

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, February 12, 2019

6:00 PM

Council Chambers

City Council

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

BEER BOARD - 5:45 p.m.

The Crossville Beer Board met on Tuesday, February 12, 2019. Mayor James Mayberry was present and presiding. He called the meeting to order at 5:45 p.m. All members of the Beer Board were present.

1. Speedway #7128

Speedway LLC, David E. Ball has submitted an application for an off premises beer permit for Speedway #7128 located at 1398 West Avenue.

Chief Jessie Brooks reported a clear-records report and recommended approval subject to Certificate of Occupancy being issued by Codes Department.

A motion was made by Council Member J. H. Graham, seconded by Mayor Pro-tem Art Gernt to approve permit subject to Certificate of Occupancy issued by Codes Department. The motion carried by the following vote:

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

2. Bootleggers

Diane Baetz has submitted an application for an on premises beer permit for Bootleggers located at 287 Hwy 70 E.

Chief Brooks reported that Ms. Baetz's report indicated a clear report; however, the general manager has a felony conviction in Georgia. He reported he had explained the conviction to Ms. Baetz and upon the advice of the City Attorney, Chief recommended that the business license needed to be in her name. Chief Brooks recommended approval of the permit based upon her being the applicant of the beer permit and business license.

A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison, that based upon the information provided by Chief Brooks that the permit be approved contingent upon the Chief making sure individual mentioned in his report is observed in the future. The motion carried by the following vote:

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

With no further business to conduct, the Beer Board adjourned at 5:48 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, February

12, 2019 at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 6:01 p.m.

Roll Call

Present: 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem 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, C.D. Clapper, Andy Vaughn, Heather Mullinix, Randy Blankenship, Jim Young, J. Todd Hinds, Jim Gilliam, Tammie French, Kyle Dunn, Joan Gardner, Kim Wyatt, Sharon Tollett, Lane Tollett, Rich Perry, Darian Dykes, Mike Garrett, Ed Camera, Alan Baker, Jackie Baker, Cheryl Ricard, Jerry Kerley, Dusty Norrod, Karen Sloboda, Mike Turner, Chris Bennett, Linda Bennett, Joe Gardner, Vincent Vitor, Fred Houston, Tim Begley, Kevin Music, Marlene Potter, Annaleigh McCoy, and Leah Crockett.

1. Proclamations/Presentations

*Vince Vitor, Student of the month-Respectful character trait
2019 Spay Day, Wags and Whiskers*

a. Presentations - February

- a) Student of the Month
- b) Spay Day 2019

*a) Student of the Month Vincent Vitor was nominated for his "Respect" character trait
b) Spay Day 2019-Mayor Mayberry presented a proclamation declaring February 26, 2019 as Spay Day-Crossville 2019*

These Presentations were announced.

2. Public Comment

James Randy Blankenship made the following public comment:

"At the last meeting I addressed this Council concerning the actions of the City Judge. Since then I have visited with 3, of this gang of 5, and provided absolute documented proof of Ms. Gardner's intentional, and willful abuse of office and position.

"The documented facts that I presented you with, would in any other environment, be enough to not only disqualify her from holding the position, but to remove her from the practice of law.

"In spite of the facts presented to you, you have taken no action. Your continued support suggests you approve and condone Gardner's unlawful and unjust manipulations of her position.

"Many, many people cannot understand this. So for the benefit of the 12,000 residents that you swore allegiance to taking office, please enlighten us to your reasons for the retention of a documented liar, a deadbeat refusing to pay her own court ordered costs, and who by her erroneous rulings caused legal action against the City costing tens of

thousands.

"Yes, please enlighten us. A man confident in his decisions should have no problem declaring his reasoning publicly.

"I doubt you have the fortitude to do so. Let me help. The one thing you all told me consistently was how long, and how well you've known her and her family.

"I'll leave you with these thoughts from President Eisenhower and John Adams: 'If a political party does not have its foundation in the determination to advance a cause that is right, and that is moral, then it's not a political party, it's merely a conspiracy to seize power.'

" 'I have come to a conclusion that one useless man is a shame, two is a law firm, and three or more is a congress.' "

3. Appointments

a. Re-appointment of Administrative Hearing Officers

Ivy Gardner and Tiffany Lyon currently serve as Administrative Hearing Officers. Their current terms expire April 11, 2019. They have both attended the required training and continuing education requirements for the position. Their appointments are for four years.

