COOKEVILLE CITY COUNCIL
REGULAR MEETING
FEBRUARY 7, 2013
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, February 7, 2013, 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 Connie Albrecht
Councilman Jim Woodford

Also present: Jim Shipley, City Manager and Cathy McClain, City Clerk.

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 Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Clerk announced that the motion carried.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON JANUARY 17, 2013

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 Connie Albrecht
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSENT AGENDA:

SET A DATE (3-7-13) FOR A PUBLIC HEARING ON ORDINANCE #O13-02-03, AMENDMENTS TO THE OFFICIAL STREET MAP

CONSIDER AWARDING BID FOR TRANSFORMERS – ELECTRIC DEPARTMENT

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 13010301

DATE OF BID OPENING: 1-22-2013 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Garry Allen
DEPARTMENT: Electric

BIDDERS QTY	225 Kva Pad. Transformer 1	evaluated cost						
Utilicor	$ 6,968.00	$ 12,838.66						
Deco	$ 6,909.00	$ 12,910.97						
Gresco	$ 9,134.00	$ 14,938.59						
HD Supply	$ 9,238.00	$ 15,058.17						
Power Supply	$ 8,750.00	$ 13,684.30						

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

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 Alma Anderson
Councilman Connie Albrecht
Councilman Jim Woodford

The City Clerk announced that the motion carried.

NEW BUSINESS:

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O13-01-02, AMENDMENT TO THE ZONING CODE ESTABLISHING A NEW ZONING DISTRICT ENTITLED RAO, REDEVELOPMENT AREA OVERLAY

RAO District

- Would function as an overlay zone that would be superimposed in addition to existing zoning classifications.
- Within established RAO districts the Planning Commission and City Council may waive or modify certain minimum development requirements to encourage or incentivize new, converted or renovated residential or mixed use development.

- The establishment of a RAO district would be contingent on the submittal and approval of development plans, which would include site, floor and elevation plans.
- The incentive for the developer is increased density and greater flexibility in design.
- The city would have the authority to allow significantly higher density (potentially up to 20 units per acre), reduce setbacks, reduced parking and other modifications to encourage redevelopment.

- Properties proposed for RAO zoning must meet specific criteria to qualify. While the district is intended for the redevelopment/revitalization areas identified in the Cookeville 2030 Plan, the city may approve other areas if significant public benefit can be demonstrated.
- Only the uses in the underlying zoning district are permitted
- Minimum of 1 acre within an area identified in the 2030 Plan and 2 acres outside such an area is required. Smaller areas can be considered if significant public benefit is demonstrated.

- Up to 20 units per acre in density may be permitted, however, multi-family residential developments are <u>not</u> eligible for increased density
- Approval process involves several steps involving the Planning Department, Planning Commission and City Council.

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O13-01-02. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

CONSIDER ON FIRST READING ORDINANCE #O13-02-04, TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY & HEALTH PROGRAM PLAN FOR THE CITY OF COOKEVILLE

- TCA 50-3-910
  - Provides local governments the option to be treated as private employer or develop it's own program of compliance
  - Received a request from TNOSHA to submit an updated plan
  - Last updated in 2003

- Revision to the plan includes:
  - Terminology Changes:
    - Plan to Program Plan
    - Director to Safety Director
- Added specific rule numbers of TDOL Occupational Health and Safety Regulations
- Added new section about investigations and sanctions
- Modified appendices:
  - Removed organizational chart
  - Added work locations and number of employees at each location
- Rearranged the order of Accident Reporting Procedures

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O13-02-04. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

CONSIDER APPOINTMENT TO THE COOKEVILLE TREE BOARD

COOKEVILLE
TREE BOARD

January 30th, 2013

To: Mayor Swallows and City Council Members

On behalf of the Cookeville Tree Board, I submit for approval the following name to fill one of the two remaining vacant positions on the Tree Board. Julia Lowe, who was placed into nomination and approved by the City Council in October of 2012, has resigned her position because of personal conflicts. One position remained open prior to her resignation and still remains vacant.

(EXPIRING AUG. 2015)

Julia Woodford

939 Robin Lane

Cookeville, Tenn. 38501

Ph. 528-8020

E-mail: jwoodford@charter.net

Respectfully submitted

E. Michael Witt/chair
349-7258 cell #

Councilman Anderson made a motion, seconded by Vice-Mayor Epps, to appoint Julia Woodford to the Cookeville Tree Board until August, 2015 as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FOR COUNTERWEIGHT FLY SYSTEM FOR CPAC – LEISURE SERVICES DEPARTMENT

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

Replacement of the Counterweight Fly System
Cookeville Performing Arts Center

DATE OF BID OPENING: Tuesday, January 15, 2013 **TIME:** 10:00 a.m.

BIDS OPENED BY: Rick Woods and Chad McDonald

DEPARTMENT: Leisure Services & Public Facilities

		Total Bid Price	
1. IWEISS Theatrical Solutions		$180,510.00	
2. Texas Scenic Theatrical Stage Equip.		$164,625.00	
3. Beck Studios, Inc.		$161,934.00	
4. Stage Rigging Services		$198,710.57	
5. Mainstage Theatrical Equip.		$233,737.00	
6. Sapsis Rigging, Inc		$213,775.00	

We, the undersigned, do hereby recommend the bid from Beck Studios, Inc. **for the following reason:**

Lowest evaluated bid meeting specifications

Rick Woods
RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILIBILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

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

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

The City Clerk announced that the motion carried.

CONSIDER AWARDING BIDS FOR SEMI-ANNUAL PAVING/ASPHALT MIX & MINERAL AGGREGATE – PUBLIC WORKS DEPARTMENT

CITY OF COOKEVILLE
BID TABULATION RECORD

PAVING AND ASPHALT MIX
6 MONTH CONTRACT

DEPARTMENT: Public Works
BIDS OPENED BY: Clyde Presley
OPENING WITNESSED BY: Blake Herron

January 24, 2013
10:00 AM

BIDDERS	GRADE E IN-PLACE	411 E PICK UP	COLD MIX PICK UP
HIGHWAYS, INC.	$78.95	$67.00	$101.00
LOJAC ENTERPRISES	$83.50	$70.00	$80.00

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM HIGHWAYS, INC. - GRADE E , 411 E
LOJAC - COLD MIX

BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDERS

RECOMMENDED: DEPT. DIRECTOR

BUDGET AVAILABILITY: FINANCE DIR

APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
BID TABULATION RECORD
ROCK

DEPARTMENT: Public Works
BIDS OPENED BY: Clyde Presley
OPENING WITNESSED BY: Blake Herron

DATE OF BID OPENING: January 24, 2013
TIME OF BID OPENING: 10:00 am

BIDDERS	CRUSHER RUN	#57 STONE	2 INCH ROCK	3 INCH ROCK	CLEAN RIPRAP	PUG MIX	SHOT ROCK	DELIVERY COST
CKVL LIMESTONE	$7.90	$10.45	$9.50	No Bid	$10.75	$8.00	$8.00	$3.50
ROGERS GROUP	$8.00	$10.50	$10.00	No Bid	$11.50	$8.50	$8.00	$3.50
VULCAN MATERIALS	$8.00	$13.00	$13.00	No Bid	$13.00	$8.00	$8.00	$3.75

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Cookeville Limestone

BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDER

RECOMMENDED: DEPT. DIRECTOR

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

Vice-Mayor Epps made a motion, seconded by Councilman Anderson, to award the Public Works Department bids as recommended. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

CONSIDER AWARDING BIDS FOR 2013 CURED IN PLACE PIPE REHABILITATION PROJECT - WATER QUALITY CONTROL DEPARTMENT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
2013 CURED IN PLACE PIPE REHABILITATION PROJECT

DATE OF BID OPENING 31-Jan-13 TIME: 10:00 A.M.
BIDS OPENED BY BARRY TURNER
BIDS WITNESS BY STEVE SMITH

PLAN HOLDERS	TOTAL BID				
AMERICAN INFRASTRUCTURE	$459,200.00				
INSITUFORM TECHNOLOGIES	**$436,578.90**				
IMPROVED TECHNOLOGIES	$469,808.25				
LAYNE INLINER	$456,792.50				
MOORE CONSTRUCTION	DNB				
PIPEWORKS PLUS, INC.	DNB				
SAK CONSTRUCTION	$458,586.00				

DNB-DID NOT BID

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - **INSITUFORM TECHNOLOGIES** - 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 2013 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 Connie Albrecht
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FOR LEAK DETECTION SERVICES – WATER QUALITY CONTROL DEPARTMENT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
PRICE PROPOSALS - LEAK DETECTION SERVICES

DATE OF BID PROPOSALS - FEBRUARY 1, 2013

NAME	PROPOSAL			
RICHARDS LMC	**$110/MILE**			
DAN WEAVER SERVICES	NO PROPOSAL			
WATER SYSTEMS OPTIMIZATION, INC.	$300/MILE			
MATCHPOINT, INC.	$235/MILE			

DNB - DID NOT BID

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - RICHARDS LMC - BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS.

RECOMMENDED: DIRECTOR

APPROVAL: CITY MANAGER

BUDGET AVAILABILITY: FINANCE DIRECTOR

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

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

The City Clerk announced that the motion carried.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

HOLD A PUBLIC HEARING ON THE ANNUAL 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 HIGHWAY 70N/INTERSTATE 40; WEST COOKEVILLE/INTERSTATE 40; SHAG RAG ROAD; REBECCA PLACE/BUNKER HILL ROAD; BUNKER HILL ROAD/LOVELADY ROAD; FREEHILL ROAD/NORTH WASHINGTON AVENUE AND SOUTH WILLOW AVENUE AREAS

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, February 7, 2013 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
SOUTH WILLOW AVENUE AREA, R11-11-16, effective January 15, 2012

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. An Engineering Design Contract has been signed to design the sanitary sewer improvements for this area.

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. An Engineering Design Contract has been signed to design the sanitary sewer improvements for part of this area.

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. All but approximately 13 customers have been provided 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 approximate 132 parcels was 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 90 % of the area. The installation of water and sewer service in the Highlands Business Park is underway and will be completed in 2013.

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 improvements. Water service improvements were completed in 2012. The Plan of Services specifies that sanitary sewer will be provided within 25 years after the effective date of annexation.

SOUTH WILLOW AVENUE AREA
All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer service and street lights. 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. The Cookeville Electric Department is waiting on approval from the Tennessee Department of Transportation for the completion of the installation of street lighting, which is expected to be within six (6) months.

James Mills
Planning Director

HEARING OF CITIZENS AND/OR DELEGATIONS:

No one spoke at this time.

There being no further business to discuss, Councilman Woodford made a motion, seconded by Councilman Albrecht, to adjourn the meeting at 6:10 p.m. Upon call for a vote, the following voted aye:

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

The City Clerk announced that the motion carried.

_____
Matt Swallows, Mayor

ATTEST:

_____
Cathy McClain, City Clerk