

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Thursday, March 10, 2016

6:00 PM

Council Chambers

City Council

The City Council for the City of Crossville, TN met for its regular meeting on Thursday, March 10, 2016, at Crossville City Hall.

PUBLIC HEARING - 5:50 p.m.

Recreational Development Activities

Public meetings are being held to discuss and provide input on proposed recreational development activities; specifically at Garrison Park. The concept plan prepared by Lose & Associates will be described and the funding opportunities that are available.

Sally Oglesby presented the plan for the LPRF grant to renovate Garrison Park. The grant program has been increased from \$250,000 to \$500,000. Mrs. Vancienetta Wisdom spoke about her concerns on losing two ballfields. The final scope will come back to Council at the April meeting.

The Public Hearing was received and filed

REGULAR MEETING - 6:00 p.m.

Roll Call

Present: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Others present were City Manager David Rutherford, City Attorney Will Ridley, City Clerk Sally Oglesby, J. R. Blankenship, V.S Wisdom, Betty Hendrickson, Marsha Gates, Cody Gates, Donna Gilbert, Linda Wakefield, Tim Begley, Joseph Gates, Jeff Johnson, Tammie French, Andy Vaughn, Levonn Hubbard, Liz Denton, Howard Burnette, Sherley Wyatt, Radhika Miller, Trystan Miller, John Turner, Billy Martin, Kevin Music, Whitney Bullard, Zachary Slaven, Kaylie Lathem, Steve Powell, Aretie Patterson, John Patterson, Sue York, Jeff Kerley, Mike Turner, Shane Flowers, Simon Leong, Ray Hansen, Kelsie Crier, Taylor Johnson, Brandy Shumate, Kaylee Vance, Chris Bennett, Randy Graham, Clark Annis, Marlene Potter, Brad Allamong, Leah Crockett, Ashley DeRossett, Rob Harrison, Bruce Wyatt, Woody Geisler, Jim Young, Steve Hill, David Brockway, Joshua Brewer, Steven Dishman, Janet Dishman, George Kappel, Alli Crain, Chris South, Lori Freitag, Rod Shoap, Larry Qualls, Mark Rosser, and Allison Padgett.

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 Walter Cantor of the Calvary Presbyterian Church at Big Lick. Mayor Mayberry led the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Student of the Month
- b) Cody Gates
- c) Simon Leong

- a) *Student of the Month - Sofiah Kate Miller for "fairness"*
- b) *Cody Gates - "The Best Players in Babe Ruth League"*
- c) *Simon Leong - Became an American Citizen on February 24, 2016*

The Presentations were made.

2. Appointments**Stormwater Board of Appeals**

The term of Pete Souza expires on 3/10/16 to the Stormwater Board of Appeals. An appointment or re-appointment needs to be made. This body meets only as needed, which is rare.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-Tem Pamala Harris, that Jesse Kerley be appointed to the Stormwater Board of Appeals. Motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

3. Consent Agenda**Approval of the Consent Agenda**

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

a. Approval of minutes (2/11, 2/26)

The Minutes were approved as recommended.

Ordinances on Second Reading**b. Ordinance amending § 12-810 regarding permits for moving buildings**

This Ordinance was approved on second reading.

c. Ordinance amending § 8-308 of the Crossville Municipal Code

pertaining to intoxicating liquors advertising

This Ordinance was approved on second reading.

- d. Ordinance amending portions of Title 8, Chapter 3 of the Crossville Municipal Code pertaining to intoxicating liquors

This Ordinance was approved on second reading.

Ordinances on First Reading

- e. Ordinance amending the budget for FY2015-16 for CoLinX project

As approved by Council, an application was submitted for an economic development project for the expansion of CoLinX. The project was awarded \$1,000,000 to assist with company costs. This money will flow through the City budget from the State to CoLinX. Approval has been received from the State to allow CoLinX to incur eligible expenses prior to the contract being prepared and signed since the project is moving quicker than originally expected. There is no cost to the City. CoLinX will incur the expense and submit an invoice to the City for reimbursement, which will then be forwarded to the State. The State will send the money to the City and the City will reimburse CoLinX.

This Ordinance was approved on first reading.

Additional Consent Items

- f. Approval to submit application for the Tennessee Downtowns Program

The Chamber of Commerce and DCI are interested in a partnership to apply to the Tennessee Downtowns Program to help develop a revitalization strategy through the resources they can provide.

This Application was approved as recommended.

- g. Approval of Certificate of Compliance for Wal-Mart #687

Michael Moore, Cynthia P. Moehring, Steven Zielske and Andrea Lazenby have requested a Certificate of Compliance for Wal-Mart Stores East, LP dba Walmart #687 to allow them to sell wine in their store beginning July 1, 2016. Background checks on the individuals have been presented, which showed no issues.

The Certificate of Compliance was approved as recommended.

- h. Approval of Loan Agreement on Air Force Jet

The renewal package from the Air Force on the loan of the air force jet (Miss Nettie) at CCHS has been received. Miss Nettie went through a major renovation a few years ago paid for by CCHS and is in excellent condition.

This Contract was approved as recommended.

- i. Approval of Three Star Grant

The Department of Economic & Community Development has designated Cumberland County/Crossville as a Tier 2 County and eligible to receive \$10,000 for projects that would improve one or more of the following pillars: Jobs & Economic Development, Fiscal Strength & Efficient Government, Public Safety, Education & Workforce Development, and Health & Welfare. The JECDB is responsible for making decisions on how the funds will be spent. JECDB has chosen to give the funds to Cumberland County Rising, an anti-drug coalition.

This Contract was approved as recommended.

j. Approval of Agreement to Release Lien on Brown Ave. property

City Attorney Will Ridley provided an Agreement to Release the Lien on the Brown Ave. property if the Buyer fulfills certain conditions regarding the demolition and clean-up of the property.

This Agreement was approved as recommended.

k. Approval to contract with VEC for two light pole replacements at Warner Complex

VEC has given the City a price not to exceed \$12,000 to install two metal poles in the location of the two poles that have been removed at the Warner Complex and reinstall the old lights. The poles would match future poles to be installed at the complex and would not need to be replaced when the upgraded system is installed.

This Contract was approved as recommended.

l. Acceptance of utility line transfer from South Cumberland Utility District

City Attorney Will Ridley discussed a contract for the planned water line transfer from South Cumberland Utility District to the City of Crossville.

This Contract was approved as recommended.

4. Bids/Purchases

a. Safe Routes To School (Myrtle Ave./Fourth St. sidewalks)

Bids were received on February 18 on the Safe Routes To School sidewalk project. The project was advertised in the Knoxville News Sentinel, a minority newspaper in the Nashville area, Crossville Chronicle, and regional plan rooms. Two bids were received.

- Danson Construction-\$718,622*
- Lori Neal & Associates-\$493,497*

Barry Field, Field Engineering Services has reviewed the low bid from Lori Neal Construction and found it to be accurate and complete. He recommends that Lori Neal & Associates be awarded this project.

There is a grant of \$209,990 for construction from TDOT.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that the low bid of Lori Neal and Associates be approved as recommended, pending approval of the granting authority. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

b. 2016 4th of July fireworks

Bids were received for a fireworks display from Pyro Shows and Pyrotechnic Display, Inc.

The following are the number of shells for each size, and the grand totals from both bidders for a \$30,000.00 show.

	<i>Pyrotechnic Display, Inc.</i>	<i>Pyro Shows</i>
	<i>Quantity</i>	<i>Quantity</i>
<i>3' shells</i>	<i>740</i>	<i>300</i>
<i>4"</i>	<i>285</i>	<i>375</i>
<i>5"</i>	<i>138</i>	<i>300</i>
<i>6"</i>	<i>75</i>	<i>225</i>
<i>8"</i>	<i>15</i>	<i>32</i>
<i>Totals</i>	<i>1,253</i>	<i>1,232</i>

The Marketing Department recommended the bid of Pyro Shows.

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that the bid of Pyro Shows be approved as recommended. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

c. Fertilizer, spring 2016

The bid from Site One Landscape Supply for \$12,166.90 was recommended. (A copy of the bid tabulation is attached and made a part of these minutes.)

A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the bid of Site One Landscape be approved as recommended. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

5. Marketing Report

March Marketing Report

Marketing Director Billy Loggins provided an update on the following:

- Tennessee Senior Olympics.....State games June 13th & 14th*
- Crossville Depot available for weekday meetings*
- Tennessee Tourism Brochures*
- 8th Annual Sustainability Fair - May 19*
- 2016 Water Fest - July 23*
- 2016 Airport Open House / Fly In - September 17*
- Community Easter Egg Hunt - March 19 sponsored by Cumberland Fellowship*
- Depot Farmers' Market*
- Crossville Area Accommodations*

Mr. Loggins asked for Council direction on Fly-in and Water Fest since it will be in

next year's budget. He also announced that the trails group will be making repairs to trails at Pleasant Hill that were torn up in last year's ice storm on March 18. The Apple Festival will be September 24-25.

This Report was received and filed

6. Cumberland County/Chamber Report

Brad Allamong invited the Council to Business After Hours being held on March 17. On March 22, the JECDB is holding a workshop at City Hall to review the Property Evaluation Program from the outside consultant. He also shared the workforce development issues from the Project Horizon visioning sessions. A 25,000 grant will be applied for through the JECDB regarding the issue of daycare in regard to availability, times, and places. They will also be looking at supervisor training and workforce habits. There will only be 10 communities selected for the grant.

7. Other Business

a. Discussion and Action on Concession Stands

An RFP for management of the concession stands was sent out and no proposals were received. The deadline to submit a proposal was February 23, 2016. Last year, they were handled in-house. The other choice is vending machines.

A motion was made by Mayor James Mayberry, seconded by Council Member Pete Souza, that the concession stands be operated in-house as they were last year. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

b. Discussion and action on Aviagen property transfer

This item was deferred pending receipt of a proposal from Aviagen.

c. Discussion and action on potential development in Interchange Park

Mayor Mayberry presented an offer from a business wanting to purchase lot #1 on Interchange Drive for \$200,000 and they will pay all closing costs.

A motion was made by Mayor James Mayberry, seconded by Council Member Pete Souza, that the sale of property be approved and the City Attorney be authorized to enter into a sales contract, pending all requirements of the Charter being met for this sale. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

d. Discussion and action on Cumberland County Regional Water Supply Plan

As discussed at the work session, the Regional Water Supply Plan being developed by the U.S. Army Corps of Engineers is ready to continue with the next phase. In order to access federal funding for the project, the local share requested is \$133,000 to cover the following:

1. USACE and City meet and revisit the Letter Report, in order to clearly define the "short list" of alternatives and plan for detailed feasibility of the "short list".
2. USACE to provide the GKY Water Needs Summary memo to TDEC regarding the proposed regional plan to address the forecasted water needs in Cumberland County and to learn the timing of TDEC's permitting for a Dam Raise Alternative.
3. USACE and City meeting with the Utility Districts serving the County and discuss development of a hydraulic model for the combined water distribution system that allows for efficient sharing of water.
4. USACE contracts to develop a hydraulic model of the Cumberland County regional potable water distribution system.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that approval be given to continue with the next phase with the U.S. Army Corps of Engineers and the budget amendment approved on first reading. The motion carried by the following vote:

Aye: 5 - Council Member Pete Souza, Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

e. Discussion and action on Horizon Initiative Cooperative Agreement

Mr. Rutherford presented the Community Economic/Community Development Cooperative Agreement to support the Horizon Initiative. The agreement has been expanded to include the City of Crossville, Cumberland County, Chamber of Commerce, City of Crab Orchard, City of Pleasant Hill, Board of Education, Roane State Community College-Crossville, TCAT-Crossville, and the JECDB. The commitment will allow the 7 entities to get in or get out and the Chamber is designated as the single point of contact for economic development. Those in favor of the agreement pointed out that it is a comprehensive plan and the citizens are looking for its implementation.

A motion was made by Council Member Pete Souza, seconded by Mayor James Mayberry, that the Cooperative Agreement be approved. The motion carried by the following vote:

Aye: 3 - Council Member Pete Souza, Council Member Jesse Kerley and Mayor James Mayberry

Nay: 2 - Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

f. Discussion and action on amending the Standing Rules regarding work sessions

Councilmember Kerley led a discussion to remove regular monthly work sessions from the Standing Rules. He felt that the Council should discuss the issues in detail during the regular meeting and that a lot of the discussions are hid from the public when they observe the Council vote on an agenda item.

City Attorney Will Ridley pointed out the changes recommended by Councilmember Kerley. It eliminates permanent work sessions, but they can be called by the City Manager or by referral and vote of the entire Council. It eliminates public comment during an agenda item.

Those in favor of the motion stated that they feel there are items on the work sessions that don't come to the Council meeting, that decisions are made at the work sessions, public comments are not always made in regards to the actual motion, more orderly meetings, work sessions have turned into attacks on people, meetings are advertised and agendas are on the website, phone numbers are in the paper, don't like polling of members in the work session, and that no concerns had been

received from citizens about eliminating the work session.

Those against the motion stated that they felt the work sessions were important in gathering information and doing their jobs, the importance of the public being able to speak on an agenda item, Council meetings are not for discussion to occur, work sessions are the proper place for discussion, allows time for the public to know about the items, Councilmembers should be able to put items on a work session, limiting of time to speak on items, having time between the work session and the meeting to think about the motion before voting, not an open meeting violation by polling, reduces the ability of the public to speak, and to take action with public input,

A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that the revised standing rules be approved. The motion carried by the following vote:

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

Nay: 2 - Council Member Pete Souza and Mayor James Mayberry

8. City Attorney's Report

City Attorney's Report

City Attorney Ridley reported that no new litigation had been filed since the last report. He also provided updates on the four properties that have been before the Administration Hearing Office. One of the property owners has pulled a permit to fix their house up to avoid fines.

This Report was received and filed

9. City Manager's Report

City Manager's Report

City Manager David Rutherford presented the monthly revenue reports for local option sales tax, wholesale beer tax, and retail liquor. Updates were also given on building permits, grants, special projects, and bonded indebtedness.

This Report was received and filed

10. Public Comment

Mr. Blankenship stated that he was in full possession of evidence of Council's breach of fiduciary duties and will be making it public in the future.

Mr. Howard Burnette expressed his concern over open government and that shutting public comment keeps the public in the dark. He also expressed concern about special meetings.

David Brockway expressed concern about water lines throughout the country and the lead content of the lines that were being dug up.

Ray Hansen requested to know if Mayor Pro-Tem Harris had any calls about cancelling the regular work sessions. She replied she received no comments, for or against.

ADJOURNMENT

With no further business, the meeting was adjourned at 7:17 p.m.