

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

August 5, 2010 – 6:30 p.m.

PUBLIC HEARING - ON ORDINANCE NO. 3858 – AN ORDINANCE AMENDING ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING CONSERVATION SUBDIVISION DEVELOPMENT STANDARD – GRANTS AND PLANNING DEPARTMENT.

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

There being no one present in connection with the Public Hearing for Ordinance No. 3858, Council Member Stephenson moved to close the Public Hearing. Council Member Martin seconded the motion. All Council Members present voted aye.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY R. MODRALL, CITY RECORDER

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Mayor Dickey advised he has some words he would like to share with Council and the public. Mayor Dickey said some time ago, Lyle Sumek gave Council a list of guidelines to consider to be more effective as Council people and he also gave a list of ten things never to do to be successful. Mayor Dickey said he wanted to bring this to Council's attention again. Mayor Dickey advised the citizens elected them to do a job and they are who they represent and work for. Mayor Dickey spoke about conducting business in a professional way with no individual agendas. Mayor Dickey said they need to create a positive image for the City. Mayor Dickey said they need to recognize when citizens visit the city facilities, especially the Council Chambers, they should be treated with respect, without personal attacks and accusations. Mayor Dickey urged Council to get out the information that Mr. Sumek gave to them and review it.

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.

Pastor Randy Miller offered the invocation followed by the Pledge of Allegiance led by Council Member Matthews.

APPROVAL OF AGENDA:

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

PRESENTATIONS:

Item 5.1 - **PRESENTATION OF RETIREMENT PLAQUE AND GIFT CHECK TO PARKS AND RECREATION DEPARTMENT EMPLOYEE CLARENCE BELLANFANT.** Mayor Dickey asked Mr. Clarence Bellanfant, his wife Dorothy, Parks and Recreation Director Brian Borden and Deputy Director David Vernon to join him at the front of the room. Mayor Dickey told Mr. Bellanfant that the City appreciates his hard

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work and it is his honor as Mayor to present Mr. Bellanfant with his retirement plaque. Mayor Dickey thanked Mr. Bellanfant. Director Borden thanked Mr. Bellanfant for all his hard work and dedication. Director Borden said it has been a pleasure to work with him and he will be tremendously missed in the department. Deputy Director Vernon says he knows Mr. Bellanfant as “Cricket”. Deputy Director Vernon said if every employee had the work ethic that Mr. Bellanfant has, there would never be a problem. Deputy Director Vernon advised Mr. Bellanfant is already missed. Mayor Dickey presented Mr. Bellanfant with a gift check and wished Mr. and Mrs. Bellanfant the best.

Item 5.2 - PRESENTATION BY BRANDOM GENGELBACH, PRESIDENT OF MAURY ALLIANCE, ON THE 2010 PLAN OF WORK. Mr. Gengelbach said in July, Maury Alliance approved their plan of work for 2010; it was done at that time due to him being new and that they are now in the process of implementing the plan. Mr. Gengelbach said the plan is about dotting the “I’s” and crossing the “T’s” as it relates to the Maury Alliance and, as an organization, being truly about economic development and a Chamber of Commerce for their members and the existing industry. Mr. Gengelbach advised one of the highlights is revisiting their name, mission statement, and governing structure. The Alliance is a difficult name for people to understand, the mission statement is about the variety things they do, as opposed to the specifics of what they do, and the governing structure has some opportunities to have some improvements so they can move fast and efficiently. Mr. Gengelbach spoke about upgrading technologies to be more efficient. Mr. Gengelbach said they receive leads and information each week. Mr. Gengelbach spoke about looking at potential parcels of land along I-65 for development. Mr. Gengelbach said another highlight is approved incentives for the community. Mr. Gengelbach spoke of hiring an Executive Director for the Chamber of Commerce to grow members and to give a renewed focus on chamber business. Mr. Gengelbach continued by speaking of a new four-year economic development strategy that it takes years and years to create true public-private partnerships. Mr. Gengelbach said there needs to be a long-term vision and the right resources from both the private and public sides. Mr. Gengelbach said it is wonderful that they are planning and doing great work to help facilitate future growth, but this in no way takes away from what their primary goal is at the moment, which is jobs and

