

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, April 12, 2022

6:00 PM

Council Chambers

City Council

Mayor James Mayberry
Mayor Pro-Tem R.J. Crawford
Council Member Rob E. Harrison
Council Member Scot Shanks
Council Member Art Gernt
City Manager Greg Wood
City Clerk Valerie Hale

BEER BOARD - 5:30 p.m.

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

The Crossville Beer Board met on Tuesday, April 12, 2022 at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 5:30 p.m.

a. Bunkers Grill & Patio Bar Violation

This restaurant was cited by the Police Department on a violation of §8-212(F) for selling beer to persons under the age of 21 on March 10, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Bruce Cannon, owner, reported that the server did check identification; however, miscalculated the date. He stated he has put a date board on the wall to help servers determine minimum age and suspended the server for two weeks.

A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt, to penalize the restaurant \$500 for the violation. The motion carried by the following vote:

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

b. Casa Grande Violation

This restaurant was cited by the Police Department on a violation of §8-212(F) for selling beer to persons under the age of 21 on March 10, 2022.

If found guilty of the charge, the Beer Board may choose to revoke or suspend the beer permit, or provide an alternative of paying a civil penalty not to exceed \$2,500 for the offense. If the permit is revoked, no new beer permit can be issued to that location for one (1) year.

Christina Leon Jaimes, owner, reported that the server did check identification; however, miscalculated the date. She stated she has put a date board on the wall to help servers determine minimum age.

A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem R.J. Crawford, to impose \$500 fine. The motion carried by the following vote:

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

c. Bunkers Grill On-Premises Beer License

An application has been received from Summer Brooke Christian for an on-premises beer license for Bunkers Grill located at 750 Hwy 70.

Chief Jessie Brooks indicated there was a DUI conviction in 2022 and recommended approval.

A motion was made by Mayor James Mayberry, seconded by Council Member Art Gernt, to approve on-premises beer permit. The motion carried by the following vote:

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

Without further business to discuss, the Beer Board adjourned at 5:40 p.m.

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

The City Council for the City of Crossville met for its monthly meeting on Tuesday, April 12, 2022 at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the meeting to order at 6:01 p.m.

Chris Palmer, Cumberland Worship Center, provided the invocation. The Young Marines presented the Colors and led the Pledge of Allegiance.

Roll Call

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

Others present were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Valerie Hale, Assistant City Clerk Malena Fisher, Kyle Sherrill, Jessie Brooks, Cristina Leon Jaimes, Jeanne Swafford, Bruce Cannon, Levonn Hubbard, Billy Martin, Jacqueline Hollingsworth, Jeremy Walls, Darian Dykes, Ledelana Niles, Gary Niles, Mary Conner, Michael Mize, Melanie Mize, Burt Allaire, Heather Mullinix, Steve Powell, Rebecca Farley, Connie Clapper, Ethan Hadley, Christina Barnes, Aprel Phillips, Paula York, Belinda Duke, James Duke, Fred Houston, friends/family of the Young Marines, and Tim Begley.

1. Proclamations/Presentations**a. Presentations/Proclamations - April 2022**

Student of the Month - Lylah Clouse for "Citizenship"
Safe Digging Month
Pre-K Day May 2
Ms. Senior Tennessee Month

These Proclamations were presented.

2. Public Comment

There were not any comments received from the public.

3. Appointments

a. Crossville Regional Planning Commission

Mayor Mayberry announced the re-appointment of Greg Tabor to the Crossville Regional Planning Commission. His new term will expire 3/1/2027.

Greg Tabor was reappointed

4. Chamber of Commerce Report

Ethan Hadley, CEO of Crossville-Cumberland County Chamber of Commerce, presented its monthly report.

He reported on existing industry visits. He recently met with two employers that employ over 750 in Cumberland County; Crossville Inc., which has over 30 distribution stores and points across the nation, and Aviagen. He learned that 40% of chickens available for purchase worldwide originate from Cumberland County. He posted this on social media and received 9,200 hits. This prompted WBIR to call him for an interview, which is scheduled for later in the week.

5. Consent Agenda

A motion was made by Council Member Rob Harrison, seconded by Council Member Scot Shanks, that based upon discussions at the recent work session and recommendation by staff members, to approve Consent Agenda Items 5A-EE, excluding 5B. The motion carried by the following vote:

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

a. Approval of minutes (03/08, 04/01, 04/05)

The Minutes were approved as recommended.

Ordinances on Third Reading

b. Ordinance amending Title 14 Zoning and Land Use Control-Site Plan Review

Mayor Mayberry requested the item be deferred until the definitions can be clarified.

This Ordinance was deferred.

- c. Ordinance amending FY21-22 budget for expenses related to transport and repair of 2018 Pierce Ladder Truck

Ladder 2, a 2018 Pierce Ladder Truck, was damaged extensively when it contacted electrical lines at Fire Station 2 during routine morning checks. The truck contacted two 7200-volt transmission lines causing extensive damage to the ladder itself, cables and components, electrical system and possibly more. The transmission lines were also knocked down and required VEC repair.

Fortunately, no personnel were injured during the event, but the damage to the 2018 Pierce Ladder truck is very extensive. Staff has contacted the insurance carrier, and is working with G & W Diesel Emergency Vehicle Specialists (GWEVS) and Pierce to determine the full extent of the damages.

Staff requests to transport Ladder 2 from Crossville to the Pierce Refurbishment Center in Weyauwega, Wisconsin where they will fully examine and make a plan of action based on their findings. Pierce has recommended that the truck be transported via flatbed haul trailer to their shop.

The City will be responsible for the \$5,000 insurance deductible for all of the expenses related to the event. After receiving two quotes, consulting with GWEVS, and our insurance adjuster, Staff recommends awarding the transport contract to Titan Worldwide for a total cost of \$9,270.00.

A budget amendment will be required as there will be additional expenses related to this event and because the transportation expense will have to be paid upfront (and then applied to deductible); therefore, a budget amendment in the amount of \$20,000 is requested.

This Ordinance was adopted on third reading.

- d. Ordinance amending Title 14-Zoning and Land Use Control-Multi-Family Cluster Housing

Crossville Regional Planning Commission voted February 17 to recommend the Multi-Family Cluster Housing Ordinance to City Council for adoption.

This Ordinance was adopted on third reading.

- e. Ordinance amending Title 14-503, 504, and 507 of the Crossville Code of Ordinances

Due to court rulings, it has been determined that the City of Crossville's sign ordinance is invalid and cannot be enforced. A moratorium on sign permits is requested to allow the sign ordinance to be brought up to current standards according to the law.

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- f. Ordinance amending Title 12 Building, Utility Codes, and the Like-Appeals Board

A rough draft of an ordinance creating an Appeals Board for the Building Code Department was presented for review.

This Ordinance was approved on second reading.

Ordinances on First Reading

- g.** Ordinance removing Title 11, Chapter 5 of the Crossville Municipal Code

As recommended by the City Attorney, the ordinance regarding Fortune-Telling and the Like should be removed in its entirety as the City cannot restrict spiritual beliefs and this violates the First Amendment

This Ordinance was approved on first reading.

- h.** Ordinance amending FY21-22 budget to replace high mast pole & traffic light

Staff recommends approval of low bid for High Mast Pole and Light replacement for a pole that was damaged in a traffic accident and had to be removed because of the damage to the pole. The High Mast pole is located at the eastbound off ramp on Interstate 40 at Exit 322 - Peavine Road. A budget amendment is necessary.

This Ordinance was approved on first reading.

Additional Consent Items

- i.** Approval of resolution to submit application for funding of a 2022 CDBG project

A public hearing was held prior to the meeting on January 11 to receive public comments for potential projects. City staff recommends that a grant application be submitted for construction of a greenway not to exceed \$600,000. An additional \$30,000 would be available for being Three Star compliant. The City would be responsible for \$70,000, making the total project \$700,000.

This Resolution was approved as recommended.

- j.** Approval of temporary street closings for Taste of Crossville

DCI is planning the annual Taste of Crossville for Thursday, September 8. They request street closings as follows from 3:00 p.m. to 9:00 p.m.:

Main Street from Neecham to 4th

Taylor Avenue from Thurman Street to Main Street

This Permit was approved as recommended.

- k.** Approval of grant contract for Body-Worn Cameras (SRT BWC)

The Police Department applied for and received a grant from the Small, Rural, and Tribal Law Enforcement Agency in the amount of \$43,000 with local match being \$43,000. This amount will be proposed in the FY22-23 budget. A pre-requisite to receiving the grant is to develop a Body-Worn Camera Policy and receive approval from Justice & Security Strategies, Inc. The policy will be presented for approval at a later

date.

This Contract was approved as recommended.

I. Approval of TDOT Contract for license agreement regarding Main Street sidewalks

TDOT requires a license agreement for usage of their property; therefore, they have requested approval of the presented license agreement. This is for the downtown sidewalk project along Main street to replace and, subsequently, maintain sidewalks to make them ADA compliant. The license is for a 25-year period.

This Contract was approved as recommended.

m. Approval of grant application regarding PAPI Replacement and construction administrative services

Staff requests approval to apply for a grant to TDOT Aeronautics for the construction items related to the PAPI Replacement and administrative services. Construction is in the amount of \$89,605, administrative services is \$13,881.00, and an amount not to exceed \$15,000 for the flight check. The total amount of the grant request is \$118,500 with a 5% match from the City.

This Contract was approved as recommended.

n. Approval of recommendation of award of PAPI Replacement construction

Sealed bids were received March 17, 2022 for the replacement of PAPI lights on Runway 26. Two bids were received and staff recommends accepting the low bid from Stansell Electric Company, Inc. in the amount of \$89,605. This acceptance is contingent upon grant approval from TDOT Aeronautics.

This Contract was approved as recommended.

o. Approval of contract with Atkins for construction phase services

Staff recommends acceptance of the attached contract in the amount of \$13,881 for construction phase services for the PAPI Replacement with Atkins.

This Contract was approved as recommended.

p. Approval of grant application for Operations Data Counter Program

For planning purposes, development of the Airport Layout Plan relies heavily on determining an airport's existing critical aircraft, which is defined as the most demanding aircraft that uses the airport. Determination of the critical aircraft is accomplished by counting aircraft operations. TDOT Aeronautics is offering a grant for the purchase and administrative reporting services to determine the critical aircraft. Staff requests approval to apply for the grant in the amount of \$56,960 with a local match of 5%; however, this amount will likely be decreased due to contract negotiations with Atkins at the request of TDOT.

This Contract was approved as recommended.

q. Approval of contract with Atkins for Operations Data Counter professional services

For planning purposes, development of the Airport Layout Plan relies heavily on determining an airport's existing critical aircraft, which is defined as the most demanding aircraft that uses the airport. Determination of the critical aircraft is accomplished by counting aircraft operations. Staff recommends approval of the presented contract for the services related to the Operations Data Counter in the amount of \$56,960 contingent upon grant approval. The contract includes the cost of the software. The cost of this is likely to decrease as contract negotiations are continuing at the request of TDOT.

This Contract was approved as recommended.

r. Approval of grant application for terminal building renovations

Through the Bipartisan Infrastructure Law (BIL), the FAA is offering grants for airport terminals to replace/repair aging terminals and increase terminal energy efficiency and accessibility. These grants are being offered through a competitive process and application is made directly to FAA. The amount requested is \$500,000 with a local match of 5%.

This Contract was approved as recommended.

s. Approval of grant application for Obstruction Clearing Runway 8 and 26

In 2019, the City obtained a Lidar survey of the tree tops that lie within each property parcel and created a set of bid documents to remove the obstructions; however, for funding through TDOT Aeronautics, a separate environmental assessment was required, which was funded through a grant. The Environmental Assessment has now been prepared and is awaiting final FAA/TDOT Aeronautics approval. Staff requests approval of grant application to continue the project with professional services for the tree obstruction clearing in the amount of \$14,425 with a local match of 5%. The scope will include reviewing prior records, reviewing and updating the obstruction tables as may be needed to allow for the tree growth since the 2019 Lidar survey and prepare necessary bid documents.

This Contract was approved as recommended.

t. Approval of contract for professional services for Obstruction Clearing Runway 8 and 26

Staff presented a contract, contingent upon grant approval, to continue the project with professional services for the tree obstruction clearing in the amount of \$14,425 with a local match of 5%. The scope will include reviewing prior records, reviewing and updating the obstruction tables as may be needed to allow for the tree growth since the 2019 Lidar survey and prepare necessary bid documents.

This Contract was approved as recommended.

u. Approval of grant application to extend Airport Layout Plan

Staff requests approval to apply for a grant extension of one year for the Airport Layout Plan due to the incorporation of the Operations Data Counter data.

This Contract was approved as recommended.

v. Approval of grant application for ARPA Grant through TDOT Aeronautics

Staff requests approval to apply for the American Rescue Plan Act (ARPA) grant in the amount of \$22,000 for reimbursement of operational expenses at the Crossville Memorial Airport. There is not a match required.

This Contract was approved as recommended.

- w.** Approval of grant application for ACRGP Grant through TDOT Aeronautics

Staff requests approval to apply for the Airport Coronavirus Response grant in the amount of \$9,000 for reimbursement of operational expenses at the Crossville Memorial Airport. There is not a match required.

This Contract was approved as recommended.

Bids/Purchases

- x.** Approval to purchase Duplex Pump-Water Resources

The Water Resources Department request to purchase a chemical pump for MIOX system. Bids were received on March 22, 2022 with the low bidder being Jackson Brownfield/SOS Inc. in the amount of \$7,857.00. This is a budgeted item.

This Bids/Purchases was approved as recommended.

- y.** Approval to purchase flooring for Public Works Office

The City of Crossville accepted bids to replaced the worn carpet at the Public Works office. Crossville Wholesale Carpet was the only company to submit a bid in the amount of \$16,331.93. The bid was reviewed and a recommendation made to accept the bid from Crossville Wholesale Carpet.

This Bids/Purchases was approved as recommended.

- z.** Approval of Maintenance Building Roof Replacement

The City of Crossville Maintenance department accepted bids to replace the maintenance building roof. Over the years, the roof has sustained wear and tear resulting in the need to replace it. The submitted bids were reviewed by the Maintenance Department Manager. He recommends approving the lowest bid from Ridgeline Construction in the amount of \$51,720.00. This cost will require a budget amendment.

This Bids/Purchases was approved as recommended.

- aa.** Approval to purchase Zero Turn, Diesel, Rear-Discharge Mower for Maintenance Dept.

The Maintenance Department mMnager accepted bids for a new zero turn, diesel, rear-discharge mower. The manager reviewed the only bid submitted from Mountain Farm International. He recommends approving the bid of \$11,739.00 (after trade-in). This item was budgeted for and approved in the 2021-22 budget.

This Bids/Purchases was approved as recommended.

bb. Approval to replace Pista Grit Chamber Mechanical Drive & Motor

Veolia requests approval of expenditure for the replacement of the Pista Grit Mechanical Drive & Motor at the main plant. The total cost of the project is \$38,554.95, including labor for installation. A budget amendment is not necessary.

This Bids/Purchases was approved as recommended.

cc.

Due to inflation, the cost of grinder pumps has increased. Facilities that were awarded the annual bid are unable to honor the price they submitted for the 2021-22 budget year. Staff requests to purchase twenty Liberty Pumps in the amount of \$4,479.15 each, which is \$763.15 higher than the annual bid quote.

This Bids/Purchases was approved as recommended.

dd. Approval of bid award for Network Audit

Proposals were received on March 22, 2022 for a network audit. Staff recommends the bid from Securance Consulting in the amount of \$25,544. This is a budgeted item.

This Bids/Purchases was approved as recommended.

ee. Approval to accept proposal and contract from Cumberland Applied Research Associates, Inc. related to TAP Grant-Downtown Sidewalks

The City solicited Requests for Proposals to retain services of a professional cultural resources firm with qualified staff to produce a Section 106 report, that will identify historic properties, evaluate historic significance, and assess effects in the downtown area. The report will also identify properties to be acquired for right-of-way or easements, within the National Register properties, if any. Staff recommends accepting proposal from Cumberland Applied Research Associates, Inc. in the amount of \$6,850.56 and authorizing signature of the contract.

This Bids/Purchases was approved as recommended.

6. Other Business**a.** Discussion and action regarding offer to purchase site pad-Interchange Business Park

Mayor Mayberry explained that the City has received an offer in the amount of \$1.2 million for the 20 acre Interchange Park Site Pad, which is well below the asking price of \$40,000/acre. The Council also discussed previous sale guidelines and the contingency of any offers providing a minimum of 100 jobs and an hourly rate of at least 10% above the standard industrial wage. The end buyer is not known; however, it is known that it is an existing Crossville industry.

Mayor Pro Tem Crawford expressed that he supports existing industries and recognizes the offer does not produce a large number of jobs, but he is also concerned about losing other potential businesses. He also wants to avoid the perception that the City doesn't work well with existing business. He suggested to sell the property and roll into larger project with more land.

The City Manager advised offer is not negotiable.

Council members Shanks and Gernt advised to be patient and stick to the original plan of \$40,000/acre.

A motion was made by Council Member Rob Harrison, seconded by Council Member Scot Shanks, to reject offer of \$1.2 million. The motion carried by the following vote:

Aye: 3 - Council Member Scot Shanks, Council Member Rob Harrison and Council Member Art Gernt

Nay: 2 - Mayor Pro-tem R.J. Crawford and Mayor James Mayberry

7. City Attorney's Report

a. City Attorney's Report-April 2022

City Attorney Will Ridley reported there have not been any new lawsuits filed within the past 30 days.

This Report was received and filed.

8. City Manager's Report

a. City Manager's Report - April 2022

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

This Report was received and filed.

ADJOURNMENT

Mayor Mayberry adjourned the meeting at 6:47 p.m.