A motion was made by Council Member J. H. Graham, seconded by Mayor Pro-tem Art Gernt to re-appoint Ivy Gardner and Tiffany Lyon as Administrative Hearing Officers. The motion carried by the following vote:

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

4. Consent Agenda

A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison to approve items 4 A-N of the Consent Agenda . The motion carried by the following vote:

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

a. Approval of minutes (01/08)

The Minutes were approved as recommended.

Ordinances on First Reading

b. Ordinance amending FY18-19 Budget-Demolition & Cleanup

A budget amendment is required for the Codes Department to complete the previously approved demolition projects.

This Ordinance was approved on first reading.

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

c. Ordinance Amending FY18-19 Budget for repairs at Little Obed Pump Station

The Little Obed Pump Station is in need of repairs to the pumps that are necessary for proper functioning of the station. Due to the desperate need for these repairs, staff is requesting to consider this an emergency purchase and allow the pumps to be acquired and installed prior to final reading of the budget amendment.

This Ordinance was approved on first reading.

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

Additional Consent Items

d. Acceptance of Holly Tree Drive as City Street

The developer has completed the binder paving and curb for The Gardens Phase 8, Plat 1, Holly Tree Drive. Approximately 875 feet of new binder and curbing have been installed, inspected, and accepted by the City Street Department Supervisor Crossville Regional Planning Commission met January 17 and recommends to City Council the acceptance of this street as an Official City Street.

This Resolution was approved as recommended.

.e. Acceptance of Panther Valley Road as a City Street

The developer has completed paving for Panther Valley Phase 2, approximately 1480 feet. The new binder paving has been inspected and approved by the City's Street Dept. Crossville Regional Planning Commission met January 17 and recommends to the City Council the acceptance of this street as an Official City Street.

This Resolution was approved as recommended.

f. Approval of grant application 2019 Traffic Safety Grant

The police department has an opportunity to apply for a grant for radar speed signs available through AAA. The department requests permission to apply for this grant, which will not require a match. The grant request will be in the amount of \$6,300.

This Resolution was approved as recommended.

g. Approval of temporary street closings for Run to Read 5K and 1-Mile Walk

The Cumberland County Imagination Library and Cumberland County School's

Coordinated School Health Program are planning their annual "Run to Read" 5K and 1-Mile Walk on Saturday, April 6, 2019. They will use the route starting at Stone Memorial High School and Cook Road and begin at 7:30 a.m. The race should be completed by 9:40 a.m.

This Permit was approved as recommended.

h. Approval of loan agreement for Air Force jet

The Air Force jet located next to the CCHS football field (Miss Nettie) is on loan to the City of Crossville from the Air Force. This loan is on a yearly basis and requires approval each year of the loan agreement. CCHS has always taken responsibility for maintenance of the jet.

This Contract was approved as recommended.

i. Approval of contract with Community Development Partners for administrative services- 2017 Transportation Alternatives Program (TAP)

Council approved a resolution in January approving use of the firm for administrative services for the TAP grant. A contract should be approved with CDP to provide the administrative services required. Total cost of the contract is \$45,000.

This Contract was approved as recommended.

j. Approval of contract with CT Consultants for engineering services- 2017 Transportation Alternatives Program (TAP)

Council approved a resolution in January approving use of CT Consultants for engineering services for the TAP grant. A contract should be approved to provide the engineering services required.

This Contract was approved as recommended.

Bids/Purchases

k. Approval of one-time donation of \$1,000 to CCHS Cheer Squad for National Cheer Competition

The Cumberland County High School Cheer Squad has qualified to compete in the National Cheer Competition in Orlando, Florida on February 8-10, 2019. Their request to the City of Crossville is for a \$1,000 donation toward their expenses.

This Bids/Purchases was approved as recommended.

l. Approval of proposal from HFR Design for Homestead Tank Resurfacing Engineering Services and J&S Utility for inspection services

A proposal has been submitted by Hart, Freeland, and Roberts (HFR Design) for engineering services to resurface Homestead water tank and J&S Utility for inspecting the project. Approval is requested to contract with HFR Design for engineering services, contract with J&S Utility for inspection services, to proceed onto plan submittals and bidding the project with two options. 1) Repaint tank as it is and 2) Repaint tank with Homestead Elementary Bulldog mascot.

This Bids/Purchases was approved as recommended.

m. Approval to purchase John Deere 1025R Mower-Veolia

Veolia requests to purchase a mower for \$14,000.00 from Tri-County Equipment in Crossville. Bids were received on December 27, 2018. There was a lower bid for \$13,782.00, but local preference was given to Tri-County Equipment. Funds are available for the purchase.

This Bids/Purchases was approved as recommended.

n. Approval to purchase UV bulbs-Veolia

Veolia is requesting to purchase parts from a sole source provider for the UV system at the Waste Water Treatment Plant. The cost for the parts is \$13,112.60. Council previously approved the purchase of 240 bulbs in December. These bulbs were received and the process of getting the system back online was initiated. It was discovered that more parts are needed to complete the project. The purchase is for 92 lamp ignitors, which is the ballast of the UV system and 24 additional bulbs.

This Bids/Purchases was approved as recommended.

5. Other Business

a. Discussion and action on agreement for blood samples for the City of Crossville Police Department

The City Attorney has negotiated an agreement between the City of Crossville and Covenant Health regarding blood draw services. The cost for each draw will be \$14. The Chief of Police and City Attorney recommend approval of the agreement.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Art Gernt to approve the contract with Covenant Health. The motion carried by the following vote:

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

Abstain: 1 - Council Member Rob Harrison

b. Ordinance amending Crossville Municipal Code Title 2 Chapter 2: Airport Committee

In past years, the airport had an advisory committee to provide input and assistance for the Airport Manager. In light of comments made on the Airport Tenant Survey, this seems like a prudent idea to reinstate, both from the perspective that tenants requested it, but more so the almost unanimous agreement that tenants would like to see more activities at the airport and also more airport related businesses at the airport. This is not a task the Airport Manager can do alone, or is necessarily best suited to do. The Tennessee Airport Management Manual also recommends utilization of an airport committee.

Recommendations for airport committee members:

- 3-4 pilots, with at least 2 being IFR rated, and if any are turbine rated for the corporate jets, their specific knowledge could prove beneficial.
- Representation from the Chamber of Commerce
- Representative with civil engineering background

- *Representative with experience in marketing/aviation marketing*

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks to reinstate airport committee as presented and approve ordinance on 1st reading. The motion carried by the following vote:

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

c. Ordinance amending FY18-19 Budget Meadow Park Lake staff

Meadow Park Lake Department and the Lake Commission request a full time year round position to be added to the existing staff at Meadow Park Lake. At this time, the staff consists of a Lake Manager and one part-time year round employee at 30 hours a week. May through Labor Day, 2-3 seasonal employees are hired at a total of 54 hours a week. The City Manager explained the need to staff the park, as well as provide a succession plan.

Approval of the additional employee requires a budget amendment in the amount of \$9,800 for the rest of FY18-19.

Council member Harrison stated this should be a part of the budget process. Mr. Wood explained that there is not a part-time person currently on staff and it seems appropriate to address the issue now rather than bring on a part-time person.

Council member Graham stated that the park is long overdue for an additional staff member.

A motion was made by Council Member J. H. Graham, seconded by Mayor Pro-tem Art Gernt to approve the addition of a full-time employee at Meadow Park Lake with budget amendment not to exceed \$9,800 on 1st reading. The motion carried by the following vote:

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

d. Approval to purchase Liberator II Communications systems for Police Department Tactical Team

The Police Department Tactical Team has been without communications since the transition to the Harris Radio Systems. After evaluations of multiple options for communications equipment, the Liberator II was the only suitable equipment that was found to function as needed. G.T. Distributors is a sole-source vendor in our area for this system. The price for 9 sets of communications equipment has been quoted at \$7979.00 and the required funds are available in the TAC Team's budget for FY18/19. Chief Jessie Brooks has reviewed the proposal and recommends this purchase.

A motion was made by Council Member Rob Harrison, seconded by Mayor James Mayberry to approve the purchase of Liberator II Communications for the Police Tactical Team. The motion carried by the following vote:

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

e. Discussion and action on management of Amphitheatre & Depot

The City Manager recommends to solicit RFPs for the management of two of the City's facilities, the Amphitheatre and the Depot. He explained to the Council that some organizations have approached him with interest in managing the Depot and he feels that the Amphitheatre should be included in the RFPs. He requested permission to develop an RFP and bring back to Council for approval. A stipend was discussed. City Manager Wood stated that the City currently pays for some of the entertainment and would not want to pass expenses along to the management company contracted. He also stressed the City would be soliciting RFPs and not bound to accept any of them.

He suggested two stipulations:

- 1) Retain current employees*
- 2) Honor any contracts/rentals in place*

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, to approve moving forward with RFPs for the Depot and Amphitheatre. The motion carried by the following vote:

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

6. City Attorney's Report

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

a. City Attorney's Report

An agreement has been presented to the City from Crossville Aero/Airport Manager Chris Bennett to dissolve the existing agreement. The contract began in 2010. The proposal recognizes that there are still three years remaining on the contract when renewed at Mr. Bennett's request. The proposed buyout agreement requests a \$50,000 buyout. The City Attorney recommends accepting the agreement due to best interest of the City and Mr. Bennett, as well as dissolving the partnership on friendly terms.

Mr. Bennett is currently paid a \$79,000 management fee and leases the facility. His profits are from fuel and mechanical services performed at the airport.

Mr. Bennett has proposed and agreed that he would continue to manage the airport for 30 days. This will allow the City to find a replacement.

Mr. Bennett sells Av-Gas and Jet Fuel A, which is stored at the airport. It is estimated that there is currently approximately \$30,000 of gas at the airport. The proposed agreement states the City will buy the leftover fuel on the 30th day of the agreement for the same price as Mr. Bennett purchased the fuel. He will provide receipts as documentation of the price he paid.

Within 10 days of the proposed agreement, the City Manager or his designee will review the inventory at the airport and assess whether City wants to retain any of it. If so, it can be purchased from Mr. Bennett.

The current agreement with Crossville Aero requires an FAA mechanic to be on site. It is recognized that during the interim period, this might not be feasible. The proposed buyout agreement allows for Mr. Bennett to provide a mechanic "on call" to take care of small issues that might occur within next 30 days.

The proposed buyout also states Mr. Bennett will leave the airport on the 30th day and leave the airport in a clean, presentable condition and continue to fulfill his duties during the 30 day period. Mr. Bennett has agreed to indemnify the City of all claims that might have occurred during the time he has managed the airport until final day of agreement.

Council member Shanks confirmed with Mr. Wood that he approves of the contract.

Council member Harrison stated it seems the time is right to dissolve the contract as fairly and amicably as possible. The interest of the City and FBO have diverged and everyone seems to be happy with the arrangement.

A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison to accept the buyout contract if it is the will of Mr. Bennett and for the Mayor to execute any and all documents necessary. The motion carried by the following vote:

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

Ordinance amending FY18-19 Budget Crossville Aero

A budget amendment is required for the buyout, as well as the purchase of the fuel remaining on the 30th day of the agreement.

A motion was made by Council Member J. H. Graham, seconded by Mayor James Mayberry to approve budget amendment in the amount of \$50,000 for the contract buyout and not to exceed \$25,000 for the remaining inventory.

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

a. City Attorney's Report

City Attorney Ridley asked the Council to give City Manager authority to hire an interim airport manager or send out RFPs as soon as possible.

Mr. Wood asked for an interim manager/FBO for 90 days to allow time to prepare and receive RFPs.

A motion was made by Council Member J. H. Graham, seconded by Council Member Scot Shanks to give City Manager authority to hire Airport Manager/FBO for a period not to exceed 6 months from effective day of contract buyout. The motion carried by the following vote:

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

A motion was made by Mayor James Mayberry, seconded by Council Member Rob Harrison authorizing the RFP process for an Airport Manager and/or Fixed

Based Operator. The motion carried by the following vote:

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

7. City Manager's Report

a. City Manager's Report - February

A moment of silence was held for the passing of former City Clerk Sally Oglesby's husband, Bill.

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, grants, and the Chamber of Commerce scorecard.

Plans have been submitted for the building pad site so that it can be advertised through TVA's economic development website.

Mr. Wood also reported that the City has received Notice to Proceed on acquisition for Northwest Connector Phase 2.

This Report was received and filed.

ADJOURNMENT

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