

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
APRIL 20, 2006
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, April 20, 2006, 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 Sallee made a motion, seconded by Councilman Shelton, to amend the agenda by withdrawing item 2 – recognize Volunteer of the Month; withdrawing item 8 - hold a public hearing and consider on first reading Ordinance #006-03-07, closure and abandonment as a city street a portion of West 6th Street between North Cedar & North Hickory Avenues & Medical Center Boulevard (North Hickory Avenue) from West 5th to West 6th Streets & West 5th Street from North Whitney to Medical Center Boulevard (North Hickory Avenue); add to item 11 – replacement to fill unexpired term of Eddie Turner due to resignation; add item 12 – consider approval of cleaning services required for the foreclosure sale of Cumberland Cultured Building; add item 13 – consider approval of proposal for expenses to remove chemical materials from the Cumberland Cultured Building prior to the foreclosure sale; and add item 14 – consider approval of preliminary geotechnical studies that were required for the extension of Commerce Avenue and approval of additional studies due to the preliminary findings, not to exceed \$16,000. 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 LOCAL
VETERINARIANS**

Mayor Womack read the following proclamation & presented a copy to each veterinarian from the City Council. Also, Laurie Green, Animal Shelter Manager, was present and thanked each veterinarian for their services: Buddy Reynolds, DVM; Thomas Holt, DVM; George D. Boyd, DVM; John S. Copeland, DVM; Gerald Barker, DVM; Jerry Flatt, DVM; and Tyler Verble, DVM.

**COOKEVILLE CITY COUNCIL
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PROCLAMATION

Whereas: our local Cookeville veterinarians have been true partners with the Cookeville/Putnam County Animal Shelter in providing care for homeless and abandoned animals in our city; and

Whereas: they provide the means for adopted animals from our shelter to be spayed or neutered and vaccinated at a discounted price in order to encourage adoptions; and

Whereas: the veterinarians participate in special events held by CPCAS and Friends of the Shelter that raise much needed funds for our area homeless animals; and

Whereas: the doctors and staff of these clinics provide veterinarian expertise for the special animals that require extra care to be adoptable.

Now, therefore, I, Dr. Charles Womack, Mayor of the City of Cookeville, do hereby proclaim a sense of profound appreciation to Cookeville veterinarians for their service to the Shelter and this community. They are true partners in the fight to make life better for our homeless animals.

This 20th day of April, 2006.

Mayor Charles T. Womack, M.D.

**PRESENTATIONS OF
DISTINGUISHED
SERVICE MEDALS
TO FIRE FIGHTERS**

John Kendrick, Cookeville Fire Chief, recognized the following Fire Fighters for saving the life of Mr. Kenneth Kaminski on 3-2-06: Lt. Mike Broyles, Fire Fighter Dustin Morgan & Reserve Engineer Gilbert Miller. He explained that this incident continues to show the importance of providing the first responders and AED units in our community.

OLD BUSINESS:

**CONSIDER APPROVAL OF
MINUTES OF COUNCIL
MEETING HELD ON
APRIL 6, 2006**

Councilman Davis 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.

**COOKEVILLE CITY COUNCIL
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NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O06-03-05,
REZONING 401 PINE AVENUE
& 406 SPRUCE AVENUE FROM
RS-5 (SINGLE-FAMILY
RESIDENTIAL) TO RM8 (MULTI-
FAMILY RESIDENTIAL)**

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #O06-03-05. 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 #O06-03-06,
REZONING 660, 670, 718 & 730
E. 22ND STREET & TWO VACANT
LOTS (TAX MAP #40C-E-9.00, 9.01,
9.02, 10.01, 12.00 & 13.00) FROM
LM (LIGHT MANUFACTURING)
TO CL (LOCAL COMMERCIAL)**

Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to approve on first reading Ordinance #O06-03-06.

Property owners of this area requested to be rezoned to CI (Commercial Industrial Mixed Use).

Mayor Womack made a motion, seconded by Councilman Sallee, to amend the motion to rezone to CI (Commercial Industrial Mixed Use) instead of CL (Local Commercial). Upon call for a vote on the amendment to the 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 amendment to the motion carried.

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.
**COOKEVILLE CITY COUNCIL
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**CONSIDER AUTHORIZING
THE CITY MANAGER TO
EXECUTE A CONTRACT
WITH DYER AND SMITH,
LLC TO PROVIDE AN
SAS 70 TYPE II REPORT
RELATED TO TVA
COMPLIANCE**

MEMORANDUM

TO: City Manager
Cookeville City Council

FROM: Michael Davidson, Finance Director

DATE: April 20, 2006

RE: TVA Required SAS 70 Type II Report – CPA Firm Engagement Letter

The Tennessee Valley Authority is requiring all power distributors to provide to TVA a SAS 70 Type II report. This report centers around twelve control objectives that TVA has identified to ensure the accuracy of the end use billing developed by TVA. TVA is requiring this report because of recent changes in financial reporting requirements under the Sarbanes Oxley Act.

The Cookeville Electric department recommends the CPA firm of Dyer & Smith, LLC to perform the services needed to provide the report. Dyer and Smith, LLC is working with other power distributors in a similar role and is experienced in performing a SAS 70 engagement. The fee for this engagement will not exceed \$7,000. In March you authorized the electric department to engage VisageSolutions to assist the electric department in preparing for this review at a cost not to exceed \$30,500. The total cost for providing the report to TVA should not exceed \$37,500 and TVA will reimburse the electric department up to \$35,000 for all expenses related to this effort.

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve the contract with Dyer and Smith, LLC 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 REAPPOINTMENT
OF REPRESENTATIVE TO THE
PUTNAM COUNTY TAX
EQUALIZATION BOARD**

**COOKEVILLE CITY COUNCIL
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Rhonda L. Chaffin
Putnam County Assessor of Property

April 4, 2006

Ms. Gail Fowler
City of Cookeville
45 East Broad Street
Cookeville TN 38501

Dear Gail:

It is time again to appoint a representative from the City of Cookeville to serve on the Putnam County Board of Equalization.

Mr. Randy Todd has been serving in that position and has represented Cookeville well. Putnam County is in the process of implementing the state mandated reappraisal program for the 2006 appraisals. I know Mr. Todd is in the process of building a new home outside the city limits but if he would continue to serve this year, his experience would be an asset to the board.

Please ask the City Council to reappoint Mr. Todd during the next meeting if he is willing to continue to serve.

Sincerely,


Rhonda L. Chaffin
Assessor of Property

Mayor Womack nominated Randy Todd.

Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to reappoint Randy Todd to the Putnam County Tax Equalization 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 REAPPOINTMENTS
& REPLACEMENT (DUE TO
RESIGNATION OF EDDIE
TURNER) TO THE PUBLIC
BUILDING AUTHORITY**



April 20, 2006

Mr. Jim Shipley
City Manager
City of Cookeville
P. O. Box 998
Cookeville, Tennessee 38501

Dear Mr. Shipley:

The Public Building Authority of the City of Cookeville respectfully submits the following board members for reappointment to the board:

Jim Martin	Allen Ray	Clarence Smith
First National Bank	BB & T Insurance	Smith Pharmacy

Also, the board has received resignation notification from Eddie Turner that he can no longer serve on the board. We respectfully request that the seat be filled by:

Steve Copeland
Copeland Insurance Agency

Thank you for your consideration.

Sincerely,

Public Building Authority of the City of Cookeville



Jim Martin
Chairman of the Board

**COOKEVILLE CITY COUNCIL
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Councilman Davis made a motion, seconded by Councilman Shelton, to reappoint/replace members of the Public Building Authority 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
CLEANING SERVICES
REQUIRED FOR THE
FORECLOSURE SALE OF
CUMBERLAND CULTURED
BUILDING**

MEMORANDUM

TO: City Council
FROM: Jim Shipley, City Manager
DATE: April 19, 2006
SUBJECT: Cumberland Cultured Building



In preparation for the April 26th foreclosure sale of this facility, a cleaning crew had to be hired for the massive clean up effort to make the building presentable. Since time was of the essence, we solicited two phone estimates for the project.

Adams Moving and Storage was the low bidder that could accomplish the task within the required time frame. The total cost of the project is \$5,460.00 and I respectfully request your approval.

Vice-Mayor Qualls made a motion, seconded by Councilman Shelton, to approve the cleanup cost for the Cumberland Cultured building 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
PROPOSAL FOR EXPENSES
TO REMOVE CHEMICAL
MATERIALS FROM THE
CUMBERLAND CULTURED
BUILDING PRIOR TO THE
FORECLOSURE SALE**

**COOKEVILLE CITY COUNCIL
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MEMORANDUM

TO: City Council
City Manager

FROM: John Kendrick, Fire Chief

DATE: April 20, 2006

RE: Cumberland Cultured Building (\$11,695.00 COST)

In conjunction with the clean up of the referenced facility, it was necessary to make arrangements for the removal of some materials that remained inside the building. Bids were requested from two companies that specialize in chemical handling. Evaluation of the bids was based on packaging, removal of product, product disposal, drum removal, and materials needed to complete the request. Both bidders had the Federal EPA permits required to remove and transport the unused chemicals.

Waste Management of Emelle, AL, submitted a bid that was based on multiple factors. Each barrel would have had to be weighed before disposal figures could be determined. Waste Management's bid also included a fuel surcharge that could not be calculated until after the material was removed from the facility.

MKC Enterprises of Atlanta, GA, submitted a bid that was detailed and specific for each item that had to be removed. I would recommend that MKC Enterprises is the best evaluated bidder meeting specifications and respectfully request your approval.



Councilman Sallee made a motion, seconded by Vice-Mayor Qualls, to approve the cost of chemical materials removed from the Cumberland Cultured building 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
PRELIMINARY GEO-
TECHNICAL STUDIES
THAT WERE REQUIRED
FOR THE EXTENSION
OF COMMERCE
AVENUE & APPROVAL
OF ADDITIONAL
STUDIES DUE TO THE
PRELIMINARY
FINDINGS, NOT TO
EXCEED \$16,000**

GEOTEK

Geotek Engineering Company, Inc. • 2909 Elizabeth Street • Nashville, Tennessee 37211-2302
(615) 833-0800 • Fax (615) 833-4097

April 20, 2006

City of Cookeville - Dept. of Engineering
P.O. Box 998
Cookeville, TN 38503-0998

ATTN: Greg Brown

SUBJ: Cave-Risk Assessment and Subsurface Study - Phase-2
Commerce Drive; Cookeville, Tennessee
@PN: 05-6195-A

Dear Mr. Brown:

Presented herein is our proposal to provide additional (Phase-2) geotechnical services for the above-referenced project. Thus far we have spent (for the Phase-1 effort) \$11,151 of the \$30,000 that we originally proposed. With this new Phase-2 proposal, we recommend that \$10,000 (or \$16,000) more be budgeted to complete the study, as explained below.

We propose to use a combination of conventional soil-SPT borings, air-track rock drillings, and test-pits to investigate the proposed alignment. We can also investigate both alternative-routes around the large sinkhole identified in the initial study. Our current field plan will include the following components:

1. Drill 15 to 20 soil-SPT borings, some of which will be located alongside the large sinkhole found in our Phase-1 study.
2. Drill 20 to 25 air-percussion (air-track) rock drill holes. Most of these will be drilled in the area where Tires-to-Spare Cave might pass below the alignment.
3. Open 10 to 15 test-pits. Most of these pits will be located around the 2 sinkholes identified in the Phase-1 study.

We have assumed that the City will provide the backhoe services and the air-track drill services. But we have priced this work should you want us to provide these services.

1. Soil-SPT Borings	\$ 3,500
2. Air-Track Drill Holes	By City (or \$4,000 by Geotek)
3. Test-Pits	By City (or \$2,000 by Geotek)
4. Study 2 nd Alignment (east of sinkhole)	\$ 2,600
5. Fieldwork, Analysis, and Report	\$ 4,000
Estimated Total =	\$10,000 (or up to \$16,000 for Items 2 & 3)

Sincerely,

GEOTEK ENGINEERING COMPANY, INC.



John Rami Mishu, P.E., P.G.

JRAM/REP/06.4105-A

**COOKEVILLE CITY COUNCIL
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Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve the preliminary & additional studies for the extension of Commerce Avenue (not to exceed \$16,000) 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:

Rick Woods, Leisure Services Director, announced the 2nd Annual Nature Fest (Earth Day Celebration) is April 21, 22 & 23 at Cane Creek Park and Pennebaker Hall at TTU.

There being no further business to discuss, Councilman Shelton made a motion, seconded by Vice-Mayor Qualls, to adjourn the meeting at 6:39 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

