

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 2, 2004
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, December 2, 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 Sallee, to amend the agenda by adding item #1a – recognize Cookeville High School Football Team. 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 COOKEVILLE
HIGH SCHOOL FOOTBALL
TEAM**

Councilman Shelton read & presented a proclamation to each player of the Cookeville High School Football Team & Coach Joslin – 2004 being the best record of any in Cavalier's history.

OLD BUSINESS:

**CONSIDER APPROVAL OF MINUTES
OF COUNCIL MEETING HELD ON
NOVEMBER 18, 2004**

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 Davis. 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
DECEMBER 2, 2004**

**CONSIDER ON SECOND AND FINAL
READING ORDINANCE #004-09-16,
REZONING THE PROPERTY AT
1240 EAST TENTH STREET (TAX
MAP #41, PARCEL 49.00) FROM
RS-15 (SINGLE-FAMILY
RESIDENTIAL) TO RS-10
(SINGLE-FAMILY
RESIDENTIAL)**

Councilman Sallee made a motion, seconded by Councilman Shelton, to approve on second and final reading Ordinance #004-09-16. 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:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #004-11-21,
AMENDMENTS TO SECTION
207 GENERAL SIGN
REGULATIONS OF THE
COOKEVILLE ZONING
CODE**

Councilman Sallee made a motion, seconded by Councilman Davis, to approve on first reading Ordinance #004-11-21, billboards & similar off-premise signs allowed in City shall be limited to those existing, or having a valid permit as of 9-2-04.

Mr. James Mills, City Planner, advised the Council that we currently have 110 billboards in the City. The City of Cookeville has more billboards than any other City our size, due to a recent survey prepared by Municipal Technical Advisory Service.

Several citizens spoke for and against more billboards allowed in the City.

Vice-Mayor Qualls & Councilman Shelton, expressed concern about limiting the number of billboards/off-premise signs for business owners & customers.

Upon call for a vote, the following voted aye:

Mayor Charles Womack
Councilman Jean Davis
Councilman Sam Sallee

NAY: Vice-Mayor Steve Qualls
Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 2, 2004**

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O04-11-22,
REZONING THE PROPERTY
AT 665 EAST 22ND STREET
FROM RS-10 (SINGLE-FAMILY
RESIDENTIAL) TO LM
(LIGHT MANUFACTURING)**

Mr. James Mills, City Planner, advised that the Planning Commission denied this rezoning request on 10-25-04.

Mayor Womack called for a motion – no motion was made.

Mrs. Phyllis Malone, owner of property, read & submitted a letter requesting approval of rezoning, due to the request of a potential buyer.

Residents of this area spoke in opposition to this rezoning.

Due to the lack of a motion, Ordinance #O04-11-22 failed on first reading.

**CONSIDER RESOLUTION #R04-12-16,
AMENDING CHAPTERS 7 & 8 OF
THE PERSONNEL POLICIES &
PROCEDURES MANUAL**

MEMO

TO: City Council Members
FROM: Jim Burchett
DATE: November 29, 2004
SUBJECT: Personnel Policies and Procedures Manual Amendments

The following amendments to the PPPM are proposed:

Chapter 7, Section 5.01 and 5.02 are deleted and the following new Section is added:

5.01 Effective January, 2005, all City employees will be paid by direct deposit, with the exception of their final pay check from the City.

Chapter 8, Section 3.01 is changed to read:

3.01 Upon approval of the City Council, the City shall provide regular full-time employees with group health, accident, and life insurance at a cost determined by the City Council.

Chapter 8, Section 3.04 is amended by adding the following:

3.04 In the event of an employee's death who would have been eligible for retirement, their spouse and dependents will be eligible for the City's retiree insurance plan. Premiums will be based on the deceased employee's years of service. The minimum service before the City will pay a portion of the premium is fifteen years.

Chapter 8, Section 3.05-a new section is added to read:

Effective January, 2005, accumulated service, as it applies to retiree insurance only, shall be defined as the total of accumulated vacation leave, sick leave, and active employment with the City.

Councilman Davis made a motion, seconded by Councilman Shelton, to adopt Resolution #R04-12-16. 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
DECEMBER 2, 2004**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
004-12-23, REZONING THE
PROPERTIES AT 41, 49 & 55
WEST STEVENS STREET,
259 & 275 SOUTH WALNUT
AVENUE, AND INCLUDING
THE COOKEVILLE CITY
CEMETERY FROM RD
(SINGLE-FAMILY AND
DUPLEX RESIDENTIAL)
TO CN (NEIGHBORHOOD
COMMERCIAL)**

Mayor Womack set the date for January 6, 2005, at 6:00 p.m.

**CONSIDER APPROVAL OF
EMPLOYEE HEALTH
INSURANCE CONTRACT
1-1-05 THROUGH 12-31-05**

MEMORANDUM

TO: City Council
City Manager

FROM: Michael Davidson, Finance Director

DATE: November 23, 2004

RE: BlueCross BlueShield Health Insurance Renewal - January 2005

The city's current group health insurance plan expires at December 31, 2004. We have worked with BlueCross BlueShield the past month on the insurance renewal package. The City maintains a self funded plan utilizing the BlueCross BlueShield healthcare network and BlueCross administers our plan. The City pays the first \$125,000 of claims incurred on each individual covered under our plan through premiums paid by the city and employees. Any claims exceeding the \$125,000 deductible are covered by our reinsurance carrier Highmark Life Insurance Company.

The renewal numbers for Highmark include a 9.7% (\$20,832) increase over our current reinsurance rates. The administrative fee to BlueCross includes a 1.4% (\$2,700) increase over our current administrative fees. I am recommending that we renew our group health coverage with BlueCross and continue to use Highmark Life Insurance as our reinsurance carrier. Also, I am recommending that the premiums paid by the city and employees remain unchanged for 2005. Our current premiums should be sufficient to cover our projected healthcare cost for 2005. However, this will more than likely be the last year that our health plan will be able to cover cost at the current funding levels.

As we all know, healthcare cost around the nation continue to rise at alarming rates. Pharmacy benefits continue to be a major driver of escalating healthcare cost. BlueCross has developed a new pharmacy network call APN3 that offers higher discounts, lower dispensing fees and provides better pharmacy rebates. These factors combined will result in savings not only for the city but for our employees as well. I am recommending that our pharmacy plan utilize the new APN3 network with all pharmacy benefits remaining the same. Currently, all pharmacies within the upper Cumberland region participate in this new network so employees should not experience any problems with this network change.

If you have any questions please stop by my office or you can reach me at 520-5292.

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to approve the 2005 health insurance contract 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
MINUTES
DECEMBER 2, 2004**

**CONSIDER APPOINTMENT TO
THE SEWER REGULATIONS
APPEALS BOARD**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director

DATE: November 19, 2004

SUBJ: Sewer Regulations Appeals Board

During the December 2nd City Council meeting the City Council will need to appoint a member to the Sewer Regulations Appeals Board. The term of Bryan Johnston will expire on December 11th. Bryan has served for two terms and is not eligible to serve another term on the Board without a break in service.

The Board is made up of five members appointed to three-year terms and shall not serve more than two full, three-year terms without a one-year break. The Board is set up to conduct hearings on appeals of decisions of the Director in actions taken under and pursuant to the Sewer Use Ordinance.

I am recommending that Tammy Herman, the R&D Manger of the Identity Group, be appointed to the Board. Her term will expire in December of 2007.

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

Councilman Sallee made a motion, seconded by Councilman Davis, to appoint Ms. Tammy Herman to the Sewer Regulations Appeals Board. 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 APPROVAL OF
AMENDMENT TO EXISTING
WATER PLANT ENGINEERING
CONTRACT**

MEMORANDUM

TO: Jim Shipley, City Manager
City Council

FROM: Ronnie J. Kelly, Director

DATE: November 23, 2004

SUBJ: Amendment to Existing Water Plant Engineering Contract

The City of Cookeville is currently under contract with the J.R. Wauford Engineering Company to perform services during the construction of the Water Plant Rehab Project. I will be recommending approval of an amendment to extend the contract, at the existing hourly rate, to cover the completion of the project. After conversations with the contractor we anticipate that the project will run another month and end up around Christmas. The contract amendment will cover the engineering needed to inspect the construction, check shop drawings, prepare any change orders, approve estimates, and perform a final acceptance inspection.

I will be presenting this item during the next City Council meeting for your approval. If you have any questions concerning this matter please give me a call.

**COOKEVILLE CITY COUNCIL
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Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve the amendment to the Water Plant Engineering Contract as requested. 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 read & presented a plaque to the City from Mrs. Tammy Conner, mother of PFC James Daniel Conner - last soldier given a parade coming home from Iraq.

Vice-Mayor Qualls presented a gift from the Council of a life size Fire Fighter Statue to Fire Chief Gene Schmid.

Mayor Womack announced that Mr. Bernie Mattingly has been appointed as the new Administrator of the Cookeville Regional Medical Center. He also announced that CRMC is paying their \$408,337.35 in-lieu of tax payment early.

Mayor Womack announced that Cookeville is featured in the December "Southern Living Magazine".

There being no further business to discuss, Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to adjourn the meeting at 7:50 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