

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JANUARY 18, 2007
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, January 18, 2007, at 6:00 p.m., in the Putnam County Courthouse, 300 E. Spring Street. Mayor Sallee announced a moment of silent prayer. Pledge of Allegiance was led by Mayor Sallee. Mayor Sallee then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ryan Williams
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 Williams, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

CONSENT AGENDA:

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#O07-01-01, REZONING 761
BUFFALO VALLEY ROAD
FROM RS20 (SINGLE-
FAMILY RESIDENTIAL)
TO RM8 (MULTI-
FAMILY RESIDENTIAL)**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#O07-01-02, REZONING A
PORTION OF 777 SOUTH
WILLOW AVENUE FROM
R-10 (SINGLE-FAMILY
RESIDENTIAL) TO RS-5
(SINGLE-FAMILY
RESIDENTIAL)**

**SET A DATE FOR A PUBLIC
HEARING ON ORDINANCE
#O07-01-03, REZONING A
PORTION OF 1011 EAST
10TH STREET FROM RS-10
(SINGLE-FAMILY
RESIDENTIAL) TO CL
(LOCAL COMMERCIAL)**

**COOKEVILLE CITY COUNCIL
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Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve the consent agenda items public hearing date set for 2-15-07 at 6:00 p.m. Upon call for a vote, the following voted aye:

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

ABSTAINED: Councilman Ryan Williams

The City Clerk announced that the motion carried.

OLD BUSINESS:

**CONSIDER APPROVAL OF MINUTES
OF COUNCIL MEETING HELD ON
DECEMBER 21, 2006**

Councilman Williams made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Anderson. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O06-12-28,
AMENDMENTS TO THE
COOKEVILLE ZONING CODE**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve on first reading Ordinance #O06-12-28. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
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**CONSIDER ON FIRST READING
ORDINANCE #O07-01-04,
AMENDING TITLE 1, CHAPTER
2 OF THE COOKEVILLE
MUNICIPAL CODE,
ESTABLISHING A LEGAL
DEPARTMENT**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to approve on first reading Ordinance #O07-01-04. Upon call for a vote, the following voted aye:

Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton

NAY: Mayor Sam Sallee
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R07-01-01,
AMENDING THE POLICIES &
PROCEDURES MANUAL**

TO: City Council Members

FROM: Mike Davidson

DATE: January 16, 2007

SUBJECT: Amendment to the City of Cookeville Personnel Policies and Procedures Manual pertaining to the American Competitiveness and Corporate Accountability Act of 2002 (Sarbanes-Oxley Act) "Whistleblower"

This act, sponsored by Senator Paul Sarbanes and Representative Michael Oxley, represents the biggest change to federal securities law in a long time. It came as a result of the large corporate financial scandals involving Enron, WorldCom and others. All publicly traded companies are required to submit an annual report of the effectiveness of their internal accounting controls to the SEC. TVA is required to comply with this act and since Cookeville purchases power from TVA, we must also comply.

Part of the law requires that we have a Whistleblower Policy in place. This law requires employees to report and to assist in any investigation by City officials or law enforcement agency concerning matters involving a violation of law, or conditions or practice that would put the health or safety of any employee at risk.
The policy in its entirety is attached.

Councilman Anderson made a motion, seconded by Councilman Shelton, to adopt Resolution #R07-01-01. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R07-01-02,
AUTHORIZING APPLICATION AND
MATCHING FUNDS FOR CDBG
GRANT**

Mayor Sallee made a motion, seconded by Councilman Williams, to adopt Resolution #R07-01-02. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
MINUTES
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**CONSIDER REAPPOINTMENT
TO THE ZONING APPEALS
BOARD**

MEMORANDUM

TO: CITY COUNCIL MEMBERS
FROM: JAMES MILLS, PLANNING DIRECTOR
DATE: DECEMBER 29, 2006
SUBJECT: BOARD OF ZONING APPEALS MEMBERSHIP

The current term of Jane Flatt as a member of the Board of Zoning Appeals will expire on January 1, 2007. Members of the Board of Zoning Appeals serve three-year terms and are appointed by the Council.

Ms. Flatt has been contacted and has agreed to continue to serve if reappointed by the City Council. The Planning Department recommends for her reappointment.

If you have any questions or need further information please contact me at your convenience.

Councilman Anderson made a motion, seconded by Councilman Williams, to reappoint Ms. Jane Flatt to the Zoning Appeals Board for another three (3) year term. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER REAPPOINTMENTS
TO THE SEWER REGULATION
APPEALS BOARD**

MEMORANDUM

TO: City Council
City Manager
FROM: Ronnie J. Kelly, Director
DATE: January 9, 2007 *RJK*
SUBJ: Sewer Regulations Appeals Board

During the January 18th City Council meeting the City Council will need to appoint two members to the Sewer Regulations Appeals Board. The terms of Dennis George and Bob Vick expired in December.

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 Dennis George and Bob Vick be reappointed to the Board. Their terms would expire in December of 2009.

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

Councilman Shelton made a motion, seconded by Councilman Anderson, to reappoint Mr. Dennis George & Mr. Bob Vick to the Sewer Regulation Appeals Board for another three (3) year term. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
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JANUARY 18, 2007**

**CONSIDER APPROVAL OF
AMENDMENT TO THE
BANGHAM UTILITY
WATER DISTRICT
CONTRACT**

MEMORANDUM

TO: Jim Shipley, City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: January 3, 2007

SUBJ: Amendment to the Bangham Utility Water District's Contract

The Bangham Utility Water District has requested that their water allocation be increased from 20 million gallons of water per month to 30 million gallons per month. Bangham will exceed their 20 million gallon allotment, based on current usage trends, later this year. The requested increase is necessary due to the District's continued growth.

We have negotiated a contract amendment that addresses the District's need for an increase in allocation and the City's desire to obtain the rights to serve water to future annexed areas within the District's service boundary. We have attached the amendment for your review.

I will present this contract amendment to the Council during the next City Council meeting. Please review the contract amendment and call me with any questions that you may have.

Councilman Anderson made a motion, seconded by Councilman Williams, to approve the amendment to the Bangham Utility Water District Contract as requested. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF
CONTRACT FOR DESIGN
AND EQUIPMENT OF
AUDIO VISUAL
BROADCAST SYSTEM
FOR THE COUNCIL
CHAMBERS**

Councilman Shelton made a motion, seconded by Councilman Williams, to approve the contract with Technical Innovation, 1449 Donelson Pike, Nashville, TN in the amount of \$24,819.96 for the audio visual broadcast system. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
MINUTES
JANUARY 18, 2007**

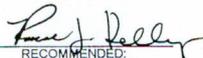
**CONSIDER AWARDING BID FOR
VEHICLES – WATER QUALITY
CONTROL DEPARTMENT**

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
VEHICLE BIDS

DATE OF BID OPENING 9-Jan-07 TIME: 10:00 A.M.
BIDS OPENED BY MARLIN HAGGARD
BIDS WITNESS BY STEVE SMITH, RONNIE KELLY, WHIT CARLEN, DON STOCKTON.

BIDDERS	Mid-Sized SUV
CARLEN MOTOR COMPANY	\$21,789.14
COOKEVILLE GMC	\$26,373.26
BILL BORUFF CHRYSLER	\$22,466.00
BILL HEARD CHEVROLET	\$21,294.00
CUMBERLAND CHRYSLER	N/B
HERITAGE FORD	\$20,288.00
EDD ROGERS VALLEY FORD	\$20,635.00
CUMBERLAND TOYOTA	N/B
COOKEVILLE NISSAN	\$26,314.00
CARDINAL CHRYSLER	\$21,101.36
GOSSETT MOTORS	N/B
TED RUSSELL FORD	\$20,194.00

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FOR TWO MID-SIZED SUV'S BE AWARDED TO -HERITAGE FORD- FOR THE FOLLOWING REASON:
LOCAL LOW BIDDER MEETING SPECIFICATIONS.


RECOMMENDED:
DEPARTMENT HEAD


APPROVAL:
CITY MANAGER


BUDGET AVAILABILITY:
FINANCE DIRECTOR

Councilman Anderson made a motion, seconded by Mayor Sallee, to award the vehicle bid as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR
VEHICLE – PUBLIC WORKS
DEPARTMENT**

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
VEHICLE BIDS

DATE OF BID OPENING 9-Jan-07 TIME: 10:00 A.M.
BIDS OPENED BY MARLIN HAGGARD
BIDS WITNESS BY STEVE SMITH, RONNIE KELLY, WHIT CARLEN, DON STOCKTON.

BIDDERS	Mid-Sized SUV
CARLEN MOTOR COMPANY	\$21,789.14
COOKEVILLE GMC	\$26,373.26
BILL BORUFF CHRYSLER	\$22,466.00
BILL HEARD CHEVROLET	\$21,294.00
CUMBERLAND CHRYSLER	N/B
HERITAGE FORD	\$20,288.00
EDD ROGERS VALLEY FORD	\$20,635.00
CUMBERLAND TOYOTA	N/B
COOKEVILLE NISSAN	\$26,314.00
CARDINAL CHRYSLER	\$21,101.36
GOSSETT MOTORS	N/B
TED RUSSELL FORD	\$20,194.00

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FOR ONE MID-SIZED SUV BE AWARDED TO -HERITAGE FORD- FOR THE FOLLOWING REASON:
LOCAL LOW BIDDER MEETING SPECIFICATIONS.


RECOMMENDED:
DEPARTMENT HEAD


APPROVAL:
CITY MANAGER


BUDGET AVAILABILITY:
FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL
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Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to award the vehicle bid as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BIDS FOR
PAVING, ASPHALT & COLD MIX
- PUBLIC WORKS DEPARTMENT**

**CITY OF COOKEVILLE
BID TABULATION RECORD
SEMI-ANNUAL CONTRACT FOR PAVING**

DEPARTMENT: Public Works
BIDS OPENED BY: Greg Brown
OPENING WITNESSED BY: Debbie Swallow
DATE OF BID OPENING: January 11, 2007
TIME OF BID OPENING: 10:00 AM

BIDDERS	COMPLETE IN PLACE								CITY PICK UP	
	GRADE D	E	F	A	B	C	C-W	B-MOD	411 E	COLD MIX
HIGHWAYS, INC	\$ 55.20	\$ 50.40	\$ 55.20	\$ 45.40	\$ 45.40	\$ 46.80	\$ 50.40	\$ 46.80	\$ 42.00	\$ 54.00
LOJAC	\$ 56.50	\$ 51.00	\$ 58.00	\$ 45.00	\$ 45.00	\$ 48.50	\$ 50.00	\$ 48.50	\$ 45.00	\$ 53.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM HIGHWAYS, INC. (COMPLETE IN PLACE ITEMS & 411E)
LOJAC - (COLD MIX)

BE AWARDED FOR THE FOLLOWING REASON: LOW EVALUATED BIDDER

[Signature]
RECOMMENDED: DEPT. DIRECTOR

[Signature]
BUDGET AVAILABILITY: FINANCE DIRECTOR

[Signature]
APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Williams, to award the paving, asphalt & cold mix bids as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BID FOR
CATERING FOR FATHER/
DAUGHTER DATE NIGHT –
LEISURE SERVICES DEPT.**

**CITY OF COOKEVILLE
TABULATION SCHEDULE**

Full Catered Meal 3 Nights - Father Daughter Date Night

DATE OF BID OPENING: Friday, January 5, 2007	Time: 10:00 a.m.
BIDS OPENED BY: Rick Woods	
BIDS WITNESSED BY: Janice Myers	
DEPARTMENT: Leisure Services & Public Facilities	

	Per Person	Total
		(based on 350 per night for 3 nights)
1. Crawdaddy's West Side Grill	\$12.00 (inclusive)	\$12,600.00
2. Vinnie T's	\$6.99 (inclusive)	\$7,338.00
3. Grade A Catering	\$8.59	\$15,025.50
	(plus linens, flatware, servers, etc)	

We, the undersigned, do hereby recommend the bid from Vinnie T's for the following reason:

[Signature]
RECOMMENDED: DEPARTMENT DIRECTOR

[Signature]
BUDGET: FINANCE DIRECTOR

[Signature]
APPROVAL: CITY MANAGER

**COOKEVILLE CITY COUNCIL
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Councilman Shelton made a motion, seconded by Councilman Anderson, to award the catering bid as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

HEARING FROM OFFICERS, COUNCILMEN & CITY MANAGER:

**REPORT ON APPOINTMENT
TO THE PLANNING
COMMISSION**

Mayor Sallee announced his reappointment of Mr. Tod Williams to the Planning Commission.

HEARING OF CITIZENS AND/OR DELEGATIONS:

Mayor Sallee announced that Nashville & Eastern Railroad is currently working on installing a railway from Algood to Monterey, TN.

Vice-Mayor Davis announced that the Tennessee Municipal League will hold a meeting at the Leslie Town Centre tomorrow at 11:30 a.m.

There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:30 p.m. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

Sam Sallee, Mayor

ATTEST:

Cathy McClain, City Clerk