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investments, and they have had about 72 leads since January. Mr. Gengelbach said they are not neglecting the current crisis the City is facing with jobs and unemployment. Mr. Gengelbach advised they are anticipating announcements for jobs and investment this year. Mayor thanked Mr. Gengelbach.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 15, 2010.** Council Member Stephenson moved to approve the July 15, 2010 City Council Meeting Minutes. Council Member McCullen seconded the motion. Council Member Stephenson said there was one correction and one addition. Council Member Stephenson said on page 16, there was a typo; one word was added in, and on page 12, there was an addition of a sentence that was left out. All Council Members present voted aye.

Item 6.2 – **RATIFICATION OF MAYOR’S APPOINTMENT OF MRS. GALE COURTNEY MOORE TO THE CITY OF COLUMBIA PARKS AND RECREATION BOARD FOR A THREE YEAR TERM EXPIRING ON AUGUST 5, 2013, REPRESENTING WARD 2.** Council Member Matthews moved to approve the appointment of Mrs. Moore to the City of Columbia Parks and Recreation Board for a three-year term expiring on August 5, 2013. Council Member Matthews said it is a great loss to replace Sarah Thompson, but they are filling the position with great shoes. Council Member Martin seconded the motion. All Council Members present voted aye with the exception of Vice Mayor Kennedy who voted no.

Item 6.3 – **RATIFICATION OF MAYOR’S APPOINTMENT OF MRS. MURENDA M. FRIERSON TO THE CITY OF COLUMBIA CIVIL SERVICE BOARD FOR THE REMAINDER OF MRS. GALE COURTNEY MOORE’S SIX YEAR TERM WHICH WILL EXPIRE ON FEBRUARY 15, 2013.** Council Member Martin moved to approve the appointment of Mrs. Frierson to the Columbia Civil Service Board for the remainder of Mrs. Moore’s six-year term, which will expire on February 15, 2013. Council Member Matthews seconded the motion. All Council Members present voted aye.

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CONSENT AGENDA:

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

1. Authorize revised contractual agreement with George Nuber Architecture Services for the Farmers Market Project – Ward 5 – Engineering Department.
2. Consider Change Order Number 5 seeking an extension to the contract time for K.W. Lankford Excavating on the southern access road to Ridley Park complex to October 15, 2010 – Ward 1 – Engineering Department.
3. Authorization for the Mayor to execute an agreement for architectural services – Engineering Department.
4. Bid award and contract execution for firearm dealer services – Police Department.
5. Authorization to purchase road salt using Statewide No. 507, contract 4038813, Line 00104 and Line 00106 – Public Works Department.
6. Authorization to execute service agreement for sludge disposal – Wastewater Department.
7. Consider authorizing payment to Maury County to provide funding for the Maury County/City of Columbia Animal Services Facility for the fourth quarter of FY 2009-10 – Finance Department.
8. Authorization to dispose of surplus City property – Finance Department.
9. Bid award for breathing air equipment – Fire Department.

ADMINISTRATION:

Item 8.1 – **CONSIDER CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY SENIOR CITIZENS CENTER, INC.** Council Member Martin moved to approve the contractual agreement between the City of Columbia and Maury County Senior Citizens Center, Inc. Council Member Stephenson seconded the motion. All Council Members present voted aye.

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Item 8.2 - **CONSIDER CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY REGIONAL AIRPORT AUTHORITY.** Council Member Martin moved to approve the contractual agreement between the City of Columbia and Maury County Regional Airport Authority. Council Member Matthews seconded the motion. All Council Members present voted aye.

Item 8.3 - **CONSIDER CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND COLUMBIA MAIN STREET CORPORATION.** Council Member Martin moved to approve the contractual agreement between the City of Columbia and Columbia Main Street. Council Member Matthews seconded the motion. All Council Members present voted aye.

Item 8.4 - **CONSIDER CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND KEEP MAURY BEAUTIFUL.** Council Member McCullen moved to approve the contractual agreement between the City of Columbia and Keep Maury Beautiful. Council Member Matthews seconded the motion. All Council Members present voted aye.

Item 8.5 - **CONSIDER CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND TENNESSEE REHABILITATION CENTER AT COLUMBIA.** Council Member Matthews moved to approve the contractual agreement between the City of Columbia and Tennessee Rehabilitation Center at Columbia. Council Member Martin seconded the motion. Council Member Stephenson said she is going to recuse her vote tonight because she is on the advisory board. Council Member McCullen said he will recuse his vote because he is on the board also. All Council Members present voted aye with the exception of Council Members McCullen and Stephenson who recused their votes.

Item 8.6 - **CONSIDER APPROVAL OF CONTRACT FOR ECONOMIC DEVELOPMENT SERVICES BETWEEN THE CITY OF COLUMBIA AND MAURY ALLIANCE.** Mayor Dickey moved to approve the contract for economic development services between the City of Columbia and Maury Alliance. Council Member Matthews seconded the

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motion. Council Member Matthews advised the payments are made quarterly. All Council Members present voted aye.

Item 8.7 - AUTHORIZE MAYOR TO SIGN THE REVISED GRANT CONTRACT WITH THE STATE OF TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE YOUTH EMPOWERMENT CENTER – CITY MANAGER’S OFFICE. Council Member Matthews moved to approve authorizing the Mayor to sign the revised contract with the State of Tennessee Department of Economic and Community Development for the Youth Empowerment Center. Vice Mayor Kennedy seconded the motion. Council Member Matthews asked how this is progressing. Mr. John Stephens said he understands that everything is in place and they are anxious to be in the building. Mr. Stephens said they hope to be in the building next year. Council Member Matthews said Mr. Stephens does a great job and this was the “crowning jewel” of grants for the City of Columbia for this coordinated effort. Mr. Stephens said it was a lot of cooperation from a lot of organizations. Council Member Stephenson said the adjustment on the contract Section E, Special Terms and Conditions, was not one particular change to the contract, but that the whole section was added to the contract by the State. All Council Members present voted aye.

Item 8.8 - APPROVAL OF THE RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE HEIRS OF MARSHALL P. LEDBETTER, JR. AND CATHARINE B. LEDBETTER, THE ESTATE OF MARSHALL P. LEDBETTER, JR. AND THE ESTATE OF CATHARINE B. LEDBETTER AND THE CITY OF COLUMBIA REGARDING GENERAL FORREST DRIVE. Vice Mayor Kennedy made a motion for discussion. Council Member Stephenson seconded the motion for discussion. City Manager Boyer asked what a motion for discussion is. City Attorney Tisher advised there is no such thing as a motion for discussion. City Manager Boyer said a motion is for either approval or disapproval. City Attorney Tisher advised that is correct. Vice Mayor Kennedy moved to approve for discussion. City Attorney Tisher reiterated the motion has to be to either approve it or disapprove it;, there is no such thing as a motion to discuss. City Attorney Tisher advised the item has to get on the floor with either a motion to approve or disapprove. Vice Mayor Kennedy moved to approve the release and settlement agreement

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between the heirs of Marshall P. Ledbetter, Jr. and Catharine B. Ledbetter, the Estate of Marshall P. Ledbetter, Jr. and the Estate of Catharine B. Ledbetter and the City of Columbia regarding General Forrest Drive. Council Member Stephenson seconded the motion. City Manager Boyer said the estate of the original developer of the subdivision has made an offer to the City to fund a portion of bringing what was constructed as a private street up to City standards so it can be accepted as a public street. City Manager Boyer said they have offered \$25,000, which is estimated by the City's Engineering Department to be about 50% of the cost. City Manager Boyer said staff has recommended approval because several years from now when the road begins to fail, the property owners that abut to the road will ask the City Council to fix the street. City Manager Boyer said if the City waits until that time, the \$25,000 will not be on the table and the City may have to pay for the entire project. City Manager Boyer advised there has been some discussion about the waterline and Jim Clark is here tonight to answer questions. City Manager Boyer advised approving this has nothing to do with the waterline; it is just to approve and accept the street. City Manager Boyer advised staff thinks this is the lowest cost solution. Vice Mayor Kennedy said Mr. Anderson called him today and he was going to ask that this be deferred because Mr. Anderson has additional information and was unable to be present tonight. Vice Mayor Kennedy moved to defer. Council Member Matthews seconded the motion. All Council Members present voted aye.

Item 8.9 - CONSIDERATION OF AUTHORIZATION TO EXECUTE AND AWARD BID TO CIVIL CONSTRUCTORS, INC. FOR THE CONSTRUCTION OF THE DUCK RIVER WALK PROJECT – WARD 5 – ENGINEERING DEPARTMENT. Council Member Stephenson moved to approve authorizing execution and award bid to Civil Constructors, Inc. for the construction of the Duck River Walk Project. Vice Mayor seconded the motion. Council Member Matthews asked the City Manager Boyer to go over the timeline. City Manager Boyer advised if Council approves this tonight, next Friday there will be a pre-construction meeting and staff believes construction will start 30 days from the meeting or sooner. City Manager said it should be started by the middle of September. City Manager Boyer said TDOT is on board. All Council Members present voted aye.

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Item 8.10 - AUTHORIZE THE MAYOR TO SIGN A CONSULTING AGREEMENT BETWEEN THE CITY OF COLUMBIA AND SHERRILL D. MORGAN AND ASSOCIATES, INC. AND AUTHORIZE RELATED TRANSFER OF FUNDS – CITY MANAGER’S OFFICE. Council Member Martin moved to approve the Mayor signing a consulting agreement between the City of Columbia and Sherrill D. Morgan and Associates, Inc. and authorize related transfer of funds. Council Member Matthews seconded the motion for discussion. Council Member Martin asked the City Manager how he located this organization, through what process. Council Member Martin asked the City Manager why the City is using two different organizations when we have an Agent of Record. City Manager Boyer advised he found this company from inquiries with other cities throughout Tennessee and Kentucky that have used the organization with great success to save money on their medical insurance benefits. City Manager Boyer said this is a specialized field and Sherrill D. Morgan seems to have the background in the specialty and the background in local government benefits administration to deliver. City Manager Boyer said that is not just based on their marketing material; that is based on discussing their performance with around 15 other city managers who have engaged their services. City Manager Boyer said every one of the city managers said the corporation did what they said they would do. City Manager Boyer said agents of record are normally those people who approach the insurance market on your behalf and bid the product that they are asked to bid. City Manager Boyer continued by saying agents of record are not necessarily experts on cost containment, negotiating with insurance underwriters, or the nuances of the new health care legislation. City Manager Boyer said he felt the City needs expert assistance to advise the City on how to move forward on our health insurance. City Manager Boyer advised the last renewal was troublesome, and part of that was the time crunch Council was placed under, but it is time to take a top-to-bottom examination of one of the largest expenses in the budget, which is medical insurance for our employees. City Manager Boyer said it is a benefit that is going to change drastically for everyone in the United States in the next five years. City Manager Boyer spoke about the new health care legislation and how Sherrill D. Morgan has a full time person that is assigned to getting regulations and going over them. City Manager Boyer said expertise is needed in the area of health care legislation. City Manager Boyer advised the City will still use its agent of record to bid the insurance and approach

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insurance companies, but the City would use Sherrill D. Morgan as both a design specialist and evaluator of the bids once they come back. City Manager Boyer said they are two different jobs; the City does not directly compensate the Agent of Record, the Agent of Record is compensated through commission and it is part of what the insurance company builds into the cost of insurance. Council Member Martin said in the Agenda it says August 6, 2010 is the proposed start date of the agreement to allow adequate time to evaluate the pros and cons of changing to a January 1 renewal date and it will be a three-year agreement, but it continues year-to-year after that. Council Member Martin asked how the employees' concerns will be addressed when the City starts working with this organization. City Manager Boyer said staff needs to educate the employees and communicate with them better. City Manager Boyer said the City can get some help with materials and communication from Sherrill D. Morgan, but they expect us to handle our own employee communications. City Manager Boyer said he thinks it is better for the City to do that also. City Manager Boyer advised the City will have their assistance in developing the material in an understandable way. Council Member Matthews asked if Sherrill D. Morgan is an agent of record at times. City Manager Boyer advised they have the licensing to be an agent of record. Council Member Matthews asked about letting the City's Agent of Record go. City Manager Boyer said he does not believe there is cause to let our Agent of Record go. City Manager Boyer said he does not know what the Agent of Record could have done, given the situation the City was in during that time, to deliver a better result during the renewal period. Council Member Matthews said she believes Roger did his best at the job; she believes he should have had more bids, more information all presented to Council much earlier. Council Member Matthews said the City's Agent of Record's commission does go into and applies to the overall pricing of our plan and she thinks it is redundant to hire someone that can act as an agent of record that is basically going to give all the information to Mr. Witherow for him to turn around and just because the City has him under contract he gets two more years of commission. Council Member Matthews said if it does affect the insurance rates of the employees then a hard decision needs to be made because Mr. Witherow has been with the City for a while. Council Member Matthews said it would be bad business to employ two people to do the same job. Council Member Greene asked what the cost of the second and third year of the agreement would be. City Manager Boyer said the proposal says the

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increase is limited by the CBI or 6% whichever is less. Council Member Greene said they are looking at around \$90,000 for this three-year agreement. Council Member Greene asked if the City anticipates enough savings in the premiums for city employees to offset the \$90,000 the City is going to pay for this service. City Manager Boyer said the feedback he gets from the people he has talked to is that the services that Sherrill D. Morgan provided to their City was returned either by avoided premium increases or actual premium reductions. City Manager Boyer said there are no guarantees and either party can cancel the contract with 30-days notice. Council Member Stephenson said they are not locked into the three-year contract. Vice Mayor Kennedy said the increase in premiums this year was due to claims. Vice Mayor Kennedy said the increase to this company is just an increase. City Manager Boyer said this is not being funded out of the health insurance line item, so it will not have a bearing on the premium. Council Member Matthews said they do need experts and something needs to be done. Council Member Matthews asked what is the budget for health care. City Manager Boyer said it is about \$2.5 million. Council Member Matthews asked what is Mr. Witherow's percentage of the \$2.5 million. City Manager Boyer said he does not know, that is between him and the insurance company. Council Member Matthews said if Mr. Witherow is getting 3%, 5% or 10% of \$2.5 million that amount gets re-added back into the \$2.5 million as an extra cost. Council Member Matthews advised this is a hard decision and they need to defer this tonight, and do either or to try to save and be smart on this financial investment. Council Member Matthews said it is a substantial amount of money if Mr. Witherow is making 2% or 3% of \$2.5 million. Council Member Matthews asked about making a motion to amend this by approving the agreement with Sherrill D. Morgan and canceling the City's Agent of Record. City Attorney Tisher stated that Council can ask to defer, which takes precedence, or a motion to amend can be made. Council Member Matthews said Sherrill D. Morgan would be doing all the footwork and then turning over its recommendation to Mr. Witherow and tell him where to shop it. City Manager Boyer said Sherrill D. Morgan will not tell Mr. Witherow where to shop it, he will be given a set of specifications. Council Member Matthews asked to defer so they can think about this because Mr. Witherow has been with the City a long time. City Manager Boyer said Council roundly and justifiably so criticized him for putting them in a time crunch, and he committed to them to bring some recommendation on the insurance renewal for January 1st by October. City

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Manager Boyer advised if Council defers this contract he will not be able to make that and that is why Sherrill D. Morgan agreed to go to work tomorrow if Council approves the contract tonight. City Manager Boyer said he does not like to put a lot of parameters on things and put pressure on. City Manager Boyer said when Council asks him to make a commitment to them, they need to make a commitment back that they can get the tools to get the work done; otherwise he has to advise them he cannot make that schedule because it does not give him another option. Council Member Martin said her hesitancy is with the two questions she asked tonight and that it is a three-year agreement. Council Member Martin said she understands that it has the 30 days with or without cause in the agreement, but they are trying to cut the City's costs and costs to employees. Council Member Martin asked if, given the time, Mr. Witherow can do this or is this something they do one time to get the parameters in place and it not be a three-year contract. Vice Mayor Kennedy said he agrees with Council Members Martin and Matthews; and they were pushed into a deadline with Mr. Witherow and he feels they are being pushed the same way with this contract. Vice Mayor Kennedy said he would like to see a deferral also. Council Member Matthews said their biggest complaint was trying to make a decision quickly and they did not have information well in advance and tonight this is a duplication of services in a way. City Manager Boyer said he thinks acquiring the services are essential and if Council is concerned about redundancy, then if he has to make a decision with the time crunch, he would say terminate the contract with the Agent of Record and go with the Sherrill D. Morgan agreement; because they will bring expertise and performance to the table that he has never seen an agent of record bring to the table. Council Member Matthews asked if eliminating the Agent of Record can be done tonight or can it be done between now and October. City Attorney Tisher advised they have a contract and if it is terminated, there can be exposure to termination of contract. Council Member Matthews moved to defer. Vice Mayor Kennedy seconded the motion. Mayor Dickey advised he got some information about the State's healthcare plan and it is going to be expensive and complicated. Mayor Dickey said it is not business as usual and they do not need to make too many decisions too fast. Mayor Dickey spoke about information that is going to take the involvement of the employees and wellness programs. All Council Members present voted aye to defer with the exception of Council Members Greene, Stephenson and Mayor Dickey. Motion to defer passed.

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Item 8.11 - APPROVAL OF AMENDMENT NUMBER 1 WITH J.R. WAUFORD & COMPANY FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE GREENLICK PUMPING STATION AND AUTHORIZE RELATED TRANSFER OF FUNDS – WARD 1 – WASTEWATER DEPARTMENT. Council Member McCullen moved to approve Amendment Number 1 with Jr. Wauford and Company for professional services associated with the Greenlick Pumping Station and authorize related transfer of funds. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTIONS:

RESOLUTION NO. 10-32 - A RESOLUTION AUTHORIZING DELETION OF CITY PROPERTY TAXES AND ASSESSMENTS ON PROPERTY THAT HAS BEEN DEEDED TO THE CITY OF COLUMBIA – CITY RECORDER’S OFFICE.

Council Member Martin moved to approve Resolution No. 10-32. Council Member McCullen seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-35 - AUTHORIZING AN APPROPRIATION OF \$5,000 TO HOPE HOUSE TO PROVIDE AID FOR VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Council Member Matthews moved to approve Resolution No. 10-35. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-36 - AUTHORIZING AN APPROPRIATION OF \$3,000 TO JAMES K. POLK MEMORIAL ASSOCIATION TO PROMOTE TOURISM AND EDUCATIONAL ACTIVITIES.

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Council Member Martin moved to approve Resolution No. 10-36. Council Member Stephenson seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-37 - AUTHORIZING AN APPROPRIATION OF \$2,500 TO CRIMESTOPPERS OF MAURY COUNTY, TO HELP FUND GENERAL OPERATIONS FOR CRIMESTOPPERS OF MAURY COUNTY, INC.

Council Member Martin moved to approve Resolution No. 10-37. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-38 - AUTHORIZING AN APPROPRIATION OF \$5,000 TO THE FAMILY CENTER, TO SUPPORT GENERAL OPERATIONS AND SERVICES.

Council Member Matthews moved to approve Resolution No. 10-38. Council Member Martin seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-39 - AUTHORIZING AN APPROPRIATION OF \$5,000 TO THE BOYS AND GIRLS CLUB OF MAURY COUNTY FOR STAFF TRAINING.

Council Member Martin moved to approve Resolution No. 10-39. Council Member Matthews seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-40 - AUTHORIZING AN APPROPRIATION OF \$3,000 TO COLUMBIA CARES, TO HELP SUPPORT AGENCY EXPENSES.

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Council Member Matthews moved to approve Resolution No. 10-40. Council Member McCullen seconded the motion. Council Member Stephenson said she will recuse her vote on this as she has in the last two years. All Council Members present voted aye with the exception of Council Member Stephenson who recused her vote.

RESOLUTION NO. 10-41 - APPROVING PRORATION FOR THE RELIEF OF ELIGIBLE 2010 TANGIBLE PERSONAL PROPERTY TAX ASSESSMENTS, DUE TO THE 2010 FLOODS – CITY RECORDER’S OFFICE.

Council Member McCullen moved to approve Resolution No. 10-41. Council Members Martin seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-42 - APPROVING PRORATION FOR THE RELIEF OF ELIGIBLE 2010 PROPERTY TAX ASSESSMENTS, DUE TO THE 2010 FLOODS – CITY RECORDER’S OFFICE.

Council Member Stephenson moved to approve Resolution No. 10-42. Council Member McCullen seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-43 - A RESOLUTION ACCEPTING A TREADMILL FOR THE CITY OF COLUMBIA, TENNESSEE FIRE DEPARTMENT – FIRE DEPARTMENT.

Council Member Matthews moved to approve Resolution No. 10-43. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 10-44 - A RESOLUTION DECLARING THE INTENT OF THE CITY OF COLUMBIA, TENNESSEE (THE “CITY”), TO REIMBURSE ITSELF FOR CERTAIN

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EXPENDITURES RELATING TO SEWER
SYSTEM PROJECTS WITH THE
PROCEEDS OF BONDS TO BE ISSUED
BY THE CITY – FINANCE
DEPARTMENT.

Vice Mayor Kennedy moved to approve Resolution No. 10-44. Council Member McCullen seconded the motion. Council Member Martin asked if the intent of this Resolution is not already a part of the normal operating procedure of the City of Columbia and why do they have to do this by Resolution. City Manager Boyer said no it is not and under the Federal Tax Law, we cannot reimburse ourselves for expenses incurred on a project prior to the adoption of the initial Resolution for the bond, unless we adopt an Intent-to-Reimburse Resolution. City Manager Boyer said the City routinely does that to allow us flexibility, but it must be done; it is not a routine part of the bond sale. All Council Members present voted aye.

ORDINANCES:

ORDINANCE NO. 3858 - AN ORDINANCE AMENDING
ORDINANCE NO. 3638, THE SAME
BEING THE ZONING ORDINANCE OF
THE CITY OF COLUMBIA, TENNESSEE
REGARDING CONSERVATION
SUBDIVISION DEVELOPMENT
STANDARD – GRANTS AND
THIRD CONSIDERATION PLANNING DEPARTMENT.

Council Member Stephenson moved to approve Ordinance No. 3858 on third consideration. Council Member Matthews seconded the motion. All Council Members present voted aye.

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

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DATE OF SEPTEMBER 2, 2010 AS THE
DATE OF THE PUBLIC HEARING –
GRANTS AND PLANNING
FIRST CONSIDERATION DEPARTMENT.

Mayor Dickey moved to defer Ordinance No. 3857 on first consideration. Council Member Matthews seconded the motion. All Council Members present voted aye with the exception of Council Member Stephenson who voted no.

ORDINANCE NO. 3859 - AN ORDINANCE AMENDING
ORDINANCE NO. 3638, THE SAME
BEING THE ZONING ORDINANCE OF
THE CITY OF COLUMBIA, TENNESSEE,
BY REZONING 1000 RIVERSIDE DRIVE
(TAX MAP 90J D PARCEL 18.00) FROM
R-10 (RESIDENTIAL) TO MCD (MIXED
COMMERCIAL DISTRICT) AND
ESTABLISH SEPTEMBER 2, 2010 AS
THE DATE OF THE PUBLIC HEARING –
WARD 5 – GRANTS AND PLANNING
FIRST CONSIDERATION DEPARTMENT.

Council Member Stephenson moved to approve Ordinance No. 3859 on first consideration and establish the date of September 2, 2010 as the date of the Public Hearing. Vice Mayor Kennedy seconded the motion. Council Member Matthews asked if this is a spot-zoning situation. City Manager Boyer said this is not spot-zoning. Council Member Matthews said she wanted to make sure this property is alone as an MCD. City Manager Boyer said there is MCD immediately south. City Manager Boyer said what is in between is Columbia Water System's main pump station for raw water, which is certainly at least a commercial use. Council Member Matthews asked if it is zoned commercial. City Manager Boyer said it is probably zoned governmental since it is owned by a government entity. Council Member Stephenson said Mr. Hardison is here this evening and she did not know if he wanted to speak on this matter tonight. Mr. Hardison advised he represents the new owners of Lamplighter. Mr. Hardison said the owners are relocating from Louisiana. Council Member Matthews asked if it will

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be New Orleans food. Mr. Hardison replied it will sort of be New Orleans food. All Council Members present voted aye.

ORDINANCE NO. 3861 - TO AMEND TITLE 18, CHAPTER 1,
SECTION 18-102(A) OF THE
MUNICIPAL CODE OF THE CITY OF
COLUMBIA WITH REFERENCE TO
SEWER CONNECTION CHARGE –
FIRST CONSIDERATION WASTEWATER DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3861 on first consideration. Council Member McCullen seconded the motion. All Council Members present voted aye.

OTHER BUSINESS:

Council Member McCullen said he is a Vietnam Veteran and there is a Regiment that will return home from Iraq on Monday. Council Member McCullen advised the Regiment will be in Smyrna, Tennessee. Council Member McCullen said he thinks Council should put together a Resolution to acknowledge the 278 Regiment. Council Member McCullen spoke about a special event to recognize the people. Mayor Dickey said they will get together to discuss this.

Vice Mayor Kennedy said there were signs placed in River Walk Park about dogs and cleaning up after them, but people are not paying attention to the signs. Vice Mayor Kennedy asked if anything can be done to enforce it. City Manager Boyer said if they are caught in the act, they can be cited for it or be made to clean it up, but that means someone has to be there. Vice Mayor Kennedy asked about putting something in the paper about this. Council Member Matthews said the dogs in the park are more likely in violation of the leash law. Council Member Matthews spoke about starting to get tighter on the leash laws. City Manager Boyer said there are two people enforcing the animal laws throughout the City. City Manager Boyer advised the City will see what it can do.

Council Member Martin said on Tuesday night there were several Night Out Against Crime events. Council Member Martin said there was one in

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particular in Frierson-Johnson Park that she wanted to give accolades to the people that supported it across the City Council and city departments. Council Member Martin said they appreciate everything everyone donated. Council Member Martin recognized Ms. Hardison and Ms. Sherry Pye. Council Member Martin advised there were department heads there as well. Council Member Martin advised the kids had a wonderful time and they got to see some of the good things in the City. Council Member Martin said on Tuesday night there was a short discussion about the meeting between the City Manager, Parks and Recreation Director Borden and herself regarding Frierson-Johnson Park. Council Member Martin asked Council not to throw away the staff report from that meeting, because they will revisit it sometime in the future, around budget time next year. Council Member Martin said they appreciate the efforts to get lights under the shelter and the ADA compliant portable bathroom on the pad.

Council Member Matthews said best of luck to everyone today since it is Election Day. Council Member Matthews advised she has been out in the field and she wanted to commend everyone for running honorable and respectable, hard races.

Mayor Dickey said this weekend is the American Legion Post 19 Southeastern Conference Tournament at Columbia State Community College. Mayor Dickey went over some of the teams that will be playing in the tournament. Mayor Dickey said there will be several hundred people that are going to be visiting the City. Mayor Dickey recognized those that made this happen. Mayor Dickey said the City is fortunate to have that with us this week and the winner will advance to the World Series in Spokane, Washington. Council Member Stephenson her family is operating the concession stand tonight.

Council Member McCullen said for the last couple of years he has been sick and he is now doing better and he appreciates everyone's patience.

PUBLIC COMMENTS:

Mrs. Cindy Murdock Elliott, Director of Tennessee Rehabilitation Center in Columbia, thanked Council for what they do and for their support.

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Mrs. Lolly Watson, Executive Director of the Family Center, thanked Council for the gift they gave tonight.

Mr. John Stephens, Executive Director of the Boys and Girls Club of Maury County, thanked Council for their support.

Vice Mayor Kennedy moved to adjourn the meeting. Council Member Stephenson seconded the motion.

There being no further business the meeting adjourned at 7:54 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER