

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
NOVEMBER 3, 2005
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, November 3, 2005, at 6:02 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 and Cathy McClain, City Clerk.

**CONSIDER APPROVAL OF
AGENDA AS PRESENTED**

Councilman Sallee made a motion, seconded by Councilman Davis, to amend the agenda by adding item 2a – consider Resolution #R05-11-21, approving the construction of the CRMC North Tower Project. 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 20, 2005**

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.

NEW BUSINESS:

**CONSIDER RESOLUTION
#R05-11-21, APPROVING
THE CONSTRUCTION
OF THE CRMC NORTH
TOWER PROJECT**

**COOKEVILLE CITY COUNCIL
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Jim Shipley, City Manager, read Resolution #R05-11-21.

Bernie Mattingley, Administrator of CRMC, described the 6 (six) story addition of the Cookeville Regional Medical Center.

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to adopt Resolution #R05-11-21. 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.

**CONSIDER ON FIRST READING
ORDINANCE #O05-11-22,
AMENDING TITLE 12 & 7 OF
THE COOKEVILLE MUNICIPAL
CODE, REGARDING BUILDING,
PLUMBING, GAS, MECHANICAL,
ACCESSIBILITY & FIRE CODES**

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve on first reading Ordinance #O05-11-22. 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 #O05-10-21,
REZONING PROPERTY ON
HUDDLESTON DRIVE/SHARON
AVENUE (TAX MAP #27, PARCEL
134.00) FROM RS-15 (SINGLE-
FAMILY RESIDENTIAL) TO RS-5
(SINGLE-FAMILY RESIDENTIAL)**

Residents of this area voiced their concerns about traffic/sewer problems.

Councilman Sallee made a motion, seconded by Councilman Davis, to approve on first reading Ordinance #O05-10-21. 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER DECLARING SURPLUS
PROPERTY LOCATED AT 144
SOUTH LOWE AVENUE (TAX
MAP #53F-H-14.00)**

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to declare as surplus property - 144 South Lowe Avenue (currently History Museum location) 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.

**CONSIDER APPROVAL OF
AGREEMENT WITH
TENNESSEE WILDLIFE
RESOURCES AGENCY
& U.S. FISH & WILDLIFE
SERVICE, REGARDING
PRESERVATION OF
AMENT CAVE GRAY
BATS**

Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to approve the agreement for preserving the Ament Cave gray bats 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.

**CONSIDER DECLARING
VEHICLES & EQUIPMENT
AS SURPLUS**

**LEISURE SERVICES DEPARTMENT
SURPLUS VEHICLES & EQUIPMENT
November, 2005**

Vehicle	Vin #	Mileage
- 1988 GMC GR-3181	2GTEC14H5J1562257	168,593
- 1977 BlueBird Bus	CSE6371300595	74,092
- 1988 Ford Ranger GL-7556	#1FTBR10T4JUE14858	190,271
- 1991 Ford Ranger GS-3193	1FTCR1049MVE38820	broken
- 1988 Cele Wagon GM-7518	1G1AW81W3J6211866	107,221
- 1993 Chevy Truck GS-5243	1GCEL14K7PZ206679	165,443
- 1983 Ditch Witch trencher	R40 4wd-340773	

**COOKEVILLE CITY COUNCIL
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Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to declare the list of Leisure Services Department vehicles & equipment as surplus. 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.

1991 Dodge Dynasty – VIN # 1B3XC46ROMD259414 77,548 MILES

Councilman Sallee made a motion, seconded by Councilman Davis, to declare the Planning Department vehicle as surplus. 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.

1987 FORD LTD CROWN VIC – VIN# 2FABT73FJX140729 94,589 MILES

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to declare the Fire Department vehicle as surplus. 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.

1979 FORD 9000 DUMP TRUCK – VIN# U919VEA8192 70,000 MILES

1991 FORD BRONCO 4X4 – VIN# 1FMEU15H5MLA62833 149,000 MILES

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to declare the list of Public Works Department vehicles as surplus. 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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ELECTRIC DEPT.

Surplus Vehicles & Equipment

<u>Model</u>	<u>Make</u>	<u>Mileage</u>	<u>VIN #</u>
1985	GMC Dump 3500	109,337	1GDJ34M8F5S14570
1991	Ford F-150 Pick-Up	132,736	1FTDF15N2NNA23607 (Trans Inoperable)
1992	Chevrolet 1500 Pick-Up	121,486	2GCEC19HXN1186668

<u>Model</u>	<u>Make</u>	<u>Mileage</u>	<u>Serial #</u>
1972	Ditch Witch Trencher		VH4D4082065795534
1973	Ford/Auburn Trencher		FA853768

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to declare the list of Electric Department vehicles & equipment as surplus. 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.

**Department Of Water Quality Control
Excess Vehicle Declaration List for Gov. Deals**

1 ea. 1987 Chevy S10 Blazer 4 x 4, Mileage: 74,605?
Tag # GK-8529 VIN: 1GNCT18RXH8141224

1 ea. 1989 Ford F-150 Pickup 2wd, Mileage: 139,662
Tag # GL-7565 VIN: 1FTEF15N2KLA38538

1 ea. 1992 GMC 1500 Pickup 2wd, Mileage: 175,265
Tag # GN-7547 VIN: 1GTEC14H8NZ537706

1 ea. 1996 GMC 2500 ¾ Ton Service Body Truck,
Tag # GR-3136 VIN: 1GTGC24R9TZ501995
Mileage: 110,383.

Councilman Shelton made a motion, seconded by Councilman Sallee, to declare the list of Water Quality Control Department vehicles as surplus. 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
ARCHITECTURAL CONTRACT
FOR GYMNASIUM AT
RECREATION CENTER**

To: Charles Womack, Mayor
Steve Qualls, Vice-Mayor
Jean Davis
Sam Sallee
Ricky Shelton
Jim Shipley, City Manager

From: Rick Woods, Director 

Date: 10/31/2005

Re: Architectural Services - Gymnasium

On Thursday, November 3, I will be requesting your consideration for additional architectural services for the proposed addition of a gymnasium at the new Cane Creek Recreation Center.

As you recall, the gym was a part of the original design and bid documents for the building. The decision was made to postpone the construction of the gym and add it at a later date. Now the bid documents are no longer valid and must be updated to reflect the actual scope of work for the potential contractor. Also, a few minor modifications were made during the construction phase of the Recreation Center, so some "as-built" drawings will be required.

I met recently with the project architects, AEI, and asked them to give us a price for additional drawings, bid documents and construction administration. Attached is their memo outlining the work to be done and the cost to make the changes.

Also attached is a separate memo from AEI providing new estimates for the cost of construction of the proposed gymnasium.

Please let me know if you have any questions.

**COOKEVILLE CITY COUNCIL
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Mayor Womack announced that today was the Grand Opening of the new Cane Creek Recreation Center.

Councilman Shelton made a motion, seconded by Councilman Davis, to approve the architectural contract for the design of a gym & modifications to the existing recreation building in the amount of \$7,200.00 as requested.

Councilman Shelton made a motion, seconded by Mayor Womack, to amend the motion to include the review of multiple uses of the gym.

Upon call for a vote on the amended motion, 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 amended motion carried.

**CONSIDER APPROVAL OF
WATER CONTRACT WITH
O'CONNER UTILITY
DISTRICT**

**Proposed O'Conner Utility District
Water Sale Contract Highlights**

1. **Max. water sales per month – 12,000,000 gal.
Min. water sales per month – 6,000,000 gal.
> 12,000,000 billed at outside City Limit rate**
2. **District to install meter pit and meter to
City's specifications and turn over to City.**
3. **Bill shall be paid by due date or declared
delinquent and subject to discontinuance plus
10% penalty added.**
4. **If City annexes District territory City can
purchase customers and facilities per formula
in contract.**
5. **District not allowed to resale water to City
customers.**
6. **Initial price of water shall be \$1.42 per 1,000
gallons and can be adjusted yearly.**
7. **Contract shall extend for 20 years and can be
renewed upon agreement of both parties.**

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve the water contract with the O'Conner Utility District 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER APPROVAL OF
EMERGENCY REPAIR OF
PUMP AT WATER PLANT**

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: October 27, 2005

SUBJ: Emergency Repairs – Water Plant

A transformer recently failed at our Water Treatment Plant. This transformer is associated with our finished water high service pump number 4. This is one of two high service pumps at the Water Plant that pumps the treated water into town. We also have two smaller pumps located at this site. Under normal operations one of the large and one of the small pumps are used. If the other high service pump had gone down during this period we would not have been able to keep up with our water demand. This made it imperative that the damaged transformer be repaired immediately.

We have not been able to locate replacement transformers on the shelf so they have to be rebuilt. We have four pumps that use the same transformer so while the manufacture had the transformer in for the rebuild we had them spec it and build us an extra that will go into inventory. The cost to rebuild our existing transformer is \$7,842.00, while the cost to manufacture the new transformer totaled \$8,660.00. The total repair bill is \$18,260.96.

The repairs have been completed and the bills submitted for payment. I will be presenting the requests for payment during the next City Council meeting.

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

Councilman Sallee made a motion, seconded by Councilman Davis, to approve the emergency repair of pump 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.

**CONSIDER APPROVAL OF
PURCHASE OF SEWER ODOR
CONTROL (SINGLE-SOURCE
PROVIDER)**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director

DATE: October 27, 2005

SUBJ: Sole Source Purchase for Odor Control

During the next City Council meeting I will be seeking approval of a sole source purchase related to our wastewater pump station odor control. We have been feeding a chemical, Ferrous Sulfate, since 1994 to control odors at the Highway 70 & 111 intersection. During the last 12-month period our chemical cost totaled \$24,163 and has been higher in the past.

We have been testing a new product called Bioguard-H2S. It has worked very well and as good as our previous chemical feed. The cost of this product is \$24 per gallon and we would need to feed about 1 gallon per day for a yearly cost of \$8,760. This is a sole source product and we therefore cannot competitively bid the product. Based on our estimated cost savings I would recommend that Council approve purchase this product.

If you have any questions or comments please feel free to give me a call.

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Vice-Mayor Qualls made a motion, seconded by Councilman Davis, to approve the purchase of sewer odor control 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.

**CONSIDER APPROVAL OF
CONTRACT FOR MOBILE
DATA SOFTWARE - POLICE
DEPARTMENT**

Bob Terry, Police Chief, stated that this contract is with Southern Software, Inc. for software in the main server/police vehicles (sole-source provider).

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve the mobile data software contract in the amount of \$59,246.65 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.

**CONSIDER AWARDING ENGINEERING
CONTRACTS FOR THE EXTENSION
OF THE OLD SEWER PLANT ROAD
AND IMPROVEMENT TO
FAIRGROUND STREET**

MEMORANDUM

TO: Jim Shipley
FROM: Greg Brown 
DATE: October 31, 2005
SUBJ: Engineering proposals for the extension of sewer plant road and improvements to Fairgrounds Street

The City of Cookeville received proposals for the above projects from Allmon Engineering, Richard C. Rinks & Associates, Gresham Smith and Partners, Bob Vick & Associates, CTE, C E Designers, Adams Craft Herz Walker, and Clinton Engineering. I would recommend that Clinton Engineering be awarded the Fairgrounds Street project and Richard C. Rinks & Associates be awarded the Sewer Plant Road extension.

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Councilman Sallee made a motion, seconded by Councilman Davis, to award the engineering contracts for the extension of the Old Sewer Plant Road (Commerce Avenue) and improvement to Fairground Street 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.

**CONSIDER AWARDED BID FOR
GUARDRAIL INSTALLATION
(LEMON FARRIS ROAD) - PUBLIC
WORKS DEPARTMENT**

CITY OF COOKEVILLE
BID TABULATION RECORD
GUARDRAIL INSTALLATION - LEMON FARRIS ROAD

DEPARTMENT: Public Works
BIDS OPENED BY: Tracy Meigs
OPENING WITNESSED BY: Debbie Swallows

DATE OF BID OPENING: 10/25/2005
TIME OF BID OPENING: 10:00 AM

BIDDERS	TOTAL BID PRICE						
LU, INC.	\$ 7,137.00						
CUMBERLAND GUARDRAIL	NO BID						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM LU, INC

BE AWARDED FOR THE FOLLOWING REASON: ONLY BIDDER - GOOD BID

Wayne Best RECOMMENDED: DEPT. DIRECTOR

Michael Smith BUDGET AVAILABILITY: FINANCE DIRECTOR

JX APPROVAL: CITY MANAGER

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

**CONSIDER AWARDED BID FOR
CELLULAR SERVICE – ALL
DEPARTMENTS**

**COOKEVILLE CITY COUNCIL
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CITY OF COOKEVILLE
BID TABULATION SCHEDULE

Cellular Service

DATE OF BID OPENING: October 14, 2005 TIME: 2:00pm
 BIDS OPENED BY: Brenda Imel
 BIDS WITNESSED BY: Cathy McClain
 DEPARTMENTS: All

BIDDERS	Avg Cost Per Phone				
Verizon Wireless	\$ 28.34				
The Technology Store (Sprint PCS)	\$ 29.99				
Eloqui	\$ 18.24				
Cingular Wireless	\$ 25.59				
Sprint / Nextel (Sprint PCS)	\$ 36.24				
Sprint / Nextel (Nextel IDEN)	\$ 29.59				

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM Verizon Wireless BE AWARDED
 FOR THE FOLLOWING REASON: lowest evaluated bid meeting specifications.

M. Davidson RECOMMENDED, DEPT. HEAD M. Davidson BUDGET AVAILABILITY, FINANCE DIRECTOR

[Signature]
APPROVAL - CITY MANAGER

Mike Davidson, Finance Director, advised that after testing the cellular service, Verizon Wireless provided better coverage for inside/outside Cookeville city limits. He further advised that by using this company, we would save \$3,990.00 a month by eliminating all pagers.

Councilman Davis made a motion, seconded by Mayor Womack, to award the cellular service 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:

Mayor Womack announced that the Tennessee 278th Regimental Combat Team 3rd Squadron would be returning home soon.

There being no further business to discuss, Councilman Shelton made a motion, seconded by Councilman Sallee, to adjourn the meeting at 7:30 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

