

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

The Council of the City of Cookeville met in regular session on Thursday, November 6, 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; Cathy McClain, City Clerk; and Mike O'Mara, City Attorney.

**CONSIDER APPROVAL OF  
AGENDA AS PRESENTED**

Councilman Davis made a motion, seconded by Councilman Shelton, to amend the agenda by removing item #3 – hold a public hearing and consider on first reading Ordinance #O03-10-19, amending Title 7 of the Cookeville Municipal Code, pertaining to Fire Protection/Fireworks and place this item for discussion of fireworks. 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.

**OLD BUSINESS:**

**CONSIDER APPROVAL OF MINUTES  
OF COUNCIL MEETING HELD ON  
OCTOBER 16, 2003**

Councilman Shelton made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Vice-Mayor Qualls. 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:**

**DISCUSSION OF FIREWORKS**

**COOKEVILLE CITY COUNCIL  
MINUTES  
NOVEMBER 6, 2003**

Mr. James Mills, City Planner, submitted a survey & advised the Council that after careful consideration the Planning Commission voted unanimously to ban the sale of fireworks inside the City of Cookeville.

**FIREWORK SALES**

NAME OF CITY	PROHIBITED	SPECIAL EXCEPTION	PERMITTED
FRANKLIN	X		
MORRISTOWN	X		
COLLIERVILLE	X		
JACKSON	X		
FARRAGUT	X		
BRENTWOOD	X		
MURFREESBORO		X	
KINGSPORT	X PROHIBIT USE ALSO		
BRISTOL	X		
JOHNSON CITY	X		
KNOXVILLE	X		
CHATTANOOGA	X PROHIBIT USE ALSO		
NASHVILLE	X PROHIBIT USE ALSO		
CLARKSVILLE	PROHIBIT USE EXCEPT FOR JAN & JULY		ONLY CLASS "C" ALLOWED TO BE SOLD.
GALLATIN	X PROHIBIT USE ALSO		
HENDERSONVILLE	X		
CLEVELAND	X		
LEBANON	X PROHIBIT USE ALSO		
MOUNT JULIET			ONLY DURING NEW YEARS & JULY 4 <sup>TH</sup> FEE \$1.00 PER SQ. FT. WITH MIN. OF 1,200
OAK RIDGE	X		
SMYRNA			ONLY DURING NEW YEARS & JULY 4 <sup>TH</sup> CITY CONSIDERING PROHIBITING FIREWORKS

Each City was asked if they allowed the sale of fireworks inside the City Limits.  
Some Cities gave additional information about prohibiting the use also.  
There were four cities that stated that their county did not allow the sale or use of fireworks:  
Davidson Co., Hamilton Co., Shelby Co. and Sullivan Co.

Mr. Jim Stafne & Dr. Angelo Volpe, of the Planning Commission, advised that their decision was made due to safety issues.

Mr. Aron Blankinship, owner of Old South Fireworks, Inc. of Mt. Juliet, TN, requested the Council not ban the sale of fireworks inside the City. He recommended revising the ordinance such as: increasing permit fee, banning certain fireworks such as bottle rockets, requiring safety sheet & etc.

After a lengthy discussion, the Council directed Mr. James Mills to further study this item & report back to the Council.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #003-10-20,  
AMENDING SECTIONS 204-206,  
208, 218, 219, 221-224, 227, 228,  
233-235 OF THE COOKEVILLE  
ZONING CODE**

Mr. James Mills, City Planner, requested approval of Ordinance #003-10-20 after removing Section 7 & Section 29 – pertaining to Fireworks.

Councilman Sallee made a motion, seconded by Councilman Davis, to approve on first reading Ordinance #003-10-20 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.

**COOKEVILLE CITY COUNCIL  
MINUTES  
NOVEMBER 6, 2003**

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O03-10-21,  
REZONING OF PROPERTIES  
OFF SOUTH WASHINGTON,  
SOUTH JEFFERSON, SOUTH  
MADISON AVENUES, AND  
REAGAN STREET (TAX MAP  
#’S 53F-G-1.00-6.00 & 53K-A-  
6.00-10.00, 12.00-15.00, 19.00,  
20.00 & 20.01) FROM CL  
(LOCAL COMMERCIAL) TO  
CBD (CENTRAL BUSINESS  
DISTRICT)**

Councilman Sallee made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #O03-10-21. 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.

**HOLD A PUBLIC HEARING ON THE  
ANNUAL PROGRESS REPORT ON  
THE PLAN OF SERVICES FOR THE  
MATHENEY-CORA ROAD  
ANNEXATION AREA**

**NOTICE OF PUBLIC HEARING  
CITY OF COOKEVILLE  
ANNUAL PROGRESS REPORT  
PLAN OF SERVICES FOR ANNEXATION AREA**

Notice is hereby given that the Cookeville City Council will hold a Public Hearing at its meeting on Thursday, November 6, 2003 at 6:00 p.m. in the Council Room at the Cookeville City Hall. The purpose of this Hearing is to present the Annual Progress Report on the status of extending services to the Matheney-Cora Road Annexation Area as specified in the respective Plan of Services. All interested citizens are invited to attend this Hearing. The Progress Report for the annexation area is as follows:

**ANNUAL PROGRESS REPORT  
PLAN OF SERVICES  
MATHENEY-CORA ROAD ANNEXATION AREA**

The Cookeville City Council, through Resolution R02-02-01, adopted a Plan of Services for the annexation of certain territory identified as the Matheney-Cora Road Annexation Area. The annexation of this area became effective on April 21, 2002. *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 Matheney-Cora Road Annexation Area:

Police and Fire Protection

Police and fire protection are provided to the annexation area as specified.

Water and Sanitary Sewer Service

Water and sanitary sewer service have been provided to the annexation area as specified.

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

The Plan of Services specifies that natural gas service will be provided at city rates when the annexed property is developed. No development has yet occurred on the property and natural gas has not yet been provided.

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 1 year after the city acquires the service area.

Street Name Signs

Street name signs have been provided in the annexation area.

James Mills  
Planning Director

**COOKEVILLE CITY COUNCIL  
MINUTES  
NOVEMBER 6, 2003**

**RECEIVE A RECOMMENDATION  
FROM THE PLANNING  
COMMISSION CONCERNING  
FUNDING A STUDY OF THE  
SINKHOLES INSIDE THE  
CITY LIMITS**

Mr. James Mills, City Planner, advised the Council that the Planning Commission is recommending the Council do a sinkhole study, but the topographic data of the City & Planning Region needs to be updated first (last done 1990). Mr. Mills advised that updating the topographic data is very expensive. Mr. Mills & other city directors met with TTU Professors discussing the sinkhole/floodplain study.

Councilman Sallee agreed with this request & explained how vital the topographic data/sinkhole study is to the City of Cookeville.

**SET A DATE FOR A PUBLIC  
HEARING ON ORDINANCE  
#003-11-22, CLOSURE AND  
ABANDONMENT OF  
APPROXIMATELY 100  
FT. OF THE ALLEY  
NORTH OF WEST 4<sup>TH</sup>  
STREET BETWEEN  
NORTH WILLOW &  
NORTH WHITNEY  
AVENUES**

Mayor Womack set the date for December 4, 2003, at 6:00 p.m.

**SET A DATE FOR A PUBLIC  
HEARING ON ORDINANCE  
#003-11-23, REZONING  
PROPERTY ON BILL SMITH  
ROAD (TAX MAP #65,  
PARCEL 46) FROM RS10  
(SINGLE-FAMILY  
RESIDENTIAL) TO RS5  
(SINGLE-FAMILY  
RESIDENTIAL)**

Mayor Womack set the date for December 4, 2003, at 6:00 p.m.

**HOLD FINAL PUBLIC  
HEARING FOR 2001  
COMMUNITY  
DEVELOPMENT  
BLOCK GRANT**

Ms. Cathy Andrews, Grants Writer/Administrator, explained that this was a \$300,105.00 federal grant received for cleanup of 7,000 linear feet of sewer lines, manhole repairs & etc. on 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> Streets, Pine, Spruce & Franklin Avenues administered through the State of TN Department of Economic & Community Development. She advised that the cost for the WQC Department was \$70,395.00.





**COOKEVILLE CITY COUNCIL  
MINUTES  
NOVEMBER 6, 2003**

CITY OF COOKEVILLE  
DEPARTMENT OF WATER QUALITY CONTROL  
**WATER TREATMENT PLANT IMPROVEMENTS**

DATE OF BID OPENING 21-Oct-03 TIME: 2:00 P.M.  
BIDS OPENED BY ROY WAUFORD  
BIDS WITNESS BY RONNIE KELLY

CONTRACTOR	TOTAL BID				
MID-STATE CONSTRUCTION	\$825,000.00				
<b>W &amp; O CONSTRUCTION CO.</b>	<b>\$773,700.00</b>				

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM **W & O CONSTRUCTION CO., INC.**  
BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS

  
RECOMMENDED:  
DEPARTMENT HEAD

  
APPROVAL:  
CITY MANAGER

  
BUDGET AVAILABILITY:  
FINANCE DIRECTOR

Councilman Sallee made a motion, seconded by Councilman Davis, to award the Water Treatment Plant Improvement bid as recommended. 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.

**HEARING OF CITIZENS AND/OR DELEGATIONS:**

Vice-Mayor Qualls proudly announced that SunTrust Call Center is up to 370 employees.

There being no further business to discuss, Councilman Davis made a motion, seconded by Councilman Sallee, to adjourn the meeting at 6:57 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:

\_\_\_\_\_  
Cathy McClain, City Clerk

