

City of Crossville

*392 North Main Street
Crossville, Tennessee 38555*



Minutes

Tuesday, February 11, 2025

6:00 PM

Council Chambers

City Council

*Mayor R.J. Crawford
Mayor Pro-tem Art Gernt
Council Member Mike Turner
Council Member Mark A. Fox
Council Member James Mayberry
City Manager Valerie Hale
City Clerk Baylee Rhea*

AUDIT COMMITTEE - 5:15 p.m.**BEER BOARD - 5:45 p.m.**

The Crossville Beer Board met at Crossville City Hall. Mayor Crawford was present and presiding. He called the meeting to order at 5:46 p.m.

Present: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

1. The Cabin

Jill Ann West of The Cabin has requested an on-premise beer permit for 1833 Peavine Road, Crossville. Chief Brooks recommended approval of the permit. The Codes Department informed the City Clerk of a hood vent needing cleaned. Once cleaned and re-inspected, they would recommend approval.

A motion was made by Mayor Pro-tem Art Gernt, seconded by Council Member Mike Turner, to approve the permit contingent upon Codes approval. The motion carried by the following vote:

Aye: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

2. Sandbagger's Steakhouse

Jeanne Ann Cannon has applied for an on- and off-premises beer license for Sandbagger's Steakhouse located at 31 Confederate Road in Crossville. Chief Brooks recommended approval of the permit. The Codes Department informed the City Clerk of a hood vent needing cleaned. Once cleaned and re-inspected, they would recommend approval.

A motion was made by Mayor Pro-tem Art Gernt, seconded by Council Member James Mayberry, to approve the permit contingent upon Codes approval. The motion carried by the following vote:

Aye: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

The meeting was adjourned at 5:48 p.m.

REGULAR MEETING - 6:00 p.m.**Call to Order**

The Crossville City Council met for its monthly meeting on Tuesday, February 11, 2025 at Crossville City Hall. Mayor Crawford was present and presiding. He called the meeting to order at 6 p.m. Chris South, Simple Life Church, provided the invocation and the Young Marines presented the Colors and led the Pledge of Allegiance.

Roll Call

Present: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

Others present were City Manager Valerie Hale, City Clerk Baylee Rhea, City Attorney Randy York, Lee Lawson, Nathan Clouse, Tim Begley, Leah Crockett, Lou Morrison, Chris South, Victor Torasso, Burt Allaire, Larry Kidwell, Serena Vasudeva, Jessie Brooks, Kate Whittaker, Kevin Wood, Chris Kendrick, Brian Tilley, Keivn Music, Bob Ross, Rob Harrison, John Conrad, Jeff Dyer, Shea James, Cheryl Iorio, Beth Jennings, Mike Jennings, Damien Nevenduff, Aaron Lopez and family, and the friends and family of the Young Marines.

1. Proclamations/Presentations

a. February Proclamations and Presentations

Aaron Lopez was named Student of the Month for February. February is respect month.

2. Public Comment

No comments were made.

3. Appointments

a. Lake Commission

The term of Council member and Lake Commissioner Art Gernt expired January 31, 2025. The Lake Commission requests the re-appointment of Art Gernt. One Council member is to serve on the Lake Commission. This appointment would be until the end of his term on Council.

A motion was made by Council Member Mike Turner, seconded by Council Member James Mayberry, to appoint Mayor Pro-tem Art Gernt to the Lake Commission. The motion carried by the following vote:

Aye: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

4. Chamber of Commerce Report

A report was not given this month.

5. Consent Agenda

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem Art Gernt, seconded by Council Member Mark Fox, to approve items 5 A -N on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt, Council Member Mike Turner, Council Member Mark A. Fox and Council Member James Mayberry

Ordinances on Third Reading

- a. Ordinance amending the site plan ordinance

City Staff has requested to amend the site plan ordinance. Changes include adding hydrologic features to site plans and changing the timeframe which staff has to review all site plans.

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- b. Ordinance amending FY 24-25 - Capital Projects

A budget amendment is necessary for FY24-25's capital projects.

This Ordinance was approved on second reading.

Ordinances on First Reading

- c. Ordinance amending Title 10 Chapter 1 - Animal Control

Staff has reviewed and provided suggested changes to the current animal ordinance. The suggested update is based on current practices of staff, a suggestion from a member within the community, and MTAS's sample ordinance.

This Ordinance was approved on first reading.

Additional Consent Items

- d. Approval of resolution for administrative services

Qualifications were received for administrative services regarding the 2024 Recreational Trails Program grant. Staff recommends selecting Community Development Partners, LLC for administrative services for this project to construct a trailhead at Meadow Park Lake.

This Resolution was approved as recommended.

- e. Approval to submit changes to the Charter

City Staff has recommended changes that are necessary to be made to the City's Charter. Suggested changes were reviewed and discussed at the Council Retreat held on January 23, 2025. Most changes suggested are to reflect changes in state law. Approval to submit the changes to the Tennessee General Assembly for review is requested.

Once approved by the Tennessee General Assembly, the City Council will ratify the changes by a two-thirds vote.

This Resolution was approved as recommended.

- f. Approval to adopt Crossville/Cumberland County Hazard Mitigation Plan

This Resolution was approved as recommended.

- g. Approval to apply for Project Diabetes grant

City staff is requesting to apply for the Project Diabetes grant. The letter of intent is due March 7, 2025. Staff would like to apply for this grant to develop access and usage beyond the new pedestrian bridge at Meadow Park Lake. Staff intends to apply for the 3-year grant that allows for \$150,000 per year, for a maximum total of \$450,000. A match is not required.

This Resolution was approved as recommended.

- h. Approval to sell property on Interchange Drive

Aviagen, Inc. has submitted an offer to purchase a portion of Tax Map 73, Parcel 30.04 on Interchange Drive. They have offered \$25,000 per acre for 15 +/- acres. The letter they submitted is attached. Aviagen, Inc. will be responsible for closing costs and the City for surveying and subdividing. Prior to closing, the sale of the property must be advertised in the newspaper for 30 days.

This Resolution was approved as recommended.

- i. Approval of temporary street closure - Crossville Cruisers

Crossville Cruisers have requested four temporary street closures of Main Street from Lantana Road to 5th Street in 2025. The dates are April 26, May 24, June 28, and July 26 from 12 p.m. until 4 p.m.

Staff has reviewed the request for an additional block in their request. Sergeant Kevin Wood stated he recommends against adding the additional block because of traffic control. If traffic is blocked off at 5th Street rather than 4th Street, there is not a redlight to assist in directing traffic. He also stated that this will cause a traffic issue due to the heavy volume of traffic using West Avenue going north because of Main Street being closed. Staff has suggested using the route that was used last year.

Mayor Crawford asked Victor Torasso at the February work session if they were open to using the same route as last year. Mr. Torasso agreed to use the route used previously rather than the additional street. The street closure would end at 4th Street rather than 5th Street.

This Permit was approved as recommended.

- j. Approval of Engineering Services Contract for Genesis Road Water Tank
- A contract has been submitted by J.R. Wauford and Company for engineering services to rehab the Genesis water tank. The total cost of the engineering services is \$60,000 as outlined. Approval is requested contingent upon City Attorney approval.*
- This Contract was approved as recommended.**
- k. Approval of Sewer Rehab Closeout Change Order
- The sewer rehab project is a unit price project. The closeout change order removes or adds money and/or time to the project to bring the remaining monies in the contract to zero and to eliminate a claim for time damages. The closeout change order is attached and shows a net decrease in the contract price of \$13,016.86 and an increase in time of 45 days. The Director of Engineering recommends the approval of the change order.*
- This Contract was approved as recommended.**
- l. Approval of minutes (1/14 Council Meeting, 2/4 Work Session)
- The Minutes were approved as recommended.**

Bids/Purchases

- m. Approval of VoIP Services/Phones bid
- The City of Crossville received 15 bids regarding the VoIP Services/Phones bid on December 17, 2024. The IT Department set up demos with 4 of the bidders after reviewing the bids submitted - True IP Solutions, Crexendo, CrossPath and DanMark. DanMark had the most impressive presentation. Based off their presentation and several interactions with each company through this process, DanMark seemed to have the best support and service. They also required no contract or any commitment. The City of Crossville can cancel at any time without penalty.*
- This Bid/Purchase was approved as recommended.**
- n. Approval to purchase Groundsmaster 4500 Athletic Field Mower
- The Parks and Recreation Department requests purchase of Groundsmaster 4500 Athletic Field Mower for a cost of \$90,834.12 from Smith Turf and Irrigation. This item can be purchased through Sourcewell.*
- This Bid/Purchase was approved as recommended.**

6. Other Business

- a. Discussion and action regarding Kidwell & Co.
- Council member Mayberry began by stating this item was discussed in the Work Session last week and Mr. Kidwell has worked for the City of Crossville for 36 years as the Municipal Advisor. He stated there is a question of whether his contract is valid. His contract reads "a fee of 1% of municipal securities which company provides MA*

services leading to the closing of transactions, value acquired, or divested by the City," and "if written termination is not tendered by either party without 180 days prior to the end of the term, this agreement will automatically renew as per the original terms of this agreement." Council member Mayberry continued by saying Mr. Kidwell has worked for years helping the City on the recreation center project. There were several obstacles that had to be overcome. There were discussions early on regarding an increase in property taxes to help pay for the facility. Another discussion was the annual expense of operating the facility. Mr. Kidwell worked with the YMCA to help save the City millions in operating expenses. He continued by stating he believes Mr. Kidwell also helped create the Sports Authority entity to eliminate the use of property taxes to finance the facility. Plus, the commitment from the YMCA for a \$10,000,000 Capital Campaign. Council member Mayberry believes he was very instrumental in getting this to fruition. Mr. Kidwell's contract was signed September 14, 2021. During the Work Session it was brought up that the executed date was November 10, 2021. Council member Mayberry stated he has spoken to several attorneys and researched this, and the signatures overrule the executed date of the contract. Council member Mayberry stated throughout discussions of this, it has been said several times that this payment cannot be paid out of the bond issuance. He believes we have been misled and T.C.A. 7-67-112 states the funds can be paid out of the bond issuance.

Mayor Crawford asked if there was any other discussion for the motion.

Council member Fox had two questions: There is an agreement to compensate Kidwell & Co. for services leading to closing of bonds? Council member Mayberry re-read the statement from Mr. Kidwell's contract. Council member Fox's second question asked if there was an agreement to compensate Kidwell & Co. for the sale of the bonds with the Sports Authority? Mayor Crawford stated Mr. Kidwell has received \$150,000 already.

Mayor Pro-tem Gernt stated he cannot support this and everyone knew what the deal was when it was entered into. Mr. Kidwell had to go before the Sports Authority to present, be contracted with the Sports Authority with their own agreement, and Mr. Kidwell accepted their offer. Mayor Pro-tem Gernt continued by saying that no one knew of this additional payment for \$600,000 until the very last second. He stated it is not fair for tax payers to pay this additional fee, and the Sports Authority agreed to pay \$150,000 plus expenses. Mayor Pro-tem Gernt stated this is a fair compensation and he did a lot of research on what other Municipal Advisors are paid. He continued Nashville's Sports Authority built an MLS soccer stadium for \$225,000,000 and the fees on it were \$132,500. He stated this is not comparing apples to apples, but it seems fair to him. Mayor Pro-tem Gernt offered to show other rates for much larger projects. He reviewed other Sports Authority's CT-0253 forms.

Mayor Crawford clarified that Council member Mayberry's intent is to pay an additional \$400,000 on top of \$150,000 Mr. Kidwell has been paid by the Sports Authority.

A motion was made by Council Member James Mayberry, seconded by Council Member Mark A. Fox, to move forward with paying Mr. Kidwell his commission and making the contract whole. The motion failed by the following vote:

Aye: 2 - Council Member Mark A. Fox and Council Member James Mayberry

Nay: 3 - Mayor R.J. Crawford, Mayor Pro-tem Art Gernt and Council Member Mike Turner

b. Discussion and action regarding RFQs for Municipal Advisor

On Friday, February 7, 2024, Request for Qualifications for Municipal Advisors were received. Only one RFQ was submitted. Staff recommends Cumberland Securities to be approved by Council.

Council member Mayberry requested to table this item until next month's meeting.

This item was tabled.

7. City Attorney's Report

a. City Attorney's Report

City Attorney Randy York stated he did not have any new information to report. He has been working on several contracts that will be ready for next month's meeting.

This report was received and filed.

8. City Manager's Report

a. City Manager's Report

City Manager Hale reported that sales tax is up from last year. The Police Department transitioned to their new software program and it has been going very well. She heard several positive comments from the Officers at the Staff meeting regarding all the data they can pull and "hot spots" for crime. Gage Gunnels was recognized as Officer of the Year by the American Legion for his efforts at Cumberland County High School in identifying a suspect.

Ms. Hale went on to provide an update on the recreation center. There has been a wetland issue but that should not delay mobilization or construction. She expects construction equipment to be arriving soon.

The spec building is almost ready to bid out. She received a draft of the documents earlier that day.

The Garrison Park fence was installed. The gates and hardware do still need to be installed, and that will occur once there is a break in the rainy weather. The shade structures will be completed towards the end of winter, but before spring break.

When working on the sidewalks, a fuel tank was discovered and needed to be removed. The tank was in the TDOT right-of-way so they were responsible for removing it. The soils were tested and below the required limits.

Lake Holiday is full of water, but Meadow Park Lake is down 5 inches. She stated with the rain event, she hopes it will fill up.

Finally, she mentioned the Sparta Highway bridge. The base stone has been installed and they are now waiting for paving to occur and guardrails.

This report was received and filed.

ADJOURNMENT

A motion was made by Mayor Pro-tem Art Gernt at 6:16 p.m., seconded by Council Member James Mayberry, to adjourn the meeting. The motion carried unanimously.