

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, December 13, 2022

6:00 PM

Council Chambers

City Council

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

BEER BOARD - 5:15 p.m.

Mayor R.J. Crawford called the meeting of the Crossville Beer Board to order at 5:15 p.m.

Present: 4 - Council Member Art Gernt, Council Member Scot Shanks, Council Member Mike Turner and Mayor R.J. Crawford

1. In & Out Tobacco

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on October 21, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Mr. James E. Wyatt was present and did not dispute the charges.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks, assess a \$500 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

2. In & Out Tobacco

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on December 1, 2022. This is their second violation in less than 60 days.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Mr. James E. Wyatt was present and did not dispute the charges.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks, assess a \$1,000 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

3. On the Way Market

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on October 21, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the

beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Roberta Luetkemeyer, Store Manager, and beer permit holder Ami Patel were present. Ms. Luetkemeyer stated the cashier was distracted by children in the parking lot, but did not dispute the charges.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks, assess a \$500 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

4. Marathon Gas Station

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on October 21, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Mr. Jimmy Patel was present and stated the cashier checked the I.D. but made a mistake. He did not dispute the charges.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks, assess a \$500 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

5. Eco Travel Plaza

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on October 21, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Mike Renfro, Store Manager, was present and did not dispute the charges. He stated the cashier was terminated.

A motion was made by Mayor R.J. Crawford, seconded by Council Member Scot Shanks, assess a \$500 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

6. Bootleggers Bar & Grill

The store was cited by the Crossville Police Department on a violation of 8-212(F) for selling beer to persons under the age of 21 on December 1, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500.00 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Restaurant owner, Diane Baetz, and manager, Charles Evans were present and stated that the bartender had checked everyone's identification but mistakenly missed checking the informant. Mr. Evans stated the informant looked exactly like one of their regular customers that had been in the bar at the same time and simply assumed it was their customer and that the identification had already been checked. Detective Tollett stated that he would attest to the fact that Bootleggers was one of the most strict establishments about verifying individuals are over the age of 21.

Council member Shanks asked if they considered terminating the employee. The manager replied that was an option but after reviewing the surveillance video, that he immediately saw it was an honest mistake and reinstated the employee.

Council member Shanks clarified he did not know the owner or the manager.

A motion was made by Council Member Scot Shanks, seconded by Council Member Art Gernt, to assess a \$100 penalty for the violation in lieu of revoking or suspending the permit. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

SOLICITATION BOARD - 5:55 p.m.

1. United Fund of Cumberland County 2022

An application for a Solicitation Permit has been filed by the United Fund of Cumberland County. They are beginning their fundraising campaign to assist 32 different 501(c)3 organizations in the community. Copies of all attachments are available in the City Clerk's office.

A motion was made by Council Member Art Gernt, seconded by Council Member Scot Shanks, to approve permit for 2022-23. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

REGULAR MEETING - 6:00 p.m.

Call to Order

The City Council for the City of Crossville met for its regular monthly meeting on Tuesday, December 13, 2022 at Crossville City Hall. Mayor R.J. Crawford was present and presiding. He called the meeting to order at 6:00 p.m. Willard Dale, Cumberland View Baptist Church, provided the invocation and the Young Marines presented the colors and led the Pledge of Allegiance.

Present: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

Roll Call

Present: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

Others present were City Attorney Randy York, City Manager Greg Wood, City Clerk Valerie Hale, Jessie Brooks, Steve Threet, Kevin D. Music, Billy Poore, Cheryl Duncan, Burt Allaire, Roberta Luetkemeyer, Levonn Hubbard, Chris South, Friends and Family of the Young Marines, Desiree Martin, Jimmy Patel, Ami Patel, Joe Salvato, Joe Kerley, Mike Renfro, Steve Powell, Tim Begley, Brandon Brown, Terry Potter, Ethan Hadley, Lou Morrison, Vickey Ford, James E. Wyatt, Willard Dale, Darian Dykes, Lee Lawson, John Conrad, Tyler Lorenz, Jon Tollett, Cheryl Duncan, Melissa Coudriet, Dustin Lester, Ethan Medley, J.R. Blankenship, Billy Poore, Fred Houston, Rick Myers, Jill Myers, and Tim Begley.

1. Proclamations/Presentations

a. Presentation/Proclamation December 2022

Christopher Martin was presented a proclamation as Student of the Month for the December character trait, Caring.

Mayor R.J. Crawford recognized and conferred City Clerk Valerie Hale's designation as Master Municipal Clerk.

2. Public Comment

No comments received.

3. Appointments

a. Appointments to CCCSEC (Sports Council)

CCCSEC recommends the following appointments:

Reappoint Jim Goodrich (12/31/2025)

Reappoint Angie Spitler (12/31/2025)

Reappoint Pepe Perron (12/31/2025)

A motion was made by Council Member Mike Turner, seconded by Council Member Scot Shanks, to re-appoint members as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

b. Appointments to Cumberland Plateau Water Authority

Mayor Crawford announced his appointments to the Cumberland Plateau Water Authority. The Mayor appoints three representatives that reside within the City limits. These appointments are effective January 1, 2023.

One representative will serve an initial four-year term (Greg Tabor)
One representative will serve an initial three-year term (Kevin Chamberlain)
One representative will serve an initial two-year term (Jeff Freitag)

The private act was passed by the General Assembly of the State of Tennessee subject to local approval.

The appointments were announced.

d. Appointment of City Judge

The Charter (Article IX, Section 1) states "The City Council shall elect or appoint a city judge by a majority vote of its entire membership, for a period of two (2) years, or until a successor has been elected and qualified."

A motion was made by Mayor R.J. Crawford, seconded by Council Member Mike Turner, to appoint Ivy Gardner Mayberry as City Judge. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

c. Election of 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".

This item was withdrawn from the agenda due to the City Council vacancy.

This Appointment was withdrawn from agenda due to the vacancy on City Council.

e. Election of City Council member

Due to the vacancy created by the election of R.J. Crawford to the position of Mayor, it is necessary to appoint a City Council member. The City Charter (Article V, Section 10) states "A vacancy shall be filled within sixty (60) days, by an affirmative vote of a majority of the remaining council members, the appointee to serve until the next regular city or county election, which is first held. If a tie vote by the council to fill a vacancy is unbroken for sixty (60) days, the mayor shall appoint a qualified person to fill the vacancy. No appointment to fill a vacancy shall be made within sixty (60) days prior to any regular city election."

Mayor Crawford opened the floor for nominations and received: Rob Harrison, Ricky Myers, Danny Wyatt, Melinda Kelsey, and Andrew Ingram.

Votes were received by paper ballot as instructed by Mayor Crawford to vote for one and the following votes were recorded:

Council member Gernt-Rob Harrison

*Council member Shanks-Rob Harrison
Council member Turner-Ricky Myers
Mayor Crawford-Rob Harrison*

(Ballots included as part of the minutes)

Rob Harrison was appointed.

f. Appointment of Crossville Regional Planning Commission member

The Mayor and one Councilman serve on the commission with their terms running concurrently with their City Council terms. The Council elects a Councilman to serve and the Mayor makes all other appointments for five-year terms or at the pleasure of the Mayor.

A motion was made by Council Member Art Gernt, seconded by Council Member Scot Shanks, to appoint Rob Harrison to the Crossville Regional Planning Commission. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

4. Chamber of Commerce Report

Ethan Hadley, President/CEO of Crossville-Cumberland County Chamber of Commerce, reported on the monthly activities of the Chamber of Commerce and announced the Legislative Breakfast, which will be held on January 17, 2023.

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Council Member Scot Shanks to approve the Consent Agenda Items 5A-T, excluding M. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

a. Approval of minutes (11/08)

The Minutes were approved as recommended.

Ordinances on Third Reading

b. Ordinance amending FY22-23 budget for Leaf Vacuum purchase

The purchase of a leaf vacuum was budgeted for and approved in the 2022-23 budget in the amount of \$60,000; however, bid was awarded in the amount of \$69,500. Therefore, a budget amendment is required.

This Ordinance was adopted on third reading.

c. Ordinance amending FY22-23 budget for Street Department Building

A stud frame building was budgeted for and approved in the 2022-23 budget in the amount of \$100,000; however, bid was awarded in the amount of \$115,250. Therefore, a budget amendment is required for the overage, as well as the finish work.

This Ordinance was adopted on third reading.

- d. Ordinance amending FY22-23 budget for the Pedestrian Bridge Project at Meadow Park Lake

A budget amendment is required for the pedestrian bridge project at Meadow Park Lake in the amount of \$82,000.

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- e. Ordinance amending FY22-23 budget-Scoreboards

A budget amendment is necessary for the purchase of scoreboards.

This Ordinance was approved on second reading

- f. Ordinance amending FY22-23 budget-Veolia

A budget amendment is necessary for Veolia's request for reimbursement of electric fuel cost overages.

This Ordinance was approved on second reading.

- g. Ordinance amending FY22-23 budget-Peavine Road High Mast Pole Change Order

A budget amendment is necessary for the Peavine Road High Mast Pole Change Order

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This Ordinance was approved on second reading.

Additional Consent Items

- h. Approval of variance-Vaughn Street

Mr. Vipul Patel, the owner and developer of the property on Vaughn Street, is proposing the addition of two new housing structures within a pre-existing, non-conforming cluster housing development. With the addition of the two new structures, he is proposing the extension of an existing driveway along with a new driveway that will run perpendicular to the existing one. This would allow a "hammer" turn-a-round area. Per the Multi-family/Cluster Housing ordinance, a cul-de-sac is required but the City does allow "hammer" turn-a-rounds by the Crossville Regional Subdivision Regulations. Therefore, Mr. Patel is asking for a variance to the required cul-de-sac, as this is an existing cluster housing that currently does not have any turn-a-round available and the "hammer" style is allowed in the subdivisions.

The Planning Commission voted to approve the site plan contingent upon City Council

approval of variance.

This variance was approved as recommended.

i. Approval of Violent Crime Intervention Fund grant application

Governor Bill Lee and the General Assembly appropriated \$100 million for the Violent Crime Intervention Fund (VCIF). The City of Crossville Police Department is eligible to receive \$126,378 from this fund and must submit an application to receive the money. Chief Brooks suggests purchasing License Plate Readers, which is an eligible expense.

This Contract was approved as recommended.

j. Approval of contract regarding Water Filtration Plants Improvements

A contract from J.R. Wauford & Company was presented and includes the design, bidding, and construction services for the following components:

Meadow Park

- Replace the automatic transfer switches for the main building and the high service pump building*

- New tube settlers*

Holiday Plant

- Replace the existing tube settlers*

- Replace the drives for the high service pumps*

- Replace the surge relief valve and check valves on the high service pumps*

Fees included in the contract are:

\$58,000 Design

\$8,000 Bidding and Award

\$60,000 Construction services

\$126,000 Total Contract Amount

This Contract was approved as recommended.

k. Approval of contract amendment regarding West Avenue and Fourth Street traffic signal

The City does not expect to have adequate surface transportation funds for the West Avenue & Fourth Street traffic signal until the Northwest Connector project has been completed. The current contract with TDOT expired November 15, 2022. Staff requested an amendment to the contract for a time extension and requests approval of the amendment granting the extension to June 30, 2025.

Currently, the City's engineers have received the NEPA reevaluation and are now finalizing TDOT and City comments to submit final ROW plans to TDOT to begin the ROW phase of the project. They will continue coordination with the utilities during the ROW phase. Once that is complete, construction plans and bid documents will be submitted to TDOT for review.

This Contract was approved as recommended.

l. Approval of Traffic Signal Modernization Program Grant Application

The Engineering Department is requesting authorization to apply for a TDOT Traffic Signal Modernization Program Grant (TSMP). The maximum amount of the grant award is \$100,000 and includes engineering services provided by TDOT. This grant program is designed to help communities and their local traffic signal maintaining agencies modernize existing traffic signal equipment and operations.

The proposed project includes a total replacement of the existing signal located at the four-way intersection of West Avenue (Highway 70 - State Route 1 & Highway 70N - State Route 24), Elmore Road (Highway 70N - State Route 24), and Sparta Highway (Highway 70 - State Route 1). The estimated project construction cost is \$450,000. The current signal consists of wood signal strain poles, faded signals, signal wires, and traffic loops in the roadway. The signal was initially installed in 1979. The wood poles are from the original 1979 construction. The controller was updated in 1998. The signal heads have been retrofitted with LED lighting modules.

This Contract was approved as recommended.

m. Approval to repair Palace Theatre Wall

The Engineering Department has contacted numerous general contractors to perform the repairs to the knee wall at the Palace Theatre. Midwest Maintenance Inc. is the only company that has provided a price. This is the same company that provided the masonry waterproofing a few years ago. The proposal from MMI is attached at an amount of \$45,103.00.

After the wall is repaired, the City will need to hire a contractor to repair or replace the roof.

This item was withdrawn from the agenda as the project will be sent out to receive bids.

This Contract was deferred.

n. Approval of First Alert Meteorological Contract

The Crossville Fire Department requests approval to enter into a contract with Mark Baldwin, Meteorologist, for First Alert services of meteorological weather warnings to the City of Crossville Emergency Services. Mr. Baldwin will be available via radio and phone to provide crucial weather information during emergency incidents and provide early warning for severe weather outbreaks. A fee of \$333.00 per month will be assessed for services rendered. This 3-year contract shall expire June 30, 2026. This contract shall be reviewed and/or renewed at this time.

This Contract was approved as recommended.

o. Approval of contract with Atkins for construction phase services

Staff recommends acceptance of the presented contract in the amount of \$77,218 for construction phase services with Atkins for the Obstruction Clearing project.

This Contract was approved as recommended.

Bids/Purchases

p. Approval to Purchase License Plate Reader Camera System

Crossville Police Department received a quote from Flock for a License Plate Reader (LPR) camera system in the amount of \$28,500. Police Chief Brooks recommends the quote and approval to purchase 10 cameras with installation services in the amount of \$28,500. A budget amendment is not necessary as it was approved in the FY22-23 budget. The item was not bid as it is a sole source provider.

This Bids/Purchases was approved as recommended.

q. Approval to replace pump & control panel for pump station

Veolia requests approval of expenditures for the replacement of the grinder pump and control panel at the Mockingbird Pump Station. The total cost of the repairs is \$10,490.15. A budget amendment is not necessary.

This Bids/Purchases was approved as recommended.

r. Approval to replace Variable Speed Drive for lift station

Veolia requests approval of expenditure for the replacement of the variable speed drive at the Little Obed Lift Station. The total cost of the repairs is \$11,470.13. A budget amendment is not necessary.

This Bids/Purchases was approved as recommended.

s. Approval of pump replacement repairs-Little Obed Lift Station

Veolia requests approval of expenditure for the repair of pumps at the Little Obed Lift Station. The total cost of the repairs is \$22,548.22. A budget amendment is necessary.

This Bids/Purchases was approved as recommended.

Ordinances on First Reading

t. Ordinance amending FY22-23 budget-Veolia

A budget amendment is necessary for Veolia's request for repairs for the Little Obed Lift Station.

This Ordinance was approved on first reading

u. Ordinance amending FY22-23 budget-Palace Theatre Wall Repair

This Ordinance was deferred.

6. Other Business

7. City Attorney's Report

a. City Attorney's Report-December 2022

City Attorney Randy York reported that there have not been any lawsuits filed since his last report. He provided an update on two abandoned airplanes recently placed on

govdeals.com for auction. Mr. York explained that an issue arose regarding whether there were liens on the planes. There were in fact liens on the aircraft by Nimbus, Inc. and Cellular Partners, LLC. As a result, Mr. York has determined that the planes could not be auctioned according to Federal law. He advised the City Council to move forward with contacting the lien holder again and gather information on the amount owed for back storage. Mr. York advised the City Council to authorize him to file suit to remove the aircraft.

A motion was made by Council Member Scot Shanks, seconded by Council Member Mike Turner, to authorize the City Attorney to move forward with filing suit if necessary. The motion carried by the following vote:

Aye: 4 - Council Member Scot Shanks, Council Member Art Gernt, Mayor R.J. Crawford and Council Member Mike Turner

8. City Manager's Report

a. City Manager's Report December 2022

City Manager Greg Wood reported on monthly revenues including sales tax, wholesale beer, liquor, hotel/motel tax. He also reported on the monthly police & fire activities, water consumption, water loss, and building permits. Mr. Wood notified the City Council that the CDBG grant application was denied and missed the mark by only two points. He recommends submitting the application in the next grant cycle. Mr. Wood also reported the crosswalk at Martin Elementary should be functional within the next week. He also noted that the City is behind on leaf collection due to equipment issues.

This Report was received and filed.

ADJOURNMENT

Mayor Crawford adjourned the meeting at 6:28 p.m.