



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
January 20, 2022**

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:09 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	Absent
Jennifer Noe, City Attorney	Present
Eugene Ivey, Police and Fire Chief	Absent
Brandy Miniati, Parks Director	Absent
Roger Parker, Public Works Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the December 16, 2021 City Commission Meeting Minutes:

Motion to Approve the December 16, 2021 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

6. Motion to Approve the January 20, 2022 City Commission Meeting Agenda:

Motion to Approve the January 20, 2022 City Commission Meeting Agenda made by Commissioner Clark, with a second by Commissioner Hargis. Motion passed unanimously.

7. Announcements from Commissioners:

Vice-Mayor Remick had high praise for town employees for taking care of roads in all the crazy weather. Commissioner Stohler and Mayor Gross also praised Public Works team for their good work. Mayor Gross wished Vice-Mayor Remick a happy birthday.

8. Community Input and Concerns:

Geoff Lorenz, 241 Woodlands Drive, spoke regarding Town purchasing AEDs for Burns Park. Lorenz is a certified first responder and certified on AEDs. He felt the average person doesn't know how to use AEDs and is afraid to use them. For most people in the park, it will be a loved one having a medical emergency, and people respond differently for emergencies involving a loved one. He felt that the Town having a device in each vehicle, and one at Burns Park and City Hall were a significant number of AEDs for a town the size of Kingston Springs. If there is an emergency at the park, depending on where the AED is located, with a town this small, emergency responders will probably get there before a person could run to get the AED and back to where the emergency is, and set it up for use. As a taxpayer, he thought the money spent on one of these could be better used elsewhere.

Lisa Stone, 1049 Ridgecrest Drive, spoke in favor of adding a platform for public input on agenda items that are up for discussion by Commissioners. If the public were allowed to make comments after hearing specific details about certain proposals on the agenda, it stands to reason that the comments would be more focused and pertinent about those items. This would encourage more resident involvement.

Carrie Parks, 1056 Ridgecrest Drive., spoke in favor of adding AEDs at park. She said it is true the average person may not know how to use the AED, but those machines are very self-explanatory. If you do something wrong, machine speaks to you and tells you the correct way to do it. In the event of an emergency, if there was someone who knew how to use AED, the time saved by having them use it could save a life.

9. Department Reports:

City Manager Lawless said the notes for grant loans were signed this week, and he called attention to the Debt Obligation Report on the two Capital Outlay Notes in the meeting packet.

10. Legal Updates:

City Attorney Noe said the items she needs to talk about qualify for attorney-client privilege. This will be done at end of meeting.

11. Unfinished Business:

A. Second reading of Ordinance 21-013 – Amending Ordinance 21-006 – 2021-2022 Budget.

Commissioner Clark asked if the specific funding details need to be noted in the ordinance. City Manager Lawless said it will be noted in the minutes but not the budget ordinance. Motion to approve Ordinance 21-013 – Amending Ordinance 21-006 – 2022 (\$18,250 for parks for flood debris cleanup; \$20,584 insurance reimbursements: \$9,692 to sewer fund and \$10,892 to general fund for parks, streets, fire and police departments; \$707 from Reliant Bank for senior luncheon; \$15,720 to police department from surplus items; \$2,500 Driver Safety Grant from Public Entity Partners for streets department, and \$404,569 from American Rescue Plan to the Sewer Fund) 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.

12. New Business:

A. Discussion on Town provided publicly accessible First Aid Kit and AED Device(s) in L.L. Burns Park. Sponsored by Commissioner Clark

Commissioner Clark said this first started out as wanting to put a first aid kit in the park, because on numerous occasions while at the park first aid items were needed. She researched first aid needs, and discussed first aid with her neighbor Carrie Parks, a nurse, who also asked about AEDs. Commissioner Clark researched AEDs as well, and the benefit of using an AED for heart attacks; CPR will only buy time until a defibrillator can be used to provide a shock. In her research, Commissioner Clark learned that the City of Brentwood installed AEDs in their city parks. She read a letter out loud from Dr. Joe Trammel of Brentwood giving testimony on the value of AEDs, and the increased chances of survival with the use of an AED in a cardiac emergency. She contacted Brentwood Fire Chief Goss about their program. He said there had been only one incident of vandalism in the five years the program has been in place. Commissioner Clark felt people would be willing to do training on AEDs. Angel Carter, a nurse from Vanderbilt, who works as a Program Coordinator for Project ADAM (Automatic Defibrillators in Adam's Memory) and provides training on AEDs and cardiac emergency planning, gave a presentation on the benefits of AEDs. She said AEDs provide audible and visual prompts telling you what to do. Chances of survival in cardiac arrest go up 60-70% with the use of an AED. An AED will not shock someone who doesn't need to be shocked. Mayor Gross said this should be a discussion item for the budget retreat. Commissioner Hargis asked how many units the Town has. Public Works Director and volunteer Firefighter Roger Parker said the Town has 13 AED in fire and police vehicles, at City Hall and Burns Activity Center. They cost approximately \$1700 each. If you were to install outside it should be housed in a cabinet, which costs approximately \$350. Commissioner Clark found one cabinet in her research that would call 911 when the door is opened. Parker said the AEDs are fairly common sense and talk you through the process. Commissioner Hargis asked if we were

comfortable leaving a \$1700 machine outside. Commissioner Hargis suggested taking the AED unit from City Hall and making it accessible at Burns Park and adding a first aid kit. Commissioner Clark added that it should be in a case in a visible area outside. Parker said it should be kept covered so that it is not exposed to the weather. Parker gave an overview on functions of the AED. Costs are approximately \$170 for pads, \$1700 for unit and \$100-\$150 for the battery. Mayor Gross asked if you put a unit in one park, is there liability for not putting one in the other park? City Attorney Noe said TCA provides some protection. Commissioner Clark said it would be good to have a first aid kit near the splashpad. Mayor Gross said it would not be a bad idea of have first aid kit in City Park.

Commissioner Clark motioned to consider purchase of AEDs, and make a decision. Mayor Gross said he wasn't ready for a decision, but would like to put it as a discussion item at the retreat. These are budget items. Vice-Mayor Remick said that quite a few of the presentations have been perfect retreat items. It would be more efficient to discuss them all at the retreat. Mayor Gross thanked Ms. Carter for the presentation on the AEDs. Mayor Gross made the motion to get some numbers together for the retreat on the placement of AEDs and first aid kits for Burns Park and City Park, with a second by Commissioner Clark. The motion passed unanimously.

B. Discussion on FEMA Fixed Cost Offer related to Acorn Court Pump station project.

City Manager Lawless said the cost to replace the Acorn Court Pump station with mitigation is estimated at \$497,000 (repair cost of \$383,500 + Hazard mitigation proposal of \$113,500). We have received insurance payments of \$79,847.53 to repair pump station. As we got further along in process, we realized we were not going to be able to get pump station back online as quickly as anticipated, because there was more damage to infrastructure than initially thought. There were things that needed to be repaired that the insurance didn't cover. The pump is on our insurance schedule for \$259,628. Lawless got back with insurance company to let them know the \$80,000 was not going to cover actual replacement costs. The insurance company has reopened the claim. They will send out an engineer in next week or so to meet with our wastewater engineer to readdress the situation, and redetermine a value for that pump station. In the number that FEMA gave with the fixed cost offer, they looked at what's on the insurance schedule, \$259,628, and assumed the insurance will give us all that money. They have subtracted that insurance schedule amount from their total offer. FEMA will pay 75% of remaining costs after insurance has paid. Any offer from FEMA will not be up front, but will be made after everything is completed and all invoices have been tabulated and submitted. This information goes to FEMA to work out actual payments for us. FEMA has offered the town a Fixed Cost offer of the Acorn Court Pump Station of \$178,029, with decision due by January 25, 2022. As of now, the offer is on hold and deadline suspended for a decision. Our insurance carrier has agreed to revisit the claim and is scheduling an engineer to visit the site and meet with our wastewater engineer to better determine actual replacement cost. Once we have a final insurance offer it can be submitted to FEMA to update their files and potentially update their offer. The recommendation from City Manager Lawless was to wait until we had firm numbers from the insurance company. Hopefully this will take a couple of weeks. Once we receive the final number from the insurance company, we would

submit that to FEMA. They would then recalculate their final offer, because they are only going to pay above what the insurance company will pay. Commissioner Clark asked if the remaining 25% will be split between the town and the state. City Manager Lawless said we have two claims, one for the Town of Kingston Springs, and one for the Kingston Springs Sewer Department. For the Town of Kingston Springs claim, FEMA will pay 75%, and the 25% will most likely be split between town and state (12.5% each). Because there are two claims there is some confusion from the state and FEMA on the enterprise fund, which is the Sewer Fund, whether the state would be involved in their 12.5%. Best case scenario the town would only be on the line for 12.5%. Worst case scenario we are at 25%.

Commissioner Hargis asked if insurance company declares a total loss and pays the full amount, we won't get anything from FEMA or the state. Lawless confirmed that for this particular project that would be the case. No action needed and none taken.

C. Resolution 22-001 - 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 last year the donation to The Ark was for \$4,500. The Ark's request this year is for \$5,000. The Resolution indicates \$4,500. It is the will of the Board on the amount. Commissioner Hargis said that the \$4,500 last year was an increase, and felt we should repeat that again. Commissioner Hargis made the motion to donate \$4,500 to The Ark. Commissioner Clark was in favor of \$5,000. Commissioner Hargis said it was a significant raise last year, and motioned to approve Resolution 22-001 – Authorizing appropriations for financial aid of “The Ark”, a nonprofit organization whose services benefit the general welfare of the residents of this municipality in the amount of \$4,500, 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 approved unanimously.

D. Resolution 22-002 – Implementing a Policy Regarding Emergency Paid Sick Leave for COVID-19 Related Testing, Illness, and Quarantine.

City Manager Lawless said the town currently uses CDC guidelines for isolation and quarantine related to COVID, and feels this resolution will help facilitate the health and safety of town employees. The Board approved a similar resolution in September that expired at end of 2021. This resolution differs from previous resolution as the time allowed has been reduced to one week (5 work days) rather than the previous two to align with current guidelines. The expiration date has been left open for the board to consider. Motion to approve Resolution 22-002 – Implementing a Policy Regarding Emergency Paid Sick Leave for COVID-19 Related Testing, Illness, and Quarantine until June 30, 2022 made by Commissioner Stohler, with a second by Vice-Mayor Remick. Commissioner Clark felt we should end it in the spring. After additional discussion, Commissioner Stohler amended his motion to change the expiration date to April 30, 2022, and Vic-Mayor Remick amended his second to agree. Motion passed unanimously.

E. Resolution 22-003 – Establishing a Public Speaking Procedure for public meetings in the Town of Kingston Springs.

City Manager Lawless said as we work to increase public participation and input at our meetings, we thought it essential to have procedures in place that would outline best practices for community input. He looked at other municipalities around the region to see what their practices were, and that is the basis for this resolution. As we gathered more people to speak, we wanted to make sure that everyone had an opportunity to express their thoughts. Mayor Gross asked City Attorney Noe if the Board could set the policy for the Planning Commission, and she said they could set their own policies. Commissioner Hargis asked if this is different from what is currently being done. Lawless stated that this is not a change as there is not a procedure for public speaking in place at the moment but was something for the Board to consider. We allow public input. This would set guidelines for public speaking and a time limit for each speaker, so that if you had a lot of people wanting to speak, all would have the chance to do so. Commissioner Clark said her earlier proposal had 3 minutes, but 5 minutes is great. Her proposal is for public comments after each agenda item. Mayor Gross said his only qualm with that was that this is a Board of Commissioners meeting, and while they do welcome public commentary at designated time, it is the Board's meeting. Having people comment on each item would complicate the meeting. Commissioner Hargis said that if you had a large number of people attending and they each got to speak 5 minutes on each topic, nothing would get done, because you would have to allow everyone equal opportunity to speak. City Attorney Noe reviewed Roberts Rules and it does not talk about public forum, it does talk about Board members being able to discuss an issue after a motion and a second. Commissioner Clark felt the public should be able to comment at this time as well. Motion to approve Resolution 22-003 – Establishing a Public Speaking Procedure for public meetings in the Town of Kingston Springs made by Commissioner Stohler, with a second by Commissioner Hargis. Commissioner Clark asked if motion included an amendment to include comment after each item, which it did not. Commissioner Hargis, Commissioner Stohler and Mayor Gross voted in favor of motion; Vice-Mayor Remick and Commissioner Clark voted in opposition. Motion passed.

F. First reading of Ordinance 22-001 – Establishing Speed Limits on certain roads within the town limits of Kingston Springs.

City Manager Lawless said this ordinance is a reflection of direction from the Board from the November meeting. If the ordinance passes on second reading, staff will update existing speed limit signs and add additional speed limits signs. Mayor Gross said this is what all had agreed upon. Motion to approve the First Reading of Ordinance 22-001 – Establishing Speed Limits on certain roads within the town limits of Kingston Springs made by Vice-Mayor Remick, with a second by Commissioner Clark. Motion passed unanimously.

13. Surplus:

- Parks Department - Shade Sails – Discard.
Motion to approve discard of surplus items made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

14. Other (For Discussion Only):

City Manager Lawless discussed potential retreat dates. Possible dates are either: Friday, Saturday, Sunday, February 18-20 or Friday Saturday, Sunday, March 18-20. Sunday was added as a potential, since it felt rushed when ending on Saturday. Another option is to have 3 or 4 large topics and have several individual workshops (evenings) to address a specific topic. Dates will be confirmed via email.

Commissioner Clark said the board had talked at an earlier meeting about having specialty license plates to fund beautification projects. She contacted Secretary of State Tre Hargett's office and learned we can have the specialty fund designated for a specific fund, such as a Keep Kingston Springs Beautiful Fund. They suggested a letter and resolution to State Representative Mary Littleton asking for the request to be made. This should be done by first part of March. We don't have to pay for the plates unless we have 1000 sign up for them. Once you have 1000 prepaid, then we can go forward. We would receive a portion of the extra fee for specialty plates for our fund.

15. Reminders:

- None

Motion to suspend meeting for Attorney Client Privilege session made by Commissioner Stohler, with a second by Commissioner Hargis at 8:45 p.m.

Motion for Board of Commissioners meeting to go back into session made by Commissioner Stohler, with a second by Commissioner Hargis at Board meeting resumed at 9:00 p.m.

16. Adjourn the Meeting:

Motion to adjourn the meeting made by Commissioner Hargis, with a second by Vice-Mayor Remick. Motion passed unanimously. Meeting adjourned at 9:01 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder