COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 2, 2016
5:30 P.M.

The Council of the City of Cookeville met in regular session on Thursday, June 2, 2016, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Pastor Mark Gaw of the Washington Avenue Baptist 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 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 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 Charles Womack
Councilman Jim Woodford

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 MAY 19, 2016

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.

HOLD A PUBLIC HEARING AND CONSIDER ON SECOND AND FINAL READING ORDINANCE #O16-05-10, AMENDING THE BUDGETS OF THE GENERAL, STATE STREET AID, SOLID WASTE, ECONOMIC DEVELOPMENT, QUALITY OF LIFE, GENERAL IMPROVEMENT BOND FUNDS OF THE CITY OF COOKEVILLE, TN, FOR THE FISCAL YEAR ENDED JUNE 30, 2016

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on second and final reading Ordinance #O16-05-10. 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:

SET A DATE (7-7-16) FOR A PUBLIC HEARING ON ORDINANCE #O16-06-14, CLOSURE AND ABANDONMENT OF AN ALLEY THAT EXTENDS FROM WEST 4TH STREET 200 FEET SOUTH TOWARD WEST 3RD STREET BETWEEN NORTH HICKORY AVENUE AND NORTH WHITNEY AVENUE AND DECLARING IT AS SURPLUS

SET A DATE (7-7-16) FOR A PUBLIC HEARING ON ORDINANCE #O16-06-15, CLOSURE AND ABANDONMENT OF HARGIS DRIVE LOCATED BETWEEN JACKSON STREET AND POLLY DRIVE AND DECLARING IT AS SURPLUS

Councilman Woodford made a motion, seconded by Councilman Henry, to approve the consent agenda items (public hearings set for 7-7-16 @ 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 #O16-05-06, REZONING PROPERTY LOCATED ON WEST BROAD STREET (TAX MAP #53B-P-5.04) FROM MS (MEDICAL SERVICES) TO CL (LOCAL COMMERCIAL)

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on first reading Ordinance #O16-05-06. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-05-07, REZONING A PORTION OF 1976 NORTH DIXIE AVENUE FROM RD (SINGLE-FAMILY AND DUPLEX RESIDENTIAL) TO CL (LOCAL COMMERCIAL)

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to approve on first reading Ordinance #O16-05-07. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-05-08, REZONING THE NORTHEAST CORNER OF BREEDING AVENUE AND FLATT HOLLOW ROAD FROM RS15 (SINGLE-FAMILY RESIDENTIAL) TO RS10 (SINGLE-FAMILY RESIDENTIAL)

Residents in this area spoke in opposition to building more houses due to traffic & current storm water drainage issues.

Councilman Henry made a motion, seconded by Vice-Mayor Epps, to approve on first reading Ordinance #O16-05-08. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack

NAY: Councilman Jim Woodford

The City Clerk announced that the motion carried.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-05-09, AMENDING THE ZONING CODE PERTAINING TO REVISING THE PROVISIONS OF THE CL, CG, CR & PCD ZONING DISTRICTS TO ALLOW RETAIL PACKAGE STORES FOR THE SALE OF ALCOHOLIC BEVERAGES TO BE LOCATED ON PARCELS HAVING STREET FRONTAGE AND ACCESS ON SPRING STREET BETWEEN STATE HIGHWAY 111 EAST TO THE NORTHERN RIGHT-OF-WAY OF INTERSTATE 40

James Mills, City Planner, stated that Cookeville currently has nine (9) retail package stores.

Councilman Woodford made a motion, seconded by Mayor Shelton, to approve on first reading Ordinance #O16-05-09. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Jim Woodford

NAY: Vice-Mayor Larry Epps
Councilman Dwight Henry
Councilman Charles Womack

The City Clerk announced that the motion failed.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-06-11, PROVIDING A TAX LEVY FOR THE 2016-2017 FISCAL YEAR

General Fund Property Tax (reappraisal year)

Proposed Property Tax Rate

Fund	2015 Tax Rate	2016 Proposed	Revenue
General Fund	$0.79	$0.77	$5,679,882
G.O. Debt Service Fund	0.06	0.04	295,059
Economic Development Fund	0.04	0.04	295,059
Quality of Life Fund	0.01	0.01	73,765
Solid Waste Fund	0.00	0.04	295,059
Total	$0.90	$0.90	$6,638,824

One Penny on the tax rate is projected to generate $.01 on Tax Rate $73,765

Councilman Woodford made a motion, seconded by Councilman Henry, to approve on first reading Ordinance #O16-06-11. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-06-12, AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID TO PUBLIC SERVICE, NONPROFIT, AND CHARITABLE ORGANIZATIONS FOR THE 2016-2017 FISCAL YEAR

Brenda Imel, Finance Director, reported the following:

SECTION 1 that $325,000 be appropriated to the Putnam County Library to assist with the operational expenses of the library.

SECTION 2 that $47,530 be appropriated to Cookeville Senior Citizens to promote the general welfare of the citizens of the city.

SECTION 3 that $38,000 be appropriated to the Upper Cumberland Regional Airport to promote the general welfare of the citizens of the city with $10,000 designated for the Airshow.

SECTION 4 that $105,000 be appropriated to the Cookeville-Putnam County Chamber of Commerce to promote the economic welfare of the citizens of the city with $50,000 designated for the Highlands Initiative, Phase III and $25,000 designated for Convention & Visitors Bureau Sports Council.

SECTION 5 that $25,400 be appropriated to the Emergency Management Agency to promote disaster assistance and emergency protection for the citizens of the city.

SECTION 6 that $48,306 be appropriated to CityScape to promote the general welfare of the citizens of the city with $15,306 to be used in support of the annual Cookeville Fall FunFest and $8,000 to be used in support of Cookeville's 4th of July fireworks.

SECTION 7 that $20,000 be appropriated to the Cookeville Arts Council to promote the arts and to help educate the public.

SECTION 8 that $2,000 be appropriated to the Cumberland Arts Society to promote the arts and to help educate the public.

SECTION 9 that $53,589 be appropriated to the Tennessee Rehabilitation Center to promote training of the handicapped for employment.

SECTION 10 that $8,500 be appropriated to the Cookeville-Putnam County Clean Commission to promote a beautification program in the city.

SECTION 11 that $12,000 be appropriated to Genesis House (Alliance Against Domestic Violence) to promote the general welfare of the citizens of the city.

SECTION 12 that $12,000 be appropriated to the Helping Hands of Putnam County to promote the general welfare of the citizens of the city.

SECTION 13 that $10,000 be appropriated to WCTE-TV Public Television to promote the general welfare of the citizens of the city.

SECTION 14 that $5,000 be appropriated to the H.J. Stephens Center for Child Abuse to promote the general welfare of the citizens of the city.

SECTION 15 that $6,000 be appropriated to Kids, Putnam to promote the general welfare of the citizens of the city.

SECTION 16 that $10,000 be appropriated to Putnam County Imagination Library Program to promote the general welfare of the citizens of the city.

SECTION 17 that $2,000 be appropriated to the Upper Cumberland Human Resources Agency to be used exclusively for the Meals on Wheels program.

SECTION 18 that $15,000 be appropriated to the 13th Judicial District Recovery Court Program to be used exclusively for drug court & veterans treatment programs.

SECTION 19 that $2,500 be appropriated to The Court Appointed Special Advocates Program (CASA) to promote the general welfare of the citizens of the city.

SECTION 20 that $6,000 be appropriated to Upper Cumberland Child Advocacy Center to promote the general welfare of the citizens of the city.

SECTION 21 that $7,424 be appropriated to TN Central Heritage Rail Trail to promote the general welfare of the citizens of the city.

SECTION 22 that $6,000 be appropriated to Putnam County Veterans Organization to promote the general welfare of the citizens of the city.

SECTION 23 that $3,000 be appropriated to The Veterans Honor Guard to promote the general welfare of the citizens of the city.

SECTION 24 that $8,250 be appropriated to Upper Cumberland Family Justice Center to promote the general welfare of the citizens of the city.

Councilman Henry made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O16-06-12. 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.

HOLD A PUBLIC HEARING AND CONSIDER ON FIRST READING ORDINANCE #O16-06-13, MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, AND AGENCIES OF THE CITY OF COOKEVILLE, TN FOR THE 2016-2017 FISCAL YEAR

Brenda Imel, Finance Director, gave a detailed report of the 2016-2017 fiscal year budget.

Councilman Henry made a motion, seconded by Councilman Woodford, to approve on first reading Ordinance #O16-06-13. 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 #R16-06-11, REQUESTING TDOT TO COMPLETE THE ADDITION OF A CENTER TURN LANE ON SR135/NORTH WILLOW AVENUE

Councilman Woodford made a motion, seconded by Vice-Mayor Epps, to adopt Resolution #R16-06-11. 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 ENTER INTO AN AGREEMENT WITH THE CITY OF SPARTA FOR ROUTINE MAINTENANCE ON TRAFFIC CONTROL DEVICES

Councilman Henry made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into an agreement with Sparta, TN 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 ENTER INTO AN AGREEMENT WITH THE CITY OF MONTEREY FOR ROUTINE MAINTENANCE ON TRAFFIC CONTROL DEVICES

Councilman Henry made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into an agreement with Monterey, TN 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 ENTER INTO AN AGREEMENT WITH OVERTON COUNTY FOR ROUTINE MAINTENANCE ON TRAFFIC CONTROL DEVICES

Councilman Henry made a motion, seconded by Councilman Woodford, to authorize the City Manager to enter into an agreement with Overton County 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.

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 2, 2016

CONSIDER RATIFICATION OF PRIVATE CHAPTER NO. 49, HOUSE BILL NO. 2644, PRIVATE ACTS OF 2016 ENACTED BY THE 109TH GENERAL ASSEMBLY, WHICH AMENDS CHAPTER 49 OF THE PRIVATE ACTS OF 1999; AS AMENDED BY CHAPTER 115 OF THE PRIVATE ACTS OF 2000; CHAPTER 31 OF THE PRIVATE ACTS OF 2007 AND CHAPTER 24 OF THE PRIVATE ACTS OF 2011; AND ANY OTHER ACTS AMENDATORY THERETO, RELATIVE TO THE COOKEVILLE REGIONAL MEDICAL CENTER AUTHORITY

State of Tennessee

PRIVATE CHAPTER NO. 49

HOUSE BILL NO. 2644

By Representatives Williams, Cameron Sexton

Substituted for: Senate Bill No. 2669

By Senator Bailey

AN ACT to amend Chapter 49 of the Private Acts of 1999; as amended by Chapter 115 of the Private Acts of 2000; Chapter 31 of the Private Acts of 2007 and Chapter 24 of the Private Acts of 2011; and any other acts amendatory thereto, relative to the Cookeville Regional Medical Center Authority.

WHEREAS, the City Council of the City of Cookeville, Tennessee, wishes to request the deletion of the requirement that joint ownership arrangements of Cookeville Regional Medical Center Authority within Putnam and Clay County must be on city owned property; and

WHEREAS, the City Council of the City of Cookeville, Tennessee, wishes to request that all joint ownership arrangements must be approved by the City Council of the City of Cookeville; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 49 of the Private Acts of 1999, as amended by Private Chapter 115 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting Section 9 in its entirety and substituting instead:

The Board of Trustees shall have the responsibility and authority to control and operate the hospital, clinical and health care facilities described herein; to receive all revenues derived from such facilities, and any donations or grants; to disburse all such monies to discharge the financial obligations related to the facilities described in this act and otherwise as determined by the Board of Trustees; to exercise the powers granted to private act hospital authorities under 1996 Tenn. Pub. Acts, Ch. 778; to make contracts for goods and services; to establish policies, rules and regulations governing the operation of said hospital, its uses and its management; to define the duties and establish the compensation of the administrator; to regulate admissions to said hospital, clinical and health care facilities and establish reasonable rates and charges for the services rendered by such facilities; and to collect and receipt for the same. All monies of the authority shall be disbursed in accordance with the rules and regulations adopted and determined by the Board of Trustees, by check signed by the facility administrator. Notwithstanding any other provisions of law, the authority of the Board of Trustees to enter into joint ownership arrangements with other providers relative to health care facilities shall be limited to those joint ownership arrangements approved by a majority vote of the Cookeville City Council and subject to the terms and conditions, or limitations, as the Cookeville City Council may prescribe in said approval. Further, except for Putnam and Clay County, the authority of the Board of Trustees to enter into joint ownership arrangements with other providers relative to health care facilities shall be limited to those health care facilities that are located on the campus of Cookeville Regional Medical Center. For purposes of this Act, the campus of Cookeville Regional Medical Center shall include real property owned by the City of Cookeville and on which are located hospital, clinical or health care facilities. All joint ownership arrangements shall be governed by and comply with all other provisions and limitations set forth in Chapter 49 of the Private Acts of 1999, as amended by Chapter 115 of the Private Acts of 2000, Chapter 31 of the Private Acts of 2007, and Chapter 24 of the Private Acts of 2011, including the limitations from borrowing money in its own name without prior vote of the Cookeville City Council and limitations with respect to the acquisition and ownership of real property as provided in Chapter 115 of the Private Acts of 2000, and the limitations of members of the Board of Trustees engaging in financial transactions with any joint venture entity as provided in Chapter 24 of the Private Acts of 2011. Said

restrictions must be contained in any joint ownership arrangement contract, as well as any charter, articles of incorporation, bylaws, operating agreement and any other organizing document for any entity created in furtherance of such joint ownership arrangement.

In the exercise of its power, Cookeville Regional Medical Center may acquire, manage, lease, purchase, sell, contract for or otherwise participate solely or with others in the ownership or operation of hospital, medical or health program properties and facilities subject to the limitations set forth in Chapter 49 of the Private Acts of 1999 and Chapter 115 of the Private Acts of 2000.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Cookeville City Council. Its approval or nonapproval shall be proclaimed by the presiding officer of the Cookeville City Council and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 2, 2016

Councilman Woodford made a motion, seconded by Councilman Henry, to ratify Private Chapter No. 49, House Bill No. 2644, Private Acts of 2016 as enacted by the 109th General Assembly. 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 SCADA SYSTEM – ELECTRIC DEPARTMENT

CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 16050301

DATE OF BID OPENING: 5-18-2016 TIME: 2:00 PM CST
BIDS OPENED BY: Glenn Greenwood
BIDS WITNESSED BY: Carl Haney, Jeff Peck, Jeff Dishman
DEPARTMENT: Electric

BIDDERS / QTY	SCADA System 1							
Survalent	$ 96,800.00							
OSI	Did not meet specs							
Siemens	Did not meet specs							

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Survalent
BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs.

RECOMMENDED: DEPT. HEAD

APPROVAL: CITY MANAGER

Councilman Henry made a motion, seconded by Councilman Woodford, to award the SCADA System 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:

No requests.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

Councilman Womack announced that the Cane Creek Mountain Bike Trail will be available soon.

COOKEVILLE CITY COUNCIL
MINUTES
JUNE 2, 2016

MAYOR'S COMMENTS:

Mayor Shelton asked everyone to check the City website for all the current events – Friday Night Movie in the Dogwood Park & etc. & CityScape has a new office location at 123 West Broad Street.

There being no further business, Mayor Shelton declared the meeting adjourned at 7:25 p.m.

_____
Ricky Shelton, Mayor

ATTEST:

_____
Cathy McClain, City Clerk