

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JANUARY 19, 2012
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, January 19, 2012, 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, 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:

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
MEETING HELD ON
DECEMBER 15, 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.

CONSENT AGENDA:

**CONSIDER AWARDDING BID FOR
UNIFORMS – ELECTRIC DEPT.**

**COOKEVILLE CITY COUNCIL
MINUTES
JANUARY 19, 2012**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 11122701**

DATE OF BID OPENING: 1-11-2012 TIME: 2:00 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Kevin Burroughs
 DEPARTMENT: Electric

BIDDERS	QTY	item 1	item 2	item 3	item 4
		Flame Retardant Work Shirt	Flame Retardant Work Pants	Flame Retardant Work Jacket	Flame Retardant T-Shirt
Stuart Irby		\$52.80/ea.	\$56.16/ea.	\$106.60/ea.	\$39.80/ea.
Wesco		\$44.33/ea.	\$46.00/ea.	\$121.41/ea.	\$35.90/ea.
Perfect Fit		\$43.50/ea.	\$49.00/ea.	\$101.50/ea.	\$33.50/ea.
Aramark		\$58.99/ea.	\$74.99/ea.	\$49.99/ea.	\$39.99/ea.
Unifirst		\$59.26/ea.	\$68.57/ea.	\$128.14/ea.	\$44.36/ea.

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM item 1 Perfect Fit item 2 Wesco item 3 Aramark item 4 Perfect Fit
 BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.
 RECOMMENDED: [Signature] DEPT. HEAD APPROVAL: [Signature] CITY MANAGER

**CONSIDER AWARDED BID FOR
CABLE – ELECTRIC DEPT.**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 11120702**

DATE OF BID OPENING: 12-21-2011 TIME: 2:30 PM CST
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Jeff Dildine
 DEPARTMENT: Electric

BIDDERS	QTY	1/0 Underground Primary Cable 10,000'
Power Supply		\$2.35/ft \$ 23,500.00
Wesco		\$2.40/ft \$ 24,000.00
Stuart Irby		\$2.322/ft \$ 23,220.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby
 BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs.
 RECOMMENDED: [Signature] DEPT. HEAD APPROVAL: [Signature] CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the consent agenda items 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
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At this time, the Leadership Putnam Class & Cookeville-Putnam County Chamber of Commerce members spoke to the council requesting financial support for the expansion (200 horse stall barn & covered warm-up arena) of the Hyder-Burks Pavilion in order to be qualified to host larger Horse Competitions in the future. They explained that this would bring more revenue to the Putnam County area.

NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O11-12-22,
REZONING 1710 WHITE ROAD (TAX
MAP #83J-D PORTION OF PARCEL
4.00) FROM CG (GENERAL
COMMERCIAL) TO RS10 (SINGLE-
FAMILY RESIDENTIAL) & REZONING
A PORTION OF THE ADJOINING
PROPERTY (TAX MAP #83J-D
PORTION OF PARCEL 11.01)
FROM RS10 (SINGLE-FAMILY
RESIDENTIAL) TO CG (GENERAL
COMMERCIAL)**

Councilman Woodford made a motion, seconded by Councilman Anderson, to approve on first reading Ordinance #O11-12-22. 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 #R12-01-01,
COMMENDING COACH MACK
BROWN FOR HIS INDUCTION
INTO THE TEXAS SPORTS HALL
OF FAME**

RESOLUTION

A RESOLUTION OF THE COUNCIL OF
THE CITY OF COOKEVILLE,
TENNESSEE, COMMENDING COACH
MACK BROWN FOR HIS INDUCTION
INTO THE TEXAS SPORTS HALL OF
FAME

RESOLUTION NUMBER: R12-01-01
REQUESTED BY: CITY COUNCIL
PREPARED BY: JIM SHIPLEY
APPROVED AS TO FORM AND
CORRECTNESS:

(City Attorney)
ADOPTED: _____
MINUTE BOOK _____ PAGE _____

WHEREAS, Mack Brown, head coach for the Texas Longhorns football team and former Cookeville resident, will be recognized for his achievements when he is inducted into the Texas Sports Hall of Fame on February 29, 2012; and

WHEREAS, Coach Brown was a local standout athlete, lettering three times in football while attending Cookeville High School; and

WHEREAS, Mack's family has long been considered the "First Family of Football" in Cookeville, and have a local legacy for athletics as well as a commitment to community; and

WHEREAS, Mack followed his love of football by attending Vanderbilt University and transferring to Florida State and going on to letter twice while playing for the Seminoles; and

WHEREAS, Mack's successful coaching career began in 1975 at Southern Mississippi, and his career has spanned many programs and merits of achievement, eventually leading to his position of Head Coach for the University of Texas; and

WHEREAS, Coach Mack Brown has shown leadership both on and off the field, leading the Longhorn's to a National Championship in 2005, and by giving back to the community such as hosting a Make A Wish participant, as well as being very active in the community of Austin, TX; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF COOKEVILLE, TENNESSEE, that on behalf of the citizens of the City of Cookeville, a sincere expression of utmost pride and congratulations are hereby extended to Coach Mack Brown for his achievements.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this resolution shall be duly recorded and filed in the City Clerk's office.

**COOKEVILLE CITY COUNCIL
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JANUARY 19, 2012**

Councilman Anderson made a motion, seconded by Councilman Woodford, to adopt Resolution #R12-01-01. 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 #R12-01-02,
RELATIVE TO CRMC BOARD OF
TRUSTEES**

- Currently, the charter requires all hospital property to be owned by the City of Cookeville.
- This resolution asks the legislature to amend the charter to permit the Hospital Authority to enter into joint ventures to own property outside the city, and to allow the property to be owned by the participants in the joint venture rather than the city.

Councilman Anderson made a motion, seconded by Councilman Woodford, to adopt Resolution #R12-01-02. 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 REAPPOINTMENTS
TO THE BOARD OF ZONING
APPEALS**

MEMORANDUM

TO: CITY COUNCIL MEMBERS
FROM: JAMES MILLS, PLANNING DIRECTOR
DATE: JANUARY 10, 2012
SUBJECT: BOARD OF ZONING APPEALS APPOINTMENTS

The current terms of Kay Detwiler and Paul Bonner as members of the Board of Zoning Appeals expire January 2012. Members of the Board of Zoning Appeals serve three-year terms and are appointed by the Council.

Ms. Detwiler and Mr. Bonner have been contacted and have agreed to continue to serve if reappointed by the City Council. The Planning Department recommends for their reappointment.

If you have any questions or need further information please contact me at your convenience.

**COOKEVILLE CITY COUNCIL
MINUTES
JANUARY 19, 2012**

Councilman Woodford made a motion, seconded by Councilman Anderson, to approve the purchase of a new arm for the side load sanitation truck 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 AWARDED BID FOR
AUCTIONEER SERVICES (SALE
OF SEIZED PROPERTY) – POLICE
DEPARTMENT**

**CITY OF COOKEVILLE
BID TABULATION SCHEDULE**

AUCTION SERVICES

DATE OF BID OPENING: 12-19-2011 TIME: 10:00 AM
BIDS OPENED BY: Major David Dukes
BIDS WITNESSED BY: Myke Green/ Cathy McClain
DEPARTMENT: Police

<u>BIDDERS</u>								
Tays Realty & Auction LLC	20% comm of sale							

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM Tays Realty & Auction

BE AWARDED FOR THE FOLLOWING REASON: bid meeting specifications


RECOMMENDED: DEPARTMENT HEAD


BUDGET AVAILABILITY: FINANCE DIRECTOR


APPROVED: CITY MANAGER

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the auctioneer services 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 PURCHASE
OF TWO (2) DIGITAL ALLY VIDEO
CAMERAS (SOLE-SOURCE PROVIDER)
FOR THE MOTORCYCLE UNITS –
POLICE DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
JANUARY 19, 2012**

MEMORANDUM

To: Chief R. E. Terry
From: Major Mark Maxwell *mm*
Date: December 29, 2011
Re: Request to Purchase Video Camera Equipment for Motorcycle Units

The Cookeville Police Department Traffic Division is requesting to purchase two (2) Digital Ally Video Cameras for the Department's two newly leased motorcycle units. Digital Ally is a sole source provider for these cameras. The cost of both cameras is \$ 8,650.00. The City will be reimbursed 100% for the cost of the cameras from an alcohol grant obtained from the Governor's Highway Safety Office.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the purchase of two (2) Digital Ally video cameras 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 PURCHASE
OF THREE (3) STALKER MOTORCYCLE
RADARS – POLICE DEPARTMENT**

MEMORANDUM

To: Chief R.E. Terry
From: Major Mark Maxwell *mm*
Date: December 28, 2011
Re: Purchase of Radar Equipment for Motorcycles

We have received a signed contract for an alcohol grant from the Governor's Highway Safety Office. Under this grant, we are authorized to purchase three motorcycle radars to be equipped on the two new motors we leased, and on Officer Leonard's motor. We have received a quote from Stalker Radar (Applied Concepts) for \$2,612.50 each for a total of \$ 7, 837.50. The GHSO Grant allots us \$ 7,830.00 to purchase this equipment. The remaining \$ 7.50 will be absorbed from the Traffic Divisions normal operating budget. I'm requesting approval to purchase this equipment. Attached is a letter from Applied Concepts stating they are a sole source for this device.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the purchase of three (3) Stalker motorcycle radars 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
JANUARY 19, 2012**

**CONSIDER AWARDING BID FOR
IFSTA (INTERNATIONAL FIRE
SERVICE TRAINING
ASSOCIATION) DVD AND
LIBRARY SETS – FIRE DEPT.**

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

IFSTA DVD AND LIBRARY SETS

DATE OF BID OPENING: 12/22/11 TIME: 2:00 P.M.
 BIDS OPENED BY: Roger Fugua
 BIDS WITNESSED BY: Mike Broyles
 DEPARTMENT: Fire

BIDDERS	AMOUNT		
Tennessee Firemen's Association	\$12,100.00		
Fire Protection Publications	\$12,518.25		
Action Training Systems, Inc.	\$14,107.50		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM TENNESSEE FIREMEN'S ASSOCIATION BE AWARDED
 FOR THE FOLLOWING REASON: LOWEST BID MEETING SPECIFICATIONS.

Roger Fugua
 RECOMMENDED: DEPARTMENT HEAD

Jim Anderson
 APPROVAL: CITY MANAGER

Mike Broyles
 BUDGET AVAILABILITY: FINANCE DIRECTOR

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the IFSTA 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.

**HOLD A PUBLIC HEARING ON THE
 PROGRESS REPORT ON THE PLANS
 OF SERVICES FOR THE FOLLOWING
 ANNEXATION AREAS: OLD SPARTA
 ROAD/HORACE LEWIS ROAD; OLD
 BRIDGE ROAD/FALLING WATER
 RIVER; BUCK MOUNTAIN ROAD/
 DRY VALLEY ROAD; EAST HWY
 70N/INTERSTATE 40; WEST
 COOKEVILLE/INTERSTATE 40;
 SHAG RAG ROAD; REBECCA
 PLACE/BUNKER HILL ROAD;
 BUNKER HILL ROAD/
 LOVELADY ROAD; AND
 FREEHILL ROAD/NORTH
 WASHINGTON AVENUE AREAS**

**COOKEVILLE CITY COUNCIL
MINUTES
JANUARY 19, 2012**

**NOTICE OF PUBLIC HEARING
CITY OF COOKEVILLE
ANNUAL PROGRESS REPORTS
PLANS OF SERVICES FOR ANNEXATION AREAS**

Notice is hereby given that the Cookeville City Council will hold a Public Hearing at its meeting on Thursday, January 19, 2012 at 5:30 p.m. in the Council Room at City Hall. The purpose of this Hearing is to present Annual Progress Reports on the status of extending services to areas annexed by the City of Cookeville as specified in the Plans of Services for each of the areas. All interested citizens are invited to attend this Hearing. The Progress Reports for these annexation areas are as follows:

**ANNUAL PROGRESS REPORT
PLANS OF SERVICES**

Tennessee Code Annotated, Section 6-51-108 requires that annual reports be prepared and published on the progress of extending the services to annexed areas as specified in the Plans of Services. The areas annexed by the City of Cookeville requiring annual progress reports are as follows:

OLD SPARTA ROAD/HORACE LEWIS ROAD AREA, R00-02-06, effective June 15, 2000
OLD BRIDGE ROAD/FALLING WATER RIVER AREA, R00-03-10, effective June 15, 2000
BUCK MOUNTAIN ROAD/DRY VALLEY ROAD AREA, R00-03-11, effective July 19, 2000
EAST HIGHWAY 70N/INTERSTATE 40 AREA, R00-09-24, effective January 7, 2001
WEST COOKEVILLE/INTERSTATE 40 AREA, R02-06-11, effective August 8, 2002
SHAG RAG ROAD AREA, R06-02-01, effective March 18, 2006
REBECCA PLACE/BUNKER HILL ROAD AREA, R06-11-23, effective January 21, 2007
BUNKER HILL ROAD/LOVELADY ROAD AREA, R07-06-06, effective September 2, 2007
FREEHILL ROAD/NORTH WASHINGTON AVENUE AREA, R09-08-11, effective October 17, 2009

The Plans of Services for these areas each address the following services: police protection, fire protection, water service, sanitary sewer service, solid waste collection and disposal, street maintenance, street name signs, planning and zoning, inspection services, electrical service, street lighting, recreational facilities, and natural gas service. According to the Directors of the applicable City Departments, the following progress has been made toward extending the services specified in the Plans of Services for the above Annexation Areas:

OLD SPARTA ROAD/HORACE LEWIS ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer service. The Plan of Services specifies that sanitary sewer is not anticipated until approximately 15 years after the effective date of annexation.

OLD BRIDGE ROAD/FALLING WATER RIVER AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

BUCK MOUNTAIN ROAD/DRY VALLEY ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer and electric service. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits and that electric service will be provided within 3 years after the city acquires the service area. Most of the area has been provided with electric service.

EAST HIGHWAY 70N/INTERSTATE 40 AREA

All services have been provided to this area as specified in the Plan of Services with the exception of water service and sanitary sewer. The Plan of Services specifies that water service improvements will be completed within 15 years after the effective date of annexation and that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. One additional fire hydrant remains to be installed in the area. The first phase of a sewer installation project serving approximately 31 parcels in the Burton Estates Subdivision has been completed and a second phase to serve an additional approximately 132 parcels will be completed in 2012.

WEST COOKEVILLE/INTERSTATE 40 AREA

All services have been provided to this area as specified in the Plan of Services with the exception of water service, sanitary sewer, street lighting, electric service and natural gas. The Plan of Services specifies that water service will be provided within 5 years after the city acquires the service areas, that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits, that street lighting and electric service will be provided within 1 year after the city acquires the service area, and that natural gas will be provided to the portion of the area north of Interstate 40 within 5 years after the effective date of annexation and to the portion south of Interstate 40 when the level of development economically justifies installation. Existing natural gas customers have had their rates reduced to the city rate. Electric service and street lighting have been provided to approximately 3/4 of the area. The installation of water and sewer service in the Highlands Business Park is underway and will be completed in 2012.

SHAG RAG ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

REBECCA PLACE/BUNKER HILL ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided within 20 years after the effective date of annexation.

BUNKER HILL ROAD/LOVELADY ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer and natural gas. The Plan of Services specifies that sanitary sewer will be provided within 20 years after the effective date of annexation and that natural gas service will be provided based upon customer demand and when economically feasible. Natural gas has been provided to 14 customers.

FREE HILL ROAD/NORTH WASHINGTON AVENUE AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer and water improvements. The Plan of Services specifies that sanitary sewer will be provided within 25 years after the effective date of annexation and that required improvements to the existing water system will be completed within 10 years after the effective date of annexation. Some additional street lighting will be provided along North Washington Avenue with the approval of the State.

James Mills
Planning Director

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the annexation report as presented. 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
JANUARY 19, 2012**

HEARING OF CITIZENS AND/OR DELEGATIONS:

No one spoke at this time.

There being no further business to discuss, Councilman Albrecht made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:20 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.

Matt Swallows, Mayor

ATTEST:

Cathy McClain, City Clerk