



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
September 16, 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
Martha Brooke Perry, City Attorney	Present
Eugene Ivey, Police and Fire Chief	Present
Brandy Miniatt, Parks Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the August 19, 2021 Public Hearing Meeting Minutes:

Motion to approve the August 19, 2021 Public Hearing Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

6. Motion to Approve the August 19, 2021 City Commission Meeting Minutes:

Motion to approve the August 19, 2021 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

7. Motion to Approve the September 16, 2021 City Commission Meeting Agenda:

Mayor Gross added Item I. under New Business – Amending the 2021-2022 Sewer Budget in the amount of \$80,000 for replacing the Valley Drive Sewer Pump Station. Motion to approve

the September 16, 2021 City Commission Meeting Agenda as amended made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

8. Announcements from Commissioners:

Commissioner Clark thanked Public Works Director Roger Parker for his responsiveness on a weekend, and also thanked the department heads for their reports.

Vice-Mayor Remick thanked the Town and employees for their work on all the events coming up.

Commissioner Eatherly also thanked the Town and employees for their work on all the upcoming events and noted that volunteers are still needed.

9. Community Input and Concerns:

Gwendolyn Blanton, 218 Hillcrest Road, raised concerns about what is being sprayed along sidewalks for weeds, suggesting the Town go toxic-free.

Doug Winters, 275 East Kingston Springs Road spoke about speeding on East Kingston Springs Road (SR249).

Chuck Sleighter, 328 Harpeth View Trail, spoke about speeding on East Kingston Springs Road and Harpeth View Trail.

Cathy Downs, 103 East Kingston Springs Road, spoke about her easement road with the apartments being built on East Kingston Springs Road. She also has an issue with placement of her mailbox.

10. Department Reports:

City Manager Lawless announced that Assistant Finance Director Kellie Reed will transition on October 1 to Finance Director. Debbie Finch will be working through December to complete several projects she is working on and in an advisory capacity.

Chief Ivey announced that Herschel Fischer retired from the Fire Service after 25 years. Chief Ivey would like to have a public event to commemorate his service.

Commissioner Clark asked about a written proposal for purchasing Police Department weapons and using surplus vehicles for speed mitigation.

11. Legal Updates:

None

12. Unfinished Business:

A. Motion to Approve on Second Reading Ordinance 21-009 – Amending Ordinance 20-003 – 2020-2021 Budget.

Motion to approve on Second Reading Ordinance 21-009 – Amending Ordinance 20-003 – 2020-2021 Budget 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.

B. Motion to Approve on Second Reading Ordinance 21-010 – Amending Ordinance 21-006 – 2021-2022 Budget.

Motion to approve on Second Reading Ordinance 21-010 – Amending Ordinance 21-006 – 2021-2022 Budget 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.

C. Motion to Approve on Second Reading Ordinance 21-011 – Amending Article VIII of the Town of Kingston Springs Zoning Ordinance – Notice Requirements to PC and BZA.

City Attorney Perry noted that this ordinance was not publicized and should be tabled. Motion to table second reading of Ordinance 21-011 – Amending Article VII of the Town of Kingston Springs Zoning Ordinance – Notice Requirements to PC and BZA made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed.

D. Motion to approve forwarding updates of the Kingston Springs Growth Plan to the Joint Cheatham County Growth Plan Committee.

Motion to approve forwarding updates of the Kingston Springs Growth Plan to the Joint Cheatham County Growth Plan Committee made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

13. New Business:

- ### **A. Discussion of Written Proposal for Fog Line Striping and Speed Mitigation on Ridgecrest Drive. Submitted by Commissioner Clark.**
- Commissioner Clark introduced Rick Findley of 1032 Ridgecrest Drive. Mr. Findley noted that Kingston Springs has had a lot of growth and there was a common theme at the meeting tonight – speed mitigation. He said there was no speed limit sign on his street, Ridgecrest Drive. He said the speed radar slowed people for a while. He felt the speed limit in a residential neighborhood should be less than 30 mph. He also said that Patterson Drive is a problem. There is no edge striping and weeds along side of the road are growing into the road. Other issues he cited were lawn maintenance companies parking on the street and in curves on a two-lane residential street. This has become a safety issue. Mayor Gross stated that at a previous meeting the Commissioners discussed changing the speed limit across the board in all of

Kingston Springs, which would be easier for officers to enforce. He said the weeds in the road is a codes issue. Chief Ivey said that they have been waiting on parts to have traffic speed trailer repaired. The traffic trailer is a big deterrent and provides the Police Department with valuable data such as number of cars and the speed of the cars. He said until they get the traffic trailer back from repair, they can run radar in these neighborhoods. There will be more patrols on the street, but said if there is a problem, residents should call the non-emergency dispatch number. Mr. Findley presented a signed petition in favor of the proposal for speed mitigation on Ridgecrest. Commissioner Eatherly said he has observed more vehicles parked on the street, especially lawn maintenance vehicles. Chief Ivey said the police will inform anyone parking on the street that it is not allowed. Commissioner Eatherly suggested letting residents know that they need to inform those they hire about no parking on the street. Chief Ivey said that construction and tree service people are supposed to have a flagger on each end if they are going to be in the road.

Commissioner Clark talked about fog line striping and rumble strips. She also asked about reflectors, and speed limits signs. She said there are temporary rumble strips that can be placed and made permanent if they work. She also suggested solar-powered flashing speed limit signs. City Manager Lawless said we could get a cost estimate from engineer on striping. City Attorney Perry said we should have the town engineer render an opinion on safeness and effective measures of speed bumps, rumble strips and get right information on placement. Chief Ivey said some roads are narrow, it will be hard to follow guidelines for striping. Commissioner Clark asked if Ridgecrest could get speed limit signs, and was told yes.

B. Discussion of Written Proposal for Clean-Up of Acorn Creek Bed / Acorn Court Property. Submitted by Commissioner Clark.

Robert Hall, 209 Acorn Court, addressed the commission about the clean-up of Acorn Court and the creek bed. There are two interrelated issues – sewer pumping station and the tributary stream. The Acorn Court pumping station was rendered inoperable after the March flood. The stream near the pumping station feeds into the Harpeth. Mr. Hall and Commissioner Clark looked at the pumping station. It needs a fence around it for obvious safety reasons: the lid was open, and there is a 20-25 foot well. Mr. Hall said for 25 years he has notified the city when the pump goes out. It goes out 3 or 4 times a year dumping sewage into the creek. He suggested having an automated alert system. He commended Austin Patterson for his responsiveness to his calls. During the flood of 2010 the stream flooded and left lots of debris. There were three volunteer cleanups, but not all the debris was removed. Some of the work done by the city at that time damaged his property. Every big rain uncovers more debris. He suggested having a dump truck and a come-along or wench to get big pieces out. Vice-Mayor Remick said he would bring it to the attention of the Harpeth Conservancy. They have a number of river cleanup programs. Commissioner Clark asked if there was a moratorium on the city helping from 2010 flood. City Attorney Perry said she has not found one, but FEMA money would not be available. If we can prove damage was from the 2010 or the March 2021 flood, the city can go on private property. Mr. Hall said it would be nice if the city would repair his property that was

damaged when they tried to clean up from the 2010 flood. City Attorney Perry said there may be statute of limitations that apply. She will investigate.

Commissioner Eatherly asked for updates on the pumping station. City Manager Lawless said that he received three estimates/options from the Waste Water Engineer: 1) repair existing station, 2) replace the pump station and raise it to mitigate flooding, 3) move pump station to another location. The cost to move the station has been estimated at \$800,000.00

Commissioner Clark asked about continuing this discussion and noted that commissioners aren't allowed to meet one-on-one to discuss issues. City Attorney Perry said they could have a workshop and advertise it to the public. A resolution will be needed, and creek debris cleanup can be part of the resolution. She will check on statute of limitations for damage to the property. Chief Ivey suggested contacting property owners before doing anything so that they are aware. City Manager Lawless said they would have a resolution at next month's meeting.

C. Discussion of Written Proposal for Speed Mitigation on East Kingston Springs Road (SR249). Submitted by Commissioner Clark.

This is a state road, so the town is not able to put signs, striping, or rumble strips on the road. Commissioner Clark suggested police car cutouts and radar. Commissioner Clark said another idea was to park one of the surplus police vehicles where it is visible. Mayor Gross said that hopefully the corridor study will lead the state to widen the road. Resident Doug Winters noted that East Kingston Springs Road was repaved but the rumble strips were not replaced on edges when repaved. If someone gets too close to edge, they will go into the ditch. Delivery drivers are another offender. Chief Ivey mentioned officers were aware and one deliver driver has had three recent speeding citations. Commissioner Clark said that TDOT was not interested in the number of wrecks that have occurred on this section of East Kingston Springs Road or in widening the road or adding guard rails. One resident took down his fence because he was tired of replacing it, when cars ran off the road. Commissioner Eatherly said TDOT has never done a study looking at number of accidents divided by number of miles. Chief Ivey said they write a considerable number of tickets for this section. Suggestions are to increase the number of patrols and use speed enforcement measures. Commissioner Clark asked about getting cutouts and Mayor Gross asked about using a surplus car. Chief Ivey said that the surplus cars have had lights and stripes removed. He felt they wouldn't be effective after a couple of days of sitting out. He said the solar-powered speed limit signs get more attention than a stationary patrol car that sits in the same place in the morning and afternoon. He also said that vandalism will happen if car is left out. Ivey noted that a lot of factors go into writing tickets. The officer has to be certified in estimating speed, and the radar verifies that estimate.

Action items:

- Pricing and ideas on portable signs;
- Find out what we can do on state routes; nothing permanent, but removable signs may be possible, but needs to be confirmed.

- City Attorney Perry suggested talking with TDOT about making changes.
- Mayor to talk to TDOT engineer about wide loads and speed limit.

Commissioner Eatherly said we should push for lowering speed limit on local roads. Commissioner Clark asked about cutouts. Commissioner Eatherly said he would prefer we use portable signage if we are able to use that on state road. Mayor Gross said we can get pricing for cutouts and signage, but he was leaning more toward portable signage and wanted to see where they can be placed. City Attorney Perry stated that any speed deterrent option the Town chooses could not be placed on private property. TDOT should be called to address the culverts, ditch, no shoulder and speed limits.

D. Motion to approve Contract for Emergency Services (Fire Contract) between the Town of Kingston Springs and Cheatham County.

Chief Ivey asked about the coverage map, and City Manager Lawless said the map of the district is the same and has been added to the final contract. Motion to approve Contract for Emergency Services (Fire Contract) between the Town of Kingston Springs and Cheatham County made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Commissioner Clark asked about the 2%, and Chief Ivey said that is part of the fire tax. The other amounts listed come from the county's general fund. Vote was held and motion passed. City Attorney Perry said the motion should include a statement for the City Manager to execute the fire contract on behalf of the Town. Motion to approve Contract for Emergency Services (Fire Contract) between the Town of Kingston Springs and Cheatham County, and for the City Manager to execute the contract on behalf of the town made by Commissioner Eatherly, with a second by Vice-Mayor Remick. Motion passed.

E. Discussion of Town Staff Health Insurance Renewal.

City Manager Lawless said the broader networks for Cigna and Blue Cross have been added to the health insurance options. Many providers are only accepting the broader networks. We budgeted for a 10% insurance increase. If everyone opted for the new tiers it would cost an additional \$4,000 from general fund and \$300 from the sewer fund over the 10% initially budgeted for approximately a 13% increase. Budget amendment would need to be done for the additional amount. Commissioner Eatherly said we could be facing insurance increases every year. Debbie Finch added that she budgeted 10% over current premiums because we do not know what premiums will be when the budget is being done. This additional tier is an additional \$65 per month per person. The Town needs to decide if it wants to fund the additional \$65 for those that select the broader network. Commissioner Eatherly added that we need to fund this to keep employees, especially since we are the lower end of the pay scale. Motion to allow broader band Cigna and Blue Cross P coverage for employees, with the Town covering the employee portion of the premium made by Commissioner Eatherly, with a second by Vice-Mayor Remick. 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. A budget amendment will be made after the new year once it is determined how many employees take advantage of this option.

F. Discussion of Town Website Upgrades.

City Manager Lawless said he has looked for ways to improve the website and the interaction between the town and its citizens, and to help promote transparency and easy of access. He has looked at a proposal from Municode, which has options for the website, and electronic meeting packets. Meeting packets are done electronically, and are very interactive. You can click on an agenda item that will take you directly to the source material for that agenda item. It is easy to manipulate. Chromebooks could be provided to commissioners instead of printing the packets. We are not necessarily sold on Municode, but we do like several of their features. Lawless has a meeting with current provider to see what options they can provide that are similar to Municode. Increasing options on our website is a really good way to increase the interaction with the community. It would take about \$4000 in initial costs for Municode to rework our system. There would be a fee for design and to pull our current data, annual hosting fee, and a Municode Meetings fee. Annual cost is double for what we currently pay. Lawless asked for Board's thoughts on the interactive website. Mayor Gross liked the idea of interactive website, but also liked having a local provider. Commissioner Eatherly said you can get more options than are usable, and we need to be able to tie in social media. Lawless said he will continue talking with our local provider to see what option can be provided.

G. Motion to Approve Resolution 21-010 – Construction Bid for Kingston Springs Luyben Hills Road Multimodal Streetscape Grant Project, TDOT PIN: 123630.00.

City Manager Lawless said that construction bids for the Multimodal project were opened on August 27, 2021. Thomson & Thomson, Inc. was the lowest of the three bids received at \$887,301.25 as confirmed by Collier Engineering. Collier suggested this bid be approved and forwarded to TDOT. City Attorney Perry said that an additional statement needs to be added to the resolution stating that the Town recommend to TDOT to accept and approve the authority to award package to Thomson & Thomson, Inc. Motion to approve Resolution 21-010 – Construction Bid for Kingston Springs Luyben Hills Road Multimodal Streetscape Grant Project, TDOT PIN: 123630.00 as amended by Town Attorney, made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

H. Motion to Approve Resolution 21-011 – Construction Bid for the Kingston Springs Safe Routes to School Grant Project, TDOT PIN: 123749.00.

City Manager Lawless said that construction bids for the Safe Route to School project were opened on August 27, 2021. Adams Contracting, LLC was the lowest of the three bids received at \$479,175.00 as confirmed by Collier Engineering. Collier suggested the bid be approved and forwarded to TDOT. City Attorney Perry said that an additional statement needs to be added to the resolution stating that the Town recommend to TDOT to accept and approved the authority to award package to Adams Contracting, LLC. Motion to approve Resolution 21-011 – Construction Bid for the Kingston Springs Safe Routes to School Grant Project, TDOT PIN: 123749.00 as amended by Town Attorney, made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

I. Motion to Amend the 2021-2022 Sewer Budget to add \$80,000 for the pump station.

City Manager Lawless said the money to repair the pump station was allocated in the 2020-2021 Budget, but was not spent due to delays which have moved the repair to 2021-2022. Motion to amend the 2021-2022 Budget to allocate \$80,000 to the Sewer budget for the pump station 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.

14. Surplus:

- City Hall – AC Wall Unit – Scrap.
- Police Department – 3 Broken Office Chairs – Discard.
- Fire Department – Frigidaire Washing Machine – Scrap.
- Fire Department – Protemp 125,000 BTU Heater – Scrap.
- Fire Department – Power Hawk PC-100 Battery Jump Box – Discard.
- Fire Department – Outboard Boat Motor – Serial E6144059 – Scrap.
- Fire Department – Outboard Boat Motor – A0A010757A1 – Scrap.

Motion to surplus the above listed items made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed.

15. Other (For Discussion Only):

None

16. Reminders:

- Dinner on Main scheduled for September 19th
- Art in the Park is scheduled for October 2nd
- National Night Out is scheduled for October 5th

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed. Meeting adjourned at 9:00 pm.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder