



City Commission

Kingston Springs, Tennessee

June 15, 2023
Meeting Packet



**Kingston Springs Board of Commissioners
June 15, 2023 Public Hearing Agenda**

A. Call to Order:

The meeting was called to order by _____ at _____

B. Open Public Comments on the following:

1. Ordinance 23-003 – Adopting the annual budget and tax rate for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
2. Resolution 23-007 - Establishing new Sewer Usage Rate Fees and structure for all persons utilizing the Town’s wastewater treatment facilities.

C. Adjournment

_____ adjourned the meeting at _____ p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder



**Kingston Springs Board of Commissioners
Regular Business Meeting Agenda
June 15, 2023**

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 _____
Todd Verhoven, Commissioner _____

Staff in Attendance:

John Lawless, City Manager _____
Jamie Dupré, City Recorder _____
Martha Brooke Perry, City Attorney _____
Kellie Reed, Finance Director _____
Eugene Ivey, Police and Fire Chief _____
Brandy Miniatt, Parks Director _____
Roger Parker, Public Works Director _____

4. Declaration of Quorum by Mayor

5. Motion to Approve the May 18, 2023, City Commission Meeting Minutes:

6. Motion to Approve the June 15, 2023, City Commission Meeting Agenda:

7. Announcements from Commissioners:

8. **Community Input and Concerns:**

9. **Department Reports:**

City Manager Updates on:

- Sewer Director Hire Status
- Harpeth View Trail Corridor – Phase 2 (TAP Grant)
- Main Street Lights Updated
- Opening of South Harpeth Road Bridge over Brush Creek
- Seasonal Parks/Public Works employee

10. **Legal Updates:**

11. **Unfinished Business:**

- A. **Second Reading of Ordinance 23-003 – Adopting the Town of Kingston Springs annual budget and tax rate for the 2023-2024 fiscal year.**
- B. **Second Reading of Ordinance 23-004 – Amending Title 5, Section 5-506 of the Kingston Springs Municipal Code, amending the tax rate schedule for New Residential and New Non-Residential Development.**

12. **New Business:**

- A. **Resolution 23-007 – Establishing new Sewer Usage Rate Fees and structure for all persons utilizing the Town’s wastewater treatment facilities.**
- B. **Resolution 23-008 – Establishing the Town of Kingston Springs Cyber Security Plan.**
- C. **Resolution 23-009 – Amending the Kingston Springs Personnel Policy to recognize June 19th, known as Juneteenth, as a town holiday to be observed on the date selected by the State of Tennessee.**
- D. **Resolution 23-010 – Establishing the Town of Kingston Springs Public access Defibrillator and Automated External Defibrillator program.**

- E. First reading of Ordinance 23-005 – Amending Title 14, Chapter 1 of the Kingston Springs Municipal Code pertaining to the direction and supervision of the Town Planner and Town Engineer providing service to the Planning Commission.
- F. Motion to approve Change Order 3 – TDOT PIN 123749.00 – Kingston Springs Safe Routes to School Project.
- G. Discussion on new City Attorney hire and rate approval.
- H. Discussion on Kingston Springs Public Speaking Policy related to recent guidance from the State of Tennessee and potential local impacts.

13. Surplus:

- Public Safety Department – Attached List – Discard.

14. Other (For Discussion Only):

15. Reminders:

- Kingston Springs Farmers and Artisans Market each Saturday from 9:00am to Noon.
- Next Food Truck Monday will be Monday, June 26th.
- Kingston Springs City Hall will be closed Tuesday, July 4th in honor of Independence Day.

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
May 18, 2023**

1. Call to Order:

Vice-Mayor Remick called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance:

3. Roll Call:

Board Members in Attendance:

Carolyn Clark, Commissioner	Present
Tony Gross, Mayor	Absent
Mike Hargis, Commissioner	Present
Glenn Remick, Vice-Mayor	Present
Todd Verhoven, 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 Miniatt, Parks Director	Present
Roger Parker, Public Works Director	Present

4. Declaration of Quorum by Mayor

Vice-Mayor Remick declared a quorum.

5. Motion to Approve the April 20, 2023, Public Hearing Meeting Minutes:

Motion to approve the April 20, 2023, Public Hearing Meeting Minutes made by Commissioner Verhoven, with a second by Commissioner Clark. Commissioner Hargis stated he did not see any notes about the discussion in regard to Kellie Reed's position. City Manager Lawless said that discussion occurred in the budget workshop meeting. Motion approved.

6. Motion to Approve the April 20, 2023, City Commission Meeting Minutes:

Motion to approve April 20, 2023, City Commission Meeting minutes made by Commissioner Clark, with a second by Commissioner Verhoven. Motion approved.

7. **Motion to Approve the May 18, 2023, City Commission Meeting Agenda:**
Motion to approve the April 20, 2023, Public Hearing Meeting Minutes made by Commissioner Verhoven, with a second by Commissioner Clark. Motion approved.

8. **Announcements from Commissioners:**
Vice-Mayor Remick noted lots of children were recently visiting the park from the school. He thanked everyone for stepping up and helping support our youngsters.

9. **Community Input and Concerns:**
Zach Crowe, 1293 Craggie Hope Road. Mr. Crowe urged the Board to approve the pay raises for the police officers.

Bob Sanders, 225 Woodlands Dr. Mr. Sanders agreed with Mr. Crowe's statements, and said we should do all we can to keep our employees. He commented on the street light issue, and suggested it was time to make another call to Dickson Electric. He was not in favor of the Town taking care of landscaping for a private subdivision. He disagreed with the 20-mph speed limit in residential areas.

10. Department Reports:

City Manager Lawless reported that the Town received the executed contracts from FEMA/TEMA for reimbursement of the flood damage from the March 2021 flood, and we are anticipating direct deposit of \$82,849.46 for the Town of Kingston Springs and \$214,346.52 for the Kingston Springs Wastewater Department. We received approval for the TDEC Non-competitive grant, which is a reimbursement grant in the amount of \$701,132.10.

Commissioner Hargis asked about the plan for this money. City Manager Lawless responded that money has to be used for repair and/or upkeep of current wastewater infrastructure and will be used for the scoping and mapping of the sewer system.

Parks Director Miniati discussed Food Truck Monday, which will begin June 12 and will be every other Monday from 4:30 p.m. to 7:30 p.m. There will be live music, games, etc. Four trucks have committed to the first night.

Chief Ivey stated T.C. Swaggerty retired from the Police and Fire Departments. A retirement party is scheduled for July 9 at Burns Park. Carolyn Clark asked about giving the officer the sidearm. This will be discussed at June meeting.

Vice-Mayor Remick stated Harpeth View Trail has started the sidewalk project and it is exciting. City Manager Lawless stated they are moving along quite steadily.

11. Legal Updates:

City Attorney Perry said the State of Tennessee has recognized Juneteenth (June 19th) as an official State holiday. If Town would like to recognize this holiday, a resolution would be needed to amend the personnel policy. Vice-Mayor Remick requested this be added to the

agenda for next month. Commissioner Clark asked, with TC's retirement if there was an update on the TCRS Covid retirement plan. City Attorney Perry is still waiting on an update.

12. Unfinished Business:

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

- Wastewater - Status of SCDA system, Mapping by Austin Peay students - Comprehensive Planning.

SCDA is on the agenda. The City Manager and Wastewater Engineer have been putting some initial steps together for mapping. As far as officially contacting Austin Peay for boots on the ground, we are waiting until the Wastewater Director position is filled, as this person will have ultimate responsibility to oversee these types of projects. SCDA is the first step of the project and it will allow us to see where we are at each station. Commissioner Hargis questioned installing the gauges, and Lawless stated that is part of the SCADA system.

- Placement of 20 mph speed limit signs on residential streets (Ordinance passed Feb. 2022).

City Manager Lawless said there are speed limit signs on the streets, and plans to place more, hopefully, by the third week of June. Commissioner Clark had a list of streets where these signs need to be placed. City Manager Lawless requested that Commissioner Clark email her list to him.

- Purchase and placement of Feedback signs on EKS and Mt. Pleasant. (Nov. 2021/June 2022). Speed enforcement on Mt. Pleasant

Chief Ivey stated the two prices received for the feedback signs were much higher than anticipated. He hopes to get better pricing from vendors at the August EXPO he will be attending.

- Status of Litter sign placement (August 2022).

City Manager Lawless has taken inventory and litter signs will be placed on existing poles around town. He is putting together a map together for Public Works Director Parker to place these signs at same time the speed limit signs are placed. Commissioner Clark questioned if signs will be placed in single spots like the park.

- Website: Prominent page placement to make people aware that CCE is paper of record, FB, social media (June 2022 BOC meeting), up to date Agenda and packet items made available for public access, update of out-of-date ordinances on Website (Maxey).

City Manager Lawless reported that Corey Foster is on track with what we are looking for on website, and we received a template of what the agendas will look like. Agendas are interactive. It is being developed so that you will be able to click the agenda item and it will take you to the source material for the agenda item. The packets will be online as soon as they are available. He stated eventually we would like to get away from the paper packets and have tablets for the Board's use. Vice-Mayor Remick asked if the updates will be done in house. City Manager Lawless replied yes and hopefully

this will be up and running mid-June. There will be PDFs for Ordinances and Resolutions. Commissioner Clark asked if historical data will be available on the website. City Manager Lawless said that what is out there now will be migrated over. As time permits, packets will be scanned and added. Commissioner Clark asked about the zoning ordinances specifically. City Manager Lawless stated he removed the link for the zoning ordinance on the website until this document can be verified and ensured it up-to-date and correct.

- **On-line availability of Resolutions for public access (2015).**
Discussed above.
- **Fire Hydrant inspections and flushing status.**
City Manager Lawless said this was discussed at the February meeting and asked if there were additional questions. Commissioner Clark said she still did not understand about fire hydrants inspections and flushing – who does it and when? Chief Ivey stated Second South Cheatham is over fire hydrant inspections and flushing. Town staff are not permitted to touch their equipment. Chief Ivey stated he sees water department employees out testing hydrants regularly, but they may not be required to touch every hydrant as they feed other hydrants. They flush hydrants at the end of the line.
- **TDOT response re: possible midblock crosswalk on Luyben Hills Road.**
City Manager Lawless stated he does not have an update from TDOT yet, but he has reached out several times to Shane Hester, but hasn't received a response. He also reached out to TDOT Local Programs. Local Programs advised they would like to see a specific study indicating a crosswalk is necessary or advisable, but it is not Local Programs' department. It is Shane Hester's. Lawless will continue to reach out to him.
- **Status of TVP issues in Burns Parking Lot (Staff sign off/inspection e.g. road striping).**
City Manager Lawless said Burns parking lot was paved last May. He started reaching out to contractor and engineer on the quality of the paving job in August, and has been trying to get a resolution from both of them since then. We were finally able to get the engineering firm to pull core samples and twenty-six samples were pulled. The mix was too fine and granular on top. That information, along with recommendations for repair were sent to Tennessee Valley Paving. They did not respond. The performance bond was pulled last Friday. City Attorney sent a letter to their insurance company stating that if they are not going to fix it, we will pull the bond and fix it. Commissioner Clark questioned who is responsible for going out and checking the work. City Manager said it is the engineering firm. Commissioner Hargis questioned the total bond amount. City Attorney Perry responded it was the entire project amount. Westfield is who the bond is with and were contacted to respond on how they wish to proceed.
- **Videotaping BZA meetings.**
City Manager Lawless stated he would start recording these meetings.
- **PW ROW trimming and mowing (service decrease).**
Commissioner Clark stated a resident called to request Simms Heights be mowed. City Manager Lawless stated the town currently cuts roadsides of primary roads in town but

if the Board wishes for all the side roads to be mowed, they can do it but would need additional resources. Public Works Director Parker said they can either cut the parks or cut the roads, and stated they had to cut parks grass twice this week. City Manager Lawless stated they have roadsides scheduled next week. They cut the primary roads, but not the neighborhood roads. He said we don't have the staff to do all the side roads. Commissioner Clark stated that when people call and complain about a spot that is unsafe, the complaints should be addressed. Vice-Mayor Remick said those complaints should be directed to the City Manager. Chief Ivey stated it is hard for Public Works to get the equipment to cut come of the areas that are being discussed. Parker stated if we use the tractor we currently have, we are in the road. City Manager Lawless asked that Commissioner Clark have anyone that has complaints about unsafe areas call him.

- **Planning Commission updates as part of regular agenda (City Manager or Mayor).**

City Manager Lawless said the commissioners receive the meeting packets and the minutes for the Planning Commission. He asked what specifically needed to be discussed. Commissioner Clark asked for a verbal report after the Planning Commission meeting, since minutes from the last meeting aren't received until it's time for the next meeting. Vice-Mayor Remick asked if the Planning Commission minutes were sent to the Board of Zoning Appeals. Lawless said they aren't sent to the BZA, but he spoke with Chair Sanders, and they are going to get feedback to the BZA on any items that impact them.

- **PAD resolution/Ordinance per TCA.**

City Manager Lawless stated the Public Access Defibrillator Resolution/Ordinance is not completed yet but will be on the June agenda.

- **Street light outages.**

City Manager Lawless stated Dickson Electric suggested several years ago that the town submit a minimum of 10 lights monthly, and not one at a time. Public Works Department does that every so often. He said they surveyed street light outages earlier in the week and that was sent out on Monday. City Manager Lawless stated during a storm the lights on the interstate were blown on all four masts due to a blown transformer. Stancil fixed one mast, part of another one, and two are still out. Public Works Director Parker stated they will be back Monday to do the rest, but he expects it to be expensive. Commissioner Clark questioned if the lights that she reported as out were on the list submitted to Dickson Electric. City Manager confirmed they were.

13. New Business:

A. First Reading of Ordinance 23-003 – Adopting the Town of Kingston Springs annual budget and tax rate for the 2023-2024 fiscal year.

City Manager Lawless stated that the 2023-2024 fiscal budget was compiled from the recent budget workshops over the last couple of months. The budget line item was distributed to the board from those meetings and that is reflected in the ordinance. Commissioner Hargis asked if this included the 19% salary increase, and Lawless said the budget in front of them includes all the discussions and decisions that were made in the

workshops. Commissioner Hargis asked to refresh his memory of the workshop discussions in deciding to raise the salaries and also raise the city tax rate by 5 cents, and if that is included in the .82 rate. Financial Manager Reed said the 5 cents would generate about \$50,000. He said at the end of the budget workshop they talked about doing away with one position, and giving some of that salary to Kellie to keep her. Hargis asked the City Manager to over the terms again. City Manager Lawless said we have an open Court Clerk position, and we are trying to make the department and office as efficient as possible. We assumed a lot of the responsibilities of that position already because it's been open for almost a year. We worked with staff to make the process more efficient. We won't be rehiring that clerk position. Commissioner Hargis asked about the terms of employment changes for Kellie? City Manager Lawless responded Kellie will work some remote scheduling. When asked how much the City Manager replied it was still to be determined; as needed. Commissioner Clark said in looking over last year's budget ordinance it was more transparent. Commissioner Hargis asked about the \$4.7 million fund balance, and if the financial manager could break down where that number comes from. Financial Manager Reed said a lot of it was the \$1.6 million debt issuance for the sidewalk grant projects. Commissioner Hargis asked what was in the 1.16 in intergovernmental. It includes grants and fire tax we collect on a yearly basis. The \$3.3 million labeled expenditures should be labeled revenue. Commissioner Hargis asked, if you pull out the grant money we borrowed and we know we are going to spend, and what we know we are going to be reimbursed, it's hard to tell where you are. He said he knows it is hard to project five years out. A five-cent tax increase will generate about \$50,000. The salary increase is \$120,000. That's 19%, and we were moving some money around for the position we didn't replace. He said it's hard to see the clarity over the next few years. City Manager said that the capital improvement projects for the next five years are included and we would be paying for those projects from the town's saved money. We would pay cash and not borrow any money to pay for projects/items on the wish list. Commissioner Hargis said he had no problem with the improvements, as long as we cover the increases with property tax increases over time. He said a five-cent increase was more than some wanted, but he wasn't sure we don't need another five cent increase next year. We need to make sure we are covering our operating and maintenance budget with tax revenues over time. He did not want the fund balance to shrink down to the point where we don't have the money for emergencies. We don't seem to be very good with engineering and excellence and we have some serious overages on some of it, and that was his cautionary note. Financial Director Reed said that there is a line that says total revenues minus total Operating & Maintenance. That helps break out that O&M costs versus the capital costs to show you what will be contributed toward those capital projects, in addition to your fund balance. That is revenues minus O&M, including debt; and capital is below that. She broke it out separately so that you could see what revenue minus O&M cost was. Borrowed funds are listed under "Other." It does include our debt payments for debt that was already acquired. It does show us paying off the state portion of that grant.

Chief Ivey updated the Board of the fire contract. He stated we have two years left on the fire contract. He said the city commission's job is to make recommendation to the county in order to cover the contract. Last week we received short notice that county wanted a county-wide fire tax, and our fire tax payers will be spending money that will not go into our fire tax district. It will not affect town residents, but it will affect county residents in our district. There is a workshop coming up about the fire tax on June 12. The Fire

Department is opposed to this plan. He will be at every meeting, if commissioners have any questions. Our role is to set the amount for how much it costs to cover the county area of our district. Chief Ivey said we communicated with the county and did tell them we would like to have meetings with ground rules to reach an agreement. Since it will be spread out across the county, everyone is going to want to increase their contract. Chief Ivey had a phone call with the county mayor to ensure that we are involved in these meetings. Chief Ivey stated the higher your appraisal value the more money your area brings in and it would supplement the lower appraised areas. It will not have an effect on the city budget as we have a contract that has a built-in three percent increase.

Motion to approve the First Reading of Ordinance 23-003 – Adopting the Town of Kingston Springs annual budget and tax rate for the 2023-2024 fiscal year made by Commissioner Verhoven and seconded by Commissioner Hargis. Roll Call Vote was held with Commissioner Clark voting no, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Mayor Gross was absent. Motion passes.

B. Bid selection and approval – SCADA system for the Kingston Springs Wastewater Department.

City Manager Lawless stated the SCADA system will allow us to monitor the pump stations remotely. We can collect a lot of data that will allow us to measure the flow at each of the pump stations. Trans Electric Service bid was a total cost of \$127,600 with annual service agreement of \$6,900. City Attorney is providing comment on terms and agreement with this company. This is being updated to reflect that. Although not expected, if the contract cannot be amended to city attorney's specifications, Southeastern Tank, the other bid would be acceptable and staff would return to the board for their approval.

Commissioner Hargis questioned why Trans Electric was chosen over Southeastern Tank. Lawless stated their interface was a lot more user friendly and it came down to ease of use. Motion to accept Trans Electric's bid for the SCADA system for the Kingston Springs Wastewater Department pending city attorney approval and allowing the City Manager to sign the contract made by Commissioner Hargis and seconded by Commissioner Verhoven. Roll Call Vote was held with Commissioner Clark voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Mayor Gross was absent. Motion Passed.

C. Bid selection and approval – Enclosed Metal Building.

City Manager Lawless stated this is for a building to be located at public works, with funding provided through the fire department budget. Recommendation is to accept bid of \$40,029.50 from Tri-Star Carports. Motion to accept the bid by Tri-Star Carports made by Commissioner Hargis and seconded by Commissioner Verhoven. Roll Call Vote was held with Commissioner Clark voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Mayor Gross was absent. Motion Passed.

D. Bid selection and approval – 2-year Contract – General Excavation and Construction.

City Manager stated that the Town had a 2-year contract with Bowers Contracting and Excavation Services. With the passing of Mr. Bowers that business has been dissolved.

This is for work that requires much larger projects and machinery than the Town has on hand. This contract presets the amount for the equipment and the operator. Commissioner Verhoven asked how the Bower rates compared to these. They were very similar. Motion to accept the bid by Grace Contracting for General Excavation and Construction was made by Commissioner Verhoven and seconded by Commissioner Hargis. Roll Call Vote was held with Commissioner Clark voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Mayor Gross was absent. Motion Passed.

E. First Reading of Ordinance 23-004 – amending Title 5, Section 5-506 of the Kingston Springs Municipal Code, amending the tax rate schedule for New Residential and New Non-Residential Development.

City Manager Lawless stated this impacts the adequate facilities tax for new residential construction and commercial facilities tax. New residential construction adequate facilities tax was at .40 SF and this will take it to .50 SF. New commercial construction adequate facilities tax will go from 0 to .75 SF. Lawless said they did research from surrounding counties for commercial AFT, and felt that with the CIP plan, going from 0 to .75 per square foot would be at the best interest of the Town. Commissioner Hargis questioned the amount of commercial property we have that can be developed. City Manager Lawless responded there was not a lot. Commissioner Hargis asked to clarify the rate for residential. Residential went up .10 SF. Commissioner Clark questioned if we needed permission from the state to raise the commercial rate. She understood it to have minimum and maximum amounts. City Attorney Perry stated the way she read the private act, the private act itself would allow it. She will recheck it to be sure. She said the board could pass on first reading and change on second reading or you could defer it. Commissioner Clark questioned why we are only going up ten cents on residential. Commissioner Hargis stated at one time that tax pushed people away. Motion to approve First Reading of Ordinance 23-004 – amending Title 5, Section 5-506 of the Kingston Springs Municipal Code, amending the tax rate schedule for New Residential and New Non-Residential Development made by Commissioner Hargis and seconded by Commissioner Verhoven. Roll Call Vote was held with Commissioner Clark voting no, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Mayor Gross was absent. Motion Passed.

F. Discussion on updated State of Tennessee Public Forum guidance and impacts to the Town of Kingston Springs.

City Attorney Perry stated that new laws that have been signed by the governor related to public forum effective July 1, 2023.

1. All governing bodies must publish their agendas at least 48 hours prior their meeting. Putting it on our website will satisfy that requirement. It does not set your agenda in stone. As long as the rules are followed, the agenda can be amended.
2. The other law basically says any governing body will have to have a public comment section. It does put in the statute that the governing body can put reasonable restrictions on period of public comment (number of speakers, time limit for speaking). She said the Board passed a resolution passing procedures for speaking during public forum last year. It allowed the chair to establish a time-limit per speaker. She suggested the Board fine tune that. She recommended the Board pass, by resolution, a public comment section for meetings with a set period of time

allowed for comment, now, when there isn't a hot-button issue. Commissioner Clark questioned if that would mean we would turn people away. Commissioner Verhoven noted that if we set limits, that could happen. Commissioner Clark stated that everyone wants to be heard. City Manager Lawless questioned if the Board wishes to do anything. Vice-Mayor Remick stated he would like to have it as a discussion item for next meeting.

G. Discussion on stone planter area at the intersection of Mt. Pleasant Road and Old Barn Trace. Sponsored by Commissioner Clark.

City Attorney Perry stated this comes off of questions submitted by Commissioner Clark. The subdivision was recorded back in 1978. She found a copy of the plat. If you read the plat itself, they offer, and dedicate all streets, alleys, walks, parks and other opens spaces to public or private use as needed. City Manager Lawless was able to find minutes of the Commission when the Town adopted Old Barn Trace as a city street and it became public. That specifically changed Old Barn Trace Road. It did not specifically address the planter area. Commissioner Clark stated she thinks it is a public safety issue. City Attorney Perry stated if it is a safety issue, then next step is to reach out to the homeowners and provide notice this needs to be cleaned up but she did not think Town can maintain it. It is not up to the city to repair it.

H. Discussion on interstate ramps and commercial motor vehicle parking. Sponsored by Commissioner Clark.

City Manager Lawless stated the officers are aware and are monitoring the situation. He spoke to Brian Keith who is a rep at TDOT in our area and we are working to try to get something in the area. Commissioner Clark stated Pegram had signage and Jordan Burs has those signs on order now, and they will put them up, but they can't do anything about enforcement. Chief Ivey stated that truckers pull over when they hit their driving time limit, and he didn't feel he should tell them to drive on if they've hit their driving time limit. The issue with parked trucks is more a litter issue.

14. Surplus:

- City Hall - Office Chairs (x2) – Discard
- City Hall – Dymo Label Maker 450 – Discard
- City Hall – 13” Sylvania TV – Discard
- Parks – APC Battery Backup – Discard
- Parks – Instant Hot Water Heater – Discard

Motion to discard the surplus items made by Commissioner Verhoven and seconded by Commissioner Hargis. Motion Passed

15. Other (For Discussion Only):

Commissioner Clark asked the City Manager for a status on a Cybersecurity Policy, and he estimated it should be done the second week of June.

16. Reminders:

- Kingston Springs Farmers and Artisans Market season begins Saturday, May 27th at 9:00am.
- Kingston Springs City Hall will be closed Monday, May 29th in honor of Memorial Day.
- Fishing Rodeo will be Saturday, June 10th.

17. Adjourn the Meeting:

Motion to adjourn meeting made by Commissioner Verhoven and seconded by Commissioner Hargis. Motion approved and the meeting adjourned at 8:48 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder

ORDINANCE NO. 23-003**AN ORDINANCE OF THE TOWN OF KINGSTON SPRINGS,
TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING
JUNE 30, 2024**

WHEREAS, Tennessee, Code Ann. § 9-1-116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Governing Body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

**NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN
OF KINGSTON SPRINGS, TENNESSEE AS FOLLOWS:**

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2024, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

GENERAL FUND	Estimated		
	Actual FY 2022	Actual FY 2023	Budget FY 2024
Revenues			
Local Taxes	\$ 1,981,137	\$ 2,009,222	\$ 2,080,723
Intergovernmental	735,902	1,160,391	1,327,650
Licenses And Permits	45,527	69,217	73,694
Fines And Forfeitures	37,624	21,119	20,500
Other	117,367	91,913	71,921
Other Financing Sources			
Issuance of Debt / Debt Proceeds	1,617,000	-	-
Transfers In - from other funds (PILOT)	9,802	10,400	9,903
Total Revenues and Other Financing Sources	\$ 4,544,359	\$ 3,362,262	\$ 3,584,391
Appropriations			
Expenditures			
General Government	\$ 841,438	\$ 1,343,886	\$ 1,474,433
Codes	12,295	12,357	22,000
Police Department	664,062	844,512	852,080
Fire Department	190,270	303,129	369,033
Parks and Recreation	707,993	416,836	431,693
Highways and Streets	533,841	400,654	851,644
Tourism	15,174	69,998	65,700
Debt Service - Principal and Interest	62,097	556,891	664,264
Total Appropriations	\$ 3,027,170	\$ 3,948,263	\$ 4,730,847
Change in Fund Balance (Revenues - Appropriations)	1,517,189	(586,001)	(1,146,456)
Beginning Fund Balance July 1	3,219,624	4,736,813	4,150,812
Ending Fund Balance June 30	\$ 4,736,813	\$ 4,150,812	\$ 3,004,356
Ending Fund Balance as a % of Total Appropriations	156.5%	105.1%	63.5%

DRUG FUND	Estimated		
	Actual FY 2022	Actual FY 2023	Budget FY 2024
Revenues			
Fines And Forfeitures	\$ 1,615	\$ 389	\$ 350
Other	24,202	140	140
Total Revenues and Other Financing Sources	\$ 25,817	\$ 529	\$ 490
Appropriations			
Drug Enforcement	\$ 48,899	\$ 10,654	\$ 22,546
Total Appropriations	\$ 48,899	\$ 10,654	\$ 22,546
Change in Fund Balance (Revenues - Appropriations)	(23,082)	(10,125)	(22,056)
Beginning Fund Balance July 1	143,082	120,000	109,875
Ending Fund Balance June 30	\$ 120,000	\$ 109,875	\$ 87,819
Ending Fund Balance as a % of Appropriations	245.4%	1031.3%	389.5%

Adequate Facilities Tax Fund	Actual FY 2022	Estimated Actual FY 2023	Budget FY 2024
Revenues			
Adequate Facilities Tax	\$ 10,919	\$ 11,437	\$ 11,240
Interest	47	101	145
Total Revenues and Other Financing Sources	\$ 10,966	\$ 11,538	\$ 11,385
Appropriations			
Expenditures	\$ -	\$ -	\$ -
Total Appropriations	\$ -	\$ -	\$ -
Change in Fund Balance (Revenues - Appropriations)	10,966	11,538	11,385
Beginning Fund Balance July 1	93,661	104,627	116,165
Ending Fund Balance June 30	\$ 104,627	\$ 116,165	\$ 127,550

SEWER FUND	Actual FY 2022	Estimated Actual FY 2023	Budget FY 2024
Operating Revenues			
Sewer Charges	\$ 529,852	\$ 485,053	\$ 633,500
Tap Fees	6,200	4,400	4,000
Miscellaneous Other Fees	-	-	-
Total Operating Revenues	\$ 536,052	\$ 489,453	\$ 637,500
Operating Expenses			
Administrative	\$ 99,920	\$ 101,848	\$ 222,176
Sewer Department	328,836	202,861	191,279
Depreciation	149,713	142,407	149,713
Total Operating Expenses	\$ 578,469	\$ 447,116	\$ 563,168
Operating Income (Loss)	\$ (42,417)	\$ 42,337	\$ 74,332
Nonoperating Revenues (Expenses)			
Revenue: Investment Income	\$ -	\$ -	\$ -
Grants - Operating	-	-	-
Other Income	600	2,012	2,000
Expense: Debt Service - Interest Expense	(22,348)	(19,995)	(17,568)
Other Expense	-	-	-
Total Nonoperating Revenue (Expenses)	\$ (21,748)	\$ (17,983)	\$ (15,568)
Income (Loss) Before Capital Contributions and Transfers	\$ (64,165)	\$ 24,354	\$ 58,764
Capital Contributions and Transfers			
Capital Contributions - Tap Fees in Excess of Cost	\$ -	\$ -	\$ -
Capital Contributions - Grants	-	-	-
Capital Contributions - Other	-	-	-
Transfers In - from Other Funds	-	-	-
Transfers Out - to Other Funds (PILOT)	(9,802)	(10,400)	(9,903)
Total Capital Contributions and Transfers	\$ (9,802)	\$ (10,400)	\$ (9,903)
Change in Net Position	\$ (73,967)	\$ 13,954	\$ 48,861
Beginning Net Position July 1	3,075,918	3,001,951	3,015,905
Ending Net Position June 30	\$ 3,001,951	\$ 3,015,905	\$ 3,064,766

SECTION 2: At the end of the fiscal year 2023, the governing body estimates fund balances or deficits as follows:

Fund	Estimated Fund Balance/Net Position at June 30, 2023
General Fund	\$ 4,150,812
Drug Fund	109,875
Adequate Facilities Tax Fund	116,165
Sewer Fund	3,015,905

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

Town of Kingston Springs

**Schedule of Outstanding Debt and Budgeted Debt Service
Fiscal Year 2024**

Fund	Type of Debt	Loan Name and Description	Original Issuance Amount	Authorized & Unissued	Total Principal Outstanding at June 30	Budgeted Annual Debt Service			Detailed Budget Page Number
						Principal	Interest	Total	
General Notes		\$250,000 GO CON- 12 Years (Depot Property Purchase)	250,000		232,200	18,300	6,616	24,916	8
		\$370,000 CON- 12 Years (Town Portion of Sidewalk Grant)	370,000		342,800	27,800	7,401	35,201	8
		\$997,000 CON- 3 Years (State Portion of Sidewalk Grant)	997,000		542,500	542,500	9,242	551,742	8
		\$498,704 CON- 12 Years (2018 Fire Engine)	498,704		358,000	39,000	13,405	52,405	8
Total			\$ 2,115,704	\$ -	\$ 1,475,500	\$ 627,600	\$ 36,664	\$ 664,264	
Sewer Notes		\$1,014,796 CON- 12 Years (Sewer Lagoon)	1,014,796		635,000	83,000	17,568	100,568	11
Total			\$ 1,014,796	\$ -	\$ 635,000	\$ 83,000	\$ 17,568	\$ 100,568	
Total Outstanding Debt			\$ 3,130,500	\$ -	\$ 2,110,500	\$ 710,600	\$ 54,232	\$ 764,832	

SECTION 4: During the coming fiscal year (2024) the governing body has pending and planned capital projects with proposed funding as follows:

Proposed Future Capital Projects	Proposed Future Capital Projects - Total Expense	Proposed Future Capital Projects Expense Financed by Estimated Revenues and/or Reserves	Proposed Future Capital Projects Expense Financed by Debt Proceeds
Playground Replacement at Burns Park	250,000	250,000	
Pond Repairs	100,000	100,000	
Activity Center Foundation Repair	50,000	50,000	
Ballfield Lighting at City Park	200,000	200,000	
Activity Center Roof Replacement	50,000	50,000	
Paving Projects (Harpeth View Trail, Woodlands Drive, Courts)	850,000	850,000	
Culvert Replacement	100,000	100,000	
Salt Bin	50,000	50,000	
Fire Station 1 Bay Doors	50,000	50,000	
Fire Engine Refurbish	600,000	600,000	
Total	\$ 2,300,000.00	\$ 2,300,000.00	\$ -

Pending Capital Projects/Purchases	Pending Capital Projects/Purchases - Total Expense	Pending Capital Projects/Purchases Expense Financed by Estimated Revenues and/or Reserves	Pending Capital Projects/Purchases Expense Financed by Debt Proceeds
Train Depot Property Architectrue Master Plan & Structual Engineer Suggested Repairs	20,000	20,000	0
Sidewalk Grants	700,000	700,000	0
LPR Cameras, 8 @ \$3,000 each	24,000	24,000	0
SCBA Airpacks & Turnout Gear Replacement	50,000	50,000	0
Fire Support Vehicle Replacement of 332	55,000	55,000	0
Ceiling Replacement for Fire Station 1	25,000	25,000	0
Lucas Device	17,000	17,000	0
Concrete for Metal Storage Building	13,000	13,000	0
Masonry Projects for buildings	10,000	10,000	0
Merrylog Lane Culvert Replacement	35,000	35,000	0
Attachment for Skid Steer(Grabble Bucket) \$5,000, Sidewalk Edger, Weedeater, & Blower	16,000	16,000	0
Plow and Wiring Harness for Work Truck	12,000	12,000	0
Paving Project	350,646	350,646	0
Ceiling Repair at Activity Center	10,000	10,000	0
Flooring at Activity Center	15,000	15,000	0
Burns Park Activity Center Roof Replacement	40,000	40,000	0
HVAC City Park	6,600	6,600	0
HVAC Burns Park	8,900	8,900	0
LPR Camera at Burns Park	3,000	3,000	0
Electrcnal Upgrades at Burns Park	13,000	13,000	0
Rock Wall at Playground	12,500	12,500	0
Total	\$ 1,436,646.00	\$ 1,436,646.00	\$ -

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (Tenn. Code Ann. § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tenn. Code Ann. § 6-56-205.

SECTION 6: The Financial Director is hereby granted the authority to transfer monies from one appropriation to another in the same fund, subject to such limitations and procedures set by the Board of Commissioners pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance.

SECTION 8: There is hereby levied a property tax of \$0.82 per \$100 of assessed value on all real and personal property.

SECTION 9: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller’s Designee for approval pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. If the Comptroller of the Treasury or Comptroller’s Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller’s Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect July 1, 2023, the public welfare requiring it.

Passed 1st Reading: Thursday, May 18, 2023

Passed 2nd Reading: Thursday, June 15, 2023

Mayor Francis A. Gross III.

ATTESTED:

Financial Director Kellie Reed CMFO, CMC

John Lawless

From: John Lawless
Sent: Saturday, June 10, 2023 1:29 PM
To: Carolyn Clark (cclark@kingstonsprings-tn.gov); Glenn Remick (gremick@kingstonsprings-tn.gov); Mike Hargis; Todd Verhoven (tverhoven@kingstonsprings-tn.gov); Tony Gross (tgross@kingstonsprings-tn.gov); Mike Hargis
Cc: Kellie Reed; Martha Brooke Perry (mbperry@bpnlawfirm.com)
Subject: Additional Budget/Salary Questions and Answers
Attachments: Salaries 23-24.pdf

Good afternoon all,

Commissioner Hargis created a spreadsheet and emailed it along with a few questions. I'm sending the Board his spreadsheet as well as my answers to the questions at his request:

Please review the attached Spreadsheet that I created. This PDF combines all salary information into one page and includes the following columns

22-23 Budgeted Salaried

22-23 Actual Salary Paid

22-23 Salary paid if all positions filled

23-24 Increase amount in Salary due to Salary Study

23-24 Total Salary after salary adjustments from Study

4% COLA Increase

Additional Salary Adjustments

Proposed 23-24 Salaries

Percentage total increase by Job Class

I also included a percentage increase amount in the next block for 3 scenarios

Why was COLA calculated off of the total 23-24 increased salary amounts instead of using the base Salary for 22-23?

This is the way the data was presented to us from Burris, Thompson, and Associates. My thought on the logic of this decision is that the salary information presented is the market rate for each position and the COLA was calculated from that rate rather than the employee's current salary. For comparison, the difference in calculating the COLA on proposed market rate salaries compared to current salaries is an across the board increase total of \$5,339.00.

How did we do this last year when there was no rate study increase?

COLA is determined and set by the Board during the fiscal budgeting process each year.

I think we used 21-22 base salary multiplied by a COLA percentage and added an additional percentage for any Merit raises amounts to calculate total 22-23 salary by employee.

There were no merit raises in the 2022-2023 budget. The Board approved a 4% COLA increase and flat \$2000.00 annual bonus (Christmas) for each employee.

After seeing the total picture we will need ~200,000 more tax revenue to offset these raises in Salary. We have agreed to a 5 cent increase which will generate \$~50,000 the first year. Even if we decide to raise 5 cents over the next 4 years we run a tax revenue shortfall of the following

\$150,000 shortfall in 23-24

\$100,000 shortfall in 24-25

\$50,000 shortfall in 25-26

For a grand total \$300,000 not counting COLA or future merit raises.

Staff salaries, as well as all other expenditures in the fiscal budget are driven by multiple revenue sources. As we discussed during our budget workshops, over the last several years our sales tax revenue has met, and primarily surpassed our property tax revenue. As an example, we also discussed that our 2022-2023 sales tax revenue is budgeted as \$800,000.00 but our tax revenue numbers from March of this year show that we are projected to received \$1,043,205.00. That will be a minimum \$243,205.00 over anticipated and 7+% over 2021-2022 actuals. We reviewed that the revenue in this funding stream has increased each year over the last five years and we anticipate this trend to continue.

John Lawless

City Manager

Town of Kingston Springs, Tennessee

<http://www.kingstonsprings.net/>

615-952-2110 ex.8

jlawless@kingstonsprings-tn.gov

	2022-2023 Budgeted Salaries	22-23 Current Salaries Actual Being Paid	22-23 Projected Salaries- All Positions Filled	Increases from Rate Study Compared to 22-23 Budgeted	New Salaries After Rate Study Increases for 23-24	4% COLA	Additional Salary Adjustments	Proposed 23-24 Salaries
City Manager	\$ 66,843	\$ 66,843	\$ 66,843	\$ 22,497	\$ 89,340	\$ 3,574		\$ 92,914
Police Chief	\$ 87,964	\$ 87,964	\$ 87,964	\$ -	\$ 87,964	\$ 3,519	\$ 3,519	\$ 95,002
Public Works Director	\$ 52,652	\$ 52,652	\$ 52,652	\$ 28,367	\$ 81,019	\$ 3,241		\$ 84,260
Financial Director	\$ 64,896	\$ 64,896	\$ 64,896	\$ 8,461	\$ 73,357	\$ 2,934	\$ 6,000	\$ 82,291
Park Director	\$ 61,274	\$ 61,274	\$ 61,274	\$ 6,715	\$ 67,989	\$ 2,720		\$ 70,709
Public Safety Sergeant	\$ 60,924	\$ 60,924	\$ 60,924	\$ 1,038	\$ 61,962	\$ 2,478	\$ 1,357	\$ 65,797
City Recorder	\$ 46,344	\$ 46,344	\$ 46,344	\$ 21,275	\$ 67,619	\$ 2,705		\$ 70,324
Public Safety Officer	\$ 41,036	\$ 41,036	\$ 41,036	\$ 12,071	\$ 53,107	\$ 2,124		\$ 55,231
Public Safety Officer - To Be Filled	\$ 68,408	\$ -	\$ 42,000	\$ 11,107	\$ 53,107	\$ -		\$ 53,107
Public Safety Officer	\$ 53,871	\$ 53,871	\$ 53,871	\$ -	\$ 53,871	\$ 2,155	\$ 2,155	\$ 58,181
Public Safety Officer	\$ 47,229	\$ 47,229	\$ 47,229	\$ 5,878	\$ 53,107	\$ 2,124		\$ 55,231
Public Safety Officer	\$ 42,070	\$ 42,070	\$ 42,070	\$ 11,037	\$ 53,107	\$ 2,124		\$ 55,231
Public Works Maintenance	\$ 39,645	\$ 39,645	\$ 39,645	\$ 8,958	\$ 48,603	\$ 1,944		\$ 50,547
Public Works Maintenance	\$ 39,419	\$ 39,419	\$ 39,419	\$ 9,184	\$ 48,603	\$ 1,944		\$ 50,547
Public Works Maintenance	\$ 35,996	\$ 35,996	\$ 35,996	\$ 12,607	\$ 48,603	\$ 1,944		\$ 50,547
City Clerk	\$ 51,284	\$ 51,284	\$ 51,284	\$ -	\$ 51,284	\$ 2,051	\$ 2,051	\$ 55,386
Court Clerk (Position Removed)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Wastewater Plant Sup. - To Be Filled (Currently paying the previous Plant Sup. to use his license)	\$ 49,053	\$ 19,200	\$ 49,053	\$ 26,215	\$ 75,268	\$ -	\$ -	\$ 75,268
Total Salaries	\$ 908,908	\$ 810,647	\$ 882,500	\$ 185,410	\$ 1,067,910	\$ 37,581	\$ 15,082	\$ 1,120,573

	22-23 Budgeted Salaries	22-23 Current Salaries Actual	22-23 All Positions Filled
Proposed 23-24 Salaries	\$ 1,120,577	\$ 1,120,577	\$ 1,120,577
Less 22-23 Budgeted Salaries	\$ (908,911)	\$ -	
Less Current Paid Salaries	\$ -	\$ (810,650)	
Projected with Positions Filled	\$ -	\$ -	\$ (882,503)
Difference	\$ 211,666	\$ 309,927	\$ 238,074
Difference Divided By Total Salaries=	0.23	0.38	0.27
Results	23	38	27
Results x 100 = Percentage of Increase	23%	38%	27%

Total Salary Increases for 23-24	
Rate Study Increases	\$ 185,410
4% COLA Increases	\$ 37,581
Additional Salary Adjustments	\$ 15,082
Total	\$ 238,073

(5 Cent PTax increase would generate \$49,059.47)

<u>Property Taxes</u>	<u>Current</u>	<u>.77</u>
Assessed Value From Current Tax Roll	\$98,118,949.00	
(x)Current Property Tax Rate	\$0.77	
	\$75,551,590.73	
Divided by 100	\$75,551,590.73	
Equals Property Tax Revenue	\$755,515.91	
Property Tax Revenue	\$755,515.91	
Property Tax Rate	\$0.77	
Revenue Divided by Property Tax Rate	\$981,189.49	
Divided by 100	\$981,189.49	
Equals what one cent generates	\$9,811.89	
Two Cents	\$19,623.79	
Three Cents	\$29,435.68	
Four Cents	\$39,247.58	
Five Cents	\$49,059.47	

John Lawless

From: John Lawless
Sent: Thursday, June 1, 2023 12:20 PM
To: Carolyn Clark (cclark@kingstonsprings-tn.gov); Glenn Remick (gremick@kingstonsprings-tn.gov); Mike Hargis; Todd Verhoven (tverhoven@kingstonsprings-tn.gov); Tony Gross (tgross@kingstonsprings-tn.gov); Mike Hargis
Cc: Kellie Reed
Subject: Salary changes for 2023-2024 - Additional Information Requested

Good afternoon all,

I received the questions below regarding the 2023-2024 fiscal budget and staffing positions. Please review the questions and my responses below:

- 1. We approved a salary increase on first Budget reading for our City Recorder. That line item has been omitted on the latest version. Can you help me understand why it was omitted? Since we already passed the first reading does it now need to be amended or was that an oversight? Does our City Charter require appointment of a City Recorder?**

Per the Kingston Springs Town Charter, 6-21-401 – “The city manager shall appoint a city recorder, who also may be appointed to the positions of finance director or treasurer or both.” Over the past several months we have worked through scenarios on how we might streamline our workflow while increasing our ability to provide backup for each position and improve our internal controls. One of these decisions was to realign our city recorder position to what it had been previously when Debbie Finch served as the city recorder and finance director. Kellie Reed will have a job title as finance director but will also serve as the town’s city recorder. This scenario has been vetted by our MTAS human resources consultant and meets the requirements of our charter. The difference here compared to the past is that the full slate of responsibilities assigned to a city recorder will be performed by several staff members, again with a goal of providing more efficiencies and improved internal control.

- 2. It appears that we plan to replace one of our Public Safety Officers due to a recent retirement. Why are we starting that new hire at Range Midpoint instead of Range Minimum. It seems to me that all new hires should start at minimum then rapidly move to midrange as they gain skills and experience. Can you explain?**

When we hire to fill an open Public Safety Officer position we will look to hire as close to the salary range minimum as possible. However, the salary for this position is budgeted at the Market Rate for a Public Safety Officer Position as this might be what it takes to find a qualified officer to join our department. There are a number of variables that go into selecting a Public Safety Officer such as held credentials and certifications, experience, and training, and all of this will determine the salary to be offered. Again, we will look to hire on the range minimum side of the salary table, but the budgeted salary of the Market Rate will allow some flexibility if we find a qualified candidate without returning to the board to request a salary and budget adjustment.

- 3. We list a position for Public Works Director and a significant salary increase for that Job. If memory serves our prior Public Works Director ran both streets and Wastewater because he had all required Wastewater certifications. Are we sure we have the proper job classification? I wonder if Streets Supervisor is a better job description and I wonder if that Salary Range is the same.**

Several years ago our Public Works Director had oversight of both Public Works and our Wastewater Department and was paid half out of the general fund and half out of the sewer fund. When this Public works

Director left, it was decided to split these positions as combining them did not allow the adequate attention needed for each department. I spoke with Mr. Thompson who is conducting our salary study on how the data was gathered related to the Public Works Director position and whether changing the title of the position would have an impact on the salary data. He stated that the data was gathered through their general business database using the position title of Building and Grounds Supervisor and through their municipal database using the position title of Public Works Director. He also mentioned that he dropped the projections on this position pulled from their municipal database by approximately 12% to help account for the size of our town.

In addition, and to possibly put a finer understanding on any confusion there may be on the proposed salary adjustment spreadsheets you have received over the course of our discussions I have outlined their intent and use below:

- **March 15, 2023 Kingston Springs Market Data** – This was the original table of possible employee pay adjustments received from Burriss, Thompson and Associates. When this table was reviewed in our budget workshop the Board decided some of the municipalities used as salary comparisons did not fit as relevant comparisons to the Town of Kingston Springs and suggested several different municipalities to use as reference. This new list of municipalities was sent to Burriss, Thompson and Associates and the data modified, therefore this March 15, 2023 spreadsheet can be ignored.
- **April 10, 2023 Kingston Springs Market Data** – This is the table that was modified to update the municipalities that the Board felt were more pertinent comparisons. This is the data table used for the Market Rate salary figured recommended by the City Manager and these Market Rate salary figures are included in the 2023-2024 fiscal budget that was approved on first reading May 18, 2023.
- **Revised Copy of Salaries Proposal 4-28-23 (updated staffing)** - Before this salary study was commissioned we had been working through scenarios on how we might streamline our workflow while increasing our ability to provide backup for each position and improve our internal controls, and one of the benefits of the salary study conducted was helping us identify where some of these efficiencies can be gained. We had discussed during our budget workshops that we planned on making changes to our staffing and internal workflows to not only make us more efficient but also minimize the impact of proposed salary adjustments. This spreadsheet was created to better illustrate these changes and shows our staffing structure moving forward. With the current budget amounts discussed, reviewed, and approved on first reading, the budget was not updated with the savings resulting from these internal modifications as expenses are anticipated to be lower rather than higher and any remaining funds not expended will go back into the general fund at the end of the fiscal year.

As always, If you have any questions on the above information or would like to discuss please let me know individually prior to the June 15th Board of Commissioners meeting. I will answer those questions and provide the information to all before the meeting to assure everyone has any information requested prior to second reading of the 2023-2024 budget. Thank you,

John Lawless
City Manager Town of Kingston Springs, TN.
615-952-2110 ext.8
www.kingstonsprings.net

ORDINANCE NO. 23-004

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5, SECTION 5-506, AMENDING THE TAX RATE SCHEDULE FOR NEW RESIDENTIAL AND NEW NON-RESIDENTIAL DEVELOPMENT AS ORIGINALLY ADDED BY ORDINANCE #97-007 AND AS AMENDED BY ORDINANCE # 04-008

WHEREAS, the Town of Kingston Springs, Tennessee, pursuant to Ordinance #97-007 codified ordinances in Title 5, Chapter 5 of the Town of Kingston Springs Municipal Code, known and cited as Kingston Springs Adequate Facilities Tax; and

WHEREAS, by Ordinance 04-008, the Town of Kingston Springs amended the adequate facilities tax rate for new residential development and new non-residential development; and

WHEREAS, on April 20, 2023, the Town of Kingston Springs Board of Commissioners adopted a revised capital improvements plan as required by Title 5, Chapter 5, Section 5-511; and

WHEREAS, the Board of Commissioners for the Town of Kingston Springs, Tennessee desires to amend the Kingston Springs Adequate Facilities Tax rate for new residential development to \$.50 per gross square foot of floor area and new non-residential development to \$.75 per gross square foot of floor area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF THE TOWN OF KINGSTON SPRINGS AS FOLLOWS:

Title 5, Chapter 5, Section 5-506 of the Town of Kingston Springs Municipal Code is amended such that the Tax Rate Schedule set forth in said section shall reflect that the tax rate for New residential development shall be set at the rate of \$.50 per gross square foot of floor area and the tax rate for New non-residential development shall be set at the rate of \$.75 per gross square foot of floor area.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect the later of fifteen days after its final passage or the publication of the Ordinance or its caption, the public welfare requiring it.

First Reading:
Second Reading:

ATTEST:

Mayor Francis A. Gross III

City Recorder Jamie Dupre'

The caption of this Ordinance was published in the Cheatham County Exchange, a newspaper of general circulation with the Town of Kingston Springs, Tennessee on _____.

RESOLUTION #23-007

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, PURSUANT TO THE KINGSTON SPRINGS MUNICIPAL CODE, AS ADOPTED UNDER ORDINANCE NO. 95-008, ESTABLISHING NEW USER RATES FOR ALL PERSONS UTILIZING THE CITY'S WASTEWATER TREATMENT FACILITIES AS AUTHORIZED IN TITLE 18, SECTION 114, KINGSTON SPRINGS MUNICIPAL CODE.

WHEREAS, the Town of Kingston Springs, Tennessee, by virtue of Ordinance No. 95-008, has adopted a codification of Ordinances known as the Kingston Springs Municipal Code; and

WHEREAS, it has come to the attention of the Board of Commissioners that the user rates for persons utilizing the city's wastewater treatment facilities should be modified, in accordance with local and state law; and

WHEREAS, the user rate and base rate calculations attached hereto on Exhibit "A" should become the user rates for wastewater treatment facilities effective July 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Kingston Springs, Tennessee, that the user rate and base rate schedule attached hereto as Exhibit "A" shall hereafter become the user rates for all persons utilizing the city wastewater treatment facilities in accordance with Title 18, Section 114, and Kingston Springs Municipal Code.

RESOLVED, this 15th day of June, 2023.

Mayor Francis A. Gross III.

ATTEST:

Financial Director Kellie Reed

EXHIBIT "A"

TOWN OF KINGSTON SPRINGS, TENNESSEE ANNUAL SEWER RATE INCREASE

Date of Passage of Resolution 23-007 – June 15, 2023

Date of Notice to SSCUD: May 30, 2023

Current Rates:

Current Usage Categories	Current Rates
Base	10.03
0-2000 Gallons	7.93
2001 - 4000 Gallons	11.63
4001 – 12,000 Gallons	11.81
12,001 – 20,000 Gallons	11.96
20,001 - Plus	12.41

Current Sewer Service Fee: \$50.00

New Rates beginning July 1, 2023:

New Usage Categories	2023-2024 Usage Rates
Base Fee (includes first 1,000 gallons)	\$40.00
1,001 – 12,000 gallons	\$10.00 per 1,000 gallons
12,001 gallons & above	\$14.00 per 1,000 gallons

New Sewer Service Fees: \$75.00 Residential & \$150.00 Commercial

RESOLUTION NO. 23-008

**A RESOLUTION OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE,
TO ESTABLISH A CYBER SECURITY PLAN**

WHEREAS, the 112th Tennessee General Assembly adopted PC1111 Cyber Security Plan SB2282 - HB 2346 requiring utilities to prepare and implement a Cyber Security Plan to implement security standards and guidelines; and,

WHEREAS, to maintain compliance with this legislation the Board of Commissioners of the Town of Kingston Springs wish to establish a Cyber Security Plan.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, that the Cyber Security Plan, attached hereto, is hereby approved and adopted this the 15th day of June, 2023 and shall become effective immediately following passage of this resolution.

Attest:

Mayor Francis A. Gross III.

City Recorder Jamie Dupre'



Town of Kingston Springs Cyber Security Plan

Statement of Policy

The objective of the Town of Kingston Springs (herein "Town") in the development and implementation of this comprehensive written information security policy ("WISP"), is to create effective administrative, technical and physical safeguards for the protection of personally identifiable information (PII) of customers, clients and employees as well as sensitive Town information that could be harmful if unauthorized access were to occur. The WISP sets forth a procedure for evaluating and addressing electronic and physical methods of accessing, collecting, storing, using, transmitting, and protecting PII and sensitive Town information.

*The use of the term **employees** will include all of the Town's, management, employees, all independent contractors and temporary employees.*

Purpose of Policy

The purpose of the WISP is to better:

- 1) Ensure the security and confidentiality of **personally identifiable information (PII)** of customers, clients, employees or vendors as well as **sensitive Town data** which includes emails, confidential Town information (i.e., Town expansion plans, manufacturing processes, highly secretive information, etc.), employee information and the like;
- 2) Protect against any reasonably anticipated threats or hazards to the security or integrity of such information; and
- 3) Protect against unauthorized access to or use of such information in a manner that creates a substantial risk of identity theft, fraud or harm to the Town.

Scope of Policy

In formulating and implementing the WISP, the Town has addressed and incorporated the following protocols:

- 1) Identified reasonably foreseeable internal and external risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing PII and sensitive Town data.
- 2) Assessed the likelihood and potential damage of these threats, taking into consideration the sensitivity of the PII and sensitive Town data.
- 3) Evaluated the sufficiency of existing policies, procedures, customer information systems, and other safeguards in place to control risk.
- 4) Designed and implemented a WISP that puts safeguards in place to minimize identified risks.
- 5) Implemented regular monitoring of the effectiveness of those safeguards.

Security Safeguards

The follow safeguards are effective immediately. The goal of implementing these safeguards is to protect against risks to the security, confidentiality, and/or integrity of any electronic, paper or other records containing PII or sensitive Town data.

Administrative Safeguards

- 1) **Security Officer** - The Town has designated **the Town Manager** to implement, supervise and maintain the WISP. This designated employee (the "Security Officer") will be responsible for the following:
 - a) Implementation of the WISP including all provisions outlined in **Security Safeguards**.
 - b) Training of all employees that may have access to PII and sensitive Town data. Employees should receive annual training and new employees should be trained as part of the new employee hire process.
 - c) Regular monitoring of the WISP's safeguards and ensuring that employees are complying with the appropriate safeguards.
 - d) Evaluating the ability of any Third-Party Service Providers to implement and maintain appropriate security measures for the PII and sensitive Town data to which the Town has permitted access, and requiring Third Party Service Providers, by contract, to implement and maintain appropriate security measures.
 - e) Reviewing all security measures at least annually, or whenever there is a material change in the Town's business practices that may put PII and sensitive Town data at risk.
 - f) Investigating, reviewing and responding to all security incidents or suspected security incidents.
- 2) **Security Management**- All security measures will be reviewed at least annually, or whenever there is a material change in the Town's business practices that may put PII or sensitive Town data at risk. This should include performing a security risk assessment, documenting the results and implementing the recommendations of the security risk assessment to better protect PII and sensitive Town data. The Security Officer will be responsible for this review and will communicate to the Town of Kingston Springs board of Commissioners the results of that review and any recommendations for improved security arising out of that review.
- 3) **Minimal Data Collection**- The Town will only collect PII of clients, customers or employees that is necessary to accomplish legitimate business transactions or to comply with any and all federal, state or local regulations.
- 4) **Information Access**- Access to records containing PII and/or sensitive Town data shall be limited to those persons whose job functions requires a legitimate need to access the records. Access to the records will only be for a legitimate job-related purpose. In addition, pre-employment screening should take place to protect PII and sensitive Town data.
- 5) **Employee Termination**- Terminated employees must return all records containing PII and sensitive Town data, in any form, that may be in the former employee's possession (including all information stored on laptops or other portable devices or media, and in files, records, work papers, etc.). A terminated employee's physical and electronic access to PII and sensitive Town data must be immediately blocked. A terminated employee shall be required to surrender all keys, IDs or access codes or badges, business cards, and the like, that permit access to The Town's premises or information. A terminated employee's remote electronic access to PII and sensitive Town data must be disabled; his/her voicemail access, e-mail access, internet access, and passwords must be invalidated.
- 6) **Security Training**- All employees, which includes all owners, managers, employees, all independent contractors and temporary employees that may have access to PII and sensitive Town data, will receive security training. Employees should receive at least annual training and new employees should be trained as part of the new employee hire

process. Employees should be required to show their knowledge of the information and be required to pass an exam that demonstrates their knowledge. Documentation of employee training should be kept and reviewed.

- 7) **WISP Distribution-** A copy of the WISP is to be distributed to each current employee and to each new employee on the beginning date of their employment. It shall be the employee's responsibility for acknowledging in writing or electronically, that he/she has received a copy of the WISP and will abide by its provisions.
- 8) **Contingency Planning-** All systems that store PII and/or sensitive Town data should have the data backed up on, at least, a nightly basis. Data should be encrypted and be stored offsite. Disaster Recovery mechanisms and documented procedures should be in place to restore access to PII and sensitive Town data as well as any operational systems that the Town relies on. A system criticality assessment should be performed that defines how critical each of the Town's systems are. Systems that are critical to operations should be restored before non-critical systems. On a periodic basis, data backups, data restoration and Disaster Recovery procedures should be tested and validated.
- 9) **Security Incident Procedures-** Employees are required to report suspicious or unauthorized use of PII and/or sensitive Town data to a supervisor or the Security Officer. Whenever there is an incident that requires notification pursuant to any federal or state regulations, the Security Officer will conduct a mandatory post-incident review of the events and actions taken in order to determine how to alter security practices to better safeguard PII and sensitive data.
- 10) **Emergency Operations-** Procedures should be in place to define how the Town will respond to emergencies. Procedures should include employee contact information, critical vendor contact information, important vendor account information as well as any emergency operating procedures.
- 11) **Data Sensitivity Classification-** All data that the Town stores or accesses should be categorized in terms of the sensitive nature of the information. For example, PII and sensitive Town data might have a very high sensitivity and should be highly protected. Whereas publicly accessible information might have a low sensitivity and requires minimal protection.
- 12) **Third Party Service Providers-** Any service provider or individual ("Third Party Service Provider") that receives, stores, maintains, processes, or otherwise is permitted access to any file containing PII and/or sensitive Town data shall be required to protect PII and sensitive Town data. The Third-Party Service Providers must sign service agreements that contractually hold them responsible for protecting the Town's data. Examples include third parties who provide off-site backup of electronic data; website hosting companies; credit card processing companies; paper record copying or storage providers; IT/Technology Support vendors; contractors or vendors working with customers and having authorized access to PII and/or sensitive Town data.
- 13) **Sanctions-** All employment contracts, where applicable, should be amended to require all employees to comply with the provisions of the WISP and to prohibit any nonconforming use of PII and/or sensitive Town data as defined by the WISP. Disciplinary actions will be taken for violations of security provisions of the WISP (The nature of the disciplinary measures may depend on a number of factors including the nature of the violation and the nature of the PII and/or sensitive Town data affected by the violation).
- 14) **Bring Your Own Device (BYOD) Policy-** The Town may allow employees to utilize personally owned devices such as laptops, smartphones and tablets. If allowed, proper safeguards must be implemented to protect PII and sensitive Town data that may be

accessed or stored on these devices. Employees must understand what are the requirements for using personally owned devices and what safeguards are required.

Physical Safeguard

- 15) **Facility Access Controls-** The Town will implement physical safeguards to protect PII and sensitive Town data. There will be physical security on facilities/office buildings to prevent unauthorized access. All systems that access or store PII and/or sensitive Town data will be physically locked. Employees **will** be required to maintain a "clean desk" and ensure that PII and/or sensitive Town data is properly secured when they are not at their desk. The Security Officer will maintain a list of lock combinations, passcodes, keys, etc. and which employees that have access to the facilities and PII and/or sensitive data. Visitors will be restricted from areas that contain PII and/or sensitive Town data.
- 16) **Network Security-** The Town will implement security safeguards to protect PII and sensitive Town data. Safeguards include; isolating systems that access or store PII and/or sensitive Town data, the use of encryption on all portable devices, physical protection on portable devices, ensuring that all systems run up-to-date anti-malware, implementing network firewalls, performing periodic vulnerability scans, capturing and retaining network log files as well as ensuring that servers and critical network equipment are stored in an environmentally safe location.

Technical Safeguards

- 17) **Access Control -** Access to PII and sensitive Town data shall be restricted to approved active users and active user accounts only. Employees will be assigned unique user accounts and passwords. Systems containing PII and sensitive Town data should have automatic logoff procedures to prevent unauthorized access.
- 18) **Computer Use -** All employees will be given a Computer Use Policy that defines acceptable and unacceptable use of the Town's computing resources. Employees should be required to sign the Computer Use Policy to acknowledge acceptance of the policy.
- 19) **Data Disposal -** Written and electronic records containing PII and sensitive Town data shall be securely destroyed or deleted at the earliest opportunity consistent with business needs or legal retention requirements.
- 20) **System Activity Review-** All systems that store or access PII and sensitive Town data should utilize a mechanism to log and store system activity. Periodic system activity reviews should occur and identify unauthorized access to PII and sensitive Town data. Any unauthorized access should be reported to the Data Security Coordinator.
- 21) **Encryption-** To the extent technically feasible all portable devices that contain PII and sensitive Town data should be encrypted to protect the contents. In addition, encryption should be used when sending any PII and sensitive Town data across public networks and wireless networks. Public networks include email and Internet access.

Cybersecurity Attacks/Threats

- 22) In the event of a cyber-attack user will immediately disconnect from the internet/network and contact the Security Officer. The Security Officer will investigate the attack and determine what type of attack occurred. The breach will be contained and any damage will be repaired. If necessary, the appropriate parties will be contacted, or a statement will be released and protections will be put in place to prevent further attacks.

RESOLUTION 23-009

**A RESOLUTION OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE
RECOGNIZING JUNE 19TH, KNOWN AS “JUNETEENTH” AS A TOWN HOLIDAY
AND AMENDING THE TOWN OF KINGSTON SPRINGS PERSONNEL POLICY,
ADOPTED BY RESOLUTION 22-012, TO INCLUDE JUNETEENTH AS A TOWN
HOLIDAY IN SECTION 4.3**

WHEREAS, by Resolution 22-012, the Town of Kingston Springs Board of Commissioners adopted the current Kingston Springs Personnel Policy; and

WHEREAS, by Public Chapter No. 337, the State of Tennessee adopted June 19, known as “Juneteenth,” as a state holiday; and

WHEREAS, the Board of Commissioners desires to recognize the June 19th holiday within the Town of Kingston Springs by closing City Hall on that day and amending the Personnel Policy to provide that June 19th, known as “Juneteenth,” will be added to the list of holidays in the Kingston Springs Personnel Policy.

IT IS THEREFORE RESOLVED by the Board of Commissioners of the Town of Kingston Springs, Tennessee, that June 19th, known as “Juneteenth,” shall be recognized as a holiday in the Town of Kingston Springs, on which such holiday, City Hall shall be closed.

IT IS FURTHER RESOLVED that Section 4.3 of the Kingston Springs Personnel Policy Manual shall be amended to include “Juneteenth/June 19th” in the list of observed holidays, with such holiday to be included in the holiday list between “Memorial Day” and “Independence Day/July 4th.”

This Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED on this the 15th day of June, 2023.

Francis A. Gross, III, Mayor

Attest:

Jamie Dupré, City Recorder

RESOLUTION NO. 23-010

A RESOLUTION BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF KINGSTON SPRINGS, TENNESSEE, TO ESTABLISH AN AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) POLICY

WHEREAS, the Town of Kingston Springs recognizes the benefits of early defibrillation in the survival of persons who have experienced cardiac arrest; and,

WHEREAS, T.C.A. § 68-140-404 requires establishment of a program for the use of AED that includes a written plan where these devices are made available for public use; and,

WHEREAS, the Town has purchased and placed public access Automated External Defibrillator (AED); and,

WHEREAS, in accordance with T.C.A. § 68-140-404 the town wishes to establish an Automatic External Defibrillator (AED) Policy.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, that the Automatic External Defibrillator (AED) Policy, attached hereto, is hereby approved this the 15th day of June, 2023 and shall become effective immediately following passage of this resolution.

Attest:

Mayor Francis A. Gross III.

City Recorder Jamie Dupre'



Town of Kingston Springs Public Access of Defibrillation and Automated External Defibrillator Policy

I. PURPOSE OF POLICY. The purpose of this procedure is to provide minimum standards for guidance and consistency in management of the Automated External Defibrillator (AED) device program for the Town Kingston Springs TN.

II. SCOPE. This program applies to the acquisition, distribution, use, training and maintenance of AEDs

III. DEFINITIONS AND ABBREVIATIONS

- a. Automated external defibrillator ("AED"): An AED is a device that is used to treat patients who experience Sudden Cardiac Arrest ("SCA). It is only to be applied to patients who are unconscious, not breathing normally, and showing no signs of circulation. The AED analyzes the heart rhythm and advises the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy.
- b. Cardiopulmonary resuscitation ("CPR"): Artificial ventilation and/or external cardiac compression applied to a patient in respiratory and/or cardiac arrest.
- c. Public Access Defibrillation ("PAD"). An Automated External Defibrillator (AED) that is accessible to employees and to the public in the event that an employee or a community member encounters an individual in a public area who is experiencing sudden cardiac arrest.

IV. RESPONSIBILITIES

- a. The Kingston Springs City Manager or their designee shall serve as the Program Manager by providing oversight for this written program. The Program Manager shall:
 - i. Determine, in coordination with the Public Safety Director which buildings in the town park(s) need an AED.
 - ii. Notify department heads where AEDs are located.
 - iii. Serve as a technical resource for questions and comments for the AED program and periodically review compliance with this program.
 - iv. Post the most recent edition of this plan on the Town website.
 - v. Review and revise this written plan periodically and upon notice of the need for changes.
 - vi. Maintain a database of where public access defibrillators are located.
 - vii. Maintain records as required by state statutes.
 - viii. Submit copies of this plan and location of AEDs to area first responders and the designated Medical Director.
- b. The Town of Kingston Springs is responsible for the following:
 - i. Ensure that town-owned AEDs are inspected, tested, and maintained in accordance with the manufacturer's operational guidelines and maintain written records.
 - ii. Purchase and replace AED, batteries, pads, and other supplies as needed.
 - iii. Consult Public Safety Director prior to purchasing a new AED.
 - iv. Notify staff members of the location of AED.
 - v. Assure town staff are trained on use of AED devices.
 - vi. Ensure Appendix A is completed and notify the designated Medical Director as soon as possible when an AED has been used.

c. Medical Director:

- i. The Medical Director shall supervise and endorse the placement of AEDs.
- ii. Review Appendix A following use of an AED and provide recommendations, if any, for improvement.

V. PROCEDURE

a. Purchasing an AED:

- i. AEDs that are purchased shall meet the requirements of T.C.A. § 1200-12-1-.19(5).

b. Placement of AEDs:

- i. City Manager of their designee, in conjunction with the designated Medical Director, will approve the location of AEDs on town owned property.
- ii. The AED should be located in a central place.
- iii. Consideration should be given to placing the AED where it:
 1. Should not be subject to physical damage, theft, temperature or humidity extremes.
 2. Is readily visible and available for use.
 3. Note that signs may be used to identify the device's location where necessary.

VI. TRAINING

a. Personnel to be trained:

- i. Town staff will be trained on AED use.

b. Training records: Written training records are to be maintained by the City Manager or their designee.

c. Public Access: Any open public training shall be sufficiently advertised and open to the general public on specified dates and times.

- i. Training should be part of an approved CPR/AED training course and include at a minimum:
 1. Recognition of the signs and symptoms of sudden cardiac arrest.
 2. Instruction for CPR and AED protocols.
 3. Specific instructions to contact to access emergency medical services or call 911

VII. USE

a. When an unconscious victim is discovered, the following protocol will be followed:

- i. Check the scene to make sure it is safe (e.g., no electrical hazards or chemical hazards) Shake and shout at the victim. If no response;
- ii. Have someone call 911. If no one is available, call 911 and return immediately to the victim.
- iii. Have someone retrieve the AED. Begin the chest compressions or CPR.
- iv. Utilize AED if necessary and the instructions/training provided

VII. NOTIFICATION

- a. Following any event involving the use of an AED, the responder must complete the AED Use Report (See Appendix A) and send to the City Manager at citymanager@kingstonsprings-tn.gov.
- b. The City Manager or their designee will provide a copy of the AED Use Report to the Medical Director.

VIII. RECORDKEEPING

- a. The following program records must be maintained by the City Manager of their designee:
 - i. Periodic maintenance, repair and inspection records.
 - ii. Other records as defined by the equipment manufacturer.
 - iii. Record of AED employee training.
 - iv. Record of use (Appendix A).

- v. Medical Director's approval of installation location.
- vi. The records shall be maintained in accordance with regulatory requirements.

IX. IMMUNITY OF AED USERS AND OWNERS

- a. Tennessee state law provides various protections from liability to the owners and users of AED devices. See TENN. CODE ANN. § 68-140-406 (Tennessee AED Statute); TENN. CODE ANN. § 63-6-218 (Tennessee Good Samaritan Act). 1998 Tenn. Pub. Acts ch. 963, § 5; 1999 Tenn. Pub. Acts ch. 488, § 2.

Kingston Springs Automated External Defibrillator Use

AED Model: _____

Report Date and Time of Use: _____

Location: _____ Time Notified: _____

How Were You Notified of the Emergency: _____

Patient Information:

Name: _____

Race: _____ Age: _____ Sex: _____

Patient Condition upon your arrival (circle):

Conscious	Breathing	Pulse	CPR
Unconscious	Not Breathing	No Pulse	No CPR

What action did you take? _____

Was shock needed? Yes No

Was shock delivered? Yes No

Did pulse return? Yes No

Did breathing return? Yes No

Was CPR performed? Yes No By whom: _____

Did patient become conscious? Yes No

Condition on arrival of EMS? Outcome (if known):

Names of all AED responders:

Your Name (please print): _____

Date: _____ Please submit report to jlawless@kingstonsprings-tn.gov

Ordinance No. 23-005

AN ORDINANCE AMENDING TITLE 14, CHAPTER 1, THE TOWN OF KINGSTON SPRINGS MUNICIPAL CODE TO ADD A SECTION REGARDING THE DIRECTION AND SUPERVISION OF THE TOWN PLANNER AND TOWN ENGINEER PROVIDING SERVICE TO THE PLANNING COMMISSION

WHEREAS, the Town of Kingston Springs Municipal Planning Commission has been designated as a Regional Planning Commission pursuant to *Tennessee Code Annotated* § 13-3-102 and was vested with the powers attenuate to a Regional Planning Commission under *Tennessee Code Annotated* § 13-3-104; and

WHEREAS, *Tennessee Code Annotated* § 13-3-104 provides that a Regional Planning Commission may hire certain experts to advise the Town of Kingston Springs Regional Planning Commission as to planning related matters, including a city planner and engineer; and

WHEREAS, as the Municipal Planning Commission has been designated as a Regional Planning Commission, and as the Town has contracted for the services of a city planner and an engineer to provide expert consulting services to the Town of Kingston Springs Regional Planning Commission, the Town desires to provide for the direction and supervision of the performance of duties of the city planner and engineer when acting in the capacity of providing expert advising and consulting services to the Town of Kingston Springs Regional Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the Town of Kingston Springs Board of Commissioners that the following new section 14-103 shall be added to Title 14, Chapter 1, of the Town Municipal Code:

14-103. Direction and Supervision of Town Planner and Engineer Advising the Town of Kingston Springs Regional Planning Commission. A town planner hired to review proposed development plans and requests and provide planning consultation services to the Town of Kingston Springs Regional Planning Commission and an engineer hired to review submitted plans, development activities, and render professional opinions to the Town of Kingston Springs Regional Planning Commission shall serve under the direction and supervision of the Chair of the Town of Kingston Springs Regional Planning Commission or his or her designee. Such Chair, or his or her designee, shall provide direction to the planner or engineer as to the service and activity requested to be performed in advising the Town of Kingston Springs Regional Planning Commission in the conduct of its statutorily authorized powers and shall supervise the performance of such service and activity by the said planner and engineer.

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 on First Reading _____, 2023

Passed on Second Reading _____, 2023

Francis A. Gross III, Mayor of Kingston Springs, Tennessee

ATTEST:

Jamie Dupré, Town Recorder

APPROVED AS TO FORM:

City Attorney

Supplemental Agreement and/or Request for Construction Change Change Order Request #3

Project Title/Termini:	<u>Harpeth Middle School - SRTS - Sidewalk Construction</u>		
Owner:	<u>Town of Kingston Springs</u>	PIN:	<u>123749.00</u>
Address:	<u>Town of Kingston Springs</u>	State Project No.:	<u>11LPLM-F3-017</u>
	<u>396 Spring Street</u>	Federal Project No.:	<u>SRTS-9332 (10)</u>
	<u>Kingston Springs, TN 37082</u>	Contract No.:	<u>160153</u>
County:	<u>Cheatham</u>		

Whereas, we Adams Contracting, LLC. with Nationwide Mutual Insurance Company, as a Surety, entered into a contract with Town of Kingston Springs, on 03-14-22, for the construction by said Contractor of the above designated contract; and Whereas, certain items of construction encountered, are not covered by the original contract, we desire to submit the following additional items of construction to be performed by the Contractor and paid by the Owner at the price(s) scheduled therefore below:

The purpose of this Change Order is to:

This Change Order is necessary to cover plans revision for sidewalk construction and drainage structures. See Change Order Summary Attachment "A".

As a result of this Change Order, contract time shall:

Not Change, Increase by 45 days, Decrease by _____ days

Original Construction Completion Time: 150 days (Date: 9-15-22)

Original Contract Amount:	<u>\$479,175.00</u>
Approved Change Orders:	<u>\$222,471.78</u>
Current Change Order:	<u>\$49,281.25</u>
Pending Change Orders:	<u>\$0.00</u>
Total Change Orders::	<u>\$271,753.03</u>

Contract Completion Time with Change Orders: 267 days (Date: 8-24-23)

**Supplemental Agreement and/or Request for Construction Change
Change Order Request # 3**

Unit prices listed below include labor, materials, profit, overhead, and incidentals necessary to complete this work. A separate attached spreadsheet with the same information may be used in lieu of the table below.

Item No.	Description	Unit	Current/ Pending Quantities	Revised Quantities	QTY Over + QTY Under -	Contract Price	Net Amount Due Change
105-01.50	Construction Layout	L.S.	0	1	1	\$6,000.00	\$6,000.00
202-03	Removal of Rigid Pavement, Sidewalk, Etc.	S.Y.	250	270	20	\$25.00	\$500.00
303-01	Mineral Aggregate, Type A Base, Grading D	TON	600	607	7	\$40.00	\$280.00
604-01.20	Box Tube Safety Rail	L.F.	40	165	125	\$294.57	\$36,821.25
701-01.07	Exposed Aggregate Concrete Driveway	S.F.	0	90	90	\$35.00	\$3,150.00
701-02.02	Concrete Driveway (8")	S.F.	2,260	2,380	120	\$10.00	\$1,200.00
702-03	Concrete Combined Curb and Gutter	C.Y.	225	229	4	\$380.00	\$1,330.00
						\$	\$
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Now, Therefore, We, Adams Contracting, LLC Contractors, and Nationwide Mutual Insurance Company, Surety, hereby agree to the Supplemental Agreement consisting of the above mentioned items and prices, and agree that this Supplemental Agreement is hereby made a part of the original contract and will be performed by this Contractor in accordance with specifications thereof, and that the original contract remain in full force and effect, except insofar as specifically modified by this Supplemental Agreement.

**Recommended for
Approval**

[Handwritten Signature]

Engineer/CEI (Signature) 5/30/23
Date

Approved

By: _____
Contractor (Signature) Date

By: _____
Surety (Signature) Date

By: _____
Owner (Signature) Date

**Approved for
Eligibility**

By: _____
Local Programs (Signature) Date

APPROVED
By Kathryn McClung at 2:25 pm, Jun 05, 2023



May 30, 2023

Mr. John Lawless, City Manager
Town of Kingston Springs
396 Spring Street
Kingston Springs, TN 37082

**RE: TDOT PIN: 123749.00 – State Project No. 11LPLM-F3-017 – Contract No. 160153
Harpeth Middle School – Safe Routes to School Project
Town of Kingston Springs, Tennessee (Cheatham County)
Change Order No. 3 - Justification**

This Change Order No. 3 is necessary to cover the construction plans revision.

Increased Quantity of Original Bid Pay Item:

1. 202-03 – Removal of Rigid Pavement, Sidewalk, Etc. – S.Y. 20 S.Y. / \$25.00 per S.Y.

TDOT Average Unit Price (AUP) ranged from \$7.49 to \$19.64 per square yard. The bid unit price falls outside this range. The bid unit price is higher than the overall statewide average of \$12.26 per square yard. Considering the smaller quantity, the bid unit price is acceptable. Since this is an original bid item, the bid unit price cannot change.

2. 303-01 – Mineral Aggregate, Type A Base, Grading D – TON 300 TON / \$40.00 per TON

TDOT Average Unit Price (AUP) ranged from \$19.61 to \$31.92 per TON. The bid unit price falls outside this range. The bid unit price is higher than the overall statewide average of \$24.50 per TON. Considering the smaller quantity, the bid unit price is acceptable.

3. 604-01.20 – Box Tube Safety Rail – L.F. 125 L.F. / \$294.57 per L.F.

TDOT Average Unit Price (AUP) is \$216.16. The bid unit price is higher than the overall statewide average. What needs to be considered here is the use of this item widely ranges in labor effort verses quantity placement. This project will require more labor in relationship to L.F. placement. The bid unit price is acceptable.

4. 701-02.02 - Concrete Driveway (8") – S.Y. 120 S.F. / \$10 per S.F.

TDOT Average Unit Price (AUP) ranged from \$11.50 to \$13.35 per square foot. The bid unit price is lower than the overall statewide average. Therefore, the bid unit price is acceptable. Since this is an original bid item, the bid unit price cannot change.

5. 702-03 - Concrete Combined Curb and Gutter – C.Y. 90 C.Y. / \$380 per C.Y.

TDOT Average Unit Price (AUP) ranged from \$408.39 to \$296.27 per C.Y. The bid unit price falls within this range. The bid unit price is higher than the overall statewide average of \$365.23 per C.Y. Since this is an original bid item, the bid unit price cannot change.



New Pay Item(s) – Justification of Unit Price:

6. 105-01.50 – Construction Layout – L.S.

1 L.S. / \$6,000.00 per L.S.

TDOT Average Unit Price (AUP) is \$2,983.00. The bid unit price is higher than the overall statewide average. What needs to be considered here is the use of this item widely ranges in labor effort verses quantity placement. This project will require more labor in relationship to L.F. placement. The bid unit price is acceptable. (See Attachment – Contractor Justification for this Item.)

7. 701-01.07 – Exposed Aggregate Concrete Driveway – S.F.

90 S.F. / \$35.00 per S.F.

TDOT Average Unit Price (AUP) is \$15.03. The bid unit price is higher than the overall statewide average. What needs to be considered here is the use of this item widely ranges in labor effort verses quantity placement. This project will require more labor in relationship to L.F. placement. The bid unit price is acceptable. (See Attachment – Contractor Justification for this Item.)

Note for Justification Letter:

The Bid Unit Price for Original Bid Pay Items cannot be changed unless they are determined to be a “Major Pay Item” as defined in the TDOT Standard Specifications for Road and Bridge Construction, January 1, 2021. The Standard Specifications dictate how a Major Pay Item can be revised depending upon the quantity increased or decreased. FHWA and TDOT will not allow for changes to the Original Bid Unit Price of pay items that are not “Major Pay Items.”

CHANGE ORDER NO. 3
COLLIER ENGINEERING CO., INC.
2949 NOLENSVILLE PIKE
NASHVILLE, TN 37211
(615) 331-1441
FAX: (615) 331-1050

Harpeth Middle School – Safe Routes to School Project
TDOT PIN: 123749.00 – State Project No. 11LPLM-F3-017 – Contract No. 160153
Town of Kingston Springs, Tennessee (Cheatham County)
May 30, 2023

				ADAMS CONTRACTING, LLC		
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	
105-01	CONSTRUCTION STAKES, LINES AND GRADES	L.S.	1	\$15,000.00	\$15,000.00	
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	C.Y.	525	\$80.00	\$42,000.00	
203-07	FURNISHING AND SPREADING TOPSOIL (3" THICK)	C.Y.	370	\$40.00	\$14,800.00	
209-03.21	FILTER SOCK (12 INCH)	L.F.	3800	\$4.00	\$15,200.00	
209-05	SEDIMENT REMOVAL	C.Y.	150	\$10.00	\$1,500.00	
209-08.02	TEMPORARY SILT FENCE (WITH BACKING)	L.F.	3800	\$5.00	\$19,000.00	
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	300	\$40.00	\$12,000.00	
407-02.13	REMOVAL & DISPOSAL OF EXISTING ASPHALT PAVEMENT	S.Y.	150	\$15.00	\$2,250.00	
407-20.05	SAW CUTTING ASPHALT PAVEMENT	L.F.	1500	\$3.00	\$4,500.00	
701-01.01	CONCRETE SIDEWALK (4")	S.F.	18825	\$7.00	\$131,775.00	
701-02.02	CONCRETE DRIVEWAY (8")	S.F.	2260	\$10.00	\$22,600.00	
701-02.03	CONCRETE CURB RAMP	S.F.	600	\$14.00	\$8,400.00	
702-03	CONCRETE COMBINED CURB AND GUTTER	C.Y.	90	\$380.00	\$34,200.00	
707-11.01	PEDESTRIAN CONSTRUCTION BARRIER FENCE	L.F.	20	\$25.00	\$500.00	
712-01	TRAFFIC CONTROL	L.S.	1	\$120,000.00	\$120,000.00	
712-04.01	FLEXIBLE DRUMS (CHANNELIZING)	EACH	100	\$45.00	\$4,500.00	
712-06	SIGNS (CONSTRUCTION)	S.F.	235	\$10.00	\$2,350.00	
717-01	MOBILIZATION	L.S.	1	\$23,000.00	\$23,000.00	
801-01	SEEDING (WITH MULCH)	UNIT	40	\$40.00	\$1,600.00	
803-01	SODDING (NEW SOD)	S.Y.	200	\$20.00	\$4,000.00	
CHANGE ORDER NO. 1						
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	
202-01	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	L.S.	1	\$10,000.00	\$10,000.00	APPROVED
202-03	REMOVAL OF RIGID PAVEMENT, SIDEWALK, ETC.	S.Y.	250	\$25.00	\$6,250.00	APPROVED
203-03	BORROW EXCAVATION (UNCLASSIFIED)	C.Y.	750	\$80.00	\$60,000.00	APPROVED
604-01.20	BOX TUBE SAFETY RAIL	L.F.	40	\$294.57	\$11,782.80	APPROVED
611-09.01	ADJUSTMENT OF EXISTING CATCH BASIN	EACH	1	\$2,500.00	\$2,500.00	APPROVED
702-03	CONCRETE COMBINED CURB AND GUTTER	C.Y.	135	\$380.00	\$51,300.00	APPROVED
706-01	GUARDRAIL REMOVED	L.F.	40	\$5.00	\$200.00	APPROVED
709-05.06	MACHINED RIP-RAP (CLASS A-1)	TON	50	\$45.00	\$2,250.00	APPROVED
920-14.04	CURB CUT FLUME ASSEMBLY	EACH	10	\$2,500.00	\$25,000.00	APPROVED
CHANGE ORDER NO. 2						
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	300	\$40.00	\$12,000.00	REVISED
407-20.05	SAW CUTTING ASPHALT PAVEMENT	L.F.	3500	\$3.00	\$10,500.00	REVISED
607-37.02	18" CORRUGATED METAL PIPE CULVERT	L.F.	30	\$238.22	\$7,146.60	ADDED
607-37.30	12IN CORRUGATED METAL PIPE CULVERT	L.F.	60	\$164.64	\$9,878.40	ADDED
611-07.31	18IN ENDWALL (SIDE DRAIN)	EACH	2	\$4,065.50	\$8,131.00	ADDED
611-09.01	ADJUSTMENT OF EXISTING CATCH BASIN	EACH	-1	\$2,500.00	-\$2,500.00	REMOVED
611-09.012	REWORK CATCH BASIN	EACH	1	\$8,032.98	\$8,032.98	ADDED
CHANGE ORDER NO. 3						
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	
105-01.50	CONSTRUCTION LAYOUT	L.S.	1	\$6,000.00	\$6,000.00	ADDED
202-03	REMOVAL OF RIGID PAVEMENT, SIDEWALK, ETC.	S.Y.	20	\$25.00	\$500.00	REVISED
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	7	\$40.00	\$280.00	REVISED
604-01.20	BOX TUBE SAFETY RAIL	L.F.	125	\$294.57	\$36,821.25	REVISED
701-01.07	EXPOSED AGGREGATE CONCRETE DRIVEWAY (PEA GRAVEL)	S.F.	90	\$35.00	\$3,150.00	ADDED
701-02.02	CONCRETE DRIVEWAY (8")	S.F.	120	\$10.00	\$1,200.00	REVISED
702-03	CONCRETE COMBINED CURB AND GUTTER	C.Y.	3.5	\$380.00	\$1,330.00	REVISED
TOTAL BASE BID AMOUNT					\$479,175.00	
TOTAL CHANGE ORDER NO. 1 AMOUNT					\$169,282.80	
TOTAL CHANGE ORDER NO. 2 AMOUNT					\$53,188.98	
TOTAL CHANGE ORDER NO. 3 AMOUNT					\$49,281.25	
NEW CONTRACT					\$750,928.03	



REYNOLDS, POTTER, RAGAN & VANDIVORT, PLC

ATTORNEYS AT LAW | RPRV.LAW.COM

STANLEY Q. REYNOLDS
 TIMOTHY V. POTTER**
 BRIAN RAGAN
 KIRK VANDIVORT*
 HILARY H. DUKE
 ANDREW E. MILLS
 JENNIFER FOSTER

210 E. COLLEGE STREET
 DICKSON, TENNESSEE 37055
 TELEPHONE: 615.446.2221
 FACSIMILE: 615.446.2232

May 22, 2023

*RULE 31 LISTED MEDIATOR - FAMILY
 ** RULE 31 LISTED MEDIATOR - GENERAL CIVIL

OF COUNSEL:
 LISA LITTLETON HOLLEY

Via Email @ jlawless@kingstonsprings-tn.gov

Mr. John Lawless
 City Manager
 Town of Kingston Springs
 P.O. Box 256
 Kingston Springs, Tennessee 37082

RE: STATEMENT OF QUALIFICATIONS

Dear Mr. Lawless:

Please find below the Statement of Qualifications for the law firm of Reynolds, Potter, Ragan, & Vandivort, PLC. We are excited by the opportunity to serve you, and we have the experience and expertise requisite to being your city's attorney, as we currently serve as attorneys for eight (8) different branches of local governments as well as advising other local governments and utility districts on various matters.

1. Name of firm, owner, address, and telephone number:

Reynolds, Potter, Ragan, & Vandivort, PLC
 210 East College Street
 Dickson, Tennessee 37055
 615-446-2221

2. Personnel qualifications:

Timothy V. Potter will be the key attorney, and he will be assisted by Jennifer Foster as well as other attorneys in the firm.

Mr. Potter received a bachelor's degree from the University of Tennessee, at Knoxville in 1992. Upon graduation, he was awarded the Torchbearer Award which is the highest award bestowed upon an undergraduate student. He received his law degree from Vanderbilt Law School in 1995. While at Vanderbilt Law School, he was chosen Chief Justice of the Vanderbilt Moot Court Board.

This will be Mr. Potter's 28th year to practice law. He began his practice at the Nashville law firm of Stokes & Bartholomew, P.A., but chose to return to his hometown of Dickson to practice law in the late 1990's. He is a skilled litigator and has tried numerous cases to jury trial in many different Tennessee counties. He practices in both state and federal court as needed. The firm of Reynolds, Potter, Ragan & Vandivort, PLC, which Mr. Potter helped create, is located in Dickson and has a total of eight lawyers. It is a very well rounded firm and prides itself on being regional in its scope.

Personally, Mr. Potter has been married to Amber Marie Reynolds of Dickson since 1994. She is a literacy coordinator for the Dickson County Board of Education. They have three children and one grandson. Their youngest daughter, Lucy, was recently granted admission to the University of Tennessee College of Law. In addition to his law practice, Mr. Potter likes to play golf and watch baseball. Mr. Potter is an active member of the First Presbyterian Church of Dickson. He is the past Chairman of the Dickson County Board of Education, and is a past President of the Tennessee County Attorneys Association.

Ms. Foster received a bachelor's degree from Wheaton College in 2009. After graduation, Ms. Foster moved to middle Tennessee and began working in the construction and development industry, gaining experience in business administration, finance, and commercial and residential real estate.

Ms. Foster joined the regulatory compliance team at Aetna Senior Supplemental Insurance in 2015, working closely with in-house counsel and discovering her love of the practice of law. She began attending Nashville School of Law in 2017 where she was awarded the Robert Ballow Excellence in Writing Award for her achievement in the Rigorous Writing Program. While earning her law degree, Ms. Foster was promoted to lead the Senior Supplemental compliance team.

After graduating from Nashville School of Law in May of 2021, Ms. Foster passed the Summer Bar Exam. She clerked for Justice Sharon Lee of the Tennessee Supreme Court prior to starting as a full-time associate for Reynolds, Potter, Ragan, & Vandivort, PLC in January of 2022. Since joining the firm, she has gained experience representing several local municipalities.

3. Specialized legal services competence:

Of particular importance to Kingston Springs will be our firm's competence to handle municipal law and other issues relative to representing a governmental entity. Our firm is very experienced in that area.

Tim Potter has represented the Town of Vanleer in Northwest Dickson County since approximately 2005, and the firm has represented Vanleer since 1993. Mr. Potter also currently represents the Town of Burns in Dickson County and has done so since 2007. Mr. Potter represented the City of Fairview from 2017 to January of 2023 and recently began representing the City of Hohenwald. Jennifer Foster has assisted Mr. Potter with Burns and Fairview since early 2022 and Hohenwald since April of 2023. Our firm takes a team approach to our representation of municipalities, and we pull on the experience of all the attorneys at our firm, as this type of representation has been an integral part of our firm for over twenty-seven (27) years, and it greatly helps us be as efficient as possible for our clients. Other attorneys in our firm include Mr. Stan Reynolds, who has many years of experience representing the Town of White Bluff and was formerly the assistant city attorney for the City of Dickson; Mr. Andrew Mills who has represented the Town of White Bluff since 2012 and the Town of Thompson's Station since 2019; Mr. Kirk Vandivort, who has represented the City of Charlotte, Tennessee since 2002, the Town of Centerville since 2021; and Mr. Brian Ragan, who has been the attorney in our office primarily responsible for the providing legal advice to Dickson County, Tennessee since 2006.

Please find the below contact information for references:

- a. Bob Rial, Mayor of Dickson County; 615.789.7000.
- b. Scott Collins, former City Manager of the City of Fairview; 205.210.1915.
- c. Mike Powell, City Recorder for the Town of Vanleer; 615.499.9108.

4. **Capacity and capability:**

Our goal is always to provide competent legal advice and services. One of the main reasons for having both a key attorney and assistant attorney is to always have someone available for Kingston Springs, for any of your legal needs. Further, as other attorneys in our office represent municipalities, they will also be available if needed. Simply, there will be no time when our firm will not be able to assist Kingston Springs with legal services. We will be in attendance at all necessary meetings.

5. **Approach to communicating with the Town:**

Our approach is to always keep the client informed of the status of any legal issue. We are more than happy to respond to calls or emails from members of the government of Kingston Springs and provide them with updates on any outstanding issue. Generally, we anticipate updating the Mayor, City Manager, and Commission at monthly meetings; however we can provide updates at any time. As municipal governments operate on a monthly schedule, any work needed from our firm will almost always be completed by the next month's meeting, unless timing requires a shorter interval, which we are happy

to accommodate. If you tell us that you need something in a certain amount of time, we will make sure that we respond appropriately within that timeframe.

6. Understanding of services to be provided:

The scope of work and representation varies by municipality. Generally, our role will be that of an advisor, advising Kingston Springs as to compliance with Federal, State, and Local law. We have extensive experience litigating legal issues for local governments, and we regularly draft many of the local resolutions and ordinances our clients pass. We have also investigated complaints as the ethics officers for our clients, and we routinely advise our clients regarding employment issues. We have also served in the role of prosecutor when local ordinances are violated, including local beer board ordinance violations. We are a general practice law firm, and there are few areas in which we do not have experience and expertise. If you choose to appoint our firm, we would want to tailor our representation to the needs of Kingston Springs.

7. Work schedule:

We work on our municipal clients' issues whenever needed. Our offices are open to the public Monday - Thursday, 8:00 a.m. - 5:00 p.m. and Friday, 8:00 a.m. - 4:00 p.m.; however, we are available at night and on weekends as needed by our municipal clients.

8. Conflicts of interest:

We certify that Reynolds, Potter, Ragan, & Vandivort, PLC has no conflict of interest with Kingston Springs or any of its elected officials.

9. Cost for providing services:

We agree to charge \$225.00 per hour for all services provided. We are open to alternative billing arrangements if you wish to discuss the same.

10. Certification:

I certify that the above information is correct and complete to the best of my knowledge. I also certify that to the best of my knowledge and belief, no elected officials or appointed officials of the Town of Kingston Springs are financially interested, directly or indirectly, with my firm or in the purchase of services as described in this Request for Qualifications.


TIMOTHY V. POTTER, Member

5/22/23
Date

Please let us know if you need any further information.

Sincerely,

**REYNOLDS, POTTER, RAGAN &
VANDIVORT, PLC**



TIMOTHY V. POTTER



JENNIFER FOSTER

TVP:dm

ATTORNEY KIRK VANDIVORT
BIOGRAPHICAL INFORMATION

Kirk Vandivort (BPR# 018942) will assist from time-to-time as needed by other lawyers in our firm with the representation of the Town of Kingston Springs. Our goal is always to provide competent legal advice and services. One of the main reasons for having a full-service firm is to ensure there is always someone available for your representation, for any and all of your legal needs. Simply put, there will be no time when our firm will not be able to assist you with legal services. We will be in attendance at all necessary meetings.

Mr. Vandivort is a resident of Burns, Tennessee and a veteran of the United States Marine Corps, having served in Operation Desert Storm / Persian Gulf War. He received a bachelor's degree from the University of Tennessee, at Knoxville. He received his law degree from the Nashville School of Law in 1997. Mr. Vandivort has represented the City of Charlotte since 2004, the Town of Centerville since 2021 and he serves as one of the attorneys in the office representing Dickson County and the Town of Thompson's Station.

This will be Mr. Vandivort's twenty-sixth year to practice law. He began his practice at McGee, Lyons, & Ballinger, PLC as well as the Public Defender's Office for the 23rd Judicial District. He is a skilled litigator and has tried numerous cases to jury trial in many different Tennessee counties. He practices in both state and federal court. The firm of Reynolds, Potter, Ragan, & Vandivort, PLC, which Mr. Vandivort helped create, is located in Dickson and has a total of seven lawyers. It is a very well-rounded firm and prides itself on being regional in its scope. Mr. Vandivort has extensive experience, along with his partners in the firm, with municipal and utility law.

Resolution 22-003

**A RESOLUTION BY THE TOWN OF KINGSTON SPRINGS,
TENNESSEE TO ESTABLISH A PUBLIC SPEAKING PROCEDURE**

WHEREAS, the Town of Kingston Springs wishes to establish a procedure to speak for public forum; and

WHEREAS, the Kingston Springs Board of Commissioners have authorized the attached exhibit as the official procedure for speaking before the Board.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF KINGSTON SPRINGS, TENNESSEE, that the Procedure for Speaking Before the Board of Commissioners, attached hereto, is hereby approved and adopted and shall become effective immediately following the passage of this resolution.

Resolved this 20th day of January in the year of 2022.

Mayor Francis A. Gross III

ATTEST:

City Recorder Jamie Dupre'

PROCEDURE FOR SPEAKING DURING PUBLIC FORUM

Welcome, your attendance, participation, and comments are appreciated! Please complete the information at the bottom of this form if you would like to address the Commission/Committee. After completing this form, please hand it in to the City Recorder. Your name will be called by the Mayor, Chairman, or presiding officer at the appropriate time. The purpose of this form is to clearly document the speaker's information and to offer an avenue in which the Commission/Committee can hear as many speakers as possible during the allotted timeframe. As such, they may not address the issue or concern you have at this time, but may instead inform you of when the issue will be addressed or direct you what department will be forwarded the issue for follow-up. Please read the following Procedure for Speaking during Public Forum:

- Speakers must complete the information form and submit to the City Recorder prior to the public forum. Be prepared to speak when the chairman calls your name.
- Each speaker will be allowed up to five (5) minutes to speak before the Town Commission, with the time per speaker being determined by the Mayor, Chairperson, or other presiding officer depending on the number of speakers.
- Speakers may comment on issues scheduled for consideration at Town Commission, Planning Commission, or other such meeting or other appropriate concerns pertinent to the operation of the Town or relevant to the meeting.
- After the speaker's name is called by the presiding officer the speaker should step forward to the podium and state the following information for the record:
 - His/her name
 - Whether they are a Kingston Springs resident and/or property owner
 - Subject to be addressed
- No person shall be allowed to make obscene, derogatory, or slanderous remarks while addressing the Committee. Persons doing so will be asked to stop speaking and will forfeit the remainder of their time.
- All remarks shall be directed to the Commission/Committee only. Remarks shall be made to the Commission/Committee as a body and not a particular member.
- No person shall be allowed to disrupt or interfere with the procedures.
- Remarks shall end when the speaker's allotted time has expired.
- Questions from the Commission/Committee may be asked for clarification; however, no person shall be permitted to enter into any discussion or debate either directly with or through any member of the Committee or anyone present at the meeting.

Name:	Date:
Address:	
Email Address and/or Telephone Number (optional)	
Subject to be addressed:	

PROPERTY DISPOSAL

(ONCE COMPLETED PLEASE GIVE TO THE CITY RECORDER)


DATE OF REQUEST JUNE 7, 2023

DEPARTMENT PUBLIC SAFETY DEPT.

ITEM LIST ATTACHED

HOW DISPOSED _____

DISPOSAL DATE _____

SIGNATURE 

Public Safety Surplus – June 2023

Category	Quantity	Brand	Inventory #
Printer	1	Brother	
Comuter	1	HP All In one computer & monitor	
Gear	5	Expired Bullet Proof vests	
Furniture	1	Desk Broken	
Furniture	1	Broken Bookcase	
Computer	1	Dell	0985
Computer	1	Toshiba Laptop	0931
Equipment	1	Computer Mount for car	
Printer	1	Cannon Pixma MX870	
Computer	1	Cmpaq Presario V600	
Computer	1	Sony Viseo PCG-5J2L	
Radio	2	Kenwood - Before trunking broken	
Pagers	2	Motorolla-Broken	
Equipment	1	Setina Prisoner Partition	
Radio	1	Kenwood Transceiver	
Printer	1	Brother HL54700N	



Department Reports

Kingston Springs, Tennessee

June
2023



Monthly Codes Report - Commission Packet

01/01/2023 - 05/31/2023

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200196	4/17/2023		COURTNEY SHAWN ETUX			
200195	4/17/2023		COURTNEY SHAWN ETUX			
200194	4/7/2023	584 Mt. Pleasant Rd	MOORE HOMES LLC	Town Staff	Dumpster overflowing and trash being blown onto other properties.	Open - Yellow Card
200193	3/25/2023	342 West View Dr.	SCHWARTZ KELLY	Town Staff	Constructing a deck without a permit	Open - Yellow Card
200192	3/25/2023	988 Timber Ridge	TYREE JOHN M	Town Staff	Constructing a deck without a permit	Abated/Closed (Green Card)
200191	3/14/2023	560 Cunningham Ct	POND JOHN T JR	Resident/Other Complainant	Trash beside the home and burning trash at night	Open - Yellow Card
200190	2/21/2023	211 Hillcrest Rd	ANCHORED CAPITOL, LLC	Town Staff	Household goods in front of home and in driveway due to eviction of residents. Overgrown vegetation throughout property.	Abated/Closed (Green Card)

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200189	3/12/2023	219 Redwood Ci	INFINIUM BUILDERS LLC	Town Staff	Overgrown vegetation on entire lot. Vines and plant growth invading structure. Structure in disrepair, appears to be vacant. Trash and debris throughout lot.	Open - Yellow Card
200188	2/27/2023	216 Woodlands Dr	LOAEZA VIRGINIA NICOLE ETVIR URIEL LOAEZA	Resident/Other Complainant	Dumping paint or washing drywall mud into creek	Unfounded
200187	2/15/2023	387 Moores Ci	FRANCIS KARL	Resident/Other Complainant	Trash, Junk and debris in yard	Violation Letter Issued
200186	2/15/2023	1312 Teri Lynn Ct.	GOODMAN ROBBIE LYNN ETVIR DARRELL KIRBY	Resident/Other Complainant	Disabled red Pick up truck parked in road at this address being used as a dumpster.	Abated/Closed (Green Card)
200185	1/17/2023	1311 CC Road	SULLIVAN REEDY A	Resident/Other Complainant	Trash/junk in yard getting onto other property	Open - Yellow Card
200184	1/17/2023	471 Page Rd.	SANDERS DENNIS ETUX ASHLEY R	Anonymous Complainant	Double driveway, Lot Coverage, Running a Business on residential lot, Questionable people	Open - Yellow Card
200183	1/6/2023	356 Love St		Town Staff	Stop Work Order issued 1/6/2023	Open - Yellow Card



Monthly Departmental Update

June 2023

PARKS DEPARTMENT MONTHLY REPORT

Projects/Items in the Works:

- Summer Camp registration is on-going and almost full.
- The splashpad is continuing to have mechanical issues. Vortex is sending a new filter pump.
- Fish were put in the lake on June 5th. Continuing to prepare for the fishing rodeo on June 10th.
- Soccer is over for the spring season and will begin again in August.

Other Notes:

- Seniors will have bingo on the 1st & 3rd Monday's at 10:00
- June luncheon will be on 6/15/23 at Gallagher's in White Bluff.
- Fishing Rodeo is June 10th.
- Summer camp is the weeks of July 17th – 21st and July 24th – 27th.



Monthly Departmental Update

June 2023

POLICE/FIRE DEPARTMENT MONTHLY REPORT

Projects/Items Completed this Month:

Fire Department

- Boots grant for \$6,500.00 received – will fund 18 pairs of boots.
- Fire banquet held.

Police Department

- LPR cameras continue to assist the department. Helped solve a felony residential burglary case.

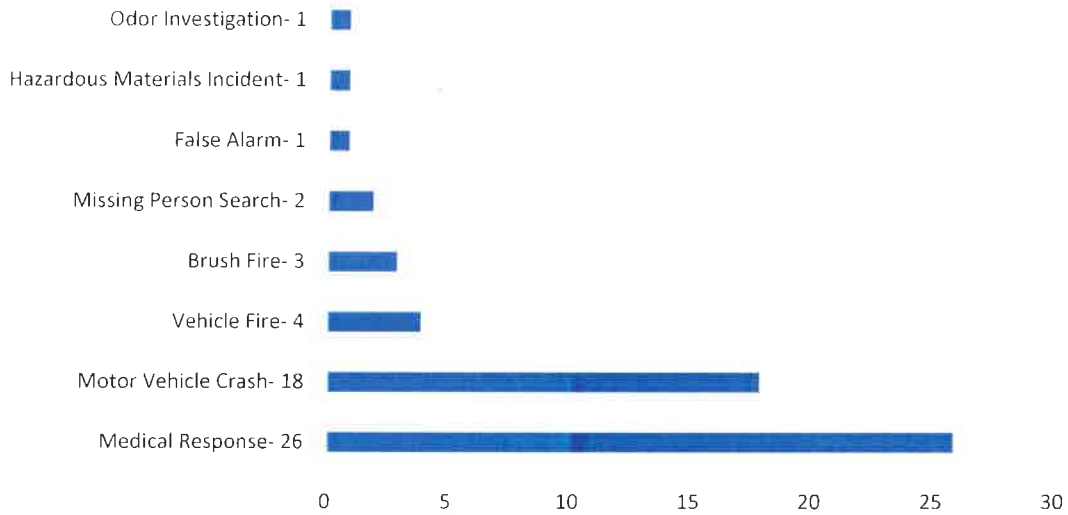
Other Notes:

Kingston Springs Volunteer Fire Department

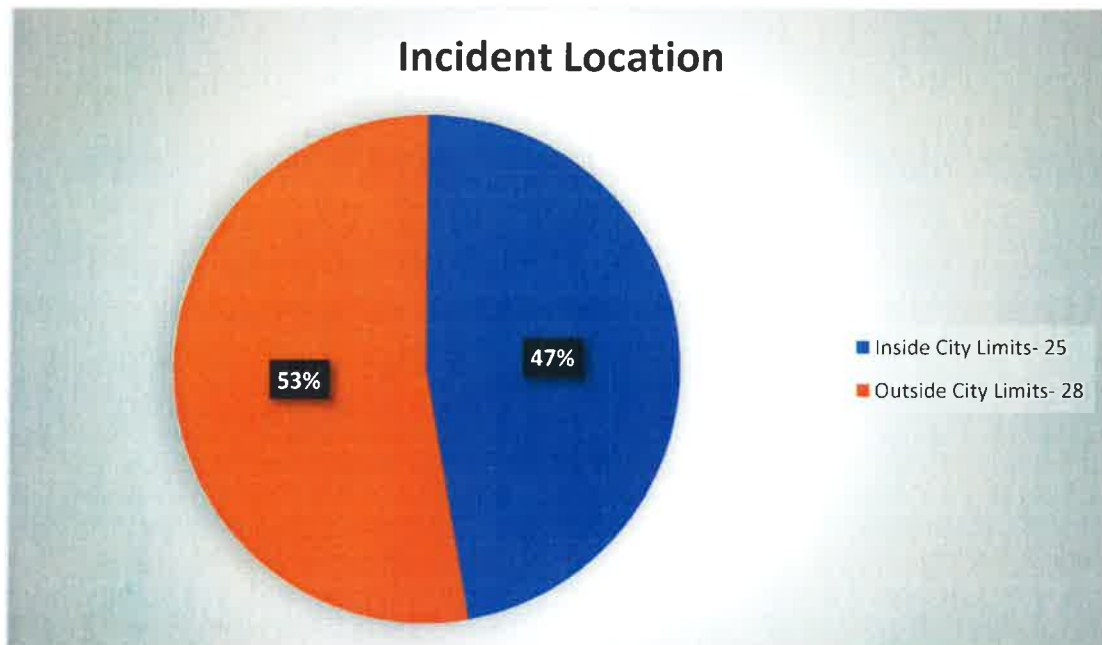
Incident Response for May 2023

KSVFD responded to 53 calls in the month of May, again with an average response time of just over 7 minutes. Below is a breakdown of incident type and location.

Incident Type



Incident Location



Kingston Springs Police Department
Monthly Report Worksheet

TYPE OF CALL	MONTH'S TOTAL	
TRAFFIC CITATIONS ISSUED	12	
MISDEMEANOR CITATIONS ISSUED	3	
10-14 ESCORT	7	
10-15 ARREST	5	
10-17 SERVE WARRANT	0	
10-27 BURGLARY	0	
10-42 ALARM	6	
10-43 REQUEST FOR OFFICER / INVESTIGATION	95	
10-43 MOTORIST / CITIZEN ASSIST	9	
10-44 STOLEN VEHICLE	0	
10-45 VEHICLE CRASH (non-injury)	12	
10-46 VEHICLE CRASH (with injuries)	5	
10-49 DRIVING UNDER THE INFLUENCE	1	
10-52 ROBBERY	1	
10-58 PUBLIC INTOXICATION	0	
10-59 FIGHT/ASSAULT	0	
10-62 DECEASED PERSON	0	
10-71 SCHOOL ZONE TRAFFIC	0	
10-72 FIRE CALL	22	
10-72b FIRE CALL (medical)	11	
10-80 EXTRA PATROL	52	
10-81 TRAFFIC STOP	43	
10-82 MUTUAL AID	5	
10-86 DOMESTIC ASSAULT	2	
10-94 SUICIDE/ATTEMPTED SUICIDE	1	
FOLLOW UP INVESTIGATIONS	5	
Traffic Stop Count	Warning	Citation Issued
Mt. Pleasant Rd.	2	0
W. Kingston Springs Rd	3	2
E. Kingston Springs Rd.	9	2

Officer: Department Total _____
 Month: May 2023 _____



Monthly Departmental Update

June 2023

PUBLIC WORKS DEPARTMENT MONTHLY REPORT

Projects/Items Completed this Month:

- Picked up new portable stage and trained on operations.
- Trimmed trees and bushes
- Hauled scrap off
- Cleaned culverts
- Trimmed roadside trees
- Installed new road signs
- Covered numerous sewer calls
- Had several 811 locates
- Replaced missing road signs
- Changed old faded road signs
- Cleaned storm drains and curbs
- Patched some pot holes
- Located sewer lines
- Cut grass
- Maintenance on equipment
- Cleaned up trail at Burns Park
- Hauled junk and trash from roadsides to dump
- Prepared farmers and artisans market lot

Projects/Items in the Works:



Monthly Departmental Update

- Tree trimming
- Bush hogging at Burns Park
- Fix leaking pipe at Burns Park
- Finish water fountain at Dog Park
- Patch potholes across town
- Edge sidewalks across town
- Trash pick up by Sheriff's Department

Other Notes:

A new building to hold salt is a much needed item very soon . The current building is falling apart and asphalt under the salt is falling apart .

The roof of Public Works is in bad shape and needs to be replaced .



Second South Cheatham Utility District

TOWN OF KINGSTON SPRINGS BILLING REGISTER SUMMARY

R 6/7/2023

Billing Period
5/31/2023

Apr 23 - Ending Balance	44,413.06
Add Penalties:	597.88
Adjustments	-413.72
Less Payments:	-44,436.34
Unapplied cash payments	-330.43
Balance Forward:	-169.55
Sewer Billing (Sales):	49,970.82
Total Account Receivable:	49,801.27

COLLECTIONS STATEMENT

Collection Dates:	05/01/2023 - 05/31/2023
Collection Amount:	44,436.34
Unapplied Cash	330.43
Less 6.5%	2,909.84
Amount Due	41,856.93

	Same Period Last Year	Current Period	Increase or Decrease
SALES	37,482.23	49,970.82	33.3%
GALLONS	3611.8	3990.9	10.5%

ADJUSTMENTS

Account Number	Description	Amount	Reason
0101-91520-005	Clinton Ford	-10.03	misbilled
0101-90410-009	Elizabeth Aiken	-396.55	leak
0101-30200-000	James Anderson	-7.14	leak
	Total	-413.72	

Second South Cheatham

Transaction Rate Summary

Company Division(s)	All	Include Voided Transactions	
Cycle(s)	01 Cycle 1	Batch Range	All
Customer Type(s)	All	Break Out Addons Per Service Type	
Service Type(s)	KS Sewer	Break Out Service Credit	
Account Range	All	Report Breakdown Level	Totals Only
Transaction Type	History		
Transaction Date Range	5/1/2023 To 5/31/2023		

Service Type	Rate	Adjustments	Payments	Deposit	Applied	Deposit	Bad Debt	Applied Credit
	Code			Receipts	Deposits	Adjustments	Writeoffs	
KS KS Sewer Usage	01	-\$413.72	-\$43,822.61	\$0.00	\$0.00	\$0.00	\$0.00	-\$388.19
KS K.S. Sewer Only	06	\$0.00	-\$46.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
KS Sewer Totals		-\$413.72	-\$43,868.96	\$0.00	\$0.00	\$0.00	\$0.00	-\$388.19
Penalty KS Sewer Penalty	11	\$0.00	-\$567.38	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Penalty Totals		\$0.00	-\$567.38	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total KS & AddOns		-\$413.72	-\$44,436.34	\$0.00	\$0.00	\$0.00	\$0.00	-\$388.19
KS - Svc Credit		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$57.76
		-\$413.72	-\$44,436.34	\$0.00	\$0.00	\$0.00	\$0.00	-\$330.43

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	5/1/2023 To 5/31/2023

Service	Rate	Number		Charges	Arrears	Total	Usage	Adjustment	Adjusted
		Active	Inactive					Amount	Total
KS Sewer	01 KS Sewer Usage	755	16	\$49,924.47	\$2,843.60	\$52,768.07	3,990,900		
	06 K.S. Sewer Only	3	0	\$46.35	\$0.00	\$46.35			
			16	\$49,970.82	\$2,843.60	\$52,814.42	3,990,900		
Penalty	11 KS Sewer Penalty	99	14	\$597.88	\$0.00	\$597.88			
	Total Penalties		14	\$597.88	\$0.00	\$597.88			
Report Totals				\$50,568.70	\$2,843.60	\$53,412.30	3,990,900		