

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Tuesday, May 13, 2014

6:00 PM

Council Chambers

## City Council

*Mayor J.H. Graham, III*  
*Mayor Pro-tem Danny Wyatt*  
*Council Member Jesse Kerley*  
*Council Member George Marlow*  
*Council Member Pete Souza*

*City Manager David Rutherford*  
*City Clerk Sally Oglesby*

**PUBLIC HEARING**

*The City Council for the City of Crossville, Tennessee held a public hearing on Tuesday, May 13, 2014, to receive comments from the public regarding the proposed capital plan for 2014-2023. Mayor Pro-Tem Danny Wyatt was present and presiding. Council members present were Councilman George Marlow, Councilman Jesse Kerley, and Councilman Pete Souza. Mayor J. H. Graham, III was absent. Others present were City Manager David Rutherford, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Tim Begley, Fred Houston, David Beaty, Andy Vaughn, Brad Allamong, Jim Young, Jerry Garrison, Jim Morrow, Joe Miller, Darlene Barnwell, Pam Harris, James Taley, Jim Long, Chris Bennett, John Purdue, Khrista Wyatt, and Clark Annis.*

*Mayor Pro-Tem Danny Wyatt called the public hearing to order at 5:45 p.m.*

**Capital Improvement Program**

*City Manager David Rutherford presented the 2014-2023 proposed Capital Improvement Program and gave a short briefing. Brad Allamong, representing the Chamber of Commerce, read a prepared statement that commended the City for creating the 10-year program that has been needed for some time. He shared observations of the Chamber after the program was presented to them by the City Manager. One of the concerns expressed by some of the business owners was using City employees to do the sidewalks in the downtown area because of the other projects that might not be done while they are working on it.*

**This Public Hearing was received and filed**

*With no further comments, the public hearing was adjourned at 5:54 p.m.*

**REGULAR MEETING****Roll Call**

**Present:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**Absent:** 1 - Mayor J.H. Graham III

*Others present were City Manager David Rutherford, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Tim Begley, Fred Houston, David Beaty, Andy Vaughn, Brad Allamong, Jim Young, Jerry Garrison, Jim Morrow, Joe Miller, Darlene Barnwell, Pam Harris, James Staley, Jim Long, Chris Bennett, John Purdue, Khrista Wyatt, Clark Annis, Margie Buxbaum, Richard Bohl, Doris Bohl, Cathy Raymer, Kaitlyn Hayes, Joe Salvano, and Vickie Hodge.*

**Call to Order**

*Mayor Pro-Tem Danny Wyatt called the meeting to order at 6:00 p.m. The invocation was given by John Purdue of First United Methodist Church. The Young Marines*

*presented the colors and led the Pledge of Allegiance.*

**1. Proclamations/Presentations - NONE**

**2. Appointments**

Crossville Housing Authority

*Mayor Graham re-appointed Virgie Lotze to an additional term on the Board of the Crossville Housing Authority. Due to the Mayor's absence, the swearing-in was deferred to the June meeting.*

**This Appointment was deferred**

**3. Consent Agenda**

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that all items be approved on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**a. Approval of minutes (4/8/14)**

