

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

**Tuesday, September 14, 2021**

**6:00 PM**

**Council Chambers**

## **City Council**

*Mayor James Mayberry*  
*Mayor Pro-Tem R.J. Crawford*  
*Council Member Rob E. Harrison*  
*Council Member Scot Shanks*  
*Council Member Art Gernt*  
*City Manager Greg Wood*  
*City Clerk Valerie Hale*

**BEER BOARD - 5:45 p.m.**

*The Crossville Beer Board met on Tuesday, September 14, 2021. Mayor James Mayberry was present and presiding. He called the meeting to order at 5:45 p.m.*

**Present:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

**1. Citgo Food Mart**

*An application has been submitted for an off-premises beer permit by Chandrakant Patel for Citgo Food Mart located at 294 Elmore Rd. due to a change in ownership.*

*Chief Jessie Brooks reported a clear-records report and recommended approval of the permit.*

**A motion was made by Council Member Rob Harrison, seconded by Council Member Art Gernt, to approve an off-premises permit. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

**2. 7-Eleven**

*7-Eleven, Inc. has submitted an application for an off-premises beer permit for its location at 36 Crossroads Drive.*

*Chief Jessie Brooks reported a clear-records report and recommended approval of the permit.*

**A motion was made by Council Member Art Gernt, seconded by Council Member Rob Harrison, to approve off-premises permit. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

*The Crossville Beer Board adjourned at 5:47 p.m.*

**REGULAR MEETING - 6:00 p.m.****Call to Order**

*The Crossville City Council met for its monthly meeting on Tuesday, September 14, 2021 at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m.*

*Council Member Scot Shanks provided the invocation and the Young Marines*

*presented the colors.*

## **Roll Call**

**Present:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

*Others present were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Valerie Hale, Assistant City Clerk Malena Fisher, Lee Lawson, Fred Houston, Tim Begley, Jessie Brooks, Danny Thurman, Ethan Hadley, Steve Prudhomme, Chris Selk, Yvonne Selk, Burt Allaire, Amber Loyens, Jeremiah Procter, Hallie Loyens, Autumn Loyens, Whitney English, Danzell English, friends and family of the Young Marines.*

## **1. Proclamations/Presentations**

### **a. Presentations September 2021**

*Autumn Loyens was recognized as the Community of Character Student of the Month for September's characteristic, Cooperation.*

## **2. Public Comment**

*Levon Hubbard addressed the City Council and expressed his support of the Indoor Recreation Facility, as well as placing the facility on Main Street. He stressed that the location was ideal and would be an economic development tool for attracting new industries.*

*Chris Selk addressed the City Council with an issue he is having regarding his port-a-toilet business. He is not able to dispose the waste as often as he needs to due to limited capacity at waste water treatment plant. He asked for assistance to resolve this issue.*

## **3. Appointments-NONE**

## **4. Chamber of Commerce Report**

*Ethan Hadley reviewed Chamber activities and the calendar of events for September and October. He also reported the Visitor's Center had 2,000 visitors last month, as opposed to 950 during the same month last year. The Plateau Partnership Park should close by mid October on property being sold to Flat Rock USA Development.*

*Council Member Harrison asked about foot traffic and newcomer inquiries and Mr. Hadley reported they are strong.*

*The Council discussed the Bicycle Ride Across Tennessee (BRAT), which is based at Cumberland Mountain State Park this year.*

**Approval of the Consent Agenda**

**A motion was made by Council Member Scot Shanks, seconded by Council Member Rob Harrison, to approve the Consent Agenda Items 5A-P as they have already been discussed during the monthly work session. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

**5. Consent Agenda**

**a.** Approval of minutes (08/10)

**The Minutes were approved as recommended.**

**Ordinances on Third Reading**

**b.** Ordinance amending Title 7 &12, Building, Fire, Utility, etc. Codes

*The Codes Department requests revisions to Titles 7 & 12 of the Crossville Municipal Code, which would change the International Building Code from 2012 to 2018. This would also result in an increase in fees.*

**This Ordinance was adopted on third reading.**

**Ordinances on Second Reading**

**c.** Ordinance amending Title 14, Chapter 7, Section 2 of the Crossville Municipal Code

*The Tree Board requests that the Trees and Woody Vegetation administration language be amended to allow any Tree Board members to reside outside of the City limits. The Board struggles to find qualified candidates to serve and feels that by changing the residency requirement, they will have more candidates for the committee.*

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

**d.** Ordinance amending FY 21-22 Budget-Bojangle's

*A budget amendment is necessary for the storm sewer repair being completed at Bojangle's Restaurant at 2791 North Main Street as approved by City Council.*

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

**e.** Approval of proposal for Little Obed Pump Station Inline Grinder and Ordinance amending FY21-22 budget

*Veolia has continued to have problems with the Little Obed sewer pumps for the past three years. During the past four years, the City has spent and is in the process of*

spending \$66,156 for repairs because of clogging and solids creating an unbalanced pump which eventually breaks the pump. This amount does not include hoist repair of approximately \$10,000. This has become an unending maintenance cycle of pump repair. City and Veolia staff have met several times with GRW to discuss solutions to this problem. The final and best solution has been determined to be installing an additional structure with an inline grinder. GRW has contacted other utilities that have installed this type of grinder and it has solved their issues with the solids.

A proposal was presented from GRW for the Engineering of an inline grinder for this pump station in a lump sum amount of \$32,000. Staff recommends the approval of the project and proposal. A budget amendment will be necessary.

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

### Additional Consent Items

**f.** Approval of appointment during City Manager's temporary absence

*City Manager Greg Wood requests approval of the City Clerk, Valerie Hale, to serve in his capacity during his absence. He expects to be absent October 6-15.*

**This Resolution was approved as recommended.**

**g.** Approval of storage hangar rate increase

*The Airport Committee has completed a hangar rent study. Based on the information provided, the Committee recommends that rates on all the storage hangars increase \$5 a month, each of the next three years.*

**This Resolution was approved as recommended.**

**h.** Temporary street closures for Upper Cumberland Bigfoot Festival 2021

*The Upper Cumberland Bigfoot Festival will be held Saturday, October 16, 2021, at the Community Complex, and the committee is requesting the closure of Livingston Road from Bennett Way to Industrial Boulevard for the day, and the closure of Industrial Boulevard from North Main Street to Livingston Road as needed throughout the day to control traffic flow.*

**This Permit was approved as recommended.**

**i.** Agreement with Kidwell & Company, Inc. for Municipal Advisor Services

*The City Council approved entering into a 3-year agreement/extension, which was presented, with Kidwell & Company, Inc. for municipal advisor services, specifically regarding financial transactions. Mr. Kidwell will review the funding transactions of the City and give his opinion, help and any services needed to further the city's loans. For any projects needed, Mr. Kidwell's company will only be paid if his company's information leads to closing or acquiring loans for the city.*

**This Contract was approved as recommended.**

**j.** Approval of 2021-22 lease of Catoosa Utility Department building

*The lease expires September 30 on the building occupied by the Catoosa Utility Department. The new lease amount is \$1,550 per month, which is \$100 more per month than current lease.*

**This Contract was approved as recommended.**

**k.** Approval of Renewal Loan Agreement on Navy jet located at CCHS

*A renewal loan agreement has been received on the Navy jet located in front of CCHS. This agreement will be for 5 years, ending 8/1/2026. CCHS has assumed responsibility for any maintenance issues on the jet. A copy of the agreement has been delivered to the Principal.*

**This Contract was approved as recommended.**

**l.** Approval to join Drug Dealer Liability Act (DDLA) Opioid Litigation

*The City Attorney recommends that the City of Crossville join the DDLA Opioid litigation filed by District Attorney General Bryant Dunaway. The Tennessee Supreme Court has ruled that District Attorney Dunaway cannot be the plaintiff in his own name. In order to pursue the case, each county and city must join on their own. There will not be a cost associated with joining the lawsuit.*

*Back in early 2018, the District Attorneys filed a series of lawsuits under the TN Drug Dealer Liability Act to slow the flow of opioids into their communities and to recover money for the damages done by the illegal opioid market. It is anticipated that any settlement money would go directly back to the communities.*

**This Contract was approved as recommended.**

**m.** Approval of services for the development of RFPs for SCADA replacement at Holiday and Meadow Park Water Filtration Plants

*A contract was presented for JR Wauford & Company to develop a Request for Proposal (RFP), review RFPs and provide construction management for the replacement of the SCADA (Supervisory Control and Data Acquisition system) at both water filtration plants. The contract also includes a replacement evaluation of the high service pumps at the Holiday Water Plant.*

*The funds for this project are in the current budget. The Director of Engineering and the Water Resource Director recommend the approval of the contract in an amount not to exceed \$48,000.*

**This Contract was approved as recommended.**

**n.** Approval of contract for telemetry system extended service warranty with MicroComm

*The current contract for service warranty for Catoosa telemetry expires on October 25, 2021. The contract includes service warranty coverage for damage to the telemetry system, including lightning. Staff requests approval to renew the annual contract in the amount of \$7,400.*

**This Contract was approved as recommended.**

**o.** Approval of grant application for Airport Coronavirus Response Grant

## Program (ACRGP)

*TDOT Aeronautics is offering Federal funds for Coronavirus relief, which can be applied toward operating expenses. City Manager requests approval to apply for the \$9,000 grant, which does not require a match.*

**This Contract was approved as recommended.**

**Bids/Purchases****p.** Approval to award bid for grass seed purchase 2021

*The Leisure Services Department requests approval to purchase grass seed from low bid Site One Landscape for a total bid price of \$8,022.82.*

**This Bids/Purchases was approved as recommended.**

**6. Other Business****a.** Discussion and action regarding City-owned property 1140 Sparta Hwy.

*The Council discussed selling the City-owned property located at 1140 Sparta Highway now that an auction company has been secured (Powell Auction & Realty Co.). The 30-day advertising requirement was previously approved by the Council and will begin once a date for the online auction has been established. The City Clerk and City Manager will collaborate to complete the process.*

**A motion was made by Council Member Rob Harrison, seconded by Council Member Scot Shanks, to sell the property through an online auction and set a reserve amount of \$30,000/acre with the understanding that a new location for Fire Station #3 will be explored. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

**b.** Discussion and action regarding property acquisition for proposed Indoor Recreation Facility property

*Over the past few months, the City Council has been discussing the potential for an Indoor Recreation Facility and has purchased property on Webb Avenue (Tax Map 100K-B-34.00) for the potential development. Several properties on Main Street are also being considered for the development (Tax Maps 100N-A-5.00, 9.00, 9.01, 10.00 and 15.00).*

*Council Member Harrison related that prices the property owners are expected to ask for the Main Street properties are well above appraisal.*

*Council member Gernt stated that he is not opposed to either property, but visibility and being located on Main Street give the best opportunity for the facility to be successful.*

*Mayor Pro Tem Crawford stated he is in support of a recreation center, but prefers it to be located on Webb Avenue.*

Mayor Mayberry related that he is concerned about excavation costs on Webb Avenue property. He also stated he would not be in favor of selling the Webb Avenue property as the Council could explore other uses for the property. He expressed that visibility of an indoor recreation facility on Main Street would be a major asset for the community although he is concerned about the businesses/tenants located on the properties and their ability to find other commercial buildings available.

**A motion was made by Council Member Scot Shanks, seconded by Council Member Art Gernt, to authorize City Attorney to negotiate purchase contracts for Main Street properties for Indoor Recreation Center. The motion carried by the following vote:**

**Aye:** 3 - Council Member Scot Shanks, Council Member Art Gernt and Mayor James Mayberry

**Nay:** 2 - Council Member Rob Harrison and Mayor Pro-tem R.J. Crawford

## 7. City Attorney's Report

### a. City Attorney's Report-September 2021

*The City Attorney reported that there have not been any new lawsuits filed within the last 30 days.*

*The City Attorney recommended that the City of Crossville join the DDLA Opioid litigation filed by District Attorney General Bryant Dunaway. A settlement in the amount of \$1.6 billion has been proposed. The settlement will be divided across all participating municipalities statewide and paid out over the next 8 years.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt, to approve settlement. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

*City Attorney requested permission to file suit against a property owner in relation to the Hwy 127 N road widening/utility relocation project for the 2nd phase (PIN 100260.05). The City Clerk has been trying to obtain a utility easement without success. The City Attorney explained that the property owners are the heirs of Arvine Dryden and also advised it's possible he'll have to file suit to open the estate as a creditor in order to file the condemnation suit. The last recorded deed was in 1944. He requested permission to take any necessary action to resolve the issue.*

**A motion was made by Council Member Rob Harrison to proceed with condemnation and authorize the City Attorney to resolve the issue. The motion carried by the following vote:**

**Aye:** 5 - Council Member Scot Shanks, Council Member Rob Harrison, Council Member Art Gernt, Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

## 8. City Manager's Report

### a. City Manager's Report



*City Manager Greg Wood gave the monthly revenue report for sales tax, wholesale beer, retail liquor, and hotel occupancy tax. He also presented reports on monthly police and fire statistics, water loss, building permits, monthly utility maintenance, FBO, special projects, bonded debt, and grants.*

**This Report was received and filed.**

**ADJOURNMENT**

*The meeting adjourned at 6:43 p.m.*