

City of Crossville

99 Municipal Avenue
Crossville, TN 38555



Minutes

Tuesday, June 12, 2012

6:00 PM

Council Chambers

City Council

Mayor J.H. Graham, III
Mayor Pro-tem Danny Wyatt
Council Member Earl Dean
Council Member George Marlow
Council Member Boyd Wyatt

City Manager Bruce Wyatt
City Clerk Sally Oglesby

AUDIT COMMITTEE - 5:00 p.m.**PUBLIC HEARING - 5:30 p.m.**

- a. Plan of Services Progress Report - Peavine Rd. (Catfish Cabin)
- Mayor Graham requested comments from the public regarding the progress report. None were received.

PUBLIC HEARING - 5:45 p.m.

- a. FY2012-13 Proposed Budget and Tax Rate
- ..
- Mayor Graham requested comments from the public regarding the proposed budget and tax rate. None were received.

REGULAR MEETING - 6:00 p.m.**Roll Call**

Present: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

Others present were City Manager Bruce Wyatt, City Attorney Kenneth Chadwell, City Clerk Sally Oglesby, Chief David Beaty, Bob Dennison, James Perry, Mike Turner, Ashley Allen, Beth Alexander, Glenn McDonald, Darrell Sherrill, Fred Houston, Kris Gayhardt, James Decker, Sandy Gruber, Joe Miller, Jerry Garrison, Jeff Randell, Vancieneta Wisdom, Andy Vaughn, Jody Brown, Jeff Kerley, Bobby Randolph, Sue Randolph, Mary Beth Elrod, Steve Powell, James Gayheart, Jim Young, Tim Chesson, Joe Salvano, Kathy Vanlandingham, Dewey Peterson, June Zettelmeyer, Jim Morrow, Elaine Morrow, Frank Shipley, Karli Threet, Lee Lawson, Clark Annis, Bob Schwartz, Chris South, Margie Buxbaum, Billy Loggins, Rolf Weeks, Sharon Weeks, Brad Fox, and Lou Morrison.

Call to Order

The Mayor called the meeting to order at 6:00 p.m.

1. Proclamations/Presentations

- a. Mayor's Green Partner
- Mayor Graham presented the award to Vancieneta Wisdom for her devoted leadership in the preservation of buildings.

b. Celebration of Success conference

The public was invited to attend the event on June 22nd at the Cumberland Business Incubator.

2. **Appointments**

a. Crossville Housing Authority

The Mayor announced the appointment of Dewey Peterson and Bobby Randolph to the board of the Crossville Housing Authority and administered the oath of office.

b. Floodplain Board of Appeals

A motion was made by Mayor J.H. Graham III, seconded by Mayor Pro-tem Danny Wyatt, that Boyd Wyatt be re-appointed for a 3 year term. The motion carried by the following vote:

Aye: 4 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean and Council Member George Marlow

Abstain: 1 - Council Member Boyd Wyatt

c. Health and Educational Facilities Board

A motion was made by Council Member Boyd Wyatt, seconded by Mayor Pro-tem Danny Wyatt, that Dr. Jack Clark, Dr. Carl Duer, and Clark West be re-appointed to 6 year terms. The motion passed by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

d. Tree Board

Mayor Graham announced the appointment of Sara Hunter to a three year term.

e. Personnel Board

It was announced that the employees had elected Shane Wyatt and John Eldridge as their representatives for terms expiring July 1, 2017.

3. **Consent Agenda**

Approval of the Consent Agenda

A motion was made by Council Member Boyd Wyatt, seconded by Mayor Pro-tem Danny Wyatt, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

- a. Approval of minutes (5/8, 5/17)

The Minutes were approved as recommended.

Ordinances on Third Reading

- b. 3rd Reading of Ordinance authorizing payment for contracts with Upland Design Group

This Ordinance was adopted on third reading.

- c. 3rd Reading of Ordinance authorizing payment for contracts with McCarty, Holsapple, McCarty

This Ordinance was adopted on third reading.

- d. 3rd Reading of Ordinance authorizing payment for contracts with Mid-State Construction.

This Ordinance was adopted on third reading.

- e. 3rd Reading of Ordinance authorizing payment for contracts with ADA Station Communication

This Ordinance was adopted on third reading.

- f. 3rd Reading of Ordinance authorizing payment for contracts with Community Development Partners

This Ordinance was adopted on third reading.

- g. 3rd Reading of Ordinance authorizing payment for contracts with GRW Engineers, Inc.

This Ordinance was adopted on third reading.

- h. 3rd Reading of Ordinance authorizing payment for contracts with Smith, Seckman, Reid, Inc.

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- j. Ordinance adopting a tax rate for FY2012-13

This Ordinance was approved on second reading.

- k. 2nd Reading of Ordinance authorizing payment for contracts with ECE Services

This Ordinance was approved on second reading.

- l.** 2nd Reading of Ordinance amending the FY2011-12 budget in the amount of \$40,000 for Satsuma project

This Ordinance was approved on second reading.

Additional Consent Items

- m.** Resolution approving proposal with the Tennessee Department of Transportation for the Genesis Road bridge over I-40

This Resolution was adopted.

- n.** Approval to operate on a continuing budget for the ensuing fiscal year until adoption of a budget and tax rate

This Resolution was adopted.

- o.** Approval of letter requesting the Cumberland County Election Commission to hold an election on November 6, 2012 for the election of two Councilmembers

This letter was approved.

- p.** Approval of application for 50% funding of police bulletproof vests

This application was approved.

- q.** Approval of CDBG grant contract in the amount of \$500,000 for UV Disinfection System

This contract was approved.

- r.** Approval of changes to Personnel Rules and Regulations regarding pay periods and electronic deposits.

These changes were approved.

- s.** Resolution to withdraw from Tennessee Consolidated Retirement System

This Resolution was adopted.

- t.** Review and approval of Debt Policy

This Policy was approved as recommended.

- u.** Approval of temporary street closing for the Bread of Life Rescue Mission block party/open house on June 23rd

This Permit was approved as recommended.

- v. Approval of temporary street closing for Fourth of July children's parade
This Permit was approved as recommended.
- w. Approval of temporary street closings for DCI concerts at the Spirit Broadband Amphitheater on Thursdays from June 14th through September 13th and Wednesday, September 12th
This Permit was approved as recommended.
- y. Approval of contract with Upper Cumberland Development District for administrative and management assistance on the GIS Storm Water Inventory Program
This Contract was approved as recommended.
- z. Approval of change order with ADA Station Communications in the amount of \$2,880 to provide additional conduit at the New City Hall
This change order was approved as recommended.
- i. Ordinance adopting a budget for FY2012-13
A motion was made by Council Member Boyd Wyatt, seconded by Mayor Pro-tem Danny Wyatt, that the amount budgeted for the Chamber of Commerce be raised to \$70,000 and that the ordinance be passed on second reading. The motion passed by the following vote:
Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt
- x. Approval of temporary street closing for The Chop Shop on July 14
A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member Boyd Wyatt, that this request be denied. The motion carried by the following vote:
Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

4. Bids/Purchases

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member George Marlow, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

- a. Uniforms (3 year contract - all depts., except Police & Fire) - *Unifirst*

The Bids/Purchases were approved as recommended.

- b. Waterline Supplies (*Southern Pipe* - primary supplier on Corps Stops, $\frac{3}{4}$ " PE Multiplex CTS service tubing, Smith Blair $\frac{3}{4}$ " x 3" full service clamp, saddles [2" x $\frac{3}{4}$ "; 4" x $\frac{3}{4}$ "; 4" x 1"; 6" x $\frac{3}{4}$ "]; alt. supplier on coupling for $\frac{3}{4}$ " service tubing, 1" PE Multiplex CTS service tubing, 18" plastic meter box plastic lid, $\frac{3}{4}$ " meter yoke, saddles) (*G & C Supply* - primary supplier on coupling for $\frac{3}{4}$ " service tubing, 1" PE Multiplex CTS service tubing, 18" plastic meter box plastic lid, $\frac{3}{4}$ " meter yokes, saddles [2" x 1", 4" x 2", 6" x 1", 6" x 2", 8" x $\frac{3}{4}$ ", 8" x 1", 10" x $\frac{3}{4}$ ", 10" x 1"] 2" Ford setter, 17" x 30" plastic meter box, 15" concrete meter box, 1" meter yoke, saddles; alt. supplier on $\frac{3}{4}$ " corps stops, $\frac{3}{4}$ " PE Multiplex CTS service tubing, Smith Blair $\frac{3}{4}$ " x 3" full service clamp, 6" x $\frac{3}{4}$ " saddle

The Bids/Purchases were approved as recommended.

- c. Grinder Pumps - Environment One - *Field's Engineering*; *Wascon* (alternate); Hydromatic - *Water & Waste* with a set sale price of \$2650 to customers

The Bids/Purchases and sale price were approved as recommended.

- d. Roll Out Carts - *Rehrig Pacific*

The Bids/Purchases were approved as recommended.

- e. Bulk Coarse Salt - *North American Salt*

The Bids/Purchases were approved as recommended.

- f. Corrugated Metal Pipe - *Tays Septic Tank*

The Bids/Purchases were approved as recommended.

- g. Crushed Stone - *Livingston Limestone* - primary; *Lhoist NA* - alternate

The Bids/Purchases were approved as recommended.

- h. Ready Mix Concrete - *IMI Concrete*

The Bids/Purchases were approved as recommended.

- i. Cold Mix - *Hudson Materials*

The Bids/Purchases were approved as recommended.

- j. Asphalt (delivered) - *Rogers Group*

The Bids/Purchases were approved as recommended.

k. Asphalt (picked-up) - *Rogers Group*

The Bids/Purchases were approved as recommended.

l. Street Striping - *England Striping*

The Bids/Purchases were approved as recommended.

m. Street Signs - *G & C Supply*

The Bids/Purchases were approved as recommended.

n. Plastic Pipe - *Tay's Septic Tank* - primary supplier; *Hayes Pipe Supply* - alternate supplier

The Bids/Purchases were approved as recommended.

o. Tires Installation - *Shadden Tire*

The Bids/Purchases were approved as recommended.

p. Janitorial Services - *Jani King*

The Bids/Purchases were approved as recommended.

q. Protective clothing (2 year contract) - *Tennessee Fire Equipment*

The Bids/Purchases were approved as recommended.

r. Lab Analysis - *Environmental Science*

The Bids/Purchases were approved as recommended.

s. Water Meters - *HD Supply Waterworks*

The Bids/Purchases were approved as recommended.

t. Light Bars (Police & Fire) - *Trucker's Lighthouse*

The Bids/Purchases were approved as recommended.

u. Uniforms (2 year contract) - Police *CMS Uniforms*

The Bids/Purchases were approved as recommended.

v. Water Treatment Chemicals - *Specialty Chemicals* (Caustic, Fluorosilicic Acid, Sodium Bicarbonate); *Carus Corp.* (Zinc-Ortho Phosphate); *Brenntag Mid-South* (Sodium Bisulfite Solution 38%); *ADC* (Sodium

Permanganate); *Thermo-Dyne* (Polymer); *Sullivan Corp.* (Granular Salt Bulk)

The Bids/Purchases were approved as recommended.

w. Paper & Plastic Items - *Staples*

The Bids/Purchases were approved as recommended.

x. Police Narcotic/Patrol Canines - *Southern Police Canine*

The Bids/Purchases were approved as recommended.

y. Fire Uniforms (2 year contract) *CMS Uniforms*

The Bids/Purchases were approved as recommended.

5. Marketing Report

a. Matters relative to Public Relations and Marketing

The Marketing Director discussed the following:

-Sr. Olympics - The State games will be held in Franklin in July.

