

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

**Tuesday, September 10, 2019**

**6:00 PM**

**Council Chambers**

## **City Council**

*Mayor James Mayberry  
Mayor Pro-Tem Art Gernt, Jr.  
Council Member J.H. Graham, III  
Council Member Rob E. Harrison  
Council Member Scot Shanks  
City Manager Greg Wood  
City Clerk Valerie Hale*

**BEER BOARD - 5:45 p.m.**

*Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:45 p.m.*

**This was adopted**

**Present:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**a. Dublin's Crossing**

*Michael Shane Wyatt has applied for an on premises beer permit for Dublin's Crossing located at 1114 West Ave.*

**A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison, to approve the on premises permit. The motion carried by the following vote:**

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*With no further business to conduct, the meeting adjourned at 5:47 p.m.*

**PUBLIC HEARING - 5:50 p.m.**

*Mayor Mayberry was present and presiding. He called the Public Hearing to order at 5:50 p.m.*

**a. Annexation and Plan of Service for Tax Map 113H, Group E, Parcel 29, Sweetgum Circle**

*Jaret Walker has requested annexation of his property located on Sweetgum Circle which adjoins another lot he owns that fronts on Myrtle Avenue. The Planning Commission has reviewed the proposed Plan of Services and recommended approval.*

*No one was present to make comment. The public hearing was adjourned at 5:51 p.m.*

**The Public Hearing was held.**

**SOLICITATION BOARD - 5:55 p.m.**

*Mayor Mayberry was present and presiding and called the Solicitation Board to order at 5:55 p.m.*

**Present:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**a. Fairfield Glade Lions Club**

*An application has been received from the Fairfield Glade Lions Club for a Solicitation Permit to raise funds for the Club's vision, hearing and scholarship projects. They will be selling cheese.*

**A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison, to approve this solicitation permit. The motion carried by the following vote:**

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*With no further business to conduct, the Solicitation Board meeting adjourned at 5:56 p.m.*

## **REGULAR MEETING - 6:00 p.m.**

### **Call to Order**

*The Crossville City Council met in regular session on September 10, 2019 at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 6:01 p.m.*

*Ralph Reagan of the Bread of Life Rescue Mission provided the invocation. The Young Marines presented the colors and led the Pledge of Allegiance.*

### **Roll Call**

**Present:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

*Others present: City Manager Greg Wood, City Attorney Will Ridley, Assistant City Clerk Malena Fisher, Leah Crockett, Fred Houston, Kevin Music, Steve Powell, Billy Martin, Jessie Brooks, Mike Turner, Darian Dykes, Tim Begley, Kyle Sherrill, Levonn Hubbard, Frank Vitale, Linda Vitale, Ralph Reagan, Kim Wyatt, Paige Wyatt, Nicole Mullins, Jackson Watts, Scott Humphrey, Cheryl Duncan, Jim Young, and members of the Young Marines.*

## **1. Proclamations/Presentations**

### **a. Presentations/Proclamations September 2019**

#### *a) Lifesaver Award – Frank Vitale*

*On Wednesday, July 17, 2019, Crossville Police, Crossville Fire, and Cumberland County EMS were dispatched to a motor vehicle accident on Highway 127 North and Matherly Drive. Initial reports indicated that it involved a passenger car and a motorcycle. The driver of the motorcycle, 44-year-old Michael Paul Howard, was traveling north on Highway 127 when the accident occurred, and Mr. Howard was*

*ejected from the motorcycle. Mr. Howard received severe injuries and was flown to Erlanger Medical Center in Chattanooga for the treatment of his injuries. Mr. Howard may not have survived if it weren't for the quick thinking of Mr. Frank Vitale. Mr. Vitale rushed to the aid of Mr. Howard and used a belt as a tourniquet to help control the bleeding in Mr. Howard's leg. Mr. Vitale also stayed with Mr. Howard and kept him calm and conscious until emergency personnel arrived at the scene. Mayor Mayberry presented Mr. Vitale with the Lifesaver Award, and Mr. Vitale received a standing ovation.*

*b) Suicide Prevention Awareness Month*

*The Mayor proclaimed September 2019 Suicide Prevention Awareness Month*

*c) Student of the Month – Jackson Watts was recognized for his character trait of cooperation*

**The Proclamations were presented.**

## 2. Public Comment

*No public comments were made.*

## 3. Appointments-NONE

## 4. Consent Agenda

**A motion was made by Council Member J. H. Graham, seconded by Council Member Scot Shanks, to approve Items A-AA on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

### a. Approval of minutes (08/13)

*Approval of minutes (08/13)*

**The Minutes were approved.**

### **Ordinances on Third Reading**

### b. Ordinance amending FY19-20 budget for 2018 CDBG Sewer Rehab

*The 2018 CDBG Sewer Rehab project bid from Portland Utilities Construction Co. is recommended by the Engineer of record. City Staff recommends the approval of the bid at the amount of \$593,168.00 without the deductive alternate.*

*The contract amount of \$593,168.00 exceeds the original estimated cost in the grant by \$124,329.00 and a resolution stating the City will be responsible for all local cash matching funds needed for the completion of the project and a budget amendment (\$150,000) for the additional monies is required.*

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

### c. Ordinance amending FY2018-19 Budget Amendment Year End

**Adjustment**

*Grinder pumps are under budget due to sales and inventory adjustments; therefore, a \$60,000 budget amendment is necessary.*

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

**Ordinances on First Reading**

- d. Ordinance amending §15-125 in the Crossville Municipal Code regarding Rules of the Road

*The Crossville Police Department is requesting to adopt the State Traffic Statute 55-3-102-Driving or moving unregistered vehicle upon highway a misdemeanor Exception. This statute is necessary to enable the police department to cite into City court for suspended registrations.*

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

**Additional Consent Items**

- e. Approval of Annexation and Plan of Services for Sweetgum Circle (Tax Map 113H-E-029.00)

*The property owner, Mr. Jaret Walker, has requested annexation for his property, Tax Map 113H E 029.00. This parcel is located in a failed subdivision on an unimproved ROW of Sweetgum Circle. He also owns a parcel, Tax Map 113H E 001.03, which is already in the City and located along Myrtle Ave. and is adjacent to the parcel fronting on Sweetgum Circle. Since the lot being requested for annexation is part of failed subdivision and is currently not served by water or sewer, utilities would only be available to it by combining or re-subdividing the parcel along Myrtle Ave. to allow a flag lot. This has been explained to the property owner. The availability of utilities is reflected in the Plan of Services attached to the annexation. Planning Commission met August 15 and recommends approval of the annexation and plan of services.*

**This Annexation and Plan of Services was approved.**

- f. Approval of Sewer Line Extension along Cook Rd.

*Mr. John Stubbs has requested the extension of a low-pressure sewer line along Cook Road to his property. The existing sewer line is approximately 1,430 feet away. Under the City's utility ordinance, the property owner would only be responsible for the cost of materials, since it is for a single use entity and the property is located inside the City limits. The cost of materials is \$2,354.90 for a 2-inch sewer line. The City would install a 4-inch line for future growth, but by the ordinance, the property owner is only responsible for what is needed for them. The City will be responsible for the cost difference between a 2-inch line and 4-inch line. The cost does not include tap fees and TDEC fees or possible engineering fees. Crossville Regional Planning Commission met August 15 and recommends the approval of this sewer extension upon payment of the materials cost and any fees associated with the extension.*

**This Item was approved.**

- g. Approval of transfer of retainage funds for the Holiday Hills Waterline

### Replacement Project

*The City has been holding the retainage for the Holiday Hills, Fairyland Estates, and Lantana Estates water line replacement project completed by Norris Brothers Construction in 2017. This project has been closed for some time and ended with a settlement being reached. In the settlement agreement, the retainage withheld from the Norris Brothers' payments reverted to the City of Crossville. The balance of retainage is \$52,466.38.*

**This Item was approved.**

### h. Approval of Employee Health Insurance Renewal

*The renewal was received for plan year 2020 on employee health insurance. The renewal came in under 4% for the increase. This is the smallest increase the City has received. Employee coverages would remain the same for plan year 2020.*

**This Item was approved.**

### i. Approval of application for a Public Entity Partners Driver Safety Grant

*A 50% grant has been made available to purchase driver safety items designed to reduce automobile liability claims. The grant is available up to \$5,000. Staff members are compiling lists of items they wish to purchase.*

**This Item was approved.**

### j. Approval of temporary street closing for CCHS Homecoming Parade

*Approval has been requested for temporary street closings for the CCHS Homecoming Parade on Thursday, September 12. The parade will start at the CCHS stadium at 5:30 p.m.*

**This Item was approved.**

### k. Approval of temporary street closings (Main Street from 5th St. to Stanley St.) for Boo on Main

*The Chamber of Commerce and DCI are co-sponsoring Boo On Main. They are requesting a temporary street closing for Main Street from Taylor Avenue to Highway 70 from 4:00 p.m. to 9:00 p.m. on October 31.*

**This Item was approved.**

### l. Approval of 2019-20 lease of Catoosa Utility Department building

*The lease expires September 30 on the building occupied by the Catoosa Utility Department. The new lease amount is \$1,350 per month, which is \$100 more per month than current lease.*

**This Item was approved.**

### m. Approval of Amendment of Contract in Lieu of Performance Bond for Crossville Sanitary Landfill

*The City closed the landfill in 1995 and was required to provide 30 years of*

*post-closure care. At that time, the cumulative inflation adjusted total of this care was \$1,222,912. As each year passes, the amount of financial assurance is reduced. In 2018, the amount was \$436,107.76. For 2019, this is allowed to reduce to \$382,404.21. This contract is in lieu of providing a performance bond in this amount to guarantee the financial responsibility.*

**This Item was approved.**

- n. Approval of Close-Out Change Order for Asphalt & Crack Repair for Basketball Courts

*This project was bid out as a unit price contract with estimated quantities. A final close-out change order is required to balance the quantities in the contract with the actual quantities installed. The change order has a net decrease of \$3,427.50.*

**This Item was approved.**

- o. Approval of Close-Out Change Order for Resurfacing of Asphalt Trails at Centennial Park

*This project was bid out as a unit price contract with estimated quantities. A final close-out change order is required to balance the quantities in the contract with the actual quantities installed. The attached change order has a net decrease of \$3,437.50.*

**This Item was approved.**

- p. Approval of grant contract with TDOT for Maintenance Hangar Repair Design

*Grants have been awarded by the Tennessee Department of Transportation-Aeronautics Division for the Design of the Maintenance Hangar Repair project (95/5%) in the amount of \$18,644, with a local match of \$932.00.*

**This Item was approved.**

- q. Approval of contract with Atkins for engineering services for Maintenance Hangar Repairs

*Grants have been awarded by the Tennessee Department of Transportation-Aeronautics Division for the Design of the Maintenance Hangar Repair project (95/5%). Atkins was approved by Council for a master contract for work at the airport. The costs have been approved by TDOT-Aeronautics.*

**This Item was approved.**

- r. Approval of construction grant application for the airport maintenance building upgrades and ordinance amending FY19-20 budget

*The maintenance building is leaking, much of the insulation is missing, the lighting is substandard and several other repairs are required on the building. The City Council previously approved a grant application for \$100,000. The new estimated construction cost is \$175,235.50. TDOT Aeronautics is dividing this project into a design grant and a construction grant.*

*Approval is requested to submit a grant application for this project for the construction*

work in an amount of \$180,000. A budget amendment is required for the increase in total cost of the project at an additional \$100,000. This project will be funded 95% by TDOT Aeronautics with a 5% match by the City at an amount of \$10,000.

**This Item was approved.**

### **Bids/Purchases**

**s. Approve the purchase of a Signal Cabinet for the Street Department**

*A quote was obtained from Transportation Control Systems (TCS) for a signal cabinet for the amount of \$6,937.00. TCS is the sole distributor for signal cabinets. Street Department Supervisor Kevin Music reviewed the quote and recommended the purchase.*

**This Purchase was approved.**

**t. Approval to purchase five (5) 2020 Dodge Police AWD Chargers**

*Captain Brian Eckelson has received a quote from TT of Columbia for new 2020 Dodge Police AWD Charger patrol vehicles. TT of Columbia has a contract with the State of Tennessee, Central Procurement Office. State bid price is \$22,596. With the addition of spot light, tags and additional key sets, the price per vehicle is \$22,963.25 each. (This amount is \$10,881.75 less, per vehicle, than the quoted 2020 Ford Explorers at \$33,845 each.) Chief Jessie Brooks has reviewed the quote and recommends purchasing five of the 2020 Dodge Chargers, for a total purchase price of \$114,816.25. The purchase of five new patrol vehicles was budgeted and approved in the 2019/2020 budget, at \$220,000.00.*

**This Purchase was approved.**

**u. Approval to purchase Police Department K9**

*The Police Department is holding the retirement of K9 Mojo, awaiting a replacement. K9 Mojo will be retired in 2019. Chief Jessie Brooks requests the approval to purchase a replacement K9 from Southern Police K9 for \$14,000. This company is the sole source vendor for our police K9's. This amount will cover the cost of the K9, 6 weeks of training for the K9 and the assigned handler (including meals, lodging, basic equipment and K9 food). There were funds budgeted, in the Drug Fund, for the 2019/2020 budget.*

**This Purchase was approved.**

**v. Approval to purchase Body Armor for SWAT team**

*Body Armor vests are to be issued to Crossville Police Department SWAT officers. GT Distributors, Inc is a Tennessee State bid contractor for ballistic vests. SWAT Quartermaster Sgt. Jake Brink has obtained a quote from GT Distributors Inc. for these ballistic vests, for SWAT officers whose vests expired in January 2019, in the amount of \$2,302.50 each. Ten (10) sets, required to outfit the entire SWAT team, will total \$23,025. (With 50% of the cost reimbursed to the City via a Department of Justice Grant) This purchase has been approved by Chief Jessie Brooks. Replacement body armor purchases were budgeted in the 2019-2020 TAC Team annual budget.*



**This Purchase was approved.**

- w. Approval of reimbursement to Veolia Water for maintenance expense overage

*Veolia is requesting reimbursement for maintenance expense overage above annual maintenance and repair limit account (per Operations, Maintenance, and Management Services Agreement) in the amount of \$17,127.84 for the FY 18-19.*

*The maintenance limit account has been at \$35,000 annually since 1992. The agreement provides for a rebate in the event that the actual amount is less than \$35,000 or reimbursement of maintenance costs over \$35,000.*

**This Item was approved.**

- x. Approve the purchase of 4x4 Side-by-Side Utility Vehicle & declare the trade-in 2001 Mule as surplus property.

*Bids were accepted for a new 4x4 Side-by-Side Utility Vehicle. After reviewing all bids received, the Maintenance Department supervisor recommends purchasing the 4x4 Side-by-Side from Scott Lansford, Inc. for the purchase price of \$14,057.00, and the trade-in value of \$1,000 for the 2001 Mule is included in the purchase price. This item was budgeted for and approved in the 2019-2020 fiscal year budget.*

**This Purchase was approved.**

- y. Approval of Aerial Photography Purchase with Cumberland County E911

*City Engineering staff has been in discussion with E911 about updating the City's aerial photography. The City has obtained new aerial imagery every 5 years since 2000. Since 2010, the city has partnered with E911 for approximately \$10,000.00 each time (2010 and 2015). There is a notable difference between the imagery the City desires and the product E911 purchases. The difference is in the accuracy of the imagery. The discussion with E911 has been in regard to upgrading the product they receive to the accuracy that is needed by the City. The cost difference is \$50,809.00. City staff included an estimated cost of \$45,000.00 in the 2019/2020 budget. The standard contract between the Cumberland County 911 aerial imagery company, Pictometry, allows for the amount to be spread over two years. The amount due this fiscal budget year would be \$25,404.50, with a balance to be paid in the 2020/2021 fiscal budget of \$25,404.50.*

*Staff recommends the approval of the purchase through the Cumberland County 911 with a payment of \$25,404.50 this fiscal year and \$25,404.50 in the 2020-21 fiscal budget year.*

**This Purchase was approved.**

- z. Approval to purchase vehicle for Crossville/Cumberland County EMA

*The City Manager requests approval to purchase a Fleet 2020 F-150 Crew Cab 4X4 for Crossville/Cumberland County EMA. The vehicle is on the Tennessee State Bid Contract with Ford of Murfreesboro for a price of \$31,531 and funds are budgeted. Fifty percent of the cost is expected to be reimbursed from Cumberland County.*

