



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
November 18, 2021**

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:00 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 | Present |
| 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 Miniati, Parks Director | Present |
| Kellie Reed, Finance Director | Present |

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the October 21, 2021 Public Hearing Meeting Minutes

Motion to Approve the October 21, 2021 Public Hearing Meeting Minutes made by Commissioner Hargis, with a second by Vice-Mayor Remick. Motion passed.

6. Motion to Approve the October 21, 2021 City Commission Meeting Minutes:

Motion to Approve the October 21, 2021 City Commission Meeting Minutes made by Commissioner Eatherly, with a second by Commissioner Hargis. Motion passed.

7. Motion to Approve the November 18, 2021 City Commission Meeting Agenda:

Mayor Gross indicated a KitchenAid Refrigerator was to be added to the surplus list. Motion to Approve the November 18, 2021 City Commission Meeting Agenda as amended made by Vice-Mayor Remick, with a second by Commissioner Clark. Motion passed.

8. Announcements from Commissioners:

Commissioner Clark reported that rumble strips have been added to East Kingston Springs Road and striping has been done on Fairview-Kingston Springs Road. She learned that Kingston Road in Fairview is slated for repaving and restriping in the near future.

Commissioner Eatherly announced that his family was purchasing a new home outside of the city limits, and this would be his last meeting as commissioner.

9. Community Input and Concerns:

There was no one to speak in person, but Commissioner Clark read an email from Kim Tierney, 925 Mt. Pleasant Road, requesting that speed limit not be raised on Mt. Pleasant Road.

10. Department Reports:

City Manager Lawless said that pre-construction meetings for Multimodal and Safe Routes to School were held. Tentative start dates are December 1 for Multimodal with tentative end date of April 30, and tentative start date of December 5 for Safe Routes to School with a tentative end date of May 5. Both projects will take approximately 150 days and will run concurrently.

City Manager Lawless said South Harpeth Road Bridge over Brush Creek is not on TDOT's December letting. TDOT lets bids every other month. Hopefully it will be on the February 2022 letting.

Lawless said the Splash Pad expansion should be completed in the middle of December. He thanked Parks Director Miniatt for spearheading efforts and working with contractors. Commissioner Hargis suggested having a grand opening for the splash pad and inviting manager of the Golf Club of Tennessee, the Jake Owen Foundation, and get elementary school involved. Parks Director Miniatt said a ribbon cutting is planned for Memorial Day weekend. Commissioner Clark asked about fees. Miniatt said this would be discussed at budget retreat. She said there is a list of things for splash pad that need to be discussed.

11. Legal Updates:

City Attorney Perry reported that the TN General Assembly has prohibited vaccination mandates, unless an exemption has been requested showing you will lose federal funds if you didn't comply. Numerous states have initiated law suits. The Sixth Circuit of Appeals in Tennessee will hear law suits. She will keep board posted on outcome.

12. Unfinished Business:

A. Second Reading of Ordinance 21-012 – Amending Ordinance 21-006 – 2021-2022 Budget.

Motion to approve Ordinance 21-012 – 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 voting yes, and Vice-Mayor Remick voting yes. Motion passed.

13. New Business:

A. Continue discussion of traffic speed mitigation in the Town of Kingston Springs and direction for staff moving forward.

Mayor Gross asked retired TDOT traffic engineer and Kingston Springs resident, Pete Hiatt to review the staff recommendations for speed mitigation. Mr. Hiatt said that consistency with two speed limits was good, but he suggested adding a third speed limit:

- 35 mph for main arteries like state highways (East/West Kingston Springs Road)
- 30 mph for collector streets such as Mt. Pleasant, Harpeth View Trail and CC Road
- 20 mph for local roads

Mr. Hiatt suggested traffic calming measures such as radar signs, landscaping and 4-way stop signs for collector streets. More speed limit signage is needed across the town. He said consistency helps with compliance.

Chief Ivey reported results from the radar trailer placed on Mt. Pleasant. During the 24-hour period, 1532 cars traveled past the trailer. The highest speed on Mt. Pleasant was 49 mph. Of the cars that traveled during these 24 hours, the following results were seen:

| | |
|-----------------|------------------|
| 868 cars (56%) | 35 mph and under |
| 551 cars (36%) | 36-40 mph |
| 115 cars (7.5%) | 41-45 mph |
| 8 cars (.5%) | 46-50 mph |

Chief Ivey felt that signage was a bigger issue. It was noted that the speed feedback signs cost \$3500. Mayor Gross said that consistency, better signage and the three recommended speed limits were needed in an ordinance. Mr. Hiatt said school zone speed limits need to be included. Staff will work on an ordinance as well as outlining locations for additional speed limit signage.

B. Discussion of speed limit signage on SR249 (East Kingston Springs Road). Sponsored by Commissioner Clark.

Commissioner Clark wrote to TDOT regarding speed limit signage on SR249, and was told that the Town has jurisdiction to place speed limit signs on SR249. TDOT preferred speed feedback signs. This initiative will be included in the staff outline for additional speed limit signage.

C. Approval of Second South Cheatham Utility District to refund secondary meters in the amount of \$14,510.73.

Motion to approve Second South Cheatham Utility District to refund secondary meters in the amount of \$14,510.73 made by Vice-Mayor Remick with a second by Commissioner Eatherly. Motion passed. Commissioner Hargis has a secondary meter and abstained from the vote.

D. Approval of gravel donation from Mr. Hall, 209 Acorn Court, Kingston Springs.

Mr. Hall is donating gravel from his property which the Town can remove from his yard and use. City Attorney Perry said we should have in writing that Mr. Hall gives his permission to allow the Town to remove the gravel from his property. Motion to approve the gravel donation from Mr. Hall, 209 Acorn Court, Kingston Springs made by Vice-Mayor Remick, with a second by Commissioner Clark. Motion passed.

E. Discussion and approval of grant funding option for Multimodal, Safe Routes to School, and Transportation Alternative Program (TAP) grants.

City Manager Lawless said that the expenses for the Multimodal and Safe Routes have been set. However, TAP has not gone to bid yet, and expense is a best estimate. City Manager Lawless and Finance Director Reed presented three options for financing grants:

- 1) Town pays all expenses from General Fund balance and is reimbursed for the State's portion.
- 2) Town pays its portion from General Fund balance and finance the State's portion through Capital Outlay Notes, either 3, 5 or 12 years (to be reimbursed).
- 3) Finance both the Town's and State's portions with a Capital Outlay Note.

Commissioner Hargis asked why finance TDOT's portion for either 3, 5, or 12 years when the project has a 6-month window of completion. Finance Director Reed said that we have to pay Town's portion and State's portion first and then submit a reimbursement request, and the Town's money will be tied up until reimbursed. Commissioner Hargis said then the only reason to finance State's portion is to have cash flow and protect the reserve. There are a lot of things we don't know. Right now, we have spent 30+ % of total budget and received about 15% of revenue. We don't know what the property tax revenue is going to be, we don't know what sales tax will be, and we are looking at a bigger budget next year. We've overspent revenues already this year, and we won't know until end of year if what we authorized in the budget covers what has been spent. The reserve fund is there in case those two numbers don't match, and often they don't. Commissioner Hargis said he was okay doing a short-term note for State's portion at a maximum of one year. Gross agreed with Hargis about the uncertainty, saying we don't know what the TAP numbers will be.

Commissioner Hargis said if the TAP numbers were \$50,000 over estimate, then that portion could come from fund balance. That is still preserving cash. Reed said the shortest term for a Capital Outlay Note is three years, but we would not be penalized for paying early, although we would have to pay interest for one year. Commissioner Hargis motioned that the Town obtain a 12-year Capital Outlay Note to finance the Town's portion of the grants, and a 3-year Capital Outlay Note, to be paid off in a year, to finance the State's portion of the grants. Commissioner Eatherly seconded the motion. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

14. Surplus:

- Police Department - .40 Caliber Ammunition – to be traded for 9MM Ammunition.
- Fire Department – KitchenAid Refrigerator (KFIS25XVMSZ, serial # KY4956901) – recycle/discard.

Motion to trade ammunition made by Vice-Mayor Remick, with a second by Commissioner Eatherly. Motion passed. Motion to discard refrigerator made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed.

15. Other (For Discussion Only):

Commissioner Eatherly thanked town staff and his fellow commissioners, saying he had learned so much serving as a commissioner. It has been very rewarding.

There was discussion of a replacement for Commissioner Eatherly. Mayor Gross said he wanted to appoint someone to fill the remainder of Commissioner Eatherly's term on the Board of Commissioners and the Planning Commission, and recommended Bob Stohler. City Attorney Perry reviewed requirements and said there must be a vacancy first before the position can be filled. Commissioner Eatherly would need to resign. The position must be filled within 90 days and if not, then an election must be held. Commissioner Eatherly wrote a resignation letter effective November 18, 2021 at 8:24 p.m. Mayor Gross declared a vacancy on the Board. Commissioner Hargis nominated Bob Stohler to fill Commissioner Eatherly's unexpired term, with a second by Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

City Manager Lawless was asked if Lundy Cupp sculpture will be ready for the December 2 tree lighting at the library. Lawless said there was a possibility, but probably not.

Commissioner Clark asked about striping on Ridgcrest Drive. City Manager Lawless said he spoke with a representative from Tennessee Valley Paving, and it will cost approximately

\$3,500. Cost could be reduced if combined with other projects in town. Town staff will see what areas are in need of striping and combine them to get a better price.

16. Reminders:

- City Hall will be closed Thursday, November 25th and Friday, November 26th for Thanksgiving Holidays.
- Library tree lighting, Thursday, December 2nd
- Christmas Event in Burns Park Sunday, December 12th

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, with a second by Commissioner Clark. Motion passed. Meeting adjourned at 8:26 pm.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder