

**KINGSTON CITY COUNCIL PUBLIC HEARING**  
**TUESDAY, APRIL 12, 2022 – 5:45 P.M.**  
**KINGSTON CITY HALL**

The Kingston City Council held a Public Hearing on Tuesday, April 12, 2022 at 5:45 p.m. Mayor Neal called the Hearing to Order. City Council Members present include Council Member Tony Brown, Council Member Randy Childs, Council Member Jeff Griffis, Vice-Mayor Becky Humphreys (5:46pm), Mayor Tim Neal, Council Member Stephanie Wright. Staff present: City Manager David Bolling, City Clerk Kelly Jackson and City Attorney Jack McPherson (5:50pm), Finance Director Michelle Kelley (5:56pm). Others present include Roane Alliance Staff Pam May (5:49pm) and BBB Communications staff Dudley Evans (5:53pm)

The hearing was for the purpose of Consideration of the second reading of Ordinance 22-03-08-02, an ordinance establishing the meeting date and time for the Board of Zoning Appeals.

There were no citizens in attendance that signed in indicating the reason for their presence was for the public hearing. Mayor Neal made three announcements inquiring if anyone wished to address Council regarding the above-listed Ordinance. Mayor Neal adjourned the Public Hearing at 6:00 P.M. after seeing there was no one present that wished to address Council.

**REGULAR MEETING KINGSTON CITY COUNCIL**  
**TUESDAY, APRIL 12, 2022 – 6:00 P.M.**  
**KINGSTON CITY HALL**

The Kingston City Council met in regular session on Tuesday, April 12, 2022 at 6:00 P.M. immediately following a Public Hearing at 5:45 P.M. Mayor Tim Neal called the meeting to order. Council Member Tony Brown gave the Invocation and Council Member Randy Childs led the pledge. Upon roll call the following members were present: Council Member Tony Brown, Council Member Randy Childs, Council Member Jeff Griffis, Vice-Mayor Becky Humphreys, and Mayor Tim Neal. Staff present: City Manager David Bolling, City Clerk Kelly Jackson, Finance Director Michelle Kelley and City Attorney Jack McPherson. Council Member Tara Stockton was physically absent and not counted as part of the quorum but called in via phone.

**APPROVAL OF PREVIOUS MINUTES**

A motion was made by Member Wright, second by Member Childs to waive the reading and approve as written the minutes of the regular meeting on March 8, 2022.

The motion passed with a unanimous roll call vote. 6 Ayes.

## **CITIZEN COMMENTS/PERSONS TO APPEAR/PROCLAMATIONS**

- Ashley Freeburg (311 Lake Street, Harriman, TN) Prevention Coordinator with the Roane County Anti-Drug Coalition. Proposed to advocate for a new or amended “smoke-free” ordinance in the City of Kingston which would include language to include not only tobacco products but also vaping products to be prohibited in all parks and greenways in the City of Kingston. Cherokee Middle School Student Maddie Cantrell addressed Council with a statement requesting that this subject be placed on next month’s agenda for discussion.
- Pam May (Roane Alliance)-Thanked the city for their continued support and contribution to the Roane Alliance. Announced that the Visitor’s Bureau would be sponsoring the “Smokin the Water” event by paying for the radio advertising. Hopes to be able to facilitate some ARP money for the Ladd Park project. Invited everyone to the Roane Alliance Gala on May 6, 2022.
- Nancy Hamilton (2623 Lawnville Road, Kingston, TN) On behalf of the constituents of District 5&6 thanked the city for their efforts this past Sunday at Southwest Point to recognize Bruce Robinette, the students and athletes in Kingston.

## **REPORTS-MAYOR AND COUNCIL-**

- Member Brown-This month’s quarterly report for 911 and the annual Solid Waste Advisory Board are somewhat lengthy.
- Member Childs-Received many compliments about the new sidewalk and the lights at Southwest Point.
- Member Griffis-Stated that the local author’s event at the library was a success. The library board will meet tomorrow night.
- Vice-Mayor Humphreys-The Parks & Rec report is included in the City Manager’s report. Reminded everyone that Spring Street Fest is April 23<sup>rd</sup>.
- Mayor Neal-Nothing additional to report.
- Member Stockton-Work continues at the Dog Park. 50 new Veteran Banners have been ordered to arrive in time for Memorial Day.
- Member Wright-Nothing additional to report.

## **REPORTS-CITY MANAGER’S REPORT**

- Pleased to announce that the Ladd Park boat ramp is now open. TWRA will come back this winter to finish some of the work due to water levels.
- The ARC Grant has been approved for funding for Ladd Park
- STP Project kickoff virtual meeting is scheduled for Thursday at 2:30pm
- Traffic Light at Morrison Hill was recently damaged by a company escorting a boat. The bill for repairs/replacement will be sent to the company for costs associated.

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

## **UNFINISHED BUSINESS:**

- A. Consideration to approve the final reading of Ordinance 22-03-08-01, an ordinance amending the annual budget for the City of Kingston, Tennessee for fiscal year 2021-2022**

A motion was made by Member Wright, second by Member Griffis to approve the second and final reading of Ordinance 22-03-08-01, an ordinance amending the annual budget for the City of Kingston, Tennessee for fiscal year 2021-2022.

The motion passed with a unanimous roll call vote. 6 Ayes

- B. Consideration to approve the final reading of Ordinance 22-03-08-02, an ordinance establishing the meeting date and time for the Board of Zoning Appeals**

A motion was made by Member Childs, second by Vice Mayor Humphreys to approve the second and final reading of Ordinance 22-03-08-02, an ordinance establishing the meeting date and time for the Board of Zoning Appeals.

The motion passed with a unanimous roll call vote. 6 Ayes

## **NEW BUSINESS –**

- A. Consideration to approve the allocation of the remaining \$147,127 from the FY 20-21 Local Support Grant and the FY 21-22 Local Government Recovery and Rebuilding Grant for paving**

A motion was made by Member Childs, second by Member Griffis to approve the allocation of the remaining \$147,127 from the FY 20-21 Local Support Grant and the FY 21-22 Local Government Recovery and Rebuilding Grant for paving.

The motion passed with a unanimous roll call vote. 6 Ayes.

- B. Consideration to authorize the re-allocating of \$100,000 of the \$500,000 originally earmarked for track repairs for repair and replacement of items relating to the swimming pool**

A motion was made by Vice Mayor Humphreys, second by Member Griffis to authorize the re-allocating of \$100,000 of the \$500,000 originally earmarked for track repairs for repair and replacement of items relating to the swimming pool.

Roll call vote

Council Member Brown – No  
Council Member Childs – No  
Council Member Griffis – Yes  
Vice-Mayor Humphreys – Yes

Council Member Wright – No  
Mayor Neal – No

Motion failed with 2 Ayes and 4 Nay Votes

Further discussion ensued about the present structural condition of the pool. Mr. Bolling mentioned a conversation he had with Fulghum Macindoe Engineering Company to gauge a baseline measurement so it can be monitored.

A motion was made by Member Brown, second by Member Childs to authorize the purchase of the pool controllers at the estimated price of \$15,000 out of the \$500,000 originally earmarked for track repairs.

The motion passed with a unanimous roll call vote. 6 Ayes.

**C. Consideration to approve Resolution 22-04-12-01, a resolution authorizing an application to the Appalachian Regional Commission requesting funds for Ladd Landing development improvements**

A motion was made by Member Wright, second by Member Brown to approve Resolution 22-04-12-01, a resolution authorizing an application to the Appalachian Regional Commission requesting funds for Ladd Landing development improvements.

The motion passed with a unanimous roll call vote. 6 Ayes.

**D. Consideration to approve Resolution 22-04-12-02, a resolution supporting the City of Kingston's intent to fund the required 25% match to qualify for State of Tennessee ARPA non-competitive matching grant funding for water and sewer projects**

A motion was made by Member Wright, second by Member Childs to approve Resolution 22-04-12-02, a resolution supporting the City of Kingston's intent to fund the required 25% match to qualify for State of Tennessee ARPA non-competitive matching grant funding for water and sewer projects.

The motion passed with a unanimous roll call vote. 6 Ayes

**E. Consideration to approve the first reading of Ordinance 22-04-12-01, an ordinance amending the zoning map of Kingston, TN by rezoning property from R-1 Residential District to R-2 Residential District**

A motion was made by Member Childs, second by Member Wright to approve the first reading of Ordinance 22-04-12-01, an ordinance amending the zoning map of Kingston, TN by rezoning property from R-1 Residential District to R-2 Residential District.

The motion passed with a unanimous roll call vote. 6 Ayes

**F. Consideration of approval to amend the Charter of the City of Kingston to change the date in which the City Manager must submit a proposed budget to the City Council from April 1st to May 1<sup>st</sup>**

A motion was made by Member Griffis, second by Vice Mayor Humphreys to approve to amend the Charter of the City of Kingston to change the date in which the City Manager must submit a proposed budget to the City Council from April 1st to May 1<sup>st</sup>.

The motion passed with a unanimous roll call vote. 6 Ayes

**G. Consideration to authorize the City Manager to approve an expenditure in the amount of \$21,400 to Competition Athletic Surfaces, Inc. for the re-surfacing of the City Park tennis courts**

A motion was made by Vice Mayor Humphreys, second by Member Griffis to authorize the City Manager to approve an expenditure in the amount of \$21,400 to Competition Athletic Surfaces, Inc. for the re-surfacing of the City Park tennis courts.

The motion passed with a unanimous roll call vote. 6 Ayes

**H. Consideration to authorize the City Manager to approve an expenditure in the amount of \$18,558.50 to Carolina Construction Equipment for the purchase of a Wacker Neuson RD12L asphalt roller from funds raised through the sale of surplus equipment.**

A motion was made by Vice Mayor Humphreys, second by Member Griffis to authorize the City Manager to approve an expenditure in the amount of \$18,558.50 to Carolina Construction Equipment for the purchase of a Wacker Neuson RD12L asphalt roller from funds raised through the sale of surplus equipment.

The motion passed with a unanimous roll call vote. 6 Ayes

**I. Consideration to approve the allocation of \$175,000 of American Rescue Plan funds to go toward a 50 / 50 ARP collaboration with Roane County for the purchase of property adjacent to Ladd Park.**

A motion was made by Member Wright, second by Member Childs to approve the allocation of \$175,000 of American Rescue Plan funds to go toward a 50 / 50 ARP collaboration with Roane County for the purchase of property adjacent to Ladd Park.

The motion passed with a unanimous roll call vote. 6 Ayes

**J. Consideration to authorize the disposal of surplus items**

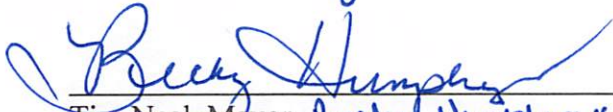
A motion was made by Member Childs, second by Vice Mayor Humphreys to authorize the disposal of surplus items.

The motion passed with a unanimous roll call vote. 6 Ayes

Mayor Neal adjourned the meeting at 6:33 pm

APPROVED

May 10, 2022

  
\_\_\_\_\_  
~~Tim Neal, Mayor.~~ Becky Humphreys, Vice Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 22-03-08-01**

**AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE CITY OF KINGSTON, TENNESSEE FOR  
FISCAL YEAR 2021-2022**

**WHEREAS**, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires funds first be appropriated before being expended and that no appropriations may exceed available funds;

**WHEREAS**, *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows amendment of the budget ordinance in the same manner as any other ordinance may be amended;

**WHEREAS**, funds need to be assigned for Public Works and allocated for Parks and Recreation and new funds have been received for Parks and Recreation for the fiscal year as noted below;

**NOW, THEREFORE BE IT ORDAINED** by the City Council for the City of Kingston, Tennessee, that:

**SECTION 1: Appropriations.** The governing body appropriates the following increases:

**General Fund:**

**Revenues:**

110-34744	Parks & Rec Donation	\$50,000
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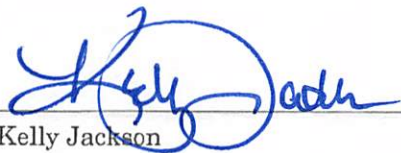
**Liabilities:**

110-26450	Assigned Public Works Bucket Truck	\$101,790
110-27100	Fund Balance	\$28,582

**Expenditures:**

110-49000-925	TMBF St Paving Note	\$99,601	
110-49000-931	N. Kentucky St Improvements	\$71,962	
110-49000-940	Capital Equipment	\$5,191	
110-49000-944	TMBF Porter Park	\$27,550	
110-49000-946	TMBF City Hall Loan	\$87,322	
110-49000-942	Capital Improvements Loan		\$170,000
110-43750-631	Interest		\$19,836
110-43750-911	P&R Capital-Portable Bathroom		<u>\$78,582</u>
		\$370,208	\$370,208

Section 2 : **Submission to the Director of Local Finance.** This amendment will be submitted to the Director of the Office of State and Local Finance as required by state statute to show continued compliance with the requirements of Tennessee Code Annotated Title 9 Chapter 21 Section 403 to maintain a balanced budget.

A handwritten signature in blue ink, appearing to read "Kelly Jackson", written over a horizontal line.

Kelly Jackson  
City Clerk

A handwritten signature in blue ink, appearing to read "Timothy Neal", written over a horizontal line.

Tim Neal  
Mayor

Passed 1<sup>st</sup> Reading March 8, 2022

Passed 2<sup>nd</sup> Reading April 12, 2022



**ORDINANCE: 22-03-08-02**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF  
THE CITY OF KINGSTON, TENNESSEE BY ESTABLISHING  
A DATE FOR THE MEETINGS OF THE BOARD OF ZONING APPEALS**

**WHEREAS**, the City Council of Kingston, Tennessee, in accordance with Section 13-7-105 of the Tennessee Code Annotated, may amend the zoning "Zoning Ordinance of Kingston, Tennessee"

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Kingston, Tennessee that:

**Section 1.** Chapter 8, Section 11-803 is hereby deleted in its entirety, to be replaced with the following language:


11-803. **Procedure.** Regular meetings of the Board of Zoning Appeals shall be held on the 3<sup>rd</sup> Tuesday of each calendar month at a time to be determined by the board. Additionally, the chairman may call meetings of the board at such other times as he or she may determine. All meetings shall be open to the public. The board shall adopt rules of procedure and keep records of applications and action thereon. Such records shall be public records.

**Section 2.** This ordinance shall become effective from and after its passage, the public welfare requiring it.

Passed on first reading: March 8, 2022.

Passed on second reading: April 12, 2022.

Public hearing held: April 12, 2022.

Approved:   
Mayor

Date: 4-12-2022.

Attest:   
City Clerk

Date: 4-12-2022

## RESOLUTION 22-04-12-01

### A RESOLUTION AUTHORIZING AN APPLICATION TO THE APPLACHIAN REGIONAL COMMISSION REQUESTING FUNDS FOR LADD LANDING DEVELOPMENT IMPROVEMENTS.

**WHEREAS**, the City Council of the City of Kingston has identified a need to construct and improve infrastructure in the area of Ladd Landing; and

**WHEREAS**, the City of Kingston, acting by and through the City Council of the City of Kingston, proposes to apply for Appalachian Regional Commission (ARC) funds for the purpose of Ladd Landing Development improvements; and

**WHEREAS**, the City of Kingston hereby undertakes and will provide local financial support in conjunction with the ARC funds to complete the improvement project as set out in the application; and

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

that Mayor Timothy Neal is hereby authorized and directed to execute and submit an application with appropriate assurances to the Appalachian Regional Commission requesting funds in an amount not to exceed \$661,896.45 for Ladd Landing Development improvements with the provision that the City of Kingston will be responsible for the required local cash match totaling \$661,986.45, bringing to total cost to \$1,323,792.90; and that Mayor Timothy Neal be and is hereby designated and appointed as Financial Officer to perform on behalf of the City of Kingston, those acts and assume such duties as are consistent with said position.

ADOPTED, this 12th day of April, 2022.



Mayor Timothy Neal

Attest:

  
City Clerk

## RESOLUTION 22-04-12-02

### **A RESOLUTION SUPPORTING THE CITY OF KINGSTON'S INTENT TO FUND THE REQUIRED 25% MATCH TO QUALIFY FOR STATE OF TENNESSEE ARPA NON-COMPETITIVE GRANT FUNDING FOR WATER AND SEWER PROJECTS**

**WHEREAS**, the State of Tennessee recognizes that there is a necessary investment estimated at \$5 to \$15 billion between now and 2040 to address Tennessee's water and wastewater infrastructure needs; and

**WHEREAS**, the Tennessee Department of Environment and Conservation has identified aging water distribution and wastewater collection line replacement as a top priority for the City of Kingston; and

**WHEREAS**, the State has dedicated \$1 billion received through the American Rescue Plan Act to fund non-competitive matching grants to counties and cities to address critical infrastructure needs; and

**WHEREAS**, the City of Kingston will receive a direct appropriation of \$1.77 million in ARPA funding; and

**WHEREAS**, Kingston has also been allocated an additional \$1.09 million from the State of Tennessee in the form of a non-competitive matching grant; and

**WHEREAS**, the City must commit to funding the required 25% local match to qualify for these additional funds; and

**WHEREAS** Roane County has been awarded \$5.3 million and has expressed support for investing a portion of those funds in city utility projects provided that the cities commit funding to qualify for their matching grant; and

**WHEREAS** the City of Kingston wishes to collaborate with Roane County to maximize American Rescue Plan Act funding to address critical infrastructure needs.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Kingston, on behalf of its residents, hereby commits to the funding of the required 25% local match to be eligible for State of Tennessee non-competitive matching grant funds and formally requests to be considered for any ARPA funds designated by the Roane County Commission for local utility projects.

ADOPTED, this 12<sup>th</sup> day of April, 2022.



Mayor Timothy Neal



Attest: Kelly Jackson, City Clerk



3205 North Hawthorne St  
Chattanooga, TN 37406  
423-847-8330

April 4, 2022

JR Best  
City of Kingston

**Bid for surfacing West Race Street Park tennis courts**

1. Thoroughly clean the surface free of algae, dirt and debris and strip as much of the loose surface as possible to ensure proper adhesion. This will be accomplished using wire brooms, power blowers.
2. Treat the existing cracks using Laykold two part polyurethane crack filling materials. Cracks around fence post bases or under fencing will not be filled. **Please note – we are unable to warranty the crack treatment due to the natural movement of the Earth's surface. See attached position paper from American Sports Builders Association.**
3. Birdbaths - In an effort to facilitate water drainage up to \_\_\_0\_\_\_ birdbath areas will be raised. We can improve drying time but cannot guarantee the elimination of standing water.
4. Squeegee apply **1 layer (approximately .19 mixed gallon/sq yard/layer or 300 gallons)** of Laykold NuSurf flexible resurfacer. The material will contain 60-mesh sand to provide an even texture to the surface.
5. Squeegee apply **2 layers (approximately .21 mixed gallon/sq. yard or 336 gallons)** of Laykold Color Concentrate. The material will contain 80-mesh sand to provide a "medium-speed" playing surface. The color scheme will be all Dark Green. **Our materials have a high proportion of solids, fade resistance, color stability, and mildew and fungus resistance.**
6. Layout standard tennis court. Plot the lines using 2-inch wide masking tape and a hand operated striping machine. This will yield clean, sharp, accurate lines. Apply 2 coats of textured striping material as manufactured by Laykold. The material will also contain 80-mesh sand to provide the same playing characteristics as the playing surface.
7. Install new tennis nets and center straps.

**\$21,400**

Please give me a call at 423-847-8330 after you have had a chance to review this information and we will discuss any questions you may have.

Thanks,

Lee Murray  
Competition Athletic Surfaces, Inc.



### Warranty Information & Acceptance Form

**Warranty Information:** Competition Athletic Surfaces provides a one - (1) year warranty on all workmanship & material required for the completion of the project. Please note that this warranty is void if the surface is damaged by improper machinery or vehicles allowed upon the surface. Please note that this warranty does not cover any damage resulting from underground hydrostatic systems such as natural springs, damaged water pipes or any foreign objects that may rise to the surface of the Earth. Please note we cannot be responsible for sub-base failure. Also note we are unable to warranty the cracks due to the natural movement of the Earth's surface.

Competition Athletic Surfaces cannot be responsible for any damage to utilities such as electrical lines, water lines, gas lines etc. We also cannot be responsible for any damage to surrounding roadways or landscapes caused by the heavy equipment required to complete the project but we will do all we can to anticipate any potential problems.

Any alterations from the specifications might result in additional charges over & above the quoted price. The above prices, specifications & conditions are satisfactory & are hereby accepted. Competition Athletic Surfaces is authorized to do the work as specified.

**I have been working on hard court tennis surfaces since the mid-1970s and have tried a lot of crack methods. I have developed the following suggestions for tennis court owners with cracks in their courts:**

The term crack *filling* is a misnomer. Crack "covering" or "bridging" is actually what takes place. It is impossible to completely "fill" the cracks with standard materials applied at the surface. All that takes place is closing up the top 1/2-3/4 inch that you can get materials into and thus just "covering or bridging" the crack. This method actually can highlight the crack and make it more noticeable. We have found this type of crack repair is usually a futile effort and suggest NOT treating cracks as they appear but waiting until a resurfacing takes place. If cracking gets bad enough to be an obstacle to the players or the ball bounce, then deal with these problem spots only. Chasing minor cracking is futile, costly and mostly a waste of time unless you are resurfacing the courts. If you have cracking 1/4 inch or less and feel you must treat these use a clear silicone caulk keeping the material within the walls of the crack. Don't bother trying to paint the caulk, the clear material will be as invisible as possible. If cracking is 1/2 inch or over then you need a material that sets up a little firmer. There are some good materials available that are applied with a putty knife. Contact me and I'll hook you up.

Sincerely,

Lee Murray  
Competition Athletic Surfaces, Inc

Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_ PO # \_\_\_\_\_

**Terms:** Net due in 30 days upon completion. An eighteen percent (18%) annual interest will be charged on overdue accounts. Any legal fees resulting from the collection process shall be the responsibility of the customer listed above.



# Carolina Construction Equipment

Sales Invoice Receipt  
#896232580

**From**

Josh Harrington  
PO Box 1398  
Waxhaw, NC. 28173  
Cell (704) 619 – 8168  
HUB Certified Company

**Customer info:**

Tim Clark  
Town of Kingston  
900 Waterford PI  
Kingston, TN 37763  
(865) 415-7640

Payment Terms -  
Prior to Pickup

Salesperson  
J. Harrington (704) 619-8168

Contact Quoted –

**Ship To**


Order #	Delivery Via BW	Routing
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Item #	Quantity Ordered	Description	Unit Price	Total
		Source Well Pricing		
		Wacker Rd12L	\$18,133.50	
		Shipping	\$425.00	\$18,558.50
		Please inspect the equipment before signing for it. If there is any damage whatsoever contact CCE immediately and REFUSE delivery of the item. If you sign for the delivery "in good condition" CCE & the shipping company will not be able to help. This rarely happens however you should know if you sign for the equipment in good condition there is nothing we can do.		
		CCE does don't collect sales tax in the state of TN.		
		Sales tax would be responsibility of customer if applicable.		



**APRIL 2022**  
**SURPLUS ITEMS**

**Police**

- International Wrecker Truck (VIN: 1HTLCZWN9KH677261)-This is LESO (Military) inventory.

**Finance**

- 2 barstool height office chairs