

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

September 1, 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, 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 Recording Secretary Liz Bermudez. Vice Mayor Kennedy was absent.

Council Mike Greene offered the invocation followed by the Pledge of Allegiance led Council Member McCullen.

APPROVAL OF AGENDA:

Council Member McCullen moved to approve the Agenda. Council Member Stephenson seconded the motion. All Council Members present voted aye.

PRESENTATION:

Item 5.1 - **SEPTEMBER 11 MOMENT OF REMEMBRANCE PROCLAMATION.** Mayor Dickey advised the proclamation will be read on September 11, 2011 at Noon on the Courthouse steps.

Item 5.2 - **PRESENTATION OF RETIREMENT PLAQUE AND GIFT CHECK TO PUBLIC WORKS DEPARTMENT EMPLOYEE BILLY JOE THOMPSON – PERSONNEL DEPARTMENT.** Mayor Dickey asked that Mr. Thompson and Public Works Director Ken Donaldson join him at the front of the room. Mayor Dickey thanked Mr. Thompson for his 27 years of hard work. Mayor Dickey read the retirement plaque and presented Mr. Thompson with a gift check. Mr. Thompson thanked Mr. Donaldson and the others at Public Works. Mr. Thompson said he enjoyed working with everyone. Director Donaldson said Mr. Thompson is everything that anyone would want in an employee and he gave dedicated service. Director Donaldson said Mr. Thompson is the type of person that makes this a great place to work.

ORGANIZATIONAL BUSINESS:

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Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 18, 2011.** Council Member Martin moved to approve the August 18, 2011 Regular City Council Meeting as presented to Council at their station tonight. Council Member Matthews seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Council Member McCullen 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. Approve and authorize the Mayor to execute a service agreement with Presidio Networked Solutions, Incorporated – MIS Department.
2. Approve and authorize the Mayor to execute an agreement with Water Management Services for Engineering Services at the Duck River Pump Station Structure – Wastewater Department.
3. Award bid for an all-in-one large format printer – Engineering Department.
4. Authorization to dispose of surplus City property – Finance Department.
5. Approval to submit an application for the 2011 Assistance to Fire Fighter Grants Program – Fire Department.

ADMINISTRATION:

Item 8.1 - **APPROVE AND AUTHORIZE THE MAYOR TO SIGN AMENDMENT NO. 2 TO A DEVELOPER AGREEMENT BETWEEN THE CITY OF COLUMBIA AND ADVENT COMMUNITY DEVELOPMENT CORPORATION FOR ELIGIBLE ACTIVITIES UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM - WARD 3 - CITY MANAGER’S OFFICE.** Council Member Matthews moved to approve and authorize the Mayor to sign Amendment No. 2 to the Developer Agreement between the City and Advent Community Development Corporation. Council Member Stephenson seconded the motion. All Council Members present voted aye with the exception of Council Member Martin who abstained.

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Item 8.2 – AWARD BID AND APPROVE EXECUTION OF CONTRACT FOR FY 2011-12 STREET RESURFACING TO ROGERS GROUP, INCORPORATED – WARDS 1, 2, 3, 4 AND 5 – ENGINEERING DEPARTMENT. Council Member Martin moved to award the bid and approve execution of the Contract with Rogers Group, Incorporated. Council Member Matthews seconded the motion. Council Member Matthews said she is thrilled that there are streets that are going to be paved, but she would like to know the protocol for letting the residents of a street know that their street will be paved. City Manager Boyer advised the contractor will leave notices for all the homes or businesses on the street with about two days notice letting them know they will need to move their vehicles. All Council Members present voted aye.

RESOLUTIONS:

RESOLUTION NO. 11-51 - RESOLUTION TO ACCEPT A HISTORICAL POLK PLACES IN MAURY COUNTY PAINTING DONATED IN MEMORY OF REVEREND GILLEY NORD ANDREWS AND IN APPRECIATION FOR THE SERVICE AND DEDICATION OF THE COLUMBIA FIRE DEPARTMENT AND THE COLUMBIA FIRE DEPARTMENT HONOR GUARD – FIRE DEPARTMENT.

Council Member Martin moved to approve Resolution No. 11-51. Council Member McCullen seconded the motion. All Council Members present voted aye. Mayor Dickey asked that Chief Bergeron, Captain Charlie Norman, Captain Roy Brooks and the family of Mr. Gilley Nord Andrews come up front. Chief Bergeron said the Columbia Fire Department wanted to thank Mrs. Andrews for the wonderful painting. Chief Bergeron advised the painting will be placed in Station 2. Chief Bergeron said Reverend Andrews gave many contributions to the community, he served in the Korean War with honor and it will be an honor for the Columbia Fire Department to place the painting in Station 2. Chief Bergeron thanked Mrs. Andrews for the gift of her son, Captain Marks, who does a wonderful job for the Fire Department. Chief Bergeron again thanked Mrs. Andrews in

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remembrance of her late husband. Chief Bergeron said the City of Columbia has one of the best Honor Guards in the County. Captain Norman invited everyone to come the 9/11 ceremony that will be held on Sunday, September 11, 2011 at Maury Hills Church of Christ at 7:30 p.m. Captain Norman advised this will be the 10th Anniversary of 9/11. Captain Norman said they will be honoring the 85 firefighters that died last year in the Nation and the 343 firefighters that died on 9/11.

RESOLUTION NO. 11-56 - RESOLUTION TO ACCEPT SAFETY ORIENTED PROPS, A BOOK “TIMMY THE FIREHOUSE MOUSE” AND A STORY BOOK CD FROM ARCTIC SOUND STUDIOS – FIRE DEPARTMENT.

Council Member Martin moved to approve Resolution No. 11-56. Council Member McCullen seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 11-57 - TAX CORRECTIONS – CITY RECORDER’S OFFICE.

Council Member Matthews moved to approve Resolution No. 11-57. Council Member Martin seconded the motion. All Council Members present voted aye.

ORDINANCES:

ORDINANCE NO. 3892 - AS AMENDED - 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 REVENUE FUNDS – FINANCE SECOND CONSIDERATION DEPARTMENT.

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Council Member McCullen moved to approve Ordinance No. 3892 on second consideration. Council Member Matthews seconded the motion. City Attorney Tisher advised the Ordinance needs to be amended; City Attorney Tisher said it is before Council in an amended form, but the motion needs to be passed as amended. Mayor Dickey moved to approve the Ordinance as amended. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3893 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638 – THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA BY REZONING 2.47 ACRES OFF HIGHWAY 31 SOUTH BEING A PORTION OF TAX MAP 113 PARCEL 80.00 FROM RS-40 (RESIDENTIAL SINGLE-FAMILY) TO GCS (GENERAL COMMERCIAL SERVICE) AND ESTABLISH THE DATE OF OCTOBER 6, 2011 AS THE DATE OF THE PUBLIC HEARING – WARD 4 – GRANTS AND PLANNING DEPARTMENT.

FIRST CONSIDERATION

Council Member Greene moved to approve Ordinance No. 3893 on first consideration and establish the date of October 6, 2011 as the date of Public Hearing. Council Member Martin seconded the motion. All Council Members present voted aye.

OTHER BUSINESS:

Council Member Martin said thanks for everything that the Mayor and Council did in acts of sympathy expressed to the family of former Commissioner Walter Harlan. Council Member Martin said former Commissioner Harlan was a “Champion for the County” and he was engaged in the City in many ways. Council Member Martin said his wife appreciates all that was done. Council Member Martin said in their email they received a letter from TML about the elimination of street signs compliance date. Council Member Martin asked that the City Manager

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speak about where the City is with this program and if this change is going to cause concerns for the City. City Manager Boyer advised the City is working on a program to bring all signs in compliance with the new regulations, and the City is probably about 75% to 80% finished with the program. City Manager Boyer said the City has been implementing the program as we have been replacing signs. City Manager Boyer said the requirement for changing signs is still in place, but the deadline has been dropped. City Manager Boyer advised many cities are not as far along as Columbia in replacing signs, but there is not a City that has completed replacing their signs. Council Member Martin asked about the Riverwalk project and the work that is being done. Council Member Martin said the largest part of the Riverwalk project is in the 5th Ward, but there are major things going on in the 3rd Ward. Council Member Martin asked the City Manager to contact contractors to see how many times the streets are getting wetted down to help with the dust. City Manager Boyer said he has not seen that the streets have been wetted down, but he may have missed it. City Manager Boyer advised he will ask Engineering to see if it has been done and if it can be done. Council Member Martin said when the bridge on Trotwood was being redone, there were signs that businesses were open; but on 5th street and 6th street by the Riverwalk, the “open for business signs” are not there. Council Member Martin asked if those signs can be placed out to help the businesses so the public will know they are open. City Manager Boyer said it is the responsibility of the General Contractor and he will ask them about that. Council Member Martin advised on September 13th the TN Commission of Mental Health will be at CSCC at the Cherry Theater at 11:30 a.m.

Council Member Matthews said she likes the new font on the street signs. Council Member Matthews said the unemployment numbers are stagnant, but the good news is that automotive sales are up. Council Member Matthews said she is hoping that may mean that GM may have to reopen another facility. Council Member Matthews said she would like to see if the City can help push that in anyway and ask the “higher ups” to contact them and see if they can reopen. Council Member Matthews said FEMA is now suspending purchasing of housing. Mayor Dickey said it is his understanding that it was in Davidson County. City Manager Boyer advised Assistant City Manager Moody has been trying to get in touch with someone from TEMA or FEMA. Council Member Matthews asked to get

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information on this topic. Council Member Matthews advised a citizen contacted her regarding information she requested about littering laws and how the City can enforce littering laws. Council Member Matthews thanked the citizen for the information. Council Member Matthews said the citizen directed her to a place in the TCA that speaks about jail sentences, public fines, etc. Council Member Matthews spoke about the “Trash Judge” from Memphis.

Council Member McCullen asked about the Safe Routes to School cost increase. City Manager Boyer said it is the cost of construction going up since the five years of trying to get this done, but it is his understanding that the State will release money to cover that. City Manager Boyer advised they started the project this week.

Council Member Stephenson thanked Mr. Boyer and Director Donaldson in Public Works for being caught up in the brush pickups and she did get a lot of positive calls. Council Member Stephenson said Public Works did a great job and hopefully in the future they can do something to make the brush pickup a little better than it is now. Council Member Stephenson said in the newsletter that Assistant City Manager Moody puts together, there was an article about the City being awarded the Government Finance Officers Association *Certificate of Achievement for Excellence in Financial Reporting* for the 12th consecutive year. Council Member Stephenson said that is important for both the Council and public to recognize and acknowledge. Council Member Stephenson said it is an honor and she thanked Finance Director Baltzer and her staff for all they do. Finance Director Baltzer advised Mrs. Modrall is also involved in getting the award.

Mayor Dickey advised Council has updates on the Code/Charter in front of them. Mayor Dickey asked how often there are updates to the Code/Charter. City Manager Boyer advised it depends on how many Ordinance amendments are passed, but since he has been here, this would be the second time.

PUBLIC COMMENT:

Mr. Tim Yeager said he has documents that he wants to give to the City Recorder when he is done. Mr. Yeager said in the document there are

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partial excerpts from some correspondence that he had with a State Staff Attorney and State Representative Ty Cobb. Mr. Yeager advised the conversation began around March 17, 2010. Mr. Yeager said part of the correspondence was between State House Representative Staff Attorney Sally Swaney and himself. Mr. Yeager said the correspondence was a result of being advised by City of Columbia senior staff, executives and former Mayor Bill Gentner to go to his Representatives and Senator if he wants to change the Codes. Mr. Yeager advised that Representative Cobb was the “go between” during the correspondence and Representative Cobb did not make a comment one way or another; it was Staff Attorney Sally Swaney who responded. Mr. Yeager went over what Ms. Swaney responded to him. Mr. Yeager said his interpretation of what Ms. Swaney responded to him is that the local authorities are “dropping the ball” before they even pick it up when it comes to Code Enforcement in Columbia. Mr. Yeager advised he sent the correspondence to City Manager Boyer and asked what he and City Attorney Tisher thought about the remarks. Mr. Yeager said City Manager Boyer responded by saying they do not agree with that opinion and the State limits the City’s actions in many ways.

There being no further business the meeting adjourned at 7:10 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER