

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, May 9, 2017

6:00 PM

Council Chambers

City Council

Mayor James Mayberry
Mayor Pro-Tem J. H. Graham, III
Council Member Pamala Harris
Council Member Scot Shanks
Council Member Danny Wyatt
City Manager Greg Wood
City Clerk Sally Oglesby

The City Council for the City of Crossville met in regular session on Tuesday, May 9, 2017, at Crossville City Hall.

Roll Call

Present: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

Others present were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Sally Oglesby, Mark Rosser, David Beaty, V.S. Wisdom, Heather Mullinix, Andy Vaughn, Shirley Hughes, J.D. Barnes, Kevin Music, Jim Young, Valerie Hale, Mike Turner, Larry Sherrill, Chris South, Tim Begley, Levonn Hubbard, Sue York, Kathy Vanlandingham, Chris Bennett, Tammie French, K.R. Wattenbarger, Lori Freitag, Skip Freitag, Jerry Kerley, LeeAnn Smith, Dave Burgess, Velma Burgess, Glenn Thompson, Olana Thompson, Brad Allamong, Art Gernt, Sherley Wyatt, R.E. Harrison, Fred Houston, Leah Crockett, and Billy Loggins.

PUBLIC HEARING

Mayor James Mayberry was present and presiding. He called the public hearing to order at 5:30 p.m.

2017-2026 Capital Improvement Program

City Manager Greg Wood presented a change to page 61 regarding the vehicles for the Police Department, which more accurate reflects the needs. He also stated that the Fire Dept will get more information on the truck to be purchased through an 8-10 financing agreement.

With no further comments, the public hearing was adjourned at 5:35 p.m.

This Public Hearing was held.

BEER BOARD

Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:45 p.m.

1. Circle K 2803620

An application was received from Mac's Convenience Stores LLC for an off-site beer permit for Circle K 2803620 located at 4234 Hwy. 127N. The existing store on the property will not undergo any change in branding or staffing. This is a parent company change only. The Police Department recommended approval.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that an off-premises beer permit be approved. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

2. Gurushakti Inc. dba Tobacco Outlet

An application was received from Rekhuben Dineshkumar Patel for an off-premises beer license for Tobacco Outlet located at 1483 Sparta Hwy. The ownership remains Gurushakti Inc., but the principal owner is Rekhuben Dineshkumar Patel. The Police Department recommended approval.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that an off-premises beer permit be approved. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

3. Rios Country Kitchen

An application for an on-premises beer permit was received from Maria Isabel Torres dba Rios Country Kitchen located at 224 Peavine Rd., Suite 106. The Police Department recommended approval.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that an on-premises beer permit be approved. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

With no further business, the Beer Board was adjourned at 5:48 p.m.

PUBLIC HEARING

Mayor Mayberry was present and presiding. He called the public hearing to order at 5:50 p.m.

Present: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

Annexation and Plan of Service for 6.33 acres in The Gardens

Tim Wilson and Jim Mitchell requested annexation of two tracts adjacent to The Gardens. Upon annexation, a plat for the subdivision will be presented to Planning Commission for approval. The Planning Commission has reviewed the proposed Plan of Services and recommended approval.

With no comments, the public hearing was adjourned at 5:51 p.m.

This Public Hearing was held.

REGULAR MEETING**Call to Order**

Mayor James Mayberry was present and presiding. He called the meeting to order at 5:00 p.m. The invocation was given by Clyde Webb of Cumberland Worship Center. The Young Marines presented the colors and led the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Recognition of Dave Burgess
 - b) Recognition of Jim Young
 - c) Veterans Awareness Day
- a) *Recognition of Dave Burgess - Planning Commission*
 - b) *Recognition of Jim Young - Industrial Development Board*
 - c) *Veterans Awareness Day - May 20*

The presentations were made.

2. Public Comment

*Mayor Mayberry opened the floor for public comment.
Vancieneta Wisdom spoke in favor of retaining a ball field at Garrison Park and renovations to the grandstand.
Shirley Hughes spoke in favor of the downtown sidewalks and her objections to asking the property owners to pay for the costs through an abutment fee. She also stated that an attractive downtown is important.*

3. Appointments**a) Tree Board**

Mayor Mayberry announced his appointment of Janet Dowlen and the re-appointment of Bruce Anderson and Bill Morgan to the Tree Board.

These appointments were announced.

b) Crossville Housing Authority

Mayor Mayberry administered the oath of office to Larry Sherrill as a new member of the Crossville Housing Authority Board.

The appointment was announced.

c) Industrial Development Board

An appointment needs to be made on the Industrial Development Board to replace Larry Sherrill who has resigned. This is a 6-year term. Mayor Mayberry reported that Mike Dalton, Shane Flowers, and Seth Chadwell are all interested in the position.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that Mike Dalton, Shane Flowers, and Seth Chadwell be

nominated for election to a position on the Industrial Development Board by majority vote. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

Ballots were distributed for voting of the Council. City Attorney Ridley announced the votes as:

*Graham-Dalton
Wyatt-Chadwell
Harris-Dalton
Shanks-Flowers
Mayberry-Flowers*

With a tie between Mike Dalton and Shane Flowers, another vote was taken between the two nominees. City Attorney Ridley announced the votes as:

*Graham-Dalton
Walton-Dalton
Harris-Dalton
Shanks-Flowers
Mayberry-Flowers*

Mike Dalton was elected.

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, that Mike Dalton be appointed to the Industrial Development Board. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

4. Consent Agenda

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem J. H. Graham , seconded by Council Member Pamala Harris, to approve items "a-n", except "h" on the Consent Agenda, including the change to the Capital Improvement Program recommended by the City Manager. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

a) Approval of minutes (4/11, 4/20)

The Minutes were approved as recommended.

Ordinances on Third Reading

b) Ordinance amending the FY2016-17 budget for Cox Ave. acquisition costs

The budget amendment has been revised to \$44,183 to cover the final cost.

This Ordinance was adopted on third reading.

- c) Ordinance amending the FY2016-17 budget for Meadow Park Lake parking

This Ordinance was adopted on third reading.

- d) Ordinance amending the FY2016-17 budget for legislative travel

This Ordinance was adopted on third reading.

- e) Ordinance enacting and adopting a 2017-S5 supplement to the Code of Ordinances

This Ordinance was adopted on third reading.

Additional Consent Items

- f) Adoption of the 2017-2026 Capital Improvement Program

The proposed Capital Improvement Program was revised by the City Manager to replace page 61 on police vehicles to more accurately reflect the expected needs.

This Capital Improvement Program was approved as recommended.

- g) Resolution approving the annexation and Plan of Services for 6.33 acres in The Gardens

Tim Wilson and Jim Mitchell requested the annexation of two tracts next to The Gardens. The Planning Commission has met and reviewed the Plan of Services and recommended approval. Once the property is annexed, a plat will be filed with the Planning Commission for approval.

The annexation was approved as recommended.

- h) Approval of request for outside-City sewer connection on Cox Ave.

William Douglas and Christopher Hughes requested approval to connect their property on Cox Ave to City sewer at outside-City rates. Their septic system is not functioning and the State will not allow them to repair it since sewer is available to the property. The property is adjacent to the City limits, but they prefer not to be annexed at this time.

Councilmember Wyatt expressed his opinion that until I/I issues and the plant limits are increased, the City should not approve any outside-sewer requests.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem J. H. Graham, that this request not be approved, without annexation..

The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Mayor Pro-tem J. H. Graham

Abstain: 1 - Council Member Scot Shanks

- i) Approval of temporary street closings for Fridays at the Crossroads

The next Fridays at the Crossroads is being planned for June 2. They requested the following to be closed from 3:45 p.m. to 8:15 p.m. (other than the streets that will be closed for the Dash in the Dark 5K Run previously approved):

- *Main Street from Lantana Rd. to Neecham St.*
- *4th Street from Thurman St. to West Ave.*
- *2nd Street from Main St. to West Ave. (the last one to be closed to allow traffic from the law office to complete their business for the day)*
- *1st St. from West Ave. to Webb Ave.*
- *Stanley Street from Main St. to Webb Ave.*

They have added more than before due to the growth of the event and the addition of some businesses in those areas that are planning to participate and have music and other things outside.

The temporary street closings were approved as recommended.

j) Approval of temporary street closings for Noon Rotary 5K and One Mile Fun Run

The Crossville Noon Rotary requested permission to run a 5K and one mile fun run on Saturday, October 28, beginning at 8:00 a.m. at the Depot.

This temporary street closings were approved as recommended.

k) Approval of temporary street closings for Memorial Day ceremonies on May 29

The Veteran's Service Office requested that Main Street between 5th and 2nd and 4th Street from Thurman to Rector be closed for Memorial Day ceremonies. The closures will be from 9:30 a.m. - 12:00 noon.

The temporary street closings were approved as recommended.

l) Approval of policy on street closings

As discussed in the work session, it is proposed that the City establish a set route on Northside Drive and Cook Road for street closings for 5K's that require the least amount of employee time to control. If a group uses that route, they would not be charged. However, should they choose a different route, then a charge would be made for the closures. It was also discussed that cruise-ins and other similar events might be moved to behind the courthouse around the Amphitheatre. The Head Librarian has been contacted for her input, but staff is preparing some scenarios utilizing existing parking. One scenario would use Division Street and Thurman Ave. from Fourth to Second. The other scenario would also incorporate parking around the library if the event is held on a Sunday afternoon when the library is closed.

This Policy was approved as recommended. (A copy of the policy is attached and made a part of these minutes.)

m) Approval of payment for 2017 Tennessee Senior Men's Open Sponsorship

The 2017 Tennessee Senior Men's Open Sponsorship of \$22,500 requires approval for payment. Council voted to sponsor this Championship thru 2019.

This payment was approved as recommended.

n) Approval of submittal of an application for an Urban & Community Forestry Program Grant

The Crossville Tree Board requested approval to apply for the 2017 Urban & Community Forestry Grant to fund the part-time Urban Forester position (less than 30 hours per week) for the second year. The 2016 grant was awarded for \$32,000 with the City's actual cash match of \$11,000 plus salary and in kind matches.

As discussed last year, the second year of funding would be reduced to 80% of \$32,000; therefore, offering \$25,600 in grant funds. The City will be responsible for the remaining 20% (\$6,400) plus \$11,000 (routine tree board operating expenses and horticulture supplies) for a total actual cash match of \$17,400.

Some accomplishments of the City of Crossville's Urban Forester, Seth Harrison:

- Tree pruning workshop for Public Works and Cumberland County School System*
- Complete inventory for the City managed trees at municipal buildings, parks, and streets*
- Visual assessment of condition of City owned trees*
- Planned the removal of dead trees in park areas*
- Planned and in process of tree planting project along Miller Avenue*
- Increased tree canopy over City with each new planting project*
- Increased economic value of City's urban forest*
- Managing sale of timber project on Maryetta Avenue and at Crossville Memorial Airport*
- Inventoried Tree Board event supplies*
- Created connection between Crossville and Knoxville's Urban Forester for ideas and practices*
- Tree plantings at City Hall and Centennial Park*
- Collaborated with UT for management plan at Meadow Park Lake*
- Reviewed trees for ADA compliance along sidewalks*
- Organized City's Arbor Day Event and collaborated with the State of Tennessee's Forestry Department to hold State Arbor Day Event in Crossville*
- In progress of submitting approval to City Council to complete application for Tennessee Agriculture Enhancement Grant to purchase trees for the City*
- Developing a working relationship with Habitat for Humanity on new neighborhoods to promote tree plantings*
- Diversified current urban forest with a wide variety of species being planted*
- Technical advisor during acquisition of right-of-ways and determining tree valuation*

Work still to be accomplished based upon requests from Crossville Tree Board

- Continue training of personnel on proper tree maintenance*
- Continue to assess tree canopy in the City*
- Monitor trees for health, damage, and pruning needs*
- Continue to promote the need for a healthy urban forest*
- Educate the public on benefits of trees (i.e. stormwater reduction and utility cost reduction)*
- Continue to serve on Tree Board and coordinate with the city's maintenance department*
- Represent City of Crossville with state urban forestry*
- Seek grant money*
- Community outreach and general tree consultant to the residents of Crossville*
- Aid in past invasive species removal in the City. Crossville has a high population of privet, bush honeysuckle, and Bradford Pear throughout.*

- Work with Meadow Park Lake Commission on forest management plan and ensure that its coordinated with the City of Crossville's plan
- Continue to implement the tree planting program in order to increase the City's future canopy

The grant application was approved as recommended.

5. Bids/Purchases

(Bid tabulations are attached and made a part of these minutes.)

a) Sewer Rehabilitation

Bids were received on the rehabilitation of sewer lines as follows:

<i>J & H Construction of Cookeville, Inc.</i>	<i>\$ 882,799.50</i>
<i>Norris Bros Excavating, LLC</i>	<i>\$ 935,135.61</i>
<i>Portland Utilities Construction Co., LLC</i>	<i>\$1,141,876.21</i>

GRW Engineers recommended acceptance of the low bid from J & H Construction.

A motion was made by Council Member Pamala Harris, seconded by Mayor Pro-tem J. H. Graham, that the low bid of J & H Construction of Cookeville, Inc. be accepted. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

b) Meadow Park Water Treatment Plant Generators

Bids were received on April 25 for the replacement generators at the Meadow Park Water Treatment Plant. The low bid of \$233,466 from Trinity Contracting Services Co. was recommended by the engineers for acceptance. Once the contract documents are signed, there is a lead time of 12 weeks for the building and receipt of the generators so the costs will be included in the budget for FY2017-18. City crews will install the concrete pads.

A motion was made by Council Member Pamala Harris, seconded by Mayor James Mayberry, that the low bid of Trinity Contracting Services Co. be accepted. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

6. Marketing Report

May Marketing Report

Marketing Director Billy Loggins provided updates on the following:

- *Tourism Economic Fact Sheet*
- *Trail newsletter*
 - o *National Trails Day - June 3*
- *Tennessee Golf Quarterly Publication*
- *Tennessee Senior Olympics - May 19-20. The nationals will be in Birmingham*
 - o *Upcoming National Games/State Games*

- Annual 5th Grade Fair - May 11
- Kids Fishing Derby - June 10
- Friday Night Air Summer Concert Series - May 26
- Tennessee Women's Open Patron sponsorship
- Great TV Auction - Cumb. County Playhouse will man the phones on June 3
- Taste of Crossville - May 25
- Next Crossroads Event - June 2

He also reported that Fairfield Glade has just opened new pickle ball courts and that Cumberland Fellowship's Clean-up Day was held May 7.

This Report was received and filed

7. Cumberland County/Chamber Report

Brad Allamong reviewed the last four years and the work toward being ready for industrial development, such as the visioning sessions with the Horizon Initiative, site selection grant, and the industrial site grant. Younger & Associates will present their findings from the targeted industry analysis on May 11. He invited everyone to attend.

8. Other Business

a) Discussion and action on the downtown sidewalk project

A motion was made by Council Member Scot Shanks, seconded by Mayor James Mayberry, that the action taken on July 22, 2016 be rescinded and that the City Manager be authorized to take bids on the downtown sidewalk project, including street lights, as re-designed. The motion was deferred to the special called meeting and budget work session scheduled for next week.

Those in favor of the motion stated faster progress in completing the project and eliminating a long construction period, city employees can be working on other sidewalks in the City, many sidewalks on the side streets are below street level and create a hazard, the need to bring the sidewalks to ADA standards, doing the project right the first time, and the perception of people driving through town.

Those opposed the motion stated they couldn't support it until they know what TDOT will do on the sidewalk corners and prefer to do the work suggested by the City Manager through the bid process.

Director of Engineering Tim Begley explained that the redesigned project is from Water Tank Hill to Neecham and includes sidewalks and street lights. The project is reduced from the original project by removing the traffic signals, decorative sidewalks, benches, PA system, decorative street lights, landscaping and is a bare bones project. The ped signals on the traffic signals may or may not be in the project. The existing light poles would be removed and put at Warner Complex to replace the wooden poles.

TDOT will be meeting with the City Manager and Director of Engineering on Friday to discuss the resurfing of the road and improvements to some of the corners. However, they have already informed the City that the work will not happen in 2017-18.

The City Manager restated the motion from July 2016 on how to proceed and his request that the new part-time positions be converted to full-time.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Danny Wyatt, that the City Manager be authorized to convert the two positions for the concrete crew from part-time to full-time. The motion carried by the following vote:

Aye: 4 - Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

Nay: 1 - Mayor James Mayberry

b) Discussion and action on contracts for LPRF grant for the redevelopment of Garrison Park

The environmental phase has been completed and certified by the State and a contract has been provided for the \$500,000 grant for the redevelopment of Garrison Park. Contracts need to be approved for Community Development Partners (\$41,000) for the administration of the grant and to Lose & Associates for design, bidding, and construction services (\$82,944). The preliminary budget submitted with the grant application included \$124,416 for these services.

Numerous public meetings were held on this project and documented in the attachments. In addition, there were numerous public hearings in connection with the recreation master plan.

Mayor Mayberry explained that this phase does not eliminate Field A. Action was deferred to the special called meeting to allow time for clarification on the fencing of Field A.

This item was deferred.

c) Discussion and action on requests from the County regarding the proposed Animal Shelter Building

Mayor Carey requested that all associated permit fees be waived; City crews install the sewer line from the tap to the area of the new proposed building and the contractor be provided with a residential grinder pump for this project. His request included that monies for the sewer line materials and the grinder pump be subtracted from the \$90,000 that the City is contributing for the new building.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Scot Shanks, that the waiver of building permit fees, extension of sewer line to building (including materials and labor), and donation of residential grinder pump for the new Animal Shelter building as part of the City's financial commitment to the project be approved. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

d) Discussion and action on grant contract for Jet-A Fuel Truck

The grant application to cover costs for a used Jet-A Fuel Truck was submitted to the Aeronautics Commission with a request for 75% funding. The Commission approved funding at 50%. The Airport Manager provided an estimated cost of \$35,000 for the purchase. The approved grant will cover 50% of the costs, not to exceed \$17,500.

A motion was made by Council Member Pamala Harris, seconded by Council

Member Scot Shanks, that the grant contract for the purchase of a used Jet-A Fuel Truck be approved. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

e) Discussion on policy for sewer extensions outside the City limits in an existing development

As requested in the March work session, letters were sent to all property owners in the Doris Avenue area. As of April 24, surveys were returned by 29 of the property owners of the 48 parcels. There were 6 in favor of annexation and 23 against annexation. The owners of the remaining 19 parcels have not responded.

A request has been received for connection to sewer in an older subdivision that is located outside, but adjacent to, the City limits. Staff has been working on a proposed policy for adoption by Council to address this and future requests. The policy would only apply to established platted subdivisions. The policy would allow a way to extend the sewer to the subdivision and provide a method for collecting a reimbursement fee from all the properties that will eventually benefit from having sewer available. Because the subdivision would be outside the City limits, this cannot be done through the abutment method. When a request is received, City Council will determine whether or not to extend the sewer. As properties connect to the sewer, they would pay a fee in addition to the normal tap fee to reimburse the cost for the extension. This keeps one property owner from having to foot the cost of a sewer line extension that will actually benefit many more properties. Tim Begley provided some examples of some older subdivisions that would be expected to take advantage of this in the future.

Because of the changes in the annexation laws, annexation can be required only as a condition of a request for connection to the sewer.

City Staff developed the following three different ways to calculate the fee schedule for individual property owners:

- 1: Abutment formula: Use a ratio off of current tax property values and apply the ratio to the total project cost.*
- 2: Utility Frontage Ratio: Use a ratio to determine the percent of the sewer line on the frontage of each individual property and apply the ratio to the total project cost.*
- 3: Per-Lot cost: Divide the total project cost by the number of lots. The owner of each individual lot would pay the same amount.*

The City Manager recommended either the utility frontage ratio or the per lot cost.

A motion was made by Council Member Pamala Harris, seconded by Council Member Scot Shanks, that a policy be developed using the per lot cost and the policy brought back to Council for approval. The motion carried by the following vote:

Aye: 5 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

9. City Attorney's Report

City Attorney's Report

City Attorney Will Ridley announced that no new lawsuits have been filed in the past month. The settlement conference is next week on the Boggs lawsuit. The demolition cases are on the docket in June.

This Report was received and filed

10. City Manager's Report

City Manager's Report

City Manager Wood presented the monthly revenue reports on local option sales tax, wholesale beer tax, and liquor fees. He also reported on building permits and special projects. The next budget work session was scheduled for Tuesday at 5:30 p.m.

This Report was received and filed

ADJOURNMENT

With no further business, the meeting was adjourned at 7:33 p.m.