

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, May 12, 2020

6:00 PM

Video Conference

City Council

*Mayor James Mayberry
Mayor Pro-Tem Art Gernt, Jr.
Council Member J.H. Graham, III
Council Member Rob E. Harrison
Council Member Scot Shanks
City Manager Greg Wood
City Clerk Valerie Hale*

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

The City Council for the City of Crossville met for its monthly meeting on Tuesday, May 12, 2020 via video conference due to restrictions mandated to protect its citizens during the Coronavirus (COVID-19) pandemic. Mayor James Mayberry was present at City Hall and presiding. He called the meeting to order at 6:00 p.m. Council member Scot Shanks provided the invocation and Mayor Mayberry led the Pledge of Allegiance.

Rollcall

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

Others joining the video conference were City Manager Greg Wood, City Attorney Will Ridley, City Clerk Valerie Hale, Lee Lawson, Jessie Brooks, Tim Begley, and Fred Houston.

1. Proclamations/Presentations-NONE**2. Public Comment**

Due to the meeting being held via video conference, it was announced to the public that comments should be sent by email to the City Clerk prior to the meeting and there were not any comments received.

3. Appointments**a. Tree Board Appointments**

The Mayor announced the re-appointment of Bruce Anderson and Janet Dowlen to the Tree Board, with terms expiring in May 2023.

The Appointments were announced.

b. Crossville Housing Authority

Mayor Mayberry re-appointed Christi Hale to an additional term on the Board of the Crossville Housing Authority.

This Appointment was announced.

4. Consent Agenda

A motion was made by Council Member J. H. Graham, seconded by Council Member Rob Harrison, to approve Items 4 A-E of the Consent Agenda. The motion carried by the following vote:

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

- a. Approval of minutes (04/14)

The Minutes were approved.

Ordinances on Second Reading

- b. Ordinance amending Crossville Municipal Code Sections 8-304 & 305 regarding residency requirement for retail liquor store owners

This Ordinance was approved on second reading.

Additional Consent Items

- c. Approval of FY20-21 TCRS Rate

The TCRS rate is computed every year and this is the rate the City must pay to TCRS for the retirement plan. The rate for upcoming fiscal year is 15.9%.

This Resolution was approved.

- d. Approval of grant application to the Department of Justice for grant money to purchase police vests

The Department of Justice provides a grant program to pay 50% of costs for the purchase of vests for the police officers. Applications are due June 8, 2020.

This Resolution was approved.

- e. Approval of grant application regarding CARES Act Funding for Airport

Crossville Memorial Airport is eligible for \$30,000 from the CARES Act (Coronavirus Aid, Relief, and Economic Security Act). The primary intent of CARES Act funding is:

- Keep airports in reliable, safe operation to serve the aviation industry, the travelling public, and support the economy*
- Keep airport and aviation workers employed*
- Keep airport credit ratings stable*

The funds will be reimbursed through a TDOT Grant at 100%.

The Director of Engineering request that authorization to apply for this grant and the control of the expenditures and reimbursables be given to the City Manager. At this time, we know that all utility invoices will be covered with this grant and possibly the monthly fee paid to the FBO for a set time period. We also know that new capital

projects are not covered.

This Application was approved.

5. Other Business

a. Approval of contracts with TDOT on utility relocations and easement acquisitions on Hwy. 127N

Contracts were presented that cover the relocation of water & sewer lines on Hwy. 127N, North of I-40 to near Potato Farm Road in the Catoosa district. This project is currently scheduled for letting in August. TDOT will reimburse the costs for the relocation of lines that are located on private utility easements, engineering, and inspection. Eighty percent of the sewer lines are on private property and forty-two percent of the water lines are on private property.

Agreement to the contract also authorizes deposit of the local match. The local match for the sewer lines of \$194,400 and \$1,215,115.28 for the water lines.

Also presented were the utility easement contracts with TDOT for the acquisition of easements. The amount of the sewer line reimbursement is \$126,590 and the water line reimbursement is \$231,145.00.

Mayor Mayberry discussed financing options for the local match. He has been in contact with TMBF and they are looking at options. Funds are available in the Catoosa account to cover the match and Mayor Mayberry suggested moving forward and evaluating options at a later time.

A motion was made by Mayor James Mayberry, seconded by Council Member J. H. Graham, to approve contracts with TDOT and approve local match deposit. The motion carried by the following vote:

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

b. Discussion and action on legal agreement regarding Golf Court Townhomes

City Attorney Ridley explained that he recommends that the City be secured by entering into contractual agreements with each of the property owners and the HOA for the sewer project. They would agree to pay a special sewer tap fee. The project would be amortized over a period of time as a special tap fee. The City would secure the agreement with a Master Deed of Trust with each of the owners and recorded for each property. The Deed of Trust would be second to any deed of trust on the property and would require that the balance would have to be satisfied before sale of property, accelerating payment to the City.

City Attorney Ridley suggested that an inter-local agreement be devised with South Cumberland Utility District (SCUD) as a provision in case one of the customers fails to pay the sewer fee, then SCUD would also cut off the water and vice versa.

It was discussed at a recent work session what would happen if additional condos were built in the development, whether would they be able to tie onto the sewer and whether the sewer can be expanded to allow other customers outside of Golf Court Townhomes

to connect. Mayor Mayberry stated that it would be limited to the 31 currently built condos.

Mr. Ridley has advised that there is the potential risk that if one of the units were foreclosed on and the sale price does not bring enough to satisfy the lien, then the City would not get accelerated payment and the agreement would have to be passed on to the next property owner. He has also advised that if a tornado or natural disaster demolished the units and they were not re-built, then the City would lose its money.

Mr. Ridley presented a contract for the property owners.

Mayor Mayberry related that he is concerned about a 20-year amortization, he would prefer 15 years. The amount per month for sewer (based on 3,000 gallons per month at outside city sewer rates) and the loan would be \$75.50 per month.

City Attorney Ridley explained that if an owner dies, the agreement would be treated in Probate Court as a debt and satisfied by the Estate.

A motion was made by Mayor James Mayberry, seconded by Council Member Rob Harrison, to approve the agreement with a 15 year amortization period. The motion carried by the following vote:

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

c. Ordinance closing unimproved Right-of-Way on 112 Webb Ave.

A property owner on Webb Ave requested the ROW in the area highlighted on the map presented to be closed, consisting of 0.04 acres.

A previous request was submitted in 2018, which involved more property owners. Planning Commission met 07/19/2018 and recommended denial of the ROW closure request for the full ROW and that closure of the unused portion of ROW be granted if the property owners hire a surveyor, properly define the ROW, agree to the division of said ROW, and provide a legal description to the City. The property owner proceeded with a survey of her property only and requests only the portion of the ROW that touches her property be closed.

A legal description has been presented to the City and staff recommends closure and adjoining the unimproved ROW to Tax Map 113C, Group E, Parcel

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, to approve the request to close the ROW and adjoin to the current parcel.. The motion carried by the following vote:

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

6. City Attorney's Report

a. City Attorney's Report-May

City Attorney Ridley reported that the City has been trying to acquire easements for the

Hwy 127 N road widening project and there are two condemnations necessary, City of Crossville vs. Doris Sisco and the City of Crossville vs. Realty Income Properties 25, LLC. Both offers have been made consistent with the City's policy in obtaining easements and that the offers were not even close to the property owners' expectations. Mr. Ridley asked for approval to move forward with condemnation lawsuits.

A motion was made by Council Member J. H. Graham, seconded by Council member Shanks, to move forward with condemnations, City of Crossville vs. Doris Sisco and City of Crossville vs. Realty Income Properties 25, LLC. The motion carried by the following vote:

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

7. City Manager's Report

a. City Manager's Report - May

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

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:22 p.m.