

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Thursday, August 13, 2015

6:00 PM

Council Chambers

City Council

Mayor James S. Mayberry
Mayor Pro-Tem Pamala Harris
Council Member Jesse Kerley
Council Member Pedro (Pete) Souza
Council Member Danny Wyatt
City Manager David Rutherford
City Clerk Sally Oglesby

The Beer Board for the City of Crossville met on Thursday, August 13, 2015, at City Hall.

Present: 4 - Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt, Member Tom Isham

Absent: 1 - Council Member Jesse Kerley

Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:45 p.m.

BEER BOARD

Social Brew

An application for an on- and off-premises beer permit was received from Scot E. Hale dba Social Brew to be located at 140 N. Main St. Detective Mark Rosser reported a clear records approval on the applicant and recommended approval. It was reported that a clearance had not been received from the Codes Department and that approval should be contingent on their meeting all requirements.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that an on- and off-premises Beer Permit be approved, contingent on final approval of the Codes Department. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt and Tom Isham

With no further business, the Beer Board was adjourned at 5:46 p.m.

PUBLIC HEARING

A public hearing was held to receive comments from the public regarding the proposed annexation on Old Lantana Road.

Mayor Mayberry called the public hearing to order at 5:50 p.m.

Annexation of 3.63 acres on Old Lantana Road (Dishman)

Mayor Mayberry reported that Mr. Dishman's property is split by the city limits and has requested that the remaining be annexed. The annexation also includes a portion of City property split by the current city limits. He called for comments from those in attendance. There were none. Councilmember Wyatt welcomed them to the City.

With no further comments, the public hearing was adjourned at 5:52 p.m.

This Public Hearing was received and filed

REGULAR MEETING

The City Council for the City of Crossville met in regular session on Thursday, August 13, 2015, at Crossville City Hall.

Roll Call

Present: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Others present were City Manager David Rutherford, City Attorney Will Ridley, City Clerk Sally Oglesby, Kevin Music, Andy Vaughn, Lee Lawson, Mark Rosser, Rodney Shoap, Ray Harris, Peggy Harris, J. C. Hancock, David Brockway, Jim Young, John Turner, David Hassler, Chris Bennett, Tammie French, Butch Smith, Mayor Kenneth Carey, Bob Wyrick, Tony Davis, Bruce Wyatt, David Simcox, Helen Camp, Tom Flynn, Mike Dalton, Ralph Reagan, Sherley Wyatt, Danny Harris, Brian Eckleson, Tom Baker, Noah Baker, Jeff Kerley, Laney Colvard, Tony Perry, Donnie Hammonds, Dick Demars, Sandy Demars, Bob Camp, Wade Davenport, Billy Loggins, Tom Isham, and Julie Jordan Fecs.

Call to Order

Mayor Mayberry called the meeting to order at 6:00 p.m. Ralph Reagan of the Bread of Life gave the invocation, followed by the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Officer of the Month
- b) Chris Bennett

Mayor Mayberry and Police Chief Shoap presented awards to Brian Eckleson, Billy Loggins, and Tammie French. He also presented awards to Danny Harris, Donnie Hammonds, J. C. Hancock, and Mark Rosser.

Chris Bennett was recognized by the Council for assistance to a local law firm.

This Presentation was received and filed

2. Appointments - NONE**3. Consent Agenda****Approval of the Consent Agenda**

A motion was made by Council Member Jesse Kerley , seconded by Mayor Pro-tem Pamala Harris, to approve items "a-o", except "h, i, j, n" on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt and Council Member Pete Souza

- a. Approval of minutes (7/9, 7/23)

The Minutes were approved as recommended.

Ordinances on Third Reading

- b. Ordinance amending § 20-101 regarding Meadow Park Lake operations

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- c. Ordinance amending the FY2015-16 budget for UV System Flood Damage repairs

This Ordinance was approved on second reading.

Ordinances on First Reading

- d. Ordinance amending Fire, Building, and related codes to the 2012 editions

This Ordinance was approved on first reading.

- e. Ordinance amending § 12-1102(C) on Administrative Hearings

To more easily meet notice requirements for administrative hearings, the City Attorney and Administrative Hearing Office recommended that the ordinance be changed so that hearings can be heard twice a month. The original plan was to meet following City Court, but they meet every other week. To be able to provide annual notices of meeting times, the notice has to be more specific, so the City Attorney suggested the second and fourth Tuesday of each month, beginning August 25.

This Ordinance was approved on first reading.

Additional Consent Items

- f. Resolution annexing 3.63 acres on Old Lantana Road (Dishman)

Steve Dishman has requested that the back portions of his two parcels on Old Lantana Road be annexed into the City limits. Adjacent to his property is the City's property where water storage tanks are located. A portion of that parcel is also outside the City limits, so that has also been included. The Planning Commission has met and recommended annexation.

This annexation was approved as recommended.

- g. Resolution adopting a Plan of Services for annexation on Old Lantana Road (Dishman)

This Resolution was approved as recommended.

- h. Resolution regarding StonePeak SIA project

As previously discussed in December, StonePeak has been rapidly expanding and truck traffic has become a significant issue. A meeting was held with TDOT, StonePeak, and Crossville Ceramics where many of the issues were discussed and identified. StonePeak is now ready for the City to proceed with requesting assistance from TDOT for the construction of a holding lane on Porcelain Stone Drive and Crossroads Drive.

As background information, they currently have 280 employees and expect to hire an additional 50-75 people. They ship approximately 350,000 sf of tile daily. The truck traffic has increased 28% in the last two years. Their expansion is expected to be ready in 2016.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that this resolution be approved as recommended. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

- i. Initial Resolution authorizing the incurrence of indebtedness not to exceed \$2,000,000

Councilmember Wyatt discussed the Line of Credit for the paving and specifics on recreation repairs. Bids will be going out on the poles and lights, but no report has been received from the inspection. There are 4-5 poles that have been declared unsafe and the lights we have are not up to standard. Councilmember Wyatt will check on the professional pole inspectors who have not responded to the City Manager.

Mayor Mayberry expressed his desire to approve the funding so that the paving can be done.

A motion was made by Mayor James Mayberry, seconded by Council Member Jesse Kerley, that Resolutions "i" and "j" be approved as recommended. The motion carried by the following vote:

Aye: 5 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt and Council Member Pete Souza

- j. Resolution authorizing a loan agreement for an amount not to exceed \$2,000,000

The loan agreement will be through the Public Building Authority of the City of Clarksville, Tennessee in a principal amount not to exceed \$2,000,000 for the street paving and parks improvements. This PBA is the entity used by the Tennessee Municipal Bond Fund for their financing. The loan agreement is for a term of 12 years at a variable interest rate.

This Resolution was approved as recommended

k. Approval of Certificate of Compliance for Kroger #599

In preparation for being able to sell wine in their grocery store beginning 7/1/2016, Kroger #599 has requested issuance of a Certificate of Compliance. The Certificate will simply state that the applicant's background (Christine Wheatley) has been checked and there have been no felony conviction within the past 10 years and the location complies with all zoning laws. The Police Department recommended approval.

This Certificate of Compliance was approved as recommended.

l. Approval of two-year lease renewal of C.A.T.S. for the Depot

A request was received from C.A.T.S. to renew their lease of the depot for an additional two-year term. Now that they have been operational for several months, they requested the following changes in the arrangement:

- Hours open would be Mon-Sat from 10:00 a.m.-2:00 p.m., other than special events; they now are open to 4:00 p.m. Mon-Friday*
- Agree to donate \$500 annually to the Rotary Foundation and use of the Event Room 4 times a year at no cost; current contract is 60/40 split with 60% to Rotary with no set asides of the Event Room*

This lease amendment was approved as recommended.

m. Approval of Amendment of Contract in Lieu of Performance Bond for Crossville Sanitary Landfill

As part of the post-closure requirements of the landfill, the City is required to post a bond for the liability of the landfill. In lieu of this requirement, the State allows the City to sign a contract regarding this obligation. The amount required is reduced annually for inflation and the remaining years of the obligation. The amendment to this contract reduces the financial assurance from \$646,653 to \$596,977.61.

This Contract was approved as recommended.

n. Approval of payment of sponsorship money for City of Crossville Team Championship

The 2015 City of Crossville Team Championship was played July 20th and 21st. Council needs to approve the \$8,000.00 sponsorship payment to the Tennessee Section of the PGA.

Mayor Mayberry stated that the City Council approved to spend no more than \$5,000, with the remaining cost to be raised from sponsors. When approving to hold the tournament, it was reported to Council that \$5,000 in sponsorships had been obtained. He received a report that only \$3,250 was actually received.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Pamala Harris, that a payment of \$4,750 to the Tennessee Section of the PGA be approved. The motion carried by the following vote:

Aye: 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Abstain: 1 - Council Member Pete Souza

o. Comptroller Report on \$1,200,000 three-year capital outlay notes

A letter has been received from the Comptroller approving the issuance to issue the not-to-exceed \$1,200,000 capital outlay notes for the purchase of the police vehicles and the acquisition of airpicks and other equipment. The approval letter is required to be presented to the Council along with Form CT-0253.

This Report was presented.

4. Bids/Purchases

Mayor Pro-Tem Harris asked that the presenter of the training give a report to the Council after the training is completed to see what is achieved.

Approval of the Consent Agenda

A motion was made by Mayor James Mayberry , seconded by Council Member Pete Souza, to approve bid items "a-e" on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

a. Uniform Bid

The City of Crossville accepted bids for Uniforms for multiple departments. The Street Department Supervisor reviewed bids and recommends approving the low bid for the one (1) year contract from Cintas.

This bid was approved as recommended.

b. Police Car Accessories

Bids were received on accessories for the new police cars. The low overall bid was received from Truckers Lighthouse in the amount of \$61,823.75 and is recommended for approval.

This bid was approved as recommended.

c. Light Bars - Police vehicles

An annual price contract was awarded to On-Duty Depot for Federal Legend light bars at a cost of \$1,486. The original annual bid specifications indicated that the order would be for a minimum of 2 with a maximum of 8. Since all the vehicles are being purchased at one time, there will be 25 to be purchased and installed. As preparations are being made to purchase and equip the new vehicles, it was also apparent that installation was not included in the price and the light bars would have to be installed by the City's garage personnel. A superior light bar, Whelen Liberty II, can be purchased from Trucker's Lighthouse off of state contract for \$1,550 and installed at no additional charge. These are the same type bars that are already installed on over one-half of the remaining vehicles in the department. Trucker's Lighthouse will also be installing all the other equipment for the car. It was recommended by the City Manager and Chief of Police that the light bars be purchased from Trucker's Lighthouse.

This purchase was approved as recommended.

d. Employee Training

Proposal received from Eric Benson for training/coaching employees in the following areas:

- 1. Customer Satisfaction - Addresses Customer Service employees.*
- 2. Teamwork - Workshops customized to address each department.*
- 3. Supervisor - Half day workshops, with additional one on one coaching for employees that have moved from the front line to a supervisory position.*

The total cost for approximately 17 workshop presentations and 15 individual coaching sessions is \$11,470.00. The City currently has a total training budget for all departments of \$68,450.00.

This contract was approved as recommended.

e. Holiday Hills water plant repairs

Around 8:00 p.m. on Thursday, July 2nd, the Holiday Hills water plant was hit by lightning. Rock Creek Electric and VEC were called in to check power at both ends to verify where the damage actually was. Ben Roberts (UCEC) was called in late Friday night to troubleshoot with Square D Tech Support. A part was overnighted from Pennsylvania (\$4,800 + shipping). It was put on Saturday evening, but the problem was not fixed which indicated that there was internal damage to the breaker. A used 800 amp breaker was found in Sparta and installed as a temporary repair. A replacement breaker has been ordered and is expected to cost around \$10,000. The repairs are expected to be covered by insurance with a \$5,000 deductible. Additional bills will be presented for approval as they are received.

This purchase was approved as recommended.

5. Marketing Report**August Marketing Report**

Marketing Director Billy Loggins provided an update on the following:

- Water Fest*
- Tennessee Women's Open*
- Airport Open House/Fly In – Sept. 26*
- Apple Festival – Sept. 26-27*
- Cumberland County Playhouse*
- 2015 Hiking Trail Marathon*
- Alzheimer's Tennessee Walk – August 29*
- Friday Night Air Summer Concert Series*
- Visioning Schedule for August*
- Upper Cumberland Senior Olympics – September 5-18*
- Tennessee High School Golf Capital Tournament – August 15-16*

This Report was received and filed

(At 6:30 p.m. the regular meeting was recessed and the Solicitation Board convened.)

SOLICITATION BOARD

United Fund of Cumberland County, Inc.

A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that this Permit be approved as recommended. The motion carried by the following vote:

Aye: 5 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt and Council Member Pete Souza

(At 6:31 p.m. the Solicitation Board was adjourned and the regular meeting reconvened.)

6. Cumberland County/Chamber Report

Brad Allamong of the Crossville-Cumberland County Chamber of Commerce provided the latest visitor's attendance report for July. He reported on a meeting with Amy New, Assistant Commissioner of ECD and Ted Townsend, Deputy Commissioner of ECD on the local economic development initiative and a request for assistance and partnership on the program and other initiatives and programs, including workforce development. On September 9, Commissioner Randy Boyd will be coming to Crossville. Mr. Allamong recommended calling all the economic development initiatives underway now, and in the future, as the Horizon Project.

7. Other Business**a.** Discussion and possible action on refuse collection in mobile home parks

Mayor Mayberry asked that the discussion be tabled for a special work session to work out details and possible solutions. Councilmember Souza stated that he has determined there are a number of issues that need to be reviewed by a special committee before any action is taken.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that this matter be tabled to a special work session. The motion carried by the following vote:

Aye: 5 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris, Council Member Danny Wyatt and Council Member Pete Souza

b. Discussion and action on County building inspections

Councilmember Wyatt asked that consideration be given to extending the offer to continue to provide building inspections for the County. County Mayor Carey reported that the Environmental Committee met this afternoon and recommended that the partnership be continued, including commercial and commercial re-modeling. They would like a 180 day notice of termination and that agriculture-type buildings be exempted. He also asked that a copy of all permits be forwarded to the property

assessor's office. The County would like to review the fees on commercial in a year. Councilmember Souza commented on his concerns for the City taking over the County's business and that no thorough business plan was done before taking action, which is the history of the City Council on a number of decisions.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, that we rescind all previous actions taken in regard to the City and County inspection transition. The motion carried by the following vote:

Aye: 3 - Council Member Jesse Kerley, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 2 - Mayor James Mayberry and Council Member Pete Souza

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, that the City provide both residential and commercial code inspections for the County and hereby authorize the City Manager to negotiate an agreement with the County Mayor, whereby the Council shall review that agreement and take a vote to approve or disapprove the agreement at the next regular or special called meeting, whichever comes first. The motion carried by the following vote:

Aye: 3 - Council Member Jesse Kerley, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 2 - Mayor James Mayberry and Council Member Pete Souza

Councilmember Kerley commented that he took a pledge to work with the County and is pleased that the two entities are working so well together. He would like to re-evaluate at a later date to be sure that the City is not harmed by the program.

8. City Attorney's Report

City Attorney's Report

City Attorney Ridley reported on the Administrative Hearing Office program and process. There are two cases currently set to be heard on August 25. He also reported in January 2016 the City vs Turner case is set for status in court. It appears that we are at a point of settlement on Abbot v City (water harvesting). He also reported that the suit has been filed against J. Hicks on the soccer complex. No new litigation has been filed against the city.

This Report was received and filed

9. City Manager's Report

City Manager's Report

City Manager David Rutherford provided the monthly revenue reports for local option sales tax, wholesale beer tax, and retail liquor fees. He also provided updated reports on building permits, special projects, grants, and debt service. Councilmember Souza requested that the future building permit reports be broken out between city and county and their fees.

This Report was received and filed

10. Public Comment

Bob Wyrick expressed his thanks regarding the C.A.T.S. lease approval.

Tony Perry spoke to the Council regarding a group of citizens who have formed, PRIDE (People for Restoring Integrity, Dignity, and Excellency to Crossville). On their behalf, he asked the City Manager about the budget projections and the need for a 10 cent tax increase to cover a \$400,000 deficit and projected deficits next year of \$800,000 and \$1,000,000 in the following year. Mr. Rutherford responded that he makes recommendations to the Council and they make the decision. He recommended that they either raise revenue or cut expenses. Mr. Perry also asked why a tax increase was approved rather than using fund balance. Mr. Ridley pointed out that the public comment period is for comments and there were no obligations for the Council to answer or respond.

Butch Smith commented that he felt the questions were appropriate, especially about future tax increases. Mayor Mayberry pointed that there were no comments made on the night that the tax increase was voted on. Members of Council responded with their reasons for and against the tax increase.

Jillian Swafford requested guidance on getting the word out on Freedom Day USA, which is scheduled for September 10 as a day for businesses and citizens to give back to veterans and the military.

David Brockway stated that he opposed the codes doing county inspections because it takes away from solving the problems of blight.

Councilmember Kerley commended the Mayor on allowing people to speak during public comment.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:29 p.m.