

**KINGSTON CITY COUNCIL PUBLIC HEARING**  
**TUESDAY, JANUARY 10, 2023 – 5:45 P.M.**  
**KINGSTON CITY HALL**

The Kingston City Council held a Public Hearing on Tuesday, January 10, 2023 at 5:45 p.m. Mayor Neal called the Hearing to Order. City Council Members present include Council Member Philip Bredwell, Council Member Tony Brown(5:50PM), Council Member Randy Childs, Council Member Lucy Johnson, Council Member Tara Stockton (5:53PM), Council Member Stephanie Wright and Mayor Tim Neal. Staff present: City Manager David Bolling (5:51PM), City Clerk Kelly Jackson, Finance Director Michelle Kelley, City Attorney Andrew Thompson and Utility Director Kevin Hamilton (5:48PM). Others present include BBB Communications staff Dudley Evans (5:54PM)

The hearing was for the purpose of:

Consideration of Ordinance 22-12-13-02, 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.

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 nor did anyone sign in for the Public Hearing.

**REGULAR MEETING KINGSTON CITY COUNCIL**  
**TUESDAY, JANUARY 10, 2023 – 6:00 P.M.**  
**KINGSTON CITY HALL**

The Kingston City Council met in regular session on Tuesday, January 10, 2023 at 6:00 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 Philip Bredwell, Council Member Tony Brown, Council Member Randy Childs, Council Member Lucy Johnson, Vice-Mayor Tara Stockton, Council Member Stephanie Wright and Mayor Tim Neal. Staff present: City Manager David Bolling, City Clerk Kelly Jackson, Finance Director Michelle Kelley, City Attorney Andrew Thompson and Utility Director Kevin Hamilton.

**APPROVAL OF PREVIOUS MINUTES**

A motion was made by Member Childs, second by Vice-Mayor Stockton to waive the reading and approve as written the minutes of the Public Hearing and regular meeting on December 13, 2022

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

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

- Paul Moscariello (745 Gallaher Rd. Lot 10) addressed council requesting additional street lights on Gallaher Road due to accidents in the area. Mr. Moscariello commended the police department for the additional speed enforcement on Gallaher Road. Mayor Neal requested that Council Member Randy Childs (REU Board Member) to inquire about additional lighting from REU.

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

- Member Bredwell-Nothing additional to report.
- Member Brown-Recognized KPD and their service for Law Enforcement Appreciation Day (statement made during the Water Board Meeting)
- Member Childs-Nothing additional to report.
- Member Johnson-Nothing additional to report.
- Member Stockton-Nothing additional to report.
- Member Wright-Nothing additional to report.
- Mayor Neal- Announced the mayoral appointment of Alison Brown Ward to fill the unexpired term on the Parks & Recreation Commission vacated by Eric Clark. Her term to expire 6/30/2023.

## **REPORTS-CITY MANAGER'S REPORT**

- Reported that Ladd Park is closed so that TWRA can complete the remaining work on the boat ramp.
- Announced that Roane Surveying is working on the survey for the Delaney property in preparation for closing by the contract deadline of February 1, 2023.
- Reported that Parks & Rec staff will be completing an inventory of the Fort Visitor Center. The center will remain closed until the completion of the audit.
- The sidewalk project is ongoing. The section from Hwy 70 to the clothes closet will be completed soon with new lights installed. They will then begin on the section from the clothes closet to the traffic light at Church Street.
- Public Works will begin removing Christmas Lights tomorrow and the banners will be reinstalled. Thanks to Rockwood Public Works for the use of their bucket truck. Vice-Mayor Stockton stated that they are attempting to do a mapping system for the banners.
- Thanked council for approving the purchase of the vehicles for the police department and public works (This statement was made during the Water Board meeting)

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

### **UNFINISHED BUSINESS:**

- A. **Approval of the second and final reading of Ordinance 22-12-13-01, an ordinance to amend the Kingston Municipal Code to increase the competitive bidding amount from \$25,000 to \$50,000.**

A motion was made by Member Wright, second by Member Johnson to approve the second and final reading of Ordinance 22-12-13-01, an ordinance to amend the Kingston Municipal Code to increase the competitive bidding amount from \$25,000 to \$50,000.

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

- B. **Approval of the second and final reading of Ordinance 22-12-13-02, 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 Johnson to approve the second and final reading of Ordinance 22-12-13-02, 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.

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

- C. **Approval of the second and final reading of Ordinance 22-12-13-03, an ordinance to amend the Kingston Municipal Code relative to the number of members on the Municipal Planning Commission and the terms of office for the Commission members.**

A motion was made by Member Wright, second by Member Childs to approve the second and final reading of Ordinance 22-12-13-03, an ordinance to amend the Kingston Municipal Code relative to the number of members on the Municipal Planning Commission and the terms of office for the Commission members.

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

### **NEW BUSINESS:**

- A. **Presentation and acceptance of the annual comprehensive financial report for the fiscal year ended June 30, 2022.**

This agenda item was deferred to February 2023 due to a scheduling conflict with the auditors who were scheduled to attend.

**B. Approval of the first reading of Ordinance 23-01-10-01, an ordinance to change the name of East Loveliss Street to Jack McPherson Way.**

A motion was made by Member Stockton, second by Member Childs to approve the first reading of Ordinance 23-01-10-01, an ordinance to change the name of East Loveliss Street to Jack McPherson Way.

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

**C. Approval of the first reading of Ordinance 23-01-10-02, an ordinance amending the annual budget for the City of Kingston, Tennessee for fiscal year 2022-2023**

A motion was made by Member Childs, second by Member Bredwell to approve the first reading of Ordinance 23-01-10-02, 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. Approval of the first reading of Ordinance 23-01-10-03, 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 Johnson, second by Member Childs to approve the first reading of Ordinance 23-01-10-03, 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. Approval of the expenditure of \$87,964.63 of ARPA funding for two police vehicles on State contract pricing, and related equipment.**

A motion was made by Vice-Mayor Stockton, second by Member Bredwell to approve the expenditure of \$87,964.63 of ARPA funding for two police vehicles on State contract pricing, and related equipment

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

**F. Approval of Resolution 23-01-10-01, a resolution prioritizing and approving the initial funding of the State and Local Recovery Funds of the American Rescue Plan Act (ARPA).**

A motion was made by Vice-Mayor Stockton, second by Member Johnson to adopt Resolution 23-01-10-01, a resolution prioritizing and approving the initial funding of the State and Local Recovery Funds of the American Rescue Plan Act (ARPA).

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

**G. Approval of the expenditure of \$88,468 of ARPA funding for two trucks for Public Works on State contract pricing.**

A motion was made by Member Childs, second by Member Bredwell to approve the expenditure of \$88,468 of ARPA funding for two trucks for Public Works on State contract pricing.

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

**H. Approval of Resolution 23-01-10-02, a resolution prioritizing and approving the initial funding of the State and Local Fiscal Recovery Funds of the American Rescue Plan Act (ARPA)**

A motion was made by Member Childs, second by Vice-Mayor Stockton to adopt Resolution 23-01-10-02, a resolution prioritizing and approving the initial funding of the State and Local Fiscal Recovery Funds of the American Rescue Plan Act (ARPA)

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

Mayor Neal adjourned the meeting at 6:14 pm

APPROVED 2-14-2023



\_\_\_\_\_  
Tim Neal, Mayor

ATTEST:



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

# **NOTICE OF PUBLIC HEARING** **CITY OF KINGSTON, TENNESSEE**

## **PROPOSED 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**

The Kingston City Council will hold a public hearing at 5:45 p.m. on Tuesday, January 10, 2023 at the second floor of the Kingston City Hall, 900 Waterford Place. The purpose of the hearing will be to receive comments from the public regarding proposed Ordinance 22-12-13-02, which if adopted, will amend section 11-407 of the Municipal Zoning Code regarding permitted uses and structures within the C-1 district in the City of Kingston. The proposed ordinance is available for public inspection at the office of the City Manager, second floor of the Kingston City Hall.

[illegible]

ORDINANCE NO. 22-12-13-01

AN ORDINANCE TO AMEND THE KINGSTON MUNICIPAL CODE TO INCREASE THE COMPETITIVE BIDDING AMOUNT FROM \$25,000 TO \$50,000

WHEREAS, it appears that Public Chapter No. 1016 amended TCA 12-3-1212 relative to the thresholds for competitive sealed bids; and,

WHEREAS, City Council of the city of Kingston finds it to be in the best interest of the city and its citizens to increase the amount of formal sealed bids to be obtained be raised from \$25,000 to \$50,000.

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

Section 1. That the section of the Kingston Municipal Code of the City of Kingston dealing with amount of formal competitive bidding is hereby deleted and the following is adopted in the place.

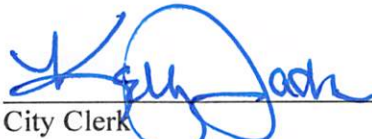
**5-501. Bidding required.** (1) Public advertised and competitive bidding pursuant to *Tennessee Code Annotated*, § 6-56-301 is required for all purchases by the city to which said statutes apply.

(2) Formal, sealed bids shall be obtained in all transactions involving the expenditure of fifty thousand dollars (\$50,000.00) or more, and any transaction involving the expenditure of fifty thousand dollars (\$50,000.00) or more shall be evidenced by a written contract submitted to and approved by the city council.

Section 2. This ordinance shall take effect upon passage. Any ordinance in conflict with this ordinance is hereby repealed.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

Passed first reading 12-13-2022

Passed second reading 1-10-2023





# *State of Tennessee*

## **PUBLIC CHAPTER NO. 1016**

**SENATE BILL NO. 2489**

**By Briggs, Bailey, Bowling**

Substituted for: House Bill No. 2600

By McKenzie, Whitson, Beck, Towns, Camper, Gloria Johnson, Hazlewood, Thompson

AN ACT to amend Tennessee Code Annotated, Section 12-3-1212, relative to thresholds for competitive sealed bids.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-3-1212, is amended by deleting the section and substituting:

(a) Notwithstanding another law to the contrary, a county, municipality, utility district, or other local governmental entity having centralized purchasing authority with a full-time purchasing agent may, by resolution or ordinance of its governing body, increase the threshold over which public advertisement and sealed competitive bids or proposals are required to an amount not to exceed fifty thousand dollars (\$50,000) for nonemergency, nonproprietary purchases.

(b) Notwithstanding another law to the contrary, a county, municipality, utility district, or other local governmental entity having non-centralized purchasing authority may, by resolution or ordinance of its governing body, increase the threshold over which public advertisement and sealed competitive bids or proposals are required to an amount not to exceed twenty-five thousand dollars (\$25,000) for nonemergency, nonproprietary purchases.

(c) At least three (3) written quotations are required when possible for purchases costing less than the bid threshold established under subsection (a) or (b), but more than forty percent (40%) of such bid threshold or some lower amount as may be established by the governing body in a resolution. Purchases of like items must be aggregated for purposes of the bid threshold.

(d) For purposes of this section, a "full-time purchasing agent" means a person who devotes the whole of the person's working time to the demands and duties of the office of purchasing agent.

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.

SENATE BILL NO. 2489

PASSED: April 25, 2022

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 11<sup>th</sup> day of May 2022

  
BILL LEE, GOVERNOR

## ORDINANCE 22-12-13-02

### 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.

**WHEREAS**, the City Council of the City of Kingston, 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 4, Section 11-407. C-1, General Business District, sub paragraph 1.a Permitted Uses and Structures. is hereby deleted in its entirety, to be replaced with the following language:

11-407.C-1, General Business District. 1. Permitted Uses and Structures. a. All uses permitted or permitted on review in the R-1, R-2 or O-1 Districts.

**Section 2.** This ordinance shall take effect upon final passage, the public welfare requiring it.

Passed on first reading: 12-13, 2022

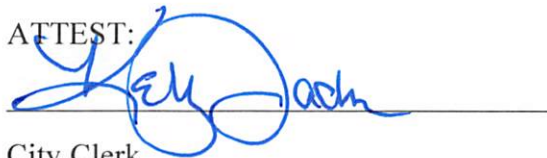
Passed on second reading: 1-10, 2023

Public hearing held: 1-10, 2023



Mayor

ATTEST:



City Clerk

ORDINANCE NO. 22-12-13-03

AN ORDINANCE TO AMEND THE KINGSTON CITY CODE RELATIVE TO THE  
NUMBER OF MEMBERS ON THE MUNICIPAL PLANNING COMMISSION AND THE  
TERMS OF OFFICE FOR THE COMMISSION MEMBERS

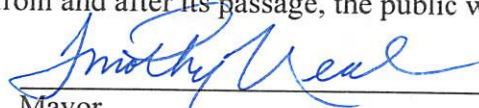
WHEREAS, the City Council of Kingston, Tennessee, in accordance with Section 13-7-105 of the *Tennessee Code Annotated*, may amend the Zoning and Land Use Control of the Kingston City Code.


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

**Section 1.** Title 14, Chapter 1, Section 14-101. Creation and Membership is hereby deleted in its entirety, to be replaced with the following language:

**14-101. Creation and membership.** Pursuant to the provisions of *Tennessee Code Annotated*, § 13-4-101, the City Council has heretofore created a municipal planning commission, hereinafter referred to as the planning commission. From and after January 1, 2023, membership of the municipal planning commission shall consist of eight (8) members until the expiration of the term of the sitting member whose term shall expire in calendar year 2023, at which time, the commission shall be composed thereafter of seven (7) members. One (1) member shall be the mayor of the municipality and one member shall be a councilman selected by the city council. The terms of the mayor and the member selected from the city council shall run concurrently with their terms of office on the council. The other five (5) members shall be appointed by the mayor and shall serve for a term of four (4) years, provided however, the mayor shall have the authority to remove any appointive member at his pleasure. All members of the planning commission shall serve without compensation. All members appointed prior to January 1, 2023 shall be eligible to continue to serve for the balance of their original term of eight (8) years and to be reappointed at the expiration of their term for additional successive four (4) year terms without regard to any residency requirements. From and after January 1, 2023, all other members appointed to serve shall be residents of the City of Kingston and shall serve for a term of four (4) years. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor.

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

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

Passed first reading 12-13-2022

Passed second reading 1-10-2023

## RESOLUTION No. 23-01-10-01

**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 two (2) new Police Patrol Vehicles to be utilized by the Kingston Police Department; and

**WHEREAS**, the City of Kingston, in accordance with City Purchasing Policies has secured pricing for the needed vehicles and all needed police use buildouts, as follows:

- Vehicles (2)	\$76,172.00	State Contract
- Vehicle Modifications	\$ 5,725.00	Dana Safety Supply, Inc.
- Lights & Sirens	\$ 4,967.63	Speedtech Lights
- Striping/Decals	<u>\$ 1,100.00</u>	Outlaw Graphics
Total	\$87,964.63	

**NOW, THEREFORE BE IT RESOLVED**, the City recommends the use of ARPA funds to purchase much needed Police Patrol Vehicles to be utilized by the Kingston Police Department; and

**BE IT FURTHER RESOLVED**, that the City move forward with issuing the necessary Purchase Orders totaling \$87,964.63 as detailed above.

**READ AND ADOPTED** this the 10 day of January 2023.

**CITY of KINGSTON, TN:**

  
MAYOR

**ATTESTED:**

  
CITY CLERK



## RESOLUTION No. 23-01-10-02

**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 two (2) new vehicles to be utilized by the Kingston Department of Public Works; and

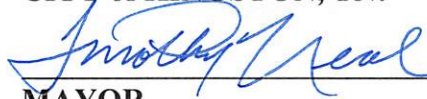
**WHEREAS**, the City of Kingston, in accordance with City Purchasing Policies has secured pricing through a State Contract price totaling \$88,468.00 for both vehicles. , as follows:

**NOW, THEREFORE BE IT RESOLVED**, the City recommends the use of ARPA funds to purchase much needed Department of Public Works vehicles; and

**BE IT FURTHER RESOLVED**, that the City move forward with issuing the necessary Purchase Order totaling \$88,468.00 as detailed above.

**READ AND ADOPTED** this the 10 day of January 2023.

**CITY of KINGSTON, TN:**

  
MAYOR

**ATTESTED:**

  
CITY CLERK