



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
November 17, 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	Absent
Martha Brooke Perry, City Attorney	Present
Kellie Reed, Finance Director	Present
Eugene Ivey, Police and Fire Chief	Present
Brandy Miniati, Parks Director	Present
Roger Parker, Public Works Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the October 20, 2022, Public Hearing Meeting Minutes:

Motion to Approve the October 20, 2022, Public Hearing Meeting Minutes made by Commissioner Hargis, with a second by Commissioner Stohler. Motion approved.

6. Motion to Approve the October 20, 2022, City Commission Meeting Minutes:

Motion to Approve the October 20, 2022 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion approved.

7. Motion to Approve the November 17, 2022, City Commission Meeting Agenda:

Mayor Gross stated New Business Item 13.B. will be deferred until a later date. Motion to approve the November 17, 2022 City Commission Meeting Agenda as amended made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion approved.

8. Announcements from Commissioners:

Commissioner Clark announced that TDOT is sponsoring No Trash November. In recognition of that it would be good to support TDOT, and get signs out around town.

Vice-Mayor Remick expressed thanks for city employees, first responders and city family. He noted Christmas lights are up around town, and the upcoming Tree Lighting Ceremony on December 1st at Library, and a Kingston Springs Christmas on December 9th put on by our great city employees.

9. Community Input and Concerns:

John McElroy, 215 Woodlands Drive expressed his thanks for the meeting earlier in the week concerning sewer system.

10. Department Reports:

No additions to submitted reports.

11. Legal Updates:

None.

12. Unfinished Business:

A. Discussion on status updates of the following items. Sponsored by Commissioner Clark:

- **Possible town survey mailer for public comment akin to 2015 survey (For CIP – Capital Improvement Plan)?**

City Manager Lawless said this would be a decision for the Board to make. Postage would be estimated at \$950 (1155 X .60); other cost would be the manpower to mail and catalog the survey responses. This project is not funded in the budget, and would require a budget amendment. Lawless said we could try to tabulate manhours needed. The actual cost will be for the postage and additional envelopes.

Commissioner Clark said the last time the survey was done in 2015, property tax bills had just gone out, so people could think about what they want from the Town. Mayor Gross said Pleasant View did one at the same time, but theirs was done digitally. Doing it digitally is low cost and a possibility. Commissioner Clark said the Town's last survey was both a paper survey and digital survey. No decision made by the Board to proceed.

- **Increase our residential/commercial AFT**

City Manager Lawless said the Capital Improvement Plan the Town is currently working on will need to be in place before we look at increasing the rates for residential adequate facilities tax and adding a commercial adequate facilities tax. City Attorney Perry confirmed that was the case. Commissioner Hargis asked what the current rate was. There isn't one for commercial; residential is \$.40 SF.

- **Status of AED placement in Burns/City Parks**

City Manager Lawless said they have identified a cabinet from Cardiac Sciences for the AED that best fits the need. Devices have been ordered. Park Manager Miniat had concerns about keeping units outside in cold because the cold temperature drains the battery quickly. Commissioner Clark wanted staff to know that child pads are available. Chief Ivey said adult pads can be used for children. He added that pads are programmed to a specific expiration date, so it is not something that can be stocked up on, but it is an as needed item.

- **Placement of 20 mph speed limit signs on residential streets; purchase and placement of Feedback signs on EKSR and Mt. Pleasant.**

City Manager Lawless gave an update on the following:

- For the updated speed limits in Town, the next step is additional 30 mph signs on Mt. Pleasant and Harpeth View Trail. City Manager is working with Public Works Director Parker and the officers to map out locations; 811s are being called in.
- There are already 20 mph signs on most residential streets, and we are mapping those streets to determine placement for additional signs.
- Feedback indicators were ordered at the end of the fiscal year, but the company raised their price indicating they forgot a charge – so the order was cancelled. A new company was found with a better price, and the speed feedback signs will be ordered soon.
- TDOT will require right of way permission for SR249 (EKS RD) that will dictate placement of feedback signs and that process has been started.
- Lawless did not recall the Board requesting flashing feedback signage on Mt. Pleasant, and asked for direction on whether or not to purchase sign and where to place it. Commissioner Clark asked why he needed Board's direction on placement for this sign and not the others. This sign is a flashing sign that would light up each time a car went by. He said he would be more than happy to get costs for flashing signs on Mt. Pleasant. Fastest speed recorded on Mt. Pleasant was 53 mph. Mayor Gross said it would be nice to know where people speed the most. Commissioner Clark volunteered to ask residents on Mt. Pleasant about having flashing signs on their road.

- **Did we find out why Collier’s estimate re: Safe Routes to School was so far off?**

City Manager Lawless said there were two items that caused the estimate to be off.

1) Combined Concrete Curb and Gutter miscalculated by the engineering firm. They used the older TDOT standard drawings requiring a 3” gutter depth. Updated TDOT standards require a 6” gutter depth (\$51,000). 2) Borrow Excavation – the engineer initially included using the fill dirt from the site. The contractor and TDOT deemed existing fill material from the site was unacceptable, so additional fill will need to be brought to site (\$60,000). Commissioner Hargis asked if all the old fill had to be hauled away, and City Manager Lawless replied yes.

- **In our budget workshop we decided the FAM fund was going to be used for Train Depot purposes, and last meeting \$8K from the FAM was designated for the stage – can you clarify?**

City Manager Lawless gave the following updates:

- Currently we have \$13,000 in the Farmers Market designated funds, and as mentioned, we will use \$8,000 of that for the mobile stage purchase, which leaves \$5000 in that fund, plus the profits from Dinner on Main.
- We budgeted the following:
 - \$4,000 for a structural engineer.
 - \$3,000 for grounds – clearing, adding soil, and leveling.
 - \$2,000 for janitorial services to clean the inside of the depot.
 - \$15,000 for demo and dumpsters, but since we were able to find someone to repurpose the house on that lot, we won’t need to use all of the \$15,000 earmarked for this.

Designated funds were used for the stage as it was the immediate expense, and it will be used for the Farmers Market.

- **Was a Blind Driveway sign located – status?**

City Manager Lawless said we order several signs at once rather than one at a time, and it has been ordered along with other signs.

- **Status of late-night signal flashing at East Kingston Springs Road and Harpeth Valley Trail?**

City Manager Lawless said we were hoping to save the approximately \$1,000 cost of having a technician come out to change the sequencing by having TDOT update it when the left turn arrow was added to the signal, since they would have to reprogram anyway. We have since learned that project won’t go out to let for TDOT until probably next summer. We will need to get on the signal company’s list for them to come out to update the sequence. City Manager Lawless asked to clarify that the time for late-night flash was 11:00pm to 4:00am. Chief Ivey said signal only stops traffic on the EKS Road if a car pulls up on Harpeth View Trail to trigger it. He noted it is a traffic calming device. People don’t know if light is going to be red, green or yellow, and automatically slow down as they approach light. Mayor Gross said it seems like a big expense to benefit 2-3 people, and they would be poor stewards of the tax payers’ money by spending the money on this now

instead of waiting to do it when the turn signal is added. City Manager Lawless said we can get a more defined cost. Commissioner Clark said she thought Board had already decided to set the signals on flash. Vice-Mayor Remick said the Board had not decided on the cost.

- **What is the status of Harpeth Meadows – Private v. Public Rd?**
City Manager Lawless said he believed the Town has a path forward with the Harpeth Meadows Homeowners Association to dedicate the roads to the Town and are moving forward in that direction.

B. Second Reading of Ordinance 22-008 – Amending Notice Requirements to Kingston Springs Board of Zoning Appeals as recommended by the Kingston Springs Regional Planning Commission.

City Manager Lawless said Section C, Paragraph 2 of the ordinance has been updated to reflect the timeframe of certified mail notifications on appearances before the Board of Zoning Appeals. Motion to approve Second Reading of Ordinance 22-008 – Amending Notice Requirements to Kingston Springs Board of Zoning Appeals as recommended by the Kingston Spring Regional Planning Commission made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion approved.

C. Second Reading of Ordinance 22-009 – Amending Title 1, Chapter 4, by amending language contained in Sections 1-405, 1-407 of the Kingston Springs Municipal Code and adding Section 1-412.

City Manager Lawless said there were no changes to this ordinance related to ethics since the first reading. Motion to approve Second Reading of Ordinance 22-009 – Amending Title 1, Chapter 4, by amending language contained in Sections 1-405, 1-407 of the Kingston Springs Municipal Code and adding Section 1-412 made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion approved.

D. Second Reading of Ordinance 22-010 – Amending Title 3, Chapter 1 of the Kingston Springs Municipal Code related to Court Costs, Litigation Tax, and Forfeiture, and to correct certain other provisions.

City Manager Lawless said there were no changes since first reading. Motion to approve Second Reading of Ordinance 22-010 – Amending Title 3, Chapter 1 of the Kingston Springs Municipal Code related to Court Costs, Litigation Tax, and Forfeiture, and to correct certain other provisions made by Commissioner Stohler, with a second by Vice-Mayor Remick. Motion approved.

E. Second Reading of Ordinance 22-011 – An Ordinance by the Kingston Springs Board of Commissioners to Accept a Budget Amendment for the 2022-2023 Fiscal Year.

This amendment relates to financing for the purchase of a mobile stage. Funding will be \$30,000 from the fund balance and \$8,000 from the Farmer’s Market Designated Funds. The remaining \$3,000 will be from Park funds. City Manager Lawless said there were no changes since the first reading. Motion to approve Second Reading of Ordinance 22-011 –

An Ordinance by the Kingston Springs Board of Commissioners to Accept a Budget Amendment for the 2022-2023 Fiscal Year 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 approved.

13. New Business:

A. Motion to approve Resolution 22-016 – Authorizing the Town of Kingston Springs to participate in the Tennessee Department of Environment and Conservation ARP Non-Competitive Grant Program.

City Manager Lawless said this is a resolution required by TDEC to allow the Town to participate in the TDEC ARP Non-Competitive Grant Program. It is part of the grant application process, and basically gives staff permission to pursue grant. The grant allowance for the Town is \$701,132.10. Motion to approve Resolution 22-016 – Authorizing the Town of Kingston Springs to participate in the Tennessee Department of Environment and Conservation ARP Non-Competitive Grant Program made by Commissioner Hargis, with a second by Commissioner Stohler. Motion approved. Commissioner Hargis asked for clarification on the \$700K. Mayor Gross said we automatically receive \$800K from the American Rescue Plan, and this \$700K is additional funds the State received as a whole that are non-competitive.

B. Motion to approve Resolution 22-017 – Recognizing Ms. Loretta Lynn for Outstanding Cultural Enrichment.

Motion to defer this item until a later date made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion approved.

C. Motion to approve Resolution 22-018 – Authorizing Cooperative Purchasing Agreement for the use and benefit of all Town Departments.

City Manager Lawless said this is a cooperative purchasing agreement that we had in place for several years. The company was acquired by OMINA, and this resolution is to change the company name. Nothing is changed as far as agreement goes. Commissioner Clark asked if we were still part of the other government cooperative purchasing agreement. City Manager Lawless said it was his understanding that once you are in a cooperative agreement, you are in it. There is no time limit. Commissioner Clark asked what made this one different. Lawless said it serviced different things. This one is more parks-related. Motion to approve Resolution 22-018 – Authorizing Cooperative Purchasing Agreement for the use and benefit of all Town Departments made by Commissioner Hargis, with a second by Commissioner Stohler. Motion approved.

D. Review and Awarding of Bid for Town Salary Study.

City Manager Lawless said an RFP for a staff salary study was advertised with a due date of October 21, 2022. One proposal was received from Burris Thompson and Associates. Their proposal included all information requested and they come highly recommended

from other municipalities. Their total fee for the study is \$7,280, which is \$280 over the \$7,000 budgeted in a line item. That \$280 can be acquired from other line items. Staff recommends approving this proposal. Commissioner Clark said the cost of the proposal seemed excessive. She felt the Commissioners should be involved earlier in the process. City Manager Lawless said the company will assess the Town's employment positions, roles of the positions, what the work entails for each position, and quantify those positions with both governmental and non-governmental work in the area. The study will also help form a job position pay scale and a structured job review and merit increase system to be used going forward, something the town does not current have. The final results will be submitted to the Board, and they can choose to accept it or not. The goal is to have a third party come in and assess the positions and salaries for each of the town's positions so we will have a better understanding of where we are and how to move forward. Vice-Mayor Remick asked why we couldn't use someone inhouse to investigate what other communities are paying. City Manager Lawless said we can, and we do have the data, and have shared that with the Board. Commissioner Clark said this is a big company type study. Lawless said it will provide valuable information and a usable performance review and salary structure. Mayor Gross asked if MTAS provided salary information. Lawless said the participation rate in MTAS salary study is very low so the information there is not very helpful. That information is out there and has been presented to the Board in the past. Commissioner Clark compared the study to a lawsuit where each side hires expert witnesses who say what they are paid to say. The Town has been pushing for salary increases for a while. It seems like a forgone conclusion that we are going to be presented with big salary increases that the Town might not be able to afford. Lawless said that may very well be the case, but again, this is an independent third party that will assess the jobs that everybody does, will assess what everyone is paid, and compare that to other agencies, and come up with a recommendation that is unbiased from the inside. It will be purely outside independent data. Commissioner Clark asked about job descriptions, and Lawless said we have job descriptions for just about every job. Finance Manager said some of the job descriptions were out of date, and they have been working to update them. This third-party company will also look at the job descriptions and give true FSLA recommendations on whether a position needs to be an exempt salary position or non-exempt position. Chief Ivey added that all of the employees do more than what their job description lists. For example, events wouldn't happen without the team effort of all the employees, and that is not captured in a job description. Making the Town work day to day is everyone's job. Mayor Gross said there are some advantages to having the data, but it is a high price tag for that data. Having the proposal be \$280 over what was budgeted is within realm of what was budgeted. Commissioner Stohler said it takes out emotions out of the equation and uses objective observations. He asked about reviews for staff performance. Lawless said reviews are taking place. Commissioner Clark said she understands that, but employees are weighting in on the process of voting on this particular issue that has to do with their salaries. Chief Ivey said he wasn't weighing in, but was trying to say that the positions are broad. He can't affect the vote one way or the other. Motion to approve bid for a salary study by Burris, Thompson & Associates in the amount of \$7,280 made by Commissioner Stohler, with a second by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting no, Mayor Gross voting yes, Commissioner Hargis voting yes,

Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes. Motion approved by majority. Commissioner Hargis asked about a property tax increase to meet objectives. The Board would have to determine that based on outcome of the study.

E. Approval of Second South Cheatham Utility District to refund secondary meters in the amount of \$20,964.92.

Commissioner Hargis abstained from voting. Motion to give Approval of Second South Cheatham Utility District to refund secondary meters in the amount of \$20,964.92 made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion approved.

14. Surplus:

None

15. Other (For Discussion Only):

Mayor Gross recognized Commissioner Stohler for his service on the Board of Commissioners. This is his last night on the Board. He has always stepped up to the plate to serve the Town in many ways. He previously served eight years on the Board and served on the Planning Commission. He was presented with an award, and pictures taken. Commissioner Stohler thanked everyone and said it had been a pleasure.

16. Reminders:

- City Hall will be closed November 24th and 25th for the Thanksgiving Holiday.
- Tree lighting at South Cheatham Public Library on Thursday, December 1st.
- A Kingston Springs Christmas in Burns Park on Sunday, December 11th.

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion approved. Meeting adjourned at 7:48 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder