COOKEVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 16, 2010
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, December 16, 2010, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Vice-Mayor Epps announced a moment of silent prayer. Pledge of Allegiance was led by Vice-Mayor Epps. Vice-Mayor Epps then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

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

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON DECEMBER 2, 2010

Councilman Anderson made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Albrecht. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O10-11-13, CLOSURE AND ABANDONMENT OF A PORTION OF AN UNDEVELOPED ALLEY RIGHT-OF-WAY LOCATED NORTH OF CRAIGHEAD STREET AND CONTIGUOUS WITH PARCELS 14.00 AND 15.00 ON TAX MAP 53B, GROUP G, AND DECLARING IT AS SURPLUS

Councilman Albrecht made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O10-11-13. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O10-11-14, ADOPTING THE COOKEVILLE 2030 PLAN

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O10-11-14. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSENT AGENDA:

CONSIDER AWARDING BID FOR MEAL/SERVICE FOR FATHER/ DAUGHTER DATE NIGHT – LEISURE SERVICES DEPT.

CITY OF COOKEVILLE
TABULATION SCHEDULE

Full Catered Meal for Father Daughter Date Night

DATE OF BID OPENING: Tuesday, December 7, 2010 **Time: 10:00 a.m.**
BIDS OPENED BY: Rick Woods & Janice Myers
DEPARTMENT: Leisure Services & Public Facilities

BIDDER	Meal Bid	Optional Chocolate Fountain
1. Royal Act Catering	$11,949.00	$950.00
2. The Catering Company	$17,808.00	$2,100.00
3. Grade A Catering	$12,058.20	$1,425.00

We, the undersigned, do hereby recommend the bid from Royal Act Catering for the following reason:

Low Bid Meeting Specifications

Rick Woods
RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

CONSIDER AWARDING BID FOR TRANSFORMERS – ELECTRIC DEPT.

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 10111901

DATE OF BID OPENING: 12-2-2010 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Jeff Dilldine
DEPARTMENT: Electric

BIDDERS	150 Kva Pad Transformer							
QTY	2	evaluated cost						
Deco	$ 5,098.00 $ 10,196.00	$ 9,042.71						
Power Supply	$ 5,766.00 $ 11,532.00	$ 9,606.33						
Gresco	$ 6,720.00 $ 13,440.00	$ 10,921.60						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Deco

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve the consent agenda items as submitted. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

NEW BUSINESS:

CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CRMC RELATIVE TO THE 7TH STREET WIDENING PROJECT

AGREEMENT

WHEREAS, the City of Cookeville, Tennessee ("the city") plans to widen 7th Street from Willow Avenue to Peachtree Avenue to three lanes and make improvements such as new sidewalks and decorative street lighting ("the project"); and,

WHEREAS, the improvements will enhance the main entrance into Cookeville Regional Medical Center ("the hospital")

WHEREAS, the estimated cost of the project is $650,000; and

WHEREAS, the hospital administration has agreed to bear the cost of the project in consideration for the Cookeville City Council agreeing to not increase the hospital's annual in-lieu payment to the city for five (5) years; and,

NOW THEREFORE, for and in consideration of the mutual promises contained herein the parties agree as follows:

1. The city hereby agrees to make the above-noted improvements to the project.
2. The hospital board of trustees hereby agrees to reimburse the City for the cost of the project at a not to exceed amount of $650,000.
3. This agreement constitutes the entire agreement existing between the parties and may not be altered or amended except in writing signed by both parties.

Councilman Anderson made a motion, seconded by Councilman Albrecht, to authorize the City Manager to execute an agreement with CRMC as submitted.

After discussion, Councilman Anderson made a motion, seconded by Councilman Albrecht, to amend the motion to add language to the 4th paragraph "through fiscal year June 30, 2015" in the agreement. Upon call for a vote on the amendment to the motion, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the amendment to the motion carried.

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

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the amended motion carried.

CONSIDER RESOLUTION #R10-12-13, APPROVING THE ISSUANCE OF $30 MILLION BUILD AMERICA BONDS FOR RENOVATION/ EXPANSION CRMC

Councilman Albrecht made a motion, seconded by Councilman Anderson, to adopt Resolution #R10-12-13. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF EXPENDITURE OF NOT-TO-EXCEED $20 MILLION FOR OR EXPANSION CRMC

Councilman Albrecht made a motion, seconded by Councilman Woodford, to approve the expenditure of not-to-exceed $20 million for OR Expansion Project as recommended. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF EXPENDITURE OF NOT-TO-EXCEED $4.9 MILLION FOR ELECTROPHYSIOLOGY LAB CRMC

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve the expenditure of not-to-exceed $4.9 million for the Electrophysiology Lab Project as recommended. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER RESOLUTION #R10-12-12A, ADOPTING POLICIES AND PROCEDURES RELATIVE TO IRS CODE REQUIREMENTS FOR TAX-EXEMPT/OTHER BONDS

Councilman Anderson made a motion, seconded by Councilman Woodford, to adopt Resolution #R10-12-12A. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF FUNDING FOR THE DRUG COURT OPERATIONS THROUGH UCHRA

uchra
Upper Cumberland
Human Resource Agency

November 18, 2010

Mr. Jim Shipley
Cookeville City Manager
45 East Broad Street
Cookeville, Tennessee 38501

Dear Mr. Shipley:

As explained in the attached letter from Judge John Hudson, the Upper Cumberland Human Resource Agency has begun administering the Putnam County Drug Court. I am therefore requesting funds in the amount of $7,500.00 from the City of Cookeville for the revenue support for the ongoing drug court operations.

Thanks in advance for the City's support. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Phyllis R. Bennett

Phyllis R. Bennett
Executive Director

Ltr. Dtch 10-4-10

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the funding of $7,500.00 for drug court operations as requested. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER ACCEPTANCE OF CERTIFIED RETURNS OF LOCAL OPTION ELECTION (ALCOHOLIC BEVERAGES) HELD ON NOVEMBER 2, 2010

11/17/2010

State of Tennessee - PUTNAM County
Municipal Election
November 2, 2010
Liquor Referendum - Cookeville

1. TO PERMIT
2. NOT TO PERMIT

Precinct	1	2
1A Capshaw	745	516
1C South Cookeville	204	188
2A Northeast	1114	590
3A University	216	173
5A Cookeville CC	83	84
5C Prescott South	179	207
6A Cane Creek	662	633
7A Burgess Falls	180	159
9A D Springs North	7	6
10B Sycamore	311	276
11B Cookeville High	66	55
Totals	3767	2887

Councilman Anderson made a motion, seconded by Councilman Albrecht, to accept the certified returns of the Local Option Election on 11-2-10 (Liquor Package Stores) as submitted. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER AUTHORIZING APPROVAL OF ENGINEERING CONTRACT FOR SANITATION SEWER LINE EVALUATION STUDY – WATER QUALITY CONTROL DEPARTMENT

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RK

DATE: December 8, 2010

SUBJ: Engineering Proposal – 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 four drainage basins. The evaluation is necessary due to prior flow monitoring indicating excessive flow into the sewer system, which can then overload the pumping stations during periods of heavy rain.

The project will consist of smoke testing and a physical survey. Field engineers will be on hand for these inspections. The engineer will then evaluate the survey results. A report summarizing findings and recommended corrective actions will then be developed and submitted to our department. We have negotiated a contract amount of $39,395.10 and would recommend approval by the Council.

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

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve the engineering contract for Sanitation Sewer Line Evaluation Study as recommended. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER APPOINTMENTS TO THE SEWER REGULATIONS APPEALS BOARD

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: December 8, 2010

SUBJ: Sewer Regulations Appeals Board

During the December 16th City Council meeting the City Council will need to appoint three members to the Sewer Regulations Appeals Board. The terms of Dennis George, Bob Vick, and John Weakley have expired. Dennis George and Bob Vick cannot serve another term on the Board without a one-year break. John Weakley is eligible to serve another term.

The Board was established by Ordinance #88126 in 1988. The Board is made up of five members appointed to three-year terms who shall not serve more than two full, three-year terms without a one-year break. The Board is set up to conduct hearings on appeals of decisions of the Director in actions taken under and pursuant to the Sewer Use Ordinance. Since being established the Board has yet to meet to hear an appeal.

It is my recommendation that Phil Staton, with Clinton Engineering and Gina Whitehead, with Metcom, be appointed to fill two of the vacancies. It is also my recommendation that John Weakley be reappointed to an additional term on the Board.

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

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve the appointments to the Sewer Regulations Appeals Board as recommended. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER 2011 HEALTH INSURANCE CONTRACTS

2011 Employee Health Plan Recommendations / Overview

- Deductible increase to $1,000
  - 2010 ($500)
- BlueCross BlueShield Administers Plan $227,000
  - $40.53 pcpm
  - 11.73% decrease from 2010
- Stop Loss Insurance – reduce plan's financial risk associated with catastrophic medical claims
  - HM $212,457 (7.25% increase / $20.61 single / $49.23 family)
  - Sunlife $265,000 no exclusions
- Stop Loss - $150,000 deductible per covered member
  - Plus $50,000 aggregating specific deductible

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the 2011 Health Insurance Contract recommendations as submitted. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER CONTRACT WITH COOKEVILLE REGIONAL MEDICAL CENTER TO UTILIZE THE CRMC EMPLOYEE HEALTH CLINIC

Councilman Albrecht made a motion, seconded by Councilman Anderson, to approve the contract with CRMC to allow city employees to use the CRMC Employee Health Clinic. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

CONSIDER EMPLOYEE HEALTH & WELLNESS PROGRAM

Summary of Recommended Wellness/Fitness Plan

Purpose: To encourage all City employees to lead active, healthy lifestyles, and give them incentives to participate in a fitness program.

Participation in the fitness program is voluntary. Employees will sign-up to participate.

Two options are available – one with measured fitness levels, and one with non-measured fitness levels.

Plan A - No assessment required – exercise is on the honor system – rewards given twice per year. Requirements to qualify for incentive/cash reward:

1. Sign an agreement to participate in the fitness program – plan A.
2. Complete a minimum of 30 minutes of exercise 72 times in a six month period (the equivalent of three days per week.)
3. Keep an exercise log documenting activity and turn-in monthly.
4. Attend one "lunch and learn" type fitness/health/wellness program in a six month period.
5. Reward: $25 cash reward paid at the end of the six months (June and December) for successfully completing requirements

Plan B – Physical fitness assessment required twice per year – exercise is on the honor system – rewards given twice per year. Requirements to qualify for incentive/cash reward:

1. Sign an agreement to participate in the fitness program – Plan B.
2. Complete a minimum of 30 minutes of exercise 72 times in a six month period (the equivalent of three days per week.)
3. Keep an exercise log documenting activity and turn-in monthly.
4. Attend one "lunch and learn" type fitness/health/wellness program in a six month period.
5. Complete a fitness assessment twice per year, and be in the target range for age group and gender in 3 of the 5 measured standards:
    a. flexibility
    b. muscular strength
    c. muscular endurance
    d. cardio endurance
    e. body composition
6. Reward: $75 cash reward paid at the end of six months (June and December) for successfully completing requirements.

Payroll deductions for local fitness center/club memberships will be offered to all employees.

Participation in Leisure Services fitness classes will be free to all employees.

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve the Employee Health & Wellness Program as recommended. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

HEARING OF CITIZENS AND/OR DELEGATIONS:

The council thanked the employees who participated on the health insurance study committee!

Vice-Mayor Epps announced that the Mayor is absent due to the birth of his first baby girl Channing Riley Swallows!

Councilman Anderson reminded everyone to shop local!!

There being no further business to discuss, Councilman Anderson made a motion, seconded by Councilman Woodford, to adjourn the meeting at 6:35 p.m. Upon call for a vote, the following voted aye:

Vice-Mayor Larry Epps
Councilman Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

ABSENT: Mayor Matt Swallows

The City Clerk announced that the motion carried.

_____
Larry Epps, Vice-Mayor

ATTEST:

_____
Cathy McClain, City Clerk