

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

September 15, 2011 – 6:30 p.m.

PUBLIC HEARING - ON ORDINANCE NO. 3892- AN ORDINANCE TO AMEND THE FY 2011-12 BUDGET ORDINANCE NO. 3882, PROVIDING FOR REVISIONS TO THE GENERAL, STATE STREET AID, DRUG, SANITATION, CAPITAL PROJECTS AND SEWER SYSTEM REVENUE FUNDS.

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

There being no one present to speak on Ordinance No. 3892, Council Member Martin moved to close the Public Hearing. Council Member Matthews seconded the motion. All Council Members present voted aye.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY R. MODRALL, CITY RECORDER

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Reverend Tommy Vann offered the invocation followed by the Pledge of Allegiance led Council Member Martin.

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

APPROVAL OF AGENDA:

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

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 1, 2011.** Council Member Martin moved to approve the September 1, 2011 Regular City Council Meeting Minutes. Council Member McCullen seconded the motion. All Council Members present voted aye.

Item 6.2 – **APPROVE RETIREMENT BENEFITS FOR BOBBY FITZGERALD, SANITATION WORKER, PUBLIC WORKS DEPARTMENT – PERSONNEL DEPARTMENT.** Council Member Martin moved to approve the retirement benefits for Bobby Fitzgerald. Council Member Matthews seconded the motion. All Council Members present voted aye.

Item 6.3 – **APPROVE RETIREMENT BENEFITS FOR R.B. BROOKS, EQUIPMENT OPERATOR, PUBLIC WORKS DEPARTMENT – PERSONNEL DEPARTMENT.** Council Member Martin moved to approve the retirement benefits for R.B. Brooks. Council Member Matthews seconded the motion. All Council Members present voted aye.

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CONSENT AGENDA:

Council Member Matthews moved to approve the Consent Agenda. Council Member Martin seconded the motion. All Council Members present voted aye and the following item was approved:

1. Disbursements for the month of August 2011 in the amount of \$5,017,490.38 – Finance Department.

RESOLUTIONS:

RESOLUTION NO. 11-58 - TAX CORRECTIONS – CITY RECORDER’S OFFICE.

Council Member Martin moved to approve Resolution No. 11-58. Council Member Matthews seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 11-60 - A RESOLUTION ACCEPTING THE U.S. DEPARTMENT OF JUSTICE-BUREAU OF JUSTICE ASSISTANCE, FY 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) LOCAL SOLICITATION – POLICE DEPARTMENT.

Council Member Matthews moved to approve Resolution No. 11-60. Council Member Stephenson seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 11-61 - A RESOLUTION AUTHORIZING THE USE OF PURCHASING CARDS FOR PAYMENT OF CERTAIN DEPARTMENTAL EXPENSES – FINANCE DEPARTMENT.

Council Member McCullen moved to approve Resolution No. 11-61. Council Member Martin seconded the motion. All Council Members present voted aye.

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RESOLUTION NO. 11-64 - A RESOLUTION TO ACCEPT A SURPLUS 1999 FREIGHTLINER TRUCK SURPLUS FROM THE UNITED STATES DEPARTMENT OF DEFENSE TO BE CONVERTED INTO A MOBILE COMMAND POST – POLICE DEPARTMENT.

Council Member Matthews moved to approve Resolution No. 11-64. Council Member Stephenson 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 REVENUE FUNDS – FINANCE DEPARTMENT.

THIRD CONSIDERATION

Council Member McCullen moved to approve Ordinance No. 3892 on third consideration. Council Member Martin seconded the motion. Council Member Martin said she will need some insight as to what has changed with this Ordinance and where they stand with it now since this is their third copy of the Ordinance. City Manager Boyer advised on Tuesday night it was agreed upon to go back to the Ordinance that was approved on second consideration. Council Member Matthews said it is bothersome to her with the Ordinance changing between the two considerations and with it back to the way it was. Council Member Matthews said Item 10.1 has been corrected, the item now says the \$85,442 will go back to the Capital Fund for Council to make a decision on how to spend it for fire facility improvements, where before it spoke about possibly using the money to pave a driveway for Fire Station 2 for Mr. Pace. City Manager Boyer advised the Ordinance was never changed; the written backup information

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was changed. Council Member Matthews said they had borrowed \$2.3 million for Fire Station 2; the remaining money from that project was to be put into improvements at other fire stations. Council Member Matthews asked if the \$85,442 is all the money left from the original loan. City Manager Boyer advised that it is. Council Member Matthews said it is now going back into the Capital Projects Fund and Council made it clear they wanted to use the remaining funds for improvements to the aprons at Fire Stations 1 and 3. Vice Mayor Kennedy said the money is what they are talking about tonight; the moving of the money would be discussed at another night. Council Member Matthews asked if the money would be going back into the Capital Projects Fund with this vote. City Manager Boyer advised the money is encumbered by the bond itself; the bond that financed the money is only usable for public safety facilities. Council Member Matthews said the money is not designated specifically. City Manager Boyer said at this point, the money is not designated specifically; it will be used for public safety facilities. Council Member Matthews reiterated that they had previously spoken about designating the money for improvements to Fire Stations 1 and 3. Council Member Martin said on September 13th, they had their study session paperwork and in that paperwork it has the \$85,442 with a project identified. Council Member Martin asked if that is nullified. City Manager Boyer advised the money will be more generally defined to be used for fire department facility improvements and not specifically in one project. Council Member Martin said the Ordinance before Council, with the items listed, gives them general consideration at some point for a Council vote. City Manager Boyer said Council is putting the money in the correct account. Council Member Stephenson said she wanted to make sure, if there was money left over from Station 2, they use the monies to concrete the apron at Station 3 and also to concrete the opposite side to get additional parking. Council Member Martin advised everything has to be re-voted on when it comes up for bid. Council Member Matthews asked when something changes that they are alerted in bold. City Manager Boyer advised the Ordinance never changed, it is the controlling document; the backup had an error and it was changed. Council Member Stephenson said when a document changes in any way she likes to see a before and after. All Council Members present voted aye.

ORDINANCE NO. 3893 - AN ORDINANCE TO AMEND
ORDINANCE NO. 3638 – THE SAME

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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) – WARD 4 – GRANTS AND

SECOND CONSIDERATION PLANNING DEPARTMENT.

Council Member Matthews moved to approve Ordinance No. 3893 on second consideration. Council Member Martin seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3894 - AN ORDINANCE TO CHANGE THE INTERSECTION OF OLD HIGHWAY 31 AND SPRING MEADE BOULEVARD TO A FOUR-WAY STOP – WARD 5 –
FIRST CONSIDERATION PUBLIC WORKS DEPARTMENT.

Council Member Stephenson moved to approve Ordinance No. 3894 on first consideration. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3895 - AN ORDINANCE TO ESTABLISH THE SPEED LIMIT ON TROTWOOD AVENUE AT FORTY-FIVE MILES PER HOUR FROM FOSTER LANE TO THE SOUTH CITY LIMITS – WARD 4 –
FIRST CONSIDERATION PUBLIC WORKS DEPARTMENT.

Council Member McCullen moved to approve Ordinance No. 3895 on first consideration. Vice Mayor Kennedy seconded the motion. Council Member Matthews said there is a lack of enforcement there and they may need to enforce it, instead of changing the speed limit. Council Member Martin asked if this was a request from a group of citizens, a business, or in response to an observation. City Manager Boyer said he received a request to look into it from the Mayor and he would guess it was stimulated by a

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request from users of Ridley Park. Council Member Martin asked what would happen if Council did not do something with this Ordinance tonight; what timeframe would they have for additional information. City Attorney Tisher advised Council that this is just first consideration and there are three considerations needed for approval or Council could defer the item. City Attorney Tisher said if Council does not do anything with the Ordinance tonight, then it will fail. Council Member Martin moved to defer Ordinance No. 3895 on first consideration. Council Member Matthews seconded the motion to defer. Council Member Matthews spoke about signals being placed at Ridley. City Manager Boyer said it is in the design phase and will be presented to TDOT for funding. Council Member Matthews asked if the signal would help curtail some of this. City Manager Boyer said he thinks the signal will improve the safety for those leaving Ridley Park, but he would never say the signal will stop speeding. Council Member Martin asked if they know what the Council Member from Ward 4 has to say about this item. City Manager Boyer advised Council Member Greene spoke in opposition to the item on Tuesday night. All Council Members present voted aye on the deferral.

OTHER BUSINESS:

Council Member McCullen said he sees the Disclaimer Law about political signs that has been put in front of them. Council Member McCullen advised that he got a call from Mr. Baxter about the disclaimer, but he was not aware of the law. Council Member McCullen said he spoke to the person that made the signs and they made stickers and rectified his signs immediately. Council Member McCullen said the person that made the complaint went to the District Attorney and stated that he wished someone had contacted him before things went that far.

Council Member Matthews said the Disclaimer Law has been a state law for a long time. Council Member Matthews spoke about what she saw on the news about the automated weapons firing that happened in Mt. Pleasant today. Council Member Matthews said there was supposed to be information on police pay on the Agenda; it was removed for further discussion, but it has not been forgotten. Council Member Matthews said they are trying to figure out how to do this because it needs to be done. Council Member Matthews advised, unfortunately, Columbia has a

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reputation of being a violent city and over the last couple years it has diminished. Council Member Matthews spoke about the importance of keeping the trend of the violence diminishing. Council Member Matthews said over the last four years, at every budget meeting except last year because the economy was so bad, it was her main objective that they try to get the Police Department's pay at least equal to that of the Sheriff's Department. Council Member Matthews said the City Police Department's pay is behind all the surrounding cities, but one. Council Member Matthews said there have been huge capital projects in the Fire Department that have cost millions of dollars and the payment on those notes are more than what they are asking for a raise for the police. Council Member Matthews said the City is at an emergency level, because it keeps losing officers they just hired.

Council Member Martin advised in the economy we are in today it is so important that we recognize great employees who give service to the City of Columbia; for some time we have not been able to include raises for our employees. Council Member Martin said it worries her and all of Council and it concerns them, as people have to make decisions. Council Member Martin added that, as they look at the focus of city dollars and try to address areas of concern, she wants everyone to know that they all know they value the employees. Council Member Martin said when they look at pay there has to be a priority, but she wants people to know that everyone that works here is important and they will do their due diligence to figure out how to address the concerns. Council Member Martin said the issues will be addressed and decisions will be made. Council Member Martin said the City has good people and they will try to keep them.

Council Member Stephenson said it is Council's responsibility to look at all departments and they understand the higher risk of uniformed employees and they have to be realistic in what they do. Council Member Stephenson advised that Council will be spending a great deal of time on this. Council Member Stephenson said they have heard about jobs coming to the surrounding cities in Maury County, but what concerns her is that the City of Columbia is not making much headway in employment. Council Member Stephenson said the City compensates Maury Alliance a great deal of money to help in the endeavor, but still they have not heard about much

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going on in the City. Council Member Stephenson spoke about needing to get more jobs and employment in the City of Columbia.

City Manager Boyer advised that Mr. Gengelbach will be at Council's next meeting. City Manager Boyer said the paving projects will begin Monday, weather permitting. City Manager Boyer went over the schedule for the paving and said they are working on getting the schedule out to the public. Council Member Matthews asked how many weeks the paving should take. City Manager Boyer said maybe six weeks, but it is very weather dependent.

Vice Mayor Kennedy said the City of Columbia could not have a better staff and every avenue will be exhausted, until they get the best there is. Vice Mayor Kennedy asked that people bear with them. City Manager Boyer advised they are working on the pay situation and he wanted to thank the four police officers that have come to him in the last two days to talk about this issue. City Manager Boyer said they have not dropped the ball, the work is continuing and they will get something to Council as quickly as they are confident that the work was done right and they have worked with the employees to make sure they understand what is going on.

PUBLIC COMMENT:

Mr. Eddie Campbell said he is present tonight to speak about the speed limit on Trotwood Avenue. Mr. Campbell congratulated Mrs. Martin for her strong support of Ridley Park five years ago. Mr. Campbell advised that he goes to the park frequently and he would like to encourage Council to put the safety of the citizens and children first. Mr. Campbell said lowering the speed limit would be a great boost to the safety of everyone that enjoys the park. Mr. Campbell commended the City staff that works at the park for keeping it looking great. Mr. Campbell said that Ridley Park is a "crown jewel" for the City. Mr. Campbell encouraged Council to move the speed limit sign, that is already there, a few hundred feet to the west. Mr. Campbell said when it is dark, it is worst. Mr. Campbell advised if traffic can be slowed down, it would be a plus for the safety of the people using the park. Mr. Campbell advised he is the one who suggested it the Mayor. Mr. Campbell said the signalization would be great. Council Member Matthews said the main thing that came up Tuesday night is that the park is not open

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all the time. Council Member Matthews said maybe they could do something like a school zone for when the park is open. Mr. Campbell said they are not helping traffic any; because people will have to slow down in a few hundred feet anyway, because there is a sign there. Council Member Stephenson said it is important for Mr. Campbell to speak with Council Member Greene. Council Member Stephenson said when a traffic signal is put up they will have to slow down the speed for the cars approaching for an adequate stopping distance.

Council Member Stephenson moved to adjourn the meeting. Council Member Matthews seconded the motion. There being no further business the meeting adjourned at 7:15 p.m.

APPROVED:

DEAN DICKEY, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER