



City Commission

Kingston Springs, Tennessee

November 16, 2023

Meeting Packet



**Kingston Springs Board of Commissioners
November 16, 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 23-007 – Amending Title 15, Chapter 1 of the Kingston Springs Municipal Code – adopting by reference state traffic offenses and rules of the road.**
2. **Ordinance 23-008 – Amending the 2023-2024 Fiscal Year Budget.**

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
November 16, 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 _____
Tim Potter, City Attorney _____
Kellie Reed, Finance Director _____
Eugene Ivey, Public Safety Director _____
Brandy Miniati, Parks Director _____
Roger Parker, Public Works Director _____

4. Declaration of Quorum by Mayor

5. Motion to Approve the October 19, 2023, City Commission Meeting Minutes:

6. Motion to Approve the November 16, 2023, City Commission Meeting Agenda:

7. Announcements from Commissioners:

8. Community Input and Concerns:

9. Department Reports:

10. Legal Updates:

11. Unfinished Business:

- A. Discussion on status updates of the following items. Sponsored by Commissioner Clark:
- Draining of wastewater lagoon / repair status.
 - I-40 Exit 188 Mast Lights status.
 - Luyben Hills mid-block crosswalk.
 - Speed Limit feedback radar signs.
 - Dates for 2024 Commissioners Retreat
- B. Second reading of Ordinance 23-007 – Amending Title 15, Chapter 1 of the Kingston Springs Municipal Code – adopting by reference state traffic offenses and rules of the road.
- C. Second reading of Ordinance 23-008 – Amending the 2023-2024 Fiscal Year Budget.

12. New Business:

- A. Motion to approve Resolution 23-014 – Supporting No Mow Month Initiative in Kingston Springs. Sponsored by Commissioner Clark.
- B. Motion to approve updated Professional Services Agreement for Planning Services.
- C. Discussion of proposal for consideration of sidewalk build on West Kingston Springs Road to connect Ellersly Subdivision to downtown Kingston Springs. Sponsored by Commissioner Clark.

- D. Discussion of Town's definition of Principal structure/Use as contemplated and interpreted in Town Ordinances. Sponsored by Commissioner Clark.
- E. Motion to approve Resolution 23-015 – Approving United Community Bank as a depositor for municipal funds and authorizing the City Manager to execute a contract for the same.
- F. Approval of Second South Cheatham Utility District to refund secondary meters in the amount of \$23,312.20.

13. Surplus:

None

14. Other (For Discussion Only):

15. Reminders:

- City Hall will be closed Thursday, November 23rd and Friday, November 24th for the Thanksgiving Holiday.
- South Cheatham Public Library Tree Lighting on Sunday, November 30th at 7:00pm.
- A Kingston Springs Christmas at Burns Park on Sunday, December 10th from 4:00pm to 7:00pm.

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
October 19, 2023**

1. Call to Order:

Mayor Gross 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	Present
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	Present
Tim Potter, City Attorney	Present
Kellie Reed, Finance Director	Present
Eugene Ivey, Public Safety Director	Present
Brandy Miniat, Parks Director	Present
Roger Parker, Public Works Director	Present

4. Declaration of Quorum by Mayor

Mayor Gross declared a quorum.

5. Motion to Approve the October 6, 2023, Special Called City Commission Meeting Minutes:

Motion to approve October 6, 2023, Special Called City Commission Meeting minutes made by Commissioner Verhoven, with a second by Commissioner Hargis. Motion passed.

6. Motion to Approve the October 19, 2023, City Commission Meeting Agenda:

Commissioner Clark requested to amend agenda item 12.B as an action item with a proposed resolution for No Mow Month, with guest speaker Natalie Stone of Cumberland River Compact. Motion to approve the October 19, 2023, City Commission Meeting Agenda as

amended made by Commissioner Verhoven, with a second by Commissioner Clark. Motion passed.

7. Announcements from Commissioners:

Commissioner Clark thanked TDOT for the “No Parking” signs on Interstate ramps and thanked Chief Ivey for the LPR data.

Vice-Mayor Remick said Art in the Park was a great success and thanked all involved.

Commissioner Verhoven said National Night Out was a great event. There were lots of kids interacting with police officers and firefighters, and he appreciated the work of all involved. Vice-Mayor Remick added that it was cleaned up nicely afterwards.

8. Community Input and Concerns:

None.

9. Department Reports:

City Manager Lawless provided a Planning Commission Update:

- Ellersly Subdivision – Engineer and planner are reviewing updated storm and erosion plans next week and those updated plans should be on the November Planning Commission Agenda.
- McPherson Project –
 - Project was operating outside of their grading permit, as additional fill had been deposited on the lot.
 - Actions taken – site boring in multiple locations, including areas outside of existing permit, to determine compaction; requirement of a site monitor for oversight moving forward with inspection frequency at direction of staff.
- Golf Club of TN – Off Season Improvements – item deferred to allow for additional review.
- CC Road Plat – lot is not in city, but in our urban growth boundary – approved for recommendation to Cheatham County Planning.

10. Legal Updates:

None.

11. Unfinished Business:

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

- **Sound System for Beck Building.** – City Manager Lawless said the audio rack has been built; cabling/mics and final install in the next few weeks. Hopefully the system will be up and running by the November meeting.
- **Shared Building Inspector with Pegram.** – City Manager Lawless said initial applications received were not fruitful and none selected. Position has been posted on job boards. Mayor Louallen is receiving those for initial review. No interviews as yet.
- **Contact Physician secured for AED policy.** Commissioner Clark reached out to EMS Director BJ Hudspeth about using Dr. Kyle Kakac. City Manager followed up with Mr. Hudspeth and Dr. Kakac has agreed to be our contact physician and has signed off on our AED policy and plans.

B. Discussion and decision on Bid Selection – TDOT PIN 126657 Harpeth View Trail Neighborhood Connector TAP Grant.

City Manager Lawless said this item was deferred from the October 6, 2023 Special Called meeting to determine if TDOT could confirm additional funding for the project. Neil Hanson, TDOT Transportation Manager and TAP Grant Coordinator confirmed that he approves the addition of 2024 Rural TAP funds for completion of the project. Current construction bid would make the local line item for this project \$296,563.90 (20% of the contract bid cost) plus any additional CEI (Construction Engineering Inspection) and potential change order costs. If Board would like to move ahead with this project, the action would be to approve the construction bid from Adams Contracting in the amount of \$1,482,819.50. Commissioner Hargis asked about the bid to final cost on the first phase of Safe Routes to school. Initially first phase was 100% federal grant. The grant ended up costing more. Mayor Gross said the issue there was the grant was awarded on 2016 construction costs, and built in 2023. City Manager Lawless said we were able to secure additional funding from TDOT for it. As we progressed through project, we approached TDOT several times requesting additional funding, and it came out of TAP Grant funding at 80/20. Commissioner Hargis asked how much confidence Lawless had in the \$1,482,819.50 bid. The bid is just the construction cost. There will be some additional cost by engineer. Lawless said it was a different engineering firm. It is difficult to say if there will be as many change orders. Lawless and Finance Director Reed estimate an additional \$200,000 for overage. They are investigating rates for \$500,000 bond to cover finishing sidewalks. Current bond rate is 5.8%. Commissioner Verhoven said he was concerned about costs of possible change orders. We are looking at two more change orders on current projects. Commissioner Clark thought it was good that staff were planning for possible addition of \$200,000 and looking at a loan. Commissioner Hargis said we have \$175,000 in change orders for Safe Routes to School and Multimodal. Commissioner Clark said it was good that Lawless was able to get additional funding from TDOT. Mayor Gross said he has more confidence in this engineer and feels we should have less change orders. He said we have to look at our options. We can move forward, or stop this project and reapply in a year for another TAP grant to restart the project. Hargis asked for clarification on which fund would be used to pay this. Finance Director Reed said after taking out all the designated items we should have \$500,000 in the unassigned fund balance. She said it could be paid out of fund balance or a Capital Outlay Note, which we investigated. We looked at a CON for \$500,000. Interest rate is currently at 5.8%, which would result in an

approximate payment of \$58,000/year over the course of 12 years, with a total interest payment of \$150,000-\$200,000. If payment is taken out of fund balance, we have \$1 million in reserves and cash flow. Commissioner Hargis asked about status of payments on Multimodal and Safe Routes to School. For Multimodal we have received approximately \$454,000 in reimbursements, and we have \$275,000 that we are anticipating. With Safe Routes to School, we received \$149,500, and we are still waiting on \$624,000. Commissioner Hargis asked about the balance on the note that was taken out to pay it. Reed said we have paid in what we have received, and have another payment coming due. Hargis asked if we were going to clear it, and Reed said it is in the budget to clear it. We took out two notes: state portion for 3 years and town portion for 12 years. Reed said she plans to pay off the state portion this fiscal year as soon as we receive the money. She was asked why borrow \$500K when our portion is \$296K. They are estimating with the CEI and overage, the cost will be around that much. Mayor Gross said that the two current projects have overages. However, they were approved in 2015, and expectation and reality were not close. Hopefully, this will be closer to the mark. Commissioner Verhoven was not comfortable with a \$500K CON; with interest, our cost would be \$700K. Mayor Gross said we need to move forward and finish the project. Commissioner Hargis said with three projects going on, he would like to request a summary on where we are on each note. He said it was good we are on track to pay off the 3-yr. note, but wanted to know how much is not encumbered. Reed will provide a spreadsheet. Motion to approve the construction bid from Adams Contracting in the amount of \$1,482,819.50 made by Vice-Mayor Remick, with a second by Commissioner Hargis. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting no. Motion passed.

C. Motion to approve Change Order #4 Request in the amount of \$79,543.90 for TDOT PIN 123630.00 – SR249 Multimodal Project.

City Manager Lawless said this item was also deferred from the October 6, 2023 Special Called meeting. This is expected to be the last change order prior to the Final Balancing Change Order for this project. A representative from Collier Engineering was available to answer questions regarding changes. One particular cost was a sink hole between Shell and Rodeway Inn that had to be repaired. There was also cost for drainage between Thorntons and I-40, because drainage was not sufficient. TDOT has requested a safety rail be added to a section of sidewalk between the Quality Inn and Thorntons as the drop was too steep. February 29 is the anticipated date of completion. Motion to approve Change Order #4 Request in the amount of \$79,543.90 for TDOT PIN 123630.00 – SR249 Multimodal Project made by Commissioner Clark, with a second by Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Motion passed.

12. New Business:

A. Motion to approve Change Order #4 Request in the amount of \$95,402.80 for TDOT PIN 123749.00 – Safe Routes to School project.

City Manager Lawless said this is the Final Balancing Change Order for this project – the last one. A representative from Collier Engineering was available to answer questions. Most of overage was due to 2015 estimate when labor and material were cheaper. Costs were for general excavation and materials. Motion to approve Change Order #4 Request in the amount of \$95,402.80 for TDOT PIN 123749.00 – Safe Routes to School project made by Commissioner Clark, with a second by Vice-Mayor Remick. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting no. Motion passed.

B. Motion to approve proposed Resolution for No Mow Month, Sponsored by Commissioner Clark, with guest speaker Natalie Stone of Cumberland River Compact.

Commissioner Clark said Gwen Blanton had come before the commission about pesticide use and again last year because of a code violation for not mowing lawn, and wanted to let the lawn grow for the pollinators. It kickstarted the idea, and she followed up with Cumberland River Compact. Natalie Stone with Cumberland River Compact gave a presentation to the Board on benefits of No Mow Month. April is the ideal month for this area, and it only happens for one month so that grass doesn't get out of control. Mayor Gross said the town could set an example with the meadow behind Burns Park. Commissioner Clark drafted a resolution and had a sign made to show the board. She said that 100 signs and holders would cost about \$400. She said it could be promoted through social media and our website. City Manager said he was not sure if suspending code enforcement, as mentioned in the drafted resolution, was necessary, as long as the grass is not over 12 inches. He also said that even though we probably would not have more than 100 people participate, we would have to allocate funding to cover purchase of signs for all households that want to participate and not limit the number. There are approximately 1500 households. We would only purchase amount needed, but have to allocate for all. Mayor Gross volunteered to donate \$250 to help fund signage. City Manager said the cost wasn't the issue, we just have to make it available to everyone. City Manager Lawless said he would modify Commissioner Clark's drafted resolution and bring to board in November. Motion to defer No Mow Month Proposal to November made by Commissioner Clark, with a second by Commissioner Hargis. Motion passed.

C. Discussion and direction on paving issues with Burns Park Parking lot.

City Manager Lawless said that as discussed earlier, the bond was pulled because the Town was dissatisfied with the quality of the final paving product. Collier Engineering pulled core samples and initially agreed the quality was deficient and provided a list of recommended corrective actions for the contractor to take. Collier recently changed that opinion and now states there are no issues with the quality of the work. City Attorney Potter said there was a suggestion to have Tennessee Valley Paving extend the warranty of their work, and we can ask for that. A termination letter has been sent to Collier Engineering terminating general engineering services. Commissioner Clark asked about the asphalt coming up to the border bricks. City Manager Lawless said the town will repair it.

D. Motion to approve donation of canine vest to Kingston Springs Public Safety Department.

Chief Ivey said a citizen contacted Police Department about making an anonymous donation of a canine vest, which will cost approximately \$3,500-\$5,000. Nate Palazzi's dog Luca was chosen because he is an apprehension dog, meaning he chases down and apprehends suspects. There are no health issues or overheating caused by dog wearing the vest. Chief Ivey also announced that Nate and Luca placed third at 2023 Patrol Dog Trials, and circulated photo of them with their trophy. Chief Ivey said he is requesting permission to accept the donation. Motion to approve donation of canine vest to Kingston Spring Public Safety Department made by Vice-Mayor Remick, with a second by Commissioner Hargis. Motion passed.

E. Motion to approve first reading of Ordinance 23-007 – Amending Title 15, Chapter 1 of the Kingston Springs Municipal Code – adopting by reference state traffic offenses and rules of the road.

Finance Director Reed said there has been some recent discussion between State of Tennessee Department of Safety and municipalities with regards to referencing state code. Certain state violations would require the fine monies to be remitted to the state. After further research, she learned that there are other statutes indicating that the town can pass an ordinance and the fine money in question would then go to the municipality. After the passage of this ordinance, we would utilize the town's code, chapter, and section on the citation which would then take the teeth out of TDOS's argument. This is something that was recommended by the legal team at MTAS. Motion to approve first reading of Ordinance 23-007 – Amending Title 15, Chapter 1 of the Kingston Springs Municipal Code – adopting by reference state traffic offenses and rules of the road made by Commissioner Hargis, with a second by Commissioner Clark. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Motion passed.

F. Motion to approve first reading of Ordinance 23-008 – Amending the 2023-2024 Fiscal Year Budget.

Finance Director Reed said the appropriations requested in the budget amendment are detailed in the ordinance and the grant summary sheets have been included with the packet. Commissioner Clark questioned why are we paying for the gates if someone else was responsible. Reed stated the Town would purchase the gates to have them insured and be reimbursed for the amount. We contract with gate company and have a warranty from them. Parks Director Miniatt said the Burns Park gate will be moving 3 feet and the length of the gate will be extended, and a concrete bollard placed in front of it. Motion to approve first reading of Ordinance 23-008 – Amending the 2023-2024 Fiscal Year Budget made by Commissioner Hargis, with a second by Commissioner Verhoven. Roll call vote was held with Commissioner Clark voting yes, Mayor Gross voting yes, Commissioner Hargis voting yes, Vice-Mayor Remick voting yes, and Commissioner Verhoven voting yes. Motion passed.

G. Discussion on Local Government Investment Pool Savings Accounts.

Finance Director Reed said she provided information in the board packet in regard to Local Government Investment Pool Savings Accounts (LGIP). LGIP is an investment fund controlled by the state treasurer. Monthly interest rates have been between 4.25% and 5.33% over the last months. If a portion of the town's money market accounts were moved into LGIP accounts, it would mean more interest return for the town. Reed met with Lori Healy at United Community Bank to see if the bank could compete with the rates. Healy requested that we send the information to her in the form of a letter and request a bid. In 2019 Public Chapter 277 required the town to obtain request quotes and reevaluate bank proposals every four years. Because we are requesting our local branch about rates, we need to open that request to other banks. The state law says we must obtain proposals from at least 2 banks. Reed will be sending out quotes and hopes to bring a proposal and resolution to the next board meeting. No action is required at this time. This was informational only to give board the opportunity to look into LGIP.

13. Surplus:

None.

14. Other (For Discussion Only):

City Manager Lawless requested commissioners consult calendars for a special called Beer Board meeting. Monday, October 30 at 5:30 was the date selected.

15. Reminders:

- Halloween on Main Street – Tuesday, October 31st.
- City Hall will be closed Friday, November 10th in honor of Veterans Day.

16. Adjourn the Meeting:

Motion to adjourn meeting made by Vice-Mayor Remick, with a second by Commissioner Verhoven. Motion passed, and meeting adjourned at 8:16 p.m.

Francis A. Gross, III
Mayor

Jamie Dupré
City Recorder

ORDINANCE NO. 23-007

**AN ORDINANCE OF THE TOWN OF KINGSTON SPRINGS,
TENNESSEE AMENDING TITLE 15 CHAPTER 1 OF THE MUNICIPAL
CODE TO ADOPT BY REFERENCE STATE TRAFFIC OFFENSES AND
RULES OF THE ROAD**

WHEREAS, the Board of Commissioners desires to adopt by reference state traffic offenses, registration requirements and Rules of the Road; and

WHEREAS, the Tennessee General Assembly amended the laws pertaining to adoption of state laws by municipalities by reference, by changing the statute under which such adoption is made and by further specifying that only Class C misdemeanors may be adopted by municipalities and enforced as municipal ordinance violations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Kingston Springs, Tennessee that:

SECTION 1. Title 15, chapter 1 of the municipal code is hereby repealed in its entirety, and a new chapter 1 is substituted as follows:

15-101 **Adoption of state traffic statutes.** By reference granted under Tennessee Code Annotated, § 16-18-302, the Town of Kingston Springs adopts by reference as if fully set forth in this section, the “Rules of the Road”:

(a) Applicability and Administration

- (1) “Definitions,” as set forth in *Tennessee Code Annotated*, § 55-8-101.
- (2) “Applicability of Law,” as set forth in *Tennessee Code Annotated*, § 55-8-102.
- (3) “Crimes and Offenses,” as set forth in *Tennessee Code Annotated*, § 55-8-103.
- (4) “Riding Animals or Driving Animal Drawn Vehicles,” as set forth in *Tennessee Code Annotated*, § 55-8-105.
- (5) “Officers and Employees,” as set forth in *Tennessee Code Annotated*, § 55-8-106
- (6) “Working upon Highway Surface,” as set forth in *Tennessee Code Annotated*, § 55-8-107.
- (7) “Emergency Vehicles,” as set forth in *Tennessee Code Annotated*, § 55-8-108.
- (8) “Pedestrian Control Signals,” as set forth in *Tennessee Code Annotated*, § 55-8-111.
- (9) “Crosswalks; Moving upon Right Half,” as set forth in *Tennessee Code Annotated*, § 55-8-137.
- (10) “Complaint and Summons or Notice to Appear,” as set forth in *Tennessee Code Annotated*, § 55-8-157.
- (11) “Stopping or Parking upon Roadway; Removal,” as set forth in *Tennessee Code Annotated*, § 55-8-159.
- (12) “Motorcycles and Autocycles; Rights and Duties,” as set forth in *Tennessee Code Annotated*, § 55-8-181.

- (13) "Illegal Parking; Rented or Leased Vehicles," as set forth in *Tennessee Code Annotated*, § 55-8-186.
- (14) "Street Sweeper," as set forth in *Tennessee Code Annotated*, § 55-8-190.
- (15) "Definitions," as set forth in *Tennessee Code Annotated*, § 55-8-301.
- (16) "Electric bicycle, requirements," as set forth in *Tennessee Code Annotated*, § 55-8-302.

(b) Municipal Traffic Offenses – The Following are adopted by reference as Municipal Traffic Offenses.

- (1) "Compliance with Lawful Orders or Directions of Police Officers," as set forth in *Tennessee Code Annotated*, § 55-8-104.
- (2) "Traffic Control Devices; Obedience," as set forth in *Tennessee Code Annotated*, § 55-8-109.
- (3) "Traffic Control Signals; Traffic Citations," as set forth in *Tennessee Code Annotated*, § 55-8-110.
- (4) "Flashing Red or Yellow Signals," as set forth in *Tennessee Code Annotated*, § 55-8-112.
- (5) "Unauthorized Signs, Signals, Markings or Devices," as set forth in *Tennessee Code Annotated*, § 55-8-113.
- (6) "Altering, Defacing or Removing Devices or Signs," as set forth in *Tennessee Code Annotated*, § 55-8-114.
- (7) "Driving upon Right Half of Roadway," as set forth in *Tennessee Code Annotated*, § 55-8-115.
- (8) "Vehicles Proceeding in Opposite Directions," as set forth in *Tennessee Code Annotated*, § 55-8-116.
- (9) "Overtaking and Passing," as set forth in *Tennessee Code Annotated*, § 55-8-117
- (10) "Overtaking and Passing on Right," as set forth in *Tennessee Code Annotated*, § 55-8-118.
- (11) "Driving on Left Side of Roadway in Overtaking and Passing," as set forth in *Tennessee Code Annotated*, § 55-8-119.
- (12) "Driving on Left Side of Roadway; Prohibitions," as set forth in *Tennessee Code Annotated*, § 55-8-120.
- (13) "No Passing Zones," as set forth in *Tennessee Code Annotated*, § 55-8-121.
- (14) "One-Way Traffic; Rotary Traffic Islands," as set forth in *Tennessee Code Annotated*, § 55-8-122.
- (15) "Traffic Lanes," as set forth in *Tennessee Code Annotated*, § 55-8-123.
- (16) "Following Another Vehicle," as set forth in *Tennessee Code Annotated*, § 55-8-124.
- (17) "Divided Highways," as set forth in *Tennessee Code Annotated*, § 55-8-125.
- (18) "Controlled Access Roadways; Entrances and Exits," as set forth in *Tennessee Code Annotated*, § 55-8-126.
- (19) "Controlled Access Roadway; Prohibited Uses," as set forth in *Tennessee Code Annotated*, § 55-8-127.
- (20) "Right of Way; Intersections," as set forth in *Tennessee Code Annotated*, § 55-8-128.

- (21) "Left Turns; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-129.
- (22) "Through Highways; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-130.
- (23) "Drive, Private Road, or Private Driveway; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-131.
- (24) "Pedestrians; Traffic Control Signals," as set forth in *Tennessee Code Annotated*, § 55-8-133.
- (25) "Crosswalks; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-134.
- (26) "Crossing at Any Point Other than Crosswalk; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-135.
- (27) "Due Care," as set forth in *Tennessee Code Annotated*, § 55-8-136.
- (28) "Walking or Using a Wheelchair Along and upon Roadways," as set forth in *Tennessee Code Annotated*, § 55-8-138.
- (29) "Soliciting Rides or Employment, Loitering, or Conducting Commercial Activity in or near a State Highway Median; Exceptions," as set forth in *Tennessee Code Annotated*, § 55-8-139.
- (30) "Turning," as set forth in *Tennessee Code Annotated*, § 55-8-140.
- (31) "Turning; Curves; Crest of Grades," as set forth in *Tennessee Code Annotated*, § 55-8-141.
- (32) "Turning; Procedure," as set forth in *Tennessee Code Annotated*, § 55-8-142.
- (33) "Turn Signals," as set forth in *Tennessee Code Annotated*, § 55-8-143.
- (34) "Hand and Arm Signals; Signal Lamps or Mechanical Signal Devices," as set forth in *Tennessee Code Annotated*, § 55-8-144.
- (35) "Railroad Grade Crossings," as set forth in *Tennessee Code Annotated*, § 55-8-145.
- (36) "Railroad Grade Crossings; Stop Signs," as set forth in *Tennessee Code Annotated*, § 55-8-146.
- (37) "Railroad Grade Crossings; Machinery and Equipment" as set forth in *Tennessee Code Annotated*, § 55-8-148.
- (38) "Stop Signs; Requirements," as set forth in *Tennessee Code Annotated*, § 55-8-149.
- (39) "Alleys, Driveways or Buildings; Right of Way," as set forth in *Tennessee Code Annotated*, § 55-8-150.
- (40) "School Buses," as set forth in *Tennessee Code Annotated*, § 55-8-151.
- (41) "Speed Limits," as set forth in *Tennessee Code Annotated*, § 55-8-152.
- (42) "Speed Limits, Lower Speed Areas or Zones," as set forth in *Tennessee Code Annotated*, § 55-8-153.
- (43) "Minimum Speed Limits," as set forth in *Tennessee Code Annotated*, § 55-8-154.
- (44) "Motor Driven Cycles; Speed Limits," as set forth in *Tennessee Code Annotated*, § 55-8-155.
- (45) "Speed Limits," as set forth in *Tennessee Code Annotated*, § 55-8-156.
- (46) "Stopping or Parking on Roadways," as set forth in *Tennessee Code Annotated*, § 55-8-158.
- (47) "Parking," as set forth in *Tennessee Code Annotated*, § 55-8-161.

- (48) "Backing," as set forth in *Tennessee Code Annotated*, § 55-8-163.
- (49) "Motorcycles," as set forth in *Tennessee Code Annotated*, § 55-8-164.
- (50) "Drivers View and Control," as set forth in *Tennessee Code Annotated*, § 55-8-165.
- (51) "Mountain Highways," as set forth in *Tennessee Code Annotated*, § 55-8-166.
- (52) "Coasting," as set forth in *Tennessee Code Annotated*, § 55-8-167.
- (53) "Following Fire Apparatus," as set forth in *Tennessee Code Annotated*, § 55-8-168.
- (54) "Fire Hoses," as set forth in *Tennessee Code Annotated*, § 55-8-169.
- (55) "Destructive or Injurious Materials," as set forth in *Tennessee Code Annotated*, § 55-8-170.
- (56) "Bicycles," as set forth in *Tennessee Code Annotated*, § 55-8-171.
- (57) "Bicycles and Electric Bicycles; Rights and Duties; Offense," as set forth in *Tennessee Code Annotated*, § 55-8-172.
- (58) "Bicycles; Playing on Highways," as set forth in *Tennessee Code Annotated*, § 55-8-173.
- (59) "Attachment to Vehicles," as set forth in *Tennessee Code Annotated*, § 55-8-174.
- (60) "Operations upon Roadways," as set forth in *Tennessee Code Annotated*, § 55-8-175.
- (61) "Carrying Packages or Articles," as set forth in *Tennessee Code Annotated*, § 55-8-176.
- (62) "Lamps; Reflectors; Brakes," as set forth in *Tennessee Code Annotated*, § 55-8-177.
- (63) "Nonmotor Vehicles; Animals," as set forth in *Tennessee Code Annotated*, § 55-8-178.
- (64) "Blind Persons; Deaf Persons," as set forth in *Tennessee Code Annotated*, § 55-8-179.
- (65) "Blind Persons," as set forth in *Tennessee Code Annotated*, § 55-8-180.
- (66) "Motorcycles; Lanes," as set forth in *Tennessee Code Annotated*, § 55-8-182.
- (67) "Funerals," as set forth in *Tennessee Code Annotated*, § 55-8-183.
- (68) "Traffic Control Signs, Signals, Markers or Devices; Indication of Ownership," as set forth in *Tennessee Code Annotated*, § 55-8-184.
- (69) "Off-Highway Motor Vehicles," as set forth in *Tennessee Code Annotated*, § 55-8-185.
- (70) "Obscene or Offensive Bumper Stickers, Window Signs or Other Markings," as set forth in *Tennessee Code Annotated*, § 55-8-187.
- (71) "High Occupancy Vehicle Lanes," as set forth in *Tennessee Code Annotated*, § 55-8-188.
- (72) "Transportation of Children in Truck Beds; Application," as set forth in *Tennessee Code Annotated*, § 55-8-189.
- (73) "Low-Speed Vehicles; Prohibitions," as set forth in *Tennessee Code Annotated*, § 55-8-191.
- (74) "Excessive Noise from Motor Vehicles," as set forth in *Tennessee Code Annotated*, § 55-8-193.
- (75) "Designated Lanes for Truck Tractors and Semi-Trailers" as set forth in *Tennessee Code Annotated*, § 55-8-195.

- (76) "Unlawful Use of Wireless Telecommunication Devices," as set forth in *Tennessee Code Annotated*, § 55-8-199.
- (77) "Off-highway vehicles; operation on county roads; requirements; violations; exemptions," as set forth in *Tennessee Code Annotated*, § 55-8-203".
- (78) "Passing Lane; Restriction," as set forth in *Tennessee Code Annotated*, § 55-8-204.
- (79) "Bicycle Lane; Offenses," as set forth in *Tennessee Code Annotated*, § 55-8-205.
- (80) "Camping Along Interstate Highways," as set forth in *Tennessee Code Annotated*, § 55-8-212.
- (81) "Modifying Electric Bicycle and Label; Offense," as set forth in *Tennessee Code Annotated*, § 55-8-304.
- (82) "Electric bicycles; requirements; equipment; offense," as set forth in *Tennessee Code Annotated*, § 55-8-305.
- (83) "Classes of electric bicycles; restrictions; offense," as set forth in *Tennessee Code Annotated*, § 55-8-306.
- (84) "Electric bicycle; helmet; delinquent acts; offense," as set forth in *Tennessee Code Annotated*, § 55-8-307.
- (85) "Applications; Temporary Permits; Transfers; Leases; Surrender," as set forth in *Tennessee Code Annotated*, § 55-4-101.
- (86) "Design; Contents; Replacement," as set forth in *Tennessee Code Annotated*, § 55-4-103.
- (87) "Expiration; Exceptions; Revalidation of License Plates," as set forth in *Tennessee Code Annotated*, § 55-4-104.
- (88) "Renewal; Applications; Mail Order Service; Replacement Registration," as set forth in *Tennessee Code Annotated*, § 55-4-105.
- (89) "Lost, Mutilated or Illegible Certificates," as set forth in *Tennessee Code Annotated*, § 55-4-107.
- (90) "Certificate of Registration; Carrying; Display," as set forth in *Tennessee Code Annotated*, § 55-4-108.
- (91) "Attachment of Plates," as set forth in *Tennessee Code Annotated*, § 55-4-110.
- (92) "Fees, Antiques; Trailer Rentals; Mobile Homes," as set forth in *Tennessee Code Annotated*, § 55-4-111.
- (93) "Carriers; Taxation; Fees," as set forth in *Tennessee Code Annotated*, § 55-4-113.
- (94) "Maximum Gross Weight; Names and Address; Display," as set forth in *Tennessee Code Annotated*, § 55-4-114.
- (95) "Temporary Operation Permits; Trip Permits; Fees; Temporary Trailer Permit," as set forth in *Tennessee Code Annotated*, § 55-4-115.
- (96) "Nonresidents," as set forth in *Tennessee Code Annotated*, § 55-4-120.
- (97) "Reciprocity; Interstate or Combined Interstate or Intrastate Commercial Vehicles, Staggered Registration Renewals," as set forth in *Tennessee Code Annotated*, § 55-4-121
- (98) "Address Change; Notice; Violation," as set forth in *Tennessee Code Annotated*, § 55-4-131.
- (99) "Vehicles Other than Motor Vehicles; Cotton Wagons; Horse-Drawn Vehicles," as set forth in *Tennessee Code Annotated*, § 55-9-401.
- (100) "Motor Vehicles," as set forth in *Tennessee Code Annotated*, § 55-9-402.

- (101) "Motorcycles," as set forth in *Tennessee Code Annotated*, § 55-9-403.
- (102) "Train of Vehicles," as set forth in *Tennessee Code Annotated*, § 55-9-404.
- (103) "Vehicles Wider than 80 Inches; Truck Tractors; Semitrailers or Full Trailers," as set forth in *Tennessee Code Annotated*, § 55-9-405.
- (104) "Headlights; Construction, Arrangement and Adjustment; Precipitation," as set forth in *Tennessee Code Annotated*, § 55-9-406.
- (105) "High and Low Beams," as set forth in *Tennessee Code Annotated*, § 55-9-407.
- (106) "Anti-Glare Devices," as set forth in *Tennessee Code Annotated*, § 55-9-408.
- (107) "Blue flashing emergency lights," as set forth in *Tennessee Code Annotated*, § 55-9-414.
- (108) "Requirements; Specifications," as set forth in *Tennessee Code Annotated*, § 55-9-601.
- (109) "Child Passenger Restraint Systems; Use of Safety Belts," as set forth in *Tennessee Code Annotated*, § 55-9-602.
- (110) "Use; Definitions; Crimes and Offenses; License Suspension or Revocation; Exceptions," as set forth in *Tennessee Code Annotated*, § 55-9-603.
- (111) "Evidence of Compliance with Financial Responsibility Law; Penalty," as set forth in *Tennessee Code Annotated*, § 55-12-139.
- (112) "Change of Address or Name," as set forth in *Tennessee Code Annotated*, § 55-50-333.
- (113) "Possession; Display upon Demand; Fines and Penalties," as set forth in *Tennessee Code Annotated*, § 55-50-351.

SECTION 2. This ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

Approved on First Reading: _____

Approved on Second Reading _____

Mayor Francis A. Gross III.

Attest: City Recorder Jamie Dupre'

City Attorney Timothy Potter

ORDINANCE # 23-008

AN ORDINANCE BY THE KINGSTON SPRINGS BOARD OF COMMISSIONERS TO ACCEPT A BUDGET AMENDMENT FOR THE 2023-2024 FISCAL YEAR.

WHEREAS, the Board of Commissioners hereby appropriates \$40,030 out of the fund balance for the fire storage building as this project was bid out and awarded in the 2022-2023 fiscal year; however, construction was unable to be completed until July 2023 as such these monies will be appropriated to the current fiscal year; and,

WHEREAS, both City Park and Burns Park were damaged in automobile accidents. The town has recently received \$ 10,699 in insurance recoveries and further anticipates to receive all additional expended funds from insurance claims recoveries after the repairs have been made to both gates. As such the Board of Commissioners wishes to appropriate funds in the amount of \$45,000 to cover the costs of the repairs; and,

WHEREAS, The Town has been awarded a scholarship for attendance of the International Association of Chiefs of Police Conference. The Tennessee Association will reimburse the town for the cost paid by the town for attendance of this conference. As such the Board of Commissioners wishes to appropriate \$300 to the police departmental budget for conference expenses; and,

WHEREAS, the Multimodal and Safe Routes to Schools Grant projects have completed construction. Final accounting has resulted in change orders and additional funding requests. As such the Board of Commissioners wishes to appropriate \$272,000 out of the fund balance in order allocate funds out of the fund balance to close accounting for these projects.

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

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

General Fund

<u>Beginning Budget</u>	<u>Ending Budget</u>
<u>Anticipated Revenues</u>	<u>Anticipated Revenues</u>
\$3,584,391	\$3,629,691

Section 2:

A budget amendment consisting of the following appropriations be adopted as follows:

	<u>Beginning Budget</u> <u>Anticipated Revenues</u>	<u>Ending Budget</u> <u>Anticipated Revenues</u>
General Fund		
Grant Administration Fund	\$700,000	\$972,000
Police Department	\$852,080	\$852,380
Fire Department	\$369,033	\$409,063
Parks & Recreation Department	\$431,693	\$476,693

First Reading: October 19, 2023

Public Hearing: _____

Second Reading: _____

Attest:

Mayor Francis A. Gross III.

City Recorder Jamie Dupre'

RESOLUTION 23-014**RESOLUTION BY THE TOWN OF KINGSTON SPRINGS, TENNESSEE, BOARD OF COMMISSIONERS IN SUPPORT OF NO MOW MONTH INITIATIVE IN KINGSTON SPRINGS, TENNESSEE**

WHEREAS, the Town of Kingston Springs Board of Commissioners recognizes that bees and other pollinators are integral to pollination of plants in order to grow a wide diversity of essential foods, including fruits, nuts and vegetables, and the bees are amongst the key insect groups that provide essential ecosystem services; and

WHEREAS, the Board of Commissioners recognizes and acknowledges that bees and other pollinators are responsible for a third of our food and that every year, pollinators contribute more than \$217 billion to the global economy, and \$24 billion to the U.S. economy; and

WHEREAS, the pollinator populations are threatened due to habitat loss, pesticide treatments, mowing, and effects of climate change, and the conservation of pollinators is vital in light of trends of global insect declines; and

WHEREAS, more and more U.S. towns and cities are taking the No Mow Month initiation based on research showing that bees and other pollinators make use of no-mow areas as key floral resources during the early Spring and that pollinators and floral resources have a positive symbiotic relationship, where an increase in one will lead to an increase in the other; and

WHEREAS, recent U.S. studies indicate that No Mow Month lawns have a fivefold higher bee abundance and threefold higher bee species richness compared with regularly mowed areas; and,

WHEREAS, the Board of Commissioners finds it is in the public interest for the Town of Kingston Springs to demonstrate its commitment to a safe and healthy community, its commitment to the environment and its commitment to protecting its natural resources through the implementation of initiatives that help protect and increase the pollinator population.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF KINGSTON SPRINGS, TENNESSEE, that the Town of Kingston Springs designates the month of April as No Mow Month and supports and encourages residents to participate in No Mow Month by allowing the grasses and wildflowers in their yards to grow to a height no greater than the maximum 12 inches as allowed by Title 13, Chapter 1, Section 13.104 of the Kingston Springs Municipal Code; and

RESOLVED that in the interest of public safety, residents shall continue to keep all sidewalks, streets and any other rights of way that abut their property free from encroachment of grass and vegetation; and

RESOLVED that the Kingston Springs Board of Commissioners directs the City Manager to communicate No Mow Month, and the benefits of reduced frequency of lawn mowing, particularly during the early spring growing season through a variety of communication channels, including town website, Facebook page and other social media platforms; and

RESOLVED that the Town of Kingston Springs will provide access to Town residents, by request, to No Mow Month yard signage and holder to those who wish to participate in No Mow Month, expecting said signage to be displayed only in the month of April with the signage removed and returned to the Town of Kingston Springs after May 1st.

APPROVED this the 16th day of November, 2023.

Mayor Francis A. Gross III.

ATTEST:

City Recorder Jamie Dupré

Plans & More, LLP

PROFESSIONAL SERVICES AGREEMENT FOR PLANNING SERVICES

THIS AGREEMENT is entered into between the Town of Kingston Springs City Commission, hereinafter referred to as "the Town", and Plans & More, LLP, hereinafter referred to as "the Consultant", in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. Project Designation. The Consultant is retained by the Town to perform planning services in connection with the projects designated "Planning Services," by the City Commission.
2. Scope of Services. Consultant agrees to perform the services, identified in the Scope of Work (Exhibit "A") attached hereto, including the provision of all labor, materials, equipment, and supplies related to performance of duties.
3. Time for Performance. Work under this contract shall commence upon written notice by the Town to the Consultant to proceed. Consultant receipt of a Concept Review, Planning Commission or City Commission agenda and all related documents shall constitute said notice. Consultant shall perform all services and provide all work product required pursuant to this agreement within ten (15) calendar days from the date of receipt of completed Concept Review or Planning Commission Application by Consultant, unless an extension of such time is granted in writing by the Planning Commission.
4. Payment. The Consultant shall be paid by the Town of Kingston Springs within the budget allocated by the Town, as prescribed in the Fee Schedule for project review and the Pass-Through Ordinance for Professional Services, Title 20, Chapter 2, for completed work and for services rendered under this agreement as follows:
 - a. Payment for the work as provided by Consultant shall be made as provided on Exhibit "B" attached hereto, provided that the total amount of payment to Consultant shall not exceed \$ 1,600.00 per month for routine planning services and \$.60 per mile for contract related travel, and \$100.00 per hour for Pass-Through Planning Services without express written modification of the agreement signed by the Town of Kingston Springs.
 - b. The consultant shall submit an invoice to the Town once per month during the term of the contract. Such invoices will be reviewed by the City Manager, and upon approval thereof, payment will be made to the Consultant in the amount approved within 15 days.
 - c. Final payment of any balance due the Consultant for planning services earned will be remitted by the Town within 30 calendar days from date of Consultant invoice after the completion of the work under this agreement and its acceptance by the Town.
 - d. Payment as provided in this section shall be full compensation for work performed, services rendered and for all materials, supplies, equipment and incidentals necessary to complete the work.

- e. The Consultant's records and accounts pertaining to this agreement are to be kept for inspection by representatives of the Town and Planning Commission. The original file shall be retained by the Town of Kingston Springs with a copy of the file maintained by the consultant for a period three (3) years after termination of the agreement. Copies shall be made available upon request within the scope of the TN Public Records Act.
5. Ownership and Use of Documents. All documents, drawings, specifications and other materials produced by the Consultant in connection with the services rendered under this agreement shall be the property of the Town and the Planning Commission whether the project for which they are made is executed or not. The Consultant shall be permitted to retain copies, including reproducible copies, of drawings and specifications for information, reference, and use in connection with Consultant's endeavors.
6. Compliance with laws. Consultant shall, in performing the services contemplated by this agreement, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations, applicable to the services to be rendered under this agreement.
7. Indemnification. Consultant shall indemnify, defend and hold harmless the Town and the Planning Commission, its officers, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, including attorneys fees and costs, arising from injury or death to persons, including injuries, sickness, disease or death to Consultant's own employees, or damage to property occasioned by a negligent act, omission or failure of the Consultant.
8. Insurance. The Consultant shall secure and maintain in force throughout the duration of this contract comprehensive General and Professional Liability Insurance at a minimum coverage of \$1,000,000 and \$2,000,000 for each policy. Said general liability and professional liability policy shall name the Town of Kingston Springs as an additional named insured and shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the Town. Certificates of coverage as required by this section shall be delivered to the Town within fifteen (15) days of execution of this agreement.
9. Independent Contractor. The Consultant and the Town agree that the Consultant is an independent contractor with respect to the services provided pursuant to this agreement. Nothing in this agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither Consultant nor any employee of Consultant shall be entitled to any benefits accorded Town of Kingston Springs employees by virtue of the services provided under this agreement. The Town shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state insurance program, otherwise assuming the duties of an employer with respect to Consultant, or any employee of Consultant.
10. Covenant Against Contingent Fees. The Consultant warrants that he has not employed or retained any company or person, other than a bonafide employee working solely for the Consultant, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a bonafide employee working solely for the Consultant,

any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award or making of this contract.

11. Discrimination Prohibited. The Consultant, with regard to the work performed by it under this agreement, will not discriminate on the grounds of race, color, national origin, religion, creed, age, sex or the presence of any physical or sensory handicap in the selection and retention of employees or procurement of materials or supplies.
12. Assignment. The Consultant shall not sublet or assign any of the services covered by this agreement without the express written consent of the Town.
13. Non-Waiver. Waiver by the Town of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.
14. Termination. The Town may terminate this Agreement at any time upon thirty days written notice to Consultant, subject to the Town's obligation to pay Consultant in accordance with subsections A and B below.
 - A. In the event this Agreement is terminated by the Town other than for fault on the part of the Consultant, a final payment shall be made to the Consultant for actual cost of work completed at the time of termination of the Agreement. No payment shall be made for any work completed after receipt by the Consultant of the termination notice. If payment(s) made to the Consultant prior to the termination notice exceed the total amount due as set forth in this subsection, then no final payment shall be due and the Consultant shall immediately reimburse the Town for any excess paid.
 - B. In the event the services of the Consultant are terminated by the Town for fault on the part of the Consultant, subsection A of this section shall not apply. In such event the amount to be paid shall be determined by the Town with consideration given to the actual costs incurred by the Consultant in performing the work to the date of termination, the amount of work originally required and satisfactorily completed to date of termination, whether that work is in a form or of a type which is usable by the Town at the time of termination, the cost to the Town of employing another person or firm to complete the work required. Under no circumstances shall payment made under this subsection exceed the amount which would have been made if subsection A of this section applied.

15. Notices. Notices to the Town of Kingston Springs Regional Planning Commission shall be sent to the following address:

Town of Kingston Springs, TN
Attn: John Lawless, City Manager
P.O. Box 256
Kingston Springs, TN 37082
615.952.2110 City Hall
615.952.2397 Fax

Notices to Consultant shall be sent to the following address:

Plans & More, LLP
220 Thoroughbred LN
Russellville, KY 42276-8888
615.934.7833 Cell

16. Integrated Agreement. This Agreement together with attachments or addenda represents the entire and integrated agreement between the Town and the Consultant and supersedes all prior negotiations, representations, or agreements written or oral. The term of this agreement covers the period from _____ through _____ with an option to extend the contract term on an annual basis upon agreement of the Town, Planning Commission and the Consultant. This agreement may be amended only by written instrument signed by both Town and Consultant.

DATED, this _____ day of _____, 20 _____.

Town of Kingston Springs

Plans & More, LLP:

By: _____
Tony Gross, Mayor

By: _____
Sharon Armstrong, General Partner

By: _____
John Lawless, City Manager

By: _____
Alan M. Armstrong, General Partner

Attest/Authenticated:

By: _____
Jamie Dupre, City Recorder

EXHIBIT "A" – SCOPE OF WORK

The Consultant shall perform the following duties related to the contract:

Routine Planning Services:

1. Receive process and render a report on all Concept Review applications, site plans, plats, and related documents when requested by the City Manager.
2. Maintain file records for all projects, forward original to appropriate city officials and maintain file copies at consultant business location.
3. Communicate with City Manager to coordinate file transfer, meeting agenda items, and meeting attendance.
4. Furnish reports as needed to Planning Commission and City Manager on all development proposed within Kingston Springs municipal boundaries and Kingston Springs Urban Growth Area to coordinate required reviews and provision of services to applicants.
5. Attend Planning Commission, City Commission, and community meetings for proposed development or agenda items when requested by the Planning Commission or City Manager.
6. Attend meetings with city departments, city manager, Planning Commission, developers and/or their agents, and other appropriate entities related to project development at the request of the Planning Commission or City Manager after initial "Concept Review."
7. Other Planning Products as agreed upon by the Planning Commission, City Manager and PLANS & MORE, LLP.
8. Conduct and maintain files of required TN Code Annotated Training for the Planning Commission, Board of Zoning Appeals, and other boards as required and furnish Certification of Training to the members.
9. Consultant to provide Kingston Springs Planning and Floodplain Management Websites and maintenance.
10. Routine GIS services associated with monthly planning duties.

The service fee rate for Routine Planning Services for the Town of Kingston Springs Regional Planning Commission is \$1,600.00 per month, \$.60 per mile for contract related services. Non Routine Planning service fees are applicable as follows:

PASS-THROUGH PROFESSIONAL SERVICES (NON-ROUTINE)

Pass-through Professional Planning Services shall be billed on projects for the following at a rate of One Hundred Dollars (\$100.00) per hour and as codified in the Town of Kingston Springs Municipal Code, Title 20, Chapter 2 of the Town of Kingston Springs Municipal Code and the Planning Commission Fee Schedule adopted by the Town of Kingston Springs Regional Planning Commission and City Commission. Such charges shall be reflected on the Monthly Planning Invoice submitted by the Consultant. The Town of Kingston Springs shall bill the appropriate project entity for the Pass-Through services of the Planner.

SERVICE

Pass-through Professional Services - Municipal Code Title 20, Ch. 2
Plan Review Fees as adopted by the Town of Kingston Springs Commission (attached) \$100.00 HR

EXHIBIT "B" PAYMENT

1. Consultant shall be paid \$ 1,600.00 per month to complete the scope of work described in Exhibit "A", Routine Planning Services, Items 1 – 10, and \$.60 per mile for contract related travel and fees to complete the scope of work as described in Exhibit "A", Non-Routine Planning Services as agreed upon by the Consultant and the Town.
2. The consultant shall submit an invoice City once per month during the progress of the agreement for payment of services rendered to date. Said invoices shall be forwarded to the City Manager and/or Finance Director for review and processing. Payment will be made to the Consultant in the amount approved and within the funds allotted to the Planning Commission by the Town within 15 days.
3. Final payment of any balance due the Consultant of the total agreement fees earned will be made promptly upon verification of same by the City Manager and/or Finance Director for review and processing after the completion of the work under this agreement and its acceptance by the Town. Final payment will be made within 30 days of acceptance by the Town.

RE: ON SITE HOURS

PLANS & MORE, LLP is committed to the provision of professional, complete planning, and GIS services to applicants of individual government jurisdictions. We will provide On Site Hours as needed for routine project review and to attend regularly scheduled meetings as required to fulfill the requirements of the contract.

RE: EQUIPMENT LIST

1. Presentation Projector
2. Company Server Computer, External Backup Drive, GIS dedicated Server
3. Jump and Stick Drives, DVD and CD-ROM

CONSULTANT OWNED EQUIPMENT, SOFTWARE

PLANS & MORE, LLP owns a Desktop PC, Laptop, Camera, 11" X 17" Printer/Copier/Scanner, Video Camera and Software, GIS ARC View Software, Backup External Hard Drive, and other software and hardware related to planning and GIS review functions.

RE: PROJECT SUBMITTALS

PLANS & MORE, LLP is pleased to receive projects for review by several methods including but not limited to:

1. PLANS & MORE, LLP will retrieve the application and accompanying documents from City Hall.
2. PLANS & MORE, LLP will retrieve the application and accompanying documents from the applicant.
3. PLANS & MORE, LLP will accept project submissions by Email, postal service, UPS, FedEx, or private delivery entity, and by FTP upload website in order to accommodate the needs of Kingston Springs, property owners, developers, and technical professionals.

Plans & More, LLP

PROFESSIONAL SERVICES AGREEMENT FOR PLANNING SERVICES

THIS AGREEMENT is entered into between the City of Kingston Springs, a municipal corporation, hereinafter referred to as "the City", and Plans & More, LLP, hereinafter referred to as "the Consultant", in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. Project Designation. The Consultant is retained by the City to perform planning services in connection with the projects designated "Planning Services," by the City Council.
2. Scope of Services. Consultant agrees to perform the services, identified in the Scope of Work (Exhibit "A") attached hereto, including the provision of all labor, materials, equipment, and supplies related to performance of duties.
3. Time for Performance. Work under this contract shall commence upon written notice by the City to the Consultant to proceed. Consultant receipt of a Concept Review, Planning Commission or Council agenda and all related documents shall constitute said notice. Consultant shall perform all services and provide all work product required pursuant to this agreement within ten (10) calendar days from the date of receipt of completed Concept Review or agenda by Consultant, unless an extension of such time is granted in writing by the City.
4. Payment. The Consultant shall be paid by the City for completed work and for services rendered under this agreement as follows:
 - a. Payment for the work as provided by Consultant shall be made as provided on Exhibit "B" attached hereto, provided that the total amount of payment to Consultant shall not exceed \$ 1,500.00 per month for routine planning services and \$54.5 per mile for contract related travel, and \$15 per hour for Permit Review Services without express written modification of the agreement signed by the City. In months where no planning services are required the City will not be billed.
 - b. The consultant shall submit an invoice to the City once per month during the term of the contract. Such invoices will be reviewed by the City, and upon approval thereof, payment will be made to the Consultant in the amount approved.
 - c. Final payment of any balance due the Consultant of the total contract price earned will be remitted by the City within 30 calendar days from date of Consultant invoice after the completion of the work under this agreement and its acceptance by the City.
 - d. Payment as provided in this section shall be full compensation for work performed, services rendered and for all materials, supplies, equipment and incidentals necessary to complete the work.
 - e. The Consultant's records and accounts pertaining to this agreement are to be kept for inspection by representatives of the City. The original file shall be retained by the

city with a copy of the file maintained by the consultant for a period three (3) years after termination of the agreement. Copies shall be made available upon request within the scope of the TN Public Records Act.

5. Ownership and Use of Documents. All documents, drawings, specifications and other materials produced by the Consultant in connection with the services rendered under this agreement shall be the property of the City whether the project for which they are made is executed or not. The Consultant shall be permitted to retain copies, including reproducible copies, of drawings and specifications for information, reference, and use in connection with Consultant's endeavors provided, however, that Consultant may not market or sell such copies and documentation.
6. Compliance with laws. Consultant shall, in performing the services contemplated by this agreement, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations, applicable to the services to be rendered under this agreement.
7. Indemnification. Consultant shall indemnify, defend and hold harmless the City, its officers, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, including, but not limited to attorneys fees and costs, arising from injury or death to persons, including but not limited to injuries, sickness, disease or death to Consultant's own employees, or damage to property occasioned by a negligent act, omission or failure of the Consultant.
8. Insurance. The Consultant shall secure and maintain in force throughout the duration of this contract comprehensive general liability automobile insurance with a minimum coverage of \$ 1,000,000 per occurrence and \$ 2,000,000 aggregate for personal injury; and \$ 350,000 per occurrence/aggregate for property damage and General and Professional Liability Insurance at a minimum coverage of \$ 1,000,000. Said general liability policy shall name the City of Kingston Springs as an additional named insured and shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the City. Certificates of coverage as required by this section shall be delivered to the City within fifteen (15) days of execution of this agreement.
9. Independent Contractor. The Consultant and the City agree that the Consultant is an independent contractor with respect to the services provided pursuant to this agreement. Nothing in this agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither Consultant nor any employee of Consultant shall be entitled to any benefits accorded City employees by virtue of the services provided under this agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state insurance program, otherwise assuming the duties of an employer with respect to Consultant, or any employee of Consultant.
10. Covenant Against Contingent Fees. The Consultant warrants that he has not employed or retained any company or person, other than a bonafide employee working solely for the Consultant, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a bonafide employee working solely for the Consultant, any fee, commission, percentage, brokerage fee, gifts, or any other consideration

contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the City shall have the right to annul this contract without liability or, in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

11. Discrimination Prohibited. The Consultant, with regard to the work performed by it under this agreement, will not discriminate on the grounds of race, color, national origin, religion, creed, age, sex or the presence of any physical or sensory handicap in the selection and retention of employees or procurement of materials or supplies.
12. Assignment. The Consultant shall not sublet or assign any of the services covered by this agreement without the express written consent of the City.
13. Non-Waiver. Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provision.
14. Termination. The City may terminate this Agreement at any time upon thirty days written notice to Contractor, subject to the City's obligation to pay Contractor in accordance with subsections A and B below.
 - A. In the event this Agreement is terminated by the City other than for fault on the part of the Contractor, a final payment shall be made to the Contractor for actual cost of work completed at the time of termination of the Agreement. No payment shall be made for any work completed after receipt by the Contractor of the termination notice. If the accumulated payment(s) made to the Contractor prior to the termination notice exceeds the total amount due as set forth in this subsection, then no final payment shall be due and the Contractor shall immediately reimburse the City for any excess paid.
 - B. In the event the services of the Contractor are terminated by the City for fault on the part of the Contractor, subsection A of this section shall not apply. In such event the amount to be paid shall be determined by the City with consideration given to the actual costs incurred by the Contractor in performing the work to the date of termination, the amount of work originally required which was satisfactorily completed to date of termination, whether that work is in a form or of a type which is usable by the City at the time of termination, the cost to the City of employing another person or firm to complete the work required and the time which may be required to do so, and other factors which affect the value to the City of the work performed at the time of termination. Under no circumstances shall payment made under this subsection exceed the amount which would have been made if subsection A of this section applied.
15. Notices. Notices to the City of Kingston Springs shall be sent to the following address:

City of Kingston Springs
Attn: Debbie Finch, City Manager
P.O. Box 256
Kingston Springs, TN 37082

615.952.2110 City Hall
615.952.2397 Fax

Notices to Consultant shall be sent to the following address:

Plans & More, LLP
2508 Pleasant View Road
Pleasant View, TN 37146
615.746.2229 Phone
615.429.8556 Cell

16. Integrated Agreement. This Agreement together with attachments or addenda represents the entire and integrated agreement between the City and the Consultant and supersedes all prior negotiations, representations, or agreements written or oral. The term of this agreement covers the period from 1 March, 2018 through 28 February 2020 with an option to extend the contract term on an annual basis upon agreement of the City and the Consultant. This agreement may be amended only by written instrument signed by both City and Consultant.

DATED, this 13TH day of MARCH, 20 18.

City of Kingston Springs:

By: Funny & Gross III
Tony Gross, Mayor

By: Debbie K. Finch
Debbie K. Finch, City Manager

Approved as to Form:

By: Jennifer Noe
Jennifer Noe, City Attorney

Attest/Authenticated:

By: Debbie K. Finch
Debbie K. Finch, Kingston Springs City Recorder

Plans & More, LLP:

By: Sharon Armstrong
General Partner
Digitally signed by Sharon Armstrong
DN: cn=Sharon Armstrong, o=Plans & More, LLP,
ou=Planning,
email=ra2@back1@plansandmorellp.com, c=US
Date: 2018.04.13 16:42:59 -0500

By: Alan M. Armstrong
General Partner
Digitally signed by Alan M. Armstrong
DN: cn=Alan M. Armstrong, o=Plans & More, LLP,
ou=Planning,
email=ra2@back1@plansandmorellp.com, c=US
Date: 2018.04.13 16:43:28 -0500

EXHIBIT "A" – SCOPE OF WORK

The Consultant shall perform the following duties related to the contract:

***Routine Planning Services:**

1. Receive process and render a report on all Concept Review applications, site plans, plats, and related documents when requested by city.
2. Maintain file records for all projects, forward original to appropriate city officials and maintain file copies at consultant business location.
3. Communicate with City Manager to coordinate file transfer, meeting agenda items, and meeting attendance.
4. Furnish weekly report to City Manager on all development proposed within Kingston Springs municipal boundaries and Kingston Springs Urban Growth Area.
5. Attend Planning Commission, City Council, and community meetings for proposed development or agenda items when requested by the City.
6. Attend meetings with city departments, city manager, city attorney, Planning Commission, developers and/or their agents, and other appropriate entities related to project development at the request of the city on the regularly scheduled work day of the Consultant after initial "Concept Review," for the benefit of the developer and City
7. Draft Zoning and Subdivision amendments for agenda items upon request by city.
8. Draft Small Area Plans, Design Review Standards, Growth Plan, and Land Use Plan Updates, and Floodplain Management Program updates upon request by city.
9. Other Planning Products as agreed upon by the City and PLANS & MORE, LLP.
10. Conduct and maintain files of required TN Code Annotated Training for City Commission, Planning Commission, Board of Zoning Appeals, and furnish Certification of Training to City Manager.
11. Consultant to provide Kingston Springs Planning and Floodplain Management Websites and maintenance.
12. Routine GIS services associated with monthly planning duties.

The fees for Routine Planning Services are \$1,500.00 per month, \$.54 per mile or the current State of Tennessee mileage rate, whichever is higher for contract related travel, and \$15 per hour for Permit Review Services.

The fees for Non-Routine Planning Services are applicable as follows:

SERVICES PRICE LIST

SERVICE

RFP BID

Comprehensive Plan

SERVICE

GIS Mapping GPS Data Point Collection Shape File Creation
Custom Map Production per hour (Client Printer)

RFP BID
50.00

SERVICE

RATES

Expert Witness
Or

\$ 100.00 HR
\$ 500.00 DAY

The Consultant shall perform the following duties related to the contract:

Routine Building Permit Processing Services:

1. Receive process and render a report on all Building Permit applications, construction plans, and related documents when requested by city.
2. Maintain file records for all building permits, forward original to appropriate city officials and maintain file copies at consultant business location.
3. Communicate with City Manager to coordinate file transfer, permit documentation items, and applicant meetings.
4. Furnish report to City Manager on all permit activities proposed within Kingston Springs municipal boundaries and Kingston Springs Urban Growth Area.
5. Attend building permit, inspection, and other meetings when requested by the City.
6. Attend meetings with city departments, city manager, city attorney, developers and/or their agents, and other appropriate entities related building permit activities at the request of the city for the benefit of the applicant, Building Official, and City
7. Draft Building Permit Forms and Applications upon request by city.
8. Coordinate Building Permit procedures and processes with Building Official, City and Assistant City Managers, Building Permit Technician, and others at request of City Manager.

The hourly rate for Routine Building Permit Processing Services for Kingston Springs, TN is \$15.00 per hour.

EXHIBIT "B"
PAYMENT

1. Consultant shall be paid \$ 1,500.00 per month to complete the scope of work described in Exhibit "A", Routine Planning Services, Items 1 – 12, and \$.54 per mile or the current State of Tennessee mileage rate, whichever is higher for contract related travel and fees to complete the scope of work as described in Exhibit "A", Non-Routine Planning Services as agreed upon by the Consultant and the City. Building Permit Review Services are billed at an hourly rate of \$15 per hour.

2. The consultant shall submit an invoice to the City once per month during the progress of the agreement for payment of services rendered to date. Said invoices shall be reviewed by the City, and upon approval thereof, payment will be made to the Consultant in the amount approved.

3. Final payment of any balance due the Consultant of the total agreement fees earned will be made promptly upon verification of same by the City after the completion of the work under this agreement and its acceptance by the City.

RE: ON SITE HOURS

PLANS & MORE, LLP is committed to the provision of professional, complete planning, and GIS services to applicants of individual government jurisdictions. We will provide On Site Hours as needed for routine project review at no cost for the initial consultation with the applicant.

RE: EQUIPMENT LIST

1. Presentation Projector
2. Company Server Computer, External Backup Drive, GIS dedicated Server
3. Jump and Stick Drives, DVD and CD-ROM

CONSULTANT OWNED EQUIPMENT, SOFTWARE

PLANS & MORE, LLP owns a Desktop PC, Laptop, Camera, 11" X 17" Printer/Copier/Scanner, Video Camera and Software, GIS ARC View Software, Backup External Hard Drive, and other software and hardware related to planning and GIS review functions.

RE: PROJECT SUBMITTALS

PLANS & MORE, LLP is pleased to receive projects for review by several methods including but not limited to:

1. PLANS & MORE, LLP will retrieve the application and accompanying documents from City Hall.
2. PLANS & MORE, LLP will retrieve the application and accompanying documents from the applicant.
3. PLANS & MORE, LLP will accept project submissions by Email, postal service, UPS, FedEx, or private delivery entity, and by FTP upload website in order to accommodate the needs of Kingston Springs, property owners, developers, and technical professionals.

PLANS & MORE, LLP is pleased to submit contract to the Town of Kingston Springs Request for Proposals for Municipal Planning Services. Our staff possesses the technical expertise, rural development training, and dedication to professional ethics and practice to serve the needs of your city, citizens, and those interested in development within the city and its Urban Growth Area.

Plans & More, LLP

RE: FEE SCHEDULE, SAMPLE CONTRACT, EQUIPMENT LIST, & OTHER REQUIREMENTS FOR CONSULTING CONTRACT INTEREST

The Consultant shall perform the following duties related to the contract:

Routine Planning Services:

1. Receive process and render a report on all Concept Review applications, site plans, plats, and related documents when requested by city.
2. Maintain file records for all projects, forward original to appropriate city officials and maintain file copies at consultant business location.
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9. Other Planning Products as agreed upon by the City and PLANS & MORE, LLP.
10. Conduct and maintain files of required TN Code Annotated Training for City Commission, Planning Commission, Board of Zoning Appeals, furnish Certification of Training to City Manager.
11. Consultant to provide Kingston Springs Planning and Floodplain Management Websites and maintenance.
12. Routine GIS services associated with monthly planning duties.

The service fee rate for Routine Planning Services for Kingston Springs, TN is \$1,500.00 per month, \$.54 per mile or the current State of Tennessee mileage rate, whichever is higher for contract related travel and \$15 per hour for Permit Review Services.

The fees for Non-Routine Planning Services are applicable as follows:

SERVICES PRICE LIST

SERVICE

RFP BID

Comprehensive Plan

SERVICE

GIS Mapping GPS Data Point Collection Shape File Creation
Custom Map Production per hour (Client Printer)

RFP BID

50.00

SERVICE

RATES

Expert Witness
Or

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The Consultant shall perform the following duties related to the contract:

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7. Draft Building Permit Forms and Applications upon request by city.
8. Coordinate Building Permit procedures and processes with Building Official, City and Assistant City Managers, Building Permit Technician, and others at request of City Manager.

The hourly rate for Routine Building Permit Processing Services for Kingston Springs, TN is \$15.00 per hour.

PEDESTRIAN IMPROVEMENT, SIDEWALK ACCESS TO DOWNTOWN AND PARKS

STATEMENT – Requests from multiple residents of Ellersly Subdivision have been received to explore sidewalk construction on WKS so safe pedestrian access can be had from the subdivision to the downtown corridor as well as both City Parks, some as documented from 2016. At the Farmer’s Market in 2021, another community member happened to see a woman leaving the market and walking along the precariously narrow side of the road in order to return to the subdivision and remarked that it would be a good idea if sidewalks were put in. Further, a resident who lives in one of the older classic family homes that line WKS expressed her opinion that a sidewalk was a necessity. She also said that she believed some of her older neighbors living along WKS would favor a sidewalk not only for the community benefit, but for their own benefit and use as well.

GOALS - The construction of sidewalks, curbs along WKS to allow community connectivity and safe passage for pedestrian traffic specifically for residents in Ellersly subdivision who purchased home with this implied amenity as a feature; but such sidewalks would also inure to the benefit of all residents living along WKS to reach downtown businesses, restaurants, churches, City Hall, the Farmer’s Market, and our two city parks. The Commission recently drafted the Town’s Mission Statement which references the Town’s support and commitment to sidewalk connectivity.

Excerpt from the Kingston Springs Mission Statement as drafted by the BOC: “We strive to provide convenient, safe, **and walkable access** to our many parks, the scenic Harpeth River, our historical downtown, and to our vibrant business surroundings.”

The installation of this small section of sidewalk linking this subdivision to downtown restaurants and business, City Hall, library, churches, the Water Company, the Farmer’s Market, Burns Park (Activity Center, Splashpad, Soccer fields, walking track, Harpeth River access, Disc Golf, Playground) and City Park (skate park, dog park, Harpeth River Boat launch, basketball court and ball field) seems paramount and would make the community safer, more connected and more livable. See Exhibit 1.

ELLERSLY SUBDIVISION - The developer/homebuilders/realtors have sold homes on this property advertising that the homes are “within walking distance” to downtown and parks. The accompanying photos depict pictures of downtown buildings and of Burns Park which gives the impression that these amenities are within convenient and safe walking distance. The properties have been featured on-line as being within “walking distance to the cool local hang outs, parks and river.”

This seems to be disingenuous as while both downtown and Burns Park are, indeed, within walking distance per se, the salient fact that is omitted in any of the realtor literature is that there are no sidewalks along West Kingston Springs Road connecting these areas.



Ellersly Subdivision Kingston Springs TN Homes for Sale – Located in the heart of Kingston Springs *within walking distance from the Main Street*, the Ellersly is a small single-family home subdivision along Ellersly Way built in 2017.



Description of 113 Ellersly Way, Kingston Springs - Beautiful home with open floor plan in heart of Kingston Springs. *Close to parks and quaint main street area (All Redfin listings show pictures of most if not all downtown Buildings and Burns Park as features)*



Description of 108 Ellersly Way, Kingston Springs - Fantastic deal with best price in town. Don't miss this opportunity to own this beautiful 4-bedroom home. It has it all. *Walking distance to the cool local hang outs, parks and river.* All this in Kingston Springs, a great place to live.



Description of 108 Ellersly Way, Kingston Springs (Photo depicts sidewalk out front) - Beautiful home within walking distance of adorable Kingston Springs downtown

NATCHEZ
TRACE



REALTY
615-952-4444

111 Madeleine Way | Kingston Springs — 3 bed, 2 bath, 2314 sq ft
In Ellersly Subdivision **Listed at \$555,999**



NEW LISTING!

Beautiful new home within walking distance of charming Kingston Springs downtown restaurants and shops and minutes from Harpeth River and parks. Wood floors, granite countertops, large open floorplan with tray ceilings in the living room and vaulted ceilings in master bed. All bedrooms on main floor. Spacious bonus room with vaulted, nicely stained tongue and grooved ceiling. Lovely sunroom with tongue and grooved ceiling and beautiful Harpeth Valley views

Three-stop elevator so that everyone can be included. Over-sized 2-car garage with space for work bench. Walk-in access to large unfinished space for storage or future expansion. Under 30 minute drive to downtown Nashville. Owner/Agent Listing




LaDonna Merville
lmerville@bellsouth.net
615-347-4146



Chris Steward
ibuyhouses22@yahoo.com
615-952-1111

As pedestrians, homeowners in Ellersly subdivision and other homeowners living on WKS must navigate the unsafe, uneven, and narrow side of a busy road to be able to reach downtown and both Parks. Young mothers with baby strollers as well as senior citizens are forced to negotiate the street edge with cars and trucks passing precariously close.

Further, vehicles routinely take the left turn off of N. Main Street and immediately gun their engines and increase their speed exponentially, using the road as a raceway and further increasing the dangers that pedestrians currently face.

The only other alternative that currently exists is for Ellersly residents who wish to get to downtown is to cut-thru the adjacent condominium complex property over often soggy terrain and take the proverbial "long way around." This is not conducive to dog walkers and moms/dads with toddlers and strollers.

PAST COMMISSION INVOLVEMENT – September 15, 2016, Mr. Ron Yoho appeared at a Board of Commissioners meeting requesting that the sidewalk be extended from Downtown to Ellersly Way. *It is unclear if any follow-up occurred.*

December 15, 2016 - “Mr. Ron Yoho had requested to be placed on the January agenda to continue discussion on extending the sidewalk from downtown to Ellersly Way. It was determined that additional information was needed. Interim City Manager Debbie Finch and Assistant City Manager John Lawless will schedule a meeting with Mr. Ron Merville, who stated he would fund the project, and contact the city engineer for information on how to proceed.” *It is unclear if any follow-up occurred.*

PROPERTIES IMPACTED WHERE THE PROJECT IS PROPOSED

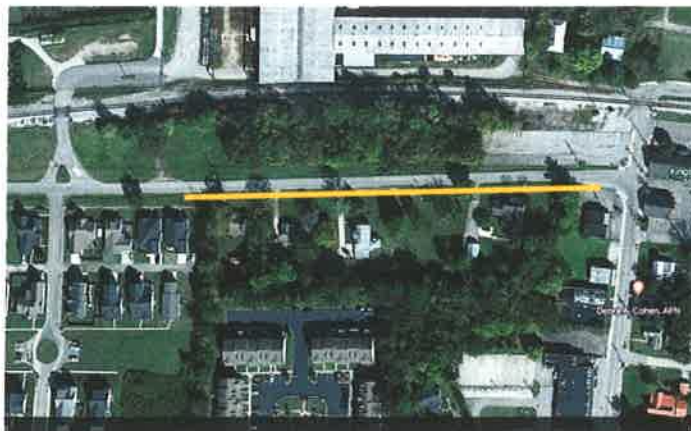
WKS: The 4 homes on WKS on the southside of the street from Main to 101 Ellersly Way would bear the brunt of the property impact if construction takes place on that side of the roadway. **Current distances from street edge (measurements from Google Earth) to the front of these 4 homes are 37 feet, 72 feet, 67 feet, and 40 feet.**

As will be discussed below, if CSX grants right-of-way usage of their property, the currently existing sidewalk on the track-side corner of WKS and Main St. would be extended down that side of the street. This would decrease costs (culverts, etc) as well as the encroachment on the four residential properties.

Ellersly: **About 20 homes** (subdivision currently has additional lots under construction for a possible 14 additional homes or 35 homes which would translate into a possible and conservative estimate of **50-60 adult residents plus children** ultimately living in Phase I of this subdivision.

The 14 acres adjacent to the current subdivision are slated to be developed as Phase II of this same subdivision with the same access thru Grace Way. The current plans/sketches which have been submitted reflect an additional 35 homes **which would mean a conservative estimate of an additional 50-60 adult residents plus children.** *See Exhibit 2.*

SCOPE OF PROJECT – SOUTH SIDE - Consideration of sidewalk, curbs and gutter construction along WKS (County Hwy 1948) (from Main Street to the end of Ellersly Subdivision’s existing sidewalk. This is about 828.85 linear feet. *Consideration could be given to existing ditch property being utilized to a large extent for sidewalk construction which would require that a drainage pipe be laid underneath the property instead of having to excessively encroach on the minimal property frontage that exists on those homes positioned closer to the roadway.*



NORTH SIDE - Possibility that CSX would consider granting the Town right-of-way access for sidewalk construction on their property on the opposite side of WKSJ. A crosswalk would have to be installed at the point at which the Ellersly sidewalk ends for safe pedestrian passage. Of course, the Town would be responsible for costs and CSX would only be granting right-of-way.

This would extend from the sidewalk that already exists on WKSJ to the entrance to Lu, Inc./Kingston Coatings. This is about 1018 linear ft.



CSX policy normally does not allow private or public usage of their property, however, does a precedent of sorts exist in that there is already an existing sidewalk from the train tracks on Main St. to the intersection of Main and WKSJ and it turns the corner and *continues parallel to the tracks for a short distance down WKSJ before it terminates*. ***See Exhibit 3 – CSX Parking Lot and corner of Main and WKSJ together with proposed sidewalks on NORTH SIDE and SOUTH SIDE.***

Further, while CSX policy states that it does not permit parallel public pedestrian paths that come within the railroad's right-of-way, notwithstanding the existing portion of sidewalk that already runs parallel to the tracks, but there exists more than the "grade separation" that CSX requires when considering such request. This would NOT constitute a sidewalk that would run "next to" the tracks per se and represent a safety issue and/or imperil pedestrians.

There exists a land expanse of at least **133 feet between the railroad tracks and the parallel proposed sidewalk on the track side of WKSJ**. This would be merely a continuation of what has already been allowed. ***See Exhibits 4-5.***

Lastly, if access is granted by CSX, fencing could easily be erected on the portion of the road that is wooded if deemed necessary to further safeguard the public.

See pp. 38- 39 from CSX Public Project Information Manual and CSX Regional Contact information (Todd Allton) attached hereto as collective Exhibit 6.

COST - The scope of the project would have to be determined. The costs will not just include the laying of concrete, but the costs of construction in the form of engineering costs, labor costs, clearing, site preparation and demolition, staking/layout earthwork (including general, drainage and structural excavation and back fill), the curb and gutter concrete sidewalk (4-6'), asphalt materials, pipe culverts, any utility relocation, any landscaping costs, establishment of a level shoulder, possible reconstruction of driveways and other fees and costs associated with this type of project.

A Metro's recent 2022 Sidewalk Program Report of various projects in Nashville estimated costs as follows:

The average cost per linear foot for building new sidewalks in FY21 was \$736 per linear foot compared to the YTD FY22 average cost per linear foot of \$350. The 52% decrease in the YTD FY22 cost per linear foot is primarily due to a newly implemented rapid design process and quick build strategies (for new sidewalks) that reduce sidewalk construction costs. The Office of Performance Management is working with NDOT calculate the effect of these cost containment strategies for the second half of FY22.

<https://www.nashville.gov/sites/default/files/2022-06/Sidewalk-Program-Report-April-2022.pdf?ct=1655816409>

NORTH SIDE - If this per linear foot cost is still in line with 2023 costs, the estimated cost for this proposed sidewalk would be around **\$290,097.50** (without costs as noted above).

SOUTH SIDE - If this per linear foot cost is still in line with 2023 costs, the estimated cost for this proposed sidewalk would be around **\$356,300.00** (without costs as noted above).

It would have to be determined if Mr. Merville is still willing to assist in funding the sidewalk from N. Main to Ellersly in whole or in conjunction with the Town. Grant possibilities follow in the next section.

See Exhibit 7.

GRANT POSSIBILITIES

- The TDOT Multimodal Access Grants are possible for projects such as this. Notice of Intent to Apply for the 2024 cycle will likely occur in April of next year (2024).
- Grants from other sources may be a possibility and could be investigated. Pedestrian and Bicycle Funding Opportunities U.S. Department of Transportation Transit, Highway, and Safety Funds https://www.fhwa.dot.gov/environment/bicycle_pedestrian/funding/funding_opportunities.cfm
- The Bipartisan Infrastructure Law (BIL) established the new Safe Streets and Roads for All (SS4A) discretionary program, with **\$5 billion in appropriated funds over 5 years, 2022-2026**. The SS4A program funds county government, city or township governments and Tribal initiative. Funds are to be awarded on a competitive basis to support planning and demonstration activities, as well as projects and strategies to prevent death and serious injury on roads and streets involving all roadway users, including pedestrians and bicyclists. <https://www.transportation.gov/grants/SS4A>

The FY24 Notice of Funding Opportunity (NOFO) for SS4A is expected to open in February 2024. Since this funding is only being appropriated thru 2026, we would have to act post haste.

See Exhibits 8-10.

COMMUNITY REPRESENTATIVES - A petition demonstrating support for this project consisting of property owners in the vicinity or the project proposal area(s) is attached as **Exhibit 11**.

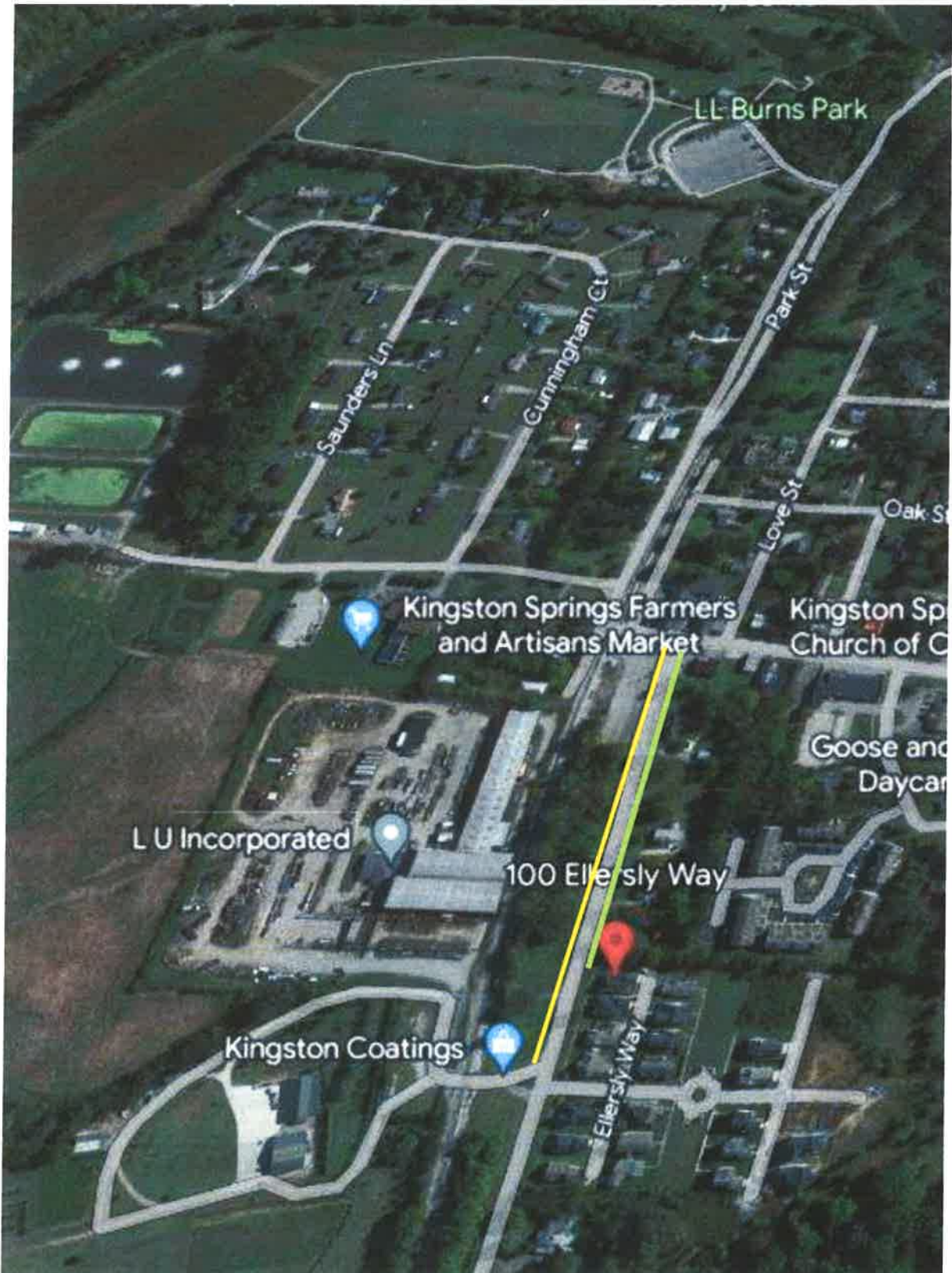
Dated 16 July 2021 – updated 4 October 2023



Project Request Sponsor - Commissioner Carolyn M. Clark

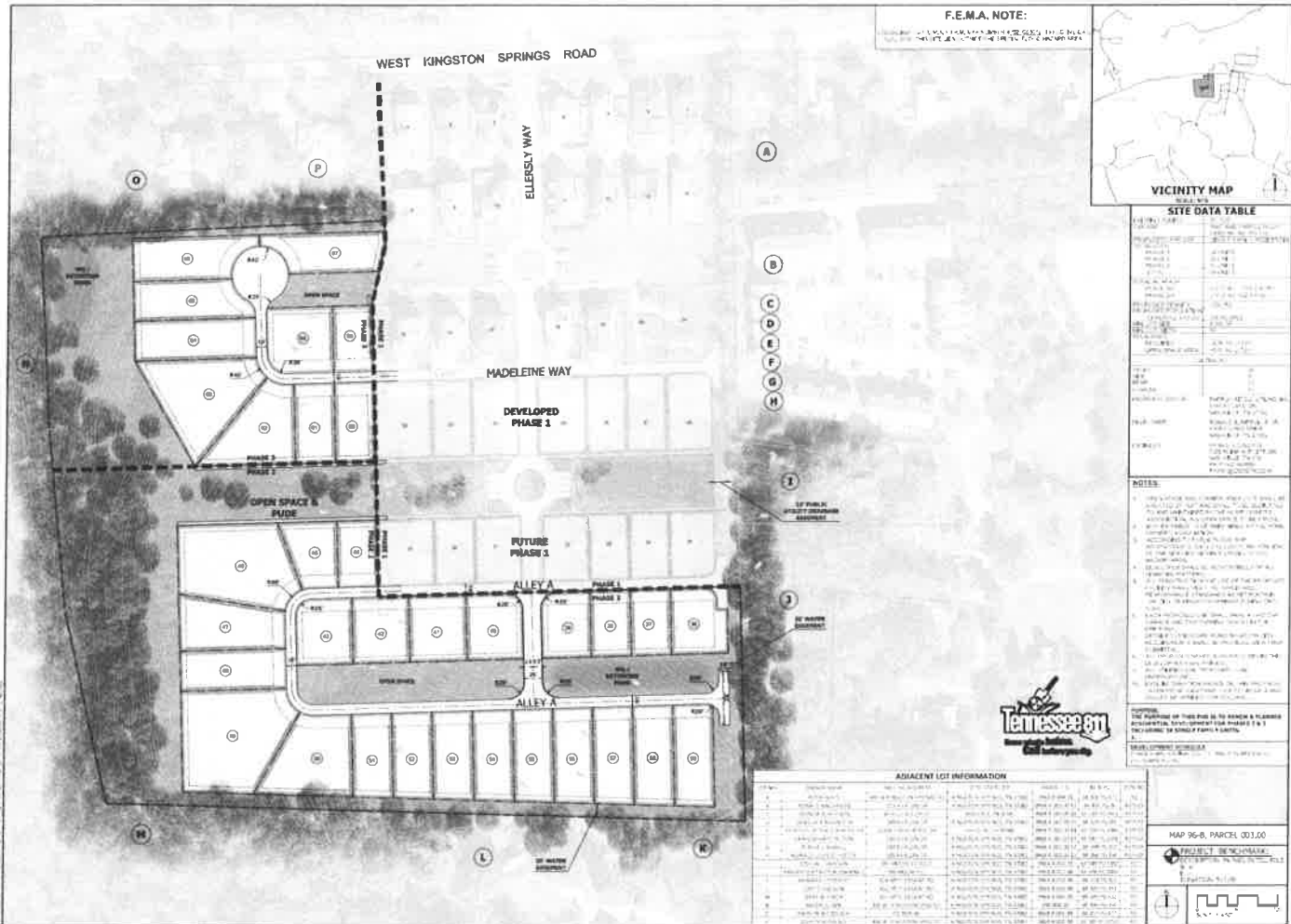
- 1. Overhead of Proposed Sidewalk from Ellersly Subdivision and Accessibility to Town Amenities**
- 2. Plat of Future Growth of Ellersly Subdivision**
- 3. Corner of Main Street and WKSR – Proposed Extension of Existing Sidewalk on South side (CSX) as well as on North Side (Houses)**
- 4. Overhead of CSX Property with Proposed Extension of Existing Sidewalk on CSX side**
- 5. Overhead of CSX Property reflecting distance from the tracks to WKSR (around 133 ft.)**
- 6. Pages 38- 39 from CSX Public Project Information Manual and CSX Regional Contact information (Todd Allton)**
- 7. Metro 2022 Sidewalk Program Report**
- 8. Multimodal Access Grant Information Page (2023 page provided as example)**
- 9. Pedestrian and Bicycle Funding Opportunities U.S. Dept. of Transportation Transit, Highway, and Safety Funds**
- 10. Bipartisan Infrastructure Law (BIL) established the new Safe Streets and Roads for All (SS4A) – Web page**
- 11. Citizen Petition**

EXHIBIT 1



Sidewalk on either north or south side would provide access from Eilersly subdivision to Downtown businesses, City Hall, police department, restaurants, churches, library, farmer's market, water company, L.L. Burns Park (activity center, splashpad, playground, walking track, pond, soccer field, disc golf) and City Park (dog park, basketball and skatepark)

EXHIBIT 2



F.E.M.A. NOTE:
 THIS PLAN IS NOT TO BE USED FOR FLOOD HAZARD IDENTIFICATION OR FLOOD ZONING PURPOSES. FOR FLOOD HAZARD IDENTIFICATION AND FLOOD ZONING PURPOSES, REFER TO THE FLOOD HAZARD IDENTIFICATION MAP AND FLOOD ZONING MAP.



SITE DATA TABLE

NO.	DESCRIPTION	AMOUNT
1	TOTAL AREA	10.00 AC
2	DEVELOPED PHASE 1	4.50 AC
3	OPEN SPACE & BUDE	3.00 AC
4	FUTURE PHASE 1	2.50 AC
5	ROADS	0.50 AC
6	UTILITIES	0.50 AC
7	SETBACKS	0.00 AC
8	ADJACENT PROPERTIES	0.00 AC
9	WATER	0.00 AC
10	SEWER	0.00 AC

NOTES:

1. THIS PLAN IS NOT TO BE USED FOR FLOOD HAZARD IDENTIFICATION OR FLOOD ZONING PURPOSES. FOR FLOOD HAZARD IDENTIFICATION AND FLOOD ZONING PURPOSES, REFER TO THE FLOOD HAZARD IDENTIFICATION MAP AND FLOOD ZONING MAP.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
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ADJACENT LOT INFORMATION

LOT NO.	OWNER	ADDRESS	AREA
1
2
3
4
5
6
7
8
9
10



ELLERSLY SUBDIVISION PHASES 1, 2, & 3
 450 WEST KINGSTON SPRINGS RD
 CHEATHAM COUNTY, TENNESSEE

PUD SUBMITTAL

NO.	DESCRIPTION	DATE
1
2
3
4
5
6
7
8
9
10

DATA AND PHASING PLAN

C1.00
 (PROJECT NO. 000000)

EXHIBIT 3

SOUTH SIDE (HOMES)



NORTH SIDE (CSX PROPERTY – Continuation of sidewalk to LU, Inc. entrance)





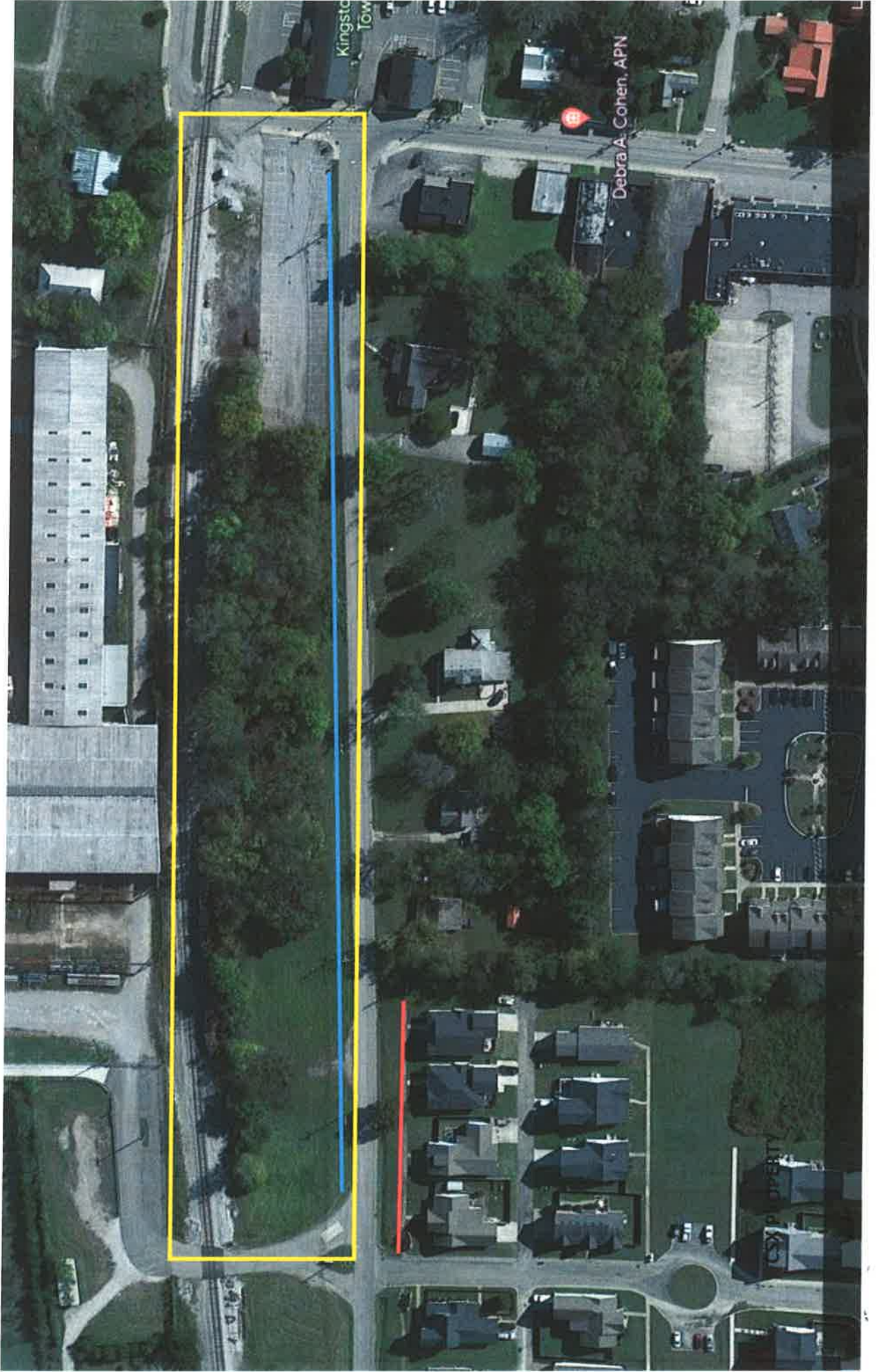


EXHIBIT 4

YELLOW BOX – CSX PROPERTY

BLUE LINE – PROPOSED EXTENSION OF SIDEWALK

RED LINE – EXISTING SIDEWALK IN FRONT OF ELLERSLY



TN

Tennessee Property Viewer

TDOT Imagery Vexcel Imagery Property Lines FEMA Flood Map



Type here to search



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Vexcel | State of Tennessee, Comptroller of the Treasury | Esri Community Apps Contributors | Copra

EXHIBIT 5

Yellow Line = 133 Feet

Blue Line – Proposed Continuation of Sidewalk

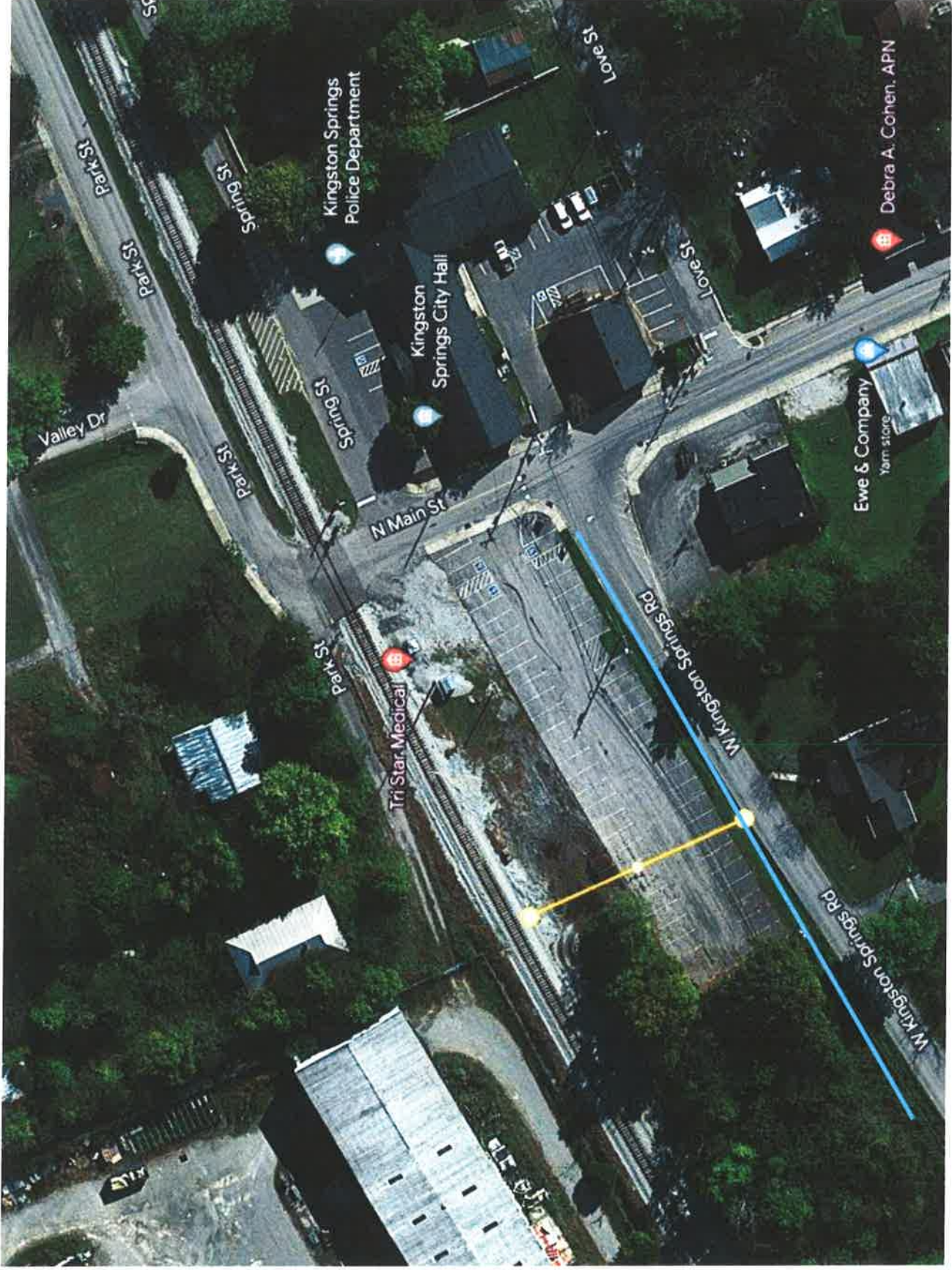


EXHIBIT 6

BICYCLE/PEDESTRIAN PATHWAYS AND MULTI-USE TRAILS

Overview

CSX recognizes that communities often wish to establish recreational pathways and trails in the proximity of active railroad lines. While CSX will work with communities to accommodate such requests, it is critical for project sponsors to recognize that CSX requirements must be met and safety precautions taken to protect the public and CSX employees. In addition, certain requests, such as pathway crossings at grade outside of existing highway easements, will not be permitted.

Key Points

- Private or public bicycle/pedestrian pathways and trails parallel to the tracks are not permitted on CSX property.
- CSX prefers grade-separated bicycle/pedestrian pathways and multi-use trails.
- Bicycle/pedestrian pathways and trails cannot cross tracks at grade outside of existing highway easements.
- Pedestrian safety is enhanced when pathways and sidewalks are designed such that they cross the tracks at as close to a right angle as practical.
- The highway agency's design must include safety measures for at-grade pathways and trails within existing highway easements. These measures should include, at a minimum, detectable warnings. Pathways and trails should not be wider than 5'. All pathways and trails that exceed 5' in width must include additional safety measures beyond detectable warnings.
- CSX will oppose condemnation proceedings aimed at recreational use of trackside property.
- New crossings, if approved, and alterations to existing crossings, shall be maintained at the appropriate agency's expense.

CSX objects to publicly accessible parks, pathways and trails constructed within fifty (50) feet of its existing and proposed tracks. The location of publicly accessible recreational areas at such proximity to CSX poses major safety concerns and places undue liability to CSX. Agency shall be solely liable for any damages which could be mitigated or avoided by adherence to this safety standard.

Agency shall also install, own, maintain and repair, at its sole cost and expense, permanent protective fencing where its property is opposite CSX's property. Fencing shall be in accordance with CSX's standards.

CSX Policy on Pathways and Trails Parallel to CSX Property

At CSX safety is paramount. CSX's policy is not to permit private or public parallel bicycle/pedestrian paths that come within the railroad's right-of-way. CSX will insist upon safety measures such as fencing and signage where such pathways or parks are established parallel to the railroad's right-of-way. The cost of installing, inspection and future maintenance are the responsibility of the trail sponsor or agency. CSX will oppose any attempt to establish recreational usage of CSX property through condemnation. Regardless of construction of pathways and trails, CSX reserves the right to use CSX right of way for operational necessities.

Pathways and Trails Crossing CSX Tracks and Right-of-Way

Bicycle/pedestrian pathways and trails cannot cross tracks at grade outside of existing highway easements. Grade separated pathway and trail crossings are preferred in all cases, and required when outside of an existing highway easement. Pathways and trails under existing railroad structures are discouraged and will only be allowed under special circumstances. Pathways and trails under existing railroad structures will require a canopy. The canopy shall allow CSX to inspect, maintain, or repair its structure and shall not be attached to the CSX structure. Please refer to the Trail Construction Under CSX Bridges, for additional information (located in appendices to this document). Pathways and trails over and under the railroad track shall have protective fencing.

Bicycle/pedestrian pathways and trails crossing at-grade within a highway easement must have appropriate signs and warning systems as determined by the responsible highway and/or regulatory agency. When designing new sidewalk grade crossings, placing the sidewalk outside of the area occupied by grade crossing traffic control devices for vehicular traffic is important. This includes making sure that the counterweights and support arms for the automatic gates for vehicular traffic do not obstruct the sidewalk when the gate is fully lowered.

All expenses associated with the design, installation and maintenance of the pathway/trail, including the costs of signs, crossing surfaces and warning systems associated with an at-grade crossing, will be paid by the project sponsor.

Chapter 8 Section D of the Manual of Uniform Traffic Control Devices (MUTCD) provides design information to be considered by the highway agency responsible for the project engineering. The table of contents of this document has additional information on the MUTCD manual.

CSX prosecutes trespassers and every precaution must be taken to ensure that the public remains clear of CSX's property.



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EXHIBIT 7

METRO SIDEWALK PROGRAM REPORT

As of April 2022

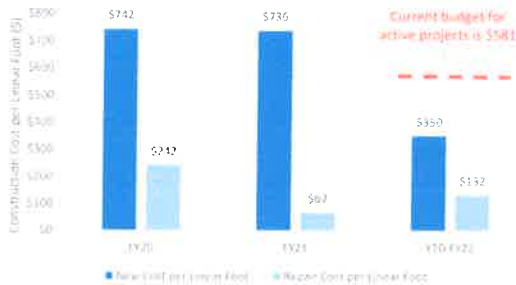
CAPITAL SPENDING PLAN SUMMARY

CSP FY	Total LF Projected	Active LF	Total \$ Budgeted	\$ Unspent
FY19	62,580	49,925	\$32,550,943	\$27,802,446
FY20	0	0	\$0	\$0
FY21	705	705	2,458,550	1,417,493
Total	63,285	50,630	\$35,009,493	\$29,219,939

ANALYSIS:

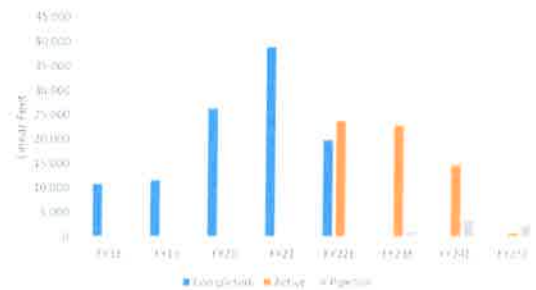
The average cost per linear foot for building new sidewalks in FY21 was \$736 per linear foot compared to the YTD FY22 average cost per linear foot of \$350. The 52% decrease in the YTD FY22 cost per linear foot is primarily due to a newly implemented rapid design process and quick build strategies (for new sidewalks) that reduce sidewalk construction costs. The Office of Performance Management is working with NDOT calculate the effect of these cost containment strategies for the second half of FY22.

Figure 1: Historical Construction Cost Per Linear Foot



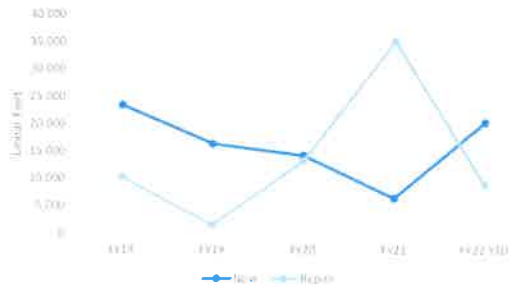
The YOY reduction in YTD FY22 is attributed to 11 of the 15 projects completed in FY22 being "quick build" projects that cost significantly less than traditional new sidewalk projects, which require more complex construction factors (e.g. curb, gutter, storm drainage, etc.)

Figure 2: Sidewalk Projects by Job Status



As of January 2022, Metro has 43 sidewalk projects that are active and in progress. These 43 projects will add over 62,000 linear feet to the network.

Figure 3: Linear Feet of Sidewalk Built & Repaired



Through the first half of FY22, Metro has added over 20,000 linear feet of new sidewalk to the network. During that same period, Metro has repaired over 8,000 linear feet of compromised sidewalk.

Figure 4: Sidewalk Construction Cost per Linear Foot



Metro invested over \$6 million in the build-out and management of its sidewalk network in FY21.

Through the first half of FY22, Metro has invested over \$7 million in the sidewalk program.

PROJECT WATCH LIST

Project Name	Funding Source (CSP)	Linear Feet	Project Owner	New/Repair	Start of construction	Completion Date (Est.)	Status	Project Pct Complete	Budgeted Cost	Estimated Cost	Total Cost to Date
Ashford Trace	2018	125	NDOT	New	Apr-22	Aug-22	Off Track	75%	\$ 106,527	\$ -	TBD
Kings Lane	2018	1,632	NDOT	New	Apr-22	Jan-23	Off Track	75%	\$ 784,650	\$ -	TBD
Hamilton Church Road	2018	977	NDOT	New	Apr-22	Aug-22	Off Track	74%	\$ 400,000	\$ -	TBD
Davidson Road (Phase 2)	2019	1,453	NDOT	New	Apr-22	Feb-23	Off Track	75%	\$ 874,844	\$ -	TBD
Eastland Avenue	2019	926	NDOT	New	Apr-22	Nov-22	Off Track	75%	\$ 638,075	\$ -	TBD
Old Lebanon Pike (Phase 1)	2019	864	NDOT	New	Apr-22	Oct-22	Off Track	74%	\$ 847,503	\$ -	TBD
Riverside Drive	2019	1,480	NDOT	New	Apr-22	Jan-23	Off Track	75%	\$ 938,442	\$ -	TBD
Edge O Lake Drive (Phase 1 & 2)	2019	2,400	NDOT	New	Apr-22	Mar-23	Off Track	74%	\$ 1,101,000	\$ -	TBD
Tusculum Road (East)	2019	4,450	NDOT	New	Apr-22	May-23	Off Track	62%	\$ 2,400,000	\$ -	TBD
4th Ave N (Deaderick St)	2019	10	Mix	Repair	Jan-22	Mar-22	Off Track	50%	\$ 100,269	\$ -	TBD
Broadway Phase 2	2021	235	Mix	New	Jan-22	Mar-22	Off Track	99%	\$ 791,171	\$ -	\$ 680,797
Old Harding Pike	2019	1,413	NDOT	New	Apr-22	Nov-22	Off Track	75%	\$ 410,208	\$ -	TBD

METRO SIDEWALK PROGRAM REPORT

As of April 2022

WORK IN PROGRESS (WIP)

Project Name	Funding Source (CSP)	Linear Feet	Project Owner	New/Repair	Start of construction	Completion Date (Est.)	Status	Project Pct Complete	Budgeted Cost	Estimated Cost	Total Cost to Date
Cane Ridge Rd	2019	1,590	Mix	New	May-22	Jan-22	On Track	60%	\$ -	\$ -	\$ -
Maplewood Trance	2018	2,228	Mix	New	May-21	Nov-21	On Track	80%	\$ 1,303,491	\$ -	\$ 627,023
Bowling Avenue (Phase 2)	2018	552	NDOT	New	Mar-23	Nov-23	On Track	74%	\$ 630,559	\$ -	\$ -
Dickerson Pike Phase 1 & 2 (quick build)	2018	1,678	NDOT	New	Mar-23	Feb-24	On Track	63%	\$ 1,475,000	\$ -	\$ -
Shadowbrook Trail	2018	109	NDOT	New	Sep-23	Aug-24	On Track	17%	\$ 175,000	\$ -	\$ -
Vaults Lane	2018	1,788	NDOT	New	Mar-23	Apr-24	On Track	67%	\$ 1,758,742	\$ -	\$ -
Annex Avenue (quick build)	2018	1,015	Mix	New	May-21	Feb-22	On Track	77%	\$ 1,369,000	\$ -	\$ 1,117,414
23rd Ave N	2019	750	NDOT	New	Sep-23	Aug-24	On Track	5%	\$ 790,000	\$ -	\$ -
Winthorne Drive	2019	2,656	NDOT	New	Mar-23	Apr-24	On Track	5%	\$ 1,100,000	\$ -	\$ -
Foster Avenue (quick build)	2019	1,582	NDOT	New	Mar-23	Apr-24	On Track	5%	\$ 750,000	\$ -	\$ -
Stratford Avenue (Phase 3)	2019	1,829	NDOT	New	Mar-23	Feb-24	On Track	7%	\$ 1,450,000	\$ -	\$ -
Stewarts Ferry Pike	2019	624	NDOT	New	Sep-22	Aug-23	On Track	9%	\$ 750,000	\$ -	\$ -
Mt. View Road	2019	758	NDOT	New	Sep-22	Aug-23	On Track	23%	\$ 690,000	\$ -	\$ -
Unbar Drive	2019	1,538	NDOT	New	Sep-22	May-23	On Track	31%	\$ 970,374	\$ -	\$ -
Forest Park Road	2019	1,065	NDOT	New	Sep-22	Aug-23	On Track	39%	\$ 550,000	\$ -	\$ -
Brewer Drive (Phase 1)	2019	1,523	NDOT	New	Sep-22	Aug-23	On Track	39%	\$ 780,000	\$ -	\$ -
Andrew Jackson Pkwy (quick build)	2019	3,760	Mix	New	Jun-22	Mar-22	On Track	80%	\$ 395,366	\$ -	\$ 212,577
Elm Hill Pike - fesslers to Spence (quick build)	2019	4,255	NDOT	New	Jan-22	Mar-22	On Track	40%	\$ 1,032,294	\$ -	\$ 443,434
Hwy 70 South	2019	1,920	NDOT	New	Sep-22	Mar-23	On Track	46%	\$ 712,160	\$ -	\$ -
Herman Street	2019	1,300	Mix	New	Dec-21	May-22	On Track	80%	\$ 570,000	\$ -	\$ 285,280
Delmas Avenue	2019	2,310	NDOT	New	Dec-21	Apr-23	On Track	75%	\$ 1,240,000	\$ -	\$ -
Brck Church Pike	2019	2,323	Mix	New	May-22	Feb-22	On Track	95%	\$ 2,077,000	\$ -	\$ 1,356,313
Bowling Avenue (Phase 1)	2019	1,211	NDOT	New	Sep-22	Oct-23	On Track	65%	\$ 1,526,626	\$ -	\$ -
W. Hamilton Avenue (Phase 2)	2019	1,500	Mix	New	Dec-21	Aug-22	On Track	75%	\$ 1,030,000	\$ -	\$ 780,370
Bellevue Rd	2019	50	Mix	Repair	Feb-22	Feb-22	On Track	40%	\$ 37,220	\$ -	\$ -
Broadway Phase 3	2021	235	Brad Freeze	New	Feb-22	Apr-22	On Track	40%	\$ 795,676	\$ -	\$ 304,008
Anderson Lane (quick build)	2018	470	NDOT	New	Sep-23	Aug-24	On Track	58%	\$ 500,000	\$ -	\$ -
TOTAL WIP		40,119							\$ 23,908,507	\$ -	\$ -

PROJECT PIPELINE

Project Name	Funding Source (CSP)	Linear Feet	Project Owner	New/Repair	Start of construction	Completion Date (Est.)	Status	Project Pct Complete	Budgeted Cost	Estimated Cost	Total Cost to Date
Nolensville Pike/Wallace Rd	2018	932	NDOT	New	TBD	TBD	Hold	0%	\$ 1,080,000	\$ -	\$ -
Graybar Ln/Hillsboro Pike	2018	1,102	NDOT	New	TBD	TBD	Hold	0%	\$ 675,000	\$ -	\$ -
Lebanon Pike	2018	383	NDOT	New	Sep-23	Aug-24	On Track	0%	\$ 820,000	\$ -	\$ -
Gallatin Pike	2018	445	NDOT	New	Sep-23	Aug-24	On Track	0%	\$ 312,000	\$ -	\$ -
Murfreesboro Pike	2018	1,177	NDOT	New	Sep-23	Aug-24	On Track	0%	\$ 553,000	\$ -	\$ -
Brewer Drive (Phase 2)	2018	1,029	NDOT	New	Mar-23	May-24	On Track	0%	\$ 875,000	\$ -	\$ -
Ordway Place	2018	600	NDOT	New	Mar-23	May-24	On Track	0%	\$ 550,000	\$ -	\$ -
15th Ave N/Hynes St	2018	328	NDOT	New	Mar-23	May-24	On Track	0%	\$ 300,000	\$ -	\$ -
James Avenue (Phase 1 & 2)	2019	4,434	NDOT	New	TBD	TBD	Hold	0%	\$ 1,610,000	\$ -	\$ -
Vaughn's Gap Road	2019	1,100	NDOT	New	TBD	TBD	Hold	0%	\$ 750,000	\$ -	\$ -
Annex Ave	2019	1,275	NDOT	New	TBD	TBD	Hold	0%	\$ 1,260,000	\$ -	\$ -
Blue Hole Road	2019	1,501	NDOT	New	Mar-23	May-24	On Track	0%	\$ 600,000	\$ -	\$ -
Broadway Phase 6	2021	380	NDOT	Capex	Feb-23	Mar-23	On Track	0%	\$ -	\$ -	\$ -
Broadway Phase 5	2021	380	NDOT	Capex	Dec-22	Jan-23	On Track	0%	\$ -	\$ -	\$ -
Broadway Phase 4	2021	350	NDOT	Capex	Oct-22	Nov-22	On Track	0%	\$ -	\$ -	\$ -
TOTAL PIPELINE		15,366							\$ 9,385,000	\$ -	\$ -

EXHIBIT 8

Multimodal Access Grant: 2023 Application Cycle



2023 TDOT Matches

Updated match percentages from the 2022 MMAG Cycle will remain:

All applicants: Maximum portion of the project budget eligible for TDOT match will remain at **\$1.25M**

- **Projects in Distressed/At-Risk Counties:** **95% of total project budget**, up to a maximum award of \$1,187,500
- **Project in All Other Counties:** **90% of total project budget**, up to a maximum award of \$1,125,000

What is the Multimodal Access Grant (MMAG)?

TDOT's MMAG is a state-funded program created to support the transportation needs of pedestrians, bicyclists, and transit users through infrastructure projects that address existing gaps along state routes.

Want to learn more?

The 2023 MMAG cycle will be held during the 2023 calendar year. **Click the link at the bottom of this page for more details.**

For questions, contact Masonya Osei at (615) 770-5322 or Masonya.Osei@tn.gov.

Eligibility Overview:

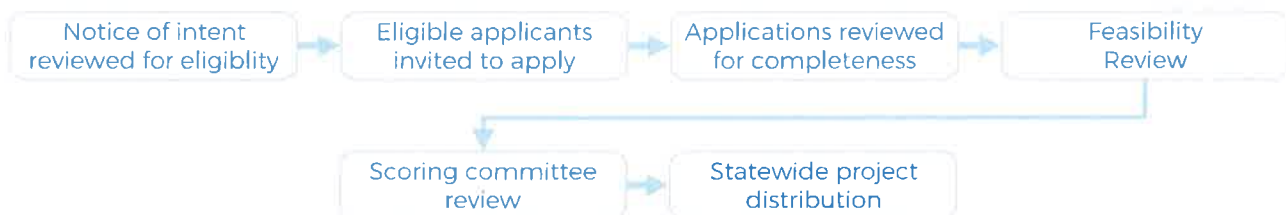
Eligible projects must meet the following criteria (see full guidelines for more information):

- ✓ Project **must** be located along a state route
- ✓ Project **must** meet ADA and PROWAG standards
- ✓ Project **must** primarily serve a transportation need
- ✓ Projects **must** be contiguous and **must** include new construction or rehab of existing facilities
- ✓ Applicants **must** commit to a local match and ongoing maintenance responsibility

Priority may be given to the following:

- ✓ Projects located in an economically distressed or at-risk area
- ✓ Applicants who have identified strategies for addressing constructability challenges
- ✓ High-quality, repeat applications

Selection Process:



Program Timeline:



EXHIBIT 9

Pedestrian and Bicycle Funding Opportunities: U.S. Department of Transportation Transit, Safety, and Highway Funds

Key: \$ = Activity may be eligible. Restrictions may apply, see program notes and guidance. ~\$ = Eligible, but not competitive unless part of a larger project.

Activity or Project Type	OST Programs				Federal Transit				NHISA				Federal Highway Administration															
	RAISE	INFRA	RCP	SSA	Libras	RRIF	IFEA	ETA	ATI	TOD	ADPP	402	405	BEP	CRP	CMAQ	HSIP	RHCP	NHPP	PRO	STBG	TA	RTP	SRIS	PLAN	NSBP	ET	
Road Safety Assessment for pedestrians and bicyclists																												
Safety education and awareness activities and programs to inform pedestrians, bicyclists, and motorists on ped/bike traffic safety laws																												
Safety education positions																												
Safety enforcement (including police patrols)																												
Safety program technical assessment (for ped/bicyclists)																												
Separated bicycle lanes																												
Shared use paths transportation trails																												
Sidewalks (new or retrofit)																												
Signs, signals, signal improvements (incl accessible pedestrian signals) see note																												
Signing for pedestrian or bicycle routes																												
Spot improvement programs (for pedestrian and bicycle facilities)																												
Stormwater impacts related to pedestrian and bicycle project impacts																												
Traffic calming																												
Trail bridges																												
Trail construction and maintenance equipment																												
Trail/highway crossings and intersections																												
Trailside/trailhead facilities (restrooms, water, not general park amenities)																												
Training																												
Training for law enforcement on ped/bicyclist safety laws																												
Tunnels / underpasses for pedestrians and/or bicyclists																												
Vulnerable Road User Safety Assessment																												

Abbreviations

- ADA/504: Americans with Disabilities Act of 1990 / Section 504 of the Rehabilitation Act of 1973
- RAISE: Rebuilding American Infrastructure with Sustainability and Equity
- INFRA: Infrastructure for Rebuilding America Discretionary Grant Program
- RCP: Reconnecting Communities Pilot Program
- SSA: Safe Streets and Roads for All
- Libras: Thriving Communities Initiative (TA: Technical Assistance)
- RRIF: Railroad Rehabilitation and Improvement Financing (loans)
- IFEA: Transportation Infrastructure Finance and Innovation Act (loans)
- ETA: Federal Transit Administration Capital Funds
- ATI: Associated Transit Improvement (1% set-aside of FTA)
- LOLE: Transit-Oriented Development
- ADPP: Areas of Persistent Poverty Program
- NHISA 402: National Highway Traffic Safety Administration State and Community Highway Safety Grant Program
- NHISA 405: National Highway Traffic Safety Administration National Priority Safety Programs (Nonmotorized safety)
- BEP: Bridge Formula Program; BIP: Bridge Investment Program; BRU: Bridge Replacement and Rehabilitation Program
- CRP: Carbon Reduction Program
- CMAQ: Congestion Mitigation and Air Quality Improvement Program
- HSIP: Highway Safety Improvement Program
- RHCP: Railway-Highway Crossings (Section 130) Program
- NHPP: National Highway Performance Program
- PROJIC: Promoting Resilient Operations for Transformative, Efficient, and Cost Saving Transportation
- STBG: Surface Transportation Block Grant Program
- TA: Transportation Alternatives Set-Aside (formerly Transportation Alternatives Program, Transportation Enh
- RTP: Recreational Trails Program
- SRIS: Safe Routes to School Program (and related activities)
- PLAN: Statewide Planning and Research (SPR) or Metropolitan Planning funds
- NSBP: National Scenic Byways Program
- ET: Federal Lands and Tribal Transportation Programs: Federal Lands Access Program, Federal Lands Le
- PRO: Tribal Transportation Programs, Federal Lands Planning Program, and related programs for Federal an
- such as the Nationally Significant Federal Lands and Tribal Projects program.
- TA: Tribal Transportation Program
- TI: Tribal Transportation Program Safety Fund

Cross-cutting notes

This table indicates potential eligibility for pedestrian, bicycle, and micromobility activities and projects under U.S. Department of Transportation funding programs. Activities and projects must meet program requirements. See notes and links to program information below. Although the primary focus of this table is stand-alone activities and projects, programs also fund pedestrian and bicycle facilities as part of larger projects. Projects encouraged to consider [Complete Streets](#) and Networks that routinely integrate the safety, accessibility, equity, and convenience of walking and bicycling into surface transportation projects. In these instances, the Federal-aid pedestrian and bicycle elements are considered under the eligibility criteria applicable to the larger highway project. Pedestrian and bicycle activities also may be characterized as environmental mitigation for larger highway projects in response to impacts to a Section 4(f) property or work zone safety, mobility, and accessibility impacts on bicyclists and pedestrians.

- See [FHWA Bicycle and Pedestrian Planning, Program, and Project Development](#) (Guidance)
- **Bicycle Project Purpose:** 23 U.S.C. 217(i) requires that bicycle facilities “be principally for transportation, rather than recreation, purposes”. However, 23 U.S.C. 133(b)(7) and 133(h) authorize recreational trails under [STB Set-Aside](#); therefore, 23 U.S.C. 217(i) does not apply to trail projects (including for bicycle use) using [SIBG](#) or [IA Set-Aside](#) funds. Section 217(i) applies to bicycle facilities other than trail-related projects, and section 217(i) only applies to bicycle projects, not to any other trail use or transportation mode.
- **Signs, signals, signal improvements** includes ensuring accessibility for persons with disabilities. See [Accessible Pedestrian Signals](#). See also [Proven Safety Countermeasures](#), such as [Crosswalk Visibility Enhancements](#), [Left Internal signals](#), [Pedestrian Hybrid Beacons](#), and [Rectangular Rapid Flashing Beacons](#).
- Occasional DOT or agency incentive grants may be available for specific research or technical assistance purposes.
- Aspects of DOT initiatives may be eligible as individual projects. Activities above may benefit safe, comfortable, multimodal networks; environmental justice; and equity.
- The [DOT Navigator](#) is a resource to help communities understand the best ways to apply for grants, and to plan for and deliver transformative infrastructure projects and services.
- FHWA’s [Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America](#).
- FHWA Links to [Technical Assistance and Local Support](#).

Program-specific notes

- Federal-aid and other DOT funding programs have specific requirements that projects must meet, and eligibility must be determined on a case-by-case basis. See links to program guidance for more information.
- [RAISE](#) (Infrastructure Investment and Jobs Act (Pub. L. 117-58) (IIJA), also known as the Bipartisan Infrastructure Law (BIL), § 21202): Funds capital and planning grants.
 - [INFRA](#) (IIJA § 11110): For projects that improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate freight bottlenecks and improve critical freight movement.
 - [RCP](#) (IIJA § 11509 and div. J, title VIII, Highway Infrastructure Programs, para. (7)): See [RCP Program Notice of Funding Opportunity](#) for full details. Planning grants and Capital Construction Grants must relate to a transit that creates a barrier to community connectivity.
 - [SSHA](#) (IIJA § 24112): Discretionary program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. Projects must be identified in a comprehensive safety action plan (§ 24112(a)(1)).
 - [THRX](#) (Department of Transportation Appropriations Act, 2022 (Pub. L. 117-103, div. L, title I): Technical assistance, planning, and capacity-building support in selected communities.
 - [RRIF](#) (Chapter 224 of title 49 U.S.C.): Program offers direct loans and loan guarantees for capital projects related to rail facilities, stations, or crossings. Pedestrian and bicycle infrastructure components of “economic development projects located within ½-mile of qualifying rail stations may be eligible. May be combined with other grant sources.
 - [TIFIA](#) (Chapter 6 of title 23 U.S.C.): Program offers secured loans, loan guarantees, or standby lines of credit for capital projects. Minimum total project size is \$10 million; multiple surface transportation projects may be below cost threshold, under the condition that all projects have a common repayment pledge. May be combined with other grant sources, subject to total Federal assistance limitations.
 - [FTA / ATJ](#) (49 U.S.C. 5307): Multimodal projects funded with FTA transit funds must provide access to transit. See [Bicycles and Transit, Flex Funding for Transit Access](#), the [FTA Final Policy Statement on the Eligibility and Bicycle Improvements Under Federal Transit Law](#), and [FTA Program & Bicycle Related Funding Opportunities](#).
 - [Bicycle infrastructure plans](#) and projects must be within a 3-mile radius of a transit stop or station. If more than 3 miles, within a distance that people could be expected to safely and conveniently bike to the particular site.
 - [Pedestrian infrastructure plans](#) and projects must be within a ½ mile radius of a transit stop or station. If more than ½ mile, within a distance that people could be expected to safely and conveniently walk to the particular site.
 - FTA funds cannot be used to purchase bicycles for bike share systems.
 - [FTA-ITD](#): Provides planning grants to support community efforts to improve safe access to public transportation for pedestrians and cyclists. The grants help organizations plan for transportation projects that connect communities, improve access to transit and affordable housing, not for capital purchases.
 - [FTA AoPP](#) (Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94): Consolidated Appropriations Act, 2021 (Pub. L. 116-260)): Promotes multimodal planning, engineering, and technical studies, or financial plan transit services in areas experiencing long-term economic distress, not for capital purchases.
 - [NHTSA 402](#) (23 U.S.C. 402): Project activity must be included in the State’s Highway Safety Plan. Contact the [State Highway Safety Office](#) for details.
 - [NHTSA 405](#) (23 U.S.C. 405): Funds are subject to eligibility, application, and award. Project activity must be included in the State’s Highway Safety Plan. Contact the [State Highway Safety Office](#) for details. The [Bipartisan Law](#) expanded the eligible use of funds for a Section 405 Nonmotorized Safety grant beginning in FY 2024; however, for FY 2023 grants, FAST Act eligible uses remain in place.
 - [BEP](#), (IIJA, Div. J, title VIII, para. (1)), [BIP](#) (23 U.S.C. 124), [BRR](#) (Department of Transportation Appropriations Act, 2022): For specific highway bridge projects and highway bridge projects that will replace or rehabilitate consider pedestrian and bicycle access as part of the project and costs related to their inclusion are eligible under these programs.
 - [CRP](#) (23 U.S.C. 175): Projects should support the reduction of carbon dioxide emissions from on-road highway sources.

- **CMAQ** (23 U.S.C. 149): Projects must demonstrate emissions reduction and benefit air quality. See the CMAQ guidance at www.fhwa.dot.gov/environment/air_quality/cmaq/ for a list of projects that may be eligible for CMAQ funds may be used for shared use paths, but not for trails that are primarily for recreational use.
- **HSIP** (23 U.S.C. 148): Projects must be consistent with a State's [Strategic Highway Safety Plan](#) and (1) correct or improve a hazardous road location or feature, or (2) address a highway safety problem. Certain non-infrastructure projects can also be funded using HSIP funds as specified safety projects.
- **RHCP** (23 U.S.C. 130): Projects at all public railroad crossings including roadways, bike trails, and pedestrian paths.
- **NHPP** (23 U.S.C. 119): Projects must benefit National Highway System (NHS) corridors and must be located on land adjacent to any highway on the National Highway System (23 U.S.C. 217(b)).
- **PROTECT** (23 U.S.C. 176): Funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related. With certain exceptions, the focus must be on supporting the incremental cost assets more resilient.
- **STBG** (23 U.S.C. 133) and **TA Set-Aside** (23 U.S.C. 133(h)): Activities marked "SSRTS" means eligible only as an SRTS project benefiting schools for kindergarten through 12th grade. Bicycle transportation nonconstructive related to safe bicycle use are eligible under STBG, but not under TA (23 U.S.C. 217(a)). There is broad eligibility for projects under 23 U.S.C. 206, 208, and 217.
- **RTP** (23 U.S.C. 206): Projects for trails and trailside and trailhead facilities for any recreational trail use. RTP projects are eligible under TA Set-Aside and STBG.
- **SRTS** (23 U.S.C. 208): Projects for any SRTS activity. FY 2012 was the last year for dedicated - funds, but funds are available until expended. SRTS projects are eligible under TA Set-Aside and STBG.
- **PLAN** (23 U.S.C. 134 and 135): Funds must be used for planning purposes, for example: Maps: System maps and GIS: Safety education and awareness: for transportation safety planning: Safety program technical assessment: transportation safety planning; Training: bicycle and pedestrian system planning training.
- **NSBP** (23 U.S.C. 162): Discretionary program subject to annual appropriations. Projects must directly benefit and be close to a designated scenic byway.
- **ELTP** (23 U.S.C. 201-204): Projects must provide access to or within Federal or tribal lands. Programs include: Federal Lands and Tribal Transportation Programs ([Federal Lands Access Program](#), [Federal Lands Transportation Programs](#) (Federal Lands Access Program, [Federal Lands Transportation Programs](#) (NSFTP) program.
- [Federal Lands Access Program](#) (23 U.S.C. 203): For Federal agencies for projects that provide access within Federal lands.
- [Federal Lands Transportation Program](#) (23 U.S.C. 204): For State and local entities for projects that provide access to or within Federal or tribal lands.
- **ITP** (23 U.S.C. 202): For federally-recognized tribal governments for projects within tribal boundaries and public roads that access tribal lands.
- **ITPSE** (23 U.S.C. 202(e)(1) and 23 U.S.C. 148(a)(4)): Grants available to [federally-recognized Indian tribes](#) through a competitive, discretionary program to plan and implement transportation safety projects.

