

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Tuesday, December 9, 2014

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*

**PUBLIC HEARING**

*A public hearing was held at 5:00 p.m. on Tuesday, December 9, 2014, at Crossville City Hall.*

**Recreation Master Plan**

*Chris Camp and Mary Vavra of Lose & Associates presented the final Recreation Master Plan.*

**This Public Hearing was received and filed**

*With no further business, the public hearing was adjourned at 5:46 p.m.*

**REGULAR MEETING**

*The City Council for the City of Crossville met in regular session on Tuesday, December 9, 2014, at Crossville City Hall.*

**Roll Call**

- 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 Kenneth Chadwell, City Clerk Sally Oglesby, Fred Houston, Tim Begley, Tim Chesson, Steve Hill, Rick Houston, Tammie French, Levonn Hubbard, Marlene Potter, Charles Loveday, Joe Reynolds, Mary Vvara, Chris Camp, Jim Young, Teresa Payne, John Turner, Kay Whiteaker, Scott Christian, David Beaty, Larry Qualls, Kevin Music, Jerry Kerley, Andy Vaughn, Khrista Wyatt, Billy Martin, Bob Mitchell, Kyle Turner, Tom Flynn, Lee Lawson, Jerry Lewis, Gloria Sue Lewis, Bruce Wyatt, Steve Powell, Brad Allamong, Jim Morrow, Curt Boston, Howard Burnette, Branden Sidcom, Sheri Welch, Kaitlynn Welch, Keri Farley, Steven Farley, Kami Farley, Emily Farley, R. E. DeMars, D.E. Bohl, Brittney Contreras, Devante Contreras, Ashley Campbell, Derek Phipps, Brooke Chastain, Matiaca Melton, Lillie Welch, Sophia Welch, Crystal Welch, Austin, Creselious, Tiffany Copeland, Ashley P. Richards, Renee Welch, Jason Kaup, Pamela Carmin, Laine Bass, Elijah Wyatt, Jennifer Barnwell, Laney Barnwell, Jeff Johnson, Clark Annis, Christina Vogt, Fay Kowalsky, Karley Mackin, Kristi Feeney, Chris Bennett, Sara Cole, Latoya Cook, Corey Sebastian, Ashley Sebastian, Christian Hall, Mike Turner, Ray Harris, Cathe Raymer, Dillon Threet, Levi York, Mark Norris, Jan Fisher, Trace Cagle, Triston Milke, Shelly Miller, and Teresa Payne.*

**Call to Order**

*Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. The invocation was given by Tim Chesson of the Faith Worship Center.*

## 1. Proclamations/Presentations

a) Student of the Month

b) Christmas Card contest

a) *Student of the Month - Emily Farley for "caring"*

b) *Christmas Card contest-8 schools participated in the annual holiday card contest, which has been sponsored by the City of Crossville since 2001. One winner from each school was chosen:*

- *Pleasant Hill Elementary-Laney Barnwell*
- *Stone Memorial High School-Laine Bass*
- *Homestead Elementary-Sophia Welch*
- *Cumberland County High School-Kaitlynn Welch*
- *Martin Elementary-Jason Wicker*
- *North Cumberland Elementary-Emalea Thompson*
- *Pine View Elementary-Kailey Mackie*
- *Stone Elementary-Peyton Simmons*

**The Student of the Month and the Christmas Card winners were recognized.**

## 2. Appointments

a. Stormwater Board of Appeals

*The Stormwater Board of Appeals requires one member from the City Council. At the work session, Councilman Souza volunteered to serve in the position.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that Pete Souza be appointed to the Stormwater Board of Appeals. 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. Crossville Regional Planning Commission

*The City Council appoints a member of the City Council to serve, along with the Mayor, on the Crossville Regional Planning Commission. At the work session, Councilmember Harris was suggested.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Pete Souza, that Pamala Harris be appointed to represent the Council on the Planning Commission. 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. Mayor Pro-Tem

*The City Charter (Article V, Section 11) states "at the first meeting of a new council, it shall choose from its membership a member to act in the absence, inability, or failure to act of the mayor, who shall act as mayor pro tem, and who shall have all the power herein granted to the mayor while so acting".*

**A motion was made by Council Member Pete Souza that Jesse Kerley be elected Mayor Pro-Tem. The motion died for lack of a second.**

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pete Souza, that Pamala Harris be elected Mayor Pro-Tem. The motion carried by the following vote:**

**Aye:** 3 - Council Member Pete Souza, Mayor James Mayberry and Council Member Danny Wyatt

**Abstain:** 1 - Mayor Pro-tem Pamala Harris

### 3. Consent Agenda

#### Approval of the Consent Agenda

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, to approve the Consent Agenda as presented. 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 (11/10)

**The Minutes were approved as recommended.**

#### Ordinances on Third Reading

b. Ordinance amending §11-402(A)(8) of the Crossville Municipal Code regarding anti-noise regulations

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

#### Ordinances on Second Reading

c. Ordinance amending §7-100 pertaining to Fire Codes

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

d. Ordinance amending the FY14-15 budget for proposed settlement on Abbott, et al. v. City of Crossville (in title only)

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

e. Ordinance amending the FY14-15 budget for USGS stream gage

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

#### Ordinances on First Reading

f. Ordinance adopting 2014-S3 supplement to the Code of Ordinances

This Ordinance was approved on first reading.

### Additional Consent Items

- g. Resolution approving an application for a Community Transportation Planning Grant

*An 80/20 grant opportunity has been made available to assist in the costs for transportation planning for the City. The deadline for submittal of the grant has been extended to January 26, 2015. If approved, the City would seek to develop a Traffic Flow study inside its Urban Growth Boundary, which will provide a better understanding of county wide community traffic patterns. The study will include a ranking system for all traffic signals that will yield an optimized timing plan showing which signals are in need of synchronization. The study will also provide a base to build future land use planning and potential changes to the City's Major Thoroughfare Plan.*

**The Resolution approving an application for a Community Transportation Planning Grant was approved as recommended.**

- h. Approval of resolution for SRF Clean Water project

*The City applied for and received \$1,950,000 in State Revolving Loan funds to fund I/I improvements in the wastewater system. There is also a 10% forgiveness (grant) of \$195,000 associated with the loan so the actual loan will be \$1,755,000. The anticipated interest rate is 1.61% for 20 years. The loan needs to be closed by the end of December.*

**The Resolution was approved as recommended.**

- i. Approval of 20' Ingress and Egress Easement for property leased by Colinx

*Colinx currently leases space on Interchange Drive at the building shown on the attached drawing. The drive north of the building and the area west of the building are currently being used for a free trade zone. Colinx would like to improve and utilize the City's existing 20' ingress and egress easement so they can separate non-free trade zone activities. It is recommended that the City Attorney draw up an agreement with the owner of the property. This agreement would give permission to the lessor to improve the easement and give permission for the Colinx non-free trade zone traffic to utilize the easement. It was also recommended that the agreement expire when Colinx is no longer the lessee of the property.*

**The easement was approved as recommended.**

- j. Approval of contract with Atkins for engineering services for a storage hangar

*Grants have been awarded by the Tennessee Department of Transportation-Aeronautics Division for the construction of a storage hangar (95/5%) and site work and apron (95/5%). Atkins was approved by Council for a master contract for work at the airport. Contracts for this specific project were provided and recommended for approval. The costs have been approved by TDOT-Aeronautics.*

**The Contracts were approved as recommended.**

- k. Approval of Contracts for Utility Relocations on the Safe Routes to Schools Project.

*TDOT is requiring utility relocation contracts from Frontier, VEC, and Spirit Broadband for the Safe Routes to School Project (sidewalks) on Myrtle Avenue and Fourth Street. The contracts are the same basic contracts used on the Downtown Project. This should be the last step in being able to bid the project.*

**This Contract was approved as recommended.**

4. **City Attorney's Report**

City Attorney's Report

*City Attorney Kenneth Chadwell reported no new lawsuits had been received during the previous month.*

**This Report was received and filed**

5. **Bids/Purchases - NONE**

6. **Marketing Report**

December Marketing Report

*Marketing Director Billy Loggins provided updates on the following:*

- *Mikki's Frame Shop was recognized for Depot posters and Council pictures that were framed and given to the City.*
- *TVA Sustainable Communities Program - Silver grade was awarded*
- *September Events*
- *Christmas Parade - December 13 at 4:30 p.m.*
- *Soldier's Beach Trail....Meadow Park Lake*
- *Play Tennessee*
- *2015 Calendar of Events*
- *City of Crossville Christmas Open House - December 18 from 4:00 - 6:00 p.m.*
- *Cumberland County Playhouse - 2015 will be their 50th anniversary*
- *Judge Bean's retirement reception - December 15 - 4:00 p.m.*

**This Report was received and filed**

7. **Other Business**

- a. Discussion and action on the City of Crossville Team Championship

*Because of scheduling for the upcoming calendar year, the Tennessee PGA and Lake Tansi Golf Course requested Council to decide if the City of Crossville Team Championship for 2015 will be funded in the budget year of 2015/2016. The cost is approximately \$10,000. The event would be held in July. It was suggested that co-sponsors be sought.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that the City of Crossville Team Championship be**

sponsored by the City and funded in the FY2015-16 budget. The motion failed by the following vote:

**Aye:** 2 - Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Nay:** 2 - Council Member Pete Souza and Mayor James Mayberry

**b.** Discussion and action on Modified Approach to Depreciation

*Finance Director Fred Houston explained that the City's auditors sent a letter outlining the problems with auditing and maintaining the modified approach to depreciation according to GASB 34. Due to this letter and the cost involved, it was recommended to Council that the action taken in June 2013 be rescinded and the City return to normal depreciation of all assets.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Pamala Harris, that the modified approach to depreciation be rescinded and the normal depreciation for all assets be used, 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

*(At 6:32 p.m. the regular meeting was recessed and the Beer Board convened.)*

## **BEER BOARD**

### The Butcher's Block at Stonehaus

*The owners have changed the ownership from an LLC to a Partnership and from "on-premises" to "on- and off-premises" license. Approval was recommended by Lt. Qualls.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pete Souza, that this Permit 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

*(At 6:33 p.m., the Beer Board was adjourned and the regular meeting reconvened.)*

**c.** Discussion and action on Classification and Compensation Plan

*At the work session, Mr. Rutherford led a discussion about the purpose and key objectives of a classification and compensation plan, reviewed current salaries versus salaries of other cities, and presented a proposal for the implementation of a classification and compensation plan. It was pointed out that during the budget sessions for 2014-15, Council agreed to wait for the City Manager to complete a classification compensation plan before giving any raises. The cost to be incurred in this budget year will not require a budget amendment. The matter was tabled to*

*January to provide members of Council the opportunity to become more familiar with the plan and get any questions answered by the City Manager.*

**This Report was tabled**

**d. Discussion and action on City Manager evaluation**

*On September 24, the City Manager provided evaluation forms to the Council for evaluating the City Manager's performance for January - October 2014. He requested that the forms be returned by October 31. Evaluations were provided by 3 of the members. These were forwarded to Mayor Mayberry who reported that the evaluations average 4 if you average the 2 not returned as a 3. Without those 2, the evaluations would average much higher. He rated the City Manager well above average in the time he has been working with him and stated that he is honored to have him as the City Manager of Crossville. Councilman Souza stated that the City Manager is responsible for everything that the City does and all employees work for the City Manager. He related a number of activities that Mr. Rutherford has been involved in since he was hired. He gave a positive recommendation, but asked that action be held off with the classification compensation plan.*

*At the work session, a raise of 5% or a percentage equivalent to the average employee raise under the Classification and Compensation Plan was suggested.*

**No action was taken.**

**8. 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 liquor inspection fees. He also reviewed the monthly reports on building permits, grants, special projects, and debt schedule. He reported that 18 employees have taken the early retirement incentive. He asked Council for a decision on the time for the monthly work session. Council agreed to 5:00 p.m.*

**This Report was received and filed**

**9. Public Comment**

*Mayor Mayberry opened the floor for comments from the public. There was none.*

**ADJOURNMENT**

**With no further business, the meeting was adjourned at 6:58 p.m.**