COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 7, 2007
6:00 P.M.

The Council of the City of Cookeville met in regular session on Thursday, June 7, 2007, at 6:00 p.m., in the Municipal Building, 45 East Broad 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 Anderson, 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.

RECOGNIZE COOKEVILLE HIGH SCHOOL LACROSSE TEAM

Mayor Sallee read the following:

PROCLAMATION

Whereas, the sport of lacrosse was introduced to the Cookeville community in 2002 and expanded to Cookeville High School in 2004, and

Whereas, the 2007 Cookeville High School boys lacrosse team won their first Tennessee Scholastic Lacrosse Association Region Championship with an undefeated 5-0 record in the East Region, and

Whereas, the team advanced to the State Championship game and capped an outstanding season finishing as runners-up in the state in Division II, and

Whereas, five members of the CHS team were recognized with all-state honors for their outstanding play in 2007, and

Whereas, under the leadership and direction of program founder and head coach Kurt Snider, the Cookeville High School lacrosse program has progressed to the level of state prominence in just four years,

Now therefore, I, Sam Sallee, Mayor of the City of Cookeville, do hereby proclaim these athletic achievements worthy of recognition and commend Coach Snider and the Cookeville High School lacrosse team for outstanding play and sportsmanship and for the recognition their achievements have brought to Cookeville High School and this community.

This 7th day of June, 2007.

_____
Sam Sallee, Mayor

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 7, 2007

RECOGNIZE CAST/CREW OF ESCANABA IN DA MOONLIGHT FOR THEATRE AWARDS

Mayor Sallee read the following:

PROCLAMATION

Whereas; the Cookeville Drama Center is a performing arts center serving the citizens of Cookeville and the Upper Cumberland, and

Whereas; the Cultural Arts Division of the Department of Leisure Services consistently produces high quality productions as part Drama Center Backstage Series, and

Whereas; the Backstage series has won numerous awards at the state and regional levels representing the City of Cookeville and the State of Tennessee and

Whereas; the recent Backstage production of Escanaba in Da Moonlight has been selected as one of twelve productions from across the nation to perform in national competition as part of the American Association of Community Theatres Festival in Charlotte, NC on June 20, 2007.

Now, Therefore, I, Sam Sallee, Mayor of the City of Cookeville do hereby recognize the Cast and Production crew of the Backstage production, Escanaba in Da Moonlight, for their awards and achievements and commend all involved for the contributions they have made to the local, regional, and national arts community.

This 7th day of June, 2007.

_____
Sam Sallee, Mayor

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON MAY 17, 2007

Vice-Mayor Davis 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 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 #O07-06-12, ANNEXATION OF BUNKERHILL ROAD/ LOVELADY ROAD AREA, & RESOLUTION #R07-06-06, ADOPTING A PLAN OF SERVICES FOR SAME

SET A DATE FOR A PUBLIC HEARING ON ORDINANCE #O07-06-13, AMENDMENTS TO SECTION 208, LANDSCAPING, SCREENING AND BUFFER YARD REQUIREMENTS OF THE COOKEVILLE ZONING CODE

Mayor Sallee set the public hearing date for July 5, 2007, at 6:00 p.m.

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the consent agenda as presented. 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:

CONSIDER ON FIRST READING ORDINANCE #O07-06-17, AMENDING TITLE 18, CHAPTERS 1 & 2 OF THE COOKEVILLE MUNICIPAL CODE, RELATIVE TO WATER/SEWER RATE INCREASE

Ronnie Kelly, Water Quality Control Director, explained to the Council that the new water/sewer rate increase is still under the state average.

After a lengthy discussion, Councilman Williams made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O07-06-17. 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 #R07-06-07, RELATIVE TO AN INCREASE IN RETAIL ELECTRIC RATES

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adopt Resolution #R07-06-07. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O07-06-14, PROVIDING A TAX LEVY FOR THE 2007-2008 FISCAL YEAR

Mike Davidson, Finance Director, gave a detailed report.

Councilman Anderson made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #O07-06-14. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O07-06-15, AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID TO PUBLIC SERVICE, NON-PROFIT, AND CHARITABLE ORGANIZATIONS FOR THE 2007-2008 FISCAL YEAR

Mike Davidson, Finance Director, gave a detailed report.

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve on first reading Ordinance #O07-06-15. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O07-06-16, MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, AND AGENCIES OF THE CITY OF COOKEVILLE, TENNESSEE FOR THE 2007-2008 FISCAL YEAR

Mike Davidson, Finance Director, gave a detailed report.

Councilman Shelton made a motion, seconded by Councilman Williams, to approve on first reading Ordinance #O07-06-16 & request John Kendrick, Fire Chief, to seek three (3) used command type vehicles to present to the Council before the 2nd reading of Ordinance #O07-06-16. 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 #R07-06-08, AUTHORIZING THE ELECTRIC DEPARTMENT TO PROCEED WITH PROVIDING ELECTRIC POWER TO RESIDENTS ANNEXED IN 2000 THROUGH 2002

Councilman Shelton made a motion, seconded by Councilman Anderson, to adopt Resolution #R07-06-08. 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 RATIFICATION OF PRIVATE CHAPTER NO. 45, *PRIVATE ACTS OF 2007,* HOUSE BILL NO. 2394 ENACTED BY THE 105TH GENERAL ASSEMBLY, WHICH AMENDS CHAPTER 223 OF THE PRIVATE ACTS OF 1961 AND ANY OTHER ACTS AMENDATORY THERETO, RELATIVE TO THE CHARTER FOR THE CITY OF COOKEVILLE

Mike O'Mara, City Attorney, requested adding the following language to items 13 & 14 *"Private Acts of 2007" – proceeding " Private Chapter No. 45 & 31".*

Councilman Shelton made a motion, seconded by Councilman Williams, to ratify Private Chapter No. 45, Private Acts of 2007, House Bill No. 2394 as enacted by the 105th General Assembly. 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 RATIFICATION OF PRIVATE CHAPTER NO. 31, *PRIVATE ACTS OF 2007,* HOUSE BILL NO. 2364 ENACTED BY THE 105TH GENERAL ASSEMBLY, WHICH AMENDS CHAPTER 49 OF THE PRIVATE ACTS OF 1999, AND ANY OTHER ACTS AMENDATORY THERETO, RELATIVE TO THE COOKEVILLE REGIONAL MEDICAL CENTER

Mayor Sallee & Councilman Anderson requested adding language to read 49% maximum physicians to serve on the CRMC Board of Trustees. After some discussion, Mayor Sallee & Councilman Anderson agreed to reconsider at a later date, a diverse panel of slotted positions to serve on the CRMC Board of Trustees.

Vice-Mayor Davis made a motion, seconded by Councilman Williams, to ratify Private Chapter No. 31, Private Acts of 2007, House Bill No. 2364 as enacted by the 105th General Assembly. 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 AUTHORIZING THE CITY MANAGER TO ENTER INTO CONDEMNATION PROCEEDINGS RELATIVE TO FAIRGROUND LANE IMPROVEMENTS

Jim Shipley, City Manager, advised the Council that only 3 parcels out of the 42 parcels involved in the Fairground Lane Improvement Project need to be condemned.

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to authorize the City Manager to enter into condemnation proceedings relative to the Fairground Lane Improvement Project. 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 BIDS FOR TRANSFORMERS, LIGHTS & WOOD POLES – ELECTRIC DEPT.

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 7, 2007

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07050202

DATE OF BID OPENING: 5/16/2007 TIME: 2:30 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Johnny Brewington
DEPARTMENT: Electric

BIDDERS	300 Kva Pad. Transformer			500 Kva Pad. Transformer				
QTY	2	evaluated cost		1	evaluated cost			
Wesco	$ 10,712.00 $ 21,424.00	$ 18,926.14		$ 15,008.70 $ 15,008.70	$ 26,962.16			
Stuart Irby	$ 13,670.00 $ 27,340.00	$ 22,262.08		$ 19,108.00 $ 19,108.00	$ 32,023.67			
HD Supply	$ 11,800.00 $ 23,600.00	$ 19,656.59		$ 15,246.00 $ 15,246.00	$ 26,954.39			
Power Supply	**$ 10,209.00 $ 20,418.00**	**$ 17,431.05**		**$ 12,694.00 $ 12,694.00**	**$ 23,940.73**			

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Power Supply

BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs.

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07050203

DATE OF BID OPENING: 5/16/2007 TIME: 3:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Johnny Brewington
DEPARTMENT: Electric

BIDDERS	item 1 250/400 WMH Floodlight		item 2 250/400 WHPS Off Roadway Light					
QTY	24		18					
Wesco	$ 190.58 $ 4,573.92		$ 387.30 $ 6,971.40					
Stuart Irby	**$ 188.88 $ 4,533.12**		$ 394.66 $ 7,103.88					

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM item 1 Stuart Irby item 2 Wesco

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07050201

DATE OF BID OPENING: 5/16/2007 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Johnny Brewington
DEPARTMENT: Electric

BIDDERS	30' CL 5 Wood Pole		45' CL 3 Wood Pole		50' CL 2 Wood Pole			
QTY	37		29		11			
North Pacific	**$ 131.00 $ 4,847.00**		**$ 335.00 $ 9,715.00**		**$ 443.00 $ 4,873.00**			
Baldwin Pole	$ 134.00 $ 4,958.00		$ 351.00 $ 10,179.00		$ 469.00 $ 5,159.00			
Thomasson Lumber	$ 133.90 $ 4,954.30		$ 341.40 $ 9,900.60		$ 454.00 $ 4,994.00			

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM North Pacific

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs

RECOMMENDED: DEPT. HEAD APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Shelton, to award the Electric Department 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 AWARDING BID FOR BUNKERHILL ROAD SANITARY SEWER PROJECT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL

BUNKERHILL ROAD AREA SANITARY SEWER PROJECT

DATE OF BID OPENING: 31-May-07 — TIME: 10:00 A.M.
BIDS OPENED BY: BARRY K TURNER
BIDS WITNESS BY: CAREY VAUGHN

BIDDERS	TOTAL BID			
ELK MOUNTAIN CONSTRUCTION CO., INC.	$1,323,258.00			
J & H CONSTRUCTION, INC.	**$1,055,692.00**			
J & S CONSTRUCTION CO., INC.	$1,793,462.00			
LOFTIS UNDERGROUND	DNB			
MAYSE CONSTRUCTION CO	DNB			
NORRIS BROTHERS EXCAVATING	DNB			
PARRIS CONSTRUCTION, INC.	$1,424,280.00			

DNB - Did Not Bid

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - J & H CONSTRUCTION, INC.
BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS

RECOMMENDED: DEPARTMENT HEAD

APPROVAL: CITY MANAGER

BUDGET AVAILABILITY: FINANCE DIRECTOR

Councilman Shelton made a motion, seconded by Councilman Anderson, to award the Bunkerhill Road Sanitary Sewer Project 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.

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 7, 2007

HEARING OF CITIZENS AND/OR DELEGATIONS:

Councilman Williams commended the Cookeville Fire Department for receiving the #2 ISO Rating which decreased his premium on his homeowner's insurance!! (Cookeville, Memphis & Chattanooga are the only cities in Tennessee with this excellent rating).

Mayor Sallee announced that he will be out-of-town for the June 21st council meeting.

There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:42 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