

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Thursday, July 9, 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 Crossville Beer Board met in regular session on Thursday, July 9, 2015, at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:45 p.m.

BEER BOARD

Members present were Pamala Harris, Jesse Kerley, and Danny Wyatt. Tom Isham was absent.

Bears Den Bar & Grill

Konrad Norman Peters is the owner of Just One More Bar & Grill. He has changed the name to Bears Den Bar & Grill. He currently has an on-premise beer license. The change was brought before the Beer Board to acknowledge the change in name.

This Permit was approved as recommended

With no further business, the Beer was adjourned at 5:48 p.m. and the Public Hearing convened.

PUBLIC HEARING

A public hearing was held on Thursday, July 9, 2015, at Crossville City Hall to hear comments from the public regarding a proposed annexation on Hwy. 127S requested by David Rutledge.

Annexation of 1.18 acres on Hwy. 127S (Rutledge)

A request has been received for the annexation of 1.18 acres on Hwy. 127S to allow connection to City sewer, which is located in front of the parcel. The Planning Commission has reviewed the proposed Plan of Services and recommended approval. City Clerk Sally Oglesby informed the Council that Mr. Rutledge had been contacted about not being annexed, but allowed to connect to sewer at outside-rates. He responded that he would prefer annexation, but he would accept connection at outside rates. The City Manager was asked to gather information on the cost to provide services since the location is far from any other residences in the city.

This Public Hearing was received and filed

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

Absent: 1 - Council Member Pete Souza

With no further comments, the public hearing was adjourned at 5:51 p.m.

REGULAR MEETING

The City Council for the City of Crossville held its regular meeting on Thursday, July 9, 2015, at Crossville City Hall.

Roll Call

- Present:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt
- Absent:** 1 - Council Member Pete Souza

Others present were City Manager David Rutherford, City Attorney Will Ridley, City Clerk Sally Oglesby, Andy Vaughn, Tim Begley, Willard Dale, Fred Houston, Rodney Shoap, Robin Davis, R. J. Peterson, Peggy Harris, Ray Harris, Levonn Hubbard, Larry Moore, Jeremy Biggs, John Turner, Tony Davis, David Brockway, Jim Young, Lee Lawson, Jeff Kerley, Tammie French, Clark West, Judy Pearson, Carolyn Miller, Bennett Harper, Chris Bennett, Mark Rosser, Larry Qualls, Mike Turner, Sherley Wyatt, Walt Riches, Patricia Westerfield, Stuart Bartholomew, Woody Geisler, Annette Mullikin, Liz Denton, Sean Mullikin, Jade Mullikin, Sheriff Casey Cox, Kevin Wood, Daniel Coleman, Chuck Hennessee, Al Seitner, Adam Thurman, and Brad Allamong.

Call to Order

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

The invocation was given by Willard Dale of the Southwest Baptist Church followed by the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Cumberland Medical Center
- b) Officer of the Month
- c) Letters of Appreciation

Jeremy Biggs, CEO of Cumberland Medical Center, updated the Council on the hospital and the work they are doing to improve healthcare in the community. He discussed Covenant Health Systems, a non-profit group of community hospitals. There have been no layoffs nor are there any plans for layoffs. They have reduced staff through attrition, but would like to increase jobs in the future. A new \$6,000,000 emergency department has been approved and is currently in the bidding process. They are also trying to expand some of the current specialties, such as interventional cardiology.

Police Chief Shoap recognized Patrolman Kevin Wood and Patrolman Daniel Coleman as Officers of the Month.

Police Chief Shoap presented Letters of Appreciation to Sheriff Casey Cox, Cumberland County Deputy Sgt. Ricky Lanzilotta, Corporal Sean Mullikin, Deputy Chuch Hennessee, Deputy Adam Thurman, and THP Trooper Al Seitner.

The Presentations were announced.

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

A motion was made by Mayor James Mayberry, seconded by Council Member Jesse Kerley, to approve all items on the Consent Agenda, except "e" and "k". 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

Absent: 1 - Council Member Pete Souza

a. Approval of minutes (6/11, 6/25)

The Minutes were approved as recommended.

Ordinances on Third Reading**b. Ordinance amending the FY14-15 budget for aerial photography**

This Ordinance was adopted on third reading.

c. Ordinance amending §12-1101 of the Crossville Municipal Code regarding municipal administrative hearing officer

This Ordinance was adopted on third reading.

d. Ordinance amending §13-402 of the Crossville Municipal Code pertaining to abandoned or inoperable vehicles

This Ordinance was adopted on third reading.

e. Ordinance amending §13-104 of the Crossville Municipal Code pertaining to removal of vegetation and debris from certain lots

Mayor Mayberry asked that the ordinance be amended to add the word "developed" before property.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that this Ordinance be adopted on third reading, as amended. 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

Absent: 1 - Council Member Pete Souza

Additional Consent Items

f. Approval of revised beer permit application

Effective July 1, 2015, T.C.A. 57-5-103(a) has been amended to prohibit cities from issuing a beer permit to any applicant unless the applicant has been a citizen or lawful resident of the United States for at least one year immediately preceding the date of applying for the permit. All applicants and permit holders prior to July 1 are grandfathered in. A note of this requirement has been added to the application.

The application was approved as recommended.

g. Approval of additional services regarding soil remediation on the downtown water line project

The Tennessee Department of Environment and Conservation, Division of Remediation, has directed the City to monitor the soils on the project with a photo ionization detector. They also reviewed the waste location and informed the City of the process involved in the remediation of the soils.

CT Consultants has agreed to provide the following additional services:

1. *Daily PID Monitoring of Site Area*
 - a. *Provide a portable Photo Ionization Detector (PID) for the work area for the entire project as required by TDEC, Division of Remediation.*
 - b. *Monitoring levels will be checked and entered into the daily project inspection report, and reported to the contractor for utilization in his health and safety measures.*
 - c. *Provide a trained technician to operate the PID.*
2. *Contaminated Material Analysis*
 - a. *Provide sample analysis of contaminated samples as required by TDEC, Division of Remediation.*
 - b. *Provide laboratory kits and prepare samples for shipment.*
 - c. *Provide the City of Crossville a laboratory analysis report.*
 - d. *Laboratory analysis will be based on standard turnaround time unless rush service is requested.*

Fee Summary:

Description of Services/Base Fee

- *Daily PID Monitoring of work area/\$350.00 per week, including calibration and operation*
- *Contaminated Material Analysis/Cost + 20%*
- *Contaminated Material Collection and shipment/\$110 per sample*
- *Permit assistance and compliance/provided as part of the Construction Administration Rate previously established for the project*

The total cost of the PID monitoring for the duration of the project totals \$9,100.

Other services will be dependent on the amount of contaminated soils removed from the project.

The additional fees and services were approved as recommended.

h. Approval of sign variance for CoLinX

CoLinX has requested permission to install a 4' x 8' sign at the intersection of Cox Avenue and Genesis Road. The Sign would direct all of their truck traffic to use Cox Avenue as the "Truck Entrance". Staff believes that this sign would be considered an off-premise sign and that a variance is needed. Staff also recommended the approval of the sign because it could eliminate a considerable number of truck turnarounds on Genesis Road which could jeopardize the safety of the general public and impede

traffic.

This variance was approved as recommended.

- i. Resolution authorizing an application for a Safety Partners Loss Control Matching Grant through the TML Risk Management Pool

The TML Risk Management Pool is offering a 50% grant for the purchase of safety items. Under this program, if approved by TML, the City can purchase up to \$4,000 in safety equipment and be reimbursed 50% of the costs. Department heads are preparing requests that will be reviewed by the City Manager to establish priorities for the purchases.

The grant application was approved as recommended.

- j. Resolution authorizing the issuance of capital outlay notes in an amount not to exceed \$1,200,000

Capital outlay notes are being secured for the financing of the police vehicles and air packs and equipment for the Fire Department. The notes will be at an interest rate of 1.82% for 3 years.

This Resolution was approved as recommended.

- k. Approval of connection of 4341 Hwy. 127S to City sewer at outside-City rates.

David Rutledge has requested his property located at 4341 Hwy. 127S to be annexed into the City so that he can connect to city sewer. The sewer line is located in front of his property. Because of the distance to the property from other residences in the City, it was suggested at the work session that the property not be annexed, but approval be given to approve access to City sewer at outside-City rates.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Pamala Harris, that this item be deferred. 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

Absent: 1 - Council Member Pete Souza

- l. Approval of TDOT-Aeronautics 2015-16 maintenance grant

TDOT-Aeronautics is providing a maintenance grant in the amount of \$25,750 to provide 50% funding for maintenance required at the airport during 2015-16. This money helps cover the cost for mowing, general maintenance on buildings and grounds, and smaller renovation projects.

This Contract was approved as recommended.

- m. Acknowledgement of Form CT-0253 for DW1 2012-116

CT-0253 is required to be presented to the City Council in public meeting. This is a report of the debt obligation for the waterline projects. It is funded through the State Revolving Loan Program in the face amount of \$2,231,010; however, there is a principal forgiveness of \$669,303.

This Report was presented.

4. Bids/Purchases

Police Vehicles

Chief Shoap discussed the purchase of 2015 police vehicles that have been reserved from Murfreesboro Ford at the Rutherford County contract pricing. The cost for 24 SUV Interceptors at a price of \$26,071.00 each is \$625,704.00. In addition one F150 Crew Cab will be purchased at \$25,229.00 for Animal Control. The City Manager explained the state bid process and that the local dealers were approached, but they could not get the inventory. He recommended approval. The savings is about \$125,000.

Sheriff Cox expressed his appreciation to the Chief and the teamwork that is taking place between the City and the County.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that the purchases of police vehicles be approved as recommended. 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

Absent: 1 - Council Member Pete Souza

5. Marketing Report

July Marketing Report

Marketing Director Billy Loggins will provide an update on the following:

- *"Tennessee for a Lifetime"*
- *Hiking Event*
- *Friday Night Air Summer Concert Series*
- *Team Championship*
- *Waterfest 2015*
- *Tennessee Women's Open*
- *Cumberland County Playhouse*
- *4th of July*

He also mentioned the 26th annual Johnny Majors golf tournament, which will be held at Lake Tansi this weekend.

Tammie French announced that 66 teams are coming in this weekend for the Girls Fastpitch Worlds Series, ages 8-16.

This Report was received and filed

6. Cumberland County/Chamber Report

Brad Allamong, President of the Chamber, presented new numbers at the Visitor's Center, which is still suffering from the sign being down at the interchange. He also presented copies of the Lifestyle Magazine. The JECDB authorized participating in the Select TN Property Evaluation program through the TN Dept. of Economic and Community Development. Eight sites will be submitted. If selected, all the sites will be evaluated by an independent site evaluator to provide input on the sites. The Chamber Board is working on the fundraising to meet their obligation for the economic development funds. They are also working on setting up a 501(c)(3) corporation.

7. Other Business**a. Discussion and action on Aviagen expansion**

Aviagen is looking at an expansion of their operations to build a lab. They expect to create 15-20 new jobs. Past City Councils have given a credit of \$5,000 per job created off the sale price of the property. They requested 3.6 acres located at the end of Duer Court for the expansion. The Assessor of Property has valued it at \$10,000/acre; however, this particular piece is part of a much larger parcel that extends across the Obed River and is inaccessible at this time. The appraisal of the current Aviagen property which fronts Industrial Boulevard has a tax appraisal of \$30,000/acre. The City Manager recommended establishing the value at \$25,000/acre. At 3.6 acres, the value would be \$90,000. With a credit of \$5,000 per employee, he recommended providing the 3.6 acres at no cost. They currently have 328 employees with 18 farms.

A motion was made by Council Member Danny Wyatt, seconded by Mayor James Mayberry, that the property at the end of Duer Court be made available to Aviagen at no cost, based on the projected employment. 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

Absent: 1 - Council Member Pete Souza

b. Discussion and action on speed limits

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that the speed limit on Kings Row be reduced from 30 to 25 mph, as recommended by the Chief of Police. 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

Absent: 1 - Council Member Pete Souza

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that the speed limit on W. Adams Street be increased from 20 to 25 mph. 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

Absent: 1 - Council Member Pete Souza

c. Discussion and action on Meadow Park Lake operations

A draft ordinance was presented to remove offenses at Meadow Park Lake being misdemeanors. It also changes the code to allow swimming under rules and regulations adopted by the Lake Commission. It was pointed out that the proposed ordinance will be reviewed by the Lake Commission for changes between readings.

A motion was made by Mayor James Mayberry, seconded by Council Member Jesse Kerley, that this Ordinance be approved on first reading. 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

Absent: 1 - Council Member Pete Souza

8. City Attorney's Report

City Attorney's Report

City Attorney Will Ridley reported that no new litigation has been filed during the past month. A suit has been filed on the issues at the Duer soccer complex.

This Report was received and filed

9. City Manager's Report

City Manager's Report

City Manager Rutherford presented the monthly revenue reports on local option sales tax, wholesale beer tax, and retail liquor franchise fees. He also updated the Council on building permits, grants, special projects, and debt service. He also reported on the addition of a turning lane at the intersection of Northside Drive and Hwy. 127N that was constructed by city crews to alleviate the traffic congestion.

Work sessions are needed on recreation. He proposed having them on July 16 or July 23 and asked for Council members to let him know of their availability. He also suggested a work session on July 30 on the wastewater facilities update, including the request for sewer connection to the condos at Lake Tansi. There will also need to be a work session on sidewalks and drainage. The next Visioning session is scheduled for July 21 at Martin Elementary School.

TN Drug Free Workplace training is going on now, which will result in workers compensation savings and mandatory random drug tests for all employees.

At the work session, Councilmember Wyatt suggested keeping the building inspection for the County. Mr. Rutherford reported that Councilmember Souza was not interested in keeping it. Councilmember Wyatt stated that he would like to continue the inspections for the revenue stream since commercial will now be included. Mayor Mayberry commented that it will be more expensive to cover the county and codes and that the revenue might not be as good as expected. Councilmember Kerley pointed out that there would be more revenue with commercial inspections.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that an offer be made to the County to continue providing building inspections, including commercial. The motion carried by the following vote:

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

Nay: 1 - Mayor James Mayberry

Absent: 1 - Council Member Pete Souza

(At 6:55 p.m. the regular meeting was recessed and the Solicitation Board convened.)

SOLICITATION BOARD

Fairfield Glade Lions Club

The Fairfield Glade Lions Club has submitted an application for a Solicitation Permit for their annual cheese sale to raise funds for the vision, hearing, and scholarship programs. The sale will take place from September 30 - November 30.

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

Absent: 1 - Council Member Pete Souza

(At 6:56 p.m. the Solicitation Board was adjourned and the regular meeting reconvened.)

10. Public Comment

Judy Pearson spoke to the Council regarding the Crossville Tree House. She asked the Council to consider the tourism value of it and what might be done to help the owner to get it re-opened to the public. She understands that one of the problems is fire suppression. Mayor Mayberry expressed his agreement and that he had talked to the State Senator and State Representative, as well as the owner. It is the number one question at the Chamber of Commerce and Visitor's Center.

Levonn Hubbard spoke on concerns about parents remaining at the Meadow Park Lake when they are fishing. He also thanked the Council regarding the action taken on behalf of Aviagen.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:01 p.m.