

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
OCTOBER 6, 2011  
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, October 6, 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 Connie Albrecht  
Councilman Alma Anderson  
Councilman Jim Woodford

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

**CONSIDER APPROVAL OF  
AGENDA AS PRESENTED**

City Manager Jim Shipley requested to add item #15 – consider Resolution #R11-10-14, commending Scott Stallings for his victory on the PGA Tour.

Councilman Anderson made a motion, seconded by Councilman Albrecht, to add item #15 and to approve the agenda as amended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**OLD BUSINESS:**

**CONSIDER APPROVAL OF  
MINUTES OF COUNCIL  
WORK SESSION HELD  
ON SEPTEMBER 12, 2011**

Councilman Woodford made a motion to dispense with the reading of 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 Matt Swallows  
Vice-Mayor Larry Epps  
Councilman Connie Albrecht  
Councilman Alma Anderson  
Councilman Jim Woodford

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

**NEW BUSINESS:**

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O11-09-16,  
REZONING A PORTION OF  
644 WHITSON CHAPEL  
ROAD (TAX MAP #52O-B  
PORTION OF PARCEL  
9.00) FROM RS20 (SINGLE-  
FAMILY RESIDENTIAL)  
TO CL (LOCAL  
COMMERCIAL)**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O11-09-16. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O11-09-17,  
REZONING 1491 & 1493  
WEST BROAD STREET  
FROM RS20 (SINGLE-  
FAMILY RESIDENTIAL)  
TO CL (LOCAL  
COMMERCIAL)**

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve on first reading Ordinance #O11-09-17. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND  
CONSIDER ON FIRST READING  
ORDINANCE #O11-09-18,  
AMENDMENTS TO THE  
ZONING CODE**

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O11-09-18. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING  
WALLER LANSDEN DORTCH  
& DAVIS, LLP AS BOND  
COUNSEL FOR THE \$4,000,000  
ELECTRIC SYSTEM REVENUE  
AND TAX BONDS, SERIES 2011**

Mike Davidson, Finance Director, reported the following:

**General Obligation Revenue and Tax Bonds  
Electric System  
Substation Construction**

- Bond Counsel – Waller Lansden Dortch and Davis
  - Acted as bond counsel for city in our two most recent bond issues
    - Gas System Revenue Refunding Bonds 2009
    - Highlands Industrial/Business Park Build America Bonds 2010
  - \$15,000 fee (funded from bond proceeds)

Councilman Anderson made a motion, seconded by Councilman Albrecht, to approve Waller Lansden Dortch & Davis, LLP as Bond Counsel as submitted. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING  
STEPHENS INC. AS FINANCIAL  
ADVISOR AND BOND FISCAL  
AGENT FOR THE \$4,000,000  
ELECTRIC SYSTEM REVENUE  
AND TAX BONDS, SERIES 2011**

Mike Davidson, Finance Director, reported the following:

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

**General Obligation Revenue and Tax Bonds  
Electric System  
Substation Construction**

- Stephens Inc. act as financial advisor
  - Previously worked with Stephens Inc on other debt issues
    - Gas System Revenue Refunding Bonds 2009
    - Highlands Industrial/Business Park Build America Bonds 2010
- Prepare and publish official notices relating to the bonds and advertise the sale of the bonds in accordance with state law
- Coordinate, prepare and deliver all documents required for the issuance of the bonds
- Coordinate and supervise the competitive sale process
- Evaluate the bids to determine the most favorable bid to the city
- Financial advisor fees and all bond issue cost will be paid from bond proceeds
  - \$20,000 financial advisor
  - \$1,500 preparation publication of official notice of sale
  - \$4,000 preparation distribution of preliminary and final official statements
  - \$1,000 miscellaneous closing expenses, travel etc..
  - \$8,000 Moody's credit rating

Councilman Woodford made a motion, seconded by Councilman Anderson, to approve Stephens Inc. as Financial Advisor and Bond Fiscal Agent as submitted. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R11-10-12,  
INITIAL RESOLUTION AUTHORIZING  
THE ISSUANCE OF NOT-TO-EXCEED  
FOUR MILLION (\$4,000,000) GENERAL  
OBLIGATION BONDS (REVENUE AND  
TAX) OF COOKEVILLE, TN**

Mike Davidson, Finance Director, reported the following:

**General Obligation Revenue and Tax Bonds  
Electric System**

- Revenue and Tax Bonds \$4 million
  - Proceeds to Construct New Electric Substation
  - Traditional Tax Exempt Bonds
  - Designated as Bank Qualified
  - Pledges Revenue of Electric System for Debt Service
  - Sold at Competitive Sale (date TBD)
  - Resolution to be published in local paper / notice of proposed bond issue  
(WILL RUN ON 10-10-11 & CITIZENS HAVE 20 DAYS TO RESPOND IF OPPOSED)

Councilman Anderson made a motion, seconded by Councilman Woodford, to adopt Resolution #R11-10-12. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

**CONSIDER RESOLUTION #R11-10-13,  
AUTHORIZING THE ISSUANCE OF  
NOT-TO-EXCEED \$4,000,000 IN  
AGGREGATE PRINCIPAL AMOUNT  
OF ELECTRIC SYSTEM REVENUE  
AND TAX BONDS, SERIES 2011 OF  
THE CITY OF COOKEVILLE, TN,  
AND PROVIDING THE DETAIL  
THEREOF**

Councilman Albrecht made a motion, seconded by Councilman Anderson, to adopt Resolution #R11-10-13. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR  
SERVICE TRUCK – GAS DEPT.**

CITY OF COOKEVILLE  
BID TABULATION SCHEDULE

Item for Bid: 2012 19500GVW with/service body

DATE OF BID OPENING: September 12th, 2011 TIME: 10:00a.m.  
BIDS OPENED BY: Jeff Mills  
BIDS WITNESSED BY: Jeff Mills, Jude Hodupp, Donald Stockton  
DEPARTMENTS: Gas

BIDDERS	(1) QUANTITY	PRICE	Body			
	Make of Truck	Gasoline Engine	Manufacturer			
Joe Usry Jackson, MS	Dodge	no bid	Omaha			
Cardinal Chrysler Louisville, KY	Dodge	no bid	Omaha			
TN Fleet Sales Murfreesboro, TN	Dodge	no bid	Reading			
Georgia Ford Buford, GA	Ford	\$41,200.00	Knapheide			
Country Ford South Haven, MS	Ford	\$39,611.80	Omaha			
Golden Circle Ford Jackson, TN	Ford	\$39,408.00	Omaha			
TN Fleet Sales Murfreesboro, TN	Ford	\$39,362.00	Omaha			
TN Fleet Sales Murfreesboro, TN	Ford	\$38,727.00	Knapheide			

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM TN Fleet Sales, Murfreesboro, TN BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specifications

  
RECOMMENDED: DEPT. HEAD

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

  
APPROVAL: CITY MANAGER

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 Connie Albrecht  
Councilman Alma Anderson  
Councilman Jim Woodford

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF  
EMERGENCY MOTOR REPAIRS  
AT WATER PLANT – WATER  
QUALITY CONTROL DEPT.**

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

**MEMORANDUM**

**TO:** City Manager  
City Council

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

**DATE:** September 30, 2011

**SUBJ:** Emergency Motor Repairs – Water Plant

One of our 700 hp raw water pump motors recently needed to be taken out of service due to bearing failure. We contacted the local pump representative, Cookeville Electric Motor, to complete the repairs since this is one of our newer pump and motors.

The repairs have now been completed and I will be presenting the emergency repair invoice, in the amount of \$18,330.14, for Council approval during the October 6<sup>th</sup> City Council meeting.

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

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

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BID FOR  
HVAC SYSTEM FOR COOKEVILLE  
PERFORMING ARTS CENTER –  
LEISURE SERVICES DEPT.**

**CITY OF COOKEVILLE  
BID TABULATION SCHEDULE**

**Commercial Grade Heating Ventilation and Air Conditioning System for  
Cookeville Performing Arts Center**

DATE OF BID OPENING: Friday, September 30, 2011 TIME: 10:00 a.m.  
BIDS OPENED BY: Rick Woods and Janice Myers  
DEPARTMENT: Leisure Services & Public Facilities

	Bid Price Including installation
1. Charles Stone Heating & Cooling	\$78,450.00
2. Carwile Mechanical Contractors, Inc.	\$75,490.00
3. CHC Mechanical Contractors, Inc.	\$103,750.00

We, the undersigned, do hereby recommend the bid from Carwile Mechanical Contractors for the following reason:

Lowest evaluated bid

  
RECOMMENDED: DEPARTMENT HEAD

  
BUDGET AVAILABILITY: FINANCE DIRECTOR

  
APPROVAL: CITY MANAGER

Councilman Woodford made a motion, seconded by Councilman Anderson, to award the HVAC system bid as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

**CONSIDER AWARDING BID FOR  
SOD FOR DOGWOOD PARK –  
LEISURE SERVICES DEPT.**

**CITY OF COOKEVILLE  
BID TABULATION SCHEDULE**

SOD for Dogwood Park (16,340 sq. yds.)

DATE OF BID OPENING: Friday, September 30, 2011 TIME: 11:00 a.m.

BIDS OPENED BY: Rick Woods and Janice Myers

DEPARTMENT: Leisure Services & Public Facilities

	Bid Price (per square yard-delivered)	Total Bid
1. Earth Sod Farms & Nursery, Viola, TN	\$1.65	\$26,961.00
2. Turf Grass America, Taft, TN	\$2.30	\$37,582.00
3. Walker's Sod Farm, Inc. McMinnville, TN	\$1.40	\$22,876.00
4. A & W Southern Sod Farms, Springfield, TN	\$1.91	\$31,209.40
5. J & S Construction, Cookeville, TN	\$2.00	\$32,680.00
6. Tn. Landscape Co., Cookeville, TN	\$1.75	\$28,595.00
7. Mid Tenn Turf, Inc, Manchester, TN	\$1.60	\$26,144.00
8. Southeastern Turf, Eagleville, TN.	\$1.25	\$20,425.00

We, the undersigned, do hereby recommend the bid from Southeastern Turf for the following reason:

Lowest evaluated bid meeting specifications

Rick Woods  
RECOMMENDED: DEPARTMENT HEAD

Janice Myers  
BUDGET AVAILABILITY: FINANCE DIRECTOR

Jim Anderson  
APPROVAL: CITY MANAGER

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

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

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BIDS FOR  
BENCHES & TRASH RECEPTACLES  
FOR DOGWOOD PARK – LEISURE  
SERVICES DEPARTMENT**

**CITY OF COOKEVILLE  
BID TABULATION SCHEDULE**

Benches and Trash Receptacles for Dogwood Park

DATE OF BID OPENING: Friday, September 30, 2011 TIME: 11:30 a.m.

BIDS OPENED BY: Rick Woods and Janice Myers

DEPARTMENT: Leisure Services & Public Facilities

	Per Bench Cost w/shipping	Total 30 Benches	Per Trash Receptacle w/shipping	Total 20 Trash Receptacles
1. Korkat, Inc.	\$741.23	\$22,237.00	\$823.67	\$16,473.50
2. Recreation Brands Group	\$910.23	\$27,307.00	\$693.75	\$13,875.00
3. Peach State Amenities, LLC	\$1,048.00	\$31,440.00	\$796.00	\$15,920.00
4. Outdoor Recreation, Inc	\$998.68	\$29,960.40	\$462.21	\$9,244.20
5. BV Associates	\$1075.00	\$32,250.00	\$1075.00	\$21,500.00
6. Yoreo-G & G	\$995.00	\$29,850.00	No Bid	-
7. Victor Stanley, Inc	\$996.00	\$29,880.00	\$748.00	\$14,960.00

We, the undersigned, do hereby recommend the bid from VICTOR STANLEY, INC. for the following reason: Lowest evaluated bids meeting specifications

Paul Woodall  
RECOMMENDED: DEPARTMENT HEAD

Janice Myers  
BUDGET AVAILABILITY: FINANCE DIRECTOR

Jim Anderson  
APPROVAL: CITY MANAGER

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the bids for benches & trash receptacles as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R11-10-14,  
COMMENDING SCOTT STALLINGS  
FOR HIS VICTORY ON THE PGA  
TOUR**

Mayor Swallows read Resolution #R11-10-14.

Councilman Anderson made a motion, seconded by Councilman Woodford, to adopt Resolution #R11-10-14. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

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

Jesse Stewart, of Tea Party & Republican Party, presented information to the council about U.N. Agenda 21 Sustainable Development.

Judy Butler, of Beverly Hills Subdivision, requested information on who enforces the laws pertaining to the operation of the rock quarry. The City Manager said he can provide her with a copy of the quarry history presented by Dan Rader, City Attorney, in the 6-16-11 council meeting.

Councilman Anderson reminded everyone of the following events: Brown Bag Lunch @ the Depot every Friday in October from 11:30 a.m. – 1:00 p.m.; “Shakespeare in the Dogwood Park” @ 7:00 p.m. following the council meeting; and WCTE “Blues & Brews” @ the Cookeville Country Club @ 7:00 p.m. on 10-7-11.

Jim Shipley, City Manager, announced that *Halloween will be celebrated in Cookeville on Monday, October 31<sup>st</sup>.*

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 6, 2011**

There being no further business to discuss, Councilman Albrecht made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:45 p.m. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

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Matt Swallows, Mayor

ATTEST:

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Cathy McClain, City Clerk