

City of Crossville

392 North Main Street
Crossville, Tennessee 38555



Minutes

Tuesday, April 11, 2023

6:00 PM

Council Chambers

City Council

Mayor R.J. Crawford
Mayor Pro Tem Rob Harrison
Council Member Art Gernt
Council Member Scot Shanks
Council member Mike Turner
City Manager Greg Wood
City Clerk Valerie Hale

REGULAR MEETING - 6:00 p.m.**Call to Order**

The Crossville City Council met for its monthly meeting on Tuesday, April 11, 2023 at Crossville City Hall. Mayor R.J. Crawford was present and presiding. He called the meeting to order at 6:00 p.m. Mike Garrett, Meridian Baptist Church, provided the invocation. The Young Marines presented the Colors and led the Pledge of Allegiance.

Rollcall

Present: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

Others present were City Manager Greg Wood, City Attorney Randy York, City Clerk Valerie Hale, Jessie Brooks, Heather Mullinix, Burt Allaire, Kevin Dean, Janie Hollingsworth, Thomas McKie Jr., Nicole McKie, Thomas McKie Sr., Darlene McKie, Madelyn Carter, Gary Giles, Fidela Giles, Larry Kidwell, Mark Fox, Darian Dykes, Kim Chamberlin, Ken Holly, Ethan Hadley, Mary Conner, Connie Clapper, Tim Begley, Fred Houston, Lee Lawson, Matt Miller, and friends and family of the Young Marines.

1. Proclamations/Presentations**a. Presentation/Proclamations April 2023**

Dylan McKie received the April Student of the Month Proclamation for displaying the character trait, citizenship.

Mayor Crawford proclaimed May 1, 2023 as Pre-K Day in the City of Crossville.

Mayor Crawford proclaimed April as Ms. Senior Tennessee Month and recognized the City of Crossville as being the host for the Ms. Senior Tennessee pageant.

2. Public Comment

No public comments received.

3. Appointments**a. Public Building Authority**

At the last meeting of the City Council, reinstatement of the Public Building Authority was approved. Members that served previously are:

Thomas E. Looney
Lillian Fox
Joe M. Looney
Cosby Stone
Johnny Wayne Presley
Kirk Tollett
Dean Bennett

Kirk Tollett, Joe Looney, Johnny Wayne Presley, Mark Moore, Lou Morrison, Tracey Barnes, and Tim Wilson were recommended.

A motion was made by Council Member Scot Shanks, seconded by Mayor Pro-tem Rob Harrison, to approve recommended members. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

b. Industrial Development Board

The City of Crossville has four appointments on the Industrial Development Board with terms expiring April 30, 2023. They are Brooks Boston, Rob Patton, Pepe Perron, and Mike Dalton. All members have expressed an interest in continuing to serve except Mr. Pepe Perron. The new terms will expire April 30, 2029.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks to appoint Tom Flynn to the Industrial Development Board. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

A motion was made by Council Member Scot Shanks, seconded by Mayor Pro-tem Rob Harrison, to re-appoint Brooks Boston, Mike Dalton, and Rob Patton. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

4. Chamber of Commerce Report

Ethan Hadley, President/CEO of Crossville-Cumberland County Chamber of Commerce, provided a brief report of the Chamber's monthly activities. He reported that he recently met with the International Sales Point Person and the Domestic Sales Point Person for the State of Tennessee and discussed how to get more visitors to Crossville from across the United States and abroad. They toured the Cumberland County Playhouse, wineries, museums, and Cumberland Mountain State Park.

This report was received and filed.

5. Consent Agenda

Approval of the Consent Agenda

Council member Gernt noted that the items on the Consent Agenda were discussed thoroughly at the recent work session and approval was recommended by City staff.

A motion was made by Council Member Art Gernt, seconded by Council Member Scot Shanks, to approve the Items 5 A-I, excluding D on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

- a. Approval of minutes (3/14)

The Minutes were approved as recommended.

Ordinances on Second Reading

- b. Ordinance amending FY22-23 budget-Palace Theatre Roof Replacement

A budget amendment is necessary for costs incurred related to the replacement of the Palace Theatre roof.

This Ordinance was approved on second reading.

Additional Consent Items

- c. Approval of FY23-24 TCRS Rate

The Tennessee Consolidated Retirement System (TCRS) rate is computed every year and this is the rate the City must pay to TCRS for the retirement plan. The minimum rate for upcoming fiscal year is 11.87%; however, the Finance Director recommends a higher contribution of 13%.

