COOKEVILLE CITY COUNCIL
REGULAR MEETING
MARCH 17, 2016
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, March 17, 2016, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Vice-Mayor Epps 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 Woodford made a motion, seconded by Councilman Womack, to approve the agenda as submitted. 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 REAPPOINTMENT TO THE HISTORIC ZONING COMMISSION

MEMORANDUM

TO: CITY COUNCIL MEMBERS

FROM: JAMES MILLS, PLANNING DIRECTOR

DATE: MARCH 14, 2016

SUBJECT: HISTORIC ZONING COMMISSION APPOINTMENT

The current term of Mr. Greg Stamps on the Historic Zoning Commission expires on April 4, 2016. Mr. Stamps fills the architect position on the Commission. Members of the Historic Zoning Commission serve five-year terms and are appointed by the Mayor with confirmation by a majority vote of the City Council.

Mr. Stamps has been contacted and has agreed to continue to serve if reappointed. The Planning Department recommends for his reappointment.

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

Mayor Shelton made a motion, seconded by Councilman Womack, to reappoint Greg Stamps to the Historic Zoning Commission. 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 APPOINTMENT OF CITY OF COOKEVILLE REPRESENTATIVE TO THE UPPER CUMBERLAND REGIONAL AIRPORT BOARD

Mayor Shelton made a motion, seconded by Councilman Womack, to appoint Lanny Dunn (Daniel Coonce term expired) to the Upper Cumberland Regional Airport Board for a three (3) year term. 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.

OLD BUSINESS:

CONSIDER APPROVAL OF MINUTES OF COUNCIL MEETING HELD ON MARCH 3, 2016

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 #O16-02-01, REZONING A PORTION OF 771 & 781 BLACKWELL PARK FROM CI (COMMERCIAL/ INDUSTRIAL MIXED USE) TO LM (LIGHT MANUFACTURING)

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O16-02-01. 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 #O16-02-02, AMENDMENTS TO THE OFFICIAL STREET MAP

Councilman Woodford made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O16-02-02. 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 #O16-02-03, CLOSURE AND ABANDONMENT OF EAST 2ND STREET FROM CHERRY AVENUE TO POPLAR AVENUE, AND CLOSURE AND ABANDONMENT OF A PORTION OF POPLAR AVENUE FROM CRAIGHEAD DRIVE TO THE SOUTHERN BOUNDARY LINE OF 121 POPLAR AVENUE (TAX MAP #53B-G-4.00), AND CLOSURE AND ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY OF CRAIGHEAD DRIVE FROM CHERRY AVENUE TO THE RAILROAD RIGHT-OF-WAY AND DECLARING ALL OF THE CLOSURES AS SURPLUS

Vice-Mayor Epps made a motion, seconded by Councilman Womack, to approve on second and final reading Ordinance #O16-02-03, subject to retention of utility easements – electric/gas. 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:

SET A DATE (4-21-16) FOR A PUBLIC HEARING ON ORDINANCE #O16-03-04, AMENDING ORDINANCE #O15-12-35, REVISING THE DESCRIPTION OF PROPERTY TO BE REZONED ON LONE OAK DRIVE

CONSIDER AWARDING BIDS FOR ANNUAL INVENTORY ITEMS – WATER QUALITY CONTROL DEPARTMENT

CITY OF COOKEVILLE
DEPARTMENT OF WATER QUALITY CONTROL

BID TABULATION SHEET 2016 - FOR WATER QUALITY CONTROL INVENTORY ITEMS

BIDS OPENED BY: MARLIN HAGGARD BIDS WITNESS BY: STEVE SMITH DATE OF BID OPENING: 03/10/16 TIME OF BID OPENING: 10:30 A.M.

ITEM NO.	QTY	DESCRIPTION	AMERICAN HWY PROD.	AMS PIPING SUPPLY	CI THORNBURG	CONSOLIDATED PIPE SUPPLY	FERGUSON SUPPLY	FORTILINE INC.	G & C SUPPLY	HAYES PIPE SUPPLY	HD SUPPLY KNOXVILLE	SOUTHERN PIPE
1	290	COPPER SETTERS	N/B	N/B	N/B	$48,979.00	N/B	N/B	DNMS	**$39,390.25**	$39,668.65	$39,686.90
2	258	METER BOXES	N/B	N/B	N/B	$22,437.00	N/B	$22,316.16	N/B	**$21,970.50**	$22,176.00	$22,085.70
3	955	ADAPTS,BENDS,COUP.	N/B	N/B	N/B	$18,347.25	N/B	N/B	$16,856.00	$16,840.50	$17,122.75	**$16,811.00**
4	80	CURB STOPS	N/B	N/B	N/B	N/B	N/B	N/B	$3,235.00	$3,232.50	$3,234.55	**$3,228.54**
5	10,200'	POLY TUBING	N/B	N/B	N/B	$2,706.00	N/B	$2,502.00	$2,502.00	**$2,340.00**	$2,460.00	$3,462.00
6	1800'	COPPER TUBING	N/B	N/B	N/B	$4,944.00	N/B	$4,761.60	DNMS	**$4,565.40**	$4,765.80	$4,691.40
7	30	THREADED VALES	N/B	N/B	N/B	$6,690.00	N/B	**$6,313.20**	$6,510.00	$6,823.20	$6,562.80	$7,319.40
8	19	VALVES	N/B	N/B	N/B	$12,160.00	N/B	**$11,618.66**	$11,583.90	$12,029.00	$12,369.56	$13,203.62
9	256	REPAIR CLAMPS	N/B	N/B	N/B	$4,584.80	N/B	DNMS	$2,666.48	$2,666.48	$2,640.04	**$2,638.72**
10	5	TAPPING SLEEVES	N/B	N/B	N/B	$1,911.00	N/B	$1,772.63	$1,691.00	$1,619.50	$1,620.75	**$1,619.50**
11	75	VALVE BOXES	N/B	N/B	N/B	$5,696.25	N/B	**$5,487.75**	DNMS	$5,771.25	$6,225.00	N/B
12	210	MANHOLE RISERS	**$19,635.00**	N/B	N/B	N/B	N/B	$24,150.00	N/B	N/B	$29,190.00	N/B

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND **THE BIDS BE AWARDED AS INDICATED,** FOR THE FOLLOWING REASON: **LOW BIDDERS MEETING SPECIFICATIONS. TOTAL OF BID ITEMS (1-12) = $135,518.52.**

RECOMMENDED:
RONNIE J. KELLY, DIRECTOR

APPROVAL:
MICHAEL DAVIDSON, CITY MANAGER

BUDGET AVAILABILITY:
BRENDA IMEL, FINANCE DIRECTOR

COOKEVILLE CITY COUNCIL
MINUTES
MARCH 17, 2016

CONSIDER AWARDING BID FOR SUBSTATION BATTERY SYSTEMS – ELECTRIC DEPT.

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 16012601

DATE OF BID OPENING: 2-16-2016
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Brandon Jones
DEPARTMENT: Electric
TIME: 2:00 PM CST

BIDDERS	Substation Battery System QTY 2							
Stuart Irby	$ 18,882.83 $ 37,765.66							
Liberty	$ 17,656.40 $ 35,312.80							
Border States	No Bid							

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Liberty

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

CONSIDER AWARDING BID FOR WIRE – ELECTRIC DEPARTMENT

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 16021801

DATE OF BID OPENING: 3-3-2016
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Brandon Jones
DEPARTMENT: Electric
TIME: 2:00 PM CST

BIDDERS	1/0 URD Primary Wire QTY 20,800 ft							
Wesco	$ 2.08 $ 41,600.00							
Stuart Irby	$ 1.78 $ 35,680.00							
Power Supply	No Bid							
Deco	No Bid							

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Stuart Irby

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

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

Councilman Womack made a motion, seconded by Councilman Woodford, to approve the consent agenda items (public hearing set for 4-21-16 @ 5:30 p.m.) as submitted. 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
MARCH 17, 2016

NEW BUSINESS – PUBLIC HEARINGS AND ACTION ITEMS:

CONSIDER RESOLUTION #R16-03-04, DELEGATING AUTHORITY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF COOKEVILLE TO NEGOTIATE/ACCEPT PAYMENTS IN-LIEU OF AD VALOREM TAXES AND APPROVE THE APPLICATION & AMENDMENTS TO THE INDUSTRIAL DEVELOPMENT BOARD'S CERTIFICATE OF INCORPORATION

Industrial Development Board of the City of Cookeville
Resolution R16-03-04

- Delegates Authority to the IDB to negotiate and accept Payments In Lieu of Taxes (PILOTS)
  - For all public purposes enumerated in Title 7 Chapter 53 of TCA
    - Promote industry, trade, commerce, tourism, and recreation
    - Inducing manufacturing, industrial, governmental, educational, financial, service, commercial and recreational enterprises
- Following projects shall not be considered by IDB without council approval
  - Stand Alone multi family housing facility
  - Non retail project in which the applicant has not committed by leases or letters of intent to occupy a majority of the rentable square footage in the project
  - Retail shopping center project unless the developer has received commitments to occupy a majority of the rentable square footage in the project
  - Stand Alone recreational or entertainment facility, amusement park, theme park or similar facility
- Approves the IDB's application to Amend their Certificate of Incorporation
  - Amendment deletes Section 4 of the Certificate of Incorporation and substitutes a new Section 4
  - New Section 4 "The purpose for which the Corporation (IDB) is organized is all purposes permitted under the Industrial Development Corporation Act, TCA 7-53-101

Councilman Womack made a motion, seconded by Councilman Woodford, to adopt Resolution #R16-03-04. 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 #R16-03-05, RELATIVE TO AMENDING THE UPPER CUMBERLAND REGIONAL AIRPORT INTERLOCAL AGREEMENT INCREASING THE MEMBERS OF THE UCRA BOARD

Resolution to Amend the Interlocal Agreement
Establishing the Upper Cumberland Regional Airport

- Deletes Entire Section 5
- New Section 5
  - Board will consist of 9 members
  - 1 appointment each from the participating governments
  - During their terms in office the following elected officials will serve
    - The County Executive of White County
    - The Mayor of the City of Cookeville
    - The Mayor of the City of Sparta
    - The County Executive of Putnam County

Councilman Woodford stated that the Upper Cumberland Regional Airport (UCRA) is a critical tool for economic growth among the creating governments: Sparta, Cookeville, White County, and Putnam County. However, the Chief Executive Elected Officials for these governments currently are not all represented on the Airport Board, with only two (2) represented at any one time.

Councilman Woodford made a motion, seconded by Councilman Womack, to adopt Resolution #R16-03-05 & amendment to the UCRA Interlocal Agreement to ensure that all of these governments, and thereby the citizens of each, are continuously represented on the Airport Board & further move that the amendment ensure that the quorum and number of votes to take action will remain the same as before at a minimum of four (4) members. 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 FOR APPROVAL PURCHASE OF PROPERTY IDENTIFIED AS A PORTION OF PARCEL 9.00 ON TAX MAP 53-I, GROUP A, FOR THE ALIGNMENT OF WEST STEVENS STREET AND BUFFALO VALLEY ROAD

VICK SURVEYING, LLC
measuring your progress one foot at a time

2772 Hidden Cove Road
Cookeville, TN 38506
Phone 931-372-1286
Fax 931-528-5838
chris@vicksurveying.com
www.vicksurveying.com

The following is a description of a portion of the Wanda G. Norrod, widow of Bethel R. Norrod, property located at 624 Buffalo Valley Road in the 1st Civil District of Putnam County, Tennessee. (Reference Book 312 Page 716 and Book 175 Page 65 and Tax Map 53-I Group A Parcel 9.00)

Portion of Gaw property being sold to the City of Cookeville:
Beginning at a bent steel fence post in the northern right-of-way of West Stevens Street being the southernmost corner of this described parcel as well as being located N 83°57'57" W 5.24 feet from a power pole; thence going with the northern and eastern right-of-way of West Stevens Street N 86°14'15" W 174.10 feet; thence along a curve having an arc length of 69.12 feet, with a radius of 42.50 feet, and a chord of N 39°47'44" W 61.75 feet; thence N 06°47'50" E 86.90 feet; thence along a curve having an arc length of 13.81 feet, with a radius of 10.00 feet, and a chord of N 46°22'14" E 12.74 feet; thence leaving West Stevens Street and going with the southern right-of-way of Buffalo Valley Road N 85°56'37" E 176.21 feet; thence leaving the Buffalo Valley Road and going with the remainder of the Wanda Norrod property S 78°32'25" W 60.23 feet; thence along a curve having an arc length of 122.23 feet, with a radius of 255.00 feet, and a chord of S 58°33'32" W 121.06 feet; thence along a curve having an arc length of 26.63 feet, with a radius of 16.00 feet, and a chord of S 02°51'19" E 23.66 feet; thence along a curve having an arc length of 177.35 feet, with a radius of 280.00 feet, and a chord of S 68°41'03" E 174.40 feet; thence S 85°11'17" E 17.31 feet; thence leaving Norrod and going with the Michael C. Hellman and Ann Hellman property S 12°16'53" W 2.89 feet to the beginning being 0.24 acres as surveyed by Christopher M. Vick R.L.S. #2164 on 18 February 2016.

Councilman Woodford made a motion, seconded by Councilman Womack, to approve the purchase of property needed for the realignment of West Stevens Street and Buffalo Valley Road in the amount of $22,500.00 from Jerry C. Gaw, Inc. 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 AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR STORAGE/ DELIVERY OF NATURAL GAS

Memorandum

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

From: Jeff Mills, Department Director
Date: March 9th, 2016
Re: **Storage Contract Renewal**

The Gas Department currently has a natural gas storage contract with Atmos Energy Marketing for a 10 day delivery quantity of 3,000 dekatherm /day for winter peaking supply. A "peaking" day is when our gas purchases from the pipeline exceed our daily contract amount due to our customer's consumption. This contractual agreement has been based on a 5 year term with a 90 day notice of intent before contract end. The new contract will have a rollover renewal of one year unless and until terminated by either party upon written consent. It is important to note that this contract is for the storage and delivery of the gas, it does not include any gas purchase cost. Cost for this delivery service will remain the same as previous contracts with no rate increases.

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

Councilman Woodford made a motion, seconded by Councilman Womack, to authorize the City Manager to enter into a contract for storage/delivery of natural gas 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 AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR UPSTREAM STORAGE OF NATURAL GAS

Memorandum

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

From: Jeff Mills, Department Director
Date: March 9th, 2016
Re: **Upstream Gas Storage Contract Renewal**

The Gas Department currently has an upstream storage and delivery capacity contract with Atmos Energy Marketing. Atmos provides this service which delivers capacities for the transportation of storage gas on upstream pipelines to our local East TN pipeline provider. This contract expires March 31, 2016 with the new proposed agreement to contain an automatic extension for successive 1 year periods unless terminated by either party. The contract is for 90,000 dekatherms of gas which we use from November thru March. No price increases are included in the new contract.

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

Councilman Womack made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into a contract for upstream storage of natural gas 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 AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR INCREASED UPSTREAM PIPELINE DELIVERY/CAPACITY OF NATURAL GAS

Memorandum

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

From: Jeff Mills, Department Director
Date: March 9th, 2016
Re: **Increase Upstream Pipeline Capacity**

The Gas Department currently has an upstream delivery capacity contract with Atmos Energy Marketing. This service delivers 1533 dekatherms capacity daily for the transportation of gas from the upstream pipeline to our local East TN pipeline provider. With the additional capacity we were able to acquire on our local provider pipeline over the last 2 years we are short on capacity from the upstream pipeline delivered to the downstream pipeline. This new contract will balance the supply on the upstream by adding an additional 2341 dekatherm capacity. Balancing the capacities between the upstream pipeline and downstream pipeline allows us to be more efficient during high usage days.

The current cost of $4.75/dth will decrease to $3.04/dth. Monthly cost will increase $4,495.21 due to the increased capacity however no rate increase is anticipated with this additional capacity.

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

COOKEVILLE CITY COUNCIL
MINUTES
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Councilman Womack made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into a contract for increased upstream pipeline delivery/capacity of natural gas 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.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

Deborah Sam addressed her opposition to the Council giving the Industrial Development Board additional authority to negotiate & accept in-lieu of tax payments & etc.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No comments.

MAYOR'S COMMENTS:

No comments.

There being no further business, Mayor Shelton declared the meeting adjourned at 6:08 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk