

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Thursday, October 13, 2016

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
Interim City Manager Steve Hill
City Clerk Sally Oglesby

PUBLIC HEARING

A public hearing was held on Thursday, October 13, 2016, at Crossville City Hall. The purpose of the public hearing was to receive comments from the public regarding a proposed annexation on Orange Circle.

Proposed annexation and plan of services of 0.31 acres on Orange Circle (Orlan Kerley/Patrick Graham)

Orlan Kerley, Mamie Kerley, and Patrick Graham requested annexation of their lot located on Orange Circle to connect to city sewer. Orange Circle is already a city street and sewer is available to the property.

Mayor Mayberry requested comments from the public regarding the proposed annexation and plan of services.

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

REGULAR MEETING

The City Council for the City of Crossville met in regular session on Thursday, October 13, 2016, at Crossville City Hall.

Roll Call

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

Absent: 1 - Council Member Jesse Kerley

Others present were Interim City Manager Steve Hill, City Attorney Will Ridley, City Clerk Sally Oglesby, Tony Perry, J.T. Brownstead, Billy Martin, Heather Mullinix, J.D. Barnes, Mary Jane Barnes, Frances Carson, Lynn Carson, Tom Isham, Dewey Peterson, Pete Souza, Dewey Peterson, Dan Phelan, Kevin Music, Jeff Johnson, George Gander, Bill Schmich, Howard Burnette, Jim Young, John Turner, Rolf Weeks, Richard Durham, Liz Denton, Carolyn Jozwiak, Mike Turner, Jerry Kerley, Joe Kerley, David Brockway, Tammie French, Bruce Wyatt, Doug Parkey, Brad Allamong, Rob Harrison, Ed Camera, Khrista Wyatt, Laney Colvard, Levonn Hubbard, Bryce McDonald, Sherley Wyatt, Janet Graham, Jon Hall, Rod Shoap, Brian Eckleson, Larry Qualls, and Mark Steinmann.

Call to Order

Mayor James Mayberry was present and presiding. He called the meeting to order at 6:00 p.m. Dewey Peterson of the New Beginnings Fellowship gave the invocation. The Young Marines presented the colors and led the Pledge of Allegiance.

1. Proclamations/Presentations

- a) Student of the Month
- b) National Principals' Month
- c) Literacy

d) Commendation - Darren Hamel

- a) *Student of the Month - Miguel Angel Diaz Lopez for "responsibility"*
- b) *National Principals' Month - October 2016 - The proclamation was presented to Director of Schools Janet Graham*
- c) *Literacy - A proclamation promoting literacy was presented to Director of Schools Janet Graham.*
- d) *Commendation - A Certificate of Commendation was issued by Mayor Mayberry to Darren Hamel, a student at CCHS, for heroic actions toward a kindergarten student on a school bus. In the absence of Darren, Principal Jon Hall accepted the commendation and will present it to Darren.*

2. **Appointments - NONE**

3. **Consent Agenda**

Approval of the Consent Agenda

A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, to approve items "a-n", except "d", "e", and "j" on the Consent Agenda. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

a. Approval of minutes (9/8, 9/16)

The Minutes were approved as recommended.

Ordinances on Third Reading

b. Ordinance amending the FY2016-17 budget for final costs of downtown waterline

This Ordinance was adopted on third reading.

Ordinances on Second Reading

c. Ordinance amending 5-602 of the Crossville Municipal Code regarding group health insurance

This Ordinance was approved on second reading.

d. Ordinance amending the FY2016-17 budget for City Judge

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, that this Ordinance be approved on second reading. The motion carried by the following vote:

Aye: 3 - Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Nay: 1 - Council Member Pete Souza

Absent: 1 - Council Member Jesse Kerley

e. Ordinance closing unimproved right-of-way for Good Samaritans

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that this Ordinance be approved on second reading. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

Additional Consent Items

f. Annexation of lots on Orange Circle

The owners of one lot on Orange Circle have requested annexation to connect to City sewer. Sewer is already available on Orange Circle. Planning Commission recommended the annexation and plan of service for approval.

