

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JANUARY 16, 2020
5:30 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, January 16, 2020, at 5:30 p.m., in the Municipal Building, 45 East Broad Street. Pastor Steve Tiebout with The River Church gave the invocation, and led the audience in the Pledge of Allegiance. Mayor Shelton then called the meeting to order and asked the City Clerk to call the roll. Present and answering roll call were:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

Also present: James Mills, 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 Walker, to approve the agenda as submitted. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS:

**CONSIDER REAPPOINTMENT
TO THE COOKEVILLE
PLANNING COMMISSION**

MEMORANDUM

TO: CITY COUNCIL MEMBERS
FROM: JON WARD, PLANNING DIRECTOR
DATE: JANUARY 13, 2020
SUBJECT: PLANNING COMMISSION APPOINTMENT

The current term of Mrs. Kay Starkweather as a member of the Planning Commission expires January 2020. Members of the Planning Commission serve five-year terms and are appointed by the City Council. Mrs. Starkweather has indicated that she would like to continue to serve if reappointed and the Planning Department recommends she be reappointed.

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

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Councilman Womack made a motion, seconded by Councilman Miller, to reappoint Kay Starkweather to the Cookeville Planning Commission as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

**CONSIDER REAPPOINTMENTS
TO THE BOARD OF ZONING
APPEALS**

MEMORANDUM

TO: CITY COUNCIL MEMBERS
FROM: JON WARD, PLANNING DIRECTOR
DATE: JANUARY 13, 2020
SUBJECT: BOARD OF ZONING APPEALS APPOINTMENTS

The terms of Sid Gilbreath and James Dial as members of the Board of Zoning Appeals expire January 2020. Members of the Board of Zoning Appeals serve three-year terms and are appointed by the Council. Both members have indicated that they would like to continue to serve if reappointed and the Planning Department recommends for their reappointment.

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

Councilman Womack made a motion, seconded by Councilman Miller, to reappoint Sid Gilbreath & James Dial to the Board of Zoning Appeals as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

OLD BUSINESS:

**CONSIDER APPROVAL OF
MINUTES OF COUNCIL
MEETING HELD ON
DECEMBER 19, 2019**

**COOKEVILLE CITY COUNCIL
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Councilman Miller 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 Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

CONSENT AGENDA:

**SET A DATE (2-20-20) FOR
A PUBLIC HEARING ON
ORDINANCE #O20-01-02,
CLOSURE OF THE ALLEY
LOCATED BETWEEN 64
EAST 1ST STREET AND
204 CHERRY AVENUE**

Councilman Womack made a motion, seconded by Councilman Miller, to approve the consent agenda item (public hearing set for 2-20-20 at 5:30 p.m.) as submitted. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

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
#O19-12-17, TO CLOSE,
ABANDON & DECLARE
AS SURPLUS PROPERTY
A PORTION OF WEST
14TH STREET LOCATED
WEST OF AUTUMN
AVENUE**

Jon Ward, Planning Department Director, reported the following: Donnie Elkins requested that approximately fifty (50) linear feet of street, with a right-of-way width of approximately twenty-seven (27) feet for a total of 1,306 square feet be closed, abandoned & declared as surplus property. The right-of-way is contiguous with the property owned by Mr. Elkins on all sides, Parcel ID 40J-A-1.00. A sewer line is located within this segment of West 14th Street right-of-way & it is agreed that the City will retain a twenty (20) foot utility easement. An analysis of the surrounding property values provides a value of \$3.08 per square foot - determined by the land market value as included in the real estate assessment data per Property Tax Assessor.

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Councilman Womack made a motion, seconded by Councilman Miller, to approve on first reading Ordinance #O19-12-17 as submitted. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION
#R20-01-01, TO ACCEPT
AND RECOMMEND
THE COOKEVILLE
PEDESTRIAN AND
BICYCLE CIRCULATION
PLAN UPDATE**

MEMORANDUM

TO: COOKEVILLE CITY COUNCIL
FROM: JON WARD, PLANNING DIRECTOR
DATE: JANUARY 13, 2020
SUBJECT: COOKEVILLE PEDESTRIAN AND BICYCLE PLAN UPDATE

The City of Cookeville was awarded a Community Transportation Planning Grant from the Tennessee Department of Transportation (TDOT) to update the 2003 Pedestrian and Bicycle Circulation Plan.

The TDOT Community Transportation Planning Grant program is a grant program to assist rural communities with planning efforts that define the transportation cohesiveness between multimodal transportation systems and local land use objectives that achieve statewide transportation goals. The program aids with the creation of planning documents that support improvements in traffic flow, safety, and overall efficiency of the transportation system and provides governments with planning resources to achieve community visions as related to transportation and land use needs that promote future economic growth.

For grant close out purposes, TDOT requires the Planning Commission and City Council approve a resolution accepting the plan update. The Planning Commission approved a resolution on December 12, 2019 accepting the update. The Planning Department will utilize and incorporate the plan into the appropriate elements of the Cookeville 2030 Plan, and forthcoming updates to the plan.

Please feel free to contact me should you have questions or comments.

Councilman Womack made a motion, seconded by Councilman Walker, to adopt Resolution #R20-01-01. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

**CONSIDER ON FIRST
READING ORDINANCE
#O20-01-01, AMENDING
TITLE 19, CHAPTER 2
OF THE COOKEVILLE
MUNICIPAL CODE,
GAS SERVICE**

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Rate Design

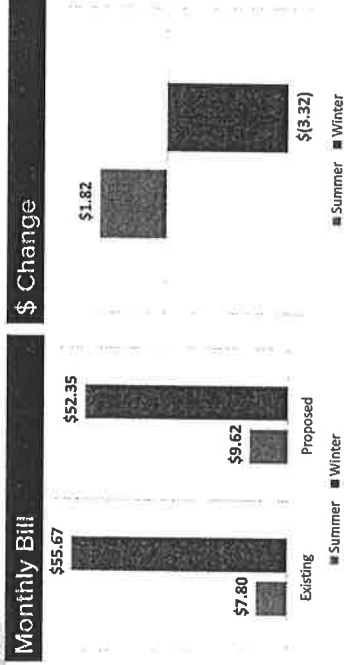
- Objective:
 - > Improve alignment of costs and revenues
 - > Increase stability of gas revenues
 - > Revenue neutral change
- Steps:
 - > Determine revenue for a 'normal' year
 - > Increase customer charges for all classes
 - > Decrease volume charges to maintain neutral revenue by class
 - > Adjust block differentials to recover more revenue in the less weather sensitive blocks

Existing vs. Proposed Rate Design

Existing	Proposed
• \$5 Res. Customer Charge	> \$7 Res. Customer Charge
• \$6 Commercial Charge	> \$15 Commercial Charge
• \$20 Industrial Charge	> \$50 Industrial Charge
• \$0 Interruptible Charge	> \$120 Interruptible Charge
• Higher Volume Rates	> Lower Volume Rates
• \$25 Winter Turn On Charge	> \$35 Winter Turn On Charge
	> Effective May 14 th , 2020
	> Revenue Neutral

Monthly Bill Impact

Inside Residential, 6 Ccf Summer, 10 Ccf Winter



Combined Benefits

- ✓ Not a rate increase
- ✓ Customer's annual cost is spread out throughout the year lessening the burden of the winter bill spikes
- ✓ CGD captures revenue throughout the year in a more stable process

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Memorandum

To: James Mills, City Manager
City Council Members

From: Jeff Mills, Department Director
Date: January 6th, 2020 *JM*
Re: Gas Rate Restructure

This proposed ordinance deals with the rate structure of the Gas Department and the method of collecting a larger percentage for our fixed costs while reducing the rate charged for customer gas consumed.

The Gas Dept.'s current rate structure captures a small portion of fixed operating costs, with the majority of revenue dependent upon seasonal gas consumption. A few months ago you allowed us to contract with Raifelis Consultants to do a rate study of our revenue recovery.

Basically we have costs involved with day to day operations which are not dependent on how much gas we sell. Samples of these fixed costs are: infrastructure maintenance, salaries, equipment, demand charges from transmission pipelines, billing, etc. Our current fixed customer charges only cover a small portion of those fixed cost. The purpose of this change is to restructure the current rate configuration by marginally increase the fixed customer charge and lower the base rates to the customer for the gas they use. The intent is to lower the rates for gas consumed enough to balance the fixed charge increase, resulting in a net zero dollar impact for the customer. This will result in customer bills increasing in the summer months and the cost they will be paying for gas in the winter months to be at a lower rate. This restructure will allow us to capture the same amount of revenue annually with less dependency and fluctuations connected with temperatures.

Currently we generate approximately 75% of our revenue from November – March. With uncontrollable winter temperatures, this revenue recovery change will provide added support for our fixed costs and reduce the winter bill cost for the customer.

Please contact me with any questions you may have.

Councilman Womack made a motion, seconded by Councilman Miller, to approve on first reading Ordinance #O20-01-01 (effective May 14, 2020) as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING
THE CITY MANAGER TO
ENTER INTO AN
ENGINEERING CONTRACT
FOR THE WATER TREAT-
MENT PLANT EXPANSION
PROJECT**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: January 10, 2020

SUBJ: Engineering Contract – Water Plant Expansion Project

During the next City Council meeting I will be seeking approval to enter into an engineering contract with Consolidated Technologies, Inc. (CTI) to design the last phase of our Water Treatment Plant Expansion Plan. The original water plant was constructed in 1971 and expanded in 1982.

The design of the last phase of the Water Treatment Plant Expansion Plan will include the following major elements:

- Increase the rated capacity from the current 15 million gallons per day (MGD) to 22.5 MGD. This increase will add a new three stage Flocculation Basin, 2 new Sedimentation basins, and a new Filter Building with eight (8) new filters.
- Carbon Feed Expansion and Building improvements.
- Chlorine Building expansion and improvements.
- Chemical Building improvements with roof extension.
- Chemical Storage and feeding improvements at Clearwell No. 1.

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- General Electrical and SCADA upgrade and improvements.
- Raw Water Intake Improvements.

The estimated cost of the project is in the 15 million dollar range.

The negotiated fees are as follows:

• Design Phase Services (Lump Sum)	\$ 762,500
• Bidding and Contract Award Services (Lump Sum)	\$ 26,400
• Construction Phase Services (Lump Sum)	\$ 274,600
• SRF Assistance (Lump Sum)	\$ 60,000
• Post Construction Services (Cost Plus)	\$ 20,000
• Resident Project Representation (Cost Plus)	\$ 332,800
• Pilot Testing (Cost Plus)	\$ 6,000
• Permitting (Cost Plus)	\$ 10,000
• Start Up Assistance (Cost Plus)	\$ 10,000
• Geotechnical/Surveying (Cost Plus)	\$ 14,000
• Misc. As-Requested (Cost Plus)	\$ 40,000

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

Councilman Womack made a motion, seconded by Councilman Miller, to authorize the City Manager to enter into an engineering contract for the Water Treatment Plant Expansion Project as recommended. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

**HOLD A PUBLIC HEARING
ON THE ANNUAL PROGRESS
REPORT ON THE PLANS OF
SERVICES FOR THE
FOLLOWING ANNEXATION
AREAS: OLD BRIDGE ROAD/
FALLING WATER RIVER;
BUCK MOUNTAIN ROAD/
DRY VALLEY ROAD; EAST
HIGHWAY 70N/INTERSTATE
40; WEST COOKEVILLE/
INTERSTATE 40; SHAG RAG
ROAD; REBECCA PLACE/
BUNKER HILL ROAD;
BUNKER HILL ROAD/
LOVELADY ROAD;
FREEHILL ROAD/NORTH
WASHINGTON AVENUE;
SOUTH WILLOW AVENUE;
BENNETT ROAD EXTENSION;
OLD STEWART ROAD; HALL-
BENNETT ROAD; AND MACKIE
FARM AREA**

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NOTICE OF PUBLIC HEARING CITY OF COOKEVILLE ANNUAL PROGRESS REPORTS PLANS OF SERVICES FOR ANNEXATION AREAS

Notice is hereby given that the Cookeville City Council will hold a Public Hearing at its meeting on Thursday, January 16, 2020 at 5:30 p.m. in the Council Room at City Hall. The purpose of this Hearing is to present Annual Progress Reports on the status of extending services to areas annexed by the City of Cookeville as specified in the Plans of Services for each of the areas. All interested citizens are invited to attend this Hearing. The Progress Reports for these annexation areas are as follows:

ANNUAL PROGRESS REPORT PLANS OF SERVICES

Tennessee Code, Annotated, Section 6-51-108 requires that annual reports be prepared and published on the progress of extending the services to annexed areas as specified in the Plans of Services. The areas annexed by the City of Cookeville requiring annual progress reports are as follows:

OLD BRIDGE ROAD/FALLING WATER RIVER AREA, R00-03-10, effective June 15, 2000
BUCK MOUNTAIN ROAD/DRY VALLEY ROAD AREA, R00-03-11, effective July 19, 2000
EAST HIGHWAY 70N/INTERSTATE 40 AREA, R00-09-24, effective January 7, 2001
WEST COOKEVILLE/INTERSTATE 40 AREA, R02-06-11, effective August 8, 2002
SHAG RAG ROAD AREA, R06-02-01, effective March 18, 2006
REBECCA PLACE/BUNKER HILL ROAD AREA, R06-11-23, effective January 21, 2007
BUNCKER HILL ROAD/LOVELADY ROAD AREA, R07-06-06, effective September 2, 2007
FREEHILL ROAD/NORTH WASHINGTON AVENUE AREA, R09-08-11, effective October 17, 2009
SOUTH WILLOW AVENUE AREA, R11-11-20, effective January 15, 2012
BENNETT ROAD EXTENSION AREA, R12-10-10, effective January 17, 2013
OLD STEWART ROAD AREA, R14-02-06, effective June 8, 2014
HALL-BENNETT ROAD AREA, R14-08-15, effective October 19, 2014
MACKIE FARM ANNEXATION AREA, R18-03-03, effective June 9, 2018

The Plans of Services for these areas each address the following services: police protection, fire protection, water service, sanitary sewer service, solid waste collection and disposal, street maintenance, street name signs, planning and zoning, inspection services, electrical service, street lighting, recreational facilities, and natural gas service. According to the Directors of the applicable City Departments, the following progress has been made toward extending the services specified in the Plans of Services for the above Annexation Areas:

OLD BRIDGE ROAD/FALLING WATER RIVER AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. Construction of sanitary sewer improvements for part of this area (11 parcels) was completed in 2015. In 2018, sewer service was extended to nine (9) parcels on Boyd Farris Road.

BUCK MOUNTAIN ROAD/DRY VALLEY ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

EAST HIGHWAY 70N/INTERSTATE 40 AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. Two phases of public sewer installation have been completed serving approximately 165 parcels.

WEST COOKEVILLE/INTERSTATE 40 AREA

All services have been provided to this area as specified in the Plan of Services with the exception of water service, sanitary sewer, street lighting, and electric service. The Plan of Services specifies that water service will be provided within five (5) years after the city acquires the service areas, that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits, and that street lighting and electric service will be provided within one (1)

year after the city acquires the service area. Electric service and street lighting have been provided to approximately 95% of the area and the 140 5th interchanging project is complete. The Cookeville Electric Department is working with UCEMC to complete electric service within the area. The installation of electric, gas, water and sewer service in the Highlands Business Park was completed in 2012/2013. A verbal agreement with the Double Springs Utility District for acquisition of the water service area north of I-40 was reached in 2016. South of I-40, all water customers have been acquired and now receive water from the City of Cookeville.

SHAG RAG ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

REBECCA PLACE/BUNKER HILL ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided within 20 years after the effective date of annexation. Sanitary sewer service has been provided to two (2) parcels in the Rebecca Place Subdivision.

BUNKER HILL ROAD/LOVELADY ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer. The Plan of Services specifies that sanitary sewer will be provided within 20 years after the effective date of annexation.

FREE HILL ROAD/NORTH WASHINGTON AVENUE AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer improvements. The Plan of Services specifies that sanitary sewer will be provided within 25 years after the effective date of annexation.

SOUTH WILLOW AVENUE AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer service. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. Sanitary sewer has been provided to 13 parcels in this area.

BENNETT ROAD EXTENSION AREA

All services have been provided to this area as specified in the Plan of Services with the exception of water service and sanitary sewer. Water service rates for existing city customers have been reduced to the inside the city rate. A verbal agreement with the Double Springs Utility District for acquisition of the water service area was reached in 2016. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. A sanitary sewer line, under Interstate 40, which is required to provide service north of the Interstate, was completed in 2016.

OLD STEWART ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer service. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits. As a part of the I-40 Interchange project, a sewer line was installed along Tennessee Avenue (formerly Bennett Road) serving five (5) parcels and eliminated the pump station that served Academy Sports.

HALL-BENNETT ROAD AREA

All services have been provided to this area as specified in the Plan of Services with the exception of sanitary sewer service. The Plan of Services specifies that sanitary sewer will be provided based upon the same criteria, standards and policies used to determine the expansion of sanitary sewer service in the unserved portions of the present corporate limits.

MACKIE FARM ANNEXATION AREA

All services have been provided to this area as specified in the Plan of Services with the exception of water service for fire protection, sanitary sewer service and street lights. The Plan of Services specifies that improvements to provide fire hydrants necessary to provide fire protection to this area are to be completed within five (5) years after the effective date of annexation. The Plan of Services specifies that sanitary sewer will be provided when economically feasible and based upon the same criteria, standards and policies used to determine the expansion of

sanitary sewer service in the unserved portions of the present corporate limits. The Cookeville Electric Department is working with UCEMC for the completion of the installation of street lighting, which is expected to be within one year.

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Martina Gabriel, local resident & business owner, requested a date when sewer service will be available in the annexed area of East Highway 70N/Interstate 40.

City Manager James Mills stated that he will contact her with a date to discuss this request.

Councilman Womack made a motion, seconded by Councilman Miller, to receive the annual progress report on the plans of services for the annexation areas as submitted. Upon call for a vote, the following voted aye:

Mayor Ricky Shelton
Councilman Mark Miller
Councilman Eric Walker
Councilman Charles Womack

ABSENT: Vice-Mayor Laurin Wheaton

The City Clerk announced that the motion carried.

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL:

No request.

HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER:

No comment.

MAYOR'S COMMENTS:

No comment.

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

ATTEST:

Ricky Shelton, Mayor

Cathy McClain, City Clerk