COOKEVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 3, 2015
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, December 3, 2015, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Pastor Allen Morris of the First Christian 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
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

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 Womack, to withdraw item #7B/cancel public hearing – hold a public hearing and consider on first reading Ordinance #O15-10-30, amendment to the zoning code section 207.6P (5(S)(i) decreasing the time an image must remain static on a digital billboard from 10 seconds to 8 seconds and approve the agenda as amended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

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 NOVEMBER 19, 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 Womack. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-10-26, CLOSURE AND ABANDONMENT OF AN UNDEVELOPED ALLEY RIGHT-OF-WAY LOCATED SOUTH OF EAST 6TH STREET BETWEEN NORTH DIXIE AVENUE AND NORTH JEFFERSON AVENUE AND DECLARING IT AS SURPLUS

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O15-10-26 (area of alley = 0.122 acres/5312 sq. ft.), contingent upon utilities retention. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-11-32, AMENDING THE BUDGET OF THE ECONOMIC DEVELOPMENT FUND OF THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2016

Councilman Henry made a motion, seconded by Councilman Woodford, to approve on second and final reading Ordinance #O15-11-32. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 3, 2015

CONSENT AGENDA:

SET A DATE (1-7-16) FOR A PUBLIC HEARING ON ORDINANCE #O15-12-33, AMENDING THE ZONING CODE PERTAINING TO THE LOCATION OF WIRELESS COMMUNICATION TOWERS AND ANTENNA ARRAYS LOCATED WITHIN THE PROPERTY BOUNDARIES OF A LEGAL NONCONFORMING AUTO SALVAGE YARD IN THE CL (LOCAL COMMERCIAL) AND RM8 (MULTI-FAMILY RESIDENTIAL) DISTRICTS

SET A DATE (1-7-16) FOR A PUBLIC HEARING ON ORDINANCE #O15-12-35, REZONING A PORTION OF PROPERTIES LOCATED ON LONE OAK DRIVE AND IDENTIFIED AS PARCELS 12.00, 12.01 & 13.00 ON TAX MAP 66A, GROUP A FROM RS10 (SINGLE-FAMILY RESIDENTIAL) TO CG (GENERAL COMMERCIAL)

Councilman Woodford made a motion, seconded by Councilman Henry, to approve the consent agenda items as submitted (public hearing date set for 1-7-16 at 5:30 p.m.). Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

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 #O15-10-29, REZONING PROPERTY LOCATED AT THE NORTHEAST INTERSECTION OF BENNETT AND LEE SEMINARY ROADS FROM RS20 (SINGLE-FAMILY RESIDENTIAL) TO CI (COMMERCIAL-INDUSTRIAL MIXED USE)

Councilman Woodford made a motion, seconded by Councilman Henry, to approve on first reading Ordinance #O15-10-29. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O15-12-34, AMENDING THE BUDGET OF THE QUALITY OF LIFE FUND FOR THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2016

- **Quality of Life Fund**

Additional Expenditures:
– Equipment costs $65,000
- Water Slide

Councilman Henry made a motion, seconded by Councilman Womack, to approve on first reading Ordinance #O15-12-34. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF RFP FOR ELECTIVE LIFE INSURANCE

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

ELECTIVE LIFE INSURANCE PLAN

DATE OF BID OPENING: Wednesday, December 2, 2015 TIME: 10:00 AM
BIDS OPENED BY: Brenda Imel
BIDS WITNESSED BY: Cathy McClain
DEPARTMENTS: General Dept.

BIDDERS	Monthly Premium at current volume	Carrier	Rate Guarantee
Cumberland Insurance Agency	$3,640.30	Sunlife Financial	2 yrs
Ochs, Inc. & Concord Insurance	$2,830.35	Minnesota Life	3 yrs
BB&T Insurance	$2,556.62	Voya Financial	3 yrs
BB&T Insurance	$2,144.50	Unum Life Insurance	3 yrs

WE THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM **BB&T Insurance - Unum Life** BE AWARDED
FOR THE FOLLOWING REASON: Lowest quoted rates guaranteed for 3 years.

Brenda Imel
RECOMMENDED: DEPT. HEAD

Brenda Imel
BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the RFP for Elective Life Insurance as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF AGREEMENT TO PURCHASE WATER SLIDE

- Purchase price $65,000 to include slide and related items
- Inspection will be conducted on slide before purchase is finalized
- City to pay half of shipping cost to Cookeville
- Training will be provided on set-up and operation for City staff, with additional support on initial set-up and use of slide
- All references to "Slide the City" must be covered or removed on slide, City to pay half of applicable costs

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

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH PUTNAM COUNTY AND PUTNAM COUNTY EMERGENCY COMMUNICATIONS DISTRICT E-911

- E911 providing a grant to purchase Public Safety Software – SunGard
- Agreement is between
  - E911
  - Putnam County Sheriff's Department
  - City of Cookeville
- Our responsibility is 25% of maintenance costs
- Agree to participate in a coordinating committee

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the Interlocal Agreement as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AMENDMENT TO THE GAS SALES AGREEMENT WITH ATMOS ENERGY MARKETING, LLC

Memorandum

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

From: Jeff Mills, Department Director
Date: November 23rd, 2015
Re: Contract Amendment to Gas Sales Agreement with Atmos

The Gas Department has been in a contractual agreement since 1996 with Atmos Energy to advise and facilitate our natural gas purchases and commitments to gas deliveries. Within the contract limits we have the capability to hedge gas prices in order to avoid potential price volatility in favor of price stability. If we choose to hedge prices, those choices are made on amount of gas hedged and the time frame when the hedge would take place. Currently the contract only allows us to hedge gas for a maximum 12 month strip. This proposed amendment would allow us the ability to hedge gas longer than the current 12 month agreement permits.
This amendment defines what will happen to the impending hedged gas if our contract with Atmos is terminated within that hedge period arrangement.
For example if we had a 24 month strip of gas hedged and the contract with Atmos was not renewed during the hedge term, the remaining gas would be sold back into the market. The difference of the sold gas price and the hedge cost would be our responsibility, or profit depending on market sale price at that time.

I am asking for your approval for the City Manager's authorization to enter into this contract amendment. I appreciate your consideration and am happy to answer any questions you may have.

Councilman Woodford made a motion, seconded by Councilman Womack, to authorize the City Manager to enter into a contract amendment with Atmos Energy Marketing, LLC as submitted. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CHUCK GIBSON TO PROVIDE ENERGY EVALUATIONS AND INSPECTIONS

Energy Services Agreement

- An agreement to provide energy evaluations and inspections for CED's Energy Right Program
- Requires TVA Energy Right Certification
- Requires $1M general liability and property damage insurance with the City names as additionally insured
- This agreement may be cancelled by either party without cause upon giving 30 days written notice or cancelled immediately for failure to perform the terms and conditions required by this agreement
- CED will use TVA incentive funds to pay the contractor resulting in no expense to CED

Councilman Woodford made a motion, seconded by Councilman Henry, to authorize the City Manager to execute an agreement for energy evaluations/inspections as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Dwight Henry
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Vice-Mayor Larry Epps

The City Clerk announced that the motion carried.

HEAR REPORT ON $9,815,000 GENERAL OBLIGATION BOND ISSUE, SERIES 2015

Brenda Imel, Finance Director, gave the following report:

Report to Council
$9,815,000 G.O. Bonds, Series 2015

- Sept 2015 council authorized not to exceed $10 million G.O. Bonds
  Projects:
  - Bennett Road Construction
  - Police Headquarters

  Bond Summary:
  - Bonds rated as Aa3 (Moody's) other debt reaffirmed at Aa3
  - Tax exempt bank qualified
  - Competitive Public Sale 10/19/15
  - Raymond James & Associates, Inc. Low bid @ 2.208097%
    8 bids ranging from 2.208097 to 2.407893
  - Bonds will be repaid over 15 years
  - Bonds closed and dated 11/10/15
  - Bonds sold @ $184,549.75 premium

- Bond Issue Cost

Underwriters Discount		$61,604.03
Cumberland Securities Company		$37,950.00
Financial advisor fee	$29,000.00	
Printing and advertising expenses	$ 5,500.00	
Miscellaneous expenses	$ 3,450.00	
Waller, Lansden, Dortch and Davis		$15,000.00
Moody's Rating Agency		$13,000.00
US Bank Paying Agent Fees		$ 300.00

- Total Cost of Issuance & Underwriters Discount $127,854.03

- Available for the Project Construction Fund $9,871,695.72

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

No comments.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No comments.

MAYOR'S COMMENTS:

Mayor Shelton reminded everyone of the TSSAA BlueCross Bowl Football Championships at TTU starting today.

There being no further business, Mayor Shelton declared the meeting adjourned at 5:58 p.m.

Ricky Shelton, Mayor

ATTEST:

Cathy McClain, City Clerk