

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Tuesday, April 11, 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, April 11, 2017, at Crossville City Hall.*

### **Rollcall**

**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, Jeanne Stevens, Luke Sullivan, Mark Rosser, Gary Nelson, Andy Vaughn, Jeff Johnson, J.D. Barnes, Mary Jane Barnes, Mike Turner, Debra Kokes, Kevin Music, Jim Morrow, John Conrad, Clark Annis, David Beaty, John Turner, Levonn Hubbard, Chris South, Leah Crockett, Jerry Kerley, Bruce Wyatt, Sherley Wyatt, Brad Allamong, Jemia Rollin, Julia Ceymer, Jon Smith, Mollie Strong, Gracye Bow, Sophia Sojka, Hope Whittenburg, Erin West, Kaylee Emison, Hailey Reagan, Shane Blaylock, Tom Bailey, Rob Harrison, Marlene Potter, Vernon Potter, and Valerie Hale.*

### **PUBLIC HEARING**

*Mayor James Mayberry was present and presiding. He called the public hearing to order at 5:52 p.m.*

Proposed annexation and Plan of Services 2496 Lantana Rd.  
Proposed annexation and Plan of Services 99 Grandview Drive  
Annexation Progress Report - Orange Circle

*A public hearing was held for the proposed Plan of Services and annexation of 0.60 acres at 2496 Lantana Road and 0.46 acres at 99 Grandview Drive and for the annexation progress report on the annexation of 0.31 acres on Orange Circle, which was effective October 13, 2016. All services of the city have been provided as outlined and/or requested by the property owner/developer.*

*Mayor Mayberry requested comments from the public regarding the proposed annexations and the progress report. None were received. The public hearing was adjourned at 5:55 p.m.*

**The comments from the Public Hearing were received and filed.**

### **SOLICITATION BOARD**

*Mayor James Mayberry was present and presiding. He called the Solicitation Board to order at 5:55 p.m.*

Crossville Lions Club Charities, Inc.

*An application was received from the Crossville Lions Club Charities, Inc. for their annual white cane project to raise funds for their programs benefiting the blind, deaf,*

*and children.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris, that the Solicitation Permit be approved for the Crossville Lions Club Charities, Inc. 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 Solicitation Board was adjourned at 5:56 p.m.*

## **REGULAR MEETING**

### **Call to Order**

*Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m. The invocation was given by Drew Shelley of First United Methodist Church. The Young Marines presented the colors and led the Pledge of Allegiance.*

### **1. Proclamations/Presentations**

- a) Student of the Month
- b) Firefighter of the Quarter

*a) Student of the Month - Corbin Seiber was recognized for the character trait "citizenship"*

*b) Firefighter of the Quarter - Firefighter/Paramedic Jeremy Mangas*

**The awards were presented.**

- c) Community Transportation Planning Grant

*Mayor Mayberry introduced Stacey Morrison from TDOT to present the final report from the Community Transportation Planning Grant, which was \$250,000. He introduced Jeanne Stevens from Parsons Brinckerhoff who produced the plan. She briefly reviewed the contents of the report.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, that the resolution adopting the final report be adopted. 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. Public Comment**

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

### **3. Appointments**

## Industrial Development Board

*City Council has 4 appointments to make to the Industrial Development Board:*

1. Gary Greene (term expiring 4/30/17)
2. Jim Young (term expiring 4/30/17)
3. Larry Sherrill (term expiring 4/30/17)
4. Pepe Perron (term expiring 5/1/17)

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that Pepe Perron and Larry Sherrill be re-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

*The following names were put in nomination for the two appointments: Butch Smith, Shane Flowers, Seth Chadwell, Doug Parkey, and Jim Young. By paper ballot, the following votes were cast and announced by the City Attorney:*

*Councilmember Shanks - Shane Flowers, Seth Chadwell*

*Councilmember Harris - Butch Smith, Doug Parkey*

*Councilmember Wyatt - Doug Parkey, Butch Smith*

*Mayor Pro-Tem Graham - Doug Parkey, Butch Smith*

*Mayor Mayberry - Shane Flowers, Jim Young*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that Doug Parkey and Butch Smith 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 Danny Wyatt, to approve the Consent Agenda as presented. 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 (3/14, 3/21-2 meetings, 4/4)

**The Minutes were approved as recommended.**

### Ordinances on Third Reading

### b) Ordinance amending the 2016-17 budget for donation to Friends of the

Trail

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

- c) Ordinance adding § 14-901 to the Crossville Municipal Code pertaining to telecommunication facility services moratorium

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

### **Ordinances on Second Reading**

- d) Ordinance replacing § 16-200 of the Crossville Municipal Code regarding excavation and cut fees in public right-of-way

