

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, December 2, 2014

5:30 PM

Conference Room 317

Work Session

The City Council for the City of Crossville, Tennessee held a work session on Tuesday, December 2, 2014, at Crossville City Hall. Mayor James Mayberry was present and presiding. Councilmembers present were Pamala Harris, Jesse Kerley, Pete Souza, and Danny Wyatt. Others present were City Manager David Rutherford, City Clerk Sally Oglesby, Fred Houston, Tim Begley, John Turner, Jim Young, Latoya Cook, Larry Qualls, Harold Thompson, Andy Vaughn, Brad Allamong, Clark Annis, Tammie French, Mike Turner, Levon Hubbard, Bruce Wyatt, Billy Loggins, Jerry Kerley, Cathe Raymer, Rick Myers, Rob Harrison, Brian McDonald, Mark Fox, and Triston Milke.

Call to Order

Mayor Mayberry called the work session to order at 5:30 p.m.

1. Discussion and action on the City of Crossville Team Championship

Because of scheduling for the upcoming calendar year, the Tennessee PGA and Lake Tansi Golf Course are requesting Council to decide if the City of Crossville Team Championship will be funded in the budget year of 2015/2016. Representatives from Lake Tansi and the Tennessee PGA were present to answer any questions. The tournament started in 1986 and the City began sponsoring it in 2009. It would be held in July 2015. The cost is \$10,000. Councilman Souza indicated that he would not be in favor of continuing it. The item will be placed on the agenda.

This Report was received and filed

2. Discussion on Parks & Rec Usage Fees & Concessions

City Manager Rutherford presented a proposed new fee structure for usage fees and a new concessions menu and gave an update on operation of the concession stands. For the last couple of years, the concessions have been contracted out; however, the current contractor does not want to continue. A decision has not been made on how to handle it for next year.

Tammie estimated that the new fees would be a 25% increase over this year. Councilmember Harris asked about the potential fallout for tournaments. Mr. Rutherford commented that Pigeon Forge and Sevierville are building huge complexes that will probably have a major impact. Councilmember Kerley stated that Crossville is known for golf and girls' softball. He thinks a lot of tourism has been brought in from the tournaments. He would not like to run the tournaments out of town. Councilmember Wyatt expressed his concern, as well. Tammie indicated that the state leagues using the soccer complex are the only ones paying and that they tear up the fields and don't stay around in Crossville to spend money. Councilmember Harris also expressed concern about tourism. Tammie expressed concerns about charging local teams for lights. Councilmember Kerley indicated that there will be restructuring with Steve Hill retiring in January that might result in some savings. Mr. Rutherford said that the decisions will have to be made fairly soon because of the reservations starting for 2015. Councilmember Kerley suggesting talking to the County since they get the hotel/motel taxes. Consensus was to leave it like it is and consider RFP's for concessions.

This Report was received and filed

3. Discussion regarding Tourism and Economic Development

Councilmember Harris led a discussion on the City's representation through the Chamber of Commerce and input on issues relating to tourism and economic development. She would like a resolution be adopted showing a focus on tourism and economic development. The City Manager reported on a special meeting that is being set up on January 12 at 6:00 p.m. to discuss the subject with the City Council and all the partners (Chamber, County, JECDB, IDB, etc.). On January 13, we are planning to have the resolution drafted that Councilmember Harris is referring to and the County would consider it at their January meeting. Mr. Rutherford reported that Billy Loggins is attending TVA meetings and webinars. Councilmember Souza expressed his concern that, in the past, the different entities were working separately instead of as a team. He wants to strategically review everything and have a new approach.

This Report was received and filed

4. Discussion on Kansas City BBQ Society Event

The City Manager working in conjunction with the Chamber of Commerce has met with representative of the Kansas City Barbeque Society (KCBS) about holding a competitive event in Crossville. Teams from across the country compete at these events for part of a prize purse. The City Manager suggested a purse of \$12,000 for the first year. The complex has enough room for 36-40 teams. Other events would be part of this weekend. The initial expense is \$350 to sanction the event with KCBS. A budget amendment might be needed prior to the event depending on the amount of sponsorship that can be raised. Benefits for having this event include exposure for the City of Crossville, opportunity for community residents to be exposed to a fun event, and an opportunity for the City, County, and Chamber to work together. Proposed dates are being researched. It may be an opportunity to co-sponsor with the County and Chamber. Brad Allamong indicated that they would be willing to be involved in it and helping with sponsorships.

This Report was received and filed

5. Discussion on Buxton Company

Mr. Rutherford led a discussion about the Buxton Company and the initiation of analysis for the City of Crossville, with copies of the criteria distributed. There are about 3 companies that do the same type work on helping to locate retail companies in communities.

This Report was received and filed

6. Mayor Pro-Tem

The City Charter (Article V, Section 11) states "at the first meeting of a new council, it shall choose from its membership a member to act in the absence, inability, or failure to act of the mayor, who shall act as mayor pro tem, and who shall have all the power herein granted to the mayor while so acting". Councilman Souza indicated that he would be nominating Councilman Kerley.

This Report was received and filed

7. Appointment of City Judge

Judge Thomas Bean has announced his retirement effective November 30. A reception is being planned in his honor. Article IX, Section 1 of the Charter states "The City Council shall elect or appoint a city judge by a majority vote of its entire membership, for a period of two (2) years, or until a successor has been elected and qualified." Mayor Mayberry indicated that Judge Warner has agreed to fill in until the appointment was made. Councilmember Souza would like to take applications for the position. The next court date is December 9. Consensus was to put out a request for applications for interested parties. The City Manager recommended a salary of \$9,000. It takes 2-4 hours a month. Council agreed on a proposal of \$12,000.

This Report was received and filed

8. Appointment to the Regional Planning Commission

The City Council appoints a member of the City Council to serve, along with the Mayor, on the Crossville Regional Planning Commission. Mayor Mayberry suggested Councilmember Harris.

This Report was received and filed

9. Ordinance adopting 2014-S3 supplement to the Code of Ordinances

American Legal Corporation has revised the Charter and Code of Ordinances to reflect all changes through September 9, 2014. An ordinance is required to adopt these changes in the code.

This Report was received and filed

10. Discussion on Stormwater Board of Appeals

The Stormwater Board of Appeals requires one member from the City Council. A member of City Council needs to be appointed to the Board of Appeals. Councilmember Souza volunteered.

This Report was received and filed

11. Discussion on Board of Floodplain Review

The Board of Floodplain Review has three members as required by Ordinance, which are appointed by the City Council upon the expiration of their term or a vacancy due to the resignation of a member. These terms expire in June of each year. This Board is required by FEMA as part of the City's participation in the availability of federal floodplain insurance by its property owners. To change the ordinance will require approval by FEMA. Since adoption of this FEMA program in 1986, this Board has never been called upon to meet on any issue. The City Clerk will contact the current members and see if they are still interested in serving and place it on the January work session.

This Report was received and filed

12. Discussion on Westheria Drive, Iris Circle and Narcissus Street improvement project

Westheria Drive, Iris Circle and Narcissus Street are not official City Streets and do not meet current city street specification. They are shown in orange on the attached

drawing. The three roads are gravel and vary in width from eight feet to eighteen feet. The total length of the streets is approximately 2,255 feet.

These streets are located in a failed subdivision (Hide-Away Hills) and were not developed as platted, planned, and approved by the Planning Commission. Council's policy has been to install all improvements in a failed subdivision through the abutment process with the property owners sharing up to 75% of the costs over a multi-year period. A resolution has been passed for an abutment project and a public hearing has been held. No decision has been made by City Council on whether to proceed or not. State law provides that an abutment project can proceed if 51% of the property owners are in favor or by vote of the City Council without property owner approval.

Councilmember Souza is suggesting that the roads be maintained by the City Street Department. Councilmember Harris commented that she had looked at the area, talked to residents and professionals. She suggested reworking the road bed and pulling the ditches now to get a better base or about 3 years. After that, consider a tar and chip finish. Councilmember Souza proposes paving the road as there was not much difference in the cost. He proposes adopting the roads for maintenance. To adopt the roads, the subdivision regulations would have to be changed since they are not built up to specs. The City Manager would like to use his discretion to keep the road up and then the matter be brought up at budget time. There are other problems that will have to be addressed. Engineering will provide a budget estimate to bring it up to specs.

This Report was received and filed

13. Discussion on Councilmembers' health insurance

Councilmember Souza would like Council to discuss eliminating City-provided health insurance for elected officials. The matter was dropped. Councilmember Kerley would like to re-look at self-insured health insurance. Mr. Rutherford suggested working on a group that would include the County and Board of Education.

This Report was received and filed

14. Discussion on Wastewater Permit Increase

Mr. Rutherford updated the Council on the progress being made toward application to increase the permit on the Wastewater Plant. The City has been working with the State to increase the capacity for our plant, that would change the treatment process and not involve construction. The benefit would be to go from 3.5 MGD to 5.0 MGD for \$\$\$\$ Nitrogen and Phosphorus will have to be reduced. The permit expires in December 2016, but paperwork should be submitted in February or March of 2015. Meetings with stakeholders that might protest the changes are already scheduled. Councilmember Kerley asked about pre-treatment options that might help. All options are being looked out and researched.

This Report was received and filed

15. Discussion on Council Standing Rules of Procedures

Councilman Souza led a discussion on rescinding rule 3 and rule 6 of the Standing Rules that were adopted June 10, 2014. He has had a lot of complaints from the public. Councilmember Wyatt stated that rule 3 only allows the Mayor and City Manager to request more information, not delete it from the agenda. Councilmember Souza also stated that the City Manager or Mayor should not be able to modify the submittal of a councilmember. Councilmember Kerley asked that it be put off to January. Mr. Rutherford suggested that any items be discussed at the work session

- unless an emergency, nothing comes up at the meeting unless it was at the work session.

This Report was received and filed

16. Resolution approving an application for a Community Transportation Planning Grant

An 80/20 grant opportunity has been made available to assist in the costs for transportation planning for the City. The deadline for submittal of the grant has been extended to January 26, 2015.

The City is seeking to develop a Traffic Flow study inside its Urban Growth Boundary, which will provide a better understanding of county wide community traffic patterns. The study will include a ranking system for all traffic signals that will yield an optimized timing plan showing which signals are in need of synchronization. The study will also provide a base to build future land use planning and potential changes to the City's Major Thoroughfare Plan.

(At 7:30 p.m. the work session was recessed. It was reconvened at 7:54 p.m.)

This Report was received and filed

17. Update on Staff Development Training

Mr. Rutherford presented a post-series report on the workshop sessions that ended November 12 and gave an overview.

This Report was received and filed

18. Update on Crab Orchard Utility District Offer

Mr. Rutherford gave an update on the City of Crossville's offer of water to the Crab Orchard Utility District.

This Report was received and filed

19. Ordinance amending §15-613(B) pertaining to handicapped parking

Mr. Patrick Taylor brought forth some concerns regarding the enforcement and fines for violation for misuse of handicapped parking spaces. The current municipal code section 15-613 allows for fines of up to \$100. Tennessee Code Annotated has been updated and now allows a fine of \$200. However, it is a Class B misdemeanor and as a municipality through our Municipal Court, we are only allowed to hear Class C misdemeanor case, which is limited to a \$50 fine. Instead of changing the ordinance, we need to implement a parking enforcement program to address the problems. Latoya Cook explained that a new procedure will be put in place when the officer runs the tag and issue a fine. If the fine is not paid, then it will be turned over to claim. They are looking at a parking enforcement program to ticket the person to get jurisdiction as well as more public education. We get 10-12 calls a week of complaints. When the plan is put together, it will be brought back to Council. The ordinance will not be brought back to Council for final reading.

This Report was received and filed

20. Discussion and action on widening of Porcelain Tile Drive

The City has been asked by StonePeak Ceramics to widen Porcelain Tile Drive

approximately 12 feet. This would create a queue lane for trucks and would eliminate the truck traffic jams that have been occurring almost weekly. The base work and grade work could be completed by City crews and the asphalt would be installed by Rogers Group, under the yearly asphalt contract. The estimated cost for the materials is \$42,000. The attached map shows the area of the widening. A letter from Crossville Ceramics opposing the queue lane was presented. They think that StonePeak should reconfigure its parking lot to provide space for the trucks. There is a stormwater issue as well. Tim Begley acknowledged there is a problem, but he felt part of the problem was a political issue that could force the city to take sides between the two competitors. Both plants have increasing truck traffic and the proposed solution will not solve the entire problem. There are also issues between the trucks and cars. It is possible that a third lane could be built, but it still won't be a long-term solution. Councilman Souza suggested a staging area at Interchange Park to wait until they are called. Council indicated that discussions need to be held with StonePeak. Mr. Rutherford also suggested meetings with TDOT since it was an industrial access road.

This Report was received and filed

21. Discussion and action on Classification and Compensation Plan

Mr. Rutherford led a discussion about the purpose and key objectives of a classification and compensation plan, review current salaries versus salaries of other cities, and present a proposal for the implementation of a classification and compensation plan. Councilmember Souza proposed to approve 1/1/15 the plan. He had originally planned to propose a 4% across-the-board raise, but realized it would just compound the problem. Mayor Mayberry commented that Monterey and Fairfield Glade pay more for police officers than Crossville. Councilmember Kerley wanted to wait until budget time and more time to look at benchmarking. Councilmember Harris and Wyatt expressed concern over tax increases. Fred Houston stated that taxes would not have to be increased for this year.

This Report was received and filed

22. Approval of contract with Atkins for engineering services for a storage hangar

Grants have been awarded by the Tennessee Department of Transportation-Aeronautics Division for the construction of a storage hangar (95/5%) and site work and apron (95/5%). Atkins was approved by Council for a master contract for work at the airport. Contracts for this specific project was presented. The costs have been approved by TDOT-Aeronautics.

This Report was received and filed

23. Discussion on waterlines and sidewalks in the downtown area

The revised plans for the waterline replacements in the downtown area are completed and approved and ready to go out for bids in January. Councilmember Danny Wyatt started a discussion on the sidewalks in the downtown area.

This Report was received and filed

24. Approval of Contracts for Utility Relocations on the Safe Routes to Schools Project.

TDOT is requiring utility relocation contracts for the Safe Routes to School Project (sidewalks) on Myrtle Avenue and Fourth Street. The attached contracts are the same basic contracts used on the Downtown Project. This should be the last step in being able to bid the project.

This Report was received and filed

25. Discussion on City Manager evaluation

On September 24, the City Manager provided evaluation forms to the Council for evaluating the City Manager's performance for January - October 2014. He requested that the forms be returned by October 31. Evaluations were provided by 3 of the members. The procedure in place is for them to be presented to the Mayor. However, since they were not all received, they have not been forwarded. Councilmember Souza suggested a 10% pay raise for Mr. Rutherford. Councilmember Harris expressed concerns about the evaluation procedure since it was not completed by the previous Council. Councilmember Kerley suggested that the City Manager's raise should be equivalent to the percent of the average employee raise.

Councilmember Harris commented that it was a big decision on both the employees and the City Manager.

Mayor

Mayberry stated that he thought the City Manager was doing an excellent job, but that it was too soon for him to evaluate him.

Councilmember Wyatt asked the City Manager when he was going to move here with his family. The City Manager responded that he would do so when the Council is stable

Councilmember Harris asked that the item be pushed to January.

This Report was received and filed

26. Update on Pilot Recycling Program

Mr. Rutherford provided an update on the progress of implementation of the pilot recycling program. Both areas will be included for the 14 week study starting in January. He does not believe the cost of the program will be covered by any potential rebate from the County. A letter will be sent to each house in the target areas explaining the program.

This Report was received and filed

27. Approval of 20' Ingress and Egress Easement for property leased by Colinx

Colinx currently leases space on Interchange Drive at the building shown on the attached drawing. The drive north of the building and the area west of the building are currently being used for a free trade zone. Colinx would like to improve and utilize the City's existing 20' ingress and egress easement, shown on the attachment, so as they can separate non-free trade zone activities. It is recommended that the City Attorney draw up an agreement with the owner of the property. This agreement would give permission to the lessor to improve the easement and give permission for the Colinx non-free trade zone traffic to utilize the easement. It is also recommended that the agreement expire when Colinx is no longer the lessee of the property. Councilmember Souza asked that CoLinX pay the attorney cost.

This Report was received and filed**28.** Approval of resolution for SRF Clean Water project

The City applied for and received \$1,950,000 in State Revolving Loan funds to fund I/I improvements in the wastewater system. There is also a 10% forgiveness (grant) of \$195,000 associated with the loan so the actual loan will be \$1,755,000. The anticipated interest rate is 1.61% for 20 years. They need to close this loan by the end of December.

Councilmember Souza asked for monthly updates as construction proceeds.

This Report was received and filed**29.** Discussion on request from Rick Myers for additional compensation

Rick Myers is retiring from the City of Crossville through the retirement incentive package. He had previously requested additional compensation for his certification for graduating from the Police Academy in 1997. He went through the Academy to allow him to carry a gun as an arson investigator. This request was verified through our records and approved in the amount of \$4,979.75 by the City Manager.

Mr. Myers is now requesting a 10% increase from 1985. He has a newsletter showing that the City Manager at that time named him as Assistant Fire Chief and did not give him additional compensation. All personnel files, records, and minutes have been checked and there is no documentation of this promotion or the intent of additional compensation. The City Manager does not recommend this additional compensation. This should have been handled at the time by previous City Managers and Councils, if that was their intention. Mr. Myers asked for a 10% raise for the 9 years he served in that position.

Council asked for a calculation.

This Report was received and filed

With no further business, the work session was adjourned at 9:53 p.m.