-WCTE Auction - The City sponsored one evening with assistance from Cumberland Medical Center and the Cumberland County Playhouse

-Stream Quality Improvements were made at Centennial Park and a ribbon cutting held. Partnerships were formed with U.S. Game and Fish, the National Park Service, Master Gardeners, and the Obed Watershed Community to make significant improvements.

-4th Annual Sustainability Fair recap

-Senior Men's Open recap - The second day was rained out and co-champions were named.

-Tennessee Senior Open Chess Tournament was held at Fair Park.

-Kid's Fishing Derby - TWRA participated by stocking Meadow Park Lake.

-Tennessee Women's Open - Volunteer training is scheduled with 75 volunteers that week. A home show will also be held at Fairfield during the week.

-Bio-Diesel Program - The City is collecting 400 gallons per month.

-Water Fest Event - planned for July 7 at Meadow Park Lake

-Dr. Simek from the University of Tennessee will be at the Palace Theatre to discuss area caves on June 26

-33rd Annual TPGA Father/Son golf tournament is being held at Stonehenge this weekend.

-Crossville Life

-Community Pride

-Today in America was aired in May in the Arlington/Richmond, Virginia area. In June, the program will air in Pennsylvania.

BEER BOARD - 6:30 p.m.

a. An application for an off-premises beer permit submitted by Muradali Bharwani dba Mr. Zip #538 located at 2528 E. 1st St.

A motion was made by Mayor Pro-tem Danny Wyatt , seconded by Council Member George Marlow, that this Permit be approved as recommended. The motion carried by unanimous vote.

6. OTHER BUSINESS

a. Matters relative to finalization of t-hangar engineering contract

The City Manager discussed the final accounting of engineering fees with Chuck Burgess of ECE. City staff has met with TDOT Aeronautics to discuss the final accounting. TDOT has agreed to pay for a portion of the engineering overrun at a 90/10 grant. The portion that TDOT will not pay is \$92,957.43. Mr. Chuck Burgess with ECE has agreed to discount this by \$25,000 which reduces the non-match amount to \$67,957.43.

A motion was made by Council Member Boyd Wyatt, seconded by Council Member Earl Dean, that this change order be approved as recommended. The motion carried by the following vote:

Aye: 4 - Mayor J.H. Graham III, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

Nay: 1 - Mayor Pro-tem Danny Wyatt

b. Matters relative to dog park

Margie Buxbaum discussed a proposed dog park and requested that an escrow account be set up within city accounts so that she can raise funds that can be set aside for the dog park without having to set up a non-profit corporation.

A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Council Member George Marlow, that the escrow account for the dog park be approved as recommended. The motion carried by the following vote:

Aye: 4 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member George Marlow and Council Member Boyd Wyatt

Nay: 1 - Council Member Earl Dean

c. Ordinance annexing lots on Orange Circle

With the re-routing of the Northwest Connector, Mrs. Braden has requested that her property be de-annexed since the new road will not be constructed in front of her property.

A motion was made by Council Member Boyd Wyatt, seconded by Mayor J.H. Graham III, that this De-annexation be approved on first reading. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

A request was received from Pauline Sherrer to annex her 3 lots on Orange Circle. The remaining property owners have not been surveyed. The road was improved several years ago by the Planning Commission using performance bond proceeds. Sewer can be easily extended to serve all the properties. Staff recommended that the annexation ordinance be passed on first reading and all property owners notified prior

to a public hearing and second reading at the July meeting.

A motion was made by Council Member Boyd Wyatt, seconded by Mayor J.H. Graham III, that this Annexation be approved on first reading. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

d. Matters relative to corporate hangar

Mastercorp requested approval to build a second hangar adjacent to their current one under similar terms. A proposed lease agreement was not yet available. To accommodate the hangar, they also requested a taxiway extension. Grant applications must be submitted by June 15. If the City is approved for the grant, Mastercorp would be responsible for the local matching funds.

A motion was made by Mayor J.H. Graham III, seconded by Council Member Boyd Wyatt, that approval be given for the submittal of a grant application for the taxiway. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

e. Matters relative to Northwest Connector

As discussed in the work session, the Northwest Connector is approved for inclusion in the State bid letting in August. Because of all the issues and requirements of the Federal Highway Administration, additional costs were incurred for appraisals and acquisition services. These additional costs totaled \$15,500. Gresham Smith and Partners have requested reimbursement for these additional costs. This request is recommended by the City Manager and City Clerk.

A motion was made by Council Member Boyd Wyatt, seconded by Mayor J.H. Graham III, that the reimbursement be approved. The motion carried by the following vote:

Aye: 3 - Mayor J.H. Graham III, Council Member Earl Dean and Council Member Boyd Wyatt

Nay: 1 - Mayor Pro-tem Danny Wyatt

Abstain: 1 - Council Member George Marlow

f. Water Harvest project closeout change order

The Tansi Raw water project is complete and the project was completed \$296,478.52 under the contract amount. This savings was created by removing a large portion of the road paving, valued engineering changes proposed by the Contractor and final as-built quantities.

A motion was made by Council Member Boyd Wyatt, seconded by Council Members George Marlow and Danny Wyatt, that Change Order Number 2 and Final with W.L. Hailey and Company Inc. for a total decrease in contract amount of \$296,478.52 be approved. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

- g. Matters relative to guardrail on Myrtle Avenue Bridge
- This matter was deferred.**
- h. Matters relative to signalization on Highway 127 at Interchange Drive
- This matter was deferred.**
- i. Matters relative to downtown cruise-ins
- A request was received from the Crossville Cruisers to have a monthly cruise-in on the fourth Saturday during the months of June through October.*
- A motion was made by Mayor Pro-tem Danny Wyatt, seconded by Mayor J.H. Graham III, that temporary street closings for the cruise-ins be approved. The motion carried by the following vote:**
- Aye:** 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

7. City Attorney Report

- a. Matters relative to City Attorney's Report
- City Attorney Kenneth Chadwell reported that a lawsuit against actions by a police officer has been received.*
- At the previous meeting, it was anticipated that Bass, Berry & Sims would be used as the bond counsel for the upcoming bonds. They have declined to serve and it was recommended that Wyatt, Tarrant, and Combs be utilized.*
- Mr. Chadwell reported that he had determined that a payment in lieu of tax program (PILOT) can be used for retail establishments through the Industrial Development Board.*
- Regarding concerns about the code violations at D & J Appliance, the property has been re-inspected and notices will be going back out through the City Manager. There is not an active business at the address. Any costs could be filed as a lien against the property.*
- A motion was made by Mayor J.H. Graham III, seconded by Council Member Earl Dean, that Wyatt, Tarrant, and Combs be approved as bond counsel. The motion carried by unanimous vote.**
- Aye:** 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

8. City Manager Report

- a. City Manager's Report
- The City Manager presented the monthly revenue reports for local option sales tax, beer tax, and retail liquor taxes. He also presented reports on building permits, grants,*

and special projects.

Police-A 5% increase for Officer Thomas Burnett effective June 17, 2012. Officer Burnett graduated Cum Laude from MTSU with a BS in Criminal Justice and Spanish. New salary will be \$14.00 per hour.

Codes Enforcement-5% increase for Kyle Eldridge effective June 17, 2012 for obtaining Commercial Plumber's License. New salary will be \$19.43 per hour/\$777.20 per week

A motion was made by Mayor J.H. Graham III, seconded by Council Member Boyd Wyatt, that the payroll increases for Kyle Eldridge and Thomas Burnett be approved as recommended. The motion carried by the following vote:

Aye: 5 - Mayor J.H. Graham III, Mayor Pro-tem Danny Wyatt, Council Member Earl Dean, Council Member George Marlow and Council Member Boyd Wyatt

ADJOURNMENT

The meeting adjourned at 7:45 p.m.