

KINGSTON CITY COUNCIL PUBLIC HEARING
THURSDAY, NOVEMBER 10, 2022 – 5:45 P.M.
KINGSTON CITY HALL

The Kingston City Council held a Public Hearing on Thursday, November 10, 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 (5:48PM), Council Member Jeff Griffis (5:51PM), Vice-Mayor Becky Humphreys (5:49PM), Council Member Tara Stockton (5:58PM), Council Member Stephanie Wright. Staff present: City Manager David Bolling, City Clerk Kelly Jackson, Finance Director Michelle Kelley and City Attorney Jack McPherson (5:56PM). Others present include BBB Communications staff Dudley Evans (5:52PM).

The hearing was for the purpose of:

Consideration of Ordinance 22-10-11-01, an ordinance amending section 11-1001 of the municipal zoning code regarding the fee to be charged to an applicant to defray costs resulting from the filing of the application for change in the zoning ordinance.

Mayor Neal made two 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
THURSDAY, NOVEMBER 10, 2022 – 6:00 P.M.
KINGSTON CITY HALL

The Kingston City Council met in regular session on Thursday, November 10, 2022 at 6:00 P.M. Mayor Tim Neal called the meeting to order. Council Member Tony Brown gave the Invocation and Council Member Jeff Griffis 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, Council Member Tara Stockton, Council Member Stephanie Wright and Mayor Tim Neal. Staff present: City Manager David Bolling, City Clerk Kelly Jackson, Finance Director Michelle Kelley and City Attorney Jack McPherson.

APPROVAL OF PREVIOUS MINUTES

A motion was made by Member Wright, second by Member Griffis to waive the reading and approve as written the minutes of the regular meeting on October 11, 2022

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

CITIZEN COMMENTS/PERSONS TO APPEAR/PROCLAMATIONS

- A proclamation in recognition of “Kingston Golf Team Day”

- A proclamation in recognition of “National American Indian Heritage Month”

REPORTS-MAYOR AND COUNCIL-

- Member Brown-Nothing additional to report.
- Member Childs-Nothing additional to report.
- Member Griffis-Library Board meets tonight and they are preparing for Christmas programs.
- Vice-Mayor Humphreys-Commented on the very successful Fall Street Fest and announced the upcoming Christmas Bazaar/Tree Lighting and the Christmas Parade. Special thanks to REU for getting everything prepared for our Christmas Lights.
- Mayor Neal-Congratulated the newly elected officials
- Member Stockton-Thanked all Veterans for their service
- Member Wright-Nothing additional to report.

REPORTS-CITY MANAGER’S REPORT

- Govdeals sales to date is \$335,000
- Recent TOSHA findings which were reported during an unscheduled inspection at the Public Works Building and the Library. Plans to meet with staff for review and resolve the issues.
- We are currently in the notification stage of the ARC Grant process.
- A required virtual field review meeting regarding the STP project is being scheduled the week of the 12th.

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

A motion was made by Member Wright, second by Member Childs to add as Item H under New Business consideration of a request from The Chef’s Workshop to close Court Street on November 28th from 3PM until the conclusion of the Christmas Parade for an additional food truck rally.

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

UNFINISHED BUSINESS:

1. **Consideration of the second and final reading of Ordinance 22-10-11-01, an ordinance amending section 11-1001 of the municipal zoning code regarding the fee to be charged to an applicant to defray costs resulting from the filing of the application for change in the zoning ordinance.**

A motion was made by Member Wright, second by Member Griffis to approve the second and final reading of Ordinance 22-10-11-01, an ordinance amending section 11-1001 of the municipal zoning code regarding the fee to be charged to an applicant to defray costs resulting from the filing of the application for change in the zoning ordinance.

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

NEW BUSINESS:

A. Consideration of the first reading of Ordinance 22-11-10-01, an ordinance amending the zoning map of the City of Kingston, Tennessee by rezoning property from C-1 general business district to R-2 residential district.

A motion was made by Member Wright, second by Member Childs to approve the first reading of Ordinance 22-11-10-01, an ordinance amending the zoning map of the City of Kingston, Tennessee by rezoning property from C-1 general business district to R-2 residential district

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

B. Consideration of the first reading of Ordinance 22-11-10-02, an ordinance amending section 11-407 of the municipal zoning code regarding permitted uses and structures within the C-1 district in the City of Kingston

A motion was made by Member Wright, second by Member Brown to refer this ordinance back to the Planning Commission for further review.

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

C. Consideration of the first reading of Ordinance 22-11-10-03, an ordinance amending the annual budget for the City of Kingston, Tennessee for fiscal year 2022-2023.

A motion was made by Member Griffis, second by Member Childs to approve the first reading of Ordinance 22-11-10-03, an ordinance amending the annual budget for the City of Kingston, Tennessee for fiscal year 2022-2023.

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

D. Consideration of the first reading of Ordinance 22-11-10-04, an ordinance amending the annual budget for the City of Kingston, Tennessee water/sewer fund for fiscal year 2022-2023.

A motion was made by Member Childs, second by Vice Mayor Humphreys to approve the first reading of Ordinance 22-11-10-04, an ordinance amending the annual budget for the City of Kingston, Tennessee water/sewer fund for fiscal year 2022-2023.

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

E. Consideration of Resolution 22-11-10-01, a resolution prioritizing and approving the initial funding of the state and local fiscal recovery funds for the American Rescue Plan Act (ARPA)

A motion was made by Vice Mayor Humphreys, second by Member Griffis to adopt Resolution 22-11-10-01, a resolution prioritizing and approving the initial funding of the state and local fiscal recovery funds for the American Rescue Plan Act (ARPA)

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

F. Consideration of Resolution 22-11-10-02, a resolution in support of efforts to prevent the spread of invasive Asian carp into uninvaded waterways.

A motion was made by Member Wright, second by Member Stockton to approve Resolution 22-11-10-02, a resolution in support of efforts to prevent the spread of invasive Asian carp into uninvaded waterways.

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

G. Consideration to authorize the Building Official to proceed with the filing of lawsuits regarding properties in violation of city ordinances.

A motion was made by Member Stockton, second by Member Childs to authorize the Building Official to proceed with the filing of lawsuits regarding properties located at the following locations which are in violation of city ordinances.

- 1100 Pineywood
- 1101 Pineywood
- 1103 Pineywood
- 1104 Pineywood
- 1105 Pineywood
- 516 ½ North Third Street

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

H. Consideration of a request from The Chef's Workshop to close Court Street on November 28th from 3PM until the conclusion of the Christmas Parade for an additional food truck rally.

A motion was made by Member Wright, second by Member Childs to approve the request from The Chef's Workshop to close Court Street on November 28th from 3PM until the conclusion of the Christmas Parade for an additional food truck rally.

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

The businesses on Court Street (Oak Ridge Utility District, Attorney Brenda Hall McDonald and the Hands of Mercy) all stated that they had no issues with closing Court Street for this event.


Member Wright mentioned the need for the addition of crosswalks around the area of the Old Roane County Courthouse. Member Brown stated that he had already discussed this matter with the Public Works Director.

Mayor Neal adjourned the meeting at 6:27 pm

APPROVED 12-13-2022



Tim Neal, Mayor

ATTEST: 

City Clerk

Public Hearing

Thursday November 10, 2022

Ordinance 22-10-11-01 (5:45pm-6:00pm)

SIGN IN SHEET

PLEASE PRINT NAME/ADDRESS

NAME _____

ADDRESS

[illegible]

ORDINANCE: 22-10-11-01

An ordinance amending Section 11-1001 of the municipal zoning code regarding the fee to be charged to an applicant to defray costs resulting from the filing of the application for change in the zoning ordinance.

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 11, Section 11-1101. Procedure and Actions Required. sub paragraph 3. b Action of Applicant is hereby deleted in its entirety, to be replaced with the following language:

11-1101. Procedure and Actions Required. sub paragraph 3. b. Pay a fee of One Hundred Dollars (\$100), due and made payable to the City of Kingston at the time of application for an amendment of the zoning ordinance to defray costs resulting from such application and any subsequent amendment of the zoning ordinance.

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

Passed on first reading: 10-11-2022.

Passed on second reading: 11-10-2022.

Public hearing held: 11-10-2022.

Approved: _____

Mayor

Date: 11-10-22.

Attest: _____

City Clerk

Date: 11-10-2022

RESOLUTION No. 22-11-10-01

RESOLUTION prioritizing and approving the initial funding of the State and Local Fiscal Recovery Funds of the American Rescue Plan Act (ARPA).

WHEREAS, the City of Kingston has received \$1,778,500.49 of ARPA funds; and

WHEREAS, the City of Kingston has elected to accept the \$10,000,000 Revenue Loss allowance; and

WHEREAS, eligible fund uses include for government services; and

WHEREAS, the City of Kingston is in need of emergency service Extrication Equipment to be utilized by the Kingston Fire Department; and

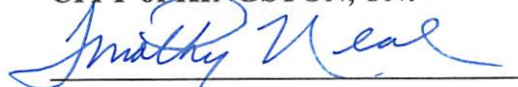
WHEREAS, the City of Kingston, in accordance with City Purchasing Policies has secured pricing for the needed Extrication Equipment from Sourcewell in the amount of \$71,362.

NOW, THEREFORE BE IT RESOLVED, the City recommends the use of ARPA funds to purchase much needed Extrication Equipment for the Kingston Fire Department; and

BE IT FURTHER RESOLVED, that the City move forward with issuing a Purchase Order to Sourcewell in the amount of \$71,362 for the needed emergency Extrication Equipment.

READ AND ADOPTED this the 10 day of November 2022.

CITY of KINGSTON, TN:


MAYOR

ATTESTED:


CITY CLERK

Resolution 22-11-10-02

A resolution in support of efforts by the Tennessee State Legislature, Tennessee Wildlife Resource Agency (TWRA), Tennessee Fish and Wildlife Commission (TWFC), The U.S. Army Corps of Engineers (COE), and Tennessee Valley Authority (TVA) to prevent the spread of invasive Asian carp, especially silver carp, into uninvaded waterways, especially those located within the boundaries of the City of Kingston in Roane County, Tennessee.

WHEREAS, invasive Asian carp, especially silver carp, have been and are presently regulated by the State through the Tennessee Wildlife Resource Agency; and

WHEREAS, hundreds of research studies show conclusively/prove that if the invasive silver carp is allowed to manifest itself in a lake that they destroy the natural ecosystem, alter fish population diversity, seriously deplete game fish populations eliminating tournament fishing, and make recreational boating hazardous and life threatening; and

WHEREAS, the silver carp have triggered a >50% economic downturn, destroyed bass fishing, cabin rentals, and lake recreation in Barkley and Kentucky Lakes, the area known as "The Land Between the Lakes," which is an area much like our East Tennessee River Lakes; and

WHEREAS, when there is only a 50% downturn in the lake's economic income due to the silver carp takeover, as is what happened in "The Land Between the Lakes," using the economic revenue data from the U.T. and TVA report of 2016, the "Annual" economic loss by county will be: Roane-\$193 million, Rhea-\$196 million, Meigs-\$157 million, Loudon-\$155 million; and

WHEREAS, B.A.S.S. the leading U.S. bass fishing organization states in their publication "BASSMASTER" that the number one most serious threat to bass and bass fishing is invasive Asian carp; and

WHEREAS, infestations of invasive Asian carp severely impact waterway use for swimming, motor boating, water skiing, tubing, sailing, and small craft boating (canoeing, kayaking, paddle boarding), seriously endangering waterway users with physical harm (fractured skulls, broken jaws), impacting the recreational value of Tennessee Lakes, detracts from tourism associated with the waterways, and has a significant negative impact on the regional economics brought about by local/tourism recreational use; and

WHEREAS, like what has taken place around Kentucky and Barkley lakes, invasive Asian carp incursions will reduce property values and reduce the county tax base; and

WHEREAS, once invasive Asian carp are allowed to infest a waterway the invasive species will never be eliminated from infested waters resulting in the inevitable destruction of the waterway fishery and ecosystem, and like Kentucky Lake, funds will be required to capture and remove silver carp from our lake (9.5 - 10 million pounds of silver carp were removed from Barkley and Kentucky Lake in 2021); and

WHEREAS, numerous states spent and are spending millions of dollars every year attempting to control invasive silver carp, which can be prevented in our lakes if they are stopped; and

WHEREAS, TWRA is planning to install bioacoustics barriers at locks in the Tennessee River Basin; and

WHEREAS, TWRA's priority is to begin barrier placement at Kentucky Lake, behind the massive population of silver carp, and continue barrier placement upstream, with the last barrier at Watts Bar Lock; and

WHEREAS, TWRA's plan will continue to stairstep large populations of silver carp upstream into all the silver carp free lakes of the Upper TN River Basin; and

WHEREAS, TWRA's stated mission it to "to preserve, conserve, manage, protect, and enhance the fish and wildlife of the state"; and

WHEREAS, the definition of "protect" is to "prevent" harm, "preserve" is to "maintain in its original or existing state, and "enhance" is "intensify, increase, or further improve the quality, and value"; and

WHEREAS, TWRA's barrier placement priority will stairstep the silver carp upstream into all the lakes and will not protect, preserve, or enhance the ecosystem; and

WHEREAS, TWRA's barrier placement priority will destroy the ecosystem and cause a major economic decline in the region; and

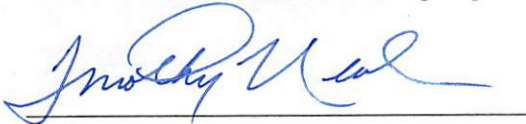
WHEREAS, the only way to protect, preserve, and enhance the silver carp free lakes is to "prevent" silver carp access into the upper basin; and

WHEREAS, the nation's leading silver carp experts state that installing the barriers starting at Watts Bar Lock then Chickamauga and continue downstream has an "excellent" chance, and the only possible way to save Chickamauga, Watts Bar, Melton Hill, Fort Loudon, and Tellico lakes from silver carp devastation; and

WHEREAS, reversing TWRA's barrier placement priority is the only way to protect the upper basin from the silver carp;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Kingston that the City of Kingston endorse and support the request that TWRA and other supporting agencies reverse the present barrier placement plan for silver carp obstruction and start protective measures above Watts Bar Dam and proceed downstream with a silver carp barrier construction.

This resolution shall take effect upon passage, this 10 day of November, 2022.



Mayor Timothy Neal

Attest:



City Clerk