



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

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:03 p.m.

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

3. Roll Call:

Board Members in Attendance:

Carolyn Clark, Commissioner	Present
Josh Eatherly, Commissioner	Absent
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 Miniatt, Parks Director	Present
Sharon Armstrong, Planning Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

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 finds conducting this meeting by electronic means is necessary to protect the public health, safety, and welfare in light of the Covid19 pandemic made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

6. Motion to approve the January 21, 2021 Public Hearing Meeting Minutes:

Motion to approve the January 21, 2021 Public Hearing Meeting Minutes made by Vice-Mayor Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

7. Motion to Approve the January 21, 2021 City Commission Meeting Minutes:

Motion to approve the January 21, 2021 City Commission Meeting Minutes made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

8. Motion to Approve the February 18, 2021 City Commission Meeting Agenda:

New item added to agenda under New Business, Item 14 J. "Motion to approve payment of \$4,492.80 to the Tennessee department of Transportation for the 10% local funding match of the Town's Community Transportation Grant – Corridor Study of SR249." Motion to approve the February 18, 2021 City Commission meeting agenda as amended made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

9. Announcements from Commissioners:

Commissioner Clark noted the Pegram Clean-Up next Saturday. She also thanked Vice-Mayor Remick for helping William Tidwell out this past week during the snow.

Vice-Mayor Remick announced that the Harpeth Conservancy will be planting 300 trees in Burns Park on March 20 in honor of Jessica Graham. He also commended the Town's road crew for their great efforts keeping roads clear during all the snow.

Mayor Gross recognized the clean-up program in Pegram. He also wanted to note his appreciation to Public Works and Public Safety for all their work during the snow event. He thanked Vice-Mayor Remick for helping his father out of the ditch during the snow.

10. Community Input and Concerns:

Bill Rodgers, 1660 S. Harpeth Road, voiced his support for the donation to The Ark.

11. Department Reports:

City Manager Lawless echoed the comments of Public Safety and Public Works, and noted the nice support they received from the community.

12. Legal Updates:

City Attorney Perry had no legal updates.

13. Unfinished Business:

A. Motion to approve on second reading Ordinance 21-001 - Amending certain provisions of the Town of Kingston Springs Municipal Code, Zoning Ordinance, Sign Ordinance, and other ordinances and resolutions to provide for a comprehensive list of fees to be set forth in appendix A to the Town of Kingston Springs Municipal Code.

Motion to approve on second reading Ordinance 21-001 – Amending certain provisions of the Town of Kingston Springs Municipal Code, Zoning Ordinance, Sign Ordinance, and other ordinances and resolutions to provide for a comprehensive list of fees to be set forth in Appendix A to the Town of Kingston Springs Municipal Code made by Commissioner Hargis and seconded by Vice-Mayor Remick. Commissioner Clark asked if this would lock in fees or can we revisit fees in the future. City Attorney Perry stated that if ordinance is adopted, the fees are in effect, but Commissioners have the ability to readjust in the future as necessary. Commissioner Clark asked City Planner Armstrong about the commercial building permit fees. City Planner Armstrong said that fees implemented prior to this had the 75-cent increase per square foot and the 1% ICC valuation table. Permit price is 75 cents per square foot, but ICC fee has been eliminated. It put fee schedule back where it used to be. This is a reduction in fees, and a reduction in revenue, but those revenues have not been collected other than on a very modest project in the interim period where previous ordinance was in place. Armstrong added that the Town no longer has a contract building inspector and Cheatham County now does inspection. Our overhead for inspections and plan reviews have been reduced. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

14. New Business:

A. Motion to approve forwarding of proposal concerning conversion of South Harpeth Road Bridge over Brush Creek to temporary one lane usage, received from William Rodgers and Stephen Maher, to TDOT for their review and comments.

City Manager Lawless stated that the Town had reached out to several engineering firms to look at the possibility of changing this into a one-lane bridge and received feedback from them. William Rodgers presented the proposal to reopen the South Harpeth Road Ridge over Brush Creek by reducing it to a single lane bridge and stated he believes the proposal answers all of TDOT's questions regarding opening the bridge in this manner. As the question of fire response time was raised along with the ability of response vehicles to use the bridge, Commissioner Hargis asked about weight of firetrucks. Chief Ivey stated a tanker weighs 28 tons and would be needed because of lack of hydrants. An engine weighs 23 tons. Commissioner Clark stated that TDOT has already stated that the inner beams would be adequate and would give a courtesy load rating if approved.

