COOKEVILLE CITY COUNCIL
REGULAR MEETING
JULY 2, 2015
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, July 2, 2015, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Associate Minister Mike Dyer of Willow Avenue Church of Christ 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: Mike Davidson, City Manager; Cathy McClain, City Clerk; and Dan Rader IV, serving as City Attorney.

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Henry made a motion, seconded by Councilman Woodford, 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 Charles Womack
Councilman Jim Woodford

The City Clerk announced that the motion carried.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS:

CONSIDER REAPPOINTMENT TO THE ENVIRONMENTAL APPEALS BOARD

Councilman Woodford made a motion, seconded by Councilman Henry, to reappoint Jim Hall to the Environmental Appeals Board (5 year term). 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 APPOINTMENT TO THE COOKEVILLE REGIONAL MEDICAL CENTER BOARD OF TRUSTEES

COOKEVILLE REGIONAL
MEDICAL CENTER
The Proven Choice

Memorandum

To: Mike Davidson, City Manager
From: Paul Korth, Chief Executive Officer
Date: June 30, 2015
Re: CRMC Board of Trustees Appointment 2015

Bob Allen's current term will expire on July 31, 2015. We are requesting the City Council to appoint a new member to the CRMC Board of Trustees for a seven year term.

Councilman Woodford made a motion, seconded by Councilman Womack, to appoint Allen Ray to the CRMC Board of Trustees (7 year term). 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.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON JUNE 18, 2015

Councilman Henry 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.

CONSENT AGENDA:

CONSIDER AWARDING BID FOR TRANSFORMERS – ELECTRIC DEPARTMENT

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 15052801

DATE OF BID OPENING: 6-16-2015
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Tiffany Capps
DEPARTMENT: Electric

TIME: 2:00 PM CST

BIDDERS QTY	25 Kva Csp Transformer 32	evaluated cost
HD Supply	$ 824.50 $ 26,384.00	$ 1,384.38
Border States Electric	$ 797.00 $ 25,504.00	$ 1,384.39
Stuart Irby	$ 910.00 $ 29,120.00	$ 1,487.30

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM low evaluated bid meeting specs.

BE AWARDED FOR THE FOLLOWING REASON:

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

CONSIDER AWARDING BID FOR CABLE – ELECTRIC DEPT.

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 15060901

DATE OF BID OPENING: 6-23-2015
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Robert Poteet
DEPARTMENT: Electric

TIME: 2:00 PM CST

BIDDERS QTY	1/0 Urd AL Primary Cable 20,000'
Wesco	$ 2.15 $ 43,000.00
Stuart Irby	$ 2.25 $ 45,000.00
Power Supply	No Bid
HD Supply	No Bid

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Wesco

BE AWARDED FOR THE FOLLOWING REASON: low bid meeting specs

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

SET A DATE (8-6-15) FOR A PUBLIC HEARING ON ORDINANCE #O15-07-19, REZONING FROM RS20 (SINGLE-FAMILY RESIDENTIAL) TO RS5 (SINGLE-FAMILY RESIDENTIAL) PROPERTY CONSISTING OF 10.48 ACRES LOCATED IN THE CORNER OF OLD SPARTA ROAD AND BOB BULLOCK ROAD IDENTIFIED AS PARCEL 24.02 ON TAX MAP 96

Councilman Woodford made a motion, seconded by Councilman Womack, to approve the consent agenda items (public hearing set for 8-6-15 at 5:30 p.m.) as submitted. 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.

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O15-06-17, REZONING 750 WHITSON AVENUE FROM RS15 (SINGLE-FAMILY RESIDENTIAL) TO PRD (PLANNED RESIDENTIAL DEVELOPMENT)

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on first reading Ordinance #O15-06-17, subject to the following parameters:

- The maximum number of dwelling units shall be 41
- Dwelling units along the perimeter adjacent to existing single family homes shall be single story only
- Attached dwelling units along the perimeter adjacent to existing single family homes shall be limited to clusters of no more than 2 dwelling units
- The maximum number of bedrooms for any dwelling unit shall be 3
- Exterior building materials of all dwelling units shall consist, at a minimum, of 80 % brick or stone with the remainder Hardie board
- Each dwelling unit shall have its own garage
- The perimeter buffer yard shall have a minimum width of 45 feet
- The screening material required for the perimeter buffer yard shall consist of a staggered, double row of Leyland Cypress trees or Aborvite, 8 to 10 feet in height at the time of planting
- The homeowners association agreement shall include specific provisions for the maintenance of the perimeter buffer yard
- A revised Preliminary PRD Plan, depicting compliance with all parameters, shall be submitted to the Planning Department

Several local residents in this neighborhood voiced their concerns about sinkholes, drainage, streams, traffic, reducing property value, tree removal & etc.

Mary Jennings, of U.S. Fish and Wildlife, voiced her concerns about this project being in compliance with the *Endangered Species Act* for the protection of the gray bat population.

Councilman Womack made a motion, seconded by Councilman Henry, to amend the motion to include meeting with the U.S. Fish and Wildlife to insure this project will not harm the water supply/natural environment of the gray bats prior to the final approval by the Planning Commission.

Upon call for a vote on the motion as amended, 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 amended motion carried.

James Mills, Planning Department Director, stated that all studies (Stormwater, Geo Technical study of caves & etc.) are required to be done & final PRD Planned Preliminary Plat approved & recorded before the developer starts construction.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O15-06-18, AMENDMENTS TO THE ZONING CODE SECTION 208A.4, ARCHITECTURAL DESIGN STANDARDS, TO INSERT PROVISIONS IN SECTION 208A.4B (3) RELATING TO SCREENING FOR ADDITIONS UTILIZING PROHIBITED MATERIALS

- "In determining whether the use of prohibited materials should be approved, the Board may required that vegetative or other screening be provided as a condition for the use of a prohibited material."

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on first reading Ordinance #O15-06-18. 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 RESOLUTION #R15-07-10, AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL, ESTABLISHING MANDATORY RETIREMENT AGE AT SIXTY (60) FOR ALL POLICE OFFICERS & FIREFIGHTERS - *BRIDGE BILL* (RESCINDING PREVIOUS RESOLUTION #R09-09-14)

Chapter 8, Benefits and Programs shall be amended as follows:

Delete Section 5.03 and replace with:

All police and firefighters and employees (with the exception of the Police Chief and the Fire Chief as noted in Tennessee Code Annotated 8-36-205(3)(C) who have been transferred from such a position to a supervisory or administrative position with the police and fire department shall be mandated to retire on the first day of the month following the month in which the employee attains age sixty (60) pursuant to Tennessee Code Annotated, Section 8-36-205. These employees are eligible for the payment of the supplemental bridge benefit pursuant to Tennessee Code Annotated, Section 8-36-211, and Group 1 members who have creditable service in a Group 1 position covered by such mandatory age retirement may retire on service retirement benefits upon attainment of age fifty-five (55) with twenty-five (25) years of creditable service pursuant to Tennessee Code Annotated, Section 8-36-201(A)(2) as established by Resolution #R15-06-08. It is included as an appendix to this manual.

The passage of this Resolution shall rescind Resolution number R09-09-14.

Councilman Womack made a motion, seconded by Councilman Woodford, to adopt Resolution #R15-07-10 (rescinding Res. #R09-09-14). 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 FOR BRUSH GRINDING – PUBLIC WORKS DEPARTMENT

CITY OF COOKEVILLE
BID TABULATION RECORD
BRUSH GRINDING AND REMOVAL

DEPARTMENT: Public Works
BIDS OPENED BY: Timmy Lee
OPENING WITNESSED BY: Wade Goff

DATE OF BID OPENING: JUNE 26, 2015
TIME OF BID OPENING: 10:00 AM

BIDDERS	LUMP SUM BID	
AAA General Contractors, Inc.	$132,500.00	
B&B Ranch LLC	$173,000.00	
T.F.R. Enterprises, Inc.	$194,000.00	

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM AAA General Contractors, Inc.

BE AWARDED FOR THE FOLLOWING REASON: LOW BID

RECOMMENDED: DEPT. DIRECTOR

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

Councilman Womack made a motion, seconded by Councilman Woodford, to award the brush grinding 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 AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #1 OF THE ENGINEERING CONTRACT FOR THE SOUTHEAST SEWER PROJECT

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: June, 26, 2015

SUBJ: Engineering Contract Amendment #1 – Southeast Sewer Project

During the next City Council meeting I will be seeking Council approval of an amendment to the Southeast Sewer Project engineering contract with Consolidated Technologies, Inc. (CTI) Consulting Engineers.

The construction contract with J&S Construction has exceeded the contract completion date of April 6, 2015. As a result, our department has incurred additional engineering costs performing construction services and on-site observation. We will exceed our approved contract amount with CTI for engineering services in the next couple of weeks. I am requesting that the City Council authorize the City Manager to enter into an engineering contract amendment, which maintains the same contract rate structure, in whole or prorated as partial months, until project completion.

The construction contract allows for the City of Cookeville to charge liquidated damages for each consecutive calendar day of delay until the project is "substantially completed". The amount stipulated in the contract is $500.00 per consecutive calendar day. Assuming that no additional days are added to the construction contract by change order or through negotiations with the contractor, the $500 per day should cover our additional engineering costs through "substantial completion".

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

Councilman Womack made a motion, seconded by Councilman Woodford, to authorize the City Manager to execute Amendment #1 for the Southeast Sewer 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 AWARDING BID FOR WATER PLANT LAGOON – WATER QUALITY CONTROL DEPARTMENT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL

WATER TREATMENT PLANT - CLEANING OF SLUDGE LAGOON

DATE OF BID OPENING 25-Jun-15
BIDS OPENED BY JOHN KING
BIDS WITNESS BY BARRY TURNER

TIME: 3:00 P.M.

PLAN HOLDERS	TOTAL BID				
DENALI WATER SOLUTIONS, LLC	**$467,000.00**				
MERRELL BROS., INC.	$483,875.00				
VIDEO INDUSTRIAL SERVICES	$482,340.00				
ELK MOUNTAIN CONSTRUCTION CO.	DNB				
SYNAGRO CENTRAL, LLC	$638,000.00				
ENERGY RESOURCES, INC.	DNMS				
FIRST RESPONSE, INC.	DNB				
SUNDSTROM PIT PUMPING, LLC	DNB				

DNB - DID NOT BID DNMS - DID NOT MEET SPECS

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - DENALI WATER SOLUTIONS, LLC - BE AWARDED FOR THE FOLLOWING REASON; LOW BID MEETING SPECIFICATIONS

RECOMMENDED:
DEPARTMENT HEAD

APPROVAL:
CITY MANAGER

BUDGET AVAILABILITY:
FINANCE DIRECTOR

Councilman Woodford made a motion, seconded by Councilman Henry, to award the Water Plant Lagoon 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.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

Shawn Caskey, owner of Gopher Delivery, wants to submit some ideas to the Codes Department.

Mayor Shelton advised him to email his ideas to consider.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No comments.

MAYOR'S COMMENTS:

Mayor Shelton invited everyone to enjoy the many events on the 3rd/4th of July (details on website) planned downtown with a Veterans Parade/ Concert in the Park/Slide the City & Car Cruise/Fireworks Show at the Putnam County Fairgrounds!

There being no further business, Mayor Shelton declared the meeting adjourned at 6:45 p.m.

Ricky Shelton, Mayor

ATTEST:

Cathy McClain, City Clerk