

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 17, 2011  
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, February 17, 2011, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Mayor Swallows called for a moment of silent prayer, and led the audience in the Pledge of Allegiance. Mayor Swallows then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

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 Vice-Mayor Epps, to add item #10 – report from Police Department on plant food & bath salts and approve the agenda as amended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**OLD BUSINESS:**

**CONSIDER APPROVAL OF MINUTES  
OF COUNCIL MEETING HELD ON  
FEBRUARY 3, 2011**

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 Woodford. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON SECOND AND FINAL  
READING ORDINANCE #O11-02-02,  
AMENDING THE ZONING CODE  
RELATIVE TO RETAIL  
PACKAGE STORES/RETAIL  
BEER SALES LOCATIONS**

**COOKEVILLE CITY COUNCIL  
MINUTES  
FEBRUARY 17, 2011**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O11-02-02.

Steve Tiebout, Pastor of The River Church, stated that the TTU President & others are also opposed to allowing package stores to be located beyond Broad Street.

Councilman Woodford made a motion, seconded by Councilman Anderson, to amend the motion to move the southern boundary on South Jefferson Avenue from Henley Drive to the northern right-of-way of Interstate 40 and to move the southern boundary on South Willow Avenue to the northern right-of-way of Interstate 40. Upon call for a vote on the amendment to the motion, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

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

Vice-Mayor Epps made a motion to amend the motion to remove Washington Avenue in its entirety. The motion failed due to the lack of a second.

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

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the amended motion carried.

**CONSIDER ON SECOND AND FINAL  
READING ORDINANCE #O11-01-01,  
AMENDING TITLE 8 & TITLE 11 OF  
THE COOKEVILLE MUNICIPAL  
CODE, RELATIVE TO RETAIL  
PACKAGE STORES/ALCOHOL  
(LBD) & BEER**

Jim Shipley, City Manager, recommended the following changes:

Location and Size Restrictions

- Recommended additions to 8-306(5):
- *"It shall be the responsibility of the applicant to certify that the proposed liquor store meets or exceeds the distance requirements required in this section. At the request of the city, the applicant shall be required to submit a survey demonstrating the property meets the distance requirements."*

Chapter 4. Beer-On and Off-Premise  
Consumption

- Recommended additions to Section 8-422.
- **Special Events Permits.** Special events permits may only be issued to bona fide charitable or nonprofit organizations and the city. Special events permits shall not be issued for the sale, storage or manufacture of beer on any public property, right of way or street, except at special events in Dogwood Park, the Cookeville Performing Arts Center and at City of Cookeville sponsored events at locations designated by the City of Cookeville. *"This exception shall not include Fall Funfest"*.

**COOKEVILLE CITY COUNCIL  
MINUTES  
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Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O11-01-01.

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to amend the motion to add survey requirements and to remove Fall Fun Fest as submitted by City Manager. Upon call for a vote on the amendment to the motion, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

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:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the amended motion carried.

**NEW BUSINESS:**

**CONSIDER RESOLUTION #R11-02-01,  
REQUESTING THE TENNESSEE  
GENERAL ASSEMBLY AMEND  
THE T.C.A. SECTION 57-4-102 TO  
ALLOW THE SALE OF ALCOHOLIC  
BEVERAGES IN THE COOKEVILLE  
PERFORMING ARTS CENTER**

Councilman Anderson made a motion, seconded by Vice-Mayor Epps, to adopt Resolution #R11-02-01. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R11-02-02,  
REQUESTING THE TENNESSEE  
GENERAL ASSEMBLY AMEND  
THE T.C.A. SECTION 57-4-102 TO  
ALLOW THE SALE OF ALCOHOLIC  
BEVERAGES IN THE COOKEVILLE  
DOGWOOD PARK**

**COOKEVILLE CITY COUNCIL  
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Councilman Anderson made a motion, seconded by Vice-Mayor Epps, to adopt Resolution #R11-02-02. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING  
THE CITY MANAGER TO  
EXECUTE AN AGREEMENT  
FOR NATURAL GAS  
STORAGE**

Mike Davidson, Gas Department Director, reported the following:

**Natural Gas Storage Contract**

- Dominion Transmission, Inc
  - Extends existing contract been in place since June 2000
  - Terms April 1, 2011 – March 31, 2021 with subsequent annual renewal
  - Storage Capacity 37,523 Dekatherms
  - Demand (MDWQ) 612 Dekatherms per day
  - Rates based on the maximum rates provided in the pipelines effective FERC Gas Tariff
    - Annual Capacity & Demand Cost \$20,500

Councilman Anderson made a motion, seconded by Vice-Mayor Epps, to authorize the City Manager to execute the agreement for natural gas storage as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR  
2011 BELLE ACRES CURED IN  
PLACE PIPE REHABILITATION  
PROJECT – WATER QUALITY  
CONTROL DEPARTMENT**

**COOKEVILLE CITY COUNCIL  
MINUTES  
FEBRUARY 17, 2011**

CITY OF COOKEVILLE  
DEPARTMENT OF WATER QUALITY CONTROL  
**2011 BELLE ACRES CURED IN PLACE PIPE REHABILITATION PROJECT**

DATE OF BID OPENING: 10-Feb-11 TIME: 10:00 A.M.  
BIDS OPENED BY: BARRY TURNER  
BIDS WITNESSED BY: BONNIE TINCH

CONTRACTOR	TOTAL BID			
AMERICAN INFRASTRUCTURE	\$357,400			
IMPROVED TECHNOLOGIES GROUP	\$436,850			
INSITUFORM TECHNOLOGIES, INC	\$347,503			
MOORE CONSTRUCTION CO., INC.	DNB			
PIPEWORKS PLUS	DNB			
REYNOLDS INLINER LLC	\$389,600			
<b>SAK CONSTRUCTION, LLC</b>	<b>\$331,695</b>			

DNB - DID NOT BID

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

  
RECOMMENDED:  
DEPARTMENT HEAD

  
APPROVAL:  
CITY MANAGER

  
BUDGET AVAILABILITY:  
FINANCE DIRECTOR

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the 2011 Belle Acres Cured in Place Pipe Rehabilitation Project bid as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BID FOR  
TWO (2) TRUCKS – POLICE  
DEPARTMENT**

CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

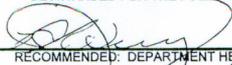
DATE OF BID OPENING: 2/10/2010, 10 am  
BIDS OPENED BY: Major Evans, USD Commander  
BIDS WITNESSED BY: Cathy McClain, City Clerk; Tallas McNett, USD Assistant  
DEPARTMENT: Police

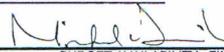
BIDDERS	3/4 Ton 4X4 Crew Cab	1/2 Pickup Truck
Alexander Ford	2011 Ford F-250 - \$27,667 2011 Ford F-250 - \$25,642** ✓	2011 Ford F-150 - \$16,168 ✓
Cardinal Chrysler	2011 Dodge ST - \$24,481.91*	2011 Dodge 1500ST - \$19,899.15
Freeland Chevrolet	2011 Chevrolet - \$28,913.20	did not bid
Dobbs Ford	2011 Ford F-250 - \$28,044	2011 Ford F-150 - \$16,130
Walker Chevrolet	2011 Chevrolet 2500HD - \$27,097	2011 Chevrolet 1500 - \$17,372*

\* Does not meet Specifications  
\*\* Alternate bid, minor change

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM Alexander Ford (1) 3/4 TON & (1) 1/2 TON

BE AWARDED FOR THE FOLLOWING REASON: Local dealer/lowest bid

  
RECOMMENDED: DEPARTMENT HEAD

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

  
APPROVAL: CITY MANAGER

**COOKEVILLE CITY COUNCIL  
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Councilman Anderson made a motion, seconded by Councilman Woodford, to award the truck bid as recommended. Upon call for a vote, the following voted aye:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

**REPORT FROM POLICE  
DEPARTMENT ON PLANT  
FOOD & BATH SALTS**

Major Nathan Honeycutt, of the Cookeville Police Department, gave a brief report concerning the sale of dangerous drugs being sold legally over the counter labeled as "bath salts" or "plant food". He advised that the use of these substances is becoming widespread across the country & Putnam County's state lawmakers are moving to outlaw these dangerous drugs being sold.

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

Councilman Anderson announced the "Dogapalooza" event will be on 4-2-11 in Dogwood Park & City Employee "Wellness/Get Fit Program" kickoff was on 2-1-11!!

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:

Mayor Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Alma Anderson  
Councilman Jim Woodford

ABSENT: Councilman Connie Albrecht

The City Clerk announced that the motion carried.

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Matt Swallows, Mayor

ATTEST:

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Cathy McClain, City Clerk