

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

August 18, 2011 – 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, Council Members Debbie Matthews, Christa Martin, Mike Greene and Susan Stephenson, City Manager Paul C. Boyer, Jr., City Attorney Tim Tisher, City Recorder Betty Modrall, and Recording Secretary Liz Bermudez. Council Member Carl McCullen arrived following the roll call at 6:30 p.m.

Pastor Georgina Bearden offered the invocation followed by the Pledge of Allegiance led Council Member Matthews.

APPROVAL OF AGENDA:

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

PRESENTATION:

Item 5.1 - **PRESENTATION PROCLAMATION TO SAM DELK KENNEDY.** Mayor Dickey asked Mr. and Mrs. Sam Delk Kennedy to stand at the front of the room with the rest of his family. Mayor Dickey said this is long time overdue; for all that Mr. Kennedy has done for the community. Mayor Dickey spoke of all that Mr. Kennedy has accomplished. Mayor Dickey read the proclamation designating August 18, 2011 as Sam Delk Kennedy Day in Columbia, Tennessee. Mr. Kennedy said he is deeply honored and he has always loved Columbia. Mr. Kennedy advised he likes what the Council is doing for Columbia. Mr. Kennedy thanked everyone.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 4, 2011.** Council Member McCullen moved to approve the August 4, 2011 Regular City Council Meeting Minutes. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

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Item 6.2 - APPROVAL OF WARD 2 COUNCIL MEMBER DEBBIE MATTHEWS' NOMINATION OF MILTON HAY TO BE APPOINTED TO THE CITY OF COLUMBIA PARKS AND RECREATION COMMISSION FOR A THREE YEAR TERM EXPIRING ON AUGUST 18, 2014. Council Member Matthews moved to approve the nomination of Milton Hay to the Columbia Parks and Recreation Commission for a three-year term expiring on August 18, 2014. Vice Mayor Kennedy seconded the motion. Council Member Matthews said she is honored to make this nomination, but she wants to also acknowledge the Park Board Member that has served wonderfully for eleven years from her Ward. Council Member Matthews advised she is under the understanding that Council is trying to get new people on the Board and she looks forward to seeing the new members of the Board. All Council Members present voted aye.

Item 6.3 - APPROVAL OF MAYOR'S APPOINTMENT OF ALAN B. PEDIGO TO THE CITY OF COLUMBIA WASTEWATER APPEALS BOARD FOR A THREE YEAR TERM EXPIRING ON AUGUST 18, 2014. Mayor Dickey moved to approve the appointment of Mr. Pedigo to the Columbia Wastewater Appeals Board for a three-year term expiring on August 18, 2014. Council Member Stephenson seconded the motion. All Council Members present voted aye.

Item 6.4 - APPROVE RETIREMENT BENEFITS FOR BILLY JOE THOMPSON, SANITATION WORKER, PUBLIC WORKS DEPARTMENT – PERSONNEL DEPARTMENT. Council Member Martin moved to approve the retirement benefits for Mr. Thompson. Council Member Matthews seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Council Member Stephenson asked to remove Item 7.4. Council Member Matthews moved to approve the Consent Agenda with the exception of Item 7.4. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye and the following items were approved:

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1. Disbursements for the month of June 2011 in the amount of \$3,622,286.07 – Finance Department.
2. Approve and authorize the Mayor to sign the Non-Exclusive Use and Occupancy Permit between the City of Columbia and the Pop Warner Little Scholars for their 2011 Football Season – Ward 4 – Parks and Recreation Department.
3. Approve and authorize the Mayor to sign the Non-Exclusive Use and Occupancy Permit between the City of Columbia and the Maury County Youth Football League for the 2011 Season – Wards 3 and 4 – Parks and Recreation Department.
5. Approve the use of Robinette Trucking for the transport of wastewater solids – Wastewater Department.
6. Authorization for sole source procurement of disinfecting system parts and repairs – Wastewater Department.

Item 7.4 - TRANSFER OF FUNDS BETWEEN ACTIVITIES WITHIN PUBLIC WORKS-STREET DEPARTMENT (FY2010-11) – FINANCE DEPARTMENT. Council Member Stephenson said she does not have any objections about transferring the funds. Council Member Stephenson said her concern is about brush pickup in all five Wards. Council Member Stephenson advised that Public Works worked really hard after the storms, but some people cannot get tree service right away. Council Member Stephenson advised she spoke to Public Works Director Donaldson about brush she saw around Ward 5 and was told it would start to be picked up on August 8th. Council Member Stephenson advised that she left town on August 9th and came back this past Monday evening and a lot of the brush is still there. Council Member Stephenson spoke of improving the brush pickup service. Council Member Stephenson said what is being done now needs to be improved upon, but it is not a slight against Public Works or the Public Works Director. Council Member Matthews advised there are large piles of dry brush that has not been picked up, so Ward 2 is also waiting to get brush picked up. City Manager Boyer advised they are looking at increasing the frequency of service, but that will not come without an additional charge because there is not enough staff or equipment to increase the frequency of service. Council Member Matthews asked if they can increase brush pickup just due to the bad storm season. City Manager Boyer advised staff has worked all they can; they worked hard during and

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after the storms. City Manager Boyer said everyone, except the mowing crew, worked on brush pickup. City Manager Boyer advised brush pickup will be looked into. Council Member Greene said he had the opposite response, saying how the City was doing a great job. Council Member Greene advised he had real positive comments from Ward 4 and they were pleased with the service they got after the storms. Council Member Martin said since May of 2011, they have been in constant contact with the City Manager. Council Member Martin advised that is who she sends her requests directly to and expects him to take action on them. Council Member Martin said since that time we have had the storm and then we had wind that brought out the leaves and limbs that were broken that did not fall the first time. Council Member Martin continued by saying we had the second round and some may say a round and a half. Council Member Martin advised in the 3rd Ward they have had a combination of reports. Council Member Martin said in the 3rd Ward there were a couple of times that a particular area took a real hit with major trees being broken. Council Member Martin spoke about how they worked with the City through the City Manager's Office. Council Member Martin said that there were people without electricity and all kinds of things. Council Member Martin reiterated that the 3rd Ward had a combination of good and bad responses about the storm. Council Member Martin said she even had three huge trees down in her yard. Council Member Martin reiterated that the 3rd Ward did take some hits from the storm and that there were both good and bad reports. Council Member McCullen said he got good reports from his constituents. Council Member Stephenson said when she met with the City Manager this afternoon and voiced her concern, he did not mention anything about additional costs. Council Member Stephenson moved to approve Item 7.4. Council Member Martin seconded the motion. All Council Members present voted aye.

ADMINISTRATION:

Item 8.1 - AWARD BID AND AUTHORIZE MAYOR TO EXECUTE THE CONTRACT WITH PAUL VARNEY CONSTRUCTION FOR THE FARMERS' MARKET PROJECT – WARD 5 – ENGINEERING DEPARTMENT. Council Member Stephenson moved to award the bid and authorize the Mayor to execute the contract with Paul Varney Construction for the Farmers' Market Project along with amending the

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contract to include Alternate 3 (\$18,000 for a metal roof) with the money for Alternate 3 to be taken out of the General Fund - Reserves. Council Member Stephenson spoke about saving money for the City by lowering the cost of maintenance with a metal roof. Vice Mayor Kennedy seconded the motion. Council Member Greene asked if the funds are available. City Manager Boyer advised there is a reserve account built into the budget of \$150,000 to handle unforeseen expenses through the year; and based on Council Member Stephenson's motion, the \$18,000 would come out of that reserve fund. Council Member Matthews said over the last few years, she has given up her travel to put money towards other issues that they need and she will be happy to put her travel portion towards the purchase of covering the General Fund. City Manager Boyer advised the entire Council's travel budget is \$7,000 for this year. Council Member Matthews said if part of the travel budget goes towards it, then she is happy to do that. Mayor Dickey said since the City Manager said there is money in the reserves that they go with that. Council Member Stephenson said she inquired about travel as well. All Council Members present voted aye on the contract as amended. Mayor Dickey clarified that the motion was to approve the item as written while including Alternate 3. City Recorder Betty Modrall advised that is correct.

RESOLUTIONS:

RESOLUTION NO. 11-55 - TAX CORRECTIONS – CITY RECORDER'S OFFICE.

Council Member Martin moved to approve Resolution No. 11-55. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCES:

ORDINANCE NO. 3892 - AN ORDINANCE TO AMEND THE FY 2011-2012 BUDGET ORDINANCE NO. 3882, PROVIDING FOR REVISIONS TO THE GENERAL, STATE STREET AID, DRUG, SANITATION, CAPITAL PROJECTS AND SEWER SYSTEM

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REVENUE FUNDS AND ESTABLISH
THE DATE OF SEPTEMBER 15, 2011 AS
THE DATE OF PUBLIC HEARING –
FIRST CONSIDERATION FINANCE DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3892 on first consideration and establish the date of September 15, 2011 as the date of Public Hearing. Council Member Matthews seconded the motion. All Council Members present voted aye.

OTHER BUSINESS:

Council Member Matthews asked the Council to think about the Police Department issuing littering fines for rental owners putting trash and etc. at the road as their tenants leave. Council Member Matthews spoke about making owners accountable to pay the fine.

Council Member Stephenson said what Council Member Matthews just spoke about is something that can be looked into the future when they look into codes legislation. Council Member Stephenson said she has gotten calls that the quarantined home on 2nd Avenue has been breached. Council Member Stephenson said she called Robin Howell (Columbia Police Lieutenant) and asked him to look into this matter. Council Member Stephenson advised she has not heard back from him and left a message yesterday.

PUBLIC COMMENT:

Mr. Tim Yeager of Riverside said Congress shall make no laws without the consent of the governed. Mr. Yeager spoke about an article about creative codes enforcement in Franklin, TN. Mr. Yeager said he is the founder of a Nonprofit Organization www.thegoverned.org. Mr. Yeager advised that Mrs. Modrall did not get the spelling of the website correct before. Mr. Yeager advised that yesterday he went to the police department to pick up some police sheets and police reports for July and August, which is something he does periodically. Mr. Yeager went over the difference between police sheets and police reports. Mr. Yeager said he has 23 pages that are connected to the house at 105 Riverside Dr., which is a rental

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property next door to him. Mr. Yeager advised there are a dozen calls for July and August at the property. Mr. Yeager said he witnessed three incidents at the property. Mr. Yeager advised since the first of August there have been four incidents at the residence. Mr. Yeager said the property is trashy, and he is here to make a code enforcement complaint. Mr. Yeager spoke about the IPMC and it being a voluntary discretionary document. Mr. Yeager said he has gone through procedure, has gone through the code enforcement, then went to Mr. Boyer and it was unsatisfactory and then it went to Mr. Tisher who made a decision as to what is or what is not acceptable in the character in his neighborhood.

Council Member Matthews advised that Mrs. Modrall does not type the Minutes. Council Member Matthews advised Mr. Yeager that she is not the enemy, and they are trying to bring property up in the town. Council Member Matthews asked that Mr. Yeager speak to them with some decorum.

There being no further business Council Member Stephenson moved to adjourn the meeting. Council Member Matthews seconded the motion. The meeting adjourned at 7:13 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER