

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, January 9, 2018

6:00 PM

Council Chambers

City Council

Mayor James Mayberry
Mayor Pro-Tem J. H. Graham, III
Council Member Pamala Harris
Council Member Scot Shanks
Council Member Danny Wyatt
City Manager Greg Wood
City Clerk Valerie Hale

The City Council for the City of Crossville met in regular session on Tuesday, January 9, 2018, at Crossville City Hall.

Rollcall

Present: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

Others present were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Valerie Hale, David Beaty, Andrew King, Andy Vaughn, Billy Martin, Rob Harrison, Kevin Music, Jim Young, Gary Nelson, Kyle Sherrill, Malena Fisher, Heath Kirby, Tim Begley, Mike Ritzman, Tammie French, Cliff Wightman, Chris South, Sherley Wyatt, Margie Buxbaum, Lainie Luse, Rebekah Billup, Edward Billup, Costanza Billup, and Biancarosa Billup, Art Gernt, Jr., Steve Stone, Ashley Richards, Mindy Doyle, R. J. Crawford, Carolyn Jozwiak, Levonn Hubbard, Allison Crawford, Chris Bennett, Leah Crockett, Evan Sanders, Mikki Kavich, Peggy Welch, Margo Carroll, Joe Miller, Fred Houston, Kurt Huselindt, Frank Christopher, Billy Loggins, and Jay Ronly

BEER BOARD - 5:45 p.m.

Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:46 p.m. All members of the Beer Board were present.

Peacock Express #9

An application was submitted for an off-premises beer permit by Peacock Express #9. Chief Beaty reported a clear-records report and recommended approval.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris, that the off-premises beer permit be approved for Peacock Express #9 . The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

With no further business, the Beer Board was adjourned at 5:47 p.m.

PUBLIC HEARING - 5:45 p.m.

A public hearing was held on Tuesday, January 9, 2018 at Crossville City Hall at 5:45. Mayor James Mayberry was present and presiding.

FY2018 Community Development Block Grant Program

A public hearing was held to seek input from the public on the FY2018 Community Development Block Grant Program.

With no comments or suggestions from the public, the public hearing was adjourned at 5:46 p.m.

This Public Hearing was received and filed.

REGULAR MEETING - 6:00 p.m.

The City Council for the City of Crossville held its regular meeting on Tuesday, January 9, 2018, at Crossville City Hall.

Call to Order

Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m.

Mike Ritzman of Redemption Church provided the invocation. The Young Marines presented the colors and led the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Student of the Month
- b) National Drug and Alcohol Facts Week
- c) Depot Recognitions
- d) School Choice Week

a) Emma Grace Christopher was nominated because of her "honesty" character trait.

b) Mayor Mayberry presented Steve Stone with a proclamation for National Drug and Alcohol Facts Week, January 22-28, 2018.

c) School Choice Week was proclaimed the week of January 21-27, 2018.

d) Billy Loggins made a presentation to: Downtown Crossville Inc-DCI (Carolyn Jozwiak, Lainie Luse, and Allison Crawford), Mikki Kavich, Peggy Welch, and Margo Carroll for their efforts toward renovating The Crossville Depot.

The presentations were made.

2. Public Comment

There were no public comments.

3. Appointments

Swearing-in of new City Clerk

The City Manager appointed Valerie Hale to fill the position of City Clerk with the retirement of Sally Oglesby, effective January 6, 2018. Mayor Mayberry administered the Oath of Office.

Valerie Hale was appointed.

Convention and Visitors Bureau

The terms of Jerry Harris and Billy Loggins on the Convention and Visitors Bureau have expired. City Manager Wood recommended that they be re-appointed to 3-year terms.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that Jerry Harris and Billy Loggins be appointed to the Convention and Visitors Bureau as recommended by the City Manager. The motion carried unanimously.

4. Consent Agenda

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Pamala Harris to approve the consent agenda, items A through L. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

a. Approval of minutes (12/12)

The minutes of December 12, 2017 were approved.

Ordinances on Second Reading

b. Ordinance closing an undeveloped right-of-way for McClanahan and Whitehead property

Roy J. and Nancy McClanahan and Charles W. Whitehead own property that borders an unimproved right-of-way off Old Jamestown Road. They have requested that the right-of-way be closed in its entirety and joined to their properties. Attached is a survey of the unimproved right-of-way that shows the agreed division of property between the two adjacent property owners. The unimproved right-of-way was originally a portion of Crabtree Rd that extends north of the interstate. When I-40 was constructed it bisected the road, leaving the southern portion as an unimproved right-of-way. A new road was constructed along the interstate's right-of-way for connection to the remainder of Crabtree Rd.

Planning Commission met on 11/16/2017 and recommended approval of right-of-way closure.

This ordinance was approved on second reading.

c. Ordinance amending the FY2017-18 budget for Depot flooring

At the December 12, 2017 meeting, Council approving reimbursing DCI for the cost of the new flooring at the depot in the amount of \$9,108.

This ordinance was approved on second reading.

Ordinances on First Reading

- d. Ordinance establishing a Crossville Sports Council

An ordinance has been prepared to create a Crossville Sports Council, as previously discussed with Council.

This ordinance was approved on first reading.

Additional Consent Items

- e. Ordinance discouraging smoking at Garrison Park

The Parks and Recreation Director and the City Manager have had conversations with Mindy Doyle, Cumberland County Public Health Director, about using tobacco settlement funds to purchase playground equipment if the City adopts an ordinance discouraging tobacco use at Garrison Park.

Criminal enforcement by the City is not allowed due to pre-emption laws enacted by the General Assembly.

This ordinance was approved on first reading.

- f. Approval to renew contract with Municipal Services Bureau for collections services for Police Department.

The contract with Municipal Services Bureau for collection services on delinquent city citations is set for renewal. Renewal is recommended by the Police Department. The current contract is set to expire January 21st, 2018. There is no cost for renewal.

This contract was approved.

- g. Approval of Speed Limit Change Old Watkins Rd.

Due to complaints by residents on Old Watkins Road, the Police Department began running increased patrols. Based on those outcomes Chief Beaty has recommended that the speed limit on that road be reduced to 20 miles per hour due to the speed, narrow road, and level of traffic observed.

This resolution was approved.

- h. Approval of Debt Policy

Council needs to approve the debt policy every year. There are no changes from the policy approved last year.

This policy was approved.

- i. Approval of contract with J.R. Wauford & Company for sewer line and

water line to Meadow Park Water Treatment Plant

The City Council selected J.R. Wauford & Company at the November 14, 2017 meeting for the "Sewer Line and Water Line to Meadow Park Project."

Fees include:

*\$ 35,000 Surveying and Preliminary Layout
\$ 63,000 Preparation of Plans and Specifications
\$ 6,000 Bid Phase
\$124,000 Engineering services during construction (hourly rate plus expenses)
 (not to exceed)*

\$228,000 Total Contract Amount

This contract was approved.

j. 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 10-11, 2018. The squad requested a \$1,000 donation toward their expenses.

This donation was approved.

k. Select Tennessee Site Certification Program-2048 Genesis Road

Austin Consulting is requesting a sponsor to participate in the Select Tennessee Site Certification Program for the privately-owned property located at 2048 Genesis Road. Private sites can be certified through the program, but they must be sponsored by a public agency and work with the consultant on certification. Austin Consulting is requesting the City of Crossville to be the sponsor due to their positive experience with the City of Crossville during the site visit in October at Interchange Business Park.

The other sponsor choices are Cumberland County or the Industrial Development Board; however, regardless of who sponsors the application, the City of Crossville will still need to allocate staff time to the certification effort.

Once the Letter of Intent is received, an application will be generated, which the developer would complete and be responsible for any expenses incurred. If the application is accepted, a site visit would be set up to examine the site. If it is an acceptable site and gets certified, the City would benefit from having another industrial site that can be marketed. If it does not meet the necessary requirements, the process would end and no further time would need to be devoted by the City.

The Letter of Intent would need to be received by January 26, in order for the site to be considered in the current selection period.

This resolution was approved.

l. Ordinance amending the 2017-2018 budget for K-9 replacement

The Police Department requested to purchase a canine from Southern Police Canine to replace one of the older canines retiring and received approval from City Council on August 8, 2017 to make the purchase. The cost for the canine and training was \$14,000. The purchase was funded through the Drug Fund; however, funds were not

budgeted and a budget amendment is required.

This ordinance was approved on first reading.

m. Ordinance amending the 2017-2018 budget to purchase 2017 F-550 (Utility Maintenance Department)

The Utility Maintenance department supervisor is presenting a quote from Ford of Murfreesboro for a white, 2017 Ford F-550, regular cab, with service utility bed, 4x4. The 2017 truck will replace a 2000 4x4, F-350 diesel with 108,090 miles, which is requiring a new engine at a cost of \$10,000. The replacement vehicle will be upgraded to an F-550, 4x4 diesel for safety reasons. The 2017 vehicle is better equipped to pull equipment used by Utility Maintenance.

Ford of Murfreesboro has a contract with the State of Tennessee, Central Procurement Office. Cost for the truck, hitch and spray-in bed liner is \$56,000. The Utility Maintenance department supervisor has reviewed the quote and recommends purchasing the truck. Purchase of this truck will require a budget amendment.

Councilmember Wyatt felt the City's maintenance department could replace the engine to save money. There was a discussion about putting an engine into an 18-year old truck worth \$5,000-\$6,000 and the uncertainty of the truck's life span.

A motion was made by Mayor James Mayberry, seconded by Council Member Pamala Harris to approve the purchase of a 2017 F550 truck for the Utility Maintenance department. The motion carried by the following vote:

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

Nay: 1 - Council Member Danny Wyatt

5. Other Business

a. 2017 Wastewater Treatment Plant Improvements Change Order 1

Change order number 1 in the amount of \$21,785.25 requested for approval. The change order does not include any additional time for the contractor and the contract time overrun will be discussed with the City Council at a later date.

The explanation for the items in the change order are as follows:

Item 1. Installation of Temporary Return Activated Sludge Bypass Line

As designed and spec by GRW Engineering it was assumed that a new 18 inch valve could be installed to isolate Basin 3 & 4 prior to the Contractor (J.S. Haren) removing and disposing solids in Basin 3 & 4 for the installation of a baffle curtain wall and 8 mixers. The level of the valve installed would be approximately 7 feet deep. Sequence of completion is not possible as specified. An option to isolate Basin 4 by routing RAS to Basin 3 was considered; however the valve on this line has never been used, and there is risk of valve failure in opening and closing this valve, which is approximately 12 feet deep and near the wall at Basin 3. There would be serious concerns if the valve had to be excavated regarding the risk of structure failure due to location. Working with J.S. Haren, an alternative would be to install a temporary RAS bypass line so that Basin 3&4 can be isolated and the upgrade move forward. This item includes labor and materials in an additional amount of \$11,656.00 as submitted by J.S Haren.

Item 2. Relocate mixer control panels to end of aeration Basin to improve walkway access.

As designed and spec'd by GRW Engineering, the 4 dual mixer control panels cannot be installed per the drawing due to the size of the control panels. The control panel doors could not be opened enough for access without modification. The best alternative is to relocate the control panels to the end wall of Basin 3, which requires addition conduit, electrical wiring, and disconnects on the walkway. This item includes labor and materials in an additional amount of \$10,129.25 as submitted by J.S Haren.

The Waste Water Treatment Manager and the Director of Engineering recommend the approval of the change order.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Scot Shanks, that Change Order #1 be approved for the 2017 Wastewater Treatment Plant improvements . The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

- b.** Approval of resolutions approving submittal of an application for funding of a 2018 CDBG project, authorizing Mayor as Financial Officer, and selecting Community Development Partners for administrative services and GRW Engineers for engineering services.

City Staff has been looking at a potential CDBG application for a sewer rehabilitation project.

Requests for Qualifications for administrative services and engineering services were issued via mail to capable firms. The only responses received were from Community Development Partners, LLC for administrative services and GRW Engineers for engineering services. Since both firms are familiar with the project, it is recommended that they be utilized to assist in the preparation of the grant application. There will be no charge for their services in the application; however, if the project is funded, they would be asked to submit a contract for their services for approval by Council.

The maximum grant available is \$500,000. An additional \$25,000 would be available for being Three Star compliant. The minimum match required is based upon the 2018 Ability to Pay Index, which is 71% with an adjustment of 4% for being Three Star compliant, thus adjusting the minimum match to 25%. The total grant value would be \$700,000, with the City being responsible for \$175,000 if maximum amounts were requested.

A motion was made by Council Member Pamala Harris, seconded by Council Member Scot Shanks, that resolutions approving submittal of an application for funding of a 2018 CDBG project, authorizing Mayor as Financial Officer; selecting Community Development Partners for administrative services and GRW Engineers for engineering services. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

c. Discussion and action on part-time fraud examiner position in Police Department

The Police Department requests to hire a part time person who specializes in fraud and is a Certified Fraud Examiner. This person would only assist with investigations of financial fraud cases and deal with victims only. This position would be a contract employee (1099) and requires a budget amendment.

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, to approve creating and filling a part time position in the Police Department for a certified fraud examiner as a contract employee with 1st reading of budget amendment, not to exceed \$19,000 . The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

d. Crossville-Cumberland County Central Communications Committee (CCC) Contract

The CCC contract has not been updated recently and needs to be reviewed. This has come to light with the recent staff change in the CCC Director position.

The City Attorney presented options for the Council to consider to move forward with updating the contract.

Option 1: Authorize City Attorney and City Manager to meet with County Mayor and County Attorney to request the County operate the CCC board and City will provide its share of the funding based on population.

Option 2: Renegotiate the entire contract, change board members to have equal representation including the City, County, Lake Tansi Security, and Fairfield Glade Security. This would also give Lake Tansi Security and Fairfield Glade Security access to the CCC facilities.

If the City were to withdraw entirely from the agreement, that could not be done until June 30, 2019 per the current agreement, but can negotiate and create a new contract at any time. These options allow the City to either be a partner with the County or a customer of the County.

Mayor Mayberry mentioned that the number of calls per entity should also be considered.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris to authorize the City Manager and City Attorney to meet with County Attorney and County Mayor to discuss contract and bring back to the Council for consideration. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

e. Discussion and action on purchase of property on Webb Avenue

adjacent to Art Circle Public Library

As the City considers potential parking sites, one known problem area is the Art Circle Public Library, which is abutted by the "Old Handle Mill" property at the corner of Webb Avenue and E. Fifth Street. The property is in a prime location to serve downtown parking needs and allow the City to move functions, such as the cruise-ins, off Main Street. The area also needs to be redeveloped to a more attractive use. To that end, it would be used for parking and also a pocket park to serve downtown businesses.

The Property Assessor's office currently values the property at \$153,300. Reviewing recent commercial sales, the City's Planning Department has found commercial properties in the area typically sell for about 6% above the Property Assessor's valuation.

Mayor Pro Tem Graham suggested the City Manager contact the owner of the railroad property that is nearby and inquire about their asking price. The railroad property is approximately 100 ft. wide.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, to authorize City Manager to negotiate with Cumberland County and the property owner, Ronnie Webb, to acquire the property for \$250,000 contingent Cumberland County partnering in funding on property only, but not on any future improvements to the property. Also included in this motion is to contact the railroad company about acquiring the 100 ft. wide piece near the property. The motion carried by the following vote:

Aye: 5 - Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks, Mayor James Mayberry and Mayor Pro-tem J. H. Graham

f. Discussion and action on sale of Interchange Park Property

A request has been submitted by Forbus Investments to purchase 5.49 acres owned by the City at Interchange Park, Tax Map 74, Parcel 52.05. The City Clerk will need to advertise the potential sale of the property, as required by Charter.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Danny Wyatt to approve the sale of 5.49 acres in Interchange Park. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

g. Discussion and action on Charter Changes regarding number of council members

Council Member Harris led a discussion about changing the Charter to allow for the election of 6 council members and a mayor.

Council Member Wyatt felt there wasn't a need to add additional members and reviewed list of other cities' proportion of council members to constituents.

Mayor Pro Tem Graham stated he has not discussed this proposal with colleagues or constituents and suggested to postpone discussion and form a charter review committee composed of Lanny Colvard, Randy Graham, and Ted Meadows.

Council Member Harris stated she felt this change was important to add more council members to give a broader representation of the City, encourage more women to run for office, and change the dynamics of voting and representation.

Deadline for submission of items to Tennessee General Assembly is February 15.

A motion was made by Council Member Pamala Harris, seconded by Mayor James Mayberry, that a resolution be drafted by the City Attorney and City Manager to modify the City of Crossville charter, Article 4, Section 4, Elections, whereby the number of Council Members to be elected is changed to 7, which is 6 Council Members and a mayor, and further that this resolution be sent to the Tennessee General Assembly to be presented by our duly elected representatives for legislative action by the House and Senate; and further, that upon approval by the Tennessee General Assembly, the change becomes effective with the 2018 election year, with the terms being staggered initially, with 1 additional Council Member being elected to a 4-year term and 1 additional Council Member, the person receiving the lowest number of votes, being elected to a 2-year term; and, further that where drafting of this resolution is concerned, time is of the essence in order to meet the 2018 legislative submittal deadline; and thus, this resolution is not required to come back before this City Council for further action prior to submittal to the Tennessee General Assembly. The motion carried by the following vote:

Aye: 3 - Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

Nay: 2 - Mayor Pro-tem J. H. Graham and Council Member Danny Wyatt

6. City Attorney's Report

City Attorney's Report

- A) Discussion and action on Inn of the Cumberland
- B) Discussion and action on breach of lease on hangar at Crossville Memorial Airport
- C) Monthly report on other legal matters

The City of Crossville condemned the Inn of the Cumberland through the Administrative Hearing process. The building has been vacant for two years and the City Attorney is requesting authorization to move forward and file a lawsuit in Chancery Court to seek demolition. The cost for demolition will be approximately \$100,000 because of tonnage fees at the land fill (concrete). The project would have to be bid out and come back to Council for approval of the bid and a budget amendment.

The property was placed in the tax sale January 2018. The owners were able to pay the minimum and remove the property from the tax sale by paying 2007 and 2008 property taxes. It is expected that the property will be back in the tax sale next year for past due property taxes.

The City Attorney cautioned that the City will not likely recover funds spent on demolition and lawsuit because of the taxes owed and liens on the property.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, to authorize the City Attorney to take action on Inn of the Cumberland, seeking demolition. The motion carried by the following

vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

A tenant leasing hangar space at airport is using the hangar for the storage of a recreational vehicle (RV), instead of an airplane. Storage of the RV breaches the contract with the City of Crossville, as well as violates regulations set forth by FAA. Tenant has not provided proof of insurance since 2014; however, the rent is paid in full. The City Attorney requests to take action to remove the RV from the hangar.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem J. H. Graham, that the City Attorney be authorized file a detainer action on the hangar at Crossville Memorial Airport being used to storage hangar. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

7. City Manager's Report

City Manager's Report

City Manager Greg Wood gave the monthly revenue reports for sales tax, wholesale beer, and retail liquor. He also presented reports on fire events, water loss, building permits, grant activity, special projects, and bonded debt. He noted there is a meeting on the pipe bursting project within the next few weeks, but the project will not begin until spring. Mr. Wood also noted that plans for Garrison Park are almost complete and bid information will be sent out soon.

Mr. Wood thanked all of those involved in helping keep the streets clean and safe during the recent inclement weather.

Mayor Pro Tem Graham inquired about water meters for Catoosa Utility District.

A motion was made by Mayor Pro-tem J. H. Graham, seconded by Council Member Scot Shanks, that upon recommendation by the City Manager, he recommends approval of \$24,000 to purchase water meters for the Catoosa Utility District. The motion carried by the following vote:

Aye: 5 - Mayor Pro-tem J. H. Graham, Council Member Danny Wyatt, Council Member Pamala Harris, Council Member Scot Shanks and Mayor James Mayberry

ADJOURNMENT

With no further business, the meeting was adjourned at 6:59 p.m.

The meeting was adjourned.