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

### **Ordinances on First Reading**

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

*The City Manager recommended amending the 2016-17 budget to provide funds for the City Council to travel and attend the TML Annual Conference in Murfreesboro in June. The costs are estimated dependent on the number attending the full conference.*

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

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

*The 2017-S5 supplement codifies ordinances passed by City Council since the 2015-S4 supplement was added.*

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

### **Additional Consent Items**

- g) Resolution adopting a Plan of Services and annexation of 2496 Lantana Rd

*The previous request from Louis B. Heuser to connect his commercial property to sewer at outside-City rates has been revised. Mr. Heuser is now requesting annexation of the property located at 2496 Lantana Road. Sewer is located in front of the property. The Planning Commission has met and recommended the annexation request and Plan of Services.*

**This Resolution was approved as recommended.**

- h) Approval of fire truck repairs for Engine 17

*Engine 17 broke down, but was drivable with problems. City garage delivered it to the Stowers CAT dealer for repairs to the engine, including replacing the cam shaft, rocker arms, and rebuilding the Jake brakes. The estimated cost was \$5,912. The repairs are being made to get the engine back in service.*

**The repairs were approved as recommended.**

- i) Approval for a grant application for the purchase of a Jet-A fuel truck

*At the March 14th meeting, Council approved submittal of a grant request for funding of a used Jet-A Fuel truck through the maintenance grant. Aeronautics has rejected that request as inappropriate for those funds. They have recommended that a separate grant request be submitted for the purchase of used truck through the regular grant programs at a 75/25 split, which is a better grant. The estimated cost for a used truck is \$35,000, with the local match being approximately \$8,750.*

**The application was approved as recommended.**

- j) Approval of TCRS Contribution Percentage for 2017-18

*The percentage rate has been computed by TCRS actuarial system. The rate is 18%. Council approval was requested for this percentage for the year 7/1/17-6/30/18.*

**The TCRS contribution rate was approved as recommended.**

- k) Approval of temporary road closings for Dave Kirk Automotive 5K

**This permit request was withdrawn from agenda**

- l) Approval of temporary street closings for Taste of Crossville

*DCI is planning the annual Taste of Crossville for Thursday, May 25. They requested street closings as follows from 3:00 p.m. to 9:00 p.m.:*

*Main Street from Neecham to 4th  
Thurman St. from Taylor to E. North St.  
North St. from Thurman to Rector  
5th St. from Thurman to Rector*

**This Permit was approved as recommended.**

- m) Approval of temporary street closing for Bread of Life Block Party

*The Bread of Life Rescue Mission has scheduled their annual Block Party for Saturday, June 24. They requested that 4th Street be closed from Evelyn St. to School Street from 9:00 a.m. to 6:00 p.m.*

**This Permit was approved as recommended.**

- n) Approval of temporary street closing for Pro Troop Rally and Children's Parade on July 4

*Debbie Towns requested that Main Street be closed on Tuesday, July 4, from 10 a.m. to 1:00 p.m. for the annual Pro-Troop Rally. This will be in conjunction with the DAR who will be sponsoring their Children's 4th of July parade that will start at the Palace and conclude at the depot.*

**This Permit was approved as recommended.**

- o) Approval of temporary street closings for 5K on June 2

*Michael England, representing the Young Professionals Alliance, has requested approval for temporary street closings for a 5K that they propose to hold following the Fridays at the Crossroads event on June 2. The race would start at 8:00 p.m. and will conclude by 9:00 p.m. They propose a route that starts and ends at Social Brew and run through the downtown area and out Livingston Road to Elmore Road and back. They have spoken to the organizers of the Fridays at the Crossroads event and received approval.*

**This Permit was approved as recommended.**

- p) Approval of Addendum No. 1 to the engineering contracts for the corporate hangar

*Approval is requested for the addendums to the contracts with Atkins for engineering services for the corporate hangar. The project is complete and required less engineering services than anticipated. Both addendums are deducts and finalize the contract.*

*· Storage Hangar - The original contract was for \$96,800. The addendum is a deduct of \$5,103.66 for a new total of \$91,696.34.*

*· Storage Hangar Sitework - The original contract was \$45,950. The addendum is a deduct of \$17,134 for a new total of \$28,816.*

*The two addendums show a total deduct of \$22,237.66.*

**The Contract Addendums were approved as recommended.**

## 5. Bids/Purchases

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

- a) 2017 4th of July Fireworks

*A deposit of \$15,000 needs to be made to Pyro Shows for the 2017 City of Crossville 4th of July Show. A second payment will be made after 7/4/2017. This was bid last year for two years.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor James Mayberry, that approval be given for the payments to Pyro Shows. 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) Work Truck (Water Resources)

