

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
AUGUST 1, 2002
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, August 1, 2002, at 6:00 p.m. in the Municipal Building, 45 East Broad Street. Mayor Womack called the recessed meeting of 7-18-02 to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

Also present: Jim Shipley, City Manager; Stephanie Miller, City Clerk; and Mike O'Mara, City Attorney.

Mayor Womack announced that the remaining business of July 18th meeting has been included on this evening's agenda. Mayor Womack entertained a motion to adjourn the meeting of July 18th. Vice-Mayor Grogan made a motion, seconded by Councilman Copeland, to adjourn the July 18, 2002 council meeting. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

At this time, Mayor Womack gave the invocation. Pledge of Allegiance was led by Mayor Womack. Mayor Womack then called the meeting of 8-1-02 to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

Also present: Jim Shipley, City Manager; Stephanie Miller, City Clerk; and Mike O'Mara, City Attorney.

**CONSIDER APPROVAL OF
AGENDA AS PRESENTED**

Councilman Copeland made a motion, seconded by Councilman Henry, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

OLD BUSINESS:

**CONSIDER APPROVAL OF MINUTES
OF COUNCIL MEETING HELD ON
JULY 18, 2002**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Vice-Mayor Grogan made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Copeland. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**CONSIDER ON SECOND AND
FINAL READING ORDINANCE
#O02-07-17, ANNEXATION OF
THE O'NEILL/WEST 12TH
STREET AREA**

Councilman Copeland made a motion, seconded by Councilman Henry, to approve an agreement with Deborah O'Neill, Charlie Soard & City of Cookeville for providing sewer connections. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

Councilman Copeland made a motion, seconded by Vice-Mayor Grogan, to approve on second and final reading Ordinance #O02-07-17. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried

NEW BUSINESS:

APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:

**CONSIDER AGREEMENT WITH
STATE OF TENNESSEE DOT
FOR UPGRADE OF SCHOOL
BUS-RAILROAD CROSSINGS**

**CONSIDER APPROVAL OF
EMERGENCY REPAIRS TO
DUMP TRUCK**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

MEMORANDUM

TO: Jim Shipley, City Manager
City Council

FROM: Greg Brown *GB*

DATE: July 24, 2002

SUBJ: Emergency Repair of Tandem Dump Truck

One of the Public Works Department's dump trucks was recently taken to King's Truck Service in Cookeville to have to the rear end repaired as well as the walking beam cross tube. Since our work load is heavy, it was important to have the truck repaired as soon as possible. The final bill of \$3,350.63 was below the \$4500 estimate for the repairs.

If you have any questions concerning this, please call me.

**CONSIDER AUTHORIZING THE
CONTRIBUTION OF FUNDS TO
FRIENDS OF THE DEPOT TO
OFFSET THE COST OF
TRANSPORTING HISTORIC
LOCOMOTIVE TO THE
COOKEVILLE DEPOT**

**CONSIDER CHANGE ORDER
ON SOUTH JEFFERSON
AVENUE SEWER PROJECT**

June 25, 2002

To: Ronnie Kelly, Director
Department of Water Quality Control

From: Carey O'Neill, Civil Engineer
Department of Water Quality Control

Subject: Change Order #1
South Jefferson Sewer Project

Several changes have or will need to be made on the above reference project. These changes are necessary for various reasons. The changes and the reasons for them are outlined below:

1. 4 Additional Manholes Cost = \$4,100.00

Manhole 7A- Added on the Hix Brothers Property to avoid the existing water line. Water line was not located as shown on plans, thus this manhole was added to avoid conflicts with the water line. Extra Vertical Feet (V.F.) = 4'

Manhole 11A- Added on Pigeon Road for future Bunker Hill Sewer Project. The design for the Bunker Hill Sewer Project requires a manhole at Pigeon Road. It is cheaper to add it as this line is being laid, than to install it on an existing line later.

One Manhole added on Line D and one on Line D6; These were added to move the line where a portion of it was within the banks of the creek. This is on and adjacent to the Fessler Property. (This added 55 feet of sewer – see #2 below)

4 MH's @ \$1,200/MH + 5 extra V.F. @ \$100/V.F. = \$4,100.00

2. Extra Footage of Sewer Line Cost = \$1,925.00

To reroute the sewer line on and adjacent to the Fessler Property where the line was within the defined stream channel, 55 extra feet of line was added.

55 feet x \$35/foot = \$1,925.00

3. Gravel Backfill of Pipe Cost = \$1,700.00

Bush Construction developed a parking lot on their property since project was bid. Therefore, gravel and not dirt backfill was required across said lot. Footage = 120'

The Henegar Property as shown on plans also was sold and developed since plans were designed adding gravel backfill across said lot. Footage = 220'

340' x \$5/foot = \$1,700.00

4. Bore Footage Cost = -\$3,050.00

Additional footage is needed on each bore underneath South Jefferson Avenue as required by the state. However, the bore at New Horizon Apartments was deleted and changed to an open cut. Therefore, the total footage for the bores was shortened by 20 foot and the carrier pipe by 10 foot.

Therefore, the total change order shall be for **\$4,675.00**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

**CONSIDER CHANGE ORDER ON
CANE CREEK SEWER PROJECT**

Attachment to Change Order No. 2
Cookeville, Tennessee
JRWCO 1685: Contract 99-03
July 17, 2002

Item	Description	Cost
	Retainage will be reduced to 5% of the amount of the work completed as requested by the Contractor on partial pay estimate No. 8. The payments for the additional gravel and unsuitable material contained in this Change Order No. 2 will be due and payable on partial pay estimate No.8.	
42	The Unit Price for the remaining 70 L.F. of Tunnel will be increased by \$1,000/L.F. Grout will be paid for at \$600.00/CY only for the remaining 70 L.F. of uncompleted tunnel.	\$70,000.00
63	Add 2,700.73 CY of gravel @ \$8.00/CY	\$21,605.84
	Add 4,051.09 tons of haul off material @ \$4.00/Ton for unsuitable material in Holder and Freedom Avenue	\$16,204.36
	If remaining tunnel footage cannot be completed in a timely manner the Contractor will open cut Jackson Street and complete sewer line installation after written notice from the Owner and Engineer. If the Contractor open cuts Jackson Street the Contractor will be paid the \$1,500.00/L.F. per foot price of the remaining footage not previously paid for under Bid Item #42. No additional compensation will be due the Contractor.	
	The total contract completion time is increased by 120 days from the date the City of Cookeville signs and approves this Change Order No. Two.	
	The Engineer will notify Contractor's Bonding company that a change order has been agreed upon by both parties and that both parties have come to a common understanding concerning the completion of Contract 99-03.	

**CONSIDER APPROVAL OF
EMERGENCY REPAIR TO
BOOM TRUCK**

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director

RJK

DATE: July 25, 2002

SUBJ: Repairs to Boom Truck

Every year we have our boom truck independently inspected to make sure that it is still in compliance with safety standards. During this years inspection some items were found that needed to be repaired. One of the items that needed to be repaired was the overload warning system. The problem was initially diagnosed as a wiring problem but ended up being a little more involved. Parts had to be reordered from the factory to correct the problem which put the total repairs over \$2,500. The total repair cost to repair the truck was \$3,196.71.

We will be requesting authorization to pay for these repairs during the next City Council meeting. If you have any questions please feel free to give me a call.

**CONSIDER AWARDING BID FOR
VEHICLE SERVICING – ALL
DEPARTMENTS**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

CITY OF COOKEVILLE
BID TABULATION SCHEDULE
VEHICLE SERVICING - ALL DEPTS. (1 YEAR)

DATE OF BID OPENING: JULY 26, 2002 TIME: 10:00 A.M.
BIDS OPENED BY: STEPHANIE MILLER, CITY CLERK/FIN. DIR.
BIDS WITNESSED BY: CATHY MCCLAIN, DEPUTY CITY CLERK
DEPARTMENT: ALL

BIDDERS	5 QUARTS OIL & 1 FILTER						
CLASS A OIL & LUBE CENTER II	\$15.98	**					
XPRESS LUBE	\$16.99						

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM ** CLASS A OIL & LUBE CTR II BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDER.

RECOMMENDED: Stephanie Miller DEPT. HEAD
BUDGET AVAILABILITY: Stephanie Miller FINANCE DIRECTOR
APPROVAL: Jim Whipple CITY MANAGER

**CONSIDER AWARDED BIDS FOR
LOADERS & BUCKET TRUCK –
PUBLIC WORKS DEPARTMENT**

CITY OF COOKEVILLE, TENNESSEE
BID TABULATION RECORD
KNUCKLE BOOM LOADER

DEPARTMENT: PUBLIC WORKS BIDS OPENED BY: Greg Brown
DATE OF BID OPENING: JULY 25, 2002 OPENING WITNESSED BY: Debbie Swallows
TIME OF BID OPENING: 10:00 A.M.

BIDDER	AMOUNT		
CMI EQUIPMENT SALES	\$71,920.00		
STRINGFELLOW, INC.	\$73,914.00		
D & W ENVIRONMENTAL	\$76,719.00		
LANDMARK INTERNATIONAL	\$76,782.02	\$81,662.02	\$95,134.02
SANSOM EQUIPMENT CO.	\$77,424.00		
CAGLE WASTE HANDLING	\$80,604.00		

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM CMI EQUIPMENT SALES BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDER

RECOMMENDED: Greg Brown DEPT. DIRECTOR
BUDGET AVAILABILITY: Stephanie Miller - Capital Outlay Notes FINANCE DIRECTOR
APPROVAL: Jim Whipple CITY MANAGER

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

CITY OF COOKEVILLE, TENNESSEE
BID TABULATION RECORD

WHEEL LOADER

DEPARTMENT: PUBLIC WORKS
DATE OF BID OPENING: JULY 25, 2002
TIME OF BID OPENING: 10:00 A.M.

BIDS OPENED BY: Greg Brown
OPENING WITNESSED BY: Debbie Swallows

BIDDER	AMOUNT	
NORTRAX SOUTH, INC.	\$114,210.00	
THOMPSON MACHINERY	\$155,654.25	

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM NORTRAX SOUTH, INC. BE
AWARDED FOR THE FOLLOWING REASON: LOW BIDDER


RECOMMENDED: DEPT. DIRECTOR


APPROVAL: CITY MANAGER

 *Capital Outlay Notes*
BUDGET AVAILABILITY: FINANCE DIRECTOR

CITY OF COOKEVILLE, TENNESSEE
BID TABULATION RECORD

**BUCKET TRUCK
FOR: TRAFFIC DIVISION**

DEPARTMENT: PUBLIC WORKS
DATE OF BID OPENING: JULY 25, 2002
TIME OF BID OPENING: 10:00 A.M.

BIDS OPENED BY: Greg Brown
OPENING WITNESSED BY: Debbie Swallows

BIDDER	AMOUNT	
EUSCO (TELELECT SOUTHEAST)	\$74,503.00	
O.G. HUGHES & SONS	\$74,762.00	
ALTEC	\$74,778.00	
LANDMARK INTERNATIONAL	\$86,002.68	\$81,544.25
STRINGFELLOW	'NO BID'	

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM EUSCO (TELELECT SOUTHEAST) BE
AWARDED FOR THE FOLLOWING REASON: LOW BIDDER


RECOMMENDED: DEPT. DIRECTOR


APPROVAL: CITY MANAGER

 *Capital Outlay Notes*
BUDGET AVAILABILITY: FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

**CITY OF COOKEVILLE
BID TABULATION SCHEDULE**

BID NOTICE # 02071501

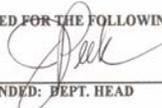
DATE OF BID OPENING: 07/23/2002
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Mike McLatchy
 DEPARTMENT: Electric

TIME: 2:00 PM CST

BIDDERS	item 1 50 KVA Transformer		item 2 25 KVA Transformer		item 3 300 KVA Transformer				
	QTY	evaluatedcost	evaluatedcost	evaluatedcost	evaluatedcost	evaluatedcost			
Wesco	684	\$ 4,104.00	\$ 1,403.86	804	\$ 19,296.00	\$ 1,173.99	5443	\$ 10,886.00	\$ 8,505.13
Power Supply	820	\$ 4,920.00	\$ 1,469.35	759	\$ 18,216.00	\$ 1,125.21	4567	\$ 9,134.00	\$ 7,663.34
Stuart Irby	823.6	\$ 4,941.60	\$ 1,500.66	682.88	\$ 16,389.12	\$ 1,080.37	5297	\$ 10,594.00	\$ 8,492.87
Deco	708	\$ 4,248.00	\$ 1,459.54	762	\$ 18,288.00	\$ 1,161.40	4834	\$ 9,668.00	\$ 7,658.66
Hughes Supply	720	\$ 4,320.00	\$ 1,463.90	679	\$ 16,296.00	\$ 1,044.54	4861	\$ 9,722.00	\$ 7,832.66
Tennessee Valley Electric	722	\$ 4,332.00	\$ 1,452.33	781	\$ 18,744.00	\$ 1,150.47	4990	\$ 9,980.00	\$ 8,552.53
Utilicor	674	\$ 4,044.00	\$ 1,393.70	524	\$ 12,576.00	\$ 985.86	5873	\$ 11,746.00	\$ 8,875.51

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Utilicor Utilicor Deco

BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

**CITY OF COOKEVILLE
BID TABULATION SCHEDULE**

BID NOTICE # 02070101

DATE OF BID OPENING: 07/15/2002
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Jack Mills, Benji Garrett
 DEPARTMENT: Electric

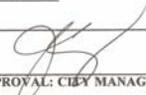
TIME: 2:00 PM CST

BIDDERS	QTY	Employee Uniforms (This includes Flame Retardant Uniforms)							
Mills Linen	27	\$ 8,695.03							
Unifirst		\$ 9,329.93							
United Industrial		\$ 9,070.40							

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Mills Linen

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Councilman Copeland made a motion, seconded by Councilman Jackson, to approve the consent items as recommended. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O02-07-18,
REZONING COPPERFIELD
SUBDIVISION, PHASE III ON
FISK ROAD FROM RS-10
(SINGLE-FAMILY RESIDENTIAL)
TO RS-5 (SINGLE-FAMILY
RESIDENTIAL)**

Councilman Jackson made a motion, seconded by Councilman Copeland, to approve on first reading Ordinance #O02-07-18. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O02-07-20,
AMENDING OFFICIAL STREET
MAP**

Vice-Mayor Grogan stated that he owns property on Dacco Drive and will abstain.

Councilman Copeland made a motion, seconded by Councilman Henry, to approve on first reading Ordinance #O02-07-20. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

ABSTAINED: Vice-Mayor Richard Grogan

The City Clerk announced that the motion carried.

**CONSIDER ON FIRST READING
ORDINANCE #O02-08-25,
AMENDING THE BUDGETS OF
THE VARIOUS FUNDS/DEPTS.
OF THE CITY OF COOKEVILLE,
TN, FOR THE FISCAL YEAR
ENDED JUNE 30, 2002**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Councilman Copeland made a motion, seconded by Councilman Jackson, to approve on first reading Ordinance #O02-08-25. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R02-07-17,
ENDORING AND SUPPORTING THE
EFFORTS OF THE UPPER
CUMBERLAND GENEALOGICAL
ASSOCIATION TO PLACE A MARKER
AT THE TOWN SPRING**

Councilman Jackson made a motion, seconded by Councilman Copeland, to adopt Resolution #R02-07-17. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING
ON THE ANNUAL PROGRESS
REPORT ON THE PLAN OF
SERVICES FOR THE EAST
HIGHWAY 70/INTERSTATE
40 ANNEXATION AREA**

**ANNUAL PROGRESS REPORT
PLAN OF SERVICES
EAST HIGHWAY 70N – INTERSTATE 40 ANNEXATION AREA**

The Cookeville City Council, through Resolution R00-09-24, adopted a Plan of Services for the annexation of certain territory identified as the East Highway 70N – Interstate 40 Annexation Area. The annexation of this area became effective on January 7, 2001. *Tennessee Code Annotated*, Section 6-51-108 requires that a report be prepared and published on the progress of extending the services to the annexation area as specified in the Plan of Services. According to the Directors of the applicable City Departments, the following progress has been made toward extending the services specified in the Plan of Services for the East Highway 70N – Interstate 40 Annexation Area:

Police and Fire Protection

Police and fire protection are provided to the annexation area as specified in the Plan of Services. The annexed area is now located within the service area of the city's recently completed 4th fire station located off Highway 111.

Water

Water service at the inside city rate is now provided to the annexed area by the City of Cookeville. Approximately 2,200 feet of 6 inch water mains and 6 fire hydrants have been installed in the area since annexation. The Plan of Services specifies that any necessary upgrades in water service will be completed within 15 years after the effective date of annexation.

Sanitary Sewer

The first phase of the extension of sewer service to the annexation area, which will serve approximately 28 parcels along Highway 70N should be completed by 2002 or early 2003. The Plan of Services specifies that sanitary sewer service will be provided based on the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

Solid Waste Collection and Disposal

Solid waste collection and disposal is provided to the annexation area as specified.

Streets

Street maintenance is provided to the annexation area as specified.

Planning and Zoning and Inspection Services

Planning and zoning and inspection services are provided to the annexation area as specified.

Recreational Facilities

The residents of the annexation area are able to use all municipal recreational facilities as specified.

Natural Gas

Those property owners already provided natural gas service by the City of Cookeville have had their rates reduced to the city rate. The Plan of Services specifies that natural gas service will be provided at city rates within five years after the effective date of annexation to that portion of the annexation area located north of Interstate 40 and within ten years to that portion of the annexation area located south of Interstate 40.

Electrical Service and Street Lighting

The Cookeville Electric Department is pursuing necessary measures to acquire the service area from the Upper Cumberland Electric Membership Cooperative. The Plan of Services specifies that electric service at city rates and street lighting will be provided within three years after the city acquires the service area.

Street Name Signs

Street name signs have been provided to the annexation area.

James Mills
Planning Director

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

**CONSIDER RESOLUTIONS #R02-08-20,
& #R02-08-21, AUTHORIZING THE
INCURRENCE OF INDEBTEDNESS
BY THE CITY OF COOKEVILLE,
TN OF NOT TO EXCEED \$2,500,000/
EXECUTION OF LOAN
AGREEMENTS FOR CERTAIN
PUBLIC WORKS PROJECTS, &
AWARD BID FOR OLD KENTUCKY
ROAD IMPROVEMENTS**

CITY OF COOKEVILLE, TENNESSEE
BID TABULATION RECORD

OLD KENTUCKY ROAD IMPROVEMENT PROJECT

DEPARTMENT: PUBLIC WORKS
DATE OF BID OPENING: JULY 30, 2002
TIME OF BID OPENING: 2:00 P.M.

BIDS OPENED BY: Greg Brown
OPENING WITNESSED BY: Debbie Swallows

BIDDER	AMOUNT
* HIGHWAYS, INC.	\$2,399,765.00
J & S CONSTRUCTION CO.	\$2,425,020.00
CIVIL CONSTRUCTORS	\$2,522,743.10
EATHERLY GROUP	NO BID
ELK MOUNTAIN CONSTRUCTION CO.	NO BID

* - ROAD COST \$2,044,842 - SEWER COST \$354,923

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM HIGHWAYS, INC. BE
AWARDED FOR THE FOLLOWING REASON: LOW BIDDER

 RECOMMENDED: DEPT. DIRECTOR
 APPROVAL: CITY MANAGER
 BUDGET AVAILABILITY: FINANCE DIRECTOR - Road Cost - Bond Issue

Several citizens spoke concerning this item.

Councilman Copeland made a motion, seconded by Councilman Jackson, to adopt Resolutions #R02-08-20/#R02-08-21, and award the bid for Old Kentucky Road Improvements. Upon call for a vote, the following voted aye:

Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Harold Jackson

NAY: Mayor Charles Womack
Councilman Dwight Henry

The City Clerk announced that the motion carried.

**CONSIDER ENGINEERING
CONTRACT AMENDMENT
TO THE OLD KENTUCKY
ROAD SEWER PROJECT**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

MEMORANDUM

TO: Jim Shipley, City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: July 25, 2002

SUBJ: Contract Amendment to Engineering Contract – Old Ky. Road Sewer Project

On December 16, 1999 the City Council authorized our department to enter into an engineering contract with Almon Engineering to design sewer improvements for an area along Old Kentucky Road. Almon Engineering was in the process of designing road improvements along Old Kentucky Road and our department wanted to install sewer lines in those areas effected by the road work.

While going through the design process the road design work was put on hold about the time that the sewer line design was being completed. The project sat still for over a year. The project was restarted earlier this year which included a change in alignment of the road to miss the electric poles. This change in road alignment necessitated an almost complete redesign of the sewer line.

We have negotiated an increase in price of \$8,000 to the original engineering contract to accomplish this design. I will be placing the contract amendment on the next City Council meeting and recommending Council approval.

If you have any questions concerning this matter please give me a call.

Councilman Jackson made a motion, seconded by Councilman Copeland, to approve the engineering contract amendment for the Old Kentucky Road Sewer Project as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#002-07-21, ANNEXATION
OF THE PRESLEY/WEST
12TH STREET AREA, &
RESOLUTION #R02-07-18,
ADOPTING PLAN OF
SERVICES**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#002-07-22, AMENDING
CHAPTER 8 OF TITLE 5
OF THE MUNICIPAL
CODE, REGARDING
GARAGE SALES**

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#002-08-23, AMENDING
SECTION 221 OF THE
ZONING CODE TO ALLOW
AS A USE PERMITTED ON
APPEAL IN THE CL, LOCAL
COMMERCIAL DISTRICT,
AUTO PAINT & BODY
REPAIR WHEN MEETING
CERTAIN REQUIREMENTS**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#002-08-24, REZONING A
PORTION OF THE PROPERTY
AT 1588 BROWN AVENUE
(TAX MAP #40E-B-2.01 & 24.01)
FROM RS-10 (SINGLE-FAMILY
RESIDENTIAL) TO CI
(COMMERCIAL INDUSTRIAL
MIX USE)**

Mayor Womack set the dates for September 5, 2002, at 6:00 p.m.

**CONSIDER APPROVAL OF
PROPERTY ACQUISITION
FOR COOKEVILLE REGIONAL
MEDICAL CENTER**



142 West Fifth Street
Cookeville, TN 38501
931/528-2541

July 26, 2002

Jim Shipley
City Manager
City of Cookeville
45 East Broad Street
Cookeville, Tennessee 38501

Dear Jim:

The hospital Board of Trustees approved the purchase of a piece of property located at 315 N. Whitney, from Richard and Michelle Henry in the amount of \$125,000.00. There is a total of 15,000 square feet which makes this price \$8.33 per foot. The proposed purchase is located on the attached map in the highlighted area. Please add this to the August 1, 2002, City Council Agenda for City Council approval.

If you have any questions, please contact me at any time.

Sincerely,

Paul Korth
Chief Financial Officer

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Councilman Jackson made a motion, seconded by Councilman Copeland, to approve the property acquisition for CRMC as requested. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF
PROFESSIONAL SERVICES
CONTRACT FOR
PERIPHYTON STUDY**

MEMORANDUM

TO: Jim Shipley
City Council

FROM: Ronnie J. Kelly *RJK*
Director

DATE: July 26, 2002

SUBJ: Professional Services Contract
Wastewater Permit Appeal Support Services

I am requesting that the City Council authorize our department to enter into a professional service contract with Pennington and Associates (a local firm) to provide technical support and perform a periphyton (attached algae) survey as related to our NPDES Permit appeal. This service would be billed at their standard hourly rate not to exceed \$5,000 without prior Council approval.

Pennington and Associates will provide guidance and advice regarding certain permit issues, perform a periphyton analysis of Pigeon Roost Creek and the reference streams, and advise our department on other permit matters that may arise.

If you have any questions concerning this matter please feel free to give me a call.

Vice-Mayor Grogan made a motion, seconded by Councilman Copeland, to approve the professional services contract for a periphyton study not to exceed \$5,000. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

**CONSIDER REQUEST TO
AMEND LEGAL FEE
AUTHORIZATION FOR
WASTEWATER
TREATMENT PLANT
PERMIT APPEAL**

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *TSK*

DATE: July 26, 2002

SUBJ: Request to amend legal fee authorization

During the next City Council Meeting I will be presenting a request to amend our current agreement with WYATT, TARRANT & COMBS who has been representing our department in our appeal of our Wastewater Treatment Plant discharge permit.

Council authorized our department to enter into an agreement with WYATT, TARRANT & COMBS for legal representation on February 15, 2001. This authorization allowed the expenditure of up to \$50,000 without prior council approval. We are nearing the limit of our authorization. I will be requesting an increase in the maximum expenditure during the next City Council meeting.

If you have any questions concerning this matter please feel free to give me a call.

Vice-Mayor Grogan made a motion, seconded by Councilman Jackson, to approve an increase of \$25,000 (total of up to \$75,000) for legal fee authorization on the Wastewater Treatment Plant Permit Appeal. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Vice-Mayor Richard Grogan
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

The City Clerk announced that the motion carried.

**CONSIDER APPOINTMENT
TO THE COOKEVILLE
REGIONAL MEDICAL
CENTER BOARD OF
TRUSTEES**



142 West Fifth Street
Cookeville, TN 38501
931/528-2541

July 2, 2002

Jim Shipley, City Manager
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

RE: CRMC Board of Trustee Nomination

Dear Jim,

Dr. James Smith will complete his term on Cookeville Regional Medical Center's Board of Trustees on July 31, 2002. A special called meeting was held Monday, July 1, 2002, for the purpose of considering and recommending nominees to the Cookeville City Council for the Board of Trustees position to be filled.

On behalf of the Board of Trustees of Cookeville Regional Medical Center, we respectfully submit the following nominees to the City Council for consideration.

Gus House (GUS REQUESTED HIS NAME REMOVED)
Nina Braswell Lunn
Marilyn J. Musacchio

I have enclosed the curriculum vitae for each of the above nominees for your review. We are requesting that this agenda item be considered at the next City Council meeting. Thank you in advance for your assistance.

Sincerely,

Tod Lambert
Administrator/CEO

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Several people spoke recommending Nina Lunn & Marilyn Musacchio.

Councilman Copeland nominated Richard Grogan.

Vice-Mayor Grogan offered resignation. Councilman Copeland made a motion, seconded by Councilman Jackson, to accept resignation. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

ABSTAINED: Vice-Mayor Richard Grogan

The City Clerk announced that the motion carried.

At this time, Mr. Richard Grogan left the meeting.

Mayor Womack called for a vote on the nominees. The following was voted:

Mayor Charles Womack (Musacchio)
Councilman Steve Copeland (Grogan)
Councilman Dwight Henry (Grogan)
Councilman Harold Jackson (Grogan)

The City Clerk announced the majority of the vote rules in favor of Mr. Richard Grogan to serve on the CRMC Board of Trustees.

**CONSIDER AWARDING BIDS FOR
HILLWOOD SUBDIVISION/CC
CAMP ROAD SANITARY SEWER
PROJECTS & STREAMING
CURRENT CONTROLLER-
WATER QUALITY CONTROL
DEPARTMENT**

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
HILLWOOD SUBDIVISION/CC CAMP ROAD SANITARY SEWER PROJECTS

DATE OF BID OPENING 16-Jul-02 TIME: 10:00 A.M.
BIDS OPENED BY BARRY TURNER
BIDS WITNESS BY CAREY O'NEILL

BIDDERS	SCHEDULE A - HILLWOOD SUB	SCHEDULE B - CC CAMP RD	TOTAL BID		
AUL, INC	\$957,025.00	\$133,545.00	\$1,090,570.00		
DILLARD & MAYNARD	\$551,410.00	\$98,282.00	\$649,692.00		
EATHERLY GROUP	DID NOT BID				
J & H CONST CO	\$782,890.00	\$107,775.00	\$890,665.00		
J & S CONST CO	\$660,215.00	\$123,008.00	\$783,223.00		
PARIS CONSTRUCTION	\$530,158.50	\$81,811.00	\$611,969.50		
PORTLAND UTILITIES	\$612,024.00	\$123,737.00	\$735,761.00		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - PARIS CONSTRUCTION -
BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS


RECOMMENDED:
DEPARTMENT HEAD


APPROVAL:
CITY MANAGER


BUDGET AVAILABILITY:
FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
STREAMING CURRENT CONTROLLER

DATE OF BID OPENING: 25-Jul-02 TIME: 10:00 A.M.
BIDS OPENED BY: RONNIE J KELLY
BIDS WITNESS BY: BONNIE TINCH

BIDDERS	TOTAL BID				
KAZMIER & ASSOCIATES	\$10,250.00				
OFI TESTING EQUIPMENT	NO BID				

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - KAZMIER & ASSOCIATES
BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS


RECOMMENDED:
DEPARTMENT HEAD


APPROVAL:
CITY MANAGER


BUDGET AVAILABILITY:
FINANCE DIRECTOR

Councilman Jackson made a motion, seconded by Councilman Copeland, to award the Water Quality Control Department bids as recommended. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

RESIGNED: Vice-Mayor Richard Grogan

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING
THE CITY MANAGER TO
SIGN A LETTER OF
INTENT RELATIVE TO
THE RECRUITMENT OF
THE WESTLINE PROJECT**

August 1, 2002

Re: Non-binding Letter of Intent

Dear

The City of Cookeville intends to proceed diligently and expeditiously to execute formal agreements, which will cause your company to locate in Cookeville within the time schedule you require. By signing below, the City of Cookeville is indicating its good faith, non-binding intent to proceed in accordance with terms as outlined in your confidential communication, dated August 1, 2002, with the Putnam County Chamber of Commerce. Only full execution of the formal agreements shall bind the City of Cookeville.

Sincerely,

Jim Shipley
City Manager

Accepted as a Statement of Intent:

Date

**COOKEVILLE CITY COUNCIL
MINUTES
AUGUST 1, 2002**

Councilman Copeland made a motion, seconded by Councilman Henry, to authorize the City Manager to sign a letter of intent to recruit the Westline Project. Upon call for a vote, the following voted aye:

Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

ABSTAINED: Mayor Charles Womack

RESIGNED: Vice-Mayor Richard Grogan

The City Clerk announced that the motion carried.

HEARING OF CITIZENS AND/OR DELEGATIONS:

No one spoke at this time.

There being no further business to discuss, Councilman Henry made a motion, seconded by Councilman Jackson, to adjourn the meeting at 8:00 p.m. Upon call for a vote, the following voted aye:

Mayor Charles Womack
Councilman Steve Copeland
Councilman Dwight Henry
Councilman Harold Jackson

RESIGNED: Vice-Mayor Richard Grogan

The City Clerk announced that the motion carried.

Charles Womack, Mayor

ATTEST:

Stephanie Miller, City Clerk