COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 18, 2015
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, June 18, 2015, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Pastor Ron Allan of Living Hope 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 Jim Woodford

ABSENT: Councilman Charles Womack

Also present: Mike Davidson, City Manager; Cathy McClain, City Clerk; and Dan Rader, City Attorney.

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Woodford made a motion, seconded by Councilman Henry, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS:

CONSIDER REAPPOINTMENTS TO THE ARCHITECTURAL DESIGN REVIEW BOARD

MEMORANDUM

TO: CITY COUNCIL MEMBERS

FROM: JAMES MILLS, PLANNING DIRECTOR

DATE: JUNE 12, 2015

SUBJECT: ARCHITECTURAL DESIGN REVIEW BOARD APPOINTMENTS

As you may know, the Architectural Design Review Board (ADRB) consists of five (5) members, including two (2) representatives from the Planning Commission and three (3) citizens at large, one (1) of which should be a registered architect or landscape architect. All should be residents of Cookeville. The term of membership is three (3) years except for the representatives of the Planning Commission whose terms run concurrently with their membership on the Planning Commission.

The terms of the three current citizen at large members, Peter Metts (who fills the registered architect position), Jennifer Williams, and Adam Ryan, expire this month. These members have been contacted and have agreed to continue to serve if reappointed. The Planning Department recommends for their reappointment.

If you have any questions or need further information please contact me at your convenience.

Councilman Woodford made a motion, seconded by Councilman Henry, to reappoint Peter Metts, Jennifer Williams & Adam Ryan to the Architectural Design Review Board as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

CONSIDER REAPPOINTMENT TO THE PUTNAM COUNTY LIBRARY BOARD

Putnam County Library System

931-526-2416 putnamlibrary.org
50 East Broad St Cookeville, TN 38501

June 15, 2015

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

RE: Putnam County Library Board of Trustees 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 of Trustees and one of the two representatives to the Regional Library Board. The terms of two of the three City appointees to the Putnam County Library Board expire June 30, 2015.

The positions are currently filled by Ms. Alma Anderson and Mr. Larry Garrett, respectively. At the May 12, 2015 Library Board meeting, Mr. Garrett expressed a willingness to continue serving on the Library Board. Ms. Anderson respectfully declined reappointment.

Mr. Garrett is the Community President at First National Bank of Tennessee.

The Putnam County Library Board of Trustees will present a slate of nominees for the position left vacant by Ms. Anderson at the July 14, 2015 meeting.

We respectfully request the City Council reappoint Mr. Larry Garrett to the Putnam County Library Board of Trustees for a three year term.

Best Regards,

Stacie Netherton

Stacie Netherton
Assistant Director

Mayor Shelton made a motion, seconded by Councilman Woodford, to reappoint Larry Garrett to the Putnam County Library Board as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

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PRESENTATION BY GEORGE HALFORD, CEO OF COOKEVILLE-PUTNAM COUNTY CHAMBER OF COMMERCE

George Halford, CEO of Cookeville-Putnam County Chamber of Commerce, thanked the Mayor & City Council for their continued support during the Tennessee State Rally - the *Harley-Davidson "Hog Rally"* in May & presented Mayor Shelton with a *"Ceremonial Shovel"* for a large boost in city revenue/very successful event!!

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON JUNE 4, 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 Vice-Mayor Epps. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-06-13, AMENDING THE BUDGETS OF THE GENERAL, STATE STREET AID, SOLID WASTE, ECONOMIC DEVELOPMENT, QUALITY OF LIFE, GENERAL IMPROVEMENT BOND & EMPLOYEE INSURANCE FUNDS OF THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2015

Councilman Henry made a motion, seconded by Councilman Woodford, to revise the Police Department expense from $45,048 to $95,048, and approve on second and final reading Ordinance #O15-06-13 as amended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

COOKEVILLE CITY COUNCIL
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HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL, READING ORDINANCE #O15-06-14, PROVIDING A TAX LEVY FOR THE 2015-2016 FISCAL YEAR

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on second and final reading Ordinance #O15-06-14. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-06-15, AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID TO PUBLIC SERVICE, NONPROFIT, AND CHARITABLE ORGANIZATIONS FOR THE 2015-2016 FISCAL YEAR

Councilman Henry made a motion, seconded Councilman Woodford, to approve on second and final reading Ordinance #O15-06-15. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-06-16, MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, AND AGENCIES OF THE CITY OF COOKEVILLE, TENNESSEE FOR THE 2015-2016 FISCAL YEAR

Councilman Woodford made a motion, seconded by Councilman Henry, to approve on second and final reading Ordinance #O15-06-16. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

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CONSENT AGENDA:

CONSIDER AWARDING BID FOR CHEMICALS – WATER QUALITY CONTROL DEPARTMENT

CHEMICALS
WATER AND WASTEWATER TREATMENT PLANTS

DATE OF BID OPENING: June 9, 2015
BIDS OPENED BY: RODGER PHILLIPS
BIDS WITNESS BY: MARIE JACEK
TIME: 2:00 P.M.

BIDDERS	1 LIQUID FERRIC CHLORIDE DRY TON	2 SODIUM HYDROXIDE DRY TON	3 HYDRO-FLUOSILICIC ACID DRY TON	4 CHLORINE CYLINDERS TON	5 HYDROGEN PEROXIDE 50% GAL	6 POWDERED ACTIVATED CARBON - PAC LB	7 MEMBRANE FILTRATION SYSTEM CAUSTIC	SODIUM HYPOCHLORITE	CITRIC ACID	8 ORTHO-POLYPHOSPHAE BLEND GAL	9 HIGH CALCIUM QUICKLIME (FINE) TON	10 HIGH CALCIUM QUICKLIME (RICE SIZE) TON
ALLIED UNIVERSAL		DNMS		$370.99/TON								
AQUA SMART, INC										$8.50/GAL - $9.31 MG		
AULICK CHEMICAL										$8.25 GAL - $9.075 MG		
BASF CORP.	DNB											
BHS SPECIALTY CHEMICALS	DNB											
BRENNTAG MID-SOUTH		$474.80		$405.00/TON	$0.48/LB		$0.20/LB	$1.95/GAL	$0.63/LB			
CARMEUSE LIME											$156.50	$156.50
CHENEY LIME											$157.43	$157.43
C.I. THORNBURG				$480.00/TON			$0.29/LB	$2.25/GAL	$1.29/LB			
DPC ENTERPRISES	DNB											
DYCHO CO., INC.		$501.95	$1,807.60				$0.132/LB	$1.35/GAL	$0.57/LB	DNMS		
GEO SPECIALTY	DNB											
HARCROS CHEMICALS	DNB											
INDUSTRIAL CHEMICAL	DNB											
KA STEEL CHEMICALS		$486.00										
KEMIRA	$524.30/TON											
KEY CHEMICAL, INC.	DNB											
LCI, LTD	DNB											
MISSISSIPPI LIME											$210.43	
MWV SPECIALTY CHEMICALS						$0.95/LB.						
PENCCO, INC.			$1,956.52									
PVS TECHNOLOGIES	$462.00/TON											
SHANNON CHEMICALS			$2,272.00							$6.69/GAL - $74.79 MG		
SPECIALTY CHEMICAL		$468.00	$1,825.74		$0.3075/LB		$0.6816/LB	$2.00/GAL	$0.98/LB			
STANDARD PURIFICATION	DNB											
SUMMIT CHEM. SPECIALTY	DNB											
THATCHER CO	DNB											
UNIVAR		$515.60	$1,849.15				$0.23/LB	$2.20/GAL	$0.645/LB			
USALCO, LLC	DNB											
AWARD BIDS TO ——	PVS	SPECIALTY	DYCHO	ALLIED	SPECIALTY	MWV	DYCHO			AULICK	CARMEUSE	CARMEUSE

DNB - Did Not Bid
DNMS - Did Not Meet Specs

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID AS INDICATED ABOVE BE AWARDED FOR THE FOLLOWING REASON: LOW BID SUBMITTED - WITH THE OPTION TO GO OTHER BIDDERS IF FIRST BIDDER CANNOT MEET DELIVERY REQUIREMENTS OR IF THERE IS AN UNFORESEEN PROBLEM WITH THEIR PRODUCT.

RECOMMENDED
DEPARTMENT HEAD

APPROVAL
CITY MANAGER

BUDGET AVAILABILITY
FINANCE DIRECTOR

CONSIDER AWARDING BID FOR TRANSFORMERS– ELECTRIC DEPARTMENT

DATE OF BID OPENING: 6-9-2015
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Tiffany Capps
DEPARTMENT: Electric
TIME: 2:00 PM CST

BIDDERS	37.5 Kva Con Transformer QTY 24	evaluated cost						
Power Supply	$ 914.00 $ 21,936.00	$ 1,672.13						
Border States Electric	$ 877.00 $ 21,048.00	$ 1,649.50						
HD Supply	$ 957.00 $ 22,968.00	$ 1,793.50						
Stuart Irby	$ 971.00 $ 23,304.00	$ 1,755.95						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Border States Electric

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

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Councilman Woodford made a motion, seconded by Councilman Henry, to approve the consent agenda items as submitted. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

CONSIDER AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT FOR CITY MANAGER MIKE DAVIDSON

AGREEMENT

This **AGREEMENT** is entered into this 18th day of June, 2015, by and between the **CITY OF COOKEVILLE**, hereinafter called the "**CITY**", and Mike Davidson, hereinafter called the "**CITY MANAGER**". The **CITY** and the **CITY MANAGER**, for the consideration herein specified, agree as follows:

The **CITY**, in accordance with its action as found in the Minutes of its meeting held on the 4th day of June, 2015, hereby employs, and the **CITY MANAGER** hereby accepts this employment as **CITY MANAGER** of the **CITY OF COOKEVILLE** commencing on the 4th day of June, 2015. The **CITY MANAGER** shall assume responsibilities effective immediately.

DUTIES.

A. The **CITY MANAGER** shall perform the duties specified in the Charter of the City of Cookeville; the Ordinances and Resolutions of the City of Cookeville and Tennessee Code Annotated, as well as those listed in the job description for **CITY MANAGER** as adopted by the **CITY COUNCIL**, or as it may be amended from time to time during the term of this Contract. Such job description, as so amended, is hereby incorporated in this Contract by reference as if fully stated herein.

B. The **CITY MANAGER** shall devote such time and energies as are necessary to perform the duties specified in the job description. These duties will generally be performed during normal business hours, but it is expressly agreed that the duties of this portion will require the **CITY MANAGER** to work during times other than normal business hours.

C. The **CITY MANAGER** is required by the Charter of the City of Cookeville to reside within the Cookeville City limits, but that the City Council has the authority to waive this requirement. The City Council hereby waives said requirement. The **CITY MANAGER** will be accessible 24 hours per day in the event of an emergency. If the **CITY MANAGER** is out of town on business or vacation, he shall designate an assistant to be on call and accessible.

COMPENSATION.

A. The **CITY** shall pay the **CITY MANAGER** annual base compensation as follows: $135,000.00.

MEMBERSHIP DUES: The **CITY COUNCIL** encourages the **CITY MANAGER** to become involved in professional societies and associations of City Managers. The **CITY**

shall further pay all dues in professional societies or associations of which the **CITY MANAGER** is a member, if the **CITY COUNCIL** deems it appropriate. The **CITY** shall further reimburse the **CITY MANAGER** for reasonable expenses in accordance with **CITY** policy in attending related functions to these societies and associations in accordance with **CITY** policy. Any out of state meetings require prior **CITY COUNCIL** approval.

The **CITY MANAGER** is authorized to attend and participate in all continuing education meetings and seminars necessary to keep his CPA license in effect and shall be reimbursed for expenses related to same.

PERFORMANCE EVALUATION: A performance evaluation shall be conducted in accordance with **CITY** policy on an annual basis of the date of his employment as **CITY MANAGER**.

LOYALTY: The **CITY MANAGER** shall devote full time, attention, knowledge and skills solely and exclusively to the business and interests of the **CITY OF COOKEVILLE**.

SEVERANCE: Anything to the contrary notwithstanding, the **CITY COUNCIL** shall have the right to terminate this contract with or without cause pursuant to the Charter of the **CITY OF COOKEVILLE**, and the decision of the **CITY COUNCIL** is final.

If the **CITY COUNCIL** so votes, and the **CITY MANAGER** is not terminated for cause, the **CITY MANAGER** will be entitled to 6 months severance pay based on his annual salary if he leaves his employment with the **CITY OF COOKEVILLE**. The **CITY MANAGER** may waive this severance package and return to the position of Finance Director for the **CITY**, or a position of similar responsibility, if the **CITY COUNCIL** agrees.

Mayor Shelton presented a picture of the TTU Eagle to the new City Manager Mike Davidson.

Mayor Shelton made a motion, seconded by Vice-Mayor Epps, to authorize the Mayor to execute an employment agreement for the City Manager as submitted. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF AGREEMENT WITH PUTNAM COUNTY BOARD OF EDUCATION RELATIVE TO PROPERTY ON EAST HUDGENS & EAST SPRING STREETS

Agreement for Property Exchange with
Putnam County Board of Education

- City received notice that we've been awarded a $950k multimodal grant from TDOT to construct sidewalks
  - Along Spring Street from approximately Broad St to Old Kentucky Rd
  - Along Raider Drive
  - Along Carlen Drive
- City will need to acquire right of way from the Board of Education for sidewalks and slope easements along portions of this route
- Board of Education would like to acquire the property where the "Capshaw Water Tank" was once located
  - Capshaw school will construct a pavilion
- City has no future plans for the "Capshaw Water Tank" property
- City will quitclaim interest in the "Capshaw Water Tank" property to the school board
- Board of Education agrees to transfer sufficient right of way including slope and construction easements to construct sidewalks
  - Sidewalks approximately 5 width
- City will construct sidewalks as soon as practicable following all TDOT guidelines
  - Board of Education agrees to transfer necessary right of way once the right of way plans are developed

Councilman Woodford made a motion, seconded by Councilman Henry, to approve the agreement with the Putnam County Board of Education as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING RELATIVE TO THE "2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM"

Edward Byrne Memorial Justice Assistance Grant Program
2015 Local Solicitation

Grant Amount: $10,333.00 - No match required.

Program Requirements: Public hearing to inform the public that the City has applied for funds.

Program Areas:
- Law enforcement programs
- Prosecution and court programs
- Corrections and community correction programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology programs
- Crime victim and witness programs

** The CITY and COUNTY agree that $4,133.00 will be received by Putnam County for the purchase of replacement tasers for the Sheriff's department. The City of Cookeville will retain the balance of $6,200.00 also toward the purchase of replacement tasers and will administer the grant.

Councilman Henry made a motion, seconded by Councilman Woodford, to approve the "*2015 Edward Byrne Memorial Justice Assistance Grant Program*" as submitted. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

CONSIDER REJECTING ALL BIDS RECEIVED FOR THE ROADSCAPES PROJECT & REVISING THE DESIGN/ SPECIFICATIONS, AND REBIDDING THE PROJECT

Rick Woods, Leisure Services Director, stated that on 5-1-15 he received (2) two bids for the Tennessee Roadscapes Project, but the low bidder was nonresponsive & the second bidder exceeded the engineer's cost estimate.

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to reject all bids received for the Roadscapes Project – revise design/specifications & rebid the project as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF SURETY BOND – ELECTRIC DEPARTMENT

TO: City Council
City Manager

FROM: Tony Peek
Director

DATE: June 11, 2015

SUBJ: Surety Bond

At the May 21st City Council meeting, the Council approved a substation transformer bid in the amount of $958,324. The amount approved was the base bid for the unit. In the bid solicitation, bidders were asked to provide adders to include a surety bond adder. In preparing the bid tabulation sheet for Council approval, I failed to include the $20,000 cost of the surety bond.

After conversations with the City Manager and City Attorney, we feel the need for the surety bond due to the City making performance payments as the unit is built. The surety bond will protect the City of Cookeville should something unforeseen happen before completion. Given the surety bond adder, Pennsylvania Transformer, remains the low evaluated bid.

Councilman Woodford made a motion, seconded by Councilman Henry, to approve the surety bond for the Electric Department as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Charles Womack

The City Clerk announced that the motion carried.

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CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

No citizens request.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No comments.

MAYOR'S COMMENTS:

Mayor Shelton invited everyone to a reception for the new City Manager Mike Davidson in the City Hall Lobby following the Council Meeting.

There being no further business, Mayor Shelton declared the meeting adjourned at 5:48 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk