



## **BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING AGENDA**

**Tuesday, April 02, 2024 at 7:00 PM**

**City Hall, 415 Broad Street, Montgomery-Watterson Boardroom**

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### **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 Morris, Budget Director  
Scott Boyd, Fire Chief

Ryan McReynolds, Deputy City Manager  
Jessica Harmon, Assistant City Manager  
Tyra Copas, Human Resources Director  
Dale Phipps, Police Chief  
Adrienne Batara, Public Relations Director  
Floyd Bailey, Chief Information Officer

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE TO THE FLAG**

### **III. INVOCATION**

1. Pastor Chris Brown, Colonial Heights United Methodist Church

### **IV. ROLL CALL**

### **V. RECOGNITIONS AND PRESENTATIONS**

1. Proclamation: Sexual Assault Awareness Month (Alderman Phillips)
2. Keep Kingsport Beautiful Innovation Award (Alderman Duncan)
3. Capt. Chris Tincher, FBI National Academy Graduate (Mayor Shull)

## **VI. APPOINTMENTS**

- [1.](#) Appointment to the Beverage Board (AF-94-2024) (Mayor Shull)
- [2.](#) Appointment to the Gateway Review Commission (AF-95-2024) (Mayor Shull)

## **VII. APPROVAL OF MINUTES**

- [1.](#) March 18, 2024 - Work Session
- [2.](#) March 19, 2024 - Business Meeting

## **COMMENT**

Upon the opening of a public hearing, members of the public, when recognized by the mayor, may address the board. When you come to the podium, please state your name and address, and sign the register that is provided. Comments of speakers must pertain to the item which is the subject of the public hearing. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes.

## **VIII. PUBLIC HEARINGS**

- [1.](#) Consideration of an Ordinance to Amend Zoning of Tax Map 045D, Group K, Parcels 008.00 and 009.00 Located Along Sevier Terrace Drive from the R-1B, Residential District and R-1C, Residential District to B-3, Highway Oriented Business District (AF-82-2024) (Jessica McMurray)
- [2.](#) Consideration of an Ordinance to Vacate Alley Right-of-Way Located off of Amber Street (AF-93-2024) (Ken Weems)

## **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**

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

- 1.** Consideration of an Ordinance to Amend the Zoning Code Text by Omitting the Historic Landmark Designation Requirement and Replacing the Required Committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance (AF-5-2024) (Ken Weems)
- 2.** Consideration of an Ordinance to Abandon a Sewerline Easement Across Property on Riverbend Dr. (AF-48-2024) (Ken Weems)
- 3.** Consideration of an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets (AF-85-2024) (David Frye)
- 4.** Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-73-2024) (Chris McCartt)

## **XI. OTHER BUSINESS**

- 1.** Consideration of a Resolution Awarding the Bid for the Tribe Athletic Center Re-Roof Project to Barnard Roofing Company and Authorizing the Mayor to Sign All Necessary Documents (AF-87-2024) (David Frye)
- 2.** Consideration of a Resolution to Approve an Amendment to the Preston Construction Dome Contract to Add Alternate 3 for LED Lighting (AF-84-2024) (David Frye)
- 3.** Consideration of a Resolution Entering into a 50 Year Memorandum of Understanding with Hawkins County for a Portion of Bays Mountain Park (AF-92-2024) (Michael T. Borders)
- 4.** Consideration of a Resolution to Purchase Two (2) Ram 5500 Crew Cab 2WD With Utility Body from TN State Contract # 80359 (AF-28-2024) (Ryan McReynolds)
- 5.** Consideration of a Resolution to Approve Mural Install on Bays Mountain Brewery (AF-98-2024) (Michael Borders)

## **XII. CONSENT AGENDA**

## **XIII. COMMUNICATIONS**

- 1.** City Manager
  - Materials Agreement – St. Andrews Garth
  - Materials Agreement - Riverbend Townhomes
- 2.** Mayor and Board Members

**XIV.ADJOURN**





**AGENDA ACTION FORM**

**Appointment to the Beverage Board**

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

Action Form No.: AF-94-2024  
 Work Session: April 1, 2024  
 First Reading: N/A  
 Final Adoption: April 2, 2024  
 Staff Work By: Angie Marshall  
 Presentation By: Mayor Shull

**Recommendation:**

Approve the reappointment.

**Executive Summary:**

It is recommended to reappoint Lonnie Salyer to the Beverage Board for a fourth term. Mr. Salyer was elected and is serving as chair of the Beverage Board for 2024.

If approved by the Board of Mayor and Aldermen, the recommended table reflects term dates.

The board is comprised of nine members: Chief of Police, Director of Planning, City Recorder, and six residents of Kingsport with one having at least five years' experience in business or administration in ownership or operation of retail enterprise and one licensed to practice law. Terms are three years with no term limit.

Current Board:			
Member	Term Expires	No. of Terms	Eligibility
Stephen LaHair	3/31/25	4	KPT Resident; Business Owner Exp.
Mike Forrester	12/31/25	2	KPT Resident; Licensed Attorney
John McKinley	12/31/25	1	KPT Resident
Natalie Wells	7/31/26	2	KPT Resident
Jason Sanders	10/31/26	1	KPT Resident
Lonnie Salyer	6/30/24	3	KPT Resident

Recommended Board:			
Member	Term Expires	No. of Terms	Eligibility
Stephen LaHair	3/31/25	4	KPT Resident; Business Owner Exp.
Mike Forrester	12/31/25	2	KPT Resident; Licensed Attorney
John McKinley	12/31/25	1	KPT Resident
Natalie Wells	7/31/26	2	KPT Resident
Jason Sanders	10/31/26	1	KPT Resident
Lonnie Salyer	6/30/27	4	KPT Resident

**Attachments:**

None

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

Item VI1.



**AGENDA ACTION FORM**

**Appointment to the Gateway Review Commission**

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

Action Form No.: AF-95-2024  
 Work Session: April 1, 2024  
 First Reading: N/A  
 Final Adoption: April 2, 2024  
 Staff Work By: Ken Weems  
 Presentation By: Mayor Shull

**Recommendation:**

Approve the appointment.

**Executive Summary:**

It is recommended to appoint Mike Stone to the Gateway Review Commission replacing John Perdue whose term has expired.

If approved by the Board of Mayor and Aldermen, the recommended table reflects term dates.

The commission is comprised of seven members: a BMA Representative (Alderman Cooper), the Planning Director, a representative from private business, a representative from an educational or research institution, an architect, and two at-large members who are residents of Kingsport and are not landowners or developers within the overlay corridor. Terms are five years with no term limit.

Current Commission:			
Member	Term Expires	No. of Terms	Eligibility
John Perdue	3/31/24	2	At-large
Terry Cox	2/28/26	1	Architect
Cristie Gott	2/28/26	1	Educ. Inst.
Curtis Montgomery	6/30/27	1	Private Business
Daniel Duncan	6/30/27	1	At-large

Recommended Commission:			
Member	Term Expires	No. of Terms	Eligibility
Mike Stone	3/31/29	1	At-large
Terry Cox	2/28/26	1	Architect
Cristie Gott	2/28/26	1	Educ. Inst.
Curtis Montgomery	6/30/27	1	Private Business
Daniel Duncan	6/30/27	1	At-large

**Attachments:**

- 1. Mike Stone's Bio

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

Item VI2.

## Gateway Review Commission

8/13/2023 9:23:44

[mike@mikestonearchitect.com](mailto:mike@mikestonearchitect.com)

Mike Stone

2141 Mocassin Street South, Kingsport TN 37660

4234183333

Why would you like to serve the city?:

Kingsport is my town. I've worked in Kingsport for over 17 years and lived here for over 6. As an architect, I have been overwhelmed with work for the past few years, and still am, but am looking for other ways to serve and meet new people.

Do you have any previous volunteer experience? If so, please describe it.:

I currently serve on an AIA (American Institute of Architects) programming committee to plan events for our local group of architects. I was involved in several service-based projects and classes in rural KY and my involvement varied over the years from student, to volunteer assistant, to a professor. (Not all positions were volunteer per se but the service-based nature of this work is applicable).

Which of the following skills would you say are your strongest?:

Organization, Planning, Strategy

Please select your top three commission interests.:

Bays Mountain Park Commission, Board of Zoning & Appeals, Construction Board of Adjustments and Appeals, Demolition by Neglect Committee, Gateway Review Commission, Historic Zoning Commission, Kingsport Higher Education, Kingsport Housing & Redevelopment Authority, Public Art Committee, Visitor Enhancement Program Board



## BOARD OF MAYOR AND ALDERMEN WORK SESSION MINUTES

Monday, March 18, 2024 at 4:30 PM

City Hall, 415 Broad Street, Montgomery - Watterson Boardroom

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### Board of Mayor and Aldermen

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

Alderman Paul W. Montgomery  
Alderman Tommy Olterman  
Alderman James Phillips

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

II. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle. Absent: Alderman Darrell Duncan.

### III. **DISCUSSION ITEMS**

1. **KEDB Update** - Craig Denison

Mr. Denison gave information on new projects as well as recent grants and PILOT agreements. He talked about the Brickyard property, Northeast Tennessee Business Park and the Phipps Bend Joint Venture. Mr. Denison discussed the updates to the board made in January. Lastly, he mentioned the visit by Governor Lee to the dental clinic noting the support by the legislature.

2. **Annual Wellness Clinic Update** - Jodi Majors

Bob Ogden spoke about the finances and the marketplace saving cost the clinic provides to the employees. Jodi Majors provided further information regarding the makeup of visits, diagnoses and medications. Ms. Majors also discussed the biometric summary from the wellness program.

3. **Bays Mountain Park and Planetarium Update** - Megan Krager

Assistant City Manager Michael Borders provided an overview of the plan. Megan Krager provided further information, noting it focuses on the Nature Center, animal habitats and adjacent spaces. She noted it's long-term and provided framework for phased improvements. There was some discussion throughout as she answered questions. Ms. Krager presented data from a public survey about what guests want to see at the park. She then went through the master plan and provided specific information on several aspects of the plan. Mr. Borders pointed out the BMP Commission voted unanimously to recommend approving this plan.

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

**Monday, March 18, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

**IV. REVIEW OF BUSINESS MEETING AGENDA**

City staff gave a summary for each item on the March 19, 2024 proposed agenda. No items were discussed at greater length or received specific questions of concerns.

**V. ITEMS OF INTEREST**

- 1. Sales Tax Report**
- 2. Projects Status Report**

**VI. ADJOURN**

Seeing no other matters presented for discussion, Mayor Shull adjourned the meeting at 5:40 p.m.

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ANGELA MARSHALL  
Deputy City Recorder

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PATRICK W. SHULL  
Mayor



## BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, March 19, 2024 at 7:00 PM

City Hall, 415 Broad Street, Montgomery-Watterson Boardroom

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### Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding  
Vice Mayor Colette George

Alderman Betsy Cooper  
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 New Vision Youth.
- III. **INVOCATION** by Rev. Scottie Burkhalter, Holy Trinity Lutheran Church.
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle. Absent: Alderman Darrell Duncan.
- V. **RECOGNITIONS AND PRESENTATIONS** None.
- VI. **APPOINTMENTS** *(These items are considered under one motion.)*

Motion made by Alderman Montgomery, Seconded by Alderman Olterman

Passed: All present voting "aye."

1. **Appointment to the Kingsport Housing and Redevelopment Authority** (AF-75-2024)  
(Mayor Shull)

REAPPOINT GREG PURDUE FOR HIS FIRST FULL TERM AFTER FILLING AN UNEXPIRED TERM TO THE KINGSPORT HOUSING AND REDEVELOPMENT AUTHORITY EFFECTIVE MAY 1, 2024 AND EXPIRING ON APRIL 30, 2029

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

- 2. Appointment to the Construction Board of Adjustments and Appeals (AF-76-2024) (Mayor Shull)**

REAPPOINT HIRAM RASH FOR A FIFTH TERM TO THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS EFFECTIVE IMMEDIATELY AND EXPIRING ON FEBRUARY 28, 2027

- 3. Appointment to the Sullivan County Board of Equalization (AF-77-2024) (Mayor Shull)**

REAPPOINT JOHN CAMPBELL FOR A THIRD TERM TO THE SULLIVAN COUNTY BOARD OF EQUALIZATION EFFECTIVE APRIL 1, 2024 AND EXPIRING ON MARCH 31, 2026

- 4. Appointments to the Public Art Committee (AF-78-2024) (Mayor Shull)**

APPOINT JOSEPH MAYE TO FULFILL THE UNEXPIRED TERM OF DEBORAH MULLINGS EFFECTIVE IMMEDIATELY AND EXPIRING ON JULY 31, 2024 AND BETSY COOPER TO FULFILL THE UNEXPIRED TERM OF BRAD HOOVER EFFECTIVE IMMEDIATELY AND EXPIRING ON JANUARY 31, 2025 TO THE PUBLIC ART COMMITTEE

**VII. APPROVAL OF MINUTES** *(These items are considered under one motion.)*

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

Passed: All present voting "aye."

- 1. February 19, 2024 - Work Session**
- 2. February 20, 2024 - Business Meeting**
- 3. February 23, 2024 - Strategic Planning Session**

**VIII. PUBLIC HEARINGS**

- 1. Consideration of an Ordinance to Amend the Zoning Code Text by Omitting the Historic Landmark Designation Requirement and Replacing the Required Review Committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance (AF-5-2024) (Ken Weems)**

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

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, SECTION 114 ARTICLE III RELATING TO DEMOLITION BY NEGLECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

**2. Consideration of an Ordinance to Abandon a Sewerline Easement Across Property on Riverbend Dr (AF-48-2024) (Ken Weems)**

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

AN ORDINANCE TO ABANDON A SECTION OF A SANITARY SEWER EASEMENT LOCATED OFF OF RIVERBEND DRIVE SITUATED IN THE CITY OF KINGSPORT, ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

**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 an Ordinance to Amend the FY 2024 General Purpose School Fund and the General Project Fund Budgets (AF-85-2024) (David Frye)**

Motion made by Alderman Cooper, Seconded by Alderman Montgomery.

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: All present voting "aye."

**2. Consideration of a Budget Ordinance to Amend Various Funds in FY24 (AF-73-2024) (John Morris)**

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

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."

**X. BUSINESS MATTERS REQUIRING FINAL ADOPTION**

**1. Consideration of an Ordinance to Establish a Historic District Overlay Applied to the 100 Block Broad Street (AF-50-2024) (Savannah Garland)**



**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

Tuesday, February 20, 2024 at 4:30 PM

Kingsport City Hall, 415 Broad Street, Boardroom

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

**ORDINANCE NO. 7139** AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ESTABLISH A HISTORIC DISTRICT OVERLAY FOR PROPERTY LOCATED ALONG THE 100 BLOCK OF BROAD STREET IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull with Vice Mayor George voting “nay.”

2. **Consideration of a Budget Adjustment Ordinance for Various Funds in FY24 (AF-62-2024)**  
(Chris McCartt)

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

**ORDINANCE NO. 7140** AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS 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, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

**XI. OTHER BUSINESS**

1. **Consideration of a Resolution to Purchase One (1) 2024 Ford F-350 4x4 Stake Body Truck from TN State Contract # 80355 (AF-69-2024)** (Ryan McReynolds)

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

**RESOLUTION NO. 2024-198** A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2024 FORD F-350 4X4 STAKE BODY TRUCK FROM LONNIE COBB FORD UTILIZING TENNESSEE STATE CONTRACT NO.: 80355; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

2. **Consideration of a Resolution Authorizing the Mayor to Execute All Documents Necessary to Apply and Accept a Section 5339A and 5339B Capital Grant from FTA-033 for Purchase of Transit Vehicles from the U.S. Department of Transportation (AF-71-2024)**  
(Candace Sherer)

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

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

**RESOLUTION NO. 2024-199** A RESOLUTION APPROVING AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A FEDERAL TRANSIT ADMINISTRATION 5339 PROGRAM GRANT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 3. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement to Allow Goodwill Industries of Tenneva Area, Inc. to Place a Container at City Convenience Centers to Collect Donated Items (AF-72-2024) (Ryan McReynolds)**

Motion made by Alderman Phillips, Seconded by Alderman Montgomery.

**RESOLUTION NO. 2024-200** A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH GOODWILL INDUSTRIES OF TENNEVA AREA, INC., AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

- 4. Consideration of a Resolution to Accept Private Donation to the Kingsport Police Department (AF-68-2024) (Chief Dale Phipps)**

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

**RESOLUTION NO. 2024-201** A RESOLUTION ACCEPTING A DONATION FROM THE WEIGEL FOUNDATION TO THE KINGSFORT POLICE DEPARTMENT

Passed: All present voting "aye."

- 5. Consideration of a Resolution to Accept a Donation of Tempur-Pedic Mattresses (AF-79-2024) (Scott Boyd)**

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

**RESOLUTION NO. 2024-202** A RESOLUTION ACCEPTING A DONATION OF TEMPUR-PEDIC MATTRESSES FROM TEMPUR-PEDIC PRODUCTION USA, LLC FOR THE KINGSFORT FIRE DEPARTMENT

Passed: All present voting "aye."

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

Tuesday, February 20, 2024 at 4:30 PM

Kingsport City Hall, 415 Broad Street, Boardroom

6. **Consideration of a Resolution to Enter into an Agreement with LJA Engineering, Inc. to Provide Inspection and Engineering Services for the West Kingsport Sewer Basin (AF-55-2024) (Ryan McReynolds)**

Motion made by Alderman Montgomery, Seconded by Alderman Cooper.

**RESOLUTION NO. 2024-203** A RESOLUTION ACCEPTING THE PROPOSAL OF LJA ENGINEERING, INC., FOR INSPECTION AND ENGINEERING SERVICES RELATIVE TO THE WEST KINGSFORT SEWER BASIN; AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR THE SAME AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

7. **Consideration of a Resolution to Ratify the Mayor's Signature and Accept the Assistance to Firefighters (AFG) Grant through the U.S. Fire Administration of the Federal Emergency Management Administration (FEMA) Division of the Department of Homeland Security (DHS) (AF-80-2024) (Terry Arnold)**

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

**RESOLUTION NO. 2024-204** A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE AN ASSISTANCE TO FIREFIGHTERS GRANT THROUGH THE UNITED STATES FIRE ADMINISTRATION OF THE FEDERAL EMERGENCY MANAGEMENT DIVISION OF THE DEPARTMENT OF HOMELAND SECURITY

Passed: All present voting "aye."

8. **Consideration of a Resolution Awarding the Bid for the Purchase of Water & Wastewater Chemicals (AF-91-2024) (Ryan McReynolds)**

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

**RESOLUTION NO. 2024-205** A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF CHLORINE TO JCI JONES; FOR ZINC ORTHOPHOSPHATE TO CARUS CORPORATION; FOR COAGULANT TO USALCO; FOR POLYMER TO COASTAL WATER TECHNOLOGY, LLC; FOR FLUORIDE TO PENCCO; AND FOR SODIUM PERMANGANATE TO CHEM RITE, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

- 9. Consideration of a Resolution Accepting the 2024 Bays Mountain Park Improvement Plan as a Guiding Document (AF-90-2024) (Michael T. Borders)**

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

**RESOLUTION NO. 2024-206** A RESOLUTION ACCEPTING THE 2024 BAYS MOUNTAIN PARK IMPROVEMENT PLAN AS A GUIDING DOCUMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

- 10. Consideration of a Resolution Authorizing the City Manager to Execute a Purchase Order for 2,000 Chromebooks and 1,000 Google Chrome Licenses from Dell Technologies for Kingsport City Schools Students (AF-52-2024) (David Frye)**

Motion made by Alderman Cooper, Seconded by Alderman Phillips.

**RESOLUTION NO. 2024-207** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO DELL FOR CHROMEBOOKS FOR KINGSFORT CITY SCHOOLS STUDENTS

Passed: All present voting "aye."

- 11. Consideration of a Resolution Authorizing the City Manager to Purchase Two (2) 72-Passenger School Buses from Central States Bus Sales, Inc., Utilizing the Sourcewell Contract (AF-86-2024) (David Frye)**

Motion made by Alderman Montgomery, Seconded by Alderman Cooper.

**RESOLUTION NO. 2024-208** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO CENTRAL STATES BUS SALES, INC., FOR TWO 72-PASSENGER SCHOOL BUSES THROUGH SOURCEWELL COOPERATIVE PURCHASE AGREEMENT NO. 063020-BBB

Passed: All present voting "aye."

- 12. Consideration of a Resolution Authorizing the City Manager to Purchase One (1) 43-Passenger School Bus from Central States Bus Sales, Inc., Utilizing the Sourcewell Contract (AF-88-2024) (David Frye)**

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

Motion made by Alderman Montgomery, Seconded by Alderman Phillips.

**RESOLUTION NO. 2024-209** A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO CENTRAL STATES BUS SALES, INC., FOR ONE 43-PASSENGER SCHOOL BUS THROUGH SOURCEWELL COOPERATIVE PURCHASE AGREEMENT NO. 063020-BBB

Passed: All present voting "aye."

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

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

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

- 1. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a Law Enforcement Agency Highway Safety Grant from the Tennessee Highway Safety Office (THSO) for FY '25 (AF-63-2024) (Chief Dale Phipps)**

**RESOLUTION NO. 2024-210** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A HIGHWAY SAFETY GRANT FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

- 2. Consideration of a Resolution Authorizing the Mayor to Execute a Signature Authority Form Allowing the Chief of Police or His Designee to Complete Grant Reports as Required by the Tennessee Highway Safety Office (THSO) for the Tennessee Highway Safety Office's FY '25 Grant (AF-64-2024) (Chief Dale Phipps)**

**RESOLUTION NO. 2024-211** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY GRANTS FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

- 3. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Apply for and Receive a FY '25 Tennessee Highway Safety Office (THSO) Coordinator Grant for Participation in Their Law Enforcement Liaison (LEL) Program (AF-65-2024) (Chief Dale Phipps)**

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

**RESOLUTION NO. 2024-212** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A LAW ENFORCEMENT LIAISON PROGRAM GRANT FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

- 4. Consideration of a Resolution Authorizing the Mayor to Execute a Signature Authority Form Allowing the Chief of Police or His Designee to Complete Grant Reports as Required by the Tennessee Highway Safety Office (THSO) for the Tennessee Highway Safety Office's FY '25 Coordinator Grant (AF-66-2024) (Chief Dale Phipps)**

**RESOLUTION NO. 2024-213** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNATURE AUTHORITY CONSENT FORM AND OTHER DOCUMENTS NECESSARY AND PROPER DESIGNATING THE CHIEF OF POLICE AS THE MAYOR'S DESIGNEE TO EXECUTE GRANT REPORTS AND OTHER DOCUMENTS REQUIRED BY GRANTS FROM THE TENNESSEE HIGHWAY SAFETY OFFICE

- 5. Consideration of a Resolution Authorizing the Mayor to Execute a CDBG Sub-recipient Agreement with Meals on Wheels of Kingsport, Inc. (AF-61-2024) (Michael Price)**

**RESOLUTION NO. 2024-214** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO PROVIDE COMMUNITY DEVELOPMENT BLOCK FUNDING TO MEALS ON WHEELS OF KINGSPORT, INC DURING FISCAL YEARS 2024 – 2025

- 6. Consideration of a Resolution Authorizing the Mayor's Signature on the Certification of Local Government Approval for the Salvation Army and Family Promise 2024 Emergency Solutions Grant Application (AF-67-2024) (Michael Price)**

**RESOLUTION NO. 2024-215** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CERTIFICATION OF LOCAL GOVERNMENT APPROVAL FOR THE SALVATION ARMY OF KINGSPORT AND FAMILY PROMISE OF GREATER KINGSPORT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

- 7. Consideration of a Resolution Ratifying an Application to Receive the Tennessee Agriculture Growth Initiative Farmers Market Grant (AF-81-2024) (Michael Borders)**

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

**RESOLUTION NO. 2024-216** A RESOLUTION TO RATIFY THE MAYOR'S SIGNATURE ON ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE DEPARTMENT OF AGRICULTURAL GROWTH INITIATIVE FARMERS MARKET GRANT

- 8. Consideration of a Resolution Authorizing the City of Kingsport's Application for and Acceptance of Funding through THDA's 2024 Emergency Solutions Grant (AF-74-2024)**  
(Michael Price)

**RESOLUTION NO. 2024-217** A RESOLUTION APPROVING AN APPLICATION FOR A U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT EMERGENCY SOLUTIONS GRANT, ACCEPTING THE GRANT FUNDS IF AWARDED, AND AUTHORIZING THE MAYOR TO SIGN THE GRANT APPLICATION AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

- 9. Consideration of a Resolution to Authorize the Sale of a Surplus Vehicle to Petworks (AF-89-2024)** (John Morris)

**RESOLUTION NO. 2024-218** A RESOLUTION DECLARING A CERTAIN FLEET VEHICLE AS SURPLUS, REMOVING SAME FROM THE FIXED ASSET REGISTER, AND APPROVING THE SALE OF SUCH SURPLUS VEHICLE TO PETWORKS

**XIII. COMMUNICATIONS**

**1. City Manager**

Mr. McCartt extended congratulations to the Lady Indians basketball team on outstanding season. He wished the best of luck to all the seniors and the team as they prepare for next year. He mentioned the passing of Todd Smith in utilities from cancer, noting he had left a lasting impression as a talented artist and the manhole covers sport the logo he designed.

**2. Mayor and Board Members**

Alderman Montgomery wished the vice-mayor a happy birthday. He also thanked Weigel's and Temperpedic for their donations. Mr. Montgomery stated KOSBE had submitted a grant proposal to the SBA for the women's business center to be housed in the Chamber of Commerce pointing out it was a great enhancement to the area. Alderman Phillips thanked everyone for a wonderful home show pointing out the attendance doubled on Friday from last year. He gave details on the announcement that the Home Builders Association partnering with TCAT for fixing up a house, noting it was a win-win for everyone it touches. He mentioned Food City and

**BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES**

**Tuesday, February 20, 2024 at 4:30 PM**

**Kingsport City Hall, 415 Broad Street, Boardroom**

Eastman made their plastic recycling announcement and encouraged citizens to bring plastics with #7 to designated location, stating he appreciated providing this option to citizens. He remarked on the Fire Department employee recognition ceremony program held recently. Lastly, he provided details on the Liberty Prize program where local high school students submitted essays on Freedom and ten local students will travel to Normandy for the 80th anniversary. Alderman Olterman stated the DB baseball team was undefeated. Alderman Cooper said the boys' soccer team was also doing well and encouraged support from the citizens. Vice-Mayor George commented on the boat being taken apart at Netherland Inn, noting she had been contacted by citizens regarding this issue. She pointed out the City does not own that property but rather the Netherland Inn Association and their hope is to replace it with salt treated wood. She stated PETWORKS has numerous dogs and cats since covid, and they are in need of donations and are about to have their Fur Ball fundraiser. She commented on the Bays Mountain Park Plan and stated great things going on there. Mayor Shull also provided details on how PETWORKS gets their funding. He also mentioned there is a lot of bad information on social media, commenting on an incident that occurred on Clinchfield Street recently. He stated the city communications puts out great information and any of the BMA can be contacted for information as well.

**XIV.ADJOURN**

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:56 p.m.

\_\_\_\_\_  
ANGELA MARSHALL  
Deputy City Recorder

\_\_\_\_\_  
PATRICK W. SHULL  
Mayor





**AGENDA ACTION FORM**

**Consideration of an Ordinance to Amend Zoning of Tax Map 045D, Group K, Parcels 008.00 and 009.00 Located Along Sevier Terrace Drive from the R-1B, Residential District and R-1C, Residential District to B-3, Highway Oriented Business District.**

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

Action Form No.: AF-82-2024  
Work Session: April 1, 2024  
First Reading: April 2, 2024  
Final Adoption: April 16, 2024  
Staff Work By: Jessica McMurray  
Presentation By: J. McMurray

**Recommendation:**

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone Tax Map 045D, Group K, Parcels 008.00 and 009.00 Located along Sevier Terrace Drive from the R-1B, Residential District and R-1C, Residential District to B-3, Highway Oriented Business District.

**Executive Summary:**

This is an owner-requested rezoning of approximately 1.80 acres located along Sevier Terrace Drive from the R-1B and R-1C zones to the B-3 zone. The purpose of the rezoning is to facilitate construction of a new franchised auto dealership. Comment was received from two citizens at the Planning Commission meeting regarding the future demolition of the Westside Inn; one citizen spoke in favor of demolishing the Westside Inn and one citizen spoke against demolishing the Westside Inn due to concern for the people that will be displaced by the demolition. It is important to note that the parcels containing the Westside Inn are adjacent to, but not a part of the rezoning site. During their March 2024 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 4-0-1. The notice of public hearing was published on March 13, 2024.

**Attachments:**

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

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

Item VIII.1.

## 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 April 2, 2024 to consider the rezoning of Tax Map 045D, Group K, Parcels 008.00 and 009.00 located along Sevier Terrace Drive from the R-1B, Residential District and R-1C, Residential District to B-3, Highway Oriented Business 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 1: R-1B District

A PORTION OF THE SHUBHLAXMI, LLC PROPERTY (TRACT III), LOCATED IN THE CITY OF KINGSFORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3503, PAGE 1761, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1B, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE COMMON CORNER BETWEEN LOT 5 AND LOT 4, BLOCK 29 OF SEVIER TERRACE ADDITION (PLAT BOOK 3, PAGE 61), SAID POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE WITH THE DIVISIONAL LINE OF LOT 5 AND LOT 4, N20°11'W, 189.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N20°11'W, 54.95 FEET TO A POINT, REAR CORNER FOR LOTS 4 AND 5; THENCE WITH THE REAR LINE OF LOT 5 N69°49'E, 22.9 FEET TO A POINT IN THE REAR LINE OF LOT 5; THENCE S20°56'E, 62.25 FEET TO A POINT; THENCE BY A NEW LINE S86°55'W, 24.81 FEET TO THE POINT OF BEGINNING, CONTAINING 0.03 ACRES OR 1,364.3 SQUARE FEET, MORE OR LESS. (DESCRIPTION TAKEN FROM REFERENCED DEED)

### TRACT 1: R-1C District

A PORTION OF THE SHUBHLAXMI, LLC PROPERTY (TRACT III), LOCATED IN THE CITY OF KINGSFORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3503, PAGE 1761, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1C, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE COMMON CORNER BETWEEN LOT 5 AND LOT 4, BLOCK 29 OF SEVIER TERRACE ADDITION (PLAT BOOK 3, PAGE 61), SAID POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE WITH THE DIVISIONAL LINE OF LOT 5 AND LOT 4, N20°11'W, 189.79 FEET TO THE POINT; THENCE BY A NEW LINE N86°55'E, 24.81 FEET TO THE POINT; THENCE N86°55'E, 192.50 FEET TO A POINT LOCATED ON THE EASTERLY SIDELINE OF ELMWOOD AVENUE, AS ORIGINALLY PLATTED; THENCE S20°11'E, 181.75 FEET TO A POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE ALONG SAID SIDELINE BY A CURVE TO THE LEFT WITH A RADIUS OF 1342.4 FEET, AN ARC LENGTH OF 215.17 FEET TO THE

POINT OF BEGINNING, CONTAINING 0.90 ACRES OR 37,966.6 SQUARE FEET, MORE OR LESS. (DESCRIPTION TAKEN FROM REFERENCED DEED)

TRACT 2: R-1C District

BEING ALL OF THE CHANDRAKANT PATEL PROPERTY, LOCATED IN THE CITY OF KINGSPORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3153, PAGE 80, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1C, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD IRON ROD IN THE PAVEMENT AT THE INTERSECTION OF THE WESTERLY SIDE OF LYNN GARDEN DRIVE WITH THE NORTHERLY SIDE OF SEVIER TERRACE DRIVE; THENCE WITH SAID SIDE OF SEVIER TERRACE DRIVE BY A CURVE TO THE LEFT OF RADIUS 1242.40 FEET, AN ARC DISTANCE OF 190.92 FEET TO AN OLD IRON ROD, CORNER FOR PAUL BELLAMY (DEED BOOK 908C, PAGE 95); THENCE WITH THE LINE OF THE BELLAMY PROPERTY N20°36'W, 182.41 FEET TO AN OLD IRON ROD; THENCE N83°25'E, 135.00 FEET; THENCE S14°35'W, 5.40 FEET TO AN OLD IRON PIPE; AND N85°18'E, 98.52 FEET TO AN OLD IRON ROD ON THE WESTERLY SIDE OF LYNN GARDEN DRIVE; THENCE WITH SAID SIDE OF LYNN GARDEN DRIVE, S06°40'E, 190.15 FEET TO THE POINT OF BEGINNING, CONTAINING 0.87 ACRES OR 37,993.3 SQUARE FEET, MORE OR LESS. (DESCRIPTION TAKEN FROM REFERENCED DEED)

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](mailto: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: 3/13/2024

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

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG SEVIER TERRACE DRIVE FROM THE R-1B, RESIDENTIAL DISTRICT AND R-1C, RESIDENTIAL DISTRICT TO B-3, HIGHWAY ORIENTED BUSINESS DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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 Sevier Terrace Drive from the R-1B, Residential District and R-1C, Residential District to the B-3, Highway Oriented Business District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Tract 1: R-1B District

A PORTION OF THE SHUBHLAXMI, LLC PROPERTY (TRACT III), LOCATED IN THE CITY OF KINGSPORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3503, PAGE 1761, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1B, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE COMMON CORNER BETWEEN LOT 5 AND LOT 4, BLOCK 29 OF SEVIER TERRACE ADDITION (PLAT BOOK 3, PAGE 61), SAID POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE WITH THE DIVISIONAL LINE OF LOT 5 AND LOT 4, N20°11'W, 189.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N20°11'W, 54.95 FEET TO A POINT, REAR CORNER FOR LOTS 4 AND 5; THENCE WITH THE REAR LINE OF LOT 5 N69°49'E, 22.9 FEET TO A POINT IN THE REAR LINE OF LOT 5; THENCE S20°56'E, 62.25 FEET TO A POINT; THENCE BY A NEW LINE S86°55'W, 24.81 FEET TO THE POINT OF BEGINNING, CONTAINING 0.03 ACRES OR 1,364.3 SQUARE FEET, MORE OR LESS. (DESCRIPTION TAKEN FROM REFERENCED DEED)

TRACT 1: R-1C District

A PORTION OF THE SHUBHLAXMI, LLC PROPERTY (TRACT III), LOCATED IN THE CITY OF KINGSPORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3503, PAGE 1761, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1C, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE COMMON CORNER BETWEEN LOT 5 AND LOT 4, BLOCK 29 OF SEVIER TERRACE ADDITION (PLAT BOOK 3, PAGE 61), SAID POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE WITH THE DIVISIONAL LINE OF LOT 5 AND LOT 4, N20°11'W, 189.79 FEET TO THE POINT; THENCE BY A NEW LINE N86°55'E, 24.81 FEET TO THE POINT; THENCE N86°55'E, 192.50 FEET TO A POINT LOCATED ON THE EASTERLY SIDELINE OF ELMWOOD AVENUE, AS ORIGINALLY PLATTED; THENCE S20°11'E, 181.75 FEET TO A POINT LOCATED IN THE NORTHERLY SIDELINE OF SEVIER TERRACE DRIVE; THENCE ALONG SAID SIDELINE BY A CURVE TO THE LEFT WITH A RADIUS OF 1342.4 FEET, AN ARC LENGTH OF 215.17 FEET TO THE POINT OF BEGINNING, CONTAINING 0.90 ACRES OR 37,966.6 SQUARE FEET, MORE OR LESS. (DESCRIPTION TAKEN FROM REFERENCED DEED)

TRACT 2: R-1C District

BEING ALL OF THE CHANDRAKANT PATEL PROPERTY, LOCATED IN THE CITY OF KINGSPORT, AND THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AS DESCRIBED IN DEED BOOK 3153, PAGE 80, IN THE REGISTER OF DEED'S OFFICE FOR SULLIVAN COUNTY, TENNESSEE, THAT IS CURRENTLY ZONED R-1C, BEING CONSIDERED TO BE REZONED TO B-3, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OLD IRON ROD IN THE PAVEMENT AT THE INTERSECTION OF THE WESTERLY SIDE OF LYNN GARDEN DRIVE WITH THE NORTHERLY SIDE OF SEVIER TERRACE DRIVE; THENCE WITH SAID SIDE OF SEVIER TERRACE DRIVE BY A CURVE TO THE LEFT OF RADIUS 1242.40 FEET, AN ARC DISTANCE OF 190.92 FEET TO AN OLD IRON ROD, CORNER FOR PAUL BELLAMY (DEED BOOK 908C, PAGE 95); THENCE WITH THE LINE OF THE BELLAMY PROPERTY N20°36'W, 182.41

FET TO AN OLD IRON ROD; THENCE N83°25'E, 135.00 FEET;  
THENCE S14°35'W, 5.40 FEET TO AN OLD IRON PIPE; AND  
N85°18'E, 98.52 FEET TO AN OLD IRON ROD ON THE  
WESTERLY SIDE OF LYNN GARDEN DRIVE; THENCE WITH  
SAID SIDE OF LYNN GARDEN DRIVE, S06°40'E, 190.15 FEET TO  
THE POINT OF BEGINNING, CONTAINING 0.87 ACRES OR  
37,993.3 SQUARE FEET, MORE OR LESS. (DESCRIPTION  
TAKEN FROM REFERENCED DEED)

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 \_\_\_\_\_



**PROPERTY INFORMATION**

<b>ADDRESS</b>	Parcel 008.00 & 009.00
<b>DISTRICT</b>	11
<b>OVERLAY DISTRICT</b>	N/A
<b>EXISTING ZONING</b>	R-1B (Residential District) and R-1C (Residential District)
<b>PROPOSED ZONING</b>	B-3 (Highway Oriented Business District)
<b>ACRES</b>	Rezone Site 1.80 acres +/-
<b>EXISTING USE</b>	vacant land
<b>PROPOSED USE</b>	Friendship Hyundai Car Dealership

**PETITIONER**

**ADDRESS** 1101 N. Buffalo St, Erwin, TN 37650

**REPRESENTATIVE**

**PHONE** (423)330-0930

**INTENT**

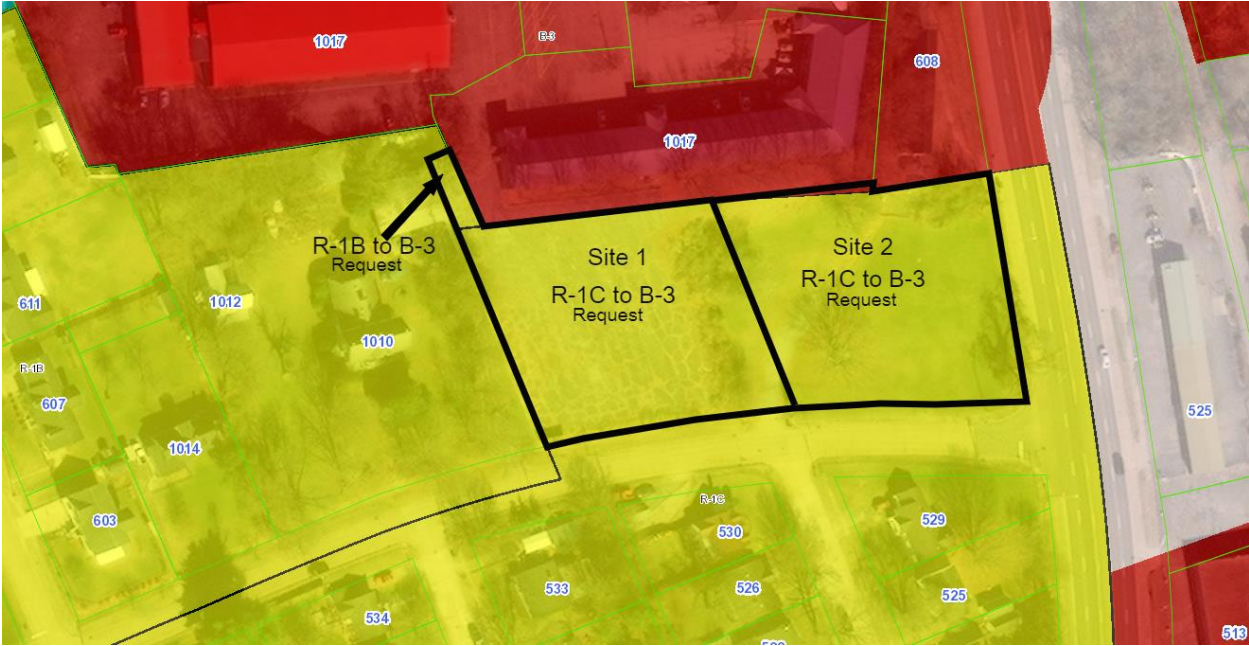
*To rezone from R-1B (Residential District) and R-1C (Residential District) to B-3 (Highway Oriented Business District) to accommodate future Friendship Hyundai Car Dealership.*



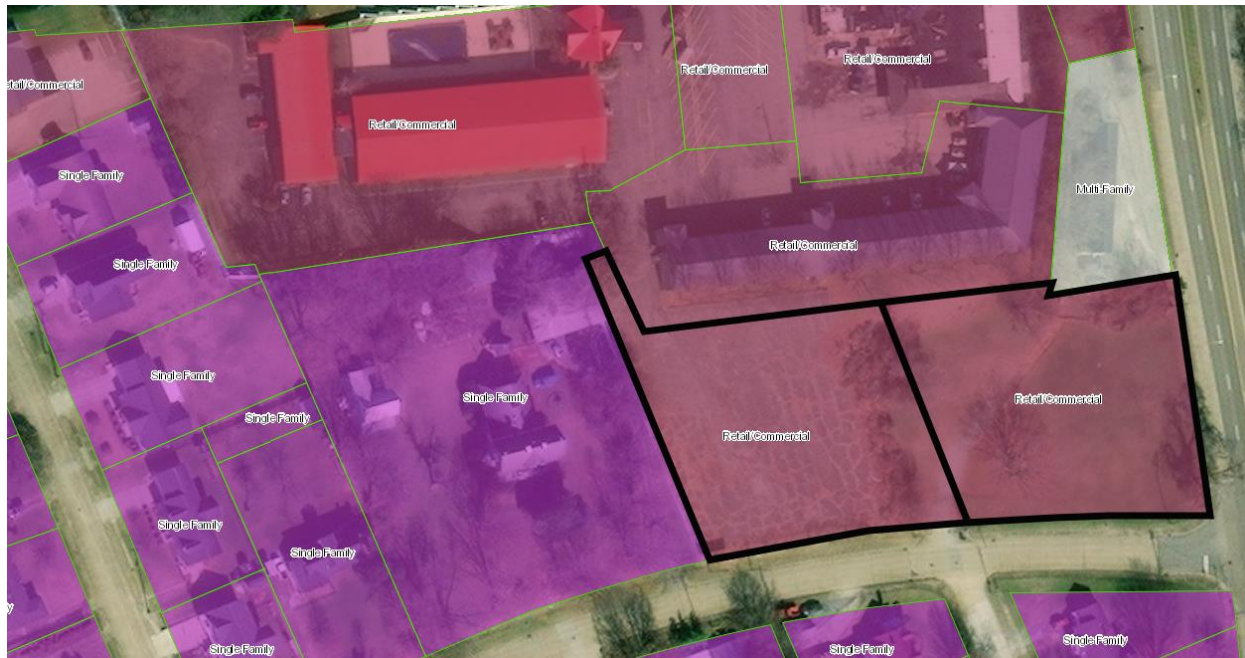
Vicinity Map



Surrounding City Zoning Map



Future Land Use Plan 2030





Aerial



**View from Rear of Westside Inn Motel (Parcel 1)**





View from Rear of Westside Inn Motel (Parcel 2)





View from Sevier Terrace Drive (Site 1)





View from Sevier Terrace Drive (Site 2)





View from Lynn Garden Drive (Site 2)





View from Sevier Terrace Drive (Site 1 Facing Lynn Garden Dr.)





View from Sevier Terrace Drive (East, Site 1)





EXISTING USES LOCATION MAP



Kingsport Regional Planning Commission

Rezoning Report

File Number REZONE24-0029

Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	<u>Zone: City B-3</u> Use: hotel/motel	
Northeast	2	<u>Zone: City B-3</u> Use: apartments	
East	3	<u>Zone: City B-1</u> Use: carwash	
South	4	<u>Zone: City R-1C</u> Use: single-family	
West	5	<u>Zone: City R-1B</u> Use: single-family (Mt. Ida)	

**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 existing B-3 zoning to the north. Rezoning will permit an appropriate use that is compatible with the current 2030 Future Land Use plan.
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 to the north is zoned City B-3, Highway Orientated Business District. Rezoning to B-3 appropriately matches the current Land Use designation for retail/commercial use.
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 B-3 rezoning proposal does conform to the 2030 Land Use Plan and should serve the area well.

**Proposed use:** Friendship Hyundai Car Dealership

**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 B-3.
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 B-3 zoning to the north. The vacant land along with adjoining property is appropriately sized for a new development that will meet zoning restrictions of the B-3 zone.



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



CONCLUSION

Staff recommends sending a positive recommendation to rezone from R-1B and R-1C zones to the B-3 zone based upon conformance with the future land use plan.



**AGENDA ACTION FORM**

**Consideration of an Ordinance to Vacate Alley Right-of-Way Located off of Amber Street**

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

Action Form No.: AF-93-2024  
Work Session: April 1, 2024  
First Reading: April 2, 2024  
Final Adoption: April 16, 2024  
Staff Work By: Savannah Garland  
Presentation By: K. Weems

**Recommendation:**

- Hold public hearing
- Approve ordinance vacating alley right-of-way off of Amber Street.

**Executive Summary:**

This is a request from all abutting property owners to vacate alley right-of-way located off of Amber Street. City departments as well as local utility providers have reviewed the request and see no reason to keep the right-of-way. During their March regular meeting, the Kingsport Regional Planning Commission voted 4-0-1 to send a favorable recommendation to the Board of Mayor and Aldermen in support of the vacating request. No public comment has been received on this item. The notice of public hearing was published on March 18, 2024.

**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 Tuesday, April 2, 2024, to consider the vacating of an alley right-of-way located off Amber Street. The regular business meeting will begin at 7:00 p.m. in the Montgomery-Watterson Boardroom of City Hall, 415 Broad Street, Kingsport, Tennessee.

The property proposed for vacating is generally described as follows:

BEGINNING AT A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET) AND A CORNER TO LOT 16, BLOCK 1, FORT ROBINSON ADDITION (PLAT BOOK 2, PAGE 71A). THENCE LEAVING SAID SIDELINE AND ALONG LOTS 16, 15, 14, 13 AND 12 SOUTH 87° 12' EAST, A DISTANCE OF 146.33 FEET TO A POINT, SAID POINT A CORNER TO LOT 12 AND IN THE LINE OF LOT 11. THENCE ALONG LOT 11 SOUTH 02° 48' WEST, A DISTANCE OF 148.50 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE FOR CSX TRANSPORTATION. THENCE ALONG SAME NORTH 83° 16' WEST, A DISTANCE OF 15.04 FEET TO A POINT, SAID POINT A CORNER TO LOT 21. THENCE LEAVING CSX TRANSPORTATION AND ALONG LOTS 21, 20, 19, 18 AND 17 NORTH 02° 48' EAST, A DISTANCE OF 135.44 FEET TO A POINT, SAID POINT A CORNER TO LOT 17. THENCE ALONG LOT 17 NORTH 87° 12' WEST, A DISTANCE OF 132.96 FEET TO A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET). THENCE ALONG SAID SIDELINE NORTH 10° 32' EAST, A DISTANCE OF 12.11 FEET TO THE POINT OF BEGINNING, SAID PARCEL BEING A 12' AND A 15' ALLEY AND CONTAINING 0.087 ACRES MORE OR LESS.

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](mailto: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  
P1T: 3/18/2024

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

AN ORDINANCE TO VACATE A SECTION OF PUBLIC RIGHT-OF-WAY LOCATED OFF OF AMBER STREET SITUATED IN THE CITY OF KINGSPORT, TWELTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, after due investigation and careful consideration at a public meeting held on March 21, 2024, the Kingsport Regional Planning Commission has determined that the public interest of the city is best served and warrants vacating that portion of a right-of-way described herein, nor can any future use of the same for right-of-way purposes be reasonably anticipated; and

WHEREAS, as a result of its action at the meeting held on March 21, 2024, the Kingsport Regional Planning Commission recommends to the Board of Mayor and Aldermen to vacate for that portion of a right-of-way described herein; and

WHEREAS, a public hearing before the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, was held on the 2<sup>nd</sup> day of April 2024, and notice thereof published in the Kingsport Times-News on the 18<sup>th</sup> day of March, 2024.

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

SECTION I. The City hereby vacates and closes to public use all of a certain section of right-of-way located off Amber Street within the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County, Tennessee, which for purposes of this vacation is further described as follows:

BEGINNING AT A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET) AND A CORNER TO LOT 16, BLOCK 1, FORT ROBINSON ADDITION (PLAT BOOK 2, PAGE 71A). THENCE LEAVING SAID SIDELINE AND ALONG LOTS 16, 15, 14, 13 AND 12 SOUTH 87° 12' EAST, A DISTANCE OF 146.33 FEET TO A POINT, SAID POINT A CORNER TO LOT 12 AND IN THE LINE OF LOT 11. THENCE ALONG LOT 11 SOUTH 02° 48' WEST, A DISTANCE OF 148.50 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE FOR CSX TRANSPORTATION. THENCE ALONG SAME NORTH 83° 16' WEST, A DISTANCE OF 15.04 FEET TO A POINT, SAID POINT A CORNER TO LOT 21. THENCE LEAVING CSX TRANSPORTATION AND ALONG LOTS 21, 20, 19, 18 AND 17 NORTH 02° 48' EAST, A DISTANCE OF 135.44 FEET TO A POINT, SAID POINT A CORNER TO LOT 17. THENCE ALONG LOT 17 NORTH 87° 12' WEST, A DISTANCE OF 132.96 FEET TO A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET). THENCE ALONG SAID SIDELINE NORTH 10° 32' EAST, A DISTANCE OF 12.11 FEET TO THE POINT OF BEGINNING, SAID PARCEL BEING A 12' AND A 15' ALLEY AND CONTAINING 0.087 ACRES MORE OR LESS.

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 \_\_\_\_\_



**PROPERTY INFORMATION**

<b>ADDRESS</b>	<b>Off of Amber Street</b>
<b>DISTRICT, LAND LOT</b>	<b>Sullivan County</b> <b>12<sup>th</sup> Civil District, TM 45K, Group A, Parcels 10-14</b>
<b>OVERLAY DISTRICT</b>	<b>N/A</b>
<b>CURRENT ZONING</b>	<b>R-1B</b>
<b>PROPOSED ZONING</b>	<b>N/A</b>
<b>ACRES +/-</b>	<b>0.087</b>
<b>EXISTING USE</b>	<b>alley right-of-way</b>
<b>PROPOSED USE</b>	

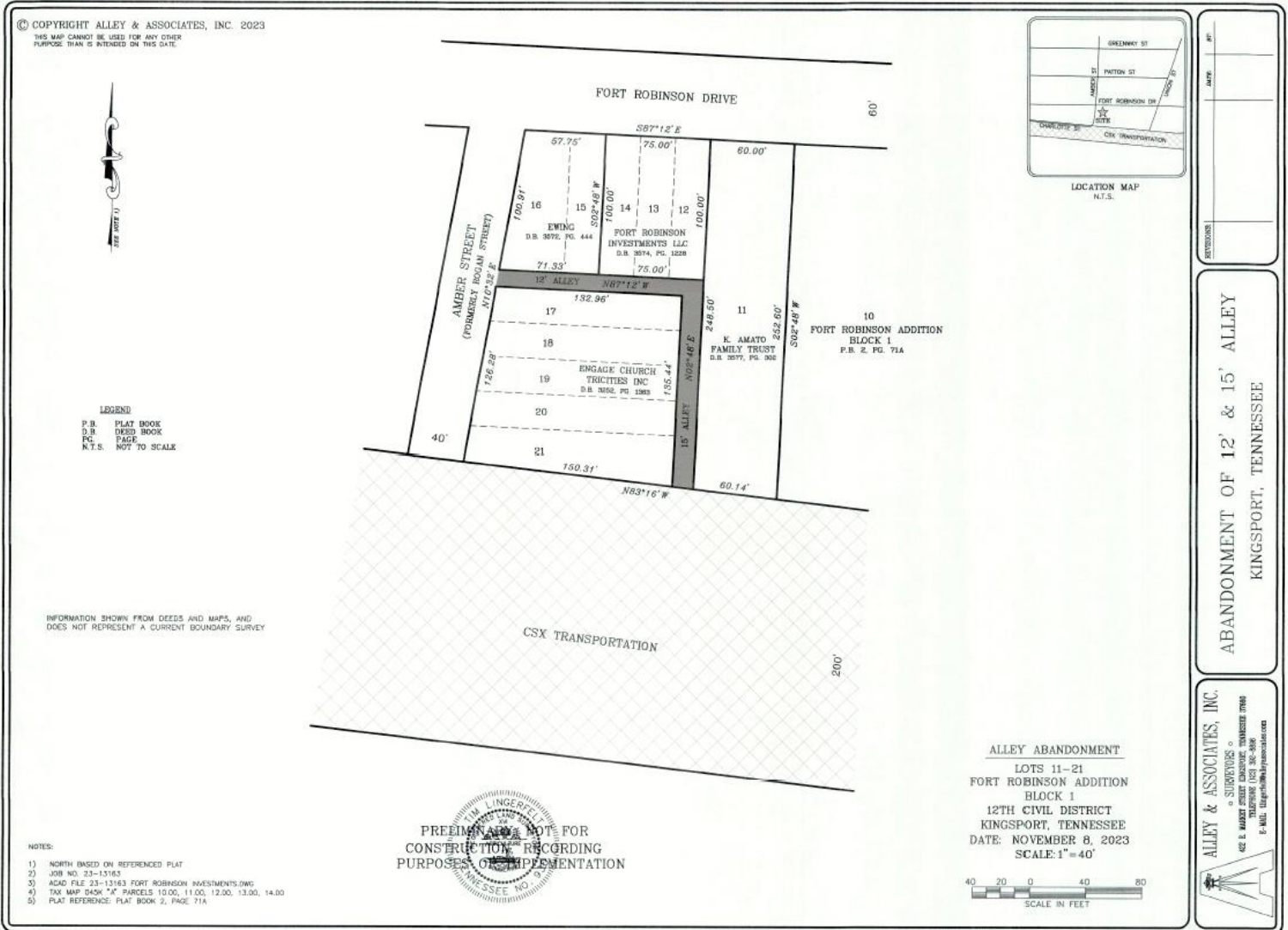
**PETITIONER 1: Billy Robinson**  
**1939 & 1943 Fort Robinson Drive Kingsport TN, 37660**

**INTENT**

The applicant is requesting that the alley right-of-way off of Amber Street to be vacated by the City of Kingsport. The purpose of this request is to have a parking lot behind the 1943 Fort Robinson Dr. parcel. The area requested to be vacated is approximately 0.087 acres. The applicant owns parcels 12 & 13.

This request has been reviewed by all City Departments and approved as there are no city utilities within that area. AEP has secured their right-of-way easement. The City Departments have responded that there is no need to keep this alley.

Staff recommends approval of the vacating the alleyway right-of-way as the City staff see no future use for the property.

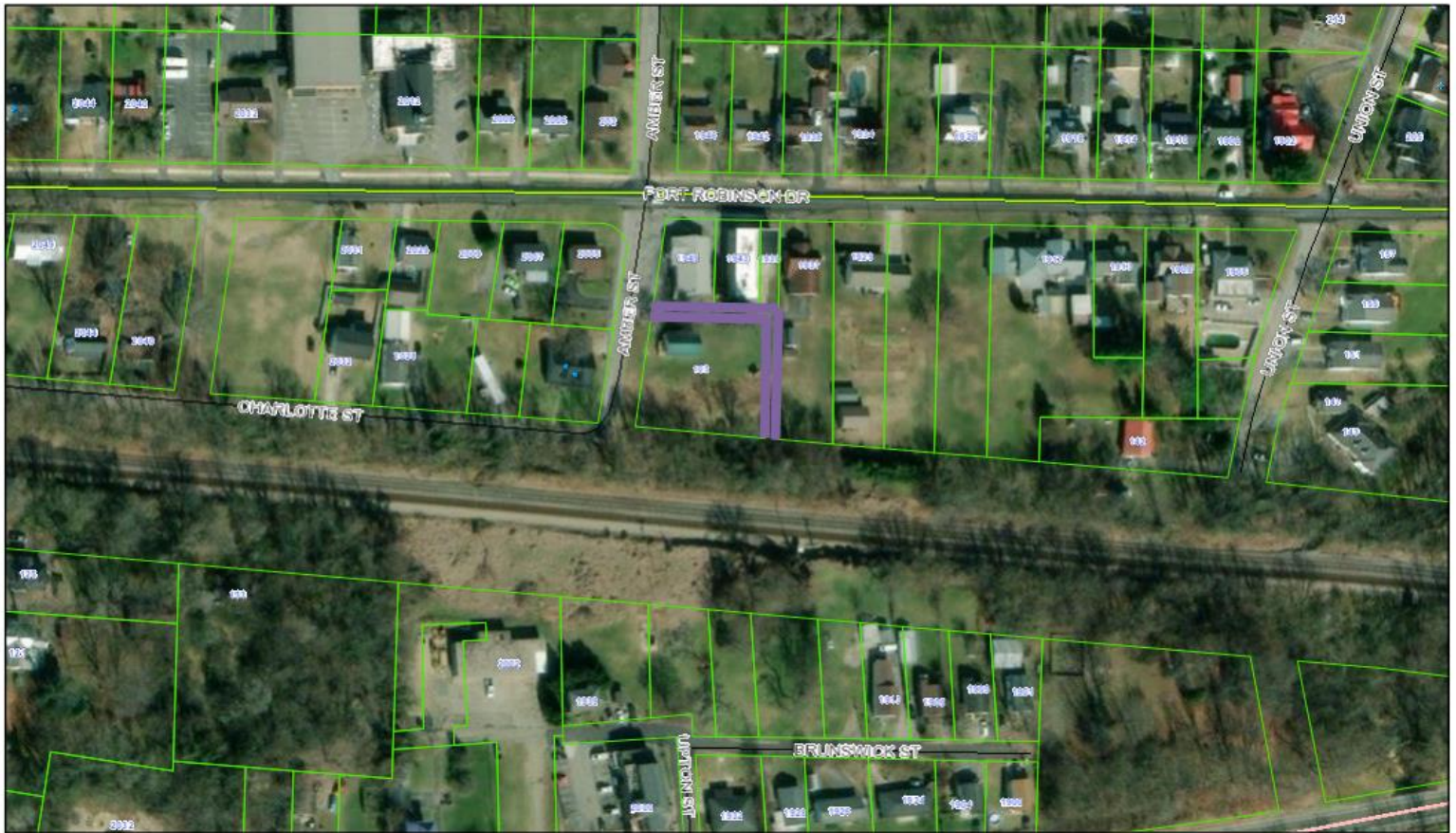


**LEGAL DESCRIPTION**

BEGINNING AT A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET) AND A CORNER TO LOT 16, BLOCK 1, FORT ROBINSON ADDITION (PLAT BOOK 2, PAGE 71A). THENCE LEAVING SAID SIDELINE AND ALONG LOTS 16, 15, 14, 13 AND 12 SOUTH 87° 12' EAST, A DISTANCE OF 146.33 FEET TO A POINT, SAID POINT A CORNER TO LOT 12 AND IN THE LINE OF LOT 11. THENCE ALONG LOT 11 SOUTH 02° 48' WEST, A DISTANCE OF 148.50 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE FOR CSX TRANSPORTATION. THENCE ALONG SAME NORTH 83° 16' WEST, A DISTANCE OF 15.04 FEET TO A POINT, SAID POINT A CORNER TO LOT 21. THENCE LEAVING CSX TRANSPORTATION AND ALONG LOTS 21, 20, 19, 18 AND 17 NORTH 02° 48' EAST, A DISTANCE OF 135.44 FEET TO A POINT, SAID POINT A CORNER TO LOT 17. THENCE ALONG LOT 17 NORTH 87° 12' WEST, A DISTANCE OF 132.96 FEET TO A POINT, SAID POINT LOCATED ON THE EASTERLY SIDELINE OF AMBER STREET (FORMERLY ROGAN STREET). THENCE ALONG SAID SIDELINE NORTH 10° 32' EAST, A DISTANCE OF 12.11 FEET TO THE POINT OF BEGINNING, SAID PARCEL BEING A 12' AND A 15' ALLEY AND CONTAINING 0.087 ACRES MORE OR LESS.



Site Map

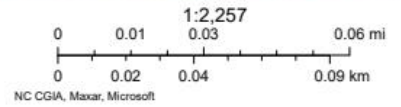


3/5/2024, 9:00:38 AM

Sullivan County Parcels Jan 2023

- Parcels
- Kpt 911 Address
- Urban Growth Boundary

- Streets
- Interstate
  - Expressway
  - Major Arterial
  - Minor Arterial
  - Collector Street
  - Local Street
  - Private Street
  - Ramp



Web AppBuilder for ArcGIS



Zoning



3/5/2024, 9:01:59 AM

Sullivan County Parcels Jan 2023

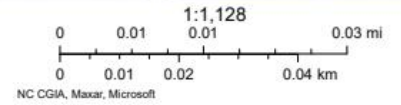
Parcels

Kpt 911 Address

City Zoning

<Null>

TA/C	A-1	B-2	B-4P	M-1	P-1	PD
R-5	A-2	B-3	B-4P	M-1R	P-D	PMD-1
GC	AR	B-3	BC	M-2	PBD-3	PMD-2
B-2E	B-1	B-4	GC	MX	PBD/*	PUD



Web AppBuilder for ArcGIS

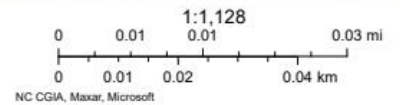
Future Land Use



3/5/2024, 9:04:04 AM

Sullivan County Parcels Jan 2023

- |                 |               |                   |                       |                  |
|-----------------|---------------|-------------------|-----------------------|------------------|
| Parcels         | Agri/Vacant   | Industrial        | Urban Growth Boundary | Major Arterial   |
| Kpt 911 Address | Single Family | Retail/Commercial | Streets               | Minor Arterial   |
|                 | Multi-Family  | Utilities         | Interstate            | Collector Street |
|                 |               |                   | Expressway            | Local Street     |



Web AppBuilder for ArcGIS

**RECOMMENDATION:**

Staff recommends sending a favorable recommendation to the Board Mayor and Alderman for the vacating of the 0.087 alleyway right-of-way.



**AGENDA ACTION FORM**

**Consideration of an Ordinance to Amend the Zoning Code Text by Omitting the Historic Landmark Designation Requirement and Replacing the Required Review Committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.**

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

Action Form No.: AF-5-2024  
Work Session: March 18, 2024  
First Reading: March 19, 2024  
Final Adoption: April 2, 2024  
Staff Work By: Ken Weems  
Presentation By: K. Weems

**Recommendation:**

Approve ordinance amending the zoning ordinance by omitting the historic landmark designation requirement and replacing the required review committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.

**Executive Summary:**

This is a staff-initiated zoning text amendment aimed at streamlining the Demolition by Neglect process. Staff has proposed two changes: 1. Omission of the historic landmark designation requirement as described in the Demolition by Neglect Ordinance. 2. Replacement of the “review committee” with the Historic Zoning Commission (HZC) in the Demolition by Neglect Ordinance. The omission of the historic landmark designation requirement is proposed due to finding no lawful requirement for such. The replacement of the review committee with the full HZC prevents potential for conflict of interest with the Building Official and his/her role in the Demolition by Neglect process (the composition of the review committee is the Building Official, a member of the HZC, and an engineer). Since the Building Official has the responsibility of conducting a demolition by neglect hearing if necessary, staff feels it is wise to remove the Building Official from the review committee by replacing the review committee with the HZC.

During their February 2024 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 text amendment by a vote of 7-0. During their March 2024 regular meeting, the Kingsport Historic Zoning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the text amendment by a vote of 6-0. The notice of public hearing was published on March 4, 2024.

**Attachments:**

- 1. Zoning Ordinance

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

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

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 114 ARTICLE VIII RELATING TO DEMOLITION BY NEGLECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Chapter 114, Article VIII, of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

**ARTICLE VIII. DEMOLITION BY NEGLECT**

**Sec. 114-650. Definitions.**

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

*Building* means any occupied or vacant walled or roofed structure or part thereof used for human occupation or intended to be so used and includes any garages, outbuildings, and appurtenances belonging thereto or usually enjoyed therewith.

*Commission* means the historic zoning commission established pursuant to section 114-240.

*Demolition by neglect* means neglect in maintaining, repairing, or securing a structure in an established historic district that results in deterioration of an exterior feature of the building, or the loss of the structural integrity of the building, including the existence of any defect listed in section 114-654. The term "demolition by neglect" also includes any act or process which destroys, in part or in whole, any building in an established historic district.

*Maintenance and repair* means any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration, decay of, or damage to a structure or any architecturally significant part thereof and to restore or replace, as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

*Owner* means any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises in fee simple and every mortgagee of record.

*Parties in interest* means all individuals, associations, or corporations who have interests of record in a building, or parcel of land or who have actual possession thereof.

*Premises* means a lot, plot, or parcel of land, including any buildings thereon.

*Preservation* means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a Building.

*Undue economic hardship* means the inability of the owner and parties in interest to obtain a reasonable return or a reasonably beneficial use from the building that is the subject of demolition by neglect, or the inability of the owner and parties in interest to finance the required repairs to the building.

**Sec. 114-651. Declaration of findings, policy and purpose.**

(a) The board of mayor and aldermen find that some buildings in the historic districts in the city are or may be allowed to be essentially demolished by neglecting repair to such buildings and that such neglect is detrimental to the protection, preservation, and enhancement of historic sites and buildings in such districts, to property values in the districts, and to the health, safety and welfare of the city and its residents. It is further found that, to prevent such demolition by neglect, T.C.A. § 13-7-407(b) authorizes the governing body of a municipality to enact an ordinance governing demolition by neglect of any building within an established historic district. The board further finds that population growth and development may result in the destruction, impairment or drastic alteration of the buildings, structures and areas important to the city's cultural, historic and architectural heritage. It is further found that the prevention of needless destruction and impairment and the attendant preservation of the city's cultural, historic and architectural heritage are essential to the public health, safety and welfare. The intent of this article is to create a reasonable balance between private property rights and the public interest in preserving the city's historic character and culture. It is also the intent of this chapter not to preserve every old building in the city, but rather to prevent the

destruction of historic and architecturally significant sites, buildings, and structures in established historic districts.

(b) The purpose of this article is to promote the public health, safety and welfare through:

(1) The protection, enhancement, perpetuation and use of buildings, structures, sites and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide for this and future generations examples of the physical surroundings in which past generations lived;

(2) The development and maintenance of appropriate settings and environments for such buildings and structures, and in such sites and areas;

(3) The enhancement of property values, the stabilization of neighborhoods in historic districts, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of tourist trade and interest;

(4) The preservation and enhancement of varied architectural styles, reflecting the distinct phases of the city's history; and

(5) The provision of educational opportunities and to increase the appreciation of the city's history.

**Sec. 114-652. Enforcing official.**

The building official is designated as the public officer who shall exercise the powers prescribed in this article, except as otherwise provided in this article.

**Sec. 114-653. Powers of building official.**

The building official is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and requirements of this article, including the following powers, in addition to others granted in this article:

(1) Investigate conditions in the historic districts of the city in order to determine which buildings are subject to demolition by neglect, except as otherwise provided in this article.

(2) Administer oaths and affirmations, examine witnesses, and receive evidence.

(3) Enter upon premises for the purposes of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to persons in possession.

(4) Designate such other employees to perform duties as may be necessary to the enforcement of this article

**Sec. 114-654. Prevention of demolition by neglect.**

(a) The exterior features of any building located in any historic district shall be preserved against decay and deterioration, and kept free from structural defects by the owner thereof or parties in interest and shall not be permitted to suffer demolition by neglect. It shall be unlawful and an offense for owners or parties in interest of buildings, in established historic districts, to allow any of the following defects to exist and the owner or parties in interest shall repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to the following defects:

(1) Deterioration of exterior walls or other vertical supports rendering such components incapable of carrying imposed load, or that causes leaning, sagging, splitting, listing or buckling.

(2) Deterioration of roofs, roof supports, joists or other horizontal components rendering such components incapable of carrying imposed loads, or that causes leaning, sagging, splitting, listing or buckling.

(3) Deterioration, leaning or settling of chimneys.

(4) Deterioration or crumbling of exterior stucco, mortar or masonry surfaces.

(5) Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings and architectural details that causes delamination, instability, loss of shape and form, or crumbling.

(6) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.

(7) Defective protection or lack of weather protection for exterior wall and roof coverings, with apparent evidence of deterioration.

(8) Rotting, holes, and other forms of decay.

(9) Unsafe electrical or mechanical conditions constituting a fire or safety hazard.

(10) Deterioration of any component so as to create a hazardous condition that could lead to a claim that demolition is necessary for public safety.

(11) Deterioration of any exterior features so as to create or permit the creation of any hazardous or unsafe condition to life, health, or other property.

(b) The preventive measures outlined in subsection (a) of this section are for structural conditions leading to dilapidation of the structure only. This shall not be construed to include cosmetic repair or maintenance.



**Sec. 114-655. Institution of action and notification of hearing.**

(a) Whenever a writing is filed with the building official by either a minimum of five residents of the city, or by a city building inspector charging that a building in any historic district is threatened with demolition by neglect as set out in section 114-654, or whenever it appears to the building official or the historic zoning commission that any building, in an established historic district, is threatened by demolition by neglect, the historic zoning commission shall make a preliminary investigation of the charge applying the standards set forth in section 114-654. If such preliminary investigation discloses a basis for the charge, the historic zoning commission shall issue and cause to be served upon the owner and parties in interest of such building, as the same may be determined by reasonable diligence, a complaint stating the charges the committee finds have a basis for demolition by neglect and a notice that a hearing will be held before the building official at a time and place therein fixed.

(b) The complaint shall contain a notice that a hearing will be held before the building official at a time and place therein fixed, not less than ten days or more than 30 days after the service of the complaint. The notice shall also state that the owner and parties in interest shall have the right to file an answer to the complaint, appear in person, or otherwise, and to give testimony at the time and place fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the building official.

**Sec. 114-656. Hearing procedure.**

(a) A record of the entire hearing shall be made by tape recording or by other means of permanent recording determined appropriate by the building official. A recording of the proceedings shall be made available to all parties upon request and upon payment of a fee established by the board of mayor and aldermen.

(b) Oral evidence shall be taken only on oath or affirmation.

(c) Hearsay evidence is admissible and may be used to support a finding.

(d) Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely on in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction of this state.

(e) Irrelevant and unduly repetitious evidence shall be excluded.

(f) Each party shall have the following rights, among others:

(1) To call and examine witnesses on any matter relevant to the issues of the hearing;

(2) To introduce documentary and physical evidence;

(3) To cross examine opposing witnesses on any matter relevant to the issue of the hearing;

(4) To refute the evidence against the party; and

(5) To representation by counsel.

**Sec. 114-657. Determination of and further notice by building official.**

(a) If, after such notice and hearing as provided for in section 114-655, the building official determines that the building in question has suffered demolition by neglect, the building official shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the owner, and/or parties in interest, an order requiring repairs, improvements, and/or correction of defects, within the time specified, of those elements of the building that are deteriorating, contributing to deterioration, or deteriorated. Any repairs, improvements, and/or correction of defects instituted in compliance with this section shall be made in conformance with the zoning and building codes.

(b) In the event the owner, and/or other parties in interest desire to petition for a claim of undue economic hardship, the order of the building official shall be stayed until after a determination in accordance with the procedures of section 114-658.

(a) The building official may exempt a building from a demolition by neglect order if the building official finds that the owner and parties in interest have proven the order to repair creates undue economic hardship on the owner and parties in interest. An application for a determination of undue economic hardship by the owner and parties at interest shall be made, on a form prepared by the building official, not more than 30 days after delivery of the order finding demolition by neglect. The application must include photographs of the building, information pertaining to the historic significance of the site, if any, and all information required by the building official. All owners and parties in interest must submit the application under oath. The burden of proof of the undue economic hardship is on the owner and parties in interest.

(b) The application shall include the information specified in subsection (a) of this section, and the building official may require that an owner and parties in interest furnish such additional information the building official deems relevant to a determination of undue economic hardship.

(c) In the event any of the required information is not reasonably available to the owner and parties in interest, and cannot be readily obtained, the owner and parties in interest shall describe the reasons why such information cannot be obtained.

(d) The building official shall hold a hearing on the application within 30 days of the timely receipt of such application. Notice will be given and hearing procedures followed in the same manner as set forth in sections 114-655(b) and 114-656. The owner and parties in interest may submit such relevant information they deem appropriate to prove undue economic hardship, but at a minimum shall submit to the building official for his review at least the following information:

- (1) Nature of ownership, legal possession, custody, and control;
- (2) Financial resources of the owner and parties in interest;
- (3) Cost of the repair or correction with supporting documentation from licensed contractors;
- (4) Valuation of the land and improvements;
- (5) Real property taxes for each of the previous two years and the appraised value of the property for those years established by the property assessor for property tax purposes;
- (6) Amount paid for the property, date of purchase, and party from whom purchased, including a description of any relationship between the grantor and grantee, or other means of acquisition of title, such as by gift or inheritance;
- (7) Annual debt service on the property, if any, for previous two years;
- (8) The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two years. This should include testimony and relevant documents regarding:
  - a. Any real estate broker or firm engaged to sell or lease the property;
  - b. Reasonableness of the price or rent sought by the applicant; and
  - c. Any advertisements placed for the sale or lease of the property;
- (9) If the property is commercial or income producing property, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years as claimed as deductions on United States tax returns; and debt service, if any on the property, if not including as an operating or maintenance expense;
- (10) Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed;
- (11) All appraisals obtained within the previous two years by the owner or parties in interest or others in connection with the purchase, financing, attempted sale, or ownership of the property;
- (12) Federal income tax returns filed by persons or parties claiming an undue economic hardship for the previous two years; and
- (13) Any other information the building official deems relevant to the determination of undue economic hardship.

(e) Undue economic hardship does not include self-created hardships, willful or negligent acts of the owner or parties in interest, purchase of the property for substantially more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.

(f) Within 30 days of the hearing on the application, the building official shall make a written finding of whether undue economic hardship exists, and shall enter the reasons for such finding into the record. In the event of a finding of no undue economic hardship, the building official shall issue an order for repair, improvements, or correction of defects within the time specified. In the event of a finding of undue economic hardship, the finding shall be accompanied by a recommended plan to relieve the economic hardship. This plan may include, but not be limited to loans or grants from the city, county, state, or other public, private, or non-profit sources, acquisition by purchase or eminent domain, changes in applicable zoning regulations, or relaxation of the provisions of this article sufficient to mitigate the undue economic hardship.

**Sec. 114-658. Service of complaints or orders.**

Complaints or orders issued by the building official under this article shall be served upon persons, either personally or by certified mail, return receipt requested, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the building official in the exercise of reasonable diligence, and the building official shall make an affidavit to that effect, then the serving of such complaints or orders upon such persons may be made by publishing the same once each week for two consecutive weeks in a newspaper printed and published in the city. A copy of such complaints or orders shall be posted in a conspicuous place on the premises affected by the complaint or order. In addition, a copy of such complaints or orders shall also be filed for record in the register's office of the county in which the building is located, and such filing shall have the same force and effect as other lis pendens notices provided by law.

**Sec. 114-659. Remedies.**

If the owner, and/or parties in interest, fail or refuse to comply with the order of the building official within the time specified, the city may apply for appropriate equitable remedies to enforce the provisions of this article, including an order directing that improvements or repairs be made, or that

other action be taken that is necessary to bring the property in compliance with this article, and if the city shall make the repairs it shall have a lien as set out in section 114-661.

**Sec. 114-660. Creation of lien and payment into court.**

The amount of the cost of such repairs or corrections ordered by the court and made or procured by the building official shall upon the filing of the notice with the office of the register of deeds of the county in which the property lies, be a lien in favor of the city against the real property on which such cost was incurred, second only to liens of the state, county and city for taxes; any lien of the city for special assessments; and any valid lien, right or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. The city tax collector shall collect these costs at the same time and in the same manner as property taxes are collected and shall include penalties and interest calculated as if it were overdue property taxes. However, nothing in this section shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

**Sec. 114-661. Appeals from decision of building official.**

(a) The aggrieved party, against whom the decision of the building official is made, may have a review of the decision by petition for a common law writ of certiorari, addressed to either the city law court or chancery court. Such petition shall be filed within 60 days from the date the decision or order of the building official is made and written notice thereof given the aggrieved party.

(b) Immediately upon the grant of the common law writ of certiorari and service thereof, the building official shall cause to be made, certified, and forwarded to such court a complete transcript of the proceedings in the cause by the building official.

(c) The action may be reviewed by the court in which the petition for certiorari is filed and shall be heard solely upon the transcript of the proceedings before the building official, and neither party shall be entitled to introduce new evidence in such court.

(d) Any party dissatisfied with the decree of the court hearing the cause may, upon giving bond as required by law, take an appeal, as is made and provided by law, where the case shall be heard upon the transcript of the record from the court in which the cause is heard.

**Sec. 114-662. Rules.**

The board of mayor and aldermen may make rules and regulations necessary for the administration and enforcement of this article.

**Sec. 114-663. Penalty and enforcement.**

Any person violating any section of this article shall be guilty of an offense and upon conviction shall be penalized not less than \$1.00 and not more than \$50.00 for each offense. Each day a violation continues shall constitute a separate offense. The imposition of a penalty under this section shall be supplemental to any other action or penalty and shall not prevent the revocation of any permit or license, the taking of any remedial or injunctive action, or seeking any other legal or equitable relief or enforcement.

**Sec. 114-664. Powers conferred are supplemental.**

Nothing in this article shall be construed to abrogate or impair the powers of the city with regard to the enforcement of the provisions of its Charter or any other ordinances or regulations, nor to prevent or punish violations thereof, and the powers conferred by this article shall be in addition and supplemental to the powers conferred by the Charter and other laws. Nothing contained within this article shall diminish the power of the city to declare a building unsafe or a violation of any building or housing code of the city.

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

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PATRICK W. SHULL, MAYOR

ATTEST:

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ANGELA MARSHALL, DEPUTY CITY RECORDER



APPROVED AS TO FORM:

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RODNEY B. ROWLETT, III, CITY ATTORNEY

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

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



**AGENDA ACTION FORM**

**Consideration of an Ordinance to Amend the Zoning Code Text by Omitting the Historic Landmark Designation Requirement and Replacing the Required Review Committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.**

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

Action Form No.: AF-5-2024  
Work Session: March 18, 2024  
First Reading: March 19, 2024  
Final Adoption: April 2, 2024  
Staff Work By: Ken Weems  
Presentation By: K. Weems

**Recommendation:**

Approve ordinance amending the zoning ordinance by omitting the historic landmark designation requirement and replacing the required review committee with the Historic Zoning Commission in the Demolition by Neglect Ordinance.

**Executive Summary:**

This is a staff-initiated zoning text amendment aimed at streamlining the Demolition by Neglect process. Staff has proposed two changes: 1. Omission of the historic landmark designation requirement as described in the Demolition by Neglect Ordinance. 2. Replacement of the “review committee” with the Historic Zoning Commission (HZC) in the Demolition by Neglect Ordinance. The omission of the historic landmark designation requirement is proposed due to finding no lawful requirement for such. The replacement of the review committee with the full HZC prevents potential for conflict of interest with the Building Official and his/her role in the Demolition by Neglect process (the composition of the review committee is the Building Official, a member of the HZC, and an engineer). Since the Building Official has the responsibility of conducting a demolition by neglect hearing if necessary, staff feels it is wise to remove the Building Official from the review committee by replacing the review committee with the HZC.

During their February 2024 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 text amendment by a vote of 7-0. During their March 2024 regular meeting, the Kingsport Historic Zoning Commission voted to send a positive recommendation to the Board of Mayor and Aldermen in support of approving the text amendment by a vote of 6-0. The notice of public hearing was published on March 4, 2024.

**Attachments:**

- 1. Zoning Ordinance

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

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

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, CHAPTER 114 ARTICLE VIII RELATING TO DEMOLITION BY NEGLECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That Chapter 114, Article VIII, of the Code of Ordinances, City of Kingsport, Tennessee, is hereby amended to read as follows:

**ARTICLE VIII. DEMOLITION BY NEGLECT**

**Sec. 114-650. Definitions.**

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

*Building* means any occupied or vacant walled or roofed structure or part thereof used for human occupation or intended to be so used and includes any garages, outbuildings, and appurtenances belonging thereto or usually enjoyed therewith.

*Commission* means the historic zoning commission established pursuant to section 114-240.

*Demolition by neglect* means neglect in maintaining, repairing, or securing a structure in an established historic district that results in deterioration of an exterior feature of the building, or the loss of the structural integrity of the building, including the existence of any defect listed in section 114-654. The term "demolition by neglect" also includes any act or process which destroys, in part or in whole, any building in an established historic district.

*Maintenance and repair* means any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration, decay of, or damage to a structure or any architecturally significant part thereof and to restore or replace, as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

*Owner* means any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises in fee simple and every mortgagee of record.

*Parties in interest* means all individuals, associations, or corporations who have interests of record in a building, or parcel of land or who have actual possession thereof.

*Premises* means a lot, plot, or parcel of land, including any buildings thereon.

*Preservation* means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a Building.

*Undue economic hardship* means the inability of the owner and parties in interest to obtain a reasonable return or a reasonably beneficial use from the building that is the subject of demolition by neglect, or the inability of the owner and parties in interest to finance the required repairs to the building.

**Sec. 114-651. Declaration of findings, policy and purpose.**

(a) The board of mayor and aldermen find that some buildings in the historic districts in the city are or may be allowed to be essentially demolished by neglecting repair to such buildings and that such neglect is detrimental to the protection, preservation, and enhancement of historic sites and buildings in such districts, to property values in the districts, and to the health, safety and welfare of the city and its residents. It is further found that, to prevent such demolition by neglect, T.C.A. § 13-7-407(b) authorizes the governing body of a municipality to enact an ordinance governing demolition by neglect of any building within an established historic district. The board further finds that population growth and development may result in the destruction, impairment or drastic alteration of the buildings, structures and areas important to the city's cultural, historic and architectural heritage. It is further found that the prevention of needless destruction and impairment and the attendant preservation of the city's cultural, historic and architectural heritage are essential to the public health, safety and welfare. The intent of this article is to create a reasonable balance between private property rights and the public interest in preserving the city's historic character and culture. It is also the intent of this chapter not to preserve every old building in the city, but rather to prevent the

destruction of historic and architecturally significant sites, buildings, and structures in established historic districts.

(b) The purpose of this article is to promote the public health, safety and welfare through:

(1) The protection, enhancement, perpetuation and use of buildings, structures, sites and areas that are reminders of past eras, events and persons important in local, state or national history, or that provide significant examples of architectural styles of the past, or that are unique and irreplaceable assets to the city and its neighborhoods, or that provide for this and future generations examples of the physical surroundings in which past generations lived;

(2) The development and maintenance of appropriate settings and environments for such buildings and structures, and in such sites and areas;

(3) The enhancement of property values, the stabilization of neighborhoods in historic districts, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of tourist trade and interest;

(4) The preservation and enhancement of varied architectural styles, reflecting the distinct phases of the city's history; and

(5) The provision of educational opportunities and to increase the appreciation of the city's history.

**Sec. 114-652. Enforcing official.**

The building official is designated as the public officer who shall exercise the powers prescribed in this article, except as otherwise provided in this article.

**Sec. 114-653. Powers of building official.**

The building official is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and requirements of this article, including the following powers, in addition to others granted in this article:

(1) Investigate conditions in the historic districts of the city in order to determine which buildings are subject to demolition by neglect, except as otherwise provided in this article.

(2) Administer oaths and affirmations, examine witnesses, and receive evidence.

(3) Enter upon premises for the purposes of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to persons in possession.

(4) Designate such other employees to perform duties as may be necessary to the enforcement of this article

**Sec. 114-654. Prevention of demolition by neglect.**

(a) The exterior features of any building located in any historic district shall be preserved against decay and deterioration, and kept free from structural defects by the owner thereof or parties in interest and shall not be permitted to suffer demolition by neglect. It shall be unlawful and an offense for owners or parties in interest of buildings, in established historic districts, to allow any of the following defects to exist and the owner or parties in interest shall repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to the following defects:

(1) Deterioration of exterior walls or other vertical supports rendering such components incapable of carrying imposed load, or that causes leaning, sagging, splitting, listing or buckling.

(2) Deterioration of roofs, roof supports, joists or other horizontal components rendering such components incapable of carrying imposed loads, or that causes leaning, sagging, splitting, listing or buckling.

(3) Deterioration, leaning or settling of chimneys.

(4) Deterioration or crumbling of exterior stucco, mortar or masonry surfaces.

(5) Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings and architectural details that causes delamination, instability, loss of shape and form, or crumbling.

(6) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.

(7) Defective protection or lack of weather protection for exterior wall and roof coverings, with apparent evidence of deterioration.

(8) Rotting, holes, and other forms of decay.

(9) Unsafe electrical or mechanical conditions constituting a fire or safety hazard.

(10) Deterioration of any component so as to create a hazardous condition that could lead to a claim that demolition is necessary for public safety.

(11) Deterioration of any exterior features so as to create or permit the creation of any hazardous or unsafe condition to life, health, or other property.

(b) The preventive measures outlined in subsection (a) of this section are for structural conditions leading to dilapidation of the structure only. This shall not be construed to include cosmetic repair or maintenance.

**Sec. 114-655. Institution of action and notification of hearing.**

(a) Whenever a writing is filed with the building official by either a minimum of five residents of the city, or by a city building inspector charging that a building in any historic district is threatened with demolition by neglect as set out in section 114-654, or whenever it appears to the building official or the historic zoning commission that any building, in an established historic district, is threatened by demolition by neglect, the historic zoning commission shall make a preliminary investigation of the charge applying the standards set forth in section 114-654. If such preliminary investigation discloses a basis for the charge, the historic zoning commission shall issue and cause to be served upon the owner and parties in interest of such building, as the same may be determined by reasonable diligence, a complaint stating the charges the committee finds have a basis for demolition by neglect and a notice that a hearing will be held before the building official at a time and place therein fixed.

(b) The complaint shall contain a notice that a hearing will be held before the building official at a time and place therein fixed, not less than ten days or more than 30 days after the service of the complaint. The notice shall also state that the owner and parties in interest shall have the right to file an answer to the complaint, appear in person, or otherwise, and to give testimony at the time and place fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the building official.

**Sec. 114-656. Hearing procedure.**

(a) A record of the entire hearing shall be made by tape recording or by other means of permanent recording determined appropriate by the building official. A recording of the proceedings shall be made available to all parties upon request and upon payment of a fee established by the board of mayor and aldermen.

(b) Oral evidence shall be taken only on oath or affirmation.

(c) Hearsay evidence is admissible and may be used to support a finding.

(d) Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely on in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction of this state.

(e) Irrelevant and unduly repetitious evidence shall be excluded.

(f) Each party shall have the following rights, among others:

(1) To call and examine witnesses on any matter relevant to the issues of the hearing;

(2) To introduce documentary and physical evidence;

(3) To cross examine opposing witnesses on any matter relevant to the issue of the hearing;

(4) To refute the evidence against the party; and

(5) To representation by counsel.

**Sec. 114-657. Determination of and further notice by building official.**

(a) If, after such notice and hearing as provided for in section 114-655, the building official determines that the building in question has suffered demolition by neglect, the building official shall state in writing findings of fact in support of such determination and shall issue and cause to be served upon the owner, and/or parties in interest, an order requiring repairs, improvements, and/or correction of defects, within the time specified, of those elements of the building that are deteriorating, contributing to deterioration, or deteriorated. Any repairs, improvements, and/or correction of defects instituted in compliance with this section shall be made in conformance with the zoning and building codes.

(b) In the event the owner, and/or other parties in interest desire to petition for a claim of undue economic hardship, the order of the building official shall be stayed until after a determination in accordance with the procedures of section 114-658.

(a) The building official may exempt a building from a demolition by neglect order if the building official finds that the owner and parties in interest have proven the order to repair creates undue economic hardship on the owner and parties in interest. An application for a determination of undue economic hardship by the owner and parties at interest shall be made, on a form prepared by the building official, not more than 30 days after delivery of the order finding demolition by neglect. The application must include photographs of the building, information pertaining to the historic significance of the site, if any, and all information required by the building official. All owners and parties in interest must submit the application under oath. The burden of proof of the undue economic hardship is on the owner and parties in interest.

(b) The application shall include the information specified in subsection (a) of this section, and the building official may require that an owner and parties in interest furnish such additional information the building official deems relevant to a determination of undue economic hardship.

(c) In the event any of the required information is not reasonably available to the owner and parties in interest, and cannot be readily obtained, the owner and parties in interest shall describe the reasons why such information cannot be obtained.



(d) The building official shall hold a hearing on the application within 30 days of the timely receipt of such application. Notice will be given and hearing procedures followed in the same manner as set forth in sections 114-655(b) and 114-656. The owner and parties in interest may submit such relevant information they deem appropriate to prove undue economic hardship, but at a minimum shall submit to the building official for his review at least the following information:

- (1) Nature of ownership, legal possession, custody, and control;
- (2) Financial resources of the owner and parties in interest;
- (3) Cost of the repair or correction with supporting documentation from licensed contractors;
- (4) Valuation of the land and improvements;
- (5) Real property taxes for each of the previous two years and the appraised value of the property for those years established by the property assessor for property tax purposes;
- (6) Amount paid for the property, date of purchase, and party from whom purchased, including a description of any relationship between the grantor and grantee, or other means of acquisition of title, such as by gift or inheritance;
- (7) Annual debt service on the property, if any, for previous two years;
- (8) The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two years. This should include testimony and relevant documents regarding:
  - a. Any real estate broker or firm engaged to sell or lease the property;
  - b. Reasonableness of the price or rent sought by the applicant; and
  - c. Any advertisements placed for the sale or lease of the property;
- (9) If the property is commercial or income producing property, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years as claimed as deductions on United States tax returns; and debt service, if any on the property, if not including as an operating or maintenance expense;
- (10) Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed;
- (11) All appraisals obtained within the previous two years by the owner or parties in interest or others in connection with the purchase, financing, attempted sale, or ownership of the property;
- (12) Federal income tax returns filed by persons or parties claiming an undue economic hardship for the previous two years; and
- (13) Any other information the building official deems relevant to the determination of undue economic hardship.

(e) Undue economic hardship does not include self-created hardships, willful or negligent acts of the owner or parties in interest, purchase of the property for substantially more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.

(f) Within 30 days of the hearing on the application, the building official shall make a written finding of whether undue economic hardship exists, and shall enter the reasons for such finding into the record. In the event of a finding of no undue economic hardship, the building official shall issue an order for repair, improvements, or correction of defects within the time specified. In the event of a finding of undue economic hardship, the finding shall be accompanied by a recommended plan to relieve the economic hardship. This plan may include, but not be limited to loans or grants from the city, county, state, or other public, private, or non-profit sources, acquisition by purchase or eminent domain, changes in applicable zoning regulations, or relaxation of the provisions of this article sufficient to mitigate the undue economic hardship.

**Sec. 114-658. Service of complaints or orders.**

Complaints or orders issued by the building official under this article shall be served upon persons, either personally or by certified mail, return receipt requested, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the building official in the exercise of reasonable diligence, and the building official shall make an affidavit to that effect, then the serving of such complaints or orders upon such persons may be made by publishing the same once each week for two consecutive weeks in a newspaper printed and published in the city. A copy of such complaints or orders shall be posted in a conspicuous place on the premises affected by the complaint or order. In addition, a copy of such complaints or orders shall also be filed for record in the register's office of the county in which the building is located, and such filing shall have the same force and effect as other lis pendens notices provided by law.

**Sec. 114-659. Remedies.**

If the owner, and/or parties in interest, fail or refuse to comply with the order of the building official within the time specified, the city may apply for appropriate equitable remedies to enforce the provisions of this article, including an order directing that improvements or repairs be made, or that

other action be taken that is necessary to bring the property in compliance with this article, and if the city shall make the repairs it shall have a lien as set out in section 114-661.

**Sec. 114-660. Creation of lien and payment into court.**

The amount of the cost of such repairs or corrections ordered by the court and made or procured by the building official shall upon the filing of the notice with the office of the register of deeds of the county in which the property lies, be a lien in favor of the city against the real property on which such cost was incurred, second only to liens of the state, county and city for taxes; any lien of the city for special assessments; and any valid lien, right or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. The city tax collector shall collect these costs at the same time and in the same manner as property taxes are collected and shall include penalties and interest calculated as if it were overdue property taxes. However, nothing in this section shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

**Sec. 114-661. Appeals from decision of building official.**

(a) The aggrieved party, against whom the decision of the building official is made, may have a review of the decision by petition for a common law writ of certiorari, addressed to either the city law court or chancery court. Such petition shall be filed within 60 days from the date the decision or order of the building official is made and written notice thereof given the aggrieved party.

(b) Immediately upon the grant of the common law writ of certiorari and service thereof, the building official shall cause to be made, certified, and forwarded to such court a complete transcript of the proceedings in the cause by the building official.

(c) The action may be reviewed by the court in which the petition for certiorari is filed and shall be heard solely upon the transcript of the proceedings before the building official, and neither party shall be entitled to introduce new evidence in such court.

(d) Any party dissatisfied with the decree of the court hearing the cause may, upon giving bond as required by law, take an appeal, as is made and provided by law, where the case shall be heard upon the transcript of the record from the court in which the cause is heard.

**Sec. 114-662. Rules.**

The board of mayor and aldermen may make rules and regulations necessary for the administration and enforcement of this article.

**Sec. 114-663. Penalty and enforcement.**

Any person violating any section of this article shall be guilty of an offense and upon conviction shall be penalized not less than \$1.00 and not more than \$50.00 for each offense. Each day a violation continues shall constitute a separate offense. The imposition of a penalty under this section shall be supplemental to any other action or penalty and shall not prevent the revocation of any permit or license, the taking of any remedial or injunctive action, or seeking any other legal or equitable relief or enforcement.

**Sec. 114-664. Powers conferred are supplemental.**

Nothing in this article shall be construed to abrogate or impair the powers of the city with regard to the enforcement of the provisions of its Charter or any other ordinances or regulations, nor to prevent or punish violations thereof, and the powers conferred by this article shall be in addition and supplemental to the powers conferred by the Charter and other laws. Nothing contained within this article shall diminish the power of the city to declare a building unsafe or a violation of any building or housing code of the city.

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

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PATRICK W. SHULL, MAYOR

ATTEST:

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ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

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RODNEY B. ROWLETT, III, CITY ATTORNEY

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

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



**AGENDA ACTION FORM**

**Consideration of an Ordinance to Abandon a Sewerline Easement Across Property on Riverbend Dr**

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

Action Form No.: AF-48-2024  
Work Session: March 18, 2024  
First Reading: March 19, 2024  
Final Adoption: **April 2, 2024**  
Staff Work By: Alys Dobbins  
Presentation By: Ryan McReynolds

**Recommendation:**  
Approve the Ordinance.

**Executive Summary:**  
Recently plans were submitted for a new subdivision off Riverbend Drive for 45 townhouses. The property contains a sewer line which was abandoned during a prior development. The developer plans to remove the abandoned sewer line to build townhomes and is requesting that the existing easement be abandoned.

A public hearing notice was ran in the Kingsport Times News on March 4, 2024. Planning Commission has reviewed and approved abandonment of this easement at their February 15, 2024 meeting.

Easements for utilities for the new development will be included on the development plat.

The developer has prepared a plat (attached) showing the easement to be abandoned.

**Attachments:**  
1. Ordinance

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

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

AN ORDINANCE TO ABANDON A SECTION OF A SANITARY SEWER EASEMENT LOCATED OFF OF RIVERBEND DRIVE SITUATED IN THE CITY OF KINGSPORT, ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, City acquired an easement dedicated by plat for the installation, operation, and maintenance of a sanitary sewer located in the 11<sup>th</sup> Civil District of Sullivan County as more particularly described in a plat of record dated September 1, 2015, recorded at Plat Book 55 at Page 154 in the Office of the Sullivan County Register of Deeds; and

WHEREAS, after due investigation and careful consideration at a public meeting held on February 15<sup>th</sup>, 2024, the Kingsport Regional Planning Commission has determined that the public interest of the city is best served and warrants abandoning that portion of sanitary sewer easement described herein, nor can any future use of the same sanitary sewer easement purposes be reasonably anticipated; and

WHEREAS, as a result of its action at the meeting held on February 15<sup>th</sup>, 2024, the Kingsport Regional Planning Commission recommends to the Board of Mayor and Aldermen to abandon the sanitary sewer easement described herein; and

WHEREAS, a public hearing before the Board of Mayor and Aldermen of the City of Kingsport, Tennessee, was held on the 19<sup>th</sup> day of March, 2024, and notice thereof published in the Kingsport Times-News on the 4<sup>th</sup> day of March, 2024.

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

SECTION I. The city hereby abandons that portion of the sanitary sewer easement located in the 11<sup>th</sup> Civil District of Sullivan County, Tennessee, dedicated to City by plat of record in Plat Book 55 at Page 154, and described as follows:

Sewer Line 1

Located in the 11<sup>th</sup> Civil District of Sullivan County, Tennessee and being more particularly described as follows:

To find the point of beginning, Commence on an iron rod found in the southeastern right of way line of Riverbend Drive, common corner of Lot 1 and Lot 7, "Property of First Southeast Development, LLC." (Plat Book P58, Page 271); thence with said right of way line S 43°40'06" W 130.73' to a point, the Point of Beginning; thence five calls through said Lot 7, (1) S 57°41'08" E 22.47' to a point on a now or formerly existing manhole, (2) S 21°26'26" W 145.16' to a point on a manhole, (3) S 59°50'48" W 66.65' to a point on a manhole, (4) S 44°10'59" W 112.08' to a point on a now or formerly existing manhole, (5) S 39°55'54" W, crossing a manhole at 88.67', a total distance of 96.17' to the Ending Point, said ending point bears S 43°40'06" W 585.19' and then S 85°50'02" E 82.47' from the point of commencement. The bearings herein are referenced to Tennessee State Plane Grid North (NAD83(2011)).

Sewer Line 2

Located in the 11<sup>th</sup> Civil District of Sullivan County, Tennessee and being more particularly described as follows:

To find the point of beginning, Commence on an iron rod found in the southeastern right of way line of Riverbend Drive, common corner of Lot 1 and Lot 7, "Property of First Southeast Development, LLC." (Plat Book P58, Page 271); thence with said right of way line S 43°40'06" W 130.73' to a point; thence through said Lot 7, S 57°41'08" E 22.47' to a point on a now or formerly existing manhole, the Point of Beginning; thence through said Lot 7, S 79°23'06" E 172.13' to a point in the common line of said Lots 1 and 7, the Ending Point, said ending point bears S 35°17'49" E 169.43' along said common line from the point of commencement. The bearings herein are referenced to Tennessee State Plane Grid North (NAD83(2011)).

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 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-85-2024  
Work Session: March 18, 2024  
First Reading: March 19, 2024  
Final Adoption: April 2, 2024  
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 seven at their meeting on March 12, 2024. This amendment increases the budget for the General Purpose School Fund by \$1,096,022. Two donations have been received, that total \$420,000 and a Fund Balance appropriation of \$676,022 is being recommended. These funds will be transferred to the General Project Fund. A John Adams Playground expansion project will be established for \$120,000. These funds have been donated by the John Adams PTO. A donation received from Mr. and Mrs. Andy Eidson for \$300,000 will be added to the D-B Dome Renovation project. These funds will fund additional LED lighting. A transfer from the General Purpose School Fund, Fund Balance of \$676,022 and an appropriation of \$47,012 in interest earnings will fund the school's portion of the Tribe Athletic Complex roof replacement.

**Attachments:**

- 1. Ordinance

	Y	N	O
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 Other Local Revenue by \$420,000 and the estimated revenue for Fund Balance Appropriations by 650,541 and by increasing the appropriations for the Fund Transfers by 1,070,541. The General Project Fund Budget will be amended by increasing the estimated revenues and appropriations for the Sullivan North Renovation project by \$697,553: by increasing the estimated revenues and appropriations for the D-B Dome Renovation project by \$300,000; and establishing a project for the Adams Playground Expansion by increasing the estimated revenue and appropriations by \$120,000.

**Fund 141: General Purpose School Fund**

<b><u>Revenues:</u></b>		\$	\$	\$
141-0000-369-4990 Other Local Revenue	1,023,713	420,000	1,443,713	
141-0000-392-0100 Fund Balance Appropriations	3,099,766	676,022	3,775,788	
<b><i>Totals</i></b>	4,123,479	1,096,022	5,219,501	
 <b><u>Expenditures:</u></b>		 \$	 \$	 \$
141-7950-881-0590 Fund Transfers	4,211,317	1,096,022	5,307,339	
<b><i>Totals</i></b>	4,211,317	1,096,022	5,307,339	

**Fund 311: General Project Fund**

<b><u>Sullivan North Renovation Project (GP1733)</u></b>				
<b><u>Revenues:</u></b>		\$	\$	\$
311-0000-361-1050 School Bond Interest	777,587	47,012	824,599	
311-0000-368-9900 Miscellaneous Revenue	1,658,940	0	1,658,940	
311-0000-391-2100 Transfer from School Fund	3,114,758	676,022	3,790,780	
311-0000-391-2150 Sullivan Co School Bonds	2,365,050	0	2,365,050	
<b><i>Total:</i></b>	7,916,335	723,034	8,639,369	
 <b><u>Expenditures:</u></b>		 \$	 \$	 \$
311-0000-601-2022 Construction Contracts	4,813,693	723,034	5,536,727	
311-0000-601-2023 Architect/Engineering Serv	1,050,000	0	1,050,000	
311-0000-601-9003 Improvements	2,052,642	0	2,052,642	
<b><i>Total:</i></b>	7,916,335	723,034	8,639,369	

**D-B Dome Renovation Project (GP2401)**

<b>Revenues:</b>	\$	\$	\$
311-0000-368-1069 GO Bonds Series 2021	2,364,250	0	2,364,250
311-0000-368-1072 GO Bonds Series 2023	20,679,857	0	20,679,857
311-0000-368-2101 Premium From Bond Sale	537,422	0	537,422
311-0000-391-2100 Transfer from School Fund	0	300,000	300,000
<b>Total:</b>	<b>23,581,529</b>	<b>300,000</b>	<b>23,881,529</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	21,370,535	741,000	22,111,535
311-0000-601-2023 Architect/Engineering Serv	1,993,715	(441,000)	1,552,715
311-0000-601-4041 Bond Sale Expense	217,279	0	217,279
<b>Total:</b>	<b>23,581,529</b>	<b>300,000</b>	<b>23,881,529</b>

**Adams Playground Expansion Project (GP2400)**

<b>Revenues:</b>	\$	\$	\$
311-0000-391-2100 Transfer from School Fund	0	120,000	120,000
<b>Total:</b>	<b>0</b>	<b>120,000</b>	<b>120,000</b>

<b>Expenditures:</b>	\$	\$	\$
311-0000-601-2022 Construction Contracts	0	12,000	12,000
311-0000-601-2023 Architect/Engineering Serv	0	108,000	108,000
<b>Total:</b>	<b>0</b>	<b>120,000</b>	<b>120,000</b>

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

\_\_\_\_\_  
PAT W. SHULL, Mayor

ATTEST:

\_\_\_\_\_  
ANGELA MARSHAL, 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-73-2024  
 Work Session: March 18, 2024  
 First Reading: March 19, 2024

**Final Adoption: April 2, 2024**  
 Staff Work By: John Morris  
 Presentation By: Chris McCartt

**Recommendation:**

Approve the Budget Ordinance.

**Executive Summary:**

- The General Fund is being amended by increasing the Industrial Property Tax line by \$120,000, the Tangible Commercial Property Tax line by \$180,530, the Local Court Costs by \$120,000, the Earnings on Investments line by \$200,000, and the Engineering Fees line by \$340,000 for a total of \$960,530 to be allocated to Petworks in the amount of \$75,000, the KEDB Façade Program in the amount of \$35,000, the IT Computer Repairs/Maintenance line the amount of \$175,000, the To State Street Aid Fund line in the amount of \$530, the General Proj-Special Revenue line in the amount of \$200,000 for a Chiller at Civic Auditorium, to the Miscellaneous line in the amount of \$200,000 and to the General Project Fund line in the amount of \$275,000 for TCAT/Tribe Roof Repairs, and by transferring \$139,470 from To Urban Mass Transit line to the To State Street Aid Fund for the purchase of Salt.
- The General Project-Special Revenue Fund is being amended by adding \$200,000 to the Facilities Improvements project (NC2221) for the purchase of a chiller at Civic Auditorium.
- The State Street Aid Fund is being amended by adding \$140,000 for Salt replacement.
- The Metropolitan Planning Organization Fund is being amended by accepting \$1,099 in additional funding from FHWA/VA to the MPO Administration project (MPO024)
- The Visitors Enhancement Fund is being amended by transferring \$120,000 the Aquatic Center Fund for use in the KAC Miscellaneous project (AQ2403).
- The General Project Fund is being amended by appropriating \$275,000 to the Sullivan North Renovation project (GP1733) for TCAT/Tribe Roof Repairs.
- The Water Project Fund is being amended by transferring \$30,000 from the Horse Creek Area Upgrades project (WA2404) to Main Street Waterline Replacement project (WA1901).
- The Sewer Project Fund is being amended by transferring \$39,646 from the Reedy Creek Trunkline Phase II project (SW2205) to the Main Street Sewer Replacement project (SW1901), transferring \$37,547 from the System Improvements SLS project (SW2005), \$80,525 from the WWTP Electric Upgrades project (SW2206), and \$10,000 from the Equipment Purchases project (SW2302) for a total of \$128,072 to the Pump Station Improvements project (SW2400), by transferring \$90,000 from the Equipment Purchases project (SW2302) to the SW Vactor Truck Dewater project (SW2307), and by transferring \$1,500,000 from the Watauga St Sewer Improvements project (SW2406) to the Reedy Creek Sullivan to Clinchfield project (SW2410) in the amount of \$1,000,000 and to the WWTP Headworks Imp project (SW2411) in the amount of \$500,000. Close SW2302.
- The Aquatic Center Fund is being amended by increasing the From Visitors Enhancement line and the To Aquatics Project Fund line by \$120,000.
- The Aquatic Center Project Fund is being amended by appropriating \$120,000 from the Aquatic Center Fund to the KAC Miscellaneous project (AQ2403).

**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 Fund be amended by increasing the Industrial line (110-0000-311.10-15) by \$120,000, the Tangible Commercial line (110-0000-311.20-10) by \$180,530, the Local Court Costs line (110-0000-351.31-00) by \$120,000, the Earnings on Investments line (110-0000-361.10-00) by \$200,000, and the Engineering Fees line (110-0000-348.80-00) by \$340,000 for a total of \$960,530 to be allocated to the SBK Animal Control line (110-1005-405.80-51) in the amount of \$75,000, to the KEDB Façade Program line (110-1005-405.80-78) in the amount of \$35,000, the Computer Repairs/Maintenance line (110-1013-404.20-56) in the amount of \$175,000, the To State Street Aid Fund line (110-4804-481.70-23) in the amount of \$530, to the General Proj-Special Revenue line (110-4804-481.70-35) in the amount of \$200,000, to the Miscellaneous line (110-4810-481.20-99) in the amount of \$200,000 and to the General Project Fund line (110-4804-48170-36) in the amount of \$275,000, and by transferring \$139,470 from To Urban Mass Transit line (110-4804-481.70-13) to the To State Street Aid Fund line (110-4804-481.70-23).

SECTION II. That the General Project-Special Revenue Fund be amended by appropriating \$200,000 from the General Fund to the Facilities Improvements project (NC2221).

SECTION III. That the State Street Aid Fund be amended by increasing the From General Fund line (121-0000-391.01-00) by \$140,000 and the Snow Removal Supplies line (121-4024-461.30-38) by \$140,000.

SECTION IV. That the Metropolitan Planning Organization Fund be amended by increasing the FHWA/VA FHWA 100% line (122-0000-337.52-10) by \$1,099 and the Operating Supplies & Tool line (122-0000-609.30-20) by \$1,099 in the MPO Administration project (MPO024).

SECTION V. That the Visitors Enhancement Fund be amended by transferring \$120,000 from the Improvements line (135-105-405.90-03) to the Aquatic Center Fund line (135-4804-481.70-39) in the amount of \$120,000.

SECTION VI. That the General Project Fund be amended by appropriating \$275,000 from the General Fund to the Sullivan North Renovation project (GP1733).

SECTION VII. That the Water Project Fund be amended by transferring \$30,000 from the Horse Creek Area Upgrades project (WA2404) to Main Street Waterline Replacement project (WA1901).

SECTION VIII. That the Sewer Project Fund be amended by transferring \$39,646 from the Reedy Creek Trunkline Phase II project (SW2205) to the Main Street Sewer Replacement project (SW1901), transferring \$37,547 from the System Improvements SLS project (SW2005), \$80,525 from the WWTP Electric Upgrades project (SW2206), and \$10,000 from the Equipment Purchases project (SW2302) for a total of \$128,072 to the Pump Station Improvements project (SW2400), by transferring \$90,000 from the Equipment Purchases project (SW2302) to the SW

Vactor Truck Dewater project (SW2307), and by transferring \$1,500,000 from the Watauga St Sewer Improvements project (SW2406) to the Reedy Creek Sullivan to Clinchfield project (SW2410) in the amount of \$1,000,000 and to the WWTP Headworks Imp project (SW2411) in the amount of \$500,000. Close SW2302.

SECTION IX. That the Aquatic Center Fund be amended by increasing the From Visitors Enhancement line (419-0000-391.69-00) and the To Aquatics Project Fund line (419-6996-686.70-09) by \$120,000.

SECTION X. That the Aquatic Center Project Fund be amended by appropriating \$120,000 from the Aquatic Center Fund to the KAC Miscellaneous project (AQ2403).

**Account Number/Description:**

**General Fund: 110**

**Revenues:**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
110-0000-311.10-15 Industrial	2,343,600	120,000	2,463,600
110-0000-311.20-10 Tangible Commercial	6,337,050	180,530	6,517,580
110-0000-348.80-00 Engineering Fees	300,000	340,000	640,000
110-0000-351.31-00 Local Court Costs	200,000	120,000	320,000
110-0000-361.10-00 Earnings on Investments	800,000	200,000	1,000,000
<b>Total:</b>	<b>9,980,650</b>	<b>960,530</b>	<b>10,941,180</b>

**Expenditures:**

	\$	\$	\$
110-1005-405.80-51 SBK Animal Control	350,000	75,000	425,000
110-1005-405.80-78 KEDB Façade Program	100,000	35,000	135,000
110-1013-404.20-57 Computer Repairs/Mainten	1,012,809	175,000	1,187,809
110-4804-481.70-13 To UMTA Fund	380,000	(139,470)	240,530
110-4804-481.70-23 To State Street Aid Fund	1,026,200	140,000	1,166,200
110-4804-481.70-35 To Gen Proj-Special Rev	970,645	200,000	1,170,645
110-4804-481.70-36 General Project Fund	388,568	275,000	663,568
110-4810-481.20-99 Miscellaneous	0	200,000	200,000
<b>Total:</b>	<b>4,228,222</b>	<b>960,530</b>	<b>5,188,752</b>

**General Projects-Special Revenue Fund: 111**

**Account Number/Description:**

**Facilities Improvements (NC2221)**

**Revenues:**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
111-0000-391.01-00 From General Fund	734,288	200,000	934,288
<b>Total:</b>	<b>734,288</b>	<b>200,000</b>	<b>934,288</b>

**Expenditures:**

	\$	\$	\$
111-0000-601.90-03 Improvements	734,288	200,000	934,288
<b>Total:</b>	<b>734,288</b>	<b>200,000</b>	<b>934,288</b>



**State Street Aid Fund: 121**

**Account Number/Description:**

**Revenues:**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
121-0000-391.01-00 From General Fund	\$ 1,026,200	\$ 140,000	\$ 1,166,200
<b>Total:</b>	<b>1,026,200</b>	<b>140,000</b>	<b>1,166,200</b>

**Expenditures:**

121-4024-461.30-38 Snow Removal Supplies

	\$ 210,083	\$ 140,000	\$ 350,083
<b>Total:</b>	<b>210,083</b>	<b>140,000</b>	<b>350,083</b>

**Account Number/Description:**

**General Fund: 122**

**MPO Administration (MPO024)**

**Revenues:**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
122-0000-332.90-95 CPG 5% State Funding	\$ 14,108	\$ 0	\$ 14,108
122-0000-337.52-10 FHWA/TN FHWA 80%	225,736	0	225,736
122-0000-337.52-25 FHWA/VA FHWA 100%	23,124	1,099	24,223
122-0000-391.01-00 From General Fund	57,793	0	57,793
<b>Total:</b>	<b>320,761</b>	<b>1,099</b>	<b>321,860</b>

**Expenditures:**

122-0000-609.30-20 Operating Supplies & Tools

	\$ 15,259	\$ 1,099	\$ 16,358
<b>Total:</b>	<b>15,259</b>	<b>1,099</b>	<b>16,358</b>

**Visitors Enhancement Fund: 135**

**Expenditures:**

135-1015-405.90-03 Improvements  
135-4804-481.70-39 Aquatic Center Fund

	\$ 274,809	\$ (120,000)	\$ 154,809
	53,241	120,000	173,241
<b>Total:</b>	<b>328,050</b>	<b>0</b>	<b>328,050</b>

**Account Number/Description:**

**General Project Fund: 311**

**Sullivan North Renovation Project (GP1733)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
311-0000-361.10-50 School Bond Interest	777,587	0	777,587
311-0000-368.99-00 Miscellaneous	1,658,940	0	1,658,940
311-0000-391.21-00 Transfer from School Fund	3,114,758	0	3,114,758
311-0000-391.21-50 Sullivan Co School Bonds	2,365,050	0	2,365,050
311-0000-391.01-00 From General Fund	0	275,000	275,000
<b>Total:</b>	<b>7,916,335</b>	<b>275,000</b>	<b>8,191,335</b>

**Expenditures:**

	\$	\$	\$
311-0000-601.20-22 Construction Contracts	4,813,693	275,000	5,088,693
311-0000-601.20-23 Arch/Eng/ Landscaping Serv	1,050,000	0	1,050,000
311-0000-601.90-03 Improvements	2,052,642	0	2,052,642
<b>Total:</b>	<b>7,916,335</b>	<b>275,000</b>	<b>8,191,335</b>

**Account Number/Description:**

**Water Project Fund: 451**

**Horse Creek Area Upgrades (WA2404)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
451-0000-332.90-00 Department of Transportation	42,900	0	42,900
451-0000-391.05-72 Series 2023 GO Imp Bonds	465,000	(30,000)	435,000
<b>Total:</b>	<b>507,900</b>	<b>(30,000)</b>	<b>477,900</b>

**Expenditures:**

	\$	\$	\$
451-0000-605.20-23 Arch/Eng/Landscaping Serv	85,800	(30,000)	55,800
451-0000-605.90-03 Improvements	422,100	0	422,100
<b>Total:</b>	<b>507,900</b>	<b>(30,000)</b>	<b>477,900</b>

**Main St Waterline Replacement (WA1901)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
451-0000-391.05-47 Series 2017 B GO Bonds	17,829	0	17,829
451-0000-391.05-48 GO Bonds Series 2018 B	1,149,252	0	1,149,252
451-0000-391.05-56 Series 2019 GO Improve	129,482	0	129,482
451-0000-391.05-69 GO Bonds Series 2021	5,044	0	5,044
451-0000-391.05-72 GO Bonds Series 2023	35,000	30,000	65,000
451-0000-391.45-00 From Water Fund	458,786	0	458,786
<b>Total:</b>	<b>1,795,393</b>	<b>30,000</b>	<b>1,825,393</b>

**Expenditures:**

	\$	\$	\$
451-0000-605.20-20 Professional/Consultant	35,000	0	35,000
451-0000-605.20-23 Arch/Eng/Landscaping Serv	0	30,000	30,000
451-0000-605.90-01 Land	2,000	0	2,000
451-0000-605.90-03 Improvements	1,758,393	0	1,758,393
<b>Total:</b>	<b>1,795,393</b>	<b>30,000</b>	<b>1,825,393</b>

**Account Number/Description:**

**Sewer Project Fund: 452**

**Reedy Creek Trunk Line (SW2205)**

	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>	\$	\$	\$
452-0000-391.05-56 Series 2019 GO Improvement	32,401	0	32,401
452-0000-391.05-69 GO Bonds Series 2021	1,000,000	(39,646)	960,354
452-0000-391.42-00 From Sewer Fund	6,245	0	6,245
<b>Total:</b>	<b>1,038,646</b>	<b>(39,646)</b>	<b>999,000</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
452-0000-601.20-23 Arch/Eng/Landscaping Serv	1,038,646	(39,646)	999,000
<b>Total:</b>	<b>1,038,646</b>	<b>(39,646)</b>	<b>999,000</b>

**Main St Sewer Line Replacement (SW1901)**

	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>	\$	\$	\$
452-0000-391.05-47 Series 2017 B GO Bonds	404,608	0	404,608
452-0000-391.05-48 GO Bonds Series 2018 B	400,551	0	400,551
452-0000-391.05-56 Series 2019 GO Improvement	7,183	0	7,183
452-0000-391.05-69 GO Bonds Series 2021	378,483	39,646	418,129
452-0000-391.42-00 From Sewer Fund	34,726	0	34,726
<b>Total:</b>	<b>1,225,551</b>	<b>39,646</b>	<b>1,265,197</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
452-0000-606.20-23 Arch/Eng/Landscaping	60,711	39,646	100,357
452-0000-601.90-03 Improvements	1,164,840	0	1,164,840
<b>Total:</b>	<b>1,225,551</b>	<b>39,646</b>	<b>1,265,197</b>

**System Improvements SLS (SW2005)**

	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>	\$	\$	\$
452-0000-391.05-40 2015 A (OCT) GP PUB IMP	310,429	0	310,429
452-0000-391.05-45 Series 2016 GO (Nov 4)	23,812	0	23,812
452-0000-391.05-47 Series 2017 B GO Bonds	706,000	0	706,000
452-0000-391.05-56 Series 2019 GO Improvement	484,400	(37,547)	446,853
452-0000-391.05-69 GO Bonds Series 2021	95,000	0	95,000
452-0000-391.42-00 From Sewer Fund	102,000	0	102,000
<b>Total:</b>	<b>1,721,641</b>	<b>(37,547)</b>	<b>1,684,094</b>
<b><u>Expenditures:</u></b>	\$	\$	\$
452-0000-606.20-22 Construction Contracts	1,383,300	(34,584)	1,348,716
452-0000-606.20-23 Arch/Eng/Landscaping Serv	258,695	(1,463)	257,232
452-0000-606.90-01 Land	2,686	0	2,686
452-0000-606.90-03 Improvements	76,960	(1,500)	75,460
<b>Total:</b>	<b>1,721,641</b>	<b>(37,547)</b>	<b>1,684,094</b>

**WWTP Electric Upg (SW2206)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
452-0000-391.05-69 GO Bonds Series 2021	600,000	(80,525)	519,475
<b>Total:</b>	<b>600,000</b>	<b>(80,525)</b>	<b>519,475</b>

**Expenditures:**

452-0000-601.20-23 Arch/Eng/Landscaping Serv	600,000	(80,525)	519,475
<b>Total:</b>	<b>600,000</b>	<b>(80,525)</b>	<b>519,475</b>

**Equipment Purchases (SW2302)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
452-0000-391.42-00 From Sewer Fund	100,000	(100,000)	0
<b>Total:</b>	<b>100,000</b>	<b>(100,000)</b>	<b>0</b>

**Expenditures:**

452-0000-606.90-04 Equipment	100,000	(100,000)	0
<b>Total:</b>	<b>100,000</b>	<b>(100,000)</b>	<b>0</b>

**Pump Station Improvements (SW2400)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
452-0000-391.05-56 Series 2019 GO Improvement	0	37,547	37,547
452-0000-391.05-69 GO Bonds Series 2021	0	80,525	80,525
452-0000-391.42-00 From Sewer Fund	325,000	10,000	335,000
<b>Total:</b>	<b>325,000</b>	<b>128,072</b>	<b>453,072</b>

**Expenditures:**

452-0000-606.90-19 Pump Stations	325,000	128,072	453,072
<b>Total:</b>	<b>325,000</b>	<b>128,072</b>	<b>453,072</b>

**SW Vactor Truck Dewatering (WA2307)**

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
<b>Revenues:</b>	\$	\$	\$
452-0000-337.16-23 American Rescue Plan	400,000	0	400,000
452-0000-391.42-00 From Sewer Fund	87,600	90,000	177,600
<b>Total:</b>	<b>487,600</b>	<b>90,000</b>	<b>577,600</b>

**Expenditures:**

451-0000-605.90-03 Improvements	487,600	90,000	577,600
<b>Total:</b>	<b>487,600</b>	<b>90,000</b>	<b>577,600</b>

<b><u>Watauga St Sewer Improvements (SW2406)</u></b>			
	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>			
452-0000-391.05-72 GO Bonds Series 2023	\$ 1,500,000	\$ (1,500,000)	\$ 0
<b>Total:</b>	<b>1,500,000</b>	<b>(1,500,000)</b>	<b>0</b>

<b><u>Expenditures:</u></b>			
452-0000-601.90-03 Improvements	\$ 1,500,000	\$ (1,500,000)	\$ 0
<b>Total:</b>	<b>1,500,000</b>	<b>(1,500,000)</b>	<b>0</b>

<b><u>Reedy Creek Sullivan to Clinchfield (SW2410)</u></b>			
	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>			
452-0000-391.05-72 GO Bonds Series 2023	\$ 0	\$ 1,000,000	\$ 1,000,000
<b>Total:</b>	<b>0</b>	<b>1,000,000</b>	<b>1,000,000</b>

<b><u>Expenditures:</u></b>			
452-0000-601.20-23 Arch/Eng/Landscaping Serv	\$ 0	\$ 1,000,000	\$ 1,000,000
<b>Total:</b>	<b>0</b>	<b>1,000,000</b>	<b>1,000,000</b>

<b><u>WWTP Headworks Improvements (SW2411)</u></b>			
	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>			
452-0000-391.05-72 GO Bonds Series 2023	\$ 0	\$ 500,000	\$ 500,000
<b>Total:</b>	<b>0</b>	<b>500,000</b>	<b>500,000</b>

<b><u>Expenditures:</u></b>			
452-0000-601.20-23 Arch/Eng/Landscaping Serv	\$ 0	\$ 500,000	\$ 500,000
<b>Total:</b>	<b>0</b>	<b>500,000</b>	<b>500,000</b>

**Account Number/Description:**

**Aquatic Center Fund: 419**

	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
<b><u>Revenues:</u></b>			
419-0000-391.69-00 Visitors Enhancement Fund	\$ 53,241	\$ 120,000	\$ 173,241
<b>Total:</b>	<b>53,241</b>	<b>120,000</b>	<b>173,241</b>

<b><u>Expenditures:</u></b>			
419-6996-696.76-09 Aquatics Project Fund	\$ 438,241	\$ 120,000	\$ 558,241
<b>Total:</b>	<b>438,241</b>	<b>120,000</b>	<b>558,241</b>

**Account Number/Description:**

**Aquatics Project Fund: 459**

**KAC Miscellaneous (AQ2403)**

**Revenues:**

459-0000-391.37-00 From Aquatic Center

	<b><u>Budget</u></b>	<b><u>Incr/(Decr)</u></b>	<b><u>New Budget</u></b>
	\$ 152,000	\$ 120,000	\$ 272,000
<b>Total:</b>	<b>152,000</b>	<b>120,000</b>	<b>272,000</b>

**Expenditures:**

459-0000-629.90-03 Improvements

	\$ 152,000	\$ 120,000	\$ 272,000
<b>Total:</b>	<b>152,000</b>	<b>120,000</b>	<b>272,000</b>

SECTION XI. 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 Awarding the Bid for the Tribe Athletic Center Re-Roof Project to Barnard Roofing Company 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-87-2024  
 Work Session: April 1, 2024  
 First Reading: N/A  
 Final Adoption: April 2, 2024  
 Staff Work By: Committee  
 Presentation By: David Frye

**Recommendation:** Approve the Resolution.

**Executive Summary:**

The City of Kingsport issued an Invitation to Bid on January 24, 2024, for the Tribe Athletic Center Re-Roof. The bid included a base bid and 2 alternates. The base bid was for the re-roof of the gym, gym lobby, restrooms and a portion of the hall way leading to the old vocational area. Alternate #1 is for the re-roof of the old vocational area. This facility is currently being used by TCAT. The City of Kingsport has agreed to fund this portion of the project. Alternate #2 is for the re-roof of the hallway area that joins the other two. These are three separate roof systems. A diagram has been included that shows these separate roof systems. On February 22, 2024, the Procurement Manager received six bids. Barnard Roofing Company, Inc., submitted the low bid which consisted of a Base Bid of \$470,838.00, Alternate #1 bid of \$283,473.00, and Alternate #2 bid of \$243,353.00. The total construction cost for the base bid and both alternates is \$997,664.00 and a duration of 120 days for the project. Rick Lutz of Cain Rash West Architects recommends moving forward with Barnard Roofing for the Base Bid (\$470,838.00), Alternate #1 (\$283,473.00), and Alternate #2 (\$243,353.00) and a project duration of 120 days.

The total cost of this project will be \$1,116,274 (detail given below). Funding will be from the Sullivan North Renovation Project GP1733.

Architect Fee	\$ 48,750
Construction Costs	997,664
6% Contingency	59,860
Miscellaneous	10,000
<b>Total Costs</b>	<b>\$1,116,274</b>

The administration recommends entering into an agreement with Barnard Roofing Company, Inc., for the Tribe Athletic Center Re-Roof for the total cost of \$997,664.00 and authorizing a 6% contingency of \$59,860.00.

The Board of Education approved this action on March 12, 2024.

**Attachments:**

- 1. Resolution
- 2. Bid Tab
- 3. Recommendation

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

Item X11.

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

A RESOLUTION AWARDDING THE BID FOR THE TRIBE ATHLETIC CENTER RE-ROOF PROJECT TO BARNARD ROOFING COMPANY AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT.

WHEREAS, bids were opened on February 22, 2024, for the Tribe Athletic Center Re-Roof Project; and

WHEREAS, upon review of the bids, the board finds Barnard Roofing Company, Inc., is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a contract for the Tribe Athletic Center Re-Roof Project to Barnard Roofing Company, Inc., at an estimated construction cost of \$997,664.00; and

WHEREAS, a 6% contingency fund will be established in the amount of \$59,860.00; and

WHEREAS, funding will come from the Sullivan North Renovation Project GP1733; and

WHEREAS, the Board of Education approved this motion on March 12, 2024.

Now therefore,

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

SECTION I. That the base bid, Alternate 1, and Alternate 2 for the Tribe Athletic Center Re-Roof Project at an estimated cost of \$997,664.00 is awarded to Barnard Roofing Company, 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 and all documents necessary and proper, and to take such acts as necessary to effectuate the purpose of the agreement.

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement 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 III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the public.

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

ADOPTED this the 2nd day of April, 2024.

PATRICK W. SHULL, MAYOR

ATTEST:

\_\_\_\_\_  
ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
RODNEY B. ROWLETT, III, CITY ATTORNEY

MINUTES BID OPENING

February 22, 2024

4:00 P.M.

Present: Brent Morelock, Procurement Manager; Sandra Sloan, Asst. Procurement Manager Schools; David Sewell, Maintenance Supervisor KCS; David Frye, CFO Schools; Rick Lutz, CRW; Andy True, Asst. Superintendent, Schools

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

The Procurement Manager opened with the following bids:

TRIBE ATHLETIC CENTER RE-ROOF				
Vendor:	Base Bid:	Days:	Alternate #1	Alternate #2
Barnard Roofing	\$470,838.00	120	\$283,473.00	\$243,353.00
Davis Brothers Roofing	\$682,467.00	240	\$391,220.00	No Bid
Eskola Roofing	\$787,330.00	180	\$471,503.00	\$394,536.00
Genesis Roofing	\$567,000.00	120	\$334,000.00	\$257,000.00
Morristown Roofing	\$1,064,335.00	270	\$535,253.00	\$524,134.00
ATD Roofing	\$849,000.00	75	\$470,000.00	\$460,000.00

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

Item X11.

Ms. Sandra Sloan, Assistant Procurement Manager  
Kingsport City Schools  
400 Clinchfield Street, Ste. 200  
Kingsport, TN 37660

Re: Tribe Athletic Complex Re-Roof Bid Recommendation

Ms. Sloan,

I was pleased with the turnout for the bid opening of the above-referenced project. With six bidders, I believe the interest in the project contributed to a good bid result. We had bids submitted by ATD Roofing, Barnard Roofing, Davis Brothers, Eskola, Genesis, and Morristown Roofing.

Barnard Roofing is the apparent low bidder on the Base Bid and both Alternates #1 and #2. I have reviewed the bids with Adam Barnard of Barnard Roofing to verify they have all specified work included in their bid. Adam has confirmed they have reviewed the bid and are committed to completing the project for the bid amount submitted.

It is my recommendation we move forward with Barnard Roofing for the Base Bid amount of \$470,838.00, Alternate #1 for \$283,473.00, and Alternate #2 for \$243,353.00 and a project duration of 120 days.

Sincerely



Richard Lutz, NCARB

Cc: Andy True, David Frye, David Sewell, Dineen West, Allan Renfrow

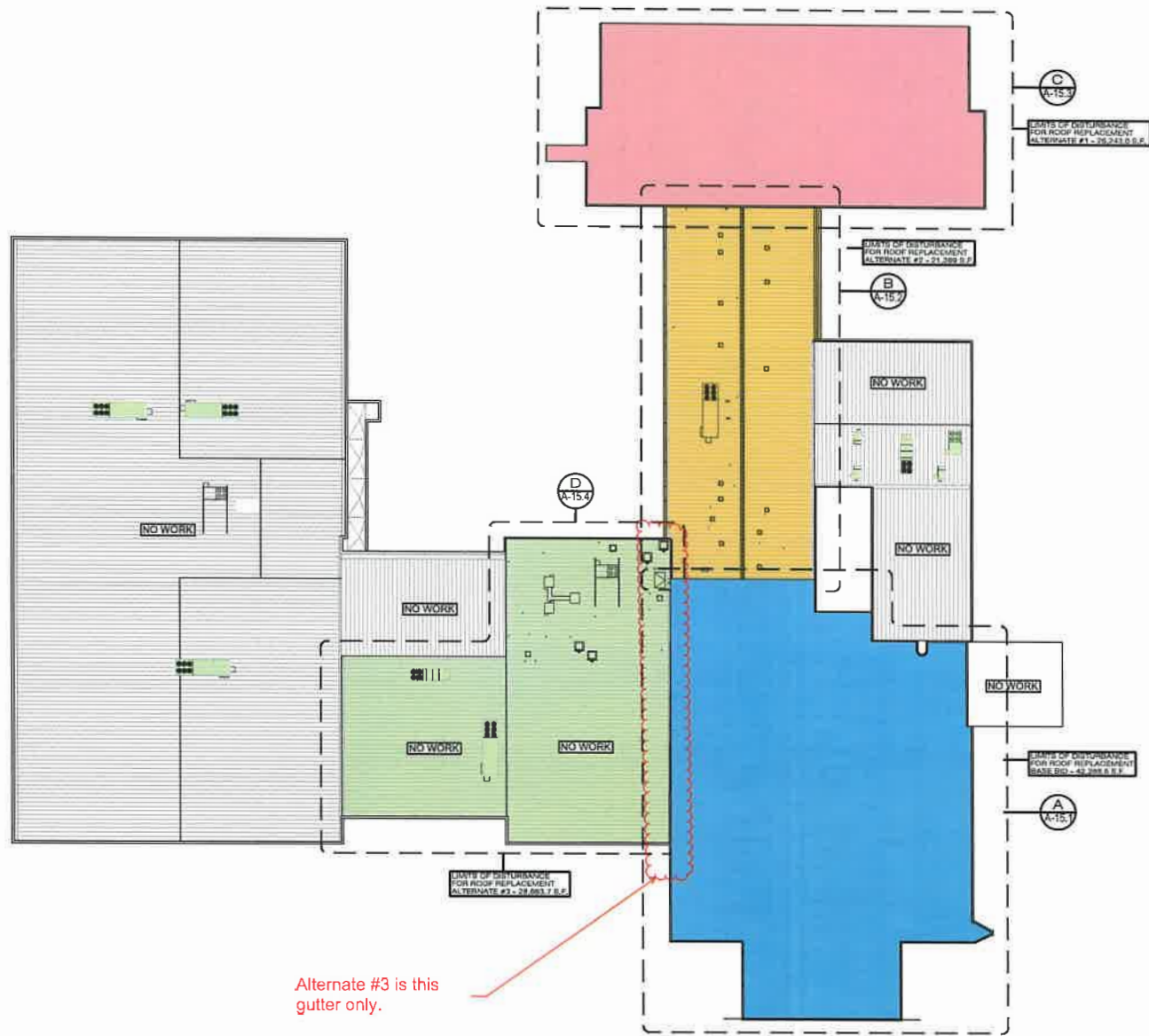
# ROOF PLAN NOTES

## GENERAL

1. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR VERIFICATION OF ACTUAL CONDITIONS SURROUNDING THE PROJECT INCLUDING AS-BUILT CONDITION OF THE EXISTING BUILDING AND ROOF.
2. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR VERIFICATION OF ROOF DIMENSIONS AND SIZES, LOCATIONS, ETC. OF EXISTING ROOF MOUNTED EQUIPMENT AND ACCESSORIES, AND OTHER SPECIALS.
3. DURING CONSTRUCTION, CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF THE EXISTING BUILDING AND ITS CONTENTS FROM THE ELEMENTS AND SHALL PROVIDE TEMPORARY ROOF PROTECTION AND COVERING AS NECESSARY.

## MEMBRANE ROOF

5. LOW SLOPE ROOFING SYSTEM (SHADED AREA), SHALL BE 60 MIL NON-REINFORCED FULLY ADHERED TPO MEMBRANE - SEE SPECIFICATIONS.
6. CONTINUOUS MINIMUM THICKNESS OF ROOF INSULATION THROUGHOUT: 3 1/2" OR 1 LAYER 1 1/2" AND 1 LAYER 2" THICK RIGID INSULATION.
7. EXISTING ROOF STRUCTURE TO REMAIN.
8. REFER TO MECHANICAL DRAWINGS FOR PRE-MANUFACTURED ROOF CURBS. PROVIDE SOUND INSULATION REQUIREMENTS BELOW THE UNIT INSIDE ROOF CURB.
9. TURN MEMBRANE UP TO COVER THE BACKSIDE OF ALL PARAPETS AND FLASH PER MANUFACTURER'S STANDARD DETAILS.
10. CONTRACTOR SHALL CONFINE HIS OPERATIONS TO THE IMMEDIATE VICINITY OF THE WORK AND SHALL ACCESS THE ROOF ONLY FROM THE EXTERIOR OF THE BUILDING OR AS DIRECTED BY THE OWNER.
11. CONTRACTOR SHALL INSURE THAT THE ROOF STRUCTURE IS NOT OVERLOADED BY THE WEIGHT OF MATERIALS, EQUIPMENT OR PERSONNEL DURING CONSTRUCTION. AT NO TIME SHALL THE ROOF BE USED FOR THE STORAGE OF ROOFING MATERIALS OR CONSTRUCTION EQUIPMENT.
12. STRUCTURAL ENGINEER SHALL REVIEW THE FINAL RTU SIZES AND WEIGHTS PRIOR TO THEIR INSTALLATION.
13. REFER TO SPECIFICATIONS FOR MEMBRANE ROOFING AND INSULATION.
14. DETAILS SHOWN ON A-16 ARE STANDARD DETAILS FROM FIRESTONE CORPORATION AND ARE INTENDED TO ESTABLISH A STANDARD OF QUALITY. ONLY KEY DETAILS HAVE BEEN SELECTED. OTHER "ANCILLARY" DETAILS REQUIRED FOR COMPLETE SYSTEM MAY NOT BE SHOWN.
15. OTHER MANUFACTURER OR EQUAL (OR SUPERIOR) PRODUCTS BY ALTERNATE MANUFACTURERS MUST BE SUBMITTED AND APPROVED. DETERMINATION AS TO THE QUALITY OF PROPOSED SUBSTITUTIONS SHALL BE MADE BY ARCHITECT. FOR FINAL SELECTED PRODUCT, IT IS EXPECTED THAT THE CONTRACTOR COMPLY WITH ALL MANUFACTURER'S DETAILS FOR A WARRANTED PRODUCT.
16. CONTRACTOR SHALL ENSURE THAT TYING NEW TPO ROOF INTO THE EXISTING S.S. METAL ROOF SHALL BE PER MANUFACTURER'S RECOMMENDATIONS TO MAINTAIN THE EXISTING ROOF WARRANTY.



OVERALL ROOF PLAN

SCALE: 1/32" = 1'-0"



Tribe Athletic Complex

Roof Replacement for:

2533 N John B Dennis Hwy.,  
Kingsport, Tennessee 37660

**Cain  
Rash  
West**  
Architects

130 Regional Park Dr.  
Kingsport, TN 37660  
Ph: (423) 349-7760  
Fax: (423) 349-7413  
www.grcinc.com

THIS DRAWING AS PREPARED BY Cain Rash West Architects SHALL BE USED FOR THE SPECIFIC IDENTIFIED PROJECT ONLY. THIS DRAWING IS THE PROPERTY OF Cain Rash West Architects AND SHALL BE RETURNED PER THEIR REQUEST.

no.	date	rev.	description
1	09.09.20		REVISION DESCRIPTION TEXT

PROGRESS PRINT  
11/7/2023  
NOT FOR CONSTRUCTION

issued XX OCT 2023  
checked ROL  
drawn SVL  
project no. 202382

OVERALL ROOF PLAN

A-14

Item X11.





**AGENDA ACTION FORM**

**Consideration of a Resolution to Approve an Amendment to the Preston Construction Dome Contract to Add Alternate 3 for LED Lighting**

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

Action Form No.: AF-84-2024  
Work Session: April 1, 2024  
First Reading: N/A  
Final Adoption: April 2, 2024  
Staff Work By: Committee  
Presentation By: David Frye

**Recommendation:**

Approve the resolution.

**Executive Summary:**

On October 3, 2023, the Board of Mayor and Aldermen approved an agreement for \$20,405,085.00 to Preston Construction for the dome project. On November 7, 2023, an amendment was approved to add alternate 5 for the locker rooms. This brought the total of the agreement to \$20,548,585.00 with contingency amended to \$821,950.00.

At this time, the administration desires to execute amendment 2 to add alternate Bid Item #3 increasing the agreement by \$272,000.00. Alternate #3 is the additional LED lighting attached to the new steel roof support structure. The contract total will be a not to exceed amount of \$20,820,585.00. Contingency will be increased by \$10,880.00 for an amended amount of \$832,823.00.

Funding will be from D-B Dome Renovation Project.

The administration recommends approving amendment 2 to the agreement with Preston Construction to add alternate #3 for additional LED ceiling lighting in the amount of \$272,000.00 and to increase the contingency by 4% of the alternate amount which is \$10,880.00.

This action was approved by the Board of Education on March 12, 2024.

**Attachments:**

Resolution  
Letter

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

Item XI2.

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

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

WHEREAS, an agreement was executed on October 11, 2023, between the City and Preston Construction Company in the amount of \$20,405,085.00 for the Buck Van Huss Dome Renovation Project; and

WHEREAS, Amendment No. 1 to the agreement was executed on December 13, 2023 to add alternate No. 5, which provided renovations to locker rooms and made the contract a maximum amount of \$20,548,585.00; and

WHEREAS, the Board of Education recommends executing Amendment No. 2 to the agreement which will add Alternate #3, the additional LED lighting attached to the new steel roof support structure for an additional \$272,000.00, which makes the total contract price a not to exceed amount of \$20,820,585.00; and

WHEREAS, the Board of Education recommends increasing the 4% contingency by \$10,880.00 for an amended amount of \$832,823.00; and

WHEREAS, funding for this project will be from GP2401 DB Dome Replacement Project.

Now therefore,

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

SECTION I. That an amendment to the Preston Construction Company agreement to add bid Alternate Three for the Buck Van Huss Dome Renovation and Associated Work at Dobyns-Bennett High School and that the total agreement cost of \$20,820,585.00 is approved.

SECTION II. That the Mayor or in his absence, incapacity, or failure to act, the Vice-Mayor, is authorized and directed to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement with Preston Construction Company to add

bid Alternate Three, to deliver the amendment 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 amendment.

SECTION III. That the contingency for this project be increased by \$10,880.00 for an amended amount of \$832,823.00.

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 2nd day of April, 2024.

\_\_\_\_\_  
PATRICK W. SHULL, MAYOR

ATTEST:

\_\_\_\_\_  
ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
RODNEY B. ROWLETT, III, CITY ATTORNEY



TO: Board of Education  
Dr. Chris Hampton, Superintendent

FROM: David J. Frye, Chief Finance Officer DJF

DATE: March 12, 2024

SUBJECT: Buck Van Huss Dome Renovation Alternate 3

On September 26, 2023, the Board of Mayor and Aldermen approved an agreement for \$20,405,085.00 to Preston Construction for the dome project. On November 7, 2023, an amendment was approved to add alternate 5 for the locker rooms. This brought the total of the agreement to \$20,548,585.00 with contingency amended to \$821,950.00.

At this time, the administration desires to execute amendment 2 to add alternate Bid Item #3 increasing the agreement by \$272,000.00. Alternate #3 is the additional LED lighting attached to the new steel roof support structure. The contract total will be a not to exceed amount of \$20,820,585.00. Contingency will be increased by \$10,880.00 for an amended amount of \$832,823.00.

Funding will be from D-B Dome Renovation Project.

The administration recommends approving amendment 2 to the agreement with Preston Construction to add alternate #3 for additional LED ceiling lighting in the amount of \$272,000.00 and to increase the contingency by 4% of the alternate amount which is \$10,880.00



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*Building With Integrity Since 1967*

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TO: Thompson & Litton  
ATTENTION: Brian Alderson  
RE: Buck Van Huss Renovations Alt 3 Lighting

Date: March 6, 2024

**REF: DB Dome Renovations Alternate 3 LED Lighting**

This letter serves as a formal notice to you that our bid amount of \$272,000 for Alternate 3: LED lighting is still acceptable and can be used as the amount for the amendment to the contract total.

Sincerely,

A handwritten signature in black ink that reads "Juston Nunnery". The signature is written in a cursive, slightly slanted style.

Juston Nunnery



AGENDA ACTION FORM

**Consideration of a Resolution Entering into a 50 Year Memorandum of Understanding with Hawkins County for a Portion of Bays Mountain Park**

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

Action Form No.: AF-92-2024  
Work Session: April 1, 2024  
First Reading: N/A  
Final Adoption: April 2, 2024  
Staff Work By: Committee  
Presentation By: Michael T. Borders

**Recommendation:**  
Approve the Resolution.

**Executive Summary:**  
If approved Kingsport would enter into a 50-year Memorandum of Understanding with Hawkins County for a portion of land on the western end of Bays Mountain Park.

Hawkins County was awarded a Tourism Enhancement Grant in the amount of \$100,000 for the construction of a bridge over Laurel Run Creek. The location of the crossing is within the boundaries of Bays Mountain Park.

The Hawkins County Commission voted to accept the grant during their meeting on October 3<sup>rd</sup>, 2023. The Bays Mountain Park Commission considered the request and made the recommendation to enter into a Memorandum of Understanding, with certain stipulations to ensure protection of the nature preserve (park), for the property during its regularly scheduled meeting on December 14, 2023 and further voted to pay the \$5,000 match (out of Commission funds) for Hawkins County during the Commission’s regularly scheduled meeting on February 15<sup>th</sup>.

Bays Mountain Park staff regularly program waterfall and wildflower hikes in the western portion of the park. A crossing over Laurel Run Creek would be an additional asset to Bays Mountain Park and would benefit users of both Laural Run Park and Bays Mountain Park.

This is an opportunity to utilize state funds to invest in a needed park asset that will benefit the citizens of both entities along with visitors to the region. Bays Mountain Park was awarded the same grant to make improvements to the Observation Tower.

Once design is complete and a contractor chosen the City and County will enter into a development agreement. Funds are available in 612-4530-473.20-99.

- Attachments:**  
1. Resolution  
2. Map

Item X13.

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

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

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH HAWKINS COUNTY RELATIVE TO THE CONSTRUCTION OF A BRIDGE WITHIN BAYS MOUNTAIN PARK AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, Hawkins County was awarded a Tourism Enhancement Grant in the amount of \$100,000 for the construction of a bridge over Laurel Run Creek, within the boundaries of Bays Mountain Park; and

WHEREAS, Bays Mountain Park staff regularly program waterfall and wildflower hikes in the western portion of the park, and a crossing over Laurel Run Creek would be an additional asset to Bays Mountain Park and would benefit users of both Laurel Run Park and Bays Mountain Park; and

WHEREAS, staff recommends entering into a Memorandum of Understanding, with certain stipulations to ensure protection of Bays Mountain Park; and

WHEREAS, as this project will benefit Bays Mountain Park and therefore the city at large the Bays Mountain Park Commission recommends contributing \$5,000 to Hawkins County towards the project for which funding is available in account 612-4530-473.20-99.

Now therefore,

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

SECTION I. That the Memorandum of Understanding with Hawkins County for the construction of a bridge over Laurel Run Creek, within the boundaries of Bays Mountain Park, 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 Memorandum of Understanding with Hawkins County for the construction of a bridge over Laurel Run Creek, within the boundaries of Bays Mountain Park, 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 this resolution and the agreement as set out below:

**MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement (herein Memorandum) made and entered onto as of this the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the CITY OF KINGSFORT, TENNESSEE (herein "City"), and HAWKINS COUNTY, TENNESSEE (herein "County").

**WITNESSETH:**

WHEREAS, Laurel Run Park (herein Park) is a 440-acre park owned and operated by County; and  
WHEREAS, Laurel Run Creek runs through the Park and adjacent properties; and



WHEREAS, a majority of the Park consists of wooded land along the lower slopes of City-owned Bays Mountain Park Conservation Area (herein Bays Mountain) containing hiking trails, abundant wildflowers, and a waterfall; and

WHEREAS, to fully access the Park users must wade across Laurel Run Creek which is often impassable due to high water; and

WHEREAS, County has been awarded funds by a Tennessee Tourism Enhancement Grant for the construction and maintenance of a pedestrian bridge over Laurel Run Creek; and

WHEREAS, City owns adjacent tax parcel 64.10, consisting of 45 acres; and WHEREAS, uncertainty exists as to the exact location at which the pedestrian bridge will be located; and

WHEREAS, to the extent the location of the pedestrian bridge may be on property owned by City, City and County desire to memorialize their mutual agreement as to the scope and objectives of the project and affirm their intent to proceed with the construction and maintenance of the pedestrian bridge for the mutual benefit of the Parties; and

WHEREAS, it is the intent of the Parties to enter into an Agreement satisfying the conditions required for County to receive the Tourism Enhancement Grant funds necessary to construct and maintain said pedestrian bridge; and

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties contained herein the parties agree as follows:

1. The term of the Agreement shall be fifty(50) years.

2. The bridge and appurtenant premises are believed to be generally located on tax parcel 64.10 approximately 0.7 miles by trail and 0.6 mile as the crow flies from the Laurel Run Trail head and as the crow flies approximately 4 miles from the Bays Mountain Park Nature Center.

3. County shall use the Premises solely for the purpose of constructing and maintaining a pedestrian bridge, and for no other purpose. County's access to the premises are subject to any restrictions City may place upon access to Bays Mountain Park. However, should County require access at alternate times it may request such alternate access, the approval of which shall not be unreasonably withheld.

4. County shall permit City to enter upon the Premises to inspect such repairs, improvements, alterations or additions thereto as may be required under the provisions of this Agreement. No compensation shall be asked or claim made by County by reason of any inconvenience or annoyance arising from anything that may be done in repairing, altering, working on or protecting the Premises or building. This section shall not be construed as imposing any duty on City to make any repairs, alterations or additions.

5. County shall ensure compliance with all federal, state, and local laws, rules, regulations and ordinances which control, limit, regulate, or pertain to earth moving activities should County engage in the same. County shall be responsible for obtaining all necessary permits and/or authorizations to engage in any earth moving activities. If at any time during or after of the term of this Agreement, the Premises are found to be in violation of any of the covenants set forth in this section due to acts or occurrences during the occupancy of County, or caused by County, then County shall diligently institute proper and thorough remediation procedures at County's sole cost.

6. Upon execution of this Agreement the Bays Mountain Park Commission shall submit to County a one-time payment of \$5,000.00. If for any reason the County does not complete the Laurel Run Creek Pedestrian Bridge within the Tourism Enhancement Grant contract period, the County shall return the \$5,000.00 payment to the Bays Mountain Park Commission.

7. Upon receipt and review by the Parties of the selected Contractor's engineering report and construction plans, the Parties shall enter into a Supplemental Agreement.

8. The Supplemental Agreement shall contain a detailed description of the location of the bridge and the appurtenant premises, as well as any other mutually agreed terms and conditions.

9. Any notice from City to County relating to the Premises or this Agreement shall be deemed duly served when sent to the last address designated by notice in accordance with this section, by certified or registered mail, return receipt requested, postage prepaid, or by recognized courier service with a receipt therefor, addressed to County Mayor's Office, 150 E. Washington Street #2, Rogersville, TN 37857. Any notice from County to City relating to the Premises or this Agreement shall be deemed duly served when personally delivered, or delivered to City by certified or registered mail, return receipt requested, postage prepaid, or by recognized courier service with a receipt therefor, addressed to City at 415 Broad Street, Kingsport, Tennessee 37660, Attention City Attorney or at City's last designated address. No oral notice or representation shall have any force or effect. Time is of the essence in the service of any notice.

IN WITNESS WHEREOF, the Parties hereto executed this Agreement in duplicate originals on the above date.

[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 2nd day of April, 2024.

\_\_\_\_\_  
PATRICK W. SHULL, MAYOR

ATTEST:

\_\_\_\_\_  
ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
RODNEY B. ROWLETT, III, CITY ATTORNEY

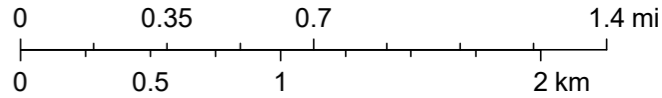


# BMP Park Boundaries



11/30/2023, 9:24:38 AM

1:36,112



Tennessee STS GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA


Item XI3.



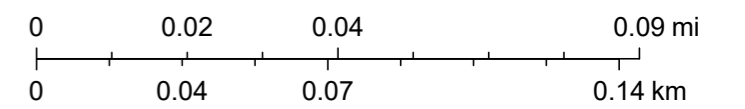
# Laurel Run Trail Creek Crossing



11/30/2023, 9:21:12 AM

 Park Boundaries

1:2,257



Tennessee STS GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Item X13.





**AGENDA ACTION FORM**

**Consideration of a Resolution to Purchase Two (2) Ram 5500 Crew Cab 2WD With Utility Body from TN State Contract # 80359**

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

Action Form No.: AF-28-2024  
Work Session: April 1, 2024  
First Reading: N/A  
Final Adoption: April 2, 2024  
Staff Work By: Committee  
Presentation By: R. McReynolds, S. Leonard

**Recommendation:**

Approve the resolution

**Executive Summary:**

It is the recommendation of the committee to purchase Two (2) Ram 5500 Crew Cab 2WD with Utility Body from CDJR of Columbia utilizing TN State Contract # 80359 for use by the Water/Sewer Department. The Tennessee State Contracts are available for local government agencies to use. The delivery from the dealership to the agency is included in the total price. The estimated delivery date is 7–8 months after purchase order is received.

\$79,345.00 Unit Cost  
\$158,690.00 Total Purchase Price

Please see the attached recommendation memo for additional information & TN State Contract information.

These units are fleet replacements.

Funding is identified in Project/Account # 51150085019010

**Attachments:**

- 1. Resolution
- 2. Recommendation Memo
- 3. Quote
- 4. TN State Contract

Item X14.

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

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

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO RAM 5500 CREW CAB 2WD WITH UTILITY BODY TRUCKS FROM CDJR OF COLUMBIA UTILIZING TENNESSEE STATE CONTRACT NO.: 80359; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

WHEREAS, staff recommends the purchase of two Ram 5500 Crew Cab 2WD with Utility Body from CDJR of Columbia utilizing TN State Contract # 80359, for use by Water Sewer Department; and

WHEREAS, local governments are allowed to use state contracts to purchase goods and services directly from holders of contracts with the state, as authorized by Tenn. Code Ann. §12-3-1201; and

WHEREAS, the two Ram 5500 Crew Cab 2WD with Utility Body are available pursuant to Tennessee State Contract No.: 80359, the city will need to submit purchase orders to CDJR of Columbia for \$158,690.00; and

WHEREAS, the funding is available in project/account no.: 51150085019010.

Now therefore,

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

SECTION I. That the city manager is authorized to execute a purchase order to CDJR of Columbia for the purchase of two Ram 5500 Crew Cab 2WD with Utility Body in the amount of \$158,690.00.

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

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

ADOPTED this the 2nd day of April, 2024.

\_\_\_\_\_  
PATRICK W. SHULL, MAYOR

ATTEST:

\_\_\_\_\_  
ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
RODNEY B. ROWLETT, III, CITY ATTORNEY



# FLEET MAINTENANCE DEPARTMENT

## City of Kingsport

**To:** Nikisha Eichmann, Assistant Procurement Manager  
**From:** Steve Leonard, Fleet Manager  
**Date:** March 20, 2024  
**Re:** Fleet Replacement units 2258 & 2259 Purchase Recommendation

It is the recommendation of this office to purchase the Fleet Replacement for units 2258 & 2259 for the total purchase price of \$158,690.00 (\$79,345.00 each). These units meet the expectations of the Water/Sewer Department and will fulfill the requirements of their operational needs. These units will be purchased through the TN State Contract # 80359. A copy of the TN State Contract is attached. The estimated delivery is 7-8 months.

Item	Quantity	Description	Award to Vendor	Fuel Economy
1	2	RAM 5500 CREW CAB 2WD WITH UTILITY BODY	CDJR of COLUMBIA	N/A City/N/A Hwy

### These unit will be a Fleet Replacements

The units listed below will be replaced and disposed of utilizing the current approved City process.

The TN State offerings were reviewed by Adam Williams and he is in agreement with this recommendation.

### Fuel Economy Improvement

N/A

TN State Contract # 80359

### Replacements

2258	2016 FORD F450 EXT CAB	Mileage	100,621
2259	2016 FORD F450 EXT CAB	Mileage	107,847

Should you have any questions on this recommendation, please do not hesitate to contact me.

Thank you.







	Unit Price	Qty	Ext. Price
XHC TRAILER BRAKE CONTROL	\$465.00	1	\$465.00
XAC PARKVIEW REAR BACK-UP CAMERA	\$495.00	1	\$495.00

**AFTERMARKET EQUIPMENT & CHARGES \$27,375.00**

KNAPHEIDE MODEL 6108D54F40 SERVICE BODY	\$27,375.00	1	\$27,375.00
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9' SERVICE BODY (FLIP TOP) FOR 60" C.A. DRW CHASSIS  
 107.25" LONG X 41.25" HIGH, 20" DEEP COMPT'S, 54" WIDE FLOOR

PRICES INCLUDE THE FOLLOWING STANDARD FEATURES:	\$0.00	1	\$0.00
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- 41-1/4" HIGH SIDE PACKS
- FLIP TOP OPENING LIDS ON EACH COMPARTMENT TOP
- 14-GAUGE TWO-SIDED A-40 GALVANNEAL STEEL SHELL
- EXCLUSIVE "RETURN FLANGE" FLOOR
- 20-GAUGE TWO-SIDED A-40 GALVANNEAL STEEL COMPARTMENT DOORS
- NEOPRENE COMPARTMENT DOOR SEALS
- CONTINUOUS STAINLESS STEEL HINGES
- AUTOMOTIVE QUALITY ROTARY-STYLE LATCHES
- ADJUSTABLE SECURITY DOOR RING STRIKERS
- INTERIOR LATCH COVERS
- DOUBLE-SPRING OVER-CENTER DOOR RETAINER
- 250-LB CAPACITY ADJUSTABLE SHELVES
- OEM SPECIFIC INSTALLATION KITS-(MUST BE ORDERED SEPARATELY)
- SLAM LOCK TAILGATE
- INTERIOR LIGHT GUARDS
- SURFACE MOUNT REAR LIGHTS, LED S/T/T & B/U, BUILT IN REFLECTIVITY, UPGRADABLE (8) PATTERN STROBES-(MUST BE ORDERED SEPARATELY)
- ELECTRODEPOSITION PRIME PAINT
- \* TWO (2) ADJUSTABLE DIVIDER SHELVES & DIVIDERS, STREET & CURB SIDE
- FRONT VERTICAL COMPARTMENT.
- \* ONE (1) ADJUSTABLE DIVIDER SHELF & DIVIDERS, STREET AND CURB SIDE
- FULL HEIGHT REAR VERTICAL COMPARTMENT
- \* ONE (1) ADJUSTABLE DIVIDER SHELF & DIVIDERS, CURB SIDE HORIZONTAL COMPARTMENT
- \* AUTOMOTIVE QUALITY ROTARY LATCHES & DOUBLE SPRING OVER CENTER DOOR
- RETAINERS ON ALL VERTICAL DOORS, ONE (1) 12" SLAM TAILGATE
- \* LIGHT MOUNTING HOLES FOR KNAPHEIDE LIGHTS

FACTORY PAINT 108" FLIP-TOP SERVICE BODY KNAP WHITE	\$0.00	1	\$0.00
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LED SURFACE MOUNT STOP/TURN/TAIL (#77000349)	\$0.00	1	\$0.00
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RAM 60", 84", 108", OR 120" CA,2017 & NEWER, QUICK MOUNT KIT FOR 6" UNDERSTRUCTURE	\$0.00	1	\$0.00
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BUMPER AY GG94 REC 17FD W&GRPR	\$0.00	1	\$0.00
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RAM BUMPER MOUNTING KIT 2007 & NEWER 60" CA	\$0.00	1	\$0.00
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Item XI4.

	Unit Price	Qty	Ext. Price
RAM 2003 & NEWER PICKUP 6-CIRCUIT WIRE HARNESS ADAPTER	\$0.00	1	\$0.00
ALUMINUM FUEL FILL CUP FORD SUPER DUTY OR RAM	\$0.00	1	\$0.00
ALUMINUM TREADPLATE TRIM KIT FOR 108" FLIP TOP BODIES	\$0.00	1	\$0.00
ALUMINUM TREADPLATE ROCK GUARD KIT	\$0.00	1	\$0.00
PIPE VISE BRACKET & FRONT PIPE SUPPOR	\$0.00	1	\$0.00
MECHANIC'S VISE BRACKET	\$0.00	1	\$0.00
INSTALL OEM PROVIDED BACKUP CAMERA	\$0.00	1	\$0.00
LED COMPARTMENT STRIP LIGHT KIT FOR 680, 682, 696,6108, & F40 MODELS DOOR SWITCH CONTROLLED (AUTO ON) W/ MASTER ON/OFF OVERRIDE SWITCH. SWITCH TO BE UTILIZED BY UPFIITERS SWITCH PACKAGE	\$0.00	1	\$0.00
HARN UPFITTER POWER 6-WIRE	\$0.00	1	\$0.00
UPFITTER POWER SWITCH	\$0.00	1	\$0.00
SWITCH KIT FOR HORIZONTAL DOOR STEEL UB	\$0.00	1	\$0.00
HITCH AY UB UNIVERSAL 21K CAPACITY RECEIVER (MIN. 16K REQ'D IN SPEC)	\$0.00	1	\$0.00
PINTLE MOUNT 3 POSN 9IN SHANK	\$0.00	1	\$0.00
HITCH COMBINATION W/ 2-5/16" BALL	\$0.00	1	\$0.00
LADDER RACK / HEAVY DUTY OVER CAB / 1,700# CAPACITY / BLACK 2" PIPE	\$0.00	1	\$0.00
LADDER RACK-SB LEGS & CROSSBAR	\$0.00	1	\$0.00
EXCEPTIONS: E-COAT PRIMER & TOP COAT (NOT POWDER COAT) SPRING DOOR HOLD BACKS (NITROGEN ON FLIP TOP ONLY) CONTINUOUS STAINLESS STEEL DOOR HINGES O.E.M. FACTORY ELECTRONIC BRAKE CONTROLLER (TRUCK DEALER PROVIDED)	\$0.00	1	\$0.00

Item X14.

**Totals**

<b>Subtotal</b>	\$79,345.00
<b>Tax</b>	\$0.00
<b>Shipping</b>	\$0.00
<b>Grand Total</b>	<b>\$79,345.00</b>

Units Quoted from Ground Stock or In-Bound Inventory Are Subject to Prior Sale  
 Pricing Good For Current Date & Model Year Only Subsequent Model & Option Pricing May Vary  
 Vehicles Subject to Production by Stellantis (formerly Fiat-Chrysler Automobiles)  
 Production Lead Times Vary by Model & Options are controlled by FCA Group  
 Standard Color is White Unless Noted Otherwise

Item X14.



**STATE OF TENNESSEE, DEPARTMENT OF GENERAL SERVICES  
CENTRAL PROCUREMENT OFFICE**

**Statewide Multi-Year Contract Issued to:**

TT of Columbia Inc  
106 S James Campbell Blvd  
Columbia, TN 38401

Vendor ID: 0000141027

**Contract Number: 0000000000000000000080359**

Title: SWC209 Vehicles

Start Date : September 15, 2023 End Date: December 31, 2024

Is this contract available to local government agencies in addition to State agencies?: Yes

**Authorized Users.** This Contract establishes a source or sources of supply for all Tennessee State Agencies. "Tennessee State Agency" refers to the various departments, institutions, boards, commissions, and agencies of the executive branch of government of the State of Tennessee with exceptions as addressed in Tenn. Comp. R. & Regs. 0690-03-01-.01. The Contractor shall provide all goods or services and deliverables as required by this Contract to all Tennessee State Agencies. The Contractor shall make this Contract available to the following entities, who are authorized to and who may purchase off of this Statewide Contract ("Authorized Users"):

- a. all Tennessee State governmental entities (this includes the legislative branch; judicial branch; and, commissions and boards of the State outside of the executive branch of government);
- b. Tennessee local governmental agencies;
- c. members of the University of Tennessee or Tennessee Board of Regents systems;
- d. any private nonprofit institution of higher education chartered in Tennessee; and,
- e. any corporation which is exempted from taxation under 26 U.S.C. Section 501(c)(3), as amended, and which contracts with the Department of Mental Health and Substance Abuse to provide services to the public (Tenn. Code Ann. § 33-2-1001).

These Authorized Users may utilize this Contract by purchasing directly from the Contractor according to their own procurement policies and procedures. The State is not responsible or liable for the transactions between the Contractor and Authorized Users.

Item XI4.



Note: If "no", attach exemption request addressed to the Central Procurement Officer.

**Contract Contact Information:**

State of Tennessee  
Department of General Services, Central Procurement Office  
Contract Administrator: Michael Neely  
3rd Floor, William R Snodgrass, Tennessee Tower  
312 Rosa L. Parks Avenue  
Nashville, TN 37243-1102  
Phone: 615-741-5671  
Fax: 615-741-0684

Line Information

**Line 1**

Item ID: 1000187716  
*Police Vehicles, CDJR, Generic SWC209 Asset*  
Unit of Measure: EA

**Line 2**

Item ID: 1000187718  
*Minivan and Full-size Vans, CDJR(Passenger, Cargo, Cut-Away), Generic SWC209 Asset*  
Unit of Measure: EA

**Line 3**

Item ID: 1000187719  
*Sport Utility Vehicles, CDJR(SUVs), Generic SWC209 Asset*  
Unit of Measure: EA

**Line 4**

Item ID: 1000187720  
*Light Trucks, CDJR(Class 1,2,3,4,5) Pickup or Chassis Cab, Generic SWC209 Asset*  
Unit of Measure: EA

**Line 5**

Item ID: 1000179941  
*Optional Equipment, Generic SWC209 Asset*  
Unit of Measure: EA

APPROVED:  Digitally signed by Michael F. Perry  
DN: cn=Michael F. Perry, o=State of TN  
CPO, ou=Department of General  
Services, email=Mike.Perry@tn.gov, c=US  
Date: 2023.09.06 10:30:20 -05'00'  
\_\_\_\_\_ CHIEF PROCUREMENT OFFICER

BY:  Digitally signed by Mike  
Neely  
Date: 2023.09.06 10:04:06  
-05'00' \_\_\_\_\_ PURCHASING AGENT  
\_\_\_\_\_ DATE

Item X14.



**AGENDA ACTION FORM**

**Consideration of a Resolution to Approve Mural on Bays Mountain Brewing Company**

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

Action Form No.: AF- 98-2024  
Work Session: April 1, 2024  
First Reading: N/A  
Final Adoption: April 2, 2024  
Staff Work By: Kristie Leonard  
Presentation By: Michael Borders

**Recommendation:**  
Approve resolution

**Executive Summary:**

If approved the proposed mural on Bays Mountain Brewing Company located at 154 Commerce Street will be permitted.

As part of the Tennessee Arts Commission Covid Relief Grant received by Engage Kingsport, the Downtown Kingsport Association is requesting a mural be installed as part of an alleyway activation project, which will include murals, lights, and two murals taking place in the alleyway beside Bays Mountain Brewery and State Theatre.

Bays Mountain Brewing Company is located in the B-2 Central Business District. Murals are not permitted in the B-2 District except as approved by the Board of Mayor and Alderman.

The artist is Madison Presnell with MadrPaints and Abstract Art and Murals and the project is expected to be completed by April 20<sup>th</sup> in time for the Arts Festival.

**Attachments:**

- 1. Resolution
- 2. Mural rendering

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

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

A RESOLUTION APPROVING A MURAL TO BE PAINTED ON  
THE BAYS MOUNTAIN BREWING COMPANY BUILDING  
LOCATED AT 154 COMMERCE STREET

WHEREAS, as part of the Tennessee Arts Commission Covid Relief Grant received by Engage Kingsport, the Downtown Kingsport Association is requesting a mural be installed as part of an alleyway activation project, which will include murals, lights, and two murals, taking place in the alleyway beside Bays Mountain Brewery and State Theatre; and

WHEREAS, Bays Mountain Brewing Company is located in the B-2 Central Business District, and murals are not permitted in the B-2 District except as approved by the Board of Mayor and Alderman

WHEREAS, staff requests proposed mural on Bays Mountain Brewing Company located at 154 Commerce Street will be permitted; and

WHEREAS, the artist is Madison Presnell with MadrPaints and Abstract Art and Murals and the project is expected to be completed by April 20, 2024.

Now therefore,

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

SECTION I. That the proposed mural to be painted on the northerly side which faces an alley of the building partially occupied by Bays Mountain Brewing Company located at 154 Commerce Street, is approved.

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

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

ADOPTED this the 2nd day of April, 2024.

\_\_\_\_\_  
PATRICK W. SHULL, MAYOR

ATTEST:

\_\_\_\_\_  
ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
RODNEY B. ROWLETT, III, CITY ATTORNEY





Item XI5.





## MATERIALS AGREEMENT SUMMARY

### Consideration of the City Manager to Sign all Documents Necessary to Enter into a Materials Agreement with Landstar, LLC, also known as Landstar Development, Related to the Riverbend Townhomes Development and to Appropriate the Funds

Date: March 5, 2024  
To: Chris McCartt, City Manager  
From: G. Burton/J. Williams

Project No.: 2023-D23  
ComDev No.: PD23-0329

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#### **Summary:**

In an effort to promote smart growth and infill development as well as encourage the new housing market within the Kingsport city limits, the City of Kingsport passed the Materials Agreement Policy as set forth in Resolution 2007-084. Developers have the opportunity to enter into an agreement with the City whereas the City furnishes the water and sewer materials for the developer's use within the developer's proposed subdivision. The developer would be responsible for posting a cash bond covering the cost of the materials that would be available for refund (minus sales tax) once the project is completed and has been approved by the City Engineer and the Regional Planning Commission.

Pursuant to the policy, Landstar, LLC, also known as Landstar Development, has requested that the proposed Riverbend Townhomes Development, be allowed to participate in the materials agreement program. The total amount of the agreement is proposed at \$48,558.97 for a new development with forty-five (45) lots.

To date, including this development, the program has supported 1,521 new/proposed lots within the City of Kingsport.

#### **Attachments:**

1. Agreement
2. Cost Table
3. Location Map
4. Utilities Plans
5. Development Chart

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

**MATERIALS AGREEMENT**

This AGREEMENT made and entered into on this 5th day of March, 2024, by and between Landstar, LLC hereinafter "Developer", and the City of Kingsport, Tennessee, a municipal corporation, hereinafter "City".

WITNESSETH:

1. The Developer has subdivided a tract of land known as Riverbend Townhomes, and preliminary approval having been heretofore granted by the Planning Commission.
2. The plans for the proposed water and sewer line improvement of the subdivided property have been submitted to and approved by the City of Kingsport, City Engineer and will require 504 LFT of Waterline and 630 LFT of Sanitary Sewer Line to construct.
3. The estimated cost of the materials listed in paragraph 2 above is approximately \$48,558.97. The Developer will purchase this material from the City for use for construction pursuant to this contract only.
4. The Developer will install the lines according to City's specifications and will pay all costs for installation of all mains, valves, hydrants and other appurtenances, and will furnish the City "as built" drawings showing the cost lists of all pipe fittings, as well as their exact location.
5. The Developer, upon completion of the work and acceptance by the City, will tender to the City an instrument conveying unencumbered ownership of the lines and easement over and under the land where said lines are laid. Once this conveyance has been made and all the permits needed have been issued, all the inspections completed and passed, and all the payments have been made to the City by the Developer, the City will cause the said line to be connected to the main distribution line of the City.
6. The Developer will reimburse the City for any materials or engineering work required not covered by this agreement.
7. Prior to any reimbursement by the City to the Developer, the Developer will cause the property to be completely annexed into the corporate limits of the City.
8. The Developer will save the City harmless from any and all responsibility for laying any lines, etc., on or across any private premises not dedicated to public use.
9. The Developer will pay the City for the materials listed above and supplied by the City, and upon completion of the laying of water and sewer lines according to specification of and the plans approved by the City, and upon the Developer fully performing all the requirements contained in this agreement the City will reimburse the Developer for the amount paid to the City for the pipe purchased and used in the subdivision, less state and local sales tax.
10. The purpose of this agreement is to reimburse the Developer for 100% of cost of the water and sewer material, less state and local sales tax, with said materials being purchased from the City, and reimbursement for the cost of the materials being made to the Developer subject to the satisfactory completion of all terms of this agreement including complete annexation of the property into the corporate limits of the City.
11. It is understood that the Developer will do any and all ditching, laying of the pipelines, and any and all other work that may be necessary to meet the specifications of the City.
12. Any unused materials other than described in item number 12 acquired by the Developer from the City will be returned to the City and the costs of such material, if returned undamaged, will be credited to the Developer.

IN TESTIMONY WHEREOF, the parties hereto have unto set their hands and seal on this the day and year first above written.



Attest:  
*Angela Marshall*  
Angela Marshall, Deputy City Recorder

*[Signature]*  
\_\_\_\_\_  
Developer

*[Signature]*  
\_\_\_\_\_  
Chris McCart, City Manager

Approved as to form:  
*[Signature]*  
\_\_\_\_\_  
Rodney B. Rowlett, III, City Attorney







# ArcGIS Web Map



3/5/2024, 9:20:17 AM

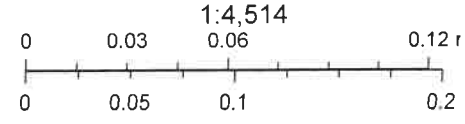
Sullivan County Parcels Streets

 Parcels

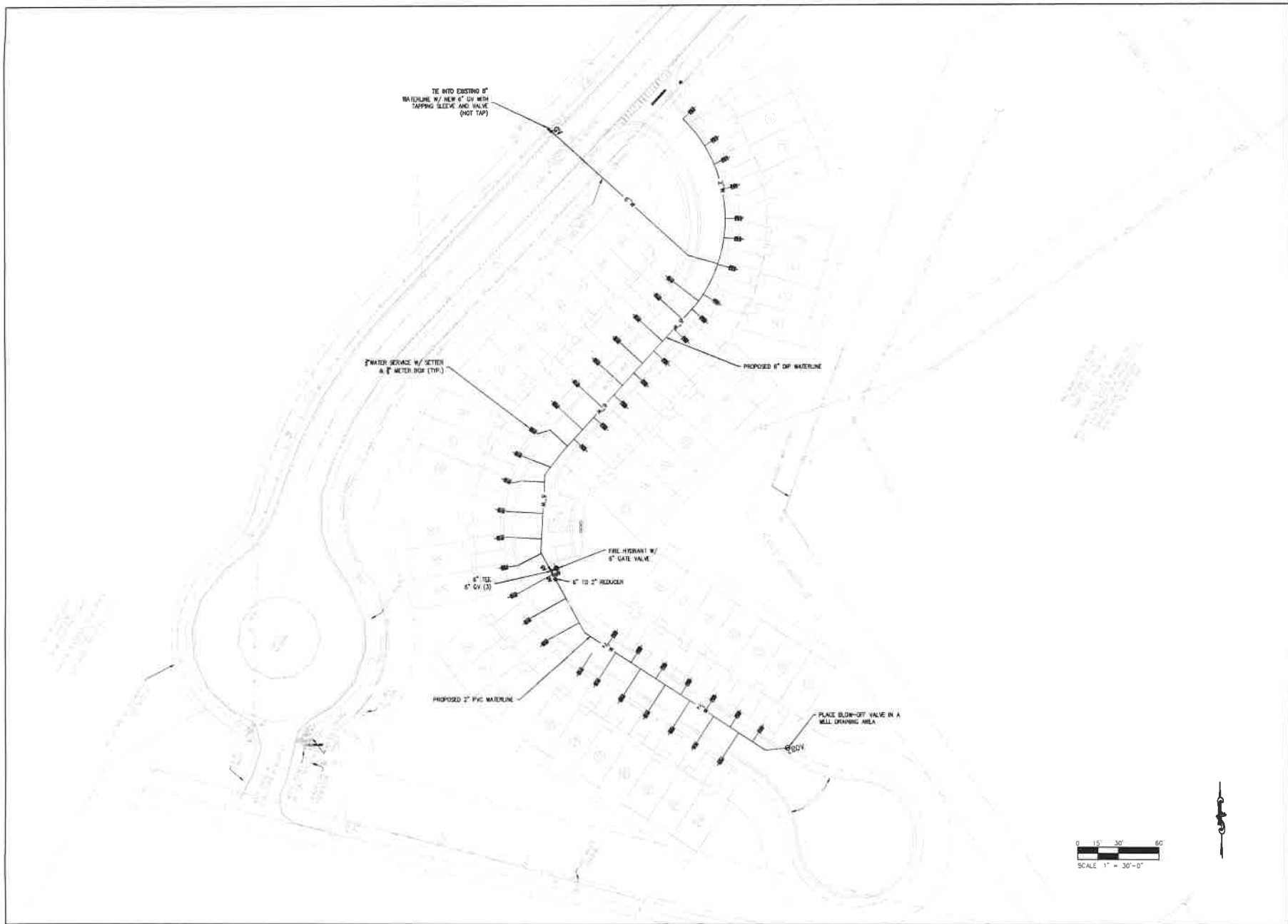
 Major Arterial

 Collector Street

 Local Street



Item XIII.2.



NO.	
DATE	
REVISIONS	

ISSUED DATE	11/13/23
DESIGNED BY	PH
CHECKED BY	DAW
DATE	11/13/23

**Martem & Craig**  
 ENGINEERS  
 1000 N. W. 10th St.  
 Knoxville, TN 37902  
 Tel: (423) 252-8822

RIVERBEND TOWNHOMES  
**UTILITY PLAN: WATER**  
 KNOXSPORT, TN

Vertical Scale: N/A

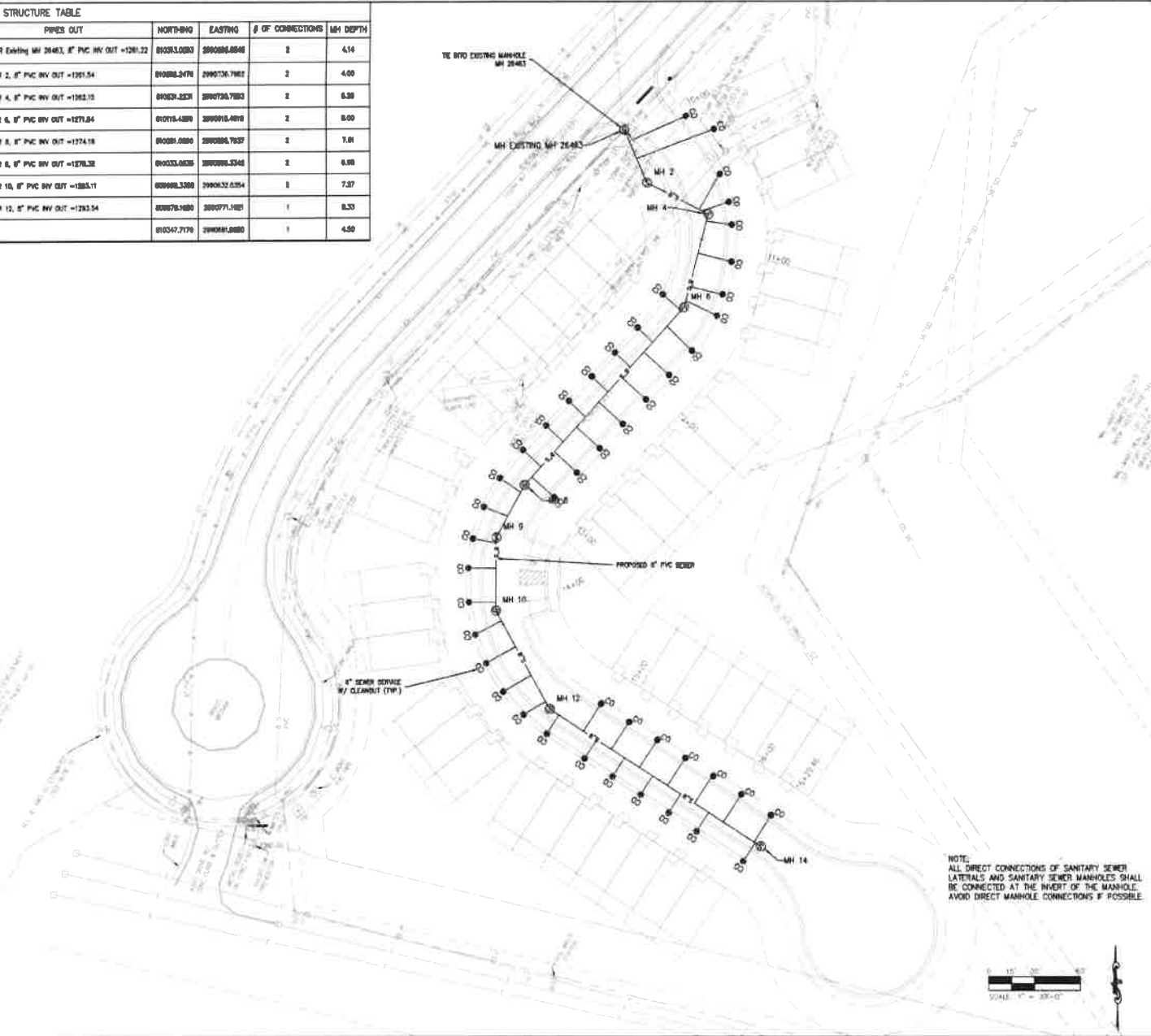
Horizontal Scale: 1" = 30'

Commitment Number: 4391

Sheet No.: **C7.1**

Item XIII.2.

STRUCTURE TABLE						
STRUCTURE NAME	DETAILS	PIPES IN	PIPES OUT	NORTHING	EASTING	# OF CONNECTIONS
MH 2	48" Ø RM = 1289.37	FROM STR 4, 8" PVC RY IN =1291.38	TO STR EXISTING MH 26463, 8" PVC RY OUT =1291.22	81023.0283	289088.8848	2
MH 4	48" Ø RM = 1285.54	FROM STR 8, 8" PVC RY IN =1281.81	TO STR 2, 8" PVC RY OUT =1281.54	81028.5478	2890736.7882	2
MH 6	48" Ø RM = 1282.44	FROM STR 8, 8" PVC RY IN =1282.25	TO STR 8, 8" PVC RY OUT =1282.12	81018.2828	2890736.7883	2
MH 8	48" Ø RM = 1279.84	FROM STR 8, 8" PVC RY IN =1271.74	TO STR 8, 8" PVC RY OUT =1271.84	81018.4889	2890918.8819	2
MH 9	48" Ø RM = 1282.08	FROM STR 10, 8" PVC RY IN =1279.27	TO STR 8, 8" PVC RY OUT =1274.18	81028.0889	2890888.7837	2
MH 10	48" Ø RM = 1280.38	FROM STR 12, 8" PVC RY IN =1278.42	TO STR 8, 8" PVC RY OUT =1278.38	81033.8838	2890888.3348	2
MH 12	48" Ø RM = 1280.38	FROM STR 14, 8" PVC RY IN =1283.01	TO STR 10, 8" PVC RY OUT =1283.11	80988.3388	2890832.8354	1
MH 14	48" Ø RM = 1301.88		TO STR 12, 8" PVC RY OUT =1283.54	809678.8889	2890771.8821	1
MH Existing MH 26463	48" Ø RM = 1288.57	FROM STR 2, 8" PVC RY IN =1281.07		810547.7178	2890881.8888	1



NOTE:  
ALL DIRECT CONNECTIONS OF SANITARY SEWER  
LATERALS AND SANITARY SEWER MANHOLES SHALL  
BE CONNECTED AT THE INVERT OF THE MANHOLE.  
AVOID DIRECT MANHOLE CONNECTIONS IF POSSIBLE.



Drawn	
Checked	
Reviewed	
Approved	

Date: 12/17/23  
 Drawn By: JAC  
 Checked By: JAC  
 Date: DEC 2023

**Matern & Craig**  
 ENGINEERS, ARCHITECTS, PLANNERS  
 1000 N. W. 10th St., Suite 100  
 Ft. Lauderdale, FL 33304  
 Phone: (954) 342-9833

UNDESIGNED TOWNHOUSES  
**UTILITY PLAN: SANITARY SEWER**  
 KINGSFORD, TN

Project No.	N/A
Horizontal Scale	1" = 30'
Vertical Scale	4.39'
Sheet No.	<b>C7.4</b>

Item XIII.2.



File No.	Developer	Development	Proposed Lots / Development	Agreement Amount	Date	Reimbursed to Developer	Status
2006-D23	Edinburgh Group, LLC	Edinburgh Phase IA, Section 1	32	\$ 42,867.62	2/19/2007	\$ 39,474.82	Closed
2006-D8	Jeff McKee	Settler's Ridge Phase I	41	\$ 45,344.29	3/20/2007	\$ 41,214.30	Closed
2006-D23	Edinburgh Group, LLC	Edinburgh Phase IA, Section 2	15	\$ 25,205.92	4/17/2007	\$ 23,273.53	Closed
2006-D19	Butch Rose	Hillcrest Heights	6	\$ 5,140.09	6/19/2007	\$ 4,636.74	Closed
2006-D19	Harold Slep & Jack McMurray	Villas at Andover - Polo Fields	104	\$ 76,522.72	8/7/2007	\$ 70,722.51	Closed
2006-D23	Jeff McKee	Settler's Ridge Phase II	7	\$ 18,822.89	11/6/2007	\$ 17,439.89	Closed
2008-D2	Butch Rose	Windridge Phase IV	40	\$ 92,202.29	4/15/2008	\$ 85,648.47	Closed
2007-D7	Jim Nottingham	Riverwatch	29	\$ 47,605.13	4/15/2008	\$ 44,680.99	Closed
2007-D26	George Hunt	Hunts Crossing Phase II	22	\$ 18,375.20	4/15/2008	\$ 16,883.63	Closed
2007-D16	Jerry Petzoldt	Old Island Phase II	59	\$ 118,027.86	5/6/2008	\$ 111,538.58	Closed
2007-D13	Rob McLean	Anchor Point	80	\$ 72,552.51	7/15/2008	\$ 66,603.46	Closed
2008-D1	Ken Bates	Chase Meadows Phase I (reim for 1)	15	\$ 39,418.91	7/15/2008	\$ 31,518.06	Closed
2007-D13	Rob McClean	Anchor Point – Topsail Court (incl in Anchor Point)	0	\$ 3,816.08	8/5/2008	\$ -	Closed
2008-D17	Rob McClean	Stapleton Dr Phase I	7	\$ 8,757.81	8/19/2008	\$ 8,203.18	Closed
-	Ken Bates	Chase Meadows Phase II (amt not paid)	87		8/19/2008	\$ -	Closed
2008-D21	Terry Orth	Autumn Woods Phase I	19	\$ 30,628.25	10/7/2008	\$ 28,588.47	Closed
2008-D10	Gary Alexander	Riverbend Phase I	15	\$ 32,767.17	2/3/2009	\$ 26,351.32	Closed
2009-D15	Terry Orth	Autumn Woods Phase II	51	\$ 97,091.46	9/1/2009	\$ 91,166.09	Closed
2010-D19	Edinburgh Group, LLC	Edinburgh Phase 2, Section 1A	6	\$ 2,852.48	2/2/2010	\$ 2,659.62	Closed
2009-D18	Leonard & Cynthia Gerber	St. Andrew's Garth Phase I	40	\$ 34,049.03	3/16/2010	\$ 30,938.04	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2	6	\$ 11,976.02	11/16/2010	\$ 11,116.69	Closed
-	Gary Alexander	Riverbend - Epcon Phase II (tabled 1/10/11)	9		2/1/2011	\$ -	Closed
-	Jane Karst	Jane Karst Subdivision	4	\$ 4,100.78	9/20/2011	\$ 3,799.14	Closed
2010-D21	M & M Builders	Brookton Park Subdivision	7	\$ 2,145.88	9/20/2011	\$ 1,959.94	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2B	11	\$ 9,472.85	10/18/2011	\$ 8,770.02	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2C	14	\$ 20,128.29	4/3/2012	\$ 18,549.10	Closed
2012-D9	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2E	8	\$ 25,177.34	10/2/2012	\$ 23,403.87	Closed
2012-D10	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2F	9	\$ 19,382.60	5/7/2013	\$ 17,792.14	Closed
2012-D12	Edinburgh Group, LLC	Edinburgh Phase 4	17	\$ 65,033.97	7/24/2013	\$ 60,735.18	Closed
2008-D32	Vic Davis	The Summitt at Preston Park Ph. 3	20	\$ 79,327.82	12/3/2013	\$ 70,967.77	Closed
2014-D15	Edinburgh Group, LLC	Edinburgh Phase V	12	\$ 51,965.42	10/7/2014	\$ 48,501.91	Closed
2014-D24	Edinburgh Group, LLC	Edinburgh Phase VII	20	\$ 27,552.51	6/2/2015	\$ 25,162.11	Closed
2016-D2	Edinburgh Group, LLC	Edinburgh Phase 9	6	\$ 5,917.93	5/5/2016	\$ 5,386.74	Closed



File No.	Developer	Development	Proposed Lots / Development	Agreement Amount	Date	Reimbursed to Developer	Status
2016-D12	Edinburgh Group, LLC	Edinburgh South PH 2 (listed as PH1)	23	\$ 36,694.42	11/15/2016	\$ 33,722.81	Closed
2016-D7	Edinburgh Group, LLC	Edinburgh Phase 10	10	\$ 38,265.22	3/1/2017	\$ 34,953.21	Closed
2018-D3	Edinburgh Group, LLC	Edinburgh Phase 11	14	\$ 26,250.40	6/19/2018	\$ 23,984.14	Closed
2019-D5	Edinburgh Group, LLC	Edinburgh Phase 12	13	\$ 12,752.16	7/23/2019	\$ 11,619.92	Closed
2019-D18	Edinburgh Group, LLC	Gibson Springs PH1 (Edinburgh South PH3)	19	\$ 38,378.10	10/15/2019	\$ 35,631.30	Closed
2020-D19	Integrity Group	Miller Parke Phase 1	54	\$ 81,823.42	1/19/2020	\$ 73,989.19	Closed
2018-D17	School House, LLC	Cherokee Bend Phase 2	13	\$ 23,332.69	1/21/2020	\$ 21,177.45	Closed
2020-D7	Edinburgh Group, LLC	Gibson Springs Phase 2	24	\$ 28,924.56	5/5/2020	\$ 26,415.12	Closed
2020-D7	Edinburgh Group, LLC	Gibson Springs Phase 3	18	\$ 16,261.96	9/22/2020	\$ 14,851.10	Closed
2020-D23	Landstar, LLC	West Gate Phase 1	28	\$ 33,454.08	3/2/2021	\$ 30,551.67	Closed
2021-D1	Landstar, LLC	West Gate Phase 2	26	\$ 42,710.15	7/6/2021	\$ 39,026.03	Closed
2018-D10	Vic Davis	Frylee Court	40	\$ 39,320.60	8/10/2021	\$ 35,286.65	Closed
2021-D7	Orth Construction	Hunts Crossing Phase 1	22	\$ 39,751.16	8/10/2021	\$ 35,885.38	Closed
2021-D21	HVP, LLC	Caymus Yards	28	\$ 15,844.63	8/22/2021	\$ 14,362.93	Closed
2021-D15	Landstar, LLC	West Gate Phase 3	23	\$ 49,433.21	9/17/2021	\$ 45,709.99	Closed
2021-D5	Edinburgh Group, LLC	Evarts Valley (formerly Edinburgh Ph 6)	50	\$ 88,826.99	11/2/2021	\$ 78,968.39	Closed
2021-D7	Orth Construction	Hunts Crossing Phase 2	21	\$ 41,526.07	10/22/2021	\$ -	Open
2021-D7	Orth Construction	Hunts Crossing Phase 3	17	\$ 37,073.45	10/22/2021	\$ 33,742.02	Closed
2021-D22	Ken Bates	Magnolia Ridge Phase 1	41	\$ 110,747.35	12/21/2021	\$ 100,715.69	Closed
2021-D23	Integrity Building Group	Miller Parke Ph 3 (renamed to Ph 2)	40	\$ 58,858.82	1/18/2022	\$ -	Open
2021-D25	Carla Karst	Cox Valley (Birdwell Place)	58	\$ 153,830.48	4/19/2022	\$ 139,078.33	Closed
2021-D32	TS Designs (Todd Stevens)	St. Andrews Garth Phase 2	25	\$ 41,312.60	2/3/2023	\$ -	Open
2021-D22	Magnolia Ridge Development, LLC	Magnolia Ridge Phase 2	51	\$ 47,936.03	9/13/2023	\$ -	Open
2023-D23	Landstar, LLC	Riverbend Townhomes	45	\$ 48,558.97	3/4/2024		Open
<b>TOTAL</b>			<b>1,521</b>	<b>\$ 2,286,096.64</b>		<b>\$ 1,867,357.63</b>	



## MATERIALS AGREEMENT SUMMARY

### Consideration of the City Manager to Sign all Documents Necessary to Enter into a Materials Agreement with TS Designs (Todd Stevens) Related to the St. Andrews Garth Phase 2 Development and to Appropriate the Funds

Date: February 3, 2023  
To: Chris McCartt, City Manager  
From: G. Burton/J. Williams

Project No.: 2021-D32  
ComDev No.: RESDEV21-0098

#### **Summary:**

In an effort to promote smart growth and infill development as well as encourage the new housing market within the Kingsport city limits, the City of Kingsport passed the Materials Agreement Policy as set forth in Resolution 2007-084. Developers have the opportunity to enter into an agreement with the City whereas the City furnishes the water and sewer materials for the developer's use within the developer's proposed subdivision. The developer would be responsible for posting a cash bond covering the cost of the materials that would be available for refund (minus sales tax) once the project is completed and has been approved by the City Engineer and the Regional Planning Commission.

Pursuant to the policy, TS Designs (Todd Stevens) has requested that the proposed St. Andrews Garth Phase 2 Development be allowed to participate in the materials agreement program. The total amount of the agreement is proposed at \$41,312.60 for a new development with 25 lots.

To date, including this development, the program has supported 1,425 new/proposed lots within the City of Kingsport.

#### **Attachments:**

1. Agreement
2. Cost Table
3. Location Maps
4. Utilities Plans
5. Development Chart

**MATERIALS AGREEMENT**

This AGREEMENT made and entered into on this 24th day of January, 2023, by and between Todd Stevens hereinafter "Developer", and the City of Kingsport, Tennessee, a municipal corporation, hereinafter "City".


WITNESSETH:

1. The Developer has subdivided a tract of land known as St. Andrews Garth Phase 2, and preliminary approval having been heretofore granted by the Planning Commission.
2. The plans for the proposed water and sewer line improvement of the subdivided property have been submitted to and approved by the City of Kingsport, City Engineer and will require 580 LFT of Waterline and 826 LFT of Sanitary Sewer Line to construct.
3. The estimated cost of the materials listed in paragraph 2 above is approximately \$41,312.60. The Developer will purchase this material from the City for use for construction pursuant to this contract only.
4. The Developer will install the lines according to City's specifications and will pay all costs for installation of all mains, valves, hydrants and other appurtenances, and will furnish the City "as built" drawings showing the cost lists of all pipe fittings, as well as their exact location.
5. The Developer, upon completion of the work and acceptance by the City, will tender to the City an instrument conveying unencumbered ownership of the lines and easement over and under the land where said lines are laid. Once this conveyance has been made and all the permits needed have been issued, all the inspections completed and passed, and all the payments have been made to the City by the Developer, the City will cause the said line to be connected to the main distribution line of the City.
6. The Developer will reimburse the City for any materials or engineering work required not covered by this agreement.
7. Prior to any reimbursement by the City to the Developer, the Developer will cause the property to be completely annexed into the corporate limits of the City.
8. The Developer will save the City harmless from any and all responsibility for laying any lines, etc., on or across any private premises not dedicated to public use.
9. The Developer will pay the City for the materials listed above and supplied by the City, and upon completion of the laying of water and sewer lines according to specification of and the plans approved by the City, and upon the Developer fully performing all the requirements contained in this agreement the City will reimburse the Developer for the amount paid to the City for the pipe purchased and used in the subdivision, less state and local sales tax.
10. The purpose of this agreement is to reimburse the Developer for 100% of cost of the water and sewer material, less state and local sales tax, with said materials being purchased from the City, and reimbursement for the cost of the materials being made to the Developer subject to the satisfactory completion of all terms of this agreement including complete annexation of the property into the corporate limits of the City.
11. It is understood that the Developer will do any and all ditching, laying of the pipelines, and any and all other work that may be necessary to meet the specifications of the City.
12. Any unused materials other than described in item number 12 acquired by the Developer from the City will be returned to the City and the costs of such material, if returned undamaged, will be credited to the Developer.

IN TESTIMONY WHEREOF, the parties hereto have unto set their hands and seal on this the day and year first above written.

  
\_\_\_\_\_  
Developer

  
\_\_\_\_\_  
Chris McCart, City Manager

Approved as to form:  
  
\_\_\_\_\_  
Rodney B. Rowlett, III, City Attorney

Attest:  
  
\_\_\_\_\_  
Angela Marshall, Deputy City Recorder



## Materials Agreement

Project: St. Andrews Garth Phase 2 (Re-Do)  
 Date: January 20, 2023  
 Developer: Todd Stevens

File No.: 2021-D32

Water Line		Anticipated		Estimated	
Item #	Item Description	Units	U/M	Price	Total
41446	6" x 18' D.I. Pipe	580.00	Ft.	\$23.25	\$13,485.00
42120	4' Bury Hydrant	1.00	each	\$1,997.00	\$1,997.00
42845	6" x 18" MJ Anchor Coupling	1.00	each	\$221.00	\$221.00
42325	6" MJ Gate Valve	3.00	each	\$936.65	\$2,809.95
43032	6x6x6 Anchor Tee	1.00	each	\$175.00	\$175.00
42014	6x6x6 MJ Tee	1.00	each	\$145.50	\$145.50
41951	6" MJ D.I. Plug with 2" Tap	1.00	each	\$89.00	\$89.00
Building Code					
	Receipt To:				
Subtotal:	<b>451-0000-208-1250</b>				\$18,922.45
Sales Tax:	<b>451-0000-207-0201</b>			9.50%	\$1,797.63
Project #	<b>WA2350</b>			Water Total:	\$20,720.08
	Expense To:				
Water Acct. #	<b>451-0000-605-9003</b>				





# ArcGIS Web Map



1/24/2023, 8:51:30 AM

Sullivan County Parcels 2021

- Lake\_Pond
- Parcel\_Conflict
- Parcels

- Railroad\_ROW
- River
- Street\_ROW

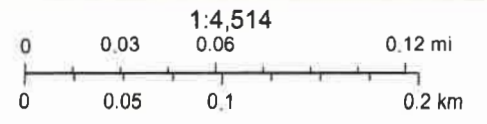
- Washington County Parcels 2020
- Lake\_Pond
  - Parcel\_Conflict
  - Parcels

- Railroad\_ROW
- River
- Street\_ROW

Kpt 911 Address

- Streets
- Interstate
  - Expressway
  - Major Arterial

Item XIII3.





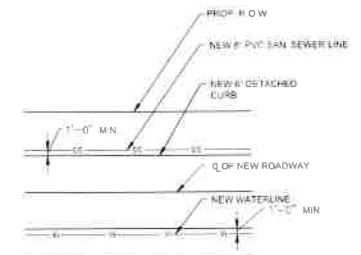
**LEGEND**

- PROPERTY LINE (THIS PROJECT)
- SETBACK - EASEMENT
- PROPERTY SETBACK
- STREET RIGHT OF WAY
- STREET CENTER LINE
- PROPOSED CHAIN LINK FENCE
- PROPOSED STORM SEWER PIPING
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING WATER LINE
- PROPOSED DOMESTIC WATER LINE



- PROVIDE 12" EASEMENTS FOR ALL SANITARY SEWER LINES  
6" SUBMANS, LATERALS AND APPURTENANCES  
EASEMENTS SHALL CENTER ON INDICATED LINE LOCATIONS  
AND ON EACH APPLICABLE LOT LINE
- ALL SANITARY SEWER PIPING MATERIALS, BEDDING  
AND APPURTENANCES SHALL BE STRICTLY IN  
CONFORMANCE WITH CITY OF KINGSPORT, TENNESSEE  
STANDARD PUBLIC WORKS SPECIFICATIONS
- FOR SANITARY SEWER LINES OF SLOPE GREATER  
THAN 18%, PROVIDE ANCHORS AT SPACINGS  
INDICATED ON THIS PLAN IN ACCORDANCE WITH CITY  
OF KINGSPORT STANDARDS AND SPECIFICATIONS

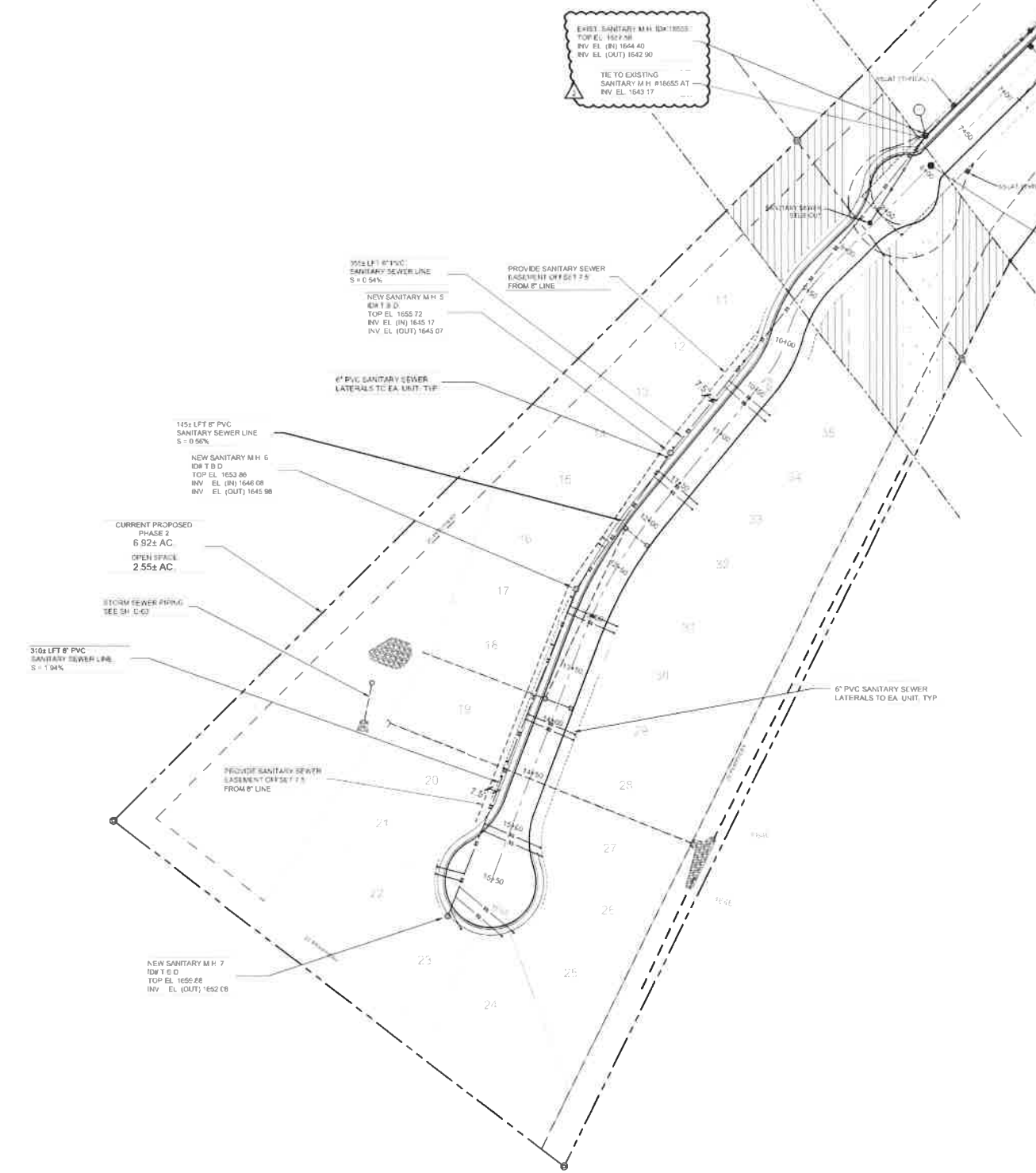
- PROVIDE TYP CHECK DAMS AT UPSTREAM END OF ALL  
MANHOLES TYP
- ALL SANITARY SEWER LINES THIS SHEET ARE 6" PVC ALL  
SUBMANS ARE 6" PVC
- MAINTAIN 12" MIN HORIZONTAL SEPARATION BETWEEN  
SANITARY SEWER LINES AND DOMESTIC WATER LINES



**TYP. SANITARY SEWER LINE AND WATERLINE LAYOUT**

- NOTE:  
ALL FLUSH CLEAN-OUTS DEPICTED IN PLAN ARE TO BE  
PLACED WITHIN OR ON THE PUBLIC R.O.W. LINE. PLAN VIEW  
DEPICTION FOR GRAPHICAL CLARITY ONLY
- N.C.T.E.  
SITE PLAN INFORMATION INCLUDING LOT LAYOUT, ROADWAY  
LAYOUT BY CARTER, CARR & ASSOCIATES. ALL SITE  
SURVEY INFORMATION INCLUDING EXISTING TOPOGRAPHY  
ALL PREVIOUS PHASES AS-BUILT SITE UTILITIES, ETC.  
INFORMATION PROVIDED BY CARTER, CARR & ASSOCIATES

1. SANITARY SEWER PIPING TO BE ASTM 3034 CLASS PVC IN ACCORDANCE WITH THE CITY OF
2. PROVIDE TWO-WAY SANITARY SEWER CLEANOUTS AT EDGE OF EACH EASEMENT LINE  
TWO-WAY FLUSH CLEANOUTS TO INCLUDE SIGMA 9" CAST IRON CLEANOUT (C9) PER
3. ALL 6" SANITARY SEWER LATERALS TO BE 4'-0" MIN DEPTH AT PROPERTY LINE TYP
4. THURST BLOCKING MUST BE DONE IN ACCORDANCE WITH CITY OF KINGSPORT  
SPECIFICATIONS FOR REDUCTION FROM 6" AND LARGER LINES TO 2" LINE. BEFORE FINAL  
PLAN IS SIGNED FOR SANITARY SEWER, FURNISH CITY OF KINGSPORT SEWER  
DEPARTMENT AS-BUILT DRAWINGS OF ALL MANHOLE LOCATIONS AND LINE LOCATIONS  
AND MEASUREMENTS IN AUTOCAD (.DGN) / DIGITAL FORMAT AND IN PDF FORMAT



EXIST. SANITARY M.H. #18655  
TOP EL. 1627.98  
INV. EL. (IN) 1644.40  
INV. EL. (OUT) 1642.90  
TIE TO EXISTING  
SANITARY M.H. #18655 AT  
INV. EL. 1643.17

PROVIDE SANITARY SEWER  
EASEMENT ON SET 7'S  
FROM 6" LINE

6" PVC SANITARY SEWER  
LATERALS TO EA UNIT TYP

NEW SANITARY M.H. 6  
ID# T & D  
TOP EL. 1655.22  
INV. EL. (IN) 1646.08  
INV. EL. (OUT) 1645.98

310± LFT 6" PVC  
SANITARY SEWER LINE  
S = 1.34%

NEW SANITARY M.H. 7  
ID# T & D  
TOP EL. 1656.28  
INV. EL. (OUT) 1652.18

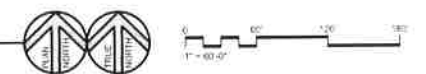
Manhole #	MH Type	MH Depth	Top Elev.	Invert In	Invert Out	Northing (Y)	Easting (X)	MH Connection #	Separation
MH-4 (#18655)	Exist	14.60	1657.50	1644.40	1642.90	785698.40	2978183.73	2-6" PVC	168.29'
MH-5	Standard	10.64	1655.72	1643.17	1645.09	785412.92	2977955.65	2-6" PVC	176'
MH-6	Standard	7.88	1653.86	1646.08	1645.98	785290.67	2977871.21	2-6" PVC	167'
MH-7	Standard	7.80	1652.98	N/A	1652.08	785000.00	2977755.78	1-8" PVC	0'

\* DEACTIVE EXISTING MANHOLE FROM PREVIOUS PHASE

Item XIII.3.

**SANITARY SEWER PLAN**

SCALE: 1" = 60'



Phase II  
**St. Andrews Garth**  
Kingsport, TN



130 Regional Park Dr.  
Kingsport, TN 37660  
Phn (423) 349-7760  
Fax (423) 349-7413  
www.grinc.com

THIS DRAWING AS PREPARED  
BY CARROLL WEST ARCHITECTS  
SHALL BE USED FOR THE  
SPECIFIC IDENTIFIED PROJECT  
ONLY. THIS DRAWING IS THE  
PROPERTY OF CARROLL WEST  
ARCHITECTS AND SHALL BE  
RETURNED UPON REQUEST.

no.	date	rev description
1	02-15-22	ADDRESS CITY COMMENTS
2	03-24-22	ADDRESS CITY COMMENTS



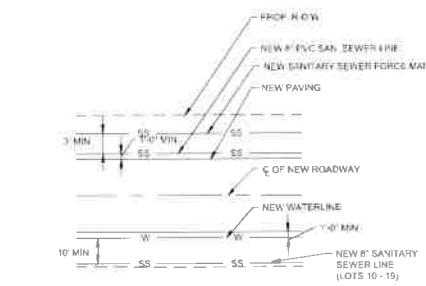
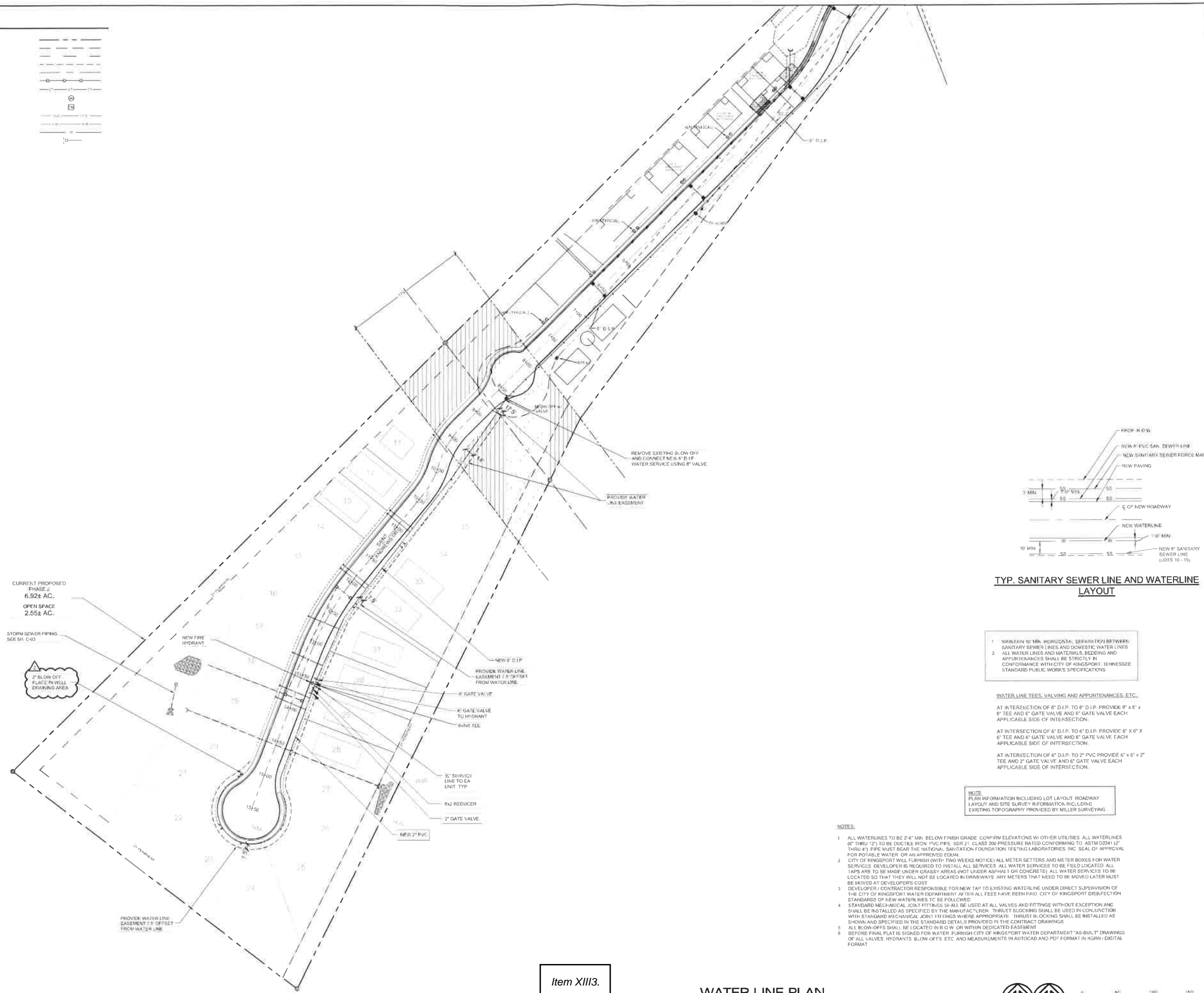
issued 10 DEC 2021  
checked BWJ  
drawn TE/SDW/BWJ  
project no. 202191

SANITARY SEWER PLAN

C-08

**LEGEND**

- PROPERTY LINE (THIS PROJECT)
- SETBACK / EASEMENT
- PROPERTY SETBACK
- STREET RIGHT OF WAY
- STREET CENTER LINE
- PROPOSED CHAIN LINK FENCE
- PROPOSED STORM SEWER PIPING
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- EXISTING SANITARY SEWER
- EXISTING WATER LINE
- PROPOSED DOMESTIC WATER LINE
- PROPOSED DOMESTIC WATER METER



**TYP. SANITARY SEWER LINE AND WATERLINE LAYOUT**

- 1 MAINTAIN 10' MIN. HORIZONTAL SEPARATION BETWEEN SANITARY SEWER LINES AND DOMESTIC WATER LINES
- 2 ALL WATER LINES AND MATERIALS, BEDDING AND APPURTENANCES SHALL BE STRICTLY IN CONFORMANCE WITH CITY OF KINGSPORT, TENNESSEE STANDARD PUBLIC WORKS SPECIFICATIONS

**WATER LINE TEES, VALVING AND APPURTENANCES, ETC.:**

AT INTERSECTION OF 6" D.I.P. TO 6" D.I.P. PROVIDE 6" x 6" x 6" TEE AND 6" GATE VALVE AND 6" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION.

AT INTERSECTION OF 6" D.I.P. TO 6" D.I.P. PROVIDE 6" x 6" x 6" TEE AND 6" GATE VALVE AND 6" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION.

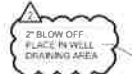
AT INTERSECTION OF 6" D.I.P. TO 2" PVC PROVIDE 6" x 6" x 2" TEE AND 2" GATE VALVE AND 6" GATE VALVE EACH APPLICABLE SIDE OF INTERSECTION.

**NOTE**  
PLAN INFORMATION INCLUDING LOT LAYOUT, ROADWAY LAYOUT AND SITE SURVEY INFORMATION INCLUDING EXISTING TOPOGRAPHY PROVIDED BY MILLER SURVEYING.

- NOTES:**
- 1 ALL WATERLINES TO BE 2'-6" MIN. BELOW FINISH GRADE. CONFIRM ELEVATIONS W/ OTHER UTILITIES. ALL WATERLINES (6" THRU 12") TO BE DUCTILE IRON (PVC PIPE, SDR 21, CLASS 200 PRESSURE RATED CONFORMING TO ASTM D2241 (2" THRU 4") PIPE MUST BEAR THE NATIONAL SANITATION FOUNDATION TESTING LABORATORIES, INC. SEAL OF APPROVAL FOR POTABLE WATER, OR AN APPROVED EQUAL.
  - 2 CITY OF KINGSPORT WILL FURNISH (WITH TWO WEEKS NOTICE) ALL METER SETTERS AND METER BOXES FOR WATER SERVICES. DEVELOPER IS REQUIRED TO INSTALL ALL SERVICES. ALL WATER SERVICES TO BE FIELD LOCATED. ALL TAPS ARE TO BE MADE UNDER GRASSY AREAS (NOT UNDER ASPHALT OR CONCRETE). ALL WATER SERVICES TO BE LOCATED SO THAT THEY WILL NOT BE LOCATED IN DRIVEWAYS. ANY METERS THAT NEED TO BE MOVED LATER MUST BE MOVED AT DEVELOPER'S COST.
  - 3 DEVELOPER / CONTRACTOR RESPONSIBLE FOR NEW TAP TO EXISTING WATERLINE UNDER DIRECT SUPERVISION OF THE CITY OF KINGSPORT WATER DEPARTMENT AFTER ALL FEES HAVE BEEN PAID. CITY OF KINGSPORT DISINFECTON STANDARDS OF NEW WATERLINES TO BE FOLLOWED.
  - 4 STANDARD MECHANICAL JOINT FITTINGS SHALL BE USED AT ALL VALVES AND FITTINGS WITH-OUT EXCEPTION AND SHALL BE INSTALLED AS SPECIFIED BY THE MANUFACTURER. THRUST BLOCKING SHALL BE USED IN CONJUNCTION WITH STANDARD MECHANICAL JOINT FITTINGS WHERE APPROPRIATE. THRUST BLOCKING SHALL BE INSTALLED AS SHOWN AND SPECIFIED IN THE STANDARD DETAILS PROVIDED IN THE CONTRACT DRAWINGS.
  - 5 ALL BLOW-OFFS SHALL BE LOCATED IN R.O.W. OR WITHIN DEDICATED EASEMENT.
  - 6 BEFORE FINAL PLAT IS SIGNED FOR WATER, FURNISH CITY OF KINGSPORT WATER DEPARTMENT "AS-BUILT" DRAWINGS OF ALL VALVES, HYDRANTS, BLOW-OFFS, ETC. AND MEASUREMENTS IN AUTOCAD AND PDF FORMAT IN KGRN / DIGITAL FORMAT.

CURRENT PROPOSED PHASE 2  
6.92± AC.  
OPEN SPACE  
2.55± AC.

STORM SEWER PIPING  
SEE SH C-03



2" BLOW OFF  
PLACE IN WELL  
DRAWING AREA

NEW FIRE HYDRANT



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>



PROVIDE WATER LINE EASEMENT 7' 6\"/>

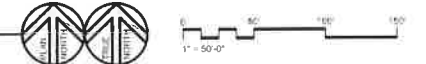


PROVIDE WATER LINE EASEMENT 7' 6\"/>



Item XIII.3.

**WATER LINE PLAN**  
SCALE: 1" = 50'



Phase II  
**St. Andrews Garth**  
Kingsport, TN



130 Regional Park Dr.  
Kingsport, TN 37660  
Phn (423) 349-7760  
Fax (423) 349-7413  
www.grcnc.com

THIS DRAWING AS PREPARED BY Car-Rite/West Architects SHALL BE USED FOR THE SPECIFIC IDENTIFIED PROJECT ONLY. THIS DRAWING IS THE PROPERTY OF Car-Rite/West Architects AND SHALL BE RETURNED PER THEIR REQUEST.

no.	date	rev description
1	02-15-22	ADDRESS CITY COMMENTS
2	03-24-22	ADDRESS CITY COMMENTS
3	04-12-22	ADDRESS CITY COMMENTS



issued	10 DEC 2021
checked	BWJ
drawn	TE:SDW/BWJ
project no.	202191

WATER LINE PLAN

**C-11**

Title: 4/22/2022 10:51:11 AM DW: C-1113 WATER MAIN PLAN 202110.DWG

File No.	Developer	Development	Proposed Lots / Development	Agreement Amount	Date	Reimbursed to Developer	Status
2006-D23	Edinburgh Group, LLC	Edinburgh Phase IA, Section 1	32	\$ 42,867.62	2/19/2007	\$ 39,474.82	Closed
2006-D8	Jeff McKee	Settler's Ridge Phase I	41	\$ 45,344.29	3/20/2007	\$ 41,214.30	Closed
2006-D23	Edinburgh Group, LLC	Edinburgh Phase IA, Section 2	15	\$ 25,205.92	4/17/2007	\$ 23,273.53	Closed
2006-D19	Butch Rose	Hillcrest Heights	6	\$ 5,140.09	6/19/2007	\$ 4,636.74	Closed
2006-D19	Harold Slep & Jack McMurray	Villas at Andover - Polo Fields	104	\$ 76,522.72	8/7/2007	\$ 70,722.51	Closed
2006-D23	Jeff McKee	Settler's Ridge Phase II	7	\$ 18,822.89	11/6/2007	\$ 17,439.89	Closed
2008-D2	Butch Rose	Windridge Phase IV	40	\$ 92,202.29	4/15/2008	\$ 85,648.47	Closed
2007-D7	Jim Nottingham	Riverwatch	29	\$ 47,605.13	4/15/2008	\$ 44,680.99	Closed
2007-D26	George Hunt	Hunts Crossing Phase II	22	\$ 18,375.20	4/15/2008	\$ 16,883.63	Closed
2007-D16	Jerry Petzoldt	Old Island Phase II	59	\$ 118,027.86	5/6/2008	\$ 111,538.58	Closed
2007-D13	Rob McLean	Anchor Point	80	\$ 72,552.51	7/15/2008	\$ 66,603.46	Closed
2008-D1	Ken Bates	Chase Meadows Phase I (reim for 1)	15	\$ 39,418.91	7/15/2008	\$ 31,518.06	Closed
2007-D13	Rob McClean	Anchor Point – Topsail Court (incl in Anchor Point	0	\$ 3,816.08	8/5/2008	\$ -	Closed
2008-D17	Rob McClean	Stapleton Dr Phase I	7	\$ 8,757.81	8/19/2008	\$ 8,203.18	Closed
-	Ken Bates	Chase Meadows Phase II (amt not paid)	87		8/19/2008	\$ -	Closed
2008-D21	Terry Orth	Autumn Woods Phase I	19	\$ 30,628.25	10/7/2008	\$ 28,588.47	Closed
2008-D10	Gary Alexander	Riverbend Phase I	15	\$ 32,767.17	2/3/2009	\$ 26,351.32	Closed
2009-D15	Terry Orth	Autumn Woods Phase II	51	\$ 97,091.46	9/1/2009	\$ 91,166.09	Closed
2010-D19	Edinburgh Group, LLC	Edinburgh Phase 2, Section 1A	6	\$ 2,852.48	2/2/2010	\$ 2,659.62	Closed
2009--D18	Leonard & Cynthia Gerber	St. Andrew's Garth Phase I	40	\$ 34,049.03	3/16/2010	\$ 30,938.04	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2	6	\$ 11,976.02	11/16/2010	\$ 11,116.69	Closed
-	Gary Alexander	Riverbend - Epcon Phase II (tabled 1/10/11)	9		2/1/2011	\$ -	Closed
-	Jane Karst	Jane Karst Subdivision	4	\$ 4,100.78	9/20/2011	\$ 3,799.14	Closed
2010-D21	M & M Builders	Brookton Park Subdivision	7	\$ 2,145.88	9/20/2011	\$ 1,959.94	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2B	11	\$ 9,472.85	10/18/2011	\$ 8,770.02	Closed
2011-D5	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2C	14	\$ 20,128.29	4/3/2012	\$ 18,549.10	Closed
2012-D9	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2E	8	\$ 25,177.34	10/2/2012	\$ 23,403.87	Closed
2012-D10	Edinburgh Group, LLC	Edinburgh Phase 2, Section 2F	9	\$ 19,382.60	5/7/2013	\$ 17,792.14	Closed
2012-D12	Edinburgh Group, LLC	Edinburgh Phase 4	17	\$ 65,033.97	7/24/2013	\$ 60,735.18	Closed
2008-D32	Vic Davis	The Summitt at Preston Park Ph. 3	20	\$ 79,327.82	12/3/2013	\$ 70,967.77	Closed
2014-D15	Edinburgh Group, LLC	Edinburgh Phase V	12	\$ 51,965.42	10/7/2014	\$ 48,501.91	Closed
2014-D24	Edinburgh Group, LLC	Edinburgh Phase VII	20	\$ 27,552.51	6/2/2015	\$ 25,162.11	Closed
2016-D2	Edinburgh Group, LLC	Edinburgh Phase 9	6	\$ 5,917.93	5/5/2016	\$ 5,386.74	Closed

File No.	Developer	Development	Proposed Lots / Development	Agreement Amount	Date	Reimbursed to Developer	Status
2016-D12	Edinburgh Group, LLC	Edinburgh South PH 2 (listed as PH1)	23	\$ 36,694.42	11/15/2016	\$ 33,722.81	Closed
2016-D7	Edinburgh Group, LLC	Edinburgh Phase 10	10	\$ 38,265.22	3/1/2017	\$ 34,953.21	Closed
2018-D3	Edinburgh Group, LLC	Edinburgh Phase 11	14	\$ 26,250.40	6/19/2018	\$ 23,984.14	Closed
2019-D5	Edinburgh Group, LLC	Edinburgh Phase 12	13	\$ 12,752.16	7/23/2019	\$ 11,619.92	Closed
2019-D18	Edinburgh Group, LLC	Gibson Springs PH1 (Edinburgh South PH3)	19	\$ 38,378.10	10/15/2019	\$ 35,631.30	Closed
2020-D19	Integrity Group	Miller Parke Phase 1	54	\$ 81,823.42	1/19/2020	\$ 73,989.19	Closed
2018-D17	School House, LLC	Cherokee Bend Phase 2	13	\$ 23,332.69	1/21/2020	\$ 21,177.45	Closed
2020-D7	Edinburgh Group, LLC	Gibson Springs Phase 2	24	\$ 28,924.56	5/5/2020	\$ 26,415.12	Closed
2020-D7	Edinburgh Group, LLC	Gibson Springs Phase 3	18	\$ 16,261.96	9/22/2020	\$ 14,851.10	Closed
2020-D23	Landstar, LLC	West Gate Phase 1	28	\$ 33,454.08	3/2/2021	\$ 30,551.67	Closed
2021-D1	Landstar, LLC	West Gate Phase 2	26	\$ 42,710.15	7/6/2021	\$ 39,026.03	Closed
2018-D10	Vic Davis	Frylee Court	40	\$ 39,320.60	8/10/2021	\$ 35,286.65	Closed
2021-D7	Orth Construction	Hunts Crossing Phase 1	22	\$ 39,751.16	8/10/2021	\$ 35,885.38	Closed
2021-D21	HVP, LLC	Caymus Yards	28	\$ 15,844.63	8/22/2021	\$ 14,362.93	Closed
2021-D15	Landstar, LLC	West Gate Phase 3	23	\$ 49,433.21	9/17/2021	\$ 45,709.99	Closed
2021-D5	Edinburgh Group, LLC	Evarts Valley (formerly Edinburgh Ph 6)	50	\$ 88,826.99	11/2/2021	\$ 78,968.39	Closed
2021-D7	Orth Construction	Hunts Crossing Phase 2	21	\$ 41,526.07	10/22/2021	\$ -	Open
2021-D7	Orth Construction	Hunts Crossing Phase 3	17	\$ 37,073.45	10/22/2021	\$ -	Open
2021-D22	Ken Bates	Magnolia Ridge Phase 1	41	\$ 110,747.35	12/21/2021	\$ -	Open
2021-D23	Integrity Building Group	Miller Parke Ph 3 (renamed to Ph 2)	40	\$ 58,858.82	1/18/2022	\$ -	Open
2021-D25	Carla Karst	Cox Valley (Birdwell Place)	58	\$ 153,830.48	4/19/2022	\$ 139,078.33	Closed
2021-D32	TS Designs (Todd Stevens)	St. Andrews Garth Phase 2	25	\$ 41,312.60	2/3/2023	\$ -	Open

**TOTAL**

**1425**

**\$ 2,189,601.64**

**\$ 1,732,899.92**