

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

Thursday, February 19, 2015

5:00 PM

Conference Room 317

## Call for Special Meeting

*Mayor James 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 City Council for the City of Crossville met in special session on Thursday, February 19, 2015, at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 5:00 p.m.*

**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 Kenneth Chadwell, City Clerk Sally Oglesby, Brad Allamong, Jim Young, Wendell Kerley, Fred Houston, Larry Kerley, Tim Begley, Will Ridley, and Rodney Shoap.*

**1) Consent Agenda**

**ORDINANCES ON THIRD READING**

**Approval of the Consent Agenda**

**A motion was made by Council Member Jesse Kerley , seconded by Council Member Pete Souza, to approve the Consent Agenda as presented. 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. Ordinance adding §6-104 pertaining to sexual offender registration fees  
**This Ordinance was adopted on third reading.**
- b. Discussion on agenda item for report from Cumberland County  
**This Ordinance was adopted on third reading.**
- c. Ordinance amending FY2014-15 budget for SRF waterline project  
**This Ordinance was adopted on third reading.**
- d. Ordinance amending FY2014-15 budget for the SCADA Equipment upgrade  
**This Ordinance was adopted on third reading.**
- e. Ordinance deleting Title 14, Chapter 6 from the Crossville Municipal

Code pertaining to Historic Zoning District

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

- f. Ordinance amending FY2014-15 budget for storage hangar

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

### **ORDINANCES ON SECOND READING**

- g. Ordinance amending the FY14-15 budget for interchange lighting refund

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

## **2) OTHER BUSINESS**

- a. Ordinance amending §14-306(A)(1) and (2) regarding the Board of Floodplain Review

*FEMA does not object to the change in the Board of Floodplain Review to allow the City Council to serve in that capacity. The ordinance has been amended to allow Council to appoint someone to serve on their behalf. City Attorney Chadwell added language to require ratification of the appointment by a majority of the Council. Mayor Pro-Tem Harris and Councilmember Wyatt both expressed their belief that a change was unnecessary since the current members could be replaced when their terms expired. It was also pointed out that the board has never met and unlikely to meet since flooding issues are very rare.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that this Ordinance be approved on second reading. The motion carried by the following vote:**

**Aye:** 3 - Council Member Pete Souza, Council Member Jesse Kerley and Mayor James Mayberry

**Nay:** 2 - Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

- b. Discussion and action on downtown waterlines project

*Bids were received on February 12 for the waterlines for downtown. The low bid was Ironwood Construction at \$1,057,857, which is well within the construction budget. Construction time is 180 days. The extra funds in the SRF loans for the waterline projects should allow us to do both Brookhaven and Highland Lane.*

**A motion was made by Council Member Pete Souza, seconded by Council Member Jesse Kerley, that the Resolution for tentative award to Ironwood Construction & Eng., LLC 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

*A contract needs to be approved with EG&G for the construction administration and inspection services. They will be using ECE Services for inspection and testing*

services.

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the contract with EG&G for construction administration and inspection services be approved. 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

**c.** Discussion and action on City Attorney compensation

*The City Manager reported that City Attorney-elect William Ridley has agreed to serve in the position at \$125 per hour with no retainer. Time spent in meetings with the Council will not be compensable; however, preparation time for the meetings will be.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Pete Souza, that the compensation agreement for the new City Attorney 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

**d.** Discussion and action on payment of inter-basin transfer fees

*Anyone who proposes to transfer water out of a major river basin for the benefit of (or to supply) a public water system is required to obtain an Inter-Basin Transfer Permit from TDEC. This permit basically allows the City to withdraw water from one basin and distribute it to another. An example of this would be withdrawing water from the Upper Cumberland River Basin (Meadow Park "West side of the Tennessee Valley Divide") and distributing the water in the Clinch/Emory River Basin (East side of the Tennessee Valley Divide).*

*The permit fee was \$17,500 in 2010 and the current fee is anticipated to be the same, but less than \$20,000.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that this payment 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

**e.** Ordinance annexing 13.91 acres on Hwy 70E (James Miller)

*A request was received from James Miller for the annexation of his property located at the corner of Hwy. 70E and Milo Lemert Parkway. The annexation of the property was recommended for approval by the Planning Commission.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that this Ordinance be approved on first reading. 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

**f.** Ordinance annexing 24.85 acres on Woodlawn Road (Oakley)

*A request was received from Millard Oakley for the annexation of approximately 25 acres on Woodlawn Road. The annexation has been recommended for approval by the Planning Commission. Councilmember Wyatt stated that he has a potential conflict of interest because he personally has loans made through Mr. Oakley's bank; however, he receives no special consideration in the interest rate or payment of the loans.*

**A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, that this Ordinance be passed on first reading. 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

**ADJOURNMENT**

**A motion was made by Council Member Pete Souza, seconded by Council Member Jesse Kerley to adjourn the meeting. With no further business, the meeting was adjourned at 5:16 p.m.**