

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, April 9, 2013

6:00 PM

Council Chambers

City Council

Mayor J.H. Graham, III
Mayor Pro-tem Danny Wyatt
Council Member Jesse Kerley
Council Member George Marlow
Council Member Pete Souza

Interim City Manager Jack Miller
City Clerk Sally Oglesby

PUBLIC HEARING

Mayor Graham called the public hearing to order at 5:45 p.m.

De-annexation of 0.700 acres on Golf Club Lane

He requested comments from the public regarding the proposed de-annexation of 0.700 acres on Golf Club Lane. The property owners were present at the meeting. With no comments, the public hearing was adjourned at 5:50 p.m.

This Public Hearing was received and filed

REGULAR MEETING

The City Council for Crossville, Tennessee met in regular session on Tuesday, April 9, 2013, at Crossville City Hall.

Roll Call

Present: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

Others present were City Manager Bruce Wyatt, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Fred Houston, David Beaty, Mark Rosser, Chad Winthrow, Ray Harris, Peggy Harris, Scott Christian, Lee Lawson, Jerry Garrison, Bob Kastens, Chuck Burgess, Jim Young, Tim Begley, Forrest Odell, Darlene Barnwell, Alan Baker, Jackie Baker, Randall Kidwell, Joe Miller, Clark Annis, Derrick Clemow, Bob Schwartz, Margie Buxbaum, Sarah Hazleton, Ted Meadows, Kai Dyhr, Suzanne Dyhr, Teresa Payne, Chuck Burgess, Tina Burgess, Jim Powers, Jane Powers, Skip Freitag, Lori Neal Freitag, Kevin Dean, Rodolfo Panisi, Pam Harris, Barry Field, Mike Turner, Mark Fox, Chris South, Mike Collins, Judy Collins, Jim Morrow, Emil Neitzle, Jan Neitzle, Jerry Kerley, Charles W. Tollett, Ray Hansen, Lisa O'Brien, Pamela Harris, Barry Field, John Farr, Virgil Ferguson, Billy Loggins, Lou Morrison, Isaac Lawhorn, and Billy Loggins.

Call to Order

Mayor J. H. Graham, III was present and presiding. He called the meeting to order at 6:00 p.m. The invocation was given by Bob Kastens of First Christian Church. The Young Marines presented the colors and led the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Student of the Month
- b) City Hall partners
- c) Meadow Park Lake dam award
- d) Crossville Outlet Mall
- e) Wags and Whiskers

- a) *Student of the Month - Kelsey Green received the award from Mayor Graham for the character trait "citizenship".*
- b) *City Hall partners - Crossville, Inc.; StonePeak Ceramics, and Woodmen of the World were recognized for their contributions to our new building.*
- c) *Meadow Park Lake dam award - ECE Services was awarded the "Best Architect/Engineer-Non Building Structure" award by the Tennessee Concrete Associate*
- d) *Crossville Outlet Mall - The new owners, Jesse Wright, were announced at the meeting and their renovation plans, which will include a community center. They will have a ribbon cutting on April 12.*
- e) *Wags and Whiskers gave a short presentation on their spay/neuter program. They have applied for PETSMAST grant funds of \$21,000 to cover the cost for 440 dogs in one year. They have done approximately 6,500 in the past 5 years. Mayor Graham announced the open house at the new Police Headquarters on Saturday, April 13.*

This Presentation was announced

(At 6:25 p.m. the regular meeting was recessed and the Solicitation Board convened.)

SOLICITATION BOARD

a. Crossville and Fairfield Glade Lions

An application was received from the Crossville and Fairfield Glade Lions Clubs for their fund-raising to support services for the vision impaired. They will be soliciting funds May 10-11 in front of local stores.

This Permit was approved as recommended

b. VFW Post 5025

VFW Post 5025 applied for a Solicitation Permit for their annual poppy drive to be held May 15-16 and May 24-25 in front of local stores.

This Permit was approved as recommended

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member George Marlow, that Solicitation Permits for Crossville and Fairfield Glade Lions and VFW Post 5025 be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

(At 6:30 p.m. the Solicitation Board was adjourned and the Beer Board convened.)

BEER BOARD

Hibachi Super Buffet

An application was received from Wei Jiang for an on-premises beer permit for Hibachi Super Buffet located at 1352 N. Main St.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that an on-premises beer permit be approved for Hibachi Super Buffet as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

(At 6:32 p.m. the Beer Board was adjourned and the regular meeting reconvened.)

2. Appointments

Catoosa Dept Advisory Committee Member Appointment

Due to health issues, John Crowder has resigned from the Catoosa Advisory Board. As outlined in the merger agreement, the names of Daniel Smith, Edward Hubbard, and Edward Bowman were submitted for consideration to fill the unexpired term.

A motion was made that Daniel Smith be appointed to the Catoosa Advisory Board. The motion failed by the following vote:

Aye: 2 - Mayor J.H. Graham III and Council Member George Marlow

Nay: 3 - Mayor Pro-tem Danny Wyatt, Council Member Pete Souza and Council Member Jesse Kerley

A motion was made that Edward Hubbard be appointed to the Catoosa Advisory Board. The motion carried by the following vote:

Aye: 4 - Mayor J.H. Graham III, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

Nay: 1 - Mayor Pro-tem Danny Wyatt

3. Consent Agenda

A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Danny Wyatt, that all items on the Consent Agenda be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

- a. Approval of minutes (3/12, 3/26)

The Minutes of March 12, 2013 and March 26, 2013 were approved as recommended

Ordinances on Third Reading

- b. Ordinance de-annexing 0.700 acres on Golf Club Lane

This Ordinance was adopted on third reading

- c. Ordinance amending the FY12-13 budget for Satsuma Drive improvements

This Ordinance was adopted on third reading

- d. Ordinance amending the FY12-13 budget for sidewalks on Myrtle/Fourth

This Ordinance was adopted on third reading

Ordinances on Second Reading

- e. Ordinance annexing 0.77 acres on Lantana Road

This Ordinance was approved on second reading

Ordinances on First Reading

- f. Ordinance changing the speed limit on Short Road from 35 MPH to 25 MPH

This Ordinance was approved on first reading

Additional Consent Items

- g. Approval of Amendment #2 to HCP Grant Contract

Amendment #2 to the HCP Grant Contract was approved as recommended.

- h. Approval of contract renewal with Municipal Code for Water & Sewer Billing for an additional three years

The contract renewal with Municipal Code for utility bills was approved as recommended.

- i. Approval of temporary street closing for Pro-Troop Rally on July 4

The temporary street closing for the Pro-Troop Rally was approved as recommended.

- j. Approval of grant application for 50% funding of police vests from the Department of Justice

A grant application for 50% funding of police vests was approved as recommended.

4. Bids/Purchases

(A copy of the bid tabulations are attached and made a part of these minutes.)

a. Ammunition

The approval of the purchase of 115 cases of ammunition for Police Department use from Gulf States Distributors for a total purchase price of \$20,825 was requested. This purchase is being treated as a sole source vendor due to the nationwide shortages. The vendors on the State Contract are unable to supply ammunition until sometime in the next budget year. Captain Rosser provided an explanation of the situation.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Pete Souza, that the purchase of ammunition be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

b. Approval of Purchase of patrol vehicle

The approval of the purchase of a 2013 Police Interceptor Sedan at a purchase price of \$24,988 was requested. The purchase will be made from Ford of Murfreesboro under State Contract #35434.

A motion was made by Council Member Pete Souza, seconded by Mayor J.H. Graham III, that the purchase of a patrol vehicle be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

c. Aluminum Covers - Wastewater Treatment Plant

The low bid of \$15,813.00 from Bennett Industries for aluminum covers was requested for approval. This was originally bid as a deductive alternate of the recent UV project. Taking the deduction of \$45,000 from the original bid and bidding it separate has resulted in a \$29,187 savings to the City of Crossville. The covers are needed to prevent algae growth in the disinfection structure.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that the purchase of aluminum covers from Bennett Industries be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

d. Taxiway Extension (Grindstaff)

Bids were received on the taxiway extension from 5 contractors. The low bid was from Lori Neal & Associates for \$97,365. The consulting engineers recommended acceptance of the bid. This project is funded with a 95% grant from TDOT-Aeronautics. The 5% local share was paid by Mastercorp.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Mayor J.H. Graham III, that the bid of Lori Neal & Associates on the taxiway extension be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

5. Marketing Report

April Marketing Report

Marketing Director Billy Loggins provided an update on the following:

- Taste of Crossville May 23*
- July 4th Events - Funds are coming in (\$6,200 in hand) and the Chamber has helped with publicity.*
- 2nd Annual Water Fest*
- Readers Choice Awards - Best Firefighter was Crossville's David Smith*
- Tennessee Dept. of Tourism*
- Media Event.....Tennessee Women's Open*
- Senior Men's Open*
- Bio-Diesel Program*
- Cruise In's April - October*
- Crossville Outlet Mall*
- Vietnam Veterans tribute to be held at the complex*

This Report was received and filed

6. Other Business

a. Matters relative to CCHS Race to the Plate

Joe Miller and Darrell Sherrill have been meeting with the CCHS Baseball Boosters on an alternative route for the 5K. There are two routes under consideration. The City's proposed route requires laps and circles Martin Elementary and Cumberland County High School and requires two employees, but the event managers are unable to manage laps due to the timing issue. Their preferred route utilizes Miller Ave. from Stanley to Hwy. 127S and several side streets and will take 8 employees. The event is expected to take about 3 hours with about 150 runners.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Mayor J.H. Graham III, that the route preferred by the CCHS Baseball Boosters be approved. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

b. Matters relative to environmental services

Randall Kidwell addressed the Council regarding the City's selection of contractors for wetland delineation on the Baisley farm. He believes the award was in violation of the city's code and his company not allowed to provide a proposal for the work. Councilman Souza commented that he has reviewed the issues and that Mr. Kidwell will be given consideration on any future environmental contracts. Mr. Kidwell explained that he submitted a second proposal several days later that was \$3,000 higher to add additional personnel he felt might be necessary. City Manager Wyatt responded that the matter was taken very seriously by staff with a hard look at the city's procedures. He assured the Council and the public that there was no intent by the City to deny any one or any company from a chance to do business with the City of Crossville. This was to be the fifth and final monitoring of the delineation site and the attempt was to complete the project and remove the responsibility from the City. It was approached in the same manner as the four previous studies had been done. Any error was not intentional. He accepted full responsibility for it and offered a sincere apology to all.

This complaint was received and filed

c. Matters relative to Fair Park Senior Center

A request was received for \$3,500 to cover one-half of the estimated costs for a new door at Fair Park Senior Center. The County has approved \$3,500, contingent on the City contributing one-half. Mayor Pro-tem Wyatt reported that the current doors can no longer be repaired.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Pete Souza, that the request be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

d. Ordinance amending the FY2012-13 budget for outside agencies

As mentioned at the March 26th meeting, the Crossville Senior Softball requested \$3,000 for their registrations for the upcoming season. The City provided funding for last season, but the State rules have changed and the money must be paid by April 15 (an extension has been given from March 30). The request is for the registration cost for the Tennessee Senior Olympics. With the approval of the previous line item, only \$600 remains in the Funds Reserved for Outside Agency requests.

A motion was made by Mayor J.H. Graham III, seconded by Mayor Pro-tem Danny Wyatt, that \$1,500 be approved for the Crossville Senior Softball and a budget amendment be passed on first reading. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

e. Matters relative to old landfill pump station

A main sewer collection system drainage basin pump station is located at the old City/County Landfill. The pump station has two pumps. One pump is down and currently being rebuilt (parts are ordered) and is a 75 HP dry pit stand pump. This area serves approximately one third of the sewer collection system and is in a high risk area due to I & I in the sewer collection system. The estimated cost is \$30,000. Approval to bid an additional pump was requested.

A motion was made by Mayor J.H. Graham III, seconded by Council Member Pete Souza, that approval be given to bid an additional pump for the old landfill pump station. The motion carried by the following vote:

Aye: 4 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow and Council Member Pete Souza

f. Matters relative to amphitheatre master plan

As discussed in work session, a proposal has been presented by the City Manager to the Buildings & Grounds Committee for Cumberland County for consideration of deeding the property of the former Veteran's Service Office and the adjacent property to the City for future development of the amphitheatre complex. Under consideration will be future restroom facilities. Council asked for plans to be reviewed at a future work session. Mayor Pro-Tem Wyatt asked the City Manager to provide the county tax appraisal on the property.

This matter was discussed.

7. City Attorney's Report**City Attorney's Report**

City Attorney Kenneth Chadwell reported that there were no new lawsuits to report.

This Report was received and filed

8. City Manager's Report**City Manager's Report**

City Manager Bruce Wyatt presented the monthly revenue reports on local option sales tax, wholesales beer tax, and retail liquor fees. He also presented updates on building permits and special projects.

Fire Department-Jake DeRossett has completed the required certifications and the five year program; therefore, being promoted to Senior Firefighter. A 10% pay increase is being requested, increasing his salary to \$29,345.89 from \$26,678.08 effective April 14, 2013. A budget amendment is not necessary.

A motion was made by Mayor J. H. Graham, seconded by Council Member Pete Souza, that the pay increase for Jake DeRossett be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

Police Department-Camden Davis graduated from the Police Academy and completed six months probationary period. A 5% pay increase is requested effective April 28, 2013. A budget amendment is not necessary.

A motion was made by Mayor J.H. Graham III, seconded by Council Member Pete Souza, that the pay increase for Camden Davis be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow, Council Member Pete Souza and Council Member Jesse Kerley

Mr. Wyatt addressed an issue regarding the Director of Engineering pursuing his P.E. in 1999 posed by Councilman Kerley. Mr. Wyatt stated that, over the years, there have been many changes in City Managers, City Councils, and City Engineers. Further, he stated that Mr. Begley is responsible for managing all the city's projects, is over-worked, and is in need of an assistant with a P.E. degree. He continued to state that Mr. Begley is one of the hardest working and best respected employees in the City. Councilman Kerley commented that it would help the City if he pursued the degree. Councilman Souza also encouraged Mr. Begley. Councilman Marlow stated that he did not feel it was the responsibility of the City to issue directions to city employees as that was the City Manager's job. Councilman Kerley continued to press the issue.

Councilman Marlow further remarked that all the facts were not brought out on the environmental services brought before them earlier. He stated that the Council shouldn't be second guessing our employees or the City Manager and that we shouldn't give Mr. Begley an ultimatum on whether to get his P.E. or not. Councilman Souza agreed that Mr. Begley is an asset to the City.

This Report was received and filed

9. Public Comment

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

ADJOURNMENT

With no further business, the meeting was adjourned at 7:25 p.m.