

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
APRIL 2, 2009  
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, April 2, 2009, 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 moving item #5 off the consent agenda – consider awarding bids for fire truck, hose, turnout gear & air packs (sole source) – Fire Department. 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  
MARCH 19, 2009**

Vice-Mayor Davis made a motion to dispense with reading 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.

**CONSENT AGENDA:**

**SET A DATE (5-7-09) FOR A  
PUBLIC HEARING ON  
ORDINANCE #009-04-04,  
AMENDMENTS TO ZONING  
CODE SECTION 208 TO  
ESTABLISH ARCHITECTURAL  
DESIGN REQUIREMENTS**

**COOKEVILLE CITY COUNCIL  
MINUTES  
APRIL 2, 2009**

**SET A DATE (5-7-09) FOR A  
PUBLIC HEARING ON  
ORDINANCE #009-04-05,  
REZONING 156, 164 & 168  
STOUT STREET & A PORTION  
OF 349 FOUTCH DRIVE  
FROM RD (SINGLE-FAMILY  
& DUPLEX RESIDENTIAL)  
TO CL (LOCAL COMMERCIAL)**

Vice-Mayor Davis made a motion, seconded by Councilman Williams, to approve the consent agenda items 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.

**NEW BUSINESS:**

**CONSIDER AWARDED BID FOR  
FIRE TRUCK – FIRE DEPT.**

CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

ONE (1) NEW OR "DEMO" CUSTOM PUMPER WITH RESCUE STYLE COMPARTMENTS

DATE OF BID OPENING: 03/24/09 TIME: 2:00 PM  
BIDS OPENED BY: John Kendrick  
BIDS WITNESSED BY: Bob Lynch  
DEPARTMENT: Fire

BIDDERS	AMOUNT		
Pro-Fire Equipment LLC	\$269,995.00		
<b>SAS - Southeastern Apparatus Sales</b>	<b>\$284,707.00</b>		
Ferrara Fire Apparatus	\$305,015.00		
NAFECO	\$316,070.00		
Rosenbauer - Southern Emergency Products	370,089.00		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM SAS - Southeastern Apparatus Sales BE AWARDED FOR THE FOLLOWING REASON: LOWEST EVALUATED 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 fire truck bid as recommended (1976 Mack retired). 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  
APRIL 2, 2009**

**CONSIDER AWARDED BID FOR  
HOSE – FIRE DEPARTMENT**

CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

5" VINYL FIRE HOSE, 3" NYLON RUBBER and 1 1/2" FIRE HOSE

DATE OF BID OPENING: 03/23/09 TIME: 10:00 A.M.  
BIDS OPENED BY: April Howard  
BIDS WITNESSED BY: Bob Lynch  
DEPARTMENT: Fire

BIDDERS	AMOUNT		
	TOTAL PRICE FOR 1000' OF 5" IN 100' SECTION	TOTAL PRICE FOR 800' OF 3" IN 50' SECTION	TOTAL PRICE FOR 600' OF 1 1/2" IN 50' SECTIONS
MES	\$5,529.50	\$3,104.00	\$1,092.00
NAFECO	\$5,667.00	\$3,504.00	\$1,183.20
Heritage Fire Equipment	\$5,902.10	\$3,631.36	\$1,757.64
Ferrara	No Bid		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM MES BE AWARDED FOR THE FOLLOWING REASON: LOWEST BID MEETING SPECIFICATIONS

  
RECOMMENDED: DEPARTMENT HEAD

  
APPROVAL: CITY MANAGER

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

Councilman Williams made a motion, seconded by Councilman Anderson, to award the hose 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.

**CONSIDER AWARDED BID FOR  
TURNOUT GEAR – FIRE DEPT.**

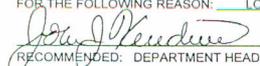
CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

Thirteen (13)  
FOURTEEN (14) SETS OF STRUCTURAL FIRE FIGHTING TURN OUT GEAR

DATE OF BID OPENING: 03/23/09 TIME: 11:00 AM  
BIDS OPENED BY: April Howard  
BIDS WITNESSED BY: Bob Lynch  
DEPARTMENT: Fire

BIDDERS	AMOUNT		
NAFECO	\$1,726.00 per set/\$24,164.00		
Heritage Fire Equipment, Inc.	\$1,794.00 per set/\$25,116.00		
MES	\$1,826.00 per set/\$24,564.00 <del>\$23,138.00</del>		
G & C Supply Co., Inc.	\$1,845.00 per set/\$25,830.00		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM MES BE AWARDED FOR THE FOLLOWING REASON: LOWEST EVALUATED BID MEETING SPECIFICATIONS

  
RECOMMENDED: DEPARTMENT HEAD

  
APPROVAL: CITY MANAGER

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL  
MINUTES  
APRIL 2, 2009**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to award the turnout gear bid as corrected in the amount of \$23,738.00 from the original amount of \$24,564.00 for 13 (thirteen sets). 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 THE PURCHASE  
OF AIR PACKS (SOLE SOURCE)  
- FIRE DEPARTMENT**

Memorandum

To: Jim Shipley, City Manager  
From: John Kendrick, Fire Chief *JK*  
Date: 3/27/2009  
Re: Scott air packs

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The Cookeville Fire Department will need to purchase two SCBA units for the rescue pumper as part of the required equipment. This will assure that all riding positions have SCBA units as required by NFPA and ISO. These are sole source items from Scott and the quote is from the Middle Tennessee Dealer. I recommend the purchase from Municipal Emergency Services, Inc. The total price for the purchase is \$ 12,402.58. This purchase is for two complete units meeting NFPA 1981 and 1982 and 2 extra cylinders.

Councilman Williams made a motion, seconded by Councilman Anderson, to approve the purchase of air packs 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.

**HOLD A PUBLIC HEARING  
AND CONSIDER ON FIRST  
READING ORDINANCE  
#O09-03-02, AMENDMENTS  
TO ZONING CODE SECTION  
204.9 "FENCES, WALLS  
AND HEDGES"**

**COOKEVILLE CITY COUNCIL  
MINUTES  
APRIL 2, 2009**

James Mills, Planning Department Director, explained that this ordinance serves multiple purposes for new structures.

Councilman Williams made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #009-03-02.

After a lengthy discussion, Councilman Shelton made a motion to amend the motion to allow the unfinished side of fences to face outward.

Due to the lack of a second, the motion failed.

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

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

NAY: Councilman Ricky Shelton

The City Clerk announced that the original motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #009-03-03,  
REZONING 6.7 ACRES ON  
GAINESBORO GRADE (TAX  
MAP 39, PARCEL 58.04) FROM  
CL (LOCAL COMMERCIAL)  
AND RS-10 (SINGLE-FAMILY  
RESIDENTIAL) TO RS-5 (SINGLE-  
FAMILY RESIDENTIAL)**

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #009-03-03. 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 SALE  
OF ALLEY WAY AT ST.  
MICHAEL'S EPISCOPAL  
CHURCH**

**COOKEVILLE CITY COUNCIL  
MINUTES  
APRIL 2, 2009**

• Total Sq. Ft. of Alley	2,475
• Average Value (sq. ft.)	<u>x \$3.00</u>
• Total Value	\$7,425
• Less: Easement	<u>x 25%</u>
• Total Price	<u>\$5,569</u>

Councilman Shelton made a motion, seconded by Councilman Williams, to approve the sale of the alley way as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee  
Vice-Mayor Jean Davis  
Councilman Ricky Shelton  
Councilman Ryan Williams

ABSTAINED: Councilman Alma Anderson

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF LEASE  
AGREEMENT WITH BLOOD  
ASSURANCE**

Councilman Williams made a motion, seconded by Mayor Sallee, to approve the lease contract with Blood Assurance to lease a portion of parking spaces to park the Blood Assurance Bus in the Gas Department parking lot located on Broad Street for \$365.00 per year for five (5) years & direct the City Manager to negotiate termination clauses/minimum liability insurance policy to be incorporated into the lease. Upon call for a vote, the following voted aye:

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

ABSTAINED: Councilman Ricky Shelton

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF  
HUDGENS CREEK SEWER  
LINE PROPERTY/EASEMENT  
ACQUISITION**

**MEMORANDUM**

**TO:** City Council  
City Manager

**FROM:** Ronnie J. Kelly, Director *RJK*

**DATE:** March 26, 2009

**SUBJ:** Hudgens Creek Sewer Line Property/Easement Acquisition

During the next City Council meeting I will be presenting a request for the City Council to authorize the City Manager to proceed with condemnation proceedings on any property/easement that our department cannot purchase or obtain through negotiations with the property owner. As of this date we have obtained eleven (11) signed easements, two (2) are still in negotiations, and one (1) is being prepared for condemnation.

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

**COOKEVILLE CITY COUNCIL  
MINUTES  
APRIL 2, 2009**

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to authorize the City Manager to proceed with the Hudgens Creek Sewer Line Property/Easement Acquisition 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 UTILITY AGREEMENT  
WITH THE COOKEVILLE BOAT  
DOCK UTILITY DISTRICT**

Councilman Anderson made a motion, seconded by Vice-Mayor Davis, to postpone this item for two (2) weeks to review/change language in agreement. 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 FROM OFFICERS, COUNCILMEN AND CITY MANAGER:**

**RECEIVE THE CITY'S  
FINANCIALS FOR  
7-1-08 THROUGH  
2-28-09**

Mike Davidson, Finance Director, gave a detailed report of the city's financials for 7-1-08 through 2-28-09.

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

Councilman Williams announced that Cookeville, TN is featured in the Site Selection Magazine as USA's #14<sup>th</sup> and Tennessee's #1 micropolitan area for business location.

There being no further business to discuss, Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adjourn the meeting at 7:25 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.

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Sam Sallee, Mayor

ATTEST:

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Cathy McClain, City Clerk