



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
May 19, 2022**

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:01 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
Martha Brooke Perry, City Attorney	Present
Kellie Reed, Finance Director	Present
Eugene Ivey, Police and Fire Chief	Absent
Brandy Miniati, Parks Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the April 21, 2022 Public Hearing Minutes:

Motion to Approve the April 21, 2022 Public Hearing Minutes made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

6. Motion to Approve the April 21, 2022 City Commission Meeting Minutes:

Motion to Approve the April 21, 2022 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

7. Motion to Approve the May 19, 2022 City Commission Meeting Agenda:

Mayor Gross asked to amend the agenda to include New Business Item E – Motion for Approval of TAP Grant Funding. Motion to Approve the May 19, 2022 City Commission Meeting Agenda as amended to include New Business Item E – Motion for Approval of Tap Grant Funding made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

8. Announcements from Commissioners:

Vice -Mayor Remick noted the completion of the Splash Pad and the upcoming dedication on Tuesday, May 24.

Commissioner Clark wanted to recognize that it was National Law Enforcement Memorial Week. She said she would like to remember those lost and to thank our Kingston Springs officers who put themselves in harms way.

9. Community Input and Concerns:

None.

10. Department Reports:

City Manager Lawless said that the closing on the purchase of property at 431 Park Street is set for Friday, May 20th at 9:00 am.

11. Legal Updates:

City Attorney Perry confirmed the closing on the property at 431 Park Street for Friday, May 20th at 9:00 am.

12. Unfinished Business:

A. Second reading of Ordinance 22-005 – Amending Ordinance 17-005 – Town of Kingston Spring Hotel Motel Tax.

City Manager Lawless reported that there were no changes since the first reading. Motion to approve Second Reading of Ordinance 22-005 – Amending Ordinance 17-005 – Town of Kingston Springs Hotel Motel Tax to 4% made by Commissioner Hargis, 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 passed unanimously.

B. Motion to approve FEMA Fixed Cost Offer related to Acorn Court Pump Station.

City Manager Lawless reported that in earlier discussions, a Fixed Cost Offer for this project was presented by FEMA, which was an unusual step for FEMA, and there was some question on their end as to why we had received one. A Fixed Cost Offer is usually reserved for projects greater than one million dollars, and FEMA finally determined the offer was sent to us in error. FEMA rescinded the Fixed Cost Offer and changed it to a “standard” project where funds are received when the project is completed, and FEMA receives invoices that it will pay. City Manager Lawless said we are getting \$.90 on the dollar from FEMA. Commissioner Clark asked if the State will still contribute half of the remaining 10%. State will contribute 5% of the Town of Kingston Springs (Park) claim, and the town will contribute 5%. It is not clear if State will contribute on the Sewer claim since it is an enterprise fund. No action is needed on this agenda item.

C. Update on Keep Kingston Springs Beautiful – Don’t Litter Campaign. Sponsored by Commissioner Clark.

Commissioner Clark reported on the Keep Kingston Spring Beautiful campaign. Since at this point, they will not be able to have school children participate, Commissioner Clark went to Build-a-Sign and created two sample signs using images of local wildlife to create signs. She shared design with Michael McClanahan at TDOT, who liked the project, but stated there were no grants available. Commissioner Clark estimated that 40-50 signs would cost approximately \$4,000. TDOT sent us a logo, and if we use it on the signs, they will potentially reimburse us up to \$10,000 if we submit a bill. Signs can’t be placed on East Kingston Springs Road, Luyben Hills Road or the Interstate ramps. The signs are 18 x 24 and can be attached to existing speed limit signs by Public Works. TDOT is interested if this project works. City Manager Lawless said we would need to wait until after the new fiscal year beginning July 1 to purchase any new signage and submit for reimbursement to TDOT.

13. New Business:

A. First reading of Ordinance 22-006 – Adopting the Town of Kingston Springs Annual budget and tax rate for the 2022-2023 fiscal year.

Commissioner Stohler recommended removing the \$80,000 for stage for the park from Capital Projects, and put it in as an amendment later if we receive the RBDG grant associated with the stage project, with assurances that we will pay our part should the grant be received. Commissioner Hargis asked about section 4, Multimodal Project, and if we have begun submitting invoices for reimbursement. City Manager Lawless reported we have been doing so. Commissioner Hargis stated that even with the 10% sewer fee increase, we are still in the hole. He asked how did we get from profit to loss. Finance Director Reed said the debt service interest expense knocks out profit. Hargis asked why didn’t it do it the year before? Reed

stated there is an increase in operating expenses. For example, electric costs went up significantly with the bypass pump. Commissioner Hargis asked about the plan to transfer \$1 million out of Sewer Fund for Capital Projects. He was informed that the pump will be approximately \$500-\$600,000. We will get most of that back. The other \$400,000 will be for I&I study – GIS mapping. We will eventually move that amount back with the American Rescue Plan fund. Finance Director Reed said town will be applying for additional funds, that would help pay for GIS and I&I.

Commissioner Stohler asked what the \$9,691 in other income was. Finance Director Reed didn't have that information on hand and said she would email it the next day. Commissioner Hargis asked if the Intergovernmental revenues included grants, and it was confirmed that it does. The amount under Parks appropriations will be reduced by \$80,000 by removing stage. Mayor Gross asked if everyone was comfortable with the Capital Projects. There were no additional questions.

Motion to approve first reading of Ordinance 22-006 – Adopting the Town of Kingston Springs annual budget and tax rate of \$0.77 per \$100 of assessed value on all real and personal property for the 2022-2023 fiscal year with the amendment to reduce capital expense by \$80,000 for the stage, 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 approved unanimously.

B. Discussion on approved expenditure of funds for the purchase of property at 431 Park Street, Kingston Springs, Tennessee.

City Manager Lawless said this item was primarily to answer any questions by the Board. He said that this project and its costs were discussed with the Comptroller's Office, as well as our auditor, and it was determined that although funding for this specific expense is not in the current budget, because the town does not have a need to increase the bottom-line dollar amount for the 2021-2022 budget to accommodate funding for this project, a budget amendment will not be required. Instead, money will be moved within the budget to cover the purchase. Because grant projects have not been completed, the money will be allocated for the new budget year, and the funds needed to purchase the property will be used from this line item. The closing for the property is May 20, 2022. Funding was approved at \$250,000, but final project cost will be \$241,725.50. No action needed nor taken.

C. Discussion on Departmental Expenditure Requests Procedure and large-scale equipment/vehicle inventory listing. Sponsored by Commissioner Clark.

Commissioner Clark said this was on the agenda last June. She would like to see what the actual costs are on paper for requests for large-scale equipment and vehicles, instead of just a verbal request. Information should include life span of the item, reason for the purchase, and any ancillary cost. This is best practice, and it would help the commissioners to be able to make an informed decision. She used examples such

as verbal requests for the swift water boats and ancillary costs, and the new police dog, where ancillary costs were relayed as “not that much.” Commissioner Hargis asked what amount should be consider large. He suggested \$50,000. Commissioner Clark preferred a lower number. Mayor Gross thought \$25,000 was a better figure, and a form should be designed. City Manager Lawless said he would work with Commissioner Clark to cover all items needed on the form. Commissioner Clark said City Manager Lawless had shared an inventory list. Commissioner Stohler asked if there was a capital inventory, and City Manager Lawless confirmed there was one that could be shared. Finance Director Reed said that large purchases were covered under the TN Municipal Purchasing Act. Once money is allocated in the budget, department heads still have to follow our processes in order to make purchases.

D. Motion to approve waiving rental fees at the Burns Park Activity Center for a South Cheatham Library sponsored reception for retiring Library Director Janet Walker scheduled for July.

Mayor Gross recused himself from this vote since he sits on the Library Board. Motion to approve waiving rental fees at the Burns Park Activity Center for a South Cheatham Library sponsored reception for retiring Library Director Janet Walker scheduled for July made by Commissioner Hargis, with a second by Commissioner Stohler. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross abstaining, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes. Motion passed.

E. Motion for Approval of TAP Grant Funding.

City Manager Lawless stated that the initial cost estimated for this sidewalk project received from the engineering firm far exceeded the awarded amount, and at the March 19, 2021 Commission Meeting, it was voted to reduce the scope of the project to better align it with available funding. This reduction in scope was approved by TDOT while still allowing the Town to proceed with the full awarded project amount. At that time the estimated amount was \$342,612.65. TDOT is now ready to give a Notice to Proceed to Construction and allocate their construction funds for this project but will need our approval for them to add a “local line” to the project before moving forward. Their current estimate for the Town cost in this line item is \$211,931.75 – but this is just an estimate. This is the Town’s approval that we will pay our share of the project cost. If approved, TDOT will issue a Notice to Proceed to Construction, bids will be received, and we will then know the actual cost of the project. Although construction funds for this project will not be spent in this fiscal year, funds for the TAP Grant were allocated in this year’s budget, so a budget amendment related to this agenda item will not be necessary.

Commissioner Hargis asked how the TAP Grant was different from the Safe Routes. Lawless stated Safe Routes is 100% Federal grant, but the Federal funds allocated were not enough to cover the cost of the actual project. TDOT allocated extra money for this project out of their TAP grant funds, which are an 80/20 split with the Town. However, the Town’s TAP grant to extend the Safe routes sidewalk grant is different.

For the Town's TAP Grant, we pay 100% preconstruction costs. For construction forward, it is 80/20 split, with the Town paying 20% of what is now estimated at a \$650,000 project. Commissioner Clark asked if the current engineering/contractor issue Safe Routes to School has been resolved. City Manager Lawless stated the contractor of the project pushed back against the engineering of the project. Engineer has given contractor feedback on the contractor's 12-point list of items. The contractor responded back to engineer with their comments on engineer's comments. Of those 12 items, eight are now resolved. City Manager has requested from the engineer to give the town an official letter indicating their guidance on moving forward. Hopefully, this will be resolved between engineer and contractor. The people working on TAP Grant and Safe Routes to School are very familiar with the issues on the Safe Routes to School. A positive is that it looks like the projects will work concurrently.

We will need a letter sent to TDOT that the Board approved a local line item at its May 19, 2022 meeting. Motion to authorize the City Manager to communicate to TDOT that the Town intends to meet its 20% obligation and for TDOT to add the local line currently estimated at \$211,931.75, 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 passed unanimously.

14. Surplus:

None

15. Other (For Discussion Only):

- City Manager Lawless said he will not be in attendance for the June meeting.
- There was a miscommunication on the Splash Pad Dedication on Tuesday. It is at 5:00pm and not 5:30pm.
- Commissioner Clark said last month's minutes were succinct, but captured everything
- Commissioner Clark asked City Attorney Perry about the new energy bill and how that affected municipalities. City Attorney Perry said she can prepare something for the board, but her understanding is that it keeps small towns from blocking energy initiatives, such as pipeline from coming through their communities.

16. Reminders:

- Debbie Finch Reception – 2:00pm, Sunday, May 22nd
- Splash Pad Dedication Ceremony – 5:00pm, Tuesday, May 24th
- Farmers and Artisans Market opening day – 9:00 to Noon, Saturday, May 28th (at the Depot)
- City Hall closed Monday, May 30th in honor of Memorial Day
- Fishing Rodeo – June 11th

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously. Meeting adjourned at 8:00 pm.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder