

City of Crossville

392 N. Main
Crossville, TN 38555



Minutes

Tuesday, February 14, 2017

6:00 PM

Council Chambers

City Council

Mayor James Mayberry
Mayor Pro-Tem J. H. Graham, III
Council Member Pamala Harris
Council Member Scot Shanks
Council Member Danny Wyatt
Interim City Manager Lee Lawson
City Clerk Sally Oglesby

The City Council for the City of Crossville met in regular session on Tuesday, February 14, 2017, at Crossville City Hall.

Rollcall

Present: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

BEER BOARD

Mayor James Mayberry was present and presiding. He called the Beer Board to order at 5:48 p.m.

1. Grinder House Coffee Co.

An application was received from Stacia Suzette Willier for an on-premises beer permit for Grinder House Coffee Co. located at 72 N. Main St. A clear records report was reported by the Police Department.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that this on-premises beer permit be approved. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

2. S K Mart

An application was received from Satishkumar Patel for an off-premises beer permit for S K Mart located at 1931 N. Main St. A clear records report was given by the Police Department. It was reported that there were some codes violations that need to be corrected prior to approval.

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, that this off-premises beer permit be approved, contingent on meeting the Codes requirements. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

With no further business, the Beer Board was adjourned at 5:50 p.m.

REGULAR MEETING

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 Tim Chesson of the Faith Worship Center. The Young Marines presented the colors and led the Pledge of Allegiance.

Roll Call

Present: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

Others present were Interim City Manager Lee Lawson, City Attorney Will Ridley, City Clerk Sally Oglesby, Kyle Sherrill, David Beaty, Jim Young, James Evitt, Cassey Evitt, Destiny Evitt, Hunter Hall, Satishkumar Patel, Kenny Patel, Gary Nelson, Sheri D. Glup, Danny Kirk, Patricia Grebe, Kevin Music, Randall Kidwell, Jimmy Glub, Jeff Johnson, Andy Vaughn, Tim Begley, Billy Martin, Judy Ann Stover, Lewis Stover, Sabrina Christopher, Tim Chesson, Kenneth Carey, Jr., Darlene Gendjar, Bob Gendjar, Jackie Baker, Steve Powell, Alan Baker, Travis Threet, Charles Threet, Steven Douglas, Valorie R. Cox, Starr Stone, Carey Garrison, Patrick Garrison, Bethany Garrison, Tammie French, Jerry Kerley,, Chris Bennett, Marlene Potter, Tom Isham, Vernon Potter, Jim Sparks, Leah Crockett, James Wattenbarger, Bruce Wyatt, Brad Allamong, Mike Turner, Lee Ann Smith, McKenzie Davis, Margie Buxbaum, Jason Kittrell, Robin Kittrell, Art Wojta, Judy Wojta, Anthony Alegreer, and Tyler Pyles.

1. Proclamations/Presentations

- a) Student of the Month
- b) Young Artist recognition
- c) Spay Day

- a) *Student of the Month - Isabelle "Belle" Christopher for "respect"*
- b) *Jimmy Glup was recognized for his artistic drawings of the City's street sweeper*
- c) *Spay Day - February 28*

The Presentations were announced

2. Public Comment

Randall Kidwell spoke on the importance of sewer rehabilitation and eliminating inflow and infiltration.

3. Appointments**a. Lake Commission**

Jim Powers resigned from the Lake Commission effective January 12. The Lake Commission expressed their recommendation that an interested City Council member be appointed to complete the term, which ends in January 2018.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that Pamala Harris be appointed to the Lake Commission to fill the unexpired term of Jim Powers. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

4. Consent Agenda

Approval of the Consent Agenda

A motion was made by Council Member Pamala Harris, seconded by Council Member Scot Shanks, to approve the Consent Agenda as presented. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

a. Approval of minutes (1/10, 1/17, 2/7, 2/7-Beer Board)

The Minutes were approved as recommended.

Ordinances on Third Reading

b. Ordinance amending §12-1102(c) of the Crossville Municipal Code regarding administrative hearings

This Ordinance was adopted on third reading.

c. Ordinance amending Title 1, Chapter 1, Sections 1 and 2 of the Crossville Municipal Code pertaining to City Council meetings

This Ordinance was adopted on third reading.

d. Ordinance amending the FY2016-17 budget for purchase of Message Board for Street Department

This Ordinance was adopted on third reading.

e. Ordinance deleting § 11-703 and 11-705 from the Crossville Municipal Code

This Ordinance was adopted on third reading.

f. Ordinance adding Section 5-203 to the Crossville Municipal Code pertaining to a property tax freeze

This Ordinance was adopted on third reading.

- g. Ordinance amending the FY2016-17 budget for a special City Census

This Ordinance was adopted on third reading.

Ordinances on Second Reading

- h. Ordinance amending the FY2016-17 budget for police vehicle

This Ordinance was approved on second reading.

Ordinances on First Reading

- i. Ordinance amending § 1-801 of the Crossville Municipal Code regarding public records

During the 2016 session of the Tennessee General Assembly, the public records act was revised. A model policy has been provided by the Office of Open Records Counsel that establishes best practices and a public records policy for local governments. With the new policy, our current ordinance needs to be revised to coincide with the new policy.

The main revisions in the revised ordinance is to remove the actual charges for records, as they are covered in the policy.

This Ordinance was approved on first reading.

Additional Consent Items

- j. Approval of information technology access for Auditors

One of the auditors that received a packet to bid on performing the audit of the city has inquired if it would be possible to have a way for them to look at our information by using their computers and having a link to our computers. This would be view-only and they would not be able to do anything to our information. The IT department has a way to link someone into our system. It might save as much as half of our audit costs. If council agrees, an addendum would be sent to all audit firms expressing an interest in bidding.

The access was approved as recommended.

- k. Approval of loan agreement for Air Force jet

The Air Force jet (Miss Nettie) located next to the CCHS football field is on loan to the City of Crossville from the Air Force. This loan is on a yearly basis and requires approval each year of the loan agreement. CCHS has always taken responsibility for maintenance of the jet.

The loan agreement was approved as recommended.

- l. Adoption of Public Records Policy

During the 2016 session of the Tennessee General Assembly, the public records act was revised. A model policy has been provided by the Office of Open Records

Counsel that establishes best practices and a public records policy for local governments. While the City adopted a policy in 2009 and an ordinance in 2013 (revised in 2015), the new policy needs to be adopted to provide a safe harbor for records custodians.

The new policy actually is not substantially different from our current policy and ordinance. It does require a report annually to the Council regarding compliance and it requires review every two years. We are making some small changes, such as allowing for the use of a requestor-provided storage device for electronic records, eliminating any charges that total less than \$5.00, and changes in the form for requesting records.

This Policy was approved as recommended.

m. Approval of ADA Grievance Procedure

The City of Crossville is required to have a posted ADA (Americans with Disabilities Act) Coordinator and Grievance Procedure.

This Policy was approved as recommended.

n. Approval of temporary street closings for Crossville Cruisers

The Crossville Cruisers requested that Main Street be closed on the 4th Saturday from April to October for cruise-ins. The cost for City employees to close the streets and provide for safety is approximately \$600-750 per event.

The temporary street closings were approved as recommended.

o. Approval of deduct Change Order #2-Final on corporate hangar sitework

Change Order #2-Final has been submitted by Freitag Construction Co. to reflect final quantities. The change order is in the deduct amount of \$13,296.50. The project is complete and final payment has been made.

The change order was approved as recommended.

p. Approval of waiver of Black Berry Ridge Sewer Tap Fee

The Developer for Black Berry Ridge has purchased property adjacent to the development and is expanding. City staff has convinced him that gravity sewer is the best option which will eliminate potentially 26 residential grinder pumps that the City would maintain. A new manhole is required for the tap. City staff recommended that the mainline tap fee be waived, the City purchase all materials for the tap and the developer provide the equipment and labor for the installation and work with City staff on the installation of the tap.

This waiver and agreement was approved as recommended.

q. Approval of TDOT Tree Planting Permit

Approval was requested for a TDOT permit for tree plantings in the right of way of Miller Avenue. The trees will be located on the northern side of Miller Avenue; the first tree will be approximately 300 feet east of the 127 South intersection and the trees will continue east for approximately 1900 feet. The permit includes planting approximately 30 trees.

This permit was approved as recommended.

r. Approval of lease addendum with the TAD Center

As part of the redevelopment of Garrison Park, the property leased by the TAD Center needs to be separated out so that it will not fall under the restrictions for recreational use. The legal description in the lease was not descriptive enough for Michael Stump to definitively set out and included more property than they use or maintain. A new survey of the property was prepared by Mr. Stump and a legal description written for the footprint of the building plus the parking and a 10' buffer around the building. This is agreeable with the Executive Director of the TAD Center. The City Attorney has prepared an addendum to the lease to replace the legal description. All of other parts of the lease remain unchanged.

This lease addendum was approved as recommended.

5. Bids/Purchases

a. Miox M2 System - Holiday Hills

Major repairs are needed to the Miox system at Holiday Hills. The cause of the failures is still being determined. The cost to replace the entire system is \$116,750. Due to the age of the system, it is recommended that it be entirely replaced rather than spending approximately \$80,000 to make repairs to the portion that has failed.

A motion was made by Mayor James Mayberry, seconded by Council Member Scot Shanks, that the purchase from Specialized Operations Services for a Miox M2 System for \$116,750 be approved and a budget amendment passed on first reading. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

6. Marketing Report

February Marketing Report

Marketing Director Billy Loggins provided an update on the following:

- 2017 Event dates:
 - o Friday Night Summer Concert Series
 - o Friday Crossroads Events
 - o & many others
 - Upcoming Cumberland County Playhouse / WCTE programming - *Perils of Pinocchio* aired on PBS, *Becky Jarrell's* show will feature Jim Crabtree as her guest
 - New Vacation Guides
 - Crossville Depot
 - Eat REAL, Tennessee Health Dept.
 - Health Dept. grant regarding Smoke Free areas - amphitheatre benches have been ordered under the Health Dept grant
 - Solar Eclipse date & happenings - Monday, August 21
 - New Tennessee Golf Association Executive Director
- Billy distributed an update on the retail marketing project.*

This Report was received and filed

7. Cumberland County/Chamber Report

Brad Allamong provided information on the Targeted Industry Analysis. A contract has been signed with Younger & Associates from Jackson, TN. They were chosen from six proposals that were received and reviewed.

In March, the Women's State Championship bowling tournaments will be here with 720-750 bowlers participating each weekend.

8. Other Business**a. Discussion and action on request for outside-City sewer line extension**

First Presbyterian Church, located at the corner of Hwy. 70E and Rock Quarry Road, needs to replace their septic system. They would like a permanent solution by connection to City sewer. The church is located outside the City limits. They have requested that the sewer line be extended to their property with the City's assistance in funding the project. According to policy and previous sewer extensions to churches outside the City limits, the City has provided the labor and the churches paid for the materials. They would be charged the outside-City rates.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that approval be given for connection to the City sewer at outside-City rates with the City providing the equipment and labor and the Church/School paying for the materials, State fees, and engineering costs. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

b. Approval for connection to City sewer at outside-City rates (2496 Lantana Rd)

A request was received from Louis B. Heuser to connect his commercial property to sewer at outside-City rates. The property is located at 2496 Lantana Road and has been reduced in size and is no longer permitted for a sewer system, if the current system fails. Sewer is located in front of the property. It was pointed out that the road in front of the property is in the City, so annexation of the property should be considered.

A motion was made by Council Member Pamala Harris, seconded by Mayor James Mayberry, that approval be granted for connection of sewer to the property, contingent on a request for annexation. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

c. Discussion and action on transferring property for Shooting Sports Park

The City Attorney has prepared a proposed contract to sell property at the Chestnut Hill Landfill site to Crossville Shooting Park, LLC. for the shooting sports park. If

approved, the Charter requires a 30-day advertising period. Following the work session, the map was changed to reflect the additional acreage, which is acceptable to Mayor Carey and Crossville Shooting Park, LLC. The proposed acreage now totals approximately 146.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that the transfer of 146 acres to Crossville Shooting Park be approved, contingent on the grant funds being secured by December 31, 2017 or the property revert back to the City, and contingent on the 30 day notice. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

d. Discussion and action on Quail Hollow Airport Property

City staff has made several visits to the property adjacent to the airport along Quail Hollow to address trees that are located on the City's property and posed potential threats to the neighbors. Dr. Mark Fox has been cutting and trimming trees that posed problems along his property for several years at his own expense. City staff met with the property owners several months ago and many showed an interest in acquiring a portion of the city's airport property to give them a larger back yard. Some of the lot's rear property lines are very close to the existing houses and structures. Many of the property owners have been maintaining, mowing and landscaping, a portion of the City's property. City staff has reviewed their requests and can see no potential hindrance to the growth and expansion of the airport by the sale of the property.

In order to sell the property, a lengthy procedure must be followed due to the federal funds used in the maintenance of the airport property. The first step in this procedure would be to hire TDOT approved appraisers. The next step would be for the property to be surveyed and a plat created, subdividing off the property to be sold and joined to the adjacent properties. The city would be required to pay for the appraisals and the survey/plat work, and would be reimbursed by adding the cost to the final appraisal price. The cost of the appraisal will be \$3,000 and the review appraisal \$900. It was suggested that the City pay for the \$3,000 appraisal and not do the review appraisal unless the property owners agree with the appraised value.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that the City pursue the project, but the property owners pay the cost for the appraisal on the front-end. The motion carried by the following vote:

Aye: 3 - Mayor James Mayberry, Council Member Pamala Harris and Council Member Danny Wyatt

Nay: 1 - Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

e.

Discussion and action on geotechnical work for Site Development Grant

The Mayor and Director of Engineering met with Leanne Cox, Site Development

Director for the state of Tennessee Department of Economic and Community Development, and Jonathan Gemmen, Director of Austin Consulting, on the proposed grant site January 24th. Both visitors advised the City that they could not direct the City but did urge the City to perform the required geotechnical work before their February 22 review meeting. This visit was solely for the purpose of obtaining information about the site and the visit was not an indication of the status of the City's application.

Staff has contacted the Engineer selected for the project and a contract was presented. Staff advised that the contract be approved with a notice that only the geotechnical work be funded at this time. All other work in the contract would be contingent on the award of the grant.

A motion was made by Mayor James Mayberry, seconded by Council Member Pamala Harris, to approve a contract with TARE, Inc. for the geotechnical portion of the project.. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

f. Discussion and action on corporate hangar operations

Mayor Mayberry reported on his meetings with Chris Bennett on the operation of the corporate hangar. He recommended that the hangar be rented to Crossville Aero for \$200/month with him being responsible for the gas and electric utilities.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that an agreement be approved with Mr. Bennett to lease the corporate hangar for \$200 per month with Mr. Bennett being responsible for the gas and electric utilities. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

g. Discussion and action on permanent City Manager

Mayor Mayberry reported that he made the offer to Greg Wood as approved and it was accepted. The background check has been performed and he was cleared.

A motion was made by Council Member Scot Shanks, seconded by Council Member Pamala Harris, that the contract with Greg Wood be accepted, as presented, for the position of City Manager. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

9. City Attorney's Report

City Attorney's Report

Mr. Ridley reported that the City Council approved a 25 year contract with Fall Creek Falls Utility District to sell water to them through South Cumberland Utility District. He

believes that the contract started when the lines were approved approximately 10 years ago. He asked for authority to send them a letter regarding when the time started.

A motion was made by Mayor James Mayberry, seconded by Council Member Danny Wyatt, that the City Attorney be authorized to enter into discussion with Fall Creek Falls Utility District in reference to the contract starting 10 years ago when water first starting gonig through the lines. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

Mr. Ridley reported on the administrative hearing process, which has been a great success. There are 5 active projects. He recommended proceeding on 3 properties in Chancery Court (131 Netherton Lane, 997 Prentice Street, and 509 Lantana Road)

There have been no new lawsuits filed since the last meeting.

A motion was made by Council Member Danny Wyatt, seconded by Council Member Pamala Harris, that approval be given to proceed in Chancery Court on the 3 properties names. The motion carried by the following vote:

Aye: 4 - Mayor James Mayberry, Council Member Pamala Harris, Council Member Danny Wyatt and Council Member Scot Shanks

Absent: 1 - Mayor Pro-tem J. H. Graham

10. City Manager's Report

City Manager's Report

Interim City Manager Lee Lawson gave the monthly revenue reports on sales tax, wholesale beer, and retail liquor. He also provided an update on building permits, special projects, the bond schedule, and delinquent business taxes. He also discussed the progress of the communications system and a special census for 2018. Mr. Lawson discussed that staff would like direction from Council on the selection on engineering firms and this matter will be on a future work session.

This Report was received and filed

ADJOURNMENT

With no further business, the meeting was adjourned at 7:16 p.m.