

REGULAR MEETING KINGSTON CITY COUNCIL

TUESDAY, APRIL 9, 2019 – 6:00 P.M.

KINGSTON CITY HALL

The Kingston City Council met in regular session on Tuesday, April 9, 2019 at 6:00 p.m. Mayor Neal called the meeting to order. Council Member Brown gave the Invocation and Vice Mayor Stockton led the pledge. Upon roll call the following members were present: Council Member Brackett, Council Member Brown, Council Member Childs, Council Member Humphreys, Vice Mayor Stockton, Council Member Wright, and Mayor Neal. Staff present: City Manager David Bolling, City Clerk Marsha Marshall, and City Attorney Jack McPherson.

PREVIOUS MINUTES

A motion was made by Council Member Wright, second by Vice Mayor Stockton to waive the reading and approve as written the minutes of the regular meeting on March 12, 2019.

The motion passed with a unanimous roll call vote. 7 Ayes

PERSONS TO APPEAR – Introduction of new Parks and Recreation Director – Chase Clem

CITIZEN COMMENTS —None

REPORTS – MAYOR AND COUNCIL – Council Member Humphreys reported on the Spring Street Fest and thanked the Sponsors; Vice Mayor Stockton reported on the Dog Park and the progress on City Projects; Council Member Brown reported on the 911 Report and Audit that was in the packets and that he attended the Solid Waste Advisory Meeting and the minutes for that will be in next month's packets.

CITY MANAGER – Mr. Bolling reported on the change in packets; Greenway to reopen soon in 2 sections; Boat Slips to reopen after electrical inspection; New Brush Pick up going well; and to remind everyone about the Retirement party for Joyce on Friday.

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

UNFINISHED BUSINESS – NONE

NEW BUSINESS –

1. Awarding of bid for the construction of the Fort Southwest Point Amphitheater to Skilled Services LLC. in the amount of \$498,330 with alternates and deductions implemented to bring the total project cost below the \$500,000 budget.

A motion was made by Council Member Brown, second by Council Member Wright to Award the bid for the construction of the Fort Southwest Point Amphitheater to Skilled Services LLC. in the amount

of \$498,330 with alternates and deductions implemented to bring the total project cost below the \$500,000 budget.

Discussion by Council Member Brown -Commended the City Manager for working with the Contractors to get the bid cost down below budget. Council Member Wright agreed of job well done.

The motion passed with a unanimous roll call vote. 7 Ayes

2. Adoption of a light duty policy for the City of Kingston as recommended by the Safety Committee

A motion was made by Council Member Brown, second by Vice Mayor Stockton to adopt the light duty policy for the City of Kingston as recommended by the Safety Committee.

Discussion by Council Member Brown – Good Job to the City Manager and Safety Committee as this is a Good Benefit as Workers Comp payment is only 66% of salary.

The motion passed with a unanimous roll call vote. 7 Ayes

3. Adoption of Resolution 19-04-09-01 calling for a public hearing on the proposed annexation of parcel 003.01 as shown on the Roane County tax map 052 into the City of Kingston by owner request and approving a plan of services.

A motion was made by Council Member Brown, second by Council Member Wright to Adopt Resolution 19-04-09-01 calling for a public hearing on the proposed annexation of parcel 003.01 as shown on the Roane County tax map 052 into the City of Kingston by owner request and approving a plan of services.

The motion passed with a unanimous roll call vote. 7 Ayes

4. Approval to surplus equipment

A motion was made by Council Member Brown, second by Vice Mayor Stockton to approve the sale of surplus equipment (attached) on Gov Deals.

The motion passed with a unanimous roll call vote. 7 Ayes

Mayor Neal adjourned the meeting.

APPROVED May 14, 2019



Tim Neal, Mayor

ATTEST:



City Clerk



City of Kingston

LIGHT DUTY POLICY

GENERAL POLICY

To provide temporary work for employees who cannot perform some or all of the essential functions of their job due to injury, illness, disability, or pregnancy-related restrictions.

SCOPE

All employees of the City of Kingston.

PROVISIONS

The City has a limited number of temporary light duty positions that it will make available on a first-come, first-serve basis to employees who provide medical documentation from their healthcare provider that they are unable to perform one or more essential job functions because of illness, injury, disability or pregnancy-related restrictions. Failure to supply such documentation will lead to denial of the light duty request. If no light duty positions are available at the time the employee requests such a position, the employee will be required to use applicable leave. The City will not create a light duty job for purposes of this policy.

The length of time during which an employee may be assigned to a light duty position will vary according to the individual circumstances of the employee, but in no event will an employee be assigned to a light duty position for greater than one (1) year from the date the employee was first assigned the position.

An employee who qualifies for Family and Medical Leave cannot be required to take a light duty position.

Temporary assignment to a light duty position may be considered an accommodation of a disability under the Americans with Disabilities Act (ADA) depending on the circumstances of the employee's situation. The City is not required to offer a light duty position to an employee if doing so would create an undue hardship. Under no circumstances will a light duty job be made permanent as a reasonable accommodation under the ADA or otherwise.

In order to place an employee on light duty status, the Department Head, or his or her designee, must notify the City Manager and provide a copy of the employee's medical documentation. The Department Head will monitor employees placed on light duty status to determine the employee's progress towards recovery, the likelihood or expected date of the employee's return to full duty, requests for accommodations and the employee's use of leave and make appropriate recommendations to the City Manager.

A police officer in light duty status will take no law enforcement action. An officer in light duty may not operate a marked police vehicle. The same applies in regards to Firemen. The fireman in light duty will not be fighting fires nor driving any city fire trucks or vehicles.

Any continuation of secondary employment while on light duty must be approved by the Department Head in writing, after consulting with the City Manager. Secondary employment that is inconsistent with the employee's light duty status will not be approved.

Employees on light duty status are responsible for providing additional medical documentation on a regular (at least monthly) basis or whenever requested to do so by the City.

Jim Washam

From: Keith Kile
Sent: Tuesday, April 2, 2019 12:08 PM
To: Jim Washam

2007 Chevrolet Trailblazer 4-wheel drive. 178,000 miles to be surplus to gov.deals



*Detective Keith Kile
Kingston Police Department
900 Waterford Place
Kingston, TN 37763
Office 865-376-2081 ext. 1116
Cell 865-466-5567*

RESOLUTION 19-04-09-01

**A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED
ANNEXATION OF PARCEL 003.01 AS SHOWN ON ROANE COUNTY TAX MAP 052
INTO THE CITY OF KINGSTON BY OWNER CONSENT AND APPROVING A
PLAN-OF-SERVICES**

WHEREAS, Sonya Boswell has requested by letter that certain property that she owns be annexed into the City of Kingston, Tennessee and the city council proposes the extension of its corporate limits by the annexation of said property adjoining its existing boundaries and within its urban growth boundaries by owner consent; and

WHEREAS, Section 6-51-102(b) of the *Tennessee Code Annotated* requires that there be a plan-of-services for territory proposed for annexation; and,

WHEREAS, the plan-of-services was submitted to and approved by the Kingston Regional Planning Commission; and,

WHEREAS, the city council now desires to conduct a public hearing on the proposed annexation and plan of services;


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kingston, Tennessee, as follows:

- A. That a public hearing is scheduled for 5:45 p.m. EDT on May 14, 2019, at Council Room in Kingston Municipal Building, on the proposed annexation of territory by owner consent, and Plan of Services, to wit: Parcel 003.01, Roane County Tax Map 052
- B. That a copy of this resolution, describing the territory proposed for annexation by owner consent, along with a copy of the plan of services, shall be promptly sent to the last known address listed in the office of the Roane County Property Assessor for each property owner of record within the territory proposed for annexation, with such being sent by first class mail and mailed no later than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation.
- C. That a copy of this resolution shall also be published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in alike number of public places in the City of Kingston, and by publishing notice of the resolution at or about the same time in the Roane County News, a newspaper of general circulation in such territory and the City of Kingston.

- D. That notice of the time, place and purpose of a public hearing on the proposed annexation by owner consent and the plan of services shall be published in a newspaper of general circulation in the City of Kingston not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the plan of services for public inspection during all business hours from the date of notice until the public hearing.
- E. That written notice of the proposed notice of the proposed annexation shall be sent to the affected school system as soon as possible, but in no event less than thirty (30) days before the public hearing.

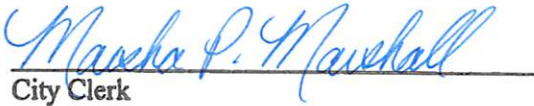
WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

This 9th day of April, 2019



Mayor

ATTEST:



City Clerk

RESOLUTION: KPC2019-01

**A RESOLUTION SERVING AS A WRITTEN REPORT OF THE
KINGSTON PLANNING COMMISSION'S FINDINGS OF ITS
REVIEW OF THE PLAN-OF-SERVICES FOR RESOLUTION
KPC 2019-01 FOR THE CITY OF KINGSTON, TENNESSEE**

WHEREAS, Shane and Sonya Boswell have requested by letter that their property (parcel 003.01, Roane County Tax Map 052) be annexed into the City of Kingston; and

WHEREAS, Section 6-51-102(b) of the *Tennessee Code Annotated* requires that there be a plan-of-services for territory proposed for annexation; and

WHEREAS, Subsection 6-51-102(B)(4) requires that the Kingston Planning Commission review a proposed plan-of-services and provide a written report of its findings to the Kingston City Council regarding the proposed plan-of-services.

NOW, THEREFORE, BE IT RESOLVED that this resolution serves as a written report regarding the Kingston Planning Commission's findings regarding the proposed plan-of-services for the annexation of the Boswell property (parcel 003.01, Roane County Tax Map 052).

BE IT FURTHER RESOLVED, that the Kingston Planning Commission hereby reports to the Kingston City Council that the proposed plan-of services for the annexation of the Boswell property (parcel 003.01, Roane County Tax Map 052) addresses the services, facilities, and programs offered by the City of Kingston, Tennessee and that their timing and delivery are appropriate for the proposed annexation.

RESOLVED, this the 19th day of February, 2019.



Secretary, Kingston Planning Commission



PLAN OF SERVICES

457 High Point Orchard Road

Parcel 003.01, Roane County Tax Map 052

Police Protection: Police protection services will be provided to the annexation area beginning on the effective date of the annexation using existing equipment and personnel.

Fire Protection: Fire protection services will be provided to the annexation area beginning on the effective date of the annexation using existing equipment and personnel.

Water Service: Public water service is already available from the Kingston Water System and will be billed at the "Inside City" water rate beginning on the effective date of annexation.

Sanitary Sewer Service: Sanitary sewer service will be provided when it is available in the annexed area.

Solid Waste Collection: Solid waste collection service will be available from the City of Kingston through a contracted provider on the effective date of annexation.

Brush Removal: Brush removal services will be available to the annexed property on the effective date of the annexation provided in accordance with existing city policies.

Street construction, Maintenance and Repair: No street construction, maintenance or repair will be provided in the annexation area as High Point Orchard Road is a county road.

Recreation Facilities and Programs: Existing recreation facilities and programs will be available on the effective date of annexation.

Street Lighting: Street lighting will not be provided as High Point Orchard Road is a county road.

Planning Services: Planning services will continue to be provided by the Kingston Regional Planning Commission.

Zoning Services: The property will be appropriately zoned on the effective date of the annexation as it automatically comes in the the City as R-1 according to the zoning ordinance.

Codes Enforcement: Codes enforcement will begin on the effective date of annexation.