



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

Monday, October 19, 2015
Council Room, 2nd 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. Kingsport Office of Small Business Development & Entrepreneurship (KOSBE) Update – Aundrea Wilcox
4. Move to Kingsport Update – Lea Ann Rasar
5. Planning for OneKingsport – Lynn Tully / Justin Steinmann
6. Review of Items on October 20, 2015 Business Meeting Agenda
7. Adjourn

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.



AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

Tuesday, October 20, 2015

Large Courtroom – 2nd 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

Revision → II.B. INVOCATION

III. ROLL CALL

IV. RECOGNITIONS & PRESENTATIONS

1. Keep Kingsport Beautiful Award Recognition (Robin Cleary)

V. APPROVAL OF MINUTES

1. Work Session – October 5, 2015
2. Business Meeting – October 6, 2015

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

None

COMMENT

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

B. BUSINESS MATTERS REQUIRING FIRST READING

None

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Amend Zoning of the Enterprise Place Property, Located at the Terminus of Enterprise Place (AF: 263-2015) (Ken Weems)
 - Ordinance – **Second Reading and Final Adoption**
2. Annex and Adopt Plan of Service for the O'Neill Annexation and Amend Zoning (AF: 272-2015) (Corey Shepherd)
 - Ordinance - **Second Reading and Final Adoption**
3. Appropriate Funding for Special Opportunity Grant from the Tennessee Arts Commission to Participate in the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties (AF: 245-2015) (Morris Baker)
 - Ordinance – **Second Reading and Final Adoption**
4. Appropriate the \$3,500 Library Services Technology Act Grant for the Library (AF: 258-2015) (Morris Baker)
 - Ordinance – **Second Reading and Final Adoption**
5. Ordinance to Appropriate Funding from the Criminal Forfeiture Fund (AF: 247:2015) (David Quillin)
 - Ordinance – **Second Reading and Final Adoption**
6. Appropriate a \$20,000.28 Overtime Grant from the Governor's Highway Safety Office for Traffic Safety Enforcement (AF: 265-2015) (David Quillin)
 - Ordinance – **Second Reading and Final Adoption**
7. Appropriate Funds for the Fleet Fund (AF: 266-2015) (Steve Hightower)
 - Ordinance – **Second Reading and Final Adoption**

8. Amend Various Code Sections Pertaining to Code Enforcement Officers (AF: 262-2015) (Curtis Montgomery)
 - Ordinance – **Second Reading and Final Adoption**

D. OTHER BUSINESS

1. Easements and Rights-of-Way for Double Springs Tank Water Line Upgrade Project (AF: 275-2015) (Ryan McReynolds)
 - Approve Offers
- Revision → 2. Renewing the Contract for the Purchase of Rental Uniform Services (AF: 276-2015) (Chris McCartt)
 - Resolution
3. Approve a Request for Waiver of Public Library Maintenance of Effort Requirement (AF: 273-2015) (Morris Baker)
 - Resolution
4. Awarding the Bid for the Purchase of One (1) Cab/Chassis with Street Sweeper (AF: 277-2015) (Chris McCartt, Ryan McReynolds, Steve Hightower)
 - Resolution
5. Application for TDOT “Transportation Alternative” Funds for Further Development of the Kingsport Greenbelt (AF: 274-2015) (Kitty Frazier / Michael Thompson)
 - Resolution

E. APPOINTMENTS

None

VII. CONSENT AGENDA

1. Sub-Lease Agreement with the Kingsport Convention and Visitors Bureau for Hunter Wright Stadium (AF: 280-2015) (Chris McCartt)
 - Resolution

VIII. COMMUNICATIONS

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

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

IX. ADJOURN

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, October 5, 2015, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor John Clark

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:** 4:30 p.m. by Mayor Clark.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. **MEADOWVIEW UPDATE.** Mr. John Rothkopf gave a presentation on this item and provided a history over the past year. Although the convention center and the golf course were down some, the booking of rooms was much better, making for an overall good year. He talked about potential threats as well as opportunities the hotel will be facing. Mr. Rothkopf also provided details on the impact of social media. There was some discussion.
4. **REVIEW OF AGENDA ITEMS ON THE OCTOBER 6, 2015 REGULAR BUSINESS MEETING AGENDA.** City Manager Fleming and members of staff gave a summary or presentation for each item on the proposed agenda. Those items the Board discussed at greater length or which received specific questions or concerns included:

VI.A.1 Amend Zoning of the Enterprise Place Property Located at the Terminus of Enterprise Place (AF: 263-2015). City Planner Ken Weems stated this was an owner requested rezoning and provided details on the property. Discussion followed.

VI.A.2 Annex and Adopt Plan of Service for the O'Neill Annexation and Amend Zoning (AF: 272-2015). City Planner Corey Shepherd presented this owner-requested annexation. He pointed out the property would be split-zoned to provide a buffer for the residential neighborhood.

VI.B.3 Appropriate Funding from the Criminal Forfeiture Fund (AF: 247-2015). City Manager Fleming pointed out this funding can only be used for specific things.

VI.B.5 Appropriate Funds for the Fleet Fund (AF: 266-2015). City Manager Fleming gave details on this item, noting 19 vehicles will be converted to propane fuel. He asked Fleet Manager Steve Hightower to provide further details at the business meeting tomorrow night so more of the public would be able to hear about it.

Minutes of the Regular Work Session of the Board of Mayor and Aldermen of Kingsport, Tennessee, Monday, October 5, 2015

VI.B.6 Amend Various Code Sections Pertaining to Code Enforcement Officers (AF: 262-2015). Curtis Montgomery, Planning, pointed out this item came before the board a few months ago regarding the position of the code enforcement officer. Development Services Director Lynn Tully added this code amendment primarily covers the ability to write citations for the code enforcement officer and building inspectors. Vice-Mayor McIntire commented this basically changes the language to meet what we're already doing. In response to Alderman George, Ms. Tully provided information on what other cities are doing. There was some discussion.

VI.D.1 Agreement for Paramedic/EMT Clinical Ride-Alongs (AF: 226-2015). City Manager Fleming explained this item would allow for Northeast State students to ride along with the Fire Department. He pointed out this is similar to the arrangements in other cities with colleges, including Johnson City and Morristown.

VI.D.3 Amend Agreement with TDOT for Portable Camera Equipment Purchase (AF: 267-2015). City Manager Fleming discussed this item, noting it was a great benefit for the city with the ability to be run remotely.

VI.D.4 Riverbend Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Project Area (AF: 264-2015). Development Services Director Tully gave a presentation on this item. She noted the estimated tax collection was raised to almost six million dollars. City Manager Fleming provided further details. Alderman Parham commented this was an investment opportunity with no cost.

BOARD COMMENT. None.

PUBLIC COMMENT. None.

6. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 5:55 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, October 6, 2015, 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 New Vision Youth.
- II.B. **INVOCATION:** Pastor Sam Ward, Mountain View United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

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

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

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

A. **PUBLIC HEARINGS.**

1. **Amend Zoning of the Enterprise Place Property Located at the Terminus of Enterprise Place** (AF: 263-2015) (Ken Weems). City Planner Ken Weems gave a brief 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, October 6, 2015

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ENTERPRISE PLACE FROM B-4P, PLANNED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Annex and Adopt Plan of Service for the O'Neill Annexation and Amend Zoning (AF: 272-2015) (Corey Shepherd). City Planner Corey Shepherd gave a presentation on this item.

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

Motion/Second: McIntire/Mitchell, to pass:

Resolution No. 2016-060, A RESOLUTION TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 7TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE O'NEILL 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 ROCK SPRINGS ROAD FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B & R-2, SINGLE FAMILY RESIDENTIAL & TWO-FAMILY RESIDENTIAL IN THE 7TH 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/Duncan, to pass:

Resolution No. 2016-061, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE O'NEILL 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.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2015**

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Apply and Receive Special Opportunity Grant from the Tennessee Arts Commission to Participate in the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties and Appropriate Funding (AF: 245-2015) (Morris Baker).

Motion/Second: Parham/George, to pass:

Resolution No. 2016-062, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A SPECIAL OPPORTUNITY GRANT FROM THE TENNESSEE ARTS COMMISSION FOR THE AMERICANS FOR THE ARTS ECONOMIC PROSPERITY STUDY

Passed: All present voting "aye."

Motion/Second: Parham/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION 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. Appropriate the \$3,500 Library Services Technology Act Grant for the Library (AF: 258-2015) (Morris Baker).

Motion/Second: Mitchell/George, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE LIBRARY SERVICES TECHNOLOGY ACT GRANT 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. Appropriate Funding from the Criminal Forfeiture Fund (AF: 247-2015) (David Quillin).

Motion/Second: McIntire/Olterman, to pass:

AN ORDINANCE TO AMEND THE CRIMINAL FORFEITURE FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

4. Appropriate a \$20,000.28 Overtime Grant from the Governor's Highway Safety Office for Traffic Safety Enforcement (AF: 265-2015) (David Quillin).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2015**

Motion/Second: Mitchell/Duncan, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECTS - SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE GOVERNOR'S HIGHWAY SAFETY GRANT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

5. Appropriate Funds for the Fleet Fund (AF: 266-2015)
(Steve Hightower).

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE TO AMEND THE FLEET FUND BUDGET BY APPROPRIATING FUNDS FROM FUND BALANCE AND BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE PROPANE GAS ASSOCIATION FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

6. Amend Various Code Sections Pertaining to Code Enforcement Officers (AF: 262-2015) (Curtis Montgomery).

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 2-263, 2-264, AND 98-534 PROVIDING SCOPE OF DUTIES FOR CODE ENFORCEMENT OFFICERS IN THE DEPARTMENT OF DEVELOPMENT SERVICES AND BUILDING DEPARTMENT

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

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Amend Zoning of the Jefferson Gardens Property Located Behind the Indian Springs Shopping Center (AF: 240-2015) (Ken Weems).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6514, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO MEMORIAL BOULEVARD FROM B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO PD, PLANNED DEVELOPMENT IN THE 7TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

2. Budget Cleanup Ordinance for FY16 (AF: 256-2015)
(Jeff Fleming).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2015**

Motion/Second: McIntire/Duncan, to pass:

ORDINANCE NO. 6515, AN ORDINANCE TO AMEND VARIOUS PROJECTS 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."

3. Abandonment of Waterline Easement Across Property
(AF: 250-2015) (Ryan McReynolds)

Motion/Second: Duncan/Mitchell, to pass:

ORDINANCE NO. 6516, AN ORDINANCE ABANDONING A WATER LINE EASEMENT ON PROPERTY LOCATED AT 700 LYNN GARDEN DRIVE; 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 \$21,953.00 from the USDOJ/Bureau of Justice Assistance Grant FY15 Local Solicitation (AF: 252-2015) (David Quillin)

Motion/Second: Olterman/Duncan, to pass:

ORDINANCE NO. 6517, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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. Appropriate \$5,907.29 from the USDOJ/Bureau of Justice Assistance Bulletproof Vest Partnership Funding (AF: 253-2015) (David Quillin)

Motion/Second: George/McIntire, to pass:

ORDINANCE NO. 6518, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE 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."

D. OTHER BUSINESS.

1. Agreement for Paramedic/EMT Clinical Ride-Alongs
(AF: 226-2015) (Craig Dye, Scott Boyd).

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2015**

Motion/Second: Mitchell/Duncan, to pass:

Resolution No. 2016-063, A RESOLUTION APPROVING AGREEMENTS WITH NORTHEAST STATE COMMUNITY COLLEGE AND WALTERS STATE COMMUNITY COLLEGE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS

Passed: All present voting "aye."

2. Community Development Partner Agreements for FY16
(AF: 271-2015) (Lynn Tully)

Motion/Second: McIntire/Duncan, to pass:

Resolution No. 2016-064, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES AND ORGANIZATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND EMERGENCY SOLUTIONS GRANT FUNDING IN FISCAL YEAR 2015-2016

Passed: All present voting "aye."

3. Amend Agreement with TDOT for Portable Camera Equipment Purchase (AF: 267-2015) (Ryan McReynolds).

Motion/Second: Duncan/George, to pass:

Resolution No. 2016-065, A RESOLUTION APPROVING AMENDMENT 1 TO AGREEMENT NO. 140083 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE PORTABLE CAMERA PURCHASE; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

4. Riverbend Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Project Area (AF: 264-2015) (Lynn Tully).

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2016-066, A RESOLUTION APPROVING THE RIVERBEND REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

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

Motion/Second: Parham/Olterman, to adopt:

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, October 6, 2015**

**1. Application and Acceptance of Contract with TDOT for Federal
and State Transportation Planning Funds for MTPO (AF: 261-2015) (Bill Albright).**

Pass:

Resolution No. 2016-067, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT BETWEEN THE CITY OF KINGSFORT AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PLANNING FUNDS FOR USE BY THE KINGSFORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

Passed: All present voting "aye."

**2. Agreement Allowing the Kingsport Fire Department as an In-
House Repair Center for Self-Contained Breathing Apparatuses (AF: 260-2015)
(Scott Boyd).**

Pass:

Resolution No. 2016-068, A RESOLUTION APPROVING AN AGREEMENT WITH SCOTT TECHNOLOGIES, INC., AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**3. Lease Agreement with the Kingsport Convention and Visitors
Bureau for Hunter Wright Stadium (AF: 269-2015) (Chris McCartt).**

Pass:

Resolution No. 2016-069, A RESOLUTION APPROVING A LEASE AGREEMENT WITH THE KINGSFORT CONVENTION AND VISITORS BUREAU FOR HUNTER WRIGHT STADIUM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**4. Amend Permanent Easement Agreement with Kingsport Hotel
LLC (AF: 259-2015) (Chris McCartt).**

Pass:

Resolution No. 2016-070, A RESOLUTION APPROVING AN AMENDMENT TO THE PERMANENT EASEMENT AGREEMENT WITH KINGSFORT HOTEL, LLC.; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, Tuesday, October 6, 2015

5. Execute and File Contracts/Documents for Tennessee Department of Transportation (AF: 268-2015) (Chris McCartt).

Pass:

Resolution No. 2016-071, A RESOLUTION AUTHORIZING MAYOR TO EXECUTE DOCUMENTS AND CONTRACTS FOR THE TENNESSEE DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE CITY

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

- A. CITY MANAGER.** Mr. Fleming recognized city employees Rodney Deel and Bob Fickle for recent awards and certificates they received, pointing out the professional development of city staff.

- B. MAYOR AND BOARD MEMBERS.** Alderman Duncan stated his tie tonight was signed by Ms. Kendall's second grade class at Kennedy school. He also congratulated Armstrong Construction for reaching the 100 year milestone. Alderman Mitchell commented on her recent school tour, noting it was very impactful and talked about the leadership development program for the students. She also gave details on the startup weekend coming up with AccelNow and PEAK at Innovation Forge and how it will provide an opportunity to pitch business ideas and develop networks. Alderman Parham recognized City Recorder Jim Demming for all of his recent work with the bonds. He also pointed out the Farmer's Market was identified as the finest in northeast Tennessee for the third year in a row. Alderman Oltzman congratulated staff, KCVB, and the Mets for improving the facility at Hunter Wright Stadium. Alderman George mentioned that as it gets closer to the holidays, the local blood banks are in need of more blood and platelets. Vice-Mayor McIntire commented on a neighborhood that awarded one of its residents \$1,000 for the most improved appearance. Mayor Clark provided highlights from September and October about Kingsport relating to housing, downtown, education, marketing, the upcoming summit, and also health and wellness.

- C. VISITORS.** None.

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

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor



AGENDA ACTION FORM

Amend Zoning of the Enterprise Place Property, Located at the Terminus of Enterprise Place

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

Action Form No.: AF-263-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Ken Weems
Presentation By: Ken Weems

Recommendation:

- ~~Hold public hearing~~
- Approve ordinance amending the zoning ordinance to rezone a portion of parcel 2 from B-4P, Planned Business District to R-3, Low Density Apartment District.

Executive Summary:

This is an owner-requested rezoning of approximately 9.67 acres located at the terminus of Enterprise Place from B-4P to R-3. The purpose of the rezoning request is to permit development of 144 apartment dwelling units. As of September 23, 2015, the Planning Department has not received any public comment on the rezoning proposal. During their September 2015 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the rezoning to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on September 21, 2015.

Attachments:

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

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



AGENDA ACTION FORM

Amend Zoning of the Enterprise Place Property, Located at the Terminus of Enterprise Place

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

Action Form No.:	AF-263-2015	Final Adoption:	October 20, 2015
Work Session:	October 5, 2015	Staff Work By:	Ken Weems
First Reading:	October 6, 2015	Presentation By:	Ken Weems

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone a portion of parcel 2 from B-4P, Planned Business District to R-3, Low Density Apartment District.

Executive Summary:

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Attachments:

1. Notice of Public Hearing
2. Zoning Ordinance
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 October 6, 2015 to consider the rezoning for parcel 2 of tax map 76 located off Enterprise Place from B-4P District to R-3 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:

To find the point of beginning, COMMENCE at a rebar found in the northeasterly sideline of Enterprise PL, a public frontage road for State Route 93 and Interstate 26, distant about 0.49 miles southeasterly along said sideline from its intersection with the easterly sideline of The John B. Dennis By-Pass (State Route 93), said rebar being a common corner for Robert W. Monday (Deed Book 2255C, Page 531) and Harold W. Childress, Jr., et al. (Deed Book 3062, Page 543); Thence with and along said sideline of Enterprise PL, the following three calls: (1) S48°33'47"E 73.14 feet to a rebar found, (2) S51°39'00"E 99.21 feet to a ½ inch rebar set, and (3) S51°41'14"E 139.99 feet to a rebar found at the POINT OF BEGINNING; thence leaving the road and with new lines through the Childress property (Deed Book 3062, Page 543), the following six calls: (1) N55°05'06"E 589.86 feet to a ½ inch rebar set, (2) S46°17'23"E 299.37 feet to a 30 inch white oak tree with a tree stand in it, (3) S75°33'54"E 130.84 feet to a ½ inch rebar set, (4) S09°19'08"E 390.53 feet to a ½ inch rebar set, (5) S57°48'40"W 280.44 feet to a ½ inch rebar set, and (5) S28°05'40"W 158.11 to a ½ inch rebar set in the northeasterly sideline of Interstate 26; thence with same, the following two calls: (1) N44°29'35"W 83.91 feet to a highway concrete monument, and (2) N46°18'31"W 227.42 feet to a rebar found at the end of said Enterprise PL; thence crossing the southeasterly end of said Enterprise PL, N44°17'38"E 32.95 feet to a rebar found at the southeasterly end of the northeasterly sideline of Enterprise PL; thence with and along said northeasterly sideline of Enterprise PL, the following three calls: (1) N46°42'41"W 206.23 feet to a rebar found, (2) N44°50'11"W 100.07 feet to a rebar found, and (3) N51°55'57"W 199.84 feet to THE POINT OF BEGINNING, containing 9.670 acres, more or less, and being a part of the lands described in a Deed to Harold W. Childress, JR., et al., of record in the Register of Deeds Office for Sullivan County at Blountville, Tennessee in Deed Book 3062, at Page 543, and as shown on a Survey by Daniel I. Saxon, RLS #334, dated October 2014, to all of which reference is hereby expressly made.

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: 9/21/15

PRE-FILED
CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ENTERPRISE PLACE FROM B-4P, PLANNED BUSINESS DISTRICT TO R-3, LOW DENSITY APARTMENT DISTRICT IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property adjacent to Enterprise Place from B-4P, Planned Business District to R-3, Low Density Apartment District in the 13th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

To find the point of beginning, COMMENCE at a rebar found in the northeasterly sideline of Enterprise PL, a public frontage road for State Route 93 and Interstate 26, distant about 0.49 miles southeasterly along said sideline from its intersection with the easterly sideline of The John B. Dennis By-Pass (State Route 93), said rebar being a common corner for Robert W. Monday (Deed Book 2255C, Page 531) and Harold W. Childress, Jr., et al. (Deed Book 3062, Page 543); Thence with and along said sideline of Enterprise PL, the following three calls: (1) S48°33'47"E 73.14 feet to a rebar found, (2) S51°39'00"E 99.21 feet to a ½ inch rebar set, and (3) S51°41'14"E 139.99 feet to a rebar found at the POINT OF BEGINNING; thence leaving the road and with new lines through the Childress property (Deed Book 3062, Page 543), the following six calls: (1) N55°05'06"E 589.86 feet to a ½ inch rebar set, (2) S46°17'23"E 299.37 feet to a 30 inch white oak tree with a tree stand in it, (3) S75°33'54"E 130.84 feet to a ½ inch rebar set, (4) S09°19'08"E 390.53 feet to a ½ inch rebar set, (5) S57°48'40"W 280.44 feet to a ½ inch rebar set, and (5) S28°05'40"W 158.11 to a ½ inch rebar set in the northeasterly sideline of Interstate 26; thence with same, the following two calls: (1) N44°29'35"W 83.91 feet to a highway concrete monument, and (2) N46°18'31"W 227.42 feet to a rebar found at the end of said Enterprise PL; thence crossing the southeasterly end of said Enterprise PL, N44°17'38"E 32.95 feet to a rebar found at the southeasterly end of the northeasterly sideline of Enterprise PL; thence with and along said northeasterly sideline of Enterprise PL, the following three calls: (1) N46°42'41"W 206.23 feet to a rebar found, (2) N44°50'11"W 100.07 feet to a rebar found, and (3) N51°55'57"W 199.84 feet to THE POINT OF BEGINNING, containing 9.670 acres, more or less, and being a part of the lands described in a

Deed to Harold W. Childress, JR., et al., of record in the Register of Deeds Office for Sullivan County at Blountville, Tennessee in Deed Book 3062, at Page 543, and as shown on a Survey by Daniel I. Saxon, RLS #334, dated October 2014, to all of which reference is hereby expressly made.

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 _____

Kingsport Regional Planning Commission
Rezoning Report

File Number 15-101-00005

Enterprise Place Rezoning

Property Information			
Address		2300 Enterprise Place, Kingsport, TN 37660	
Tax Map, Group, Parcel		Map 76, a portion of parcel 2	
Civil District		13	
Overlay District		Gateway	
Land Use Designation		Single Family	
Acres		9.67 acres +/-	
Existing Use		Existing Zoning	B-4P
Proposed Use		Proposed Zoning	R-3
Owner /Applicant Information			
Name: Childress, John E. etal Address: 1328 Linville St. City: Kingsport State: TN Zip Code: 37660 Phone: (423) 677-6778		Intent: <i>To rezone from B-4P (Planned Business) to R-3 (Low Density Apartment) to accommodate 144 apartment dwelling units.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The R-3 zone proposal is appropriate for the area in relation to the existing adjacent major transportation network.</i> • <i>The proposed down-zoning from a commercial zone to a residential zone will more appropriately support the future land use plan as a transition zone between retail and single family designations.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>The rezoning site is elevated above the abutting interstate highway. A significant amount of interstate traffic noise can be heard from the majority of the rezoning site.</i> • <i>Ingress/egress to the rezoning site will be from the existing Enterprise Place.</i> • <i>The proposed development site will be served from existing water (16") and sewer (14") lines at the end of Enterprise Place.</i> • <i>As of September 8, 2015, the planning department has not received any public comment about the rezoning effort.</i> • <i>The Planning Commission recommendation on this rezoning will go to the BMA for 1st reading/ public hearing on October 6, 2015. The BMA 2nd reading will occur on October 20, 2015.</i> 			
Planner:	Ken Weems	Date:	September 4, 2015
Planning Commission Action		Meeting Date:	September 17, 2015
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	2300 Enterprise Place, Kingsport, TN 37660
DISTRICT	13
OVERLAY DISTRICT	Gateway
EXISTING ZONING	B-4P (Planned Business District)
PROPOSED ZONING	R-3 (Low Density Apartment District)
ACRES	9.67 +/-
EXISTING USE	vacant
PROPOSED USE	144 apartment dwelling units

PETITIONER

ADDRESS 1328 Linville Street, Kingsport, TN 37660

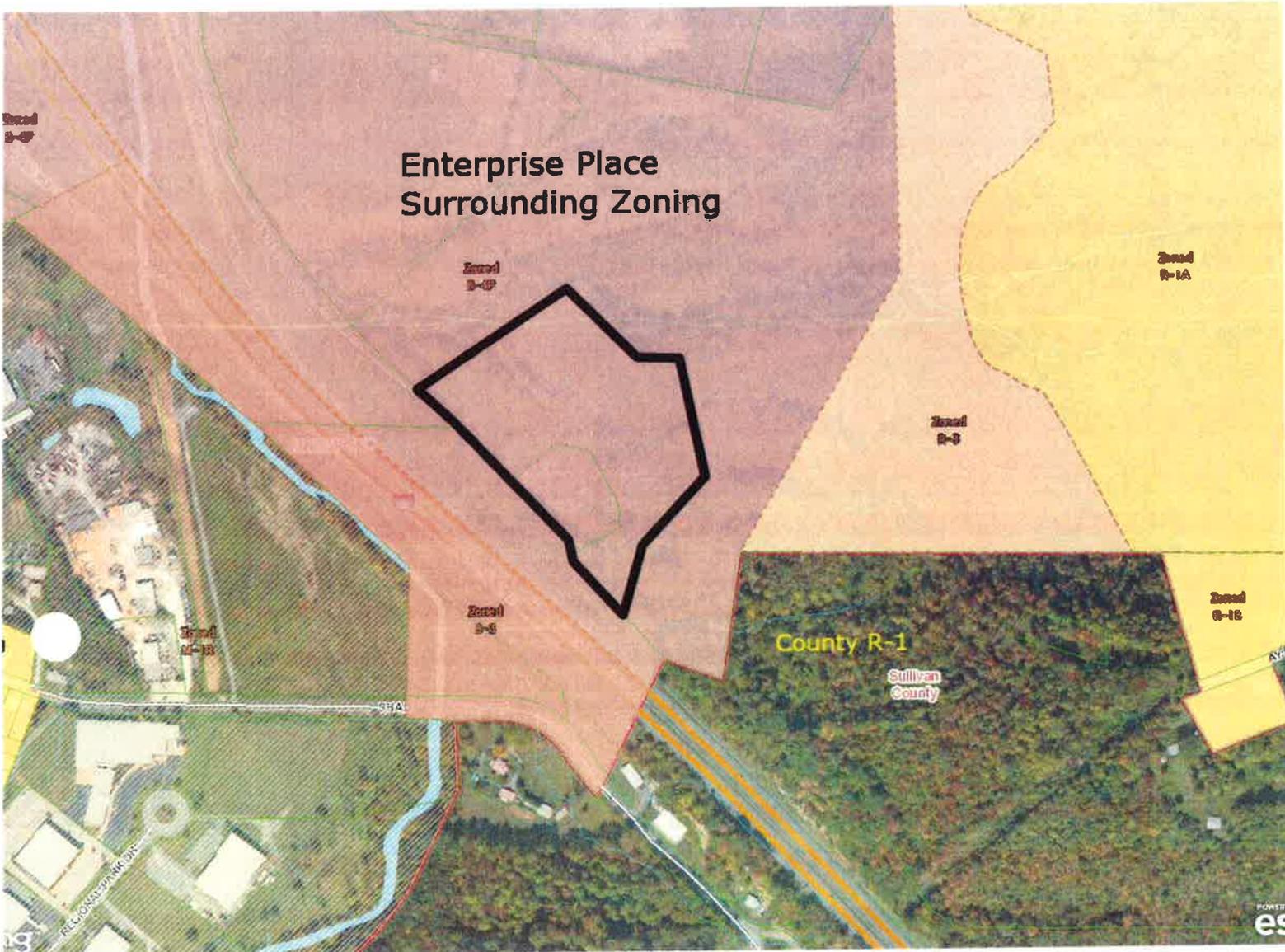
REPRESENTATIVE

PHONE (423) 677-6778

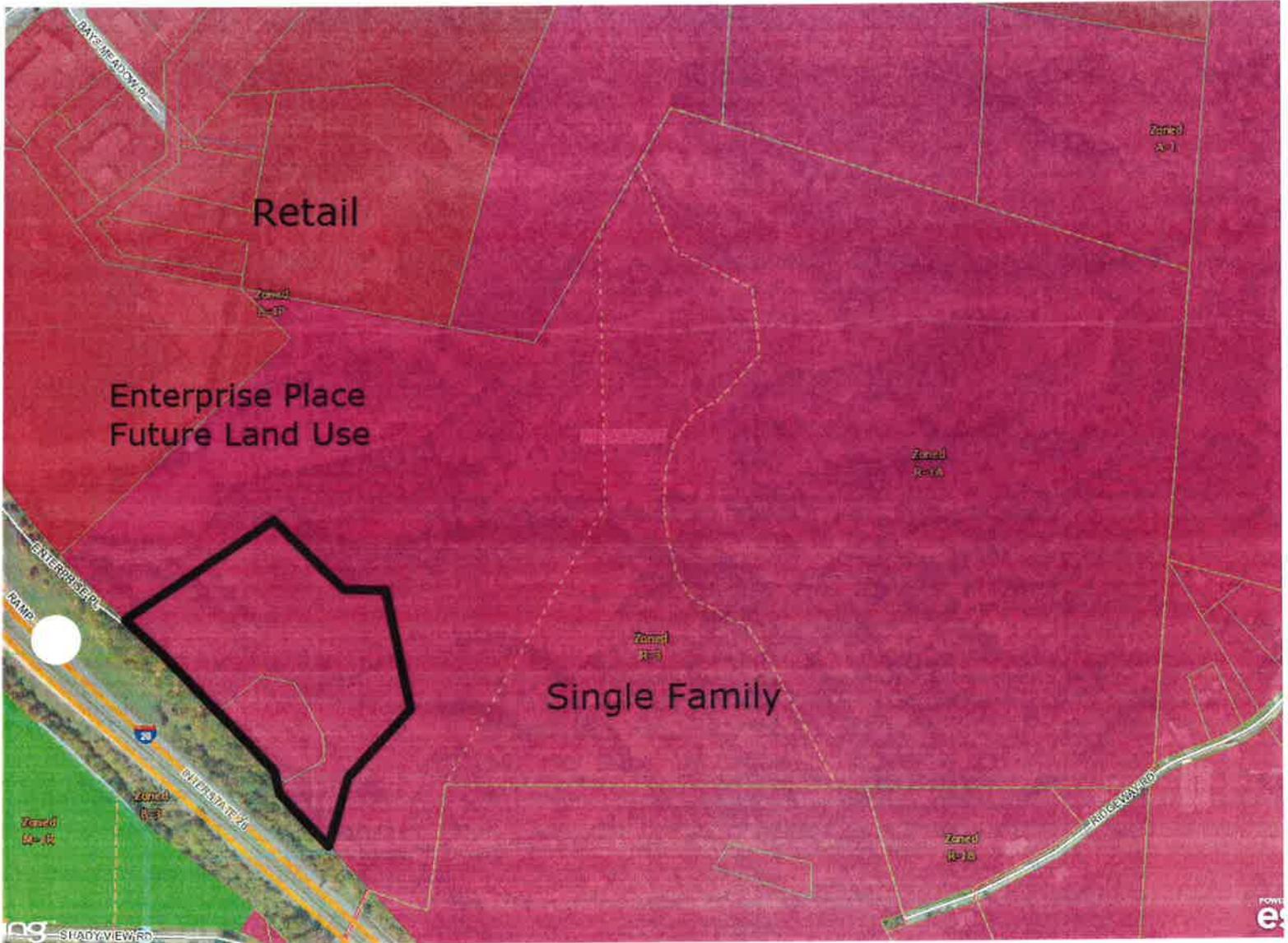
INTENT

To rezone from B-4P to R-3 to accommodate 144 apartment dwelling units.

Surrounding Zoning Map



Future Land Use Plan 2030



Aerial



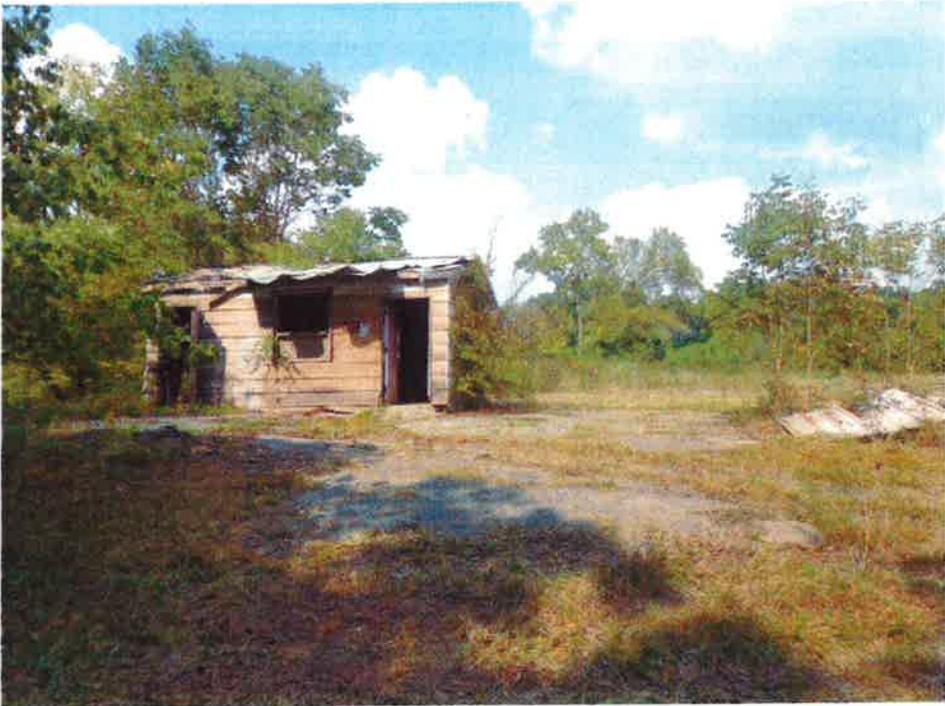
West View



South View (toward I-26)



North View



East View (following Enterprise Place entrance to property)



Kingsport Regional Planning Commission

Rezoning Report

File Number 15-101-00005

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City B-4P</u> Use: vacant property	A rezoning proposal was initiated in 1997 but was withdrawn prior to any action
Further North and Northwest	2	<u>Zone: City B-4P</u> Use: vacant property	n/a
East	3	<u>Zone: City B-4P</u> Use: vacant property	n/a
Further East	4	<u>Zone: City R-3</u> Use: vacant property	n/a
Southeast and South	5	<u>Zone: City B-4P</u> Use: vacant property	n/a
Further South	6	<u>Zone: City B-3</u> Use: I-26 right-of-way	n/a
West	7	<u>Zone: City B-4P</u> Use: I-26 right-of-way	n/a

EXISTING USES LOCATION MAP



Based on the applicant's site plan submitted to the Planning Department on September 1, 2015, Staff offers the following considerations:

DEVELOPMENT STANDARDS – R-3

District minimum requirements:

- Maximum density is 15 dwelling units per acre/ proposed density= 14.9 du/acre
- Parking required: 1.5 spaces per unit/ site plan identified parking: 1.72 spaces per unit

The ZDP indicates compliance with the development standards in an R-3 District.

Property Features

The rezoning site lies at the end of Enterprise Place and abuts the east side of I-26 right-of-way. The site is vacant with the exception of a small abandoned building. In comparison to typical city rezoning sites, this site is remote and not surrounded by any existing development with the exception of the adjacent Interstate. The rezoning site is overgrown with vegetation with the exception of mowed trails.

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 a use that is suitable with adjacent property as multi-family use adjacent to a major transportation network.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal. The proposed apartment units will be located far away from any existing development.
- 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. There is also a reasonable economic use for the proposed zone as a multi-family development adjacent to a major transportation network.

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: 144 apartment units

The Future Land Use Plan Map recommends Single Family use

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing conditions support approval of the proposed rezoning.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** There are no adverse uses proposed.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning is adjacent to an existing R-3 zone to the east.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are illogically drawn as is. Existing zoning for the parent parcel consists of existing B-4P, R-3, and R-1A zoning. The existing district boundaries are most likely left over from zoning configured in the past to support a commercial/ multi-family venture.
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-4P to R-3. The proposed down-zoning from a commercial zone to a residential zone will more appropriately support the future land use plan as a transition zone between retail and single family designations.



AGENDA ACTION FORM

Annex and Adopt Plan of Service for the O’Neill Annexation and Amend Zoning

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

Action Form No.: AF-272-2015
 Work Session: October 5, 2015
 First Reading: October 6, 2015

Final Adoption: October 20, 2015
 Staff Work By: C. Shepherd
 Presentation By: C. Shepherd

Recommendation:

- Hold public hearing
- Approve resolution for the O’Neill annexation
- Approve ordinance amending the zoning ordinance for the O’Neill annexation
- ~~Approve resolution adopting a plan of services for the annexation area~~

Executive Summary:

This is the owner-requested O’Neill annexation of approximately 3.5 acres/1 parcel located off of Rock Springs Road. The current county zoning of the property is County R-1 (Single Family Residential District). The proposed city zoning for the area is a split zone of R-1B (rear portion of the lot nearest Kings Grant Road) and R-2 (front portion of the lot nearest Rock Springs Road). Staff has recommended the split zoning to provide a buffer for the residents of Kings Grant Road. The applicant, Tim O’Neill, is requesting annexation to facilitate the future construction of approximately 10-12 condominiums to be constructed on the parcel. During their September 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 September 21, 2015.

Attachments:

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

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



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George	—	—	—
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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, October 6, 2015, to consider the annexation, zoning, and plan of services for the O'Neill 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 21, Tax Map 92A; thence in a northeasterly direction, approximately 297 feet to a point; said point being the northeastern corner of parcel 21; thence in a southeasterly direction, approximately 549 feet to a point; said point being the southeastern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; thence in a southwesterly direction following the northern boundary of Rock Springs Road, approximately 273 feet to a point, said point being the southwestern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; then in a northwesterly direction, approximately 550 feet to a point; said point being the point of BEGINNING, and being all of parcel 21, Tax Map 92A 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 7th CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE O'NEILL 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 6th day of October 2015, and notice thereof published in the Kingsport Times-News on the 21st day of September 2015; 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 6th day of October 2015, 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 hereby 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 21, Tax Map 92A; thence in a northeasterly direction, approximately 297 feet to a point; said point being the northeastern corner of parcel 21; thence in a southeasterly direction, approximately 549 feet to a point; said point being the southeastern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; thence in a southwesterly direction following the northern boundary of Rock Springs Road, approximately 273 feet to a point, said point being the southwestern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; then in a northwesterly direction, approximately 550 feet to a point; said point being the point of BEGINNING, and being all of parcel 21, Tax Map 92A 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 6th day of October 2015.

JOHN CLARK, Mayor

ATTEST:

JAMES H. DEMMING, City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ROCK SPRINGS ROAD FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-1B & R-2, SINGLE FAMILY RESIDENTIAL & TWO-FAMILY RESIDENTIAL IN THE 7TH 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 Rock Springs Road from County R-1, Low Density Single Family Residential District to City R-1B & City R-2, Single Family Residential & Two-family residential in the 7th 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 21, Tax Map 92A; thence in a northeasterly direction, approximately 297 feet to a point; said point being the northeastern corner of parcel 21; thence in a southeasterly direction, approximately 549 feet to a point; said point being the southeastern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; thence in a southwesterly direction following the northern boundary of Rock Springs Road, approximately 273 feet to a point, said point being the southwestern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; then in a northwesterly direction, approximately 550 feet to a point; said point being the point of BEGINNING, and being all of parcel 21, Tax Map 92A 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 O'NEILL 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 Ridgecrest annexation was submitted to the Kingsport Regional Planning Commission on September 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 October 6, 2015; 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 September 21, 2015; 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 7th Civil District of Sullivan County, Tennessee, commonly known as the O'Neill Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northwest corner of parcel 21, Tax Map 92A; thence in a northeasterly direction, approximately 297 feet to a point; said point being the northeastern corner of parcel 21; thence in a southeasterly direction, approximately 549 feet to a point; said point being the southeastern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; thence in a southwesterly direction following the northern boundary of Rock Springs Road, approximately 273 feet to a point, said point being the southwestern corner of parcel 21 being in common with the northern boundary of Rock Springs Road; then in a northwesterly direction, approximately 550 feet to a point; said point being the point of BEGINNING, and being all of parcel 21, Tax Map 92A 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 O'Neill 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:

**O'Neill 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. Gravity sewer is not available. The developer will be required to provide a lift station for their development and would be responsible for its maintenance.
- 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 area will be split zoned using the approximate location of Rock Springs Branch as the dividing line. The portion of the property fronting Rock Springs Road will be zoned R-2 and the portion to the rear of Rock Springs Branch 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.

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

12. Traffic Control

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

13. Inspection Services

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

14. Animal Control

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

15. Storm Sewers

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

16. Leaf Removal

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

17. Litter Control

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

18. Graffiti Control

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

19. Other Services

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

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

ADOPTED this the 6th day of October 2015.

ATTEST:

JOHN CLARK, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

Kingsport Regional Planning Commission

Annexation Report

File Number 15-301-00004

O'Neill Annexation

Property Information			
Address	386 Rock Springs Road		
Tax Map, Group, Parcel	92A, A, 21		
Civil District	7 th		
Overlay District	N/A		
Land Use Plan Designation	Residential		
Acres	3.5 +/-		
Existing Use	Residential	Existing Zoning	County R-1
Proposed Use	Residential	Proposed Zoning	City R-1B, R-2
Owner Information			
Name: Tim O'Neill Address: 287 Riverview Dr City: Johnson City State: TN Zip Code: 37601 Email: orockcreek@aol.com Phone Number: 423-791-4012		Intent: <i>Annexation by request of the subject parcels, enhancing health, safety, and welfare throughout the Kingsport Planning Region.</i>	
Planning Department Recommendation			
<p>RECOMMENDATION: APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.</i> • <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i> • <i>The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.</i> • <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> • <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i> <p>Staff Field Notes and General Comments: This is a property owner-requested annexation submitted by Tim O'Neill. Mr. O'Neill has requested annexation to facilitate the construction of a mix single-family residential and condo development of approximately 10-12 units with estimated values of approximately \$180,000 each. Mr. O'Neill is requesting a zoning of City of R-1B for the (rear) portion of his property near Kings Grant Road. The portion below Rock Springs Branch has been requested to be zoned R-2 (front) to facilitate the duplex portion of the development. Rock Springs Branch is an impacted stream and will require a 60 foot average on each side.</p> <p>Utilities: City of Kingsport water service is available to the property. However, for the property to be adequately served by sewer, the property owner will have to install a sewer lift station and would be responsible for its maintenance.</p>			

Kingsport Regional Planning Commission

Annexation Report

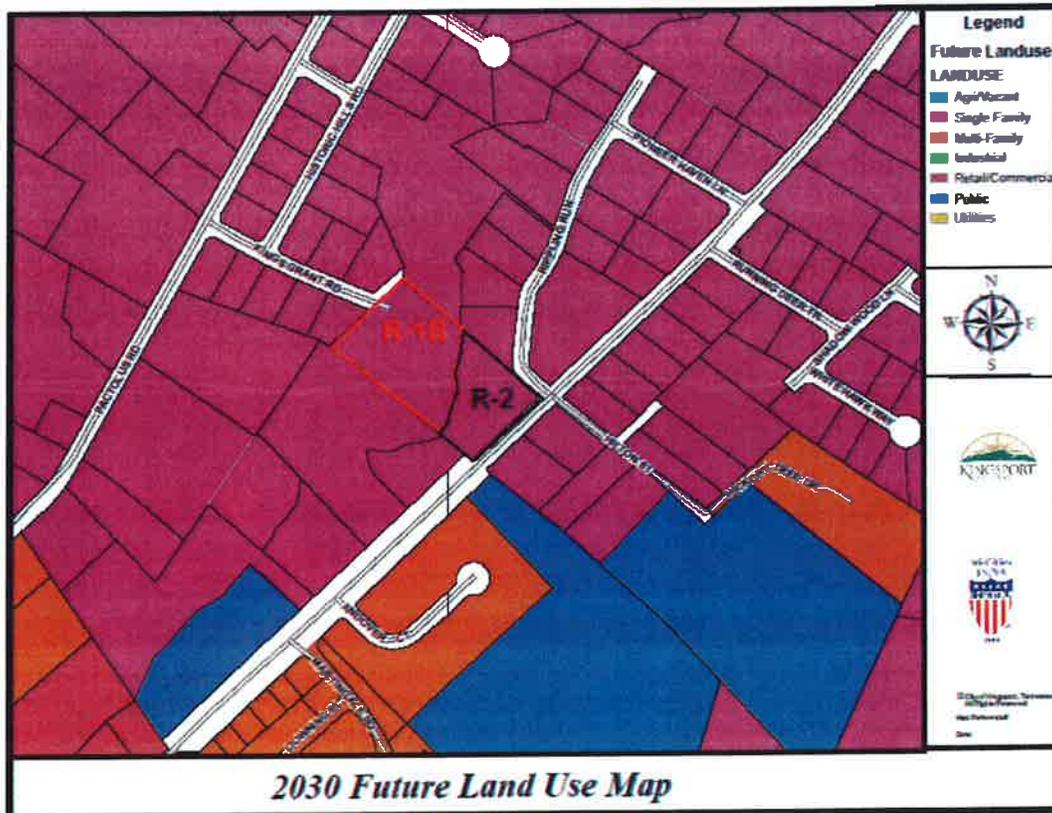
File Number 15-301-00004

Planner:	Corey Shepherd	Date:	August 27, 2015
Planning Commission Action		Meeting Date:	September 17, 2015
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Area Map



Future Land Use Plan



Cost

**O'Neill Annexation
Cost Estimate/ tax records as of 1 September
2015**

Revenues	One Time	Reoccurring (annual)
Property Taxes	X	\$506.68
State Shared	X	\$0.00
Sewer Tap Fees	X	\$0.00
Water & Sewer Rev (loss)	X	\$0.00
Total	\$0.00	\$506.68

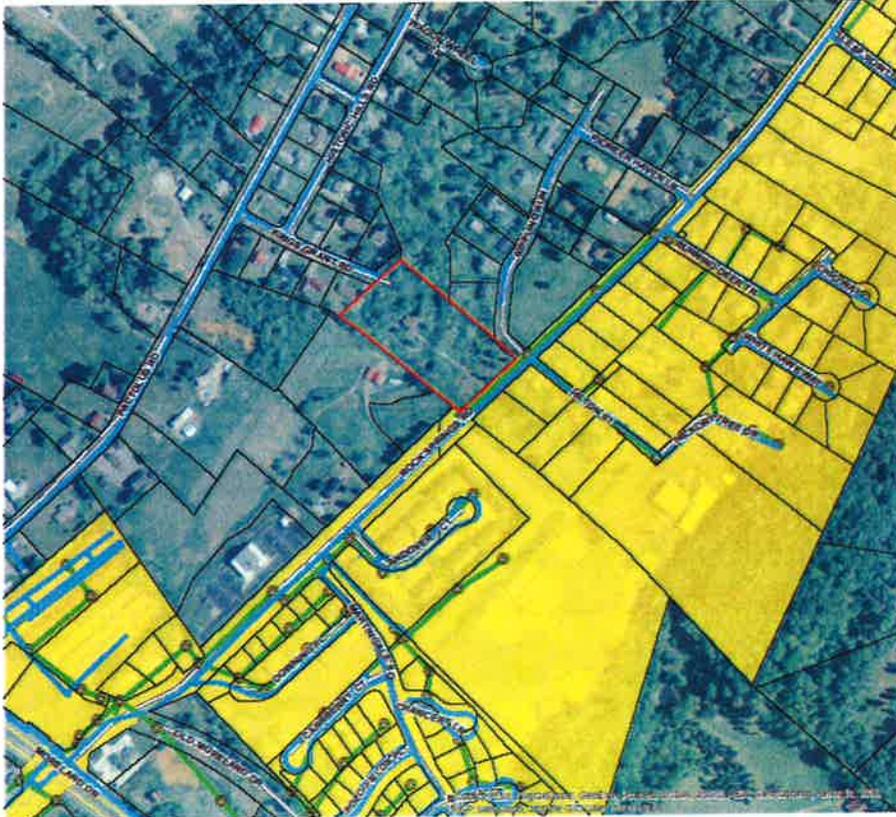
10 units at \$180K equates to \$9,540 in new taxes.
 \$112 for every person. Approximately 25 new residents would mean: **\$2,800** new state shared revenues.
 future taps dependent upon on development.

Expenses	One Time	Reoccurring (annual)
Operating Budget		
Police & Fire Service	0.00	0.00
Transit Service	0.00	0.00
Street Lighting	0.00	0.00
Traffic Controls	0.00	0.00
Streets & Sanitation	1,983	943.46
Subtotal	1,983.00	943.46
Capital Budget		
Water	2,500.00	0.00
Sewer	0.00	0.00
Streets	0.00	0.00
Subtotal	2,500.00	0.00
Grand Total	\$4,483.00	\$943.46

minimal extra area

installation of fire hydrant
 installation of sewer lateral

Aerial Photo



From Rock Springs Rd.



From Rock Springs Rd.



From Kings Grant Rd.



From Kings Grant Rd.





ANNEXATION PETITION

PETITIONER INFORMATION:

Last Name O'Neill First Tim M.I. _____ Date 7/21/15
 Street Address 287 Riverview Drive Apartment/Unit # _____
 City Johnson City State TN ZIP 37601
 Phone 423-791-4012 E-mail Address orockcreek@aol.com

In Household and Ages:

PROPERTY INFORMATION:

Tax Map Information (if known) 092A Tax map: ↓ Group: A Parcel: 021.00 Lot: _____
 Street Address 386 Rock Springs Road, Kingsport, TN Apartment/Unit # _____
 Current Use: A-1 37603

OTHER INFORMATION:

We are requesting annexation & rezoning by the city of Kingsport. We are interested in changing current zoning to allow multi-family use in keeping with the neighborhood standards. The units would be similar in appearance & price range to the development across the street.

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

Signature: [Handwritten Signature]

Date: 7 21 15

Signed before me on this 21 day of July, 2015
 a notary public for the State of Tennessee
 County of Washington
 Notary Debra A. Chandler
 My Commission Expires June 27, 2018

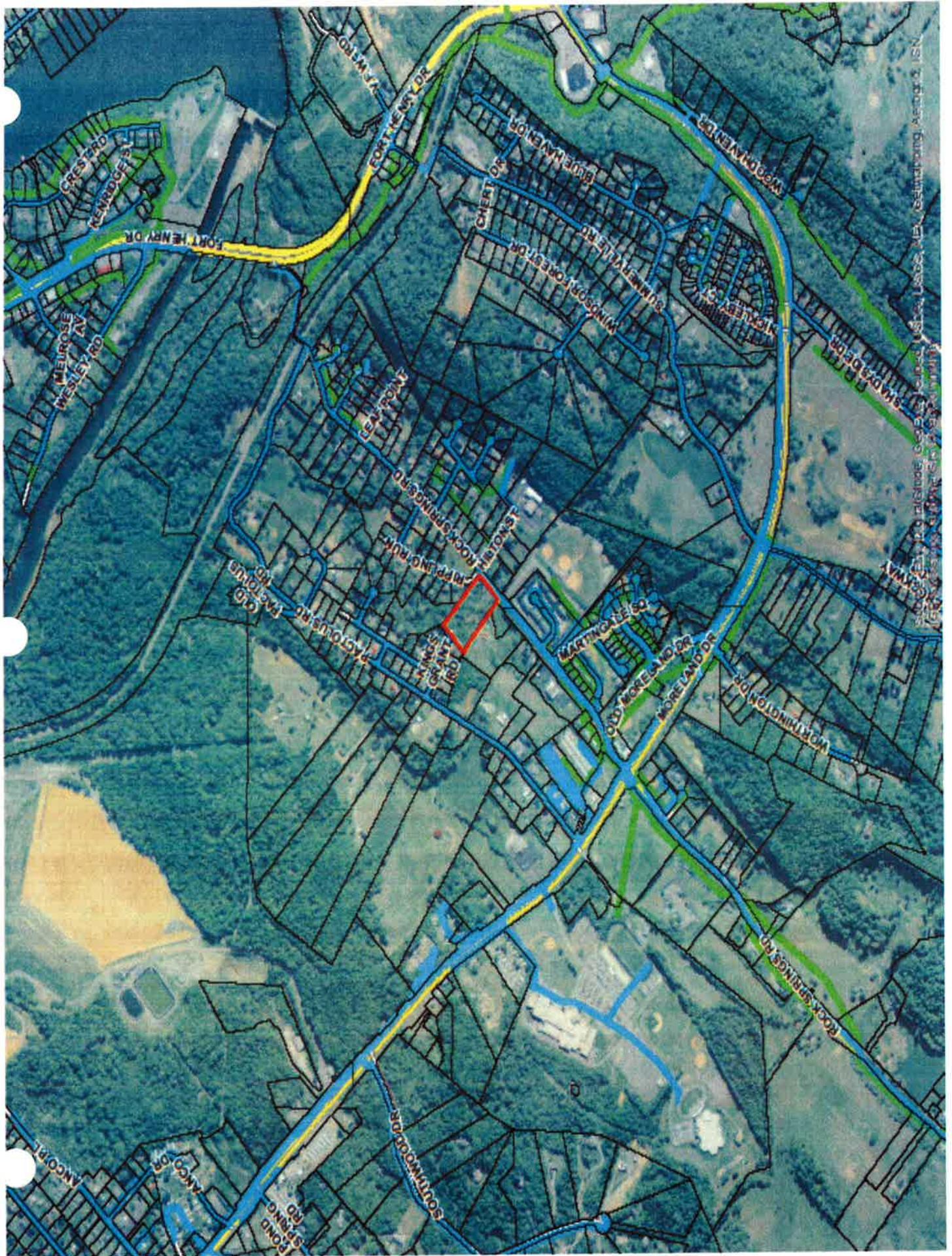


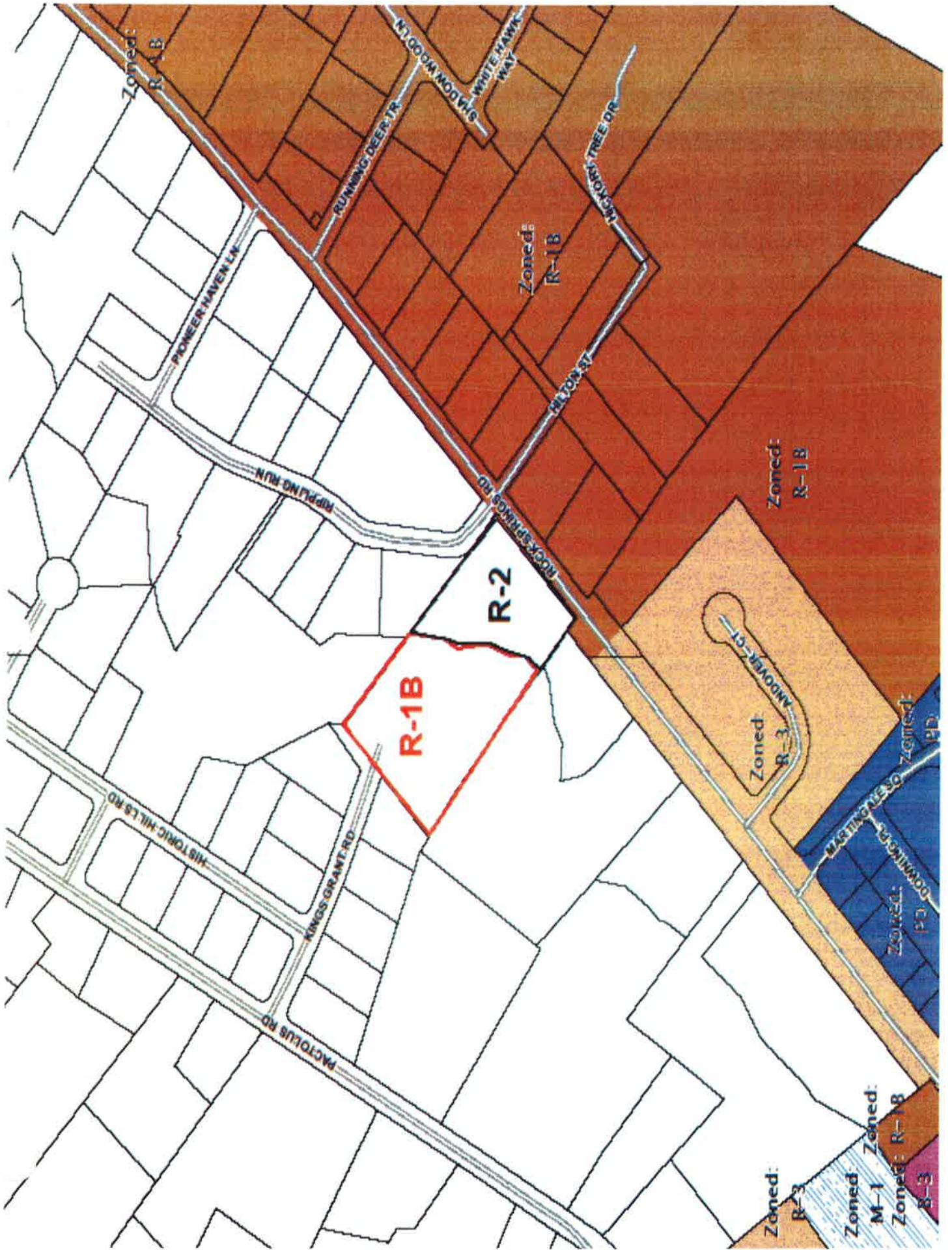
Kingsport Regional Planning Commission

Annexation Report

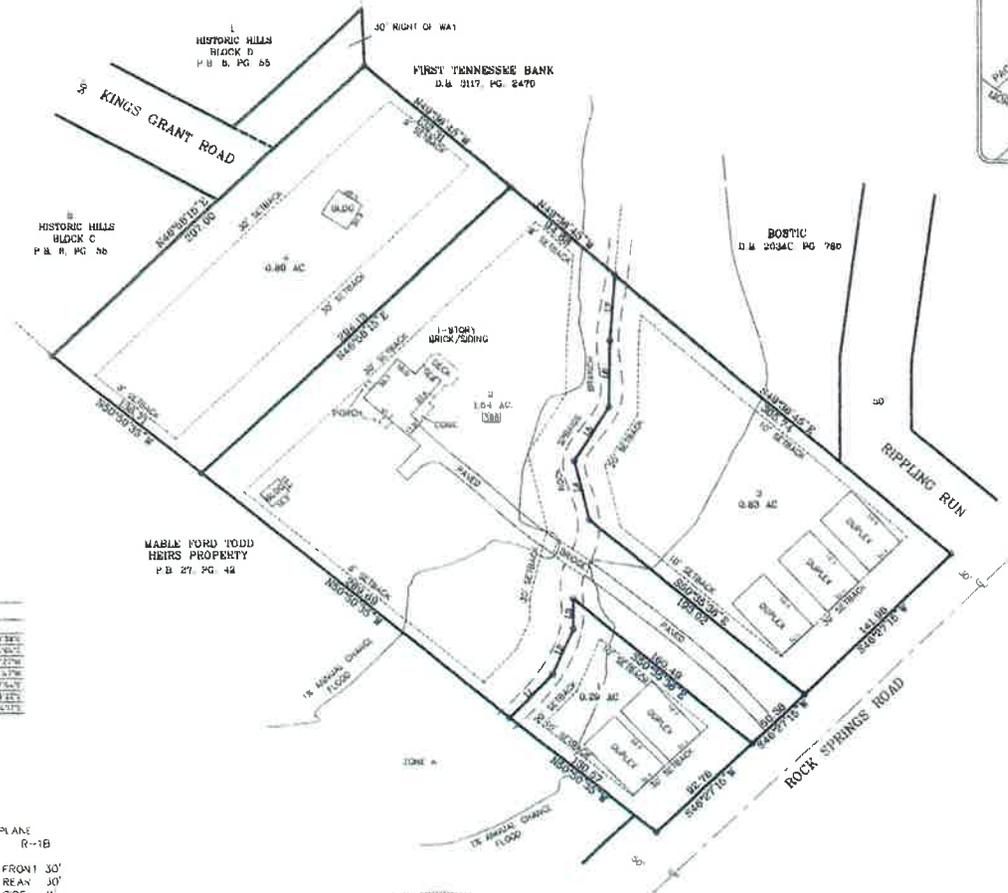
File Number 15-301-00004

Staff recommends sending a **POSITIVE** recommendation to the Board of Mayor and Alderman for the annexation, zoning, and plan of services for the O'Neill annexation.





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 THIS MAP CANNOT BE USED FOR ANY OTHER
 PURPOSE THAN IS INTENDED ON THIS DATE



LOCATION MAP
N.T.S.

LINE	LENGTH	BEARING
1.1	11.53	S88°29'38"E
1.2	52.04	S21°25'51"W
1.3	27.13	N02°07'27"W
1.4	43.07	S87°26'17"W
1.5	45.85	S20°17'54"E
1.6	19.87	N00°13'21"E
1.7	14.12	N06°44'17"E

- LEGEND**
- AC. ACRES
 - CONC CONCRETE
 - D.B. DEED BOOK
 - P.B. PLAT BOOK
 - PC PACE
 - BLDC BUILDING
 - N.T.S. NOT TO SCALE
 - 911 ADDRESS
 - CEM CENTERLINE

NOTES:

- 1) NORTH BASED ON TENNESSEE STATE PLANE
- 2) PROPERTY IS ZONED R-2
SETBACKS:
FRONT 30' REAR 30'
SIDE 10' SIDE 5'
- 3) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C0235U EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN
- 4) JOB NO. 14-8941
- 5) ACAD FILE 14-8941 O'NEILL DWG
- 6) FIELD INFORMATION ELECTRONIC DATA COLLECTED
- 7) TAX MAP 92A "A" PARCEL 21
- 8) DEED REFERENCE D.B. 140A PAGE 313

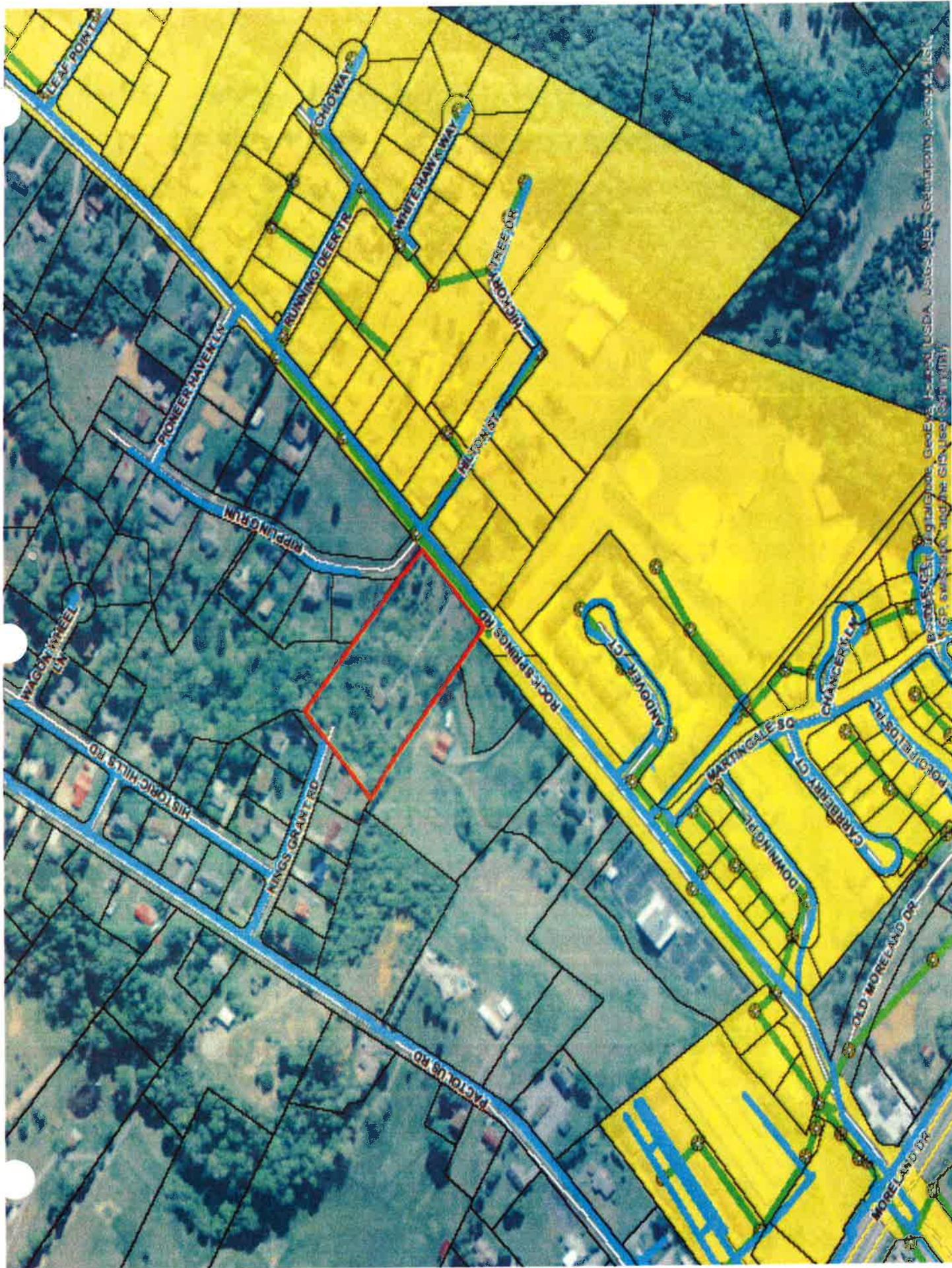
**PRELIMINARY NOT FOR
 CONSTRUCTION RECORDING
 PURPOSES ONLY**

ZONING DEVELOPMENT PLAN
 3.55 ACRES
 13TH CIVIL DISTRICT
 SULLIVAN COUNTY
 TENNESSEE
 DATE: SEPTEMBER 8, 2015
 SCALE: 1" = 50'



TIM O'NEILL
 SULLIVAN COUNTY, TENNESSEE

ALLEY & ASSOCIATES, INC.
 ENGINEERS
 1014 MARKET STREET EAST, SUITE 200
 MEMPHIS, TENNESSEE 38103
 TEL: (901) 361-1000
 FAX: (901) 361-1000
 E-MAIL: info@alleynai.com



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AGENDA ACTION FORM

Appropriate Funding for Special Opportunity Grant from the Tennessee Arts Commission to Participate in the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties

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

Action Form No.: AF-245-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: **October 20, 2015**
Staff Work By: Bonnie Macdonald
Presentation By: Morris Baker

Recommendation:

Approve the ~~Resolution~~ and Ordinance.

Executive Summary:

The Tennessee Arts Commission will partner with Americans for the Arts to conduct the Arts and Economic Prosperity Study. The study documents the key roles played by nonprofit arts and culture organization and their audiences in strengthening the economy. The Tennessee Arts Commission is seeking 20 local partners and has asked the Kingsport Office of Cultural Arts to coordinate the study for Sullivan and Hawkins Counties. There is a grant available from the Tennessee Arts Commission to pay 100% of the \$4,250 fee.

Local partners receive a customize final report on the direct and indirect/induced economic impact of spending by the community's arts and culture organizations and their audiences including: the number of full-time equivalent jobs support by the industry, the amount of resident household income generated by the industry and the amount of local and state government revenue generated by the industry.

Attachments:

- 1. Resolution
- 2. Ordinance

Funding source appropriate and funds are available: *JF*

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



AGENDA ACTION FORM

Apply and Receive Special Opportunity Grant from the Tennessee Arts Commission to Participate in the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties and Appropriate Funding

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

Action Form No.: AF-245-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Bonnie Macdonald
Presentation By: Morris Baker

Recommendation:

Approve the Resolution and Ordinance.

Executive Summary:

The Tennessee Arts Commission will partner with Americans for the Arts to conduct the Arts and Economic Prosperity Study. The study documents the key roles played by nonprofit arts and culture organization and their audiences in strengthening the economy. The Tennessee Arts Commission is seeking 20 local partners and has asked the Kingsport Office of Cultural Arts to coordinate the study for Sullivan and Hawkins Counties. There is a grant available from the Tennessee Arts Commission to pay 100% of the \$4,250 fee.

Local partners receive a customize final report on the direct and indirect/induced economic impact of spending by the community's arts and culture organizations and their audiences including: the number of full-time equivalent jobs support by the industry, the amount of resident household income generated by the industry and the amount of local and state government revenue generated by the industry.

Attachments:

- 1. Resolution
- 2. Ordinance

Funding source appropriate and funds are available:

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A SPECIAL OPPORTUNITY GRANT FROM THE TENNESSEE ARTS COMMISSION FOR THE AMERICANS FOR THE ARTS ECONOMIC PROSPERITY STUDY

WHEREAS, the city, through the cultural arts division, would like to apply for a special opportunity grant through the Tennessee Arts Commission, for the Americans Arts Economic Prosperity Study for Sullivan and Hawkins Counties; and

WHEREAS, the maximum amount of the grant award is \$4,250.00; and

WHEREAS, a local match is not required;

Now therefore,

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

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for and receive grant funds from the Tennessee Arts Commission in the amount of \$4,250.00 for the Americans for the Arts Economic Prosperity Study for Sullivan and Hawkins Counties.

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

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

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

ADOPTED this the 6th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**PRE-FILED
CITY RECORDER**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE ARTS COMMISSION 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 Fund Cultural Arts operating budget be amended by appropriating grant funds received from the Tennessee Arts Commission in the amount of \$4,250 to conduct the Arts and Economic Prosperity Study. There is not a local match required.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
Revenues:	\$	\$	\$
110-0000-332-3200 TN. Arts Commission	4,390	4,250	4,250
Totals:	4,390	4,250	4,250
Expenditures:	\$	\$	\$
110-4512-471-2020 Professional Consultant	23,000	4,250	27,250
Totals:	23,000	4,250	27,250

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:

ANGIE MARSHALL
Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Appropriate the \$3,500 Library Services Technology Act Grant for the Library

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

Action Form No.: AF-258-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Helen Whittaker
Presentation By: Morris Baker

Recommendation:

Approve the Ordinance.

Executive Summary:

The library has received \$3,500 grant to replace 11 laptops that are 4 years old that are used for weekly computer instruction classes for the public and weekly job labs.

The City IT Department provided the match for the 11 laptops.

Attachment:

- 1. Ordinance

Funding source appropriate and funds are available: 

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



AGENDA ACTION FORM

Appropriate the \$3,500 Library Services Technology Act Grant for the Library

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

Action Form No.: AF-258-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Helen Whittaker
Presentation By: Morris Baker

Recommendation:

Approve the Ordinance.

Executive Summary:

The library has received \$3,500 grant to replace 11 laptops that are 4 years old that are used for weekly computer instruction classes for the public and weekly job labs.

The City IT Department provided the match for the 11 laptops.

Attachment:

- 1. Ordinance

Funding source appropriate and funds are available: *gs*

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE LIBRARY SERVICES TECHNOLOGY ACT GRANT 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 Fund operating budget be amended by appropriating grant funds received from the Library Services Technology Act Grant in the amount of \$3,500 to purchase laptop computers. The grant requires a 50% match which will be provided by the Information Technology Department.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
<u>Revenues:</u>	\$	\$	\$
110-0000-337-4101 LSTA Competitive Serv.Grant	0	3,500	3,500
Totals:	0	3,500	3,500
<u>Expenditures:</u>	\$	\$	\$
110-4540-474-9004 Equipment	0	3,500	3,500
Totals:	0	3,500	3,500

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

JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

ANGIE MARSHALL
Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Ordinance to Appropriate Funding from the Criminal Forfeiture Fund

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

Action Form No.: AF-247-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: **October 20, 2015**
Staff Work By: Major Bellamy
Presentation By: Chief Quillin

Recommendation:

Approve the Ordinance to appropriate funding in the amount of \$60,000.

Executive Summary:

The Criminal Forfeiture Fund was established for any revenue generated from the seizure of assets of a suspect where the criminal case was investigated by KPD utilizing federal authorities (i.e. DEA, FBI, IRS, etc). The equitable sharing is between the federal agency and the Kingsport Police Department based on the percentage of participation during the investigation. These funds can be used by a law enforcement agency for law enforcement purposes only. The proceeds from these assets are commonly used to fund police department expenditures which are not able to be budgeted during normal avenues. Distinct guidelines are established for expenditures by the Department of Justice. The total amount requested to accomplish these projects is \$60,000. All of the projects meet the established guidelines.

The varied projects outlined for the expenditures include the purchase of unmarked undercover vehicles utilized by the department's Vice Unit; Tasers for officers to complete the issuance of this tool to help control combative and resisting individuals; and the completion of the Law Enforcement Memorial which will be located at the Justice Center in the corner of Clay Street and Market Street.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: 

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



AGENDA ACTION FORM

Ordinance to Appropriate Funding from the Criminal Forfeiture Fund

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

Action Form No.: AF-247-2015
Work Session: October 5, 2015
First Reading: October 6, 2015
Final Adoption: October 20, 2015
Staff Work By: Major Bellamy
Presentation By: Chief Quillin

Recommendation:

Approve the Ordinance to appropriate funding in the amount of \$60,000.

Executive Summary:

The Criminal Forfeiture Fund was established for any revenue generated from the seizure of assets of a suspect where the criminal case was investigated by KPD utilizing federal authorities (i.e. DEA, FBI, IRS, etc). The equitable sharing is between the federal agency and the Kingsport Police Department based on the percentage of participation during the investigation. These funds can be used by a law enforcement agency for law enforcement purposes only. The proceeds from these assets are commonly used to fund police department expenditures which are not able to be budgeted during normal avenues. Distinct guidelines are established for expenditures by the Department of Justice. The total amount requested to accomplish these projects is \$60,000. All of the projects meet the established guidelines.

The varied projects outlined for the expenditures include the purchase of unmarked undercover vehicles utilized by the department's Vice Unit; Tasers for officers to complete the issuance of this tool to help control combative and resisting individuals; and the completion of the Law Enforcement Memorial which will be located at the Justice Center in the corner of Clay Street and Market Street.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: 

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CRIMINAL FORFEITURE FUND BUDGET 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 Criminal Forfeiture Fund budget be amended by appropriating funds in the amount of \$60,000 from the Forfeited Assets-Federal Reserve to the Criminal Forfeiture Fund operating budget to purchase unmarked undercover vehicles, Tasers, and to complete the Law Enforcement Memorial at the Justice Center.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 126: Criminal Forfeiture Fund			
Revenues:			
126-0000-392-0318 Forfeited Assets-Federal	0	60,000	60,000
Totals:	0	60,000	60,000
Expenditures:			
126-3021-442-9006 Purchases Over \$5,000	\$ 0	\$ 60,000	\$ 60,000
Totals:	0	60,000	60,000

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

JOHN CLARK, Mayor

ATTEST:

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

Appropriate a \$20,000.28 Overtime Grant from the Governor's Highway Safety Office for Traffic Safety Enforcement

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

Action Form No.: AF-265-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Captain Castle
Presentation By: Chief Quillin

Recommendation:

Approve the Budget Ordinance.

Executive Summary:

On May 19, 2015, via Action Form 106, the Board of Mayor and Aldermen approved the Mayor executing any and all documents necessary to apply for and receive a Tennessee Department of Transportation/Governor's Highway Safety Office Traffic Safety Grant (TDOT/GHSO). We have been notified that we were approved for \$20,000.28 in grant funds for the upcoming State fiscal year. The grant will be utilized for traffic safety enforcement overtime.

There are no matching fund requirements.

Attachments:

- 1. Budget Ordinance

Funding source appropriate and funds are available: 

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



AGENDA ACTION FORM

Appropriate a \$20,000.28 Overtime Grant from the Governor’s Highway Safety Office for Traffic Safety Enforcement

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

Action Form No.: AF-265-2015
 Work Session: October 5, 2015
 First Reading: October 6, 2015
 Final Adoption: October 20, 2015
 Staff Work By: Captain Castle
 Presentation By: Chief Quillin

Recommendation:
 Approve the Budget Ordinance.

Executive Summary:
 On May 19, 2015, via Action Form 106, the Board of Mayor and Aldermen approved the Mayor executing any and all documents necessary to apply for and receive a Tennessee Department of Transportation/Governor’s Highway Safety Office Traffic Safety Grant (TDOT/GHSO). We have been notified that we were approved for \$20,000.28 in grant funds for the upcoming State fiscal year. The grant will be utilized for traffic safety enforcement overtime.

There are no matching fund requirements.

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 THE GENERAL PROJECTS - SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE GOVERNOR'S HIGHWAY SAFETY GRANT 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 Projects – Special Revenue Fund budget be amended by appropriating grant funds received from the Governor’s Highway Safety Office to the Governor’s Highway Safety Grant Project (NC1602) in the amount of \$20,000 to be used for overtime for traffic safety and enforcement. This grant is administered through the Tennessee Department of Transportation for Traffic Law Enforcement Agency Services. This grant does not require matching funds.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 111: Gen. Projects–Special Rev. Fund			
Governor’s Hwy Safety Grant (NC1602)			
Revenues:	\$	\$	\$
111-0000-332-9000 Dept of Transportation	0	20,000	20,000
Totals:	0	20,000	20,000
Expenditures:			
111-0000-601-1011 Overtime	0	13,750	13,750
111-0000-601-1020 Social Security	0	1,600	1,600
111-0000-601-1040 Retirement	0	4,000	4,000
111-0000-601-1050 Life Insurance	0	50	50
111-0000-601-1052 Long Term Disability	0	50	50
111-0000-601-1060 Workmen’s Comp	0	500	500
111-0000-601-1061 Unemployment Insurance	0	50	50
Totals:	0	20,000	20,000

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

JOHN CLARK, Mayor

ATTEST:

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

Appropriate Funds for the Fleet Fund

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

Action Form No.: AF-266-2015
 Work Session: October 5, 2015
 First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Judy Smith/Steve Hightower
Presentation By: Steve Hightower

Recommendation:

Approve the Ordinance.

Executive Summary:

This ordinance will appropriate \$76,500 from the Fleet Fund Balance to convert 19 vehicles to propane fuel. The propane kits are \$4,100 each.

The ordinance will also appropriate \$26,000 received from the TN Propane Gas Association to convert 6 vehicles making a total of 25 vehicles converted to propane fuel. The conversion will create a potential fuel cost savings of \$77,000.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: *JF*

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



AGENDA ACTION FORM

Appropriate Funds for the Fleet Fund

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

Action Form No.: AF-266-2015
 Work Session: October 5, 2015
 First Reading: October 6, 2015

Final Adoption: October 20, 2015
 Staff Work By: Judy Smith/Steve Hightower
 Presentation By: Steve Hightower

Recommendation:

Approve the Ordinance.

Executive Summary:

This ordinance will appropriate \$76,500 from the Fleet Fund Balance to convert 19 vehicles to propane fuel. The propane kits are \$4,100 each.

The ordinance will also appropriate \$26,000 received from the TN Propane Gas Association to convert 6 vehicles making a total of 25 vehicles converted to propane fuel. The conversion will create a potential fuel cost savings of \$77,000.

Attachments:

- 1. Ordinance

Funding source appropriate and funds are available: *JF*

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

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE FLEET FUND BUDGET BY APPROPRIATING FUNDS FROM FUND BALANCE AND BY APPROPRIATING FUNDS RECEIVED FROM THE TENNESSEE PROPANE GAS ASSOCIATION 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 Fleet Fund operating budget be amended by appropriating \$76,500 from the Fleet Fund Balance in the amount of \$76,500 and by appropriating \$26,000 received from the Tennessee Propane Gas Association to convert 25 vehicles to propane fuel.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 611: Library Commission Fund			
Revenues:			
	\$	\$	\$
511-0000-364-2000 From Corporations	0	26,000	26,000
511-0000-392-0100 Fund Balance Appropriation	5,449,394	76,500	5,525,894
Totals:	5,449,394	102,500	5,551,894
Expenditures:			
	\$	\$	\$
511-5008-501-9004 Equipment	0	102,500	102,500
Totals:	0	102,500	102,500

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

JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

ANGIE MARSHALL
Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Amend Various Code Sections Pertaining to Code Enforcement Officers

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

Action Form No.: AF-262-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Curtis Montgomery
Presentation By: Curtis Montgomery

Recommendation:

Approve ordinance amending the city code to require code enforcement officers to enforce codes found within job description.

Executive Summary:

This amendment is the result of the code enforcement officer's transition from the Police Department to a civilian designation. The authority held while being a police officer did not translate to a civilian position, an amendment to the code is required to allow for proper code enforcement without a badge. The amendment will add text to section 2-263, which will specifically allow the Department of Development Services to have a designated code enforcement officer. The additional amendment to sections 2-264 and 98-534, outlines the scope and authority in which the code enforcement officer will be allowed to function.

All changes may be found in red text.

Attachments:

- 1. Ordinance
- 2. Staff Report

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



AGENDA ACTION FORM

Amend Various Code Sections Pertaining to Code Enforcement Officers

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

Action Form No.: AF-262-2015
Work Session: October 5, 2015
First Reading: October 6, 2015

Final Adoption: October 20, 2015
Staff Work By: Curtis Montgomery
Presentation By: Curtis Montgomery

Recommendation:

Approve ordinance amending the city code to require code enforcement officers to enforce codes found within job description.

Executive Summary:

This amendment is the result of the code enforcement officer's transition from the Police Department to a civilian designation. The authority held while being a police officer did not translate to a civilian position, an amendment to the code is required to allow for proper code enforcement without a badge. The amendment will add text to section 2-263, which will specifically allow the Department of Development Services to have a designated code enforcement officer. The additional amendment to sections 2-264 and 98-534, outlines the scope and authority in which the code enforcement officer will be allowed to function.

All changes may be found in red text.

Attachments:

- 1. Ordinance
- 2. Staff Report

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 2-263, 2-264, AND 98-534 PROVIDING SCOPE OF DUTIES FOR CODE ENFORCEMENT OFFICERS IN THE DEPARTMENT OF DEVELOPMENT SERVICES AND BUILDING DEPARTMENT.

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

SECTION I. That Section 2-263 of the Code of Ordinances, City of Kingsport, Tennessee is amended by deleting and replacing the following to the section:

The appointment of special code enforcement officers by the city manager shall be limited to the following departments and individuals designated by job description within the respective departments:

- (1) Police department. The persons eligible by job description for appointment are parking control officers.
- (2) Fire department. The persons eligible by job description for appointment are fire inspectors, deputy chiefs and senior captains.
- (3) Animal control. The persons eligible by job description for appointment are animal control officers.
- (4) Department of public works. The persons eligible by job description for appointment are those individuals directly involved with activities subject to Code provisions, recommended by the public works director and appointed by the city manager, but not to exceed four persons in the department.
- (5) Bays Mountain Park. The person eligible by job description for appointment is the Bays Mountain Park Director.
- (6) Department of development services. The persons eligible by job description for appointment are code enforcement officers and/or coordinators.
- (7) Building department. The persons eligible by job description for appointment are those individuals directly involved with activities subject to Code provisions, recommended by the building official and appointed by the city manager, but not to exceed two persons in the department.

SECTION II. That Section 2-264 of the Code of Ordinances, City of Kingsport, Tennessee is amended by deleting and replacing the following to the section:

Special code enforcement officers appointed by the city manager shall be limited in the scope of their authority to the enforcement of specific sections of this Code pertaining directly to the individuals' respective job duties and responsibilities as enumerated in this section and no other. A special code enforcement officer shall be empowered only to issue a summons for a perceived ordinance violation. A special code enforcement officer shall not be authorized to carry a firearm. Special code enforcement officers shall be restricted by department to enforcement of specific sections of this Code as follows:

- (1) Police department. Special code enforcement officers assigned to the police department shall be specifically limited in the scope of their authority to the issuance of a summons for perceived violations of those sections of this Code pertaining to stopping, standing and parking.
- (2) Fire department. Special code enforcement officers in the fire department shall be specifically limited in the scope of their authority to the issuance of a summons for the

perceived violations of the fire prevention code, as adopted in section 42-46, and to the enforcement of division 3 of article IV of chapter 98, pertaining to fire lanes.

- (3) Animal control. Special code enforcement officers in animal control shall have the authority to issue citations for the perceived violations of chapter 14, pertaining to animals and fowl.
- (4) Department of public works. Special code enforcement officers in the department of public works shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of chapter 86, regulating solid waste, and chapter 102, regulating public utilities.
- (5) Bays Mountain Park. Special code enforcement officers at Bays Mountain Park shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of ordinances pertaining to trespassing, destruction of real or personal property and littering within Bays Mountain Park.
- (6) Department of development services. Special code enforcement officers in the department of development services shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of ordinances pertaining to zoning, property maintenance, littering and nuisances.
- (7) Building department. Special code enforcement officers in the department of development services shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of chapter 22.

SECTION III. That Section 98-534 of the Code of Ordinances, City of Kingsport, Tennessee is amended by deleting and replacing the following to the section:

Persons authorized to impound. When impoundment is authorized by this article, a vehicle may be impounded either by an officer or authorized agent of the police department or a contractor for towing or storage acting at the request of an officer or authorized agent of the police department. *However, if such violation falls within the code of property maintenance or Section 98-221, the authority of the aforementioned agents will be passed to the special code enforcement officer for the development services department to rectify the situation.*

SECTION IV. 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 _____

Introduction:

This code text amendment establishes a scope of duties that have been a long established practice for code enforcement officers within the building and development services departments.

The intent of providing a set scope of duties is to alleviate any constraints that may be placed upon other departments i.e. the police department and animal control.

Presentation:

Staff recommends the following changes in the form of an addition to (Sec. 2-263), (Sec. 2-264) and (Sec. 98-534) in the code text.

Sec. 2-263. – Departments affected.

The appointment of special code enforcement officers by the city manager shall be limited to the following departments and individuals designated by job description within the respective departments:

- (1) Police department. The persons eligible by job description for appointment are parking control officers.
- (2) Fire department. The persons eligible by job description for appointment are fire inspectors, deputy chiefs and senior captains.
- (3) Animal control. The persons eligible by job description for appointment are animal control officers.
- (4) Department of public works. The persons eligible by job description for appointment are those individuals directly involved with activities subject to Code provisions, recommended by the public works director and appointed by the city manager, but not to exceed four persons in the department.
- (5) Bays Mountain Park. The person eligible by job description for appointment is the Bays Mountain Park Director.
- (6) Department of development services. The persons eligible by job description for appointment are code enforcement officers and/coordinators.
- (7) Building department. The persons eligible by job description for appointment are those individuals directly involved with activities subject to Code provisions, recommended by the building official and appointed by the city manager, but not to exceed two persons in the department.

Sec. 2-264. – Limitation upon officers' authority; scope of duties and responsibilities

Special code enforcement officers appointed by the city manager shall be limited in the scope of their authority to the enforcement of specific sections of this Code pertaining directly to the individuals' respective job duties and responsibilities as enumerated in this section and no other. A special code enforcement officer shall be empowered only to issue a summons for a perceived ordinance violation. A special code enforcement officer shall not be authorized to carry a firearm. Special code enforcement officers shall be restricted by department to enforcement of specific sections of this Code as follows:

- (1) Police department. Special code enforcement officers assigned to the police department shall be specifically limited in the scope of their authority to the issuance of a summons for perceived violations of those sections of this Code pertaining to stopping, standing and parking.
- (2) Fire department. Special code enforcement officers in the fire department shall be specifically limited in the scope of their authority to the issuance of a summons for the perceived violations of the fire prevention code, as adopted in section 42-46, and to the enforcement of division 3 of article IV of chapter 98, pertaining to fire lanes.
- (3) Animal control. Special code enforcement officers in animal control shall have the authority to issue citations for the perceived violations of chapter 14, pertaining to animals and fowl.
- (4) Department of public works. Special code enforcement officers in the department of public works shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of chapter 86, regulating solid waste, and chapter 102, regulating public utilities.
- (5) Bays Mountain Park. Special code enforcement officers at Bays Mountain Park shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of ordinances pertaining to trespassing, destruction of real or personal property and littering within Bays Mountain Park.
- (6) Department of development services. Special code enforcement officers in the department of development services shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of ordinances pertaining to property maintenance, littering and nuisances.
- (7) Building department. Special code enforcement officers in the department of development services shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of chapter 22.

Sec. 98-534. – Persons authorized to impound

Persons authorized to impound. When impoundment is authorized by this article, a vehicle may be impounded either by an officer or authorized agent of the police department or a contractor for towing or storage acting at the request of an officer or authorized agent of the police department. However, if such violation falls within the code of property maintenance or Section 98-221, the authority of the aforementioned agents will be passed to the special code enforcement officer for the development services department to rectify the situation.

Scope of Job Description

Chapter 22: Buildings and Building Regulations

- § 527- Health hazards and nuisances
- § 550- Nuisance and definitions,
- § 558- Care of premises,
- § 653- Duty of owners, tenants or occupants;

Chapter 38: Environment

- § 23- Placement in receptacles to prevent scattering
- § 24- Sweeping into gutters; cleanliness of sidewalks,
- § 31- Occupied private property,
- § 32- Maintenance of property,
- § 34- Abandoned automobiles,
- § 35- Vacant lots;

Chapter 62: Offenses and Nuisances

- § 125- Offenses and nuisances definitions,
- § 126- Certain items declared nuisance, nonconclusive,
- § 128- Creating or causing nuisance prohibited;

Chapter 86: Solid Waste

- § 33- Solid waste brought into city,
- § 35- Residential yard waste,
- § 36- Brush, stumps, trees, limbs and leaves,
- § 37- Furniture, appliances and other household items,
- § 38- Hazardous materials, appliances and other household items,
- § 41- Construction waste;

Chapter 90: Streets, Sidewalks and Other Public Places

- § 47- Sweeping sidewalks in front of business establishments,
- § 49- Removal of snow, ice, sleet, mud from sidewalks, footways;

Chapter 98: Traffic and Vehicles

- § 215- Applicability,
- § 219- Parking Trucks and trailers,
- § 220- All-night parking on streets
- § 221- Parking for certain purposes prohibited,
- § 233- Restrictions on parking in city-owned parking facilities,
- § 534- Persons authorized to impound

Chapter 106: Vegetation

- § 50- Maximum permitted height,
- § 51- When excess growth is a nuisance,
- § 52- Growth encroaching on streets, alleys, sidewalks or public ways,
- § 53- Duty to cut or remove,
- § 54- Exceptions;

Chapter 114: Zoning

- § 529- Prohibited signs
- § 563(4)- General standards for parking in residential areas.

Special code enforcement officers in the department of development services shall be specifically limited in the scope of their authority to the issuance of summons for the perceived violations of the following International Property Code:

- § 302- Exterior property areas with the exclusion of §302(2),
- § 303- Swimming pools (maintenance and enclosures),
- § 304(3)- Premises identification,
- § 307- Rubbish and garbage.



AGENDA ACTION FORM

Easements and Rights-of-Way for Double Springs Tank Water Line Upgrade Project

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

Action Form No.: AF-275-2015
Work Session: October 19, 2015
First Reading: N/A
Final Adoption: October 20, 2015
Staff Work By: R. Trent; P. Gilmer
Presentation By: R. McReynolds

Recommendation:
Approve the offers.

Executive Summary:

In order to upgrade water service in the Double Springs/Rock Springs Road area, the Public Works Department has requested rights-of-way and easements across affected properties. Appraisals have been prepared in accordance with the City of Kingsport's Real Property Acquisition Policies & Procedures and indicate the fair market values as per the below property owners.

<u>Tax Map & Parcel</u>	<u>Property Owner</u>	<u>Easement Area</u>	<u>Appraised Value</u>
#132; 009.00	William & Susan Sumner 900 Eastbrook Drive Kingsport, TN 37663	Perm. 21,628 sq. ft. Temp. 10,836 sq. ft.	\$1,385.00 \$520.00
#132; 010.00	G. H. Hood, Jr. 113 Pheasant Court Kingsport, TN 37663	Temp. 10,776 sq. ft.	\$485.00

This project will be funded under #WA1510.

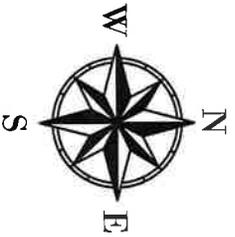
Attachments:

- 1. Project Location Map

Funding source appropriate and funds are available: 

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

ALL BEARINGS KGRN
(KINGSPORT GEODETIC
REFERENCE NETWORK)



PROJECT LOCATION

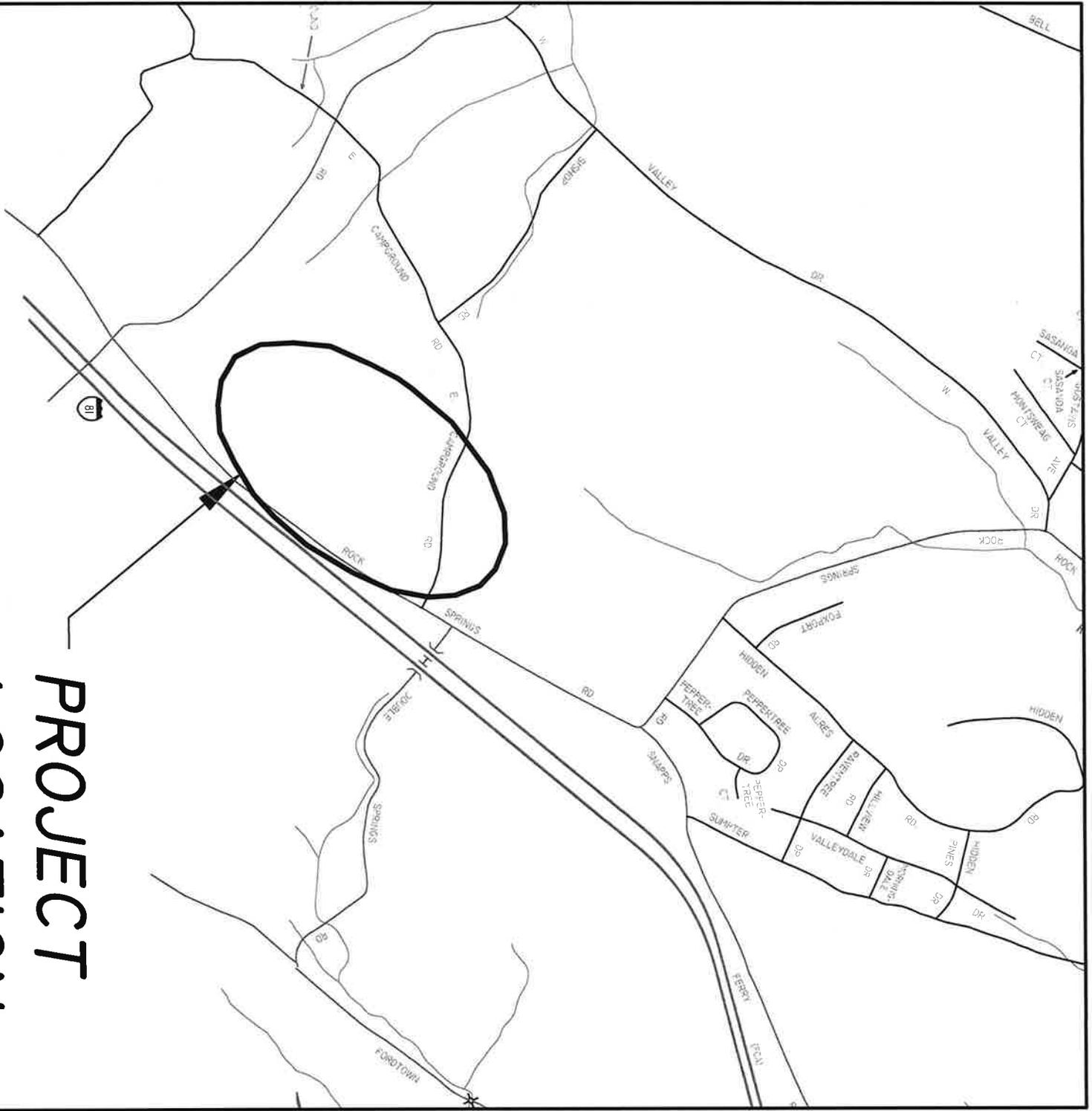


FIGURE 1 - MAP LOCATION
WATERLINE EASEMENT
ROCK SPRINGS ROAD
CITY OF KINGSPORT, TENNESSEE
NO SCALE
9/1/2015



AGENDA ACTION FORM

Renewing the Contract for the Purchase of Rental Uniform Services

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

Action Form No.: AF-276-2015
Work Session: October 19, 2015
First Reading: N/A

Final Adoption: October 20, 2015
Staff Work By: Committee
Presentation By: C. McCart

Recommendation:

Approve the Resolution.

Executive Summary:

Bids were opened on October 23, 2012 for the purchase of Rental Uniform Services for use by various city and schools locations. The bid was publicly advertised and posted on the City's website for a period of 20 calendar days. Notifications were sent to seven potential vendors.

Recognizing the required initial investment of providing new and unused uniforms for all city and schools employees the award was made for a period of 24 months beginning on or about December 1, 2012 through November 30, 2014. The bid contained a renewal option clause in annual increments for up to three additional years providing all terms, conditions and costs are acceptable to both parties.

The award was renewed by the BMA last November and we are recommending renewal for the upcoming year as well. Coyne Textile Services has offered to maintain our current pricing with no increase for the time period of December 1, 2015 through November 30, 2016. The vendor has also agreed to supply and affix new patches with our updated City logo for all uniforms as well as provide replacement uniforms as needed at no additional charge.

After evaluating vendor performance, pricing, value added services and recommendations from user departments the committee recommends renewing the award of the bid for the purchase of rental uniform services to Coyne Textile Services @ a cost of \$3.18 per employee per week for eleven shirts, eleven pants & two jackets with half to be laundered by the vendor each week. The annual estimated cost for Rental Uniform Services is \$53,000.

Funding is provided in various city accounts.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Renewal Letter

Funding source appropriate and funds are available: 

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

RESOLUTION NO. _____

A RESOLUTION RENEWING THE CONTRACT FOR THE RENTAL UNIFORMS SERVICES TO COYNE TEXTILE SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, on November 6, 2014, the board approved an award of bid for the purchase of rental uniform services for use by various city and school locations to Coyne Textile Services for the period of December 1, 2012 through November 30, 2014; and

WHEREAS, the bid contained a clause for renewal in annual increments for up to three additional years providing all terms, conditions and costs are acceptable to both parties; and

WHEREAS, Coyne Textile Services has offered to maintain the current pricing with no increase for the time period of December 1, 2015, through November 30, 2016; and

WHEREAS, the city would like to renew the contract with Coyne Textile Services for the purchase of rental uniforms services which includes eleven shirts, eleven pants, and two jackets with half to be laundered by the vendor each week, at a cost of \$3.18 per employee per week for a total annual purchase cost of \$53,000.00 for the period of December 1, 2015, through November 30, 2016; and

WHEREAS, funding is identified in various city and schools accounts.

Now therefore,

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

SECTION I. That the renewal of the contract for the purchase of rental uniforms services, which includes eleven shirts, eleven pants, and two jackets with half to be laundered by the vendor each week, at a cost of \$3.18 per employee per week for a total annual purchase cost of \$53,000.00 for the period of December 1, 2015, through November 30, 2016, with Coyne Textile Services, is approved, and the city manager is authorized to execute a purchase order for same.

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 20th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES - BID OPENING
October 23, 2012 - 4:00 P.M.

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

The Bid Opening was held in the Small Court Room, City Hall. The Procurement Manager opened with the following bids:

RENTAL UNIFORMS			
Vendor:	*Aramark Uniform Services	**Coyne Textile Services	***Unifirst Corp.
Item 1A – Unit Price	\$.2909	\$.528	\$4.62
Item 1B – Unit Price	\$.1455	\$.242	\$1.93
Item 1C – Unit Price	\$.1455	\$.286	\$2.69
Item 1D – Unit Price	\$.075	\$.27	\$.87
Item 2 – Unit Price	\$.15	\$.14	\$2.37
Item 3 – Unit Price	\$.075	\$.27	\$.87
Item 4 – Unit Price	\$.25	N/A	No Bid
Item 5 – Unit Price	\$.50	\$.75	\$2.40
Item 6	Yes	Yes	No
Alternates	Aggressive upgrades as needed for \$2.75 per week, per wearer for 11 suites and 2 jackets. Price firm for up to 24 months.	N/A	N/A

CLARIFICATIONS:

*Item 1A – 11 Shirts and 11 Pants x \$0.2909 = \$3.20 per wearer, per week.

Alternate – Will schedule on site resizing as if it were a new account to insure proper sizing. Will replace all needed garments with “New and Unused” Garments for ALL wearers if needed at the purposed price.

**Unit prices for 1A – 2 Shirts, 2 Pants and one Set Floater (1 Shirt, 1 Pant) @ \$.528. Total would be \$.528 x 5, 10 Shirts, 10 Pants and one Set Floater (1 Shirt, 1 Pant) @ \$2.64.

Unit prices for 1B – Shirts Only - @ \$.242 – 2 Shirts and One Shirt Floater (1 Shirt) total would be \$.242 x 5, 10 Shirts and One Shirt Floater (1 Shirt) @ \$1.21.

Unit prices for 1C – Pants Only - @ \$.286 – 2 Pants and one Pant Floater (1 Pant). Total would be \$.286 x 5, 10 Pants and one Floater (1 Pant) @ \$1.43.

The formula used to determine change and total is as follows: \$.11 for Shirts (each) and \$.13 for Pants (each) i.e. 11 Pants, 11 Shirts @ \$2.64.

***Item 1A – price of \$4.62 will include 11 Shirts, short or long sleeve, and 11 Pants the color you choose as shown in the catalog. This price is per wearer per week.

The Procurement Manager will study the bids submitted and make a recommendation at a later date.



EXECUTIVE OFFICES
P.O. BOX 4854
140 Cortland Avenue
Syracuse, New York 13221
T: (315) 475-1626
F: (315) 475-9978

September 21st, 2015

Dear Valued Customer,

Coyne Textile Services is proud to have you as a customer. We would like to continue servicing you with no price increase for the period of December 1 2015 through November 30th 2016 again with no price increase. Pricing would remain the same as of this date September 21st 2015 for the entire period mentioned above. We thank you for your business and look forward to serving you for many years.

Kind Regards,

Martin Addison
General Manager

ALBANY, NY
ASHLAND, KY
ATLANTA, GA
BECKLEY, WV
BRISTOL, TN
BUFFALO, NY
CLEVELAND, OH
ERIE, PA
GREENVILLE, SC
HAZELTON, PA
INDIANAPOLIS, IN
LONDON, KY
MIDDLETOWN, OH
NASHVILLE, TN
NEW BEDFORD, MA
PITTSBURGH, PA
RALEIGH, NC
RICHMOND, VA
SMITHBORO, NY
SOUTH HOLLAND, IL
SYRACUSE, NY
TOLEDO, OH
WEBSTER, MA
WINCHESTER, VA
YORK, PA



AGENDA ACTION FORM

Approve a Request for Waiver of Public Library Maintenance of Effort Requirement

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

Action Form No.: AF-273-2015
Work Session: October 19, 2015
First Reading: N/A

Final Adoption: October 20, 2015
Staff Work By: Helen Whittaker
Presentation By: Morris Baker

Recommendation:

Approve the Resolution.

Executive Summary:

The TN State Library and Archives Maintenance of Effort (MOE) agreement, states there must be "the allocation of locally appropriated funds at a level not less than the amount appropriated the last fiscal year as well as the expenditure of locally appropriated funds at a level not less than the total amount expended in the last fiscal year" for the Kingsport Public Library (KPL). This MOE allows the KPL to take advantage of many resources such as:

- Professional and technical assistance to library staff and boards (valued \$30,000),
- Approximately 27% of total print collection were purchased over the years with State/Regional funds (value \$730,000),
- Approximately 90% of downloadable ebooks and eAudio available and 95% of online reference resources/databases were purchased with State/ Regional funds (total value \$1,700,000),
- Statewide courier service (value \$10,000),
- Funds to purchase new materials (\$14,000/year),
- Access to direct library grants,
- Access to State Construction Grant (up to \$100,000).

The City met MOE requirements for the annual appropriations but did not meet the annual expenditures for FY2014-15. The reason was due to an unusually high electric bill for FY2013-14 and a reduction in personnel costs in FY2014-15. The early retirement incentives resulted in 4 library employee retirements who had topped out in their salary range and replaced at entry level salary. In addition, the new employees are in a new retirement system. No impact to library operations occurred.

Attachments:

1. Resolution
2. Request for Waiver form
3. Letter from KPT Library Commission Chair

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

RESOLUTION NO. _____

A RESOLUTION APPROVING A REQUEST FOR WAIVER OF THE PUBLIC LIBRARY MAINTENANCE OF EFFORT REQUIREMENT AGREEMENT WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES AND AUTHORIZING THE MAYOR TO EXECUTE THE REQUEST FOR WAIVER AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE REQUEST FOR WAIVER

WHEREAS, the city annually enters into a Maintenance of Effort agreement with the Tennessee State Library and Archives with certain appropriation and expenditure requirements; and

WHEREAS, due to the retirement of four employees the city does not meet the expenditure requirements for the Maintenance of Effort Agreement with the Tennessee State Library and Archives for fiscal years 2013-2014 and 2014-2015; and

WHEREAS, the city would like to execute a Request for Waiver of Public Library Maintenance of Effort for the 2014-2015 fiscal year; and

WHEREAS, the Request for Waiver also requires a letter from the mayor describing the plans for restoration of funding in the next fiscal year, along with other documents that must be provided.

Now therefore,

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

SECTION I. That the Request for Waiver of Public Library Maintenance of Effort Requirement with the Tennessee State Library and Archives, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the Request for Waiver of Public Library Maintenance of Effort Requirement with Tennessee State Library and Archives and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the Request for Waiver or this resolution, said Request for Waiver being as follows:

Request for Waiver of Public Library Maintenance of Effort Requirement

The Maintenance of Effort (MOE) agreement for public libraries belonging to the State's Regional Library System requires "the allocation of locally appropriated funds at a level not less than the amount appropriated the last fiscal year as well as the expenditure of locally appropriated funds at a level not less than the total amount expended in the last fiscal year."

Maintaining support for public libraries is critical to Tennessee residents, especially in times of economic hardship when the library is one of the few free resources available for job-seekers, student and the disadvantaged.

Should a city/county find that across-the-board reductions in departmental budgets are unavoidable, a waiver may be granted by the Secretary of State. In such cases libraries shall not be subject to a percentage of reduction any greater than that of every other city or county department.

Waivers, when granted, allow the City or County government one year to reinstate funding to the prior level.

Failure to restore funding to the pre-waiver level will constitute a withdrawal from state support as provided through the Regional Library System.

1. **Library or System Name:** Kingsport Public Library
2. **Annual appropriation in FY preceding reduction:** annual expenditure FY2013-14: \$1,240,837.00 (annual appropriation FY2014-15 \$1,278,200.00)
3. **Proposed annual appropriation after reduction:** annual expenditure FY2014-15: \$1,207,415 (annual appropriation FY2015-16 \$1,278,275.00)
4. **State the percentage of reduction, and explain how this is being applied to other agencies funding by the county/city:** In 2014-15, the Kingsport Public Library spent 2.69% less than it spent in 2013-14 due to retirement of four staff (with early retirement incentives). There were about 6-8 other City staff who also retired with the early retirement incentives offered City-wide.
5. **Conditions:**

Restoration of Funds: The undersigned parties certify that the library's annual appropriation will be restored (to amount on line 2, or greater) no later than 12 months from the date of this application:

Removal from Regional Library System: The undersigned parties acknowledge that failure to comply with the Restoration of Funds requirement will constitute a withdrawal of the library from the Regional Library System. Upon withdrawal the library will release all books and materials belonging to the State of Tennessee, and will no longer receive regional library support. This support includes funds for materials, state grant funds, consultation services, technology support, staff and trustee training, cataloging of materials, the READs e-book and audiobook download program, Summer Reading Program support, and other services.

[Acknowledgements Deleted for Inclusion in this Resolution]

Instructions:

1. Attach the following documents
 - a) A budget document or summary listing each department of local government, including the library, showing funding in prior year, funding for current year, and percentage change for each department.
 - b) A letter from the Library Board chairman explaining how the reduction in funds will affect the library.
 - c) A letter from the County or City Mayor or equivalent officer describing the government's plans for restoration of funding in the next fiscal year.
 - d) A copy of the library's current annual budget.
 - e) Any additional information you may wish to provide.
2. Send this form and required attachments to the Regional Library Director serving your area. (See <http://tn.gov/tsla/regional/regional.htm>)

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

SECTION IV. That a letter from the mayor describing the city's plans to restore funding for the next fiscal year, as required by the Request for Waiver of Public Library Maintenance of Effort Requirement with the Tennessee State Library and Archives, is approved.

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

ADOPTED this the 20th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY



Department of State

Tennessee State Library and Archives
403 Seventh Avenue North
Nashville, Tennessee 37243-0312
(615) 741-7996

Request for Waiver of Public Library Maintenance of Effort Requirement

The Maintenance of Effort (MOE) agreement for public libraries belonging to the State's Regional Library System requires "the allocation of locally appropriated funds at a level not less than the amount appropriated the last fiscal year as well as the expenditure of locally appropriated funds at a level not less than the total amount expended in the last fiscal year."

Maintaining support for public libraries is critical to Tennessee residents, especially in times of economic hardship when the library is one of the few free resources available for job-seekers, student and the disadvantaged.

Should a city/county find that across-the-board reductions in departmental budgets are unavoidable, a waiver may be granted by the Secretary of State. In such cases libraries shall not be subject to a percentage of reduction any greater than that of every other city or county department.

Waivers, when granted, allow the City or County government one year to reinstate funding to the prior level.

Failure to restore funding to the pre-waiver level will constitute a withdrawal from state support as provided through the Regional Library System.

1. **Library or System Name:** Kingsport Public Library
2. **Annual appropriation in FY preceding reduction:** annual expenditure FY2013-14: \$1,240,837.00 (annual appropriation FY2014-15 \$1,278,200.00)

- 3. **Proposed annual appropriation after reduction:** annual expenditure FY2014-15: \$1,207,415 (annual appropriation FY2015-16 \$1,278,275.00)
- 4. **State the percentage of reduction, and explain how this is being applied to other agencies funding by the county/city:** In 2014-15, the Kingsport Public Library spent 2.69% less than it spent in 2013-14 due to retirement of four staff (with early retirement incentives). There were about 6-8 other City staff who also retired with the early retirement incentives offered City-wide.

5. Conditions:

Restoration of Funds: The undersigned parties certify that the library’s annual appropriation will be restored (to amount on line 2, or greater) no later than 12 months from the date of this application:

Removal from Regional Library System: The undersigned parties acknowledge that failure to comply with the Restoration of Funds requirement will constitute a withdrawal of the library from the Regional Library System. Upon withdrawal the library will release all books and materials belonging to the State of Tennessee, and will no longer receive regional library support. This support includes funds for materials, state grant funds, consultation services, technology support, staff and trustee training, cataloging of materials, the READs e-book and audiobook download program, Summer Reading Program support, and other services.

Signature of City or County Mayor

_____ Date _____

Signature of City or County Finance Director or Equivalent Officer

_____ Date _____

Form Revised: 4/8/2013

Instructions:

1. Attach the following documents
 - a) A budget document or summary listing each department of local government, including the library, showing funding in prior year, funding for current year, and percentage change for each department.
 - b) A letter from the Library Board chairman explaining how the reduction in funds will affect the library.
 - c) A letter from the County or City Mayor or equivalent officer describing the government's plans for restoration of funding in the next fiscal year.
 - d) A copy of the library's current annual budget.
 - e) Any additional information you may wish to provide.
2. Send this form and required attachments to the Regional Library Director serving your area. (See <http://tn.gov/tsla/regional/regional.htm>)

Mr. Tre Hargett
Secretary of State
State Capitol
Nashville, TN 37243-1102

October 21, 2015

Dear Secretary Hargett:

According to the Kingsport Public Library's annual Maintenance of Effort (MOE) agreement with the Tennessee State Library and Archives, the agreement requires "the allocation of locally appropriated funds at a level not less than the amount appropriated the last fiscal year as well as the expenditure of locally appropriated funds at a level not less than the total amount expended in the last fiscal year."

While the Kingsport Public Library does meet MOE requirements for the annual appropriations for FY2014-15 and FY2015-16, it fails short of meeting the annual expenditures for FY2013-14 and FY2014-15. The reason for this is because of an unusually high electric bill for FY2013-14 and a big reduction in salaries and wages in FY2014-15 due to the retirement of four employees. The City of Kingsport offered early retirement incentives to all City staff in an effort to realize efficiencies and cost savings. This resulted in four library employees taking advantage of the incentives. These four people had reached the top of their salary range when they retired and they were replaced by new employees at the entry level of the salary range. This salary difference affected the associated benefits as well. In addition, the new employees were hired under a new retirement system in which the City did not pay as large a percentage of the payment.

Since the Kingsport Public Library's appropriations for FY2015-16 actually exceed their appropriations for FY2014-15, this savings does not in any way impair or impact the library's future operations. The number of staff remained the same. Actually, in order to maintain MOE for allocations for FY2015-16, the cost savings from salaries and wages was put into the library's operational budget. This resulted in more money for the library to spend on things like library materials and equipment.