Commissioner Hargis asked about costs. Mr. Rodgers stated the cost estimated to reopen the bridge as a single lane bridge on a temporary basis in his proposal would be \$4,000-\$6,000 in material. Labor and equipment would be on top of that. City Attorney Perry said that the Town would have to have its engineer review the proposal for liability purposes. Mayor Gross said that it would not hurt to submit the proposal to TDOT to see what response would be. City Attorney Perry added that it never hurts to ask, as long as we have an engineer responsible to the town sign off on any finalized proposal to reopen the structure. Vice-Mayor Remick asked how the one-lane situation would be managed. Mr. Rodgers said signage stating “one-lane bridge, yield to traffic” should suffice. There is no proposal for lighting, just signage. The motion to send the proposal to TDOT made by Commissioner Clark and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

B. Motion to approve Resolution 21-002 - Authorizing appropriations for financial aid of “The Ark”, a nonprofit organization whose services benefit the general welfare of the residents of this municipality.

City Manager Lawless said the money has been allocated in the current budget. Mayor Gross added that The Ark is an excellent organization, doing a lot of good work for South Cheatham county. Motion to approve Resolution 21-002 – Authorizing appropriations for financial aid of “The Ark”, a nonprofit organization whose services benefit the general welfare of the residents of this municipality made Vice-Mayor Remick with a second by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

C. Motion to approve Staff waiving City Park Ballfield usage fees, with the exception of fees for field lighting, for the Cheatham County Board of Education, Harpeth Middle School Baseball team for the spring 2021 baseball season.

City Manager Lawless provided background noting that the Board of Education asked to use the field for the Harpeth Middle School Baseball team. The Town will still charge a fee for use of lights. Vice-Mayor Remick asked if the park bathrooms would be open. City Manager Lawless said they will open in March. Vice-Mayor Remick asked if general public can use the fields. City Manager Lawless said the Middle School will use the fields primarily in the afternoons for practice, but the Town would still take other reservations for organized groups to use the field. Motion to approve the Staff waiving City Park Ballfield usage fees, with the exception of fees for field lighting, for the Cheatham County Board of Education, Harpeth Middle School Baseball team for the spring 2021 baseball season made by Vice-Mayor Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

D. Motion to approve acceptance of \$243,537.50 in additional funding from TDOT for the Town’s Multimodal Grant and updating the current contract to reflect the additional funding.

City Manager Lawless stated that the Multimodal Grant construction bids received were higher than anticipated and he recently worked with Community Development Partners, the administrators on this grant, to write a letter to TDOT requesting additional funding. TDOT approved additional funding of \$243,537.50 for this project and Board will need to approve the additional funding and an updated contract to reflect these funds.

Commissioner Hargis asked about changes to sidewalk width. City Manager Lawless said the original design had sidewalks at 10 ft. on the east side of Luyben Hills Road and 5 ft. on the west side. A redesign is being considered that will change the sidewalk widths to 6 ft. on both sides in hopes of further reducing the cost of this project. Commissioner Clark asked if sidewalks will be closer to the road or stay fixed where they were initially.

Lawless stated the sidewalks will stay in same location. Motion to approve acceptance of \$243,537.50 in additional funding from TDOT for the Town's Multimodal Grant and updating the current contract to reflect the additional funding made by Commissioner Hargis and seconded by Vice-Mayor Remick. Mayor Gross asked about width of sidewalks in relation to one at Thornton's. City Manager Lawless stated that with the sidewalks on both sides adjusted to 6 ft there will be a transition in width at the Thornton's area, but with the entrances and exits to businesses at that area will ease that transition. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

E. Motion to approve entering into an agreement with Allen and Hoshall for structural engineering services related to installation of Lundy Cupp sculpture.

City Manager Lawless stated that additional funding was recently approved to make sure the sculpture created by Mr. Cupp is installed safely. He added that Allen and Hoshall is a local structural engineering firm, and staff feels is a very good price for their services. Commissioner Clark said that the Town approved an additional \$2500. City Manager Lawless said from that \$1200 will be for the engineer and remaining funds in that line item would allow for crane rental and other potential install needs. Motion to approve entering into an agreement with Allen and Hoshall for structural engineering services related to installation of Lundy Cupp sculpture made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

F. Motion to approve Second South Cheatham Utility District to refund secondary meter in the amount of \$69.30.

City Manager Lawless stated the Town was notified of one secondary meter that Second South Cheatham missed when their initial list of meters was sent to the Town in December of 2020. Motion to approve Second South Cheatham Utility District to refund secondary meter in the amount of \$69.30 made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

G. Motion to approve Kingston Springs Regional Planning Commission recommendation of Tony Campbell, Mike Patenaude, and Josh Eatherly to serve on the Kingston Springs Growth Plan Coordinating Committee.

City Planner Armstrong said that Cheatham County plans to open the Growth Plan, and the Town will be participating with the County-Wide Coordinating Committee. The Town will be forming a local Growth Plan Committee to meet and determine what the Town needs are with respect to the vision of the growth plan, and then submit those to the Coordinating Committee the County intends to convene. City Attorney Perry said the Commission should also make a motion to approve Mayor Gross' appointment to the County Coordinating Committee. The first motion to approve Kingston Springs Regional Planning Commission recommendation of Tony Campbell, Mike Patenaude, and Josh Eatherly to serve on the Kingston Springs Growth Plan Coordinating Committee made by Commissioner Hargis and seconded by Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed. The second motion to approve Mayor Gross as the Town's representative to the County-wide Growth Plan Coordinating Committee made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

H. Motion to approve first reading of Ordinance 21-002 - 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 is mainly cleaning up language defining Codes Official, and the second part is designating the Codes Official as the Town's codes enforcer. City Attorney Perry added that the Codes Official is appointed by City Manager. Motion to approve first reading of Ordinance 21-002 – Amending Provisions of the Title 12, Chapter 2, 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 and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

I. Motion to approve acceptance of \$200.00 donation to the Kingston Springs Volunteer Fire Department.

Motion to approve acceptance of \$200.00 donation to the Kingston Springs Volunteer Fire Department made by Vice-Mayor Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

J. Motion to approve payment of \$4,492.80 to the Tennessee department of Transportation for the 10% local funding match of the Town's Community Transportation Grant – Corridor Study of SR249.

City Manager Lawless said this money has been appropriated in the current budget and this amount is the Town's local match for this grant. The scope of the study as of now is I-40 exit- Luyben Hills to East Kingston Springs Road. Discussion was held and the Commission feels the corridor study as currently configured does not provide much benefit to the Town and would like to include East Kingston Springs Road to Hwy. 70 in the study. Mayor Gross voiced concerns over approving \$4500 for a study that we are not sure will be helpful. City Planner Armstrong suggested the Town make it a provision for the larger scope study and City Manager Lawless stated a provision to include E. Kingston Springs Road to Hwy. 70 could be relayed to TDOT. Mayor Gross agreed that we have to have the inclusion of East Kingston Springs Road to Hwy. 70 as a condition for the study to be useful. City Planner Armstrong said the Board could send a letter strongly encouraging the additional portion of the study. City Attorney Perry said the motion could be tabled until further information on the scope of the study is received from TDOT. Motion to table this motion until next month made by Vice-Mayor Remick and seconded by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

15. Surplus:

- City Hall – Dynex Television - discard
- Police – 2010 Chevy Tahoe VIN 1GNUKAE00AR263555 – scrap
- Public Works – Refrigerator – Property ID 0791 – scrap
- Public Works – Salt Dog Spreader – scrap
- Public Works – 2006 GMC 1500 VIN 1GTEK14V66E184352 – scrap

Motion to approve surplus/discard of the above items made by Vice-Mayor Remick and seconded by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Commissioner Eatherly absent, Mayor Gross voting yes, Commissioner Hargis voting yes, and Vice-Mayor Remick voting yes. Motion passed.

16. Other (For Discussion Only):

The Kingston Springs Regional Planning Commission has appointed Tony Campbell to the Kingston Springs Comprehensive Plan Committee. This will be discussed at the Commissioner's Retreat.

17. Reminders:

- KS Commissioners Retreat Friday, February 19th and Saturday February 20th

18. Adjourn the Meeting:

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

Meeting adjourned at 8:22 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder