

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 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, Council Members 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. Vice Mayor Kennedy and Council Member McCullen were absent.

Reverend John Rushing offered the invocation followed by the Pledge of Allegiance led by Council Member Matthews.

Council Member McCullen and Vice Mayor Kennedy arrived to the meeting at 6:33 p.m.

APPROVAL OF AGENDA:

Council Member Martin moved to approve the Agenda. Council Member Matthews seconded the motion. All Council Members present voted aye.

PRESENTATIONS:

Item 5.1 - **PRESENTATION BY BRAD THOMPSON, AICP, WILBUR SMITH ASSOCIATES, TRAFFIC CORRIDOR STUDY ON HIGHWAY 31.** Council Member Stephenson said the traffic corridor study for Highway 31 will truly be an assistance to the City. Council Member Stephenson thanked Mr. Brad Thompson and Mr. John Gould she said they have been great to work with and this is the report on Phase I of the traffic study. Council Member Stephenson advised next fiscal year Phase II of the traffic study will begin. Mr. Thompson thanked Council Member Stephenson for her guidance and he thanked the Engineering Department. Mr. Thompson spoke about the corridor study area, which went from the southern entrance of the GM Plant to Columbia Rock Road on US 31. Mr. Thompson said the study included an analysis of the traffic operations, crash data for the corridor, particularly at some of the specific intersections. Mr. Thompson spoke about anticipating future traffic volumes and approved developments being included in the corridor study. Mr. Thompson said the study recommends improvements (near-term and long-term) and potential funding sources. Mr. Gould spoke about the

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

methodology and recommendations made in the report. Mr. Gould advised the existing accident rate in the corridor is significantly higher than the state-wide average and the accident rate is more significant at the north end of the corridor than at the southern end. Mr. Gould advised traffic counts were done at twelve intersections in the corridor. Mr. Gould said from the existing traffic, they need to develop future traffic in terms of what future traffic may entail and what the future problems may be. Mr. Gould said that proposed land developments were used to help develop potential traffic issues and a 2% annual growth rate was applied to generate traffic numbers for the corridor. Mr. Gould said capacity and service level analysis were performed at intersections to determine the best traffic control options to recommend. Mr. Gould went over warrant studies that were done. Mr. Gould spoke about the specific recommendations that came from the corridor study. Council Member Stephenson spoke about two of the access control lanes that are recommended for lengthening or for adding. Mr. Gould said the short-term improvements are what they have identified as existing needs. Mr. Thompson said the focus of the study was on the intersections of the corridor but they did not fail to consider the overall operation in terms of volume and capacity ratio, not just the intersections but also the actual highway. Mr. Thompson said one of the long-term recommendations is the widening of Highway 31. Mr. Gould said in the future many of the intersections are expected to fail. Council Member Stephenson said last year when she spoke with TDOT Commissioner Nicely, he did confirm for her that there will be an interchange off of Interstate 840 just across the Williamson County Line for Carter's Creek Pike. Council Member Stephenson said she has a lot of concern about Carter's Creek Pike and the increased traffic that may occur with the interchange. Council Member Stephenson spoke about the schools around the area and the traffic. Council Member Stephenson said there have been many fatalities on Carter's Creek Pike. Council Member Stephenson said a right turn lane was put in off Highway 31 onto Carter's Creek Pike and a left turn lane was put in off Highway 31 onto Lookout Drive. Council Member Matthews thanked Mr. Thompson and Mr. Gould for what they have done. Council Member Matthews said she thought this study was going to be done in three phases. Council Member Matthews asked what Phase II would encompass. Council Member Stephenson advised Phase II will go from Columbia Rock Road south all the way down to Bear Creek Pike and there will be more detail. Mr. Thompson said the next phase will

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

go to Bear Creek Pike and they will need to revisit some items. Council Member Matthews said she is thankful that they have engulfed more things that were needed and included more in Phase I that will help the City out. Mr. Thompson advised there are a few intersections in the study that are a much smaller part of the study and later there will be more details of those areas. Council Member Matthews said she appreciates this study because traffic on Highway 31 is treacherous. Council Member Martin asked Mr. Gould for his name and title. Mr. Gould advised his name is John Gould and he is the Senior Traffic Engineer with Wilbur Smith Associates. Council Member Martin asked where Council could see the rest of the study. Mr. Thompson said there were some pages that need to be corrected in the report so they are correcting that and making sure Council did not have anything for the report before it is finalized. Council Member Martin asked if they want Council to look at a report online before the copies are printed. Mr. Thompson said he would like to allow about a week or so for any feedback that may change the study recommendations. Mr. Thompson advised their intent is to finish the report. Council Member Stephenson advised Wilbur Smith Associates did more than they had to for Phase I without charging the City any additional funding. Council Member Stephenson said when they sat down to discuss Phases II and III she asked if there was a way to condense it due to funding constraints and complete everything in two phases rather than three. Council Member Stephenson advised they were very cooperative in doing that; they have done a great job. Mayor Dickey asked how long the phase has taken. Mr. Thompson said the first draft was in fall of last year and since then they have been working with the staff. Mayor Dickey asked about the final draft. Mr. Thompson said the final draft will be done probably a week from Tuesday.

ORGANIZATIONAL BUSINESS:

Item 6.1 – MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 17, 2010. Vice Mayor Kennedy moved to approve the June 17, 2010 City Council Meeting Minutes. Council Member Stephenson seconded the motion. All Council Members present voted aye.

Item 6.2 – RATIFICATION OF MAYOR’S REAPPOINTMENT OF MR. JIMMY DUGGER TO THE CITY OF COLUMBIA BOARD OF

July 1, 2010 – 6:30 p.m.

ZONING APPEALS FOR A THREE-YEAR TERM EXPIRING ON JULY 1, 2013. Mayor Dickey advised this would be Mr. Dugger’s second term on the board. Council Member Matthews moved to approve the reappointment of Mr. Dugger to the City of Columbia Board of Zoning Appeals for a three-year term. Council Member Stephenson seconded the motion. All Council Members present voted aye.

Item 6.3 - **RATIFICATION OF MAYOR’S REAPPOINTMENT OF MR. MARVIN SANDRELL TO THE CITY OF COLUMBIA BOARD OF PUBLIC UTILITIES FOR A FOUR-YEAR TERM EXPIRING ON JULY 1, 2014.** Mayor Dickey advised this would be Mr. Sandrell’s second term on the board. Vice Mayor Kennedy moved to approve the reappointment of Mr. Sandrell to the Columbia Board of Public Utilities for a four-year term. Council Member Stephenson seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Council Member McCullen moved to approve the Consent Agenda. Council Member Matthews seconded the motion. All Council Members present voted aye and the following items were approved:

1. Change Order No. 4 with K.W. Lankford Excavating Contractors for the Southern Access Road to Ridley Park located off Trotwood Avenue – Ward 1 – Engineering Department.
2. Consider authorization to execute an agreement with J.R. Wauford & Company for engineering services in the Greenlick Basin and authorize related transfer of funds – Wastewater Department.
3. Authorization to dispose of surplus City property – Finance Department.
4. Authorize Mayor to execute agreement for Maury Emergency Communications District to provide central dispatch services for the Columbia Fire Department – Fire Department.

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

5. Approval of quote for maintenance and support of network devices including VOIP Telephony Systems – MIS Department.
6. Approval of Local Government Corporation invoice for annual software support for Dataquest Software – MIS Department.
7. Approval of quote for fiber optic transport solution to Ridley Park maintenance and concessions buildings – MIS Department.
8. Ratification of submittal of request for information form for potential Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) – Public Works Department.
9. Bid award and authorization for Mayor to execute a lease for a color copier – Finance Department.

RESOLUTIONS:

RESOLUTION NO. 10-19 - TAX CORRECTIONS – CITY RECORDER’S OFFICE.

Council Member Martin moved to approve Resolution No. 10-19. Council Member McCullen seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-28 - ADOPTING THE GUIDELINES FOR THE DEVELOPMENT AND REDEVELOPMENT FOR THE DOWNTOWN COLUMBIA COMMERCIAL HISTORIC GUIDELINES – WARDS 2 AND 3 – GRANTS AND PLANNING DEPARTMENT.

Council Member Matthews moved to approve Resolution No. 10-28. Council Member Martin seconded the motion. All Council Members present voted aye.

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

RESOLUTION NO. 10-31 - A RESOLUTION ACCEPTING A STATE OF TENNESSEE DEPARTMENT OF AGRICULTURE GRANT IN THE AMOUNT OF \$99,000 FOR CONSTRUCTION OF A PAVILION FOR THE COLUMBIA FARMERS FRESH MARKET – WARD 5 – CITY MANAGER’S OFFICE.

Council Member Stephenson moved to approve Resolution No. 10-31. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCES:

ORDINANCE NO. 3849 - AN ORDINANCE TO DE-ANNEX 20.05 ACRES LOCATED AT 2857 CARTERS CREEK STATION ROAD, COLUMBIA TENNESSEE – WARD 5 – GRANTS AND SECOND CONSIDERATION PLANNING DEPARTMENT.

Vice Mayor Kennedy moved to approve Ordinance No. 3849 on second consideration. Council Member Stephenson seconded the motion. Council Member Matthews asked the City Attorney to comment on this Ordinance. Council Member Matthews asked about what precedent it is setting for the City to deal with. City Attorney Tisher advised they have to treat similarly situated people in a similar manner. City Attorney Tisher advised he reviewed the de-annexation history. City Attorney Tisher said there was a de-annexation that took place in 2008, where the City brought in a section of a neighborhood and inadvertently drew the line where one lot from another section came in; that lot was immediately de-annexed because it should not have come in and it did not have any services. City Attorney Tisher said there was a de-annexation in the mid-1990’s, where the gentleman wanted to hunt on his property, never had services, and never developed on his property. City Attorney Tisher said he believes there has been a total of five de-annexations and he could not tell from the Ordinances why some of them were being de-annexed. City Attorney Tisher said it is the property owner’s obligation to show the reason to be de-

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

annexed, unless it is initiated by Council. Council Member Matthews said will this set a precedent that other property owners can ask to be de-annexed. City Attorney Tisher said there have been de-annexations, but Council will have to look at each on a case by case analysis. City Attorney Tisher advised there needs to be compelling reason for a de-annexation. City Attorney Tisher said he does not think there will be any impact on the urban growth boundary. Vice Mayor Kennedy said he thinks this is a situation where nothing has been done so there is no harm; it is not spot zoning, it is on the outside edge. Mayor Dickey advised he voted for this when it came before the Planning Commission and after the input he has heard from the City Manager and City Attorney he will be voting no. Vice Mayor Kennedy and Council Member Stephenson voted aye and Council Members Greene, Martin, Matthews, McCullen and Mayor Dickey voted no. Ordinance No. 3849 failed on second consideration.

ORDINANCE NO. 3855 - AN ORDINANCE TO ANNEX
PROPERTY LOCATED AT 3040
CLEBURNE ROAD, CONSISTING OF 89
ACRES – WARD 5 – GRANTS AND
SECOND CONSIDERATION PLANNING DEPARTMENT.

Council Member Stephenson moved to refer Ordinance No. 3855 and Ordinance No. 3856 back to the Planning Commission for their consideration of some proposed amendments. Vice Mayor Kennedy seconded the motion. Council Member Stephenson advised after the last Council Meeting she listened to citizens from this area for about an hour and then she set-up a town hall meeting for them to ask questions and get some feedback from the Childrens' Home staff. Council Member Stephenson said after the town hall meeting she met and spoke with some of the Childrens' Home staff and board members and they have offered to put forth some conditions to help alleviate some of the public concerns and to be a good neighbor. Council Member Stephenson said she applauds them for voluntarily initiating some very helpful steps and for going above and beyond what they have to do. Council Member Stephenson advised for the conditions to be added, the Council must send the Ordinances back to the Planning Commission for their approval and then it would come back before Council. Vice Mayor Kennedy said he has had some calls and was informed of the conditions that Council Member Stephenson is speaking

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

about. Vice Mayor Kennedy said he also applauds the Childrens' Home and this will be helpful to those in the area. Vice Mayor Kennedy spoke of working to a point where things will be better. Council Member Martin said there have been several calls and emails. Council Member Martin advised she forwarded the emails to the City Manager and the City Manager and his staff did call her back to advise they are addressing the questions. Council Member Martin said they now have additional materials and she is open to have this sent back. Council Member Matthews asked if it is being deferred. City Manager Boyer advised it is being referred back. Council Member Matthews asked that a retention pond be addressed. Council Member Stephenson advised she will make sure that is addressed. Council Member Martin asked the City Attorney to go over what Council was about to do. City Attorney Tisher said if it is referred back to the Planning Commission then they will look at it again and if they place conditions on the PUD, then Council will review those conditions and they could modify the conditions, place additional conditions or approve the conditions. City Attorney Tisher said the conditioning of the PUD needs to originate with the Planning Commission. Council Member Martin said her concern is the Ordinance is on second consideration, how is that being addressed. City Attorney Tisher said that if it is referred back to the Planning Commission and the Planning Commission modifies it to a new form, then it may be coming back for first consideration, rather than second consideration because it would be a new form. Council Member Matthews asked if Council would be voting on this separately or together. City Attorney Tisher said the motion was to encompass both Ordinances. Council Member Greene asked what is being modified. Council Member Stephenson said there are going to be conditions that are going to be added that the Childrens' Home has agreed to add. City Attorney Tisher said Council can approve the proposal, disapprove the proposal or if Planning Commission has made conditions than Council modify, add, etc. conditions. Council Member Greene said Council does not know the conditions it is being sent back to the Planning Commission for. City Manager Boyer said staff has not talked to the Children's Home. Vice Mayor Kennedy said he spoke with Mr. Kessler and the Childrens' Home has agreed to do more buffering, move some buildings around, and that there will never be an above Level 2 child, instead of just while Mr. King is there. Council Member Matthews said she has an issue with one of the drawings and the

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

retention pond is backed up to a home and a barn and now it will have to go back to the Planning Commission. All Council Members present voted aye.

ORDINANCE NO. 3856 - TO ZONE PROPERTY BEING ANNEXED BY ORDINANCE 3855 LOCATED AT 3040 CLEBURNE ROAD, CONTAINING 89 ACRES, TO MRC-PUD (MIXED RESIDENTIAL COMMERCIAL – PLANNED UNIT DEVELOPMENT), APPROVE THE PRELIMINARY MASTER DEVELOPMENT PLAN – WARD 5 – GRANTS AND PLANNING DEPARTMENT.
SECOND CONSIDERATION DEPARTMENT.

Ordinance No. 3856 was referred back to the Planning Commission in the preceding Agenda Item.

ORDINANCE NO. 3857 - AN ORDINANCE AMENDING ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING SOCIAL SERVICE INSTITUTIONS AND ESTABLISH THE DATE OF AUGUST 5, 2010 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND PLANNING DEPARTMENT.
FIRST CONSIDERATION DEPARTMENT.

Council Member Matthews moved to defer Ordinance No. 3857 on first consideration. Council Member Martin seconded the motion. City Manager Boyer said Council was not satisfied with this Ordinance and staff is asking for a deferral to work on the issues. All Council Members present voted aye except Council Member Stephenson who voted no.

ORDINANCE NO. 3858 - AN ORDINANCE AMENDING ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

REGARDING CONSERVATION
SUBDIVISION DEVELOPMENT
STANDARD, AND ESTABLISH THE
DATE OF AUGUST 5, 2010 AS THE
DATE OF THE PUBLIC HEARING –
GRANTS AND PLANNING
FIRST CONSIDERATION DEPARTMENT.

Council Member Stephenson moved to approve Ordinance No. 3858 on first consideration and establish the date of August 5, 2010 as the date of the Public Hearing with typo correction per the Planning Director, to fix the typo under Section I minimum lot area, the sentence below the chart states town houses should be exempt from the minimum lot area requirements and that was a typo that was supposed to be deleted. Council Member Matthews seconded the motion. All Council Members present voted aye with the exception of Vice Mayor Kennedy who voted no.

OTHER BUSINESS:

Council Member Martin asked for clarification on Item 9.3 with discussion on the grant amount, the additional monies and what the City was presenting. City Manager Boyer said this is his first experience with agriculture grants and something that is different with agriculture grants is they allow cross matching of grants. City Manager Boyer said the City got a grant from the U.S. Department of Agriculture last fall of \$99,000 to build a farmers market and the City's match on that was the land for the pavilion. City Manager Boyer said Kristi Martin of Main Street was notified that the State had a quick round of farmers market grants available. City Manager Boyer advised Mrs. Martin got with the Assistant City Manager and they put together a real quick application and submitted it to the State Department of Agriculture and they are allowing the City to use the USDA grant as the match for the State grant. City Manager Boyer advised that is almost unheard of. City Manager Boyer said it is giving us twice as many dollars to build the pavilion with lights, a sign, landscaping, etc. making it an upscale pavilion. City Manager Boyer advised the pavilion can serve as an outdoor venue for other events, the Farmers Market will always have precedence. Council Member Martin said she wanted the City Manager to make those comments tonight because it shows another partnership that has

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

been done and it shows an immediate return on hiring Jennifer Moody into the City. Council Member Martin said it is her opinion that Assistant City Manager Moody is justifying her existence and she appreciates that.

Council Member Matthews said Assistant City Manager Moody and her have gone around town speaking about recycling. Council Member Matthews advised they need everyone recycling because it saves a lot of money. Council Member Matthews thanked Public Works Director Ken Donaldson because he is the one who originally headed the solar panel light changes, which saved the City money in utility costs. Council Member Matthews asked the City Manager to speak about the grant for the entire City that will save more money. City Manager Boyer said there has been a round of grants as part of the stimulus package that only governments could qualify for to help improve energy efficiency. City Manager Boyer advised Code Administrator Johnny McClanahan and he went to the meeting on energy grants and they had about two weeks to apply. City Manager Boyer said the City ended up winning in the competitive round of the grant. City Manager Boyer said the grant will be used to complete Director Donaldson's traffic signal conversion project and the rest of the grant money will be used to convert outdoor lighting in the garage and around City Hall.

Council Member Stephenson said Assistant City Manager Moody has done a job well done and hopefully that is one of many grants to come. Council Member Stephenson thanked Grants and Planning Director Norman Wright for working really hard on a number of things and he did a great job on the conservation subdivision. Council Member Stephenson advised on June 3rd meeting there was a problem with the air conditioning and it was extremely hot in the Chambers. Council Member Stephenson said the spotlights get very hot. Council Member Stephenson advised there were individuals who came to speak and after they finished speaking the Mayor struck the gavel and adjourned the meeting. Council Member Stephenson said after that she asked that the lights be cut off because she was hot, she was not asking that all the lights in the room be turned off just the spotlights. Council Member Stephenson advised there are those at the last Council Meeting that took that comment the wrong way and she was not trying to cut other speakers off. Council Member Stephenson said the meeting had already been adjourned and she was just asking that the spotlights be turned off.

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

Council Member McCullen asked about the Greenlick Basin. City Manager Boyer said there is a self-imposed moratorium in the Greenlick Basin due to the chronic overflow situation. City Manager Boyer said the City has been working on a strategy and the City is working with J.R. Wauford and Company who has been the engineer for the new pump station for some time. City Manager Boyer advised the City has authorized J.R. Wauford and company to complete the design of the pump station. City Manager Boyer said Council's vote tonight is another step in the process because it authorizes them to begin a study of infiltration and inflow of the basin, which is a way to mitigate the overflow situation. City Manager said there are a number of steps to go, one of which is a serious talk about a rate increase. City Manager Boyer said they need to discuss a bond issue to fund construction of the pump station and then staff and the engineer need to have a meeting with the TDEC enforcement people to see what actions the City must take to get them to allow the City to lift the moratorium. City Manager Boyer advised there are no specifics yet, so that meeting has not occurred. City Manager Boyer advised he and Wastewater Director Mike Anderson talk about this almost every day. City Manager Boyer said this is a critical issue that is at the top of his list. City Manager Boyer advised the City is moving forward. City Manager Boyer said some of the business people that have made significant investments in this part of the City are kind of left high and dry because they cannot pull building permits because they cannot get a sewer connection. City Manager Boyer said he has given them his commitment that the City will do what it can to get this over as soon as possible. City Manager Boyer said there have been businesses that throughout all the economic issues in the Country have been pulling a building permit or two a month because they believe in Columbia and they want to keep their people working. City Manager Boyer said he personally feels a debt to them to get this right because they stayed by Columbia's side when other builders left and said they would call when the market comes back. City Manager Boyer said the City staff owes them a diligent effort to get businesses back in business. City Manager Boyer advised staff is working on this.

PUBLIC COMMENTS:

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

July 1, 2010 – 6:30 p.m.

Vice Mayor Kennedy said Mr. Elmer Lusk has a problem near his home on Mt. Pleasant Pike. Vice Mayor Kennedy advised Mr. Lusk has sold property to the City. Vice Mayor Kennedy said the trouble he is having is with the gravel in this driveway. Mr. Lusk said he cannot grade the road anymore and he is asking that gravel rock be unloaded. Mayor Dickey asked if he just wants the gravel rock unloaded, not spread. Mr. Lusk said unload it and it will take care of itself. City Manager Boyer said the City does not do work like that for a number of reasons, starting with private work by public employees is a felony in the State of Tennessee and the City turns those types of requests down all the time. City Manager Boyer said he cannot recommend the City do that work on a private drive. Mr. Lusk and Vice Mayor Kennedy advised it is not a private drive. City Manager Boyer said an appointment should be set up to discuss this. Council Member Stephenson said what if Mr. Lusk was not able to make it up here. City Manager Boyer said he will be glad to go see Mr. Lusk at his residence.

There being no further business the meeting adjourned at 7:49 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER