

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
NOVEMBER 1, 2007
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, November 1, 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 Anderson made a motion, seconded by Vice-Mayor Davis, to amend the agenda by withdrawing item 11 – hold a public hearing and consider on first reading Ordinance #O07-10-31, amending the Cookeville Zoning Code relative to off-premise signs. 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.

CONSENT AGENDA:

**SET A DATE (12-6-07 @ 6PM) FOR A
PUBLIC HEARING ON ORDINANCE
#O07-11-33, REZONING PROPERTIES
ALONG WHITSON AVENUE
BETWEEN EAST HUDGENS
STREET AND EAST STEVENS
STREET FROM RS-5 (SINGLE-
FAMILY RESIDENTIAL) TO RS-10
(SINGLE-FAMILY RESIDENTIAL)**

**SET A DATE (12-6-07 @ 6PM) FOR A
PUBLIC HEARING ON ORDINANCE
#O07-11-34, COMPREHENSIVE
REZONING ALONG NORTH
WASHINGTON AVENUE AND 10TH
STREET FROM CL (LOCAL
COMMERCIAL) TO CN
(NEIGHBORHOOD COMMERCIAL)**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 1, 2007**

**SET A DATE (12-6-07 @ 6PM) FOR A
PUBLIC HEARING ON ORDINANCE
#007-11-35, REZONING PROPERTIES
LOCATED AT EAST 10TH STREET
AND FISK ROAD FROM CL
(LOCAL COMMERCIAL) AND
RS-10 (SINGLE-FAMILY
RESIDENTIAL) TO CN
(NEIGHBORHOOD
COMMERCIAL)**

**CONSIDER AWARDED BIDS FOR
TRANSFORMERS, LUMINAIRES
& WOOD POLES – ELECTRIC
DEPARTMENT**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07092101**

DATE OF BID OPENING: 10/16/2007 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: John Brewington
DEPARTMENT: Electric

BIDDERS	QTY	Item 1 15 Kva Con. Transformer		Item 2 50 Kva Con. Transformer		Item 3 45 Kva Pad. Transformer		Item 4 600 Kva Pad Transformer	
		evaluate	cost	evaluate	cost	evaluate	cost	evaluate	cost
HD Supply		\$ 758.00		\$ 1,357.00		\$ 7,219.00		\$ 15,212.00	
		\$ 9,096.00	\$ 1,160.55	\$ 8,142.00	\$ 2,489.03	\$ 14,438.00	\$ 9,390.91	\$ 30,424.00	\$ 27,097.98
Delta Y Electric		\$ 1,077.00		\$ 1,850.00		\$ 5,250.00		\$ 13,400.00	
		\$ 12,924.00	\$ 1,534.18	\$ 11,100.00	\$ 3,161.98	\$ 10,500.00	\$ 7,340.80	\$ 26,800.00	\$ 26,642.88
Power Supply		\$ 632.00		\$ 1,309.00		\$ 5,574.00		\$ 12,527.00	
		\$ 7,584.00	\$ 1,026.77	\$ 7,854.00	\$ 2,378.95	\$ 11,148.00	\$ 7,525.38	\$ 25,054.00	\$ 23,594.31
Deco		\$ 565.00		\$ 1,298.00		\$ 5,675.00		\$ 12,191.00	
		\$ 7,872.00	\$ 989.64	\$ 7,788.00	\$ 2,484.69	\$ 11,350.00	\$ 7,759.72	\$ 24,382.00	\$ 25,174.74
Stuart Irby (Howard)		\$ 751.00		\$ 1,609.00		\$ 5,954.00		\$ 17,528.00	
		\$ 9,012.00	\$ 1,156.78	\$ 9,654.00	\$ 2,798.07	\$ 11,908.00	\$ 8,056.16	\$ 35,056.00	\$ 29,463.32
Stuart Irby (Central Maloney)		\$ 905.00		\$ 1,488.00		\$ 6,862.00		\$ 19,013.00	
		\$ 10,860.00	\$ 1,325.14	\$ 8,928.00	\$ 2,665.15	\$ 13,724.00	\$ 9,034.24	\$ 38,026.00	\$ 30,815.71
Wesco		\$ 1,025.00		\$ 1,387.00		\$ 4,875.00		\$ 13,116.00	
		\$ 12,300.00	\$ 1,459.23	\$ 8,322.00	\$ 2,549.73	\$ 9,750.00	\$ 7,233.50	\$ 26,232.00	\$ 24,680.65

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Deco Power Supply Wesco Power Supply
BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs.

[Signature]
RECOMMENDED: DEPT. HEAD

[Signature]
APPROVAL: CITY MANAGER

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07092102**

DATE OF BID OPENING: 10/16/2007 TIME: 2:30 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: John Brewington
DEPARTMENT: Electric

BIDDERS	QTY	1000 WMH Luminaire							
Stuart Irby		\$ 289.69							
		\$ 6,952.56							
Wesco		\$ 301.81							
		\$ 7,243.44							

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby
BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.

[Signature]
RECOMMENDED: DEPT. HEAD

[Signature]
APPROVAL: CITY MKNAGER

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 1, 2007**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 07100301**

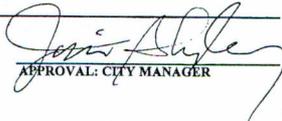
DATE OF BID OPENING: 10/16/2007 TIME: 3:00 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: John Brewington
 DEPARTMENT: Electric

BIDDERS	QTY	45' Wood Pole						
		29						
		\$ 347.00						
North Pacific		\$ 10,063.00						
		\$ 351.96						
Baldwin Pole		\$ 10,206.84						
		\$ 334.28						
Nationwide Utility Poles		\$ 9,694.12						
		\$ 309.00						
Thomasson Lumber		\$ 8,961.00						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Thomasson Lumber

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


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, 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
OCTOBER 18, 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.

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 1, 2007**

**CONSIDER ON SECOND AND FINAL
READING 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**

Vice-Mayor Davis made a motion, seconded by Councilman Williams, to approve on second and final reading Ordinance #O07-10-27.

Residents spoke in opposition to Ordinance #O07-10-27.

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 #O07-10-28,
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)**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve on second and final reading Ordinance #O07-10-28.

Residents resubmitted a petition & spoke in opposition to Ordinance #O07-10-28.

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
NOVEMBER 1, 2007**

NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O07-10-29,
REZONING 28, 38, 48 AND A
VACANT LOT ON EAST
BORDEN STREET AND
383, 389 & 395 HIGHLAND
AVENUE FROM RM8 (MULTI-
FAMILY RESIDENTIAL) TO
CL (LOCAL COMMERCIAL)**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O07-10-29. 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 #O07-10-30,
REZONING A PORTION OF
777 SOUTH WILLOW
AVENUE FROM RS5 (SINGLE-
FAMILY RESIDENTIAL) TO
CG (GENERAL COMMERCIAL)
AND RS15 (SINGLE-FAMILY
RESIDENTIAL)**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to approve on first reading Ordinance #O07-10-30. 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.

**CONSIDER RESOLUTION #R07-11-18,
AUTHORIZING THE CITY ATTORNEY
TO COMMENCE EMINENT DOMAIN
PROCEEDINGS JOINTLY WITH
PUTNAM COUNTY RELATIVE TO
THE INTERLOCAL AGREEMENT
TO PURCHASE LAND TO DEVELOP
A MIXED-USE BUSINESS PARK**

**COOKEVILLE CITY COUNCIL
MINUTES
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A copy of Public Acts, 2006, Chapter No. 863, Senate Bill No. 3296, amending Tennessee Code Annotated relative to the power and use of eminent domain and property acquired by eminent domain was provided for the Mayor & Councilmen.

Councilman Anderson made a motion, seconded by Councilman Williams, to adopt Resolution #R07-11-18.

Ms. Linda Owens spoke for her mother, Faye Lynch – remaining owner of 1/5 interest in property on Bennett Road, in opposition to Resolution #R07-11-18.

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 #R07-11-19,
AMENDING THE PERSONNEL
POLICIES & PROCEDURES
MANUAL, PERTAINING TO
SMOKING IN CITY-OWNED
VEHICLES**

MEMORANDUM

TO: City Council Members
FROM: Jim Burchett
DATE: October 29, 2007
SUBJECT: Personnel Policies & Procedures Manual Amendment –
"Non-Smoker Protection Act" – adding vehicles as example of
enclosed spaces.

The Tennessee legislature amended the Tennessee Non-Smoker Protection Act effective October 1, 2007 to include "vehicles" as an example of an enclosed space in which smoking is prohibited. The City has had a non-smoking policy for several years pertaining to city owned buildings, but did not prohibit smoking in city owned vehicles. Chapter 5, "Code of Conduct", Section 18 of the Personnel Policies & Procedures Manual needs to be amended to add city owned vehicles including equipment with enclosed cabs as an example of enclosed spaces where smoking is prohibited in order to be in compliance with the act.

Councilman Shelton made a motion, seconded by Councilman Anderson, to adopt Resolution #R07-11-19. 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
NOVEMBER 1, 2007**

**CONSIDER APPOINTMENTS
TO THE ALCOHOLIC
BEVERAGE CONTROL
BOARD**

MEMORANDUM

TO: Mayor Sallee
Vice-Mayor Davis
Councilman Anderson
Councilman Shelton
Councilman Williams

FROM: Cathy McClain, CMC, City Clerk 

DATE: October 30, 2007

RE: Vacancies on the Alcoholic Beverage Control Board

We have two vacancies on the Alcoholic Beverage Control Board effective September 2007. Mrs. Beth Brown has agreed to serve another four (4) year term and Mr. Roger Colglazier has been recommended to be appointed (replacing Mr. Dillard Dycus). It is my recommendation to reappoint Mrs. Brown & appoint Mr. Colglazier. If you have any questions, please call me at 520-5246.

Thank you for your attention to this matter.

Councilman Williams made a motion, seconded by Councilman Anderson, to reappoint Mrs. Beth Brown & appoint Mr. Roger Colglazier, replacing Mr. Dillard Dycus, to the ABCB for a four (4) 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.

**CONSIDER REAPPOINTMENT
TO THE PUTNAM COUNTY
RAIL TRAIL AUTHORITY**

Councilman Anderson made a motion, seconded by Councilman Williams, to reappoint Mr. Tom Williford to the Putnam County Rail Trail Authority for a three (3) 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.

**CONSIDER AWARDING BID FOR
MOTORCYCLE EMERGENCY
RESPONSE EQUIPMENT –
POLICE DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 1, 2007**

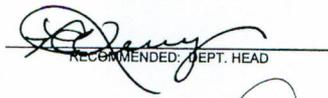
CITY OF COOKEVILLE
BID TABULATION SCHEDULE

MOTORCYCLE EMERGENCY RESPONSE EQUIPMENT

DATE OF BID OPENING: 26-Oct-07 TIME: 10:12 AM
 BIDS OPENED BY: Capt. Mark Maxwell
 BIDS WITNESSED BY: Lt. Mike Lee
 DEPARTMENTS: Police

BIDDERS							
Boswell's Harley-Davidson	\$4,907.98	per unit					

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM Boswell's Harley-Davidson BE AWARDED
 FOR THE FOLLOWING REASON: Low Bid Meeting Specs


 RECOMMENDED: DEPT. HEAD


 BUDGET AVAILABILITY: FINANCE DIRECTOR


 APPROVAL: CITY MANAGER

Vice-Mayor Davis made a motion, seconded by Councilman Williams, to award the motorcycle emergency response equipment 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.

There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:10 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