

City of Crossville

392 N. Main
Crossville, TN 38555



Meeting Agenda - Final

Thursday, May 12, 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

AUDIT COMMITTEE - 5:00 p.m.**PUBLIC HEARING - 5:35 p.m.**

[16-0188](#) Proposed Annexation and Plan of Services for approximately 1.45 acres at 4355 Hwy. 127S (Stagecoach Place Café)

Sponsors: City Clerk

Attachments: [Rutledge annexation request](#)

[Annexation resolution-Stagecoach](#)

[Stagecoach annexation map](#)

[Stagecoach annexation ad](#)

SOLICITATION BOARD - 5:45 p.m.

[16-0185](#) Crossville Lions Club Charities, Inc.

Sponsors: City Clerk

Attachments: [Crossville Lions Club Charities](#)

PUBLIC HEARING - 5:50 p.m.

[16-0186](#) Capital Improvement Plan for 2016-2025

Sponsors: City Manager and Finance Department

Attachments: [CIP public hearing ad](#)

REGULAR MEETING - 6:00 p.m.**Roll Call****Call to Order****1. Proclamations/Presentations - NONE****2. Appointments****a. [16-0170](#) Cumberland County Equalization Board**

Sponsors: City Clerk

b. [16-0171](#) Industrial Development Board

Sponsors: City Clerk

Attachments: [Industrial Development Board](#)

- c. [16-0173](#) Lake Commission
- Sponsors:** Lake Commission
- Attachments:** [Lake Commission Recommendations](#)
[Lake Commission](#)

- d. [16-0179](#) Crossville Housing Authority
- Sponsors:** James Mayberry
- Attachments:** [Crossville Housing](#)

3. Consent Agenda

- a. [16-0183](#) Approval of minutes (4/14)
- Sponsors:** City Clerk
- Attachments:** [4-14-16 minutes](#)

Ordinances on Third Reading

- b. [16-0079](#) Ordinance amending the budget for FY2015-16 for CoLinX project
- Sponsors:** Finance Department and City Clerk
- Attachments:** [CoLinX budget amendment](#)

Legislative History

3/10/16 City Council approved on first reading
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.

4/14/16 City Council approved on second reading

- c. [16-0119](#) Ordinance amending the Budget for FY2015-16 for Cumberland County Regional Water Supply Plan
- Sponsors:** City Manager
- Attachments:** [US Army Corps of Engineers letter](#)
[USCOE budget amendment](#)

Legislative History

- 3/10/16 City Council approved on first reading
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.
- 4/14/16 City Council approved on second reading

Ordinances on Second Reading

- d. [16-0123](#) Ordinance amending § 8-104 of the Crossville Municipal Code pertaining to alcoholic beverages

Sponsors: City Clerk

Attachments: [8-104 current](#)
[8-104 proposed](#)

Legislative History

- 4/14/16 City Council approved on first reading
It was discovered that the language in § 8-104 pertaining to the payment of the annual privilege fee for liquor by the drink licenses was worded incorrectly. The intent and the practice have been for the fee to be paid within 30 days of expiration. This ordinance corrects the wording.

- e. [16-0156](#) Ordinance amending the budget for FY2015-16 for payment to former City Manager

Attachments: [Rutherford pay budget amendment](#)
[City Manager suspension resolution](#)

Legislative History

- 4/14/16 City Council approved on first reading
City Attorney Ridley presented the final resolution (the same as the initial resolution, except final) as Mr. Rutherford has accepted the buy-out and not requested a public hearing. He has been paid in accordance with his contract. One of those opposed to the motion stated that they believed Mr. Rutherford's dismissal was a grievous act, he was wrongfully charged, and an audit not approved. Following a request from Councilmember Kerley, City Attorney Ridley replied that from the information he had received, Mr. Rutherford spent more than \$5,000 on the Horizon Initiative project. He also stated that the Interim City Manager had approved paying the money to Mr. Rutherford and, if the motion is not approved, there will be a problem and Mr. Rutherford would continue to receive a salary. Discussions were also held regarding previous City Managers and expenditures over \$5,000.

Additional Consent Items

- f. [16-0187](#) Adoption of Capital Improvement Plan for 2016-2025
Sponsors: City Manager and Finance Department
- g. [16-0168](#) Approval of Certificate of Compliance for Price Less #495
Sponsors: City Clerk
Attachments: [Price Less #495](#)
[Certificate - Price Less #495](#)
[Price Less Foods 75 Genesis Sq.pdf](#)
- h. [16-0172](#) Approval of temporary street closing for United Fund Block Party
Sponsors: City Clerk
Attachments: [United Fund request](#)
[United Fund Block Party Map.pdf](#)
- i. [16-0174](#) Approval of temporary street closings for Pro-Troop Rally on July 4
Sponsors: City Clerk
Attachments: [Pro-Troop Rally](#)
[Pro-Troop Rally July 4th 2016.pdf](#)
- j. [16-0180](#) Approval of temporary street closing for Salvation Army
Sponsors: City Clerk
Attachments: [Salvation Army request](#)
- k. [16-0182](#) Approval of temporary street closings for Bread of Life Block Party
Sponsors: City Clerk
Attachments: [Bread of Life Block Party Map.pdf](#)
- l. [16-0190](#) Approval of Storage Hangar Change Order 1
Sponsors: Engineering Department and Tim Begley
Attachments: [Storage Hangar Change order 1](#)
- m. [16-0081](#) Approval of letter requesting an election to be held on November 8, 2016
Sponsors: City Clerk
Attachments: [Election](#)
4. **Bids/Purchases**

- a. [16-0192](#) Approval of Change Order #1 with Putnam Contracting Services

Sponsors: Catoosa Department

Attachments: [Putnam Contracting proposal](#)

[Putnam Contracting Services Change Order 1](#)

- b. [16-0199](#) Granular Bulk Salt

Sponsors: Water Resources Department

Attachments: [Dycho Proposal](#)

- c. [16-0202](#) Approval of payment to Security Equipment Company

Sponsors: City Clerk and Police Department

Attachments: [Security Equipment-Police Dept](#)

- d. [16-0181](#) Approval of Crossville Team Championship Sponsorship

Sponsors: Marketing Department

- e. [16-0189](#) Sponsorship in the Tennessee Senior Men's Open

Sponsors: Marketing Department

5. Marketing Report

- [16-0200](#) May Marketing Report

Sponsors: Marketing Department

6. Cumberland County/Chamber Report

7. Other Business

- a. [16-0139](#) Resolution approving the annexation and Plan of Services for approximately 1.45 acres at 4355 Hwy. 127S

Sponsors: City Clerk

Attachments: [Annexation resolution-Stagecoach](#)

[Rutledge annexation request](#)

[Plan of Services](#)

[Map](#)

Legislative History

4/21/16 Planning Commission approved

Mr. David Rutledge has requested the annexation of 4355 Hwy. 127S, which is the location of The Stagecoach Place Café. This request is so that they offer liquor by the drink at the restaurant. A recommendation on the plan of services and annexation to the City Council is requested. Staff recommended approval.

b. [16-0142](#) Discussion and Action on City Wide Spring Bulky Item Clean Up

Attachments: [CWD Proposal](#)

Legislative History

4/14/16 City Council deferred
Cumberland Waste Disposal (CWD) has proposed to partner with the City to remove bulky items during the week of May 23, 2016. This week would also be designated to clean the roadside and CWD has offered their trucks to pick up bagged items and bulky items off the sides of the road. The only charge for this would be \$33.00/ton for the landfill fees plus an extension to their existing contract under the same terms and conditions set to expire on August 31, 2017. If the contract extension is approved, there will be an amendment regarding spring bulky item cleanup and a brush collection schedule, as well as vague details in the existing contract reworded.

c. [16-0167](#) Discussion and action on request for waiver for off-premise advertising sign

Sponsors: City Clerk

Attachments: [Billboard variance request](#)

[Billboard rendering](#)

[14-504](#)

[14-508](#)

[Proposed Sign Location with Buffer](#)

d. [16-0169](#) Discussion and action on request for annexation of 90 Doris Drive

Sponsors: City Clerk

Attachments: [Glenda Sorensen request](#)

[Doris Dr Plan of Service](#)

[90 Doris Drive TM101PC00300_2016.pdf](#)

Legislative History

- 4/21/16 Planning Commission denied
- A letter has been received from Glenda Sorenson for the annexation of her property at 90 Doris Drive so that she can connect to City sewer. The closest sewer would come from Greenbriar Subdivision located at the back of her property. The sewer main extension would have to be installed in the existing utility easements that run parallel to property lines that belong to other people.*
- This property is in another subdivision and cannot be reached by City streets.*
- If the property is annexed, the property owner will be responsible for the costs of the materials for the line extension, as well as the cost of the grinder pump, tap, electrical permit, and the cost to connect the house to the new line. The estimated material cost is \$1,775.69 (not including grinder pump, tap fee, or plumbing cost).*
- If the property is not annexed, the property owner will be responsible for all costs. This is estimated at \$10,952.29 (not including grinder pump, tap fee, or plumbing cost), a difference of \$9,176.60.*
- The estimated property tax for the property, if annexed, would be \$72.45 under the current tax rate. The estimated water and sewer bill at an inside City rate would be: \$65.95 per month or \$36.60 for sewer per month.*
- It would take the City approximately 18 years to recoup the money spent for not charging the property owner the cost of Labor & Equipment. This estimate does not include the cost of other city services, such as police, fire, and trash pickup.*
- Staff recommended denial of the annexation, based on the in-continuity of City streets for access to the property, which might cause confusion for emergency services as well as the cost to the City for labor and equipment to run the sewer line. City Council does have the option to allow the property to be served by sewer at outside-City rates.*

- e. [16-0201](#) Discussion and action on request for connection to city sewer
- Sponsors:** City Clerk
- Attachments:** [Crossville Dragway](#)
 [Dragway Sewer Request Map.pdf](#)
- f. [15-0400](#) Discussion and action on sewer tap request from Brad Donathan
- Sponsors:** City Clerk
- Attachments:** [Brad Donathan request](#)
 [3-14-2000 minutes](#)
 [8-4-1997 minutes](#)
- Legislative History**

- 10/1/15 Work Session received and filed
In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project. Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.
- According to Billy Martin, Mr. Donathan requested and received a grinder pump several years ago (per policy), but is just now installing it. Mr. Donathan recalls that he was told that his tap would be free and is now requesting the free tap. However, there is no record of that and the policy at that time (and currently), is that any taps that are provided in lieu of compensation for an easement are done through a "sewer tap certificate" that has an expiration of 5 years. Other than that process, the City Council is the only body that can waive sewer taps since they are set by the City Council.*
- 10/8/15 City Council presented
In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project. Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.
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- 11/3/15 Work Session received and filed
In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project. Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.
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- This matter was heard at the October meetings, but no action was taken. Mr. Donathan has requested action by the Council on his request. The City Manager recommended denying the request.*

11/12/15 City Council failed
In 1997, Brad Donathan signed easements for the City to construct a sewer line across his property in Greenbriar Subdivision as part of the city-wide sewer project. Mr. Donathan was paid for those easements. Following construction, it was determined that the contractor went out of the easement area. In the minutes of 3/14/2000, a request was taken to Council to pay Mr. Donathan \$1,700 as settlement for damages.

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This matter was heard at the October meetings, but no action was taken. Mr. Donathan has requested action by the Council on his request. The City Manager recommended denying the request.

g. [16-0191](#) Approval of Updated Tournament Fees for Centennial Park

Attachments: [2016 fee memo.doc](#)
[comparable city fees.docx](#)

h. [16-0203](#) Approval of Volunteers in Police Program

Sponsors: Police Department

i. [16-0204](#) Discussion and action on Downtown Waterline Project

Sponsors: Engineering Department and Tim Begley
Attachments: [Downtown Proposed Waterlines Map](#)
[Supplemental agreement CT Consultants](#)
[Total Construction Cost Estimate.xls](#)

j. [16-0205](#) Update and possible action on downtown sidewalk project

Sponsors: Danny Wyatt
Attachments: [Downtown Sidewalks Project Map](#)
[North Western Corner of Lantana Traffic Signal Pole](#)
[Crossville Sidewalk Probable Construction Costs](#)
[2016-03-21 Contractor's Schedule.pdf](#)

- k. [16-0153](#) Discussion and action on rescinding Standing Rules adopted on March 10, 2016

Sponsors: Pete Souza

Attachments: [Standing Rules adopted Feb 11 2016](#)

[Revised Standing Rules March 2016 w-changes](#)

[Revised Standing Rules March 2016](#)

Legislative History

4/14/16 City Council failed
Councilmember Souza discussed the standing rules that were adopted at the last regular meeting. He stated that he felt it was an assault on the people's right to speak and the elimination of work sessions makes it hard to discuss prior to action being taken.

- l. [16-0194](#) Discussion on information on recall website

Sponsors: Jesse Kerley

- m. [16-0195](#) Discussion on wholesale liquor inspection fee

Sponsors: Jesse Kerley

Attachments: [8-306](#)

[57-3-501](#)

- n. [16-0196](#) Discussion on indoor recreational facility referendum

Sponsors: Jesse Kerley

- o. [16-0197](#) Report on past due business licenses

Sponsors: Danny Wyatt

Attachments: [4-27-16 Status Report](#)

[12-10-15 Status report](#)

8. **City Attorney's Report**

[16-0184](#) City Attorney's Report

9. **City Manager's Report**

[16-0193](#) City Manager's Report

Attachments: [Sales Tax](#)

[Wholesale Beer Tax](#)

[Retail Liquor Inspection Fees](#)

[Building Permits](#)

[Building Permits YTD](#)

[Current grants/projects General Fund](#)

[Current grant/projects Water Sewer](#)

[Special Projects Report](#)

[Debt Schedule](#)

10. Public Comment

[16-0210](#) Public Comments

- 1) Dr. Jack Miller
- 2)
- 3)

ADJOURNMENT