

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
NOVEMBER 19, 2009
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, November 19, 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 adding – presentation by Dow Harris, Cookeville Housing Authority Director. 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.

**PRESENTATION BY
DOW HARRIS, CHA**

The Teens Need Training after School Program in its summer session, 2009, entered a poster contest sponsored through TAHRA, Tennessee Association of Housing and Redevelopment Authorities. The theme of the contest was "What Home Means to Me" The contest was open to youth residing in public housing ages 6 through 17 across the State of Tennessee.

Students were allowed to enter under three age categories. The categories were 1st through 3rd, 4th through 8th and 9th through 12th grades. Our program had 15 entries from all three categories at the State level.

State poster contests winners were Eugenia Sims, 12th grade, Josef Bullard, 8th grade and Helen Preister, 3rd grade. The State level winners were eligible for entry into the National level of the contest sponsored by NAHRO, National Association of Housing and Redevelopment Officials. Helen Preister's entry won the National contest. Helen's poster will be on the National Association of Housing and Redevelopment Officials 2010 Calendar and will be displayed in United States Capital Building this fall and then permanently stored in the

Library of Congress. We are extremely proud of these three children and what there homes mean to themselves and there family.

OLD BUSINESS:

**CONSIDER APPROVAL OF
MINUTES OF COUNCIL
MEETING HELD ON
NOVEMBER 5, 2009**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 19, 2009**

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 Williams. 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:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #009-10-19,
AMENDING THE ZONING
CODE PERTAINING TO
MINIMUM LOT AND YARD
REQUIREMENTS FOR
SINGLE-FAMILY ATTACHED
DWELLINGS (TOWNHOUSES)
IN ZONING DISTRICTS
ALLOWING CONDOMINIUMS
AS USES PERMITTED ON
REVIEW**

Councilman Williams made a motion, seconded by Vice-Mayor Davis, to approve on first reading Ordinance #009-10-19. 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.

**CONSIDER ON FIRST READING
ORDINANCE #009-11-20,
AMENDING TITLE 5, CHAPTER
3 OF THE MUNICIPAL CODE,
RELATIVE TO BUSINESS
TAX ACT**

Councilman Anderson made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #009-11-20. 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
MINUTES
NOVEMBER 19, 2009**

**CONSIDER APPROVAL OF
PROPERTY ACQUISITION
FOR COOKEVILLE
REGIONAL MEDICAL
CENTER LOCATED AT
604 NORTH CEDAR**



October 23, 2009

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 property and medical office building located at 604 North Cedar. The total purchase price is \$250,000 and will be purchased with cash reserves.

The property is located within the Medical District and will be used by CRMC as offices for hospital support staff. Please add this to the November 19, 2009 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 Williams, to approve the purchase of property at 604 North Cedar for CRMC. 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 SOARD
AGREEMENT – WATER
QUALITY CONTROL
DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 19, 2009**

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: November 10, 2009

SUBJ: Water Line Easement – Soard Sewer Agreement

During the November 19th City Council meeting I will be presenting an amendment to an agreement between the City of Cookeville, Deborah O'Neill, and Charlie Soard for your consideration. The original agreement was signed in August of 2002 and spelled out conditions for sewer access and property development.

Our department is in need of a water line easement across property owned by Patricia R. Soard and Charlie Soard. This is the same property that was referenced in the 2002 agreement between the City of Cookeville, Deborah O'Neill, and Charlie Soard. The Soards have indicated that they would grant the waterline easement in return for the removal of a condition contained in the original agreement. This condition states, "In the event the City upgrades the pump station which serves the Landowner's property, Landowner agrees to be responsible for the costs and expenses of the City for the upgrade of the pump station in an amount not to exceed \$20,000." This specific condition was placed into the agreement because the ultimate impact upon the sewer pumping station, which serves the Soard property, was unknown. The thinking at the time was that if the City was required to upgrade the pumping station, due to the addition of the development, then Soard/O'Neill would pay the City of Cookeville \$20,000 toward those upgrades.

Seven years have passed and the property has been fully developed. During those seven years we have not observed any negative impacts to the sewer pumping station that can be attributed to the Soard development. In fact, a proposed subdivision, adjacent to the Soard property, is currently under construction and will connect to the same sewer pumping station.

If you have any questions concerning this item please give me a call and I would be happy to discuss the item with you in detail.

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the amendment to the Soard Agreement 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.

**CONSIDER APPROVAL OF FINAL
BALANCE/CHANGE ORDER ON
THE BOOGER SWAMP SEWER
CONTRACT**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 19, 2009**

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: November 11, 2009

SUBJ: Final Balance/Change Order - Sewer Line Cleaning/TV Contract

I will be presenting a final balance and change order to the Booger Swamp sewer interceptor cleaning contract on the November 19th City Council meeting.

The original contract was awarded to Pipeline Innovation for \$44,500. A change order was approved by the City Council to add an additional \$35,000 to the contract. This change order was recommended due to the low bid price and our need to video inspect and clean approximately 5000 feet of additional sewer line in the area.

While the contractor was performing the additional work we experienced problems in an 18-inch sewer line, north of the K-Mart shopping center. This line needed immediate attention and was beyond our capabilities. We instructed the contractor to clean and video inspect this segment of line. The cleaning and video inspection is now complete. Change order #2 will add \$11,593.40 to the contract for a final contract price of \$90,820.40.

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

Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to approve the Final Balance/Change Order on the Booger Swamp Sewer Contract 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.

**CONSIDER APPROVAL OF
ENGINEERING CONTRACT
FOR BELLE ACRES SEWER
BASIN**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: November 12, 2009

SUBJ: Engineering Proposal – Belle-Acres Drainage Basin
Sanitary Sewer Line Evaluation Study

During the next City Council meeting I will be seeking authorization to enter into an engineering contract with Gresham Smith and Partners to evaluate the condition of sanitary sewer lines within the Belle-Acres drainage basin. The evaluation is necessary due to prior flow monitoring indicating excessive flow into the sewer system, which can then overload the pumping station during periods of heavy rain.

The project will consist of smoke testing, physical survey, and closed circuit television inspection. Field engineers will be on hand for these inspections. The engineer will then evaluate the TV recordings and the physical survey results. A report summarizing findings and recommended corrective actions will then be developed and submitted to our department. The contract is set up on an hourly basis with a not to exceed amount of \$76,736.00 and reimbursable expenses not to exceed \$1,000.

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

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 19, 2009**

Councilman Williams made a motion, seconded by Councilman Anderson, to approve the Engineering Contract for Belle Acres Sewer Basin 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.

**CONSIDER AWARDING BID FOR
WEST CEMETERY ROAD
EXTENSION PROJECT –
PUBLIC WORKS DEPT.**

Greg Brown, Public Works Director, recommended the lowest evaluated bid from Highways Inc. He advised that St. Johns Wort bid item #801-01-03 (ground cover) was omitted from all bids.

CITY OF COOKEVILLE
BID TABULATION RECORD
WEST CEMETERY ROAD EXTENSION

DEPARTMENT: Public Works DATE OF BID OPENING: November 16, 2009
BIDS OPENED BY: Greg Brown TIME OF BID OPENING: 2:00 pm
OPENING WITNESSED BY: Tracy Meggs

BIDDERS	BID AMOUNT	LESS ITEM NO. 801-01.03 ST. JOHNS WORT W/ MULCH	TOTAL BID AMOUNT
HIGHWAYS, INC.	\$1,048,555.00	\$640.00	\$1,047,915.00
PUTNAM CONTRACTING SERVICES	\$1,204,882.50	\$132,400.00	\$1,072,482.50
LOJAC ENTERPRISES	\$1,337,076.35	\$14,400.00	\$1,322,676.35
ELK MOUNTAIN CONSTRUCTION	\$1,226,223.92	\$132,000.00	\$1,094,223.92

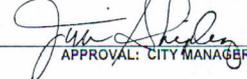
WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM HIGHWAYS, INC.

BE AWARDED FOR THE FOLLOWING REASON:

LOWEST EVALUATED BID


RECOMMENDED: DEPT. DIRECTOR


BUDGET AVAILABILITY: FINANCE DIRECTOR


APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Shelton, to award the West Cemetery Road Extension Project 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 AWARDING BID FOR
TRANSFORMERS – ELECTRIC
DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
NOVEMBER 19, 2009**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 09110201**

DATE OF BID OPENING: 11-10-2009
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Brandon Jones
 DEPARTMENT: Electric

TIME: 2:00 PM CST

BIDDERS	QTY	75 Kva Pad. Transformer	evaluated cost						
		3							
Power Supply		\$ 4,530.00							
		\$ 13,590.00	\$ 6,805.62						
HD Utilities		\$ 6,290.00							
		\$ 18,870.00	\$ 8,834.47						
Deco Supply		\$ 4,043.00							
		\$ 12,129.00	\$ 6,325.31						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Deco Supply

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


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

Councilman Williams made a motion, seconded by Vice-Mayor Davis, to award the transformer 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:

The Council wished everyone a Happy Thanksgiving & reminded everyone that the leaf pickup will be collected by route not by phone requests.

There being no further business to discuss, Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:40 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