

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 17, 2004
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, June 17, 2004, 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 Shelton made a motion, seconded by Councilman Davis, to amend the agenda by removing items #8 –consider on first reading Ordinance #004-06-11, stormwater regulations, #12 – approve change order for Old Kentucky Road Improvement Project, and to set a date for a public hearing on improvements to Elm Street for July 15, 2004 @ 6:00 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.

**RECOGNIZE VOLUNTEER
OF THE MONTH**

PROCLAMATION

Whereas: Jane Mee is being honored as June's "Volunteer of the Month" as she is a very active volunteer and has served her community through the American Cancer Society's Relay for Life for the past 15 years; and

Whereas: Ms. Mee was the Entertainment and Activities Coordinator for this year's event and it was the biggest and best Relay Cookeville has ever had with over 2,000 people in attendance; and

Whereas: Jane worked for months getting donations of time and services and over \$155,000 was raised, far exceeding the goal that was set; and

Whereas: a very caring individual, Jane Mee has in past worked with the March of Dimes and the American Heart Association, and perhaps her most significant accomplishment is that she will celebrate her 4th anniversary as a cancer survivor in July.

Now, therefore, I, Dr. Charles Womack, Mayor of the City of Cookeville, do hereby proclaim a sense of profound appreciation to Jane Mee for your commitment to this community and commend you as Cookeville's Volunteer of the Month.

This 17th day of June, 2004.

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2004**

OLD BUSINESS:

**CONSIDER APPROVAL OF MINUTES
OF COUNCIL MEETING HELD ON
JUNE 3, 2004**

Vice-Mayor Qualls 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 #004-05-03,
REZONING FROM CL (LOCAL
COMMERCIAL) TO CG (GENERAL
COMMERCIAL) PROPERTIES AT
423, 429 & 435 WEST BROAD
STREET (PARCELS 26-28, MAP
53A, GROUP D)**

Councilman Davis made a motion, seconded by Councilman Sallee, to approve on second and final reading Ordinance #004-05-03. 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 #004-06-08,
AMENDING THE COOKEVILLE
MUNICIPAL CODE BY
DELETING SECTION 12-202(4)
OF TITLE 12, CHAPTER 2
“PLUMBING CODE”**

Councilman Sallee made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #004-06-08. 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
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**CONSIDER ON FIRST READING
ORDINANCE #004-06-09,
AMENDING TITLE 18, CHAPTER
1 OF THE COOKEVILLE
MUNICIPAL CODE, RELATIVE
TO WATER STORAGE RATE**

Mr. Ronnie Kelly, Director of Water Quality Control Department, stated that the water storage fee to the United States Army Corps of Engineers for \$216,347 must be paid now. He further advised, that this increase would help with the next water storage bill (\$10,400 O & M cost, \$30,000 sinking fund & \$177,000 penalty & interest).

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve on first reading Ordinance #004-06-09. 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 FIRST READING
ORDINANCE #004-06-10,
AMENDING TITLE 18,
CHAPTERS 1 & 2 OF THE
COOKEVILLE MUNICIPAL
CODE, RELATIVE TO WATER
CONNECTION CHARGES &
HOLDING TANK WASTE
DISCHARGES**

Vice-Mayor Qualls made a motion, seconded by Councilman Davis, to approve on first reading Ordinance #004-06-10. 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 AND
CONSIDER ON FIRST READING
ORDINANCE #004-06-05,
PROVIDING A TAX LEVY FOR
THE 2004-2005 FISCAL YEAR**

Mike Davidson, Finance Director, gave an overview of Ordinance #004-06-05.

Councilman Davis made a motion, seconded by Vice-Mayor Qualls, to approve on first reading Ordinance #004-06-05, setting a tax rate of \$0.88 (increase of \$0.05 over current rate) – General Fund \$0.61, General Obligation Debt Service Fund \$0.22 & Economic Development Fund \$0.05.

**COOKEVILLE CITY COUNCIL
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After a lengthy discussion, Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to amend the original motion of the \$0.05 increase toward Economic Development Fund to be changed to \$0.04 for Economic Development Fund & \$0.01 for Quality of Life Fund. Upon call for a vote on the amendment to the motion, the following voted aye:

Vice-Mayor Steve Qualls
Councilman Jean Davis
Councilman Ricky Shelton

NAY: Mayor Charles Womack
Councilman Sam Sallee

The City Clerk announced that the amendment to the motion carried.

Mr. J.D. Parks, local business owner, requested the Council mention that city residents also pay county taxes too. He recommended the Council cut the budget in other places & not raise taxes. He stated that his business has never received tax breaks like some of the larger companies moving to this area.

Ms. Alicia Mattson, local business owner, spoke in opposition of helping new companies & not older existing ones.

Upon call for a vote on the amended motion, the following voted aye:

Vice-Mayor Steve Qualls
Councilman Jean Davis
Councilman Ricky Shelton

NAY: Mayor Charles Womack
Councilman Sam Sallee

The City Clerk announced that the amended motion carried.

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #004-06-06,
AUTHORIZING APPROPRIATIONS
FOR FINANCIAL AID TO PUBLIC
SERVICE, NON-PROFIT AND
CHARITABLE ORGANIZATIONS
FOR THE 2004-2005 FISCAL YEAR**

Mike Davidson, Finance Director, gave an overview of Ordinance #004-06-06.

Councilman Davis made a motion, seconded by Vice-Mayor Qualls, to approve on first reading Ordinance #004-06-06 omitting the \$10,000 for CityScape appropriation to be used for the Cookeville birthday celebration. 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
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Mayor Womack announced that he is supporting the \$30,000 allocation to the Chamber of Commerce & appreciates their new spirit. He stated that the new President/CEO George Halford is placing tourist information booths near I-40.

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #004-06-07,
MAKING APPROPRIATIONS
FOR THE VARIOUS FUNDS,
DEPARTMENTS & AGENCIES
OF THE CITY OF COOKEVILLE
TN FOR THE 2004-2005 FISCAL
YEAR**

Mike Davidson, Finance Director, gave an overview of Ordinance #004-06-07.

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to approve on first reading Ordinance #004-06-07 as amended by omitting \$10,000 from non-profit appropriation (CityScape). 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 AWARDED BID FOR
FILL DIRT FOR CAPSHAW PARK
- LEISURE SERVICES DEPT.**

CITY OF COOKEVILLE
TABULATION SCHEDULE

Fill Dirt for Capshaw Park

DATE OF BID OPENING: Thursday, June 10, 2004 Time: 10:00 a.m.
BIDS OPENED BY: Rick Woods
BIDS WITNESSED BY: Janice Myers
DEPARTMENT: Leisure Services & Public Facilities

	Per load				
1. Elk Mountain Construction Co.	\$38.50				
2. Highways, Inc.	\$57.00				
3. Swift Construction Co.	\$34.95				

We, the undersigned, do hereby recommend the bid from Swift Construction
be awarded for the following reason: Low bid - meeting specifications.


RECOMMENDED: DEPARTMENT HEAD


BUDGET AVAILABILITY: FINANCE DIRECTOR


APPROVAL: CITY MANAGER

Vice-Mayor Qualls made a motion, seconded by Councilman Davis, to award the fill dirt 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER AWARDED BID FOR
ODORANT – GAS DEPARTMENT**

CITY OF COOKEVILLE, TENNESSEE
BID TABULATION RECORD

ITEM FOR BID: ODORANT BIDS OPENED BY: James A. Daniel, Director
 DEPARTMENT: GAS OPENING WITNESSED BY: Denise Mayberry
 DATE OF BID OPENING: JUNE 10, 2004
 TIME OF BID OPENING: 11:00a.m.

BIDDERS NAME:	600 gallons 4020 lbs								
GPM Equipment & Sales	\$9205.80 (\$2.29 lb)								
Odorization Solutions Inc.	\$15,879.20(\$3.95 lb)								

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM GPM Equipment & Sales BE AWARDED FOR THE
 FOLLOWING REASON: low bid meeting specifications
 RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER
 BUDGET AVAILABILITY: FINANCE DIRECTOR

Councilman Davis made a motion, seconded by Vice-Mayor Qualls, to award the odorant 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.

Mayor Womack recognized Cathy Andrews, Grant Writer/Administrator, who recently received for the city a \$200,000 EPA Grant for Phase I (Site Assessment) of a possible cleanup & redevelopment of an auto salvage yard on Highway 70.

Mayor Womack announced that the yellow ribbon placed in the council room would remain until all local citizens & 278th Armored Squadron return from the war in Iraq.

HEARING OF CITIZENS AND/OR DELEGATIONS:

Mr. Leo Depriest, resident of 370 S. Maple, spoke in concern about the improvements to Elm Street.

Councilman Davis encouraged everyone to go to the Soap Box Derby on 12th Street this Saturday & also to visit the photography exhibit at the History Museum.

Councilman Shelton further announced that Cookeville is one of three VIP Race Cities in the World for Soap Box Derby. He commended Mike Lee, Coordinator of this event.

Mr. Rick Woods, Director of Leisure Services, announced the following events: Jazz concert in Dogwood Park this Saturday afternoon, concert in Dogwood Park every Sunday in June @ 2:00 p.m., Lil Abner opens at Drama Center Friday night, Shakespeare in the Park – Midsummer Night’s Dream opens end of the month & every other Monday night community band concerts in Dogwood Park continuing thru August 9th.

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There being no further business to discuss, Councilman Davis made a motion, seconded by Councilman Sallee, to adjourn the meeting at 7:34 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.

Charles Womack, Mayor

ATTEST:

Cathy McClain, City Clerk