

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

June 3, 2010 – 6:30 p.m.

Mayor Dickey called the regular meeting to order, pursuant to proper notice having been given. City Recorder Betty Modrall called the roll. Present were Mayor Dean Dickey, Vice Mayor Wayne Kennedy and Council Members Carl McCullen, Debbie Matthews, Christa Martin, Mike Greene and Susan Stephenson, City Manager Paul C. Boyer, Jr., City Attorney Tim Tisher, Betty Modrall, City Recorder, and Liz Bermudez, Recording Secretary.

Council Member Carl McCullen offered the invocation followed by the Pledge of Allegiance led by Council Member Stephenson.

APPROVAL OF AGENDA:

City Manager Boyer asked Council to remove Item 9.1, Resolution No. 10-23 – A Resolution approving the East Columbia Neighborhood Redevelopment and Urban Renewal Plan. City Manager Boyer advised Council Member Stephenson has a number of questions for the Housing Authority concerning the Resolution. City Manager Boyer advised Mr. Ogilvie and Mr. Nance contacted him to ask that the item be removed from the Agenda and placed on the next Agenda to give them a couple of weeks to answer Council Member Stephenson's questions. Council Member Matthews moved to approve the amended Agenda. Council Member McCullen seconded the motion. All Council Members present voted aye.

PRESENTATIONS:

Item 5.1 - **PRESENTATION OF RETIREMENT PLAQUE AND GIFT CHECK TO POLICE DEPARTMENT EMPLOYEE JAMES HANVY.** Mayor Dickey said it is his pleasure to give Captain Hanvy his retirement plaque and check, but he is not pleased that Captain Hanvy is leaving. Mayor Dickey advised the City appreciates all that Captain Hanvy has done. Mayor Dickey said throughout the years he has heard Captain Hanvy's name over and over and it was always good. Mayor Dickey asked Assistant Chief Tim Potts, Captain Terry Peery and Captain Kenny Brady to join Captain Hanvy and him at the front of the room. Mayor Dickey read the plaque and handed Captain Hanvy his gift check. Mayor Dickey thanked him for all his years of service and told Captain Hanvy he will be missed. Captain Hanvy said he has been very fortunate to be part of the best

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Police Department and municipal government anywhere. Captain Hanvy thanked his family and his wife. Captain Hanvy spoke of his coworkers being part of his City family. Captain Hanvy said it has been an honor and privilege to serve side by side with all members past and present of the City of Columbia to service the citizens of the community. Assistant Chief Tim Potts advised that Chief Bishop apologized for not being present tonight; he had a meeting in Nashville. Assistant Chief Potts said Captain Hanvy has been the “can-do-man” for over thirty years. Assistant Chief Potts advised Captain Hanvy has planned and organized the events with Mule Day and he is greatly missed. Assistant Chief Potts said there are four people doing Captain Hanvy’s job and they are struggling. Assistant Chief Potts said they really appreciate everything Captain Hanvy has done. Assistant Chief Potts advised Captain Hanvy has trained them well and he has given dedicated service to the Police Department and the community. Council Member Matthews said this is a hard retirement for her to see for one main reason. Council Member Matthews advised last year she got to tour the Police Department when there was rain coming down and the building was in deplorable shape. Council Member Matthews said Captain Hanvy met her at the door with all his honor and stature and had to walk her through a building that was not deserving of what he should have had. Council Member Matthews said she hates that and she hates that he is retiring before the Police Department is moved to a new place. Council Member Matthews told Captain Hanvy that she appreciates him taking them around the building.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OF MAY 20, 2010.** Council Member Martin moved to approve the May 20, 2010 City Council Meeting Minutes. Council Member Stephenson seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Council Member Martin moved to approve the Consent Agenda. Council Member Greene seconded the motion. Vice Mayor Kennedy asked to remove Items 7.1 and 7.7 from the Consent Agenda. All Council Members present voted aye and the following items were approved:

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2. Change Order No. 3 with K. W. Lankford Excavating Contractors for the southern access road to Ridley Park located off Trotwood Avenue – Ward 1 – Engineering Department.
3. Consider Authorization of grant application to the U.S. Department of Justice – Bureau of Justice Affairs, for FY 2010 Edward Byrne, Memorial Justice Assistance Grant and Related Interlocal Agreement with Maury County – Police Department.
4. Authorize the Mayor to execute land lease with Kirby Howell for firing range – Police Department.
5. Approve payment to Tennessee Department of Revenue for City Business Tax due to the State of Tennessee – City Recorder’s Office.
6. Award bid for desktop computers per MIS replacement schedule – MIS Department.
8. Consider authorizing the Mayor to sign the employer group application change form with Blue Cross Blue Shield of Tennessee for the under age 65 retiree medical insurance – Trustees.
9. Award bid for retread tires – Public Works Department.

Item 7.1 - APPROVE THE PROPOSAL FROM LYMAN DAVIDSON DOOLEY, INC., TO PERFORM ARCHITECTURAL SPACE PLANNING SERVICES FOR THE CITY’S USE OF 700 NORTH GARDEN STREET IN THE AMOUNT OF \$16,250 – WARD 3 – CITY MANAGER’S OFFICE. Council Member Martin moved to approve Item 7.1. Council Member Stephenson seconded the motion. Vice Mayor Kennedy asked if the design package is in pieces or is the \$601,000 plus the \$16,500 the complete design package price. City Manager Boyer said there is no price of \$601,000 in the agenda item. City Manager Boyer said staff has told Council after this contract is left; there is \$601,000 left in the account to renovate the building. City Manager Boyer advised this contract is \$16,250 and the City previously had a contract with the same firm to do the Due Diligence Project, which was approximately \$9,000. Vice Mayor Kennedy said the City does not have a price on the design package and we have \$601,000 to spend. Vice Mayor Kennedy said the price could go up or go down. Vice Mayor Kennedy said the City does not have a price on the complete design package. City Manager Boyer advised we do not have a price. Vice Mayor Kennedy suggested employing some

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other firms along with this firm on getting a complete design package price since the City does not have one, because we do not know what it will cost the City. City Manager said staff would be glad to do that; that will take at least two months maybe three. City Manager Boyer advised you cannot compete professional services on price you have to compete them on qualifications; and after the best proposer is selected then you negotiate price. Vice Mayor Kennedy asked if what Mr. Boyer just spoke about can be done. City Manager Boyer said it can be done, but it will delay the move to the building three to five months. Vice Mayor Kennedy asked the City Manager if he thinks it would save the City \$400,000 or \$500,000. City Manager Boyer said he does not think it would save the City \$400,000 or \$500,000. Vice Mayor Kennedy said he wants it to go on the record that he would like to see that done for saving money. City Manager Boyer said he does not think it will save the City \$400,000 because he does not think any architect would charge us \$400,000. Vice Mayor Kennedy said when you do not know what something is going to cost you and you have prices of \$185 an hour and \$85 an hour you do not know where you are going. City Manager Boyer said this is the type of contract with the same firm that was used for the design of Fire Station 2. City Manager Boyer said the experience with the firm has been successful and the City Manager's Office, Code Administration Office and Fire Department were very happy with the relationship with Lyman Davidson and Dooley. Vice Mayor Kennedy said he was not talking about the services being unsatisfactory; he was just thinking in terms of money and not knowing how much it would cost the City. Vice Mayor Kennedy said he feels like the City is giving the firm an "open check book" and saying do the best you can. City Manager Boyer advised that is not what the City is doing. City Manager Boyer said the City is paying the firm \$16,000 to create the schematic master plan for the use of the space in the building. City Manager Boyer said after that a proposal will be needed to do the actual construction documents, which will be the more costly part. City Manager Boyer said whether this is bid as one package or separate we would pay for the work. Vice Mayor Kennedy said when we spend the \$16,500 what we have asked them to do that is that and they will give it to us at \$16,500. Vice Mayor Kennedy asked whether or not additional services are included in the scope of this work. City Manager Boyer advised on the front of the page Vice Mayor Kennedy is looking at, under Proposed Scope of Work, is what the work is, \$16,250. Council Member Stephenson clarified that this is an initial step, the City requested

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the proposal from Lyman Davidson and Dooley Inc., so they can do the space planning services for the new building. Council Member Stephenson said what the City has required of the firm for the \$16,250 is what is listed in the two bullets on the front page of the document. Council Member Stephenson advised this is just the initial stage; and on page two of the document, with regards to additional services, that is just if the City requests the firm to do anything above and beyond the two bullets on the first page. City Manager Boyer advised that is correct. All Council Members present voted aye.

Item 7.7 - AUTHORIZE THE CITY MANAGER TO SIGN THE EMPLOYER GROUP APPLICATION CHANGE FORM WITH BLUE CROSS BLUE SHIELD OF TENNESSEE FOR MEDICAL AND DENTAL INSURANCE – PERSONNEL DEPARTMENT.

Council Member Martin moved to approve Item 7.7. Council Member Greene seconded the motion. Council Member Matthews said before the budget changed one cent this year for any additional services or less service or anything the City of Columbia health insurance premiums for the City employees went up almost 20%. Council Member Matthews said she is beside herself, because they have talked about employee bonuses at Christmas (\$40 per employee) and if she spoke about those, there was outrage from Council. Council Member Matthews advised they are talking about increasing on the employees to a \$2,000 a year deductible and an out-of-pocket max of \$4,000; and this is a huge leap for employees that start at \$9 in the Fire Department and Police Department. Council Member Matthews said she is going to ask for a deferral on this because she has not seen the other bids Mr. Witherow did to compare the rates. Council Member Matthews said businesses get three competitive rates on insurance coverage. Council Member Matthews said she knows Columbia Power and Water Systems is a division of the City of Columbia, but it employs quite a few people and their employees have better health care coverage than the City employees. Council Member Matthews said the City has an option to figure out a new way. Council Member Matthews said next year in the budget she cannot even begin to believe what it will cost, so she would like the numbers she asked for. Council Member Matthews moved to defer. Council Member McCullen seconded the motion to defer. City Manager Boyer said if the item is deferred the City will not be able to renew coverage on July 1st and educate the employees what the changes may or may not be.

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City Manager Boyer advised he did ask Roger Witherow, the City's Agent of Record, to be present tonight to talk about the process he used and talk about some of the quotes he got because he did provide staff with that information. Council Member Matthews said she will withdraw her motion to defer temporarily to hear Mr. Witherow. Vice Mayor Kennedy said he agrees with Council Member Matthews 100%, but he does not have an issue with the cost of the insurance; he has known Mr. Witherow all his life and the City has good insurance and Mr. Witherow is a good insurance man. Vice Mayor Kennedy said his problem is with the employees having to share the cost of the rate. Vice Mayor Kennedy spoke about making a motion about the tax rate of \$1.30 when time permits. Vice Mayor Kennedy said last year the tax rate had to be raised to get the money for the Fire Hall and he would like consideration of raising the tax rate up to \$1.32 to take care of the insurance as it stands. Vice Mayor Kennedy said the City would still be below the tax rate that it has now. Council Member Stephenson clarified that the reason this is being looked at is that the City had an unusual year with over \$3 million in claims and that is what has put the City in the position it is in now. Council Member Stephenson said it is her understanding that Mr. Witherow looked at options the City could consider because the percentage increase was going to be 19.33% and what Council has been asked to consider is raising the deductible. Council Member Stephenson said another option, and that is what she brought up Tuesday at Study Session was to increase the monthly premium if you do not increase the deductible. Council Member Stephenson said there have been extenuating circumstances this year. Council Member McCullen said he has spoken with employees and they are concerned with the increase. Council Member McCullen asked if there is a way to handle this without taking money out of the employees' pocket. City Manager Boyer said he discussed with the Finance Director what Vice Mayor Kennedy mentioned earlier. City Manager Boyer said a two cent increase in the property tax rate would cover the additional cost to stay where we are with our deductibles, but he would not recommend that. City Manager Boyer said employees will pay more for health insurance if you back up to the current plan, because those that buy family care will see the premium they pay every month go up 20%. City Manager Boyer said if an employee is covering their family, what comes out of their check will go up 20% per pay day, whether they use it or not. City Manager Boyer advised the reason this program is being recommended to Council, to try to hold the premium stable, was to save the

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impact on the budget and save the impact on the employees that are already buying the family medical care. City Manager Boyer said staying with the current program shifts the burden of the cost from everyone to just those that use the program. City Manager Boyer advised we are going to pay our claims. City Manager Boyer spoke about the difference with an insured and self-insured program. City Manager Boyer said the City was self-insured about five years ago and the City moved away from self-insured because it was costing the City more than to go with a fully-insured program. City Manager Boyer advised every organization is different. City Manager Boyer said this the second year in a row the employees have not been given a raise and staff was trying to avoid any issues that impact the employees' paycheck. City Manager Boyer said those that need health care will have to pay more. Mr. Roger Witherow said he has a partially self-funded quote from one of the larger TPAs and they went to the reinsurance markets and there was one reinsurance carrier that came in like they wanted, but the maximum cost of the partially self-funded versus the renewal would cost \$1,177,000 and that is above the fully insured guaranteed rate. Mr. Witherow went over the differences with the plans. Mr. Witherow explained why the City is not good right now in the market, which is due to fourteen claims of about \$1.1 million in the last twelve months. Mr. Witherow said he did not have a negotiation factor because the claims are in a bad situation right now; and that is why it is not a time to move on a fully-insured basis. Council Member Matthews said the City has an aging workforce and an aging retirement base. Council Member Matthews said last year Blue Cross went up 6% and this year we are looking at 20%. Council Member Matthews said an employee can almost buy an individual policy. Mr. Witherow said that may work for about 10% of the employees because they are healthy and young but everyone else would not be able to. Council Member Matthews asked about the second insurance carrier that quoted. Mr. Witherow advised, under the fully-insured basis, he does not have one. Council Member Matthews asked for three quotes. Mr. Witherow said he would try to have them in a week. Council Member Matthews asked about the options for next year. Mr. Witherow advised on early retirees there is a government program where an application can be filed where 80% of the claims can be paid until the Federal Government exhausts the money. Mr. Witherow said the post-65 retirees do not present a problem. Mr. Witherow advised some of the claims are not due to age. Mr. Witherow said the City is able to renew, but not change the HRA. City

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Manager Boyer said that is what he meant. Council Member Matthews asked if she can still do a deferral. Mr. Witherow said if the City renews and there is a better deal then they can change thirty days later. City Manager Boyer said if Council is going to renew at the current benefit level then Council needs to increase the tax rate by two cents to make sure adequate funding exists. Council Member Martin said there are five options on the rate sheet that Council was given. Council Member Martin said everyone wants the best possible rate for the employees and City. Council Member Martin asked about deferring this to a Special Called Meeting. City Attorney Tisher advised a Special Meeting can be held. Mr. Witherow said a week from now he may have the information that Council Member Matthews was asking for. City Manager Boyer said he feels that the best deal the City will get is on the sheet they have in front of them because that is what Mr. Witherow has told him five times in the last month. City Manager Boyer said deferring will not relieve Council of the decision that needs to be made or the financial impact of the decision. Council Member Greene spoke about the difference in cost with the renewal and option three. Council Member Stephenson said they are looking at increasing the deductible instead of increasing the monthly premium. Mr. Witherow went over figures for a partially self-funded plan and advised a fully-insured plan would cost higher. Vice Mayor Kennedy asked how the 20% increase in premium compares to the \$6,000 (\$2,000 deductible and \$4,000 out-of-pocket) as far as money goes. Mr. Witherow explained that there is no increase and he went into further detail about the money the City is saving. Vice Mayor Kennedy said he would like to see this deferred also; and the employees are who they need to think about. City Manager Boyer said all employees receive their individual coverage for free, which is relatively unheard of in the market place now. City Manager Boyer said the premiums they are paying are for family. Mayor Dickey asked what the City's loss ratio for the past year. Mr. Witherow said it was over 100%. Mr. Witherow said if it would have been around 80% or lower then they may not have been given a rate increase. Council Member Matthews said she represents people in the community that do not have health insurance, sick or vacation time. Council Member Matthews said some hard choices need to be made because this will just continue for next year. Council Member Matthews advised CPWS is doing well on their plan and the City needs to be aware that something needs to be done. Council Member Stephenson said hopefully next year the City will not have the same situations with claims

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that the City has had in the last two years. Council Member Stephenson said she knows Council is trying to make the best decision for the employees and there have been extenuating circumstances with claims the last two years. Council Member Martin said if this needs to be deferred for Council to feel comfortable with their decision then the item needs to be deferred. Council Member Martin said she has the information she needs to make a decision, but if it is going to be deferred then they need to go ahead and defer the item. Mayor Dickey spoke about the State and what their employees pay for insurance. Vice Mayor Kennedy moved to defer the item. Council Member Matthews seconded the motion. City Attorney Tisher asked Council if they were deferring to the next scheduled meeting in two weeks or to a Special Called Meeting. City Manager Boyer asked if the option will be removed if Council waits another two weeks. Mr. Witherow said as long as he has an answer before July 1st but a couple weeks prior to that would be good because it takes a couple of weeks to get an ID card. City Manager Boyer said earlier Mr. Witherow said that a decision is needed before the next meeting. City Manager Boyer advised he is very concerned about employees receiving education about what will be done. City Manager Boyer said a week is not enough time to educate the employees and there may be some employees that do not get their ID cards in two weeks. Mr. Witherow said if Council agrees to the change tonight, then let him come back in at a later date and if there is a better option then Council can change to it. There was more discussion on the timeframe of how long Council can wait on making the decision on this item. City Attorney Tisher went over three options of what Council can do. Vice Mayor Kennedy moved to defer the item to a Special Called Meeting a week from tonight. Council Member Matthews said she made the second but could not make that meeting. Council discussed the option of a Special Called Meeting next week. Council Member Stephenson said the only option that Council seems to have is to approve it tonight and then see if it can be changed on the 17th. Council Member Greene said the City should get this in place so the employees know there is security in having it in place. Council Member Greene said it can be changed later, but they should renew it to have something in place. Council Member Matthews withdrew her second for the deferral. Vice Mayor Kennedy withdrew his motion to defer. City Attorney advised they have the underlying motion and second in place for approval of option three. All Council Members present voted aye with the exception of Council Member Matthews who voted no.

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ORDINANCES:

ORDINANCE NO. 3847 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A, B, C AND D AND ADOPTING AND APPROVING THE FOLLOWING SECOND CONSIDERATION SCHEDULES A, B, C AND D.

Vice Mayor Kennedy moved to approve Ordinance No. 3847 on second consideration. Council Member McCullen seconded the motion. Council Member Matthews said Mr. Clark comes before Council every two years to do increases to cover projections. Council Member Matthews said Mr. Clark said the CPWS employees needed a pay increase and the economy was bad, but it was not their fault it was bad. Council Member Matthews said after that vote Mr. Clark adjusted the rate to raise the City rates a little and the County people the full stretch. Council Member Matthews advised she will still vote no on this increase, because the City of Columbia is the highest unemployed city in the State and in the county areas there has been a flood with \$7 million worth of crop damage and the county people have lost their income for the rest of the year. Council Member Matthews said everyone needs to come together and have a year that stays stable and everyone “hunkers down”. Council Member Matthews said those are her reasons, not that Mr. Clark is not wise in his adjustments and not that he does not always do a plan, but CPWS needs to hold. Council Member Martin said this has been discussed for a few weeks now and she appreciates the information from CPWS that gave extra details about this item. Council Member Martin said she shared the information with her constituents and she is prepared to vote for the concerns of the citizens she represents. Council Member McCullen said the Public Utilities Board has considered Council’s proposal and has presented Council with an orchestrated document that took in consideration the concerns of Council in looking at all the citizens of the City. City Attorney Tisher advised, on the floor, is the Ordinance how it passed on first consideration without the changes that were submitted. City Attorney Tisher said if Council wants it

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in the form, which includes the changes, then the Ordinance would have to be amended. Council Member McCullen moved to approve the amendment to include the numbers in Schedule A. Vice Mayor Kennedy seconded the motion. Council Member McCullen and Vice Mayor Kennedy voted aye and Council Members Greene, Martin, Matthews, Stephenson and Mayor Dickey voted no. The amendment failed. Council Member Stephenson said since the amended figures did not pass the vote, then what will take place will be a vote for the higher figures. City Attorney Tisher said that is correct. Council voted on the original motion. Council Member McCullen and Vice Mayor Kennedy voted aye and Council Members Greene, Martin, Matthews, Stephenson and Mayor Dickey voted no. Ordinance No. 3847 failed on second consideration.

ORDINANCE NO. 3854 - AN ORDINANCE FIXING THE TAX RATE FOR THE CITY OF COLUMBIA FOR THE YEAR 2010 ON ALL TAXABLE PROPERTY AT THE RATE OF \$1.30 PER \$100.00 – CITY
SECOND CONSIDERATION RECORDER’S OFFICE.

Council Member Stephenson moved to approve Ordinance No. 3854 on second consideration. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3848 - APPROPRIATION ORDINANCE FOR FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011 – FINANCE
SECOND CONSIDERATION DEPARTMENT.

Council Member McCullen moved to approve Ordinance No. 3848 on second consideration. Council Member Martin seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3852 - AN ORDINANCE TO AMEND THE FY 2009-10 BUDGET ORDINANCE NO. 3806 – AS PREVIOUSLY AMENDED, PROVIDING FOR REVISIONS TO THE GENERAL AND CAPITAL PROJECTS

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SECOND CONSIDERATION FUNDS – FINANCE DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3852. Council Member Stephenson seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3851 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY ADDING A NEW TITLE 16, CHAPTER 6, ENTITLED MASS GATHERING/SPECIAL EVENTS – EMERGENCY MANAGEMENT

SECOND CONSIDERATION DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3851 on second consideration. Council Member Stephenson seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3853 - AN ORDINANCE TO APPROVE THE CLASSIFICATION AND COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF COLUMBIA FOR THE 2010-2011 FISCAL YEAR – PERSONNEL

SECOND CONSIDERATION DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3853 on second consideration. Council Member Matthews seconded the motion. Vice Mayor Kennedy advised he is going to vote no on this Ordinance because there are some starting salaries that he does not agree with; he does not see how people can live making that amount of money. All Council Members present voted aye with the exception of Vice Mayor Kennedy who voted no. Motion passed.

PUBLIC COMMENTS:

No comments

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Mayor Dickey asked if there was a motion to adjourn. Vice Mayor Kennedy moved to adjourn, Council Member Stephenson seconded. Mayor Dickey said the meeting was adjourned at 7:51 p.m.

Council Member McCullen advised he had something he wanted to discuss. Council Member Matthews advised on the Agenda Council approved there is the Other Business section. Council Member Stephenson said she will remove her second. City Attorney Tisher advised Council did not vote on the motion to adjourn. Council Member Stephenson reiterated that she would withdraw her second if there are Council Members that wish to speak under Other Business. Mayor Dickey advised they will go back to Number 12 – Other Business.

OTHER BUSINESS:

Council Member McCullen advised he is concerned about the Greenlick Pump Station in his ward and the health of the residents that will be exposed due to the raw sewage and the defective sewer lines. Council Member McCullen said this situation affects new growth, residential and commercial. Council Member McCullen said residential and commercial property values will drop. Council Member McCullen said he knows a letter was sent to TDEC concerning the problem and the completion of some of the projects in his ward. Council Member McCullen asked about other growth and development in his ward over the next couple of years. Council Member McCullen asked about the steps that are being taken regarding this problem. Council Member McCullen said there is a wide area that can be developed and he is very concerned about the possible two year set back. Council Member McCullen asked if he could make a motion to ask the City Manager to get the engineer who did the previous study on the project to go forward. City Manager Boyer advised this is not a Ward 1 problem, Greenlick Basin extends beyond Ward 1. City Manager Boyer said no child or human beings' life has ever been in danger by this problem. City Manager Boyer advised the City has acted with all due speed; the first business day after the City received the letter, staff contacted the engineer to finish the study and design of the pump station and give the City a proposal for Council to approve on the infiltration and inflow study. City Manager Boyer said none of what he just said will happen unless Council is willing to increase rates, which they have not been willing to do thus far. City

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Manager Boyer said the City is taking action to deal with this as quickly as possible, but the City cannot just make it go away. City Manager Boyer advised he did not say it would be a two year problem. City Manager Boyer said staff does not know what the time line is for correction of the problem, the engineer has not even gotten to Columbia yet. City Manager Boyer advised when the project was shelved he had other business and projects that he moved on to complete. City Manager Boyer said the City is working to get the firm here and they will be here quickly, but he purposely did not give a timeframe because he does not know what the timeframe is to get back with Council a design and a budget for Council to approve. City Manager Boyer advised the City has not met with TDEC yet because there is nothing to meet with them about; and he does not know what their reaction will be when the City presents them with a plan. City Manager Boyer advised the City is taking every action that can be taken to move forward and get the problem corrected, but it is an expensive problem to correct and it cannot be done within the current revenue posture of the wastewater fund. City Manager Boyer said he hopes to have more to tell Council at the next meeting, but he is still not sure he will have more information to give Council in two weeks. City Manager Boyer said the letter that was sent to TDEC told them how the moratorium would be implemented and if there were existing permits that were not completed that the City wanted to allow going forward. City Manager Boyer advised once the City has a plan we will have a meeting with TDEC to see if they will give the City relief, but they are certainly within their rights under the law to hold Columbia's "feet to the fire" and make the City construct the improvements before they lift the moratorium. City Manager Boyer advised some cities in the State have been successful in assuring TDEC that they will correct the problem by the elected body taking the appropriate action and they have lifted the moratorium before the completion of the construction. City Manager Boyer said he cannot say what TDEC will do and he has not talked to them about things like that in fifteen years. City Manager Boyer advised he does not know what TDEC's posture is now. City Manager Boyer said the City will make an effort because the City does not want to stymie development either. City Manager Boyer advised the Planning Department gave him an estimate of over 200 platted lots that do not have homes on them that cannot be permitted for building at this point. City Manager Boyer advised the issue is significant and the City recognizes the issue and is doing everything it can to move forward. City Manager

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Boyer reiterated that no one's health has been endangered by this. City Manager Boyer advised the overflows have occurred on a remote section of one person's privately owned lot and that person is aware of the situation. City Manager Boyer said the person has been assured by staff, if there is a problem to call and the problem will be taken care of. City Manager Boyer said it is not throughout the entire basin and it is a mischaracterization to say that; and to say public health is endangered is also a mischaracterization because at this point it is not. Council Member McCullen said he just wanted to get some clarity. City Manager Boyer advised the pump station sits on property that is directly adjacent to the back property line of one person's private property. Council Member McCullen asked for a timeline. City Manager Boyer advised he cannot give a timeline. City Manager Boyer said if he has something to say about this then he will talk about it because he wants Council and the public to know that the City is doing everything it can to move forward in correcting the problem.

Council Member Matthews moved to adjourn the meeting. Council Member Martin seconded the motion to adjourn.

Reverend James Walker asked Mayor Dickey how the City resolves conflict between city employees. Mr. Walker advised he was called in by the Personnel Director and interviewed about an employee, the employee was not there and the person who got in the problem was not there. Mr. Walker asked what good it does to interview him about a city problem that he has no knowledge about. Mr. Walker asked if this is the way the City does things, calling the public in to resolve problems with city employees. Mr. Walker advised he is very concerned about this because when the public is brought in, then the problem is escalated. Mr. Walker said Human Resources needs to resolve the problem. Mr. Walker advised he was brought in and the two people that have the problem were not present to hear his testimony. Mr. Walker said anything could be done with his statement. Mr. Walker asked if this is how conflict within the City is resolved. Mayor Dickey advised he has no knowledge of what was just said and the City Manager may know what he is talking about. City Manager Boyer said he will not talk about an internal investigation in an open meeting; it is not fair to the confidential nature that was guaranteed to those that participated. Mr. Walker said his statement was taken without those

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June 3, 2010 – 6:30 p.m.

two people there, the person who interrogated him can say anything without them being there that he may or may not have said.

Mayor Dickey advised the audience that the meeting is adjourned, there has been a motion and a second. Mayor Dickey said there was a time for Public Comments and at that time, there were no public comments. The meeting adjourned at 8:05 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER