

**REGULAR MEETING KINGSTON CITY COUNCIL  
TUESDAY, APRIL 11, 2017 – 6:00 P.M.  
KINGSTON CITY HALL**

The Kingston City Council met in regular session on Tuesday, April 11, 2017 at 6:00 p.m. Mayor Neal called the meeting to order. City Attorney Jack McPherson gave the Invocation and Member Stockton led the pledge. Upon roll call the following members were present: Vice Mayor Childs, Council Member Brown, Council Member Stockton, Council Member White, and Council Member Wright. Staff present: City Manager David Bolling, City Attorney Jack McPherson, Finance Director Carolyn Brewer and City Clerk Marsha Marshall. Council Member Humphreys- Absent

**PREVIOUS MINUTES**

A motion was made by Council Member White, second by Council Member Childs to waive the reading and approve as written the minutes of the regular meeting on March 14, 2017.

**Roll Call Vote – 6 Ayes**

Vice Mayor Childs – Aye	Council Member White –Aye
Council Member Brown – Aye	Council Member Wright– Aye
Council Member Humphreys - Absent	Mayor Neal – Aye
Council Member Stockton – Aye	

**CITIZEN COMMENTS** – Val McNabb spoke to the Council about students having to pay to park on a public street and John Dennis of Rockwood addressed the council.

**REPORTS – MAYOR AND COUNCIL** – Council Member Brown spoke about the 911 Quarterly Board meeting: Mayor Neal along with City Manager Bolling presented a 30-year service plaque to Chief Jim Washam

**CITY MANAGER** – Mr. Bolling spoke about the upcoming City Blood Drive; gave updates on the Porter Park; boat slips; recent storm damage; the upcoming Hydrant Testing the Fire Department will begin in May and the trailer acquired to be used as a mobile command unit.

**ADDITION OF ITEMS TO THE MEETING AGENDA RECEIVED AFTER CLOSE OF AGENDA DEADLINE (BY UNANIMOUS CONSENT OF ALL MEMBERS PRESENT. – None**

**UNFINISHED BUSINESS –**

1. **Second Reading – ORDINANCE NO. 17-3-14-1  
AN ORDINANCE TO AMEND THE ORDINANCES OF THE CITY OF KINGSTON RELATIVE TO THE ALCOHOL CONTENT OF BEER ALLOWED PURSUANT TO STATE LAW**

A motion was made to Approve the Amendment of Title 8 **ORDINANCE NO. 17-3-14-1 AN ORDINANCE TO AMEND THE ORDINANCES OF THE CITY OF KINGSTON RELATIVE TO THE ALCOHOL CONTENT OF BEER ALLOWED PURSUANT TO STATE LAW** by Council Member Brown, second by Council Member White

**Roll Call Vote – 6 Ayes - Motion Passed on 2<sup>nd</sup> Reading**

Vice Mayor Childs – Aye	Council Member White –Aye
Council Member Brown - Aye	Council Member Wright – Aye
Council Member Humphreys - Absent	Mayor Neal – Aye
Council Member Stockton – Aye	

**NEW BUSINESS –**

1. **First Reading of Ordinance 17-04-11-1  
AN ORDINANCE AMENDING SECTION 11-410 OF THE ZONING ORDINANCE OF THE CITY OF KINGSTON, TENNESSEE WITH REGARD TO ALLOWING THE CONSTRUCTION OF FOUR STORY BUILDINGS AND ESTABLISHMENT OF SETBACK LINES AND BUILDING SPACING**

**Discussion – Planning Commission Recommended**

A motion was made to Approve the **ORDINANCE NO 17-04-11-1 AN ORDINANCE AMENDING SECTION 11-410 OF THE ZONING ORDINANCE OF THE CITY OF KINGSTON, TENNESSEE WITH**

**REGARD TO ALLOWING THE CONSTRUCTION OF FOUR STORY BUILDINGS AND ESTABLISHMENT OF SETBACK LINES AND BUILDING SPACING by Council Member Wright, second by Council Member Stockton**

**Roll Call Vote – 6 Ayes - Motion Passed on 1<sup>st</sup> Reading**

**Vice Mayor Childs – Aye**

**Council Member Brown - Aye**

**Council Member Humphreys - Absent**

**Council Member Stockton – Aye**

**Council Member White –Aye**

**Council Member Wright – Aye**

**Mayor Neal – Aye**

**2. Approve Pursuing a Fix Rated Loan to Replace the Existing City Hall Loan**

**Discussion – Council Member White spoke about the current lender getting out of market and City Manager David Bolling spoke to the fact that this was the process to proceed, this is not a new loan it is only the current loan being reassigned to a new lender at a fixed rate.**

**A motion was made by Council Member White, second by Council Member Wright to proceed with the loan reassignment.**

**Roll Call Vote – 6 Ayes**

**Vice Mayor Childs – Aye**

**Council Member Brown - Aye**

**Council Member Humphreys - Absent**

**Council Member Stockton – Aye**

**Council Member White –Aye**

**Council Member Wright – Aye**

**Mayor Neal – Aye**

**3. Approve Soliciting Requests for Proposals on Engineering of Improvements to Dogwood Road**

**Discussion – Council Member Brown and Council Member Childs both spoke this is overdue**

**A motion was made by Council Member Brown, second by Council Member Childs to proceed with the Requests for Proposals on Engineering of Improvements to Dogwood Road.**

**Roll Call Vote – 6-Ayes**

**Vice Mayor Childs – Aye**

**Council Member Brown - Aye**

**Council Member Humphreys - Absent**

**Council Member Stockton – Aye**

**Council Member White –Aye**

**Council Member Wright – Aye**

**Mayor Neal – Aye**

**4. Approve Acceptance of Council Member Sarah Humphreys Resignation from the Beautification Committee and Appoint Council Member Tara Stockton to the Beautification Committee**

**Discussion – None**

**A motion was made by Council Member White, second by Council Member Childs to accept the resignation of Council Member Sarah Humphreys and appoint Council Member Tara Stockton to the Beautification Committee.**

**Roll Call Vote – 5 Ayes – 1 Pass**

**Vice Mayor Childs – Aye**

**Council Member Brown - Aye**

**Council Member Humphreys - Absent**

**Council Member Stockton – Pass**

**Council Member White –Aye**

**Council Member Wright – Aye**

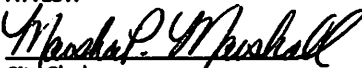
**Mayor Neal – Aye**

**Mayor Neal adjourned the meeting.**

**APPROVED     MAY 9, 2017**

  
Tim Neal, Mayor

**ATTEST:**

  
City Clerk

**ORDINANCE NO. 17-3-14-1**

**AN ORDINANCE TO AMEND THE ORDINANCES OF THE CITY OF KINGSTON  
RELATIVE TO THE ALCOHOL CONTENT OF BEER ALLOWED PURSUANT TO  
STATE LAW**

WHEREAS, the City Council of the City of Kingston has heretofore adopted ordinances to regulate the sale, purchase and possession of alcoholic beverages within the City of Kingston Tennessee; and,

WHEREAS, the City Council now finds that it would be in the best interest of the City and its citizens to amend the ordinances heretofore adopted,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KINGSTON THAT:

**Section 1.** Section 101 of Title 8 of the Kingston City Code, as amended, is hereby further amended by deleting said section in its entirety and substituting in lieu thereof the following:

**Definitions of "alcoholic beverages."** As used in this chapter, unless the context indicates otherwise, "alcoholic beverages" means and includes alcohol, spirits, liquor, wine, and every liquid containing alcohol, spirits, liquor and wine capable of being consumed by a human being other than medicine or beer where the latter contains an alcohol content as allowed and provided for in T.C.A. § 57-5-101. Products or beverages including beer containing less than one-half percent (1/2%) alcohol by volume, other than wine as defined by this chapter, shall not be considered alcoholic beverages and shall not be subject to regulation or taxation pursuant to this chapter unless specifically provided. Words importing the masculine gender shall include the feminine and the neuter, and singular shall include the plural.

**Section 2.** Section 201 (4) of Title 8 of the Kingston City Code, as amended, is hereby further amended by deleting said section in its entirety and substituting in lieu thereof the following:

(4) "Alcoholic beverages" means and includes alcohol, spirits, liquor, wine, and every liquid containing alcohol, spirits, liquor and wine capable of being consumed by a human being other than medicine or beer where the latter contains an alcohol content as allowed and provided for in T.C.A. § 57-5-101. Products or beverages including beer containing less than one-half percent (1/2%) alcohol by volume, other than wine as defined by this chapter, shall not be considered alcoholic beverages and shall not be subject to regulation or taxation pursuant to this chapter unless specifically provided.

**Section 3.** Section 202 of Title 8 of the Kingston City Code, as amended, is hereby further amended by deleting said section in its entirety and substituting in lieu thereof the following:

Selling and distributing generally. It shall be unlawful for any person to engage in the business of selling, possessing or distributing alcoholic beverages within the corporate limits of the City except as provided by Tennessee Code Annotated Title 57 and by the rules and regulations promulgated thereunder and as provided under this chapter. Nothing in this chapter regulates the transportation, storage, sale, distribution, possession or receipt of or tax upon any beverage of alcoholic content as allowed and provided for in T.C.A. § 57-5-101, and no ordinance related thereto is modified by this chapter.

Section 4. Section 306 of Title 8 of the Kingston City Code, as amended, is hereby further amended by deleting said section in its entirety and substituting in lieu thereof the following:

"Beer" defined. The term "beer" as used in this chapter shall mean and include all beers, ales, and other malt liquors having an alcoholic content as allowed and provided for in T.C.A. § 57-5-101.

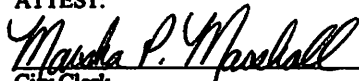
Section 5. Section 312 (2) of Title 8 of the Kingston City Code, as amended, is hereby further amended by deleting said section in its entirety and substituting in lieu thereof the following:

(2) Allow any person or legal entity regardless of its form of existence, i.e., corporation, limited liability company, partnership, etc., to offer for sale or sell beer or other alcoholic beverage with an alcoholic content as allowed and provided for in T.C.A. § 57-5-101 within the corporate limits of Kingston, Tennessee between the hours of 3:00 A.M. and 8:00 A.M. on weekdays and between the hours of 3:00 A.M. and 12:00 noon on Sunday. No such beverages shall be consumed or opened for consumption or about any premises where beer or other beverage with an alcoholic content as allowed and provided for in T.C.A. § 57-5-101 is sold within the corporate limits of Kingston, Tennessee in either bottle, glass or other container after 3:15 A.M.

Section 6. This ordinance shall take effect upon final passage, the public welfare requiring it.

  
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Mayor

ATTEST:

  
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City Clerk

Passed first reading March 14, 2017

Passed second reading April 11, 2017