EOP) are developed and operate under the Emergency Support Function (ESF) system. Each agency that is lead in the EOP is expected to maintain primary and secondary personnel to serve in the ESC position when the EOC is activated. Below is a Listing of the ESF and lead agency:

ESF-1	Highway Department / Public Works
ESF-2	Communications
ESF-3	Planning / Zoning
ESF-4	Fire Department
ESF-5	Emergency Management
ESF-6	American Red Cross
ESF-7	Accounts/Budget and EMA
ESF-8	EMS / Public Health / Hospitals
ESF-9	Law Enforcement
ESF-10	Fire Department HAZMAT
ESF-11	Schools
ESF-12	Utilities
ESF-13	Law Enforcement
ESF-14	Accounts/Budget
ESF-15	Emergency Management
ESF-16	Animal Control

Some agencies may have lead in more than one ESF and may make the decision on number of personnel to send to EOC based on incident complexity



**AGENDA ACTION FORM**

**Right-of-Way Easement with Kingsport Power Company**

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

Action Form No.: AF-19-2016  
Work Session: February 1, 2016  
First Reading: N/A

Final Adoption: February 2, 2016  
Staff Work By: R. Trent, N. Ensor  
Presentation By: R. McReynolds

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

American Electric Power has requested a right-of-way easement from the city in order to relocate existing power service from the river intake to the water treatment plant on Sherwood Road. This work is necessary for the Raw Water Improvement Project. While the easement is for American Electric Power, it is in the name of its subsidiary, Kingsport Power Company.

**Attachments:**

1. Resolution
2. Project Location Map and Easement

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
RIGHT-OF-WAY EASEMENT WITH KINGSPORT POWER  
COMPANY

WHEREAS, the city has requested American Electric Power relocate existing power service from the river intake to the water treatment plant on Sherwood Road; and

WHEREAS, this work is necessary for the Raw Water Improvement Project; and

WHEREAS, in order to relocate the existing power service, American Electric Power has requested that the city execute a Right-of-Way Easement to Kingsport Power Company, a subsidiary of American Electric Power; 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 Kingsport Power Company.

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 2<sup>nd</sup> day of February, 2016.

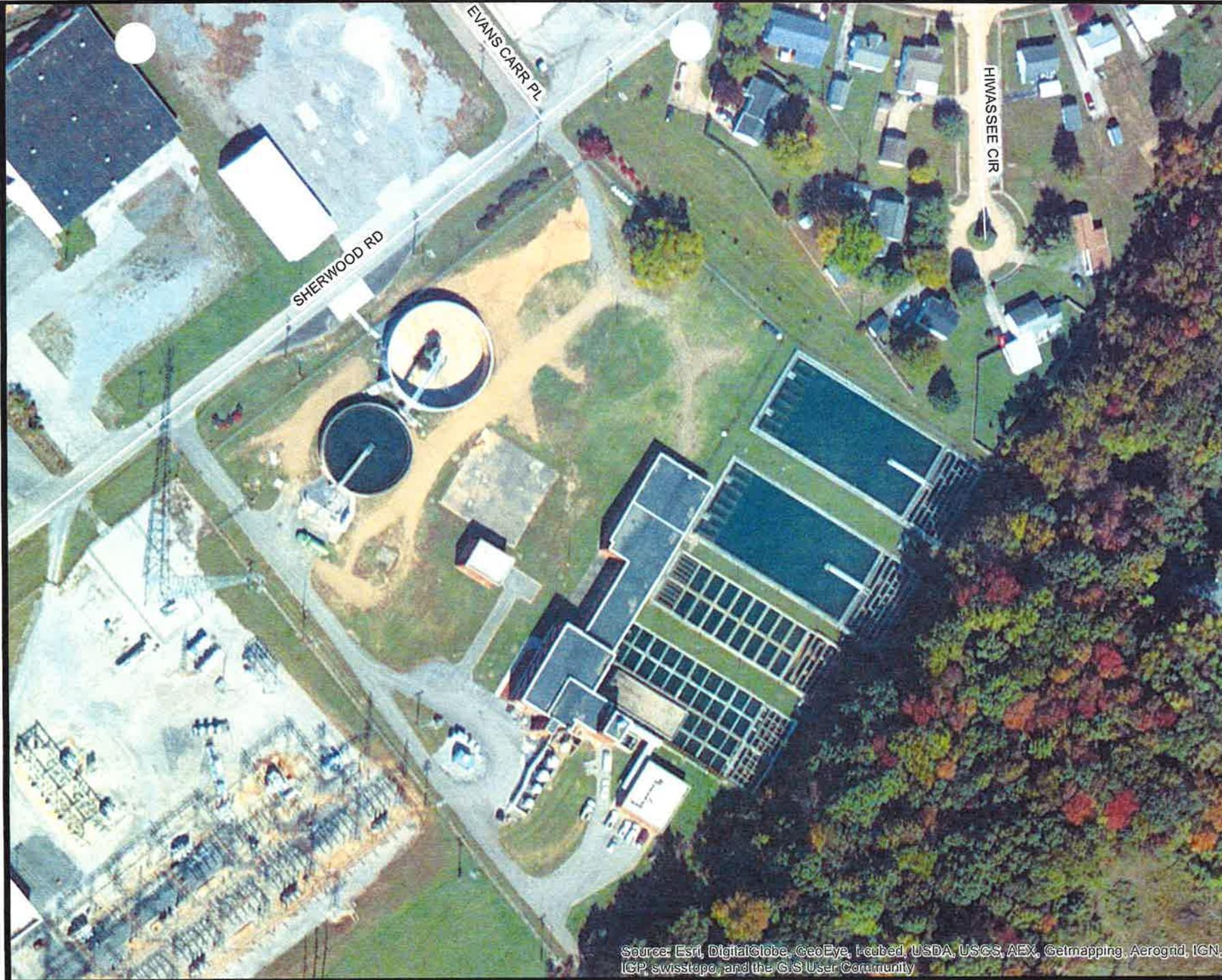
\_\_\_\_\_  
JOHN CLARK, MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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



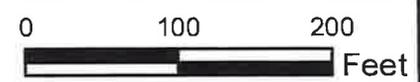
Legend



© City of Kingsport, Tennessee  
All Rights Reserved.  
Map Reference#18142  
Date:1/13/2016

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

# Project Location Map



**GRW 32 (UGOHD – CORP) KP**

City of Kingsport \_\_\_\_\_ Eas No. \_\_\_\_\_ R/W Map No. 3783-1152-A3  
1324 Midland Drive \_\_\_\_\_ W. O. No. W002603601 Job No. 15560061 Prop No. 1  
Kingsport, TN 37664 \_\_\_\_\_ Line City of Kingsport Water Plant \_\_\_\_\_

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between CITY **OF**  
**KINGSPORT** \_\_\_\_\_, a municipal corporation organized and existing under  
the laws of the State of TENNESSEE \_\_\_\_\_, herein called "Grantor", and KINGSPORT POWER  
COMPANY, a Virginia corporation, herein called "Kingsport",

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid to Grantor by Kingsport,  
the receipt whereof is hereby acknowledged, Grantor hereby grants, conveys and warrants to Kingsport, its  
successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and  
communication lines, in, on, along, through, over, across or under the following described lands of the Grantor  
situated in 11th Civil District, County of Sullivan, State of Tennessee.

On the North by the lands of Sherwood Road  
On the East by the lands of \_\_\_\_\_  
On the South by the lands of 3 Tees LLC  
On the West by the lands of Kingsport Power Company

This line extends in a Southeasterly direction from  
Kingsport's existing Pole numbered 1152-A3-907 to  
and including new Pole and Underground Facilities numbered 1152-A3-1603 & 1604.

In the event Kingsport should remove all of said Kingsport's facilities from the lands of the Grantor, then all of the  
rights, title and interest of the party of Kingsport in the right of way and easement herein above granted, shall revert  
to the Grantor, its successors and assigns.

Being a right of way easement over the same property conveyed to Grantors herein by Shirley Ann Clevinger  
\_\_\_\_\_, by deed dated 7/26/1990, and recorded in Sullivan County, Deed Book No.  
739C, Page 197.

Being a right of way easement over the same property conveyed to Grantors herein by Tennessee Electric Co Inc.  
\_\_\_\_\_, by deed dated 3/09/1981, and recorded in Sullivan County, Deed Book No.  
276C, Page 448.

Map 061M, Group A, CTL Map 061M, Parcel 024.00.

TOGETHER with the right, privilege and authority to Kingsport, its successors, assigns, lessees and  
tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of,  
and relocate at will, poles, with wires, cables, crossarms, guys, anchors, grounding systems and all other appurtenant  
equipment and fixtures, underground conduits, ducts, vaults, cables, wires, transformers, pedestals, risers, pads,  
fixtures and appurtenances (hereinafter called "Kingsport's Facilities"), and string wires and cables, adding thereto  
from time to time, in, on, along, over, through, across and under the above referred to premises; the right to cut  
down, trim, clear and/or otherwise control, and at Kingsport's option, remove from said premises, any trees, shrubs,  
roots, brush, undergrowth, overhanging branches, buildings or other obstructions which may endanger the safety of,  
or interfere with the use of Kingsport's Facilities; the right to disturb the surface of said premises and to excavate  
thereon; and the right of ingress and egress to and over said above referred to premises, and any of the adjoining  
lands of the Grantor at any and all times, for the purpose of exercising and enjoying the rights herein granted, and  
for doing anything necessary or useful or convenient in connection therewith.

It is understood and agreed between the parties hereto, that the Grantor reserves the right to use said lands  
in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Kingsport Power Company, its successors, assigns, lessees and tenants.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereunto affixed the day and year first above written.

**CITY OF KINGSPORT**

By: \_\_\_\_\_  
Mayor

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

STATE OF \_\_\_\_\_ )

) To-wit:

COUNTY OF \_\_\_\_\_ )

Before me \_\_\_\_\_ of the State and County aforesaid, personally appeared \_\_\_\_\_, with whom I am personally acquainted and who, upon oath, acknowledge himself/herself to be Mayor of City of Kingsport, the within named bargainor, a municipal corporation, and that he/she as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself/herself as Mayor.

Witness my hand and official seal in \_\_\_\_\_ County, State of \_\_\_\_\_, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

My Commission expires:

\_\_\_\_\_

I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$ \_\_\_\_\_ 1.00 \_\_\_\_\_, which amount is equal to or greater than the amount which the property transferred commanded at a fair and voluntary sale.

KINGSPORT POWER COMPANY

By: \_\_\_\_\_

STATE OF TENNESSEE )

) To-wit:

COUNTY OF SULLIVAN )

Subscribed and sworn to before me this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

My Commission Expires:

\_\_\_\_\_



**AGENDA ACTION FORM**

**Adoption of the Sullivan County Basic Emergency Operations Plan**

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

Action Form No.: AF-26-2016  
 Work Session: February 1, 2016  
 First Reading: N/A

Final Adoption: February 2, 2016  
 Staff Work By: Asst. Chief Boyd, Ali Shaffer  
 Presentation By: Asst. Chief Boyd

**Recommendation:**

Approve the Resolution.

**Executive Summary:**

To authorize the Mayor to sign all the appropriate documents where Kingsport will adopt the Basic Emergency Operations Plan. This plan has to be adopted and signed by all jurisdictions in Sullivan County and updated every five (5) years. After all signatures are obtained, the plan is forwarded to the state for approval and kept on file at the state level.

The Basic Emergency Operations Plan is the Emergency Operations Procedures on how to handle disasters and responsibilities of agencies during those disasters.

**Attachments:**

1. Resolution
2. Sullivan County Basic Emergency Operations Plan
3. Copy of the Signature Page

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

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

A RESOLUTION APPROVING THE SULLIVAN COUNTY BASIC EMERGENCY OPERATIONS PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE LETTER OF AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PLAN AND THE LETTER OF AGREEMENT

WHEREAS, the jurisdictions of the City of Kingsport, the City of Bristol, Bluff City, Tennessee and Sullivan County, Tennessee would like to adopt a Basic Emergency Operations Plan; and

WHEREAS, the plan will provide the emergency operations procedures in the event of a disaster and the responsibilities of certain agencies during the course of those disasters; and

WHEREAS, the plan will be adopted and executed by all agencies and will be updated every five (5) years; and

WHEREAS, the Letter of Agreement is a separate document agreeing to the adoption of the plan.

Now therefore,

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

SECTION I. That the Basic Emergency Operations Plan as set out herein below, with the City of Kingsport, the City of Bristol, Bluff City, Tennessee and Sullivan County, Tennessee, is approved.

SULLIVAN COUNTY  
EMERGENCY MANAGEMENT  
Sullivan County  
BASIC EMERGENCY OPERATIONS PLAN

1

I Introduction

A Purpose

This document establishes a comprehensive emergency plan for Sullivan County and its political subdivisions. This emergency management plan directs actions aimed at accomplishing four general goals: (1) to mitigate potential effects of various hazards that might impact the county, (2) to prepare to take actions which will save lives and minimize damage, (3) to respond rapidly to the needs of the citizens and local jurisdictions during emergencies, and (4) to provide for organized recovery to return the county and its communities to normal as soon as possible after disaster. This plan defines the roles and responsibilities associated with the mitigation, preparedness, response, and recovery efforts directed at natural disasters, technological accidents, terrorist attacks, and other major events that may impact Sullivan County.

B Scope

This plan describes emergency functions in Sullivan County, except those emergencies for which the state or federal government has primary responsibility (e.g. Hazardous Material release from Dept. of Energy sites or TVA Nuclear Power Plant). County and city emergency services include: fire and police, emergency medical services; rescue; warning; communications; engineering; hazardous materials response, evacuation; emergency welfare and emergency transportation and all other functions related to the protection of the civil population as defined by Tennessee Code Annotated (TCA 58-2-102). Also, responsibilities concerning preparedness for, response to, and recovery from disasters, enemy attack, sabotage, hostile acts, mob violence, power failures, energy emergencies and/or their threatened occurrence are addressed.

This plan also discusses potential problems resulting from natural disasters, enemy attack, and all technological incidents exclusive of those associated with nuclear power plants. Detailed plans for each of the nuclear facilities are maintained separately by the Tennessee Emergency Management Agency as required by the Nuclear Regulatory Commission and FEMA.

Two key areas are addressed: (1) the relationships between emergency response organizations and related agencies in Sullivan County, (these organizations include various departments and divisions of county government, local governments, the state and federal governments, and the private sector that provide services before or during disasters and/or that assist with recovery efforts) and (2) procedures to ensure that ongoing review and update of this plan and supporting procedures plans are performed and exercises, that test this plan, are carried out.

## II Situation and Assumptions

### A Situation

Sullivan County is located in East Tennessee. There are three incorporated towns in the county. The 2010 census indicated the county's population was 156,823. The plan's introduction, hazard identification (pages xii to xv), describes various hazards that may affect the county. Events that occur in Sullivan County may also affect an adjoining county and vice versa.

### B Threat

Sullivan County's potential for disasters, whether natural, technological, or nuclear is increasing. Although the occurrence of natural disasters is fairly consistent, there are more people in the county to be affected by disasters. Other events, such as unlawful or careless actions of people, are a source of man-made disasters. International terrorism, racial or ethnic strife, and economic struggles cause conflict. Several countries have, or may have, the capability of waging a limited unconventional war and, therefore, the possibility of a chemical, biological or nuclear attack on the United States is still present. Current knowledge and technology cannot eliminate these threats. However, the steps prescribed by this plan should reduce the dangers faced by the citizens of Sullivan County.

### C Planning Assumptions

1 Emergencies and disasters will occur in Sullivan County. Citizens of this county and its political subdivisions will be affected. In addition to hazards identified in the Hazard Analysis other hazards may occur in the future.

2 The full authority and resources of Sullivan County will be used to cope with the situation.

3 State and/or federal assistance will be available, when requested, for those situations which exceed the capabilities of county and municipal government.

4 The Sullivan County Basic Emergency Operations Plan (BEOP) is the basis for emergency management actions in the county. It is invoked by the County Mayor when a county wide or other disaster occurs that requires deploying nearly all of the county's resources and may require a presidential declaration of disaster.

## III Concept of Operations

### A General

1 Local government has the primary responsibility to prepare for emergencies and to take actions that protect life and property. If local government cannot adequately respond, the state is asked to assist. It is Tennessee's responsibility to deal with emergencies that exceed the capabilities of its political subdivisions. Similarly, the state requests help from the federal government to meet emergency needs beyond the state's capabilities to respond.

2 Emergency functions of the response organizations generally parallel daily functions. To the greatest extent possible, the same people and resources will be used in emergencies.

3 Daily functions which do not directly contribute to emergency operations may be suspended for the duration of the emergency. Personnel normally required for those functions will be redirected to accomplishing emergency tasks by the agency concerned.

4 An integrated emergency management plan is concerned with all hazardous situations which may develop within the state or county. This BEOP is more than an operations plan in that it includes activities that occur before and after a disaster.

5 This plan does not contain a complete listing of all department or agency resources. Each organization will maintain an updated resource list and provide it to the county EMA and other agencies as needed. Local resource lists are maintained by EMA at the EOC.

### B Phases of Management

#### 1 Mitigation

Mitigation activities are those which eliminate or reduce the probability of a disaster occurring, or lessen the damaging effects of those that do. Examples of mitigation activities include; adoption of stronger building codes, tax incentives, zoning and land use management, safety codes, conducting public education or hazard analysis.

#### 2 Preparedness

Preparedness activities develop and improve response capabilities that are needed in an emergency.

Planning and training are among the activities done in preparation for emergencies. Other examples include installation of warning and communications systems, development of evacuation plans and mutual aid agreements and conducting exercises.

### 3 Response

Response provides emergency services during a crisis. These services speed recovery and reduce casualties and damage. Response activities include activation of warning systems, implementing plans, firefighting, rescue and law enforcement.

### 4 Recovery

The process of recovery is both short-term and long-term. Short-term recovery seeks to restore essential services to the county and provide for the individual needs of the public. Long-term recovery focuses on restoring the county as a whole to a near-normal state. Recovery is an opportunity to institute mitigation measures to alleviate the effects of future disasters. Examples of recovery activities include providing food and shelter, restoring utilities and government services, counseling, and providing damage/disaster insurance, loans, or grants. Mitigation during recovery includes better codes enforcement, better flood plain management, and improved infrastructure to better withstand the next natural disaster.

## C Execution

1 The central point of coordination for overall emergency operations is the Sullivan County Emergency Operations Center (EOC).

2 In an emergency there are two levels of control. The first level of control is at the scene of the incident, under the direction of the incident commander (IC). The second level is in the EOC, where overall coordination will be exercised.

3 The agency with jurisdiction responds to the scene. On-scene management falls under the local department best qualified to accomplish rescue, recovery, and control operations. The department's most qualified, typically senior representative at the scene is the IC, who is responsible for the overall emergency operation. In the EOC, the specific department that assumes a lead coordination role is specified in annexes to this plan. If state assistance is requested, TEMA provides an on-scene district coordinator whose job it is to coordinate the activities of state personnel with those of the local responders. State personnel do not assume control of a scene unless otherwise specified by current state or federal law, administrative practice, or policy.

4 The Sullivan County BEOP identifies the agencies, departments, and organizations which provide resources to support emergency response. This plan reflects all agencies which may be tasked to respond to such events.

5 All personnel involved in emergency response must know when and how the County BEOP or various emergency support functions in the plan will be carried out. Guidance concerning the implementation of the plan is in the Direction and Control section of the Basic Plan.

## IV Organization and Responsibilities

### A General

Most local government departments have emergency functions. Each department will create and maintain operating procedures. Specific responsibilities are outlined below as well as in the ESF annexes that follow. Some organizations not part of local government are also included.

### B Organization

#### 1 Geographically

a The Sullivan County Emergency Management Agency (EMA) is charged with the overall responsibility of coordinating the county's preparedness for and response to disasters. Its authority extends to the entire county. Except for those functions for which the state or federal governments are responsible, the Sullivan County EMA is responsible for the coordination of all other emergency functions as defined by state law.

For the purposes of direction, administration, and response coordination the county is divided into two regions: incorporated and unincorporated.

b The EMA Director is notified by 911 and responds to all major incidents occurring in the county. He provides coordination, other assistance and has the authority to request assistance from any agency within the county. This arrangement allows jurisdictional response agencies to perform emergency functions and still enables the EMA Director to more quickly identify needs and call for additional resources.

c When the EMA Director finds that state assistance is needed, he contacts the State EOC (SEOC). The SEOC notifies the TEMA regional administrator, who then sends a district coordinator to the scene to coordinate state assistance to the county. All requests for state assistance are sent through the SEOC.

d The County EMA is assisted during emergencies by Emergency Services Coordinators (ESCs). The ESCs represent key local departments, agencies, volunteer and private sector organizations, as well as some state agencies. Each ESC (or alternate) is available by phone or pager 24 hours/day, seven days per week to assist in emergencies involving his/her agency. The ESC is empowered to act for and on behalf of his agency or department, including the commitment of personnel and or resources. The

ESCs are responsible for developing and implementing procedures associated with this plan.

## C Responsibilities

### 1 Common Responsibilities

All county departments and city governments have the following common responsibilities:

a Disaster preparedness training.

b Preparation of internal emergency plans, standard operating procedures (SOPs), and implementing instructions, with provisions for:

(i) Protection of departmental personnel.

(ii) Alerting and warning personnel, determining and reporting readiness.

(iii) Transmission of emergency information to Emergency Operations Centers.

(iv) Establishment of lines of succession for key personnel.

(v) Maintaining a list of available resources within the agency as well as those of the private sector with which they customarily conduct business.

(vi) Activating emergency direction and control within the specific agencies to carry out the agencies' emergency responsibilities to the citizens of the county

(vii) Complete the tasks given in the Mitigation/Preparedness section of each pertinent ESF and be prepared to carry out the requirements for Response/Recovery.

c When Activated. Actions required of all tasked organizations even if not tasked to staff the county EOC.

(i) Send ESCs to EOC as requested by EMA.

(ii) Attend briefings and coordinate activities with other participant organizations.

(iii) Set up work area(s), report to the EMA and begin damage assessment activities.

(iv) Initiate internal notification/recall actions.

(v) Maintain logs of departmental activities, key decisions, messages and activities.

(vi) If not assigned specific tasks in this plan, provide support, for emergency operations.

### 2 Specific agency responsibilities

a Sullivan County Emergency Management Agency

(i) Coordinate all phases of emergency management and EOC operations.

(ii) Emergency management planning

(iii) Provide timely warning to appropriate officials of information predicting natural or man-made phenomena and attack that could threaten life and/or property.

(iv) Radiological protection monitoring support

(v) Compile and transmit damage reports to the SEOC to determine eligibility for state and federal disaster assistance and to support applications for public assistance under PL 93-288, as amended.

(vi) Manage various ESF sub-functions, see individual ESFs for details.

(vii) Coordinate shelter/evacuation/movement operations with the Sheriff and Sullivan County Health Department.

(viii) Coordinate general supply and resource management with the County Finance Director, County Trustee and County Purchasing Agent

(ix) Develop emergency preparedness training objectives to meet national standards.

Provide guidance/assistance to all local agencies, city governments, and citizens

(x) Provide guidance & assistance to affected local governments in disaster response.

(xi) Coordinate/Review disaster response and recovery actions by local agencies as required by this plan.

(xii) Provide overall coordination of quasi-public and private agency disaster assistance.

(xiii) Maintain liaison with state and federal agencies.

(xiv) Inform individuals, local officials, and businesses of authorized disaster assistance and procedures for obtaining such assistance.

(xv) Manage the use of volunteers during emergencies/disasters.

b County EMS Services/ and Rescue Squads

(i) Provide Emergency Medical Services to the community.

(ii) Provide specialized rescue services in the city and county.

c County Schools Superintendent

(i) Provide school buses for use in evacuations.

(ii) Provide school facilities for use as shelters.

(iii) Conduct damage assessment of school facilities following a disaster.

d County Finance Director/County Trustee/County Clerk/City Mayors

(i) Maintain financial records associated with disaster response.

(ii) Manage cash donations received during disasters.

(iii) Manage logistics operations during disasters

(iv) Arrange for payment of vendors.

(iv) Procure items/resources needed for emergency operations.

- (vi) Provide unassigned, non-emergency personnel to support emergency operations.
- e County/City Attorney's Offices
- (i) Provide legal/technical advice to County Mayor/City Mayors.
- (ii) Provide personnel to assist with EOC operations and public information during extended emergencies that require the activation of this plan.
- f County Planning Office
- (i) Conduct building inspections following a disaster.
- g County Coroner / Medical Examiner
- (i) Arrange for identification/transport of deceased victims following a disaster.
- h County Mayor / City Mayors
- (i) Exercise direction and control in the EOC during emergency operations.
- i Sullivan County Sheriff
- (i) Conduct law enforcement operations in the county. (ii) Operate the county jail.
- (iii) Coordinate law enforcement activities with City Police Department and THP.
- (iv) Assist with search operations in the county.
- (v) Coordinate evacuations in the county.
- J Sullivan County Utility Districts
- (i) Conduct damage assessment of utility systems following a disaster.
- (ii) Restore utility services to critical facilities and customers following a disaster.
- (iii) Conduct damage assessment and restoration of potable water system.
- (iv) Conduct damage assessment and restoration of sanitary wastewater system (Local Utilities)
- k County Emergency Communications District (911)
- (i) Coordinate the development of emergency communications systems in the county.
- (ii) Maintain a county 911 capability and alternate facility
- (v) Help staff the EOC during periods of communications outage at 911.
- (iv) Provide overall direction and control of emergency communications systems
- (v) Provide timely and accurate warning to city and county officials of natural or man-made hazards.
- L Sullivan County Fire Departments / City Fire Departments/County Fire Association
- (i) Perform fire service operations in jurisdiction.
- (ii) Provide EMS, hazardous materials response, and other operations.
- (iii) Manage ESF 4 Support and Coordination (Fire Association)
- m Hazardous Materials Team
- (i) Perform hazardous materials response, containment, and mitigation activities.
- n Sullivan County Health Department
- (i) Perform public health functions following a disaster.
- (ii) Provide assistance on health hazards associated with emergencies/disasters.
- o Sullivan County Local Emergency Planning Committee (LEPC)
- (i) Maintain Records as Required by Federal and State Laws (e.g. SARA Title III)
- (ii) Assist EMA and County Mayor with planning for hazardous material incidents.
- p City Police Departments
- (i) Provide law enforcement operations within jurisdiction.
- q Sullivan County Highway Department /City Street Departments
- (i) Conduct damage assessment, and repair county roads and bridges after a disaster.
- (ii) Remove debris following a disaster.
- (iii) Provide assistance with building demolition activities.
- (iv) Provide containment support to hazardous materials response, in the cold zone.
- (v) Provide logistical assistance to emergency operations.
- (vi) Provide technical support for debris removal operations following a disaster. (Highway Department)
- (vii) Provide assistance with recovery and development issues following disasters.
- R County Property Assessor
- (i) Provide records for use in damage assessment activities following a disaster.
- (ii) With the Highway Department and Kingsport Building Inspector conduct post disaster damage assessment of county-owned buildings and property.
- (iii) Provide any available administrative personnel to assist in the EOC.
- (iv) Provide assistance with recovery and development issues following disasters.
- s Disaster Assessment Team (DAT) (When established)
- (i) Work with all county departments and officials to quickly identify scope of damage following a disaster.
- T Solid Waste Director
- (i) Assist with management of debris removal after disasters.

u Private and Quasi-Governmental Agencies

- American Red Cross
  - Manage and operate temporary emergency shelters during disasters.
  - Perform damage assessment of shelters and homes following a disaster.
  - Provide assistance to disaster victims.
- Amateur Radio Emergency Services (ARES)
  - Provide communications support to local emergency operations.
- Volunteer Organizations Active in Disasters (VOAD)
  - Provide assistance from volunteer organizations.
  - Provide assistance to the county's Donations Coordination Team.
- (Reserved for future expansion)

3 Assignment of Responsibilities by ESF

a ESF 1 -Transportation

(i) Transportation Networking

- Lead Agency Sullivan County Highway Department
- Support Agencies City Street Departments  
County Sheriff's Department  
City Police Departments  
Sullivan County Schools Superintendent

b ESF 2 - Communications

(i) Communications Systems

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Law Enforcement Agencies  
Sullivan County Emergency Management Agency  
Volunteer Fire Departments/City Fire Departments  
Sullivan County Hwy Dept/City PW Departments  
Board of Education  
Amateur Radio Emergency Services (ARES)  
Emergency Communications (E-911)

Sullivan County EMS/Ambulance/Rescue Services

(ii) Warning

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Sullivan County Sheriff's Department, City PD  
Volunteer Fire Departments/City Fire Departments  
Sullivan County Health Department  
Amateur Radio Emergency Services (ARES)

c ESF 3- Infrastructure

(i) Building Inspection and Condemnation

- Lead Agency City Building Inspectors/County Codes Enforcement
- Support Agencies Sullivan County Schools Superintendent  
Sullivan County Highway Department  
City Street Departments  
County EMA Director  
Sullivan County Assessor of Property  
County/City Fire Safety Inspectors

(ii) Route Clearance & Bridge Inspection

- Lead Agency County Highway Department
- Support Agencies County Sheriff's Department / City Police Departments  
Fire Departments  
City Street Departments  
County EMS Agencies  
Rescue Squads

(iii) Debris Removal

- Lead Agency Sullivan County Highway Department
- Support Agencies City Street Departments  
Sullivan County Codes Enforcement  
Solid Waste Department

(iv) Water and Wastewater Systems

- Lead Agency Jurisdictional Water Commission First Utility District
- Support Agencies Sullivan County Health Department  
City Water and Sewer Departments

- County Water Utility Districts
- d ESF 4- Firefighting
    - Lead Agency County Fire Association (Coordination & Support)
    - Support Agencies City Fire /County Fire Dept. (Jurisdictional Dept.)  
Sullivan County Emergency Management Agency
  - e ESF 5 - Information & Planning
    - (i) Disaster Information
      - Lead Agency Sullivan County Emergency Management Agency
      - Support Agencies County Attorney's Office  
All Local Agencies with Emergency Responsibilities
    - (ii) Public Information
      - Lead Agencies County Mayor / City Mayors
      - Support Agencies Sullivan County Emergency Management Agency
    - (iii) Damage Assessment
      - Lead Agencies Sullivan County Emergency Management Agency  
County Highway/City Street Departments  
County Assessor of Property/County Commission  
Local Utilities  
Sullivan County Schools Superintendent  
American Red Cross  
County Codes Enforcement/City Building Inspectors
      - Support Agencies
  - f ESF 6 - Human Services
    - (i) Shelter and Mass Care Operations
      - Lead Agencies Sullivan County Emergency Management  
American Red Cross (Kingsport)  
Sullivan County Health Department  
County Schools Director  
ARES
      - Support Agencies
    - (ii) Disaster Victim Services
      - Lead Agency American Red Cross (Kingsport)
      - Support Agencies Sullivan County Emergency Management Agency  
ARES
  - g ESF 7 - Resource Support
    - (i) Logistics
      - Lead Agencies County Emergency Management Agency  
Sullivan County Mayor/City Mayors  
County Trustee  
County Highway/City Street Departments
      - Support Agencies
    - (ii) Resource Management
      - Lead Agency County Mayor / City Mayors
      - Support Agencies Sullivan County Emergency Management Agency  
County Trustee
    - (iii) Staging Areas
      - Lead Agency Sullivan County Emergency Management Agency
      - Support Agencies Fire Departments  
County EMS and Rescue Squads  
Sheriff's Department/City Police Departments  
Sullivan County Highway Department  
City Street Departments  
Sullivan County Schools Superintendent
  - h ESF 8 - Health & Medical Services
    - (i) Emergency Medical Services
      - Lead Agency Sullivan County EMS
      - Support Agencies Sullivan County Emergency Management Agency County  
Fire Departments/City Fire Departments  
Sullivan County Sheriff's Department  
City Police Departments  
Sullivan County Coroner/County Medical Examiner  
Rescue Squads  
American Red Cross (Kingsport)
    - (ii) Public Health
      - Lead Agency Sullivan County Health Department

- **Support Agencies**
  - Sullivan County Medical Center
  - County Highway Department
  - City Street Departments
  - Local Water Utilities
  - Sullivan County Emergency Management Agency
  - American Red Cross (Kingsport)
  
- (iii) **Crisis Intervention Support**
  - **Lead Agency** Sullivan County Sheriff's Department
  - **Support Agencies** All Tasked Local Agencies
- ESF 9 - Search & Rescue**
  - **Lead Agency** Sullivan County Sheriff's Department
  - **Support Agencies**
    - County/City Fire Department / Rescue Squads
    - County EMS Agencies
    - Sullivan County Emergency Management
    - Sullivan County Emergency Communications District
    - County Highway Department
    - City Street Departments
  
- ESF 10 - Environmental Response**
  - (i) **Hazardous Materials**
    - **Lead Agency** Sullivan County Emergency Management Agency
    - **Support Agencies**
      - Haz Mat Teams, Kingsport & Bristol Fire Departments
      - Volunteer Fire Departments
      - Sullivan County Highway Dept/City Public Works
      - Sullivan County Sheriff's Dept/City Police Departments
      - Sullivan County EMS and Rescue Squads
      - American Red Cross
      - Local Emergency Preparedness Council (LEPC)
      - Tennessee Emergency Management Agency (TEMA)
      - Emergency Communications District (911)
  
  - (ii) **Radiological Materials**
    - **Lead Agency** Sullivan County Emergency Management Agency
    - **Support Agencies**
      - Haz Mat Teams, Kingsport & Bristol Fire Departments
      - Bristol, TN Fire Department
      - Volunteer Fire Departments
      - Sullivan County Sheriff's Dept/City Police Departments
      - Sullivan County Hwy Dept/City Public Works
      - Sullivan County EMS and Rescue Squads
      - American Red Cross
      - Local Emergency Preparedness Council (LEPC)
      - Tennessee Emergency Management Agency (TEMA)
      - Emergency Communications District (911)
      - Sullivan County Agricultural Extension Agent
      - Division of Radiological Health (DRH)
  
- k **ESF 11- Food**
  - **Lead Agency** Sullivan County Schools Superintendent
  
  - **Support Agencies**
    - Sullivan County Emergency Management Agency
    - American Red Cross
  
- ESF 12 - Energy**
  - **Lead Agency** Jurisdictional Electric System
  
  - **Support Agencies**
    - Sullivan County Gas Utility District
    - Sullivan County Emergency Management Agency
    - Tennessee Valley Authority
    - LP Gas Suppliers
  
- m **ESF 13 - Law Enforcement**
  - (i) **Traffic Control**
    - **Lead Agency** Sullivan County Sheriff's Department
    - **Support Agencies**
      - City Police Department
      - County Highway Department
      - City Street Department
  
  - (ii) **Security/Crime Control**
    - **Lead Agency** Sullivan County Sheriff's Department

- Support Agencies City Police Departments
- (iii) Institutions/Jails
  - Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department
- (iv) Evacuation/Movement
  - Lead Agency Sullivan County Sheriff's Department
  - Support Agencies
    - County Mayor/City Mayors
    - Sullivan County Emergency Management Agency
    - City Police / City Fire Departments
    - County Fire Departments/Hazardous Materials Team
    - County/City Director of Schools
    - County EMS Agencies
    - Rescue Squads
    - County Highway Department
    - County Codes Enforcement/City Building Inspector
- (v) Terrorist Incident
  - Lead Agency Sullivan County Sheriff's Department
  - Support Agencies
    - City Police Department
    - Sullivan County Emergency Management Agency
- n ESF 14- Donations/Volunteer Services
  - (i) Donations
    - Lead Agency Sullivan County Finance Director
    - Support Agencies
      - County / City Mayors
      - County Sheriff's Department / City Police Departments
      - Highway Department / City Street Department
      - Sullivan County Emergency Management Agency
  - (ii) Volunteers
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies
      - American Red Cross
      - Tennessee Emergency Management Agency
- o ESF 15 - Recovery
  - (i) Assistance Programs
    - Lead Agency County Mayor/City Mayors
    - Support Agencies
      - Sullivan County Emergency Management Agency
      - County Highway Department/City Street Departments
      - County/City Superintendent of Schools
      - American Red Cross
      - Local Utilities
      - County Property Assessor
      - County Commission
      - City Council
  - (ii) Recovery and Reconstruction
    - Lead Agency County Mayor/City Mayors
    - Support Agencies
      - Sullivan County Emergency Management Agency
      - Sullivan County Commission
      - County Highway Department
      - City Council
      - City Street Department
- p ESF 16 Animal Care Services and Disease Management
  - (i) Animal Care Services and Housing
    - Lead Agency Sullivan County Agricultural Extension Agent
    - Support Agencies
      - Sullivan County Emergency Management Agency
      - County/City Mayors
      - Highway and Street Departments
      - Sullivan Animal Owners and Producers
      - Sullivan Veterinarians
  - (ii) Animal Disease Management
    - Lead Agency Sullivan County Agricultural Extension Agent
    - Support Agencies
      - Sullivan County Emergency Management Agency
      - County/City Mayors
      - Highway and Street Departments
      - Sullivan Animal Owners and Producers
      - Sullivan Veterinarians

**V Direction and Control**

**A County Mayor/City Mayors**

1 The County Mayor and/or City Mayors, through the EMA Director, will exercise direction and control of the emergencies in Sullivan County. The personnel, facilities, and equipment for decision-making and the initiation of response activities are located in the EOC.

**8 EMA Director**

1 The EMA Director, who is appointed by the County Mayor, has the responsibility for coordinating the entire emergency management program in Sullivan County. The Director makes all routine decisions and advises the officials on courses of action available for major decisions. The Director is responsible for the proper functioning of the EOC. The Director also acts as a liaison with other local, state, and federal emergency management agencies.

**C Emergency Services Coordinators (ESCs)**

1 ESCs have the authority and responsibility to respond to county emergencies that require the assistance or resources of their respective agencies. ESCs are responsible to ensure their agencies' emergency functions are carried out per this plan and other guidance from the Sullivan County EMA. Some agencies may be required to relocate to the EOC.

2 All ESCs will coordinate their activities with the EOC under the direction of the EMA Director.

3 Agencies with emergency responsibilities activate their own office and staffing systems as necessary to fulfill their obligations. ESCs provide the liaison between the EOC and the field units of their respective offices. See Annex 2 to this plan below..

4 Specific persons and agencies are responsible to fulfill obligations as noted in the Basic Plan and its functional annexes. Each agency will be responsible for having its own standard operating procedures or plans to be followed during emergency response operations.

**D EOC Location**

1 The EOC is in the 911 center located in Blountville. The EMA Director may move the EOC to the alternate site of 200 Shelby St., Kingsport.

**E Line of Succession**

In the EMA Director's absence, direction and control authority lies with the County Mayor. One of these individuals should be available at all times. If both should be out of service at the same time a memorandum must designate the individual with acting authority.

**F Heads of Local Departments**

1 This plan requires that the heads of all local departments and agencies with emergency preparedness responsibilities designate primary and alternate ESCs.

2 Department or Agency heads will remain responsible for their personnel and resources.

3 Lines of succession to the department heads are as specified in their respective SOPs.

**G State and Federal Responders**

1 State and/or federal officials will report to the EOC for a situation briefing and strategy session with the Executive Group, followed by deployment to the field.

**H Alert/Increased Readiness Periods/Levels of Local Operation**

1 To assist emergency service and government officials with managing an event or possible event, different levels of EOC activation were developed to grow or shrink with the incident as with command and control in NIMS. Having different levels of activation also keeps costs to departments and ultimately the public to a minimum. These levels also correspond similarly with the state EOC activation levels set up by TEMA.

**a Level 5 • Normal Operation**

The Sullivan County Emergency Management Agency is tasked with the responsibility of monitoring activities in the event of an emergency that may affect the residents of Sullivan County. EMA staff are present with access to the EOC

The Sullivan County Emergency Management Agency is also charged with the responsibility of maintaining the EOC in a constant state of readiness. This includes regular tests of equipment and procedures to ensure that they are effective and in working order.

**b Level 4 - Watch**

When an event or situation that may impact the health, welfare or safety of a large number of residents within Sullivan County is detected, The Sullivan County Emergency Management Agency may increase the monitoring activities

**c Level 3- Limited Activation (1 operational period)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that may have significant impact on the residents of Sullivan County or a serious event were to occur in Sullivan County, a Level 3 Activation may occur.

A Level 3 Activation does not require 24 Hour staffing of the EOC in order to meet the needs of the situation. One shift or operational period is all that is necessary.

**d Level 2- Limited Activation (2 or more activation periods)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that will require a limited activation of the EOC on a 24 hour basis then a Level

2 Activation of the EOC will occur.

A Level 2 Activation requires 24 Hour staffing of the EOC in order to meet the needs of the situation. Two shifts or operational periods will be required.

e Level 1 - Full Activation

When Sullivan County Emergency Management Agency detects or is notified of an event or situation of significant impact to Sullivan County or an event of national significance, a Level 1 Activation of the EOC may occur.

A Level 1 Activation requires complete 24 Hour staffing of the EOC in order to meet the needs of the situation. Two full EOC shifts or operational periods per 24 hour period will be required.

2 Specific actions for individual organizations and/or departments for each of these levels are provided in their respective SOPs and implementing procedures.

#### Legislative Liaison Affairs

1 The County Mayor and City Mayors will keep the jurisdiction's state and local legislative officials advised as to the status of the event in their respective districts. The City Mayors will keep the County Mayor apprised of municipal briefings of Legislators and their staffs.

#### VI Continuity of Government

A Emergencies/Disasters are rarely of sufficient magnitude to require changes in the governmental structure. Relocating to a structurally sound facility may provide continuity of operations. The size and type of threat or disaster being confronted will dictate whether or not key officials move to other locations.

B Succession of local government officials will follow lines of succession as prescribed in the state constitution, state law, and local ordinances.

C Operating Locations - The County Mayor and his staff may relocate to the EOC during major emergencies. County/City government will continue to occupy current facilities unless they are unusable. Each agency will maintain plans for relocation of critical operations in such cases.

D Preservation of Records - To provide normal government services after a disaster, vital records must be protected. Each local agency will ensure the safety of essential records. Examples of essential records include:

Records protecting the rights and interests of individuals, such as vital statistics, land and tax records, license registers, articles of incorporation, and permits.

2 Records relating to emergency operations, such as utility system maps, locations of emergency supplies and equipment, emergency operating procedures, lines of succession, and personnel lists.

3 Records required to re-establish normal governmental functions such as constitutions and charters, statutes and ordinances, court records, official proceedings, and financial records.

#### VII Administration and Logistics

##### A Emergency Authority

Authorities for this plan are contained in Part I, Introduction, to this plan.

##### B Agreements and Understandings

Should local resources prove to be inadequate during an emergency, local jurisdictions will ask for assistance from other local governments, higher levels of government, and other agencies per existing or emergency-negotiated mutual-aid agreements, and state law. All agreements will be entered into by authorized officials and will be in writing.

##### C Administration

Existing forms, reports, and procedures will be used. All records subject to review of actions taken will be retained for at least three years or longer as required by law or ordinance.

2 Local agencies occupying the EOC will maintain their own records and administrative forms.

Standard forms used in the EOC (i.e., message and activity logs) will be provided by the EMA.

3 Reimbursement for expenditures will follow established local administrative procedures.

##### D Plan Development and Maintenance

1 The Sullivan County EMA will:

a Develop and maintain the Sullivan County Basic Emergency Operations Plan.

b Ensure the local BEOP is current by having amendments and changes prepared, coordinated, and issued as necessary.

c Annually review the local BEOP to ensure that it reflects current policy and technology.

d Maintain stocks of the local BEOP and amendments along with distribution lists to assure all plan recipients are properly serviced.

e Review, approve, or disapprove requests for material to be included in the local BEOP.

f Ensure all material prepared to insert in the local BEOP adheres to established guidelines.

g Prescribe format, review procedures, and submission dates for all local emergency management and supporting plans and operating procedures.

h Task local agencies to prepare supporting annexes and documentation for the local BEOP.

## 2 Local Agencies

a Those agencies in local government that have emergency-oriented missions or support roles are required to provide an emergency response capability 24-hours-a-day, seven days-a-week. Each agency will:

(i) Prepare directives and operating procedures in support of this BEOP and provide the Sullivan County EMA with one copy of each for reference.

(ii) Annually review published directives and their respective portions of the local BEOP to assure that commitments can be filled and resources provided. Each agency must provide the Sullivan County EMA with a copy of any recommended revisions or a signed statement indicating the directive/plan as written remains current and supports this BEOP on or before October 1 each year.

## 3 City Government will:

a Prepare plans and directives in support of this plan as it relates to their jurisdiction.

b Submit one copy of all supporting plans/documents to EMA for review and approval.

## E Plan Implementation

1 This plan (or its components) can be implemented in several ways:

a By direction of the County Mayor or the Sullivan County EMA Director b As a result of the occurrence of a disaster or an emergency

c By requests for assistance from local governments when disasters exceed their capabilities and/or resources

d As a response to increased international tensions or the threat of enemy attack

e Specific annexes may be activated by the Lead Agency of that annex, with the concurrence of the County Mayor.

## F Primary and Support Responsibilities

### 1 Primary and Support

Primary and support responsibilities for various emergency functions are assigned to departments and agencies of local government, and to organizations in the state government or private sector. Each department, agency, or organization is either a lead agency or a supporting agency in an ESF. Assignments are based on common functions needed in most large emergencies. The lead agency performs most of the planning and mitigation efforts for that ESF. Many of the agencies with primary responsibilities are included as part of the EOC staff for direction and control. Other supporting agencies will work in locations outside the EOC. Other agencies will not be functional until the recovery phase begins. Only those agencies essential to preserve the continuity of government during an emergency, or those necessary to deal effectively with the given set of circumstances of any emergencies, will staff and augment the EOC.

### 2 Responsibility

a This plan is binding on all local government agencies authorized or directed to conduct emergency management activities.

b The EMA Director's authority under this plan is extensive. As the disaster coordinator, he coordinates the activities of all local organizations as they relate to emergency management. Each local agency that has an emergency-oriented mission will:

(i) Assign personnel as directed to augment EOC operations when implemented.

(ii) Maintain and operate a 24-hour response capability in the department or agency facilities when this plan is activated addition to any staff operating from the EOC.

(iii) Participate in exercises when scheduled by the EMA Director.

(iv) Prepare plans and supporting documents that set forth policies and provisions for carrying out the agency's emergency responsibilities.

(v) Conduct training essential to implementation of assigned functions.

(vi) Conduct an annual review to update the supporting documentation and operating procedures and advise the EMA Director of modifications required.

c Each department or agency of local government having a primary or support role, will prepare and maintain standard operating procedures (SOPs) describing how functions will be accomplished. Subordinate divisions of these agencies will also furnish copies of their SOPs to their parent department for inclusion in the department's supporting plan.

d Several state and federal agencies are delegated responsibilities within this plan. These agencies provide services to local government on a daily basis regardless of whether or not a major disaster declaration exists.

## G Logistics

### 1 Local Agencies

Local agencies are responsible for their own vehicles.

### 2 Local Resources

ESCs responding to a disaster will apply resources available to them as directed by the EMA Director

through the authority of the County Mayor.

### 3 Sullivan County EMA

The EMA Director or the County Mayor in charge of a disaster response will coordinate with County Trustee and Purchasing Agent to procure and coordinate the use of personnel, materials, equipment, and supplies.

## ANNEX 1 EMERGENCY OPERATIONS CENTER

### INTRODUCTION

#### A Purpose

The Emergency Operations Center (EOC) provides a central location to coordinate local emergency management functions. These functions routine activities as well as emergency response and recovery activities.

#### B Scope

Emergency management response for the county is coordinated from the EOC.

### II POLICIES

A EOC access is controlled for security and to ensure control and coordination of local resources during emergencies. The EOC congregates the emergency management staff, Emergency Services Coordinators (ESC) and support personnel from all agencies tasked with emergency responsibilities. Also, National Guard, industry, state and federal relief agencies may also operate from or in concert with the EOC during significant disasters.

### III SITUATION AND ASSUMPTIONS A Situation

The EOC is opened when county-wide disasters or other large emergencies occur.

2 There are many regional, state, national, and international disasters that may require emergency management activities be coordinated across the county.

#### B Planning Assumptions

1 EOC activation may be needed without advance notice. A copy of the EOC activation Checklist can be found in Appendix A.

2 Coordination of response activities and resources is within the scope of county staffing.

### IV CONCEPT OF OPERATIONS A General

1 The EOC, when activated, will be staffed around the clock by key decision-makers.

#### 2 Primary and Alternate Emergency Operations Centers

a Primary EOC- The primary EOC is located in the Sullivan County EMA office, 31193 Hwy. 126, Blountville.

b Alternate EOC - Emergency Management Office, 200 Shelby St., Kingsport.

#### 3 Primary EOC Operations

a When an emergency or disaster occurs, the EMA is notified by radio or telephone. The event is logged by date and time.

b The EMA Director briefs the County Mayor as to the situation and has dispatch perform a call out of ESC personnel (See annex 2).

c The EOC (or the county's primary warning point) relays pertinent data to adjacent counties' emergency response agencies.

d The EOC monitors the progress of the emergency and evaluates efforts to contain the situation. Resource requirements that cannot be met by the county are sent to the State Regional EOC and the appropriate ESCs for action as provided by ESF/individual agency SOPs. This continues until the situation is resolved.

e When the EOC become operational, there is a time table that can be followed to keep the process organized and on schedule. A copy of the planning P and sample battle rhythms can be found in appendices D-F.

f The EMA Director can request mutual aid from an adjoining county or TEMA. In either case, the respective organizations provide liaison officers to the EOC for coordination of operations.

g News releases and emergency public information is prepared and disseminated from the EOC via the PIO, County Mayor or jurisdictional department head

h The EMA Director ensures continuity of operations and sustained manpower capability around the clock for the duration of the emergency.

When the emergency ends, EOC staff members conduct after-action debriefings, evaluate responses, and compile reports, decision and message logs and expenses.

#### B Organization and Responsibilities

##### 1 EMA Director

The Director of the Sullivan County Emergency Management Agency is the executive head of the agency and is responsible for coordinating all emergency management activities throughout the county. He/she will:

- a Advise elected officials, departments, and agencies of local government and other non-governmental relief agencies with respect to the magnitude and effects of the emergencies that affect Sullivan County. Orient and train the emergency staff, and periodically conduct exercises.
  - b Coordinate local emergency operations with TEMA and local emergency management offices in the counties that border Sullivan County.
  - c Develop and maintain local emergency staffing capabilities.
  - d Develop and maintain appropriate emergency public information, communications and warning capabilities.
  - e Develop and maintain the County EM Plan, mutual aid agreements, memoranda of understanding, etc., and periodically test and exercise them.
- 2 County Mayor
- a The County Mayor is the chief officer of the county and successor to the Director within the EOC
- 3 Emergency Services Coordinators (ESCs)
- a The ESCs represent local, state, private, and quasi-governmental agencies with emergency responsibilities during major disasters. The roles and responsibilities of the ESCs are provided in Annex 2.
- 4 Public Information
- a The Sullivan County EMA Director or the County Mayor will designate an individual to act as the Public Information Officer.

## ANNEX 2 ESC Program

### Purpose

The Emergency Services Coordinator (ESC) program gives the EMA Director an immediate source of expertise from local agencies to cope with disasters and emergencies. In addition to representation, each local department or agency is required to provide the County EMA with personnel, equipment, facilities, or materials needed for disaster response and recovery.

### II Scope

The ESC program encompasses all agencies, departments, divisions, and bureaus that have an emergency mission or a role in recovery. Agencies listed in Appendix 1 of this annex are required to provide ESCs to the Sullivan County EMA. Other agencies and departments may participate at their discretion. ESC program functions also include research, plan development, communications tests, and exercises.

### III Program Elements

A Department heads and agency executives must ensure that their departments, and agencies under their jurisdiction, promptly respond and fully execute their duties in accordance with this plan. To fulfill this responsibility, each department listed in Appendix 1 will:

- 1 Provide a primary and alternate ESC to represent their department or agency.
- 2 Ensure ESCs are empowered with the full authority to coordinate and direct all emergency response functions and services of the department head.
- 3 Provide the EMA Director with the names of the primary and alternate ESCs, the office they represent, home addresses, office and residence phone numbers.
- 4 Ensure that the ESC on-call can respond within 30 minutes to the EOC. Provide pagers, phones and access to vehicles to carry out ESC duties.
- 5 Prepare a directive that establishes a departmental ESC program that details the use of government vehicles, radios, cell phones, periods of on-call duty, and provisions for notifying the EMA Director of schedules and changes.
- 6 Ensure that plans are developed to carry on agency functions and provide suitable space for personnel, equipment, and essential records during disasters. Agencies scheduled to work in the EOC will address the movement of personnel, equipment, and records.

### IV Concept of Operations

A The EOC can accommodate many of the ESCs by providing workspace, telephone capabilities, and access to radio communications.

B Whenever a disaster or emergency threatens or occurs, the EMA Director will determine if any ESCs are to be called in to provide assistance. The EMA Director will assess the situation, bearing in mind that the use and employment of ESCs and their resources must be compatible with the primary responsibility of the agency concerned, and coordinate which, if any, ESCs are to be called.

C The EMA Director or County Mayor will notify ESCs of their recall.

- 1 Depending on available information about the emergency, ESCs will be instructed to report to the EOC for briefing by the EMA Director or instructed to report to the scene and be briefed over the telephone or radio enroute.

- 2 ESCs, once committed, will remain committed through the recovery phase unless relieved by the EMA Director or their appointing authority
- V Implementation
- A The EMA Director is responsible for implementing the ESC program. The Director will:
  - 1 Coordinate this appendix with affected and interested agencies
  - 2 Establish logs or call sheets to record ESC name, address, and telephone numbers, including rosters to confirm who is on call.
  - 3 Conduct no-notice exercises or calls to ensure that the .system is working. Failure to call back within 30 minutes is unsatisfactory.
  - 4 Maintain the ESC program in a current, ready-to-use status.

[Appendices Deleted for Inclusion in this Resolution]

**SECTION II.** That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the Letter of Agreement to adopt the Basic Emergency Operations Plan with the City of Kingsport, the City of Bristol, Bluff City, Tennessee and Sullivan County, Tennessee and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the letter of agreement or this resolution, said letter of agreement being as follows:

LETTER OF AGREEMENT  
2015

The Sullivan County Emergency Management Plan, hereinafter referred to as the Plan or Basic Emergency Operations Plan (BEOP), establishes the basis for all emergency management activities within the county and its political subdivisions. The plan is required by section 58-2-101, *et. seq.*, of the Tennessee Code Annotated, and by the Tennessee Emergency Management Plan.

The following department and agency heads, by affixing their signatures hereto, signify their approval of this document and the policies, procedures, and responsibilities contained herein.

[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 2<sup>nd</sup> day of February, 2016.

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

ATTEST:

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

APPROVED AS TO FORM:

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

# SULLIVAN COUNTY



## BASIC EMERGENCY OPERATIONS PLAN

## Basic Emergency Operations Plan

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### I Introduction

#### A Purpose

This document establishes a comprehensive emergency plan for Sullivan County and its political subdivisions. This emergency management plan directs actions aimed at accomplishing four general goals: (1) to mitigate potential effects of various hazards that might impact the county, (2) to prepare to take actions which will save lives and minimize damage, (3) to respond rapidly to the needs of the citizens and local jurisdictions during emergencies, and (4) to provide for organized recovery to return the county and its communities to normal as soon as possible after disaster. This plan defines the roles and responsibilities associated with the mitigation, preparedness, response, and recovery efforts directed at natural disasters, technological accidents, terrorist attacks, and other major events that may impact Sullivan County.

#### B Scope

This plan describes emergency functions in Sullivan County, except those emergencies for which the state or federal government has primary responsibility (e.g. Hazardous Material release from Dept. of Energy sites or TVA Nuclear Power Plant). County and city emergency services include: fire and police, emergency medical services; rescue; warning; communications; engineering; hazardous materials response, evacuation; emergency welfare and emergency transportation and all other functions related to the protection of the civil population as defined by Tennessee Code Annotated (TCA 58-2-102). Also, responsibilities concerning preparedness for, response to, and recovery from disasters, enemy attack, sabotage, hostile acts, mob violence, power failures, energy emergencies and/or their threatened occurrence are addressed.

This plan also discusses potential problems resulting from natural disasters, enemy attack, and all technological incidents exclusive of those associated with nuclear power plants. Detailed plans for each of the nuclear facilities are maintained separately by the Tennessee Emergency Management Agency as required by the Nuclear Regulatory Commission and FEMA.

Two key areas are addressed: (1) the relationships between emergency response organizations and related agencies in Sullivan County, (these organizations include various departments and divisions of county government, local governments, the state and federal governments, and the private sector that provide services before or during disasters and/or that assist with recovery efforts) and (2) procedures to ensure that ongoing review and update of this plan and supporting procedures plans are performed and exercises, that test this plan, are carried out.

### II Situation and Assumptions

#### A Situation

Sullivan County is located in East Tennessee. There are three incorporated towns in the county. The 2010 census indicated the county's population was 156,823. The plan's introduction, hazard identification (pages xii to xv), describes various hazards that may affect the county. Events that occur in Sullivan County may also affect an adjoining county and vice versa.

#### B Threat

Sullivan County's potential for disasters, whether natural, technological, or nuclear is increasing. Although the occurrence of natural disasters is fairly consistent, there are more people in the county to be affected by disasters. Other events, such as unlawful or careless actions of people, are a source of man-made disasters. International terrorism, racial or ethnic strife, and economic struggles cause conflict. Several countries have, or may have, the capability of waging a limited unconventional war and, therefore, the possibility of a chemical, biological or nuclear attack on the United States is still present. Current knowledge and technology cannot eliminate these threats. However, the steps prescribed by this plan should reduce the dangers faced by the citizens of Sullivan County.

### C Planning Assumptions

- 1 Emergencies and disasters will occur in Sullivan County. Citizens of this county and its political subdivisions will be affected. In addition to hazards identified in the Hazard Analysis other hazards may occur in the future.
- 2 The full authority and resources of Sullivan County will be used to cope with the situation.
- 3 State and/or federal assistance will be available, when requested, for those situations which exceed the capabilities of county and municipal government.
- 4 The Sullivan County Basic Emergency Operations Plan (BEOP) is the basis for emergency management actions in the county. It is invoked by the County Mayor when a county wide or other disaster occurs that requires deploying nearly all of the county's resources and may require a presidential declaration of disaster.

### III Concept of Operations

#### A General

- 1 Local government has the primary responsibility to prepare for emergencies and to take actions that protect life and property. If local government cannot adequately respond, the state is asked to assist. It is Tennessee's responsibility to deal with emergencies that exceed the capabilities of its political subdivisions. Similarly, the state requests help from the federal government to meet emergency needs beyond the state's capabilities to respond.
- 2 Emergency functions of the response organizations generally parallel daily functions. To the greatest extent possible, the same people and resources will be used in emergencies.
- 3 Daily functions which do not directly contribute to emergency operations may be suspended for the duration of the emergency. Personnel normally required for those functions will be redirected to accomplishing emergency tasks by the agency concerned.
- 4 An integrated emergency management plan is concerned with all hazardous situations which may develop within the state or county. This BEOP is more than an operations plan in that it includes activities that occur before and after a disaster.
- 5 This plan does not contain a complete listing of all department or agency resources. Each organization will maintain an updated resource list and provide it to the county EMA and other agencies as needed. Local resource lists are maintained by EMA at the EOC.

#### B Phases of Management

##### 1 Mitigation

Mitigation activities are those which eliminate or reduce the probability of a disaster occurring, or lessen the damaging effects of those that do. Examples of mitigation activities include; adoption of stronger building codes, tax incentives, zoning and land use management, safety codes, conducting public education or hazard analysis.

##### 2 Preparedness

Preparedness activities develop and improve response capabilities that are needed in an emergency. Planning and training are among the activities done in preparation for emergencies. Other examples include installation of warning and communications systems, development of evacuation plans and mutual aid agreements and conducting exercises.

## Basic Emergency Operations Plan

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### 3 Response

Response provides emergency services during a crisis. These services speed recovery and reduce casualties and damage. Response activities include activation of warning systems, implementing plans, firefighting, rescue and law enforcement.

### 4 Recovery

The process of recovery is both short-term and long-term. Short-term recovery seeks to restore essential services to the county and provide for the individual needs of the public. Long-term recovery focuses on restoring the county as a whole to a near-normal state. Recovery is an opportunity to institute mitigation measures to alleviate the effects of future disasters. Examples of recovery activities include providing food and shelter, restoring utilities and government services, counseling, and providing damage/disaster insurance, loans, or grants. Mitigation during recovery includes better codes enforcement, better flood plain management, and improved infrastructure to better withstand the next natural disaster.

## C Execution

- 1 The central point of coordination for overall emergency operations is the Sullivan County Emergency Operations Center (EOC).
- 2 In an emergency there are two levels of control. The first level of control is at the scene of the incident, under the direction of the incident commander (IC). The second level is in the EOC, where overall coordination will be exercised.
- 3 The agency with jurisdiction responds to the scene. On-scene management falls under the local department best qualified to accomplish rescue, recovery, and control operations. The department's most qualified, typically senior representative at the scene is the IC, who is responsible for the overall emergency operation. In the EOC, the specific department that assumes a lead coordination role is specified in annexes to this plan. If state assistance is requested, TEMA provides an on-scene district coordinator whose job it is to coordinate the activities of state personnel with those of the local responders. State personnel do not assume control of a scene unless otherwise specified by current state or federal law, administrative practice, or policy.
- 4 The Sullivan County BEOP identifies the agencies, departments, and organizations which provide resources to support emergency response. This plan reflects all agencies which may be tasked to respond to such events.
- 5 All personnel involved in emergency response must know when and how the County BEOP or various emergency support functions in the plan will be carried out. Guidance concerning the implementation of the plan is in the Direction and Control section of the Basic Plan.

## IV Organization and Responsibilities

### A General

Most local government departments have emergency functions. Each department will create and maintain operating procedures. Specific responsibilities are outlined below as well as in the ESF annexes that follow. Some organizations not part of local government are also included.

### B Organization

#### 1 Geographically

- a The Sullivan County Emergency Management Agency (EMA) is charged with the overall responsibility of coordinating the county's preparedness for and response to disasters. Its authority extends to the entire county. Except for those functions for which the state or federal governments are responsible, the Sullivan County EMA is responsible for the coordination of all other emergency functions as defined by state law.

## Basic Emergency Operations Plan

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For the purposes of direction, administration, and response coordination the county is divided into two regions: incorporated and unincorporated.

- b The EMA Director is notified by 911 and responds to all major incidents occurring in the county. He provides coordination, other assistance and has the authority to request assistance from any agency within the county. This arrangement allows jurisdictional response agencies to perform emergency functions and still enables the EMA Director to more quickly identify needs and call for additional resources.
- c When the EMA Director finds that state assistance is needed, he contacts the State EOC (SEOC). The SEOC notifies the TEMA regional administrator, who then sends a district coordinator to the scene to coordinate state assistance to the county. All requests for state assistance are sent through the SEOC.
- d The County EMA is assisted during emergencies by Emergency Services Coordinators (ESCs). The ESCs represent key local departments, agencies, volunteer and private sector organizations, as well as some state agencies. Each ESC (or alternate) is available by phone or pager 24 hours/day, seven days per week to assist in emergencies involving his/her agency. The ESC is empowered to act for and on behalf of his agency or department, including the commitment of personnel and or resources. The ESCs are responsible for developing and implementing procedures associated with this plan.

### C Responsibilities

#### 1 Common Responsibilities

All county departments and city governments have the following common responsibilities:

- a Disaster preparedness training.
- b Preparation of internal emergency plans, standard operating procedures (SOPs), and implementing instructions, with provisions for:
  - (i) Protection of departmental personnel.
  - (ii) Alerting and warning personnel, determining and reporting readiness.
  - (iii) Transmission of emergency information to Emergency Operations Centers.
  - (iv) Establishment of lines of succession for key personnel.
  - (v) Maintaining a list of available resources within the agency as well as those of the private sector with which they customarily conduct business.
  - (vi) Activating emergency direction and control within the specific agencies to carry out the agencies' emergency responsibilities to the citizens of the county
  - (vii) Complete the tasks given in the Mitigation/Preparedness section of each pertinent ESF and be prepared to carry out the requirements for Response/Recovery.
- c When Activated. Actions required of all tasked organizations even if not tasked to staff the county EOC.
  - (i) Send ESCs to EOC as requested by EMA.
  - (ii) Attend briefings and coordinate activities with other participant organizations.
  - (iii) Set up work area(s), report to the EMA and begin damage assessment activities.
  - (iv) Initiate internal notification/recall actions.
  - (v) Maintain logs of departmental activities, key decisions, messages and activities.
  - (vi) If not assigned specific tasks in this plan, provide support, for emergency operations.

#### 2 Specific agency responsibilities

- a Sullivan County Emergency Management Agency
  - (i) Coordinate all phases of emergency management and EOC operations.
  - (ii) Emergency management planning
  - (iii) Provide timely warning to appropriate officials of information predicting natural or man-made phenomena and attack that could threaten life and/or property.

## Basic Emergency Operations Plan

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- (iv) Radiological protection monitoring support
  - (v) Compile and transmit damage reports to the SEOC to determine eligibility for state and federal disaster assistance and to support applications for public assistance under PL 93-288, as amended.
  - (vi) Manage various ESF sub-functions, see individual ESFs for details.
  - (vii) Coordinate shelter/evacuation/movement operations with the Sheriff and Sullivan County Health Department.
  - (viii) Coordinate general supply and resource management with the County Finance Director, County Trustee and County Purchasing Agent
  - (ix) Develop emergency preparedness training objectives to meet national standards. Provide guidance/assistance to all local agencies, city governments, and citizens
  - (x) Provide guidance & assistance to affected local governments in disaster response.
  - (xi) Coordinate/Review disaster response and recovery actions by local agencies as required by this plan.
  - (xii) Provide overall coordination of quasi-public and private agency disaster assistance.
  - (xiii) Maintain liaison with state and federal agencies.
  - (xiv) Inform individuals, local officials, and businesses of authorized disaster assistance and procedures for obtaining such assistance.
  - (xv) Manage the use of volunteers during emergencies/disasters.
- b County EMS Services/ and Rescue Squads
- (i) Provide Emergency Medical Services to the community.
  - (ii) Provide specialized rescue services in the city and county.
- c County Schools Superintendent
- (i) Provide school buses for use in evacuations.
  - (ii) Provide school facilities for use as shelters.
  - (iii) Conduct damage assessment of school facilities following a disaster.
- d County Finance Director/County Trustee/County Clerk/City Mayors
- (i) Maintain financial records associated with disaster response.
  - (ii) Manage cash donations received during disasters.
  - (iii) Manage logistics operations during disasters
  - (iv) Arrange for payment of vendors.
  - (v) Procure items/resources needed for emergency operations.
  - (vi) Provide unassigned, non-emergency personnel to support emergency operations.
- e County/City Attorney's Offices
- (i) Provide legal/technical advice to County Mayor/City Mayors.
  - (ii) Provide personnel to assist with EOC operations and public information during extended emergencies that require the activation of this plan.
- f County Planning Office
- (i) Conduct building inspections following a disaster.
- g County Coroner / Medical Examiner
- (i) Arrange for identification/transport of deceased victims following a disaster.

## Basic Emergency Operations Plan

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- h County Mayor / City Mayors
  - (i) Exercise direction and control in the EOC during emergency operations.
  
- i Sullivan County Sheriff
  - (i) Conduct law enforcement operations in the county.
  - (ii) Operate the county jail.
  - (iii) Coordinate law enforcement activities with City Police Department and THP.
  - (iv) Assist with search operations in the county.
  - (v) Coordinate evacuations in the county.
  
- j Sullivan County Utility Districts
  - (i) Conduct damage assessment of utility systems following a disaster.
  - (ii) Restore utility services to critical facilities and customers following a disaster.
  - (iii) Conduct damage assessment and restoration of potable water system.
  - (iv) Conduct damage assessment and restoration of sanitary wastewater system (Local Utilities)
  
- k County Emergency Communications District (911)
  - (i) Coordinate the development of emergency communications systems in the county.
  - (ii) Maintain a county 911 capability and alternate facility
  - (iii) Help staff the EOC during periods of communications outage at 911.
  - (iv) Provide overall direction and control of emergency communications systems
  - (v) Provide timely and accurate warning to city and county officials of natural or man-made hazards.
  
- l Sullivan County Fire Departments / City Fire Departments/County Fire Association
  - (i) Perform fire service operations in jurisdiction.
  - (ii) Provide EMS, hazardous materials response, and other operations.
  - (iii) Manage ESF 4 Support and Coordination (Fire Association)
  
- m Hazardous Materials Team
  - (i) Perform hazardous materials response, containment, and mitigation activities.
  
- n Sullivan County Health Department
  - (i) Perform public health functions following a disaster.
  - (ii) Provide assistance on health hazards associated with emergencies/disasters.
  
- o Sullivan County Local Emergency Planning Committee (LEPC)
  - (i) Maintain Records as Required by Federal and State Laws (e.g. SARA Title III)
  - (ii) Assist EMA and County Mayor with planning for hazardous material incidents.
  
- p City Police Departments
  - (i) Provide law enforcement operations within jurisdiction.

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- q Sullivan County Highway Department /City Street Departments
  - (i) Conduct damage assessment, and repair county roads and bridges after a disaster.
  - (ii) Remove debris following a disaster.
  - (iii) Provide assistance with building demolition activities.
  - (iv) Provide containment support to hazardous materials response, in the cold zone.
  - (v) Provide logistical assistance to emergency operations.
  - (vi) Provide technical support for debris removal operations following a disaster. (Highway Department)
  - (vii) Provide assistance with recovery and development issues following disasters.
  
- r County Property Assessor
  - (i) Provide records for use in damage assessment activities following a disaster.
  - (ii) With the Highway Department and Kingsport Building Inspector conduct post disaster damage assessment of county-owned buildings and property.
  - (iii) Provide any available administrative personnel to assist in the EOC.
  - (iv) Provide assistance with recovery and development issues following disasters.
  
- s Disaster Assessment Team (DAT) (When established)
  - (i) Work with all county departments and officials to quickly identify scope of damage following a disaster.
  
- t Solid Waste Director
  - (i) Assist with management of debris removal after disasters.
  
- u Private and Quasi-Governmental Agencies
  - American Red Cross
    - Manage and operate temporary emergency shelters during disasters.
    - Perform damage assessment of shelters and homes following a disaster.
    - Provide assistance to disaster victims.
  
  - Amateur Radio Emergency Services (ARES)
    - Provide communications support to local emergency operations.
  
  - Volunteer Organizations Active in Disasters (VOAD)
    - Provide assistance from volunteer organizations.
    - Provide assistance to the county's Donations Coordination Team.
  
  - (Reserved for future expansion)

## Basic Emergency Operations Plan

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### 3 Assignment of Responsibilities by ESF

#### a ESF 1 – Transportation

##### (i) Transportation Networking

- Lead Agency Sullivan County Highway Department
- Support Agencies City Street Departments  
County Sheriff's Department  
City Police Departments  
Sullivan County Schools Superintendent

#### b ESF 2 – Communications

##### (i) Communications Systems

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Law Enforcement Agencies  
Sullivan County Emergency Management Agency  
Volunteer Fire Departments/City Fire Departments  
Sullivan County Hwy Dept/City PW Departments  
Board of Education  
Amateur Radio Emergency Services (ARES)  
Emergency Communications (E-911)  
Sullivan County EMS/Ambulance/Rescue Services

##### (ii) Warning

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Sullivan County Sheriff's Department, City PD  
Volunteer Fire Departments/ City Fire Departments  
Sullivan County Health Department  
Amateur Radio Emergency Services (ARES)

#### c ESF 3 – Infrastructure

##### (i) Building Inspection and Condemnation

- Lead Agency City Building Inspectors/County Codes Enforcement
- Support Agencies Sullivan County Schools Superintendent  
Sullivan County Highway Department  
City Street Departments  
County EMA Director  
Sullivan County Assessor of Property  
County/City Fire Safety Inspectors

##### (ii) Route Clearance & Bridge Inspection

- Lead Agency County Highway Department
- Support Agencies County Sheriff's Department / City Police Departments  
Fire Departments  
City Street Departments  
County EMS Agencies

## Basic Emergency Operations Plan

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### Rescue Squads

- (iii) Debris Removal
  - Lead Agency Sullivan County Highway Department
  - Support Agencies City Street Departments  
Sullivan County Codes Enforcement  
Solid Waste Department
  
- (iv) Water and Wastewater Systems
  - Lead Agency Jurisdictional Water Commission First Utility District
  - Support Agencies Sullivan County Health Department  
City Water and Sewer Departments  
County Water Utility Districts
  
- d ESF 4 – Firefighting
  - Lead Agency County Fire Association (Coordination & Support)
  - Support Agencies City Fire /County Fire Dept. (Jurisdictional Dept.)  
Sullivan County Emergency Management Agency
  
- e ESF 5 - Information & Planning
  - (i) Disaster Information
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies County Attorney's Office  
All Local Agencies with Emergency Responsibilities
  
  - (ii) Public Information
    - Lead Agencies County Mayor / City Mayors
    - Support Agencies Sullivan County Emergency Management Agency
  
  - (iii) Damage Assessment
    - Lead Agencies Sullivan County Emergency Management Agency
    - Support Agencies County Highway/City Street Departments  
County Assessor of Property/County Commission  
Local Utilities  
Sullivan County Schools Superintendent  
American Red Cross  
County Codes Enforcement/City Building Inspectors
  
- f ESF 6 - Human Services
  - (i) Shelter and Mass Care Operations
    - Lead Agencies Sullivan County Emergency Management
    - Support Agencies American Red Cross (Kingsport)  
Sullivan County Health Department  
County Schools Director  
ARES

## Basic Emergency Operations Plan

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- (ii) Disaster Victim Services
  - Lead Agency American Red Cross (Kingsport)
  - Support Agencies Sullivan County Emergency Management Agency  
ARES
  
- g ESF 7 - Resource Support
  - (i) Logistics
    - Lead Agencies County Emergency Management Agency
    - Support Agencies Sullivan County Mayor/City Mayors  
County Trustee  
County Highway/City Street Departments
  
  - (ii) Resource Management
    - Lead Agency County Mayor / City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
County Trustee
  
  - (iii) Staging Areas
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies Fire Departments  
County EMS and Rescue Squads  
Sheriff's Department/City Police Departments  
Sullivan County Highway Department  
City Street Departments  
Sullivan County Schools Superintendent
  
- h ESF 8 - Health & Medical Services
  - (i) Emergency Medical Services
    - Lead Agency Sullivan County EMS
    - Support Agencies Sullivan County Emergency Management Agency  
County Fire Departments/City Fire Departments  
Sullivan County Sheriff's Department  
City Police Departments  
Sullivan County Coroner/County Medical Examiner  
Rescue Squads  
American Red Cross (Kingsport)
  
  - (ii) Public Health
    - Lead Agency Sullivan County Health Department
    - Support Agencies Sullivan County Medical Center  
County Highway Department  
City Street Departments  
Local Water Utilities  
Sullivan County Emergency Management Agency

## Basic Emergency Operations Plan

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American Red Cross (Kingsport)

(iii) Crisis Intervention Support

- Lead Agency Sullivan County Sheriff's Department
- Support Agencies All Tasked Local Agencies

i ESF 9 - Search & Rescue

- Lead Agency Sullivan County Sheriff's Department
- Support Agencies County/City Fire Department / Rescue Squads  
County EMS Agencies  
Sullivan County Emergency Management  
Sullivan County Emergency Communications District  
County Highway Department  
City Street Departments

j ESF 10 - Environmental Response

(i) Hazardous Materials

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Haz Mat Teams, Kingsport & Bristol Fire Departments  
Volunteer Fire Departments  
Sullivan County Highway Dept/City Public Works  
Sullivan County Sheriff's Dept/City Police Departments  
Sullivan County EMS and Rescue Squads  
American Red Cross  
Local Emergency Preparedness Council (LEPC)  
Tennessee Emergency Management Agency (TEMA)  
Emergency Communications District (911)

(ii) Radiological Materials

- Lead Agency Sullivan County Emergency Management Agency
- Support Agencies Haz Mat Teams, Kingsport & Bristol Fire Departments  
Bristol, TN Fire Department  
Volunteer Fire Departments  
Sullivan County Sheriff's Dept/City Police Departments  
Sullivan County Hwy Dept/City Public Works  
Sullivan County EMS and Rescue Squads  
American Red Cross  
Local Emergency Preparedness Council (LEPC)  
Tennessee Emergency Management Agency (TEMA)  
Emergency Communications District (911)  
Sullivan County Agricultural Extension Agent  
Division of Radiological Health (DRH)

## Basic Emergency Operations Plan

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- k ESF 11 – Food
- Lead Agency Sullivan County Schools Superintendent
  - Support Agencies Sullivan County Emergency Management Agency  
American Red Cross
- l ESF 12 – Energy
- Lead Agency Jurisdictional Electric System  
Sullivan County Gas Utility District
  - Support Agencies Sullivan County Emergency Management Agency  
Tennessee Valley Authority  
LP Gas Suppliers
- m ESF 13 - Law Enforcement
- (i) Traffic Control
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department  
County Highway Department  
City Street Department
- (ii) Security/Crime Control
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Departments
- (iii) Institutions/Jails
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department
- (iv) Evacuation/Movement
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies County Mayor/City Mayors  
Sullivan County Emergency Management Agency  
City Police / City Fire Departments  
County Fire Departments/Hazardous Materials Team  
County/City Director of Schools  
County EMS Agencies  
Rescue Squads  
County Highway Department  
County Codes Enforcement/City Building Inspector
- (v) Terrorist Incident
- Lead Agency Sullivan County Sheriff's Department
  - Support Agencies City Police Department  
Sullivan County Emergency Management Agency

## Basic Emergency Operations Plan

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- n ESF 14 - Donations/Volunteer Services
  - (i) Donations
    - Lead Agency Sullivan County Finance Director
    - Support Agencies County / City Mayors  
County Sheriff's Department / City Police Departments  
Highway Department / City Street Department  
Sullivan County Emergency Management Agency
  - (ii) Volunteers
    - Lead Agency Sullivan County Emergency Management Agency
    - Support Agencies American Red Cross  
Tennessee Emergency Management Agency
- o ESF 15 – Recovery
  - (i) Assistance Programs
    - Lead Agency County Mayor/City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
County Highway Department/City Street Departments  
County/City Superintendent of Schools  
American Red Cross  
Local Utilities  
County Property Assessor  
County Commission  
City Council
  - (ii) Recovery and Reconstruction
    - Lead Agency County Mayor/City Mayors
    - Support Agencies Sullivan County Emergency Management Agency  
Sullivan County Commission  
County Highway Department  
City Council  
City Street Department
- p ESF 16 Animal Care Services and Disease Management
  - (i) Animal Care Services and Housing
    - Lead Agency Sullivan County Agricultural Extension Agent
    - Support Agencies Sullivan County Emergency Management Agency  
County/City Mayors  
Highway and Street Departments  
Sullivan Animal Owners and Producers  
Sullivan Veterinarians

## Basic Emergency Operations Plan

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(ii) Animal Disease Management

- Lead Agency Sullivan County Agricultural Extension Agent
- Support Agencies Sullivan County Emergency Management Agency  
County/City Mayors  
Highway and Street Departments  
Sullivan Animal Owners and Producers  
Sullivan Veterinarians

### **V Direction and Control**

#### **A County Mayor/City Mayors**

- 1 The County Mayor and/or City Mayors, through the EMA Director, will exercise direction and control of the emergencies in Sullivan County. The personnel, facilities, and equipment for decision-making and the initiation of response activities are located in the EOC.

#### **B EMA Director**

- 1 The EMA Director, who is appointed by the County Mayor, has the responsibility for coordinating the entire emergency management program in Sullivan County. The Director makes all routine decisions and advises the officials on courses of action available for major decisions. The Director is responsible for the proper functioning of the EOC. The Director also acts as a liaison with other local, state, and federal emergency management agencies.

#### **C Emergency Services Coordinators (ESCs)**

- 1 ESCs have the authority and responsibility to respond to county emergencies that require the assistance or resources of their respective agencies. ESCs are responsible to ensure their agencies' emergency functions are carried out per this plan and other guidance from the Sullivan County EMA. Some agencies may be required to relocate to the EOC.
- 2 All ESCs will coordinate their activities with the EOC under the direction of the EMA Director.
- 3 Agencies with emergency responsibilities activate their own office and staffing systems as necessary to fulfill their obligations. ESCs provide the liaison between the EOC and the field units of their respective offices. See Annex 2 to this plan below..
- 4 Specific persons and agencies are responsible to fulfill obligations as noted in the Basic Plan and its functional annexes. Each agency will be responsible for having its own standard operating procedures or plans to be followed during emergency response operations.

#### **D EOC Location**

- 1 The EOC is in the 911 center located in Blountville. The EMA Director may move the EOC to the alternate site of 200 Shelby St., Kingsport.

#### **E Line of Succession**

- 1 In the EMA Director's absence, direction and control authority lies with the County Mayor. One of these individuals should be available at all times. If both should be out of service at the same time a memorandum must designate the individual with acting authority.

#### **F Heads of Local Departments**

- 1 This plan requires that the heads of all local departments and agencies with emergency preparedness responsibilities designate primary and alternate ESCs.
- 2 Department or Agency heads will remain responsible for their personnel and resources.
- 3 Lines of succession to the department heads are as specified in their respective SOPs.

#### **G State and Federal Responders**

- 1 State and/or federal officials will report to the EOC for a situation briefing and strategy session with the Executive Group, followed by deployment to the field.

**H Alert/Increased Readiness Periods/Levels of Local Operation**

1 To assist emergency service and government officials with managing an event or possible event, different levels of EOC activation were developed to grow or shrink with the incident as with command and control in NIMS. Having different levels of activation also keeps costs to departments and ultimately the public to a minimum. These levels also correspond similarly with the state EOC activation levels set up by TEMA.

**a Level 5 - Normal Operation**

The Sullivan County Emergency Management Agency is tasked with the responsibility of monitoring activities in the event of an emergency that may affect the residents of Sullivan County. EMA staff are present with access to the EOC

The Sullivan County Emergency Management Agency is also charged with the responsibility of maintaining the EOC in a constant state of readiness. This includes regular tests of equipment and procedures to ensure that they are effective and in working order.

**b Level 4 – Watch**

When an event or situation that may impact the health, welfare or safety of a large number of residents within Sullivan County is detected, The Sullivan County Emergency Management Agency may increase the monitoring activities

**c Level 3 – Limited Activation (1 operational period)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that may have significant impact on the residents of Sullivan County or a serious event were to occur in Sullivan County, a Level 3 Activation may occur.

A Level 3 Activation does not require 24 Hour staffing of the EOC in order to meet the needs of the situation. One shift or operational period is all that is necessary.

**d Level 2 – Limited Activation (2 or more activation periods)**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation that will require a limited activation of the EOC on a 24 hour basis then a Level 2 Activation of the EOC will occur.

A Level 2 Activation requires 24 Hour staffing of the EOC in order to meet the needs of the situation. Two shifts or operational periods will be required.

**e Level 1 – Full Activation**

When Sullivan County Emergency Management Agency detects or is notified of an event or situation of significant impact to Sullivan County or an event of national significance, a Level 1 Activation of the EOC may occur.

A Level 1 Activation requires complete 24 Hour staffing of the EOC in order to meet the needs of the situation. Two full EOC shifts or operational periods per 24 hour period will be required.

2 Specific actions for individual organizations and/or departments for each of these levels are provided in their respective SOPs and implementing procedures.

**I Legislative Liaison Affairs**

1 The County Mayor and City Mayors will keep the jurisdiction's state and local legislative officials advised as to the status of the event in their respective districts. The City Mayors will keep the County Mayor apprised of municipal briefings of Legislators and their staffs.

### VI Continuity of Government

- A Emergencies/Disasters are rarely of sufficient magnitude to require changes in the governmental structure. Relocating to a structurally sound facility may provide continuity of operations. The size and type of threat or disaster being confronted will dictate whether or not key officials move to other locations.
- B Succession of local government officials will follow lines of succession as prescribed in the state constitution, state law, and local ordinances.
- C Operating Locations - The County Mayor and his staff may relocate to the EOC during major emergencies. County/City government will continue to occupy current facilities unless they are unusable. Each agency will maintain plans for relocation of critical operations in such cases.
- D Preservation of Records - To provide normal government services after a disaster, vital records must be protected. Each local agency will ensure the safety of essential records. Examples of essential records include:
  - 1 Records protecting the rights and interests of individuals, such as vital statistics, land and tax records, license registers, articles of incorporation, and permits.
  - 2 Records relating to emergency operations, such as utility system maps, locations of emergency supplies and equipment, emergency operating procedures, lines of succession, and personnel lists.
  - 3 Records required to re-establish normal governmental functions such as constitutions and charters, statutes and ordinances, court records, official proceedings, and financial records.

### VII Administration and Logistics

#### A Emergency Authority

Authorities for this plan are contained in Part I, Introduction, to this plan.

#### B Agreements and Understandings

Should local resources prove to be inadequate during an emergency, local jurisdictions will ask for assistance from other local governments, higher levels of government, and other agencies per existing or emergency-negotiated mutual-aid agreements, and state law. All agreements will be entered into by authorized officials and will be in writing.

#### C Administration

- 1 Existing forms, reports, and procedures will be used. All records subject to review of actions taken will be retained for at least three years or longer as required by law or ordinance.
- 2 Local agencies occupying the EOC will maintain their own records and administrative forms. Standard forms used in the EOC (i.e., message and activity logs) will be provided by the EMA.
- 3 Reimbursement for expenditures will follow established local administrative procedures.

#### D Plan Development and Maintenance

- 1 The Sullivan County EMA will:
  - a Develop and maintain the Sullivan County Basic Emergency Operations Plan.
  - b Ensure the local BEOP is current by having amendments and changes prepared, coordinated, and issued as necessary.
  - c Annually review the local BEOP to ensure that it reflects current policy and technology.
  - d Maintain stocks of the local BEOP and amendments along with distribution lists to assure all plan recipients are properly serviced.
  - e Review, approve, or disapprove requests for material to be included in the local BEOP.
  - f Ensure all material prepared to insert in the local BEOP adheres to established guidelines.

## Basic Emergency Operations Plan

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- g Prescribe format, review procedures, and submission dates for all local emergency management and supporting plans and operating procedures.
  - h Task local agencies to prepare supporting annexes and documentation for the local BEOP.
- 2 Local Agencies
- a Those agencies in local government that have emergency-oriented missions or support roles are required to provide an emergency response capability 24-hours-a-day, seven days-a-week. Each agency will:
    - (i) Prepare directives and operating procedures in support of this BEOP and provide the Sullivan County EMA with one copy of each for reference.
    - (ii) Annually review published directives and their respective portions of the local BEOP to assure that commitments can be filled and resources provided. Each agency must provide the Sullivan County EMA with a copy of any recommended revisions or a signed statement indicating the directive/plan as written remains current and supports this BEOP on or before October 1 each year.
- 3 City Government will:
- a Prepare plans and directives in support of this plan as it relates to their jurisdiction.
  - b Submit one copy of all supporting plans/documents to EMA for review and approval.

### E Plan Implementation

- 1 This plan (or its components) can be implemented in several ways:
- a By direction of the County Mayor or the Sullivan County EMA Director
  - b As a result of the occurrence of a disaster or an emergency
  - c By requests for assistance from local governments when disasters exceed their capabilities and/or resources
  - d As a response to increased international tensions or the threat of enemy attack
  - e Specific annexes may be activated by the Lead Agency of that annex, with the concurrence of the County Mayor.

### F Primary and Support Responsibilities

- 1 Primary and Support
- Primary and support responsibilities for various emergency functions are assigned to departments and agencies of local government, and to organizations in the state government or private sector. Each department, agency, or organization is either a lead agency or a supporting agency in an ESF. Assignments are based on common functions needed in most large emergencies. The lead agency performs most of the planning and mitigation efforts for that ESF. Many of the agencies with primary responsibilities are included as part of the EOC staff for direction and control. Other supporting agencies will work in locations outside the EOC. Other agencies will not be functional until the recovery phase begins. Only those agencies essential to preserve the continuity of government during an emergency, or those necessary to deal effectively with the given set of circumstances of any emergencies, will staff and augment the EOC.
- 2 Responsibility
- a This plan is binding on all local government agencies authorized or directed to conduct emergency management activities.

## Basic Emergency Operations Plan

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- b The EMA Director's authority under this plan is extensive. As the disaster coordinator, he coordinates the activities of all local organizations as they relate to emergency management. Each local agency that has an emergency-oriented mission will:
  - (i) Assign personnel as directed to augment EOC operations when implemented.
  - (ii) Maintain and operate a 24-hour response capability in the department or agency facilities when this plan is activated in addition to any staff operating from the EOC.
  - (iii) Participate in exercises when scheduled by the EMA Director.
  - (iv) Prepare plans and supporting documents that set forth policies and provisions for carrying out the agency's emergency responsibilities.
  - (v) Conduct training essential to implementation of assigned functions.
  - (vi) Conduct an annual review to update the supporting documentation and operating procedures and advise the EMA Director of modifications required.
- c Each department or agency of local government having a primary or support role, will prepare and maintain standard operating procedures (SOPs) describing how functions will be accomplished. Subordinate divisions of these agencies will also furnish copies of their SOPs to their parent department for inclusion in the department's supporting plan.
- d Several state and federal agencies are delegated responsibilities within this plan. These agencies provide services to local government on a daily basis regardless of whether or not a major disaster declaration exists.

### **G Logistics**

#### **1 Local Agencies**

Local agencies are responsible for their own vehicles.

#### **2 Local Resources**

ESCs responding to a disaster will apply resources available to them as directed by the EMA Director through the authority of the County Mayor.

#### **3 Sullivan County EMA**

The EMA Director or the County Mayor in charge of a disaster response will coordinate with County Trustee and Purchasing Agent to procure and coordinate the use of personnel, materials, equipment, and supplies.

**Basic Emergency Operations Plan  
APPENDIX**

Annex 1	Emergency Operations Center
Appendix A	EOC Activation Checklist
Appendix B	EMA Organizational Chart
Appendix C	EOC Diagram
Appendix D	Planning P
Appendix E	Battle Rhythm Flow Chart
Appendix F	Battle Rhythm Table
Appendix G	EOC Communications Plan
Appendix H	ICS-214
Appendix I	ICS-211B.1
Annex 2	Emergency Service Coordinator (ESC) Program
Appendix A	List of ESC Agencies

**Annex 1**  
**Emergency Operations Center**

**ANNEX 1**  
**EMERGENCY OPERATIONS CENTER**

**I INTRODUCTION**

**A Purpose**

The Emergency Operations Center (EOC) provides a central location to coordinate local emergency management functions. These functions routine activities as well as emergency response and recovery activities.

**B Scope**

Emergency management response for the county is coordinated from the EOC.

**II POLICIES**

- A** EOC access is controlled for security and to ensure control and coordination of local resources during emergencies. The EOC congregates the emergency management staff, Emergency Services Coordinators (ESC) and support personnel from all agencies tasked with emergency responsibilities. Also, National Guard, industry, state and federal relief agencies may also operate from or in concert with the EOC during significant disasters.

**III SITUATION AND ASSUMPTIONS**

**A Situation**

- 1 The EOC is opened when county-wide disasters or other large emergencies occur.
- 2 There are many regional, state, national, and international disasters that may require emergency management activities be coordinated across the county.

**B Planning Assumptions**

- 1 EOC activation may be needed without advance notice. A copy of the EOC activation Checklist can be found in Appendix A.
- 2 Coordination of response activities and resources is within the scope of county staffing.

**IV CONCEPT OF OPERATIONS**

**A General**

- 1 The EOC, when activated, will be staffed around the clock by key decision-makers.
- 2 Primary and Alternate Emergency Operations Centers
  - a Primary EOC - The primary EOC is located in the Sullivan County EMA office, 31193 Hwy. 126, Blountville.
  - b Alternate EOC – Emergency Management Office, 200 Shelby St., Kingsport.
- 3 Primary EOC Operations
  - a When an emergency or disaster occurs, the EMA is notified by radio or telephone. The event is logged by date and time.
  - b The EMA Director briefs the County Mayor as to the situation and has dispatch perform a call out of ESC personnel (See annex 2).
  - c The EOC (or the county's primary warning point) relays pertinent data to adjacent counties' emergency response agencies.
  - d The EOC monitors the progress of the emergency and evaluates efforts to contain the situation. Resource requirements that cannot be met by the county are sent to the State Regional EOC and the appropriate ESCs for action as provided by ESF/individual agency SOPs. This continues until the situation is resolved.

## Annex 1 Emergency Operations Center

- e When the EOC become operational, there is a time table that can be followed to keep the process organized and on schedule. A copy of the planning P and sample battle rhythms can be found in appendices D-F.
- f The EMA Director can request mutual aid from an adjoining county or TEMA. In either case, the respective organizations provide liaison officers to the EOC for coordination of operations.
- g News releases and emergency public information is prepared and disseminated from the EOC via the PIO, County Mayor or jurisdictional department head
- h The EMA Director ensures continuity of operations and sustained manpower capability around the clock for the duration of the emergency.
- i When the emergency ends, EOC staff members conduct after-action debriefings, evaluate responses, and compile reports, decision and message logs and expenses.

### **B Organization and Responsibilities**

#### **1 EMA Director**

The Director of the Sullivan County Emergency Management Agency is the executive head of the agency and is responsible for coordinating all emergency management activities throughout the county. He/she will:

- a Advise elected officials, departments, and agencies of local government and other non-governmental relief agencies with respect to the magnitude and effects of the emergencies that affect Sullivan County. Orient and train the emergency staff, and periodically conduct exercises.
- b Coordinate local emergency operations with TEMA and local emergency management offices in the counties that border Sullivan County.
- c Develop and maintain local emergency staffing capabilities.
- d Develop and maintain appropriate emergency public information, communications and warning capabilities.
- e Develop and maintain the County EM Plan, mutual aid agreements, memoranda of understanding, etc., and periodically test and exercise them.

#### **2 County Mayor**

- a The County Mayor is the chief officer of the county and successor to the Director within the EOC

#### **3 Emergency Services Coordinators (ESCs)**

- a The ESCs represent local, state, private, and quasi-governmental agencies with emergency responsibilities during major disasters. The roles and responsibilities of the ESCs are provided in Annex 2.

#### **4 Public Information**

- a The Sullivan County EMA Director or the County Mayor will designate an individual to act as the Public Information Officer.

**Annex 1**  
**Emergency Operations Center**

5 Support Requirements

a Reports and Records

(i) Messages

- The EMA Director will establish procedures for handling messages.

(ii) Event Logs

- A record of major events will be kept by each ESC. A copy of the ICS-214 can be found in appendix G

(iii) Daily Operations Log

- A log of all major vents, decisions made, and actions taken, is maintained by the EMA or EOC staff.

(iv) Security Log

- A record of all persons entering and leaving the EOC is maintained. A copy of ICS-211B.1 can be found in appendix I.

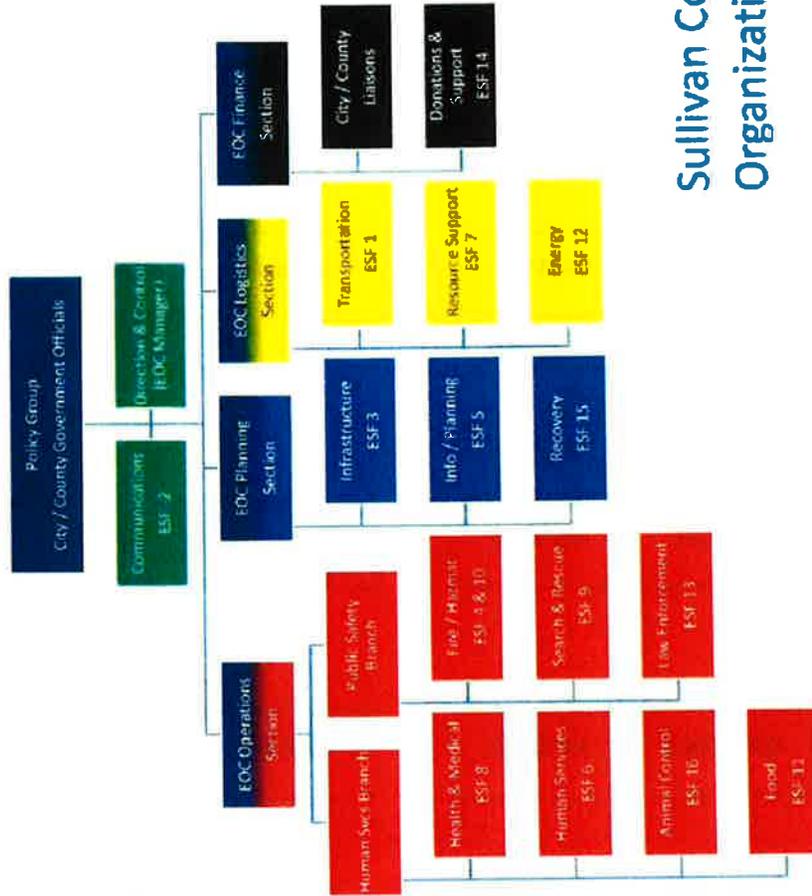
(v) Security

- All EMA staff and ESCs are personally known to each other and have authorized access to the EOC during routine operations.
- During emergency operations, the Sullivan County Sheriff's Department or City Police Departments, stations an officer at the entrance to secure the facility to authorized personnel only.

**Appendix A  
EOC Activation Checklist**

<p><b>EMERGENCY OPERATIONS CENTER ACTIVATION CHECKLIST</b></p>
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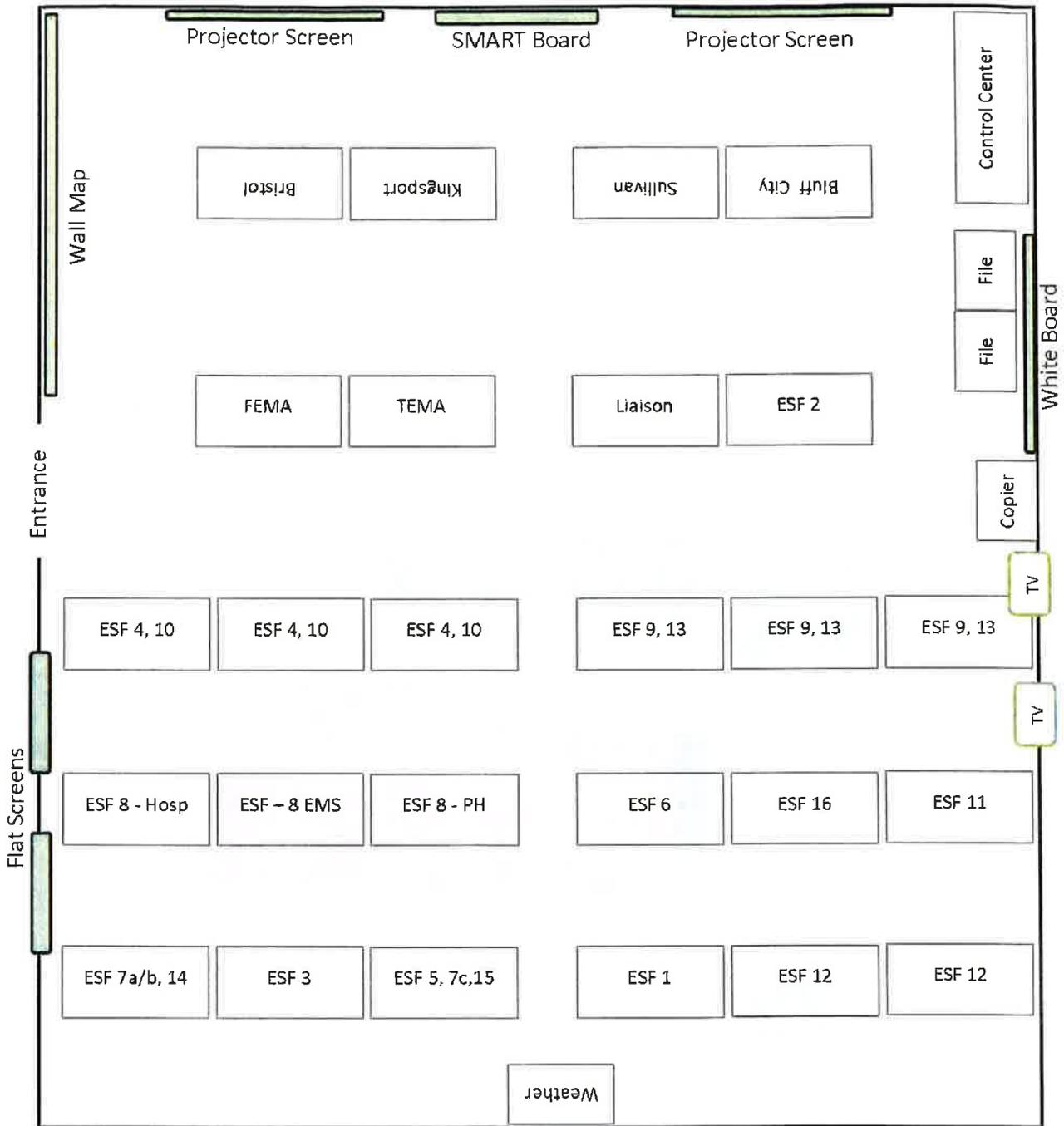
<input type="checkbox"/>	Determine Activation Level	<p>Made by EMA Director or County Mayor or designee Per County BEOP</p> <ul style="list-style-type: none"> <li>▪ Level 5 – Normal Operations</li> <li>▪ Level 4 – Elevated</li> <li>▪ Level 3 – Limited Activation (1 Operational Period)</li> <li>▪ Level 2 – Limited Activation (2+ Operational Periods)</li> <li>▪ Level 1 – Full Activation</li> </ul>
<input type="checkbox"/>	Notify EOC ESC's of Activation Level	Call out through dispatch list in reverse 911 ESC List in EOC Startup shelf (Conference Room)
<input type="checkbox"/>	Establish Sign-in Log Sheet	<ul style="list-style-type: none"> <li>▪ Use form ICS 211-B Check-In List <ul style="list-style-type: none"> <li>○ Located on Clipboard in EOC startup shelf</li> </ul> </li> <li>▪ Place in reception area located at top of stairs</li> </ul>
<input type="checkbox"/>	Power on all A/V Equipment	<ol style="list-style-type: none"> <li>1. Control Computer (should be on but monitor off)</li> <li>2. TVs (Set to local news WCYB &amp; WJHL)</li> <li>3. SMART Board</li> <li>4. Overhead LCDs</li> </ol>
<input type="checkbox"/>	Establish incident in WebEOC	<ul style="list-style-type: none"> <li>▪ Consider need to document in TEMA WebEOC Board</li> </ul>
<input type="checkbox"/>	Advise TEMA of EOC Activation by Phone	State EOC Operations (800.262.3400)
<input type="checkbox"/>	Begin development of IAP	
<input type="checkbox"/>	Conduct Infrastructure Assessment (Cities & County wide)	<ul style="list-style-type: none"> <li>☐ Phone Systems</li> <li>☐ Roads / Bridges</li> <li>☐ Power Outages</li> <li>☐ Water / Sewer Systems</li> </ul>
<input type="checkbox"/>	Policy Level Briefing with Elected Officials	<ul style="list-style-type: none"> <li>☐ County Mayor</li> <li>☐ City Managers / Mayors</li> </ul>
<input type="checkbox"/>	Advise Dispatch Centers of Operational Status	
<input type="checkbox"/>	Consider need for security	

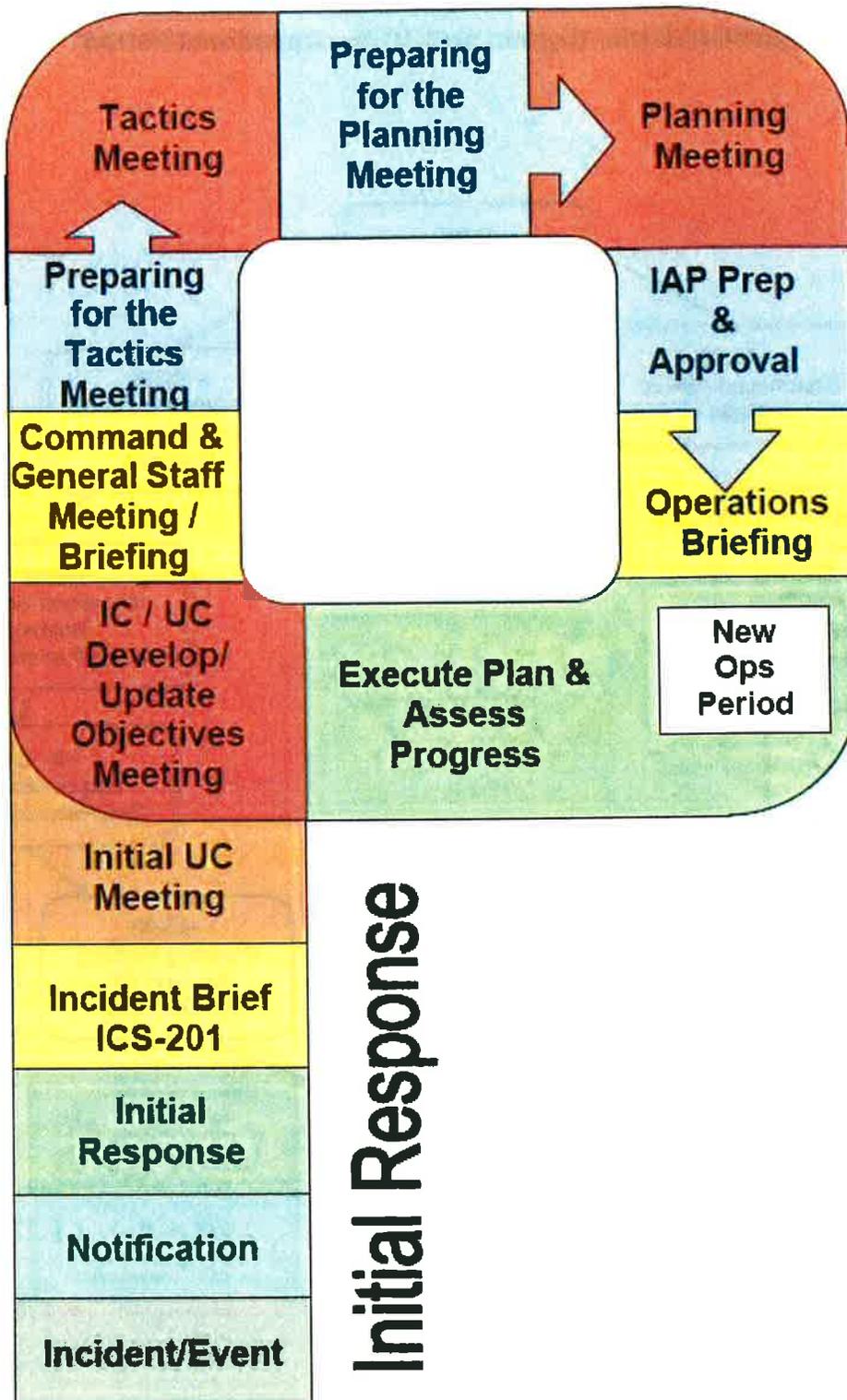


Sullivan County EOC  
Organizational Chart

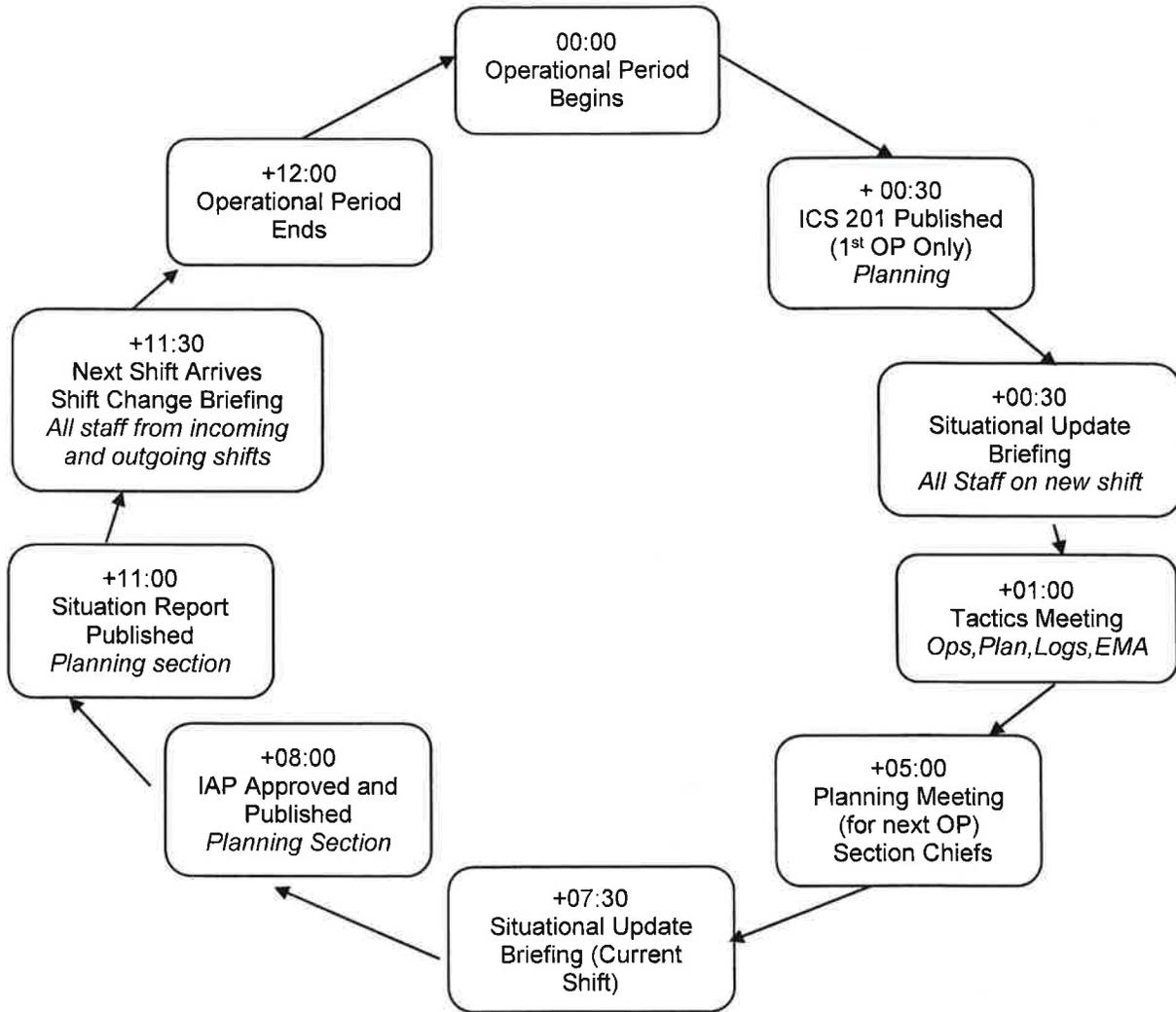


EMERGENCY OPERATIONS CENTER DIAGRAM





**Suggested Battle Rhythm for EOC by Operational Period**



Appendix F  
Battle Rhythm Table

Time	EOC Actions	Internal / External Reports	Conference Calls / Minutes	Planning Tasks Assigned
0100				
0200		SitRep Updates		
0300	Planning Meeting – Overnight Shift			
0400				
0500	Publish EOC Management TPlan and obtain final approval	NWS Weather Report		
0600	OPS Briefing to begin Day Shift Operational Period @ 0700			
0700		SitRep Updates	Media Releases	
0800			Regional / Local Conference Call	
0900	Mgmt & General Staff Meeting – Day Shift			
1000		SitRep Updates		
1100		NWS Weather Report	Media Releases	
1200	Objectives Meeting Strategies Meeting			
1300		SitRep Updates	Regional / Local Conference Call	
1400			Media Releases	
1500	Planning Meeting – Day Shift			
1600		NWS Weather Report		
1700	Publish EOC Management Plan and obtain final approval	SitRep Updates	Regional / Local Conference Call	
1800	OPS Briefing to begin overnight shift @ 1900			
1900				
2000		NWS Weather Report		
2100	Mgmt & General Staff Meeting – Overnight Shift		Media Releases	
2200		SitRep Updates	Regional / Local Conference Call	
2300				
2400	Objectives Meeting Strategies Meeting	NWS Weather Report		
<b>NOTE:</b>	<b>The schedule and times of events, meetings and calls is dependent on real-life events and is suggestive only.</b>		<b>The listing of conference calls and media releases reflect suggested frequency.</b>	

### INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

<b>1. Incident Name:</b> Sullivan County EOC -Trunked Radio System Plan		<b>2. Date/Time Prepared:</b> Date 09DEC14 Time 0930		<b>3. Operational Period:</b> Date From 01JAN15 Time From Date To 31DEC15 Time To						
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Charitel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
		Emergency Net 1	CWENET1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Emergency Net 2	CWERET2	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Sullivan County Disaster	CWDSTR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport City Emergency	KPTEMR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Disaster	BSTEMR	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Tennessee Mutual Aid Communications	Bristol TMAC	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		8CALL90	8-ALL90	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Red Cross	RCADMIN1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bear</u> Signature _____										
ICS 205				IAP Page <u>1 of 3</u>	Date/Time <u>09DEC14 / 0930</u>					

## INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

1. Incident Name: Sullivan County EOC - Trunked Radio System Plan		2. Date/Time Prepared: Date: 09DEC14 Time: 0930		3. Operational Period: Date From: 01JAN15 Time From: _____ Date To: 31DEC15 Time To: _____						
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W Trunked	RX Tone/NAC	TX Freq N or W Trunked	TX Tone/NAC	Mode (A, D, or M)	Remarks
		Kingsport City Schools	KPTHOTLN	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol City Schools		EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Sullivan County Schools	SCSCH1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Citywide Dispatch	KPTG DSP	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Citywide Dispatch	BTGDSP	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Countywide Dispatch	CWDSF	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Public Works	BTPW	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Public Works	KPTWATER	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bean</u>			Signature _____							
ICS 205			Date/Time <u>09DEC14 / 0930</u>							
			IAP Page <u>2 of 3</u>							

## INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

1. Incident Name: Sullivan County EOC - Trunked Radio System Plan		2. Date/Time Prepared: Date 09DEC14 Time 0930		3. Operational Period: Date From 01JAN15 Time From Date To 31DEC15 Time To						
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
		Sullivan County Highway Dept	HWYDEPT	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Sullivan County Sheriffs Office	SCSO1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Kingsport Police Department	KPTPD1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Bristol Police Department	BTPD1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Northwest State Police	NSTCC	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
		Tri-Cities Regional Airport	AIRPS1	EOC	800 MHz Trunked		800 MHz Trunked		A	Sullivan County 800 MHz Radio Trunk System
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bean</u>				Signature _____						
ICS 205				Date/Time <u>09DEC14 / 0930</u>						
IAP Page 3 of 3										

### INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)

<b>1. Incident Name:</b> Sullivan County EOC - UHF Communications Plan		<b>2. Date/Time Prepared:</b> Date: 09DEC14 Time: 0930		<b>3. Operational Period:</b> Date From: 01JAN15 Date To: 31DEC15 Time From: Time To:							
<b>4. Basic Radio Channel Use:</b>											
Zone Gp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	RX Freq N or W	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks
			UCALL40	453.2125 N	EOC	453.2125 N	156.7 / 293	453.2125 N	156.7 / 293	A	
			UTAC41	453.4625 N	EOC	453.4625 N	156.7 / 293	453.4625 N	156.7 / 293	A, D	
			UTAC42	453.7125 N	EOC	453.7125 N	156.7 / 293	453.7125 N	156.7 / 293	A, D	
			UTAC43	453.8625 N	EOC	453.8625 N	156.7 / 293	453.8625 N	156.7 / 293	A, D	
			UTNTAC44	460.4125 N	EOC	460.4125 N	156.7 / 293	460.4125 N	156.7 / 293	A, D	
			UTNTAC45	460.4125 N	EOC	460.4125 N	156.7 / 293	460.4125 N	156.7 / 293	A, D	
			UTNMA	460.4000 N	EOC	460.4000 N	127.3 / 293	460.4000 N	127.3 / 293	A, D	
			UENSTAC	463.1675 N	EOC	463.1675 N	156.7 / 293	463.1675 N	156.7 / 293	A, D	
<b>5. Special Instructions:</b>											
<b>6. Prepared by (Communications Unit Leader):</b> Name: Jim Bean			Signature: _____								
ICS 205			Date/Time: 09DEC14 / 0930								

**INCIDENT RADIO COMMUNICATIONS PLAN (ICS 205)**

1. Incident Name: Sullivan County EOC - VHF Communications Plan		2. Date/Time Prepared: Date: 09DEC14 Time: 0930		3. Operational Period: Date From: 01JAN15 Time From:		Date To: 31DEC15 Time To:				
<b>4. Basic Radio Channel Use:</b>										
Zone Grp	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, C, or M)	Remarks
			VTACT12	EOC	154.4535 N	156.7 / 293	154.4535 N	156.7 / 293	A	Tactical
			VTACT13	EOC	158.7375 N	156.7 / 293	158.7375 N	156.7 / 293	A	Tactical
			VTACT14	EOC	159.4735 N	156.7 / 293	159.4735 N	156.7 / 293	A	Tactical
			VTNTAC	EOC	159.7050 N	156.7 / 293	159.7050 N	156.7 / 293	A	TN TAC Channel
			VTNMA	EOC	154.7550 N	156.7 / 293	154.7550 N	156.7 / 293	A	Statewide Mutual Aid
			VTNMAAD	EOC	154.7550 N	156.7 / 293	154.7550 N	156.7 / 293	A	Direct for VTNMA
			VENS205	EOC	155.2050 N	D205	155.2050 N	D205	A	EMS Mutual Aid
			VENS295	EOC	155.2950 N	D155	155.2950 N	D155	A	EMS Staging
<b>5. Special Instructions:</b>										
<b>6. Prepared by (Communications Unit Leader):</b> Name <u>Jim Bean</u>				Date/Time: <u>09DEC14 / 0930</u>		Signature: _____				
ICS 205				IAP Page 1 of 2						







## **I Purpose**

The Emergency Services Coordinator (ESC) program gives the EMA Director an immediate source of expertise from local agencies to cope with disasters and emergencies. In addition to representation, each local department or agency is required to provide the County EMA with personnel, equipment, facilities, or materials needed for disaster response and recovery.

## **II Scope**

The ESC program encompasses all agencies, departments, divisions, and bureaus that have an emergency mission or a role in recovery. Agencies listed in Appendix 1 of this annex are required to provide ESCs to the Sullivan County EMA. Other agencies and departments may participate at their discretion. ESC program functions also include research, plan development, communications tests, and exercises.

## **III Program Elements**

- A** Department heads and agency executives must ensure that their departments, and agencies under their jurisdiction, promptly respond and fully execute their duties in accordance with this plan. To fulfill this responsibility, each department listed in Appendix 1 will:
  - 1 Provide a primary and alternate ESC to represent their department or agency.
  - 2 Ensure ESCs are empowered with the full authority to coordinate and direct all emergency response functions and services of the department head.
  - 3 Provide the EMA Director with the names of the primary and alternate ESCs, the office they represent, home addresses, office and residence phone numbers.
  - 4 Ensure that the ESC on-call can respond within 30 minutes to the EOC. Provide pagers, phones and access to vehicles to carry out ESC duties.
  - 5 Prepare a directive that establishes a departmental ESC program that details the use of government vehicles, radios, cell phones, periods of on-call duty, and provisions for notifying the EMA Director of schedules and changes.
  - 6 Ensure that plans are developed to carry on agency functions and provide suitable space for personnel, equipment, and essential records during disasters. Agencies scheduled to work in the EOC will address the movement of personnel, equipment, and records.

## **IV Concept of Operations**

- A** The EOC can accommodate many of the ESCs by providing workspace, telephone capabilities, and access to radio communications.
- B** Whenever a disaster or emergency threatens or occurs, the EMA Director will determine if any ESCs are to be called in to provide assistance. The EMA Director will assess the situation, bearing in mind that the use and employment of ESCs and their resources must be compatible with the primary responsibility of the agency concerned, and coordinate which, if any, ESCs are to be called.
- C** The EMA Director or County Mayor will notify ESCs of their recall.
  - 1 Depending on available information about the emergency, ESCs will be instructed to report to the EOC for briefing by the EMA Director or instructed to report to the scene and be briefed over the telephone or radio enroute.
  - 2 ESCs, once committed, will remain committed through the recovery phase unless relieved by the EMA Director or their appointing authority

**V Implementation**

- A** The EMA Director is responsible for implementing the ESC program. The Director will:
- 1 Coordinate this appendix with affected and interested agencies
  - 2 Establish logs or call sheets to record ESC name, address, and telephone numbers, including rosters to confirm who is on call.
  - 3 Conduct no-notice exercises or calls to ensure that the system is working. Failure to call back within 30 minutes is unsatisfactory.
  - 4 Maintain the ESC program in a current, ready-to-use status.

**APPENDIX 1  
EMERGENCY SERVICE COORDINATOR AGENCIES**

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The county EOC and Emergency Operations Plan (EOP) are developed and operate under the Emergency Support Function (ESF) system. Each agency that is lead in the EOP is expected to maintain primary and secondary personnel to serve in the ESC position when the EOC is activated. Below is a Listing of the ESF and lead agency:

ESF-1	Highway Department / Public Works
ESF-2	Communications
ESF-3	Planning / Zoning
ESF-4	Fire Department
ESF-5	Emergency Management
ESF-6	American Red Cross
ESF-7	Accounts/Budget and EMA
ESF-8	EMS / Public Health / Hospitals
ESF-9	Law Enforcement
ESF-10	Fire Department HAZMAT
ESF-11	Schools
ESF-12	Utilities
ESF-13	Law Enforcement
ESF-14	Accounts/Budget
ESF-15	Emergency Management
ESF-16	Animal Control

Some agencies may have lead in more than one ESF and may make the decision on number of personnel to send to EOC based on incident complexity

# Sullivan County

Office of the County Mayor



**Richard S. Venable**  
County Mayor

## LETTER OF AGREEMENT

2015

The Sullivan County Emergency Management Plan, hereinafter referred to as the Plan or Basic Emergency Operations Plan (BEOP), establishes the basis for all emergency management activities within the county and its political subdivisions. The plan is required by section 58-2-101, et. seq., of the Tennessee Code Annotated, and by the Tennessee Emergency Management Plan.

The following department and agency heads, by affixing their signatures hereto, signify their approval of this document and the policies, procedures, and responsibilities contained herein.

Richard Venable, Sullivan County Mayor

\_\_\_\_\_  
Jim Bean, Sullivan County EMA Director

\_\_\_\_\_  
Wayne Anderson, Sullivan County Sheriff

\_\_\_\_\_  
Jim Belgeri, Sullivan County Highway Commissioner

\_\_\_\_\_  
Irene Wells, City of Bluff City Mayor

\_\_\_\_\_  
Lea Powers, City of Bristol Mayor

\_\_\_\_\_  
John Clark, City of Kingsport Mayor