

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JULY 19, 2007
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, July 19, 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 Ricky Shelton
Councilman Ryan Williams

Also present: Jim Shipley, City Manager; Cathy McClain, City Clerk; and Dan Rader, City Attorney.

**CONSIDER APPROVAL OF
AGENDA AS PRESENTED**

Councilman Shelton made a motion, seconded by Councilman Anderson, to amend the agenda by deleting item 2 – consider approval of minutes of council meeting held on July 5, 2007; moving item 6 – consider Resolution #R07-07-10 to item 2 & moving items 4 & 5 before item 3. 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 #R07-07-10,
EXPRESSING APPRECIATION TO
MIKE O'MARA FOR HIS YEARS
OF SERVICE TO THE CITY
OF COOKEVILLE**

Mayor Sallee read the following resolution & presented Mike O'Mara with a plaque from the City of Cookeville:

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF COOKEVILLE, TENNESSEE, COMMENDING T. MICHAEL O'MARA FOR OUTSTANDING SERVICE TO THE CITY OF COOKEVILLE, TENNESSEE

RESOLUTION NUMBER: R07-07-10
REQUESTED BY: CITY COUNCIL
PREPARED BY: GAIL FOWLER
APPROVED AS TO FORM AND CORRECTNESS:

(City Attorney)

ADOPTED _____
MINUTE BOOK _____ PAGE _____

WHEREAS, T. Michael O'Mara has faithfully served the City of Cookeville as City Attorney since he was appointed to the position on July 6, 1995; and

WHEREAS, what began as a two-year term resulted in a twelve year commitment of devoted service; and

WHEREAS, Mr. O'Mara's love for this city has always been evident in his dedication to his position as city attorney, most likely at times at the expense of his private practice; and

WHEREAS, Mike's legal experience has been a tremendous asset to the city over the years and in addition to being a City Attorney, he is also considered a friend.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF COOKEVILLE, TENNESSEE that on behalf of the citizens and employees of the City of Cookeville, deepest appreciation is hereby extended to T. Michael O'Mara for his many years of service to the citizens of this great city, and that the City's best wishes are hereby extended to Mr. O'Mara in his private practice.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this resolution shall be duly recorded and filed in the City Clerk's office.

Adopted, this the 19th day of July, 2007.

Mayor Sam Sallee

ATTEST:

City Clerk Cathy McClain

**COOKEVILLE CITY COUNCIL
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Councilman Shelton made a motion, seconded by Councilman Anderson, to adopt Resolution #R07-07-10. 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.

OLD BUSINESS:

**CONSIDER ON SECOND AND
FINAL READING ORDINANCE
#O07-06-13, AMENDMENTS TO
SECTION 208, LANDSCAPING,
SCREENING AND BUFFER
YARD REQUIREMENTS
OF THE COOKEVILLE
ZONING CODE**

Councilman Williams made a motion, seconded by Councilman Anderson, to approve on second and final reading Ordinance #O07-06-13. 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 ON SECOND AND FINAL
READING ORDINANCE #O07-07-20,
CLOSING AND ABANDONING AS
A PUBLIC STREET A PORTION OF
PALKWAY DRIVE**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to approve on second and final reading Ordinance #O07-07-20. 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER ON SECOND AND FINAL
READING ORDINANCE #O07-05-11,
REZONING A PORTION OF
THE PROPERTY AT 699
SOUTH WILLOW AVENUE
FROM RS-10 (SINGLE-FAMILY
RESIDENTIAL) TO CG
(GENERAL COMMERCIAL)**

James Mills, City Planner, announced that the Planning Commission approved the Landscape Plans today.

The following letter of intent was submitted by Kim Blaylock, County Executive:



July 13, 2007

Dear Jim:

This letter will serve as documentation of the county's intent for the development of the Willow Avenue property we plan to purchase for the relocation of the EMS and Health Departments. The property will have deed restrictions that have a set back of approximately 150 feet on the north side of the property which is bordered by Lone Oak. The set back on the west side, which borders the subdivision, will be 100 feet.

Berms of the appropriate height will be constructed on the north and west sides of the property. These berms will be constructed and landscaped in an effort to protect the property owners in the area from any noise and provide a more aesthetic appearance for our neighbors. This buffer zone will always be greenspace.

We will have an access into the property from Lone Oak to the EMS facility. However, this access will be gated and only used in case of emergency. I appreciate the cooperation the City has given to us on this project and assure you that this will be a facility that both the City and County will be proud of when complete. If you have any further questions, please, feel free to contact me.

Sincerely,

Kim Blaylock, County Executive

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve on second and final reading Ordinance #O07-05-11 – to be effective upon the purchase of property by Putnam County. 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.

The Council thanked the Putnam County Commission; Kim Blaylock, County Executive; Peter Metts, Architect/his Staff & Randy Porter, Director of Putnam Co. EMS, for their cooperation in this matter.

**COOKEVILLE CITY COUNCIL
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NEW BUSINESS:

**CONSIDER RESOLUTION #R07-07-11,
ADOPTING THE PUTNAM COUNTY
MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adopt Resolution #R07-07-11. 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.

**HOLD A PUBLIC HEARING
AND CONSIDER ON FIRST
READING ORDINANCE
#O07-07-21, ADJUSTING
RATE OF COMPENSATION
FOR CITY COUNCIL**

Jim Shipley, City Manager, explained that the Citizen's Committee that reviewed the City Charter (Dec. 2006) recommended an increase in compensation for a total of \$500.00 a month each for the Councilmen/Vice-Mayor & \$750.00 a month for the Mayor.

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O07-07-21. 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.

Councilman Shelton stated that this was hard to approve their own increases, but plans can be made for the future city councils to approve the increases prior to a new incoming city council, if recommended by the Citizen's Committee. The remainder of the council concurred.

**HOLD A PUBLIC HEARING
AND CONSIDER ON FIRST
READING ORDINANCE
#O07-06-12, ANNEXATION
OF BUNKERHILL ROAD/
LOVELADY ROAD AREA,
AND RESOLUTION
#R07-06-06, ADOPTING
A PLAN OF SERVICES
FOR SAME**

**COOKEVILLE CITY COUNCIL
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Councilman Anderson made a motion, seconded by Councilman Williams, to approve on first reading Ordinance #O07-06-12, and adopt Resolution #R07-06-06. 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.

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O07-06-18,
REZONING 2160 DENTON
AVENUE FROM RM8 (MULTI-
FAMILY RESIDENTIAL)
TO RM14 (MULTI-FAMILY
RESIDENTIAL). (THE
COOKEVILLE PLANNING
COMMISSION DENIED
ON 12-18-05 & 5-21-07.
CHARLIE SOARD IS
APPEALING THE
DECISION)**

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O07-06-18.

Tony Kennedy spoke for Charlie Soard, owner of property, explaining their plans to build 20 more units, will brick & add fences, etc. including deed restrictions.

Councilman Shelton made a motion to amend the original motion to submit the request for rezoning of 2160 Denton Avenue to RM14 back to the Planning Commission for review. This motion died due to the lack of a second.

After a lengthy discussion, Councilman Shelton made a motion, seconded by Mayor Sallee, to amend the motion to approve on first reading & request a compromise be presented to the City Council no later than 8-16-07. Upon call for a vote on the amendment to the motion, the following voted aye:

Mayor Sam Sallee
Councilman Alma Anderson
Councilman Ricky Shelton

NAY: Vice-Mayor Jean Davis
Councilman Ryan Williams

The City Clerk announced that the amendment to the motion carried.

Upon call for a vote on the motion as amended, the following voted aye:

Mayor Sam Sallee
Councilman Alma Anderson
Councilman Ricky Shelton

NAY: Vice-Mayor Jean Davis
Councilman Ryan Williams

The City Clerk announced that the amended motion carried.

**COOKEVILLE CITY COUNCIL
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**HOLD A PUBLIC HEARING
AND CONSIDER ON FIRST
READING ORDINANCE
#007-06-19, REZONING
805 NORTH WHITNEY
AVENUE FROM UNV
(UNIVERSITY) TO CL
(LOCAL COMMERCIAL)
(THE COOKEVILLE
PLANNING COMMISSION
DENIED ON 5-21-07. JUDY
NGUYEN IS APPEALING
THE DECISION)**

James Mills, City Planner, explained to the council that TTU is concerned about the encroachment on the UNV Zone. The UNV Zone is in the Long Range Plan. Mr. Mills recommended keeping this area in the University District.

Councilman Anderson made a motion, seconded by Councilman Williams, to approve on first reading Ordinance #007-06-19.

Judy Nguyen, owner requesting rezoning, explained that she wishes to build five (5) two (2) bedroom units instead of the three (3) four (4) bedroom units stated as approved in the UNV Zone.

Upon call for a vote on the motion, the following voted:

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

The City Clerk announced that the motion failed.

**CONSIDER APPOINTMENT
TO THE COOKEVILLE
REGIONAL MEDICAL
CENTER BOARD OF
TRUSTEES**

Mayor Sallee nominated Paul Swallows to the CRMC Board of Trustees, due to the term of John Story expiring.

Councilman Shelton made a motion, seconded Councilman Anderson, to cease nominations and elect Mr. Paul Swallows to the CRMC Board of Trustees, for a seven (7) year term, by acclamation. 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER APPOINTMENT
TO THE UPPER CUMBERLAND
REGIONAL LIBRARY BOARD**



Putnam County Library System

50 E. Broad Street • Cookeville, TN 38501-3210
Phone: (931) 526-2416 • Fax: (931) 372-8517

July 16, 2007

Sam Sallee, Mayor
45 E. Broad St.
Cookeville, TN 38501

Dear Mayor Sallee:

Connie Albrecht's term on the Upper Cumberland Regional Library Board expired in June 2007. The Putnam County Library Board recommends Marla Williams to replace Mrs. Albrecht for a three year term.

Sincerely,

Diane Duncan
Library Director

Mayor Sallee concurred with the recommendation of Marla Williams to the Upper Cumberland Regional Library Board, due to the term of Connie Albrecht expiring.

Vice-Mayor Davis made a motion, seconded Councilman Anderson, to cease nominations and elect Marla Williams by acclamation. 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 REAPPOINTMENT
TO THE ENVIRONMENTAL
APPEALS BOARD**

MEMORANDUM

TO: Jim Shipley
City Council Members
FROM: Greg Brown 
DATE: July 10, 2007
SUBJ: July 19, 2007 City Council Agenda Item

Consider reappointing Kay Starkweather to a five year term on the Environmental Appeals Board.

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to reappoint Kay Starkweather to the Environmental Appeals Board for a five (5) year term. 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.

**COOKEVILLE CITY COUNCIL
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**CONSIDER AUTHORIZING THE
CITY MANAGER EXECUTE
ENGINEERING CONTRACT
AND ACQUIRE THE
PROPERTY FOR HUDGENS
CREEK INTERCEPTOR
SEWER LINE & PUMPING
STATION**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly *RJK*
Director

DATE: July 12, 2007

SUBJ: Engineering Contract – Hudgens Creek Interceptor Sewer Line
& Pumping Station

During the next City Council meeting I will be presenting an Engineering Contract from Consolidated Technologies, Inc., to design the relocation of the Honey Brook Pumping Station and the sanitary sewer interceptor improvements necessary for that relocation.

The pumping station relocation and additional interceptor sewer will be the first phase in providing sewer service to this area of the City. This project will also provide the needed infrastructure to receive sanitary sewer from the development planned around the 5th interchange when that project is completed. The total estimated cost of this engineering contract is \$298,000.

I am comfortable with the price and conditions of the contract and would recommend that the City Council authorize the City Manager to enter into the engineering contract and acquire the property needed for this project.

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

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to authorize the City Manager to execute engineering contract and acquire the property for the Hudgens Creek Interceptor Sewer Line & Pumping Station as recommended. 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 APPROVAL OF
SEWER LINE COST-SHARING
AGREEMENT**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly *RJK*
Director

DATE: July 12, 2007

SUBJ: Sewer Line Cost-Share Agreement

During the next City Council meeting I will be presenting a sewer line cost-sharing agreement with Jason Gaw. Mr. Gaw has developed a tract of property on North Dixie Avenue and has requested that our department share in the cost of the sewer infrastructure along North Dixie Avenue. I have included a copy of this agreement for your review and will discuss the details during the Council meeting.

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

**COOKEVILLE CITY COUNCIL
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Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the sewer line cost-sharing agreement with Jason Gaw (commercial property located at Dixie Avenue & Kenway) for the city expenditure of \$11,471.78. 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 AWARDING BID FOR
POWDERED ACTIVATED CARBON
- WATER QUALITY CONTROL
DEPARTMENT**

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
POWDERED ACTIVATED CARBON
WATER TREATMENT PLANT

DATE OF BID OPENING July 11, 2007
BIDS OPENED BY BONNIE TINCH
BIDS WITNESS BY PAULINE WHITESIDE

TIME 10:00 A.M.

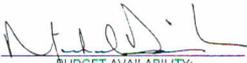
BIDDERS	CARBON-99% 100 SIEVE	CARBON-95% - 100 SIEVE 80						
BRENTAG MID-SOUTH	DNB							
CALGON CARBON CORP	DNB							
CAMERON CARBON, IAC	DNB							
CARBOCHEM, INC.	DNB							
CARBON ACTIVATED CORP	DNB							
CARBON ENTERPRISE	DNB							
CARBON LINK	DNB							
DYCHO CO., INC.	DNMS							
JACOBI CARBONS	DNB							
MEADWESTVACO	\$0.90/LB.	\$0.80/LB.						
NORIT AMERICANS INC	DNB							
PICA, INC	DNB							
AWARD BID TO -----		MEAD WESTVACO						

DNB-Did Not Bid
DNBS-Did Not Meet Specs

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID TO MEAD WESTVACO BE AWARDED FOR THE FOLLOWING REASON: LOW BID SUBMITTED.


RECOMMENDED:
DEPARTMENT HEAD


APPROVAL
CITY MANAGER


BUDGET AVAILABILITY:
FINANCE DIRECTOR

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to award the powdered activated carbon bid as recommended. 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.

HEARING OF CITIZENS AND/OR DELEGATIONS:

No one spoke at this time.

**COOKEVILLE CITY COUNCIL
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There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:32 p.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