COOKEVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 18, 2014
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, December 18, 2014, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Pastor Mark Gaw of the Washington Avenue Baptist Church gave the invocation, and led the audience in the Pledge of Allegiance. Mayor Shelton then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

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

CONSIDER APPROVAL OF AGENDA AS PRESENTED

City Manager Jim Shipley requested to add item #7E – consider awarding the bid from Wilson Bank & Trust to purchase the police substation at 302 South Jefferson Avenue.

Councilman Woodford made a motion, seconded by Councilman Henry, to add item #7E and approve the agenda as amended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Jim Woodford

NAY: Councilman Charles Womack

The City Clerk announced that the motion carried.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS:

No business to consider.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON DECEMBER 4, 2014

Councilman Womack 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 Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O14-11-18, REZONING 670 & 740 EAST 22ND STREET FROM CI (COMMERCIAL/ INDUSTRIAL MIXED USE) TO CL (LOCAL COMMERCIAL) AND 411, 435 & 438 VICKERS LANE FROM LM (LIGHT MANUFACTURING) TO CL (LOCAL COMMERCIAL)

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O14-11-18. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O14-11-19, REZONING 601, 611 & 621 BUFFALO VALLEY ROAD FROM RD (SINGLE-FAMILY & DUPLEX RESIDENTIAL) TO CL (LOCAL COMMERCIAL)

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O14-11-19. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O14-11-20, AMENDMENTS TO THE ZONING CODE PERTAINING TO ARCHITECTURAL DESIGN REQUIREMENTS

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O14-11-20. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 18, 2014

CONSENT AGENDA:

No business to consider.

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

CONSIDER RESOLUTION #R14-12-27, AMENDING THE PERSONNEL POLICIES & PROCEDURES MANUAL

- The following changes shall take effect January 1, 2015:

- Chapter 8 – Benefits & Programs, Section 3 Insurance
- Section 3.01 Shall be amended by adding – in compliance with the Affordable Care Act (ACA) as it currently exists and is subsequently amended.
- Section 3.02 Delete and replace with the following: Regular part-time employees shall be entitled to certain insurance coverage as allowed by the provider, but will be at a cost determined by the City Council and in compliance with the Affordable Care Act (ACA) as it currently exists and is subsequently amended.

- Chapter 9 – Attendance and Leaves:
- Section 6: Maternity Leave: Delete the reference to "female" and "her"
- Chapter 8 – Benefits and Programs
- Section 16: Family and Medical Leave Act
- Delete Section 16 in its entirety and replace with the following:
- 16.01 The Family and Medical Leave Act (FMLA) of 1993 states that both male and female eligible employees (those who have worked at least 12 months for the City and who have worked at least 1,250 hours) be provided up to a total of twelve (12) work weeks of leave per year for the following reasons:
  - a. For the birth and care of the newborn child of the employee (Special rules apply for husbands and wives employed by the City);
  - b. For placement with the employee of a son or daughter for adoption or foster care;
  - c. To care for an immediate family member (spouse, child, or parent) with a serious health condition;
  - d. Medical leave when the employee is unable to work because of a serious health condition.
  - e. To care for an immediate family member (spouse, son, daughter, or parent) injured while on active duty if that injury renders the service member unfit for military duty.
  - f. To handle a "qualifying exigency" relating from an employee's spouse or child being called to active duty.
- 16.02 Family and Medical Leave may be paid or unpaid. Family and Medical Leave runs concurrently with paid time off (i.e. sick, vacation time). If the employee has the time available he/she may be paid. If the employee does not have the time available or he/she exhausts paid time while out on Family and Medical Leave, the remainder of the approved leave will be unpaid. During periods of unpaid leave, an employee may not accrue any additional leave. Family and Medical Leave is leave without pay. Leave without Pay is defined in Chapter 9, Section 9.

- 16.03 The year or "twelve month period" during which an employee may take his/her 12 weeks leave is defined as "the twelve month period measured forward from the date an employee's firs FMLA leave begins". Family and Medical Leave shall be used in a minimum of one-half (½) hour increments.

Councilman Woodford made a motion, seconded by Councilman Womack, to adopt Resolution #R14-12-27 & shall take effect on 1-1-15. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

COOKEVILLE CITY COUNCIL
MINUTES
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CONSIDER AWARDING BID FOR FATHER DAUGHTER DATE NIGHT FULL CATERED MEAL – LEISURE SERVICES DEPT.

CITY OF COOKEVILLE
BID TABULATION
Father Daughter Date Night Full Catered Meal

DATE OF BID OPENING: Tuesday, December 8, 2014 **TIME:** 10:00 a.m.

BIDS OPENED BY: Cathy Benich and Cara Sheets

DEPARTMENT: Leisure Services & Public Facilities

Company	Meal Bid - 4 nights	Option - Chocolate Fountain
1. Vinnie Ts	$15,700.00	$1,725.00
2. Grade A Catering	$20,567.60	$3,705.20
3. DK Catering	No Bid	
4. Diana's Catering	No Bid	
5. Chartwells	No Bid	
6. Kathy's Kakes	No Bid	

We, the undersigned, do hereby recommend the following bid from Vinnie Ts Catering for the following reasons: LOWEST BID - MEETS SPECIFICATIONS

Recommended: Department Head

Budget Availability: Finance Director

Approval: City Manager

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to award the full catered meal (including chocolate fountain for 4 nights) bid as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER AWARDING BIDS FOR TRUCKS – GAS, WATER & LEISURE SERVICES DEPARTMENTS

Memorandum

To: Jim Shipley, City Manager
Ricky Shelton, Mayor
Larry Epps, Vice-Mayor
Jim Woodford, Councilman
Charles Womack, Councilman
Dwight Henry, Councilman

From: Jeff Mills, Gas Department Director

Date: December 12th, 2014

Re: Service Vehicle Purchases

The City of Cookeville Departments of Gas, Water and Leisure Services are requesting approval to purchase 2015 model service vehicles for their respective departments. The Gas Department received bids for the purchase of one truck, the Water and Leisure Services Departments received bids for the individual purchase of two trucks.

These are projected purchases that each department has allocated money in their 2014-2015 budgets.

We recommend the bids be awarded to the Beaman Automotive Group as the low bidder meeting specifications.

COOKEVILLE

Bid Notices Sent To:	Specs Sent	Bids Returned	Amount 2WD	Amount 4WD Ext Cab	Amount 4WD Stand.Cab
Carlen Motors, Cookeville	12/1/2014	no bid			
Cumberland Auto Center, Cookeville	12/1/2014	no bid			
Cookeville Ford	12/1/2014	no bid			
Edd Rogers, Sparta	12/1/2014	no bid			
Valley Ford, Sparta	12/1/2014	12/11/2014	$21,500.00	$25,530.00	$22,880.00
Freeland Chevy	12/8/2014	12/10/2014	$21,100.00	$26,503.00	$23,964.00
Walker Chevrolet	12/1/2014	12/10/2014	$21,723.00	$26,517.00	$24,225.00
Beaman Automotive (Dodge Ram)	**12/1/2014**	**12/10/2014**	**$21,003.00**	**$23,984.00**	**$22,421.00**
Ford of Murfreesboro	12/1/2014	no bid			
Chevrolet of Murfresboro	12/1/2014	no bid			
Dodge of Columbia	12/1/2014	no bid			
Wade Ford	12/3/2014	no bid			
Country Ford	12/1/2014	no bid			
Tom Bannen Chevrolet	12/1/2014	no bid			
Swope Chyrsler Dodge	12/1/2014	no bid			
Golden Circle Ford	12/1/2014	no bid			
Mid Tenn Ford	12/1/2014	no bid			
Wilson Co Motors	12/8/2014	no bid			
			Leisure Services 2 trucks	Water Dept 1 truck	Water Dept 1 truck
				Gas Dept 1 truck	

BID OPENING Thursday, December 11th,2014 @ 2:00

Councilman Woodford made a motion, seconded by Councilman Womack, to award the truck bids as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER AWARDING BIDS FOR TRANSFORMERS – ELECTRIC DEPARTMENT

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 14111401

DATE OF BID OPENING: 12-4-2014
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Tiffany Capps
DEPARTMENT: Electric
TIME: 2:00 PM CST

BIDDERS	1000 Kva Pad Transformer QTY 1	evaluated cost						
Power Supply	$ 22,192.00	$ 39,532.85						
Stuart Irby	$ 15,937.00	$ 35,973.85						
HD Supply	$ 15,922.00	$ 38,946.16						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 14111901

DATE OF BID OPENING: 12-9-2014 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Tiffany Capps
DEPARTMENT: Electric

BIDDERS	300 Kva Pad Transformer	evaluated cost						
QTY	2							
Stuart Irby	$ 8,397.80 $ 16,795.60	$ 15,858.56						
HD Supply	$ 8,613.00 $ 17,226.00	$ 16,713.07						
Power Supply	$ 10,695.00 $ 21,390.00	$ 17,147.22						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

Councilman Woodford made a motion, seconded by Councilman Womack, to award the transformer bids as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FROM WILSON BANK & TRUST TO PURCHASE THE POLICE SUBSTATION AT 302 SOUTH JEFFERSON AVENUE

WILSON Bank & Trust — *Community Financial Centers*
TROUSDALE Bank & Trust · *DeKalb Community Bank* · Community Bank of Smith County
Offices of Wilson Bank & Trust Lebanon, TN
MEMBER FDIC

December 12, 2014

City of Cookeville Bid Request

Attn: Jim Shipley, City Manager
45 East Broad Street
Cookeville, TN 38501
Phone: 931-520-5241

Dear Mr. Shipley,

Wilson Bank and Trust bids $350,000 for the current Cookeville Police Department Substation building located at 302 South Jefferson Avenue in Cookeville. In addition to the monetary offer, the bank would also agree to allow the city to occupy the property until April 1st, 2015 rent free. This bid comes with no contingencies.

Thanks for allowing us to bid on your property. We are extremely excited about serving the people of Cookeville and the surrounding areas and hope this property can become part of our initial plan.

Sincerely,

Cheryl Sandlin
Putnam County President
Wilson Bank & Trust
(931) 255-1109

BID TABULATION SHEET

COOKEVILLE

DATE OF BID OPENING: December 15, 2014 TIME: 9:00 a.m.
BIDS OPENED BY: Jim Shipley
WITNESS: Cathy McClain
DEPARTMENT: Police

Bidders:	302 South Jefferson					
Wilson Bank & Trust	$350,000.00					

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM: _____
BE AWARDED FOR THE FOLLOWING REASON: _____

n/a
APPROVED: DEPARTMENT HEAD

n/a
FINANCE DIRECTOR APPROVED FOR BUDGET AVAILABILITY

APPROVED: CITY MANAGER

Councilman Henry made a motion, seconded by Councilman Woodford, to award the bid for the sale of property as is located at 302 South Jefferson Avenue for $350,000.00. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Jim Woodford

NAY: Councilman Charles Womack

The City Clerk announced that the motion carried.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

Steve Richardson, of 755 Fireside Drive, presented the following letter & petition to the Council:

December 15, 2014

Dear Cookeville City Council Members,

October 27, 2014 eighteen homes in Bilbrey Park received a letter from Forrester Bill Bell of Carthage Tennessee representing a Bilbrey Park property owner, Gaynelle Jackson, residing in Birmingham, Alabama

The purpose of the letter was to
1. Sell the "timber rights" of a 7.1 acre track of Bilbrey Park bordering Highway 111 & the "timber rights" of two adjacent lots #19 & #20 valued at $17,375.
2. Sell the 7.1 acres the timber sets on. Asking price: $42,000+$17,375(timber)=$59,375.
3. Sell one or both lots #19 and #20 adjacent to the 7.1 acre tract. (No specific price for the lots offered)
4. Purchase all of the above.

A meeting was conducted by interested neighbors the following Sunday to discuss our desires. Eight residents attended resulting in a $13,000 offer to purchase the property and timber directly behind the 5 southernmost properties excluding the two lots and the northern end of the tract classified flood-zone/wet-land. The offer was rejected without counter.

Currently we are asking the City of Cookeville to consider a "Cost-Share Agreement" purchasing the tract to use as a park or nature area.

The benefits of which are:
1. Preserve the tree-barrier for Bilbrey Park from Highway 111.
2. Protect the lower residents from storm water runoff. (Already a problem)
3. Add to "Bankable Wet-Land" for city use with other project needs.

Currently the residents have $10,000 with which to partner on ideas this Council and residents feel appropriate and willing to pursue.

Respectfully,

Concerned Residents of Bilbrey Park

COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 18, 2014

Concerned Residents of Bilbrey Park

Kyle Pikes	931-260-1824
Angita Slagle	528-6066
Elaine Wells	260-7967
James Moore	881-8369
Madhu Gandhi	526-4688
Harvey McNew	526-2891
Steve Richardson	931-261-2587
Tom Richardson	931-261-1793

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

HOLD A PUBLIC HEARING ON THE SIX MONTH PROGRESS REPORT FOR PLAN OF SERVICES FOR THE OLD STEWART ROAD ANNEXATION AREA

NOTICE OF PUBLIC HEARING
CITY OF COOKEVILLE
SIX MONTH PROGRESS REPORT
PLAN OF SERVICES FOR ANNEXATION AREA

Notice is hereby given that the Cookeville City Council will hold a Public Hearing at its meeting on Thursday, December 18, 2014 at 5:30 p.m. in the Council Room at the Cookeville City Hall. The purpose of this Hearing is to present a Six Month Progress Report on the status of extending services to the Old Stewart Road Annexation Area as specified in the Plan of Services. All interested citizens are invited to attend this Hearing. The Progress Report for the annexation area is as follows:

SIX MONTH PROGRESS REPORT
PLAN OF SERVICES
OLD STEWART ROAD ANNEXATION AREA

The Cookeville City Council, through Resolution R14-02-06, adopted a Plan of Services for the annexation of certain territory identified as the Old Stewart Road Annexation Area. The annexation of this area became effective on June 8, 2014. ***Tennessee Code Annotated***, Section 6-51-108 requires that a report be prepared and published on the progress of extending the services to the annexation area as specified in the Plan of Services. According to the Directors of the applicable City Departments, the following progress has been made toward extending the services specified in the Plan of Services for the Old Stewart Road Annexation Area:

Police and Fire Protection
Police and fire protection are provided to the annexation area as specified.
Water
The Plan of Services specifies that water service will continue to be provided to the annexation area by the City of Cookeville and the Cookeville Boat Dock Utility District based on current service boundaries. Water service rates for existing city customers have been reduced to the inside the city rate.
Sanitary Sewer
Sanitary sewer has not yet been extended in the annexation area. The Plan of Services specifies that sanitary sewer service will be provided when economically feasible and based on the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.
Solid Waste Collection and Disposal
Solid waste collection and disposal is provided to the annexation area as specified.
Streets
Street maintenance is provided to the annexation area as specified.
Planning and Zoning and Inspection Services
Planning and zoning and inspection services are provided to the annexation area as specified.
Recreational Facilities
The residents of the annexation area are able to use all municipal recreational facilities as specified.
Natural Gas
The Plan of Services specifies that natural gas service will continue to be provided by Middle Tennessee Natural Gas.
Electrical Service and Street Lighting
The Plan of Services specifies that electric service in the annexation area will continue to be provided by the Upper Cumberland Electric Membership Cooperative and that the City of Cookeville will pay the coop for the provision of street lighting and will request that the coop provide it within one year after the effective date of annexation. Plans are currently being developed for the installation of the lights.
Street Name Signs
Street name signs have been provided to the annexation area.

James Mills
Planning Director

Councilman Womack made a motion, seconded by Councilman Henry, to accept the report for Plan of Services for the Old Stewart Road Annexation Area. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

Councilman Womack thanked City Manager Jim Shipley for a great report of the City's current sales tax revenue increase of 8.93%!

MAYOR'S COMMENTS:

Mayor Shelton wished everyone a Merry Christmas!

There being no further business, Mayor Shelton declared the meeting adjourned at 6:00 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk