COOKEVILLE CITY COUNCIL
REGULAR MEETING
DECEMBER 17, 2015
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, December 17, 2015, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Senior Pastor Paul Ramsey Jr. from Church on the Hill 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 Charles Womack
Councilman Jim Woodford

ABSENT: Councilman Dwight Henry

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

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Councilman Womack made a motion, seconded by Councilman Woodford, to add item #7J – consider Resolution #R15-12-18, authorizing the acceptance of the *Heart of the City Playground* and approve the agenda as amended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS:

CONSIDER APPOINTMENTS TO THE SEWER REGULATIONS APPEALS BOARD

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: December 9, 2015

SUBJ: Sewer Regulations Appeals Board

During the December 17th City Council meeting, the City Council will need to appoint two members to the Sewer Regulations Appeals Board.

The Board was established by Ordinance #88126 in 1988. The Board is made up of five members appointed to three-year terms who shall not serve more than two full, three-year terms without a one-year break. The Board is set up to conduct hearings on appeals of decisions of the Director in actions taken under and pursuant to the Sewer Use Ordinance. Since being established the Board has yet to meet to hear an appeal.

Current Board Members Phil Staton and Gina Whitehead's term will expire December 31st, 2015. Both individuals have served two terms and are not eligible for reappointment. Paul Morgan, the Manufacturing Engineering Manager with Identity Group, and David Allmon, Civil Engineer and owner of Allmon Engineering, have both agreed to join the Board and serve a three-year term.

It is my recommendation that Paul Morgan and David Allmon both be appointed to a three-year term on the Board.

If you have any questions concerning this appointment please give me a call.

Councilman Woodford made a motion, seconded by Councilman Womack, to appoint Paul Morgan & David Allmon to the Sewer Regulations Appeals Board as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER APPOINTMENTS TO THE INDUSTRIAL DEVELOPMENT BOARD

City of Cookeville Industrial Development Board
One West First Street
Cookeville, TN 38501

December 11, 2015

City Council of Cookeville, TN
45 East Broad Street
Cookeville, TN 38501

Re: Industrial Development Board of the City of Cookeville, TN (IDB) Vacancies

Dear Council Members:

At the November 5, 2015 meeting of the IDB, board members Bob Allen and Bob Duncan tendered their resignations, citing a desire to spend more time with their families and other business interests. The IDB regretfully accepted the resignations of these two community leaders and we appreciate their long-standing service to our region.

As Chairman of the IDB it is my pleasure to recommend for your consideration, Mr. Jim Shipley and Ms. Cheryl Sandlin to fill the board positions vacated by Mr. Allen and Mr. Duncan. Although there are many outstanding candidates that have the qualifications to serve on the IDB, I find these candidates to be of the highest quality. Mr. Shipley and Ms. Sandlin have both demonstrated a commitment to Cookeville throughout their personal and professional lives and the IDB believes the City of Cookeville would be greatly benefited by their service on the board.

Thank you for your prompt response to this request and for your continued commitment to our community.

Sincerely,

Robert R. Bell, Chairman
Industrial Development Board of the City of Cookeville, TN

Councilman Womack made a motion, seconded by Councilman Woodford, to appoint Jim Shipley (expiring 5-1-19) & Cheryl Sandlin (expiring 5-1-17) to the Industrial Development Board as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 17, 2015

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON DECEMBER 3, 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
Vice-Mayor Larry Epps
Councilman Charles Womack
Councilman Jim Woodford

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER ON SECOND AND FINAL READING ORDINANCE #O15-10-29, REZONING PROPERTY LOCATED AT THE NORTHEAST INTER-SECTION 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 Womack, to approve on second and final reading Ordinance #O15-10-29. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL 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

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

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSENT AGENDA:

No business to consider.

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O15-11-31, REZONING A PORTION OF MAP #64-31.02 FROM RS20 (SINGLE-FAMILY RESIDENTIAL) TO CI (COMMERCIAL-INDUSTRIAL MIXED USE). THE PROPERTY OWNER, LINDA OWENS, HAS APPEALED THE DECISION TO THE CITY COUNCIL

James Mills, Planning Department Director, stated that the Cookeville Planning Commission denied this rezoning on 10-26-15.

Linda Owens, property owner, expressed her desire to build a Hotel.

Several local residents voiced their opposition to this rezoning.

Mayor Shelton called for a motion.

The City Clerk announced that due to the lack of a motion - item failed.

CONSIDER RESOLUTION #R15-12-17, AUTHORIZING THE SUBMITTAL OF A COMMUNITY TRANSPORTATION PLANNING GRANT APPLICATION TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PREPARING A TRANSPORTATION PLAN FOR THE CITY OF COOKEVILLE AND COMMITTING THE CITY TO THE LOCAL FUNDING MATCH

Councilman Womack made a motion, seconded by Councilman Woodford, to adopt Resolution #R15-12-17. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER APPROVAL TO ACQUIRE PROPERTY AT 201 W. 5TH STREET FOR THE COOKEVILLE REGIONAL MEDICAL CENTER

COOKEVILLE REGIONAL
MEDICAL CENTER
The Proven Choice
1 Medical Center Boulevard • Cookeville, TN 38501
931.528.2541
For proven care, visit www.crmchealth.org

December 4, 2015

Mike Davidson, City Manager
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

RE: Property Acquisition

Dear Mr. Davidson,

We would like the city to approve the acquisition of the Quality Medical Property located at 201 W 5th St, Cookeville. The purchase includes two (2) lots and buildings. The medical office is a 3,790 square foot building and the second lot has an old house which we will later destroy. The total purchase price is $595,000 for both properties,, and CRMC will use cash reserves.

We are requesting that this agenda item be considered at the next City Council meeting. Thank you in advance for your assistance.

Sincerely,

Paul Korth
Chief Executive Officer
Cookeville Regional Medical Center

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the purchase of property for the CRMC located at 201 & 251 W. 5th Street & deed to be recorded in the name of the City of Cookeville, TN. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 ON THE WATER PLANT LAGOON PROJECT

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director RJK

DATE: December 10, 2015

SUBJ: Proposed Change Order #1 – Water Plant Lagoon Project

During the next City Council meeting I will be seeking authorization for the City Manager to execute a change order on the Water Plant Lagoon Cleanout construction contract. The original contract called for removing an estimated 800 dry tons of solids out of Lagoon #3 and 700 dry tons of solids out of Lagoon #2. Since the contractor was already on site we asked the contractor if they would honor their bid price per dry ton, for the removal of an additional 320 dry tons of solids out of Lagoon #1, which now has more solids in it than we originally anticipated. The contractor has agreed to hold their prices but will need some additional days added to the contract.

The original construction contract price totaled $467,000. The proposed change order increases the construction cost by $95,072.00 and will add 90 calendar days to the contract. We believe that it would be prudent to go ahead and remove most of the solids from Lagoon #1 while we have competitive pricing and a contractor on site.

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 execute Change Order #1 on the Water Plant Lagoon Project as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER APPROVAL TO PURCHASE A NOISE BARRIER WALL SYSTEM FOR THE COOKEVILLE-PUTNAM COUNTY ANIMAL SHELTER

MEMORANDUM

TO: Ricky Shelton, Mayor
Larry Epps, Vice-Mayor
Jim Woodford, Councilman
Chuck Womack, Councilman
Dwight Henry, Councilman

FROM: Michael Davidson, City Manager MTD

DATE: December 14, 2015

RE: Animal Shelter Noise Barrier Wall System – Sole Source Purchase

In 2013 the city began construction on the new animal shelter facility located on Gainesboro Grade. Construction was finished in December 2014 and the facility opened in January 2015. The facility was designed with covered outdoor kennel areas to allow the dogs some freedom of movement as well as to provide a space for the dogs to be housed while the kennels are being cleaned. If you recall, at the September 3rd 2015 council meeting property owners from the Grademere Subdivision spoke regarding excessive noise levels related to barking dogs at the animal shelter. At this meeting you asked me to try and develop a plan that would help reduce the noise levels from the outdoor kennel areas.

One of the great partnerships the city has is with TTU. We reached out to TTU for assistance and they put us in contact with Dr. Corinne Darvennes of the Mechanical Engineering Department. Dr. Darvennes was willing to help and after taking noise level readings and evaluating other factors she recommended the city install or construct a solid barrier between two outdoor kennels areas and the neighboring properties.

In an effort to try and reduce the noise levels being directed toward the neighborhood I'm requesting approval to construct two barrier walls. The first wall will be a masonry block wall filled with concrete approximately 70 feet in length and 9 feet tall and will be built by city forces. The second wall needs to be built in an area close to the septic system pumps and tanks and it is much more difficult to construct this wall out of masonry blocks. I'm seeking approval for a sole source purchase of a noise barrier wall system manufactured by Bennett Industries a local company. This wall is a powder coated metal wall with an insulation material placed between the metal panels and is approximately 4" thick. This wall system including all support post and engineered drawings is $16,000 and will be installed by city forces.

We have funds available from the construction of this facility that can be used to cover the cost of these two walls.

BENNETT INDUSTRIES
METAL SALES • WELDING • FABRICATION
SANDBLASTING & POWDER COATING

Quote

Date	Quote #
12/15/2015	2015-350

Bennett Industries of Cookeville, LLC
PO Box 2520
1805 Burgess Falls Road
Cookeville, TN 38506
dprowse@ben-ind.com

Name / Address
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

Phone #	Fax #	Terms	FOB	Attention
931-432-4011	931-432-5923	Net 30	Origin	Mike Davidson

Description	Qty	Unit Cost	U/M	Total
Fabricate Acoustical Panel System to provide a noise reduction barrier approximately sixty-four feet long and nine feet tall. Individual wall panels to be 48" wide x 108" tall x 4" nominal thickness. Panels to be fabricated from galvanized steel, 18 gage framing, stiffeners and trim with 18 gage solid outer skin on one side and 22 gage perforated skin on the opposite side. Interior of panels to have 4lb rock wool with a vapor barrier behind the perforated outer skin. Package will also include nine vertical I-Beams to be mounted (by customer) on appx. 8' centers, eight C-Channels for connecting the vertical I-Beams together, all mounting clips, trim channels, caulking and hardware. All panels, structural members and trim to be powder coated, color to be determined. Installation is not included but on-site consultation for assembly is included at no extra charge. Price includes stamped engineering drawings.	1	16,000.00	ea	16,000.00

Councilman Woodford made a motion, seconded by Councilman Womack, to approve the purchase of a Noise Barrier Wall System as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER APPROVAL TO PURCHASE A FORENSIC WORK STATION FOR ICAC INVESTIGATIONS (SOLE-SOURCE PROVIDER) – POLICE DEPARTMENT

Forensic Computer Workstation

- Request to purchase EDAS FOX forensic computer
- Designer and sole provider
- Purchase funded through ICAC grant administered by OCJP
- Cost $10,325

HTCI EDAS FOX LLC

8285 Bryan Dairy Rd suite 125, Largo Florida 33777

January 23, 2015

To Whom It May Concern:

HTCI EDAS FOX is the designer and sole producer of the EDAS FOX series of forensics computers. Further, each EDAS FOX forensic computer comes installed with forensic software (HTCI SIM, HTCI USB Write Block Toggle, HTCI D.A.R.T. Cell Phone Analytics Software) that are all proprietary.

V/r

Tom Eskridge, President
HTCI EDAS FOX

Councilman Woodford made a motion, seconded by Councilman Womack, to approve the purchase of a Forensic Work Station as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FOR ONE (1) RADAR MESSAGE CENTER – POLICE DEPARTMENT

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

DATE OF BID OPENING:	12/7/15 10am
BIDS OPENED BY:	Lieutenant R. Brown, Admin Services
BIDS WITNESSED BY:	Cathy McClain, City Clerk; Tallas McNett, Support Svcs
DEPARTMENT:	Police

BIDDERS	Variable Message Sign
Stalker	$15,724.00

- Request to purchase radar trailer/message center
- Stalker only bidder
- Purchase funded through GHSO Grant

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM: Stalker

BE AWARDED FOR THE FOLLOWING REASON: Sole bidder meeting specifications

RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

Councilman Woodford made a motion, seconded by Councilman Womack, to award the radar message center bid as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FOR FATHER/DAUGHTER DATE NIGHT 2016 FULL CATERED MEAL – LEISURE SERVICES DEPARTMENT

CITY OF COOKEVILLE
BID TABULATION
Father Daughter Date Night 2016 Full Catered Meal

DATE OF BID OPENING: Tuesday, December 8, 2015 **TIME:** 10:00 a.m.

BIDS OPENED BY: Rick Woods

DEPARTMENT: Leisure Services & Public Facilities

Company	Meal Bid - 4 nights	Option - Chocolate Fountain
1. Royal Act Catering	$16,250.00	$2,050.00 total
2. Grade A Catering	$24,512.68	$1289.00 per night

We, the undersigned, do hereby recommend the following bid from Royal Act 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 Councilman Womack, to award the bid for Father/Daughter Date Night Full Catered Meal w/Chocolate Fountain as recommended. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER AWARDING BID FOR UNIFORMS – WATER QUALITY CONTROL & LEISURE SERVICES DEPARTMENTS

CITY OF COOKEVILLE
DEPARTMENT'S OF WATER QUALITY CONTROL & LEISURE SERVICES
ANNUAL UNIFORM BID

DATE OF BID OPENING: 10-Dec-15
BIDS OPENED BY: MARLIN HAGGARD
BIDS WITNESSED BY: PAULINE WHITESIDE

TIME: 10:30 A. M.

BIDDERS	#1 MEN'S INDUSTRIAL SS SHIRT	#2 MEN'S INDUSTRIAL LS SHIRT	#3 MEN'S COTTON SS SHIRT	#4 MEN'S COTTON LS SHIRT	#5 MEN'S STRIPE SS SHIRT	#6 MEN'S STRIPE LS SHIRT	#7 MEN'S MESH KNIT SS SHIRT	#8 MEN'S 100%COTTON SS SHIRT	#9 MEN'S MESH KNIT SS SHIRT	#10 MEN'S 100%COTTON T-SHIRT	#11 MEN'S 50/50 T-SHIRT	#12 MEN'S WAIST LGTH JACKET	#13 MEN'S PERMALINED JACKET
AEGIS BRAND GROUP	$18.00	$19.75	$23.50	$25.00	$24.00	$26.00	$23.50	$24.00	$28.00	$16.00	$15.50	$35.50	$37.50
CMS UNIFORMS	**$12.00**	**$12.99**	**$16.00**	**$17.50**	**$16.40**	**$18.50**	**$16.50**	**$13.00**	**$19.50**	**$9.75**	**$8.50**	**$28.00**	**$29.85**
EXPRESS PRESS	$14.59	$16.58	$20.14	$21.82	$20.45	$22.82	$19.39	$18.08	$23.82	$11.29	$9.38	$33.74	$35.80
PERFECT FIT	$16.50	$18.50	$21.50	$23.00	$21.50	$23.00	$21.50	$21.50	$22.50	$14.75	$12.75	$33.00	$34.00
UNIFIRST CORP.			This was an incomplete bid several no bid items.										

WE, THE UNDERSIGNED, DO HERBY RECOMMEND THE BID FROM -CMS UNIFORMS- BE AWARDED, FOR THE FOLLOWING REASON:
LOW BIDDER MEETING SPECIFICATIOS.
ESTIMATED QUANTITIES OF EACH ITEM WERE USED TO DETERMINE LOW BIDDER. ALL SHIRTS AND JACKETS TO BE AWARDED AS ONE ITEM.

RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

CITY OF COOKEVILLE
DEPARTMENT'S OF WATER QUALITY CONTROL & LEISURE SERVICES
ANNUAL UNIFORM BID

DATE OF BID OPENING: 10-Dec-15
BIDS OPENED BY: MARLIN HAGGARD
BIDS WITNESSED BY: PAULINE WHITESIDE

TIME: 10:30 A.M.

BIDDERS	#14 MEN'S TEAM JACKET	#15 OXFORD LS SHIRT	#16 DENIM SHIRT LS SHIRT	#17 MEN'S RED-E-PREST PANTS	#18 MEN'S JEAN-CUT PANTS	#19 MEN'S COTTON PANTS	#20 MEN'S TWILL PANTS	#21 WOMEN'S CASUAL PANTS	#22 MEN'S CASUAL PANTS	#23 MEN'S PREWASHED DENIM JEANS	#24 MEN'S PREWASHED JEANS R/F	#25 MEN'S UNIFORM SHORTS	#26 MEN'S PLEATED SHORTS
AEGIS BRAND GROUP	$36.50	$25.50	$33.00	$15.50	$16.25	$20.00	$22.00	$20.00	$21.50	$15.75	$18.00	$13.25	$15.25
CMS UNIFORMS	**$28.00**	**$17.50**	**$20.15**	**$15.10**	**$15.25**	**$18.53**	**$20.20**	**$15.00**	**$16.50**	**$15.00**	**$22.25**	**$11.63**	**$13.75**
EXPRESS PRESS	$34.43	$24.51	$23.13	$17.79	$17.98	$21.72	$23.65	$21.84	$22.78	$14.79	$22.03	$13.80	$16.29
PERFECT FIT	$33.00	$22.00	$25.00	$16.25	$16.25	$19.75	$25.00	$25.00	$25.00	$17.00	N/B	$13.95	$16.95
UNIFIRST CORP.				$16.50	$17.00	$25.00	$18.50	$23.00	$26.00	$17.50	N/B	$13.00	$16.50

WE, THE UNDERSIGNED, DO HERBY RECOMMEND THE BID FROM -CMS UNIFORMS- BE AWARDED, FOR THE FOLLOWING REASON.
LOW BIDDER MEETING SPECIFICATIONS.
ESTIMATED QUANTITIES OF EACH ITEM WERE USED TO DETERMINE LOW BIDDER. ALL PANTS TO BE AWARDED AS ONE ITEM.

RECOMMENDED: DEPARTMENT HEAD

BUDGET AVAILABILITY: FINANCE DIRECTOR

APPROVAL: CITY MANAGER

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

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CONSIDER RESOLUTION #R15-12-18, AUTHORIZING THE ACCEPTANCE OF THE *HEART OF THE CITY PLAYGROUND*

Rick Woods read Resolution #R15-12-18 as follows:

COOKEVILLE CITY COUNCIL
MINUTES
DECEMBER 17, 2015

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF COOKEVILLE, TENNESSEE AUTHORIZING THE ACCEPTANCE OF THE *HEART OF THE CITY PLAYGROUND*

RESOLUTION NO. R15-12-18
REQUESTED BY: CITY COUNCIL
PREPARED BY: RICK WOODS
APPROVED AS TO FORM & CORRECTNESS:

_____
(City Attorney)

ADOPTED: _____

MINUTE BOOK ____ PAGE _____

WHEREAS, the City of Cookeville was approached by a community group of parents and concerned citizens in January of 2014 with interest in developing a safe, fully accessible playground for children in the downtown area; and

WHEREAS, the City of Cookeville agreed to partner with Cookeville Community Playground, a non-profit organization, by providing land within Dogwood Park to construct a community-built playground to provide an accessible, inclusive play area for the enjoyment of children; and

WHEREAS, the City is pleased that the Cookeville Community Playground has met their obligations as agreed, and has completed the playground as designed by Playgrounds by Leathers, has received a certificate of completion from Leathers and has been certified as in full compliance with all requirements by the City of Cookeville.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cookeville, Tennessee hereby accepts the *Heart of the City Playground*; and assumes the exclusive and sole ownership of the playground, its fixtures and all ancillary equipment and assumes the sole responsibility for maintenance and future development and decisions regarding the playground. Cookeville Community Playground has no further ownership, obligation, duty or control of the playground.

BE IT FURTHER RESOLVED, that the City of Cookeville hereby extends to the Cookeville Community Playground and the *Heart of the City Playground Committee*, sincere gratitude and appreciation for their amazing efforts to coordinate, design, raise substantial funds, and complete a unique, accessible and inclusive playground built by volunteers for the children of our community, that is and will continue to be a tremendous asset to Dogwood Park and to our City.

Adopted this the _____ day of _____, 2015.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk

Heart of the City
-PLAYGROUND-
at DOGWOOD PARK
COOKEVILLE, TN

Cookeville Community Playground
370 S. Lowe Ave, A-391
Cookeville, TN 38501

December 16, 2015

City of Cookeville
Office of the City Manager, Mike Davidson
Office of the Mayor Ricky Shelton
Cookeville City Council, Larry Epps, Jim Woodford, Charles Womack, & Dwight Henry
City of Cookeville Department of Leisure Services, Rick Woods
45 E. Broad Street
Cookeville, TN 38501

Dear City of Cookeville Manager, Mayor, City Council & Department of Leisure Services,

We hope this letter finds you extremely satisfied with the results of our organization's tireless efforts to coordinate, design, fundraise, and build a community-built playground in our wonderful city as a great addition to Dogwood Park. We thoroughly appreciate your willingness to partner with us from day one and entrust our organization to fulfill the obligations we promised. We cannot be more grateful to you all as our partners and for believing in our vision. Our entire organization and our community are so proud of what was accomplished. The community built model is strenuous but so rewarding.

It is our great pleasure to announce that our non-profit organization, Cookeville Community Playground DBA Heart of the City Playground, is ready to present to the City of Cookeville and the Department of Leisure Services, full ownership and responsibility of this playground facility to the City of Cookeville.

As of December 16th, 2016, our organization can officially state the Heart of the City Playground is complete as was designed by Leathers & Associates. Leathers & Associates has given their certification of completion. Our committee has provided the City of Cookeville an organized compilation of all product manuals, product specifications, purchase receipts, budget, and expenses accumulated throughout the entire development, fundraising and build process of the Heart of the City Playground. We also maintain copies of our own and can provide any additional information you may need in the future.

There are a few small items that do intend to be completed prior to spring, 2016. These items are not required prior to opening the playground to the general public. All safety checks of the actual playground have been completed and certified. These items below will be completed prior to the official grand opening ceremony we plan on holding Sunday March 13th at 3pm that will include a ribbon cutting, celebration and appreciation ceremony for all donors who made the project a reality.

Items Cookeville Community Playground committee & City of Cookeville will complete prior to March 13th, 2016:

1. Seal brick pavers at entry to avoid cracking (10-14 days from 12/16/15).
2. Mount two remaining bench sponsor plaques (Crown Trophy has these waiting for pickup. Install on two benches in covered seating area off Tot Lot)
3. Mount 45-50 component sponsor engraved marble plaques (Crown Trophy still working on these).
4. Install seven donor boards at entry (Fast Signs has yet to give us proof as of 12/16/15).
5. Install entry sign with HOTCP custom logo (Acme Industrial signs will send us final proof, produce and install - date TBD)
6. Install additionally sold (post-build) fence pickets (132 pickets). This can be done any time prior to spring grand opening.
7. REMOVE the following picket, CUB SCOUNT PACK 156. Scout spelled wrong, manufacturer sending us a new one to our playground address the end of December.
8. City of Cookeville to install the concrete slab on top of retaining wall and fix any stones that have fallen off.
9. City of Cookeville to install several concrete slabs and trash receptacles & recycling receptacles adjacent to playground.
10. Install Concrete protective bollards near entrance of playground – Cookeville Community Playground feels it is crucial the City of Cookeville provide this safety measure.

We are requesting the City of Cookeville take ownership of all equipment installed, materials, and maintain the playground as outlined in our agreement between Cookeville Community Playground, a non-profit organization, and the City of Cookeville in our contract. In addition, we request the City of Cookeville maintain a replacement cost property insurance policy on the Heart of the City Playground with limits that equal the materials and equipment installed. Our estimates are $500,000 in property coverage, including the playground surface.

It is our intent, as Cookeville Community Playground, to eventually dissolve our organization once all accounts receivables have been paid. Once our organization dissolves, we intend to gift the City of Cookeville a sum of money, our remaining fundraising balance, earmarked for the use to design, build and maintain a family & handicap accessible restroom facility adjacent to the playground. Any sum of money remaining after the restroom is constructed can be earmarked for future maintenance of the Heart of the City Playground.

Thank you again for your trust, support, patience and partnership with our organization. We feel this playground will be an amazing addition to our City that we can be proud of for generations to come.

Sincerely,

Kelly Swallows & Ashley Swann
General Coordinators
Cookeville Community Playground, a non-profit organization
"Heart of the City Playground" Committee

Cookeville Community Playground is an exempt organization as described in section 501(c)3 of the Internal Revenue Code; EIN 47-1697302

Rick Woods, Leisure Services Department Director, gave thanks to Kelly Swallows, Ashley Swann, Playground Committee & all volunteers for their outstanding accomplishments with the build/fundraising for this project (soft open 12-19-15)!

Mayor Shelton and City Council also expressed their appreciation to everyone that was involved with the build of the Community Playground!

Dan Rader, City Attorney, advised that the final inspections for safety/codes regulations have been completed & meets all requirements.

Councilman Womack made a motion, seconded by Councilman Woodford, to adopt Resolution #R15-12-18. Upon call for a vote, the following voted aye:

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

ABSENT: Councilman Dwight Henry

The City Clerk announced that the motion carried.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

No comments.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

The City Council thanked Rick Woods & his staff for the great job done on the Christmas Tree Lighting/Sound Program in Dogwood Park!

MAYOR'S COMMENTS:

Mayor Shelton wished everyone a Merry Christmas & announced more events in Dogwood Park – Santa, Reindeer, Ice Skating & Slide on December 26th – 30th!

There being no further business, Mayor Shelton declared the meeting adjourned at 6:23 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk