

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 7, 2012
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, June 7, 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 Lane Moore, serving as 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
MAY 17, 2012**

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 Connie Albrecht
Councilman Alma Anderson
Councilman Jim Woodford

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING AND
CONSIDER ON SECOND AND
FINAL READING ORDINANCE
#O12-05-07, AMENDING THE
BUDGETS FOR THE VARIOUS
FUNDS/DEPTS. OF THE
CITY OF COOKEVILLE, TN,
FOR THE FISCAL YEAR
ENDED 6-30-12**

**COOKEVILLE CITY COUNCIL
MINUTES
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Mike Davidson, Finance Director, advised the council that an addition has been made to the ordinance since 1st reading - including Public Works capital expense for the purchase of the Heritage Ford Property, 1115 E. Spring Street, for \$1,350,000.00.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O12-05-07 including the additional expenditure of \$1,350,000.00. 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 AWARDED BID FOR
TRANSFORMERS – ELECTRIC
DEPARTMENT**

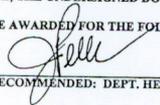
**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 12043001**

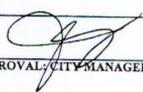
DATE OF BID OPENING: 5-21-2012 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Jeff Dillard
DEPARTMENT: Electric

BIDDERS	50 Kva Pad. Transformers	evaluated cost							
Stuart Irby	\$ 1,533.89	\$ 2,650.10							
Stuart Irby	\$ 9,203.34	\$ 2,500.89							
Wesco	\$ 1,561.00	\$ 2,760.01							
Deco	\$ 9,368.00	\$ 3,036.91							
Utilicor	\$ 1,643.00	\$ 2,415.51							
	\$ 9,858.00								
	\$ 1,868.00								
	\$ 11,196.00								
	\$ 1,378.00								
	\$ 8,268.00								

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Utilicor

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

RECOMMENDED: DEPT. HEAD 

APPROVAL: CITY MANAGER 

**SET A DATE (7-19-12) FOR A
PUBLIC HEARING ON
ORDINANCE #O12-06-08,
AMENDMENTS TO THE
FUTURE LAND USE PLAN
ELEMENT OF COOKEVILLE
2030 PLAN RELATING TO
BENNETT ROAD EXTENSION
PROJECT**

**SET A DATE (7-5-12) FOR A
PUBLIC HEARING ON
ORDINANCE #O12-06-09,
AMENDMENTS TO THE
ZONING CODE RELATING
TO AUTOMOBILE
MANUFACTURING IN THE
CI (COMMERCIAL-
INDUSTRIAL MIXED USE
DISTRICT)**

**COOKEVILLE CITY COUNCIL
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**SET A DATE (7-5-12) FOR A
PUBLIC HEARING ON
ORDINANCE #O12-06-10,
AMENDMENTS TO THE
ZONING CODE SECTION
220, CN (NEIGHBORHOOD
COMMERCIAL DISTRICT)
TO ADD USES PERMITTED
ON REVIEW SINGLE-FAMILY
ATTACHED DWELLINGS
(TOWNHOUSES) AND
CONDOMINIUMS SUBJECT
TO SPECIAL CONDITIONS**

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.

NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O12-05-06, REZONING
730, 740 & 750 BLACKWELL PARK
(TAX MAP #83, PORTION OF
PARCELS 77.03, 77.10 & 77.11) FROM
RS10 (SINGLE-FAMILY RESIDENTIAL)
TO LM (LIGHT MANUFACTURING);
REZONING 761, 781, 790 & 800
BLACKWELL PARK (TAX MAP #83,
PORTION OF PARCELS 77.12, 77.14,
77.06 & 77.05) FROM CI (COMMERCIAL-
INDUSTRIAL MIXED USE) TO LM
(LIGHT MANUFACTURING); AND
REZONING 1601 BLACKWELL
ROAD & VACANT LOT LOCATED
ON BLACKWELL ROAD (TAX MAP
#83, PORTION OF PARCELS 73.00
& 74.00) FROM LM (LIGHT
MANUFACTURING) TO CI
(COMMERCIAL-INDUSTRIAL
MIXED USE)**

**COOKEVILLE CITY COUNCIL
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Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O12-05-06. 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 ON FIRST READING
ORDINANCE #O12-06-14,
AMENDING TITLE 18, CHAPTER
1 OF THE COOKEVILLE
MUNICIPAL CODE, PERTAINING
TO WATER MAIN EXTENSION
AND CONNECTIONS**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O12-06-14. 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.

**CONSIDER ON FIRST READING
ORDINANCE #O12-06-15,
AMENDING TITLE 18, CHAPTER
1 OF THE COOKEVILLE
MUNICIPAL CODE, PERTAINING
TO WATER CONNECTION
CHARGES**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O12-06-15 (first rate change since 2004).

Mayor Swallows made a motion to amend the motion to have the water connection charge stay at the current rate for subdivisions. The motion was seconded by Vice-Mayor Epps. Upon call for a vote on the amendment to the motion, the following voted aye:

Mayor Matt Swallows

NAY:

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

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

**COOKEVILLE CITY COUNCIL
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Upon call for a vote on the original motion, the following voted aye:

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

NAY: Mayor Matt Swallows

The City Clerk announced that the original motion carried.

**CONSIDER ON FIRST READING
ORDINANCE #O12-06-16,
AMENDING TITLE 18, CHAPTER
2 OF THE COOKEVILLE
MUNICIPAL CODE, PERTAINING
TO SEWER CONNECTION
CHARGES**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O12-06-16. 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.

**CONSIDER AUTHORIZING THE
CITY MANAGER TO EXECUTE
AN ENGINEERING CONTRACT
FOR BRIARGATE SUBDIVISION
PUMPING STATION
IMPROVEMENTS**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director

RSK

DATE: June 1, 2012

SUBJ: Engineering Contract – Briargate Subdivision Pumping Station Improvements

During the next City Council meeting I will be seeking authorization for the City Manager to enter into an engineering contract with CTI Engineers, Inc., for design, bidding, and construction phase services. The services are needed in connection with replacing the existing Briargate Sewer Pump Station wetwell, pumps, and piping.

The project consists of designing modifications to the sewer pumping station that was constructed and put on line in 1980. The station will be replaced with a similar type pumping station. The project will bring the station up to current standards and correct several defects at the station. We have negotiated a lump sum price of \$18,000 and would recommend approval.

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

**COOKEVILLE CITY COUNCIL
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Councilman Anderson made a motion, seconded by Councilman Woodford, to authorize the City Manager to execute an engineering contract for the Briargate Subdivision Pumping Station Improvements. 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
EMPLOYEE HEALTH
INSURANCE STOP LOSS
CONTRACT FOR 7-1-12 -
6-30-13**

Mike Davidson, Finance Director, gave the following report:

- Self Insured Health Plan
- Stop Loss policy protects against large claims
 - \$150,000 specific deductible
 - \$50,000 aggregating specific deductible
- HighMark Insurance
 - Renewal premium \$193,346
 - \$17.79 single contract (204)
 - \$42.75 family contract (292)
 - Expiring premium
 - \$17.76 single
 - \$42.54 family

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the employee health insurance stop loss contract for 7-1-12 – 6-30-13 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
ACQUISITION OF PROPERTY
AT 140 W. 7TH STREET FOR
THE COOKEVILLE REGIONAL
MEDICAL CENTER**

May 24, 2012

Jim Shipley, City Manager
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

RE: Property Acquisition

Dear Mr. Shipley,

We would like the city to approve the acquisition of the property located at 140 W. 7th Street, Cookeville. *\$ 40,000.00*

We are requesting that this agenda item be considered at the next City Council meeting. Thank you in advance for your assistance.

Sincerely,


Paul Korth
Chief Financial Officer

**COOKEVILLE CITY COUNCIL
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Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the purchase of property at 140 W. 7th Street 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 APPOINTMENTS
TO THE PUTNAM COUNTY
LIBRARY BOARD**

June 5, 2012

Cathy McClain
City Clerk's Office
City of Cookeville
45 E. Broad Street
Cookeville, TN 38501

RE: Putnam County Library Board Appointments

Ms. McClain:

Pursuant to Article IV of the Joint Venture Agreement between Putnam County and the City of Cookeville, the City Council of Cookeville appoints three members of the seven members of the Putnam County Library Board. The terms of two of the three City appointees are expiring in June, 2012.

The positions are currently filled by Mrs. Alma Anderson and Mr. Larry Garrett. Both Mrs. Anderson and Mr. Garrett have expressed a willingness to continue serving on the Library Board.

Mrs. Anderson is an educator in the Putnam County School System as well as a member of the City Council of Cookeville. Mr. Garrett is an executive with the First National Bank of Tennessee.

We respectfully request the City Council reappoint Mrs. Anderson and Mr. Garrett for three-year terms on the Putnam County Library Board.

Sincerely,



Clay Robertson
Putnam County Library

Councilman Albrecht made a motion, seconded by Vice-Mayor Epps, to reappoint Larry Garrett & Alma Anderson to the Putnam County Library Board as recommended. Upon call for a vote, the following voted aye:

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

ABSTAINED: Councilman Alma Anderson

The City Clerk announced that the motion carried.

**CONSIDER RATIFICATION OF
PRIVATE CHAPTER NO. 67,
HOUSE BILL NO. 3867,
PRIVATE ACTS OF 2012
ENACTED BY THE 107TH
GENERAL ASSEMBLY, WHICH
AMENDS CHAPTER 223 OF THE
PRIVATE ACTS OF 1961; AND
ANY OTHER ACTS
AMENDATORY THERETO,
RELATIVE TO THE CITY OF
COOKEVILLE CITY CHARTER
ARTICLE XIV, SECTION 14.05,
CONFLICTS OF INTEREST**

COOKEVILLE CITY COUNCIL
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State of Tennessee

PRIVATE CHAPTER NO. 67
HOUSE BILL NO. 3867

By Representative Ryan Williams

Substituted for: Senate Bill No. 3797

By Senator Burks

AN ACT to amend Chapter 223 of the Private Acts of 1961; and any other acts amendatory thereto, relative to the City of Cookeville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 223 of the Private Acts of 1961; and any other acts amendatory thereto, is amended by deleting Section 14.05 of Article XIV in its entirety and by substituting instead the following:

Section 14.05. Conflicts of Interest. Tennessee Code Annotated, Sections 12-4-101, 6-54-107 and 6-54-108, as subsequently amended, shall be effective in Cookeville, Tennessee, the same as if said code sections were copied herein verbatim.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Cookeville. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Cookeville and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Councilman Anderson made a motion, seconded by Councilman Woodford, to ratify Private Chapter No. 67, House Bill No. 3867, Senate Bill No. 3797, Private Acts of 2012 enacted by the 107th General Assembly, relative to conflicts of interest. 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 APPOINTMENTS
TO THE PUBLIC BUILDING
AUTHORITY**

May 11, 2012

Mr. Jim Shipley, City Manager
City of Cookeville
P.O. Box 998
Cookeville, TN 38501

Dear Mr. Shipley:

The Public Building Authority of the City of Cookeville respectfully submits the following reappointment to the board:

	Term #	Term Expiration
Jim Martin Putnam 1 st Mercantile Bank	3	05/18

In addition, the board respectfully submits the following appointment to the board effective May 2012, as Allen Ray's replacement:

	Term #	Term Expiration
Jeffrey G. Jones Wimberly Lawson Wright Daves & Jones, PLLC Home address: 1150 Winterhill Drive Cookeville, TN 38501	1	05/18

On behalf of the Public Building Authority Board, thank you for your consideration.

Sincerely,


George Halford
Administrator

**COOKEVILLE CITY COUNCIL
MINUTES
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Councilman Anderson made a motion, seconded by Councilman Woodford, to reappoint Jim Martin & appoint Jeff Jones to the Public Building Authority 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.

HEARING OF CITIZENS AND/OR DELEGATIONS:

The Council recognized the “Avery Trace 2012 Odyssey of the Mind Program” with Coach Beau Debord & students - awarded as the 15th State Winner!!!!

The Council thanked the city employees for their help with the Harley-Davidson (HOG) Rally!!!!

Councilman Anderson reminded everyone of the Sunday “Concerts in the Dogwood Park”.

There being no further business to discuss, Councilman Albrecht made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:25 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