COOKEVILLE CITY COUNCIL
SPECIAL CALLED SESSION
AUGUST 14, 2006
10:00 A.M.

The Council of the City of Cookeville met in special called session on Monday, August 14, 2006, at 10:00 a.m., in the Municipal Building, 45 East Broad Street. Mayor Womack gave invocation. Presentation of Colors by Color Guard/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 approve the agenda as submitted. 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 AUGUST 3, 2006

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.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O06-07-16, AMENDING SECTION 207 GENERAL SIGN REGULATIONS OF THE COOKEVILLE ZONING CODE

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve on second and final reading Ordinance #O06-07-16. 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:

CONSIDER ON FIRST READING ORDINANCE #O06-08-20, AMENDING THE BUDGETS OF THE VARIOUS FUNDS/DEPTS. OF THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2006

Mike Davidson, Finance Director, gave an overview of Ordinance #O06-08-20.

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve on first reading Ordinance #O06-08-20. 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 RESOLUTION #R06-08-13, REQUESTING THE TENNESSEE GENERAL ASSEMBLY ENACT LEGISLATION TO AMEND CHAPTER 223 OF THE PRIVATE ACTS OF 1961, AS AMENDED ESTABLISHING COMPENSATION FOR THE COUNCILMEN

Councilman Shelton recommended forming a Citizens Committee to review the revised Council Compensation.

Mayor Womack made a motion, seconded by Vice-Mayor Qualls, to adopt Resolution #R06-08-13. 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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CONSIDER RESOLUTION #R06-08-16, TO SUBMIT A GRANT APPLICATION TO TDOT ROADSCAPES AND COMMITTING TO THE TWENTY PERCENT MATCH

Councilman Shelton made a motion, seconded by Councilman Sallee, to adopt Resolution #R06-08-16. 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.

CONSIDER APPROVAL OF SETTLEMENT AGREEMENT RELATIVE TO CONDEMNATION OF PROPERTIES LOCATED AT 128, 132, 134A/B, 144 & 152 WEST 6TH STREET FOR CRMC

O'MARA & JOHNSON, P.L.L.C.
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Cookeville, Tennessee 38501

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Don O. Johnson

(931) 526-8812
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August 01, 2006

VIA HAND-DELIVERY

Mr. Jim Shipley
City Manager
City of Cookeville
P.O. Box 998
Cookeville, TN 38503

Re: City of Cookeville v. S. Michael Wells
Putnam County Circuit 06N0082

Dear Jim:

The Board of Trustees of Cookeville Regional Medical Center Authority authorized Paul Korth and me to continue negotiations with Dr. Michael Wells in an attempt to resolve this condemnation action. Dr. Wells' counsel and I have agreed to compromise and settle this suit by the payment by the Medical Center of an additional $243,156.00. Because the condemnation proceeding was brought in the name of the City of Cookeville, the Council must approve this additional expenditure in order to resolve this litigation.

Would you please place this matter on the agenda for the August 3, 2006 meeting?

Yours truly,

O'MARA & JOHNSON, P.L.L.C.

T. Michael O'Mara

Vice-Mayor Qualls made a motion, seconded by Councilman Sallee, to approve the settlement agreement for condemnation of properties for CRMC 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.

RECEIVE AND CONSIDER CERTIFIED ELECTION RETURNS FROM THE CITY COUNCIL ELECTION HELD ON AUGUST 3, 2006

8/10/2006 08:53:29

Election Summary Report

EMS

Putnam County, Tennessee
2006 State Primary and County General Election
Election Date: 8/3/2006

A- # OF Absentee Ballots	603	NUMBER OF PRECINCTS:	44
M- # OF Machine Ballots	13029	# OF PRECINCTS REPORTED:	44
P- # OF Provisional Ballots	53	# OF PRECINCTS NOT REPORTED:	0
PUBLIC COUNT: 13685		# OF PRECINCTS INCOMPLETE:	0
VOTER TURNOUT: 35.13%			

VOTES					
A	M	P	TOTAL	%	
VOTES= 287					Alderman City of Baxter
					VOTE FOR 2
1	129	0	130	45.30%	ROBERT VINSON
2	148	0	150	52.26%	RICHARD WALLER
0	5	0	5	1.74%	WRITE-IN
0	2	0	2	0.70%	WRITE-IN
VOTES= 18,826					City Council City of Cookeville
					VOTE FOR 5
62	1896	0	1958	10.40%	ALMA L. ANDERSON
28	1442	0	1470	7.81%	DONNIE S. COX
91	2592	0	2683	14.25%	JEAN C. DAVIS
23	1233	0	1256	6.67%	JOHN DONNELLY, JR.
41	1327	0	1368	7.27%	DANNY FRYE
15	543	0	558	2.96%	ALAN L. MAYNARD
33	1358	0	1391	7.39%	STEVEN D. QUALLS
62	2664	0	2726	14.48%	SAM SALLEE
87	2423	0	2510	13.33%	RICKY SHELTON
29	1501	0	1530	8.13%	RYAN WILLIAMS
28	1315	0	1343	7.13%	GUY ZIMMERMAN
0	26	0	26	0.14%	WRITE-IN
0	3	0	3	0.02%	WRITE-IN
0	2	0	2	0.01%	WRITE-IN
0	1	0	1	0.01%	WRITE-IN
0	1	0	1	0.01%	WRITE-IN

Councilman Davis made a motion, seconded by Councilman Sallee, to accept the August 3, 2006 Certified Election Returns. 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 FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No one spoke at this time.

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ADJOURN SINE DIE

Councilman Shelton made a motion, seconded by Councilman Sallee, to adjourn sine die. 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.

CALL TO ORDER
BY CITY CLERK

At this time, John Maddux, Circuit Judge of the 13th Judicial District, swore in the newly elected City Council.

Cathy McClain, City Clerk, called the roll. The following were present:

Councilman Sam Sallee
Councilman Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

CONSIDER APPROVAL OF
AGENDA AS PRESENTED

Councilman Davis made a motion, seconded by Councilman Anderson, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Councilman Sam Sallee
Councilman Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

ELECTION OF MAYOR – CONDUCTED
BY CITY CLERK

Councilman Shelton nominated Sam Sallee to be elected by acclamation for the position of Mayor. Upon call for a vote, the following voted aye:

Councilman Sam Sallee
Councilman Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

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ELECTION OF VICE-MAYOR

Councilman Anderson made a motion that Jean Davis be elected as Vice-Mayor by acclamation. Mayor Sallee moved that nominations cease. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Councilman Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

ANNOUNCEMENT OF MAYOR'S APPOINTMENT TO THE PLANNING COMMISSION

Mayor Sallee announced his appointment of Judy Jennings to the Planning Commission (presently Mayor's appointment).

CONSIDER APPOINTMENT OF COUNCIL'S REPRESENTATIVE TO SERVE ON PLANNING COMMISSION

Mayor Sallee made a motion, seconded by Councilman Shelton, to appoint Councilman Williams as the Council's representative on the Planning Commission. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

CONSIDER RESOLUTION #R06-08-14, COMMENDING MAYOR CHARLES WOMACK FOR SERVING ON THE CITY COUNCIL

Councilman Shelton made a motion, seconded by Councilman Anderson, to adopt Resolution #R06-08-14. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

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CONSIDER RESOLUTION #R06-08-15, COMMENDING VICE-MAYOR STEVE QUALLS FOR SERVING ON THE CITY COUNCIL

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adopt Resolution #R06-08-15. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that that motion carried.

There being no further business to discuss, Councilman Shelton made a motion, seconded by Councilman Anderson, to adjourn the meeting at 10:40 a.m. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

_____
Sam Sallee, Mayor

ATTEST:

_____
Cathy McClain, City Clerk