Sincerely,

A handwritten signature in black ink, appearing to read "John Demuth", with a long horizontal flourish extending to the right.

John Demuth
Chairman, Kingsport Public Library Commission



AGENDA ACTION FORM

Awarding the Bid for the Purchase of One (1) Cab/Chassis with Street Sweeper

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

Action Form No.:	AF-277-2015	Final Adoption:	October 20, 2015
Work Session:	October 19, 2015	Staff Work By:	Committee
First Reading:	N/A	Presentation By:	C, McCart / R. McReynolds / S. Hightower

Recommendation:

Approve the Resolution.

Executive Summary:

Bids were opened on September 30, 2015 for the purchase of one Street Sweeper for use by Streets & Sanitation. The advertisement for the Invitation to Bid was published in the Kingsport Times News on September 16, 2015 and placed on our website for 15 calendar days. It is the recommendation of the committee to accept the low compliant bid from Carolina Industrial Equipment for one each Johnston RT-655 as follows:

	\$199,994.00	Unit Price
Less	\$5,000.00	Trade-In allowance for Equipment # 1498
	\$194,994.00	Total Price

This unit is a Fleet Replacement.

Funding is identified in Account # 51150085019010.

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memo w/ photo

Funding source appropriate and funds are available: *JF*

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

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ONE CAB/CHASSIS WITH STREET SWEEPER TO CAROLINA INDUSTRIAL EQUIPMENT, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, bids were opened September 30, 2015, for the purchase of one street sweeper for use by streets and sanitation; and

WHEREAS, the city will receive \$5,000.00 for a trade-in allowance for vehicle #1498; and

WHEREAS, upon review of the bids, the board finds Carolina Industrial Equipment, 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 purchase one Johnston RT-655 sweeper from Carolina Industrial Equipment, Inc., at a total purchase cost of \$194,994.00, which includes the deduction of the \$5,000.00 trade-in allowance; and

WHEREAS, funding is identified in account #51150085019010.

Now therefore,

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

SECTION I. That the bid for the purchase one Johnston RT-655 sweeper at a total purchase cost of \$194,994.00, which includes the deduction of the \$5,000.00 trade-in allowance, is awarded to Carolina Industrial Equipment, Inc., and the city manager is authorized to execute a purchase order for same.

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 20th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

MINUTES
BID OPENING
September 30, 2015
4:00 P.M.

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

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

The Procurement Manager opened with the following bids:

CAB/CHASSIS WITH STREET SWEEPER					
Vendor:	Qty.:	Unit Cost:	Trade-In #1498:	Delivery Time:	Make/Model
CMI Equipment Sales	1	\$208,098.00	\$5,000.00	60-90 Days	Schwarze A7 Tornado Sweeper mounted on a 2016 Freightliner M2106
Stringfellow	1	\$228,087.00	\$1,800.00	120-150 Days	Tymco/600 on Freightliner M2106
Carolina Industrial Equipment	1	\$199,994.00	\$5,000.00	120 Days	Johnston RT-655

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



FLEET MAINTENANCE DIVISION
City of Kingsport, Tennessee

Memo

To: Brent Morelock, Assistant Procurement Manager

From: Truck Committee: Ronnie Hammonds, Streets and Sanitation Manager
 Greg Willis, Streets Supervisor
 Rodney Deel, Sanitation Supervisor
 Steve Hightower, Fleet Manager

Date: October 9, 2015

Re: Street Sweeper Purchase Recommendation

This will confirm our review and recommendation to purchase the low compliant bid of the following vendor and accept the \$5,000 trade in offering.

<u>Item</u>	<u>Quantity</u>	<u>Description</u>	<u>Award to Vendor</u>	<u>Fuel Economy</u>
1	1	Johnston RT655	Carolina Industrial Equipment	8 MPG

Low Compliant Bidder

Fuel Economy Improvement and Trade In Information 0%

- a. The unit being replaced will have similar fuel economy ratings so there will be no improvements in fuel economy.
- b. Trade in(s):
 - a. Unit Number: 1498 – 2001 Ford CF7000 w Johnston Sweeper – Age: 14 Years 5.8 MPG

Origin Information

- 1. New Unit Origin of Manufacture:
 - a. Cab/ Chassis Mfg.– Mt. Holly, NC
 - i. 98% Domestic/ 2% Foreign Materials
 - b. Body Manufacture – Dorking, England
 - i. 0% Domestic/ 100% Foreign Materials
- 2. New Unit Purchase Dealer:
 - c. Cab/ Chassis/ Body – Represented by CIE – Charlotte, NC
 - d. Body Dealership – Carolina Industrial Equipment

Should you have any questions about this recommendation, please do not hesitate to contact us.

Thank you



Picture for demonstration purposes only and is not the exact product being purchased

MEMORANDUM
October 8, 2015

TO: Steve Hightower, Fleet Manager
FROM: Ronnie Hammonds, Streets and Sanitation Manager
SUBJECT: Award of Bid for Street Sweeper

The Streets and Sanitation Equipment Committee has looked over the bids for the Street Sweeper and recommend that the bid be awarded to the low bid of Carolina Industrial Equipment, Inc. for the Johnston RT-655 sweeper.

Thank you for your help in this matter. If you have any questions please contact me at your convenience.



AGENDA ACTION FORM

Application for TDOT "Transportation Alternative" Funds for Further Development of the Kingsport Greenbelt

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

Action Form No.: AF-274-2015
Work Session: October 19, 2015
First Reading: N/A

Final Adoption: October 20, 2015
Staff Work By: Bill Albright/Troy Ebbert
Presentation By: Kitty Frazier/Mike Thompson

Recommendation:

Approve the Resolution.

Executive Summary:

Over the past several years the City has been applying for and receiving federal funds through the Tennessee Department of Transportation for continued development of the "Greenbelt" walking and biking pathway. Once again TDOT is accepting applications through the end of October for new projects. For the Fiscal Year '16 application, the City's Greenbelt Advisory Committee, along with Staff research and support, is recommending that the City apply for funds to continue building westward past the Rotherwood Mansion in Hawkins County. The "West End" section will begin at Rotherwood Drive (the current Greenbelt terminus) and extend along the south side of Netherland Inn Road to Lewis Lane next to the old National Guard Armory site. This will allow the Greenbelt to tie in with Stone Drive at a logical point, offering a signalized crossing area that makes accessibility easier from the Allandale Mansion area, nearby neighborhoods, apartment complexes, and businesses. The estimated construction cost of this new section is \$459,285.00, of which 80% or \$367,428.00 will be covered by the grant. The City's matching share is 20% or \$91,857. In addition, the City will be responsible for other expenses, including environmental review, design/engineering and, if necessary, right-of-way acquisition. These are estimated at \$110,000. Staff recommends the Board approve submittal of the TDOT "Transportation Alternative" grant application

Attachments:

- 1. Resolution
- 2. Application

Funding source appropriate and funds are available: N/A

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR TRANSPORTATION ALTERNATIVE GRANT FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR GREENBELT DEVELOPMENT

WHEREAS, over the past several years the city has been applying for and receiving federal funds through the Tennessee Department of Transportation for continued development of the Greenbelt walking and biking pathway; and

WHEREAS, the Tennessee Department of Transportation is once again accepting applications through the end of October for new projects; and

WHEREAS, the city would like to apply for funds to continue building westward past the Rotherwood Mansion in Hawkins County, which would begin at Rotherwood Drive (the current Greenbelt terminus) and extend along the south side of Netherland Inn Road to Lewis Lane next to the old National Guard Armory site; and

WHEREAS, the estimated construction cost of this new section is \$459,285.00, of which 80% or \$367,428.00 will be covered by the grant; and

WHEREAS, the matching funds will be 20% or \$91,857.00, and there will be additional expenses, including environmental review, design/engineering and, if necessary, right-of-way acquisition, estimated to be a total of \$110,000.00; 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, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, all documents necessary and proper to apply for grant funds from the Tennessee Department of Transportation in the amount of \$367,428.00 for the Greenbelt project, which will require a 20% match of \$91,857.00 plus additional expenses estimated to be a total of \$110,000.00.

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

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

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

ADOPTED this the 20th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Kingsport Greenbelt – West End



City of Kingsport Tennessee



FY2016 TRANSPORTATION ALTERNATIVES

APPLICATION (October 21, 2015)

TDOT - Transportation Alternatives Office
Suite 600 James K. Polk Building, 505 Deaderick Street
Nashville, Tennessee 37243-0341
Phone: 615-741-5314 Fax: 615-741-9673



FY2016

TRANSPORTATION ALTERNATIVES APPLICATION

Check box if this application is a re-submittal of a previously non-awarded application. Provide the year of last submission: _____

FOR TDOT USE ONLY
Do Not Write In This Box

Eligible Applicant: _____ Yes ___ No
 Eligible Project: _____ Yes ___ No
 Adequate Scope: _____ Yes ___ No
 Adequate Map: _____ Yes ___ No
 Adequate Funding: _____ Yes ___ No
 TDOT Budget Template: _____ Yes ___ No
 TDOT Line Item Nos.: _____ Yes ___ No
 Public Involvement: _____ Yes ___ No
 Signed Application: _____ Yes ___ No

TDOT Approval Date

Project Title: Kingsport Greenbelt – West End Extension
Priority Ranking (If multiple applications submitted by applicant): 1
Project County: Hawkins County
Physical Project Address including 9-digit zip (not the address of applicant): 200 Bays Cove Trail, Kingsport, TN 37660-4237
Current Applicant Population: 51,274
Applicant DUNS Number: 079027579

1. Total Construction Costs (100%): (excluding preliminary engineering/design and right-of-way expenses)	<u>\$459,285.00</u>
2. FEDERAL CONSTRUCTION FUNDS REQUESTED: (Maximum 80% of number 1)	<u>\$367,428.00</u>
3. Local Cash Match of Construction Funds: (Minimum 20% of number 1)	<u>\$91,857.00</u>

If the application is ultimately selected for funding, please provide both an appropriate outdoor and indoor location from which to formally announce and award the project. These locations must have a physical address and provide suitable parking and accessibility for the public.

Outdoor Location Name & Address: Front Steps – Alandale Mansion, 4444 West Stone Drive (SR 1 / U.S. 11-W)
 Indoor Location Name & Address: Inside – Alandale Mansion, 4444 West Stone Drive (SR 1 / U.S. 11-W)

Name of City/County or State Agency Applicant: City of Kingsport, Tennessee
Address: 225 West Center Street, Kingsport, TN 37660
Local Government Contact Name, Title, Phone Number and E-mail Address: William A. Albright, Transportation Planning Manager, (423) 224-2677, billalbright@kingsporttn.gov
Other Applicable Contact Name, Title, Company, Phone Number and E-mail Address: Kitty Frazier, Director-Parks & Recreation, City of Kingsport, TN, (423) 229-9408, KittyFrazier@KingsportTN.gov

I hereby certify that, to the best of my knowledge, the information submitted with this application is accurate, all rules & regulations contained in TDOT's *Local Government Guidelines for the Management of Federal and State Funded Transportation Projects* will be followed & that **ALL funds**, including the required 20% local cash match, are now available for the completion of the project as described herein.

Signature: _____ Date _____
City or County Mayor or State Agency Head

Printed Name and Title of elected official: John Clark, Mayor - City of Kingsport, Tennessee

THE HIGHEST ELECTED OFFICIAL OF THE LOCAL GOVERNMENTAL AGENCY MUST SIGN THIS APPLICATION



Greenbelt West End Extension



Michelle Bradburn
MTPO Project 50689



- Parking
- Current Construction
- Existing Greenbelt
- West Extension



West Stone Drive Trailhead Parking



Netherland Inn/Bays Cove Trail Intersection



Netherland Inn/Canongate Road Intersection



Netherland Inn/Rotherwood Drive Termini



AGENDA ACTION FORM

Sub-Lease Agreement with the Kingsport Convention and Visitors Bureau for Hunter Wright Stadium

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

Action Form No.: AF-280-2015
Work Session: October 19, 2015
First Reading: NA

Final Adoption: October 20, 2015
Staff Work By: Billingsley/McCartt
Presentation By: Chris McCartt

Recommendation:

Approve the Resolution.

Executive Summary:

The sub-lease, as seen in the attached resolution, authorizes the Kingsport Convention and Visitors Bureau (KCVB) to enter into a sub-lease agreement with the Sterling Mets L.P. for use of Hunter Wright Stadium (HWS). Unlike rentals, which the KCVB also handles for HWS on behalf of the City, all sub-leases of the property must be approved by the City of Kingsport in the same format as seen in the attached resolution. A similar sub-lease was approved by the BMA five years ago.

Attachments:

- Resolution

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

RESOLUTION NO. _____

A RESOLUTION APPROVING A JOINDER IN SUBLEASE AGREEMENT WITH THE GREATER KINGSPORT AREA CHAMBER OF COMMERCE, INC. FOR ITS KINGSPORT CONVENTION AND VISITORS BUREAU AND STERLING METS, L.P. FOR HUNTER WRIGHT STADIUM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, since January, 2010, the Greater Kingsport Chamber of Commerce, Inc. for its Kingsport Convention and Visitors Bureau (KCVB) has leased the Hunter Wright Stadium; and

WHEREAS, the board approved a new lease between KCVB and the city for a period of five (5) years; and

WHEREAS, Sterling Mets, L.P. has been subleasing the stadium property from KCVB and would like to continue to do so; and

WHEREAS, staff requests the Joinder in Sublease Agreement between the city, the Greater Kingsport Chamber of Commerce, Inc. for its Kingsport Convention and Visitors Bureau (KCVB) and Sterling Mets, L.P. as set out herein below, be approved.

Now therefore,

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

SECTION I. That a Joinder in Sublease Agreement between the city, the Greater Kingsport Chamber of Commerce, Inc. for its Kingsport Convention and Visitors Bureau (KCVB) and Sterling Mets, L.P. as set out herein below, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the Joinder in Sublease Agreement with the Greater Kingsport Chamber of Commerce, Inc. for its Kingsport Convention and Visitors Bureau (KCVB) and Sterling Mets, L.P. for Hunter Wright Stadium and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the Joinder or this resolution, said lease agreement being generally as follows:

Re: Joinder of City of Kingsport, Tennessee ("City") in Sublease Agreement ("Sublease") by and between Greater Kingsport Area Chamber of Commerce, Inc. for its Kingsport Convention and Visitors Bureau Program ("KCVB") and Sterling Mets, L.P. ("Sterling") for Hunter Wright Stadium in Kingsport, Tennessee (as further described on Exhibit A to the Sublease, the "Stadium")

Dear Paul and Jud:

City and KCVB are parties to a Lease for the Stadium, which is in the form and substance attached to the above-referenced Sublease as Schedule C (the "Prime Lease"). The City hereby joins in the execution of the Sublease, to which this Joinder is attached. In the event the Prime Lease expires or terminates for any reason whatsoever prior to the expiration of the term (including renewal or extension terms) of the sublease the City agrees to recognize the lease of Sterling and will permit it to remain in occupancy of its premise notwithstanding any default hereunder by KCVB so long as Sterling is not in default its lease covering the premises.

Notwithstanding anything to the contrary in the Prime Lease or otherwise, City hereby: (a) consents to the Sublease, and to KCVB entering into and performing its obligations and responsibilities under the Sublease and subletting the Stadium to Sterling under the terms of the Sublease for the term thereof, (b) waives any right it may have to terminate the Prime Lease as a result of the Sublease or any notice provided by KCVB to City of its desire to sublease the Stadium to Sterling under the Sublease, (c) use the Premises solely for amateur and professional baseball and other activities, except horse shows, rodeos, football games, or any activity that would, in the opinion of the CITY compromise the condition of the playing field. KCVB agrees not to use the Premises in any way that may be unlawful, improper, noisy, offensive, or contrary to any applicable statute, regulation, ordinance or bylaw, and (d) consents to the improvements to the Stadium set forth on Exhibit B to the Sublease.

This letter agreement of City is effective as of the date first set forth above, and shall be binding upon City and its successors and assigns, and shall inure to the benefit of and be enforceable by Sterling and KCVB and their respective successors, representatives, assigns, and permitted delegates.

City, intending to be bound hereby, has caused this instrument to be executed in its name, by its duly authorized officials, all as of the day and year first above written.
[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the sublease agreement set out herein that do not substantially alter the material provisions of the sublease 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 20th day of October, 2015.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY