

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

December 3, 2009 – 6:30 p.m.

Mayor William E. Gentner called the Regular Meeting to order, pursuant to proper notice having been given. City Recorder Betty Modrall called the roll. Present were Mayor William E. Gentner, Vice Mayor Wayne Kennedy, Council Members Carl McCullen, Debbie Matthews, Christa Martin, Dean Dickey and Susan Stephenson; City Manager Paul C. Boyer, Jr.; City Attorney Tim Tisher; City Recorder Betty Modrall; and Liz Bermudez, Recording Secretary.

Reverend Scott Aleridge offered the invocation followed by the Pledge of Allegiance led by Council Member McCullen

APPROVAL OF AGENDA:

Vice Mayor Kennedy moved to approve the Agenda. Council Member Stephenson seconded the motion. Mayor Gentner moved to amend the Agenda by adding Item 8.2, Report from committee on naming of the Industrial Park Bridge. Council Member Martin seconded the motion. All Council Members present voted aye on the amendment. Vice Mayor Kennedy moved to approve the Agenda as amended. Council Member Stephenson seconded the motion. All Council Members present voted aye.

PRESENTATION:

Item 5.1 – **PRESENTATION OF A PROCLAMATION TO HERBERT GRIFFIN UNIT #19.** Mayor Gentner invited Herbert Griffin Unit #19 President Gale Gilliam to join him at the front of the room. Mayor Gentner read the Proclamation and proclaimed December 3, 2009 as Herbert Griffin Unit #19 Day in Columbia, Tennessee. Mrs. Gilliam thanked the Mayor and said she is happy to accept the Proclamation on behalf of past and present members. Mrs. Gilliam recognized Libby Moss, Joanne Ring and Sue Stephenson all of whom are members of the Herbert Griffin Unit #19.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 19, 2009.** Council Member Martin moved to approve the Minutes of the November 19, 2009 Council Meeting.

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Council Member Dickey seconded the motion. All Council Members present voted aye.

Item 6.2 - RATIFICATION OF MAYOR'S APPOINTMENT OF MR. DARRELL SHARP TO THE COLUMBIA HISTORIC ZONING COMMISSION FOR A FIVE-YEAR TERM EXPIRING ON DECEMBER 3, 2014. Mayor Gentner moved to approve the appointment of Mr. Sharp to the Columbia Historic Zoning Commission. Council Member Martin seconded the motion. Council Member Matthews said she has known Mr. Sharp for a long time and she does not know anyone as dedicated to the Historic District as Mr. Sharp. Council Member Matthews said she appreciates this nomination. All Council Members present voted aye.

Item 6.3 - RATIFICATION OF MAYOR'S APPOINTMENT OF MR. TIM SANDRELL TO THE HOUSING BOARD OF ADJUSTMENTS/APPEALS FOR A THREE-YEAR TERM EXPIRING ON DECEMBER 3, 2012. Mayor Gentner moved to approve the appointment of Mr. Sandrell to the Housing Board of Adjustments. Council Member McCullen seconded the motion. All Council Members present voted aye.

Item 6.4 - RATIFICATION OF MAYOR'S APPOINTMENT OF MR. SCOTTY STOCKARD TO FILL THE REMAINDER OF MRS. PAM PRESSNELL'S TERM ON THE MAURY COUNTY AIRPORT AUTHORITY EXPIRING ON MAY 21, 2014. Mayor Gentner moved to approve the appointment of Mr. Stockard to the Maury County Airport Authority to fill the remainder of Mrs. Pressnell's term. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

Item 6.5 - RATIFICATION OF MAYOR'S APPOINTMENT OF MR. RICK HAMILTON TO THE WASTEWATER APPEALS BOARD FOR A THREE-YEAR TERM EXPIRING ON DECEMBER 3, 2012. Mayor Gentner moved to approve the appointment of Mr. Hamilton to the Wastewater Appeals Board. Council Member McCullen seconded the motion. All Council Members present voted aye.

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Item 6.6 - **RATIFICATION OF MAYOR’S APPOINTMENT OF MR. EDDIE CAMPBELL TO THE COLUMBIA REGIONAL PLANNING COMMISSION FOR A FOUR-YEAR TERM EXPIRING ON DECEMBER 3, 2013.** Mayor Gentner moved to the appointment of Mr. Campbell to the Columbia Regional Planning Commission. Council Member Dickey seconded the motion. Council Member Stephenson said she wanted to clarify for the public that Mr. Campbell has been on the Planning Commission for at least 16 years. Council Member Stephenson advised she has nothing personally against Mr. Campbell however the Council has discussed term limits and that is something that needs to be looked at seriously. All Council Members present voted aye with the exception of Council Member Stephenson who voted no.

ADMINISTRATION:

Item 8.1 - **BID AWARD FOR COLOR COPIER AND AUTHORIZATION TO EXECUTE LEASE – FINANCE DEPARTMENT.** Vice Mayor Kennedy moved to approve the bid award and authorization to execute the lease. Council Member Martin seconded the motion. All Council Members present voted aye.

Item 8.2 – **REPORT FROM COMMITTEE ON NAMING THE INDUSTRIAL PARK BRIDGE.** Mayor Gentner asked that Vice Mayor Kennedy give Council a report on the name for the bridge. Vice Mayor Kennedy said the committee had several names that came from the public and each name had a part in the bridge. Vice Mayor Kennedy said in April of 1970 the bridge was named the Alderson Woody Bridge. Vice Mayor Kennedy advised they received a letter from the County asking that they keep the name of the Alderson Woody Bridge. Vice Mayor Kennedy said the people that asked the bridge be named after other people rescinded their request. Vice Mayor Kennedy advised the committee feels the bridge’s name should be left the way it was, which is the Alderson Woody Bridge. Council Member Martin moved to approve the name of the bridge. Council Member Matthews seconded the motion. All Council Members present voted aye. Mayor Gentner asked that City Manager to communicate the information to the County.

RESOLUTIONS:

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RESOLUTION NO. 09-60 - TAX CORRECTIONS – CITY
RECORDER’S OFFICE.

Council Member Dickey moved to approve Resolution No. 09-60. Council Member Martin seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 09-62 - AUTHORIZING THE COLUMBIA
HOUSING AUTHORITY TO PREPARE A
REDEVELOPMENT AND URBAN
RENEWAL PLAN TO BE KNOWN AS
THE EAST COLUMBIA
NEIGHBORHOOD REDEVELOPMENT
AND URBAN RENEWAL PLAN AND TO
CONDUCT A PUBLIC HEARING
RELATIVE TO SUCH PROPOSED PLAN.

Council Member Martin moved to approve Resolution No. 09-62. Council Member McCullen seconded the motion. Mayor Gentner asked the City Attorney to share comments about the information he has put before Council. City Attorney Tisher advised there were questions concerning the plan and the advisory board. City Attorney Tisher advised the handout is a copy of the Code. City Attorney Tisher said the handout discusses what should be in the plan in regards to the contents of the plan, the advisory board and it outlines the membership of the advisory board. Council Member Stephenson asked who puts together the advisory board. City Attorney Tisher advised it is chaired by the Chair of the Housing Authority so the Chairperson would put together the board. Mr. Trent Ogilvie, Executive Director of the Columbia Housing Authority, advised the City Attorney is correct in that the Chairperson will appoint members to the advisory board. Mr. Ogilvie did say it does not preclude the Council from making recommendations. Mr. Ogilvie spoke about compensation and the schedule of fees. Council Member Stephenson asked if travel was included in the \$10,000. Mr. Ogilvie advised travel is included in the \$10,000 already. All Council Members present voted aye.

ORDINANCES:

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ORDINANCE NO. 3826 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638 –THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 1.21 ACRE TRACT OFF OF PARK PLUS DRIVE FROM RS-40 (LOW DENSITY RESIDENTIAL) TO I-R (RESTRICTIVE INDUSTRIAL) – WARD 4 – GRANTS AND

SECOND CONSIDERATION PLANNING DEPARTMENT.

Council Member Dickey moved to approve Ordinance No. 3826 on second consideration. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye with the exception of Council Member Stephenson who abstained due to the existing Comprehensive Plan requirement. Motion passed.

ORDINANCE NO. 3828 - AN ORDINANCE AMENDING THE COLUMBIA MUNICIPAL CODE AS IT PERTAINS TO PARKING PERMIT FEES

SECOND CONSIDERATION – ENGINEERING DEPARTMENT.

Council Member McCullen moved to approve Ordinance No. 3828 on second consideration. Vice Mayor Kennedy seconded the motion. Council Member Martin advised she has only had two people contact her about this issue. Council Member Matthews asked the City Manager to speak about what the price was and what it is going to. City Manager advised it is ten dollars now and it is going to be sixty dollars. All Council Members present voted aye.

ORDINANCE NO. 3827- AN ORDINANCE TO AMEND ORDINANCE NO. 3638 – THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 1801 MORNINGSIDE AVENUE FROM R-6 (RESIDENTIAL) TO OCL (OFFICE COMMERCIAL LIMITED) AND ESTABLISH THE DATE OF

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JANUARY 7, 2010 AS THE DATE OF
THE PUBLIC HEARING – WARD 2 –
GRANTS AND PLANNING
DEPARTMENT.
FIRST CONSIDERATION

Council Member Matthews moved to table Ordinance No. 3827 on first consideration until the second meeting in January per Council's discussion on Tuesday night with time limitations and the gravity of the issue. Council Member Martin seconded the motion. Council Member Matthews said on Tuesday night they were talking about the Economic Development Council and Ward 3. Council Member Matthews said when the grant was discussed for the East Side renewal area they had spoken about Ward 2 as well. Council Member Matthews asked if this is something with Hatcher Lane that could be included in the plan. City Manager Boyer advised this portion of Ward 2 would not qualify for the study because it is not part of the established community development block zone. City Manager Boyer said staff agrees the corridor needs a study and once the new Grants and Planning Director is hired and up to speed then a planning study may be able to be done, but first they need to have the Comprehensive Plan endorsed. Council Member Matthews asked if the study needs to be done before taking action on this item and if so what timeframe are they looking at. Mayor Gentner advised the applicant wants to run a real estate business and under the current zoning he can do that, but at the same time the City can do the corridor study so as others tend to want to go into an OCL classification the City has good planning standards in place. Council Member Stephenson said the corridor needs a study. Council Member Stephenson asked if parts of Ward 2 and 3 would be included in the redevelopment and renewal plan. Council Member Stephenson was advised just Ward 3. Council Member Matthews said Ward 2 does participate in some of the grant money that is coming from the renewal areas. Council Member Matthews asked if they should this be tabled indefinitely. City Attorney Tisher advised Council cannot table something to a date certain; they can only postpone it to the next meeting. City Attorney Tisher said if an item is on the table then there has to be specific action to take it off the table. Council Member Matthews said she has to adjust her motion to table Ordinance No. 3827 on first consideration. Council Member Matthews said she would like to keep this item on the table so the gentleman won't have to go back through the Planning Commission and start the process over again.

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City Attorney Tisher advised if this Ordinance is voted down then the item cannot come back for another year due to the requirements in the Zoning Ordinance. City Manager Boyer advised he recommends against continually deferring items. City Manager Boyer said if Council is not comfortable approving this Ordinance then move it to the floor and vote no. City Manager Boyer said if the gentleman has to reapply then he will need to reapply. City Manager Boyer said he cannot promise that the study will be done in a year. City Attorney Tisher advised the Council on its own initiative could put it back on the floor. City Attorney Tisher said *Robert's Rule of Order* does not look favorably on tabling an item. Council Member Matthews said she is trying to accommodate the property owner because he is being patient. Council Member Matthews said she is trying to table it to keep the property owner from having to start the process over again. City Attorney Tisher said if Council is going to deal with it within the next couple of meetings then they could defer, but if they are not going to deal with it then they should take action on it. City Attorney Tisher advised if the plan is in place and a year has not passed; Council can bring it to floor and possibly waive fees. Council Member Dickey said the property owner could operate a real estate office in the mean time. Council Member Stephenson said the owner could operate his business as long as he complies with the Zoning Ordinance so the rezoning may not be necessary if the property owner is able to comply. Vice Mayor Kennedy said the applicant was being very nice and Council should table this and try to work with the gentleman. City Recorder Modrall advised the motion is to table the Ordinance. Council Member Matthews voted aye and all other Council Members present voted no. Motion to table Ordinance No. 3827 failed. Vice Mayor Kennedy moved to defer Ordinance No. 3827 on first consideration. Council Member McCullen seconded the motion. Council Member Martin said they have had extended conversations about tabling and deferring. Council Member Martin said she hopes they are going to be consistent with what they are doing with this. All Council Members present voted aye with the exception of Council Members Dickey, Martin, McCullen and Mayor Gentner who voted no. Motion to defer failed. Mayor Gentner moved to approve first consideration of Ordinance No. 3827. Vice Mayor Kennedy seconded the motion. Council Member Stephenson said the rezoning does not need to take place for the gentleman to operate his business, he can as long as he follows the home occupation section under the current Zoning Ordinance operate the business. Council

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Member Stephenson said she has concerns about what can come in there when he leaves, if the rezoning is approved because there can be problems in the future. Mayor Gentner said he plans to vote no on this Ordinance tonight. Mayor Gentner said if first consideration fails it is his intention to suggest to Council that they bring this back at the appropriate time and waive any fees that the gentleman has concerning the project. Council Member McCullen clarified if the Ordinance is voted down then the gentleman can still operate the business. Council Member Stephenson advised as long as he complies with the Zoning Ordinance. Council Member Matthews asked about a sign for the business. City Manager Boyer said it is permitted, but it has to be small. Vice Mayor Kennedy voted aye with all other Council Members present voting no. Motion to approve Ordinance No. 3827 on first consideration failed.

ORDINANCE NO. 3829 - AN ORDINANCE PROVIDING FOR THE
COLLECTION OF 2008 DELINQUENT
PROPERTY TAXES – CITY
FIRST CONSIDERATION RECORDER’S OFFICE.

Council Member Martin moved to approve Ordinance No. 3829 on first consideration. Council Member McCullen seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3830 - AN ORDINANCE PROVIDING FOR THE
COLLECTION OF 2008 DELINQUENT
PERSONAL PROPERTY TAXES – CITY
FIRST CONSIDERATION RECORDER’S OFFICE.

Council Member McCullen moved to approve Ordinance No. 3830 on first consideration. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3831 - AN ORDINANCE PROVIDING FOR THE
COLLECTION OF 2008 DELINQUENT
SPECIAL ASSESSMENTS – CITY
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Vice Mayor Kennedy moved to approve Ordinance No. 3831 on first consideration. Council Member Stephenson seconded the motion. All Council Members present voted aye.

OTHER BUSINESS:

Mayor Gentner said the approval of Resolution No. 09-62 is a very important piece of legislation that is going to create a huge economic stimulus for this community in the future. Mayor Gentner said the redevelopment could deal with areas in the 3rd Ward but other Wards as well. Mayor Gentner spoke about the “GO LIONS” signs placed under everyone’s name at the desk. Mayor Gentner said tomorrow at 7:00 p.m. in Cookeville the Columbia Central Football Team plays for the State Championship. Mayor Gentner encouraged everyone to go to the football game.

Council Member Martin said Kristi Martin of Downtown Columbia Main Street to share asked her to share that the featured entry in the Christmas Parade will be the Central Lions. Council Member Martin advised the theme for the parade is All Creatures Great and Small. Council Member Martin said the parade is set for Monday, December 7th at 7:00 p.m.

Council Member Matthews invited everyone to come to Columbia starting tomorrow from Noon until 7:00 p.m. and then Saturday from 10:00 a.m. until 5:00 p.m. for the Historic Columbia Christmas Tour. Council Member Matthews said there would be period costumes, caroling, a bell concert, church services, a community band, etc.

Vice Mayor Kennedy advised Mr. and Mrs. Meadows that Council voted to leave the bridge the name that it is. Vice Mayor Kennedy asked Council Member Matthews what they are going to do about the party they are supposed to have.

Council Member Matthews said they have the money and the last time they spoke about this they decided to wait until Council Member McCullen returned. Council Member Matthews said she is sticking with her suggestion of going to experience Puckett’s in Franklin and show them how

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supportive Columbia can be to try to get them to open in downtown Columbia. Vice Mayor Kennedy said he asked about this because he would like this done with the current Mayor because he has been a great example to him.

Council Member McCullen advised he will also be at the football game

There being no further business, the meeting adjourned at 7:23 p.m.

APPROVED:

WILLIAM E. GENTNER, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER