

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Thursday, November 12, 2015

6:00 PM

Council Chambers

## City Council

*Mayor James S. Mayberry*  
*Mayor Pro-Tem Pamala Harris*  
*Council Member Jesse Kerley*  
*Council Member Pedro (Pete) Souza*  
*Council Member Danny Wyatt*  
*City Manager David Rutherford*  
*City Clerk Sally Oglesby*

**REGULAR MEETING - 6:00 p.m.**

*The City Council for the City of Crossville, Tennessee met in regular session on Thursday, November 12, 2015, at Crossville City Hall.*

**Rollcall**

**Present:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Jesse Kerley

*Others present were City Manager David Rutherford, City Attorney Will Ridley, City Clerk Sally Oglesby, Lee Lawson, Andy Vaughn, Mark Steinman, Jim Young, Dewey Peterson, Sue York, Art Wotja, Judy Wotja, Tammie French, Woody Geisler, John Turner, Bruce Wyatt, Tom Isham, Rodney Shoap, Tim Begley, Ashley Pealer-Richards, Chris Bennett, Tony Davis, Fred Houston, Cyndy Gardner, Bruce Gardner, Donovan Phillips, Shaunda Baldwin, Paula Phillips, Cindy Demets, Jamie Demets, Valari Velder, Jaydan Thompson, Jordan Thompson, Jaylan Sherrill, Jerry Sherrill, Brad Allamong, Billy Loggins, and Sherley Wyatt.*

**Call to Order**

*Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m. The Mayor outlined the Standing Rules of the City Council to those in attendance regarding the conduct of the meeting and public comments. The invocation was given by Dewey Peterson of the New Beginnings Fellowship. Mayor Mayberry led the Pledge of Allegiance.*

**1. Proclamations/Presentations****a) Student of the Month**

*The November Student of the Month was Jordan Thompson for the character trait "manners".*

**This Commendation was presented.**

**2. Appointments - NONE****3. Consent Agenda****Approval of the Consent Agenda**

**A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, to approve items "a-j", except "d" on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

- a. Approval of minutes (10/8, 11/3)

**The Minutes were approved as recommended.**

### **Ordinances on Second Reading**

- b. Ordinance amending the 2015-16 budget regarding Sanitation Fund

**This Ordinance was approved on second reading.**

- c. Ordinance amending Crossville Municipal Code regarding purchase order limits

**This Ordinance was approved on second reading.**

- d. Ordinance amending the 2015-16 budget for Jet A Fuel System Cabinet

*Councilmember Souza asked Chris Bennett for information on the size of the fuel tanks. Mr. Bennett also explained that the Jet-A fuel pump has an internal issue that can't be fixed. Councilmember Souza expressed dismay that it was a large capital expenditure that wasn't in the budget. The City Clerk reported that the bids would be coming in on November 24 and that the budget amendment would be adjusted prior to the third reading to reflect the true cost.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that this Ordinance be approved on second reading. The motion carried by the following vote:**

**Aye:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

### **Ordinances on First Reading**

- e. Ordinance amending the FY2015-16 Budget for new vehicle to be paid out of the Drug Fund

*A budget amendment is required to allow one of the new vehicles to be paid out of the Drug Fund. This is an undercover vehicle in the amount of \$28,439.*

**This Ordinance was approved on first reading.**

- f. Ordinance amending §1-102 of the Crossville Municipal Code regarding Public Comments

*Mayor Pro-Tem Harris proposed moving "Public Comments" to the first part of the Council agenda to give folks an opportunity to be heard prior to the Council voting on agenda items, while at the same time allowing the Council to better keep order in the meetings. The Mayor will still be able to recognize anyone at any time.*

**This Ordinance was approved on first reading.**

### **Additional Consent Items**

- g.** Approval of sponsorship payment for State High School Golf Capital Tournament
- This year's tournament was held in August at Bear Trace golf course. The sponsorship was budgeted for \$7,000; however, a \$1,000 sponsor was acquired. Council was requested to approve the \$6,000 sponsorship payment to the Tennessee Golf Association.*
- This payment was approved as recommended.**
- h.** Approval of temporary street closings for Walk/Run sponsored by the North Cumberland Elementary School Cheer Booster Club
- The NCES Cheer Booster Club is sponsoring a 5K and 1-Mile Walk/Fun run to benefit the cheer squad. The event is being planned for Saturday, April 30, from 8-10 a.m. on Northside Drive starting by Memorial Baptist Church. They requested that the road be temporarily closed during the event.*
- This Permit was approved as recommended.**
- i.** Approval of temporary street closings for TAD Activity Center Reindeer Run
- The TAD Activity Center is planning their annual Reindeer Run on Saturday, December 13. The 5K will start and finish at the TAD Center on Yvonne Ave.*
- This Permit was approved as recommended.**
- j.** Acknowledgement of Comptroller's Approval of \$2,000,000 loan agreement
- A letter was presented from the Comptroller's Office approving the \$2,000,000 loan agreement for the financing of street and road improvements including paving, and park and recreational facilities improvements and upgrades.*
- This letter was presented.**
- 4. Bids/Purchases**
- a.** Purchase of GIS Software from ESRI
- The Engineering Department requested approval to purchase the latest version of ArcGIS for Desktop Standard Single Use License and ArcGIS Network Analyst for Desktop Single Use License. Both pieces of software are available from ESRI (Environmental Systems Research Institute, Inc.), the sole provider of the software. ArcGIS by ESRI is the industry standard and what is currently being used by multiple departments in the City. The proposal includes sales tax, which will be removed, for a final cost of \$8,075. The Engineering Department is currently using version 9.3.1 and this upgrade will be to the latest version ArcGIS 10.3.*
- A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that the purchase be approved as recommended. The motion carried by the following vote:**
- Aye:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

## 5. Marketing Report

### November Marketing Report

*Marketing Director Billy Loggins updated the Council on the following:*

*Recent Community Festivals:*

- *Scarecrow Festival*
- *Apple Festival*
- *Hit the Trails Festival*
- *Hispanic Festival*
- *Fair Park Pioneer Days*
- *Knights of Columbus Oktoberfest*

*Other Events:*

- *Farmer's Market @ the Depot*
- *OWCA 5K / Fun Walk*
- *Senior Olympics*
- *Crime Stoppers Downtown Movie Nite*
- *Soldier's Beach Trail*
- *Breakfast Rotary 30th Annual Chili Cook-Off*
- *Downton Abbey*
- *Christmas Parade*
- *Christmas Open House - December 17 from 4:00-6:00 p.m. at City Hall*
- *Cumberland County Playhouse*

**This Report was received and filed**

## 6. Cumberland County/Chamber Report

*Brad Allamong reported on the Chamber Annual Banquet and a meeting with Tennessee Speaker of the House Beth Harwell. He also reported on the Site Selection Workshop that was held on November 9-10 through the Select Tennessee Property Evaluation Program. A final report should be received in mid-January. The consultant was very impressed with the properties that we have and pointed out that we are well-positioned with properties that have the infrastructure and close to the interstate. He praised Tim Begley and his staff for their assistance.*

## 7. Other Business

### a. Discussion and action on Community Transportation Planning Grant

*In December 2014, City Council applied for a transportation planning grant through TDOT. This grant was awarded in the amount not to exceed \$250,000. The local share is \$25,000. The grant will provide transportation studies by an engineering firm selected by TDOT to improve mobility through the City and support a more pedestrian-friendly downtown. It will recommend ways to improve traffic flow on alternative routes, reconfiguration and timing of traffic signals, and identify existing traffic problem areas as well as available capacity on less-traveled corridors.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, that the grant contract be accepted and the Mayor authorized to sign the contract, a budget amendment be passed on first reading, and the local deposit of \$25,000 be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**b.** Discussion and action on industrial property for Homestead Timber Frames

*Cyndy and Bruce Gardner, owners of Homestead Timber Frames, requested to lease at no cost, with an option to purchase, an approximate 2.24 acre site directly across from their location on Duer Court. If they exercise the option to purchase, they offered to pay \$25,000 per acre with a deduction of \$5,000 per each new employee added to their staff. The new employees would be counted during the period of the lease plus the first 18 months of ownership.*

*Mr. Gardner stated that they will be adding to their current building as well as this additional request. With the new property, they will be eliminating the truck parking on Duer Court. When discussing the addition of new employees, he further commented that they will not add employees just to get the discount on the cost of the property.*

**A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, that the option and future purchase of property to Homestead Timber Frames be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**c.** Discussion and action on Employee Wellness and Weight Loss Program

*The City Manager discussed implementation of an employee wellness and weight loss program to begin January 2016. Depending on 50% participation and maximum amount earned, the cost is estimated at \$22,500.*

*Councilmember Wyatt asked how long they had to keep the weight off. Mr. Rutherford explained that he will present a program next year for maintenance. Councilmember Souza stated that employees will produce more when they feel they are being taken care of. Mayor Pro-Tem Harris commented that the re-evaluation of the program next year will indicate its success.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that the wellness and weight loss program be approved as recommended for one year and re-evaluate it at the end of the year. The motion carried by the following vote:**

**Aye:** 3 - Council Member Pete Souza, Mayor James Mayberry and Mayor Pro-tem Pamala Harris

**Nay:** 1 - Council Member Danny Wyatt

**d.** Discussion and action on request for sidewalks on Dunn Ave.

**This request was deferred**

**e.** Discussion and action on sewer tap request from Brad Donathan

*In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project.*

*Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.*

*According to Billy Martin, Mr. Donathan requested and received a grinder pump several years ago (per policy), but is just now installing it. Mr. Donathan recalls that he was told that his tap would be free and is now requesting the free tap. However, there is no record of that and the policy at that time (and currently), is that any taps that are provided in lieu of compensation for an easement are done through a "sewer tap certificate" that has an expiration of 5 years. Other than that process, the City Council is the only body that can waive sewer taps since they are set by the City Council.*

*This matter was heard at the October meetings, but no action was taken. Mr. Donathan has requested action by the Council on his request. The City Manager recommended denying the request.*

**A motion was made by Council Member Pete Souza to approve the request. The motion died for lack of a second.**

**f.** Discussion and possible action on the Standing Rules for meetings of the Council

*Councilmember Souza commented that state law requires 72 hour notice for meetings, but the City's charter and Standing Rules are in conflict with only a 24-hour notice of meetings required.*

**The matter was deferred**

**g.** Discussion and possible action on revoking authority for the Airport Business Plan

**The matter was withdrawn from agenda**

**h.** Discussion and action on setting airport hangar fees

*Councilmember Souza explained his proposal for a change of hanger fees and his rationale. He also pointed out that he would also be asking in the next budget for funding to upgrade some of the hangars. His proposed increase would be effective January 1.*

*Chris Bennett reported on the condition of the hangars. He said most of them are in pretty good shape. The older hangars have manual doors, but the newer ones have electric doors. At the request of Councilmember Wyatt, Fred Houston reported that the airport is running in the black. Mayor Pro-Tem Harris stated she felt it was premature to raise the rates because of the disparity in the unit types.*

*Councilmember Souza stated that with the cost of the debt and other costs, he did not believe the airport is in the black. Mr. Houston explained that depreciation has to be allocated even when the structures are primarily funded through grants.*

*Councilmember Souza also discussed the increased cost for utilities and insurance on the new hangar once it is built.*

**A motion was made by Council Member Pete Souza, seconded by Mayor James Mayberry, that Council approve proposal "A" in the business plan to adjust the hangar rates and that a surcharge of \$20 per hangar space be added for anyone living outside the county. The motion failed by the following vote:**

**Aye:** 1 - Council Member Pete Souza

**Nay:** 3 - Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**i.** Discussion and action on animal control

*Mr. Rutherford discussed the complaints on Stanley Street from feral cats. He is looking at an ordinance that has been adopted by Knoxville. It will be on the December council work session.*

**The matter was deferred**

**8. City Attorney's Report**

City Attorney's Report

*City Attorney Ridley discussed the counter-offer presented to J. Hicks Construction; however, no answer has been received. He also reported no new litigation since the last meeting..*

**This Report was received and filed**

**9. City Manager's Report**

City Manager's Report

*City Manager Rutherford presented the monthly revenue reports for local option sales tax, wholesale beer tax, and retail liquor inspection fees. He also gave reports on building permits, grants, special projects, and bonded debt. The City Clerk reported that TDOT has Section III of the Northwest Connector on the bid schedule for December 2016. The City needs to substantially complete the acquisition by September. Most of the appraisals are completed and letters to the property owners will be going out in the next week or so.*

*Councilmember Wyatt commented that the City Judge had asked to be provided health insurance with her paying the premium. He asked that the matter be put on the December work session agenda. The City Manager responded that he would check into it further, but he believed it would require a change in the contract with the insurance carrier.*

**This Report was received and filed**

**10. Public Comment**

*Norris Skelley, Victim Advocate for Mothers Against Drunk Driving, Upper Cumberland TN Chapter, stated that he had received a phone call about the Beer Board and he wanted to introduce himself. He stated that he hoped that the Beer Boards, law enforcement, and advocacy groups could work together on issues with impaired drivers.*

**ADJOURNMENT**

*With no further business, the meeting was adjourned at 7:14 p.m.*



