



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
May 20, 2021**

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:01 p.m.

2. Pledge of Allegiance:

3. Roll Call:

Board Members in Attendance:

Carolyn Clark, Commissioner	Present
Josh Eatherly, Commissioner	Present
Tony Gross, Mayor	Present
Mike Hargis, Commissioner	Absent
Glenn Remick, Vice-Mayor	Present

Staff in Attendance:

John Lawless, City Manager	Present
Jamie Dupré, City Recorder	Present
Debbie Finch, Finance Director	Present
Martha Brooke Perry, City Attorney	Present
Eugene Ivey, Police and Fire Chief	Present
Brandy Miniati, Parks Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the April 15, 2021 Public Hearing Meeting Minutes:

Motion to approve the April 15, 2021, Public Hearing Meeting Minutes made by Commissioner Eatherly with a second by Vice-Mayor Remick. Motion passed unanimously.

6. Motion to approve the April 15, 2021 City Commission Meeting Minutes:

Motion to approve the April 15, 2021, City Commission Meeting Minutes made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed unanimously.

7. Motion to Approve the May 20, 2021 City Commission Meeting Agenda:

Motion to approve the May 20, 2021, City Commission Meeting Agenda made by Commissioner Eatherly, with a second by Vice Mayor Remick. Motion passed unanimously.

8. Announcements from Commissioners:

Commissioner Clark announced that Friday, May 21st (every third Friday in May) is National Endangered Species Day.

Vice-Mayor Remick announced that the Harpeth River Conservancy was having a river clean up on Saturday at Burns Park. Volunteers are still needed. He also commended City Manager Lawless for all his efforts on working with insurance claims for the flood and grants.

Mayor Gross thanked Town for great work on the sidewalks.

9. Community Input and Concerns:

None

10. Department Reports:

A. Recognition of Town Employees:

The following employees were recognized for their years of service with Town of Kingston Springs:

- **T.C. Swaggerty – 25 Years of Service**
- **Jeremy Vaughan – 20 Years of Service**
- **Doris Neil – 20 Years of Service**

B. City Manager

• **Stormwater Update**

City Manager Lawless gave an informational only update on stormwater issues on Harpeth Hills Drive and Harpeth Meadows Drive. They receive a lot of drainage when it rains. Both areas have blue line streams. Addressing the problems are not simple fixes. A civil engineer has been consulted to look at options. City Planner has been consulted as well regarding getting permit from TDEC. Next steps will be working with engineer to come up with a plan. City Manager Lawless wanted commissioners to know of efforts taken so far and that it is on his radar if they receive any inquiries.

• **Codes Enforcement Update**

Mike Armstrong started last week as the codes enforcement officer. He met with City Manager to discuss process. He began investigating complaints that were on the books and visiting properties. Letters were sent out to those property owners who were not able to meet in person. The Town's Facebook page will have a codes update. A pamphlet addressing major issues has been created to distribute.

11. Legal Updates:

City Attorney Perry said there are some new laws on books that she will look into for the Town.

12. Unfinished Business:

A. Motion to approve donations to the Town of Kingston Springs for use toward onboarding a new K9 Officer.

Chief Ivey announced donation commitments from Bob Stohler for \$100.00, and Jake Owen for \$10,400.00 toward funding for a new K9 officer. Motion to approve donations to the Town of Kingston Springs for use toward onboarding a new K9 Officer made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

13. New Business:

A. Motion to approve first reading of Ordinance 21-005 – Amending Provisions of the TITLE 12, CHAPTER 3, SECTION 12-302 (1) and TITLE 13, CHAPTER 1, SECTION 13-105 (2) of the Town of Kingston Springs Municipal Code.

City Manager Lawless said this was initially approved last month as Ordinance 21-003, but because that ordinance didn't make it in the updated codification, the ordinance was repealed, and this ordinance is replacing it. It is the same ordinance as before with no changes, just a new number. Motion to approve first reading of Ordinance 21-005 – Amending Provisions of the Title 12, Chapter 3, Section 12-302 (1) and Title 13, Chapter 1, Section 13-105 (2) of the Town of Kingston Springs Municipal Code made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

B. Motion to approve Resolution 21-004 – Authorizing Town of Kingston Springs to enter into cooperative purchasing agreement with NPPgov.

NPPgov is a national cooperative procurement organization. State law allows for government entities to purchase from a cooperative where another government agency had done the vetting and it meets TN purchasing laws. City Attorney Perry said Tennessee law requires Commissioners to approve the pricing agreement. Commissioner Clark asked about the benefits of purchasing from cooperative versus doing our own bidding. Attorney Perry stated the cooperative agreement has already done the bidding, vetted all the vendors, and obtained discounts, thus saving the Town the time and expense of soliciting bids. Motion to approve Resolution 21-004 – Authorizing Town of Kingston Springs to enter into cooperative purchasing agreement with NPPgov made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

C. Motion to approve purchase of splashpad equipment and installation by Vortex for \$419,708.00 and authorize Mayor of City Manager to execute contract after final City Attorney approval of requested changes, and approving deposit payment to Vortex in the amount of \$126,000.00.

City Attorney Perry said the Town is working on a couple of changes to the contract and fine tuning it to include locking in on the fixed price that was quoted. City Manager added that the Town looked at three different manufacturers, and Vortex was the preferred choice. He said that he and Park Director Miniati have talked about the additional people and traffic that will come with the new splashpad, and that Miniati has been speaking with other municipalities that have splashpads to see how they handle the situation. Miniati said the biggest issue is large groups, and most of the cities have a group policy. Some municipalities limit the size of the groups, as well as the days that large groups can attend. She will be visiting several cities once their facilities are open to the public. Mayor Gross stated he was not in favor of charging people to attend a public park. City Manager Lawless stated that he and Miniati will present several options on resolving potential crowd issues to the board in the future. Motion to approve purchase of splashpad equipment and installation by Vortex for \$419,708.00 and authorize Mayor or City Manager to execute contract after final City Attorney approval of requested changes, and approving deposit payment to Vortex in the amount of \$126,000.00 and the execution of the intergovernmental cooperative purchasing agreement made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly voting yes, Mayor Gross voting yes, Commissioner Hargis absent, and Vice-Mayor Remick voting yes. Motion passed.

D. Motion to amend the 2020-2021 budget for the following adjustments:

- **\$126,000.00 needs to be added to the Park Department to pay the deposit on the new splashpad. (Funding for the deposit is from the donation by the Jake Owen Foundation).**
- **\$21,374.65 to be added to General Revenue. Received payment from insurance company for flood claims.**
- **\$87,252.53 to be added to Sewer Revenue. Received payment from insurance company for flood claims.**
- **\$6,506.84 to be added to the Park Department to cover flood expenses. (Funding has been received by the insurance company less the deductible).**
- **\$15,834.10 needs to be added to the Sewer Department to cover flood expenses. (Funding has been received by the insurance company less the deductible).**

Commissioner Clark asked about approving money from Jake Owen Foundation since the donation was accepted at an earlier meeting. Finance Director Finch explained that the board received the revenue at the earlier meeting, but now the board must appropriate the funds for expenditure. Motion to amend the 2020-2021 budget for the adjustments listed above made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly voting yes, Mayor Gross voting yes, Commissioner Hargis absent, and Vice-Mayor Remick voting yes. Motion passed.

E. Motion to approve first reading of Ordinance 21-006 – 2021-2022 Budget.

- **\$19,698.20 needs to be added to grant expenditures to pay Dickson Electric for utility relocation on the SRTS project.**

- **\$35,000.00 needs to be added to Fire Department to purchase swift water boats. (\$35,000.00 has been received from the county from over collected rural fire taxes to pay for this purchase).**
- **\$14,867.81 needs to be added to the Park Department for flood expenses, (Received funding from insurance claims less deductible in 20-21).**
- **\$71,418.43 needs to be added to the Sewer Department for flood expenses, (Received funding from insurance claim less the deductible in 20-21).**

Motion to discuss Ordinance 21-006 made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously. Mayor Gross read the above listed amendments. Finance Director Finch explained that the insurance money from a recent flooding event was received in the current fiscal year. Since we have some expenditures in this budget year and will have some in the next, we need to make the above amendments. Chief Ivey said that money for the swift water boats was received this year, but purchase is being moved to next fiscal year because the purchasing process will take time. Commissioner Clark asked for clarification that the money received was for purchase of boats, motors, trailers, and training. Chief Ivey confirmed that it was. He also said the County was fine with them using a cooperative agency like NPPgov to get a better price. Motion to approve first reading of Ordinance 21-006 – 2021-2022 Budget as amended made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly voting yes, Mayor Gross voting yes, Commissioner Hargis absent, and Vice-Mayor Remick voting yes. Motion passed.

F. Motion to approve first reading of Ordinance 21-007 – An Ordinance to Amend TITLE 9 Business Peddlers, Solicitors, Etc. Adding CHAPTER 2 – Mobile Food Vending.

City Manager Lawless said he has received inquiries about requirements for mobile food vending. There was nothing in municipal code, so he worked with City Attorney Perry to come up with the requirements. Commissioner Eatherly had questions regarding a rally, and a town sponsored rally versus a group rally. Motion to approve first reading of Ordinance 21-007 – An Ordinance to Amend Title 9 Business Peddlers, Solicitors, Etc. Adding Chapter 2 – Mobile Food Vending made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly voting yes, Mayor Gross voting yes, Commissioner Hargis absent, and Vice-Mayor Remick voting yes. Motion passed.

G. Motion to approve first reading of Ordinance 21-008 – Amending Provisions of the TITLE 11, CHAPTER 5, SECTION 11-504 of the Town of Kingston Springs Municipal Code.

This ordinance amendment came as a request from Commissioner Clark regarding current park rules. City Attorney Perry said she updated language and addressed handguns and tobacco products to reflect new laws. Commissioner Eatherly suggested some sort of community outreach to alert public to rules. City Manager Lawless said there is signage in the park with the rules and it will be updated as needed. Motion to approve first reading of Ordinance 21-008 – Amending Provisions of the Title 11, Chapter 5, Section 11-504 of

the Town of Kingston Springs Municipal Code made by Vice-Mayor Remick, with a second by Commissioner Clark. Motion passed unanimously.

H. Motion to approve Resolution 21-003 – Approving the Town of Kingston Springs Event Permit Application.

City Manager Lawless said the municipal code indicated there was an event permit application, but research indicated we did not have one on file. This application will help regulate any sort of event not sponsored by the town, such as parades, demonstrations, etc. Motion to approve Resolution 21-003 – Approving the Town of Kingston Springs Event Permit Application made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

I. Motion to approve City Manager to advertise a Request for Qualifications for Wastewater Engineering Services.

City Manager said there are some infrastructure repair projects coming up, and both he and Wastewater Director Austin Patterson think having a qualified engineer to help guide the town through these projects would be in the town's best interest. Motion to approve City Manager to advertise a Request for Qualifications for Wastewater Engineering Services made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

J. Motion to select and approve paving bid for Brush Creek Road including additive alternate.

City Manager Lawless stated that a bid opening for this project was held on May 19th. Collier Engineering certified the bids with Tennessee Valley Paving Company as the lowest bidder at \$125,663.75. This bid includes the entirety of Brush Creek Road from CC Road to the town limits. Commissioner Clark asked if the problem on Brush Creek Road was just paving or if there were water-related problems as well. City Manager Lawless stated that there were some water related issues with the road and they would be addressed at paving. Motion to select and approve paving bid for Brush Creek Road including additive alternate made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed unanimously.

K. Motion to approve acceptance of \$347,631.00 in additional funding at an 80/20 split of \$278,104.80 state funding with a \$69,526.20 local match from TDOT for the Town's Safe Routes to School grant and updating the current contract to reflect the additional funding.

Motion to approve acceptance of \$347,631.00 in additional funding at an 80/20 split of \$278,104.80 state funding with a \$69,526.20 local match from TDOT for the Town's Safe Routes to School grant and updating the current contract to reflect the additional funding made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously.

L. Motion to set TCRS Employer Contribution Rate Certification for 2021-2022 Fiscal Year.

City Manager Lawless stated that the minimum rate is 6.08%. The current rate is 7.29%. Finance Director Finch said the state recommends that municipalities contribute more than the recommended rate. Employees can only contribute 5%. Motion to retain current 7.29% TCRS Employer Contribution Rate Certification for 2021-2022 Fiscal Year made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed unanimously.

M. Discussion and decision on repairing or replacing Acorn Court Pump Station.

City Manager Lawless reported that as a result of our recent flooding event our insurance company paid the Town \$70,000+ for flood damage to the Acorn Court Pumping Station. Lawless stated there were two options, either repair or replace the existing station. Staff recommendation is to replace the station. Approximate lead time for repair is 3 months and 6 months for replacement. It could also be longer than that due to current construction supply conditions. Motion to solicit bids to replace pump station made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed unanimously.

14. Surplus:

None

15. Other (For Discussion Only):

Chief Ivey stated that the Emergency Service Committee will be meeting on June 1 to discuss the Fire Contract. He will keep commissioners updated.

16. Reminders:

- Kingston Springs Farmers and Artisans Market opens Saturday, May 22nd
- Fishing Rodeo Saturday, June 12th
- Summer Day Camps the weeks of July 12-16 and July 19-23

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed unanimously. Meeting adjourned at 8:10 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder