CITY OF KINGSTON PUBLIC HEARING

TUESDAY, NOVEMBER 13, 2012 – 6:45 P.M.

KINGSTON COMMUNITY CENTER

AN ORDINANCE TO PROVIDE FOR EFFECTIVE REGULATIONS OF EXCESSIVE SOUND OR NOISE, ESTABLISH STANDARDS, REGULATIONS AND ENFORCEMENT PROCEDURES THAT WILL ELIMATE OR REDUCE UNNECESSARY AND EXCESSIVE SOUNDS OR NOISES WHICH ARE PHYSICALLY HARMFUL OR OTHERWISE DETRIMENTAL TO INDIVIDUALS AND THE COMMUNITY IN THE ENJOYMENT OF LIFE, PROPERTY AND THE CONDUCT OF BUSINESS

Mayor Beets called to order the Public hearing on Tuesday, November 13, 2012 at 6:45 p.m. in the community center. Council members and Michael Sugarman discussed the measuring of sound. Ted Perry stated he would just like to enjoy his own home.

After no other comments, Mayor Beets adjourned the hearing.

REGULAR MEETING – KINGSTON CITY COUNCIL

TUESDAY, NOVEMBER 13, 2012

KINGSTON COMMUNITY CENTER

The Regular meeting of the Kingston City Council was held on Tuesday, November 13, 2012 at 7:00 p.m. in the community center. Mayor Beets called the meeting to order with City Manager Jim Pinkerton giving the invocation and Vice Mayor Neal leading the pledge. Upon roll call the following members were present: Councilman Brown, Councilman Byrkit, Vice Mayor Neal, Councilman Sugarman, Councilman White and Mayor Beets. Staff present: City Manager Jim Pinkerton, City Attorney Jack McPherson, Finance Director Carolyn Brewer and City Clerk Eleanor Neal. Councilman McClure arrived after roll call.

PREVIOUS MINUTES

A motion made by Councilman White, second by Vice Mayor Neal to waive the reading and approve as written the minutes of the regular meeting on October 9, 2012. The motion passed with a unanimous roll call vote. 6 Ayes

CITIZEN COMMENTS – No citizen comments

6. REPORTS

A. MAYOR AND COUNCIL – Mayor Beets re-appointed Gary Botkin to serve another 8 year term on the Kingston Regional Planning Commission

B. DEPARTMENT HEADS – Rick Ross, Parks & Recreation; Willie Gordon, Fire Department; Jim Washam Police Department

C. CITY MANAGER – City Manager Pinkerton gave his report on various City projects

D. ROCKWOOD ELECTRIC UTILITY – Councilman Kevin McClure

E. TRANSPORTATION COMMITTEE – Councilman White

7. ADDITION OF ITEMS TO THE MEETING AGENDA RECEIVED AFTER CLOSE OF AGENDA DEADLINE (BY UNANIMOUS CONSENT OF ALL MEMBERS PRESENT) No action taken

8. UNFINISHED BUSINESS

A. SECOND READING OF AN ORDINANCE TO PROVIDE FOR EFFECTIVE REGULATIONS OF EXCESSIVE SOUND OR NOISE, ESTABLISH STANDARDS, REGULATIONS AND ENFORCEMENT PROCEDURES THAT WILL ELIMINATE OR REDUCE UNNECESSARY AND EXCESSIVE SOUND OR NOISES WHICH ARE PHYSICALLY HARMFUL OR OTHER WISE DETRIMENTAL TO INDIVIDUALS AND THE COMMUNITY IN THE ENJOYMENT OF LIFE, PROPERTY AND THE CONDUCT OF BUSINESS

A motion made by Councilman White, second by Councilman Byrkit to adopt on second reading ordinance #12-10-9, establishing standards, regulations and enforcement procedures that will eliminate or reduce unnecessary and excessive noise.

A motion made by Councilman Sugarman, second by Vice Mayor Neal to postpone any action until the December meeting. The motion failed with the following roll call vote recorded: Councilman Brown, Nay; Councilman Byrkit, Aye; Councilman McClure, Pass; Vice Mayor Neal, Aye; Councilman Sugarman, Aye; Councilman White, Nay; Mayor Beets, Nay. 3 Ayes 3 Nays 1 Pass

The original motion passed with the following roll call vote recorded: Councilman Brown, Aye; Councilman Byrkit, Aye; Councilman McClure, Pass; Vice Mayor Neal, Aye; Councilman Sugarman, Pass; Councilman White, Aye; Mayor Beets, Aye. 5 Ayes 2 Pass

9. NEW BUSINESS

A. FIRST READING OF AN ORDINANCE AMENDING SECTION 11-203 DEFINITIONS AND SECTION 11-604 SIGNS, BILLBOARDS AND OTHER ADVERTISING STRUCTURES OF THE CITY OF KINGSTON TENNESSEE ZONING ORDINANCE

A motion made by Councilman White, second by Councilman Byrkit to adopt of first reading Ordinance #12-11-13-3, to amend Section 11-203 and Section 11-604 of the Kingston Zoning Ordinance. The motion passed with the following roll call vote recorded: Councilman Brown, Aye; Councilman Byrkit, Aye; Councilman McClure, Pass; Vice Mayor Neal, Aye; Councilman Sugarman, Aye; Councilman White, Aye; Mayor Beets, Aye. 6 Ayes 1 Pass

B. FIRST READING OF AN ORDINANCE TO REQUIRE THAT ANY HOUSE, BUILDING OR PROPERTY OCCUPIED AS A DWELLING HAVE A FULLY FUNCTION SYSTEM OF TOILET AND WASTEWATER DISPOSAL FACILITIES CONNECTED TO A FUNCTINGING AND CONTINUOUSLY OPERATIONAL WATER SUPPLY

A motion made by Councilman White, second by Councilman Byrkit to adopt on first reading Ordinance #12-11-13-1, to require any house, building or property occupied as a dwelling have a fully functioning system of toilet and wastewater disposal facilities connected to a continuously operational water system. The motion passed with a unanimous roll call vote. 7 Ayes

C. FIRST READING OF AN ORDINANCE AMENDING SECTION 11-402 R-R, RESIDENTIAL DISTRICT OF THE CITY OF KINGSTON, TENNESSEE ZONING ORDINANCE

A motion made by Vice Mayor Neal, second by Councilman White to adopt on first reading Ordinance #12-11-13-2, amending Section 11-404 of the Kingston Zoning Ordinance. The motion passed with a unanimous roll call vote. 7 Ayes

D. ADOPT A RESOLUTION TO AMEND SECTION 111 – EMPLOYMENT OF THE CITY OF KINGSTON’S PERSONNEL POLICY REGARDING REHIRES

A motion made by Councilman Sugarman, second by Councilman McClure to adopt Resolution #12-11-13, to amend Section 111 of the Kingston Personnel Policy. The motion passed with a unanimous roll call vote. 7 Ayes

E. AUTHORIZE THE MAYOR OR CITY MANAGER TO REQUEST REIMBURSEMENT FROM TDOT FOR “HARD MATCH” FUNDS IN THE AMOUNT OF $218,440

A motion made by Councilman White, second by Councilman Byrkit to authorize the Mayor or City Manager to request from TDOT reimbursement for “Hard Match” Funds in the amount of $218,440. The motion passed with a unanimous roll call vote. 7 Ayes

F. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS AS NECESSARY TO EXTEND THE INTREM FINANCING ON THE LADD LANDING GREENWAY PROJECT

A motion made by Vice Mayor Neal, second by Councilman White to approve and authorize Mayor Beets to execute documents to extend the interim financing on the Ladd Landing Greenway Project. The motion passed with a unanimous roll call vote. 7 Ayes

G. CANCEL THE JANUARY 1, 2013 CITY COUNCIL WORK SESSION DUE TO THE NEW YEAR’S HOLIDAY

A motion made by Councilman McClure, second by Vice Mayor Neal to cancel the work session scheduled for January 1, 2013. The motion passed with a unanimous roll call vote. 7 Ayes

H. APPOINT AMANDA CRUMBY TO A 5 YEAR TERM ON THE HISTORIC ZONING COMMISSION BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2017

A motion made by Vice Mayor Neal, second by Councilman Sugarman to appoint Amanda Crumby to a 5year term on the Historic Zoning Commission. Term will expire on December 31, 2017. The motion passed with a unanimous roll call vote. 7 Ayes

I. REAPPOINT EDITH MILES TO ANOTHER 5 YEAR TERM ON THE HISTORIC ZONING COMMISSION BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2017

A motion made by Councilman Sugarman, second by Councilman White to reappoint Edith Miles to another 5 year term on the Historic Zoning Commission. The term will expire 2017. The motion passed with a unanimous roll call vote. 7 Ayes

J. REAPPOINT MS MARY ANN WESOLOSWSKI TO ANOTHER 5 YEAR TERM ON THE HISTORIC ZONING COMMISSION BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2017

A motion made by Councilman White, second by Vice Mayor Neal to reappoint Mary Ann Wesoloswski to serve another 5 year term on the Historic Zoning Commission. Term will expire on December 31, 2017. The motion passed with a unanimous roll call vote. 7 Ayes

K. REAPPOINT MS. GLENDA JOHNSON TO ANOTHER 5 YEAR TERM ON THE BOARD OF ZONING APPEALS BEGINNING NOVEMBER 1, 2012 AND ENDING OCTOBER 31, 2017

A motion made by Councilman Sugarman, second by Vice Mayor Neal to reappoint Glenda Johnson to another 5 year term on the Kingston Board of Zoning Appeals. Term will end October 31, 2017. The motion passed with a unanimous roll call vote. 7 Ayes

A motion made by Councilman White, second by Councilman Byrkit to adjourn the meeting passed with a unanimous voice vote. Mayor Beets adjourned the meeting.

APPROVED\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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W. Troy Beets, Mayor

ATTEST:

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City Clerk