

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
OCTOBER 4, 2007
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, October 4, 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 Lane Moore, serving as 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 Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**RECOGNIZE THE TTU
SOFTBALL TEAM**

PROCLAMATION

Whereas, the Tennessee Tech Softball Team went 50-19 in 2007, making this their second consecutive 50 win season;

Whereas, this Golden Eagle team won the Ohio Valley Conference regular season championship with a record of 20-5; and

Whereas, by winning the OVC tournament (the 4th Championship in five years) and advancing to the NCAA Regional tournament in Tuscaloosa, Alabama, and making it to the Regional final, brought national attention to TTU and this community as viewers around the nation watched on ESPN2; and

Whereas, six players received all OVC honors, two received all Region honors, one was named an Academic All-American and two were named Academic All-Region for their outstanding play in 2007, and

Whereas, under the leadership and direction of head coach Tory Acheson and his wife, Terry, the TTU Softball Team has become a strong program, academically and athletically.

Now therefore, I, Sam Sallee, Mayor of the City of Cookeville, do hereby proclaim these athletic achievements worthy of recognition and commend Coach Acheson and the Tennessee Tech Softball Team for outstanding play and sportsmanship, the recognition their achievements have brought to TTU and this community, and bestow congratulations for being Nationally ranked in the final two polls of the 2007 season.

This 4th day of October, 2007.

Sam Sallee, Mayor

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

CONSENT AGENDA:

**SET A DATE (10-18-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-10-27,
AMENDING THE COOKEVILLE
ZONING CODE PERTAINING
TO SECTION 220, CN
(NEIGHBORHOOD
COMMERCIAL) FOR THE
PURPOSE OF INCREASING
THE MAXIMUM SQUARE
FOOTAGE OF DEVELOPMENTS
FROM 10,000 TO 15,000 SQUARE
FEET OF TOTAL FLOOR SPACE**

**SET A DATE (10-18-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-10-28,
REZONING 900 NORTH
WASHINGTON AVENUE
FROM RS-10 (SINGLE-FAMILY
RESIDENTIAL) TO CN
(NEIGHBORHOOD COMMERCIAL)
AND 990 NORTH WASHINGTON
AVENUE FROM CL (LOCAL
COMMERCIAL) TO CN
(NEIGHBORHOOD COMMERCIAL)**

**SET A DATE (11-1-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-10-29,
REZONING 28, 38, 48 & A VACANT
LOT ON EAST BORDEN STREET
& 383, 389 & 395 HIGHLAND
AVENUE FROM RM8 (MULTI-
FAMILY RESIDENTIAL) TO CL
(LOCAL COMMERCIAL)**

**SET A DATE (11-1-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-10-30,
REZONING A PORTION OF 777
SOUTH WILLOW AVENUE FROM
RS5 (SINGLE-FAMILY
RESIDENTIAL) TO CG (GENERAL
COMMERCIAL) AND RS15
(SINGLE-FAMILY RESIDENTIAL)**

**SET A DATE (11-1-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-10-31,
AMENDING THE COOKEVILLE
ZONING CODE PERTAINING
TO SECTION 207, GENERAL
SIGN REGULATIONS FOR THE
PURPOSE OF ALLOWING OFF-
PREMISE SIGNS ALONG THE
CORRIDOR OF I-40 AND HWY
111 TO MEET CERTAIN
TENNESSEE DEPARTMENT OF
TRANSPORTION REQUIREMENTS**

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

**CONSIDER AWARDING BIDS FOR
SWITCHGEARS & TRANSFORMERS –
ELECTRIC DEPARTMENT**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07073101**

DATE OF BID OPENING: 8-14-2007 TIME: 2:00 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Ed Greenwell
 DEPARTMENT: Electric

BIDDERS	QTY	item 1	item 2				
		14.4 Kv PMH3 Switchgear 3	15.5 Kv VISTA Switchgear 2				
HD Supply		\$ 4,650.00 \$ 13,950.00	\$ 18,600.00 \$ 37,200.00				
Stuart Irby		\$ 4,797.00 \$ 14,391.00	\$ 18,229.00 \$ 36,458.00				
Wesco		\$ 4,725.81 \$ 14,177.43	No Bid				

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM item 1 item 2
HD Supply Stuart Irby
 BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs
 RECOMMENDED: DEPT. HEAD [Signature] APPROVAL: CITY MANAGER [Signature]

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07090401**

DATE OF BID OPENING: 9/18/2007 TIME: 2:00 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: John Brewington
 DEPARTMENT: Electric

BIDDERS	QTY	item 1		item 2		item 3	
		25 Kva Csp Transformer 16	evaluated cost	25 Kva Pad Transformer 12	evaluated cost	100 Kva Pad Transformer 2	evaluated cost
HD Utilities		\$ 1,032.00 \$ 16,512.00	\$ 1,667.40	\$ 1,642.00 \$ 19,704.00	\$ 2,335.71	\$ 2,896.00 \$ 5,792.00	\$ 4,894.44
Harris Electric		\$ 857.00 \$ 13,712.00	\$ 1,511.43	\$ 1,291.00 \$ 15,492.00	\$ 2,037.13	\$ 2,549.00 \$ 5,098.00	\$ 4,612.60
Deco Supply		\$ 773.00 \$ 12,368.00	\$ 1,458.93	\$ 1,225.00 \$ 14,700.00	\$ 1,967.40	\$ 2,319.00 \$ 4,638.00	\$ 4,855.79
Wesco		\$ 919.00 \$ 14,704.00	\$ 1,597.93	\$ 1,919.00 \$ 23,028.00	\$ 2,682.22	\$ 3,574.00 \$ 7,148.00	\$ 5,711.14
Stuart Irby (Central Maloney)		\$ 1,116.00 \$ 17,856.00	\$ 1,840.66	\$ 1,247.00 \$ 14,964.00	\$ 1,974.94	\$ 2,813.00 \$ 5,626.00	\$ 4,915.34
Stuart Irby (Howard)		\$ 1,005.00 \$ 16,080.00	\$ 1,633.38	\$ 1,304.00 \$ 15,648.00	\$ 2,015.39	\$ 3,578.00 \$ 7,156.00	\$ 5,822.63
Utillicor		\$ 873.00 \$ 13,968.00	\$ 1,514.33	\$ 1,065.00 \$ 12,780.00	\$ 1,742.48	\$ 2,468.00 \$ 4,936.00	\$ 4,529.54

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM item 1 items 2 & 3
Deco Utillicor
 BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs.
 RECOMMENDED: DEPT. HEAD [Signature] APPROVAL: CITY MANAGER [Signature]

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07091201**

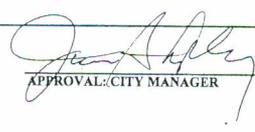
DATE OF BID OPENING: 9/25/2007 TIME: 2:00 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Brandon Jones
 DEPARTMENT: Electric

BIDDERS	QTY	167 Kva Pad Transformer	evaluated cost					
		\$ 3,727.00						
HD Utilities		\$ 7,454.00	\$ 7,219.34					
		\$ 5,915.00						
Deco		\$ 11,830.00	\$ 9,729.11					
		\$ 5,748.00						
Stuart Irby (Howard)		\$ 11,496.00	\$ 9,537.09					
		\$ 4,089.00						
Stuart Irby (Central Maloney)		\$ 8,178.00	\$ 7,500.15					
		\$ 3,700.00						
Power Supply		\$ 7,400.00	\$ 7,064.22					
		\$ 3,485.00						
Harris Electric		\$ 6,970.00	\$ 6,871.78					
		\$ 4,575.00						
Utillicor		\$ 9,150.00	\$ 8,037.27					
		\$ 3,822.00						
Wesco		\$ 7,644.00	\$ 7,037.60					

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Harris Electric

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


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

Councilman Shelton made a motion, seconded by Councilman Williams, to approve the consent agenda items as submitted. 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 APPROVAL OF
MINUTES OF COUNCIL
MEETING HELD ON
SEPTEMBER 20, 2007**

Councilman Shelton 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 Ricky Shelton
- Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER ON SECOND AND
FINAL READING ORDINANCE
#O07-09-26, AMENDING TITLE 18,
CHAPTERS 1 & 2 OF THE
COOKEVILLE MUNICIPAL
CODE, PERTAINING TO
WATER/SEWER**

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve on second and final reading Ordinance #O07-09-26. 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.

NEW BUSINESS:

**CONSIDER ON FIRST READING
ORDINANCE #O07-10-32,
AMENDING TITLE 14, CHAPTER
1 OF THE COOKEVILLE
MUNICIPAL CODE (MUNICIPAL
PLANNING COMMISSION) TO
SET COMPENSATION FOR
PLANNING COMMISSION
MEMBERS**

Councilman Williams made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O07-10-32. 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 #R07-10-17,
TO PROVIDE FORMAL
NOTIFICATION TO UPPER
CUMBERLAND ELECTRIC
MEMBERSHIP CORPORATION
RELATIVE TO THE PURCHASE
OF SERVICE RIGHTS IN SIX
(6) ANNEXED AREAS**

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to adopt Resolution #R07-10-17. 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
MINUTES
OCTOBER 4, 2007**

**CONSIDER PROPERTY ACQUISITION
AT 126 NORTH OAK AVENUE FOR
COOKEVILLE REGIONAL MEDICAL
CENTER**

Officers of the Board of Trustees

Jim Martin
Chairman of the Board

Richard Grogan
Vice-Chairman of the Board

Bernard Mattingly
Chief Executive Officer

 **COOKEVILLE REGIONAL
MEDICAL CENTER**
Growing for You
142 West Fifth Street • Cookeville, TN 38501
931.528.2541

**SOLUCIENT**
TOP HOSPITALS
Performance. Improvement. Leaders.
2005

Medical Staff Officers

Vaughn Barnard, M.D.
President of Medical Staff

Timothy Fournet, M.D.
Vice-President of Medical Staff

Tim R. Collins, M.D.
Secretary of Medical Staff

September 28, 2007

Jim Shipley
City Manager
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

Dear Mr. Shipley:

The hospital Board of Trustees has approved the purchase of property located at 126 N. Oak Avenue. The total purchase price is \$90,000 which is \$10.71 per square foot. The Medical Center will use approved capital funding to purchase this property.

The property is located within the Medical District and will be used by CRMC for parking/improvements. Please add this to the October 4, 2007 City Council Agenda for approval.

If you have any questions, please contact me at any time.

Sincerely,



Paul Korth
Chief Financial Officer

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the property acquisition at 126 North Oak Avenue as requested. 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 AUTHORIZING THE
CITY MANAGER TO EXECUTE
AN AGREEMENT WITH
LAUREL CREEK, INC.**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve the agreement with Laurel Creek, Inc. (in-lieu of property tax payment for 24 units of low-income housing).

After a discussion, Councilman Anderson & Vice-Mayor Davis withdrew their motions.

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

Councilman Shelton made a motion, seconded by Councilman Williams, to defer this item until next council meeting. 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
CHARTER SETTLEMENT
AGREEMENT**

Jim Shipley, City Manager, explained that this agreement is the audit findings of the franchise fee payments for the period from July 1, 2000 through June 30, 2006 not paid to the city in the amount of \$228,475.00.

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to approve the Charter Settlement Agreement 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
AMENDMENT TO THE
ENGINEERING CONTRACT
FOR REPAINTING PILOT
KNOB WATER TANK**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director

RJK

DATE: June 9, 2006

SUBJ: Engineering Contract Amendment – Water Treatment Plant Lagoon Project

During the next City Council meeting I will be seeking approval of an amendment to the Pilot Knob Water Tank Repainting contract with Consolidated Technologies, Inc. (CTI) Consulting Engineers.

The original contract was set up as a lump sum/hourly rate contract. We had estimated, based on the amount of time allowed in the construction contract, that the total engineering contract would run \$55,000. The painting contractor overran the allotted time for completion on the project, which drove up the estimated engineering cost. The final cost of the engineering contract totaled \$67,219.26. This is \$11,719.26 over what we originally estimated.

The original tank-painting contract totaled \$490,050.00. The final amount that is due the painting contractor is \$473,700. We have exercised the liquidated damages clause in the contract and have charged the contractor \$12,100 which will cover our additional engineering expense on the project. This means that the final amount owed the painting contractor is \$461,600.

If you have any questions or comments please feel free to give me a call.

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

Councilman Williams made a motion, seconded by Councilman Anderson, to approve the amendment to the engineering contract for repainting Pilot Knob Water Tank as requested. 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
REPLACING MESSAGE CENTER
AT DRAMA CENTER – LEISURE
SERVICES DEPARTMENT**

**CITY OF COOKEVILLE
BID TABULATION SCHEDULE**

Drama Center Message Center

DATE OF BID OPENING: Monday, September 24, 2007 TIME: 10:00 a.m.
BIDS OPENED BY: Rick Woods and Chad McDonald
DEPARTMENT: Leisure Services & Public Facilities

	Option 1 One Face-Full Color	Option 2 Two Faces-Full Color	Option 3 One Face – One Color	Option 4 Two Faces-One Color	Deduct Option
1. Martin Signs	\$22,980.00	\$38,991.00	\$16,997.00	\$27,403.00	\$3,118.00
2. Bildrey Signs	\$32,612.19	\$57,067.44	\$18,263.04	\$31,394.49	\$1200.00
3. adsLED, Inc.-Texas	\$32,895.00	\$52,377.00	\$19,276.00	\$29,187.00	\$5,844.00

We, the undersigned, do hereby recommend the bid from Martin Signs for the following reason:


RECOMMENDED: DEPARTMENT HEAD


BUDGET AVAILABILITY: FINANCE DIRECTOR


APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Mayor Sallee, to award the message center bid to Martin Signs for option #2 with deduct. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Councilman Alma Anderson

NAY: Vice-Mayor Jean Davis
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion failed.

**COOKEVILLE CITY COUNCIL
MINUTES
OCTOBER 4, 2007**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to award the message center bid to Martin Signs for option #4 with deduct. 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
RESIDENTIAL SANITATION
CARTS – PUBLIC WORKS DEPT.**

MEMORANDUM

TO: Jim Shipley
City Council Members
FROM: Greg Brown 
DATE: September 25, 2007
SUBJ: October 4, 2007 City Council Agenda Item

The sanitation division is in need of more carts for residential pickup. The recent annexations and residents asking for additional carts have depleted our stock. Stringfellow, Inc. is the only company we have found that will supply us with the brand of carts that we use. The minimum shipment quantity is 100 carts at \$58 each for a total of \$5,800. I will be requesting your approval to purchase these as a sole source provider.

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the purchase of residential sanitation carts 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:

Mayor Sallee recognized Dr. Earl Hutchison and his TTU Advanced Reporting Class.

There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:58 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