



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
March 17, 2022**

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
Tony Gross, Mayor	Present
Mike Hargis, Commissioner	Present
Glenn Remick, Vice-Mayor	Present
Bob Stohler, Commissioner	Present

Staff in Attendance:

John Lawless, City Manager	Present
Jamie Dupré, City Recorder	Present
Jennifer Noe, City Attorney	Present
Eugene Ivey, Police and Fire Chief	Present
Brandy Miniat, Parks Director	Present
Kellie Reed, Finance Director	Present
Sharon Armstrong, City Planner	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the February 17, 2022 City Commission Meeting Minutes:

Motion to Approve the February 17, 2022 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

6. Motion to Approve the March 17, 2022 City Commission Meeting Agenda:

Motion to Approve the March 17, 2022 City Commission Meeting Agenda made by Commissioner Stohler, with a second by Commissioner Hargis. Motion passed unanimously.

7. Announcements from Commissioners:

Commissioner Clark spoke about the Blue Cross Blue Shield Grant. She spoke with Scott Williams who said that while we did not receive the grant this year there was nothing wrong with our grant application. There were 75 applications for 5 grants. He urged us to retry.

Vice-Mayor Remick announced the Harpeth Conservancy will be doing a clean-up in Burns Park of privet and other plants on March 26. He also noted that residents in the Simms Heights and Ridgecrest area recently had a clean-up day picking up trash.

Mayor Gross congratulated Officer Brandon Scruggs on passing firearms instructor training.

8. Community Input and Concerns:

Randy Moomaw apologized for his lack of attendance at Commission meetings, due to some health issues. He has always appreciated how well the Kingston Springs Commissioners have worked together.

9. Department Reports:

City Manager Lawless stated that the Multimodal Project has started on Luyben Hills Road. It should be completed in the fall. Safe Routes to School Project begins April 18. It will run concurrently with Multimodal project and should be completed about the same time. TAP Grant is still under TDOT review of construction plans. Once TDOT approves construction plans, they will go into right-of-way. It is still a few months out.

Final concrete for the Lundy Cupp sculpture is being done. Staff is working with Cupp to finish installation, and working with Cupp and Janet Walker on date for unveiling.

10. Legal Updates:

City Attorney Noe said the legislature has changed the law for the rate for hotel/motel tax across the state to 4%. Kingston Springs is currently at 1.5 %. The town can go up to 4% by ordinance. It has to be used for tourism. City Attorney Noe or Perry can work with staff on that ordinance. Reed will have numbers of how much hotel/motel tax currently brings in and what amount an increase would bring for the budget retreat.

11. Unfinished Business:

A. Second reading of Ordinance 22-002 – Amending Kingston Springs Municipal Code Title 16, Chapter 2 – Excavations and Street Cuts.

No changes to ordinance from last month. Motion to approve Second reading of Ordinance 22-002 – Amending Kingston Springs Municipal Code Title 16, Chapter 2 – Excavations

and Street Cuts made by Commissioner Hargis, with a second by Commissioner Stohler. Motion passed unanimously.

B. Second reading of Ordinance 22-003 – Amending Kingston Springs Municipal Code Title 12, Chapter 3 – Property Maintenance Code, and Title 13 – Property Maintenance Regulations.

All reference to Administrative Hearing Officer removed as amended at first reading. Commissioner Clark asked why appeals process was removed from the ordinance, and asked how people will know about the appeals process. City Planner Armstrong said now all violations are consistent, and the town is using the MTAS recommended version of the code. The citation includes the appellate process, and is stated in the violation letter sent to resident. Motion to approve Second reading of Ordinance 22-003 – Amending Kingston Springs Municipal Code Title 12, Chapter 3 – Property Maintenance Code, and Title 13 – Property Maintenance Regulations made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed with four votes in favor and one opposing vote by Commissioner Clark.

C. Discussion of offering use of the Beck Meeting Hall and Burns Activity Center and waiving usage fees for the Burns Park Activity Center for the Cheatham County UT Agriculture Extension Office for periodic training sessions.

City Manager Lawless said staff has worked out dates with the Cheatham County AG office to use the Activity Center. They have requested six dates, primarily on Wednesdays. Motion to waive usage fees for the Cheatham County AG Office for the Burns Activity Center made by Commissioner Hargis with a second from Commissioner Stohler. Motion passed unanimously.

12. New Business:

A. First reading of Ordinance 22-004 – Amending Ordinance 21-006 – 2021-2022 Budget.

This budget amendment appropriates \$71,500 from the fund balance to the Parks budget for the purpose of funding the Splash Pad Expansion overage in the amount of \$59,500 and \$12,000 for a water leak at Burns Park. Finance Director Reed said she had a request to amend the amendment to include an additional \$3500 for Dickson Electric for a new service fee. The overage for the splash pad will be \$63,000. This is a 14 % increase. The \$12,000 for water leak is included in the amendment. The leak hasn't been located, but there is a good chance it is under the Activity Center. City Manager Lawless said Second South Cheatham did work with the town on the bill, and in trying to locate the leak. The budget amendment is now for a total of \$75,000 for the Parks Department (\$63,000 for splash pad and \$12,000 for water leak). Commissioners asked where the overages occurred, and Reed said a lot of it is construction projects are more expensive and the electrical and materials (rock and dirt work) were not anticipated as expenditures. City Manager Lawless said we had to put a lot more rock under the pad than anticipated. There was more ground water associated with that site, and additional rock was needed. There was also more work required by Dickson Electric and that got expensive. Budget overrun is

due to increase in amount of work to be done and increase in product cost over last six months. Vice-Mayor Remick asked about the completion date. Lawless said project is mostly done. Town has done a good bit of work ourselves. Commissioner Stohler said rock doesn't cover all the overage. Rock was \$9,000. Where is the rest of the overage? Park Manager Miniat said top soil was an additional cost, as well as backflow, plus the fact that the cost of everything has gone up.

Finance Director Reed also asked to amend the amendment to include appropriation of \$1500 for a grant received for the Farmers Market.

Motion to approve amending the budget amendment for \$75,000 (\$63,000 Splash Pad overage and \$12,000 for water leak) for Parks for the overrun of the splashpad and the water leak made by Vice-Mayor Remick with a second by Commissioner Stohler. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.

Motion to amend the budget amendment to include appropriation to spend the \$1500 grant to the Farmers Market this year made by Commissioner Hargis 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, Vice-Mayor Remick voting yes and Commissioner Stohler voting yes.

Motion to approve first reading of Ordinance 22-004 – Amending Ordinance 21-006 – 2021-2022 Budget as amended made by Vice-Mayor Remick, with a second by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes. Motion passed.

B. Review and awarding of bids for Town 2-Year Contracts.

City Manager Lawless reported that sealed bid requests for the following seven contracts were advertised in the Cheatham Exchange and promoted on the Town's social media. Bid deadline was March 4, 2022 at 4:00 PM and bid opening was March 7 at 2:00 PM. Bids were opened by City Manager Lawless and witnessed by Finance Director Reed.

- Mowing – Sewer Plant – no bids received. Staff recommended we do not rebid this contract at this time.
- Septic Tank Pumping – 1 bid received: Elite Septic Service - \$285/1,000 gal. residential & commercial. Staff recommended accepting this bid.
- Sewer System Repair – 1 bid received: Elite Septic Service - \$95/hr.; min. charge \$380. Staff recommended accepting this bid.
- Electrical Services – 1 bid received: Stones River Electrical - \$71.75/hr. journeyman; \$42.50/jr. apprentice; \$30/hr. bucket truck; \$75 trip fee. This was higher than staff anticipated, so staff recommended rejecting this bid, and at this time do not rebid this service.

- Tree Trimming Services – 1 bid received: Newcomb Tree Service - \$250/hr. tree cutting; \$75/hr. stump grinding and \$500/hr. for afterhours. Staff recommended accepting this bid. This tree cutting is not supplanting the tree cutting the staff does now. It is for tree cutting in emergency services and road clearing, and for larger trees we don't have equipment to do.
- Excavation/Construction – 2 bids received: Bowers Excavating: minimum \$600; 2+ equip. \$250; 3+ equip. \$400; add. manpower \$25/hr. and Williams Mechanical – minimum \$550; 2+ equip. \$385; 3+ equip. \$578. Staff recommends accepting Bowers Excavating bid.
- Paving – 1 bid received: Sessions Paving - \$12.75 paving per SF; min. charge \$750; infrared \$11/SF. Staff recommended rejecting this bid. It is higher than anticipated.

Mayor Gross asked what were the reasons for not accepting additional bids for electrical service and paving. City Manager Lawless said for electrical service we have in the past experienced difficulty finding electricians to work. However, we have 2-3 that are available that we use at this time. Several contractors indicated they were reluctant to bid on any of these services because at this particular time, locking in for two years is not something they are looking to do because there is so much fluctuation as far as prices. That was the reasoning behind not pursuing both electrical and paving at this time. We feel that we can use contractors in our general area on a one-off service and get better prices rather than being locked into what we consider a higher price for a service due to a contractor projecting their costs.

- Motion to accept the bid from Elite Septic Service for septic tank pumping at \$285/1,000 gal. residential & commercial made by Vice-Mayor Remick, with a second by Commissioner Stohler. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.
- Motion to accept the bid from Elite Septic Service for sewer system repair at \$95/hr.; min. charge \$380 made by Vice-Mayor Remick with a second from Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.
- Motion to reject the bid from Stones River Electrical of \$71.75/hr. journeyman; \$42.50/jr. apprentice; \$30/hr. bucket truck; \$75 trip fee made by Commissioner Stohler, with a second by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.
- Motion to accept the bid from Newcomb Tree Service for tree trimming service at \$250/hr. tree cutting; \$75/hr. stump grinding and \$500/hr. for afterhours made by Commissioner Hargis, with a second from Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.

- Motion to accept the bid from Bowers Excavating for Excavation/Construction at minimum \$600; 2+ equip. \$250; 3+ equip. \$400; add. manpower \$25/hr. made by Commissioner Stohler, with a second from Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.
- Motion to reject the bid from Sessions Paving for paving at \$12.75 paving per SF; min. charge \$750; infrared \$11/SF made by Vice-Mayor Remick, with a second from Commissioner Stohler. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes.

C. Review and awarding of bid for Burns Park Paving Project including additive alternates.

City Manager Lawless reported that bid opening for paving of the Burns Park Paving Project including alternates (Burns Park parking lot and walking track; as well as alternatives: road striping on CC Road and Luyben Hills Road, Patterson Drive, Ridgecrest Drive, and West Kingston Springs Road) was held on March 16, 2022 at 2:00 pm at Collier Engineering with City Manager Lawless as witness. There was only one package received and that was from Tennessee Valley Paving (TVP). The base bid for Burns Park (parking lot and walking track) was \$166,780. Bid amount for Add. Alt. No. 1 (CC Road and Luyben Hills Road striping) was \$7,622.50. Bid amount for Add. Alt. No. 2 (Patterson Drive striping) was \$2,552.50. Bid amount for Add. Alt. No. 3 (Ridgecrest Drive striping) was \$2,459.75. Bid amount for Add. Alt. No. 4 (West Kingston Springs Road striping) was \$3,511.25. Collier Engineering and staff recommended accepting Tennessee Valley Paving's bid. There is funding allocated for this entire project. Mayor Gross asked about timeline. Lawless said we hoped to start paving in Burns Park at the end of the month, striping would be done after paving. However, asphalt plants do not open until end of March. In speaking with paving contractors and Collier Engineering, because of the wetness we've had over the last several weeks, even if asphalt plants were open, TVP could work, but their equipment would tear up the ground. The wetness would affect adhering of pavement and would not last as long as in dryer conditions. Most likely it will be middle of April before project can begin. It needs to be done before splash pad opening at end of May. We are looking at 2 days for track and 2 days on parking lot. They need a few dry days in a row to allow things to even out. Commissioner Clark said she though Mt. Pleasant had been discussed as well for striping. Lawless said from discussions at earlier meeting, these were the streets discussed for striping. He said that Mt. Pleasant from Merry Log to downtown is a staff suggestion for next paving project. And since we are potentially going to repave that road in near future we would not want to do the striping at this time. Commissioner Hargis asked what was the appropriated amount. Lawless said it was \$145,000 in paving budget and \$56,943 in the State Street Aid, which can only be used in certain circumstances, and this project will be covered. This will use our appropriated paving coverage for this fiscal budget.

Motion to accept Tennessee Valley Paving's bid for the Burns Park Paving Project including additive alternates (Burns Park parking lot and walking track: \$166,780; Add.

Alt. No. 1 – CC Road and Luyben Hills Road striping: \$7,622.50; Add. Alt. No. 2 – Patterson Drive striping: \$2,552.50; Add. Alt. No. 3 – Ridgecrest Drive striping: \$2,459.75; Add. Alt. No. 4 – West Kingston Springs Road striping: \$3,511.25) made by Vice-Mayor Remick, with a second by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes. Motion passed.

D. Discussion of Keep Kingston Springs Beautiful – Don't Litter Campaign. Sponsored by Commissioner Clark.

Commissioner Clark said the problem is litter, noting that Commissioner Hargis regularly picks up trash in town. Her neighborhood got together recently to pick up trash. She said she tried to think of unique way to organize trash pick-up. TDOT has grants for trash pick-up. She wanted to think of something eye-catching and out-of-the box that would get us notoriety.. She thought about the pictures you see in airports or medical centers with kids' artwork on the wall. She suggested getting kids from local schools involved by having them do artwork for about 30 signs. The signs could be put up for 2 weeks at a time. They would be temporary and could be rotated throughout the year. It would be good to get kids involved and get the media involved. She suggested a contest in the art classes with teachers picking out winners. We could host an event at the Activity Center where we would invite the media and show off the artwork that would be used for the signs. She has been in contact with Michael McClanahan at TDOT regarding available grant funding. Most of TDOT's grants are for litter pick-up, but they do have something for prevention and education. He is looking into that to see if it would cover any of this. If not, she thought it would be good for businesses to get involved through sponsorship. She was thinking of doing approximately 30 signs. Mayor Gross suggested doing banners on the polls we already have for banners. City Manager Lawless suggested another option of attaching signs on the speed limit signs, below the speed limit sign (same size). Commissioner Clark said that would negate the artwork as it would not be big enough. Mayor Gross asked how much the banners would cost, and Lawless said they are approximately \$200 each. We have approximately 22 poles that could hold banners. They would look good and be more prominent. We would have to limit the scope somewhat. Commissioner Clark said she thought kids' artwork would be out-of-the-box and bring some notoriety to Kingston Springs. Mayor Gross said we should look into grants program, and look at funding in next year's budget. It will be discussed more at budget retreat.

E. Discussion on requested sewer line expansion to be done at applicant expense – Spivey – 191 Luyben Hills Road.

City Manager Lawless said the town was approached by Mr. Spivey who owns the lot at 191 Luyben Hills Road and would like to build a house on the property. Because of the large amount of rock on the lot he's found it will be expensive to dig the area for field lines necessary for his septic system. He approached the town about the possibility of extending the sewer line to his property at his expense, and wanted to get Board's thoughts on it. It would open up two or three lots. Commissioner Clark asked if he would own that sewer line. City Manager Lawless said the town would have everything in place so that once it was constructed it would be deeded over to the town. It would be our infrastructure, and he would be a regular customer. Vice-Mayor Remick asked who would put it in. Lawless said

it would be an engineer hired by Mr. Spivey. The town's only involvement would be oversight and ownership afterwards. We would work with an engineer of our choosing as well and pass through those charges. City Planner Armstrong said the utility expansion would need to go before the Planning Commission. Several commissioners stated that they liked expanding customer base and that the expansion would not cost the town any additional money. Lawless said we will continue conversations with Mr. Spivey.

13. Surplus:

- Parks Department – Calculator – Discard.
Motion to discard calculator made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

14. Other (For Discussion Only):

15. Reminders:

- Spring Youth Soccer begins Saturday, March 19th
- Kingston Springs Board of Commissioners Annual Retreat, March 18th and March 19th.
- KS Farmers and Artisans Market begins Saturday, May 21st.

16. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick. Before meeting adjourned, Commissioner Clark commented that the departmental reports for Public Works, Parks, and Waste Water were comprehensive and gave a lot of information. Parks Director Miniat added to her report that transformer for Splash Pad should be set by Dickson Electric in next few weeks. Commissioner Hargis asked if water at splash pad was recycled. Miniat said it was and it will save us a tremendous amount on water. Vice-Mayor Remick motioned again to adjourn meeting, with a second by Commissioner Hargis. Motion passed unanimously. Meeting adjourned at 7:58 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder