

REGULAR MEETING: MAY 8, 2012

The City Council for the City of Crossville met in regular session on Tuesday, May 8, 2012 at Crossville City Hall.

Roll Call.

Present: Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt, Councilman Earl Dean, Councilman George Marlow, Councilman Boyd Wyatt, Sr. Others present were City Manager Bruce Wyatt, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Jim Young, Andy Vaughn, Karli Threet, Teresa Boston, Fred Houston, Tim Begley, Jerry Garrison, Tim Chesson, Joe Miller, Frank Shipley, James Perry, Eric Brady, Sandra Purcell, Jim Purcell, Beth Alexander, Darrell Sherrill, Clark Annis, Don Alexander, Mike Turner, Joe Salvano, Margie Buxbaum, Lou Morrison, Jeff Brown, Steve Hill, Wesley Goss, Dylan Stafford, and Traci Dancron.

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 Tim Chesson of the Faith Worship Center. Mayor Graham led the Pledge of Allegiance.

ITEM #1 – PROCLAMATIONS/PRESENTATIONS

Mayor Graham presented the Green Partner award to Pilot Travel Center for their leadership in stormwater management. He also recognized and expressed his appreciation to Eric Brady for his progressive efforts in stormwater management on behalf of the city.

ITEM #2 – APPOINTMENTS

- a) Crossville Housing Authority – Deferred.
- b) Public Building Authority – The terms have expired and need to be re-appointed. Mayor Graham recommended Ben Whitson be appointed to the term of Kirk Tollett who will no longer be able to serve and that all others be re-appointed.

A motion was made by Councilman Boyd Wyatt, seconded by Councilman George Marlow, that Thomas E. Looney and Cosby Stone be appointed to terms expiring 12/30/12; Dean Bennett, Johnny Wayne Presley, and Lillian Fox be appointed to terms expiring 12/30/14; and Ben Whitson and Joe Looney be appointed to terms expiring 12/30/16. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

- c) Planning Commission – Mayor Graham re-appointed Dave Burgess.
- d) Stormwater Board of Appeals – The term of Jim Mitchell expired in March. It was recommended that he be re-appointed.

A motion was made by Mayor Graham, seconded by the Council, that Jim Mitchell be re-appointed to the Stormwater Board of Appeals. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

ITEM #3 – CONSENT AGENDA

A motion was made by Councilman Boyd Wyatt, seconded by Mayor J. H. Graham, that all items on the consent agenda be approved as follows:

- a) Approval of minutes (4/10)
- b) Resolution supporting a VA Hospital in Roane County
- c) 1st Reading of Ordinance adopting a budget for FY2012-13 (in title only)
- d) 1st Reading of Ordinance adopting a tax rate for FY2012-13 (in title

REGULAR MEETING: MAY 8, 2012

- e) only)
- e) 1st Reading of Ordinance authorizing payment for contracts with Upland Design Group
- f) 1st Reading of Ordinance authorizing payment for contracts with McCarty, Holsaple, McCarty
- g) 1st Reading of Ordinance authorizing payment for contracts with Mid-State Construction
- h) 1st Reading of Ordinance authorizing payment for contracts with ADA Station Communication
- i) 1st Reading of Ordinance authorizing payment for contracts with Community Development Partners
- j) 1st Reading of Ordinance authorizing payment for contracts with GRW Engineers, Inc.
- k) 1st Reading of Ordinance authorizing payment for contracts with Smith, Seckman, Reid, Inc.
- l) Approval of temporary street closings at 10:30 a.m. on Monday, May 28, for Memorial Day ceremonies

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

ITEM #4 – BIDS/PURCHASES

(Bid tabulations are attached and made a part of these minutes.)

- a) Metal Roof – The low bid of Plateau Metal Sales was recommended for the roof replacement at Public Works.
- b) Fireworks – The sole proposal of Pyro Shows was recommended for acceptance.
- c) Urban Forestry Management Plan – Of the 3 proposals received, one was deemed incomplete. After review of the remaining two bids, staff recommended awarding the contract to Alan Carter of Cherry Creek Nursery, the low bidder, and closest in proximity.
- d) Terminal Building Roof Materials – The Director of Engineering recommended the low bid of \$13,234.46 from Enecon of Tennessee. City crews will do the repairs.
- e) Trench Shield Box – The sole bid of Stowers Machinery Corp was recommended.
- f) Fencing – Airport – It was recommended that the bid of Ace Fence Company be accepted on a security fence for the airport, contingent on confirmation being received that a contractor's license is not required. If a contractor's license is required by the State, the next low bid was recommended for acceptance.
- g) iPads for Agenda Management software – Verizon is the provider for cell phones for the City. The price for the iPads is the same regardless of where they are purchased, so it was recommended that 8 tablets be purchased through Verizon. The target date for implementation of the new software is the June meeting.

A motion was made by Mayor J. H. Graham, seconded by Mayor Pro-Tem Danny Wyatt, that all bids/purchases be approved as recommended. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

ITEM #5 – MATTERS RELATIVE TO VISITOR'S CENTER

At a special called meeting of the Cumberland County Commission, the City's cash commitment of \$120,000 and a 50/50 split for operating costs for a one-year period, with the County's match not to exceed \$50,000, was presented. The County rejected the operating cost portion of the offer and countered with an offer to share the operating cost, with the County's maximum at \$30,000 per year, for a 20 year period. The County recessed their meeting and will reconvene at 7:00 p.m. on May 8. County Commissioner Jeff Brown and Teresa Boston, representing the County Attorney, were present to represent the County and relay any action taken by the City Council.

REGULAR MEETING: MAY 8, 2012

Councilman Boyd Wyatt stated that he did not believe that the \$30,000 proposed by the County was a sufficient contribution, especially over a 20 year period with no increase. Further, he commented that he would not be in support the project, but if it was approved, would prefer a 50/50 sharing on a year-to-year basis. Mayor Pro-Tem Danny Wyatt reported that the Director of the Big South Fork National Park has committed to staffing and uniforms for up to 3 days a week. He felt like it was important to the community and tourism. Councilman Marlow commented that he felt that the City was offering more than in the past since the \$120,000 was based on a larger building and that a 50/50 split for 20 years was fairer to make it a partnership. Councilman Dean voiced his agreement with the proposed offer. Mayor Graham stated that if it was a true partnership, it needs to be 50/50 with no cap. Jeff Brown stated that he thought the biggest objection by the County Commission was the length of the agreement since they are required to operate the center for 20 years.

A motion was made by Mayor Pro-Tem Danny Wyatt, seconded by Councilman Earl Dean, that the City offer to operate the Visitor's Center and share the operating cost of the Visitor's Center with the County on a 50/50 basis with no cap for a 20 year period or the City will provide 50% of the cost with the County operating the center. **Vote:** Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0). **Yes:** Councilman Earl Dean, Councilman George Marlow, Mayor Pro-Tem Danny R. Wyatt. **No:** Councilman Boyd Wyatt, Sr., Mayor J. H. Graham, III.

ITEM #6 – MATTERS RELATIVE TO MARKETING AND PUBLIC RELATIONS

Marketing Director Billy Loggins discussed the latest marketing and public relations projects.

- Upper Cumberland Senior Olympics
- 4th Annual Sustainability Fair – May 10
- Tennessee Senior Men's Open – May 21-22
- Tennessee Senior Chess Tournament – May 18-20
- Spirit Broadband Amphitheatre
- WCTE – City recognized for its leadership in the Upper Cumberland for tourism
- Golf Capital of Tennessee Women's Open
- Heartland Series/Dr. Jan Simek, President Emeritus, University of Tennessee-Knoxville – Caves in Cumberland County are being featured and he will be at Palace Theater on June 26 to make a presentation.
- Work is underway to get Comcast to use WCTE for their PBS channel instead of Sneedville in Fairfield Glade
- Councilman Boyd Wyatt commented on the video "Breathe" as being outstanding. It was produced through the Chamber of Commerce.
- Economic/industrial recruitment efforts were updated. The City Attorney was asked to investigate providing property for retail establishments as has been done in some other cities.

ITEM #7 – MATTERS RELATIVE TO LAKE LEVELS

Mayor Pro-Tem Danny Wyatt opened a discussion on the regulation of the levels of both Holiday Lake and Meadow Park Lake. He pointed out that rainfall has been lacking and the need for keeping the level as high as possible as we enter the traditionally dry season of the year. He suggested that the City Manager be tasked with the responsibility to regulate the lake levels on Holiday Lake.

A motion was made by Mayor Pro-Tem Danny Wyatt, seconded by Mayor J. H. Graham, that the City Manager be given the task to regulate the level of Holiday Lake, contingent on the weather conditions. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

REGULAR MEETING: MAY 8, 2012

ITEM #8 – MATTERS RELATIVE TO SATSUMA DRIVE ABUTMENT PROJECT

A contract with ECE Services for engineering services for the Satsuma Drive abutment project in the amount of \$39,734.28 was presented for approval. If approved, an ordinance is required to authorize payments beyond the current fiscal year and a budget amendment for the engineering costs in this year's budget. The estimated construction costs will be included in next year's budget.

A motion was made by Mayor J. H. Graham, seconded by Councilman Earl Dean, that the contract with ECE Services for Satsuma Drive abutment project be approved; the Ordinance amending the FY2011/12 budget in the amount of \$40,000 be passed on first reading; and the ordinance authorizing payment for contract with ECE Services be passed on first reading. **Vote:** Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1). **Yes:** Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt. **Abstain:** Councilman Boyd Wyatt, Sr.

Councilman Boyd Wyatt announced he has a conflict of interest due to his son owning property in the project area.

ITEM #9 – MATTERS RELATIVE TO LONG-TERM FINANCING

Deferred to special called meeting on Thursday, May 17, at 11:30 a.m.

ITEM #10 – MATTERS RELATIVE TO MOBILE HOME VARIANCE REQUEST

A variance was requested to the non-residential factory manufactured structures code section (§ 14-406). Mr. Butch Smith requested a temporary variance (§ 14-407), not to exceed two years, to the requirement of a non-residential factory manufactured structure to be installed on permanent foundation on Tax Map 100A, Group A, Parcel 2.00 along Livingston Road. At or before the end of the two-year time frame, the structure will either be removed or a permanent structure constructed in its place. All other required building codes and regulations will be followed.

The matter was presented to the Crossville Regional Planning Commission on April 19, 2012. The Planning Commission voted to recommend approval of the variance to the City Council. Planning staff has met and consulted with the owner and Codes Enforcement in regard to this, and also recommends approval of the variance.

A motion was made by Councilman Boyd Wyatt, seconded by Mayor Pro-Tem Danny Wyatt, that the variance request of Butch Smith be approved. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

ITEM #11 – CITY ATTORNEY'S REPORT

City Attorney Kenneth Chadwell reported no new lawsuits during the previous month. As an update on the lawsuit by property owners at Lake Tansi, he stated that a decision will be made in September as to the trial date. He expects it to be put off until early 2013, if the lawsuit continues to trial. He also reported that the Hwy. 70N waterline bond issue was closed today.

Mayor Graham requested the status on the clean-up of the former D & J Appliance property on Cook Road. Mr. Chadwell responded that ultimate action would have to be the filing of a lawsuit. Previously, the Police Department filed criminal charges, which helped for a short period of time. The City Manager was requested to

REGULAR MEETING: MAY 8, 2012

have the Codes Enforcement Department to look at it again and provide a written report.

ITEM #12 – CITY MANAGER’S REPORT

City Manager Bruce Wyatt gave the monthly revenue reports on local options sales tax, wholesale beer, and retail liquor. He also presented reports on building permits, grants, and special projects. He expressed his appreciation to Billy Loggins, Kevin Dean, and Valerie Hale for their hard work toward industrial recruitment.

Personnel – Larry Hamilton will be retiring from the Police Department on May 18th. With his service of 18 years, 9 months, he is entitled to a \$225 gift, \$4,296 vacation buyout, and \$2,500 bonus. The vacation buyout could decrease if any vacation days are used prior to retirement. Approval of the retirement package was requested.

A motion was made by Mayor J. H. Graham, seconded by Councilman Boyd Wyatt, that the retirement package for Larry Hamilton be approved. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

As required by the Comptroller, Form CT-0253 on the Hwy. 70N waterline bonds was presented to the Council for their review.

Mayor Graham asked the City Manager to look into a potential traffic signal at the entrance to Interchange Park on Hwy. 127N.

With no further business, the meeting was adjourned at 6:50 p.m.