**This Purchase was approved.**

**aa.** Approval to purchase projector for Palace Theater

*The projector at the Palace Theater was recently struck by lightning. Staff requests to purchase a projector in the amount of \$6,949 and consider it an emergency purchase since it is the only projector at the theater. Two quotes were received with the lowest being from B & H Photo.*

**This Purchase was approved.**

**5. Other Business****a.** Discussion and action on proposed change to the Interchange Business Park site pad

*Very little interest has been shown on the pad site at Interchange Business Park. Information has been gathered from several sources regarding per acre pricing on similar sites. Lowering the price has been suggested by those sources. The sale of the property is also contingent upon meeting certain parameters, which include an hourly wage rate of at least 10 percent above the standard industrial wage rate in Crossville and providing a minimum of 100 jobs. Councilmember Harrison said the price change is reasonable and we want to make sure we get good, qualified businesses moving here. Councilmember Graham said information received from the Austin Company suggested the property be priced at \$60,000-80,000 per acre. Mayor Mayberry said the state was suggesting \$20,000-25,000 and that's why he came up with the \$40,000 per acre price compromise. Councilmember Shanks pointed out that anyone wanting to purchase the property would have to negotiate with the City and meet its criteria; therefore he supports the \$40,000/acre price. Mayor Pro-Tem Gernt said that based on his research of similar sites, he also supported that price.*

*Councilmember Graham stated that we have more than \$75,000 an acre invested in the property and does not support the \$40,000 per acre sale price.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, to reduce the price of the Certified Site at Interchange Business Park to \$40,000/acre. The motion carried by the following vote:**

**Aye:** 4 - Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

**Nay:** 1 - Council Member J. H. Graham

**b.** Approval to proceed with procedures to secure credit rating analysis

*In the future, the City will be interested in refinancing its debt at a lower interest rate. To prepare for this, it is necessary to update the City's credit rating. Staff requests approval to begin the process necessary to successfully secure a new credit rating and to proceed with any and all necessary, incidental advance preparation of documents required to determine the credit rating. This process will not be an expense to the City. The expense will be incurred when the bonds are issued.*

*Once the credit rating has been established and legal hurdles are overcome, the City can move quickly to market bonds when the timing is right.*

**A motion was made by Council Member J. H. Graham, seconded by Mayor James Mayberry, to approve proceeding with any and all procedures which adhere to any federal, state, or local laws, regulations, or policies so as to**

secure the credit rating analysis that this bonding company and the City's financial advisor, Mr. Larry Kidwell, has at his expertise, as is precedent and necessary to the issuance of refunding bonds and/or improvement to achieve or perfect savings for the City of Crossville. The motion carried by the following vote:

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

## 6. City Attorney's Report

### a. City Attorney's Report-September

*City Attorney Will Ridley reported that no new lawsuits have been filed against the City within the last 30 days. He did report that Chancery Court will auction the 250 Old Mail Road property on September 25 at 10 a.m. at the Chancery Court Clerk's office.*

*Mr. Ridley also reported that a hangar tenant that entered into a hangar lease agreement with the City has not paid rent for some time. He asked for permission to pursue legal action to remove aircraft from the hangar and to seek judgment for lost rent.*

**A motion was made by Council Member Rob Harrison, seconded by Council Member Scot Shanks, to give Mr. Ridley permission to pursue legal action on the hangar rental lease. The motion carried by the following vote:**

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry

## 7. City Manager's Report

### a. City Manager's Report - September 2019

*City Manager Greg Wood gave the monthly revenue reports for sales tax, wholesale beer, retail liquor, and hotel occupancy tax. He also presented reports on monthly police and fire statistics, water loss, building permits, special projects, bonded debt, and grants.*

*He also announced the upcoming Crossville Memorial Airport Fly-In and Open House, which will be September 28, which will feature some special aircraft, including the oldest flying DC-3 and one of only 10 B-17s still flying. A carshow will also be held, along with food vendors and a bounce house for children.*

**This Report was received and filed.**

## **ADJOURNMENT**

*With no further business to conduct, the meeting was adjourned.*

**A motion was made by Council Member J. H. Graham, seconded by Council Member Scot Shanks, to adjourn. The motion carried by the following vote:**

**Aye:** 5 - Council Member J. H. Graham, Council Member Rob Harrison, Mayor Pro-tem Art Gernt, Council Member Scot Shanks and Mayor James Mayberry