This Resolution was approved as recommended.

- d. Approval of Debt Policy

The City Debt Policy needs to be reviewed and accepted each year. The debt policy recommended by the Finance Director was presented. The City Attorney requested approval of the policy be delayed until next month.

This Policy was deferred per the request of the City Attorney.

- e. Approval of temporary street closings for Memorial Day ceremonies on May 29

The Veteran's Service Office requests temporary street closures for Memorial Day ceremonies at:

Fourth St. and Rector Ave.

Fifth St. and Main St.

Fourth Ave. and Thurman Ave.

Second St. and Main St.

They request the closures from 9:00 a.m. - 1:00 pm.

This Permit was approved as recommended.

- f. Approval of contract with Community Development Partners for administrative consulting services-American Rescue Plan Act (TDEC-ARPA)

Approval of a contract is requested to render professional administrative consulting services and to advise the City of Crossville on compliance for TDEC-ARPA funding. The contract is in the amount of \$175,000 which is reimbursable through the ARPA program. A budget amendment is not necessary.

This Contract was approved as recommended.

Bids/Purchases

- g. Approval of reimbursement to Veolia Water for maintenance expense overage

Veolia is requesting reimbursement for maintenance expense overage above annual maintenance and repair limit account (per Operations, Maintenance, and Management Services Agreement) in the amount of \$17,976.80 for 2021-22.

The maintenance limit account has been at \$35,000 annually since 1992. The agreement provides for a rebate in the event that the actual amount is less than \$35,000 or reimbursement of maintenance costs over \$35,000.

This Bids/Purchases was approved as recommended.

- h. Approval to award bid for Crossville Memorial Airport renovations and addition

On March 16, 2023 bids were received for the Crossville Memorial Airport renovations and addition. There were two bidders. Stubbs Construction was the low bidder in the amount of \$916,450.00. FTM Contracting also submitted a bid in the amount of \$1,039,000.00. Staff recommends awarding the bid to Stubbs Construction. This amount is over budget; however, TDOT Aeronautics is going to contribute the additional funds through a revision of the current grant already approved.

This Bids/Purchases was approved as recommended.

- i. Approval to award bid for Janitorial Services for Police Department and City Hall

On March 21, 2023 bids were received for janitorial services for City Hall and the Police Department. Chano and Sons, Inc. was the only bidder. The bid was in the amount of \$445 per week for City Hall and \$245 per week for the Police Department. Staff recommends awarding the bid to Chano and Sons, Inc.

This Bids/Purchases was approved as recommended.

6. Other Business

- a. Discussion and action regarding Water Service Line Extension on Peachtree Drive-Variance Request

On March 16, 2023 the Crossville Regional Planning Commission met for its monthly

meeting and discussed a variance request. A property owner on Peachtree Drive is requesting a variance to the City's Policy for Water and Sewer Line Extensions and the Water and Sewer Main Line Extension Ordinance (18-107). Peachtree Drive is in a failed subdivision, a portion of Hide A Way Hills.

The property owner is requesting to set a meter at the end of the existing water line and run a 1-inch service line to be installed along the unimproved right-of-way of Peachtree Drive, approximately 700 feet from the existing water line to their property at their expense. This private service line would be in lieu of a mainline extension as would be required by the aforementioned ordinance and policy.

If a main water line were to be extended into a failed subdivision with a potential high number of buildable lots, a minimum of a 6-inch line would be needed to provide adequate fire protection, as well as water service.

If the property owner wants to run a private line, the required criteria of permission from the county or private easements would have to be provided BEFORE the City could even consider the proposed private line extension, which has not fully been granted. An email staff received from the County Mayor Foster was presented. Planning Staff then reached out to the County Planner to fully explain the situation and the City's need for a more defined answer. In addition to the missing criteria, the statement of, "Private lines will not be approved in an existing subdivision," does not differentiate between a failed subdivision or not.

The policy states, "Unless otherwise approved by City Council, service line will extend no further than 75' from a utility main line." This request is almost 10 times the allowed distance.

The policy gives a path forward for the extensions of water lines into a failed subdivision. The reason and purpose of the policy is to prevent a "cluster" of water meters and service lines extending down unimproved rights-of-way. It does appear that two meters have been placed at the end of the main utility and service lines have been extended approximately 190 feet and 280 feet. However, there are a potential 14 other lots between the end of the main line utility and the property currently requesting a service line variance. Beyond the requesting property are a great many more properties.

The Crossville Regional Planning Commission approved three motions. The first motion was to deny the request by the property owner for approval by City Council. A second motion was approved to recommend to the City Council the variance be granted if the property owner obtained an easement from a neighbor to run a meter to an existing waterline on Sycamore Drive. The third and final motion approved was to recommend to City Council a long term solution to amend the water and sewer mainline extension ordinance and policy for special tap fees for water.

A motion was made by Mayor Pro-tem Rob Harrison, seconded by Council Member Art Gernt, to deny the request to extend water service line along Peachtree Drive, which is in a failed subdivision, based upon the Planning Commission's recommendation. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

Mayor Pro Tem Harrison stated that a proposed ordinance change is forthcoming regarding the water and sewer line extensions.

Mayor Crawford stated that the approval of a variance is recommended by the City Planner and the Planning Commission.

A motion was made by Mayor Pro-tem Rob Harrison, seconded by Council Member Art Gernt, to grant a variance to allow a service line beyond the 75 ft. maximum (200-300 ft.) from Sycamore Drive to Peachtree Drive with an easement from the property owner. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

b. Discussion and action regarding request for sign ordinance variance

A request for a variance has been received to place a 10 X 20 digital sign (photo attached) at the corner of Miller Avenue and Taylor Street. There is an existing advertising device (non-digital) at Miller Avenue and Fourth Street, which is within the 750 ft. boundary. Staff recommends denial of the variance as it is a violation of the current sign ordinance.

Mayor Pro Tem Harrison stated that there was a lot of discussion regarding the matter at the recent work session and the audio is available online if anyone was interested in listening to it.

A motion was made by Council Member Art Gernt, seconded by Mayor Pro-tem Rob Harrison, to deny granting the requested variance due to a sign already approved within the 750 ft boundary. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

c. Discussion regarding proposals for Construction Manager/General Contractor for the Indoor Recreation Facility

Proposals have been received and American Constructors has been recommended as the Construction/Manager/General Contractor. The scoring matrix was presented.

A motion was made by Mayor Pro-tem Rob Harrison, seconded by Council Member Scot Shanks, to approve and award the contract, based upon the recommendation from the City's architect and discussion at the recent work session, to American Constructors to be the Construction Manager/General Contractor for the Indoor Recreation Facility and the City of Crossville will pay them as long as continuing to move forward with the design process although the motion does not obligate the City to move forward with the construction of the facility. The contract is also subject to approval by the City Attorney. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

d. Discussion and action regarding Initial Bond Resolution for Indoor Recreation Facility

Council Member Shanks stated that it helps the project's success by knowing that financing is in place and it's a good idea to take advantage of interest rates.

Council Member Turner questioned if the resolution obligated the City to constructing the facility. Financial Advisor Larry Kidwell stated that the resolution authorizes the

City to move forward; however, it does not obligate the City to construct the facility and issue the bonds. He also explained earning positive arbitrage. The proceeds may be invested but there are limitations and spend down requirements with penalties associated if requirements are not met.

Mayor Pro Tem Harrison explained that the resolution presented states that the money will be borrowed through the Public Building Authority.

Mayor Crawford clarified that the resolution is required to be published in the local newspaper for public notice, allowing ten percent of the voters the opportunity to organize a petition for a referendum regarding the bond issuance within twenty days of publication.

A motion was made by Council Member Scot Shanks, seconded by Council Member Art Gernt, to start process for issuing bonds in an amount not to exceed \$55 million. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford

7. City Attorney's Report

a. City Attorney's Report-April 2023

City Attorney Randy York reported no activity within last thirty days.

This Report was received and filed.

8. City Manager's Report

a. City Manager's Report

City Manager Greg Wood provided the monthly revenue reports for sales tax, liquor inspection fees, wholesale beer tax, hotel occupancy tax, and water consumption. Mr. Wood also gave the police, fire, utility maintenance, and the FBO reports.

This Report was received and filed.

ADJOURNMENT

A motion was made by Council Member Scot Shanks, seconded by Mayor Pro-tem Rob Harrison, to adjourn the meeting at 6:31 p.m. The motion carried by the following vote:

Aye: 5 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner, Mayor Pro-tem Rob Harrison and Mayor R.J. Crawford