



City Commission

Kingston Springs, Tennessee

March 17, 2022

Meeting Packet



**Kingston Springs Board of Commissioners
Regular Business Meeting Agenda
March 17, 2022**

1. Call to Order:

The meeting was called to order by _____ at _____ p.m.

2. Pledge of Allegiance:

3. Roll Call:

Board Members in Attendance:

Carolyn Clark, Commissioner _____
Tony Gross, Mayor _____
Mike Hargis, Commissioner _____
Glenn Remick, Vice-Mayor _____
Bob Stohler, Commissioner _____

Staff in Attendance:

John Lawless, City Manager _____
Jamie Dupré, City Recorder _____
Martha Brooke Perry, City Attorney _____
Eugene Ivey, Police and Fire Chief _____
Brandy Miniatt, Parks Director _____

4. Declaration of Quorum by Mayor

5. Motion to Approve the February 17, 2022 City Commission Meeting Minutes:

6. Motion to Approve the March 17, 2022 City Commission Meeting Agenda:

7. Announcements from Commissioners:

8. Community Input and Concerns:

9. Department Reports:

10. Legal Updates:

11. Unfinished Business:

- A. Second reading of Ordinance 22-002 – Amending Kingston Springs Municipal Code Title 16, Chapter 2 – Excavations and Street Cuts.
- B. Second reading of Ordinance 22-003 - Amending Kingston Springs Municipal Code Title 12, Chapter 3 – Property Maintenance Code, and Title 13 – Property Maintenance Regulations.
- C. Discussion on offering use of the Beck Meeting Hall and Burns Park Activity Center and waiving usage fees for the Burns Park Activity Center for the Cheatham County UT Agriculture Extension office for periodic training sessions.

12. New Business:

- A. First reading of Ordinance 22-004 - Amending Ordinance 21-006 - 2021-2022 Budget.
- B. Review and awarding of bids for Town 2-Year Contracts
- C. Review and awarding of bid for Burns Park Paving Project including additive alternates.
- D. Discussion of Keep Kingston Springs Beautiful – Don’t Litter Campaign. Sponsored by Commissioner Clark.
- E. Discussion on requested sewer line expansion to be done at applicant expense – Spivey – 191 Luyben Hills Road.

13. Surplus:

- Parks Department - Calculator – Discard.

14. Other (For Discussion Only):**15. Reminders:**

- Spring Youth Soccer begins Saturday, March 19th.
- Kingston Springs Board of Commissioners Annual Retreat, March 18th and March 19th.
- KS Farmers and Artisans Market begins Saturday, May 21st.

16. Adjourn the Meeting:

Motion to adjourn the meeting.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder



**Kingston Springs Board of Commissioners
Regular Business Meeting Minutes
February 17, 2022**

1. Call to Order:

The meeting was called to order by Mayor Gross at 7:00 p.m.

2. Pledge of Allegiance:

3. Roll Call:

Board Members in Attendance:

Carolyn Clark, Commissioner	Absent
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
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 January 20, 2022 Public Hearing Meeting Minutes:

Motion to Approve the January 20, 2022 Public Hearing Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

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

Motion to Approve the January 20, 2022 City Commission Meeting Minutes made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

7. **Motion to Approve the February 17, 2022 City Commission Meeting Agenda:**
Motion to Approve the February 17, 2022 City Commission Meeting Agenda made by Commissioner Hargis, with a second by Commissioner Stohler. Motion passed unanimously.
8. **Announcements from Commissioners:**
Vice-Mayor Remick commended city workers for keeping up the roads and filling potholes.
9. **Community Input and Concerns:**
Former Commissioner Joshua Eatherly was presented an award commemorating his service on the Kingston Springs Board of Commissioners.
- David Risner, Attorney for Energy Fit Solutions, Inc., commented on actions of the Planning Commission regarding Ellersly Development.
10. **Department Reports:**
Vice-Mayor Remick asked for clarification on report for plows ordered for the Town Ranges to assist in snow and ice clearing. City Manager Lawless said it was a typo, and should be Rangers (side-by-side). Plows were ordered for the Rangers to help with snow removal. Snow plows are on big trucks for larger streets and the Rangers would be used for smaller side streets.
11. **Legal Updates:**
None
12. **Unfinished Business:**
- A. **Second reading of Ordinance 22-001 – Establishing Speed Limits on certain roads within the town limits of Kingston Springs.**
Speed limits approved earlier are: East Kingston Springs Road will remain at 35 mph; West Kingston Springs Road will be raised to 35 mph. Collector streets (Mt. Pleasant, Harpeth View Trail, and CC Road) will be 30 mph, and residential/local streets including Main Street, will be reduced to 20 mph. Motion to approve Second reading of Ordinance 22-001 – Establishing Speed Limits on certain roads with the town limits of Kingston Springs made by Vice-Mayor Remick, with a second by Commissioner Hargis. Roll call vote was held with Commissioner Clark absent, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Stohler voting yes. Motion passed.

13. New Business:

A. Discussion on offering use of the Beck Meeting Hall and Burns Park Activity Center and waiving usage fees for the Burns Park Activity Center for the Cheatham County UT Agriculture Extension office for periodic training sessions. Ronnie Barron, Extension Agent and Cheatham County UT Agriculture Extension Office Director.

Ronnie Barron of the UT/TSU Extension Office spoke about their programs and the need for a location for educational programs in South Cheatham. Other members of the Cheatham County Extension Office also in attendance were: Tammi Fralick, Aneta Eichler, and Sierra Knaus. Tammi Fralick spoke about the need for space that also included restrooms and a kitchen for 4-H programs. Attorney Perry said they would need to provide insurance with the Town of Kingston Springs as an additional insurer. Mayor Gross asked that staff work with Extension Office to come up with something more concrete for plans for the next couple of months. He was not in favor of bumping the Extension Office for a rental after the date had already been confirmed for Extension Office, since their programming benefits the community. The Extension Office staff said registration for events are done two to three months in advance, and having to change at last minute would be hard on families. The mayor asked that Town staff and Extension staff coordinate schedules to find dates that work.

B. Janet Walker, South Cheatham Public Library.

Janet Walker, Director of the South Cheatham Public Library announced her retirement at the end of July. She spoke of the great relationship the library has had with the Town and community. She thanked the Commissioners and the Town for their support over the years. She will be working a couple of days a week to mentor her replacement. Mayor Gross said the library is one of the most special places in Kingston Springs and Janet Walker is a big part of making it a special place.

C. Consideration of adoption of the Kingston Springs Regional Planning Commission recommendation for the Ellersly Subdivision – Ron Merville PUD Agreement to Include:

- **Timeline of PUD for Phase 1 Completion – One (1) year from date of fully executed PUD Agreement and Development Plan.**
- **Grading, Soil and Erosion Plan & SWPPP implementation will be completed within one (1) year from date of fully executed PUD Agreement and Development Plan.**
- **Phase 2 and Phase 3 are not included in the PUD Agreement and Development Plan.**
- **The Developer will supply a Performance Bond with the Town of Kingston Springs as the Holder of the Bond in the amount of \$390,000.00.**
- **The Grading, Soil and Erosion and SWPPP for Phase 1 and the undeveloped areas of Phase 2 and Phase 3, including paving, guttering and all other public areas with 99% of lots under current developer control in Phase 1 completed within 12 months subject to approval of grading, soil and erosion, and stormwater plans by an independent engineer currently under review.**

Mayor Gross said the Commissioners have to either accept or reject recommendation of the Kingston Springs Regional Planning Commission regarding the Ron Merville PUD Agreement and indicated any changes requested by the board of Commissioners would need to go back through the Planning Commission. He said that some of the things Mr. Risner spoke about earlier in the meeting probably should have been initially heard at a Planning Commission prior to this. City Planner Armstrong said the Ellersly subdivision began almost 15 years ago. It was an approved subdivision and any change to the PUD should have been done by going through Planning Commission. She stated the completion deadline for the development has passed. Some of the issues with the development are related to proper stormwater management and completed infrastructure and residents have the right to have finished streets with no flooding. Mayor Gross said extending the 12-month timeline for several months because we are going into a rainy season as Mr. Risner has suggested, means another rainy season that people will have to suffer the consequences as a result of this drainage issue. Planner Armstrong said the base areas for the roads have eroded, and there needs to be installation of sufficient storm water controls that are not hampering the people who live there, nor causing a public safety issue on West Kingston Springs Road. Water is forming trenches and overtopping the ditch onto West Kingston Springs Road and the town has the duty to enforce the ordinances. Armstrong indicated that some parcels transferred to Energy Fit Solutions, Inc. two years ago and the two lots owned by Energy Fit Solutions, Inc. are under stop work orders. City Attorney Perry said the transfer of lots through a quitclaim deed doesn't transfer the development rights and obligations. Those rights are attached to whomever the development agreement is with. If the intent is for Energy Fit Solutions to be the developer, there needs to be some kind of instrumentation to do that, which brings us back to if we are going to have a PUD agreement with Energy Fit Solutions as the developer, it is going to have to go back to the Planning Commission for them to make the name change and include the transfer of rights and obligations. Armstrong said Mr. Ron Merville signed the initial PUD agreement as an individual. He sought approval as an individual. He sought bonding and a letter of credit as an individual. He sought permits and infrastructure work as an individual. Now the City Commission is being asked to overrule the Planning Commission to change this and enter into an agreement with a totally different entity that has zero liability at this point for what's on the map. Attorney Perry said that with the transfer of development rights, you also have to transfer rights and obligations. Armstrong said because of the history of this property and what has occurred, she has very little confidence in the forward movement of this entity in carrying out the development obligations. The entity that we are being asked to accommodate as the new PUD partner to the town has stop work orders on projects that are under construction now. The two lots they own are the subject of stop work orders because what they are doing on those lots was creating more storm water runoff. If there are going to be changes to this PUD, we will be delaying it for another month to send it back to the Planning Commission. Then it will come back to this Commission for reconsideration. Armstrong also responded to Mr. Risner's comments about the amount of the bond. She said the city establishes and sets bonds. The city doesn't establish and set bonds with the consent of the developer, or with the calculations provided by the developer. It is done with a very simple formula to calculate the amounts. It is a rare occasion for a developer who has not performed, to then to appear before this body after all

this time through his attorney to ask for concessions while there is an ongoing violation filed against the property. The terms were thought out very carefully over a period of 3.5 years. Mayor Gross said the information presented by Mr. Risner, attorney for Energy Fit Solutions, Inc., could have been presented to the Planning Commission, and was not. This issue needs to be resolved. Commissioner Hargis said we have come a long way to get here, and felt the City Commission should adopt the Planning Commission's recommendation, and get this fixed. It is way overdo. Commissioner Stohler motioned to adopt the Planning Commission's recommendation for the Ellersly Subdivision in its entirety. Vice-Mayor Remick seconded the motion. City Attorney Perry asked that it be amended to say the adoption of the development agreement in its entirety as drafted by City Planner and Attorney and executed by City Manager. First and second motions remained for amended motion. Motion passed unanimously.

- D. Discussion on FEMA Fixed Cost Offer related to Acorn Court Pump Station project.**
City Manager Lawless hoped to have an update tonight. Town Staff and engineer met with the insurance adjuster's engineer, and assessment has been given to the insurance company, but the totals are not ready yet. Commissioner Hargis asked about process. Lawless said the pump station was on the insurance schedule for approximately \$250,000, but we have an umbrella type policy and it is not capped at that amount. Insurance pays dollar for dollar. FEMA pays 75% on the dollar. At this time no action is needed.
- E. First reading of Ordinance 22-002 – Amending Kingston Springs Municipal Code Title 16, Chapter 2 – Excavations and Street Cuts.**
City Manager Lawless said this ordinance deals with road repair due to street cuts by utilities, primarily Second South Cheatham. In the past we had a paving contractor for the street cut repairs and would pass on the cost to the utilities. We have not had a contractor because the small nature of these repairs is costly, and contractors do not want to do the small jobs. The change would allow the utilities to let us know they need to make repairs using their contractor, under guidance from the city. Motion to approve first reading of Ordinance 22-002 – Amending Kingston Springs Municipal Code Title 16, Chapter 2 – Excavations and Street Cuts made by Commissioner Hargis, with a second by Commissioner Stohler. Motion passed unanimously.
- F. First reading of Ordinance 22-003 – Amending Kingston Springs Municipal Code Title 12, Chapter 3 – Property Maintenance Code, and Title 13 – Property Maintenance Regulations.**
City Manager Lawless said we are updating to provide consistency in our Municipal code enforcement. Commissioner Hargis asked what was being amended. City Attorney Perry said the process was being streamlined to be a consistent enforcement process. The Administrative Hearing Officer (AHO) is not an option in Title 12, but is an option in Title 13. Mayor Gross noted that we have never used the AHO for the enforcement process. Perry felt that the AHO comes in when there is a complicated issue or a commercial issue, and allows for a stiffer penalty. City Planner Armstrong felt that our violations are mostly simple ones. She has attempted to use the AHO in the past, and it was a complicated and inefficient process, and does not suit our needs. Perry said codes enforcement is at the

discretion of the codes official, and the AHO adds another option. Mayor Gross felt it was confusing to violators. Armstrong said it was an unnecessary layer. Mayor Gross felt the AHO needed to be moved out of the process. Motion to approve first reading of Ordinance 22-003 – Amending Kingston Springs Municipal Code Title 12, Chapter 3 – Property Maintenance Code, and Title 13 – Property Maintenance Regulations by making them the same and removing references to the Administrative Hearing Officer option, made by Commissioner Hargis, with a second by Vice-Mayor Remick. Motion passed unanimously.

G. Discussion on Tennessee Department of Agriculture Rural Business Development Grant and approval to submit Grant Application and Letter of Intent.

City Manager Lawless said staff met with representatives from the Tennessee Department of Agriculture to discuss their Rural Business Development Grant. The grant is awarded for up to \$50,000 for supporting local businesses. Initially, staff had thought to use it to improve signage at the I-40 interstate ramps to help travelers see Kingston Springs as an enticing place to stop and visit. This would require the need to include the mention of the different businesses in town and this is not the type of signage we wanted to install. After further discussion, it was decided that the purchase of a portable stage fit in well with the grant intent as it would be something that would expand our abilities to draw more visitors to our community and help support local businesses. If awarded, the town would like to use the money toward the purchase of a portable stage. The stage costs approximately \$80,000, and we would need to budget for the difference. He said they would like approval to submit grant application and letter of intent for the grant. Motion to approve submission of grant application and letter of intent for the Tennessee Department of Agriculture Rural Business Development Grant made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

H. Authorization to City Manager to sign attorney contract.

Motion to approve Authorization to City Manager to sign attorney engagement letter with Burr & Forman on behalf of the town made by Vice-Mayor Remick, with a second by Commissioner Stohler. Motion passed unanimously.

14. Surplus:

- City Hall – Folding Tables – Discard.
Motion to discard surplus folding tables made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed unanimously.

15. Other (For Discussion Only):

None

16. Reminders:

- Kingston Springs City Hall will be closed Monday, February 21st in honor of Presidents Day.

- Spring Soccer Sign-Up happening now through Friday, February 25th
- Kingston Springs Board of Commissioners Annual Retreat, March 18th and March 19th.

17. Adjourn the Meeting:

Motion to adjourn the meeting made by Vice-Mayor Remick, and passed unanimously.
Meeting adjourned at 8:50 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder

ORDINANCE 22-002

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTIONS 16-204 & 16-206 OF THE KINGSTON SPRINGS MUNICIPAL CODE

WHEREAS, Title 16, Chapter 2, Sections 16-204 & 16-206 of the Town of Kingston Springs Municipal Code contains certain provisions regarding the excavation, cut, and/or disturbance of the streets and roads of the Town of Kingston Springs; and

WHEREAS, the Town of Kingston Springs Board of Commissioners desires to amend such provisions to update the deposit costs to reflect modern costs and to provide for the performance of certain work by public utilities.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, THAT:

1. Title 16, Chapter 2, Section 16-203 of the Town of Kingston Springs Municipal Code is hereby repealed and shall be deleted in its entirety with no replacement.
2. Title 16, Chapter 2, Section 16-204 of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

16-204. Deposit or bond. No such permit shall be issued unless and until the applicant therefor has deposited with the recorder a cash deposit. The deposit shall be in the sum of five-hundred dollars (\$500.00) if no pavement is involved or, if the excavation is in a paved area, then the deposit shall be the greater of five hundred dollars (\$500.00) or ten dollars (\$10.00) per square foot of estimated disturbed pavement, and the deposit shall insure the proper restoration of the ground and laying of the pavement, if any. Where the amount of the deposit is clearly inadequate to cover the cost of restoration, the recorder, upon consultation with the City Manager, may increase the amount of the deposit to an amount considered by him or her to be adequate to cover the cost. From this deposit shall be deducted the expense to the town of relaying the surface of the ground or pavement and of making the refill if this is done by the town or at its expense. Upon review of finished work and approval by town staff, the balance shall be returned to the applicant without interest after the tunnel or excavation is completely refilled and the surface or pavement is restored to its previous condition. In lieu of a deposit the applicant may deposit with the recorder a surety bond in such form and amount as the recorder shall deem adequate to cover the costs to the town if the applicant fails to make proper restoration. Further, a surety bond so deposited by a public utility may, with the written authorization of the recorder, provide for surety to the town on a continuing basis for any and all future restorations undertaken by such public utility.

3. Title 16, Chapter 2, Section 16-206 of the Town of Kingston Springs Municipal Code shall be deleted in its entirety and the following substituted in lieu thereof:

16-206. Restoration of streets, etc. Any person, firm, corporation, association, or

others making any excavation or tunnel in or under any street, alley, or public place in this town shall restore said street, alley, or public place to its original condition except for the surfacing, which shall be done by the town but shall be paid for promptly upon completion by such person, firm, corporation, association, or others for which the excavation or tunnel was made. Notwithstanding the foregoing, a public utility, upon written authorization from the City Manager, which authority is vested in the City Manager, may also perform the necessary surfacing to fully restore the street, alley, or public place to its original condition. Such work performed by a public utility shall be subject to all other requirements and conditions herein.

In case of unreasonable delay in restoring the street, alley, or public place, the recorder shall give notice to the person, firm, corporation, association, or others that unless the excavation or tunnel is refilled properly within a specified reasonable period of time, the town will do the work and charge the expense of doing the same to such person, firm, corporation, association, or others. If within the specified time the conditions of the above notice have not been complied with, the work shall be done by the town, an accurate account of the expense involved shall be kept, and the total cost shall be charged to the person, firm, corporation, association, or others who made the excavation or tunnel. Restoration shall also include the restoring work will be of such workmanship so as to guarantee the restoration for a period of one (1) year from and after the date of completion, and applicant at his expense will cause additional work to be performed if said repairs are not satisfactory or reimburse the town for maintenance it may perform for unsatisfactory restoration after receiving written notice from the town manager or building inspector.

This Ordinance shall take effect the later of the date that is 15 days after its passage or upon publication of this Ordinance or its caption, the public welfare demanding it.

Passed First Reading: _____

Public Hearing: _____

Passed Second Reading: _____

Tony Gross, Mayor

Attest:

Jamie Dupré, Town Recorder

Approved as to Form and Legality: _____

Martha Brooke Perry, Town Attorney

ORDINANCE 22-003

**AN ORDINANCE AMENDING TITLE 12, CHAPTER 3, AND TITLE 13,
CHAPTER 1 OF THE KINGSTON SPRINGS MUNICIPAL CODE**

WHEREAS, by Ordinance 18-005, the Town of Kingston Springs Board of Commissioners adopted the 2015 International Property Maintenance Code, among other items, codifying such 2015 International Property Maintenance Code under Title 12, Chapter 3 of the Town of Kingston Springs Municipal Code; and

WHEREAS, said Chapter was later amended to provide for certain local modifications to the said 2015 International Property Maintenance Code; and

WHEREAS, the Town of Kingston Springs Board of Commissioners desires to amend such Chapter to rename the said Chapter and to further provide for enforcement provisions related to said Chapter; and

WHEREAS, the Town of Kingston Springs Board of Commissioners has previously provided for certain ordinances as codified in Title 13, Chapter 1 related to certain health and safety and property maintenance concerns for properties with the Town and does desire to further provide for enforcement provisions related to said Chapter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, THAT:

1. The title of Title 12, Chapter 3 of the Town of Kingston Springs Municipal Code shall be renamed to Property Maintenance Code for Existing Structures.
2. Title 12, Chapter 3 of the Town of Kingston Springs Municipal Code shall be amended to add Section 12-305 as follows:

12-305. Enforcement. (a) It shall be the duty of the building inspector or other official as appointed by the city manager to enforce this section to serve notice upon the owner of record of the violation of the provisions of this Chapter. Such notice of violation (NOV) shall:

- (1) Be in writing.
- (2) Include a description of the real estate sufficient for identification.
- (3) Include a statement in plain language of the violation or violations and why the notice is being issued.
- (4) Include a statement in plain language of the specific actions required to remedy the condition from which the violation arises.
- (4) Include a specified period of days, not to exceed sixty (60) days, to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Section of the Code.
- (5) Include a description of the process and/or penalty the owner may incur should the conditions not be remedied.
- (6) Include the person, office, address, and telephone number of the department or

person giving the notice.

The NOV may, but is not required to, contain additional information such as the procedure for requesting a meeting with the building inspector or other official to discuss specific needs and have questions of the property owner answered if possible.

The NOV shall be sent by certified United States Mail, return receipt requested, addressed to the last known address of the owner of record. When an attempt at notification by United States mail fails or no valid last known address exists for the owner of record, the town may publish the notice in a newspaper of general circulation in the county where the property sits for no less than two (2) consecutive issues or personally deliver the NOV to the owner of record. For purposes of this section, such publication shall constitute receipt of notice effective on the date of the second publication of the notice.

(b) In the event that the owner of the property shall fail or refuse to remedy the violation within the time prescribed within the aforesaid NOV, then the building inspector, codes enforcer, or City Manager may, in his or her discretion, issue a citation for same to municipal court, or may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation. Such citation shall:

- (1) Be in writing.
- (2) Include a description of the real estate sufficient for identification.
- (3) Include a statement in plain language of the violation or violations for which the citation is being issued.
- (4) Include a statement as to whether the structure or property can be brought into compliance for a habitable structure.
- (5) Include court date, time, and location for the hearing in municipal court.
- (6) Include a statement of possible fees or fines that may be assessed by the municipal court if the recipient is found to have committed the violations specified in the citation, as well as the following statement: "Each day that violation continues after the recipient has been served with this citation shall be deemed a separate offense regardless of whether an additional notice, order, or citation has been issued."

(c) The requirements contained in this section shall not be applicable in emergency situations where imminent danger to life, limb, and property exists, and nothing herein shall be construed as limiting the authority of the building inspector, City Manager, public safety officers, public works officials, or other Town official to require immediate evacuation of a property or other actions necessary to abate such imminent danger.

3. Title 13, Chapter 1, Section 13-107 of the Town of Kingston Springs Municipal Code shall be amended by deleting the section in its entirety and replacing it with the following:

13-107. Enforcement. (a) Whenever the building inspector, codes enforcer, or City Manager determines that there has been a violation of Sections 101-104 and 106 of this Title or has grounds to believe that a violation has occurred, notice of same shall be given to the owner and to the occupant of the property to remedy the prohibited

condition. Such notice shall:

- (1) Be in writing.
- (2) Include a description of the property sufficient for identification.
- (3) Include a statement in plain language of the violation or violations and why the notice is being issued.
- (4) Include a statement in plain language of the specific actions required to remedy the condition from which the violation arises.
- (4) Include a specified period of days, not to exceed sixty (60) days, to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Section of the Code.
- (5) Include a description of the process and/or penalty the owner may incur should the conditions not be remedied.
- (6) Include the person, office, address, and telephone number of the department or person giving the notice.

The NOV may, but is not required to, contain additional information such as the procedure for requesting a meeting with the building inspector or other official to discuss specific needs and have questions of the property owner answered if possible.

Such notice shall be deemed to be properly served if a copy thereof is delivered personally; sent by certified or first-class mail addressed to the last known address of the intended recipient; or if the notice is returned showing that the letter was not delivered, a by posting a copy of the notice in a conspicuous place in or about the structure affected by such notice.

(b) In the event that the owner or occupant of the property shall fail or refuse to remedy the violation within the time prescribed within the aforesaid notice, then the building inspector, codes enforcer, or City Manager may, in his or her discretion, issue a citation for same to municipal court, or may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation. Such citation shall:

- (1) Be in writing.
- (2) Include a description of the real estate sufficient for identification.
- (3) Include a statement in plain language of the violation or violations for which the citation is being issued.
- (4) Include court date, time, and location for the hearing in municipal court.
- (5) Include a statement of possible fees or fines that may be assessed by the municipal court if the recipient is found to have committed the violations specified in the citation, as well as the following statement: "Each day that violation continues after the recipient has been served with this citation shall be deemed a separate offense regardless of whether an additional notice, order, or citation has been issued."

(c) The requirements contained in this section shall not be applicable in emergency situations where imminent danger to life, limb, and property exists, and nothing herein shall be construed as limiting the authority of the building inspector, City Manager, public safety officers, public works officials, or other Town official to require immediate evacuation of a property or other actions necessary to abate such imminent danger.

This Ordinance shall take effect the later of the date that is 15 days after its passage or upon publication of this Ordinance or its caption, the public welfare demanding it.

Passed First Reading: _____

Public Hearing: _____

Passed Second Reading: _____

Tony Gross, Mayor

Attest:

Jamie Dupré, Town Recorder

Approved as to Form and Legality:

Martha Brooke Perry, Town Attorney

ORDINANCE #22-004

AN ORDINANCE BY THE KINGSTON SPRINGS BOARD OF COMMISSIONERS TO ACCEPT A BUDGET AMENDMENT FOR THE 2021-2022 FISCAL YEAR

WHEREAS, the Board of Commissioners hereby appropriates \$71,500 out of the fund balance to the parks budget for the purpose of funding the splash pad overage in the amount of \$59,500 and \$12,000 water leak at Burns Park; and,

NOW THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Town of Kingston Springs, Tennessee that this ordinance shall become effective 15 days after final passage the public welfare requiring it.

Section 1: A budget amendment consisting of the available revenues be adopted:

	<u>Beginning Budget</u>	<u>Ending Budget Anticipated</u>
	<u>Anticipated Revenues</u>	<u>Revenues</u>
General Fund	\$4,802,031.00	\$4,861,531.00

Section 2: A budget amendment consisting of the following appropriations be adopted:

	<u>Beginning Departmental</u>	<u>Ending Departmental</u>
	<u>Budget</u>	<u>Budget</u>
General Fund		
Parks Department	\$670,895.00	\$742,395.00

First Reading: March 17, 2022

Public Hearing: _____

Second Reading: _____

Attest:

Mayor Francis A. Gross III.

City Recorder Jamie Dupre'

Splash Pad Project

Donation received from Jake Owen Foundation: \$350,000.00
 Original Projected Cost to Town: \$100,000.00
Estimated Project: \$450,000

Expenditures to date

6/1/2021	Vortex	Equipment	\$126,000.00
		Total FY 2021	\$126,000.00
10/18/2021	Vortex	Equipment	\$90,274.90
11/9/2021	Michael H. Bowers	Grading Work	\$5,625.00
11/9/2021	White Bluff Building Supply	Misc. Plumbing	\$127.35
11/17/2021	Rogers Group	Rock	\$8,751.19
11/17/2021	Thomas Slayden	Contractor: Pump House Building	\$4,500.00
11/24/2021	Reliant Bank	Misc. Plumbing	\$840.00
12/3/2021	Vortex	Equipment	\$129,712.38
12/3/2021	White Bluff Building Supply	Misc. Plumbing	\$8.98
12/10/2021	Door Tech of Nashville	Doors for Pump House	\$3,470.42
12/23/2021	Thomas Slayden	Contractor: Pump House Building	\$4,500.00
1/13/2022	Rogers Group	Rock	\$275.87
1/13/2022	Home Depot	Misc. Plumbing	\$221.09
1/13/2022	USA Bluebook	Backflow Valve Box	\$328.86
2/18/2022	USA Bluebook	Backflow Valve Box	\$1,768.95
2/18/2022	Industrial Electric Service	Electrical	\$15,764.70
		Total FY 2022	\$266,169.69
		Total Spent to Date:	\$392,169.69

Anticipated Expenditures

Vortex	Equipment	\$86,390.00
Industrial Electric Service	Electrical	\$11,000.00
Greer Construction and Hauling	Topsoil	\$10,000.00
M & M Spray Foam Insulation	Insulation for Pump House Building	\$3,000.00
Ferguson	Backflow	\$4,000.00
Thomas Slayden	HVAC unit and Install	\$1,200.00
	Miscellaneous	\$1,740.31
		\$117,330.31

Updated Total Anticipated Cost: \$509,500.00

Total Budgeted FY 21:	\$126,000.00
Total Budgeted FY 22:	<u>\$324,000.00</u>
	\$450,000.00

Total Budget Amendment Needed for Splash Pad Project: \$59,500.00

This is approximately a 13% increase from what was originally estimated.

2022 2-Year Contract Bid Summary

Sealed bid requests for the following 7 contracts were advertised in the Cheatham Exchange as well as promoted on the Town's social media. Bid deadline was March 4, 2022 at 4:00 PM and bid opening was March 7, 2022 at 2:00 PM. Bids opened by City Manager John Lawless and witnessed by Finance Director Kellie Reed.

1 of these contracts received no bids:

Mowing – Sewer Plant

No Bids Received. Staff recommends WE DO NOT rebid this contract at this time.

Septic Tank Pumping – 1 Bid Received

Bidder	Current Costs (since 2018)		2022 Bid	
	1,000 g Res.	1,000 g Com.	1,000 g Res.	1,000 g Com.
Elite Septic Service	\$235.00	\$235.00	\$285.00	\$285.00

Staff recommends **ACCEPTING** this bid.

Sewer System Repair – 1 Bid Received

Bidder	Current Costs (since 2018)		2022 Bid	
	Per Hour	Min. Charge	Per Hour	Min. Charge
Elite Septic Service	\$85.00	\$340.00	\$95.00	\$380.00

Staff recommends **ACCEPTING** this bid.

Electrical Services– 1 Bid Received *No Current contract*

Bidder	2022 Bid			
	Journeyman	Apprentice	Bucket Truck	Trip Fee
Stones River Electrical	\$71.75	\$42.50	\$30.00 hr	\$75.00

Staff recommends **REJECTING** this bid.

Tree Trimming Services– 1 Bid Received *No Current contract*

Bidder	2022 Bid			
	Tree Cutting	Stump Grinding	After Hours	
Newcomb Tree Service	\$250.00 hr	\$75.00 hr	\$500.00 hr	

Staff recommends **ACCEPTING** this bid.

2022 2-Year Contract Bid Summary

Excavation/Construction– 2 Bids Received

Bidder	2022 Bid			
	Minimum	2+ Equip	3+Equip	Add Manpower
Bowers Excavating	\$600.00	\$250.00	\$400.00	\$25.00 hr
Williams Mechanical	\$550.00	\$385.00	\$578.00	none

Staff recommends **ACCEPTING** the
Bowers Excavating bid.

Paving– 1 Bid Received *No Current contract*

Bidder	2022 Bid			
	Paving per Sq Ft	Min. Charge	Infrared	Asphalt Verify
Sessions Paving	\$12.75	\$750.00	\$11.00 Sq Ft	Vulcan Materials

Staff recommends **REJECTING** this bid.

Proposal Title: KEEP KINGSTON SPRINGS BEAUTIFUL - DON'T LITTER CAMPAIGN

Statement: All residents of Kingston Springs have a vested interest in keeping our community litter free.

Synopsis of Goals: Keeping Kingston Springs beautiful and deterring littering by employing a unique outreach sign campaign utilizing the talent and passion of kids.

Project Sponsor and Community Representative: Commissioner Carolyn Clark. It is a concern shared by a lot of residents who want to Keep Kingston Springs Beautiful. Paul Moore of Paul's Penny Lane Barber Shop was always a staunch anti-litter voice.

Overview: Litter poses a number of important social, aesthetic and environmental problems.¹ The social problems related to litter include safety hazards, fire hazards, human health hazards, and indirect health hazards from bacteria, rats, roaches, and mosquitoes that are attracted to litter. In addition, litter is predictive of changing crime rates in a community (Brown, Perkins, & Brown, 2004), and there is experimental evidence showing that the presence of litter results in an increase in other social transgressions like theft (Keizer, Lindenberg, & Steg, 2008).

There is near unanimous agreement that litter is unsightly. The presence of litter in a residential community decreases property value, and litter in commercial areas reduces sales and attracts fewer customers

Litter is a substantial source of environmental contamination. Plastics, styrofoam, paper, glass, and many other commonly used consumer materials accumulate in the environment, posing a number of harmful consequences. This is especially true in a community like Kingston Springs, where we have abundant wildlife. As harmless as it may seem to toss a piece of trash out here or there, litter and littering have severe consequences—especially for our wildlife.



Ingestion: Plastics present in garbage thrown by the wooded roadsides gets ingested by wild animals, leading to lethal injuries to internal organs, cause starvation by filling its stomach and intestines with indigestible material, leading too mobility and growth problems and premature death.

Entanglement. Animals of all shapes and sizes can find themselves trapped and hurt by various waste products, especially plastic ones, leading to severe injuries or even death if they can't escape.

Plant life: The presence of litter decaying on land directly contributes to soil pollution, infecting the soil surrounding it with hazardous chemicals. These contaminants can decrease the presence of microorganisms in the soil and stunt or mutate plant growth across generations. A 2019 study regarding the effect of discarded cigarette butts found that the presence of cellulose acetate, the fiber that makes cigarette filters, in soil *decreased the success of germination in studied plants by as much as 27 percent.*²

Proposal: Research has shown that littering is often an individual and deliberate act. People still seem to act as if the world is their ashtray, their trash receptable, and their overall dumping grounds. We see it at the on and off ramps to the interstate, along Mt. Pleasant, on both East and West Kingston Springs Roads and on many of our very own local streets.

¹ Littering in Context: Personal and Environmental Predictors of Littering Behavior- P. Wesley Schultz, 2013

² The Devastating Effects of Mismanaged Trash on Wildlife -By Katie Kinnear, Director of Engagement Strategy, 9/3/2021

Since folks who are inclined to open their car window and toss trash out may not respond to traditional “don’t litter” signs, perhaps colorful and signs drawn by the kids in the community entreating them not to trash our Town would maybe, just maybe, could make them think twice and refrain from littering.

Kids love to be involved, love to know their opinions matter, and love to know their efforts make a difference. They also love to school adults! This type of campaign would a unique, fun, attention-grabbing creative, colorful way of reminding people not to litter.³ The art could be a contest within each of our three schools with 10 winners from each for the signage. By requisitioning art from such a broad age range, the results would consist of remedial and fun artwork to the finer art by older students. *Local print and TV media would likely be interested in this sort of special interest story and we could have a special showing at the Activity Center with all of the art and artists and invite same.* The art could be professionally converted/imprinted onto durable metal-based signs by any number of local sign companies. The sign top and bottoms would be a consistent message(s).

These prospective 18x24 or 24x36 signs (or of varying sizes depending on scope of artwork) strategically placed along some of our roadsides and parks for finite periods of time (e.g., 2 weeks a quarter, interchanged, moved, etc.) and would be long-lived, unique and community-centric way to try and combat the litter problem we seem to have.



³ If anyone has driven on Kingston Rd going to and from Fairview, you have seen the hand-made “slow down” signs which are creative and humorous and seem to be successful.

Possible Funding:

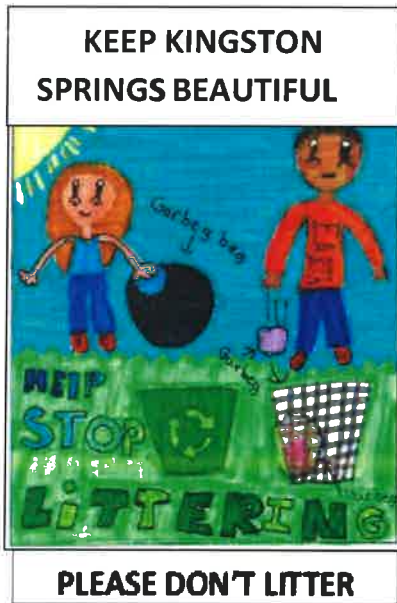
- Community member or businesses could sponsor a sign and their names could be printed on the bottom.
- We could look into TDOT litter program grants to see if such a project would be eligible for any type of funding.
- Research into the cost of such signs is still ongoing.

Summary

Should no grants be available, these signs would represent tangible evidence of community tax dollars at work and would also represent the community investing in itself by providing both community service and community outreach.

We could also incorporate implementation of such a project to coincide with a community-wide litter pick-up day.

Dated 4th day of December 2021





■ Existing Sewer Line

■ Proposed Expansion
(approx. 525 ft.)

Storage

Dr. Shew

191 Luyben
Hills Road

PROPERTY DISPOSAL

(ONCE COMPLETED PLEASE GIVE TO THE CITY RECORDER)

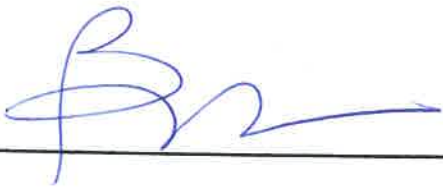
DATE OF REQUEST 3/8/22

DEPARTMENT Parks

ITEM Calculator (Broken)

HOW DISPOSED Trash

DISPOSAL DATE _____

SIGNATURE 



Department Reports

Kingston Springs, Tennessee

March
2022



Monthly Departmental Update

March 2022

CODES DEPARTMENT MONTHLY REPORT

Caase	Description	Address	Main Status
200161	Property zoning and potential commercial use	Park Street	Discussions held with property owner, outcome pending
200159	Livestock (pigs) kept in a residential area	Hillcrest Rd	Discussions held with property owner, outcome pending
200163	Construction without permit	East KS Road	Stop work order issued
200162	Construction without permit	Harpeth Hills Dr	Stop work order issued



Monthly Departmental Update

March 2022

PARKS DEPARTMENT MONTHLY REPORT

Projects/Items in the Works:

- New fountain for the dog park soon will be installed.
- Construction on the Splashpad.
 - Pump house will is very close to complete. Outside of pump house siding and HVAC unit has been installed.
 - Insulation has been scheduled.
 - Plumbing has been completed.
 - Electrical has started and waiting on transformer to be set. Dickson Electric is still having supply issues. Everything is complete except for the transformer.
 - Vortex will return to complete the project once all of the electrical, plumbing and pump house construction are complete.
 - At this time, we do not have a tentative finish date.
 - The opening date for the splashpad is Memorial Day weekend.
- Soccer registration is complete and season will start March 19th through May 21st.
- Egg Hunt will be on April 9th at 10:00 at City Park.
- Book walk with the Literacy Council and KSES is set for March 19th.
- Invasive plant removal project with Harpeth Conservancy is scheduled for March 26th from 10:00 – 12:00.

Other Notes:

Seniors will have bingo on the 1st & 3rd Monday's at 10:00
March luncheon will be on 3/17/22 at Plantation Restaurant in Dickson.



Monthly Departmental Update

POLICE/FIRE DEPARTMENT MONTHLY REPORT March 2022

Projects/Items Completed this Month: Fire Department

- 64 Hour State Basic Fire fighting certification class has started for all fire department members that haven't completed the class.

Police Department

- Brandon Scruggs (876) graduated from firearms instructor school

Projects/Items in the Works:

Other Notes:

Kingston Springs Police Department
Monthly Report Worksheet

TYPE OF CALL	MONTH'S TOTAL
TRAFFIC CITATIONS ISSUED	19
MISDEMEANOR CITATIONS ISSUED	8
10-14 ESCORT	5
10-15 ARREST	6
10-17 SERVE WARRANT	1
10-27 BURGLARY	
10-42 ALARM	8
10-43 REQUEST FOR OFFICER / INVESTIGATION	86
10-43 MOTORIST / CITIZEN ASSIST	9
10-44 STOLEN VEHICLE	1
10-45 VEHICLE CRASH (non-injury)	5
10-46 VEHICLE CRASH (with injuries)	1
10-49 DRIVING UNDER THE INFLUENCE	
10-52 ROBBERY	
10-58 PUBLIC INTOXICATION	
10-59 FIGHT/ASSAULT	
10-62 DECEASED PERSON	2
10-71 SCHOOL ZONE TRAFFIC	11
10-72 FIRE CALL	21
10-72b FIRE CALL (medical)	15
10-80 EXTRA PATROL	25
10-81 TRAFFIC STOP	62
10-82 MUTUAL AID	37
10-86 DOMESTIC ASSAULT	2
10-94 SUICIDE/ATTEMPTED SUICIDE	

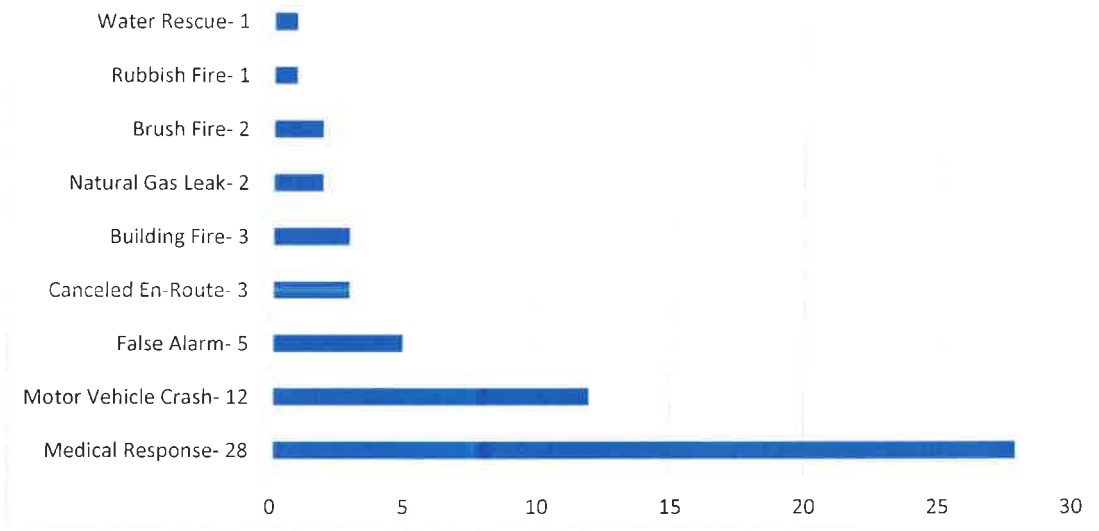
Feb-22



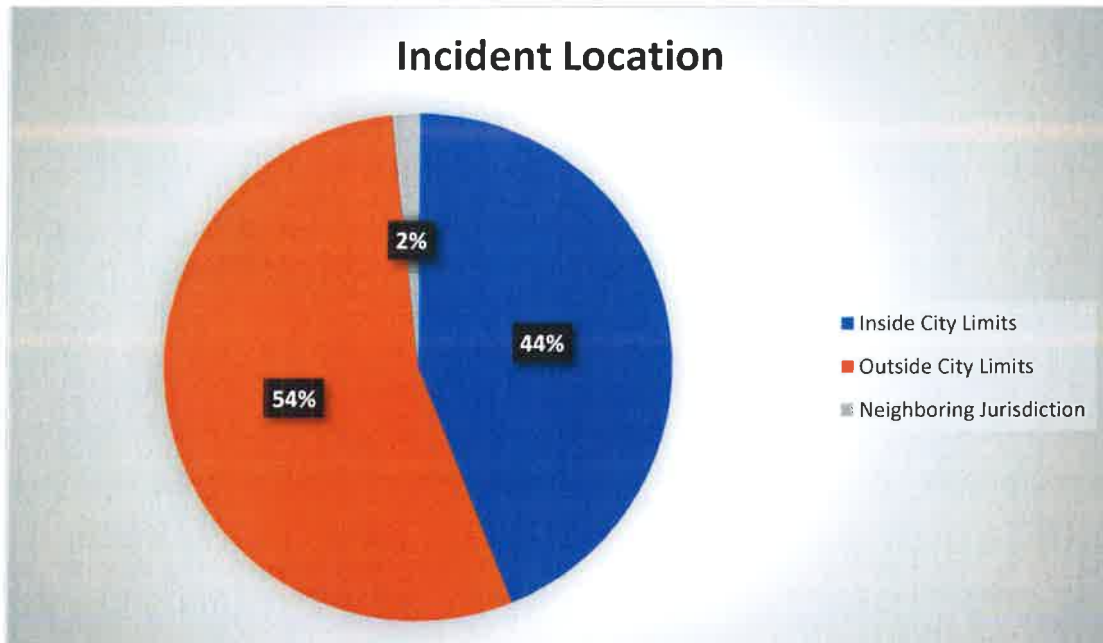
Kingston Springs Volunteer Fire Department Incident Response for February 2022

KSVFD responded to 57 calls in the month of February with an average response time of 6 minutes. Below is a breakdown of incident type and location.

Incident Type



Incident Location





Monthly Departmental Update

March 2022

PUBLIC WORKS DEPARTMENT MONTHLY REPORT

Projects/Items Completed this Month

- Hauled more scrap off
- Salted and cleared roads from snow
- General maintenance on equipment and trucks
- Patching potholes
- Ditch work on Merry Log Ln
- Culvert clean out from all the rain
- Leaf removal
- Trimmed trees Oak Street / Hillman Street/ Redwood Circle / Hillcrest
- Organized all work trucks
- Minor flood clean up
- Prepared softball field at City Park for upcoming season

Projects/Items in the Works:

- Dirt work around splash pad
- Finish concrete for library statue
- Bush hogging at Burns Park
- Clean up around Public Works
- Getting ready for Spring grass cutting
- 36" culvert replacement on Merry Log
- Edging side walks all across town
- Pour concrete at City Park for drain

Other Notes: . Still waiting for light package install on work truck . Merry Log culvert replacement will be a huge job . This will require the road to be shutdown for at least a full day .



Monthly Departmental Update

March 2022

WASTEWATER DEPARTMENT MONTHLY REPORT

Projects/Items Completed this Month:

- 5 Sewer Calls - 3 tanks pumped - 1 step pump repaired - 1 line snaked
- Valley Drive pumpstation replaced
- Force Main repaired at E.K.S pumpstation. Bypass valves installed at Valley Drive & E.K.S pumpstations.
- 2 Overflow events this month.
- Built float tree for Acorn Court pumpstation bypass. (To try and reduce electrical usage at that station.)
- Projects/Items in the Works:
- Continued Industrial Waste Survey.
- Working on Rehabbing Arrowhead, Woodlands Court, and Mt. Pleasant Pumpstations.
- Waiting on Crane truck to repair aerators in lagoon 1. (Elite's crane truck is currently in the shop receiving repairs. When completed will pull aerators out to send off for repair.)
- Spoke with Godwin pumps for price on purchasing a bypass pump for the Town.
- Speaking with our bleach supplier about changing storage tanks and scale to measure bleach usage. (Old scale was broken due to transfer line breaking rendering scale unusable. This is not able to be repaired; must be replaced.)
- -Working on tapping side of chlorine chambers to be able to pull samples for testing safer.

Other Notes:

- Acorn Court electric bypass pump was replaced with another one this month due to original shorting out causing one of the overflow events. A diesel bypass pump was placed there for around a week until the new came in and was able to be set up and placed in service.
 - The other overflow event was Valley Drive pumpstation shorting out at a contactor and melting the wires together blowing a hole through the Junction box due to high I&I rate in conjunction with the age of the station causing the overflow. In this case we had to have Elite bring two pump trucks out to keep of the incoming flow of water to repair the station and keep the station from overflowing further.
-



QUALITY DRINKING WATER
SINCE 1964

Second South Cheatham Utility District

TOWN OF KINGSTON SPRINGS BILLING REGISTER SUMMARY

READ
3/3/2022

Billing Period
2/28/2022

Jan 22 - Ending Balance	34,881.93
Add Penalties:	397.86
Adjustments:	-401.64
Less Payments:	-34,073.46
Unapplied cash payments	-275.21
Balance Forward:	529.48
Sewer Billing (Sales):	36,330.00
Total Account Receivable:	36,859.48

COLLECTIONS STATEMENT

Collection Dates:	02/01/2022 - 02/28/2022
Collection Amount:	34,073.46
Unapplied Cash	275.21
Less 6.5%	2,232.66
Bad Debt Collected - Crystal York \$88.58 less cost of collections = 44.29	44.29
Amount Due	32,160.30

	Same Period <u>Last Year</u>	<u>Current Period</u>	Increase or <u>Decrease</u>
SALES	32,436.90	36,330.00	12.0%
GALLONS	3204.8	3503.1	9.3%

ADJUSTMENTS

0101-90020-007	Lisa Clark	-159.84	leak
0101-91510-003	Teresa Ruiz	-52.38	leak
0101-85320-012	Elke McLeroy	-0.83	penalty
0101-85030-012	Northcutt Custom	-3.66	penalty
101-00590-003	Stephen Chapman	-184.93	leak
	Total	-401.64	

Second South Cheatham

Code Summary Report

Cycle(s)	01 Cycle 1	Break Report Down	Print Totals Only
Customer Type(s)	All	Break Down AddOns By Service Type	
Service Type(s)	KS Sewer	Use Reading Factor	
Print Code Summary Report For	Historical Billing	Print Add On Usage	
		Include Inactive Services	
Account Number Range	All	Inactive Services To Include	Inactive Services With Arrears Shown In Billing
		Transaction Date Range	2/1/2022 To 2/28/2022

Service	Rate	Number Active	Number Inactive	Charges	Arrears	Total	Usage	Adjustment Amount	Adjusted Total
KS Sewer	01 KS Sewer Usage	749	7	\$36,283.65	\$1,776.55	\$38,060.20	3,503,100		
	06 K.S. Sewer Only	3	0	\$46.35	\$0.00	\$46.35			
		752	7	\$36,330.00	\$1,776.55	\$38,106.55	3,503,100		
Penalty	11 KS Sewer Penalty	78	7	\$396.38	\$0.00	\$396.38			
	Total Penalties	78	7	\$396.38	\$0.00	\$396.38			
Report Totals				\$36,726.38	\$1,776.55	\$38,502.93	3,503,100		

Second South Cheatham

Transaction Rate Summary

Company Division(s)	All	Batch Range	All
Cycle(s)	01 Cycle 1	Break Out Addons Per Service Type	
Customer Type(s)	All	Break Out Service Credit	
Service Type(s)	KS Sewer	Report Breakdown Level	Totals Only
Account Range	All		
Transaction Type	History		
Transaction Date Range	2/1/2022 To 2/28/2022		

Service Type	Rate Code	Adjustments	Payments	Deposit	Applied	Bad Debt	Applied Credit
				Receipts	Deposits	Writeoffs	
KS KS Sewer Usage	01	-\$399.91	-\$33,462.05	\$0.00	\$0.00	\$0.00	-\$307.17
KS K.S. Sewer Only	06	\$0.00	-\$46.35	\$0.00	\$0.00	\$0.00	\$0.00
Penalty KS Sewer Penalty	11	-\$1.73	-\$565.06	\$0.00	\$0.00	\$0.00	\$0.00
KS - Svc Credit		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31.96
All Routes Totals		-\$401.64	-\$34,073.46	\$0.00	\$0.00	\$0.00	-\$275.21