



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING AGENDA

Tuesday, November 21, 2023 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

Leadership Team

Chris McCartt, City Manager
Michael Borders, Assistant City Manager
Bart Rowlett, City Attorney
Lisa Winkle, City Recorder/Treasurer
John Rose, Economic Development Director
Adrienne Batara, Public Relations Director
Floyd Bailey, Chief Information Officer

Ryan McReynolds, Deputy City Manager
Jessica Harmon, Assistant City Manager
Tyra Copas, Human Resources Director
Dale Phipps, Police Chief
John Morris, Budget Director
Scott Boyd, Fire Chief

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. INVOCATION

1. Pastor Ed Clevinger, Grace Christian Church

IV. ROLL CALL

V. RECOGNITIONS AND PRESENTATIONS

1. Dobyys-Bennett High School - Golf Team (Alderman Phillips)
2. Dobyys-Bennett High School - Band (Alderman Cooper)
3. 2023 Small Business Saturday Proclamation (Alderman Montgomery)

VI. APPOINTMENTS

- [1.](#) Appointment to the Tree Advisory Board (AF-355-2023) (Mayor Shull)

VII. APPROVAL OF MINUTES

- [1.](#) November 6, 2023 - Work Session
- [2.](#) November 7, 2023 - Business Meeting

VIII. PUBLIC HEARINGS

- [1.](#) Consideration of an Ordinance to Amend Zoning of Tax Map 029F, Group B, Parcels 009.00, 012.00, 013.00, 014.00 and 027.00 Located Along Granby Road from the R-1B, Residential District to the R-3, Low Density Apartment District. (AF-350-2023) (Jessica McMurray)
- [2.](#) Consideration of an Ordinance to Amend Zoning of Tax Map 076, Parcel 020.00 Located Along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to M-1R, Light Manufacturing Restricted District. (AF-349-2023) (Jessica McMurray)

COMMENT

Citizens may speak on agenda items and 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. A total of thirty minutes is allocated for public comment.

IX. BUSINESS MATTERS REQUIRING FIRST READING

- [1.](#) Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets (AF-356-2023) (David Frye)

X. BUSINESS MATTERS REQUIRING FINAL ADOPTION

- [1.](#) Consideration of an Ordinance to Appropriate the Funds from a Private Monetary Donation for the Police K-9 Program (AF-336-2023) (Chief Phipps)
- [2.](#) Consideration of an Ordinance to Appropriate the Funds from a Private Monetary Donation for the Kingsport Police Department to be Used for the Purchase of Personal Protective Equipment (PPE) (AF-338-2023) (Chief Phipps)

- [3.](#) Consideration of an Ordinance for the Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY 23-24 (AF-342-2023) (Candace Sherer)
- [4.](#) Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-344-2023) (Chris McCartt)
- [5.](#) Consideration of an Ordinance to Appropriate Tennessee Department of Health Healthy Built Environment Grant Funds (AF-331-2023) (Michael T. Borders)

XI. OTHER BUSINESS

- [1.](#) Consideration of a Resolution Authorizing the Mayor to Sign an Agreement with Kingsport Tribe Lacrosse (AF-351-2023) (Michael T. Borders)
- [2.](#) Consideration of a Resolution to Amend the Payment in Lieu of Taxes (PILOT) Agreement for Fort Henry Mall (AF-361-2023) (Chris McCartt)
- [3.](#) Consideration of a Resolution to Renew Agreements for Mowing of Various Locations (AF-348-2023) (Ryan McReynolds)
- [4.](#) Consideration of a Resolution Awarding the Bid for the Lincoln Elementary School HVAC Replacement Project to HVAC, Inc., and Authorizing the Mayor to Sign All Necessary Documents (AF-352-2023) (David Frye)

XII. CONSENT AGENDA

XIII. COMMUNICATIONS

1. City Manager
2. Mayor and Board Members

XIV. ADJOURN

Steve Woody

Forestry Technician, Forestry ETD
State of Tennessee Department of Agriculture

Steven.woody@tn.gov

Cell phone number: 423-620-3235

P.O. Box 6113

Kingsport, TN 37663

Steve Woody has resided in Kingsport his entire life. In 1984, he graduated from Sullivan North High School. He was active in the United States Army Reserves until his retirement. He worked for Evergreen Garden Center in Kingsport from 1985 to 1992. In the fall of 1992, Steve began his career with the Tennessee Division of Forestry. In years past, Steve has served on the Kingsport Tree Advisory Board.



BOARD OF MAYOR AND ALDERMEN WORK SESSION MINUTES

Monday, November 06, 2023 at 4:30 PM

City Hall, 415 Broad Street, Montgomery - Watterson Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding

Alderman Betsy Cooper

Alderman Darrell Duncan

Alderman Paul W. Montgomery

Alderman Tommy Olterman

I. **CALL TO ORDER** 4:30 pm by Mayor Shull.

II. **ROLL CALL** by City Recorder/Treasure Lisa Winkle. Absent: Vice Mayor Colette George and Alderman James Phillips.

III. **DISCUSSION ITEMS**

1. **KPT Police Dept. Update** - Chief Phipps

Chief Phipps gave a presentation concerning the current status of the police department, highlighting employment statistics, education and experience. He also discussed training requirements and the recent applicant process. The Chief presented a timeline depicting hiring, resigning and retiring officers and discussed the impact of grant money as well as awards received by officers. The chief also gave an overview of operations and provided details on arrests, traffic enforcement efforts and other statistics regarding new technology. There was some discussion as he answered questions throughout his presentation

IV. **REVIEW OF BUSINESS MEETING AGENDA**

City staff gave a summary for each item on the November 7, 2023 proposed agenda. The following items were discussed at greater length or received specific questions of concerns.

XI.9. Consideration of a Resolution Authorizing a Financial Contribution if Needed to the Kingsport Economic Development Board Relative to the Fort Henry Mall Redevelopment and Improvements Authorizing the Execution of all Necessary and Proper Documents (AF-345-2023) The City Manager gave details on this item including the annual economic impact versus the one time commitment from the City. There was some discussion.

BOARD OF MAYOR AND ALDERMEN WORK SESSION MINUTES

Monday, November 6, 2023 at 4:30 PM

Kingsport City Hall, 415 Broad Street, Boardroom

XII.1 Consideration of a Resolution to Approve an Amendment to the Preston Construction Dome Contract (AF-337-2023) Mr. McCartt provided details about what needed to be done to move forward. Some discussion ensued.

Mr. McCartt expressed his appreciation to the board for their support on the Brickyard project and the Fort Henry Mall incentive

V. ITEMS OF INTEREST

1. Sales Tax Report

2. Project Status Report

VI. ADJOURN

Seeing no other matters presented for discussion, Mayor Shull adjourned the meeting at 5:10 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 07, 2023 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Chris McCartt, City Manager
Bart Rowlett, City Attorney

Lisa Winkle, City Recorder/Treasurer
Angie Marshall, City Clerk/Deputy/City Recorder

- I. **CALL TO ORDER** 7:00 pm by Mayor Shull.
- II. **PLEDGE OF ALLEGIANCE TO THE FLAG** led by Matthew Lane.
- III. **INVOCATION** led by Dr. Randy Frye, First Broad Street United Methodist Church
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle
- V. **RECOGNITIONS AND PRESENTATIONS** None.
- VI. **APPOINTMENTS** None.
- VII. **APPROVAL OF MINUTES** (*These items are considered under one motion.*)

Motion made by Alderman Olterman, Seconded by Alderman Duncan.

1. **October 16, 2023 - Work Session**
2. **October 17, 2023 - Business Meeting**

Passed: All present voting "aye."

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

VIII. PUBLIC HEARINGS None.

COMMENT

Mayor Shull invited citizens in attendance to speak. There being no one coming forward, the mayor closed the public comment section.

IX. BUSINESS MATTERS REQUIRING FIRST READING

- 1. Consideration of a Resolution to Accept a Private Monetary Donation for the Police K-9 Program and Appropriate the Funds (AF-336-2023) (Chief Phipps)**

Motion made by Vice Mayor George, Seconded by Alderman Montgomery.

RESOLUTION NO. 2024-102 A RESOLUTION ACCEPTING A MONETARY DONATION OF \$3,000.00 TO THE KINGSFORT POLICE DEPARTMENT TO BE UTILIZED TO ASSIST IN THE COST OF MAINTAINING DEPARTMENT K-9 UNITS

Passed: All present voting "aye."

Motion made by Alderman Olterman, Seconded by Vice Mayor George.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

- 2. Consideration of a Resolution to Accept a Private Monetary Donation for the Kingsport Police Department to be Used for the Purchase of Personal Protective Equipment (PPE) and Appropriate the Funds (AF-338-2023) (Chief Dale Phipps)**

Motion made by Alderman Phillips, Seconded by Alderman Olterman.

RESOLUTION NO. 2024-103 A RESOLUTION ACCEPTING A MONETARY DONATION OF \$1,000.00 TO THE KINGSFORT POLICE DEPARTMENT TO BE UTILIZED TO ASSIST IN THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE OFFICERS

Passed: All present voting "aye."

Motion made by Alderman Duncan, Seconded by Vice Mayor George.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

3. **Consideration of a Resolution to Enter Into a Contractual Agreement and Sign All Necessary Documents with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY 23-24** (AF-342-2023) (Candace Sherer)

Motion made by Vice Mayor George. Seconded by Alderman Montgomery.

RESOLUTION NO. 2024-104 A RESOLUTION APPROVING A REIMBURSEMENT CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CITY'S TRANSIT SYSTEM OPERATING EXPENDITURES FOR FISCAL YEAR 2023-2024; AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT

Passed: All present voting "aye."

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

AN ORDINANCE TO AMEND URBAN MASS TRANSIT CAPITAL/GRANT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

4. **Consideration of a Budget Adjustment Ordinance for Various Funds in FY24** (AF-344-2023) (John Morris)

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

5. **Consideration of an Ordinance to Appropriate Tennessee Department of Health Healthy Built Environment Grant Funds** (AF-331-2023) (Michael Borders)

Motion made by Alderman Olterman, Seconded by Vice Mayor George.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

X. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. **Consideration of a Budget Ordinance to Appropriate \$28,103 from the Department of Justice, Office of Justice Program's FY '23 Edward Byrne Memorial Justice Assistance Grant Program (AF-313-2023) (Chief Phipps)**

Motion made by Vice Mayor George. Seconded by Alderman Olterman.

ORDINANCE NO 7118 AN ORDINANCE TO AMEND THE JUSTICE ASSISTANT GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

2. **Consideration of a Budget Ordinance to Appropriate \$14,250 from the USDOJ/Office of Justice Programs, FY '23 Bulletproof Vest Partnership Funding (AF-319-2023) (Chief Phipps)**

Motion made by Alderman Phillips. Seconded by Alderman Duncan.

ORDINANCE NO 7119 AN ORDINANCE TO AMEND THE GENERAL PROJECT/SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE US DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

3. **Consideration of a Budget Ordinance to Appropriate \$200,000 from the Tennessee Law Enforcement Hiring, Training and Recruitment Grant Program for FY '24 (AF-321-2023) (Chief Phipps)**

Motion made by Alderman Olterman. Seconded by Vice Mayor George.

ORDINANCE NO 7120 AN ORDINANCE TO AMEND THE GENERAL PROJECTS- SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

4. **Consideration of an Ordinance to Amend Zoning of Tax Map 022, Parcel 036.01 Located Along West Stone Drive from the B-3, Highway Oriented Business District to the R-4, Medium Density Apartment District (AF-318-2023) (Jessica McMurray)**

Motion made by Alderman Duncan, Seconded by Alderman Cooper.

ORDINANCE NO 7121 AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG WEST STONE DRIVE FROM THE B-3, HIGHWAY ORIENTED BUSINESS DISTRICT TO THE R-4, MEDIUM DENSITY APARTMENT DISTRICT IN THE 1ST CIVIL DISTRICT OF HAWKINS COUNTY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF KINGSFORT; 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: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

5. **Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets (AF-325-2023) (David Frye)**

Motion made by Alderman Cooper, Seconded by Alderman Phillips.

ORDINANCE NO 7122 AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2024; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

6. **Consideration of an Ordinance to Amend the FY 2024 School Special Projects Fund Budget (AF-326-2023) (David Frye)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

ORDINANCE NO 7123 AN ORDINANCE TO AMEND THE FY 2024 SCHOOL SPECIAL PROJECTS FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

XI. OTHER BUSINESS

1. **Consideration of a Resolution to Purchase One (1) 2024 Autocar ACX64 ASL New Way Refuse Truck from Sourcewell Cooperative Contract (AF-340-2023) (Ryan McReynolds)**

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

Motion made by Vice Mayor George, Seconded by Alderman Duncan.

RESOLUTION NO. 2024-105 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MUNICIPAL EQUIPMENT, INC. UTILIZING SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 091219-NWY FOR ONE 2024 AUTOCAR ACX64 NEW WAY REFUSE TRUCK FOR USE BY PUBLIC WORKS

Passed: All present voting "aye."

- 2. Consideration of a Resolution to Purchase Two (2) 2023 Ram 3500 Mini Dump Trucks from TN State Contract # 80359** (AF-341-2023) (Ryan McReynolds)

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

RESOLUTION NO. 2024-106 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO 2023 RAM 3500 MINI DUMP TRUCKS FROM COLUMBIA CHRYSLER DODGE JEEP RAM UTILIZING TENNESSEE STATE CONTRACT NO.: 80359; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

- 3. Consideration of a Resolution to Enter an Agreement with CDM Smith Inc. for the South Fork Holston Sewershed Capacity Study** (AF-146-2023) (Ryan McReynolds)

Motion made by Alderman Montgomery, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-107 A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC. FOR THE SOUTH FORK HOLSTON SEWERSHED CAPACITY STUDY AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 4. Consideration of a Resolution to Enter into a Facility Encroachment Agreement with CSX Transportation (CSXT) for the Main Street Project Authorizing the Mayor to Sign all Applicable Documents** (AF-343-2023) (Ryan McReynolds)

Motion made by Alderman Olterman, Seconded by Alderman Cooper.

RESOLUTION NO. 2024-108 A RESOLUTION APPROVING FACILITY ENCROACHMENT AGREEMENT NO. CSX977447 WITH CSX TRANSPORTATION, INC., FOR THE MAIN STREET PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

Passed: All present voting "aye."

- 5. Consideration of a Resolution Authorizing the Filing and Acceptance of FY 2023 State and Local Cybersecurity Grant Program (SLCGP) (AF-346-2023) (Floyd Bailey)**

Motion made by Alderman Duncan, Seconded by Mayor Shull.

RESOLUTION NO. 2024-109 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A FISCAL YEAR 2023 STATE AND LOCAL CYBERSECURITY GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY

Passed: All present voting "aye."

- 6. Consideration of a Resolution to Reject All Bids for the Water and Sewer Warehouse Renovations Project (AF-145-2023) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Vice Mayor George.

RESOLUTION NO. 2024-110 A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR THE WATER AND SEWER WAREHOUSE RENOVATIONS PROJECT

Passed: All present voting "aye."

- 7. Consideration of a Resolution to Purchase 834 W Industry Dr and Enter into a Lease for Same Property (AF-289-2023) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Duncan.

RESOLUTION NO. 2024-111 A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 834 WEST INDUSTRY DRIVE AND APPROVING A PURCHASE AGREEMENT FOR THE SAME; AUTHORIZING THE LEASE OF THE REAL PROPERTY LOCATED AT 834 WEST INDUSTRY DRIVE AND APPROVING A LEASE AGREEMENT FOR THE SAME; AND AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

- 8. Consideration of a Resolution Approving an Amendment to the Downtown Kingsport Redevelopment Plan Expanding the Project Scope and Extending the TIF Period for the Downtown Kingsport Redevelopment District – Brickyard Village (AF-327-2023) (Chris McCartt, Steven Bower)**

Motion made by Alderman Duncan, Seconded by Alderman Olterman.

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

RESOLUTION NO. 2024-112 A RESOLUTION APPROVING AN AMENDMENT TO THE TAX INCREMENT FINANCING AGREEMENT FOR THE DOWNTOWN REDEVELOPMENT PLAN EXPANDING THE PROJECT SCOPE AND EXTENDING THE TIF PERIOD FOR THE DOWNTOWN KINGSFORT REDEVELOPMENT DISTRICT-BRICKYARD VILLAGE

Passed: All present voting "aye."

9. **Consideration of a Resolution Authorizing a Financial Contribution if Needed to the Kingsport Economic Development Board Relative to the Fort Henry Mall Redevelopment and Improvements Authorizing the Execution of all Necessary and Proper Documents** (AF-345-2023) (Chris McCartt, Steven Bower)

Motion made by Alderman Phillips, Seconded by Alderman Montgomery.

RESOLUTION NO. 2024-113 A RESOLUTION APPROVING A FINANCIAL CONTRIBUTION, IF NEEDED, TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR ECONOMIC OR INDUSTRIAL DEVELOPMENT PURPOSES RELATIVE TO THE FORT HENRY MALL REDEVELOPMENT AND IMPROVEMENTS, AUTHORIZING SUCH AGREEMENTS AS MAY BE NEEDED TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; EXPRESSING THE INTENT OF THE BOARD OF MAYOR AND ALDERMEN TO ESTABLISH ONE OR MORE PROJECT ACCOUNTS IN AN ORDINANCE APPROPRIATING FUNDS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, IF NEEDED; AND TO FIX THE EFFECTIVE DATE OF THIS RESOLUTION

Passed: All present voting "aye."

XII. CONSENT AGENDA *(These items are approved under one motion.)*

Motion made by Vice Mayor George, Seconded by Alderman Cooper.

