

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Friday, July 22, 2016

12:00 PM

Council Chambers

Call for Special Meeting

*Mayor James Mayberry
Mayor Pro-Tem Pamala Harris
Council Member Jesse Kerley
Council Member Pedro (Pete) Souza
Council Member Danny Wyatt
Interim City Manager Steve Hill
City Clerk Sally Oglesby*

The City Council for the City of Crossville. Tennessee met in special session on Friday, July 22, 2016.

Call to Order

Mayor James Mayberry was present and presiding. He called the meeting to order at 12:00 noon.

Roll Call

Present 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, and Council Member Danny Wyatt

Absent 1 - Council Member Pete Souza

Others present were Interim City Manager Steve Hill, City Attorney Will Ridley, City Clerk Sally Oglesby, Kyle Sherrill, Mark Rosser, Andy Vaughn, Kevin Music, Billy Martin, Bruce Gardner, Bob Schwartz, Carolyn Jozwiak, Bill Schmich, Jan Fisher, Jim Young, Michael Corley, Harry Sabine, Steve Powell, Chris South, Darwin Scarlett, Bruce Wyatt, Tammie French, Levonn Hubbard, John Turner, Brad Allamong, Lee Ann Smith, Donna Roguska, Gary Nelson, Rob Harrison, Ashley DeRossett, Kenneth Carey, Jr., Khrista Wyatt, Rachel Bruning, Sarah Cannon, and Art Gernt.

APPOINTMENTS

a. Health and Educational Facilities Board

The terms of Pat Whittenburg and Howard Mercer, Jr. expired in June. They need to be re-appointed or new appointments made. This Board only meets as necessary in regards to the issuance of bonds for health-care providers.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that Howard Mercer, Jr. and Pat Whittenburg be re-appointed. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

b. Discussion and action on Council appointments to Oversight Committee on economic development funds

Mayor Pro-Tem Pamala Harris proposed that the City Council appoint two people to represent the City on the Oversight Committee for the funds raised and given for economic development.

Brad Allamong reported that the funds are being kept in a separate fund at the

Chamber. The Chamber Board, with the addition of the City and County Finance Directors, serve as an oversight committee for all funds. In addition, a Board of Advisors has been set up for oversight of these particular funds. All contributors of \$10,000 or over are included in the Board of Advisors, but may be opened up to all contributors. He also reported that he had over \$120,000 in cash, as well as the check from the County.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, that each member of Council nominate two persons to serve on the Oversight Committee for the economic development funds. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

Absent: 1 - Council Member Pete Souza

*Nominations for the two positions were as follows:
Mayor Pro-Tem Harris - Ann Looney, Ray Evans
Councilmember Danny Wyatt - Ted Meadows, Larry Henson
Mayor James Mayberry - Vickie Scarlett, Fred Houston*

*Ballots were collected and City Attorney Ridley reported the following votes:
Mayor Pro-Tem Harris - Ann Looney, Ray Evans
Councilmember Wyatt - Ted Meadows, Ray Evans
Councilmember Kerley - Ann Looney, Ted Meadows
Mayor Mayberry - Fred Houston, Ann Looney
With 3 votes, Ann Looney was elected. An additional vote was taken between Ted Meadows and Ray Evans with City Attorney Ridley reporting the following votes:
Councilmember Wyatt - Ray Evans
Mayor Pro-Tem Harris - Ray Evans
Councilmember Kerley - Ted Meadows
Mayor Mayberry - Ray Evans
Ray Evans was elected as the second representative.*

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Pamala Harris, that the \$40,000 commitment be paid and Ann Looney and Ray Evans be appointed to the oversight committee. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

Consent Agenda

Approval of the Consent Agenda

A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

a. Approval of Variance for Cotton Patch Property

During the acquisition process the owners of the Cotton Patch property have requested exemption of the maximum amount of fill placed over a water and sewer line as stated in the City's utility ordinance (§18-100 et seq and §18-200 et seq). The owners know that they will be developing the property later and they will be filling over the lines. If the line is to be raised up to a normal depth or relocated later the City would be responsible for the cost. This is basically a pre-approved variance recorded in the easement.

The variance was approved as recommended.

b. Approval of temporary street closing for Cumberland County Bank on September 9

Cumberland County Bank is planning a customer appreciation/tailgate party for customers of the bank and citizens for Friday, September 9. They requested that 4th Street from West Avenue to Henry Street be closed from 9:00 a.m. to 2:00 p.m. during that period of time. The only other entity effected besides Cumberland County Bank is the District Attorney's office. They have given approval.

The temporary street closings were approved.

ORDINANCES ON SECOND READING

c. Ordinance granting a 25-Year agreement to Middle Tennessee Natural Gas Utility District for gas pipes and gas mains in the City of Crossville

This Ordinance was approved on second reading.

d. Ordinance amending the FY2016-17 budget for Depot roof repairs in the amount of \$16,000

This Ordinance was approved on second reading.

BIDS / PURCHASES

a. Conversion of Council Audio Tapes

To complete the conversion of all the audio tapes of City Council to CD's, approval was requested for the contract with Curtis Media Transfer. There are 789 cassette tapes remaining to be converted. Curtis Media charges \$25 per tape, but gives a 20% discount because of the volume. With shipping, the estimated cost is \$12,871.90. We budgeted \$10,000. The City Clerk can hold back 125 tapes for the 2017-18 fiscal year to stay under the budget, if that is the will of the Council. There was money left in the budget line item last year so that a budget amendment might not be necessary. If Council approves the full amount, we can hold back the 125 tapes until later in the fiscal year to see if there is extra money without a budget amendment being required. The cost for the ones already prepared for shipment

was estimated at \$7,300.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that not to exceed \$7,300 be approved for conversion of the tapes boxed and ready for shipment. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

OTHER BUSINESS

- a.** Discussion and action on rescinding action taken April 14, 2016 on the recruitment/hiring of a City Manager

Mayor Pro-Tem Harris asked that any rumors and gossip that they might hear to be rejected. Since she believes that it is very important in taking the time to review resumes and vetting the candidates, she asked that the process begin. Since there was notice given to rescind the motion, City Attorney Ridley stated that a simple majority is required for passage. Had no notice been given, it would have required a 2/3 vote.

Those in favor of the motion stated that Steve Hill has done a pretty good job and since a majority of the Council will remain after the election, there would be no reason to wait.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, to rescind the action taken in the Council meeting on April 14, 2016 specifically item 7j (16-0157) to wait until after the election to recruit and hire a City Manager. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

- b.** Discussion and action on recruitment of a City Manager

Mayor Mayberry reviewed the services offered by MTAS in assisting on the recruitment of a City Manager. It was emphasized that it would be advertised locally, as well as in other places.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, effective immediately, to proceed with a contract with MTAS for assistance with recruiting of a City Manager, to proceed with acceptance of resumes over the next 60 days, direct the City Attorney to review and edit our current City Manager job description, and to direct the HR Manager that resumes are to be delivered to the Council in an expeditious manner as they are received via delivery to Council mailboxes followed by an email notification to the Council. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

- c.** Discussion on non-profit organizations utilizing City office space

Mayor Pro-Tem Pamala Harris requested information regarding the use of office space by Cumberland County Rising, an anti-drug coalition. She emphasized her support of the coalition, but was concerned about any liability and precedence that may have been set concerning other requests for use of space. It was explained that the former City Manager, Mayor, and City Clerk offered a small office to CCR on a temporary basis while they are getting starting. There is no contract and they do not have access to the building after office hours. The Coalition is a partnership of some 30+ agencies, Sheriff's Department, Police Department, District Attorney's Office, Cumberland County School system, citizens, ministerial association, Cumberland County, City of Crossville, City of Crab Orchard, City of Pleasant Hill, Cumberland Medical Center, and other interested parties to attack the problem of drugs that are having a detrimental effect in our community.

There has been no formal policy adopted by the City Council regarding the use of any rooms at City Hall. In the past, this office has been used by the HCP and census workers.

City Attorney Ridley stated that any liability is limited because people come in and out of the building all day and that would be covered under our insurance policy. He saw no additional liability.

Mayor Mayberry pointed out that people use rooms at Palace and hold meetings in City Hall. He recommended that the City Manager could be the decision maker unless Council wants to put together a policy and it should pertain to all City properties.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that the City Manager decide if he's going to allow any outside agencies use City Hall temporarily. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

d. Discussion on Shooting Sports Park

Mayor Carey informed the Council that the environmental process is basically complete through TWRA on the old landfill property off Albert Frye Road. They are working with TCAT on drawings for facilities. He expects TWRA to submit a request next month for funding of the project

This report was received and filed

e. Discussion and action on wages for dispatchers

Mayor Carey stated that an extensive salary and wage scale was conducted by the County and found that the dispatcher pay is too low and makes it impossible to keep employees. It has been preliminary adopted by the Budget Committee and will raise the cost \$20,000 each for the City and County to raise the salaries. A copy of the study was requested and will be provided.

The report was received and filed

f. Discussion and action on Downtown Crossville, Inc. lease on Snodgrass Building

Councilmember Wyatt pointed out that the current 3-year lease with DCI automatically renews for 3 years, if notice is not given 90 days prior to expiration. He asked that a master calendar be created for deadlines.

Councilmember Wyatt suggested that notice be given to DCI that the lease will be terminated and the matter will be placed on the August agenda to determine if the lease should be renegotiated, offered to another entity, or put up for sale.

Mayor Mayberry pointed out the money that DCI has invested in the building as part of the contractual agreement, which is over \$17,000 in investments that is a benefit to the City for their \$75 rent.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that notice be sent to DCI that the lease is being terminated and the matter will be placed on the August agenda. The motion carried by the following vote:

Aye: 3 - Council Member Jesse Kerley, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 1 - Mayor James Mayberry

Absent: 1 - Council Member Pete Souza

g, Discussion and action on Ramp for Sign Smith

A request from SignSmith was presented to construct a concrete ramp in the right of way of Henry Street. The Director of Engineering sketched an ADA layout for the ramp and modification to the sidewalk. The sketch showed that the ramp would stop at the white line of the travel lane which is also the parking space line. Staff has been told that the ramp, to be constructed by SignSmith, would be constructed in accordance with the sketch and ADA guidelines.

The Director of Engineering and the Street Department Superintendent reviewed the location of the ramp. They have been told by SignSmith personnel that they will direct traffic when the ramp is being used and the frequency of use would be low. The Director of Engineering and the Street Department Superintendent recommended the approval of the ramp and sidewalk modifications. Interim City Manager Hill recommended approval of the request.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that this ramp be approved. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Pete Souza

h. Update and possible action on downtown sidewalk project

Councilmember Wyatt commented that it has been discussed a long time and a decision needs to be made.

Mayor Pro-Tem Harris reported that she had talked to 19 people in the area regarding the project. Of them, 4 wanted to do the full project, 4 were non-committal, and 11 just want the sidewalks fixed.

Those opposed to the motion commented that millions of dollars have been spent on it already; grants were acquired and rejected; easements acquired through donations have to be bought back by the property owners from the State; economic development professionals have talked about the need for a viable downtown; 37

months is too long for a patch-up job; and the motion of May 2015 would have to be rescinded.

City Attorney Ridley stated that the motion would be amending the motion of May 2015 and would require a 3/4 vote of members present.

Councilmember Wyatt re-stated his plan would be to repair the ADA radius and any deep toe-kickers. Tim Begley estimated that it would take 9 months to a year for training and hiring of employees and because it requires that it go back to TDOT for approval for even spot repair. The current project is ready to bid once the Council gives direction on the traffic signal. It was emphasized that a decision needs to be made soon on the traffic signal because of the TDOT funding. He also reminded the Council that his 35% estimate of needed repairs is strictly a guess. There are trip hazards and slope hazards that are ADA issues. All buildings will not be ADA accessible.

The painting of the curbs and cross-walks can be done with paint temporarily, not thermo-plastic, until TDOT re-paves.

If spot repairs are done, the street lights are not being replaced. It was pointed out that the existing poles were going to be used to replace the wooden poles in the Centennial Park parking lots.

In the discussion on the payment of the original project, it was pointed out that it can be paid through a tax increase, through the use of reserve funds, or issuance of capital outlay notes. The estimated cost is \$1,950,000.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that the action taken on May 12, 2015 be amended and repairs made to 30-35% of the sidewalk downtown, making the radiuses ADA-compliant, repainting as soon as possible, including the two-man crew and equipment. The motion carried by the following vote:

Aye: 3 - Council Member Jesse Kerley, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 1 - Mayor James Mayberry

Absent: 1 - Council Member Pete Souza

ADJOURNMENT

With no further business, the meeting was adjourned at 1:29 p.m.