

# City of Crossville

392 N. Main  
Crossville, TN 38555



## Minutes

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*

**PUBLIC HEARING**

*A public hearing was held on Thursday, May 12, 2016, for the purpose of receiving comments from the public regarding a proposed annexation. Mayor Mayberry was present and presiding. He called the public hearing to order at 5:35 p.m.*

Proposed Annexation and Plan of Services for approximately 1.45 acres at 4355 Hwy. 127S (Stagecoach Place Café)

*David and Debra Rutledge have requested that their property be annexed into the City limits to enable a license to be issued to serve alcoholic beverages at the Stagecoach Place Cafe. Mayor Mayberry asked for comments from the public regarding the proposed annexation.*

*With no comments, the public hearing was adjourned at 5:37 p.m.*

**This Public Hearing was received and filed**

**SOLICITATION BOARD**

*The Solicitation Board for the City of Crossville held a meeting on Thursday, May 12, 2016, at Crossville City Hall. Mayor James Mayberry was present and presiding. He called the Board to order at 5:45 p.m.*

**Present:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

Crossville Lions Club Charities, Inc.

*An application for a Solicitation Permit was submitted by the Crossville Lions Club Charities, Inc. They will be raising funds for their White Cane program for the blind and visually impaired. They will be in front of local businesses on June 3-4.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Danny Wyatt, that this Permit be approved as recommended. The motion carried by the following vote:**

**Present:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*With no further business, the Solicitation Board was adjourned at 5:46 p.m.*

**PUBLIC HEARING**

*A public hearing was held on the Capital Improvement Program for 2016-2025. Mayor James Mayberry was present and presiding. He called the public hearing to order at 5:50 p.m.*

## Capital Improvement Plan for 2016-2025

*The Capital Improvement Plan has been published on the City's website. He asked for any comments. With no comments, the public hearing was adjourned at 5:51 p.m.*

**This Public Hearing was received and filed**

### **REGULAR MEETING**

#### **Roll Call**

**Present:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*Others present were Interim City Manager Steve Hill, City Attorney Will Ridley, City Clerk Sally Oglesby, Steve Clark, Gary Nelson, Rob Harrison, Andy Vaughn, Tammie French, Lori Neal Freitag, Skip Freitag, Dewey Peterson, Janet Oakes, Don Alexander, Larry Sherrill, Janet Floyd, Nikki Floyd, Billy Martin, Kevin Music, V.S. Wisdom, Mike Turner, Tim Begley, Jerry Harris, Arthur R. Allen, Khrista Wyatt, Jerry Lewis, Gloria Lewis, Wayne Harrison, Sue York, David Brockway, Ray Hansen, Linda Hansen, Floyd Gore, Bruce Wyatt, Bryce McDonald, John Turner, Bob Schwartz, Darrell Hall, Randy Graham, Jerry Kerley, Chris Bennett, Steve Powell, Joe Kerley, Fred Houston, Jeff Kerley, Ashley DeRossett, Glen McDonald, Marlene Potter, Charles Loveday, Bob Weber, Ed Camera, Sherley Wyatt, Brad Allamong, Pauline Sherrer, J. R. Blankenship, Levonn Hubbard, Jim Morrow, Tom Isham, Woody Geisler, Ann K. Looney, Billy Loggins, Jeff Dalgren, Susie Murphy, Jack Miller, Rod Shoap, 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. The invocation was given by Dewey Peterson of the New Beginnings Fellowship. Mayor Mayberry led the Pledge of Allegiance.*

#### **1. Proclamations/Presentations - NONE**

#### **2. Appointments**

##### **a. Cumberland County Equalization Board**

*Joe Reynolds has served as a member on the Cumberland County Equalization Board. He recently passed away and an appointment needs to be made to fill that position. Chairman Bill Hargis recommended that Mr. Dave Surles of 274 Ridgeline Drive, which is located just past the airport, fill this vacancy. Mr. Surles is a past military-engineer and knows property values. The approval needs to be passed by*

*both the City and County before their school scheduled for May 19.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, that Dave Surles be appointed. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**b.** Industrial Development Board

*Mr. Larry Ebert, Sr. is one of the City's appointments on the Industrial Development Board. Mr. Ebert recently passed away. His term expires on 4/30/17. An appointment needs to be made to fill the unexpired term.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that Larry Sherrill be appointed. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**c.** Lake Commission

*Two appointments need to be made to the Lake Commission.*

*1 - Clarence Coffey has moved outside the City limits and resigned his seat, which expires in January 2021. The Lake Commission has recommended that Randell Farley be appointed to fill the remaining term.*

*2 - Joe Reynolds recently passed away and his term expires in January 2017. The Lake Commission has recommended that Pamala Harris be appointed to fill the unexpired term.*

*Nominations were made for Randell Farley, Pamala Harris, Lou Morrison, and Gordon Atchley to fill the seats.*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor James Mayberry, that the Council vote for two persons and the one with the most votes would receive the term expiring in 2021 and the one coming in second would receive the term expiring in 2017. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*In the first round, the following votes were announced by City Attorney Ridley:*

*Councilmember Wyatt - Atchley, Morrison*

*Mayor Pro-Tem Harris - Atchley, Farley*

*Councilmember Kerley - Atchley, Morrison*

*Mayor Mayberry - Atchley, Farley*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that Gordon Atchley be appointed to the term expiring in 2021. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the person getting the highest number of votes be appointed to the 2017 term. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*In the second round, the following votes were announced by City Attorney Ridley:*  
*Councilmember Wyatt - Morrison*  
*Mayor Pro-Tem Harris - Farley*  
*Councilmember Kerley - Morrison*  
*Mayor Mayberry - Farley*

**A motion was made by Mayor James Mayberry, seconded by Mayor Pro-tem Pamala Harris, that the person getting the highest number of votes be appointed to the 2017 term. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*In the third round, the following votes were announced by City Attorney Ridley:*  
*Councilmember Wyatt - Morrison*  
*Mayor Pro-Tem Harris - Abstain*  
*Councilmember Kerley - Morrison*  
*Mayor Mayberry - Morrison*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that Lou Morrison be appointed to the term ending in 2017. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**d.** Crossville Housing Authority

*Mayor Mayberry administered the Oath of Office to Gladys McNeal.*

**This Appointment was announced**

**3. Consent Agenda**

**Approval of the Consent Agenda**

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, to approve all items on the Consent Agenda, except "e". The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

- a. Approval of minutes (4/14)

**The Minutes were approved as recommended.**

### **Ordinances on Third Reading**

- b. Ordinance amending the budget for FY2015-16 for CoLinX project

**This Ordinance was adopted on third reading.**

- c. Ordinance amending the Budget for FY2015-16 for Cumberland County Regional Water Supply Plan

**This Ordinance was adopted on third reading.**

### **Ordinances on Second Reading**

- d. Ordinance amending § 8-104 of the Crossville Municipal Code pertaining to alcoholic beverages

**This Ordinance was approved on second reading.**

- e. Ordinance amending the budget for FY2015-16 for payment to former City Manager

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, 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 Jesse Kerley

**Absent:** 1 - Council Member Pete Souza

### **Additional Consent Items**

- f. Adoption of Capital Improvement Plan for 2016-2025

**The Capital Improvement Program was approved as recommended.**

- g. Approval of Certificate of Compliance for Price Less #495

*Houchens Food Group dba Price Less #495 located at 75 Genesis Square has requested a Certificate of Compliance to allow them to sell wine in their store beginning July 1, 2016. A background check on Steve Lamb, store manager, has*

*been presented, which showed no issues.*

**The Certificate of Compliance was approved as recommended.**

**h. Approval of temporary street closing for United Fund Block Party**

*The United Fund of Cumberland County is planning a block party on Saturday, July 30 from 10-2 to celebrate their 50th anniversary. They have reserved Garrison Ball Park for the free event. They request that Yvonne Ave from Taylor St. to 4th St and Taylor Street from Miller Ave. to Yvonne Ave. be blocked from 8:00 a.m. - 2:00 p.m. for the event.*

**This Permit was approved as recommended.**

**i. Approval of temporary street closings for Pro-Troop Rally on July 4**

*The annual Pro-Troop Rally is being planned for July 4 on the courthouse grounds. They request that Main St. be closed from 10:00 a.m. - 1:00 p.m. for the presentations and the DAR Children's Parade. Main Street will need to be closed from the Depot to the Palace for the parade, which starts at 10:00 a.m.*

**This Permit was approved as recommended.**

**j. Approval of temporary street closing for Salvation Army**

*The Salvation Army is hosting a car show and summer market at the Complex on Saturday, June 11, to raise funds for emergency and long term assistance to children and disaster services. At the conclusion of the event on Saturday, they request closure of Main Street from the intersection of Main and Hwy. 70E to Main and Neecham for a police escorted cruise-in down Main Street. This is expected to take place between 4:00 p.m. and 5:00 p.m.*

**This Permit was approved as recommended.**

**k. Approval of temporary street closings for Bread of Life Block Party**

*The Bread of Life Rescue Mission will hold its annual block party on Saturday, June 25, 2016 from 9:00 a.m. to 6:00 p.m. They request that 4th Street be blocked off around their buildings.*

**This Permit was approved as recommended.**

**l. Approval of Storage Hangar Change Order 1**

*Additional storm sewer piping has been added to the project in order to preserve the level area beside the hangar. This will also make maintenance in the area more efficient. The total cost of the change order is \$8,000 with the City's matching portion being \$400.*

**This Contract was approved as recommended.**

**m. Approval of letter requesting an election to be held on November 8, 2016**

**The letter was approved as recommended.**

**4. Bids/Purchases****a. Approval of Change Order #1 with Putnam Contracting Services**

*The backup generator at the Genesis Road booster station has not worked for quite some time. Putnam Contracting Services, LLC was awarded the contract on the Hwy 70N pump station generator. They have proposed replacing the automatic transfer switch on this backup generator for \$7,800 as a change order to their current contract. The two generators will be identical. Funds are available in the 70N Pump Station Generator line item.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that Change Order #1 with Putnam Contracting Services be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**b. Granular Bulk Salt**

*The Water Resources Department has encountered numerous quality problems with the vendor for salt (Sullivan Corp). They request approval to purchase salt for the remainder of the fiscal year from Dycho at a cost of \$248/ton. They also got a quote from Greenway, which was \$248.98/ton.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, that a contract with Dycho on granular salt be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**c. Approval of payment to Security Equipment Company**

*City Council approved security equipment for the Police Department as part of the TML Property Conservation Grant. The original cost was \$4,250. However, an \$1,100 upgrade had to occur for compliance with ADA issues, due to the building construction. An additional camera was also required.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that payment of \$5,350 to Security Equipment Company be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**d. Approval of Crossville Team Championship Sponsorship**

*The Council needs to approve the \$7,000 sponsorship of the State Team Championship to the Tennessee Section of the PGA. This annual State Tournament is played at Lake Tansi May 2nd and 3rd.*



**A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that sponsorship of the State Team Championship be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**e.** Sponsorship in the Tennessee Senior Men's Open

*Council needs to approve payment to the Tennessee Section of the PGA in the amount of \$22,500.*

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, that the payment be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**5. Marketing Report**

May Marketing Report

*Marketing Director Billy Loggins provided an update on the following:*

- 16TH Annual Kids Fishing Derby
- Taste of Crossville
- Friday Night Summer Air Concert Series
- Waterfest
- Healthier Tennessee
- 4th of July Festivities
- Retail Consulting Firms

*He also reported that Cumberland Fellowship did a clean-up on a portion of Miller Ave. and Hwy. 127N and collected over 1100 pounds. Another one will be scheduled later this year. A problem did occur in that the convenience center wouldn't accept the trash as they viewed it as commercial.*

**This Report was received and filed**

**6. Cumberland County/Chamber Report**

*Brad Allamong discussed their budget request to the County budget committee, which is being recommended to the Commission. They have raised \$101,000 out of their \$120,000 commitment on economic development. They hope to be completed with their fund-raising by mid-June. The Chamber Board has decided not to hire full-time economic development staff at this time, but add an Administrative Assistant for Economic Development. He spoke on the partnership between the City, County, and Chamber. The plans for industrial development were reviewed. The Horizon Initiative began with the visioning piece and that steering committee will make requests for funding for different aspects as they are identified. The Chamber is specifically working on economic and industrial development. However, there are side issues that have to be dealt with that affect workforce development; i.e. drugs,*

*child care, domestic violence, etc. A request was made that the Steering Committee provide an update on their progress.*

## 7. Other Business

### a. Resolution approving the annexation and Plan of Services for approximately 1.45 acres at 4355 Hwy. 127S

*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 can offer liquor by the drink at the restaurant. The Planning Commission met on April 21, 2016 and recommended the approval of the annexation and plan of services.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that this Resolution be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

### b. Discussion and Action on City Wide Spring Bulky Item Clean Up

*CWD proposed removing bulky items during the week of May 23, 2016 with the extension of their contract.*

*Councilmember Kerley stated he didn't believe it could be extended because it was over \$2500/year.*

*Mayor Pro-Tem Harris suggested using volunteer groups, if we can come up with a plan to dispose of the collected items.*

**No action was taken on the proposal.**

### c. Discussion and action on request for waiver for off-premise advertising sign

*A letter has been received from the Senior Citizens of Cumberland County, Inc. for a waiver to build an off-premise billboard structure on their property located at 1460 S. Main St. Since this letter was delivered by Flynn Sign Company and all discussions have been with Flynn Sign Company, it is presumed they intend to construct and own the sign on property leased to them by the Senior Citizens of Cumberland County, Inc.*

*§14-504(A) of the Crossville Municipal Code only permits off-premise signs to be in connection with or within 600 ft of an active operating commercial or industrial business or regularly used building, parking lots, storage or processing of commercial and industrial activity. Further, § 14-504(B)(2) restricts such signs from being within 300 ft of a residence fronting on the same highway. This location is within 300 ft. of a number of residences.*

*§14-508 provides an avenue for a waiver to the requirements of the ordinance should the Council wish to allow this billboard.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that the request for a waiver be approved. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**d.** Discussion and action on request for annexation of 90 Doris Drive

*A letter was 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 RECOMMENDATION:** *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.*

*Tim Begley pointed out that it would be a main line extension and would allow sewer service to be available for the entire subdivision once constructed. He suggested it might be appropriate to look at a change in the policy so that Mrs. Sorenson wouldn't have to bear the entire cost of the line extension that others could benefit from in the future.*

**A motion was made by Council Member Danny Wyatt, seconded by Council Member Jesse Kerley, that staff be authorized to prepare necessary documents and public hearings for action on annexation at the June meeting of Council. The motion failed by the following vote:**

**Aye:** 2 - Council Member Jesse Kerley and Council Member Danny Wyatt

**Nay:** 2 - Mayor James Mayberry and Mayor Pro-tem Pamala Harris

**Absent:** 1 - Council Member Pete Souza

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Mayor James Mayberry, that the request be deferred to allow staff to look at possible**

revisions to the extension policy. The motion carried by the following vote:

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**e.** Discussion and action on request for connection to city sewer

*Nick Bresaw, Co-Owner of Crossville Motorsports Park, LLC dba Crossville Dragway, has requested connection to the city sewer at outside-City rates for commercial installation. The property is located at 1605 Creston Road. The City has a line within 300' feet of their property on the eastern side, adjacent to Duer Soccer Complex. At a future time, they may request annexation, but they are not prepared to request it at this time. They understand their responsibility to pay all costs for the line extension, including connection fees.*

*Those opposed to the motion asked that the property owner consider annexation.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Mayor James Mayberry, that the connection be approved at outside-commercial rates. The motion failed by the following vote:**

**Aye:** 2 - Mayor James Mayberry and Mayor Pro-tem Pamala Harris

**Nay:** 2 - Council Member Jesse Kerley and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**f.** Discussion and action on sewer tap request from Brad Donathan

*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.*

*This matter was heard at the October 2015 meetings, but no action was taken. Mr. Donathan requested action by the Council at the November 2015 on his request. City Manager Rutherford recommended denying the request. A motion was made to approve, but failed to receive a second so no vote was taken.*

*Mr. Donathan requested it to be reconsidered by the City Council at the May 2016 meeting.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, that the request be denied. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**g.** Approval of Updated Tournament Fees for Centennial Park

*The Parks & Recreation Department requested the tournament fee structure (attached and made a part of these minutes) for Centennial Park be updated.*

**A motion was made by Mayor James Mayberry, seconded by Council Member Jesse Kerley, that tournament fee structure be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**h.** Approval of Volunteers in Police Program

*The Police Department asked for approval from the Council to establish a Volunteers in Police (VIP) program. The goal is to have 20 volunteers in the program for school crossing guards, directing traffic at parades and accidents, vacation house checks, welfare checks, secretarial work, neighborhood patrols, and other non-confrontational police duties. There will be a cost for insurance of about \$230 per person per year and a cost for uniforms. Some local businesses are expected to provide cars and equipment at no cost. Chief Shoap made a presentation to Council.*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the Volunteers in Police Program be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**i.** Discussion and action on Downtown Waterline Project

*As discussed in the February Council Meeting, the City has an estimated \$375,000 funding available through SRF remaining after the extension to Genesis. City staff has reviewed the downtown area and located areas with deficient waterlines. These areas are generally described as East Fourth Street, Thurman Avenue (from East Fourth Street to East First Street), East First Street (from South Main Street to Thurman Avenue), Rector Avenue (from West Fifth Street to West Fourth Street), East Fifth Street (from North Main Street to Thurman Avenue), Stanley Street (from South Main Street to West Avenue) and Taylor Avenue (from North Main Street to Thurman Avenue). City staff has developed a construction estimate utilizing the contract prices which totals \$335,000.*

*Staff recommended the approval of the supplemental agreement with CT Consultants at a total approved cost of \$24,000 and approve a preliminary change order 4 with Ironwood Construction at \$335,000.*

**A motion was made by Council Member Danny Wyatt, seconded by Mayor Pro-tem Pamala Harris, that the supplemental agreement with CT Consultants at a cost of \$24,000 be approved and that the preliminary change order number**

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**4 with Ironwood Construction at a unit cost not to exceed \$335,000, contingent on SRF's approval, be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

**j.** Update and possible action on downtown sidewalk project

*A map of all of the sidewalks to be replaced and comply with ADA standards for the Downtown Sidewalk Project was presented. This is basically the same area the City Council approved in May 2015.*

*The City recently received comments from TDOT on the current sidewalk project. All comments have been addressed except for the intersection of Lantana Road (Hwy 70 East) and Main Street. TDOT has noted that the signal pole base on the northwestern corner will be about one foot below the top of the sidewalk. TDOT is requiring that this issue be fixed during this project or that the project shortened. The current total estimated construction cost for the sidewalk project with a new lighting system is \$2,360,875. TDOT has requested that the roadway be restriped because of the timing of the project and the new gutters and \$40,000 has been budgeted separately for this item.*

*The current draft construction time frame is as follows: Notice to Proceed Early July 2016, Construction Start Mid July, and Project Completed Mid November. It is believed that TDOT would then mill and repave Main Street April 2017. The estimated cost to construct black mast-arm poles and install conduit interconnect with other signals is \$271,000 plus supplemental agreement with engineer for \$21,500 for a total cost \$293,000. It was suggested that Surface Transportation Funds previously approved for the West Ave. and 4th Street intersection be used to cover part of the costs. The West Ave. and 4th Street intersection would be moved to a later year using the same source of funds. During discussion on ADA requirements, it was pointed out that there will be a 2" lip to deal with when the State maintenance is done. ADA is also required in dealing with the doors to the businesses. Councilmember Wyatt stated he would like to see City crews do the work. Tim was asked to look at it by next month's meeting.*

*A work session was suggested.*

**Action on the proposal was deferred.**

**k.** Discussion and action on rescinding Standing Rules adopted on March 10, 2016

**This item was deferred.**

**l.** Discussion on information on recall website

*Councilmember Kerley stated that there were concerns about information on the website, but it has been changed.*

**This Report was received and filed**

**m.** Discussion on wholesale liquor inspection fee

*Councilmember Jesse Kerley requested that it be deferred until further work on the budget is done.*

This matter was deferred.

n. Discussion on indoor recreational facility referendum

**A motion was made by Council Member Jesse Kerley, seconded by Council Member Danny Wyatt, to suspend the standing rules and procedures to open the floor up for discussion for this agenda item only. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

*Councilmember Kerley stated that an indoor facility would be important to community development and asked that the City Manager discuss with the County Mayor about making it a county-wide referendum in November. He believes that more County residents will use the facility than City residents.*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the City Manager be requested to discuss with the County Mayor on making it a county-wide referendum in November. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

o. Report on past due business licenses

*Councilmember Danny Wyatt requested a report from the City Clerk on past due business licenses.*

*Since the last report, the State has closed a number of licenses and more delinquent returns are being filed. The City Clerk has discussed the matter with the Director of Business Tax for the State and confirmed that the State is in charge of enforcement and collection. The City has no role except to send letters to businesses that they are delinquent and need to file a return with the State.*

*Reports of businesses that had not registered with the State have been sent to the State and they have assigned state tax numbers to the majority of them. In addition, the City's software has been upgraded with a report that is sent weekly to the State of new businesses with all of their information. A kiosk has also been installed behind the Assistant City Clerk's desk and new businesses are assisted in registering their businesses with the State while they are at City Hall.*

*Mrs. Oglesby reported that she has sent letters to some of the larger businesses that are delinquent as well as reporting them to the State. She pointed out that the number of business delinquent when the State took over in 2009 was zero. As of 12/2015, there were 615 delinquent. By the end of April, there were 376 still delinquent. The City cannot collect the delinquent amounts.*

*The City Manager was requested to get a letter out to the delinquent businesses.*

**This Report was received and filed**

## 8. City Attorney's Report

City Attorney's Report

*A new lawsuit has been filed due to work on a Catoosa water tank with allegations of property and health issues.*

*The Administrative Hearing Officer ordered the demolition of property on Prentice that burned during the past month because it poses a safety risk. The City Manager said that Codes wants to do it now, but the property owner has a 60-day right of appeal. City Attorney Ridley stated there could be a future liability if demolished, but he does not expect any appeal to overturn the order of the Administrative Hearing Officer. If the Council wishes to go ahead with the demolishing of the property, approval would be needed to spend \$10,000-15,000 to demolish the house.*

**A motion was made by Mayor Pro-tem Pamala Harris, seconded by Council Member Jesse Kerley, to appropriate the money to demolish the house. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

## 9. City Manager's Report

### City Manager's Report

*Interim City Manager Hill provided the monthly revenue reports for local option sales tax, wholesale beer tax, and retail liquor inspection fees. He also provided information on building permits, grant projects, and special projects. Mr. Hill pointed out that the corporate hangar is nearing completion.*

*In a matter that came up since the agenda was published, the Water Plant had a proposal for sludge removal that went over the estimate and ended up with a cost of \$6850. He requested approval of the emergency expenditure.*

*Councilmember Kerley questioned the purchases of benches for the depot for DCI that went over \$5,000. He asked the City Manager to research the matter.*

**A motion was made by Council Member Jesse Kerley, seconded by Mayor Pro-tem Pamala Harris, that the payment of the repairs for sludge removal be approved as recommended. The motion carried by the following vote:**

**Aye:** 4 - Council Member Jesse Kerley, Mayor James Mayberry, Mayor Pro-tem Pamala Harris and Council Member Danny Wyatt

**Absent:** 1 - Council Member Pete Souza

## 10. Public Comment

### Public Comments

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

*Dr. Jack Miller 179 Knights Way asked for 20-30 minutes at a later time.*

*Vancienetta Wisdom expressed her dismay for the sign outside City Hall and would like an ordinance regarding political signs on city property.*

*Bob Schwartz stated that the City Council did not approve spending the money for the benches. The money was submitted to the City prior to the purchase being made.*

*An unidentified man (later identified as Jeff Dahlgren) spoke on the recall website and*



*stated that it is owned by a private entity and not Howard Burnette. CrossvilleRecall.com is a group of different coalitions. He also made some comments about Councilmembers making comments on the website. Mayor Pro-Tem Harris raised a point of order regarding personal attacks being made. Before a ruling was made by the Mayor, Councilmember Wyatt made a motion to suspend the rules to eliminate public comment. The motion died for lack of a second. Councilmember Kerley made comments regarding the disclosure requirements for political websites and organizations regarding expenditures.*

**This Report was received and filed**

## **ADJOURNMENT**

*With no further business, the meeting was adjourned at 8:16 p.m.*