Passed as presented with a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

1. **Consideration of a Resolution to Approve an Amendment to the Preston Construction Dome Contract** (AF-337-2023) (David Frye)

RESOLUTION NO. 2024-114 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH PRESTON CONSTRUCTION COMPANY FOR THE BUCK VAN HUSS DOME RENOVATION PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

- 2. Consideration of a Resolution for Approval to Amend the Professional Services Agreement with Thompson & Litton for Services Related to the Lincoln Elementary School HVAC Replacement Project (AF-339-2023) (David Frye)**

RESOLUTION NO. 2024-115 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH THOMPSON & LITTON FOR THE LINCOLN ELEMENTARY SCHOOL HVAC REPLACEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

- 3. Consideration to Approve the Issuance of a Certificate of Compliance for a Retail Food Store to Sell Wine (AF-347-2023) (Angie Marshall)**
- 4. Consideration of a Resolution to Ratify the Mayor's Signature and Adopt the ARCH Written Standards and Grievance Policy as a Condition of Receiving the THDA HOME ARP Supportive Services Grant (AF-335-2023) (Michael Price)**

RESOLUTION NO. 2024-116 A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON THE TENNESSEE HOUSING DEVELOPMENT AGENCY HOME ARP SUPPORTIVE SERVICES GRANT CONTRACT AND RECEIVING OF FUNDING THROUGH THE GRANT. AND ADOPTING THE WRITTEN STANDARDS AND GRIEVANCE POLICY AND ALL OTHER DOCUMENTS NECESSARY AND PROPER

XIII. COMMUNICATIONS

- 1. City Manager**

Mr. McCartt pointed out that City facilities would be closed on Friday for Veterans day, noting there is a service at 11:00am Saturday at the Memorial.

- 2. Mayor and Board Members**

Alderman Montgomery thanked Chief Phipps for an excellent presentation yesterday at the work session. He also mentioned the Rotary Club turned 100 years old yesterday and he was proud to be a part of that organization. Lastly, Mr. Montgomery stated Healthy Kingsport continues to help out Sullivan County and Holston Food bank at the chamber, noting the next People, Produce and Praise will be at Port City Church. Alderman Phillips noted that yesterday was not only his birthday but Alderman Montgomery's anniversary. He commended those who participated in the Halloween trick or treating event downtown stating there were thousands of kids. Alderman Olterman commented DB was ready for basketball. Alderman Duncan

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, November 7, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

mentioned the Christmas Connection this weekend at Meadowview as well as Lamplight Theatre's Festival of Trees and their Yuletide Christmas show. He also pointed out the city manager would be the guest speaker at the veteran's service on Saturday. Alderman Cooper stated it's finally Christmas time in Kingsport, noting the decorations outside went up the day after Halloween. She stated the Santa Train will arrive downtown on November 18 and the trees in the parks will be decorated on the 28th. She also noted that December 2nd is the parade, pointing out there is something happening at a park every Friday after that. Alderman Cooper said the Christmas trees will be delivered to the parks on the 16th and 17th noting they would be cut on the day they're delivered. Ms. Cooper commented four snow machines were purchased so there would be snow everywhere and Alderman Phillips mentioned there would be 6-10 bagpipe players on the day of parade in downtown. Vice-Mayor George stated she appreciated the trees were already lit and decorated downtown with the time change and getting dark outside earlier. She stated Visit Kingsport's wing fling had over 600 attendees and commented on other events, noting County Officials and women's volleyball at Meadowview. She mentioned the ribbon cutting at the new pump track. Lastly the Vice-Mayor noted there was always a shortage of blood during the holidays and encouraged people to donate. Mayor Shull commented that there were things going on all the time and the importance of the tourism industry. He pointed out that Friday is the birthday of Marine Corps and thanked his fellow veterans. He offered a reminder of the difference between Veteran's Day and Memorial Day.

XIV. ADJOURN

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:55 p.m.

ANGELA MARSHALL

Deputy City Recorder

PATRICK W. SHULL

Mayor



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Zoning of Tax Map 029F, Group B, Parcels 009.00, 012.00, 013.00, 014.00 and 027.00 Located Along Granby Road from the R-1B, Residential District to the R-3, Low Density Apartment District.

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-350-2023
Work Session: November 20, 2023
First Reading: November 21, 2023
Final Adoption: December 5, 2023
Staff Work By: Jessica McMurray
Presentation By: Jessica McMurray

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone and Tax Map 029F, Group B, Parcels 009.00, 012.00, 013.00, 014.00 and 027.00 located along Granby Road from the R-1B, Residential District to the R-3, Low Density Apartment District.

Executive Summary:

This is an owner-requested rezoning of approximately 13.962 acres located along Granby Road from the R-1B zone to the R-3 zone. The purpose of the rezoning is to facilitate future multi-family development (160 units). One public comment was received from a citizen during the Planning Commission meeting citing concerns about increased traffic and crime in the area. During their October 2023 regular meeting, the Kingsport Regional Planning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the rezoning request by a vote of 6-0. The notice of public hearing was published on November 6, 2023.

Attachments:

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

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

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 November 21, 2023 to consider the rezoning of Tax Map 029F, Group B, Parcels 009.00, 012.00, 013.00, 014.00 and 027.00 from the R-1B zoning district to the R-3 zoning district. The regular business meeting will begin at 7:00 p.m. in the Montgomery-Watterson Boardroom located on the third floor of City Hall, 415 Broad Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

Tract:

Being a certain tract or parcel of land located in the 12th Civil District of Sullivan County, Tennessee, and more particularly described as follows:

BEGINNING at a 1/2 inch iron rod (found), located in the Northerly sideline of Granby Road, a common corner to Derrick (D.B. 1040C, PG. 184); Thence with said line the following three calls: North 18 degrees, 52 minutes, 17 seconds West, a distance of 232.31 feet to a 1/2 inch iron rod (found), bent; South 75 degrees, 43 minutes, 29 seconds West, a distance of 131.27 feet to a 1/2 inch iron rod (found), bent; South 13 degrees, 01 minutes, 53 seconds East, a distance of 54.82 feet to a 1/2 inch iron rod (found), bent, corner to Davis Family G.P.(D.B. 3213, PG. 936); Thence with said line South 76 degrees, 28 minutes, 05 seconds West, a distance of 64.00 feet to a 5/8 inch iron rod (set), common corner to Ketron (D.B. 898C, PG. 210) and Spears (D.B. 3176, PG. 792); Thence with the line of Spears the following two calls: North 10 degrees, 09 minutes, 51 seconds West, a distance of 191.35 feet to a 4 inch metal post; South 71 degrees, 09 minutes, 58 seconds West, a distance of 171.14 feet to a 60D nail (found), in base of 36 inch oak, in the line of Taylor (D.B. 3072, PG. 1020); Thence with said line the following two calls: North 18 degrees, 56 minutes, 53 seconds West, a distance of 187.77 feet to a iron rod (found), with cap, (Weems); North 89 degrees, 05 minutes, 06 seconds West, a distance of 181.85 feet to a iron rod (found), with cap, (Weems), in the line of Mullins (D.B. 3546, PG. 256); Thence with the line of Mullins, Mathes, Parker, Sweetbriar Road, and Parker North 18 degrees, 50 minutes, 03 seconds West, a distance of 501.96 feet to a iron rod (found), with cap, (Davies), in the line of lot 28 Harmony Ridge Re-Plat (P.B. 54, PG. 266); Thence with the line of lots 18, 17, and open space South 89 degrees, 05 minutes, 43 seconds East, a distance of 182.02 feet to a 1/2 inch iron rod (found), in a 1 inch pipe (found), corner to open space Harmony Ridge Re-Plat (P.B. 54, PG. 266); Thence with said line South 89 degrees, 13 minutes, 31 seconds East, a distance of 181.53 feet to a 1/2 inch iron rod (found); Thence with line of open space, lots 16, 15, 14, 13 Harmony Ridge Re-Plat (P.B. 54, PG. 266) South 89 degrees, 03 minutes, 04 seconds East, a distance of 512.82 feet to a 1/2 inch iron rod (found), corner to Boggs (D.B. 3298, PG. 106); Thence with said line South 18 degrees, 49 minutes, 22 seconds East, a distance of 746.42 feet to a 1/2 inch iron rod (found), in the Westerly sideline of Ramsey Avenue; Thence with sideline of Ramsey Avenue South 29 degrees, 44 minutes, 54 seconds West, a distance of 199.59 feet to a 1/2 inch iron rod (found), bent, in the Northerly sideline of Granby Road; Thence with the sideline of Granby Road South 85 degrees, 06 minutes, 11 seconds West, a distance of 165.83 feet to the POINT OF BEGINNING, containing 13.962 acres, and being the Combination of 3 Lands, LLC. Property, as shown on plat of record in the Register's Office for Sullivan County, Tennessee, in Plat Book P58, Page 569.

All interested persons are invited to attend this meeting and public hearing. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division, telephone 423-229-9485.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9401, ext. 5 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.



CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 11/6/2023

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG GRANBY ROAD FROM THE R-1B, RESIDENTIAL DISTRICT TO THE R-3, LOW DENSITY APARTMENT DISTRICT IN THE 12TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along Granby Road from the R-1B, Residential District to the R-3, Low Density Apartment District in the 12th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Tract:

BEGINNING AT A 1/2 INCH IRON ROD (FOUND), LOCATED IN THE NORTHERLY SIDELINE OF GRANBY ROAD, A COMMON CORNER TO DERRICK (D.B. 1040C, PG. 184); THENCE WITH SAID LINE THE FOLLOWING THREE CALLS: NORTH 18 DEGREES, 52 MINUTES, 17 SECONDS WEST, A DISTANCE OF 232.31 FEET TO A 1/2 INCH IRON ROD (FOUND), BENT; SOUTH 75 DEGREES, 43 MINUTES, 29 SECONDS WEST, A DISTANCE OF 131.27 FEET TO A 1/2 INCH IRON ROD (FOUND), BENT; SOUTH 13 DEGREES, 01 MINUTES, 53 SECONDS EAST, A DISTANCE OF 54.82 FEET TO A 1/2 INCH IRON ROD (FOUND), BENT, CORNER TO DAVIS FAMILY G.P.(D.B. 3213, PG. 936); THENCE WITH SAID LINE SOUTH 76 DEGREES, 28 MINUTES, 05 SECONDS WEST, A DISTANCE OF 64.00 FEET TO A 5/8 INCH IRON ROD (SET), COMMON CORNER TO KETRON (D.B. 898C, PG. 210) AND SPEARS (D.B. 3176, PG. 792); THENCE WITH THE LINE OF SPEARS THE FOLLOWING TWO CALLS: NORTH 10 DEGREES, 09 MINUTES, 51 SECONDS WEST, A DISTANCE OF 191.35 FEET TO A 4 INCH METAL POST; SOUTH 71 DEGREES, 09 MINUTES, 58 SECONDS WEST, A DISTANCE OF 171.14 FEET TO A 60D NAIL (FOUND), IN BASE OF 36 INCH OAK, IN THE LINE OF TAYLOR (D.B. 3072, PG. 1020); THENCE WITH SAID LINE THE FOLLOWING TWO CALLS: NORTH 18 DEGREES, 56 MINUTES, 53 SECONDS WEST, A DISTANCE OF 187.77 FEET TO A IRON ROD (FOUND), WITH CAP, (WEEMS); NORTH 89 DEGREES, 05 MINUTES, 06 SECONDS WEST, A DISTANCE OF 181.85 FEET TO A IRON ROD (FOUND), WITH CAP, (WEEMS), IN THE LINE OF MULLINS (D.B. 3546, PG. 256); THENCE WITH THE LINE OF MULLINS, MATHES, PARKER, SWEETBRIAR ROAD, AND PARKER NORTH 18 DEGREES, 50 MINUTES, 03 SECONDS

WEST, A DISTANCE OF 501.96 FEET TO A IRON ROD (FOUND), WITH CAP, (DAVIES), IN THE LINE OF LOT 28 HARMONY RIDGE RE-PLAT (P.B. 54, PG. 266); THENCE WITH THE LINE OF LOTS 18, 17, AND OPEN SPACE SOUTH 89 DEGREES, 05 MINUTES, 43 SECONDS EAST, A DISTANCE OF 182.02 FEET TO A 1/2 INCH IRON ROD (FOUND), IN A 1 INCH PIPE (FOUND), CORNER TO OPEN SPACE HARMONY RIDGE RE-PLAT (P.B. 54, PG. 266); THENCE WITH SAID LINE SOUTH 89 DEGREES, 13 MINUTES, 31 SECONDS EAST, A DISTANCE OF 181.53 FEET TO A 1/2 INCH IRON ROD (FOUND); THENCE WITH LINE OF OPEN SPACE, LOTS 16, 15, 14, 13 HARMONY RIDGE RE-PLAT (P.B. 54, PG. 266) SOUTH 89 DEGREES, 03 MINUTES, 04 SECONDS EAST, A DISTANCE OF 512.82 FEET TO A 1/2 INCH IRON ROD (FOUND), CORNER TO BOGGS (D.B. 3298, PG. 106); THENCE WITH SAID LINE SOUTH 18 DEGREES, 49 MINUTES, 22 SECONDS EAST, A DISTANCE OF 746. 42 FEET TO A 1/2 INCH IRON ROD (FOUND), IN THE WESTERLY SIDELINE OF RAMSEY AVENUE; THENCE WITH SIDELINE OF RAMSEY AVENUE SOUTH 29 DEGREES, 44 MINUTES, 54 SECONDS WEST, A DISTANCE OF 199.59 FEET TO A 1/2 INCH IRON ROD (FOUND), BENT, IN THE NORTHERLY SIDELINE OF GRANBY ROAD; THENCE WITH THE SIDELINE OF GRANBY ROAD SOUTH 85 DEGREES, 06 MINUTES, 11 SECONDS WEST, A DISTANCE OF 165.83 FEET TO THE POINT OF BEGINNING, CONTAINING 13.962 ACRES, AND BEING THE COMBINATION OF 3 LANDS, LLC. PROPERTY, AS SHOWN ON PLAT OF RECORD IN THE REGISTER'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, IN PLAT BOOK P58, PAGE 569.

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

PATRICK W. SHULL
Mayor

ATTEST:

ANGELA MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

Item VIII 1.

RODNEY B. ROWLETT, III
City Attorney

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

Kingsport Regional Planning Commission

Rezoning Report

File Number REZONE23-0298

Granby Road Rezoning

Property Information			
Address		TBD Granby Road	
Tax Map, Group, Parcel		Tax Map 029F Group B Parcels 009.00, 012.00, 013.00, 014.00 and 027.00	
Civil District		12	
Overlay District		n/a	
Land Use Designation		Single Family & Multi-Family	
Acres		13.962 acres +/-	
Existing Use	Vacant land	Existing Zoning	R-1B
Proposed Use	Multi-Family	Proposed Zoning	R-3
Owner /Applicant Information			
Name: 3 Lands, LLC Address: PO Box 1951 City: Roseburg State: OR Zip Code: 97470 Email: hadproperties@gmail.com Phone Number: (530)635-3959		Intent: <i>To rezone from R-1B (Residential District) to R-3 (Low Density Apartment District) to accommodate future multi-family development.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends sending a POSITIVE recommendation to the Kingsport Board of Mayor and Alderman for the following reasons:</p> <ul style="list-style-type: none"> <i>The zoning change is compatible with the 2030 Future Land Use Plan designation.</i> <i>The zoning change will appropriately match the proposed use.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> <i>The rezoning site is currently vacant.</i> <i>The number of proposed units is 160.</i> <i>Water and sewer are available to the property.</i> <i>Fire does not have any concerns with re-zoning but there is concerns with the access into the development. 2018 IFC requires two ingress/ egress points for development of multi-family units over 100. There is an exception for this, that if the units are under 200 and all buildings have a sprinkler system installed (including non-residential buildings) the site is allowed to have one access.</i> <i>The site plan is sufficient for rezoning purposes as it demonstrates the overall intent. A thorough review and modifications will be necessary to bring the plan up to the standard of the multifamily zone being sought. Staff is providing a positive recommendation to the PC in support of changing the zone as requested</i> <i>Based on numbers Traffic Impact Study will be required with development</i> 			
Planner:	Jessica McMurray	Date:	September 25, 2023
Planning Commission Action		Meeting Date:	October 19, 2023
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	Parcels 009.00, 012.00, 013.00, 014.00 and 027.00
DISTRICT	12th
OVERLAY DISTRICT	n/a
EXISTING ZONING	R-1B (Residential District)
PROPOSED ZONING	R-3 (Low Density Apartment District)
ACRES	13.962 +/-
EXISTING USE	vacant land
PROPOSED USE	multi-family development

PETITIONER

ADDRESS PO Box 10667, Knoxville, TN 37939

REPRESENTATIVE

PHONE (865) 292-5692

INTENT

To rezone from R-1B (Residential District) to R-3 (Low Density Apartment District) to accommodate future multi-family development.

Vicinity Map



Future Land Use Plan 2030



Aerial



View from Granby Drive (South)



View from Ramsey Ave (East)



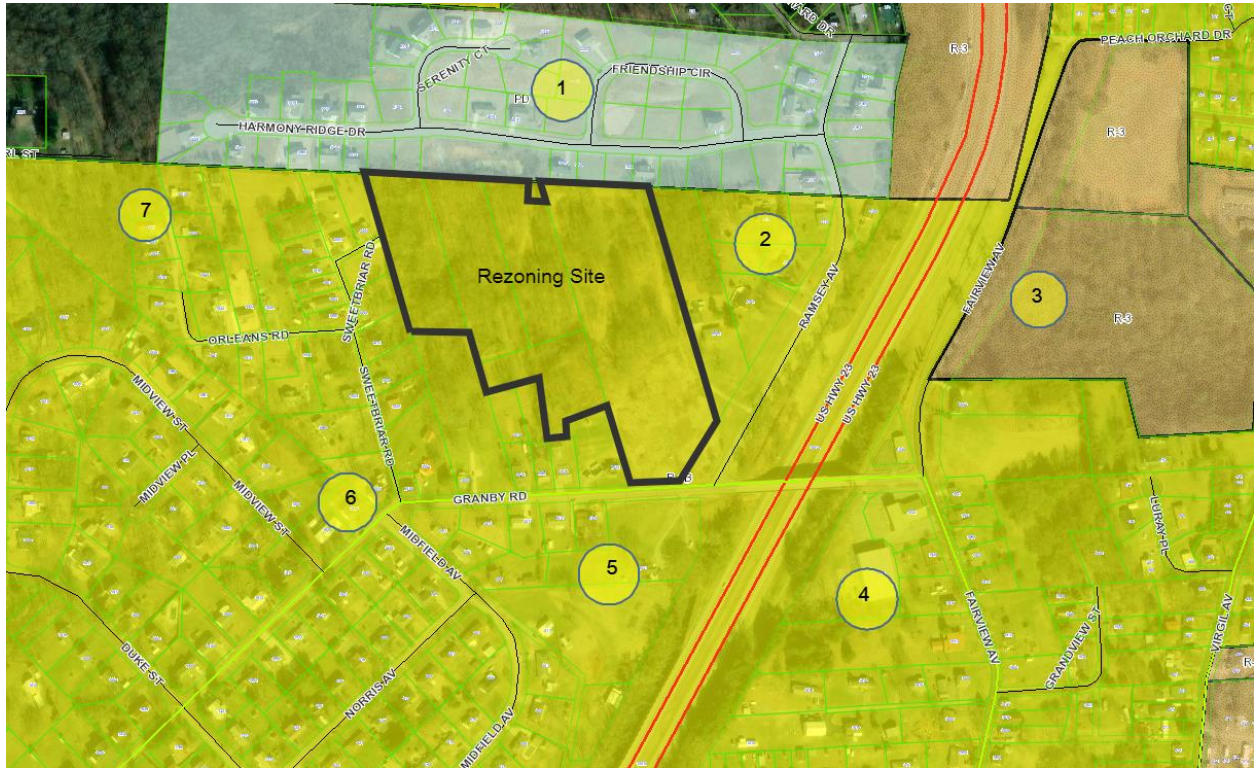
View from Harmony Ridge Dr. (North)



Aerial View (Google Earth Image)



EXISTING USES LOCATION MAP



Kingsport Regional Planning Commission

Rezoning Report

File Number REZONE23-0298

Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	<u>Zone: City PD</u> Use: single family	
East	2	<u>Zone: City R-1B</u> Use: single family	
Southeast	3	<u>Zone: City R-3</u> Use: vacant	
South	4	<u>Zone: City R-1B</u> Use: single family	
Southwest	5	<u>Zone: City R-1B</u> Use: single family	
West	6	<u>Zone: City B-3</u> Use: vacant	
Northwest	7	<u>Zone: City R-1B</u> Use: single family	

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 6, 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?** Rezoning will permit an appropriate use that is suitable for the Future Land Use development.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a reasonable economic use for the proposed zone.
4. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The R-3 rezoning proposal does conform to the 2030 Land Use Plan, although a small portion of the rezoning site to the left is designated as single family.

Proposed use: Multi-family Development

The Future Land Use Plan Map recommends multi-family & single family.

5. **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, as abutting and nearby parcels are zoned for multi-family development.
6. **Whether there are other existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal?** The vacant land mass is appropriately sized for a new development that will meet zoning restrictions of the R-3 zone.

Zoning Development Plan (A Full Size Copy Available For Meeting)



CONCLUSION

Staff recommends sending a POSITIVE recommendation to rezone from R-1B to R-3 based upon the increasing residential trend in the area and need for housing development in the city.



AGENDA ACTION FORM

Consideration of an Ordinance to Amend Zoning of Tax Map 076, Parcel 020.00 Located Along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to M-1R, Light Manufacturing Restricted District.

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-349-2023
Work Session: November 20, 2023
First Reading: November 21, 2023
Final Adoption: December 5, 2023
Staff Work By: Jessica McMurray
Presentation By: Jessica McMurray

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone Tax Map 076, Parcel 020.00 located along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to M-1R, Light Manufacturing Restricted District.

Executive Summary:

This is an owner-requested rezoning of approximately 40.266 acres located along Tidewater Court from the A-1 and B-4P zone to the M-1R zone. The purpose of the rezoning is to facilitate a future public utilities service center. No public comment was received. During their October 2023 regular meeting, the Kingsport Regional Planning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the rezoning request by a vote of 6-0. The notice of public hearing was published on November 6, 2023.

Attachments:

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

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

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 November 21, 2023 to consider the rezoning of Tax Map 076, Parcel 020.00 located along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to M-1R, Light Manufacturing Restricted District. The regular business meeting will begin at 7:00 p.m. in the Montgomery-Watterson Boardroom located on the third floor of City Hall, 415 Broad Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

Tract:

This being part of the land acquired by Roy Cleveland Anderson II from A & P Partnership et. al. by DEED dated the 31st day of December 1996 and recorded in Deed Book 1188C, Page 505 recorded in the Sullivan County Register of Deeds and being more particularly described as follows:

COMMENCING at an iron pin set (5/8" rebar x 18" long with aluminum survey cap stamped PLS #3136 as will be typical for all set monuments), said pin being: • On the southern edge of right-of-way of Tidewater Court (40' Right-of-Way, Per Plat Book 34, Page 43) • Being approximately 415 feet east of the intersection of centerlines of Tidewater Court and John B. Dennis Highway • 24.1 feet south of the as-built centerline of Tidewater Court • N00°27'13"E – 10.10 feet from a 1/2" iron pin found (old), said pin found being the northeast corner of CRO-BAR, LLC (D.B. 3493, Page 1960) • Lying within the City of Kingsport, Sullivan County, Tennessee; Thence continuing with the southern edge of right-of-way of Tidewater Court, S89°30'22" E – 235.00 feet to an iron pin set, said pin being 24.1 feet south of the as-built centerline of Tidewater Court and being the POINT OF BEGINNING for this description; Thence with the southern edge of right-of-way of Tidewater Court, S89°30'22" E - 313.40 feet to an iron pin set, said pin being a corner of the right-of-way of Tidewater Court and Kingsgate Crossing (D.B. 2275C, Page 22), said pin being 25.2 feet south of the centerline of Tidewater Court; Thence leaving the right-of-way of Tidewater Court and with the right-of-way of Kingsgate Crossing (D.B. 2275C, Page 22) the following six (6) courses: S37°13'06" E - 65.25 feet to an iron pin set, With a CURVE to the RIGHT having a Radius of 255.56 feet and a CHORD BEARING & DISTANCE of S25°54'28"E – 100.25 feet to an iron pin set, N75°24'09" E – 92.00 feet to an iron pin set, N16°23'15" W - 21.72 feet to an iron pin set, N16°02'03" E - 70.84 feet to an iron pin set, and N68°32'28" E - 76.04 feet to an iron pin set, said pin being on the southern edge of right-of-way of Tidewater Court and being on the western edge of right-of-way of Kingsgate Crossing, said pin being 20.2 feet from the as-built centerline of Tidewater Court; Thence continuing with the southern edge of right-of-way of Tidewater Court, S89°30'22" E - 415.14 feet to an iron pin set, said pin being a corner of the right-of-way of Tidewater Court and being 25.8 feet south of the as-built centerline of Tidewater Court; Thence FIRST continuing with the right-of-way of Tidewater Court and SECOND with the line of Javier A. Benitez (D.B. 3267, Page 220) and leaving the right-of-way of Tidewater Court, S00°29'23" W - 55.00 feet to a 1/2" iron pin found (old); Thence continuing with the lines of Javier A. Benitez (D.B. 3267, Page 220) the following five (5) courses: S89°28'30" E - 49.98 feet to a 1/2" iron pin found (old); S00°28'24" W - 69.97 feet to an iron pin set, With a CURVE to the LEFT having a Radius of 75.10 feet and CHORD BEARING & DISTANCE of S44°31'21"E – 106.21 feet to a 3/8" iron pin found (old) S89°31'21" E – 366.51 feet to an iron pin set and N00°29'23" E - 200.00 feet to an iron pin set, said pin being the Northeast Corner of Javier A. Benitez (D.B. 3267, Page 220) and being on the southern line of Tele-Optics, Inc. (D.B. 746C, Page 468); Thence leaving the line of

Javier A. Benitez (D.B. 3267, Page 220) and with the southern boundary line of Tele-Optics, Inc. (D.B. 746C, Page 468), S89°30'38" E - 418.83 feet to a ½" iron pin found (old), said pin being the southeast corner of Tele-Optics, Inc. (D.B. 746C, Page 468) and being on the western boundary line of Now or Formerly Ada Moore Rodefer (D.B. 61A, Page 160); Thence leaving said Tele-Optics, Inc. (D.B. 746C, Page 468) and with the western boundary line of said Now or Formerly Ada Moore Rodefer (D.B. 61A, Page 160), S01°34'49" W - 700.47 feet to a 1-1/4" iron pin found (old), said pin being on the western boundary line of Rodefer and being the northeast corner of South Kingsport Development, Inc. (D.B. 1546C, Page 146); Thence leaving the line of said Rodefer and with FIRST the northern boundary line of South Kingsport Development, Inc. (D.B. 1546C, Page 146), SECOND the northern boundary line of Shannon L. Hurd et. al. (D.B. 3372, Page 2449) and THIRD the northern boundary line of South Kingsport Development Inc, (D.B. 1546C, Page 146), N80°37'55" W - 1737.31 feet to an iron pin set; Thence continuing with the line of South Kingsport Development Inc, (D.B. 1546C, Page 146) the following four (4) courses: S64°55'55" W - 445.11 feet to an Axle Found (old), S25°35'10" E - 38.78 feet to an Axle Found (old), S21°28'26" W - 500.03 feet to a ¼" iron pin found (old) and N62°45'59" W - 415.47 feet to an Axle found (old). Thence continuing FIRST with the line of South Kingsport Development Inc, (D.B. 1546C, Page 146) and SECOND with South Kingsport Development Inc. (Lot 2 of Plat Book 52, Page 733; D.B. 1546C, Page 146), S85°27'30" W - 520.13 feet to an iron pin set, said pin being on the northern boundary line of Lot 2 of Plat Book 52, Page 733 and being a corner of a Gore Area; Thence leaving said Lot 2 and with said Gore Area, N38°11'38" E - 494.74 feet to an iron pin set and N56°14'41" W - 423.80 feet to a 3/8" Rebar Found (old), said pin being on the southern edge of right-of-way of John B. Dennis Highway and being the northern most corner of Sam B. Kite, Jr. (D.B. 1372C, Page 38); Thence leaving the corner of said Kite and with the southern edge of right-of-way of John B. Dennis highway the following two courses: N64°46'21" E - 272.81 feet to a 5/8" Rebar found bent (old) With a CURVE to the LEFT having a RADIUS of 5859.58 feet and a CHORD BEARING and DISTANCE of N62°53'44"E - 383.50 feet to an iron pin set, said pin being S50°40'48"E - 2.23 feet from an iron pin found PLS# 2089 (old), said pin being the southwestern corner of CRO-BAR, LLC; Thence leaving the right-of-way of John B. Dennis Highway, S50°40'48"E - 137.10 feet to an iron pin found- PLS# 2089 (old), and S89°35'08"E - 411.44 feet to a ½" iron pin found (old), said pin being the southeast corner of CRO-BAR, LLC; Thence leaving the line of CRO-BAR, LLC and with new lines across the parent tract the following three courses: S00°27'13" W - 220.51 feet to an iron pin set, S89°30'22" E - 235.00 feet to an iron pin set, and N00°27'13" E - 370.72 feet to the POINT OF BEGINNING and containing 40.266 acres by survey.

All interested persons are invited to attend this meeting and public hearing. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division, telephone 423-229-9485.

All City of Kingsport public meetings are conducted in accessible locations. If you require accommodations to participate in this meeting, these may be requested by calling (423) 229-9401, ext. 5 or by emailing ADAContact@KingsportTN.gov at least 72 hours in advance. Copies of any documents used are available in accessible formats upon request.



CITY OF KINGSPORT
Angie Marshall, City Clerk
PIT: 11/6/2023

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG TIDEWATER COURT FROM THE A-1, AGRICULTURAL DISTRICT AND B-4P, PLANNED BUSINESS DISTRICT TO M-1R, LIGHT MANUFACTURING RESTRICTED 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 located along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to the M-1R, Light Manufacturing District in the 13th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Tract:

THIS BEING PART OF THE LAND ACQUIRED BY ROY CLEVELAND ANDERSON II FROM A & P PARTNERSHIP ET. AL. BY DEED DATED THE 31ST DAY OF DECEMBER 1996 AND RECORDED IN DEED BOOK 1188C, PAGE 505 RECORDED IN THE SULLIVAN COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN SET (5/8" REBAR X 18" LONG WITH ALUMINUM SURVEY CAP STAMPED PLS #3136 AS WILL BE TYPICAL FOR ALL SET MONUMENTS), SAID PIN BEING: • ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT (40' RIGHT-OF-WAY, PER PLAT BOOK 34, PAGE 43) • BEING APPROXIMATELY 415 FEET EAST OF THE INTERSECTION OF CENTERLINES OF TIDEWATER COURT AND JOHN B. DENNIS HIGHWAY • 24.1 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT • N00°27'13"E – 10.10 FEET FROM A 1/2" IRON PIN FOUND (OLD), SAID PIN FOUND BEING THE NORTHEAST CORNER OF CRO-BAR, LLC (D.B. 3493, PAGE 1960) • LYING WITHIN THE CITY OF KINGSPORT, SULLIVAN COUNTY, TENNESSEE; THENCE CONTINUING WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E – 235.00 FEET TO AN IRON PIN SET, SAID PIN BEING 24.1 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT AND BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E - 313.40 FEET TO AN IRON PIN SET, SAID

PIN BEING A CORNER OF THE RIGHT-OF-WAY OF TIDEWATER COURT AND KINGSGATE CROSSING (D.B. 2275C, PAGE 22), SAID PIN BEING 25.2 FEET SOUTH OF THE CENTERLINE OF TIDEWATER COURT; THENCE LEAVING THE RIGHT-OF-WAY OF TIDEWATER COURT AND WITH THE RIGHT-OF-WAY OF KINGSGATE CROSSING (D.B. 2275C, PAGE 22) THE FOLLOWING SIX (6) COURSES: S37°13'06" E - 65.25 FEET TO AN IRON PIN SET, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 255.56 FEET AND A CHORD BEARING & DISTANCE OF S25°54'28"E – 100.25 FEET TO AN IRON PIN SET, N75°24'09" E – 92.00 FEET TO AN IRON PIN SET, N16°23'15" W - 21.72 FEET TO AN IRON PIN SET, N16°02'03" E - 70.84 FEET TO AN IRON PIN SET, AND N68°32'28" E - 76.04 FEET TO AN IRON PIN SET, SAID PIN BEING ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT AND BEING ON THE WESTERN EDGE OF RIGHT-OF-WAY OF KINGSGATE CROSSING, SAID PIN BEING 20.2 FEET FROM THE AS-BUILT CENTERLINE OF TIDEWATER COURT; THENCE CONTINUING WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E - 415.14 FEET TO AN IRON PIN SET, SAID PIN BEING A CORNER OF THE RIGHT-OF-WAY OF TIDEWATER COURT AND BEING 25.8 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT; THENCE FIRST CONTINUING WITH THE RIGHT-OF-WAY OF TIDEWATER COURT AND SECOND WITH THE LINE OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND LEAVING THE RIGHT-OF-WAY OF TIDEWATER COURT, S00°29'23" W - 55.00 FEET TO A 1/2" IRON PIN FOUND (OLD); THENCE CONTINUING WITH THE LINES OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) THE FOLLOWING FIVE (5) COURSES: S89°28'30" E - 49.98 FEET TO A 1/2" IRON PIN FOUND (OLD); S00°28'24" W - 69.97 FEET TO AN IRON PIN SET, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 75.10 FEET AND CHORD BEARING & DISTANCE OF S44°31'21"E – 106.21 FEET TO A 3/8" IRON PIN FOUND (OLD) S89°31'21" E – 366.51 FEET TO AN IRON PIN SET AND N00°29'23" E - 200.00 FEET TO AN IRON PIN SET, SAID PIN BEING THE NORTHEAST CORNER OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND BEING ON THE SOUTHERN LINE OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468); THENCE LEAVING THE LINE OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND WITH THE SOUTHERN BOUNDARY LINE OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468), S89°30'38" E - 418.83 FEET TO A 1/2" IRON PIN FOUND (OLD), SAID PIN BEING THE SOUTHEAST CORNER OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468) AND BEING ON THE WESTERN BOUNDARY LINE OF NOW OR FORMERLY ADA MOORE RODEFER (D.B. 61A, PAGE 160); THENCE LEAVING SAID TELE-OPTICS, INC. (D.B. 746C, PAGE

468) AND WITH THE WESTERN BOUNDARY LINE OF SAID NOW OR FORMERLY ADA MOORE RODEFER (D.B. 61A, PAGE 160), S01°34'49" W - 700.47 FEET TO A 1-1/4" IRON PIN FOUND (OLD), SAID PIN BEING ON THE WESTERN BOUNDARY LINE OF RODEFER AND BEING THE NORTHEAST CORNER OF SOUTH KINGSPORT DEVELOPMENT, INC. (D.B. 1546C, PAGE 146); THENCE LEAVING THE LINE OF SAID RODEFER AND WITH FIRST THE NORTHERN BOUNDARY LINE OF SOUTH KINGSPORT DEVELOPMENT, INC. (D.B. 1546C, PAGE 146), SECOND THE NORTHERN BOUNDARY LINE OF SHANNON L. HURD ET. AL. (D.B. 3372, PAGE 2449) AND THIRD THE NORTHERN BOUNDARY LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146), N80°37'55" W - 1737.31 FEET TO AN IRON PIN SET; THENCE CONTINUING WITH THE LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146) THE FOLLOWING FOUR (4) COURSES: S64°55'55" W - 445.11 FEET TO AN AXLE FOUND (OLD), S25°35'10" E - 38.78 FEET TO AN AXLE FOUND (OLD), S21°28'26" W - 500.03 FEET TO A 1/4" IRON PIN FOUND (OLD) AND N62°45'59" W - 415.47 FEET TO AN AXLE FOUND (OLD). THENCE CONTINUING FIRST WITH THE LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146) AND SECOND WITH SOUTH KINGSPORT DEVELOPMENT INC. (LOT 2 OF PLAT BOOK 52, PAGE 733; D.B. 1546C, PAGE 146), S85°27'30" W - 520.13 FEET TO AN IRON PIN SET, SAID PIN BEING ON THE NORTHERN BOUNDARY LINE OF LOT 2 OF PLAT BOOK 52, PAGE 733 AND BEING A CORNER OF A GORE AREA; THENCE LEAVING SAID LOT 2 AND WITH SAID GORE AREA, N38°11'38" E - 494.74 FEET TO AN IRON PIN SET AND N56°14'41" W - 423.80 FEET TO A 3/8" REBAR FOUND (OLD), SAID PIN BEING ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY AND BEING THE NORTHERN MOST CORNER OF SAM B. KITE, JR. (D.B. 1372C, PAGE 38); THENCE LEAVING THE CORNER OF SAID KITE AND WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY THE FOLLOWING TWO COURSES: N64°46'21" E - 272.81 FEET TO A 5/8" REBAR FOUND BENT (OLD) WITH A CURVE TO THE LEFT HAVING A RADIUS OF 5859.58 FEET AND A CHORD BEARING AND DISTANCE OF N62°53'44"E - 383.50 FEET TO AN IRON PIN SET, SAID PIN BEING S50°40'48"E - 2.23 FEET FROM AN IRON PIN FOUND PLS# 2089 (OLD), SAID PIN BEING THE SOUTHWESTERN CORNER OF CRO-BAR, LLC; THENCE LEAVING THE RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY, S50°40'48"E - 137.10 FEET TO AN IRON PIN FOUND- PLS# 2089 (OLD), AND S89°35'08"E - 411.44 FEET TO A 1/2" IRON PIN FOUND (OLD), SAID PIN BEING THE SOUTHEAST CORNER OF

CRO-BAR, LLC; THENCE LEAVING THE LINE OF CRO-BAR, LLC AND WITH NEW LINES ACROSS THE PARENT TRACT THE FOLLOWING THREE COURSES: S00°27'13" W - 220.51 FEET TO AN IRON PIN SET, S89°30'22" E - 235.00 FEET TO AN IRON PIN SET, AND N00°27'13" E - 370.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.266 ACRES BY SURVEY.

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

PATRICK W. SHULL
Mayor

ATTEST:

ANGELA MARSHALL
Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III
City Attorney

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

Rezoning Report

Kingsport Regional Planning Commission

File Number REZONE23-0306

Tidewater Court Rezoning

Property Information			
Address		1025 Tidewater Court	
Tax Map, Group, Parcel		Tax Map 076 Parcel 020.00	
Civil District		13	
Overlay District		Gateway District	
Land Use Designation		Retail/Commercial	
Acres		Rezone Site 40.266 acres +/-	
Existing Use		Existing Zoning	B-4P & A-1
Proposed Use		Proposed Zoning	M-1R
Owner /Applicant Information			
Name: Eric Sauer Address: 1 Riverside Plaza City: Columbus State: OH Zip Code: 43215 Email: easauer@aep.com Phone Number: (614) 716-1614		Intent: <i>To rezone from A-1 (Agricultural District) and B-4P (Planned Business District) to M-1R (Light Manufacturing Restricted District) to accommodate future public utilities service center.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends sending a POSITIVE recommendation to the Kingsport Board of Mayor and Alderman for the following reasons:</p> <ul style="list-style-type: none"> • The zoning change is compatible with abutting M-1 and M-1R zoning. • The zoning change will appropriately match the proposed use. <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • The rezoning site is currently vacant. • Water and Sewer available at the rezoning site. • City development review team sent positive recommendation. 			
Planner:	Jessica McMurray	Date:	October 2, 2023
Planning Commission Action		Meeting Date:	October 19, 2023
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	Parcel 020.00
DISTRICT	13
OVERLAY DISTRICT	Gateway District
EXISTING ZONING	A-1 (Agricultural District) & B-4P (Planned Business District)
PROPOSED ZONING	M-1R (Light Manufacturing Restricted District)
ACRES	Rezone Site 40.266 acres +/-
EXISTING USE	vacant land
PROPOSED USE	public utilities service center

PETITIONER

ADDRESS **1 Riverside Plaza, Columbus, OH 43215**

REPRESENTATIVE

PHONE **(614) 716-1614**

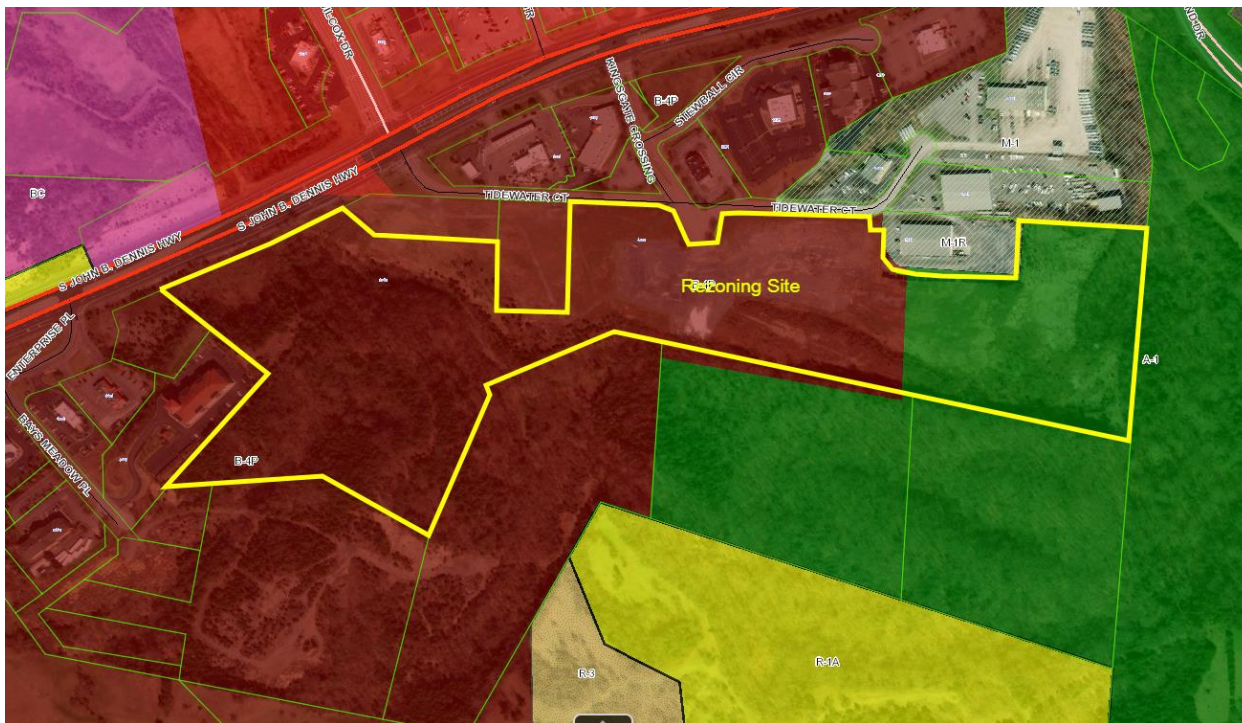
INTENT

To rezone from A-1 (Agricultural District) and B-4P (Planned Business District) to M-1R (Light Manufacturing Restricted District) to accommodate future public utilities service center.

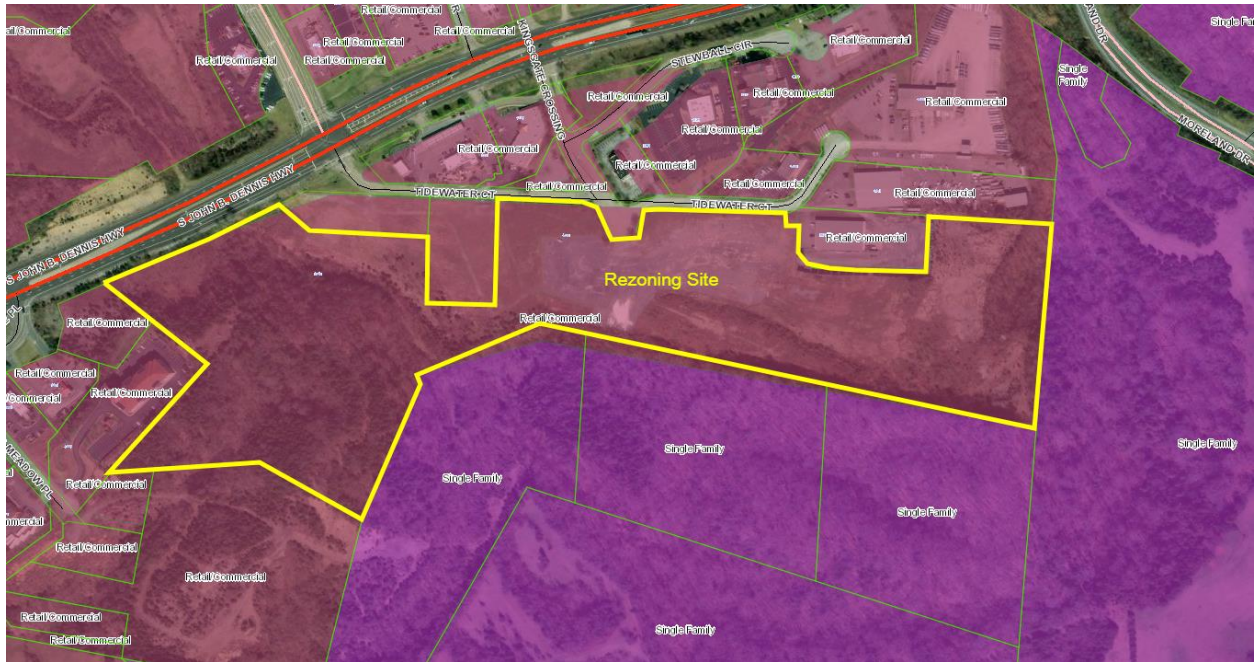
Vicinity Map



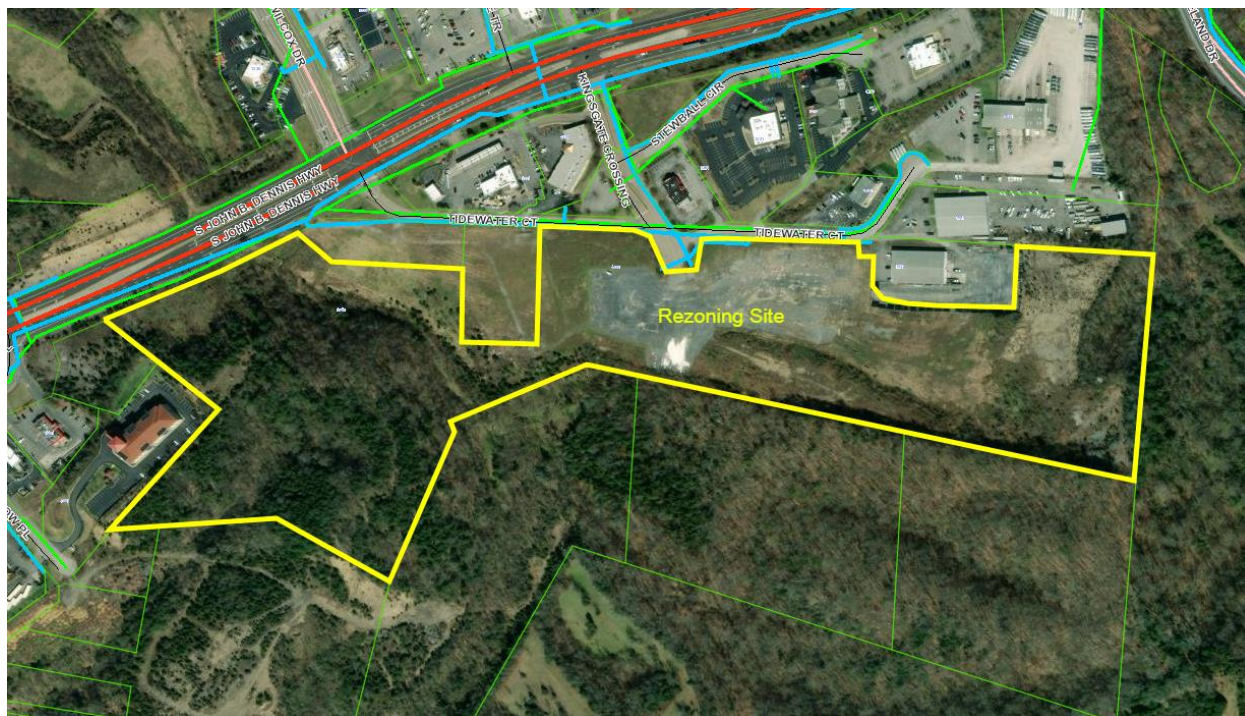
Surrounding City Zoning Map



Future Land Use Plan 2030



Aerial



View from Tidewater Court (South)



View from Tidewater Court (North)



View from Tidewater Court (North, Google Earth Image)



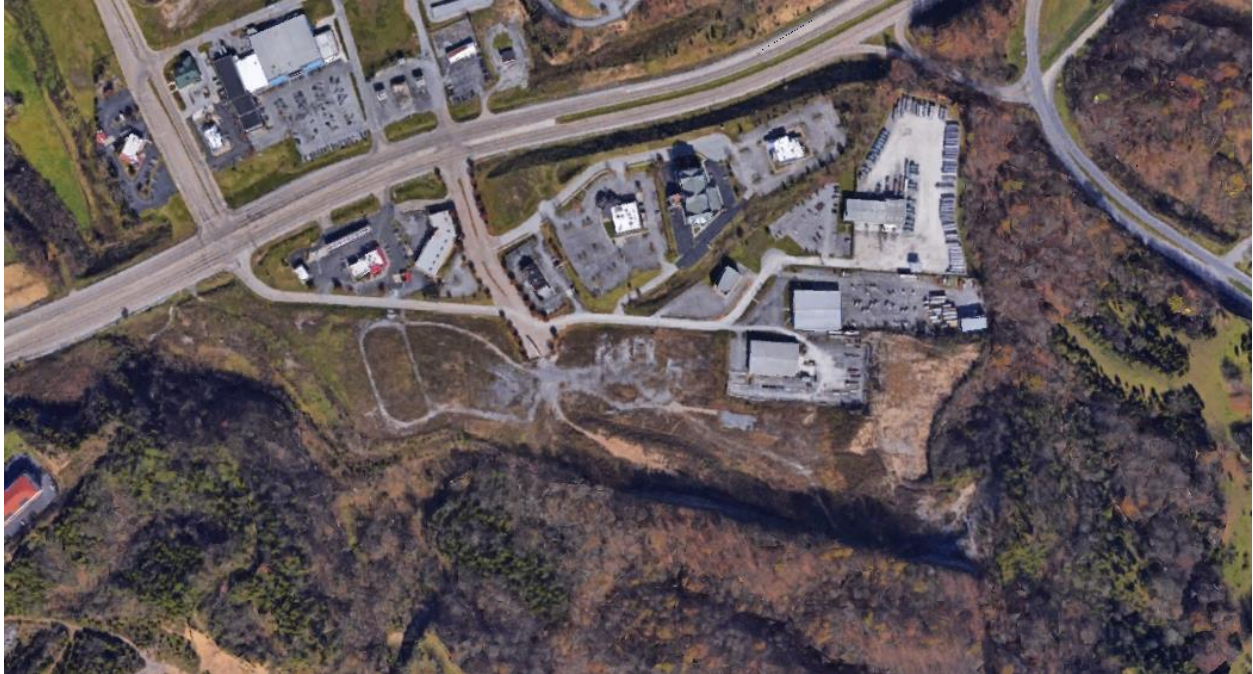
View from Tidewater Court (West)



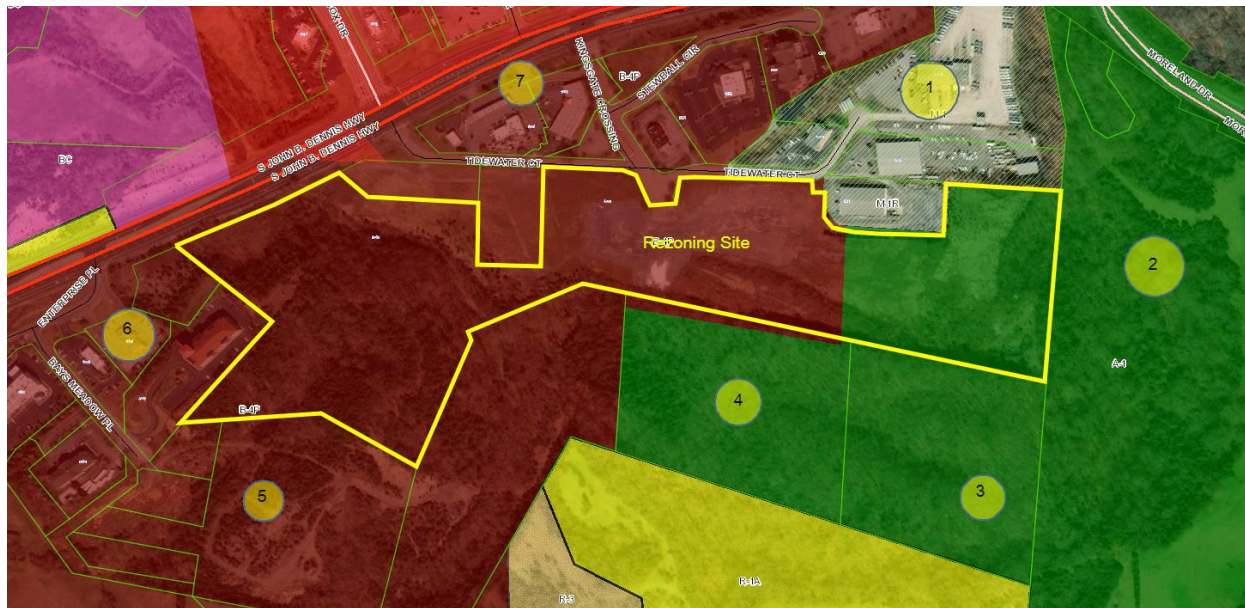
View from Tidewater Court (East)



Aerial View (Google Earth Image)



EXISTING USES LOCATION MAP



Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	<u>Zone: City M-1</u> Use: light manufacturing	
East	2	<u>Zone: City A-1</u> Use: vacant	
Southeast	3	<u>Zone: City A-1</u> Use: vacant	
South	4	<u>Zone: City A-1</u> Use: vacant	
Southwest	5	<u>Zone: City B-4P</u> Use: vacant	
West	6	<u>Zone: City B-4P</u> Use: retail/commercial	
Northwest	7	<u>Zone: City B-4P</u> Use: retail/commercial	

Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 6, 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 abuts M-1R zoning to the north. Rezoning will permit an appropriate use that is suitable for the Future Land Use development.
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. Abutting property is zoned City B-4P, Planned Business District to the north and southwest, A-1, Agricultural District to the southeast and M-1, Light Manufacturing District and M-1R, Light Restricted Manufacturing District to northeast.
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.
4. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The M-1R rezoning proposal does not conform to the 2030 Land Use Plan, however the M-1R proposal for this particular site should serve the area well.

Proposed use: public utilities service center

The Future Land Use Plan Map recommends retail/commercial.

5. **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, as abutting parcels are zoned M-1 and M-1R.
6. **Whether there are other existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal?** The rezoning site abuts M-1 and M-1R zoning to the north. The vacant land mass is appropriately sized for a new development that will meet zoning restrictions of the M-1R zone.

Zoning Development Plan (A Full Size Copy Available For Meeting)

CITY OF KINGSFORT, SULLIVAN COUNTY, TENNESSEE
ZONING DEVELOPMENT PLAN
FOR
**AEP- KINGSFORT
SERVICE CENTER**
1025 TIDEWATER COURT
KINGSFORT, TN 37660

VICINITY MAP
NOT TO SCALE

PROPOSED ZONING: M-1R

GENERAL PROJECT INFORMATION

MINIMUM BUILDING HEIGHT	NA
PROPOSED BUILDING HEIGHT	2P
SITE RANGE	PUBLIC UTILITIES
BUILDING AREA OFFICE (SQ FT)	30,000
BUILDING AREA GARAGE (SQ FT)	4,000

GENERAL ZONING INFORMATION

ADDRESS	1025 TIDEWATER COURT
PARCEL NO.	002300300
EXISTING ZONING CLASSIFICATION/DISTRICT	SAP & A-1 (GATEWAY DISTRICT)
PROPOSED ZONING CLASSIFICATION/DISTRICT	M-1R (GATEWAY DISTRICT)
ADJACENT DISTRICTS	S-1S
TOTAL SITE AREA	8.17
ACRES	0.187
FLOOD ZONE	X
FLOOD INSURANCE RISK ZONE	4718000000
UNDEVELOPED ZONE	NA
MOIST RECENT EFFECTIVE DATE	8/20/2006
DATE FLOOD ELEVATION (FEET)	NA

SITE DATA TABLE

TOTAL SITE AREA	8.17
TOTAL DEVELOPED AREA	17.28
DEVELOPED IMPROVEMENT AREA	5.38
PRE-DEVELOPED IMPROVEMENT	5.38
POST-DEVELOPED IMPROVEMENT	0.38

PARKING CALCULATION

REQUIRED PARKING (TYPE) PER 1,000 SQ FT OFFICE	40
REQUIRED PARKING (TYPE) PER COMPANY VEHICLE	40
PROPOSED PARKING	124
REQUIRED ADA PARKING (MINIMUM)	12
PROPOSED ADA PARKING (MINIMUM)	18
REQUIRED BIKE PARKING	NA

INDEX MAP

SITE DEVELOPMENT DATA

ARCHITECT:
TERRY JAMES ENGINEERS
1001 W. STATE ST. SUITE 200
KINGSFORT, TN 37660
TEL: 731-598-4218
F: 731-598-4218
EMAIL: TERRY@TJENGINEERS.COM

DEVELOPER:
AEP
1001 W. STATE ST. SUITE 200
KINGSFORT, TN 37660
TEL: 731-598-4218
F: 731-598-4218
EMAIL: TERRY@TJENGINEERS.COM

ENGINEER:
KORDA ENGINEERING
1001 W. STATE ST. SUITE 200
KINGSFORT, TN 37660
TEL: 731-598-4218
F: 731-598-4218
EMAIL: TERRY@TJENGINEERS.COM

LANDSCAPE ARCHITECT:
TERRY JAMES ENGINEERS
1001 W. STATE ST. SUITE 200
KINGSFORT, TN 37660
TEL: 731-598-4218
F: 731-598-4218
EMAIL: TERRY@TJENGINEERS.COM

PROPERTY OWNERS

(X)	OWNER NAME	PARCEL	ADDRESS	ZONING CLASS
1	KINGSPORT POWER COMPANY	002300300	1025 TIDEWATER COURT	SAP/A-1
2	ROY CLEGG AND ASSOCIATES	002300300	1025 TIDEWATER COURT	S-1P
3	SOUTH KINGSFORT DEVELOPMENT LLC	002300304	JOHN S DENNIS HWY	S-1P
4	SHAWANDA TERRY TRACY & SONS	002300305	JOHN S DENNIS HWY	A-1
5	SOUTH KINGSFORT DEVELOPMENT LLC	002300306	JOHN S DENNIS HWY	A-1
6	ROBERT CLAY & MARSHALL	002300307	BROADWAY RD 128	A-1
7	TELE OFFICE INC	002300308	104 TIDEWATER COURT	M-1
8	JAMES A BENTLEY	002300309	1025 TIDEWATER COURT	M-1

EXISTING

- 1 - PROPERTY LINE
- 2 - RIGHT-OF-WAY
- 3 - BOUNDARY
- 4 - CURB AND GUTTER
- 5 - CURB
- 6 - PAVEMENT
- 7 - WALK
- 8 - DRIVE
- 9 - DRIVE LINE
- 10 - DRIVE
- 11 - ENDMENT
- 12 - UNDERGROUND ELECTRIC LINE
- 13 - OVERHEAD ELECTRIC LINE
- 14 - FIRE HYDRANT

PROPOSED

- 1 - BUILDING WALL
- 2 - STRAIGHT CURB
- 3 - PAVEMENT
- 4 - SIDEWALK
- 5 - DRIVE
- 6 - DRIVE LINE
- 7 - DRIVE
- 8 - DRIVE
- 9 - DRIVE
- 10 - DRIVE
- 11 - DRIVE
- 12 - DRIVE
- 13 - DRIVE
- 14 - DRIVE
- 15 - DRIVE
- 16 - DRIVE
- 17 - DRIVE
- 18 - DRIVE
- 19 - DRIVE
- 20 - DRIVE
- 21 - DRIVE
- 22 - DRIVE
- 23 - DRIVE
- 24 - DRIVE
- 25 - DRIVE
- 26 - DRIVE
- 27 - DRIVE
- 28 - DRIVE
- 29 - DRIVE
- 30 - DRIVE
- 31 - DRIVE
- 32 - DRIVE
- 33 - DRIVE
- 34 - DRIVE
- 35 - DRIVE
- 36 - DRIVE
- 37 - DRIVE
- 38 - DRIVE
- 39 - DRIVE
- 40 - DRIVE
- 41 - DRIVE
- 42 - DRIVE
- 43 - DRIVE
- 44 - DRIVE
- 45 - DRIVE
- 46 - DRIVE
- 47 - DRIVE
- 48 - DRIVE
- 49 - DRIVE
- 50 - DRIVE
- 51 - DRIVE
- 52 - DRIVE
- 53 - DRIVE
- 54 - DRIVE
- 55 - DRIVE
- 56 - DRIVE
- 57 - DRIVE
- 58 - DRIVE
- 59 - DRIVE
- 60 - DRIVE
- 61 - DRIVE
- 62 - DRIVE
- 63 - DRIVE
- 64 - DRIVE
- 65 - DRIVE
- 66 - DRIVE
- 67 - DRIVE
- 68 - DRIVE
- 69 - DRIVE
- 70 - DRIVE
- 71 - DRIVE
- 72 - DRIVE
- 73 - DRIVE
- 74 - DRIVE
- 75 - DRIVE
- 76 - DRIVE
- 77 - DRIVE
- 78 - DRIVE
- 79 - DRIVE
- 80 - DRIVE
- 81 - DRIVE
- 82 - DRIVE
- 83 - DRIVE
- 84 - DRIVE
- 85 - DRIVE
- 86 - DRIVE
- 87 - DRIVE
- 88 - DRIVE
- 89 - DRIVE
- 90 - DRIVE
- 91 - DRIVE
- 92 - DRIVE
- 93 - DRIVE
- 94 - DRIVE
- 95 - DRIVE
- 96 - DRIVE
- 97 - DRIVE
- 98 - DRIVE
- 99 - DRIVE
- 100 - DRIVE

CONCLUSION

Staff recommends sending a POSITIVE recommendation to rezone from A-1 and B-4P to M-1R based upon conformance to policy.



AGENDA ACTION FORM

Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets.

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-356-2023
Work Session: November 20, 2023
First Reading: November 21, 2023
Final Adoption: December 5, 2023
Staff Work By: David Frye
Presentation By: David Frye

Recommendation:

Approve the ordinance.

Executive Summary:

The Board of Education approved fiscal year 2024 budget amendment number five at their meeting on November 14, 2023. This amendment increases the General Purpose School Fund budget by \$1,729,895. There is \$1,729,895 being appropriated from the Unreserved Fund Balance that will be transferred to the General Project Fund to fund the replacement of the Johnson Elementary School HVAC system. The Unreserved Fund Balance will now have a revised balance of \$8,824,063.

The General Project Fund, Schools HVAC Replacement project (GP2302) will be increased by \$1,729,895, for a revised total of \$5,465,895.

Attachments:

- 1. Ordinance
- 2. BOE Budget Amendment Number Five – FY 2024

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL PURPOSE
SCHOOL FUND AND THE GENERAL PROJECT FUND
BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2024;
AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. The General Purpose School Fund will be amended by increasing the estimated revenue for Fund Balance Appropriations by \$1,729,895 the appropriations for Fund Transfers by \$1,729,895. The General Project Fund Budget will be amended by increasing the estimated revenues and appropriations for the Schools HVAC Replacements project (GP2302) by \$1,729,895.

Fund 141: General Purpose School Fund

<u>Revenues:</u>		\$	\$	\$
141-0000-392-0100	Fund Balance Appropriations	1,369,871	1,729,895	3,099,766
<i>Totals</i>		1,369,871	1,729,895	3,099,766
<u>Expenditures:</u>		\$	\$	\$
141-7950-881-0590	Fund Transfers	1,170,000	1,729,895	2,899,895
<i>Totals</i>		1,170,000	1,729,895	2,899,895

Fund 311: General Project Fund

School HVAC Replacement Project (GP2302)

<u>Revenues:</u>		\$	\$	\$
311-0000-391-2100	Transfer from School Fund	3,736,000	1,729,895	5,465,895
<i>Total:</i>		3,736,000	1,729,895	5,465,895
<u>Expenditures:</u>		\$	\$	\$
311-0000-601-2022	Construction Contracts	3,525,000	1,677,395	5,202,395
311-0000-601-2023	Architect/Engineering Serv	211,000	52,500	263,500
<i>Total:</i>		3,736,000	1,729,895	5,465,895

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.

ATTEST:

PAT W. SHULL, Mayor

APPROVED AS TO FORM:

ANGELA MARSHAL, Deputy City Recorder

RODNEY B. ROWLETT, III, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

November 14, 2023

KINGSPORT CITY SCHOOLS
FISCAL YEAR 2023-2024
BUDGET AMENDMENT NUMBER FIVE

GENERAL PURPOSE SCHOOL FUND

FUND BALANCE APPROPRIATION

Bids have been received and opened for the HVAC replacements at Lincoln and Johnson Elementary Schools. The total costs for these two projects is \$6,777,317. There has been \$5,047,422 appropriated for these two projects. \$1,311,422 is from ESSER funds and \$3,736,000 is from the General Purpose School Fund. To complete these projects there will need to be an additional \$1,729,895 appropriated from the General Purpose School Fund Unreserved Fund Balance.

At June 30, 2023, the Unreserved Fund Balance was \$11,923,829. There was \$910,000 used to fund the FY 2024 budget and \$459,871 appropriated the fund open purchase orders carried forward from FY 2023. This leaves an available Unreserved Fund Balance of \$10,553,958. It is also anticipated that there will need to be an appropriation of approximately \$800,000. To fund the replacement of the Tribe Athletic Complex roof (Base bid and alternate 3). The recommendation for the funding of the TAC roof will be presented to the Board of Education once the bids are opened in January. After all three projects are funded, it is expected that the Unreserved Fund Balance will be approximately \$8,000,000.

It is recommended that the estimated revenue for Fund Balance Appropriation and the appropriation for Fund Transfers be increased by \$1,729,895 and that these funds be transferred to the General Project Fund.

GENERAL PROJECT FUND

SCHOOLS HVAC REPLACEMENT PROJECT

The replacement of the HVAC systems at Lincoln and Johnson Elementary Schools has a total cost of \$6,777,317. There is current funding in place of \$5,047,422. The current funding has been provided from ESSER funds (\$1,311,422) and the School Fund \$3,736,000. There will be an additional \$1,729,895 transferred from the General Purpose School Fund.

It is recommended that the Schools HVAC replacement project be amended by increasing the estimated revenue for Transfers from the School Fund and be increasing the appropriations for Construction Contracts by \$1,729,895.



AGENDA ACTION FORM

Consideration of an Ordinance to Appropriate the Funds from a Private Monetary Donation for the Police K-9 Program

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-336-2023
Work Session: November 6, 2023
First Reading: November 7, 2023

Final Adoption: November 21, 2023
Staff Work By: Captain Chris Tincher
Presentation By: Chief Dale Phipps

Recommendation:

Approve the Ordinance.

Executive Summary:

Kingsport citizen, Frederick Stewart Baggett, wishes to make a monetary contribution to the police department in the amount of \$3,000.00 (Three thousand dollars). The intended purpose of this contribution is to assist with the cost of maintaining the Kingsport Police Department's K-9 Unit. It is with this action that the police department respectfully requests the board to accept the contributions and place the funds into a project line to be utilized for the furtherance of the K-9 program. A project line has previously been established for this purpose, as Baggett has donated monies for the K-9 program in the past. The previously established project line is NC 1808 Account # 111-0000-364.10-00

Attachments:

- 1. Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING DONATED FUNDS FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the General Project-Special Revenue Fund budget be amended by appropriating funds received from Stewart Baggett in the amount of \$3,000 to the K-9 Donation project (NC1808).

**General Projects-Special Revenue Fund: 111
K-9 Donation (NC1808)**

<u>Revenues:</u>	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
111-0000-364.10-00 From Individuals	25,000	3,000	28,000
Total:	25,000	3,000	28,000
<u>Expenditures:</u>	\$	\$	\$
111-0000-601.30-12 Food	2,000	00	2,000
111-0000-601.30-20 Operating Supplies & Tools	23,000	3,000	26,000
Total:	25,000	3,000	28,000

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

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of an Ordinance to Appropriate the Funds from a Private Monetary Donation for the Kingsport Police Department to be Used for the Purchase of Personal Protective Equipment (PPE)

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-338-2023
Work Session: November 6, 2023
First Reading: November 7, 2023

Final Adoption: November 21, 2023
Staff Work By: Captain Chris Tincher
Presentation By: Chief Dale Phipps

Recommendation:
Approve the ordinance.

Executive Summary:
Kingsport citizen, Frederick Stewart Baggett, wishes to make a monetary contribution to the police department in the amount of \$1,000.00 (one thousand dollars). The intended purpose of this contribution is to assist with the cost of purchasing personal protective equipment (PPE) for officers of the Kingsport Police Department. It is with this action that the police department respectfully requests the board to accept the contribution, which was deposited upon receipt into City of Kingsport account # 110-0000-364.10-00, and increase the police department safety supplies line, account # 110-3030-443.30-25 by \$1,000.00 (One thousand dollars) so the contribution can be expensed for its intended purpose.

Attachments:
1. Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Oltzman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-
SPECIAL REVENUE FUND BUDGET BY APPROPRIATING
DONATED FUNDS FOR THE YEAR ENDING JUNE 30, 2024;
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 budget be amended by appropriating funds received from Stewart Baggett for personal protective equipment in the amount of \$1,000 to the Police Patrol Safety Supplies line (110-3030-443.30-25).

<u>General Fund: 110</u>	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<u>Revenues:</u>	\$	\$	\$
110-0000-364.10-00 From Individuals	0	1,000	1,000
Total:	0	1,000	1,000
 <u>Expenditures:</u>	 \$	 \$	 \$
111-0000-601.30-25 Safety Supplies	10,000	1,000	11,000
Total:	10,000	1,000	11,000

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

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of an Ordinance for the Contractual Agreement with the Tennessee Department of Transportation for Reimbursement of Annual Operation Expenses for FY 23-24

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-342-2023
 Work Session: November 6, 2023
 First Reading: November 7, 2023

Final Adoption: November 21, 2023
 Staff Work By: Candace Sherer
 Presentation By: Candace Sherer

Recommendation:
 Approve the Ordinance.

Executive Summary:
 Annually, the City of Kingsport enters into a reimbursement Urban Operating Assistance Program (UROP) contract with the Tennessee Department of Transportation (TDOT) for the operation of the Kingsport Area Transit Service. This year’s contract term is 12 months. Projected State operation reimbursements for the contract term is \$691,800. The City’s total matching for this contract is 172,950.

These funds are utilized for the annual operation of fixed-route bus and ADA/Paratransit service. All sources of funding were included in the approved FY 2023-2024 budget for the City of Kingsport.

Tennessee Dept. of Transportation	\$691,800
City of Kingsport	\$172,950
Total	\$864,750

The local funding for this project has been approved in the FY 23-24 City Budget.

Attachments:
 1. Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND URBAN MASS TRANSIT CAPITAL/GRANT FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2024; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Urban Mass Transit Capital/Grant Fund budget be increased by appropriating funds received from the Tennessee Department of Transportation in the amount of \$691,800 and matching funds from the General Fund in the amount of \$172,950 to the FY24 Operations Grant project (FTA025).

Account Number/Description:

Urban Mass Transit Fund: 123

FY24 Operations Grant (FTA025)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<u>Revenues:</u>	\$	\$	\$
123-0000-332.90-00 Dept of Transportation	0	691,800	691,800
123-0000-391.01-00 From General Fund	0	172,950	172,950
Total:	0	864,750	864,750

Expenditures:

	\$	\$	\$
123-5901-602.10-10 Salaries & Wages	0	406,000	406,000
123-5901-602.10-11 Overtime	0	20,000	20,000
123-5901-602.10-20 Social Security	0	30,000	30,000
123-5901-602.10-30 Group Health Insurance	0	68,000	68,000
123-5901-602.10-41 TCRS Retirement	0	34,000	34,000
123-5901-602.10-43 ICMA Retirement	0	14,500	14,500
123-5901-602.10-50 Life Insurance	0	750	750
123-5901-602.10-52 Long Term Disability Ins	0	600	600
123-5901-602.10-60 Workmen's Compensation	0	500	500
123-5901-602.10-61 Unemployment Insurance	0	500	500
123-5901-602.20-10 Advertising & Publication	0	600	600
123-5901-602.20-11 Printing & Binding	0	2,700	2,700
123-5901-602.20-20 Professional/Consultant	0	5,100	5,100
123-5901-602.20-21 Accounting & Auditing	0	700	700
123-5901-602.20-30 Electric Service	0	8,400	8,400
123-5901-602.20-33 Water and Sewer	0	1,300	1,300
123-5901-602.20-34 Telephone	0	2,000	2,000
123-5901-602.20-36 Natural Gas	0	1,400	1,400
123-5901-602.20-40 Travel Expense	0	1,900	1,900
123-5901-602.20-41 Registration Fees/ Tuition	0	700	700
123-5901-602.20-43 Dues & Memberships	0	3,000	3,000
123-5901-602.20-44 Literature/ Subscriptions	0	450	450
123-5901-602.20-45 Training	0	1,200	1,200
123-5901-602.20-52 Medical Services	0	250	250

123-5901-602.20-54 Machinery/ Equip Rental	0	2,250	2,250
123-5901-602.20-55 Repairs & Maintenance	0	5,500	5,500
123-5901-602.20-56 Repairs & Maint-Vehicles	0	120,000	120,000
123-5901-602.20-69 Stormwater Fee Expense	0	450	450
123-5901-602.20-75 Temporary Employees	0	1,200	1,200
123-5901-602.20-99 Miscellaneous	0	105,850	105,850
123-5901-602.30-10 Office Supplies	0	1,900	1,900
123-5901-602.30-11 Postage	0	500	500
123-5901-602.30-12 Food	0	750	750
123-5901-602.30-20 Operating Supplies & Tool	0	5,000	5,000
123-5901-602.30-22 Maintenance Supplies	0	7,500	7,500
123-5901-602.30-26 Sign Parts & Supplies	0	2,800	2,800
123-5901-602.30-29 Clothing & Uniforms	0	3,500	3,500
123-5901-602.50-10 Buildings	0	1,500	1,500
123-5901-602.50-26 Vehicle Ins Chgd by FLM	0	1,500	1,500
Total:	0	864,750	864,750

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

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:

PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of a Budget Adjustment Ordinance for Various Funds in FY24

To: Board of Mayor and Aldermen
 From: Chris McCartt, City Manager *CM*

Action Form No.: AF-344-2023
 Work Session: November 6, 2023
 First Reading: November 7, 2023

Final Adoption: November 21, 2023
 Staff Work By: John Morris
 Presentation By: Chris McCartt

Recommendation:
 Approve the Budget Ordinance.

Executive Summary:
 The General Projects-Special Revenue Fund is being amended by transferring \$17,687 from the Contracted Landscaping project (NC2402) to the Enhanced Landscaping project (NC2303) to clean up and close NC2303. It also transfers \$30,448 from the General Projects project (NC2100) to the Downtown Holiday Décor project (NC2234) to clean up a deficit and add \$25,000 for the current year. It also appropriates \$56,419 received for sidewalk payments to the Sidewalk Imp project (NC2302). It reduces the From Corporations line (111-0000-364.20-00) in the Libraries Lead Grant project (NC2101) by \$2,000 and transferring \$1,875 from the General Projects project (NC2100) to NC2101 for cleanup and closure of NC2101. Closes NC2303 and NC2101.

The the General Project Fund is being amended by appropriating \$16,567 received for sidewalk payments to the AEP Sidewalk Improvements project (GP2015).

That the Urban Mass Transportation Authority Fund is being amended by transferring \$82,538 from the Transit CARES project (FTA022) to the FY19 Operating Grant project (FTA023).

The Community Development Block Grant Fund budget is being amended to appropriate \$220,000 in grant funds received from the Tennessee Housing Development Agency HOME ARP Supportive Services Grant to the HOME ARP Grant project (CD2406).

Attachments:
 1. Budget Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

Item X4.

ORDINANCE NO.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2024; 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 be amended by transferring \$17,687 from the Contracted Landscaping project (NC2402) to the Enhanced Landscaping project (NC2303), by transferring \$30,448 from the General Projects project (NC2100) to the Downtown Holiday Décor project (NC2234), by appropriating \$56,419 received from Corporations for sidewalk payments to the Sidewalk Imp project (NC2302), by reducing the From Corporations line (111-0000-364.20-00) in the Libraries Lead Grant project (NC2101) by \$2,000 and transferring \$1,875 from the General Projects project (NC2100) to the Libraries Lead Grant project (NC2101. Close NC2303 and NC2101.

SECTION II. That the General Project Fund be amended by appropriating \$16,567 received from Corporations for sidewalk payments to the AEP Sidewalk Improvements project (GP2015).

SECTION III. That the Urban Mass Transportation Authority Fund be amended by transferring \$82,538 from the Transit CARES project (FTA022) to the FY19 Operating Grant project (FTA023).

SECTION IV. That the Community Development Block Grant Fund budget be amended by appropriating \$220,000 in grant funds received from the Tennessee Housing Development Agency HOME ARP Supportive Services Grant to the HOME ARP Grant project (CD2406).

General Projects-Special Revenue Fund: 111

Contracted Landscaping (NC2402)

<u>Revenues:</u>	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
111-0000-391.01-00 From General Fund	225,000	(17,687)	207,313
Total:	225,000	(17,687)	207,313

Expenditures:

111-0000-601.20-23 Arch/Eng/Landscaping Serv	225,000	(17,687)	207,313
Total:	225,000	(17,687)	207,313

Enhanced Landscaping (NC2303)

<u>Revenues:</u>	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
111-0000-391.01-00 From General Fund	225,000	17,687	242,687
Total:	225,000	17,687	242,687

Expenditures:

111-0000-601.20-22 Construction Contracts	225,000	17,687	242,687
Total:	225,000	17,687	242,687

Sidewalk Imp (NC2302)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
Revenues:	\$	\$	\$
111-0000-364.20-00 From Corporations	0	56,419	56,419
111-0000-391.01-00 From General Fund	328,505	0	328,505
Total:	328,505	56,419	384,924

Expenditures:	\$	\$	\$
111-0000-601.20-22 Construction Contracts	328,505	56,419	384,924
Total:	328,505	56,419	384,924

General Projects (NC2100)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
Revenues:	\$	\$	\$
111-0000-391.01-00 From General Fund	1,010,120	(32,323)	977,797
Total:	1,010,120	(32,323)	977,797

Expenditures:	\$	\$	\$
111-0000-601.20-23 Arch/Eng/Landscaping Serv	99,436	27,841	127,277
111-0000-601.90-01 Land	33,550	935	34,485
111-0000-601.90-03 Improvements	877,134	(61,099)	816,035
Total:	1,010,120	(32,323)	977,797

Downtown Holiday Decor (NC2234)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
Revenues:	\$	\$	\$
111-0000-391.01-00 From General Fund	25,000	30,448	55,448
Total:	25,000	30,448	55,448

Expenditures:	\$	\$	\$
111-0000-601.10-11 Overtime	0	295	295
111-0000-601.10-20 Social Security	0	20	20
111-0000-601.10-30 Group Health Insurance	0	101	101
111-0000-601.10-41 TCRS Retirement	0	73	73
111-0000-601.10-50 Life Insurance	0	1	1
111-0000-601.10-52 Long Term Disability Service	0	1	1
111-0000-601.10-60 Workmen's Compensation	0	5	5
111-0000-601.20-23 Arch/Eng/Landscaping Serv	25,000	22,220	47,220
111-0000-601.90-03 Improvements	0	7,732	7,732
Total:	25,000	30,448	55,448

Libraries Lead Grant (NC2101)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
Revenues:	\$	\$	\$
111-0000-364.20-00 From Corporations	2,000	(2,000)	0
111-0000-391.01-00 From General Fund	0	1,875	1,875
Total:	2,000	(125)	1,875

Expenditures:	\$	\$	\$
111-0000-601.30-10 Office Supplies	2,000	(125)	1,875
Total:	2,000	(125)	1,875

Item X4.

General Projects Fund: 311

AEP Sidewalk Improvements (GP2015)

Revenues:

	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
	\$	\$	\$
311-0000-364.20-00 From Corporations	127,760	16,567	144,327
311-0000-368.10-66 Series 2019 GO Improvment	30,382	0	30,382
311-0000-368.21-01 Premium From Bond Sale	2,382	0	2,382
311-0000-391.01-00 From General Fund	425,074	0	425,074
Totals:	585,598	16,567	602,165

Expenditures:

	\$	\$	\$
311-0000-601.90-03 Improvements	234,618	0	234,618
311-0000-601.90-06 Purchases \$5,000 & Over	350,980	16,567	367,547
Totals:	585,598	16,567	602,165

Account Number/Description:

Urban Mass Transit Asst Project Fund: 123

Transit Cares (FTA022)

Revenues:

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
123-0000-331.20-00 UMTA Section 9	2,414,374	0	2,414,374
123-0000-332.90-00 Department of Transportation	1,687,952	0	1,687,952
123-0000-365.20-09 Bus Fares TN-90-X150	100,000	0	100,000
123-0000-365.21-10 ADA Paratransit	65,000	0	65,000
123-0000-368.15-00 Rental of Land & Building	140,000	0	140,000
123-0000-391.01-00 From General Fund	906,925	(82,538)	824,387
Total:	5,287,446	(82,538)	5,231,713

Expenditures:

	\$	\$	\$
123-5901-602.10-10 Salaries & Wages	2,503,532	0	2,503,532
123-5901-602.10-11 Overtime	133,447	0	133,447
123-5901-602.10-20 Social Security	182,670	0	182,670
123-5901-602.10-30 Group Health Insurance	356,475	(13,017)	343,458
123-5901-602.10-41 TCRS Retirement	191,412	0	191,412
123-5901-602.10-42 TCRS Hybrid Retirement	29,981	0	29,981
123-5901-602.10-43 ICMA Retirement	76,741	1,252	77,993
123-5901-602.10-50 Life Insurance	4,942	0	4,942
123-5901-602.10-52 Long Term Disability Ins	4,991	0	4,991
123-5901-602.10-60 Workmen's Compensation	3,774	0	3,774
123-5901-602.10-61 Unemployment Insurance	4,000	0	4,000
123-5901-602.20-10 Advertising & Publication	5,000	0	5,000
123-5901-602.20-11 Printing & Binding	29,250	0	29,250
123-5901-602.20-20 Professional/Consultant	61,400	0	61,400
123-5901-602.20-21 Accounting & Auditing	6,000	0	6,000
123-5901-602.20-30 Electric Service	51,200	0	51,200
123-5901-602.20-33 Water & Sewer	6,143	853	6,996
123-5901-602.20-34 Telephone	15,600	0	15,600
123-5901-602.20-36 Natural Gas	9,267	0	9,267
123-5901-602.20-40 Travel Expense	17,400	0	17,400
123-5901-602.20-41 Registration Fees/Tuition	7,800	0	7,800

123-5901-602.20-42 Personal Vehicle Reimburs	600	0	600
123-5901-602.20-43 Dues & Memberships	25,500	0	25,500
123-5901-602.20-44 Literature/Subscriptions	6,300	0	6,300
123-5901-602.20-45 Training	7,800	0	7,800
123-5901-602.20-52 Medical Services	2,100	0	2,100
123-5901-602.20-54 Equipment Rental	21,686	0	21,686
123-5901-602.20-55 Repairs & Maintenance	44,400	0	44,400
123-5901-602.20-56 Repairs & Maint-Vehicles	985,000	(302,802)	682,198
123-5901-602.20-69 Stormwater Fee Expense	3,637	0	3,637
123-5901-602.20-75 Temporary Employees	11,600	0	11,600
123-5901-602.20-99 Miscellaneous	357,709	221,897	579,606
123-5901-602.30-10 Office Supplies	13,500	0	13,500
123-5901-602.30-11 Postage	2,626	0	2,626
123-5901-602.30-12 Food	3,300	33	3,333
123-5901-602.30-20 Operating Supplies & Tool	26,146	798	26,944
123-5901-602.30-22 Maintenance Supplies	34,614	491	35,105
123-5901-602.30-26 Sign Parts & Supplies	13,409	5,152	18,561
123-5901-602.30-29 Clothing & Uniforms	18,000	2,195	20,195
123-5901-602.30-44 Motor Pool Charges	1,200	610	1,810
123-5901-602.30-68 Covid-19	7,729	0	7,729
123-5901-602.40-68 Covid-19	7,690	0	7,690
123-5901-602.50-10 Buildings	6,180	0	6,180
123-5901-602.50-26 Vehicle Ins Chgd by FLM	12,500	0	12,500
Total:	5,287,446	(82,538)	5,231,713

FY19 Operating Grant (FTA023)

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<u>Revenues:</u>	\$	\$	\$
123-0000-331.20-00 UMTA Section 9	907,800	(5,337)	902,463
123-0000-332.90-00 Department of Transportation	739,748	(16,333)	723,415
123-0000-365.20-09 Bus Fares TN-90-X150	82,000	0	82,000
123-0000-365.21-00 ADA Paratransit	21,390	5,337	26,727
123-0000-368.15-00 Rental of Land & Building	49,000	16,333	65,333
123-0000-391.01-00 From General Fund	408,900	82,538	491,438
Total:	2,208,838	82,538	2,291,376

Expenditures:

	\$	\$	\$
123-5901-602.10-10 Salaries & Wages	1,037,105	31,022	1,068,127
123-5901-602.10-11 Overtime	60,070	(3,685)	56,385
123-5901-602.10-20 Social Security	77,617	(2,431)	75,186
123-5901-602.10-30 Group Health Insurance	209,990	(23,320)	186,670
123-5901-602.10-41 TCRS Retirement	101,731	(10,394)	91,337
123-5901-602.10-42 TCRS Hybrid Retirement	12,712	(9,321)	3,391
123-5901-602.10-43 ICMA Retirement	32,731	4,017	36,748
123-5901-602.10-50 Life Insurance	2,724	(868)	1,856
123-5901-602.10-52 Long Term Disability Ins	1,871	(276)	1,595
123-5901-602.10-60 Workmen's Compensation	11,001	(9,890)	1,111
123-5901-602.10-61 Unemployment Insurance	4,241	(1,999)	2,242
123-5901-602.20-10 Advertising & Publication	1,023	0	1,023

123-5901-602.20-11 Printing & Binding	5,280	1,200	6,480
123-5901-602.20-20 Professional/Consultant	21	560	581
123-5901-602.20-30 Electric Service	20,705	1,990	22,695
123-5901-602.20-33 Water & Sewer	3,913	1,659	5,572
123-5901-602.20-34 Telephone	3,465	0	3,465
123-5901-602.20-36 Natural Gas	4,044	147	4,191
123-5901-602.20-40 Travel Expense	16,149	3,361	19,510
123-5901-602.20-41 Registration Fees/Tuition	4,170	1,140	5,310
123-5901-602.20-43 Dues & Memberships	1,950	5,097	7,047
123-5901-602.20-44 Literature/Subscriptions	1,106	0	1,106
123-5901-602.20-45 Training	3,070	0	3,070
123-5901-602.20-52 Medical Services	756	108	864
123-5901-602.20-54 Equipment Rental	5,696	492	6,188
123-5901-602.20-55 Repairs & Maintenance	6,970	660	7,630
123-5901-602.20-56 Repairs & Maint-Vehicles	341,054	79,627	420,681
123-5901-602.20-57 Computer Repairs/Mainten	2,015	0	2,015
123-5901-602.20-68 Covid-19	20,862	0	20,862
123-5901-602.20-69 Stormwater Fee Expense	1,443	184	1,627
123-5901-602.20-75 Temporary Employees	7,290	2,033	9,323
123-5901-602.20-99 Miscellaneous	149,582	6,519	156,101
123-5901-602.30-10 Office Supplies	5,562	625	6,187
123-5901-602.30-11 Postage	450	67	517
123-5901-602.30-12 Food	3,128	47	3,175
123-5901-602.30-20 Operating Supplies & Tool	7,570	976	8,546
123-5901-602.30-22 Maintenance Supplies	18,275	2014	20,289
123-5901-602.30-26 Sign Parts & Supplies	269	112	381
123-5901-602.30-29 Clothing & Uniforms	4,825	780	5,605
123-5901-602.30-68 Covid-19	9,630	0	9,630
123-5901-602.50-26 Vehicle Ins Chgd by FLM	6,772	285	7,057
Total:	2,208,838	82,538	2,291,376

Community Development Block Grant Fund: 124

HOME ARP Grant (CD2406)

Revenues:

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
124-0000-332.76-00 TN Housing Dev Agency	0	220,000	220,000
Total:	0	220,000	220,000

Expenditures:

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
124-0000-603.40-23 Grants	0	220,000	220,000
Total:	0	220,000	220,000

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

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:

PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of an Ordinance to Appropriate Tennessee Department of Health Healthy Built Environment Grant Funds

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-331-2023
Work Session: November 6, 2023
First Reading: November 7, 2023

Final Adoption: November 21, 2023
Staff Work By: Chassy Smiley
Presentation By: Michael T. Borders

Recommendation:

Approve the Ordinance.

Executive Summary:

If approved the city will appropriate funds from the Tennessee Department of Health (TDH) grant.

TDH has awarded the City of Kingsport, Parks and Recreation a \$80,000 Healthy Built Environment grant to replace playground equipment at Riverview Park. TDH supports the creation of healthy built environments to protect, promote and improve the health of all Tennesseans through projects that advance health equity. This funding has no match requirement and will help to replace and update pieces of equipment that are over 13 years old.

Improvements made through this grant funding will enhance Riverview Park, providing recreation opportunities for all ages and economic backgrounds. The City of Kingsport was one of thirteen (13) projects awarded from more than 147 applicants.

Attachments:

- 1. Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND THE GENERAL PROJECTS-SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR THE YEAR ENDING JUNE 30, 2024; 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 be amended by appropriating grant funds received from Tennessee Department of Health Healthy Built Environment Grant to the Riverview Park project (NC2412) in the amount of \$80,000.

General Projects-Special Revenue Fund: 111

Riverview Park (NC2412)

Revenues:

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
111-0000-332.69-00 Miscellaneous Other State	\$ 0	\$ 80,000	\$ 80,000
Total:	0	80,000	80,000

Expenditures:

	\$	\$	\$
111-0000-601.90-03 Improvements	0	80,000	80,000
Total:	0	80,000	80,000

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

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Mayor to Sign an Agreement with Kingsport Tribe Lacrosse

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-351-2023
Work Session: November 20, 2023
First Reading: N/A
Final Adoption: November 21, 2023
Staff Work By: Lindsey Devine
Presentation By: Michael T. Borders

Recommendation:

Approve the Resolution.

Executive Summary:

If approved the agreement will allow Kingsport Tribe Youth Lacrosse (Knights Lacrosse Club, Inc.) to utilize City of Kingsport outdoor playing facilities.

Tribe Lacrosse is a non-profit organization organized to provide a competitive regional travel youth lacrosse program for the citizens of Kingsport and to provide a feeder program for the future Dobyms-Bennett High School Lacrosse program. This agreement allows the organization to use various Kingsport facilities at no cost.

In addition, the agreement creates a framework pursuant to which parties engage in good faith efforts to advance the Tribe Sports initiatives, collaborate on promotion and marketing, conduct coach’s clinic, skills camps, and provide staff assistance. Eighty percent of participants must be residents or KCS students.

Term of the agreement is December 1, 2023 to May 31, 2024.

Attachments:

- 1. Resolution
- 2. Filing Information

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH KINGSFORT TRIBE LACROSSE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, Kingsport Knights Lacrosse Club., Inc a/k/a Kingsport Tribe Lacrosse is a non-profit organization organized to provide a competitive regional travel youth lacrosse program for the citizens of Kingsport and to provide a feeder program for the future Dobyns-Bennett High School Lacrosse program; and

WHEREAS, the agreement set out below will allow the Lacrosse club to utilize various city outdoor playing facilities at no cost; and

WHEREAS, the term of the agreement is December 1, 2023 to May 31, 2024.

Now therefore,

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

SECTION I. That an agreement with the Kingsport Knights Lacrosse Club, Inc., a/k/a Kingsport Tribe Lacrosse, 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 Kingsport Tribe Lacrosse to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

**AGREEMENT BETWEEN
CITY OF KINGSFORT, TENNESSEE
AND
TRIBE LACROSSE**

THIS AGREEMENT (hereinafter "Agreement") is hereby made and entered into as of this _____ day of _____, 2023, by and between CITY OF KINGSFORT, TENNESSEE, a Tennessee municipal corporation (hereinafter "CITY"), and KINGSFORT TRIBE LACROSSE (hereinafter "TRIBE LACROSSE"), a Tennessee nonprofit corporation.

WITNESSETH

WHEREAS, CITY does not provide a recreational youth SPORTS program; and
WHEREAS, TRIBE LACROSSE is a non-profit organization organized; and
WHEREAS, CITY and TRIBE LACROSSE wish to formalize an agreement for the utilization of CITY facilities for the purpose of providing a recreational youth sports program; and
WHEREAS, CITY is the owner various outdoor venues hereinafter "Facilities"; and
WHEREAS, TRIBE LACROSSE and CITY desire to enter this Agreement for the purpose of evidencing the Agreement of the parties with regard to the use of the Facilities by TRIBE LACROSSE and respective obligations contained herein;

NOW, THEREFORE, the premises considered, the parties agree as follows:

I. Term

This Agreement shall be for a term of twelve (12) months beginning on the date of the execution hereof. However, either party may terminate the agreement with, or without, cause giving sixty (60) days written notice to the other party.

II. Use of Facilities

1. TRIBE LACROSSE will be the primary youth lacrosse for CITY during the term of this Agreement. TRIBE LACROSSE shall have, as assigned by CITY, during TRIBE LACROSSE regular recreational seasons, league playoffs and make-up games, and tournaments, without assignment of any associated facility rental fees. At any time, CITY may use the facilities for its Parks and Recreation program or assign to other programs.

Special Note: The TRIBE LACROSSE agrees to work cooperatively with CITY on scheduling Special Events such Alumni Reunions and others deemed appropriate for the benefit of the community.

2. TRIBE LACROSSE may use a meeting room located at CITY's Lynn View Community Center for official TRIBE LACROSSE monthly board meetings during the term of this Agreement. Scheduling these meetings are to be done through CITY's Parks and Recreation Program Superintendent CITY will provide space at Lynn View Community Center for one end of the year banquet. The reservation of these dates must be made two months in advance and are subject to availability.

3. TRIBE LACROSSE shall be provided space for the storage of equipment and supplies the selection of which shall be at the sole discretion of CITY.

4. TRIBE LACROSSE may not make any additions and/or alterations to the facility buildings, equipment, grounds, and/or furnishing without written consent from CITY of Kingsport.

5. TRIBE LACROSSE understands and agrees that at times weather, electrical storms, scheduled maintenance and/or field conditions may result in City denying the use of certain fields on dates for which approval has been granted. TRIBE LACROSSE shall use appropriate judgment in ensuring the safety of the participants.

6. CITY shall at all times have the right to inspect its Facilities being used by TRIBE LACROSSE and all TRIBE LACROSSE sponsored activities related to the use of such Facilities.

7. If TRIBE LACROSSE should desire to use CITY facilities for additional tournaments or special events or programs, TRIBE LACROSSE shall make a request to CITY in accordance with the guidelines established for assigning and scheduling of activities at CITY sports facilities. Any and all additions, tournaments or special programs shall not be included in this Agreement but shall require a separate written agreement between the parties.

III. Obligations of City

CITY agrees to:

1. Provide the following maintenance and oversight for the Sports Fields.

a. Perform general maintenance and repairs to the facilities.

b. Work with TRIBE LACROSSE on maintenance items that could improve operations. At the end of every fall football season the Parks and Recreation Program Coordinator and a representative from the Leisure Services Maintenance Division will sit down with a representative of TRIBE LACROSSE to discuss future possibilities and maintenance issues for the next year.

c. Provide TRIBE LACROSSE with contact information for after-hours and everyday needs.

d. Determine all rental fees and rules for usage of facility.

e. Establish all rules to include facility safety, signage as appropriate, emergency notification process, traffic control, and environmental regulations.

f. Provide 1 username/password for the Musco lights at the football stadium for use during extended hours of need.

g. Establish policy for field lighting usage.

h. Provide for insurance on buildings.

i. Provide maintenance building for general items during the season. Building will be checked periodically for cleanliness. This building will be shared with City of Kingsport Parks & Recreation department.

j. Continue to pay the utilities for the 2023/2024 season. This will be reviewed again at the end of the year and a determination from year to year will be made on what best suits CITY and TRIBE LACROSSE.

2. Reserve the right to utilize the Facilities if Facilities are abandoned, the Agreement is terminated. "Abandonment" shall be defined as no competitive play taking place on allocated field(s) during the entire term of the Agreement.

3. Assist TRIBE LACROSSE with distribution of information and refer interested parties to TRIBE LACROSSE when necessary.

4. It is understood and agreed CITY's obligations under this Agreement will be performed as soon as, and to the extent that, budgeted funds are available for performance of its obligations. If CITY is unable to fulfill its obligations due to budget restraints, it will not be obligated to TRIBE LACROSSE for any monetary damages.

5. CITY and TRIBE LACROSSE agree to work together to identify possible revenue sources that will help pay for utilities and maintenance costs.

6. Provide reasonable staff assistance in the promotion, marketing, expansion, technical expertise, maintenance of TRIBE LACROSSE as it relates to the Tribe Sports initiative.

IV. Obligations of TRIBE LACROSSE

TRIBE LACROSSE shall:

1. Provide the following information within thirty (30) days of the effective date of this Agreement.

- a. Current by-laws of organization.
- b. Proposed budget for the upcoming year.
- c. List of current officers and board members with addresses, phone numbers, and email (if applicable). CITY is to be notified of changes within two weeks of appointment.
- d. List of officers, recreation program personnel, field coordinators, competitive coaches, and Board of Directors members.
- e. List of designated personnel who have facility keys and access.
- f. Proposed annual calendar including all events.

2. Provide financial reports of all expenditures and revenues within ninety (90) days after completion of each playing season.

3. Comply with Tenn. Code Ann. § 65-55-501 *et seq.* regarding concussions which shall include but not necessarily be limited to:

- a. Inform and educate coaches, youth athletes, and their parents and require them to sign a concussion information form before competing.
- b. Require removal of a youth athlete who appears to have suffered a concussion from play or practice at the time of the suspected concussion.
- c. Require a youth athlete to be cleared by a licensed health care professional before returning to play or practice.

4. Comply with state law on cardiac arrest training. Adopt guidelines and other pertinent information and forms as approved by the Department of Health to inform and educate coaches, school administrators, young athletes, and their parents or guardians of the nature, risk, and symptoms of sudden cardiac arrest including the risks associated with continuing to play or practice when experiencing any of the following symptoms. Tenn. Code Ann. § 65-55-501 *et seq.* has six symptoms to watch for:

- a. fainting or seizures;
- b. unexplained shortness of breath;
- c. chest pains;
- d. dizziness;
- e. racing heart; and
- f. extreme fatigue.

CITY has developed policies and procedures to ensure compliance.

5. Provide to the citizens of Greater Kingsport a quality recreational youth sports program that operates with reasonable participant fees and associated services.

6. Provide reasonable opportunities and methods to include indigent participants.

7. Perform background checks on all coaches who are in a leadership role and left alone with children. CITY will provide TRIBE LACROSSE with the background service that it uses for athletic programs; however, the funds to pay for this service must be provided by TRIBE LACROSSE.

8. At no expense to CITY, provide the following maintenance and repair:

- a. Maintain all lacrosse equipment.
- b. Line all fields for TRIBE LACROSSE league and tournament play. TRIBE LACROSSE is also responsible for provision of the necessary materials to maintain the field and field markings on a daily basis.

c. Mow and trim field space within the perimeter fence of the football field between December 1 and June 1 of current contract year. Monitor and clean restroom facility, stock supplies.

d. Adhere to City rules that pertain to field usage and provide input on overuse.

9. Furnish to the Kingsport Parks and Recreation Department a calendar of events within thirty (30) days of the effective date of this Agreement. The schedule may be updated and adjusted as the season progresses and will serve as a guide for maintenance of the Facilities. Notice of any changes to the calendar of events shall be provided to the Kingsport Parks and Recreation Department within thirty (30) days of the change.

10. Notify CITY's Risk Management Department, (423-229-9464) within twenty-four (24) hours of any accident or injury which occurs at Facilities.

11. Sign a usage agreement annually with CITY.

12. Report any facility maintenance problems to the Leisure Services Maintenance Division within ten (10) days of TRIBE LACROSSE's discovery of same

13. Maintain a minimum of eighty percent (80%) city residents as registered participants. Verification of residency percentages shall be made annually to CITY. CITY and TRIBE LACROSSE will utilize annual data to determine future percentage goals.
14. Provide a responsible adult to be on-site at each and every activity scheduled on Facilities.
15. Agree not to make any permanent changes to Facilities or fields without the express prior written permission of the Kingsport Parks and Recreation Department.
16. Adhere to facility rules and regulations which includes proper use and care of lights, grounds, keys, facilities, and amenities.
17. Follow all Park rules that have been established by CITY, per code and ordinance, as related to the facilities, general operating guidelines, etc.
18. Assist CITY in moving and relocating equipment within the park as necessary.
19. Conduct only TRIBE LACROSSE sanctioned and organized events and activities under the terms of this usage agreement. Personal use of the facility by TRIBE LACROSSE members is outside the scope of this Agreement.
20. Indemnify and hold CITY harmless from any damage or loss to TRIBE LACROSSE equipment located at Facilities.
21. Provide Kingsport Parks and Recreation statistical data pertaining to participation and attendance at CITY facility on a monthly basis.
22. Work in good faith with CITY and Kingsport City Schools:
 - a. to address concerns of CITY and/or its Kingsport City Schools as to the oversight, operation, and performance of the league; and
 - b. to coordinate a coaching clinic for league coaches and skills camp on a yearly basis.
23. Work in good faith with CITY to promote the Tribe Sports initiative and provide relevant data, resources, and support.

V. Assignment and Exclusivity

This Agreement is a privilege for the benefit of TRIBE LACROSSE only and may not be assigned in whole or part by TRIBE LACROSSE to any other person or entity. Both parties understand that TRIBE LACROSSE use of the facility is nonexclusive.

VI. Insurance and Indemnification

TRIBE LACROSSE shall at all times, during the term of this Agreement, maintain in effect general public liability insurance covering TRIBE LACROSSE program at the Facilities against claims for personal injury, death or damage to property to the limit of not less than one-million dollars (\$1,000,000.00). CITY shall be named as an additional insured on such policy and shall be entitled to thirty (30) days' notice of cancellation or changes of any kind regarding such insurance, and certificates of insurance shall be provided by TRIBE LACROSSE to CITY.

TRIBE LACROSSE shall indemnify, defend and hold harmless CITY, its officers, employees and agents from any and against any and all suits, actions, or claims of every kind or nature whatsoever, foreseen or unforeseen, known or unknown that arises out of, or is any way related to the acts or the failure to act of TRIBE LACROSSE or its agents, volunteers, or employees in the use of the Facilities arising out of obligations of TRIBE LACROSSE as set forth in this Agreement.

VII. Miscellaneous Provisions

1. No modification of this Agreement shall be effective unless it is made in writing and is signed by the authorized representatives of the parties hereto.
2. This Agreement shall be construed under and in accordance with the laws of the State of Tennessee, and all obligations of TRIBE LACROSSE and CITY created hereunder are performable in Sullivan County, Tennessee.
3. Nothing in this Agreement shall be construed to make CITY or its respective agents or representatives liable in situations it is otherwise immune from liability.
4. In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
5. Each party represents to the other that the individual signing this Agreement below has been duly authorized to do so by its respective governing body, and that this Agreement is binding and enforceable as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth below:

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement set out herein that do not substantially alter

the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

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

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

ADOPTED this the 21st day of November, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

Filing Information

Name: **Kingsport Knights Lacrosse Club, Inc.**

General Information

SOS Control # 000958767 Formation Locale: TENNESSEE
Filing Type: Nonprofit Corporation - Domestic Date Formed: 04/16/2018
04/16/2018 3:03 PM Fiscal Year Close 12
Status: Active
Duration Term: Perpetual
Public/Mutual Benefit: Public

Registered Agent Address

DAVID G TULLY
2413 EDINBURGH CHANNEL RD
KINGSPORT, TN 37664-4673

Principal Address

DAVID G. TULLY
2413 EDINBURGH CHANNEL RD
KINGSPORT, TN 37664-4673

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
03/31/2023	2022 Annual Report	B1372-0209
03/31/2022	2021 Annual Report	B1192-2875
09/20/2021	Assumed Name	B1095-8632
New Assumed Name Changed From: No Value To: Kingsport Tribe Lacrosse		
07/26/2021	Administrative Amendment	B1070-1651
06/14/2021	2020 Annual Report	B1053-0721
Principal Address 1 Changed From: 1048 MILL WAY CT To: 2413 EDINBURGH CHANNEL RD		
Principal Address 3 Changed From: No value To: DAVID G. TULLY		
Principal City Changed From: JONESBOROUGH To: KINGSPORT		
Principal Postal Code Changed From: 37659-3071 To: 37664-4673		
Principal County Changed From: WASHINGTON COUNTY To: SULLIVAN COUNTY		
06/03/2021	Notice of Determination	B1045-1524
06/10/2020	2019 Annual Report	B0877-4144
03/23/2019	2018 Annual Report	B0675-9600
11/16/2018	Amended and Restated Formation Documents	B0616-7964
04/16/2018	Initial Filing	B0531-3086

Filing Information

Name: **Kingsport Knights Lacrosse Club, Inc.**

Active Assumed Names (if any)

Kingsport Tribe Lacrosse

Date

09/20/2021

Expires

09/20/2026



AGENDA ACTION FORM

Consideration of a Resolution to Amend the Payment in Lieu of Taxes (PILOT) Agreement for Fort Henry Mall

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-361-2023
Work Session: November 20, 2023
First Reading: NA
Final Adoption: November 21, 2023
Staff Work By: McCartt/Rose
Presentation By: McCartt

Recommendation:

Approve the Resolution

Executive Summary:

Approval of this resolution will authorize the Kingsport Economic Development Board (KEDB) to amend the existing PILOT for the Fort Henry Mall with its current owners, Hull Properties. This amendment is necessary to facilitate continued economic development and to reflect the current property boundaries as a result of the sale of the former JC Penney building. Future amendments to this PILOT may be necessary as future out parcels are developed.

If approved, the amended PILOT will have a 15-year term, reflect the new property boundaries, and will establish a payment of \$50,000/year. The original PILOT agreement was approved on 12/20/2016.

Attachments:

1. Resolution
2. Site Plan

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE TO AMEND THE AGREEMENT FOR THE PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO KINGSPORT MALL, LLC, FOR THE RETAIL SHOPPING FACILITIES KNOWN AS THE KINGSPORT TOWN CENTER IN THE CITY OF KINGSPORT, TENNESSEE, AND FINDING THAT SUCH AMENDED PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305

WHEREAS, the Industrial Development Board of the City of Kingsport, Tennessee (KEDB) has been duly created and organized pursuant to and in accordance with the provisions of Chapter 53, Title 7 of the *Tennessee Code Annotated*, as amended, and has met pursuant to proper notice; and

WHEREAS, on December 20, 2016, the board approved a Payment in Lieu of Taxes Agreement (PILOT) (Resolution No. 2017-126), with Kingsport Mall, LLC for improvements to the Kingsport Town Center located on Fort Hendry Drive; and

WHEREAS, since that time, Kingsport Mall, LLC and KEDB have agreed to amend the PILOT which will bring further improvements to the property which will include approximately \$8,000,000.00 in new real property improvements, some of which will consist of a movie theater facility that includes a large screen theater that will display movies in the film format known as "IMAX" to be constructed by the Kingsport Mall, LLC, and other investments to be located in the city (the "Project"); and

WHEREAS, KEDB will then lease the property to the Kingsport Mall, LLC, on the terms and conditions set forth in Payment in Lieu of Taxes Agreement (PILOT), as amended, and Lease, as amended; and

WHEREAS, there has been submitted to the board a form of the Pilot Agreement, as amended, and related documents between the KEDB and Kingsport Mall, LLC, which provides certain payments in lieu of tax as provided therein and which the Board proposes to execute to carry out the transaction described above, a copy of which instrument shall be filed with the records of the Board.

Now therefore,

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

SECTION I. The Board of Mayor and Aldermen of the City of Kingsport, Tennessee hereby finds that the negotiation and acceptance by the KEDB of Payment in Lieu of Taxes Agreement (PILOT), as amended, consistent with this resolution are deemed to be in furtherance of the public purposes of the KEDB as defined in *Tennessee Code Annotated* Section 7-53-305, and the Board of Mayor and Aldermen of the City of Kingsport, Tennessee hereby consents and delegates to the KEDB the right to negotiate and accept such payments from Kingsport Mall, LLC, as a lessee of the KEDB with respect to the Project.

SECTION II. The Board of Mayor and Aldermen of the City of Kingsport, Tennessee hereby finds that the negotiation and acceptance by the KEDB of payments in lieu of ad valorem, as amended, and that the terms as set out in the Sublease, as amended, between Kingsport Mall, LLC, and The Industrial Development Board of the City of Kingsport, Tennessee are agreeable and are in the best interest of the city.

SECTION III. That, if there is a change in the substantive terms of the draft agreement(s) KEDB shall submit such final agreement(s) to the Board of Mayor and Aldermen of the City of Kingsport, Tennessee for approval, but KEDB's agreement(s) with Kingsport Mall, LLC concerning payments in lieu of ad valorem taxes may contain administrative provisions not inconsistent with this resolution as KEDB deems appropriate, which will not require further approval by the Board of Mayor and Aldermen of the City of Kingsport, Tennessee.

SECTION IV. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

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

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

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

ADOPTED this the 21st day of November, 2023.

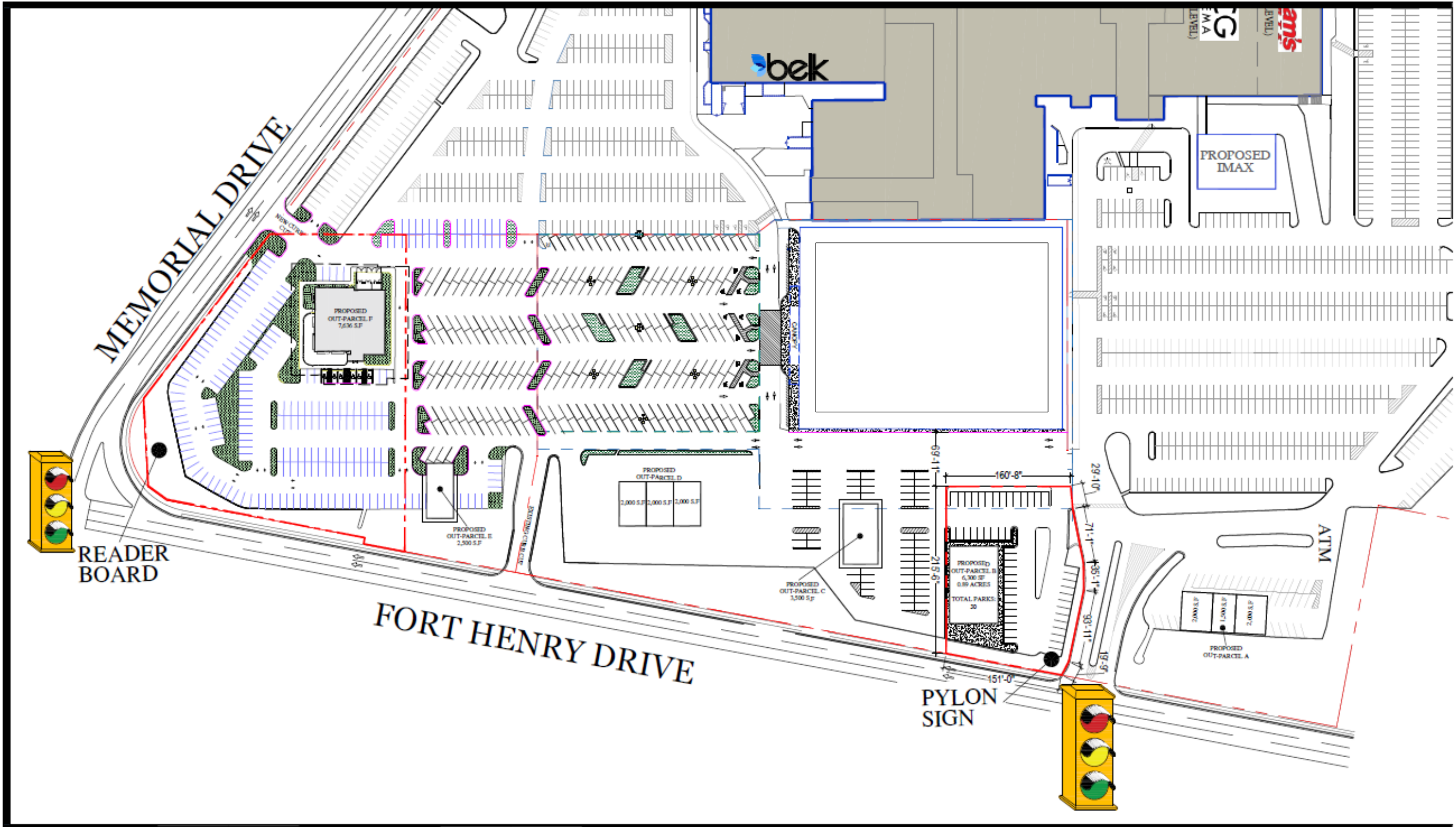
PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY, CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



No.	Description	Date

Kingsport
Town Center
Kingsport, TN

Proposed
Multi-Tenant
Outparcel

Item XI2.

HULL PROPERTY GROUP

1190 Interstate Parkway, Augusta, GA 30909 | P. 706.863.2222 | www.hullpg.com

Scale 1"= 120'
Date 10/30/2023
Drawn by M. MITCHEL
Checked by J. BUNCH
A-0001



AGENDA ACTION FORM

Consideration of a Resolution to Renew Agreements for Mowing of Various Locations

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-348-2023
Work Session: November 20, 2023
First Reading: N/A
Final Adoption: November 21, 2023
Staff Work By: Staff
Presentation By: R. McReynolds

Recommendation:
Approve the Resolution

Executive Summary:
Request for Proposals with pricing were received on January 10, 2023 for Mowing and Trimming Services at various locations throughout the City. The Board approved this pricing at the February 7, 2023 meeting.

Included in the Request for Proposals was language that allowed for renewal if both parties are in agreement. City staff has been satisfied with the quality of work both Thomas Quality Lawn Care and Clines Lawn Care, LLC provided in 2023, and recommends renewal. Both vendors have agreed to hold the pricing for mowing and trimming services in 2024.

Thomas Quality Lawn Care will be responsible for the grounds maintenance locations included in the list as items 1-24. Mowing season will start on or about March 18, 2024 and run through approximately November 22, 2024 with a not to exceed amount of \$131,000.

Clines Lawn Care, LLC will be responsible for the grounds maintenance location item 25. This mowing will also start on or about March 18, 2024 and run through approximately November 22, 2024 with a not to exceed amount of \$40,000.00.

- Funding has been identified in:
- Account #62140324632099 item 1
 - Account NC2402 for items 2-24
 - Account 11040324632020 for item 25

- Attachments:**
1. Resolution
 2. List of locations

Item X13.

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—

RESOLUTION NO. _____

A RESOLUTION RENEWING THE AWARD OF THE PROPOSAL FOR MOWING AND TRIMMING SERVICES AT VARIOUS LOCATIONS TO THOMAS QUALITY LAWN CARE AND CLINES LAWN CARE LLC, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, proposals were opened January 10, 2023, for mowing and trimming services located at various locations throughout the city and the board approved Resolution No. 2023-161 awarding the proposal of Thomas Quality Lawn Care for mowing and trimming services for 24 locations in an amount not to exceed \$131,000.00 and to Clines Lawncare, LLC for mowing and trimming services for the grounds maintenance location of Stone Drive and the I-26 Interchange in an amount not to exceed \$40,000.00; and

WHEREAS, the award allowed for language that allowed for renewal if both parties are in agreement, and city staff has been satisfied with the quality of work both Thomas Quality Lawn Care and Clines Lawn Care, LLC provided in 2023, and recommends renewal; and

WHEREAS, both vendors have agreed to hold the pricing for mowing and trimming services in 2024; and

WHEREAS, funding has been identified in Account Nos.: 62140324632099, NC2404, and 11040324632020.

Now therefore,

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

SECTION I. That the renewal of the award of proposal approved by the Board in Resolution No. 2023-161 to Thomas Quality Lawn Care for the mowing and trimming services at 24 locations as identified, in an amount not to exceed \$131,000.00, and the city manager is authorized to execute a purchase order for same.

SECTION II. That renewal of the award of proposal approved by the Board in Resolution No. 2023-161 to Clines Lawncare, LLC for the mowing and trimming services for the grounds maintenance location of Stone Drive and the I-26 Interchange in an amount not to exceed \$40,000.00, and the city manager is authorized to execute a purchase order for same.

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 21st day of November, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

Grounds Maintenance Locations

Item #	<u>Locations</u>
1	Mount Claire Cemetery
2	911 Center (Unicoi Street)
3	Cypress Street Lot (Corner off of Fort Henry Drive)
4	Cleek Road (from Orebank Road to Stone Drive)
5	New Fordtown Road (Tri Cities X-ing to base of I-26 Bridge)
6	Rock Springs Walkway (Rocksprings Valley to Cox Hollow)
7	Lynn Garden Drive Clover Leaf at Stone Drive
8	Wilcox Drive from Sullivan Street to East Center Street
9	Netherland Inn Road Roundabout
10	Lincoln Street/East Sullivan Court Intersection
11	Main Street Train Station
12	South Wilcox Drive
13	Sullivan Gardens Parkway
14	Wilcox Extension
15	Meadowview Parkway
16	Jennings Drive
17	Boatyard Cemetery
18	Spring Meadow Ct. and Park Meadow Pl.
19	Salt Shed located at 1895 Moreland Dr.
20	Netherland Inn Rd lot
21	Airport Pkwy.
22	Exit 66
23	Fort Henry Median
24	Front of J. Fred Johnson Stadium
25	Bi-weekly Bush Hogging/Finish Mow Stone Dr./ I-26 interchange



AGENDA ACTION FORM

Consideration of a Resolution Awarding the Bid for the Lincoln Elementary School HVAC Replacement Project to HVAC, Inc. and Authorizing the Mayor to Sign All Necessary Documents

To: Board of Mayor and Aldermen
From: Chris McCartt, City Manager *CM*

Action Form No.: AF-352-2023
Work Session: November 20, 2023
First Reading: N/A
Final Adoption: November 21, 2023
Staff Work By: Committee
Presentation By: David Frye

Recommendation:
Approve the Resolution

Executive Summary:
The City of Kingsport issued an Invitation to Bid on September 20, 2023, for the Lincoln Elementary School HVAC Replacement. On October 18, 2023, the Procurement Manager received four bids. The lowest compliant base bid was \$2,925,950.00 from HVAC, Inc. Brian Alderson of Thompson & Litton has reviewed the bids and recommends moving forward with a contract with HVAC, Inc., for the base bid amount of \$2,925,950.00 and the alternate of replacing existing diffusers for \$38,160.00 for a total contract price of \$2,964,110.00.

The total cost of this project will be \$3,277,457.00 (detail given below). Funding will be from ESSER 3.0 and GP2302 Schools HVAC Replacements Project.

Architect Fee	\$ 135,500.00
Construction Costs	2,964,110.00
6% Contingency	177,847.00
Total Costs	\$ 3,277,457.00

The administration recommends entering into an agreement with HVAC, Inc., for the Lincoln Elementary School HVAC Replacement in the amount of \$2,964,110.00 and authorizing a 6% contingency of \$177,847.00.

Attachments:
Resolution
Bid Tab

Item XI4.

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR THE LINCOLN ELEMENTARY SCHOOL HVAC REPLACEMENT PROJECT TO HVAC, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened October 18, 2023, for the replacement of the HVAC system at Lincoln Elementary School; and

WHEREAS, upon review of the bids, the board finds HVAC, Inc., is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the City, and the City of Kingsport desires to enter into an agreement for the Lincoln Elementary School HVAC Replacement with HVAC, Inc., at a construction cost of \$2,925,950.00 and the alternate of replacing existing diffusers for \$38,160.00 for a total cost of \$2,964,110.00; and

WHEREAS, a 6% contingency fund will be established in the amount of \$177,847.00; and

WHEREAS, the Board of Education approved this motion on November 14, 2023; and

WHEREAS, funding is available in ESSER 3.0 and GP2302 Schools HVAC Replacements Project.

Now therefore,

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

SECTION I. That the bid for the Lincoln Elementary School HVAC Replacement, at a cost of \$2,964,110.00, is awarded to HVAC, Inc., and the Mayor or in his absence, incapacity, or failure to act, the Vice-Mayor, is authorized and directed to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an agreement for the same, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement.

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

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

ADOPTED this the 21st day of November, 2023.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL,
Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B ROWLETT, III, City Attorney

BID OPENING MINUTES

October 26, 2023

4:00 P.M.

Present: Brent Morelock, Procurement Manager; Sandra Sloan, Assistant Procurement Manager, Schools; Brian Alderson, Thompson & Litton; Davids Sewell, Maintenance Director, Schools; Andy True, Asst. Superintendent, Schools; Ned Stacy, Thompson & Litton; David Frye, CFO, Schools

The Bid Opening was held in the Conference Room 436, 4th Floor, City Hall.

The Procurement Manager opened with the following bids:

LINCOLN ELEMENTARY SCHOOL HVAC REPLACEMENT		
Vendor:	Unit Cost:	Alternate:
Nor-Well Company, Inc.	\$2,979,270.00	\$27,000.00
FourSeasons, Inc.	\$4,169,000.00	\$47,900.00
HVAC, Inc.	\$2,925,950.00	\$38,160.00
S.B. White Company, Inc.	\$3,110,000.00	\$40,500.00

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



**THOMPSON
& LITTON** EST. 1936
ENGINEERS ARCHITECTS

November 14, 2023

Mr. David Frye
Chief Finance Officer
Kingsport City Schools
400 Clinchfield Street, Suite.200
Kingsport Tennessee 37660

Re: Mechanical Replacement and Associated Upgrades for Lincoln Elementary School and
Mechanical Replacement and Associated Upgrades for Andrew Johnson Elementary School
T&L Project Nos. 17254 and 17255

Dear Mr. Frye,

This letter will serve to inform you that Thompson & Litton, Inc. has reviewed the bids and found them to be in accordance with the contract documents.

In addition, I have spoken with HVAC, Inc. (Low bid on the Mechanical Replacement and Associated Upgrades for Lincoln Elementary School) and S.B. White Company, Inc. (Low bid on the Mechanical Replacement and Associated Upgrades for Andrew Johnson Elementary School) concerning their bids. Both companies inform me that that they have everything included in their bids including the allowances identified in the bid documents.

Based on the above, Thompson & Litton, Inc. recommends that the Kingsport City Schools move forward with these projects. Thompson & Litton recommends that the Kingsport City Schools consult with its financial advisor and legal counsel for their respective input and recommendations regarding these bids, as well as any other criteria that they may feel are appropriate in making a final determination of award.

If you have any questions in this regard, please do not hesitate to contact me.

Sincerely,

Brian C. Alderson, AIA LEED AP NCARB
Project Architect

BID OPENING MINUTES

October 26, 2023

4:00 P.M.

Present: Brent Morelock, Procurement Manager; Sandra Sloan, Assistant Procurement Manager, Schools; Brian Alderson, Thompson & Litton; Davids Sewell, Maintenance Director, Schools; Andy True, Asst. Superintendent, Schools; Ned Stacy, Thompson & Litton; David Frye, CFO, Schools

The Bid Opening was held in the Conference Room 436, 4th Floor, City Hall.

The Procurement Manager opened with the following bids:

LINCOLN ELEMENTARY SCHOOL HVAC REPLACEMENT		
Vendor:	Unit Cost:	Alternate:
Nor-Well Company, Inc.	\$2,979,270.00	\$27,000.00
FourSeasons, Inc.	\$4,169,000.00	\$47,900.00
HVAC, Inc.	\$2,925,950.00	\$38,160.00
S.B. White Company, Inc.	\$3,110,000.00	\$40,500.00

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

**BID OPENING
MINUTES
November 7, 2023
4:00 P.M.**

Present: Nikisha Eichmann, Assistant Procurement Manager; Sandra Sloan, Assistant Procurement Manger Schools; David Frye, CFO Schools; Andy True, Asst. Superintendent Schools; David Sewell, Maintenance Director Schools; Brian Alderson, Thompson & Litton

The Bid Opening was held in the Conference Room 436, 4th Floor, City Hall.

The Procurement Manager opened with the following bids:

Johnson Elementary School HVAC Replacement	
Vendor:	Lump Sum:
S.B. White, Inc.	\$3,181,000.00
Nowell Company, Inc.	\$3,210,000.00
HVAC, Inc.	\$3,281,400.00

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