

**COOKEVILLE CITY COUNCIL  
REGULAR MEETING  
OCTOBER 3, 2013  
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, October 3, 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; 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 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  
SEPTEMBER 19, 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 (11-7-13) FOR  
A PUBLIC HEARING ON  
ORDINANCE #O13-10-15,  
CLOSURE & ABANDON-  
MENT OF A PORTION OF  
LAUREL AVENUE  
LOCATED BETWEEN  
WEST 7<sup>TH</sup> & WEST 8<sup>TH</sup>  
STREETS & DECLARING  
IT AS SURPLUS**

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 3, 2013**

**SET A DATE (11-7-13) FOR A  
PUBLIC HEARING ON  
ORDINANCE #O13-10-16,  
RAO (REDEVELOPMENT  
AREA OVERLAY DISTRICT)  
ZONING FOR UNIVERSITY  
SQUARE PHASE II, WHICH  
INCLUDES THE FOLLOWING  
PROPERTIES 345-365 WEST  
7<sup>TH</sup> STREET, 712-716 LAUREL  
AVENUE, 350-364 WEST 8<sup>TH</sup>  
STREET, AND 721 CHESTNUT  
AVENUE**

**SET A DATE (11-7-13) FOR A  
PUBLIC HEARING ON  
ORDINANCE #O13-10-17, RAO  
(REDEVELOPMENT AREA  
OVERLAY DISTRICT) ZONING  
FOR 423 & 429 WEST BROAD  
STREET AND 116 & 118  
CHESTNUT AVENUE**

Councilman Anderson made a motion, seconded by Councilman Woodford, to approve the consent agenda items 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.

**NEW BUSINESS:**

**CONSIDER AWARDED BID FOR  
CONSTRUCTION OF NEW  
ANIMAL SHELTER FACILITY**

BID TABULATION SHEET

**COOKEVILLE**

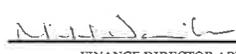
DATE OF BID OPENING: 9/12/2013 TIME: 10:00 a.m.  
BIDS OPENED BY: Jim Shipley  
WITNESS: Cathy McClain  
DEPARTMENT: Animal Control

	Base Bid	Alternate #1 Paving/Parking Southern	Alternate #2 Paving/Parking Northern	2.68% Contingency	Total Contract
J.A. Sergio & Sons	\$ 1,992,000				
Merit Construction	1,949,000				
Mid-State Construction	1,932,900				
<b>T.U. Parks Construction</b>	<b>\$ 1,782,200</b>	<b>\$ 13,000</b>	<b>\$ 13,000</b>	<b>\$ 47,700</b>	<b>\$ 1,855,900</b>

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM: T.U. Parks Construction  
BE AWARDED FOR THE FOLLOWING REASON: Low Bid

9/4  
APPROVED: DEPARTMENT HEAD

  
APPROVED: CITY MANAGER

  
FINANCE DIRECTOR APPROVED  
FOR BUDGET AVAILABILITY  
\*Proposed bond issue.

**COOKEVILLE CITY COUNCIL  
MINUTES  
OCTOBER 3, 2013**

**Michael Brady Inc.**

323 East Spring Street, Suite B Cookeville, TN 38501  
(931) 644-2122; E mail: mbi@mbiarch.com

September 16, 2013

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

RE: Cookeville/Putnam Co. Animal Shelter and P.E.T. Care Campus

Dear Mr. Shipley,

MBI has reviewed T. U. Parks Company's AIA 305 Contractors Qualification Statement and contacted their references. It appears that T. U. Parks Company is qualified to successfully perform this work and complete the requirements of the contract documents.

It appears that they and their major subcontractors are properly licensed to perform the work on this project. According to their Qualifications Statement they are financially solvent and stable. They have been in business since 1974. They have successfully completed many projects similar and larger in scope than the animal shelter.

T. U. Parks has selected Elk Mountain to complete the earthwork portion of this project. This should help to make incorporating Donnie Elkins' donation of labor for a portion of the earthwork a clearer process.

MBI recommends that, pending securing of the remainder of funds, The City of Cookeville accept T. U. Parks Company's bid.

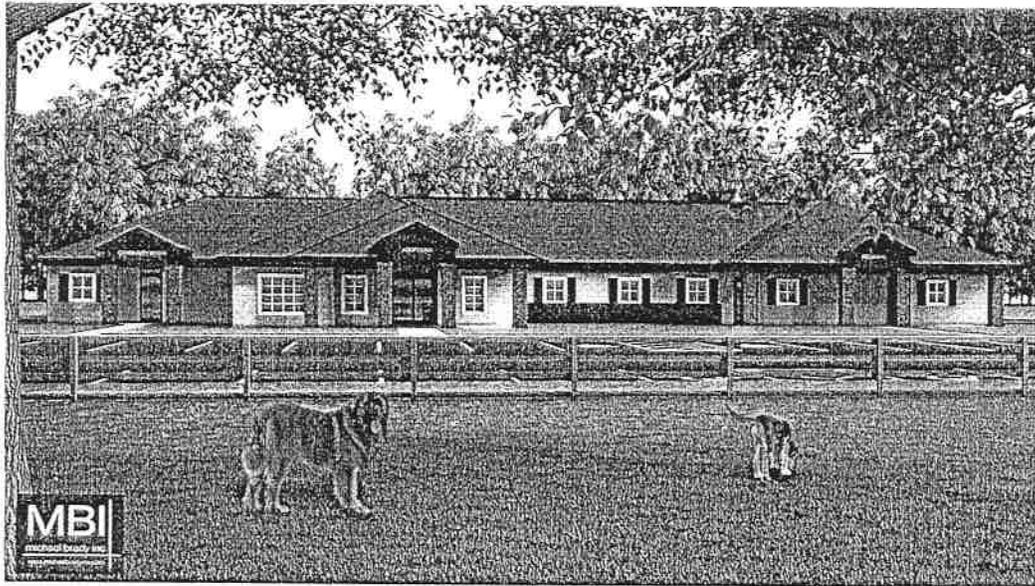
Sincerely,



Mary R. Johnson, AIA

<b>Total Estimated Cost</b>		<b>\$</b>	<b>2,193,554</b>
<b>Donated Materials:</b>			
Friends of Animals:			
Light Fixtures	\$	1,000	
4 Commercial Dishwashers		18,000	
Commercial Washer & Dryer		5,000	
Central Cleaning System		33,000	
Dog Run Kennels		103,000	
Cat Room Cages		27,000	
Puppy Room Cages		24,000	
Puppy Room Sink		1,500	
Puppy Room tub		1,500	
Artwork		1,000	
9 Commercial Solatubes		5,600	
LP Building Products:			
Siding, Trim, Soffit		7,000	
Roof Sheating		5,000	
Winell Lee-Trusses		1,000	
Phillip Hudson-Windows		11,300	
Phillip Hudson/Cumb Supply-Stone		6,454	
Donna Herbert:			
Grooming Table & Tub		1,500	
<b>Total Donated Materials</b>			<b>252,854</b>
<b>Donated Services:</b>			
Friends-Architect Design	\$	49,000	
MBI Architects		70,000	
Elk Mtn Const-Earthwork		39,500	
<b>Total Donated Services</b>			<b>158,500</b>
<b>Contract Amount to Build</b>		<b>\$</b>	<b>1,782,200</b>
Total Contract		\$	1,782,200
Add: Alternate #1			13,000
Add: Alternate #2			13,000
Add: Contingencies	2.68%		47,700
Total Estimated Cost		\$	1,855,900
Add: Construction Inspection			40,000
Less: Donated Cash			495,900
<b>Bond Issue Needed</b>		<b>\$</b>	<b>1,400,000</b>
<b>Donated Cash:</b>			
Sawyer Trust	\$	434,769	
Interest on Sawyer Trust		10,000	
Friends of Animals		41,131	
Upchurch Donation		10,000	
			<b>\$ 495,900</b>

COOKEVILLE CITY COUNCIL  
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The Council expressed their appreciation for the following present: “Friends of the Animal Shelter”; Mary Johnson (w/Michael Brady, Inc. on face time); Donna Herbert, Former Animal Shelter Manager; and Matt Mateyka, Animal Shelter Manager.

Councilman Anderson made a motion, seconded by Councilman Woodford, to award the new animal shelter facility 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.

At this time, Mayor Swallows, proudly recognized the promotion of *Major Bruce Lamb of the Cookeville Police Department!!*

**CONSIDER AUTHORIZING THE  
CITY MANAGER TO ENTER  
INTO A PROFESSIONAL  
SERVICES AGREEMENT  
WITH FRAZIER & DEETER  
CPA TO DETERMINE THE  
CUSTOMER ACQUISITION  
COSTS OF DOUBLE SPRINGS  
UTILITY DISTRICT  
CUSTOMERS IN THE  
COOKEVILLE CITY LIMITS**

**COOKEVILLE CITY COUNCIL  
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**MEMORANDUM**

**TO:** City Council  
City Manager

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

**DATE:** September 27, 2013

**SUBJ:** Proposal for Professional CPA Services – Computation of acquisition costs of customers of the Double Springs UD within annexed areas of the City of Cookeville

During the next City Council meeting I will be seeking City Council authorization for the City Manager to enter into a Professional Services agreement with the CPA firm Frazier & Deeter. The firm will provide professional services in determining the customer acquisition costs of Double Springs Utility District customers that are located within the city limits of Cookeville.

The study will:

- 1) Compute the acquisition cost of customers of Double Springs Utility District that are in the annexed area of the City of Cookeville;
- 2) Compute the estimated value to the Water Department of the customers in item 1 above;
- 3) Compute the estimated value of the entire system of Double Springs Utility District to the Water Department.

We have negotiated a lump sum price of \$16,000 plus out-of-pocket costs. It is my recommendation that the City Council authorize the City Manager to enter into the agreement with a not to exceed total cost of \$20,000.

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

Councilman Anderson made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into a Professional Services Agreement with Frazier & Deeter CPA 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 APPROVAL OF  
AGREEMENT WITH W & O  
CONSTRUCTION COMPANY  
RELATING TO THE WATER  
PLANT PROJECT**

**COOKEVILLE CITY COUNCIL  
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**Authorize City Manager to Sign Agreement with W & O Construction Co.  
Contingent Upon Substantial Completion- Water Plant Project**

1. The City of Cookeville and W & O Construction Company agree to extend the contract time to November 15, 2013.
2. W & O Construction Company will complete the work set forth in RFPs numbers 36, 37, 38, 39 & 40 on or before November 15, 2013, and this work is added to the contract currently in existence. W & O Construction Company will receive \$21,000.00 compensation for this work. The work must be completed, inspected and approved on or before November 15, 2013.
3. A full time resident inspector/inspection will not be required.
4. The City of Cookeville has already accepted prices for RFPs 21, 22, 23, 25, 27, 28, 30 & 31 without any time extension.
5. The new November 15, 2013 contract end date removes all time issues associated with these RFPs.
6. This Agreement resolves all issues between the City of Cookeville and W & O Construction Company regarding liquidated damages for delays in the completion of the contract.
7. However, it is mutually agreed and understood that liquidated damages will begin to accrue as provided in the contract on November 16, 2013 in the event all of the contract work, including the work set forth in the RFPs listed in this Agreement, are not fully completed and accepted on or before November 15, 2013.
8. All other provisions of the contract are reaffirmed, and this Agreement does not waive any provisions of the Contract.

Councilman Anderson made a motion, seconded by Councilman Woodford, to authorize the City Manager to execute an agreement with W & O Construction Company, contingent upon substantial completion of Water Plant Project 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 OF CITIZENS AND/OR DELEGATIONS:**

Councilman Woodford reminded everyone of the many events coming up as follows: *Shakespeare in the Dogwood Park on Oct. 4<sup>th</sup> – 8<sup>th</sup> & 10<sup>th</sup> – 12<sup>th</sup> @ 7pm; Blues & Brews on Oct. 4<sup>th</sup> @ 7pm; Brown Bag Lunch Concerts at the Depot on Friday, Oct. 4, 11, 18<sup>th</sup> @ 11:30am; Bark in the Park Oct. 5<sup>th</sup> @ 11:30am; and Zombie Walk in the Dogwood Park for the Animal Shelter on Oct. 13<sup>th</sup> @ 6pm.*

**COOKEVILLE CITY COUNCIL  
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There being no further business to discuss, Councilman Woodford made a motion, seconded by Councilman Albrecht, to adjourn the meeting at 6:05 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.

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Matt Swallows, Mayor

ATTEST:

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Cathy McClain, City Clerk