

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
MAY 15, 2003  
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, May 15, 2003, at 6:00 p.m., in the Municipal Building, 45 East Broad Street. Invocation was given by Mayor Womack. Pledge of Allegiance was led by Mayor Womack. Mayor Womack then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

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

**CONSIDER APPROVAL OF  
AGENDA AS PRESENTED**

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**RECOGNIZE VOLUNTEER  
OF THE MONTH**

***PROCLAMATION***

*Whereas:* Brad McGuire, Manager of TUTCO, Inc., is being honored as Cookeville's May Volunteer of the Month as he was a critical link in what the American Heart Association calls the chain of survival; and

*Whereas:* on April 15, 2003, Brad saw a fellow worker, Melissa Allison, go into cardiac arrest and, thankfully, knew what to do; and

*Whereas:* the links in the chain of survival are early access, early CPR, early defibrillation and early advanced cardiac life support; and

*Whereas:* this procedure was followed when co-workers called 911 and Brad provided the important second link of early CPR and played a critical role in saving the life of another.

*Now, therefore,* I, Dr. Charles Womack, Mayor of the City of Cookeville, do hereby proclaim a sense of profound appreciation to Brad McGuire for his selfless effort to save the life of another human being and commend you for doing everything right!

This 15<sup>th</sup> day of May, 2003.

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Mayor Charles T. Womack, M.D.

**COOKEVILLE CITY COUNCIL  
MINUTES  
MAY 15, 2003**

**PRESENTATION OF  
DISTINGUISHED SERVICE  
MEDALS TO THE "B" SHIFT  
AT STATION #3 OF THE  
COOKEVILLE FIRE DEPT.**

Gene Schmid, Fire Chief, presented Distinguished Service Medals to Lieutenant Donnie Vinson, Firefighter Jeff Emerson & Firefighter Bo Power for saving the life of Melissa Allison at Tutco, Inc. on 4-15-03 with the AED (Automatic External Defibrillator).

**OLD BUSINESS:**

**CONSIDER APPROVAL OF MINUTES  
OF COUNCIL MEETING HELD ON  
MAY 1, 2003**

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

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER ON SECOND AND  
FINAL READING ORDINANCE  
#O03-04-06, ESTABLISHING AN  
HS "HISTORIC DISTRICT"  
OVERLAY ZONE FOR CERTAIN  
PROPERTIES ON EAST BROAD  
STREET/FREEZE STREET**

Councilman Davis made a motion, seconded by Vice-Mayor Qualls, to approve on second and final reading Ordinance #O03-04-06. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER ON SECOND AND  
FINAL READING ORDINANCE  
#O03-05-07, AMENDING TITLE  
9, CHAPTER 8 OF THE  
COOKEVILLE MUNICIPAL  
CODE, RELATIVE TO ADULT  
ESTABLISHMENTS**

**COOKEVILLE CITY COUNCIL  
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Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve on second and final reading Ordinance #O03-05-07. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**NEW BUSINESS:**

**CONSIDER ON FIRST READING  
ORDINANCE #O03-05-10,  
EPHEDRINE REGULATIONS**

Several citizens/doctors/pharmacists spoke concerning this item.

Councilman Shelton made a motion, seconded by Councilman Sallee, to approve on first reading Ordinance #O03-05-10 as revised. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER FOR APPROVAL  
A REQUEST FOR EXCHANGE  
/PURCHASE OF A PORTION  
OF THE WESTERN RIGHT-OF-  
WAY OF SPRUCE AVENUE**

**HELTON & ASSOCIATES**

P. O. Box 2533  
Cookeville, TN 38502  
931-858-1707  
931-858-3588 fax

March 5, 2003

Mr. James Mills  
Department of Planning and Codes  
City of Cookeville  
45 East Broad Street  
Cookeville, TN 38501

Re: Re-Subdivision of Spruce Subdivision  
Spruce Ave, Cookeville, TN

Dear James:

This is to request in writing a variance in right-of-way width for the above referenced project from 50' to 40' with a 42' diameter cul-de-sac.

Regards,



James E. Helton

**COOKEVILLE CITY COUNCIL  
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Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to abandon right-of-way and sell to property owner at appraised value per municipal code. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**SET A DATE FOR A PUBLIC  
HEARING ON ORDINANCE  
#003-05-08, CLOSURE AND  
ABANDONMENT OF A  
PORTION OF AN ALLEY  
BETWEEN WEST 3<sup>RD</sup> &  
WEST 4<sup>TH</sup> STREETS AND  
NORTH OAK/CEDAR  
AVENUES**

Mayor Womack set the date for June 5, 2003, at 6:00 p.m.

Citizen who could not come to public hearings spoke concerning this item.

**SET A DATE FOR A PUBLIC  
HEARING ON ORDINANCE  
#003-05-09, REZONING  
315, 401 & 421 NORTH  
WASHINGTON AVENUE,  
A PORTION OF 115 NORTH  
WASHINGTON AVENUE &  
A VACANT LOT ON DAVIS  
AVENUE (TAX MAP #'S  
53C-D-11.00 & 12.00 & 53C-  
K-3.00 & 10.00 & A PORTION  
OF PARCELS 2.03 & 6.01)  
FROM CN (COMMERCIAL  
NEIGHBORHOOD) & RS10  
(SINGLE-FAMILY RESIDENTIAL)  
TO MS (MEDICAL SERVICES)**

Mayor Womack set the date for June 5, 2003, at 6:00 p.m.

**CONSIDER REAPPOINTMENT  
TO THE HISTORIC ZONING  
COMMISSION**

**COOKEVILLE CITY COUNCIL  
MINUTES  
MAY 15, 2003**

**MEMORANDUM**

**TO: CITY COUNCIL MEMBERS**  
**FROM: JAMES MILLS, PLANNING DIRECTOR**  
**DATE: MAY 9, 2003**  
**SUBJECT: HISTORIC ZONING COMMISSION APPOINTMENT**

The current term of Ms. Alma Anderson on the Historic Zoning Commission has expired. Ms. Anderson fills the community in general slot on the Commission. Members of the Historic Zoning Commission serve five-year terms and are appointed by the Mayor with confirmation by a majority vote of the City Council.

Ms. Anderson has been contacted and has agreed to continue to serve if reappointed. The Planning Department recommends for her reappointment.

If you have any questions or need further information please contact me at your convenience.

Councilman Sallee made a motion, seconded by Councilman Davis, to reappoint Ms. Alma Anderson to the Historic Zoning Commission. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR  
MOSQUITO CONTROL PROGRAM  
- PUBLIC WORKS DEPARTMENT**

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to award the Mosquito Control Program bid to the only bidder McGee Pest Control for option 3 (10% discount, 35 % down payment, less 3 months service using chemicals that are less expensive) in the amount of \$112,784.00. Upon call for a vote, the following voted aye:

Vice-Mayor Steve Qualls

**NAY:** Mayor Charles Womack  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion failed.

**COOKEVILLE CITY COUNCIL  
MINUTES  
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**HEARING OF CITIZENS AND/OR DELEGATIONS:**

Mr. James Mills, Planning Director, reported on the special census results of 2002 annexations having 987 residents identified.

There being no further business to discuss, Vice-Mayor Qualls made a motion, seconded by Councilman Davis, to adjourn the meeting at 6:48 p.m. Upon call for a vote, the following voted aye:

Mayor Charles Womack  
Vice-Mayor Steve Qualls  
Councilman Jean Davis  
Councilman Sam Sallee  
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

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Charles Womack, Mayor

ATTEST:

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Stephanie Miller, City Clerk