**The Minutes were approved as recommended.**

**Ordinances on Second Reading**

**b. Ordinance amending the FY2013-14 budget for the SIA CoLinx/Cox Avenue Utility Relocation**

**This Ordinance was approved on second reading**

**Ordinances on First Reading**

**c. Ordinance amending §8-304 regarding intoxicating liquors**

**This Ordinance was approved on first reading**

**d. Ordinance adopting the Budget for FY2014-15 (in title only)**

**This Ordinance was approved on first reading**

**e. Ordinance adopting the tax rate for FY2014-15 (in title only)**

**This Ordinance was approved on first reading**

**Additional Consent Items**

- f. Approval of initial resolution authorizing the incurrence of indebtedness by the City of Crossville, Tennessee, of not to exceed \$3,750,000  
**This Resolution was approved as recommended**
- g. Approval of waiver of fees for Hilltopper's park on Harrison Ave.  
*Hilltopper's has received a grant to build a park. They requested that any permit fees be waived. The fees are estimated at less than \$300.*  
**This request was approved as recommended**
- h. Approval of temporary street closing for Pro-Troop Rally on July 4  
**The temporary street closings were approved as recommended**
- i. Approval of temporary street closing for Rotary's 5K to be held on October 4  
**The temporary street closings were approved as recommended**
- j. Approval of temporary street closings for Memorial Day ceremonies  
**The temporary street closings were approved as recommended**
- k. Retroactive Approval of Catoosa Utility Dept. Office Rental Agreement  
**This Agreement was approved as recommended**
- l. Extension of Price Contract #746 Cleaning Services for City Hall Building  
*Hughes and Company Cleaning Services took over the price contract for cleaning the City Hall Building in February of 2013 when the original company had to be dismissed. It was requested that the price contract for cleaning services by Hughes and Company be extended for this coming fiscal year at a cost of \$653.00 per week. This will have all cleaning services bids on the same renewal schedule.*  
**This contract extension was approved as recommended**
- m. Approval of Three Star Grant  
*The Department of Economic & Community Development has designated Cumberland County/Crossville as a Tier 2 County and eligible to receive \$10,000 for projects that would improve one or more of the following pillars: Jobs & Economic Development, Fiscal Strength & Efficient Government, Public Safety, Education & Workforce Development, and Health & Welfare. The JECDB is responsible for making decisions on how the funds will be spent. The JECDB chose to focus on the Health & Welfare pillar to improve the 45% obesity rate among 8th graders. The JECDB voted to give \$5,000 to a program called "Active Today-Healthy Tomorrow". The JECDB also chose to focus on Education & Workforce Development by contributing \$5,000 to the Junior Achievement program. These requests have not*

*been approved by the Department of Economic & Community Development, but the application has been submitted. JECDB designated the City of Crossville to receive and administer grant funds on its behalf.*

**The grant was approved as recommended**

**n. Approval to submit application for JAG funds**

*The Department of Justice has allocated \$11,211 to the Crossville Police Department for the purchase of equipment. Police Chief Beaty recommended using the money on the purchase of a patrol car. The upcoming budget will include this vehicle, but be purchased only if the grant is approved.*

**The grant application was approved as recommended**

**4. Bids/Purchases**

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

**a. Contract to Audit**

*Request for proposals were sent out. The City had 6 CPA Firms respond. It was the recommendation of the Finance Director that Mauldin & Jenkins, LLC be selected for the next 3 years. The difference in cost is \$650. Since the City has used these auditors the last 3 years, they have copies of everything, know who to talk to, and have knowledge of our records. A new company would need copies of all grants in progress, learn the record keeping methods the city uses, and learn who to talk to about certain matters.*

**A motion was made by Council Member Pete Souza, seconded by Council Member George Marlow, that a contract with Mauldin & Jenkins, LLC be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**b. 2014 John Deere Zero Turn Mower**

*The Maintenance Department received bids on the purchase of a new Zero Turn Mower with trade in allowance of a 2010 New Holland Boomer Diesel Tractor. The mowing deck on the New Holland Diesel Tractor has not withstood the daily wear and tear that accompanies the type of terrain the Maintenance Department mows and maintains. It was recommended that the City accept the bid from Tri-County Equipment for the purchase of a 2014 John Deere Diesel 60" Zero Turn Mower with a three (3) year warranty. The original cost of the John Deere is \$15,500.00 with a trade-in allowance of \$12,500.00 for the New Holland Tractor. The final cost to the City is to be \$3,000.00.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that the bid fo Tri-County Equipment be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**c. Truck Beds - Street Dept.**

*The Street Department sent out bids to refurbish two (2) dump beds on two (2) existing Ford F750 trucks. After further inspection, it was determined the beds were not salvageable. It was recommended that two (2) new dump beds be installed on the existing trucks and the bid from Cottrell Truck and Equipment be approved. Cottrell's submitted a bid of \$10,250.00 per truck for a total of \$20,500.00.*

**A motion was made by Council Member George Marlow, seconded by Council Member Pete Souza, that the bid of Cottrell Truck and Equipment be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

## 5. Marketing Report

### May Marketing Report

*Marketing Director Billy Loggins was not present at the meeting but provided the following information on May Events.*

- *Tennessee Senior Men's Open recap*
- *Friday Night Air Summer Concert Series*
- *Cruise In, Farmers Market*
- *Palace Brochure*
- *Alzheimer's of Tennessee Walk*
- *Water Fest.....Collegiate addition*
- *Meadow Park Lake Walking Trail*
- *Regional Elementary Golf Tournament*
- *WCTE*
- *Senior Olympics*
- *Choice Directory*
- *Southern Stars Symphonic Brass, Special Quest*
- *2014 Tennessee Senior Open Chess Tournament*

## 6. Other Business

### a. Discussion and action on water line extension on Ivey Road

*The City has received a request for a water line main extension on Ivey Road that is located outside the existing city limits. Staff recommended a 2 inch line approximately 2,300 feet to be installed in the ROW of Ivey Road. The estimated cost for materials of this project is \$4,047.65 (excluding tap fees). The project was reviewed by the Crossville Regional Planning Commission at their April 17, 2014 meeting. The Planning Commission voted to recommend to City Council that the project move forward with the staff recommendation of a 2 inch line being installed. Staff recommended approval of the water line extension for Ivey Road, contingent upon the receipt of payment for material cost from the customers requesting the water main extension.*

**A motion was made by Council Member Pete Souza, seconded by Council Member George Marlow, that the water line extension for Ivey Road be approved as recommended, contingent on the payment for materials. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**b.** Discussion and action on close-out payments on the downtown project

*As approved at the April 8th meeting, staff has contacted those agencies involved in the downtown project to close-out the project. The following payments are recommended for payment:*

*Community Development Partners - \$9,500 - They have been paid \$29,500 on their contract for the EDA grant; \$4,000 on their contract for the TEP grant; and nothing on the ARC or the SRF grant. The SRF grant will be left open because of the waterline project. Since that time, they have spent considerable time on contract administration, project files, Equal Opportunity requirements, labor compliance, and close-out, as well as coordination between the funding agencies to meet all their requirements and preparing a pay request system agreeable to all for properly charging the costs to the different funding sources. They originally prepared and submitted all the grant applications at no charge under the agreement that they would be the administrator of the grants if they were funded.  
EG&G - \$14,425.74*

**This matter was deferred to the June meeting**

**c.** Discussion and action on Surface Transportation Program funds

*The Department of Transportation allocates funds (Surface Transportation Program) to cities for use on transportation projects that meet certain requirements. Crossville has \$584,192 accumulated through 2013 that was committed to the Northwest Connector, but must be more specifically allocated to either Section 2 or Section 3 or split between the two sections. It cannot be used for engineering plans because those contracts have already been approved. Since no contracts have been signed or work started, it is recommended that these funds be used for acquisition. The City will be required to provide a 20% match (\$116,838.40). Staff recommended that Council allocate the money for Section 3 acquisition as those costs are expected to exceed this total of \$701,030.40.*

*The STP funds for 2014 are \$131,607. With the 20% match (\$26,321.40), this money will total \$157,928.40. City Council indicated at the work session some interest in using this money on Section 3, as well. It has been confirmed that the STP money can be used for the cost of the utility relocations in section if the current utilities are located outside of the current right-of-way.*

**A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Pete Souza, that approval be given for the allocation of the Surface Transportation Funds to the Northwest Connector, Section 3 for acquisition and the relocation of utilities. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**d.** Adoption of Capital Improvement Program for 2014-2023

*The Capital Improvement Program has been presented and reviewed by City Council and is ready for adoption. The Charter requires adoption by June 1.*

**A motion was made by Council Member Pete Souza, seconded by Council Member George Marlow, that the Capital Improvement Program be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

e. Discussion and action on sewer extension request from Homestead United Methodist Church

*Homestead United Methodist Church has made a request to connect to the City's existing sewer line. The Planning Commission met on April 17, 2014 and voted to recommend to the City Council to allow the church to connect although the church is outside the City limits and not requesting annexation. The length of sewer line is approximately 850' with the cost for materials estimated at \$1,200 (excluding tax fees), which would be paid by the church. The church would remain an outside-City customer. The cost was estimated by Tim Begley at \$9,500, including materials. Councilman Souza expressed his concern about using tax money outside the city limits.*

**A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Jesse Kerley, that the request of Homestead United Methodist Church to connect to the City's existing sewer line be approved as recommended, contingent on the church paying for the materials. The motion carried by the following vote:**

**Aye:** 3 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow and Council Member Jesse Kerley

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

f. Discussion and action on annexation request for 26 Sunshine Road

*A request has been received from the owner of 26 Sunshine Road for annexation and access to City sewer. The Planning Commission approved the Plan of Services on April 29, 2014 after receiving a request for annexation. The original request was considered by the Planning Commission on April 17, 2014; a request for sewer with or without annexation. The Planning Commission denied the request without annexation at that meeting. Councilman Souza expressed his dismay over skipping houses to get to other properties and the difficulty it causes for emergency services. Mr. Rutherford pointed out that the street will remain a county road. The State will not allow the septic system to be replaced. The property owner will pay all expenses.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member George Marlow, that the Ordinance annexing the property on Sunshine Drive be approved on first reading and access to the sewer system be approved, contingent on the property owner paying all the costs. The motion carried by the following vote:**

**Aye:** 3 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow and Council Member Jesse Kerley

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

g. Discussion and action on request for sewer connection for S&J Properties

*S&J Properties, owner of the building located at 2278 Hwy 127 S. made a request to the Planning Commission for a sewer extension. The Planning Commission recommended denying the request as the building is not within the City limits. Mr. Jim Long was at the meeting to discuss with the Council annexation of the property, in part or in whole. Both Councilmen Marlow and Souza expressed their opinion that if city services are provided, they should be annexed. Mr. Long responded that he didn't believe that he will receive any benefits from the City, other than the sewer, if he is annexed. Council stated that Mr. Long can ask for the entire parcel to be*



*annexed, or he can go ahead and subdivide and request only the smaller parcel be annexed. Mr. Long asked about the possibility of staying outside the City, but paying a higher rate. Council suggested that he proceed with the subdivision of the property and then return to Council with a request for annexation.*

**This request was deferred**

**h. Discussion and action on Building and Related Codes**

*As discussed in work session, the City's codes need to be updated from 2006. Council indicated a desire to go to the 2009 codes. An ordinance is required. If fees will be increased to the 2009 recommended rates, a 90 day notice must be given to Cumberland County to terminate the current agreement and negotiate a new agreement.*

**A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Pete Souza, that the Ordinance be approved on first reading and notice to be sent to Cumberland County. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

**7. City Attorney's Report**

City Attorney's Report

*City Attorney Kenneth Chadwell updated the Council on legal matters. There have been no new lawsuits filed during the past month. The Lake Tansi and soccer complex issues are still on-going.*

**This Report was received and filed**

**8. City Manager's Report**

City Manager's Report

*City Manager David Rutherford presented the monthly revenue reports on local option sales tax, wholesale beer, and retail liquor. He also provided reports on building permits, current grants/projects, special projects, and the debt schedule.*

*A report on acquisition on the Safe Routes to Schools should be available to the Council in June.*

*The Northwest Connector, Section 1, will be completed in late June and a ribbon-cutting being scheduled.*

*A mixed-use paved sidewalk on West Ave. will only be approved by TDOT with a curb.*

*The City is waiting on Cumberland County to set up a meeting regarding their property on Cox Ave.*

*An auctioneer has been selected for the Holiday Dr. Lot and the appraisal has been ordered. The date for the auction will be set in the very near future.*

**This Report was received and filed**

**9. Public Comment**

*Mayor Pro-Tem Wyatt opened the floor for comments from the public. Margie Buxbaum commented on the cutting of the trees at the airport and the burned. She suggested in the future that they be chipped and sold as mulch, rather than burning them. Secondly, she requested more benches for the dog park and a shelter. She wants to begin fund-raising and the setting up of an account to receive funds. She requested additional signs inside the park for "no smoking" and "drop, scoop, and deposit".*

### **ADJOURNMENT**

**A motion was made by Council Member Pete Souza , seconded by Mayor Pro-tem Danny Wyatt, that the meeting be adjourned. The motion carried. by an unanimous vote.**

*With no further business, the meeting was adjourned at 6:45 p.m.*