*Truck 904 is budgeted for replacement. A proposal has been received from Wilson County Motors on a 2017 Chevrolet Silverado 2500 HD for \$37,400.90, under State Bid contract #40032.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris, that the purchase from Wilson County Motors 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

**c) Pump Station Renovation**

*Bids were received on March 21 on the renovation of the Genesis Road sewer pump station. Bids were received from J.S. Haren Company, W & O Construction, Norris Bros. Excavating, LLC, and Angel Construction. The low bid of \$717,000 from J.S. Haren was recommended by the engineers for award.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem J. H. Graham, that the bid of J.S. Haren Company on the pump station renovation 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

**d) Industrial Park tank painting**

*Bids were received on the painting of the Industrial Park 300,000-gallon tank. The low bid was submitted by Tank Pro, Inc. of North Port, Alabama and is recommended for acceptance with alternate 1.*

*Base Bid \$280,147*

*Alternate 1 \$ 1,000 - Additionally fill tank pits with approved filler*

*Alternate 2 \$ -5,700 - Deduct for using the "Interchange Business Park" logo currently on the tank, instead of the "Golf Capital" logo.*

*Council was requested to make the decision on which logo to use. If the Golf Capital logo is used on both sides, it will cost an additional \$5700.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Danny Wyatt, that the low bid with Alternate 1 be accepted and the "Golf Capital" logo be painted on both sides. 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) Engineered Wood Fiber Mulch**

*Bids were received on March 28 for engineered wood fiber mulch for the Warner Complex Playgrounds. This is a specialized product that meets required certifications for safety surfacing. The low bid of All Recreation was recommended.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris, that the bid of All Recreation 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

**f) Audit Proposals**

*Requests for Proposals for financial audits for three years (2016-17, 2017-18, 2018-19) were sent out. Nine proposals were received. The Finance Director recommended Mauldin & Jenkins be retained as auditors. The second and third choices would be Kraft CPAs and Pugh CPAs.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council**



**Member Pamala Harris, that the low bid of Allen, McGee Associates of Tullahoma 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

### April Marketing Report

*Marketing Director Billy Loggins updated the Council on the following:*

- *WSM Talent event at the Palace Theatre*
- *9th Annual Sustainability Fair - May 11*
- *Morgan County Bicentennial Golf Tournament*
- *Healthier TN Week - Three local restaurants are participating in the program*
- *Crossville Clean Up Day will be co-sponsored by Cumberland Fellowship on May 7*
- *Solar Eclipse events - August 21 - Hotels are nearly filled, including camp sites*

**This Report was received and filed**

## 8. Other Business

### a) Discussion and action on Meadow Park Lake parking

*The Lake Commission has \$9,993 in unused funds for construction of a trail. They requested the use of that money towards the construction of a paved parking area between the large shelter and the playground. It is expected that an additional \$5,000 will be needed for the project.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Scot Shanks, that the use of the funds be approved and a budget amendment passed on first reading. 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) Discussion and possible action on retiree rehires

*It was the recommendation of the Human Resources office that a policy be adopted that illustrates the conditions of a rehire of an employee that has retired from the City of Crossville.*

*MTAS conducted a survey in regard to the reinstatement of a retired employee. Of the 14 cities that responded, only 2 will rehire a retired employee back in a full-time capacity.*

*City Manager Wood recommended the following:*

*"As a rule to not allow these employees to return unless there were extraordinary circumstances necessitating their return. In those cases, if they received a retirement buyout, that buyout would have to be paid back over whatever period of time they had to serve to reach the 30 year threshold or five (5) years, whichever is greater. Any other retirement non-buyout incentives received would be deducted from incentives received upon the subsequent separation. Additionally, their pay should be reduced by 5% to put them on equal footing with other employees who now have to pay in 5% to ICMA when the retirees would not be paying that amount. This is the*

only way I can see to keep the employee from "double dipping" and maintaining some equity with employees now under ICMA. Employees of Police or Fire could have knowledge based testing waived, but would still need to pass the physical testing requirements of new hires.

The other outstanding issue that remains is whether to address the health insurance bridge payments. It was established by the Council in March of 2010 that only employees that were in a ten year window for retirement would be eligible for health care coverage up to the age of 65. Of that original pool of 24 eligible employees, three have already reached 65 and one more will this month. This would be a policy issue for the Council, it is already a committed cost, and so keeping it would not incur additional funding as is the case when rehiring an employee to the TCRS plan." He did receive confirmation from TCRS on their requirements for re-hiring retirees in the TCRS plan that has previously been discussed.

Mayor Pro-Tem Graham and Councilmember Harris stated with their vote that they would want the City Manager to discuss with the Council any extraordinary circumstances in the event he deemed it necessary to rehire a retired employee.

