

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
JULY 3, 2008  
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, July 3, 2008, 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

ABSENT: Councilman Ricky Shelton

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

**CONSIDER APPROVAL OF  
AGENDA AS PRESENTED**

Councilman Williams made a motion, seconded by Councilman Anderson, to amend the agenda by deleting item #2 – consider approval of minutes on 6-19-08. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSENT AGENDA:**

**CONSIDER AWARDING BIDS FOR  
ANNUAL/SEMI ANNUAL  
MATERIALS – PUBLIC WORKS  
DEPARTMENT**

CITY OF COOKEVILLE  
BID TABULATION RECORD  
**ANNUAL & SEMI-ANNUAL CONTRACTS**

DEPARTMENT: Public Works  
BIDS OPENED BY: Greg Brown  
OPENING WITNESSED BY: Debbie Swallows

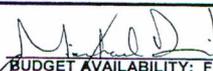
DATE OF BID OPENING: June 26, 2008  
TIME OF BID OPENING: 10:00 am

BIDDERS	BID ITEM
IMI	CONCRETE MIX
SHERMAN DIXIE	CONCRETE PIPE
MIDDLE TENNESSEE CURB	EXTRUDED CURB
MAGGART TIRE COMPANY	RECAPPING TIRE SERVICE
HIGHWAYS, INC (6 MONTHS CONTRACT)	PAVING AND ASPHALT
COOKEVILLE LIMESTONE (6 MONTHS CONTRACT)	ROCK
ENGLAND STRIPING	STRIPING / PAVEMENT MARKING

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM THE COMPANIES LISTED ABOVE  
(SEE ATTACHED DETAIL BID SHEET)

BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDER

  
RECOMMENDED: DEPT. DIRECTOR

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

  
APPROVAL: CITY MANAGER

**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

**CONCRETE PIPE**

**SHERMAN-DIXIE - PER L.F.**

	DEL	PICK UP
15"	11.40	10.83
18"	13.40	12.73
24"	21.10	20.05
30"	30.70	29.17
36"	41.90	39.81
42"	54.90	52.16
48"	69.40	65.93
54"	85.40	81.13
60"	103.60	98.42

NOTE: Deliveries less than 20,00 lbs. or \$2000 will be subject to delivery charges. All deliveries subject to applicable fuel surcharges at time of delivery.

**CONCRETE MIX**

**IMI**

WITHOUT FIBER	WITH FIBER	WITH SLUMP	DELIVERY CHRG
\$69.00 PER CY	\$74.00 PER CY	\$74.00 PER CY	\$75.00 LESS 3 YDS

**ROCK**

	COOKEVILLE LIMESTONE	VULCAN MATERIALS	ROGERS GROUP
CRUSHER RUN	\$4.85	\$5.00	\$6.60
#57 STONE	\$6.00	\$6.75	\$6.60
2 - INCH ROCK	\$5.70	\$6.50	\$6.60
3 - INCH ROCK	\$5.70	NO BID	\$5.50
CLEAN RIPRAP	\$6.50	\$8.45	\$5.95
PUG MIX	\$5.35	\$5.20	\$8.50
SHOT ROCK	\$4.75	\$6.00	\$8.75
DELIVERY COST	\$2.75	\$2.75	\$2.75

**PAVING - ASPHALT IN PLACE, HOT AND COLD MIX**

**HIGHWAYS, INC**

COMPLETE IN PLACE - PRICE PER TON								CITY PICK UP	
GRADE D	E	F	A	B	C	C-W	B-MOD	411 E	COLD MIX
\$77.25	\$63.75	\$77.75	\$60.75	\$60.75	\$62.25	\$68.25	\$62.25	\$57.50	\$77.50

**LOJAC**

COMPLETE IN PLACE - PRICE PER TON								CITY PICK UP	
GRADE D	E	F	A	B	C	C-W	B-MOD	411 E	COLD MIX
73.75	66.95	75.00	57.80	57.80	65.50	66.65	65.50	61.00	70.00

**STRIPING**

ENGLAND THERMOPLASTIC DESCRIPTION	UNDR 1500 UNIT PRICE	OVR 1500 UNIT PRICE
24" STOP BAR	\$20.00	\$15.00
TURN ARROW	\$175.00	\$150.00
STRAIGHT ARROW	\$175.00	\$150.00
COMB. ARROW	\$250.00	\$200.00
8" CROSSWALK	\$20.00	\$15.00
CONT CROSSWALK	\$25.00	\$20.00
RAILROAD CROSSING	\$500.00	\$450.00
SCHOOL CROSSING ONLY	\$500.00	\$450.00
STOP AHEAD	\$550.00	\$500.00
YIELD	\$250.00	\$200.00
4" DOTTED LINE	\$2.00	\$2.00
6" DOTTED LINE	\$4.00	\$4.00
12" CHANNELIZATION	\$35.00	\$30.00

**THERMOPLASTIC PAVEMENT MARKINGS**

	0-2 MILES	2-4 MILES	4 MILES & UP
4" LINE PLASTIC - LM	\$ 5,500.00	\$ 4,500.00	\$ 3,000.00
4" SKIP PLASTIC - LM	\$ 6,500.00	\$ 5,500.00	\$ 3,500.00
4" SPRY THERMO 40 MIL	\$ 5,500.00	\$ 4,500.00	\$ 2,800.00
6" SPRY THERMO 40 MIL	\$ 6,500.00	\$ 5,500.00	\$ 3,000.00

**PAINTED PAVEMENT MARKINGS**

	0-2 MILES	2-4 MILES	4 MILES & UP
4" PAINTED LINE	\$700.00	\$600.00	\$500.00
6" PAINTED LINE	\$900.00	\$800.00	\$600.00

\*\* ADDITIONAL FEES: \$500.00 CHARGE IF JOB IS UNDER \$1500.00 PER TRIP

**EXTRUDED CURB**

**PRICE PER FOOT**

MIDDLE TN CURB	\$3.65
HIGHWAYS, INC.	\$4.50

**RECAPPING / RETREADING TIRE SERVICE**

	BID PRICE PER TIRE
MAGGART TIRE CO.	\$135.00
BEST ONE TIRE SERVICE	\$147.50

**CONSIDER AWARDED BID FOR  
DUMPSTERS – PUBLIC WORKS  
DEPARTMENT**



**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

**NEW BUSINESS:**

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O08-06-06,  
REZONING 118 EAST 1<sup>ST</sup> STREET  
FROM RS15 (SINGLE-FAMILY  
RESIDENTIAL) TO CN  
(NEIGHBORHOOD COMMERCIAL)  
(THIS ITEM WAS DENIED BY  
PLANNING COMMISSION ON 5-19-08)**

James Mills, Planning Dept. Director, advised that Craig Fickling & Melaney Madewell did pay a \$5,950.00 fine for violating the zoning code Section 233.13 by occupying and using the structure at 118 E. 1<sup>st</sup> Street prior to rezoning (Dec. - April '08).

Vice-Mayor Davis made a motion, seconded by Councilman Williams, to approve on first reading Ordinance #O08-06-06.

Residents of the Historic Zoning District voiced opposition to this rezoning.

Upon call for a vote, the following voted aye:

Mayor Sam Sallee  
Vice-Mayor Jean Davis  
Councilman Ryan Williams

NAY: Councilman Alma Anderson

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O08-06-11,  
RELATIVE TO WELL PERMITS**

Councilman Anderson made a motion, seconded by Councilman Williams, to approve on first reading Ordinance #O08-06-11. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R08-07-15,  
RELINQUISHING THE REGIONAL  
PLANNING AUTHORITY**

James Mills, Planning Dept. Director, explained Resolution #R08-07-15 & recommended approval.

**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

**RESOLUTION NUMBER R08-07-15**

A RESOLUTION RELINQUISHING THE REGIONAL REGULATORY AUTHORITY OF THE COOKEVILLE REGIONAL PLANNING COMMISSION WITHIN THE UNINCORPORATED PORTIONS OF THE CITY OF COOKEVILLE URBAN GROWTH BOUNDARY, REVERTING THIS AUTHORITY TO THE PUTNAM COUNTY REGIONAL PLANNING COMMISSION, AND DESIGNATING THE COOKEVILLE REGIONAL PLANNING COMMISSION AS THE COOKEVILLE MUNICIPAL PLANNING COMMISSION

RESOLUTION NUMBER: R08-07-15  
REQUESTED BY: Planning Commission  
PREPARED BY: Planning Department  
APPROVED-FORM/CORRECTNESS:

\_\_\_\_\_  
(City Attorney)

ADOPTED: \_\_\_\_\_  
MINUTE BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

WHEREAS, *Tennessee Code* Section 13-3-102 was amended by Acts 2007, Chapter 253 to require that at least two (2) of the appointed members of a municipal planning commission designated as a regional planning commission composed of more than five (5) members shall reside within the regional area outside of the municipal boundaries served by the regional planning commission; and

WHEREAS, this amendment to *Tennessee Code* Section 13-3-102 was poorly conceived, failing to recognize or address the numerous negative consequences it created, including:

- Forcing the removal of current highly qualified, long serving members of the Planning Commission,
- Requiring the appointment of members who would vote on regulatory issues such as zoning which they would not be subject to,
- Creating unfair and unequal representation with two (2) members from outside the corporate limits representing a significantly smaller population ratio than the members from inside the corporate limits and this ratio will continue to decline as additional areas are annexed,
- Creating a significantly limited pool of potential members that will continually shrink as additional areas are annexed,
- Requiring the continual replacement of members as those from outside the corporate limits are annexed; and

WHEREAS, the Putnam County representatives to the Tennessee General Assembly were requested by the Cookeville City Council to sponsor, support, and insure the enactment of a bill to amend *Tennessee Code* Section 13-3-102 or a bill to exempt the City of Cookeville from the provisions of *Tennessee Code* Section 13-3-102 but were unsuccessful; and

WHEREAS, to avert the detrimental ramifications of the amendments *Tennessee Code* Section 13-3-102, the Cookeville Regional Planning Commission has unanimously passed a resolution requesting that the Cookeville City Council approve relinquishing its regional regulatory authority within the unincorporated portions of the Cookeville Urban Growth Boundary, reverting this authority to the Putnam County Regional Planning Commission, and designating the Planning Commission as the Cookeville Municipal Planning Commission; and

NOW, THEREFORE BE IT RESOLVED BY THE COOKEVILLE CITY COUNCIL THAT the regional regulatory authority of the Cookeville Planning Commission within the unincorporated portions of the Cookeville Urban Growth Boundary is hereby relinquished, that this authority is hereby reverted to the Putnam County Regional Planning Commission, and that the Cookeville Regional Planning Commission is hereby designated as the Cookeville Municipal Planning Commission.

ADOPTED AND EFFECTIVE THIS \_\_\_\_\_ DAY OF JULY 2008.

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to adopt Resolution #R08-07-15. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER DECLARING AS  
SURPLUS PROPERTY A  
PORTION OF CITY  
PROPERTY ADJACENT  
TO 1603 LAKEPARK  
COURT**

**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

Brad & Karen Tarr  
1603 Lakepark Ct  
Cookeville, TN 38506

5-6-08

Jim Shipley  
City Manager  
Cookeville, TN 38501

Dear Jim,

About a month ago my wife and I found out that a portion of our house was located on City property. In an effort to take steps to resolve this matter, I met with James Mills to discuss the situation. At the conclusion of our meeting James suggested that we have a surveyor come out and make a drawing indicating what property would be needed in order for us to get a clear survey to enable us to sell our home.

We have included a drawing with yellow highlight totaling 1,324 sq. ft. or .03 Ac. The set back for this additional property is 11 ft. so that we can meet the minimum required 10 ft.

Accordingly, we are asking that the City of Cookeville give consideration to declaring this property surplus so that we may purchase it. We are hopeful that you will take into consideration that the property is in a flood plane and land locked when determining the price per square foot.

Additionally, we are asking to be given an easement to the property highlighted in pink, our 500 gallon propane tank lies on this section of the City's property as well. This piece of property is also in the flood plane and land locked.

We greatly regret the fact that we took the previous owners statements regarding the property lines, and have learned a valuable lesson for the future.

Would you please let us know what else we need to do in order to clear this matter up?

I can be reached at 931-273-9809 or 931-738-0229 press 0 if you reach my voicemail.

We thank you in advance for your consideration on this matter!

Sincerely,



Brad and Karen Tarr

Cc: James Mills

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to declare as surplus property a portion of the city property adjacent to 1603 Lakepark Court as requested and set a minimum bid price of \$701.72. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER DECLARING AS  
SURPLUS PROPERTY 65  
REAGAN STREET (TAX  
MAP #53K-A-22.00)**

James Mills

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From: Andy Redus [andy@admiralpropane.com]  
Sent: Wednesday, May 14, 2008 3:26 PM  
To: James Mills  
Subject: surplus land

James Mills  
City Planner  
Cookeville Tn.

Mr. Mills,

This is to request that you please consider the .40 acre of land locate west of 85 Reagan and south of 145 E. Spring be declared surplus land. By doing this and myself getting this land it will give me the opportunity to continue with my plans to build 7 office units with 5000 Sq. Ft. each on this plus the 1.82 acres I presently own. If I do not get the property I will only be able to build 3 units. This as you know will be a large decrease in possible tax revenue for the city for many years. The land is presently used as a parking lot with no revenue. Please assist me in getting this land declared surplus.

Sincerely,

Andy Redus  
General Manager  
Redus Family Partnership

**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to declare as surplus property 65 Reagan Street at a minimum bid price of \$2.07 per sq. ft. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R08-07-16,  
RELATIVE TO THE UPPER  
CUMBERLAND ELECTRIC  
MEMBERSHIP CORPORATION**

Dan Rader, City Attorney, stated that this resolution explains the agreement between the City of Cookeville & UC EMC pursuant to the ongoing dispute of the City acquiring the electric customers included in the fifteen (15) annexed areas.

Councilman Williams made a motion, seconded by Councilman Anderson, to adopt Resolution #R08-07-16. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER PROPERTY  
ACQUISITION FOR THE  
CRMC**



July 27, 2008

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

Dear Jim:

The hospital Board of Trustees approved the purchase of the following properties:

- 529 North Willow Avenue and 531/533 North Willow Avenue
- 503 North Willow Avenue and 253 West 5th Street
- 250 West 5th Street

The total purchase price is \$780,000 and is included in the FY 2009 budget.

The property is located within the Medical District and will be used by CRMC for parking. Please add this to the July 3, 2008 City Council Agenda for approval.

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

Sincerely,

Paul Korth  
Chief Financial Officer

**COOKEVILLE CITY COUNCIL  
MINUTES  
JULY 3, 2008**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to acquire the properties for CRMC as requested. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF  
AGREEMENT WITH BARGE,  
WAGGONER, SUMNER &  
CANNON RELATIVE TO  
THE HIGHLANDS BUSINESS  
PARK PROJECT**

Councilman Williams made a motion, seconded by Councilman Anderson, to approve the agreement with Barge, Waggoner, Sumner & Cannon with approximate cost to the city of \$49,900.00. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR  
BOOGER SWAMP TRUNK SEWER  
LINE CLEANING & TV INSPECTION  
- WATER QUALITY CONTROL DEPT.**

CITY OF COOKEVILLE  
DEPARTMENT OF WATER QUALITY CONTROL  
WASTEWATER SYSTEM IMPROVEMENTS  
SEWER LINE CLEANING & CCTV INSPECTION  
BOOGER SWAMP TRUNK SEWER

DATE OF BID OPENING 26-Jun-08  
BIDS OPENED BY MICHAEL BURGETT/GRESHAM SMITH & PARTNERS  
BIDS WITNESS BY RONNIE KELLY/BARRY TURNER  
TIME: 2:00 P.M.

PLAN HOLDERS	BID				
AUI, LLC	\$69,952.00				
BOATMAN CONSTRUCTION CO., INC.	DNB				
COMPLIANCE ENVIRO SYSTEMS LLC	\$115,974.00				
PERFORMANCE CONTRACTING INC	DNB				
<b>PIPELINE INNOVATION LLC</b>	<b>\$44,500.00</b>				
PORTLAND UTILITIES CONST CO., LLC	DNB				
RATHER SW INSPECTION SERVICES	DNB				
VIDEO INDUSTRIAL SERVICES INC	DNB				

DNB - DID NOT BID

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - PIPELINE INNOVATION LLC - BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS

  
RECOMMENDED:  
DEPARTMENT HEAD

  
APPROVAL:  
CITY MANAGER

  
BUDGET AVAILABILITY:  
FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL  
MINUTES  
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Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to award the Booger Swamp 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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**HEARING OF CITIZENS AND/OR DELEGATIONS:**

Councilman Anderson announced the attendance of the TML Convention Workshops and was proud to discover that the City of Cookeville is more progressive than other cities.

Mayor Sallee encouraged all local citizens to request the new free TVA Save Energy Kit & visit the website at [www.energyright.com](http://www.energyright.com). Also, this month is "Canine Good Citizen" with training as a part of the Bite Free Putnam County Campaign.

There being no further business to discuss, Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:20 p.m. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

ATTEST:

\_\_\_\_\_  
Sam Sallee, Mayor

\_\_\_\_\_  
Cathy McClain, City Clerk