

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
NOVEMBER 15, 2007
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, November 15, 2007, at 6:00 p.m., in the Municipal Building, 45 East Broad Street. Mayor Sallee announced a moment of silent prayer. Pledge of Allegiance was led by Mayor Sallee. Mayor Sallee then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

Also present: Jim Shipley, City Manager; Cathy McClain, City Clerk; and Dan Rader, City Attorney.

**CONSIDER APPROVAL OF
AGENDA AS PRESENTED**

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to amend the agenda by moving item 4 to item 9 – consider on second and final reading Ordinance #O07-10-30; adding item – consider declaring as surplus property miscellaneous items in the Town Plaza Shopping Center on Broad Street; and adding item – set a date (12-6-07 @6pm) for a public hearing on Ordinance #O07-11-31, amending the Cookeville Zoning Code relative to off-premise signs. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**RECOGNIZE WATER QUALITY
CONTROL DEPARTMENT
EMPLOYEES FOR
OUTSTANDING WATER
PLANT OPERATION &
FOR BEST GIS DATA
INTEGRATION**

Ronnie Kelly, Water Quality Control Director, recognized Rodger Phillips, Superintendent of the Cookeville Water Treatment Plant, for receiving the “2007 Outstanding Plant Operation Award” at the Annual Water Professional Conference in Louisville, Kentucky from the Kentucky/Tennessee Section of the American Water Works Association. Rodger invented a way to reduce the total organic carbon concentration across the Water Treatment Plant, which leads to the reduction in disinfection byproducts (won out of a total of 1,265 registered water systems).

Steve Smith, GIS/Systems Manager for the Water Quality Control Department, was recognized for winning the “2007 Tennessee Geographic Information Council Annual Conference Poster” for the best data integration which was held in Chattanooga, Tennessee. His poster of Cookeville’s Water Distribution System and the time frame by which water travels to various areas within the distribution system was also presented at the 2007 National GIS Conference in San Diego, California.

**COOKEVILLE CITY COUNCIL
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CONSENT AGENDA:

**CONSIDER ON SECOND AND FINAL
READING ORDINANCE #O07-10-29,
REZONING 28, 38, 48 AND A
VACANT LOT ON EAST
BORDEN STREET AND
383, 389 & 395 HIGHLAND
AVENUE FROM RM8 (MULTI-
FAMILY RESIDENTIAL TO
CL (LOCAL COMMERCIAL)**

**CONSIDER DECLARING AS
SURPLUS PROPERTY
EQUIPMENT, VEHICLES
& WATER METERS**

MEMORANDUM

TO: Jim Shipley, City Manager
FROM: John Kendrick, Fire Chief
DATE: November 7, 2007
SUBJECT: Surplus of Equipment

I would like to surplus the following items and use the funds from the proceeds to purchase additional SCBA cylinders to support the air packs we received through the Assistance to Fire Fighters Grant awards in April this year. The grant restraints would only allow us to purchase one extra cylinder per pack. We need to work toward 2 spares per pack. Each additional cylinder costs approximately \$800. We hope the estimated proceeds will be around \$18,000 which would allow us to purchase 22 to 23 cylinders. While looking at this as one option, we are still looking for other means to help fund this expansion.

Surplus equipment includes:

One 1976 Mack CF 685	Vin Number CF685F1890
One 1990 Chevrolet Impala	Vin Number 1G1BL5474LA144775
One 1992 Ford Crown Vic	Vin Number 2FACP72F2X131154
26 Scott 2.2 air packs	
10 Scott 2A air packs	
130 2216 psi cylinders	

Below is a quick overview of each item listed above:

- 1976 Mack—this piece of equipment was removed from service in March after the receipt of the 2006 Freightliner. This apparatus has an engine problem that will require at least \$3,500 to begin repairs. It is run drivable but uses oil and sends compression into the oil pan. We stopped the annual pump test because of the excess oil being dumped on the ground during testing.
- 1990 Chevrolet has over 176,000 miles and uses excessive oil.
- 1992 Ford has unknown actual mileage with oil leaks and transmission problems.
- SCBA packs are worth \$200 to \$300 each. We have kept the best packs for use in recruit training and the Citizens Fire Academy. We also will exchange 10 of the packs with the Police Dept. The exchange of the packs will remove older less reliable packs from the Methamphetamine trailer.
- The cylinders will not fit the new air packs and should bring about \$50 to \$100 each.

Should have you have any other questions, please feel free to contact me.

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *RJK*

DATE: November 9, 2007

SUBJ: Scrap Water Meters

During the next City Council meeting I will be requesting authorization to declare approximately 2,400 scrap water meters surplus property and place them out to bid on the GOVDEALS.COM web site. These are old water meters that have been taken out of service and cannot be repaired.

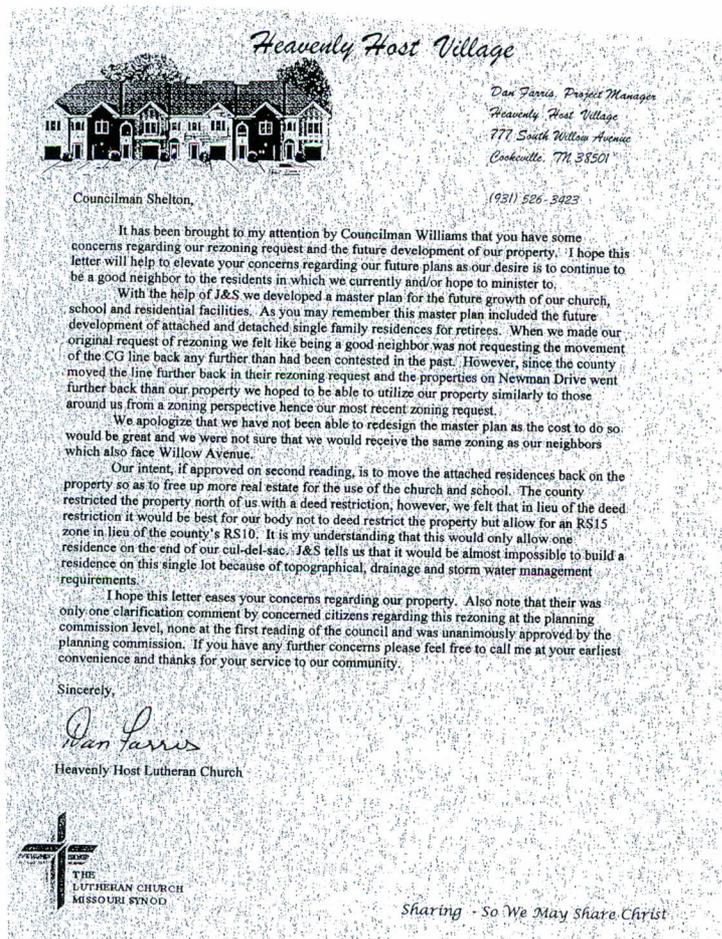
If you have any questions or would like to discuss this item please feel free to give me a call.

**CONSIDER DECLARING AS SURPLUS
PROPERTY MISC. ITEMS IN THE
TOWN PLAZA SHOPPING CENTER**

**SET A DATE (12-6-07 @ 6PM) FOR
A PUBLIC HEARING ON
ORDINANCE #O07-11-31**

**CONSIDER AWARDED BID FOR
CABLE – ELECTRIC DEPT.**

COOKEVILLE CITY COUNCIL
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Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to approve on second and final reading Ordinance #O07-10-30.

Councilman Shelton stated that the letter from Heavenly Host Lutheran Church will be a part of the official records & hope they will adhere to what they have agreed to.

Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton

ABSTAINED: Councilman Ryan Williams

The City Clerk announced that the motion carried.

NEW BUSINESS:

**CONSIDER APPOINTMENT TO
THE COOKEVILLE REGIONAL
MEDICAL CENTER BOARD
OF TRUSTEES**

From: Bernard L Mattingly [mailto:bmattngly@crmchealth.org]
Sent: Friday, November 02, 2007 10:54 AM
To: Sam Sallee (E-mail)
Cc: Jim Shipley; Gail Fowler; Richard Grogan (E-mail)
Subject: Board Resignation

Dear Mayor Sallee,

The purpose of this email message is to officially inform the members of the Cookeville City Council that Dr. Craig Maltman has submitted his resignation as a member of the Board of Trustees of Cookeville Regional Medical Center Authority effective November 1, 2007.

Dr. Maltman along with his associates of the North Cedar Medical Group have become employees of CRMC and thus Dr. Maltman is no longer eligible to serve as a member of the Board of Trustees.

We look forward to working with the City Council in selecting a replacement for Dr. Maltman.

Should you or any members of the council have any questions please do not hesitate to contact me.

**COOKEVILLE CITY COUNCIL
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Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to nominate Mr. Steve Qualls to the CRMC Board of Trustees (replacing Dr. Maltman who resigned 11-1-07). Mayor Sallee moved to cease nominations and elect by acclamation. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF
AMENDMENT TO
ENGINEERING CONTRACT
FOR ADDITIONS TO THE
WATER TREATMENT
PLANT INTAKE PROJECT**

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RSK*

DATE: November 08, 2007

SUBJ: Engineering Contract Amendment -- Water Treatment Plant Intake Project

Our department received City Council approval on October 19, 2006, to enter into an engineering agreement with Consolidated Technologies to perform professional engineering services in connection with the design and construction phase of upgrading the existing water intake facilities. That project has been designed and is currently out for bid. During the next City Council meeting I will be seeking approval of an amendment to that contract to design a 2 million gallon per day water recovery membrane for the water treatment facility. The total increase of the proposed contract amendment could total \$100,000, with \$83,000 being a lump sum design fee and \$17,000 in inspection services, on an hourly rate, if required.

This design contract would allow us to go out to bid with the water recovery membrane unit that we had identified in a prior water plant expansion planning study. Our time line for expansion was to first rebuild the raw water intake and increase its capacity from 15 million gallons per day to 22.5 million gallons per day and then in a couple of years add the water membrane recovery unit. Based on our plant's operational experience during this past summers exceptional drought condition we believe it is prudent to go ahead and design the recovery membrane and get it on-line by this coming summer. This would give us additional capacity to meet our demand if the drought continues throughout next year.

I would be happy to discuss this with you further if you have questions or comments. Please feel free to give me a call and we can discuss any concerns that you may have concerning this amendment.

Councilman Shelton made a motion, seconded by Councilman Anderson, to approve the amendment to the engineering contract for additions to the Water Treatment Plant Intake Project. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF INVOICE
FROM ECE, INC. FOR
ENVIRONMENTAL ASSESSMENT
SERVICES RELATIVE TO THE
OLD WASTEWATER TREATMENT
PLANT**

**COOKEVILLE CITY COUNCIL
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MEMORANDUM

TO: Jim Shipley
City Council Members

FROM: Greg Brown

DATE: November 6, 2007

SUBJ: ECE, Inc. Invoice concerning Old Wastewater Treatment Plant

We have received an invoice for services provided by ECE, Inc., to determine the extent of the contamination and how to have the old wastewater treatment plant site declared clean. The following is a summary to explain how we got to this point, and where we must go from here.

- The property was declared surplus by the city council on 5/4/2000.
- A Phase I Environmental Site Assessment was performed by ECE, Inc. to determine the possibility of any contamination on the site. The Phase I was received on 1/7/01 at a cost of \$1,650. Several areas were identified as sources or possible sources of contamination. The next step would be to do a Phase II Environmental Site Assessment to determine the actual presence of contaminants.
- A Phase II Environmental Site Assessment was approved by the council on 5/3/01. Cost would not exceed \$10,270. Actual cost was \$9,548.25. The report was received 7/23/01. It identified petroleum contamination at the city garage, toluene from ADCO, Inc., and arsenic and chromium from the wastewater plant. Groundwater testing would have to be performed to determine if the chromium had reached the groundwater.
- The property was auctioned on 6/7/03. After a disagreement with the buyer, Mr. Yazdian, concerning the large sinkhole on the property, an agreement was signed settling the matter on 9/3/04. Part of the agreement stated the city would construct a three lane road through the property and identify and address any issues of contamination. Tract I, the Electronic Express site, was subsequently cleared, except for a periodic petroleum smell coming from a small sinkhole and the stream entering the large sinkhole containing a reddish solid. These were further investigated by ECE, Inc. and found no contamination above state and federal levels. The fee for this was \$2,700. Electronic Express was cleared to build on the site.
- In accordance with the Yazdian agreement, ECE, Inc. was asked to identify areas of contamination. Preliminary estimates on this cost ranged from \$1,800 to \$100,000, depending on what was found. The road was built according to the agreement in 2005. Work to identify areas of contamination began late in 2005 and continued through the first part of 2006. Discussions with TDEC concerning possible ways to have the site declared clean were also occurring. Test results were also shared with TDEC during this time. After these discussions, a Facilities Specific Assessment Plan was prepared by ECE, Inc. and given to TDEC. After much discussion, it was determined that the levels of arsenic were naturally occurring and would not need to be addressed. This was determined by comparing soil samples from other areas of the city. The chromium levels in the groundwater, however, were above state and federal standards. TDEC agreed to two possible solutions. One was to have a deed restriction placed on the Yazdian property as well as the two properties downstream. The restriction would not allow wells to be dug. The other solution would be to clean the groundwater, which would involve pumping the water out of the ground, cleaning it, and returning it. The estimated cost of this could be as high as \$300,000, or higher. TDEC urged the city to try to obtain the deed restrictions.
- The invoice received from ECE, Inc. for \$44,771.30 reflects the tests performed by ECE in accordance with federal standards and as requested by TDEC to determine the most economical method to have the site declared clean.

Councilman Anderson made a motion, seconded by Councilman Williams, to approve the invoice for Environmental Assessment Services as submitted. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AWARDED BID FOR
FIRE TRUCK – FIRE DEPT.**

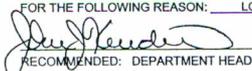
CITY OF COOKEVILLE
BID TABULATION SCHEDULE

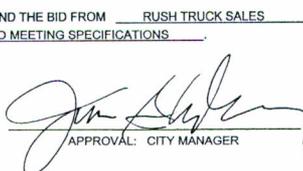
ONE 75' QUINTUPLE COMBINATION (QUINT) FIRE APPARATUS

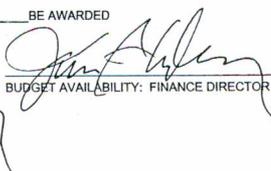
DATE OF BID OPENING: 11/09/07 TIME: 3:00 P.M.
BIDS OPENED BY: John Kendrick
BIDS WITNESSED BY: April Howard
DEPARTMENT: Fire

BIDDERS	AMOUNT		
Rush Truck Sales	\$688,720.00		
Cremson Fire	Declined Due to Height Restrictions		
Emergency One	Declined Due to Height Restrictions		
Tawny	Declined Due to Height Restrictions		
American LaFrance	E-mailed to Decline Bid		
Pro-Fire	E-mailed to Decline Bid		
NAFECO	No Bid		
Heritage Fire Equipment	No Bid		
Ferrara	No Bid		
Southern Equipment Products	No Bid		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM RUSH TRUCK SALES BE AWARDED FOR THE FOLLOWING REASON: LOWEST BID MEETING SPECIFICATIONS.


RECOMMENDED: DEPARTMENT HEAD


APPROVAL: CITY MANAGER


BUDGET AVAILABILITY: FINANCE DIRECTOR

**COOKEVILLE CITY COUNCIL
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Vice-Mayor Davis made a motion, seconded by Councilman Anderson, to award the fire truck bid as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

HEARING OF CITIZENS AND/OR DELEGATIONS:

Mayor and Council thanked the citizens of Cookeville for supporting our Veterans & enjoyed viewing our new Police Department Motorcycle Crew.

Mayor and Council requested for prayer for Lt. Jerry Smith, of the Cookeville Fire Department, that was recently injured in a motorcycle accident.

There being no further business to discuss, Mayor Sallee made a motion, seconded by Councilman Anderson, to adjourn the meeting at 6:25 p.m. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Alma Anderson
Councilman Ricky Shelton
Councilman Ryan Williams

The City Clerk announced that the motion carried.

Sam Sallee, Mayor

ATTEST:

Cathy McClain, City Clerk