**A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, that the recommendations presented be approved. The motion carried by the following vote:**

**Aye:** 4 - Mayor James Mayberry, Council Member Pamala Harris, Mayor Pro-tem J. H. Graham and Council Member Scot Shanks

**Nay:** 1 - Council Member Danny Wyatt

**c) Discussion and action on Cox Ave. acquisition**

Cox Ave. is located to the north of CoLinx and was widened through an Industrial Access grant administered by TDOT to accommodate the needs of CoLinx. All the properties involved signed Right of Entry forms to allow the construction to take place. Settlement was planned to take place when all agreements were complete. An agreement is in place for three of the four property owners and staff is double-checking with the remaining owner. Staff will proceed with closure on all properties that are ready. A budget amendment was requested for \$30,000 to cover the projected cost.

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris, that approval be given to close the acquisitions on all properties according to established federal acquisition requirements and a budget amendment passed on first reading. 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 Solid Waste Collection**

In August 2017, the contract for sanitation will be up for renewal. Kevin Music, Street Department Supervisor, outlined issues that need to be resolved as part of the deciding factor of whether to work toward developing a new contract or accepting bids vs. in-house collection. The current contract stipulates a 120 day prior notification of cancellation.

The estimated cost for a leaf vacuum truck is \$40,110, which is needed regardless of the decision on this contract to keep the ditchlines clean.

*City Manager Wood suggested an add-alternative bid be allowed for brush pickup. The City will provide the cost for the city to do the brush pick-up.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Scot Shanks, that notice be given to Cumberland Waste Disposal that bids will be taken on the solid waste collection contract with an add-alternative on brush/leaf pick-up for City residential properties. 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 and action on the downtown sidewalk project**

*The application for the use of the STP Funds for the traffic signal replacement at the corner of Main Street and Lantana Road is being reviewed by TDOT. A new NEPA document will be required for the use of these funds.*

*A request has been made for a proposal for preparing the NEPA document, but it has not been received. This may be included on a special called meeting in conjunction with the budget work session planned for Thursday, April 20. It was also pointed out that the Council will need to look at where to start on the sidewalks and street lights. The City Manager recommended replacing the street lights while the sidewalks are being done with LED lights. Tim Begley stated that VEC does not maintain these lights. He also explained the changes in the TDOT guidelines for the project.*

*Mr. Begley expressed the need to repair all four corners at the Lantana/Main intersection to make them ADA compliant as soon as the traffic signal is complete.*

*Kevin Music stated that he has to finish the sidewalks on Industrial Boulevard before he could even start downtown. He is still lacking 2 temporary positions, but would like them to be full-time. He also suggested adding the street lights so we don't have to backtrack and tear up the sidewalk. Mr. Begley also stated that the paving by TDOT may cause some water issues on some of the corners that will need to be considered.*

*Discussion on the matter was deferred to the work session and possible called meeting.*

**This Project was deferred**

**7. Cumberland County/Chamber Report**

*Brad Allamong reported on the \$500,000 industrial site development grant, with \$250,000 from the County to match the City's \$250,000. It will be built at Interchange Park. Council was asked to think about the parameters for selling the property to prospective companies. The Executive Managers group is starting to meet again and will probably continue on a quarterly basis. Younger & Associates interviewed 26 community leaders and did 707 surveys of employees. The report is expected in mid-May. During March, we hosted 800 bowlers from across the State. He also suggested re-looking at a service contract between the City and the Chamber.*

**9. City Attorney's Report**

City Attorney's Report

*City Attorney Will Ridley reported on a new lawsuit that was filed by J.R. Blankenship vs City of Crossville, Ivy Gardner, and former Council member Jesse Kerley. TML will be representing the City and Gardner.*

*Shoap v City has been set for October 2018, which is a federal lawsuit.*

*Boggs v Preferred Sandblasting and City. The company is indemnifying the city.*

*Gayheart - This case which occurred at Centennial Park was non-suited at zero cost.*

*Mr. Ridley reported that he has received permission from TDOT to proceed with condemnations on two properties on the Northwest Connector.*

*There are 3 properties that have moved for demolition with the case set for June 12 in Chancery Court.*

*The police lawsuit on VanRuden has moved forward on a summary judgement.*

**This Report was received and filed**

## **10. City Manager's Report**

### City Manager's Report

*City Manager Greg Wood presented the monthly revenue reports and updates on building permits and special projects. He asked for a recommendation and direction on what we need if we do the downtown sidewalk in-house.*

**This Report was received and filed**

## **ADJOURNMENT**

*With no further business, the meeting was adjourned at 7:36 p.m.*