The annexation and plan of services were approved as recommended.

g. Approval of Entry Level Firefighter Agreement

The Fire Department requested that an Agreement be approved for use by their department for entry level firefighters. There are extensive costs involved in certifying and training a new recruit. This Agreement would allow for the department to be reimbursed for some of those costs should the employee separate from the employ of the City. This agreement is similar to one that has been used in the hiring of police officers for many years.

This agreement was approved as recommended.

h. Approval of temporary street closings for Stone Memorial High School Panther Dash 5K

Stone Memorial High School will be having their 5th annual Panther Dash on Saturday, November 12, beginning at 8:30 am. They requested temporary street closings of Cook Road from 8:30 a.m. to approximately 9:30 a.m.

The temporary street closings were approved as recommended.

i. Approval of temporary street closings for Veterans' Day ceremonies

The Veterans' Service Office has requested street closings for Friday, November 11, from 9:30 a.m. to 11:00 a.m. for their ceremonies for Veterans' Day. They requested the following:

*Rector Ave. from Division St. to 4th Street
4th Street from to Main Street*

Main Street will be left open. They will use the closed streets for handicap parking.

The temporary street closings were approved as recommended.

j. Approval of Second Amendment to the Granicus Services Agreement

Approval was requested for a second amendment for renewal of the Granicus Services Agreement, which is the software used for Council meetings. This amendment is for one year, with automatic renewals unless terminated 30 days prior to the renewal date.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that the contract amendment be approved as recommended. The motion carried by the following vote:

Aye: 3 - Council Member Pete Souza, Mayor James Mayberry and Mayor Pro-tem Pamala Harris

Nay: 1 - Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

k. Renewal of contract with Frontier Communications for data/cable/telephone services

The Information Technology Department recommended that the contract with Frontier Communications be renewed for an additional two-year term due to the complications of switching all the equipment. The original contract was signed November 11, 2013, although service did not take place for several weeks after that. The contract allows for automatic one-year renewals unless notice is given 60 days in advance. However, the original bid specified a two-year renewal.

This Contract renewal was approved as recommended.

l. Acceptance of \$15,000 grant from GHSO for alcohol saturation/roadside checkpoints.

The Crossville Police Department has been awarded a \$15,000 grant to assist in the overtime costs for alcohol saturation/roadside checkpoints.

This Contract was approved as recommended.

m. Approval of Northwest Connector Phase 2 Utilities amendment

The Northwest Connector phase 3 right of way plans encroach on the west side of Highway 127 with storm sewer. Right of Way or easements will be acquired from three property owners for this storm sewer. City Staff has coordinated the design of the storm sewer so that it will not be replaced during construction on the middle phase of the Northwest Connector (phase 2). The location of the storm sewer requires a portion of the water and low pressure sewer to be relocated.

An amendment to Gresham, Smith and Partner's contract is attached for the utility design in this area at an additional price of \$18,500. The amendment includes additional design required for the relocation of Water and Sewer facilities where Phase 2 of the project will connect with Phase 3 of the project, in order to alleviate construction issues in the future for Phase 2. This section of these utilities will not be relocated a second time when phase 2 is constructed.

City staff recommended the approval of the amendment.

This Contract was approved as recommended.

n. Approval of transfer of utility lines on South Old Mail Road/Coon Hollow Road

South Cumberland Utility District proposed the transfer of water mains and services to the City of Crossville on South Old Mail Road. This transfer will add 40 new customers for the City and provide a redundancy of water for Homestead residential customers.

The transfer of lines were approved as recommended.

4. Bids/Purchases

a. Safe Route To Schools Sidewalk project

Bids were received on September 20 for the sidewalk project on 4th Street and Myrtle Ave.

· Lori Neal & Associates \$402,859.90 - SRTS project
\$146,617.90 - City project
\$549,477.80

· Norris Brothers \$660,044.20 - SRTS project
\$150,390.00 - City project
\$810,434.20

The bid of Lori Neal & Associates was recommended for acceptance, which has been approved by TDOT.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pete Souza, that the bid of Lori Neal & Associates be accepted and a budget amendment approved on first reading. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

b. Cemetery Software

The City Clerk has been looking at software to more definitively map the records for City Cemetery and Frost Cemetery and for hosted software solutions for managing and providing cemetery records to the public, including mapping and searching capabilities. Using the City's engineering and mapping capabilities, the City would provide the GIS mapping in an ESRI shapefile format, for the desired "grid" to be used for graphical representation of the burial sites.

This software would provide the public access to the current database and inventory of graves in the cemeteries. This new software is envisioned to provide for genealogical research, capability of receiving new information on burials from family members or researchers, and online maps to assist in locating graves. The addition of public-provided memorials of the deceased by the public would be an added benefit. The City Clerk's office is increasingly receiving phone calls from people looking for graves of family members, as well as from monument companies preparing to install grave stones. This would put all that information online. The

City's database includes birth, death, and burial dates, funeral home involved, and other information, when it is available. This will also be beneficial for Public Works because the location maps will be available to them on their iPads.

Proposals were requested from vendors to provide software and hosting to put the cemetery records online. While the City Clerk discussed the project with three potential vendors and advertised the project, only one vendor (Pontem Software) submitted a proposal. The other two vendors were unable to provide GIS mapping at this time.

Initial conversations with vendors indicated that the project might be able to be accomplished within a budget of \$5,000. However, after more serious discussions and reviews involving the City Clerk's Office, IT Department, and Engineering Department, the cost to provide the robust system to meet the objectives is higher.

The first phase to convert the database and prepare the maps will take approximately 3-4 months to complete, dependent on in-house time availability and will cost \$14,850. The annual support cost will be \$650. This cost is drastically reduced due to the capabilities of the City's Engineering Department to provide the GIS mapping. Extensive work has been done already in the older section to begin this process.

The second phase will be to put the information online at a cost of \$8,382, with an annual hosting cost of \$2,079. Part of the cost that would be optional is the memorial pages, which has a cost of \$3,307. The memorial pages would allow family members to add pictures, information and tributes to their family members. They would submit the information to the City before approval before it goes online.

If approved, it is expected that both phases should be able to be completed during the current fiscal year. The City Clerk recommended purchasing this software and moving forward with the project to allow genealogical information on the City's two cemeteries to be available to the public.

A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, that this proposal be accepted and a budget amendment approved on first reading. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

c. Meadow Park Lake Playground

Requests for proposals were received from seven vendors on a \$25,000 playground for Meadow Park Lake. The Lake Commission reviewed the proposals and selected the proposal from Playworld.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that the proposal of Playworld be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

d. John Deere Z915B Commercial ZTrak Zero Turn Lawn

Mower

The Recreation Department requested purchase of a John Deere Z915B ZTrak Zero Turn lawn mower from Tri-County Equipment Sales of Crossville Tennessee on Tennessee State Purchasing Contract #45197, replacing a retired John Deere mower from Garrison Park.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Pamala Harris, that the purchase from Tri-County Equipment Sales be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

e. 2017 Ram 2500 Regular Cab

Catoosa Department recommended purchase of a 2017 Ram 2500 regular cab with 4 wheel drive from TT of Columbia for \$30,919.02. This is state contract #209-40051.

A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Pete Souza, that the purchase from TT of Columbia be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

5. Marketing Report

October Marketing Report

No report.

6. Cumberland County/Chamber Report

Brad Allamong reported on the numbers at the visitor's center, which are back up since the road work has been completed.

He also reported on a potential site development grant of \$500,000 with a 30% local match or about \$215,000. He suggested doing a 150,000 sf building pad in one of the current city-owned industrial parks. He asked for the Council to look at it and he would have a concept plan back to the Council for the November meeting.

They are looking for about 70+ mentors for the Tennessee Achieves program.

The History Channel is looking for places here for the TV show American Pickers.

7. Other Business

a. Discussion and action on DCI lease of Snodgrass building

The current lease of the Snodgrass building expires on October 31, 2016. By action

of the City Council on July 22, notice was provided to DCI that the lease would terminate on October 31. At the August 11 meeting, Council authorized the City Manager to enter into negotiations to renew the contract with DCI. Since that time, the Interim City Manager and representatives of DCI have met to discuss a renegotiated lease.

The current DCI lease is summarized as:

- 3 Year lease
- \$75.00 per month (\$900/year)
- City pay all utilities
- City responsible for major maintenance
- DCI responsible for minor maintenance
- Major renovations projects to make the building ready for occupancy was shared by City and DCI (\$14,207.76 invested by DCI, outside of rent payments, from 2013-2016)

DCI has proposed the following changes:

- 1 Year lease
- DCI pay \$100 per month toward rent and all utilities (\$1200/year)
- City provide all maintenance to the building
- If a lease is not signed by October 31, 2016 and future years, that the lease continue on a month-to-month basis until a new lease is signed

DCI has agreed to the proposed lease.

At the August meeting, the lease with C.A.T.S. on the depot building was contrasted with the DCI lease. In summary, the C.A.T.S. lease is:

- 2 Year lease
- \$10 per year
- All revenues from lease of building space and sales remain in the hands of C.A.T.S., except for a yearly donation of \$500 and use of the event room 4 times per year to the Rotary Foundation
- C.A.T.S. pays utilities
- City provide all maintenance and improvements to the building

A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, that the lease with DCI be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

b. Discussion and action on Holiday Drive and Fairyland Acres Waterline Replacement project

Approximately 110 of the 191 meter services in this project are substandard. City Staff and the Engineer negotiated a price with the contractor to replace the meter yoke and meter box for the 110 substandard services at a price of \$200 each, with the City supplying the yoke and box. A time extension of 42 calendar days was also negotiated. A change order in the amount of \$22,000 is attached for the approval of this work. The additional cost for the meter yokes and meter boxes is \$16,500. With an extension in the contract time, an amendment to the Engineer's contract is need for the services provided during construction (inspection). The amendment includes an increase of \$32,000 for services, not to exceed \$128,000 for the 240 calendar day construction period. Staff recommended the approval of the change order to the Norris Brothers contract

and the approval of the amendment to J.R. Wauford's contract.

A motion was made by Council Member Pete Souza, seconded by Mayor Pro-tem Pamala Harris, that the change order for Norris Brothers and the amendment to the J.R. Wauford contract be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

c. Discussion and action on sale of property on Wyatt Court

Butch Smith (Forbus Investments) is ready to proceed with the purchase of 9.083 acres on Wyatt Court for a total cost of \$227,075. The City Attorney presented a sales contract. They are no longer requesting a credit for jobs created. The advertisement for the sale was published in April.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that the sale be approved as recommended. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

d. Discussion and action on removal and replacement of Interim City Manager

Councilmember Souza made comments regarding the trust and demonstration of management skills.

Mayor Pro-Tem Harris stated that the City is close to an election and a couple of months away from hiring a permanent City Manager and entering into a time of healing.

A motion was made by Council Member Pete Souza, seconded by Mayor James Mayberry, to terminate Interim City Manager Steve Hill this date at midnight. The motion failed by the following vote:

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

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

Absent: 1 - Council Member Jesse Kerley

8. City Attorney's Report

City Attorney's Report

City Attorney Will Ridley reported that the Genesis Road property sold for \$21,500, which allowed the City to re-coup all its costs. All excess costs go back to the original property owner. There are 6 hearings scheduled in the next 30 days. Pending litigation - An employee terminated from one of the departments filed a complaint with TOSHA, but there may be an opportunity to settle for a little less than \$7,000. If approved, it would only be effective with a release of liability signed. Insurance will cover the costs, minus a \$5,000 deductible.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pete Souza, that approval be given for a settlement and the City Attorney be authorized to work out the terms to be less than \$7,000 as long as a release of liability is signed. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

Covenant Health has requested approval of the issuance of \$430M in bonds through the Knox County Health and Education Facilities board. Some of the bonds will be issued to cover improvements at Cumberland Medical Center. The City has no liability for the bonds.

A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that the Resolution be approved for the issuance of up to \$430,000,000 in bonds through the Knox County Health and Education Facilities Board. The motion carried by the following vote:

Aye: 4 - Council Member Pete Souza, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

Absent: 1 - Council Member Jesse Kerley

9. City Manager's Report

City Manager's Report

Interim City Manager Steve Hill gave a report on the monthly revenues for local option sales tax, wholesale beer tax, and retail liquor. He also reported on building permits and special projects.

10. Public Comment

Mayor Mayberry opened the floor for public comment. There were none.

ADJOURNMENT

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