EXHIBIT 10

Safe Streets and Roads for All (SS4A) Grant Program

<https://www.transportation.gov/grants/ss4a/announcement>

[https://www.transportation.gov/grants/SS4A#:~:text=The%20Bipartisan%20Infrastructure%20Law%20\(BIL,roadway%20deaths%20and%20serious%20injuries](https://www.transportation.gov/grants/SS4A#:~:text=The%20Bipartisan%20Infrastructure%20Law%20(BIL,roadway%20deaths%20and%20serious%20injuries)

The [Bipartisan Infrastructure Law](#) (BIL) established the Safe Streets and Roads for All (SS4A) discretionary program with \$5 billion in appropriated funds over 5 years, 2022-2026. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries.

The SS4A program supports the U.S. Department of Transportation's [National Roadway Safety Strategy](#) and our goal of zero roadway deaths using a [Safe System Approach](#).

FY23 Round 1 Awards Announced for 235 Communities

On Oct. 27, 2023, the [U.S. Department of Transportation announced](#) 235 fiscal year (FY) 2023 SS4A grants totaling \$82 million to regional, local, and Tribal communities for planning and demonstration projects to improve safety and help prevent deaths and serious injuries on the nation's roadways.

[Learn about the selected FY23 projects.](#)

Additional FY23 Awards Anticipated in December

This is the **first of two FY23 announcements** for the Safe Streets and Roads for All competitive grant program and includes Planning and Demonstration Grants only.

The second announcement is anticipated in December and will include additional **Planning and Demonstration Grants** and **Implementation Grants**, which provide federal funds to implement projects and strategies identified in an Action Plan to address a roadway safety problem.

Fiscal year 2023 marks the second year of this 5-year grant program.

FY24 Applications Anticipated to Open in February 2024

[Applications](#) for the FY24 SS4A Notice of Funding Opportunity are anticipated to open in February 2024

[Subscribe to email updates](#) to be notified when additional information is available.

[Subscribe to email updates](#) to be notified when additional information is available.

Who Is Eligible for Grant Funding?

The following groups of applicants are eligible for the SS4A grant program:

- Counties, cities, towns, transit agencies, and other special districts that are political subdivisions of a State.
- Metropolitan planning organizations (MPOs).
- Federally recognized Tribal governments.

[Learn more about SS4A eligibility.](#)

Grant Types

The program supports the development of a comprehensive safety action plan (Action Plan) that identifies the most significant roadway safety concerns in a community and the implementation of projects and strategies to address roadway safety issues. Action Plans are the foundation of the SS4A grant program. SS4A requires an eligible Action Plan be in place before applying to implement projects and strategies. The SS4A program provides funding for two types of grants:

- **Planning and Demonstration Grants** provide Federal funds to develop, complete, or supplement a comprehensive safety action plan. The goal of an Action Plan is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries in a locality, Tribe, or region. Planning and Demonstration Grants also fund supplemental planning and/or demonstration activities that inform the development of a new or existing Action Plan. The Department encourages including demonstration activities in an application.
- **Implementation Grants** provide Federal funds to implement projects and strategies identified in an Action Plan to address a roadway safety problem. Projects and strategies can be infrastructure, behavioral, and/or operational activities. Implementation Grants may also include demonstration activities, supplemental planning, and project-level planning, design, and development. **Applicants must have an eligible Action Plan to apply for Implementation Grants.** The Department encourages including demonstration activities in an application.

Planning and Demonstration Grants

Implementation Grants

Implementation Example Activities

Implementation Grants fund projects and strategies identified in an Action Plan that address roadway safety problems. Implementation Grants may also fund supplemental planning and demonstration activities as described above on this website, as well as planning, design, and development activities for projects and strategies identified in an Action Plan.

Below are illustrative examples of projects and strategies that could be conducted as part of an Implementation Grant. **This list is not intended to be exhaustive** in nature and could include infrastructure, behavioral, and operational safety activities identified in an Action Plan:

- **Applying low-cost roadway safety treatments** system-wide, such as left- and right-turn lanes at intersections, centerline and shoulder rumble strips, wider edge lines, high-friction surface treatments, road diets, and better signage along high-crash urban and rural corridors.
- **Identifying and correcting common risks** across a network, such as improving pedestrian crosswalks by adding high-visibility pavement markings, lighting, and signage at transit stops, in a designated neighborhood, or along a busy public transportation route.
- **Transforming a roadway corridor** on a High-Injury Network into a Complete Street with safety improvements to control speed, separate users, and improve visibility, along with other measures that improve safety for all users.
- **Installing pedestrian safety enhancements and closing network gaps** with sidewalks, rectangular rapid-flashing beacons, signal improvements, and audible pedestrian signals for people walking, rolling, or using mobility assisted devices.
- **Supporting the development of bikeway networks** with bicycle lanes for different roadway volumes and speeds that are safe for people of all ages and abilities.
- **Carrying out speed management strategies** such as implementing traffic calming road design changes, addressing speed along key corridors through infrastructure, conducting education and outreach, setting appropriate speed limits, and making strategic use of speed safety cameras.

- **Creating safe routes to school and public transit services** through multiple activities that lead to people safely walking, biking, and rolling in underserved communities.
- **Promoting the adoption of innovative technologies or strategies to promote safety** and protect vulnerable road users in high-traffic areas where commercial motor vehicles (CMVs), pedestrians, bicyclists, motorcyclists, etc. interact.
- **Conducting education campaigns to accompany new or innovative infrastructure**, such as roundabouts, pedestrian hybrid beacons, or pedestrian-only zones.
- **Reducing roadway departure crashes** through enhanced delineation, shoulder widening, rumble strips, and roadside safety improvements.
- **Evaluating and improving the safety of intersections** by considering innovative design changes, improved delineation, and advanced warning.

Implementation Grant applicants may also “bundle” supplemental planning and demonstration activities with funding proposals for projects and strategies. These additional activities do not need to be in the same area as the projects and strategies, and could be addressing a separate safety issue. DOT will evaluate such activities separately from projects and strategies. Some examples include:

- **Working with community members in an identified problem area** to carry out quick-build street design changes informed by outreach and user input.
- **Unifying and integrating safety data across jurisdictions** where local agencies share their crash, roadway inventory, and traffic volume data to create an analytic data resource.
- **Testing out the deployment advanced transportation technologies**, such as the installation of connected intersection-based safety solutions and vehicle-to-infrastructure (V2I) advisory speed limit systems (e.g., Intelligent Speed Assistance [ISA]).
- **Improving first responder services** with improved crash data collection, formalizing street names and addressing, and enhancing emergency vehicle warning systems.
- **Implementing standard and novel data collection and analysis technologies and strategies** to better understand vulnerable road user (pedestrian/bicycle/transit rider) network gaps and to collect exposure data.

EXHIBIT 11

Sidewalk Program Project Petition
Requested Project: West Kingston Springs (County Hwy 1848)

N. Main Street to Ellersly Subdivision

#	Petitioner Signature	Petitioner Full Name (Please Print Legibly)	Street Address (Address Number and Street Name)	Contact Info (Phone or Email)
1	<i>James E. Timmerman</i>	JAMES E. TIMMERMAN	104 Ellersly Way	Timmermanjst@gmail.com
2	<i>Debbie Yoho</i>	Deborah J. Yoho	106 Ellersly Way	dyoho@fol.com
3	<i>Joseph M. Hurst</i>	Joseph M. Hurst	102 Ellersly Way	michael.hurst@concast.net
4	<i>Alivia N. Webb</i>	Alivia N. Hurst	102 Ellersly Way	alivianroberts@gmail.com
5	<i>Paula Webb</i>	Paula Webb	100 Ellersly Way	paula.webb@vime.org
6	<i>Cole Webb</i>	Cole Webb	100 Ellersly Way	cole.t.webb@vime.org
7	<i>Jonathan Greer</i>	Jonathan Greer	109 Ellersly Way	john-greer@msn.com
8	<i>Tricia Greer</i>	TRICIA GREER	"	"
9	<i>Scott Rehler</i>	SCOTT REHLER	108 ELLERSLY WAY	REDHAN115@GMAIL.COM
10	<i>Hadi Rehler</i>	HADI REHLER	108 ELLERSLY WAY	HADI.REHLER@GMAIL.COM
11	<i>SJ. McNamey</i>	SJ. McNAMEY	111 ELLERSLY WAY	Sjmcnamely26@gmail.com
12	<i>Bailey Wall</i>	BAILEY WALL	111 ELLERSLY WAY	Bwall812@gmail.com
13	<i>Clay Cook</i>	CLAY COOK	105 Ellersly Way	claycook91@gmail.com
14	<i>Amber McGill</i>	AMBER MCGILL	105 Ellersly Way	amber.wgill2@cox.net
15	<i>Elizabeth Davis</i>	Elizabeth Davis	108 Madeleine Way	Elizabethjoy.davis@gmail.com
16	<i>Andrew Paul</i>	Andrew Paul	112 Ellersly way	paulandr22@yahoo
17	<i>Brittany Paul</i>	Brittany Paul	112 Ellersly way	paulandr22@yahoo
18	<i>Ann Reimann</i>	ANN REIMANN	112 DANIELLENE Way	annreimann@gmail.com
19	<i>Lundy Cobb</i>	Lundy Cobb	1065 Timber Ridge Ct	lcobb@concast.net
20	<i>Echo Brabene</i>	Echo Brabene	368 Oak Street	Estelastachler@gmail.com
21	<i>Philip Brown</i>	Philip Brown	1018 Dogwood Ln	

Sidewalk Program Project Petition
Requested Project: West Kingston Springs (County Hwy 1848)

N. Main Street to Ellersly Subdivision

#	Petitioner Signature	Petitioner Full Name (Please Print Legibly)	Street Address (Address Number and Street Name)	Contact Info (Phone or Email)
22		Shea Conway	1190 Webb Ridge Rd	615-604-0055
23		Brian Bechtel	1091 Crane Ct.	865-856-1877
24		Dwayne Bechtel	1091 Crane Ct	865-335-6759
25		PAT McCalman	1070 Wildfire Tr.	615 889 8711
26		Shelby Carver	1055 Lanesome Pine Rd	257e-675-5301
27		Lora Carver	1055 Lanesome Pine Rd	501-786-8486
28		Catherine J. Downs	103 E. K.S. Rd, KS.	615-927-0127
29		Shay McCallum	376 N Main Street KS	615 970 1853
30		Savannah McCallum	376 N Main St K	615 934 1454
31		Clark Johnson	1001 Copps Hill Circle	615 484-6415
32		Adam Geddes	1175 Wax Wing	615-945-5610
33		Jeff Geddes	1190 Wax Wing Cir	615-888-6727
34		Emily Eubank	1151 Dog Creek	615-910-1371
35		Linda Eubank	1355 North	Linda Eubank peth@pannous.com
36		Barton Eubank	201 Hickory Dr	derek@redpmail.com
37		Aiden Cook	201 Hickory Dr	a.1dono@1101@andgo.com
38		D. Jill Stewart	110 Ellersly Way	615-386-9039
39				
40				
41				
42				

**ACCESSORY USE AND KINGSTON SPRINGS ZONING
ORDINANCES PERTINENT THERETO – TOTAL BUILDING AREA v. LIVABLE AREA**

Question - Are the Kingston Springs Zoning Ordinances being interpreted to the detriment of homeowners being able to enjoy full use of their property and depriving them of accessory structure usage? Recent zoning issues regarding these regulations necessitate discussion and reevaluation of square footage of the principal structure utilized in our ordinances.

Principal Use

Kingston Springs Zoning ordinances refer generically to “principal use” and our ordinances regarding accessory use have been interpreted that the square footage of the principal use only encompasses the square footage of the finished living space and not the total square footage of the entire structure defined as building coverage. This diminished interpretation fails to inure to the benefit of a homeowner by reducing the actual size of the structure to only the living area which in essence serves to restrict them from being able to build a garage, a deck, or otherwise have full use of his/her property to increase their enjoyment of their property. The Town current interpretation could in effect enjoin a property owner from using what comes down to only a few hundred square feet of accessory usage being in contention

The total dimensions of a structure should be taken into account when applying our accessory use regulations found in ZONING – Article III General Provisions - SECTION 3.100 ACCESSORY USE REGULATIONS. The actual size or the total square footage of the entire footprint of a residence or principal structure should be interpreted and calculated to be the exact amount of space it takes up on any given lot. Using only the livable area grossly does not take into account the actual scope/space that the building takes up on the property. Limiting the calculation to only include the net or finished living space used for realtor sale purposes and not the actual dimensions of a principal structure does not make sense in terms of gauging the maximum lot coverage as contemplated by Article V - Zoning Districts 5.050.

The gross square feet is the total area of enclosed space measured to the exterior walls of a building. This is an umbrella term that includes everything, i.e. the total space a building takes up regardless of whether or not the space is used.

Of note, in Cheatham County’s Zoning Resolution dated June 28, 2021 (w/amendments as recent as 8/21/23) Principal Structure is defined as follows:

PRINCIPAL STRUCTURE: *A structure in which is conducted the principal use of the lot on which it is situated. In any residential or agricultural district, any dwelling shall be deemed the principal structure on the lot on which the same is situated. Carports and garages if permanently attached to the principal structure shall be deemed a part of the principal structure. Awnings, porches, patios, or similar attachments shall be deemed a part of the principal structure and shall meet all yard requirements.*

Ashland City’s Zoning Regulations as found in their Section 3.100 refers to the “**total square footage of the principal structure**” and not the livable area.

Per Ashland City: *“We look at the total square footage of the principal structure’s footprint and not just the livable area (this would include an attached garage). . . . our definitions section for a principal structure . . . does not specify total or livable area, but I interpret this as addressing **density** of a person’s property and therefore look at total of the building area.”*

Kingston Spring does not specifically define “principal use” beyond “[T]he specific primary purpose for which land or a building is used.” It would benefit homeowners to incorporate the definition of “principal use” and “principal structure” as contemplated in detail by Cheatham County or usage of “total” square footage is contemplated by Ashland City. The home’s total square footage should include attached finished garages and possibly other attachments that make up the footprint as well.

A homeowner seeking build a garage or other accessory structure not only seeks to further enjoyment and use of their own property, but the residential value will also increase which is also a benefit to the Town.

The Town could also consider implementing a graduated increase in allowable accessory structure size (singular or cumulative) as per the example below.

This would benefit persons living in a home that has a footprint of 1600 total square feet, but lives on over 5 acres. This way, they are not seemingly penalized for having less square footage than say a home with 2500 total square feet on the same size lot.

Such a process would inure to the benefit of the property owner and would not negatively impact surrounding properties.

Lot Size	Maximum Allowable Structure(s) Size
0 to 7,000 square feet	500 square feet
7,001 to 9,000 square feet	780 square feet
9,001 to 12,000 square feet	950 square feet
12,001 to 21,780 square feet	1080 square feet
21,781 to 43,560 square feet (1 acre)	2,000 square feet
43,561 to 65,340 square feet	2,500 square feet
65,341 to 87,120 square feet (2 acres)	3,000 square feet
87,121 to 108,900 square feet (2.5 acres)	3,500 square feet
108,901 to 217,800 square feet (5 acres)	4,500 square feet
217,801 or more square feet	6,000 square feet for each five acres of property owned

Submitted by Commissioner Carolyn Clark – 10/25/23

AMENDMENT PROPOSAL:

Amending Kingston Springs Zoning Ordinance – Gross Living Area as opposed to Livable Area when calculating Accessory Use.

3.100. Accessory Use Regulations. The use of land, buildings, and other structures permitted in each of the districts established by this ordinance are designed by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted uses are also permitted in each district. Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. Contribute to the comfort, convenience, or necessity of users of such principal use.
- E. Total accessory uses in residential areas shall be limited in their size. An accessory use on any lot shall be limited to no more than one-half the size of its principal use, **i.e., the total square footage of the principal structure** on such lot.
- F. **If however, the subject property is at least _____ acres in size, the Kingston Springs Municipal Planning Commission shall have the discretion to vary this requirement on a case-by-case basis.**
- G. No accessory building or structure shall be located closer than ten (10) feet from any adjoining property line. See Sections 3.040 and 3.050, for other related setback requirements.

Article II Definitions – Amending Kingston Springs Zoning Ordinance - Definition of Principal Use:

~~PRINCIPAL USE: The specific primary purpose for which land or a building is used.~~

PRINCIPAL USE OR STRUCTURE: A structure in which is conducted the principal use of the lot on which it is situated. In any residential or agricultural district, any dwelling shall be deemed the principal structure on the lot on which the same is situated. Carports and garages if permanently attached to the principal structure shall be deemed a part of the principal structure. Awnings, porches, patios, or similar attachments shall be deemed a part of the principal structure and shall meet all yard requirements.



Submitted by Commissioner Carolyn M. Clark

RESOLUTION NO. 23-015

A RESOLUTION APPROVING UNITED COMMUNITY BANK AS A DEPOSITORY FOR MUNICIPAL FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR THE SAME

WHEREAS, pursuant to Tennessee Code Annotated 6-22-120, the Town of Kingston Springs, Tennessee, herein referred to as "Town", is required to solicit proposals from banks and enter into contract with bank(s) making the best proposal to become depository of municipal funds; and,

WHEREAS, the Town has requested and received quotes from at least two banks; and

WHEREAS, United Community Bank has submitted the Town the attached quote for current interest rate and fees, and the same is the best proposal for the Town's needs; and,

WHEREAS, the Town desires to utilize United Community Bank as a depository for municipal funds, and authorizes the City Manager to enter into a contract with United Community Bank for the same.

NOW THEREFORE, BE IT RESOLVED, the Town of Kingston Springs Board of Commissioners, meeting in regular session this the 16th day of November, 2023, does hereby approve and accept the interest rate and fee proposal of United Community Bank and authorizes the City Manager to enter into a contact with United Community Bank for the provision of services as a deposit of Town funds.

Attest:

Mayor Francis A. Gross III.

City Recorder Jamie Dupre'



Request for quote of current interest rate and fees

TO: United Community Bank
DATE: 10/20/2023

Please forward us the most current rates and fees your bank has for the following:

Table with 2 columns: Account Type and Interest Rate. Rows include Checking Account, Savings Account, MMA Account, 6-month Certificate of Deposit, 1-year Certificate of Deposit, 2-year Certificate of Deposit, and 3-year Certificate of Deposit.

Fees charged for banking services, to include:

Table with 2 columns: Fee Type and Fees. Rows include monthly analysis charges, any other relevant recurring fees, Safe Deposit Box, Cashier Checks, Wire Transfers, and Other charges (please specify).

Is the bank a member of the Tennessee State Collateral Pool?

Yes X No

If the previous answer is "No" is the bank willing to pledge collateral securities for public deposits in the amount of 105% of the amount exceeding FDIC coverage?

Yes No

Please return to Kellie Reed via email at kreed@kingstonsprings-tn.gov

Proposals are due and must be received no later than November 6, 2023 at 12:00 p.m. for consideration

Handwritten signature: Len Healey, V.P.

The following rates are being offered specific to the current Money Market accounts held by the Town of Kingston Springs:

MMI Acct 62000197 – On account balances over \$2,000,000 rate will be LL Fed Funds Rate $-.25 = 5.00\%$

If balances falls below but above \$1,000,00 rate will be LL Fed Funds Rate $-.60 = 4.65\%$
Below \$1,000,000 will be $.65\%$

MMI Acct 62000113 - variable rate bank priced at 3.25% with a floor of \$500,000

MMI Acct 63000302 – variable rate bank priced at 2.50%



Request for quote of current interest rate and fees

TO: First Financial Bank
DATE: 10/20/2023

Please forward us the most current rates and fees your bank has for the following:

Table with 2 columns: Account Type (Checking, Savings, MMA, Certificates of Deposit) and Interest Rate (5.27%, 0.05%, 5.40%, 5.20%, 4.91%, 3.50%, 3.50%)

Fees charged for banking services, to include:

Table with 2 columns: Service (monthly analysis, safe deposit, cashier checks, wire transfers, other charges) and Fee (\$10.00, \$5.00, \$25.00, \$33.00, etc.)

Is the bank a member of the Tennessee State Collateral Pool?

Yes X No

If the previous answer is "No" is the bank willing to pledge collateral securities for public deposits in the amount of 105% of the amount exceeding FDIC coverage?

Yes No

Please return to Kellie Reed via email at kreed@kingstonsprings-tn.gov

Proposals are due and must be received no later than November 6, 2023 at 12:00 p.m. for consideration

12.F,

505 Valley Drive
Kingston Springs, TN 37082
615-952-3094
615-962-2017
www.secondsouthcheatham.com

**Second South
Cheatham Utility
District**

Fax

To: Doris Fax: 615-952-2397

From: Jennifer Davenport Date: 10-30-23

Re: Secondary Meters Pages: 3

Cc: _____

Urgent For Review Please Comment Please Reply Please Recycle

Comments: Please add to the November meeting agenda for approval.

2:22 PM

10/30/23

**Secondary Meters
Summary with usage
As of October 30, 2023**

Type	Name	Memo	Open Balance
Current			
Bill	Agnes J. Briley	Usage: 4,700	47.00
Bill	Allison Skiff	usage: 3,500	35.00
Bill	Barbara Locke	usage 700	7.00
Bill	BECKY DAWSON	USAGE 58,300	776.20
Bill	Bill Miller	usage 2,000	20.00
Bill	Brenda Scott	usage 4,600	46.00
Bill	Brian Nobes	usage 10,000	100.00
Bill	Cynthia Williams	Usage 1,900	19.00
Bill	Daleleen Harman	usage 7,800	78.00
Bill	David Leftwich	usage 8,600	86.00
Bill	David Sturtevant	usage: 5,400	54.00
Bill	Dennis Thweatt	1,000 + 1,000 +100 + 0 ...	21.00
Bill	Donald Greer	usage 6,100	61.00
Bill	E.C. Hardison, III	usage 5,000	50.00
Bill	Edward Gasser	usage 12,600	136.40
Bill	Elizabeth Duggan	Usage: 2,900	29.00
Bill	Eual C. Robbins	usage 800	8.00
Bill	Gene Carlton	usage 400	4.00
Bill	Glenn Baker	usage 700	7.00
Bill	Gordon or Traci Belt	Usage 29,700	375.80
Bill	Guglielmo F Franco	Usage 23,300	286.20
Bill	Heidi Renner	Usage 4,200	42.00
Bill	Henry Lorenz	Usage 1,200	12.00
Bill	James Anderson	usage: 1,100 plus 1,500	26.00
Bill	James Nix	usage 700	7.00
Bill	Janelle Mayfield	Usage: 17,500	205.00
Bill	Janle Tiesler	usage 800	8.00
Bill	Jeff Lundy	Usage 8,200 + 6,800 = ...	150.00
Bill	Jennifer Bischof	usage 2,000	20.00
Bill	Jesse Tritschler	usage 6,300	63.00
Bill	Jessica Dorn	Usage 400	4.00
Bill	John Adamson	usage 1,300	13.00
Bill	John Hoots	usage 7,500	75.00
Bill	John McLeroy	usage 3,100	31.00
Bill	Joseph Frejosky	usage 69,800	937.20
Bill	Joyce Graves	usage 14,200	158.80
Bill	K. S. Elem. School ...	usage 582,900	8,120.60
Bill	Kathleen Davis	usage 23,300	286.20
Bill	Kathleen Gibbs	Usage 4,300	43.00
Bill	Kathleen Miller	Usage 2900	29.00
Bill	Kathy D Miller	Usage 100 + 3,600 = 3,...	37.00
Bill	Keith Honchell	usage 6,800	68.00
Bill	Kelly or Chris Hoffm...	Usage : 41,500	541.00
Bill	Kelly Williams	usage 30,600	388.40
Bill	Kimberly Dronsella	usage 22,100	269.40
Bill	Landy R. Campbell	Usage: 11,400	119.60
Bill	Larry Craig	usage 7,400	74.00
Bill	Larry Turner Jr	usage 24,600	304.40
Bill	Laura Aker	USAGE 4,800	48.00
Bill	Lauren Hill	usage 3,800	38.00
Bill	Leighanne Haynes	usage 6,700	67.00
Bill	Lisa Clark	usage: 29,200	368.80
Bill	Maria Talley	Usage 6,900	69.00
Bill	Marion Fowlkes	usage 4200	42.00
Bill	Martha Brooke Martin	usage: 1,200	12.00
Bill	mary Bentley	Usage 36,000	464.00
Bill	Mary Combs	usage 200	2.00
Bill	Matt Farmer	usage 4,100	41.00
Bill	Michael Burton	usage 12,400	133.60
Bill	Michael Hargis	usage 174,300	2,400.20
Bill	Michelle Kitch	usage 1,200	12.00
Bill	Mike Siler	usage 4,300	43.00
Bill	Morris Lewis	951-00480-001; Usage ...	223.20
Bill	Nancy Sturtevant	usage 8,100	81.00
Bill	Nick Haworth	Usage 900	9.00
Bill	PAM FORIEST	USAGE 39,700	515.80
Bill	Paul Ashby	usage 6,400	64.00

2:22 PM

10/30/23

**Secondary Meters
Summary with usage
As of October 30, 2023**

Type	Name	Memo	Open Balance
Bill	Peter White	Usage 1,000	10.00
Bill	Pierre LuDuc	usage 3,700	37.00
Bill	Rachel Garrison	Usage12,800	139.20
Bill	Ralph A Garton, Jr	Usage:15,600	178.40
Bill	Randy Simpkins	usage 1,500	15.00
Bill	Richard Gibbs	11,500 + 104,100 = 115...	1,538.40
Bill	Richard Lawton	usage 10,800	111.20
Bill	Richard Spafford	usage 2,500	25.00
Bill	Ricky Gibbs	Usage 10,300	104.20
Bill	Robert Crouch	usage 28,100	353.40
Bill	Robert DeFrancesca	Usage10,500	107.00
Bill	Robert Hueneke	Usage 9,800	96.00
Bill	Robert Kupina	usage 3,500	35.00
Bill	Robert Perry	Usage 2,400	24.00
Bill	Samuel T Long IV	Usage 22,500	275.00
Bill	sara Hammers	Usage 300	3.00
Bill	Selah Spelch	Usage 2,300	23.00
Bill	Stephane Staed	usage 12,800	139.20
Bill	Stephen Turnbloom	usage: 8,700	87.00
Bill	Steven Bruce	usage 14,600	164.40
Bill	Sue Clark	usage 17,400	203.60
Bill	Terry Lyon	usage 5,200	52.00
Bill	Traci Bobo	usage 24,600	304.40
Bill	Trina Corlew	usage 4000	40.00
Bill	Van Nguyen	Usage 3,800	38.00
Bill	Vicki Watts	usage 9,400	94.00
Bill	Vickle Shrum	Usage 7,000	70.00
Bill	Wayne Hastings	Usage: 2,700	27.00
Bill	William Allen	Usage 500	5.00
Bill	William Englehart	usage 10,000	100.00
Total Current			23,312.20
> 0			
Total > 0			
TOTAL			23,312.20



Department Reports

Kingston Springs, Tennessee

November
2023



Monthly Codes Report - Commission Packet

01/01/2023 - 10/31/2023

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200213	9/19/2023	116A Martin Ct	SEIQI ABDUL	Anonymous Complainant	Ovvergrown lot and junk auto and debris	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200212	9/19/2023	300 Maple St	MCELROY ANITA RUTH	Anonymous Complainant	Overgrown lot and vines growing into and onto the house and roof.	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200211	9/19/2023	769 Mt Pleasant Rd	ASKEW HEATHER DORENE	Town Staff	Possible working without a permit	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200210	8/30/2023	129 E KINGSTON SPRINGS RD		Town Staff	WORK NONCOMPLIANT W/PERMIT - ZONING, GRADING, SITE PLAN NON COMPLIANCE	Violation Letter Issued

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200209	8/10/2023	255 Harpeth View Tr	MENDENHAL L ROBIN G		Grass not cut	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200208	7/26/2023	260 Maple Street	HARMON RYAN A	Resident/Other Complainant	Someone living in a camper at this address.	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200207	8/9/2023	254 Cedar Ct.	PRUITT JUSTIN C		Overgrown Lot	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200206	8/9/2023	260 Harpeth View Tr.	PRUITT JUSTIN C		Junk and debris in yard and possible remodel without a permit	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200205	7/30/2023	300 Maple St.	MCELROY ANITA RUTH	Town Staff	Overgrown vegetation throughout the yard and onto the house.	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200204	7/19/2023	276 Maple Street	IVEY HOWARD	Resident/Other Complainant	Junk automobiles in front and rear of home and yard maintenance	Open - Yellow Card

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200203	7/19/2023	268 Maple St.	LAMASTUS OLA MAI	Resident/Other Complainant	Junk Automobiles (truck) and Stagnant Pool	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200202	6/13/2023	320 Oak St	NORCROSS DEVIN T &	Town Staff	Chickens getting in neighbor's yard and not being contained properly	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200201	7/10/2023	201 Brookside Dr.	EDMUND MITTIE TOLE		Overgrown vegfitation	Open - Yellow Card
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200200	6/17/2023	552 Cunningham Ct	PERRI LOUIS	Resident/Other Complainant	Overgrown grass, schrubs, and tree limbs growing against the structure.	Violation Letter Issued
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200199	6/13/2023	561 Cunningham Ct.	SWINDLE CONNIE SUE	Resident/Other Complainant	Overgrown lot, excessive weeds around out building, debris to include old batteries, tires metal around storage building.	Abated/Closed (Green Card)

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200198	6/13/2023	320 Oak Street	NORCROSS DEVIN T &	Anonymous Complainant	Chickens not being contained	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200197	6/8/2023	552 Cunningham Ct	PERRI LOUIS		Overgrown grass and vegetation.	Violation Letter Issued

Activity

Comments	Follow-up Date	Completed Date	Status	Comments
	1/1/1900	1/1/1900	Assigned	

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200196	4/17/2023		COURTNEY SHAWN ETUX			
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200195	4/17/2023		COURTNEY SHAWN ETUX			
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200194	4/7/2023	584 Mt. Pleasant Rd	MOORE HOMES LLC	Town Staff	Dumpster overflowing and trash being blown onto other properties.	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200193	3/25/2023	342 West View Dr.	SCHWARTZ KELLY	Town Staff	Constructing a deck without a permit	Open - Yellow Card

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200192	3/25/2023	988 Timber Ridge	TYREE JOHN M	Town Staff	Constructing a deck without a permit	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
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
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
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

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
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
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200187	2/15/2023	387 Moores Ci	FRANCIS KARL	Resident/Other Complainant	Trash, Junk and debris in yard	Violation Letter Issued

Activity

Comments	Follow-up Date	Completed Date	Status	Comments
	1/1/1900	1/1/1900	Assigned	

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
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)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200185	1/17/2023	1311 CC Road	SULLIVAN REEDY A	Resident/Other Complainant	Trash/junk in yard getting onto other property	Abated/Closed (Green Card)
Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
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

Case #	Case Date	Violation Address	Owner Name	Type	Description of Possible Violation	Main Status
200183	1/6/2023	356 Love St		Town Staff	Stop Work Order issued 1/6/2023	Open - Yellow Card

Total Records: 31

11/9/2023



Monthly Departmental Update

November 2023

VOLUNTEER FIRE DEPARTMENT MONTHLY REPORT

Projects/Items in the Works:

- Continuing our marketing strategy for recruitment & retention
- Aerial truck has been repaired
- Preparing application for upcoming Fire Marshall's Grant

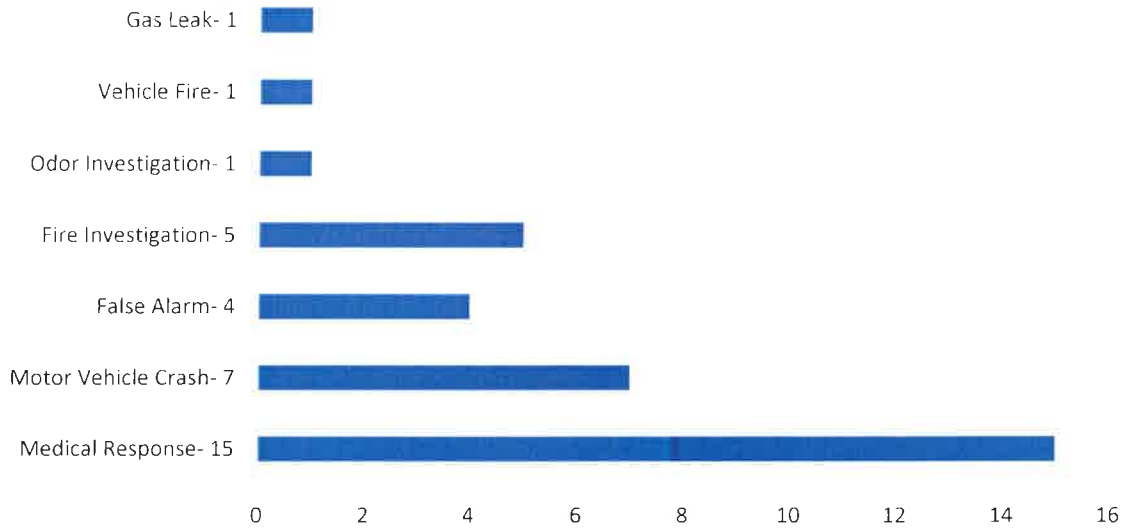
Other Notes:

- We accepted another new member who has already completed his initial 16hr training
- FD participated in the Annual National Night Out
- Members assisted with traffic control at Art in the Park & Trick-or-Treating on Main
- We've received an application for another new member
- FD participated in the High School's Homecoming Parade
- We have finished out the 'Incentive Year' and will be calculating incentive payments

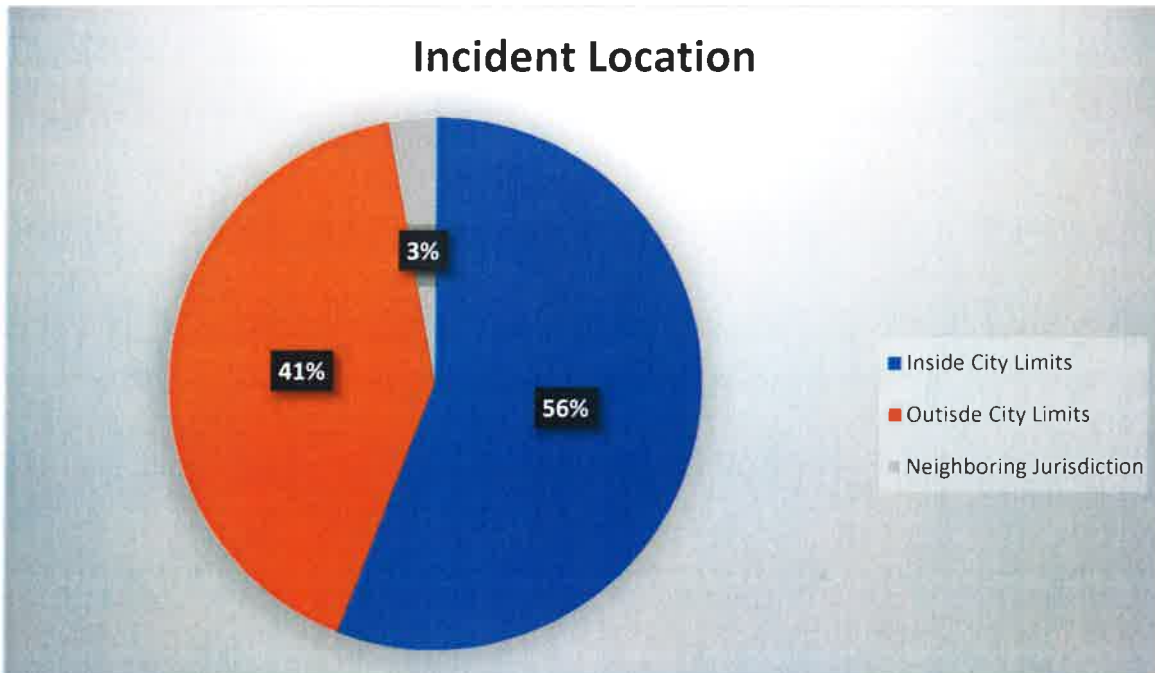
Kingston Springs Volunteer Fire Department Incident Response for October 2023

KSVFD responded to 34 calls in the month of October with an average response time of just under 7 minutes. Below is a breakdown of the incident type

Incident Type



Incident Location





Monthly Departmental Update

November 2023

PARKS DEPARTMENT MONTHLY REPORT

Projects/Items in the Works:

- New roof on the activity center has been installed.
- Soccer season has ended and will begin again in March 2024.
- New message board for Activity Center has been installed.
- The gates at Burns and City Park have been installed. We are waiting on ACS/Guardian to install the operators. Burns Park rock wall is being repaired on November 26-28 and after that ACS will come in and finish the installation. The gate was moved back 3 feet from its prior location to hopefully prevent more damage. Also, a bollard will also be installed to add further protection.
- Planning and installation of a Kingston Springs Christmas is in full effect.

Other Notes:

Seniors will have bingo on the 1st & 3rd Monday's at 10:00

Thanksgiving luncheon will be on 11/16/23 at the Activity Center.

Christmas in the Park is on December 10th.



Monthly Departmental Update

November 2023

POLICE DEPARTMENT MONTHLY REPORT

Projects/Items in the Works:

- Finalizing advertisement for vacant PSO position

Notes:

- K9 Officer Palazzi & Luca placed 3rd overall in the Annual 'Regional K9 Competition'

LPR Data:

- 226,543 total plates read
- 70,125 unique plates read
- 17 NCIC hits
 - 1 Sex Offender
 - 12 Stolen Vehicles
 - 1 Warrants
 - 1 Suspected Terrorist
 - 1 Missing Person
 - 1 Protection Order



Monthly Departmental Update

November 2023

PUBLIC WORKS DEPARTMENT MONTHLY REPORT

- Projects/Items Completed this Month:
- Cleaned culverts
- Trimmed roadside trees
- Installed new road signs
- Covered numerous sewer calls
- Had several 811 locates
- Replaced stolen road signs
- Cleaned storm drains and curb
- Patched some pot holes
- Located sewer lines
- Cut grass at both Parks , Fire Stations
- Kept baseball field ready for practices
- Maintenance on equipment
- Bush hogged Burns Parks
- Straightened road signs
- Mowed CC Rd , Merry Log , West Kingston
- Sprayed sidewalks for weeds
- Mowed sewer lagoons
- Picked up trash on CC Rd
- Filled holes with dirt in the Park
- Repaired lawnmowers
- Worked Art in The Park
- Cleaned up fallen trees in Burns Park
- Cleaned up leaves on curb lines and side walks
- Closed Splash Pad for Winter
- Checked Christmas lights that go on light poles



Monthly Departmental Update

Projects/Items in the Works:

- Add river rock to flower beds at City Hall
- Tree trimming
- Patch potholes across town
- Edge sidewalks across town
- Trash pick up by Sheriff's Department
- Trim back trees on trails at Burns Park

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 .

Our workers are all doing a great job and working hard daily .



RECEIVED
NOV 06 2023

Second South Cheatham Utility District

TOWN OF KINGSTON SPRINGS BILLING REGISTER SUMMARY

Billing Period
10/31/2023

Sep 23 - Ending Balance	67,656.86
Add Penalties:	1,237.09
Adjustments	-1,521.58
Less Payments:	-66,493.65
Unapplied cash payments	-737.84
Balance Forward:	140.88
Sewer Billing (Sales):	90,118.15 (includes incorrect billing to Thomtons)
Total Account Receivable:	90,259.03

COLLECTIONS STATEMENT

Collection Dates:	10/01/2023 - 10/31/2023
Collection Amount:	66,493.65
Unapplied Cash	737.84
Less 6.5%	4,370.05
Amount Due	62,861.44

	Same Period Last Year	Current Period	Increase or Decrease
SALES	43,615.43	90,118.15	106.6%
GALLONS	3827.0	5641.4	47.4%

ADJUSTMENTS

Account Number	Description	Amount	Reason
0101-91760-001	Susan Drinkwaterwade	-40	not ready for water
0101-91000-002	Patsy Carder	-414.94	leak
0101-91830-003	Marylyn Bishop	-3	misread
0101-27970-001	Jeff Plunk	-22.14	penalty Leak
0101-30150-003	Kurt Obersteadt	-850.18	leak
0101-91800-000	Mrs. Kenneth Elkins	-184.07	leak
0101-02010-003	Kara Williams	-7.25	penalty
Total		-1521.58	

505 Valley Dr. P.O. Box 309 Phone: 615-952-3094 Fax: 615-952-2017 www.secondsouthcheatham.com
Kingston Springs, TN 37082

This institution is an equal opportunity provider and employer

Second South Cheatham

Transaction Rate Summary

Company Divisic All

Include Voided Transactions

Cycle(s) 01 Cycle 1

Batch Range All

Customer Type(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 10/1/2023 To 10/31/2023

Service Type	Rate Code	Adjustments	Payments	Deposit Receipts	Applied Deposits	Deposit Adjustments	Bad Debt Writeoffs	Applied Credit
KS KS Sewer Usage	01	-\$1,476.86	-\$65,652.21	\$0.00	\$0.00	\$0.00	\$0.00	-\$733.84
KS K.S. Sewer Only	06	\$0.00	-\$46.35	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Penalty KS Sewer Penalty	11	-\$26.14	-\$795.09	\$0.00	\$0.00	\$0.00	\$0.00	-\$4.00
Penalty Totals		-\$1,503.00	-\$66,493.65	\$0.00	\$0.00	\$0.00	\$0.00	-\$737.84
						\$0.00		
KS - Svc Credit		-\$18.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3.00
All Routes Totals		-\$1,521.58	-\$66,493.65	\$0.00	\$0.00	\$0.00	\$0.00	-\$734.84

Second South Cheatham

Code Summary Report

Cycle(s) 01 Cycle 1

Print Totals Only

Customer Type(s) All

Service Type(s) KS Sewer

Print Code Summary Report For Historical Billing

Account Number Range All

Inactive Services With Arrears Shown In Billing

10/1/2023 To 10/31/2023

Service	Rate	Number		Charges	Usage	Adjustment Amount	Adjusted Total
		Active	Inactive				
KS Sewer	01 KS Sewer Usage	757	16	\$90,071.80	5,641,400		
	06 K.S. Sewer Only	3	0	\$46.35			
			16	\$90,118.15	5,641,400		
Penalty	11 KS Sewer Penalty	114	14	\$1,237.09			
	Total Penalties		14	\$1,237.09			
Report Totals				\$91,355.24			