

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Wednesday, February 20, 2013

4:00 PM

Council Chambers

**Call for Special Meeting**

*The City Council for the City of Crossville, Tennessee met in special session on Wednesday, February 20, 2013, at Crossville City Hall.*

**Roll Call**

**Present** 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza, and Council Member Jesse Kerley

*Others present were City Manager Bruce Wyatt, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Michael Stagg, Fred Houston, Darlene Barnwell, Jerry Garrison, Sarah Hazleton, David Beaty, Jim Young, and Tim Begley. Mayor J. H. Graham, III was present and presiding. He called the meeting to order at 4:00 p.m.*

**1) Consent Agenda**

**A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Jesse Kerley, that all items on the Consent Agenda be approved as presented. The motion carried by the following vote:**

**Aye:** 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley

**ORDINANCES ON SECOND READING**

- a. Ordinance updating §4-300 regarding Occupational Safety and Health Program  
**This Ordinance was approved on second reading**
- b. Ordinance amending §14-700 regarding trees and woody vegetation  
**This Ordinance was approved on second reading**
- c. Ordinance amending the FY12013 budget for THWI grant  
**This Ordinance was approved on second reading**
- d. Ordinance amending the FY12-13 budget for City Hall contractual services  
**This Ordinance was approved on second reading**
- e. Ordinance amending §11-603 regarding discharge of firearms

This Ordinance was approved on second reading

### ADDITIONAL CONSENT ITEMS

- f. Approval of Certificate of Compliance for Stanley Roger York  
**The Certificate of Compliance was approved.**
- g. Approval of Certificate of Compliance for Don & Delores Haberman  
**The Certificate of Compliance was approved.**
- h. Approval of Certificate of Compliance for Janet C. Oakes  
**The Certificate of Compliance was approved.**

### OTHER BUSINESS

- 2) Matters relative to Co-Linx

*As discussed at the February 12 meeting, applications are being prepared for FastTrack Infrastructure funds and TDOT-State Industrial Access funds for Cox Ave. improvements. As expected, the Cumberland County Commission approved a resolution for them to file the application for FastTrack funds at their meeting on February 19. A resolution was presented approving a proposal to provide the administrative services and the local match for the grant. Also requested for passage was a resolution authorizing the submittal of a TDOT-SIA grant application with the City providing the right-of-ways.*

**A motion was made by Council Member Pete Souza, seconded by Mayor J.H. Graham III, that the resolutions for FastTrack funding and an industrial access road for CoLinx be approved as recommended. The motion carried by the following vote:**

**Aye:** 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley

- 3) Matters relative to soccer complex

*As briefly discussed at the February 12th meeting, TDEC and the U.S. Army Corps of Engineers initially determined that there may have been violations in the construction and site preparation of the soccer complex. Since that meeting, TDEC is reviewing the data and has asked for additional information. The City Manager employed Michael Stagg to provide legal counsel on this matter. Mr. Stagg was at the meeting to discuss the matter in closed executive session with the Council. (At 4:07 p.m., the special called meeting was recessed into closed executive session. At 4:45 p.m. the meeting was reconvened in open session.)*

*City Manager Bruce Wyatt recommended that approval be given for the Mayor to sign the Letter of Engagement with Mr. Michael Stagg for legal counsel on this issue. City Attorney Kenneth Chadwell requested that the City Manager be given the authority to further authorize Mr. Stagg to further engage, under the attorney/client privilege, a soils expert to assist Mr. Stagg and report to him in furtherance of the*

*work of Mr. Stagg on behalf of the city.*

**A motion was made by Council Member Pete Souza, seconded by Mayor J.H. Graham III, that the Letter of Engagement with Michael Stagg be approved as recommended and the City Manager be given the authority to further authorize Mr. Stagg to further engage, under the attorney/client privilege, a soils expert to assist Mr. Stagg and report to him in furtherance of the work of Mr. Stagg on behalf of the city. The motion carried by the following vote:**

**Aye:** 5 - Council Member George Marlow, Mayor Pro-tem Danny Wyatt, Mayor J.H. Graham III, Council Member Pete Souza and Council Member Jesse Kerley

*With no further business, the meeting was adjourned at 4:47 p.m.*