



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
August 20, 2020**

1. Call to Order:

2. Mayor Gross Calls Meeting to Order via Electronic Means:

The meeting was called to order by Mayor Gross at 7:00 PM. Due to the COVID-19 Pandemic and in accordance with Governor Lee's Executive Order 16, the meeting was conducted with no physical public access, but meeting was made available to public participants via live video stream through the Zoom application and published next day on the Town's YouTube channel.

3. Roll Call:

Board Members in Attendance:

Josh Eatherly, Commissioner	Absent
Tony Gross, Mayor	Present
Mike Hargis, Commissioner	Present
Geoff Lorenz, Vice-Mayor	Present
Glenn Remick, Commissioner	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
Sharon Armstrong, City Planner	Present

4. Declaration of Quorum by Mayor

5. Motion to approve that the Kingston Springs Board of Commissioners finds conducting this meeting by electronic means is necessary to protect the public health, safety, and welfare in light of the COVID19 pandemic.

Motion to approve that the Kingston Springs Board of Commissioners finding conducting this meeting by electronic means is necessary to protect the public health, safety, and welfare in light of the COVID19 pandemic made by Commissioner Remick, seconded by Vice-Mayor Lorenz. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

6. Motion to Approve the June 18, 2020 City Commission Meeting Minutes:

Motion to approve the June 18, 2020 City Commission meeting minutes made by Commissioner Hargis and seconded by Commissioner Remick. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

7. Motion to Approve the August 20, 2020 City Commission Agenda:

Motion to approve the August 20, 2020 City Commission Agenda made by Commissioner Remick and a second by Vice-Mayor Lorenz. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

8. Announcements from Commissioners:

Mayor Gross offered his condolences to City Manager Lawless on the loss of his mother.

Commissioner Remick added his condolences to City Manager Lawless on loss of his mother. He announced that he is running for a third term for City Commissioner, and that there are four candidates running for three open positions. He also complimented the city employees on doings such a great job on the parks. He also noted that with the large trucks having to detour through Kingston Springs via East Kingston Springs Road and there have been a lot of accidents. Awareness of this should be raised with TDOT, and he encouraged everyone to contact TDOT at 615-792-5418 to encourage them to widen that section of the road.

9. Community Input and Concerns:

None

10. Department Reports:

A. Discussion of Kingston Springs Fall Park Events.

Fall Soccer:

City Manager Lawless noted that fall soccer registration was due to start. Under TN Promise guidelines contact sports are banned until end of August. If the ban is lifted, there could be time for a 1 to 2-week registration followed by shortened 6 to 7-week season. He was seeking feedback from the Commissioners. After some discussion, it was decided to have a pre-registration to determine interest, and if we have enough interest, collect fees once season starts, if ban is lifted. Vice-Mayor Lorenz asked if the Town needed a waiver in case a child has COVID19. City Attorney Perry said that if season is allowed under the TN Promise, we will need some tight guidelines and procedures in place that mirror CDC and TN Department of Health. If we are in compliance and because it is an outside sport a waiver would not be necessary, but we would need to hit every mark on the requirements issued by CDC and TN Department of Health. City Manager Lawless said the Town could do that.

Art in the Park:

City Manager Lawless said the date for Art in the Park is currently set for October 3. We are usually in the middle of planning for Art in the Park at this time. Normally there are 70-75 vendors, food trucks, plus art to be judged, judges to be obtained. As things stand right now, we won't be able to have Art in the Park. We will have to wait until September 1 to make a determination, depending on guidelines, on whether or not to hold the event. September 1 is too late to plan the event as we currently know. We could do a modified Art in the Park with craft vendors or an open art show with no judging, or no art at all. We could work something out if we are allowed to have an event under the guidelines that come into place. He asked if it is not possible to have the Art in the Park that we all have come to know and love, if commissioners were okay with staff working on something that is similar and as festive as possible or postponing until the spring. Mayor Gross said he was okay with either option, and was okay with a scaled back version similar to Farmers Market. Parks Director Miniati said she would rather do it correctly in the spring than do it half-way and turn people away. It would not be the same. Commissioner Remick said we would be overwhelmed with people coming out to such an event. Miniati added that we don't know if the Governor will lift the 50-person mandate. Commissioner Hargis said he could see the challenges and that he could support either way. Vice-Mayor Lorenz agreed with Miniati that we would be turning people away, and that event usually draws a large crowd. Miniati said we could have a lot of vendors, but couldn't put on the art show at this short notice. City Manager Lawless suggested having a craft show in the fall, similar to Farmers' Market, and invite those vendors to participate, calling it Market in the Park, and have the regular Art in the Park in the spring.

Mayor Gross said Gerald Greer has inquired about having Nashville Symphony doing a concert of quartet of stringed instruments in Burns Park. They would do their own set up. The holdup to approval is regarding donations. City is only one that can collect money. City Manager Lawless will discuss options with the City Attorney.

11. Legal Updates:

City Attorney Perry said the legislative special session just ended. The liability bill passed. She will dig into that bill a little further. MTAS will have a legislative summary in September that she will review with commissioners at the September meeting.

12. Unfinished Business:

A. Motion to approve on second reading Ordinance 20-006 – Repealing Kingston Springs Personnel Policy Ordinances.

Motion to approve second reading of Ordinance 20-006 – Repealing Kingston Springs Personnel Policy Ordinance made by Commissioner Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

B. Motion to approve on second reading Ordinance 20-007 – Tennessee Rules of the Road.

Motion to approve on second reading of Ordinance 20-007 – Tennessee Rules of the Road made by Commissioner Hargis and seconded by Commissioner Remick. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

13. New Business:

A. Discussion on the use of fireworks within Kingston Springs town limits.

Resident who requested this discussion is no longer interested in speaking on this topic

B. Discussion of City Attorney fee schedule.

City Attorney Perry proposed new attorney fees to the Town, requesting an increase to the hourly rate to \$200/hour, up from \$175/hour, and an increase to the joint rate (when both attorneys are working on the same item) to \$175/hour, up from \$125/hour. Attorney Perry stated this increase remains a discounted rate, as their usual client rate is \$275/hour. Perry also stated this proposed rate increase will align Kingston Springs with fees charged to other municipalities in the county. Commissioner Remick asked if bills were received on time. Mayor Gross recalled that bills were not being submitted in a timely manner. City Manager Lawless said that was an issue in the past, but he discussed this with the City Attorney, the issue has improved, and we are caught up on all past invoices. Attorney Perry said invoices will be sent out on a regular schedule. City Manager Lawless said the line item for legal fees was increased in this budget cycle and any increase in fees will most likely be absorbed in that line item. Motion to raise the hourly rate for legal fees from \$175 to \$200/hour made by Commissioner Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

C. Discussion on the proposed Titan Fuel Terminal in Dickson County and its impact on Kingston Springs – Turnbull Preservation Group.

Members of the Turnbull Preservation Group asked to have a discussion with Commissioners regarding the proposed Titan fuel depot in Dickson County and how this proposal impacts Kingston Springs. John Reuter, a member of the group discussed how this proposed depot would impact water in Nail Creek, which feeds into Turnbull Creek, then into Harpeth and Cumberland Rivers. Turnbull Creek provides part of drinking water for Cheatham County, Dickson, Williamson and Hickman Counties. The group asked the Commissioners to use their influence with agencies like TDEC and TDOT and state lawmakers to request that this facility not be allowed to happen. They also asked for help in setting up a community outreach where they can inform citizens on this issue by use of community center or firehall and use of Town's Facebook page for notification to community.

Kingston Springs City Planner Armstrong then shared her thoughts on the issue. She was surprised TDEC issued permit for aquatic resources. Mr. Waynick, attorney with the group, said that Titan applied for a temporary permit, and is now asking to make it permanent. Armstrong advised the group to look at appellate process at TDEC to challenge the issuance of that permit and its expansion to other areas as there are new rules in place that are more stringent. The group promised to keep city informed. Hargis asked if they can proceed without approval of Dickson County and Mr. Waynick indicated the only way is through the court. Armstrong also had a concern as to whether permit had been cleared through FEMA as the Cumberland River is heavily regulated by FEMA. Mr. Waynick indicated the group's environmental attorneys are looking into it.

D. Motion to approve Resolution 20-012 – Expressing Opposition to the Placement of a Fuel Depot in the Two Mile Road Area in Dickson County, Tennessee.

Motion to approve Resolutions 20-012 – Expressing Opposition to the Placement of a Fuel Depot in the Two Mile Road Area of Dickson County, Tennessee made by Commissioner Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

E. Motion to approve first reading of Ordinance 20-008 – Amending Ordinance 19-002 – 2019-2020 Budget.

Motion to approve the first reading of Ordinance 20-008 – Amending Ordinance 19-002 – 2019-2020 Budget made by Commissioner Remick and seconded by Vice-Mayor Lorenz. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed. A public hearing will be scheduled for September 17, 2020 prior to second reading.

F. Discussion of Liability Waiver for using property at 1082 Founders Lane in Kingston Springs for Training Purposes.

City Manager Lawless said the property owner at 1082 Founders Lane will be demolishing the current structure, but prior to demolishing the structure the Cheatham County SWAT group would like to use the structure for training purposes. The property owner has submitted a waiver/liability release to the Town as well as the other municipal entities that are involved with the project. City Attorney Perry has received it, reviewed it, and made edits. It is being brought before this body for discussion. A demolition permit for the property has been approved. City Manager Lawless indicated the edited document will be sent to the property owner to see if it is acceptable. Attorney Perry's advice is that a motion be made that should Kingston Springs determine it wants to participate, authorizes the mayor to sign a document that is substantively the same as this document, and that would allow for a limited leeway should there be any minor tweaks once we hear back from the property owner. That way it would not have to come back to the board for approval for minor edits. A motion was made that would allow the mayor to sign a document that is substantively the same as the current document was made by Commissioner Hargis and seconded by Commissioner Remick. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

G. Discussion of Kingston Springs Comprehensive Plan – City Planner

City Planner Sharon Armstrong said a series of public meetings were held last year regarding development in Kingston Springs. The intent of those was to move forward with proactive planning in Kingston Springs. Prior meetings were held in previous years leading up to this. Armstrong strongly advocated that funding be included in next year's budget to have a comprehensive plan done. The benefits of having the comprehensive plan are that it gives you some leverage for state funding and grants because you have completed the planning process for the community. It weaves all the elements of development together as a source and guide document as you grow. It will incorporate all the elements of the community, the economy, jobs, housing, transportation, and development. Commissioner Hargis asked about the expense. Armstrong estimated a cost of approximately \$12,000-\$18,000 to get it done. Mayor Gross added that it is helpful for grants. Armstrong said many grant applications ask if you have completed a comprehensive plan. It demonstrates to the state that you are proactive instead of reactive. Mayor Gross said he thought it was time to do this. It should be a retreat topic and a topic for budget meetings next year.

14. Surplus:

- A. City Hall – Dry Erase Board – discard.
- B. City Hall – Dry Erase Board Cabinet Unit – donate to Cheatham County SWAT Command.
- C. Parks – Weedeater FS100RX – discard (engine locked up).
- D. KSVFD – Canon Imagerunner 10231F Printer – discard.
- E. Police – Body Armor Vests (3) – donate to Humphreys County and White Bluff Police Departments.

Motion to discard or donate above surplus items made by Commissioner Remick and seconded by Vice-Mayor Lorenz. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

15. Other (For Discussion Only):

None

16. Reminders:

- KS Farmers and Artisans Market every Saturday from 9 to 12. Safety precautions for vendors and customers have been put in place.
- City Hall will be closed Monday, September 7th for the Labor Day Holiday.

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Commissioner Remick and seconded by Vice-Mayor Lorenz. Roll call vote was held with Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Lorenz voting yes, and Commissioner Remick voting yes. Motion passed.

Mayor Gross adjourned the meeting at 8:00 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder