

Knox County Commission

Terry Hill, 6th District, *Madam Chair*
Gina Oster, 3rd District, *Vice-Chair*

Dr. Dasha Lundy, 1st District
Courtney Durrett, 2nd District
Kyle Ward, 4th District
John Schoonmaker, 5th District
Rhonda F. Lee, Esq., 7th District
Richie Beeler, 8th District
Carson Dailey, 9th District
Larsen Jay, At-Large Seat 10
Kim Frazier, At-Large Seat 11



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THE KNOX COUNTY BOARD OF COMMISSIONERS SHALL MEET IN AGENDA WORK SESSION MONDAY, DECEMBER 11, 2023 AT 5:00 P.M. IN THE MAIN ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING, 400 WEST MAIN STREET. ALL AGENDA ITEMS ARE SUBJECT TO VOTE.

I. CALL TO ORDER/ROLL CALL (5:00 P.M.):

A. Pledge of Allegiance to the Flag
Commissioner Kyle Ward

B. Amendments to the Agenda

C. Honorary Resolutions

1. R-23-12-101 Consideration of a Resolution of the Commission of Knox County, Tennessee, recognizing Bella's Blessings for partnering with East Tennessee Children's Hospital to support families who are unexpectedly admitted for any type of illness.
(Commissioner Durrett)
2. R-23-12-102 Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Kelle Shultz upon her retirement from Knoxville Habitat for Humanity.
(Commissioner Frazier)
3. R-23-12-103 Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Brian Brooks for earning the rank of Eagle Scout.
(Commissioner Durrett)

D. Presentations

E. Public Forum - Agenda Items Only

F. Approval of Minutes of Previous Meeting

G. Drives and Roads

- 4. Consideration of the Acceptance of New County Roads:
 - A) Deer Crossing Drive located in Ironwood Glen, District 6.
 - B) Willow Leaf Lane located in Ironwood Glen, District 6.
 - C) White Sycamore Lane located in Ironwood Glen, District 6.*(Engineering & Public Works)*

- 5. 2nd
Reading Consideration of the closure of a portion of Old Dandridge Stagecoach Ln. located in District 8. The proposed new terminus will be approximately 25 feet northeast of the southernmost intersecting corner between property now belonging to Pierce (parcel ID 097-168) and property now belonging to Nichols (parcel ID 084-224). **(SECOND READING)**
(Commissioners Beeler, Jay and Frazier)

H. Line Item Transfers

- 6. Line Item Transfers.
(Finance)

I. Budget Amendments

- 7. Budget Amendments.
(Finance)

J. Spread of Record

- 8. Spread of Record the Knox County Mayor's Order reappointing Charles Marth to the Board of Commissioners of the West Knox Utility District.
(County Mayor)

- 9. Spread of Record the Knox County Law Director's Office election of Michelle Ellis to serve as its representative on the Knox County Employee Insurance Benefits Committee for a term beginning January 1, 2024 and ending December 31, 2027.
(Law Director)

- 10. Spread of Record the Public Defender's Office election of Sandra Protopapa to serve as its representative on the Knox County Employee Insurance Benefits Committee beginning January 1, 2024 and expiring December 31, 2027.
(Public Defender)

11. Spread of Record of Employee Insurance Benefits Committee newly elected representatives (centralized election participants only).
(Benefits)
12. Spread of Record Revisions to the Knox County Procurement Regulations.
(Procurement)

K. Education Resolutions

13. R-23-12-201 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a License Agreement with Knoxville Expo Center, LLC for use of exhibit hall space for the 2024 Knox County Schools Nutrition Food Show at a cost of \$8,112.00.
(Schools)
14. R-23-12-202 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Gallaher and Associates, Inc. for the provision of wireless clock systems for up to \$100,000.00 annually for the term of December 1, 2023 through November 30, 2024, which may be extended for four (4) additional years.
(Schools)
15. R-23-12-203 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Stooksbury Construction, Inc. for the provision of excavation services for up to \$100,000.00 annually for the term of December 1, 2023 through November 30, 2024, which may be extended for four (4) additional years.
(Schools)
16. R-23-12-204 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an increase to the construction contract with King Construction Group, Inc. up to \$350,000.00 for construction at Lincoln Park Center for the Newcomer Center.
(Schools)
17. R-23-12-205 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an increase to the construction contract with Merit Construction, Inc. up to \$40,000.00 for work in excess of original project at Adrian Burnett Elementary School.
(Schools)
18. R-23-12-206 Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a Tennessee Department of Education Special Education Preschool Grant in the amount of \$1,256,814.96.
(Schools)

19. R-23-12-207 Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a Tennessee Department of Education Summer Literacy Training Stipend Grant in the amount of \$171,000.00.
(Schools)
20. R-23-12-208 Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a Tennessee Department of Education Title III Immigrant Grant in the amount of \$46,348.80.
(Schools)
21. R-23-12-209 Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of grant funds and donations for the Knox County Schools as shown on the attached list and in the total amount of \$121,751.42.
(Schools)

L. General Government Resolutions

22. R-23-12-110 Consideration of a Resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointments of Herman Lathers and _____ to the Knox County Emergency Communications District Board of Directors. (Terms expire January 1, 2028)
(County Mayor)
23. R-23-12-111 Consideration of a Resolution of the Commission of Knox County, Tennessee, appointing Logan Higgins, AIA to the Knox County Board of Construction Appeals. (Term expires December 31, 2030)
(Engineering & Public Works)
24. R-23-12-112 Consideration of a Resolution of the Commission of Knox County, Tennessee, appointing Commissioners _____ and _____ to the Arena Use Committee. (Terms expire December 31, 2025)
(Commissioner Hill)
25. R-23-12-301 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an Amendment to Contract No. 23-751 with Helen Ross McNabb Center for Employee Psychological Services for the Knox County Sheriff's Office to incorporate a pricing schedule. **(TO BE ADDED)**
(Sheriff)
26. R-23-12-401 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a construction contract in the amount of \$1,560,718.50 with APAC-Atlantic, Inc. for the Carter Schools Sidewalk Improvements Project.
(Engineering & Public Works)

27. R-23-12-402 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Supplement 1 to the agreement with JMT for professional engineering right-of-way services for the Clinton Highway and West Beaver Creek Drive Intersection Improvements in the amount of \$49,625.
(Engineering & Public Works)
28. R-23-12-403 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Change Order to the construction contract with Charles Blalock & Sons, Inc. for the Schaad Road Phase 2 and 3 project to provide a schedule extension to September 30, 2024.
(Engineering & Public Works)
29. R-23-12-404 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Construction Contract with HGS, LLC for construction of the Plumb Creek Park Stream Enhancement as described in Bid #3481 in the amount of \$313,294.17 with \$94,166.00 provided by American Rescue Plan Act funding.
(Engineering & Public Works)
30. R-23-12-501 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an Agreement with United Way of Greater Knoxville in the amount of \$50,000.00 for eviction prevention and housing stability services. (Funded through Tennessee Housing Development Agency (THDA) pass-through U.S. Department of the Treasury Emergency Rental Assistance (ERA2) funding)
(Community Development)
31. R-23-12-601 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a Grant Contract with the Tennessee Department of Health for the provision of School Based Oral Disease Prevention Services, which amendment increases the maximum liability of the State under the Grant Contract by \$107,000.00 for a total amount of \$627,000.00. (No local match required)
(Health Department)
32. R-23-12-602 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount not to exceed \$4,000,000.00 with the Tennessee Department of Health for the provision of dental care services for uninsured adults, nineteen through sixty-four years of age, for the period beginning July 1, 2023 and ending June 30, 2024. (No local match required)
(Health Department)

33. R-23-12-701 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with E-Z-Go, a Division of Textron Inc., for an Electric Golf Cart Lease from October 1, 2023 through September 30, 2028 at a total lease cost of \$1,204,274.76.
(Parks & Recreation)
34. R-23-12-702 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the adoption of the Systemwide Parks and Recreation Master Plan.
(Parks & Recreation)
35. R-23-12-703 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the adoption of the Knox County Parks and Recreation Fee Schedule, effective January 1, 2024.
(Parks & Recreation)
36. R-23-12-801 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Land Swap Agreement with Walker Enterprises, LLC to swap a 2.38 acre right-of-way owned by Walker Enterprises for a 2.62 acre portion of unused County property at Beverly Park.
(Procurement)
37. R-23-12-802 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving term contracts with Barge Design Solutions, Inc., Johnson, Mirmiran, & Thompson, Inc., MBI Companies, Inc., and Robert G. Campbell & Associates for the provision of Surveying Services.
(Procurement)
38. R-23-12-803 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the Park City Redevelopment and Urban Renewal Plan prepared by Knoxville's Community Development Corporation for the purpose of facilitating the redevelopment of property located at 2724, 2730, 2736 and 2733 Magnolia Avenue, having Parcel IDs of 082KC006 and 082FS015, and providing for tax increment financing.
(Finance and Commissioner Lundy)
39. R-23-12-804 Consideration of a Resolution of the Commission of Knox County, Tennessee, amending the Bylaws of the Knox County Disability Advisory Council.
(Risk Management)

40. R-23-12-805 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an interlocal agreement between Knox County and the Industrial Development Board related to the Axle Logistics property swap for \$1.4 million. The amount in question will be paid through designations and included in the FY'25 Capital Improvement Plan. **(DEFER TO JANUARY AT REQUEST OF SPONSOR)** *(previously deferred from July to August, August to September, September to October, October to November and November to December at Request of Sponsor)*
(Finance and Commissioner Durrett)
41. R-23-12-806 Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of funding from the Tennessee Emergency Management Agency (TEMA) for the provision of public assistance pursuant to Presidential Disaster Declaration Number FEMA 4742-DR-TN not to exceed an amount of \$1,000,000.00 for the August 7, 2023 storm disaster that resulted in damages from high winds and tornadic activity. (A matching requirement of 12.5 percent will apply to all eligible costs approved by TEMA for the provision of public assistance for this storm) **(TO BE ADDED)**
(Finance)
42. R-23-12-901 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an Economic Impact Plan for Tax Increment Financing, submitted by the Industrial Development Board of the County of Knox in connection with a multi-use development known as "Prosperity Crossing" located off El Camino Lane in Knox County, Tennessee near the Watt Road interchange on I-40/75.
(The Industrial Development Board of the County of Knox)
43. R-23-12-902 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement in the estimated amount of \$417,678.00 with HCC Life Insurance Company for Stop Loss Insurance for the period beginning January 1, 2024 and ending December 31, 2024.
(Benefits)
44. R-23-12-903 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the Amendment and Restatement of the Sheriff's Total Accumulation Retirement Plan and the Knox County Employee Benefit System.
(Retirement & Pension)
45. R-23-12-904 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant in the amount of \$357,000.00 for the purchase of additional voting machines.
(Election Commission)

46. R-23-12-905 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with OpenGov, Inc. for renewal of the Cartegraph Pavement Management System software maintenance in the amount of \$303,843.54 for year one and \$312,958.85 for year two.
(Information Technology)
47. R-23-12-906 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an amendment to the Knox County Sheriff's Office Employees' Merit System Rules and Regulations in Rule 3.2.f. to narrow restrictions on Board members' political activities to apply exclusively to elections for Knox County Sheriff.
(Merit System Board)
48. R-23-12-907 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an amendment to the Knox County Sheriff's Office Employees' Merit System Rules and Regulations in Rule 9.5 to allow a Right of Grievance for suspensions of any time length that result in a loss of pay.
(Merit System Board)
49. R-23-12-908 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the Associated Builders and Contractors – Greater Tennessee (ABC), Tennessee College of Applied Technology Knoxville (TCAT), and Knox County Schools (KCS) to define the partnership between Knox County, ABC, TCAT, and KCS and their shared use of the Skilled Trades Academy and Regional Training (START) Center.
(County Mayor)
50. R-23-12-909 Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the naming of the new Brickyard Road/W. Beaver Creek Drive roundabout after Pastor Clarence Sexton of Temple Baptist Church.
(County Mayor and Commissioner Lee)
51. R-23-12-910 Consideration of a Resolution of the Commission of Knox County, Tennessee, supporting legislation regarding the practices of ratings agencies operating in Tennessee. **(TO BE ADDED)**
(Commissioner Dailey)
- To Be Added

M. Ordinances on First Reading

52. O-23-12-101 Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code, Chapter 42, Article II, Division 2, Section 42-53, "Merit System Board of Directors", to narrow restrictions on Board members' political activities to apply exclusively to elections for Knox County Sheriff. (Ord. No. O-90-9-111, adopted 9-10-90; Ord. No. O-91-8-114, adopted 11-25-91; Ord. No. O-95-4-101, adopted 4-24-95; Ord. No. O-19-1-101, adopted 2-25-19 and Ord. No. O-22-6-103, adopted 7-25-22) **(FIRST READING)**
(Merit System Board)
53. O-23-12-102 Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code, Chapter 42, Article II, Division 2, Section 42-62(b) to allow a Right of Grievance for suspensions of any time length that result in a loss of pay. (Ord. No. O-90-9-111, adopted 9-10-90 and Ord. No. O-22-6-103, adopted 7-25-22) **(FIRST READING)**
(Merit System Board)
54. O-23-12-103 Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code, Chapter 14, "Community Development", by adding a new Article III to designate Knox County as a Broadband Ready Community pursuant to Tenn. Code Ann. § 4-3-709. (Knox County Code, Chapter 14, establishing Article III, previously reserved). **(FIRST READING) (DEFERRED FROM NOVEMBER AT REQUEST OF SPONSOR)**
(Information Technology and Community Development)
55. O-23-12-104 Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code, Chapter 66, "Utilities", by adding a new Section 66-2 to provide for the Removal of Inactive, Broken, or Replaced Utility Poles. (Knox County Code, Chapter 66, Article I, establishing Sec. 66-2, previously reserved). **(FIRST READING) (DEFER TO FEBRUARY AT REQUEST OF SPONSOR)** *(previously deferred from November to December at Request of Sponsor)*
(Commissioner Jay and Engineering & Public Works)

N. Ordinances on Second Reading

56. O-23-11-102 Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending the Knox County Code, Chapter 6, Article II, "Animal Control", Section 6-31, "Definitions", to amend the definition of Animal Control Officer in order to authorize a third party to furnish Animal Control enforcement duties as set forth in the City and County Charters and Ordinances throughout the City and County. (Ord. No. O-96-5-101, adopted 6-24-96, Ord. No. O-07-12-102, adopted 1-28-08, Ord. No. O-15-4-101, adopted 5-26-15, and Ord. No. O-19-3-102, adopted 4-22-19) **(SECOND READING)**
(Sheriff)

2nd
Reading

O. Public Forum - Open Topics

P. Other Business

57. Discussion and approval of the May 2024 dates for Commission Work Session and Regular Session meetings. **(TO BE ADDED)**
(Commissioner Hill)
58. Discussion of December Zoning items, numbers 59 to 66.
(Commissioner Schoonmaker)

II. ZONINGS:

A. Zoning Requests

59. 10-K-23-RZ Request of BB Investment Properties, LLC for rezoning from RA (Low Density Residential) to PR (Planned Residential) up to 5 dwelling units per acre. Property located at 2713 Byington Beaver Ridge Road / Parcel ID 090 116. **Planning Commission Recommendation: APPROVE the PR (Planned Residential) zone up to 4 dwelling units per acre because it is consistent with the sector plan and surrounding development, subject to 1 condition, by a vote of 10-3.**
(Commission District 6)
60. 11-A-23-RZ Request of John Sevier Joint Venture and Red Door Homes for rezoning from A (Agricultural) to PR (Planned Residential) up to 5 dwelling units per acre. Property located at 0 E Governor John Sevier Highway / Parcel ID 124 20002 and 20003. **Planning Commission Recommendation: APPROVE the PR (Planned Residential) zone up to 5 dwelling units per acre because it is consistent with the sector plan designation and would allow development compatible with the surrounding land uses and zoning pattern, subject to 3 conditions, by a vote of 11-2.**
(Commission District 9)

61. 11-B-23-RZ Request of Ziggurat Development LLC / Janet Plont for rezoning from PC (Planned Commercial) to OB (Office, Medical, and Related Services). Property located at 3710 Neal Drive / Parcel ID 038 N B 006. **Planning Commission Recommendation: APPROVE the OB (Office, Medical, and Related Services) zone because it is consistent with the sector plan and consistent with the surrounding development, by a vote of 12-0 Consent.**
(Commission District 7)
62. 11-H-23-RZ Request of Ned Ferguson for rezoning from A (Agricultural) to RA (Low Density Residential). Property located at 112 Verton Drive / Parcel ID 057 H A 003. **Planning Commission Recommendation: APPROVE the RA (Low Density Residential) zone because it is consistent with the sector plan and surrounding development, by a vote of 12-0 Consent.**
(Commission District 7)
63. 11-B-23-SP Request of Nature's Best Organics of TN LLC / Brian Development, LLC for a Northwest County Sector Plan Amendment from RC (Rural Commercial), RR (Rural Residential), AG (Agricultural) and HP (Hillside Protection) to RR (Rural Residential) and HP (Hillside Protection). Property located at 0 W Emory Road, 8707 and 8703 Joe Daniels Road / Parcel ID 076 00901 and 009, 089 193 (part of). **Planning Commission Action: APPROVE the RR (Rural Residential) land use classification because it is consistent with surrounding land use and trends in development, by a vote of 12-0 Consent. The HP land use classification will be retained.**
(Commission District 6)
64. 11-I-23-RZ Request of Nature's Best Organics of TN LLC / Brian Development, LLC for rezoning from A (Agricultural), CR (Rural Commercial) and PC (Planned Commercial) to PR (Planned Residential) up to 3 dwelling units per acre. Property located at 0 W Emory Road, 8707, 8703, and 0 Joe Daniels Road / Parcel ID 076 00901 and 009, 089 193 and 044. **Planning Commission Recommendation: APPROVE the PR (Planned Residential) zone up to 3 dwelling units per acre because it is consistent with Growth Policy Plan guidelines and surrounding development trends, subject to one condition, by a vote of 12-0 Consent.**
(Commission District 6)
65. 11-J-23-RZ Request of Ron Worley for rezoning from RA (Low Density Residential) to PR (Planned Residential) up to 4 dwelling units per acre. Property located at 6925 Ball Road / Parcel ID 091 077. **Planning Commission Recommendation: APPROVE the PR (Planned Residential) zone up to 3 dwelling units per acre because it is consistent with the sector plan designation and would allow development compatible with the surrounding land uses and zoning pattern, subject to 1 condition, by a vote of 13-0.**
(Commission District 6)

66. 10-E-23-RZ Request of A Step Towards Home for rezoning from: for the portion of the parcel zoned I (Industrial) to PR (Planned Residential) up to 5 dwelling units per acre and for the portion of the parcel zoned A (Agricultural) to PR (Planned Residential) up to 3.25 dwelling units per acre. Property located at 7816 Ball Camp Pike / Parcel ID 091 226. **Planning Commission Recommendation: APPROVE the PR (Planned Residential) zone with up to 5 dwelling units per acre on the Industrial-zoned portion and up to 3.25 dwelling units per acre on the Agricultural-zoned portion of the subject property, subject to one condition, by a vote of 10-0 Consent. (DEFERRED FROM NOVEMBER DUE TO NO-SHOW OF APPLICANT)**
(Commission District 6)

B. Zoning Appeals

C. Amendments to the Knox County Zoning Ordinance

D. Other Business

E. Adjournment