

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Tuesday, December 11, 2018

6:00 PM

Council Chambers

## City Council

*Mayor James Mayberry*  
*Mayor Pro-Tem J. H. Graham, III*  
*Council Member Art Gernt, Jr.*  
*Council Member Rob E. Harrison*  
*Council Member Scot Shanks*  
*City Manager Greg Wood*  
*City Clerk Valerie Hale*

**SOLICITATION BOARD - 5:55 p.m.**

*Mayor Mayberry called the Solicitation Board to order at 5:55 p.m.*

**Present:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**1. CWC Music**

*An application for a Solicitation Permit has been filed by CWC Music/Charles Cavender. The company is beginning its fundraising campaign to assist veterans. This entity is currently in the process of applying to become a 501(c)(3). On August 14, 2018 the City Council deferred action on this request until more information could be obtained. It has been confirmed that Mr. Cavender is raising money for Operation Stand Down, but has not been able to provide any documentation of his 501(c)(3) organization or financial documentation.*

*City Attorney Will Ridley and City Clerk Valerie Hale informed the Council the requirements regarding a solicitation permit, which are to be a 5013(c) organization and provide financial documents for that organization.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Rob Harrison, to approve solicitation permit requested by CWC Music. The motion failed by the following vote:**

**Nay:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*With no further business to discuss, the Solicitation Board adjourned at 5:57 p.m.*

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

*The City Council for the City of Crossville met in regular session on Tuesday, December 11, 2018, at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 6:01 p.m. The Young Marines presented the colors and led the Pledge of Allegiance. Willard Dale of Cumberland View Baptist Church provided the invocation.*

**Roll Call**

**Present:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*Others present were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Valerie Hale, Assistant City Clerk Malena Fisher, Lee Lawson, Pepe Perron, Andy Vaughn, Willard Dale, Kevin Music, Levonn Hubbard, Candace Gossett, David Brockway, Heather Mullinix, Brad Allamong, Max Allamong, Clark Annis, Mike Turner, Tammie French, Michael Corley, Jim Young, Rosa Smith, Fred Houston, Darian Dykes, Joan Gardner, Leah Crockett, Jessie Brooks, Holly Hanson, Ivy Gardner, Joe Gardner, Kim Wyatt, and Tim Begley.*

**1. Proclamations/Presentations**

**a. PRESENTATIONS**

- a) Student of the Month
- b) Middle Tennessee Natural Gas

*a) Student of the Month – Marleigh Gargac was nominated for her “caring” character trait.*

*b) Middle Tennessee Natural Gas presented a donation in the amount of \$5,000 toward the Garrison Park playground equipment piece, the omni-spinner. This piece is a merry-go-round that gives accessibility to wheelchair-bound children.*

**2. Public Comment**

*There were no public comments.*

**3. Appointments-NONE**

**4. Consent Agenda**

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks to approve Items A-F on the consent agenda. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**Ordinances on Third Reading**

**a. Ordinance amending FY18-19 Budget Dog Park Equipment**

*The Parks & Recreation Department requests approval to purchase dog park items to include agility equipment and water fountains from Gyms for Dogs at bid price of \$28,305.00. (\$25,000.00 received from Dog Park Dash grant.) A budget amendment is required.*

**BUDGET ACCOUNT:**

110-44400-327

Debit

\$25,000

110-374990

Credit

\$25,000

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

**Ordinances on Second Reading**

**b. Ordinance amending FY18-19 budget for Pickleball Courts at Centennial Park**

*Due to the popularity of pickle ball, there is a need to convert the tennis courts at Centennial Park to pickle ball courts. Costs are estimated at \$40,000. A budget amendment is required.*

110-44400-930-004

Debit

Pickleball Courts

\$40,000

110-27100

Credit

Net Position

\$40,000

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

**c. Ordinance amending Crossville Municipal Code Title 7, Chapter 6 regarding Open Burning**

*An ordinance revision regarding Open Burning is proposed to be more specific regarding the definition of open burning, specify permissible items, time frames, and permitting.*

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

**Additional Consent Items**

**d. Approval of minutes (11/13)**

**The Minutes were approved as recommended.**

- e. Approval of resolution adopting social media policy

*It has been suggested by MTAS that cities adopt a social media policy. Staff and the City Attorney agree this is necessary.*

**This Resolution was approved as recommended.**

- f. Approval of temporary street closure for CCHS Track Team 5K Fundraiser (Stanley Street from Justice Street to Miller Avenue)

*The CCHS Track team is requesting a temporary street closure for a 5k Fundraiser on Saturday, February 9th beginning at 10:00 A.M. The route would be a unique one, which travels mainly on paved sidewalks, parking drives, and parking lots on the Martin and CCHS campus and surrounding areas. The route will only have one roadway crossing, which would be at the crosswalk that runs across Stanley Street and is parallel to Miller Avenue. To safely close Stanley Street, it would need to be closed from Justice Street to Miller Avenue. As that is roughly 1.8 miles into the race, it would need to be closed for no more than 1 hour. This event would serve as the team's primary community fundraiser and is extremely important due to the track being closed and the increased expenses in having all away meets this year. With respect to the prior approved routes, the CCHS track team does not feel it appropriate to fundraise and run a 5k directly in front of the other high school.*

**This Permit was approved.**

### **Bids/Purchases**

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that because the Council has already reviewed the requests and the requests have been approved by the department heads and the City Manager to approve items G-M. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

- g. Approval to purchase L3 Mobile-Vision Server, DVD Burner and Antenna system

*L3 Mobile-Vision, Inc. provides the Police Department's in-car camera systems. The current Server, DVD Burner and Antenna systems are in need of upgrade and/or replacement. Mobile-Vision L3 is a sole-source provider of these systems, which are currently in use throughout the Police Department patrol car fleet. Captain Brian Eckelson has obtained a quote from L3 Mobile-Vision, Inc. for these replacement/upgrade systems for \$22,193.10. Chief Jessie Brooks and I.T. Kyle Sherrill have reviewed the quote and recommend purchasing the items from L3 Mobile-Vision. This equipment purchase was budgeted and approved in the 2018-2019*

*annual budget as Capital Outlay.*

**This Purchase was approved as recommended.**

**h.** Approval to purchase UV bulbs-Veolia

*Veolia is requesting to purchase 300 UV bulbs from a sole source provider. The cost for the bulbs is \$24,964. This expenditure is included in the FY18-19 budget in the amount of \$28,000.*

**This Purchase was approved as recommended.**

**i.** Approval to purchase Omni-Spinner for Garrison Park playground

*The Parks and Recreation Department recommends purchase of the Omni-Spinner merry-go-round from Recreation Concepts and Landscape Structures for \$9,520.30 including freight and installation.*

*Debit 311-41920-931-004 Garrison Park LPRF*

*Credit (to be paid for with \$5,000.00 Rotary Grant and \$5,000.00 Middle TN Natural Gas Grant)*

**This Purchase was approved as recommended.**

**j.** Approval to purchase Natural Gas-Powered Hot Water Pressure Washer

*The City of Crossville Maintenance Department accepted bids for a Natural Gas-Powered hot water pressure washer. After reviewing and speaking with both vendors, the Maintenance Supervisor recommends awarding the bid to Washing Equipment of Tennessee. This was the higher bid; however, this company is located closer and provided exact specifications for the equipment, as well as corresponded in a timely and professional manner.*

**This Bid was approved as recommended.**

**k.** Approval to accept bid for demolition of Inn of the Cumberlands

*Eleven bids were received for the demolition of the Inn of the Cumberlands. The low bidder was Adkins Demolition with a price of \$88,888.88. Codes Supervisor Jeff Kerley has reviewed all the bids and documentation and recommends Adkins Demolition be awarded the bid contract.*

**This Bid was approved as recommended.**

**l.** Approval to purchase VoIP Phone System and phone services

*The IT Department recommends the proposal by Ben Lomand Connect for hosted VoIP for all city offices with the exception of City Hall, B1 analog lines for faxing and burglar and fire monitoring, and for a SIP trunk to provide service to City Hall's existing Voice over IP system.*

*It is the recommendation to purchase the necessary hardware in the amount of \$14,388.00. It is expected for the hardware to provide a life of 5 to 7 years. In this case, purchase would be the better option as the break-even point for a lease would*

be 39 months.

With the purchase, the monthly recurring costs for service would be \$2,079.91.

The IT Department also requests to use the services of Frontier on a month-to-month basis for SCADA systems to our water tank locations. At this time it is unknown what the month-to-month cost would be, but expect to provide that information at the work session.

**This Bid was approved as recommended.**

**m. Approval of permit for shooting gallery-The Gun Shop**

*Per Crossville Municipal Code 11-603 (Section 7), Issuance of license, "Upon the receipt by the city clerk of the application, and upon compliance by the applicant with all the regulations, conditions and terms of this article, and after action of the city council granting same, and upon the payment of the fee, the city clerk shall issue to the applicant a license to operate a shooting gallery at the location described in said application." Michael Bartlett of The Gun Shop (397 Old Jamestown Hwy.) has submitted an application for a shooting gallery permit. All requirements have been met.*

**This Permit was approved.**

**5. Other Business**

**a. Discussion and action on request from Roane State Foundation for financial assistance**

*The Roane State Foundation has requested financial assistance from the City of Crossville for the construction of an estimated 2,000 square foot science lab and 2,400 square foot classroom space at the Crossville Campus. The foundation has requested \$500,000 from the City and will be approaching the County for the same amount.*

*Mayor Mayberry expressed that the City of Crossville contributed \$750,000 donation for building the current campus and \$100,000 for the Cumberland Business Incubator. He stated he supports the project, but the request is exorbitant and the Foundation should see what the State of Tennessee is going to offer.*

*Council member Shanks stated he supports the proposed building project; however, would like to see all other options available through the State of Tennessee exhausted first.*

*Council member Gernt & Council member Harrison expressed they also support the project, but would like to see the process go through the State of Tennessee first and discuss the request during the budget work session for the upcoming fiscal year.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks to approve request from Roane State Foundation for its building project along Cook Road in the amount of \$500,000. The motion failed by the following vote:**

**Aye:** 1 - Mayor Pro-tem J. H. Graham

**Nay:** 4 - Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**b.** Discussion and action on request for outside City Sewer - 1973 Hwy 70 East

*Andy O'Conner is requesting outside City sewer for property located at 1973 Hwy 70 East. There is an existing low pressure line across from the property on Highway 70. When planning staff consulted with the Utility Department, they calculated the cost of crossing Highway 70 East to the property, which will include a bore due to the distance and it being a US/State Highway. The Utility Department is requesting the property owner be responsible for the cost of the bore in addition to the tap fee. The city's utility ordinance states that outside city limits, the total cost of a mainline extension is to be paid by the property owner. This is more than a standard tap due to the distance and the requirement of a bore. The cost of the bore is \$5,850.00 and the outside city commercial tap fee is \$2,000.00. Total to be paid by the property owner being: \$7,850.00. Planning Commission met November 15 and voted to recommend the approval of outside city sewer with the property owner paying the full cost of the bore and tap fee.*

*Mayor Pro Tem Graham pointed out that the request is in accordance with the Water & Sewer Line Extension policy dated 7-8-14.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt, to approve request for sewer outside the City limits at 1973 Hwy 70 East. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**c.** Discussion and action on demolition-250 Old Mail Road

*City Attorney Will Ridley provided an update on 250 Old Mail Road at the October meeting. At that meeting, he explained that there was a delay of the demolition due to a lien on the property by Dr. Donald Hooie. Mr. Ridley has negotiated with Dr. Hooie and Dr. Hooie has agreed to allow the sale to occur and he will be entitled to 25%. Estimated costs for demolition are approximately \$10,000. The City Attorney advised the Council that if they choose to demolish the property and sell it, it's likely expenses would not recouped since the property value is approximately \$10,000; however, the goal is to get the property back on the tax roll.*

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, to authorize the City Attorney to file a lawsuit in chancery court against property owners in order to demolish the property, as it is a nuisance to the community. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**d.** Discussion and action on Chestnut Hill Landfill Industrial Property Sewer Extension

*City Staff developed an estimate for a low pressure sewer extension to Chestnut Hill Landfill Industrial property as requested by The Shooting Park Sports Complex. The*



*estimate does not include any monies for easement acquisition. The total estimated cost for the sewer extension is \$182,000 if contracted or \$125,000 if work completed by City crews. It would take a year before the City crews could complete the work.*

*Mayor Pro Tem Graham stated that according to the Water and Sewer Line Extension policy, the customer is responsible for the funds estimated to complete the project. He stated that if the goal is to develop the sewer for the 20 acre tract for industrial prospects, then it should be within the City's means to complete; however, if this is to fulfill a request by The Shooting Park Sports Complex then the project would be considered a charitable contribution to the shooting park.*

*Mayor Mayberry stated he would like to postpone 30 days for further investigation. Mayor Pro Tem Graham suggested that the surrounding property owners be contacted to see if they are interested in the sewer extension.*

**This Resolution was discussed.**

**e. 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".*

**A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks to appoint the council member that received the highest number of votes during the recent election, Art Gernt. The motion carried by the following vote:**

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

**Recuse:** 1 - Council Member Art Gernt

**f. 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."*

*Council member Graham stated he supports Judge Gardner's re-appointment and that the court has been run very efficiently and effectively during her tenure the last two years.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt to re-appoint Ivy Gardner as City Judge. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*Ivy Gardner was sworn in as City Judge.*

**g.** Crossville Regional Planning Commission

*The City Council appoints a member of the City Council to serve, along with the Mayor, on the Crossville Regional Planning Commission.*

*Rob Harrison currently serves on the Crossville Regional Planning Commission and also serves as the secretary.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt, to nominate Rob Harrison and change his official designation on the Crossville Regional Planning Commission as elected official. The motion carried by the following vote:**

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

**Recuse:** 1 - Council Member Rob Harrison

*A replacement for Council member Harrison on the Crossville Regional Planning Commission will be appointed by the Mayor at a later date.*

**6. City Attorney's Report**

City Attorney's Report

*City Attorney Will Ridley reported that there have been no new lawsuits within the last 30 days.*

*Mr. Ridley reported that he was authorized about a year ago to get a new agreement in place with the Central Communication Committee (CCC) and has not been successful in doing so due to various reasons.*

*The current CCC agreement that the City has been involved in since 2007 consists of three parties-Cumberland County 911, Cumberland County, and the City of Crossville.*

*Cumberland County 911 opted out of the agreement 4 years ago as far as funding, but still attends the meetings and casts votes to make decisions.*

*The contract calls for a one year renewal to become effective automatically each fiscal year, July 1-June 30. The current term will expire on June 30, 2019. The contract allows for an entity to opt out by providing written notice 6 months prior to term expiration. Mr. Ridley explained to the Council they have the option to opt out of the contract and spend the next 6 months negotiating a new way to fund the dispatchers.*

*Council member Harrison expressed that he would like to continue to be cooperative in negotiating a new agreement.*

**This Report was received and filed.**

**A motion was made by Mayor Pro-tem J. H. Graham, seconded by Mayor James Mayberry to authorize the City Attorney to draft a letter stating the Council's desire to opt out of the agreement with Central Communications Committee. The motion carried by the following vote:**

**Aye:** 5 - Mayor Pro-tem J. H. Graham, Council Member Rob Harrison, Council Member Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

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

### City Manager's Report

*City Manager Greg Wood gave the monthly revenue reports for sales tax, wholesale beer, retail liquor, and hotel occupancy tax. He also presented reports on monthly police & fire statistics, water loss, building permits, special projects, bonded debt, and grants. The Chamber of Commerce handed out copies of the water meter report and the Visitor's Center report to the Council prior to the meeting.*

*City Manager Wood commended the large number of high school students in the audience and thanked them for attending.*

*City Manager Wood announced the retirement of Clark Annis from Veolia Water. Mr. Wood and Mayor Mayberry thanked him for his service.*

**This Report was received and filed.**

## **ADJOURNMENT**

*With no further business to discuss, the meeting adjourned at 6:35 p.m.*