COOKEVILLE CITY COUNCIL
REGULAR MEETING
FEBRUARY 5, 2015
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, February 5, 2015, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Councilman Henry 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 IV, serving as City Attorney.

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Woodford made a motion, seconded by Councilman Womack, to add item #7M – consider Resolution #R15-02-02, authorizing the Mayor to apply to the Tennessee Dept. of Economic and Community Development for Community Development Block Grant Funds 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 Charles Womack
Councilman Jim Woodford

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 JANUARY 15, 2015

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 Henry. 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
FEBRUARY 5, 2015

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-01-01, AMENDING THE COOKEVILLE MUNICIPAL CODE TITLE 14, CHAPTERS 7 AND 8, RELATIVE TO STORMWATER MANAGEMENT AND RIPARIAN BUFFER ZONES

Councilman Woodford made a motion, seconded by Councilman Henry, to approve on second and final reading Ordinance #O15-01-01. 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.

CONSENT AGENDA:

No business to consider.

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

CONSIDER ON FIRST READING ORDINANCE #O15-02-02, TO AMEND THE COOKEVILLE MUNICIPAL CODE TITLE 12, CHAPTER 8, SECTION 12-801, ENERGY CONSERVATION CODE

changing from
2012 International Energy Code
to
2009 International Energy Code

Councilman Woodford made a motion, seconded by Councilman Henry, to approve on first reading Ordinance #O15-02-02. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O15-02-04, AMENDING THE BUDGETS OF THE GENERAL FUND, DRUG FUND & ECONOMIC DEVELOPMENT FUND OF THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2015

GENERAL FUND

INCREASE (DECREASE) REVENUE:		
State Income Tax	70,000.00	
Building Permits	147,000.00	
Plans Review Fees	68,000.00	
Sales Tax	350,000.00	
Sale of Land	350,000.00	
ICAC Grant Revenues	25,000.00	
Insurance Recoveries	13,000.00	
Total Increase (Decrease) in Revenue - General Fund		**$ 1,023,000.00**
INCREASE (DECREASE) EXPENDITURES:		
Operating Expenses:		
General - building maintenance	5,600.00	
General Government - personnel	115,000.00	
Police - personnel	27,000.00	
Transfer to Economic Development Fund	1,250,000.00	
Public Works - Claims and Damages	80,000.00	
Police - ICAC grant expenditures	25,000.00	
Capital Expense:		
Police Dept - Capital	45,000.00	
Police Dept - Vehicle	12,000.00	
Total Increase (Decrease) in Expenditures - General Fund		**$ 1,539,600.00**

DRUG FUND

INCREASE (DECREASE) REVENUE:		
Confiscated Property	$91,000.00	
Total Increase (Decrease) in Revenue - Drug Fund		**$ 91,000.00**
INCREASE (DECREASE) EXPENDITURES:		
Equipment purchase	$71,800.00	
Vehicle purchases	16,000.00	
Total Increase (Decrease) in Expenditures - Drug Fund		**$ 87,800.00**

ECONOMIC DEVELOPMENT FUND

INCREASE (DECREASE) IN REVENUE:		
Transfer In from General Fund	$1,250,000.00	
Total Increase (Decrease) in Revenue		**$ 1,250,000.00**
INCREASE (DECREASE) EXPENDITURES:		
Industrial Recruitment - Project Uno	$1,250,000.00	
Total Increase (Decrease) in Expenditures		**$ 1,250,000.00**

Councilman Henry made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O15-02-04. 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 RESOLUTION #R15-02-01, AUTHORIZING THE PARTICIPATION IN THE TML RISK MANAGEMENT POOL "DRIVER'S GRANT" LOSS CONTROL MATCHING GRANT PROGRAM

2014 -2015 "Safety Partners" Loss Control Matching Driver Safety Grant

- This grant covers 100% of the cost of MVR (motor vehicle records) checks through the Department of Safety.
  - No matching funds required for MVR checks
  - Maximum reimbursement - $5000.00

- Chapter 4, Section 8 of Policies and Procedures:
  - 8.01: Any employee driving a City vehicle is required to have an appropriate valid driver's license for the vehicle being driven, as required by Tennessee state law, whether or not the employee drives the vehicle on a regular basis, and whether or not this requirement is included in the description of the job to which the employee is assigned.
  - 8.02: Suspensions, restriction, expirations or revocations or other actions taken by any police jurisdiction against any employee at any time during his employment with the City shall be reported immediately, (prior to reporting for duty the next workday) to his supervisor.
  - 8.03: Periodic review of employees' driving records may be conducted by the City to assure adherence to this policy.

Councilman Woodford made a motion, seconded by Councilman Womack, to adopt Resolution #R15-02-01. 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.

SET A DATE (3-5-15) FOR A PUBLIC HEARING ON ORDINANCE #O15-02-03, AMENDMENTS TO THE OFFICIAL STREET MAP

The public hearing date was set for 3-5-15 at 5:30 p.m.

CONSIDER APPROVAL OF ENGINEERING SERVICES CONTRACT FOR MASTER GRADING PLAN AT HIGHLANDS BUSINESS PARK

Melinda Keifer, Economic & Community Development Coordinator, advised the Council that seven (7) RFP's were submitted and the following is the best evaluated RFP submitted:

InvestPrep™ TVA ECONOMIC DEVELOPMENT TVA

HIGHLANDS BUSINESS PARK

What is InvestPrep?
The InvestPrep Program is an innovative multi-year economic development program designed to bring to market new/improved sites and facilities within the TVA territory and position communities to compete successfully for new jobs and investment.

It is a product investment program--a new paradigm in economic development designed to help communities that invest in themselves.
In creating the program, TVA desires to invest funds where:

1) A clear market-driven need is evident;
2) Matching financial participation is available;
3) InvestPrep priorities are accomplished; and
4) There is high probability of return on investment through job creation and capital investment.

TVA and KPMG
TVA partnered with the consulting firm, KPMG LLP, for the objective analysis of program applications and funding recommendations. Projects were prioritized by the methodology developed by KPMG.

Through a competitive application process, qualified projects were selected that most clearly show the ability to meet these goals.

1) Phase II Archeological Survey on Lot D of Master Concept Plan:
ESTIMATED COST: $38,000.00

✓ **2)** Entrance Signage for two locations:
ESTIMATED COST: $8,281.00

3) Lot Signage for 13 Lots
ESTIMATED COST: $9,917.00

4) "Lowest cost/highest impact" site grading plan:
ESTIMATED COST: $60,000.00 **RAGAN-SMITH**

✓ **5)** New GIS mapping for entire Park:
* Aerial acquisition/ground control survey/aerotriangulation
ESTIMATED COST: $7,000.00
* Compilation/cartographic editing/topographic mapping
ESTIMATED COST: $9,000.00

TOTAL COST=$132,031 / 30%match=$39,631 / **$19,815.50**

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the engineering contract for the Master Grading Plan at the Highlands Business Park 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 APPROVAL TO PURCHASE DIGITAL-ALLY DIGITAL VIDEO BODY WORN CAMERAS AND DOCKING STATION (SOLE-SOURCE) - POLICE DEPARTMENT

- Digital Ally - Sole Source
- First Vu (BWC) Cost per unit: $735
  - *35 Units for a Total for $25,725*
- First Vu Docking Station Cost: $2,900
- Freight $225
- Partically funded by GHSO Grant: $19,710
- Drug Fund: $9,140

Total Cost: $28,850

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the purchase of the body cameras and docking station 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 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE SPATIAL NEEDS ASSESSMENT, SITE SELECTION & ANALYSIS/ MASTER PLANNING OF THE PROPOSED POLICE DEPT.

- Authorize City Manger to enter into a contract with ADG/AEI
- Scope of Services
  - Detailed Spatial Needs Assessment: $22,480
  - Site Analysis & Master Planning: $16,820
  - Reimbursable Expenses: $2,500 (not to exceed $5,200 w/approval)
- Max cost: $44,500

Councilman Woodford made a motion, seconded by Councilman Henry, to authorize the City Manager to enter into a contract for the Police Department Project 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 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR NATURAL GAS SERVICE WITH MIDDLE TENNESSEE NATURAL GAS UTILITY DISTRICT

MEMORANDUM

TO: Mr. Jim Shipley, City Manager
Mr. Ricky Shelton, Mayor
Mr. Larry Epps, Vice-Mayor
Dr. Charles Womack, Councilman
Mr. Dwight Henry, Councilman
Mr. Jim Woodford, Councilman

FROM: Jeff Mills, Gas Department Director

DATE: January 28th, 2015

RE: **GAS PURCHASE AND TRANSPORTATION AGREEMENT**

The Cookeville Gas Department is proposing entering into an agreement with Middle TN Natural Gas Utility District to purchase and have gas delivered directly from them at our Double Springs meter station location. This has been a delivery point which we have had MTNG deliver gas to our system for pressure and volume supplements during our system's various needs for years. During that time we have had our marketers purchase the gas, transfer it to MTNG and pay MTNG the transportation fees involved. With this agreement, a gas rate will be established for us as the customer to purchase gas transported directly from MTNG on a firm transport rate basis. This purchased amount will also not be accrued against our contractual agreement with our transmission pipeline, thus allowing us more purchasing capacity. This agreement will give us more deliverable flexibility and set the path for the larger interconnect point which we intend to partner with MTNG on for our future industrial and system growth.

Councilman Henry made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into an agreement for natural gas service 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 AUTHORIZING THE CITY MANAGER TO SIGN A NEW ENGAGEMENT LETTER WITH BILL PENNY OF BURR & FORMAN

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director RJK

DATE: February 2, 2015

SUBJ: Authorization to sign Engagement Letter with Burr & Forman

During the next City Council Meeting I will be presenting a new legal counsel Engagement Letter with Bill Penny. Bill has represented our department on previous NPDES Permit appeals and litigation concerning our Permit since 2000. Bill has previously worked on our appeals while he was with the firm of Stites & Harbison. Bill has changed law firms and is now currently with the firm of Burr & Forman. Since Bill has changed law firms a new Engagement Letter is needed.

If you have any questions concerning this matter please feel free to give me a call.

Councilman Womack made a motion, seconded by Councilman Woodford, to authorize the City Manager to sign a new engagement letter with Bill Penny 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 SEWER CLEANING JET RODDER/ VACUUM WATER TRUCK & DUMP TRUCK – WATER QUALITY CONTROL DEPARTMENT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
BID FOR 2015 SEWER CLEANING JET RODDER/VACUUM COMBINATION WATER TRUICK

DATE OF BID OPENING 8-Jan-15 TIME: 10:00 A.M.
BIDS OPENED BY Roger Mayberry
BIDS WITNESS BY Pauline Whiteside, Blake McCool, and Zane Kilgo

BIDDERS	MANUFACTURER	BID PRICE	EXCEPTIONS		
ENVIRONMENTAL PRODUCTS	VACTOR 2103	$273,435.00	NONE		
JACK DOHENY SUPPLIES	VACTOR 2103	NO BID	NO BID		
PUBLIC WORKS EQUIPMENT	VACTOR 2103	$267,750.00	NONE		
RODDERS & JETS SUPPLY	VACALL	NO BID	NO BID		
SANSOM EQUIPMENT	**VACTOR 2103**	**$264,938.00**	**NONE**		

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

RECOMMENDED: DEPARTMENT HEAD

APPROVAL: CITY MANAGER

BUDGET AVAILABILITY: FINANCE DIRECTOR

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL
2015 DUMP TRUCK BID

DATE OF BID OPENING Jan. 08, 2015 TIME: 10:30 A.M.
BIDS OPENED BY Roger Mayberry
BIDS WITNESS BY Pauline Whiteside and Jim Cook

BIDDERS	CAB/CHASSIS MFG.	DUMP BED MFG.	TOTAL BID PRICE	ENGINE	
CHEROKEE TRUCK EQUIP.	NO BID	NO BID	NO BID	NO BID	
GOLDEN CIRCLE FORD	NO BID	NO BID	NO BID	NO BID	
LANDMARK INTERNATIONAL	**INTERNATIONAL**	**JACO**	**$81,925.00**	**NAVASTAR 9**	
LANDMARK INTERNATIONAL	INTERNATIONAL	JACO	$77,420.00	CUMMINS ISB	ENGINE (DNMS)
MID-TENN. FORD NASHVILLE	NO BID	NO BID	NO BID	NO BID	
NEELY COBLE COMPANY	FREIGHTLINER	ROGERS	$85,390.00	CUMMINS ISL	
RUSH PETERBUILT TRUCKS	NO BID	NO BID	NO BID	NO BID	
SWENSON SPREADER, LLC	NO BID	NO BID	NO BID	NO BID	
WADE FORD of GEORGIA	NO BID	NO BID	NO BID	NO BID	
WORLD WIDE EQUIPMENT	KENWORTH	REYONALDS	$81,099.00	PACCAR PX-7	ENGINE (DNMS)

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FOR $81,925.00 FROM -LANDMARK INTERNATIONAL- BE AWARDED FOR THE FOLLOWING REASON: LOW BIDDER MEETING SPECIFICATIONS.

RECOMMENDED: WQC DIRECTOR

APPROVAL: CITY MANAGER

BUDGET AVAILABILITY: FINANCE DIRECTOR

COOKEVILLE CITY COUNCIL
MINUTES
FEBRUARY 5, 2015

Councilman Woodford made a motion, seconded by Councilman Henry, to award the bids for sewer cleaning jet rodder/vacuum water truck & dump truck 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 ACCEPTING RETIREMENT LETTER FROM CITY MANAGER JIM SHIPLEY

City Manager Jim Shipley read the following:

COOKEVILLE TENNESSEE *Office of the City Manager*

To the Board of Mayor and City Council:

Please accept this letter as official notification that I am retiring from my employment with the City of Cookeville, effective on March 6, 2015. I have truly enjoyed my thirty-one year career working for the citizens of my home town. I have had the opportunity to work with many excellent city councilmen (I've served with ten councils). I'm especially proud of the professional staff and our city employees that are all dedicated to provide quality service to this community every day.

Many people have asked why I've decided to retire. I want everyone to know that I am under no pressure to step down. It's just time for new leadership, someone with fresh ideas and a new vision.

I love our community. I wouldn't want to live anywhere else. It's been awesome to be a small part of what's happened here over the last thirty years. Thank you so much to all of the city councilmen and employees that have supported me during my time with the City of Cookeville.

Sincerely,

Jim Shipley
City Manger
City of Cookeville

Vice-Mayor Epps made a motion, seconded by Councilman Woodford, to accept the retirement letter (effective on 3-6-15) from City Manager Jim Shipley. 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
FEBRUARY 5, 2015

CONSIDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO APPOINT MIKE DAVIDSON AS INTERIM CITY MANAGER EFFECTIVE MARCH 6, 2015

Mayor Shelton made a motion, seconded by Councilman Henry, to appoint Mike Davidson as Interim City Manager – effective March 6, 2015. 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.

Mayor Shelton made a motion, seconded by Councilman Womack, to authorize Mayor Shelton to execute an agreement for Mike Davidson to serve as Interim City Manager – effective March 6, 2015. 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 RESOLUTION #R15-02-02, AUTHORIZING THE MAYOR TO APPLY TO THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Community Development Block Grant:

Housing Rehabilitation Program

TN Department of Economic and Community Development

- Maximum grant award $525,000 – no local match required
- CDBG grants focus on areas that include: low-to-moderate income, minorities, and the disabled & elderly
- If awarded, monies would be utilized to make improvements to existing eligible housing in the West End neighborhood. These activities would support past and future revitalization efforts in the area by Habitat for Humanity
- Eligible homes must be owner-occupied and there are 19 owner-occupied homes in the proposed West End neighborhood
- A maximum of 10 homes may be completed under this program
- Homes in serious disrepair may be demolished and rebuilt
- Upper Cumberland Development District will prepare application and all necessary documents, as well as, administer grant funds for the proposed project

Councilman Womack made a motion, seconded by Councilman Henry, to adopt Resolution #R15-02-02. 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.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

Deborah Sam, local resident, expressed her concerns about spending public funds, TIIF money & incentives for the relocation of new retailers to come to Cookeville, TN.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No business to discuss.

MAYOR'S COMMENTS:

Mayor Shelton recognized Cory Riches & Ben Riches of Boy Scout Troop #412 – working on their "Citizenship in the Community" badge!!

There being no further business, Mayor Shelton declared the meeting adjourned at 6:20 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk