

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

February 5, 2009 – 6:30 p.m.

PUBLIC HEARING - ON ORDINANCE NO. 3789 – AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 211 DEPOT STREET FROM I-G (INDUSTRIAL GENERAL) TO MRC (MIXED RESIDENTIAL COMMERCIAL) – GRANTS AND PLANNING DEPARTMENT.

Mayor William E. Gentner called the Public Hearing to order, pursuant to proper public notice having been given. Present were Mayor William E. Gentner, Vice Mayor Kennedy, Council Members Carl McCullen, Debbie Matthews, Christa Martin, Dean Dickey and Susan Stephenson; City Manager Paul C. Boyer, Jr.; Assistant City Attorney Cara Lynn; City Recorder Betty Modrall; and Wendy Crumley, Recording Secretary. No one in the audience requested to make a presentation on Ordinance No. 3789.

Vice Mayor Kennedy moved to close the Public Hearing. Council Member Stephenson seconded the motion. All Council Members present voted aye.

APPROVED:

WILLIAM E. GENTNER, MAYOR

ATTEST:

BETTY R. MODRALL, CITY RECORDER

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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, Council Members Carl McCullen, Debbie Matthews, Christa Martin, Dean Dickey and Susan Stephenson; City Manager Paul C. Boyer, Jr.; Attorney Cara Lynn; City Recorder Betty Modrall; and Wendy Crumley, Recording Secretary. Vice Mayor Kennedy arrived after roll call.

Reverend Randy Owens offered the invocation followed by the Pledge of Allegiance led by Council Member Dickey.

APPROVAL OF AGENDA:

Council Member McCullen made a motion to approve the Agenda, with a second from Council Member Matthews. All Council Members present voted aye.

PRESENTATIONS:

Item 5.1 – PRESENTATION OF RETIREMENT PLAQUE AND GIFT CHECK TO STREET DEPARTMENT EMPLOYEE LARRY TARKINGTON. Mayor Gentner and Dana Stahl, Public Works, presented Larry Tarkington with a plaque commemorating his 11 years of service to the City. Mr. Stahl stated that Mr. Tarkington did everything from mowing and loading salt trucks to patching potholes. He was an exceptional employee and he will be missed by everyone. Mayor Gentner thanked Mr. Tarkington for his service to the City of Columbia and on a job well done.

ORGANIZATIONAL BUSINESS:

Item 6.1 – MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 15, 2009. Council Member Matthews moved to approve the Minutes of the January 8, 2009 City Council Meeting. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

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Item 6.2 – APPOINTMENT OF JASON TERHUNE, NOMINATED BY COUNCILMEMBER DEBBIE MATTHEWS, TO REPRESENT WARD 2 ON THE STORM WATER ADVISORY COMMITTEE.

Council Member Matthews moved to approve the appointment of Jason Terhune to represent Ward 2 on the Storm Water Advisory Committee. Council Member Matthews nominated Mr. Terhune for this position. Council Member Stephenson seconded the motion. All Council Members present voted aye.

Item 6.3 – APPOINTMENT OF FRED BRAY, NOMINATED BY COUNCILMEMBER CARL MCCULLEN, TO REPRESENT WARD 1 ON THE STORM WATER ADVISORY COMMITTEE.

Council Member McCullen moved to approve the appointment of Fred Bray to represent Ward 1 on the Storm Water Advisory Committee. Council Member McCullen nominated Mr. Bray for this position. Council Member Matthews seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Council Member Dickey 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. Authorization to dispose of surplus City property – Finance Department.

ADMINISTRATION:

8.1 – APPROVE ARCHITECTURAL DESIGN AND AUTHORIZE CITY STAFF AND LYMAN DAVIDSON DOOLEY, INC TO PROCEED WITH THE BIDDING PROCESS FOR FIRE STATION 2 IN WARD 1 – FIRE DEPARTMENT.

Vice Mayor Kennedy moved to approve the architectural design and authorize City Staff and Lyman Davidson Dooley, Inc to proceed with the bidding process for Fire Station 2 in Ward 1. Council Member McCullen seconded the motion. Mr. Tripp Hereford, Architect, presented the current design plans for Fire Station 2 on a four-acre parcel of land located on Lion Parkway. There will be separate parking areas for public and employee use. The floor plan showed a large

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apparatus bay, foyer, living space, offices, training room, kitchen, five bedrooms, shower room and storage areas. There is also a clearstory window along the length of the main area of building to bring light in to help reduce the cost of electric utilities. Chief Martin had requested the plans “go green” as much as possible. Council Member Stephenson asked if she correctly understood that part of the driveway is located in the 100-yr flood plain. Mr. Hereford stated, “Yes”. Council Member Stephenson also questioned the design of the bay doors depicted in the drawing. Mr. Hereford stated that the actual style of doors for the bays has not been finalized and referred to pictures of how the doors will likely look. Council Member Matthews stated that she wished to reiterate that the money being spent on this new fire station will mean less money in firefighters’ pockets. The City purchased four acres of land for \$490,000 when only 1 to 2 acres was needed. The City borrowed \$2.3 million on a 20-year loan for which the total payments will equal \$3.2 million. Other cities have built fire stations for much less money than what we are spending on this one. There are also two existing fire stations that need apron repairs. Council Member Matthews asked what the size of the new station will be as compared to the existing fire station. Chief Don Martin stated that Fire Station 2 is almost 6,000 square feet and the new facility is currently depicted at 7,000 square feet. The new facility provides extra room in the bay area, which is needed. Council Member Matthews stated that she would have liked to see a more classic design from an aesthetic viewpoint. Mr. Boyer was asked if bids had been taken to see how much repairs would be for the aprons at the other two locations. Mr. Boyer stated that a materials cost estimate has been prepared by staff but that projects are not bid without Council’s approval. Public Works looked at Station 3 to see if they could fix the apron, but it was too expensive to repair at this time. Council Member Matthews stated she just wanted to get the best bang for the buck, and would like to see the cost cut back if possible. Council Member Martin inquired what the timeline for completion is for the new fire station. Mr. Boyer stated if everything went smoothly, the possible completion date would be July 2010. Council Member Martin also inquired about the idea of “going green”, as this is the first she has heard of this. Mr. Boyer stated he introduced the idea to the project because it’s a direction our city needs to take. The fire hall could be a perfect example for future developments. The design and function of this building will conserve energy and reduce maintenance costs, making it less expensive to operate. Chief Martin stated they are also looking into an on-

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demand water heater. To further help conserve energy, the lights will go on/off when people go in and out of rooms. Council Member Martin stated that this design is presented as a 50-year station and asked what kinds of things would be done in order to sustain the station. Mr. Hereford stated the ideas they are using are tried and true methods and are of minimal cost, including the location and amount of insulation, building materials, concrete blocks on the interior walls (which is more durable than drywall), and geothermal, which will reduce energy costs. Council Member Stephenson had concerns that there is a possibility that hydraulic oil could leak into Bigby Creek and that we need to make sure the creek does not get polluted. The 2 acres the Fire Department cannot build on can be figured at a cost of \$250,000; this area might be used for nature or training, but it is unbuildable. Chief Martin stated they viewed it as a piece of property the City would own and could maintain so the creek would be protected. Vice Mayor Kennedy stated this fire station is not a luxury; it is a necessity. The land was agreed on by Council and has been purchased and it is a moot issue. Also, the previous owners of the land stated they had never seen the 2 acres flood during the entire time they owned it. He feels that this is a good design and he is proud of the new Fire Station. Council Member Matthews stated she supports the Fire Department; however, there were two pieces of land donated to the City that would have saved the cost of the land, plus \$800,000 in interest. This is the wrong location and we could have gotten land on Hatcher Lane or other locations. Council Member McCullen stated this is the best location for the fire station because it will still be located in Ward 1. Everyone should be working together to get this completed and the same issues are being brought up over and over. At this time, roll call was taken on the motion to approve and all Council Members present voted aye.

8.2 – AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH WILLIAM P. RIDLEY, III AND EUNICE R. COLMORE TO PURCHASE A PORTION OF THE RIGHT OF WAY NECESSARY FOR INGRESS AND EGRESS TO RIDLEY PARK – WARD 4.

Council Member Dickey moved to authorize the Mayor to execute a contract with William P. Ridley, III and Eunice R. Colmore to purchase a portion of the right-of-way necessary for ingress and egress to Ridley Park – Ward 4. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

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8.3 – AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH DOBUAL SPRING CREEK PARTNERS TO PURCHASE A PORTION OF THE RIGHT OF WAY NECESSARY FOR INGRESS AND EGRESS TO RIDLEY PARK – WARD 4. Council Member Dickey moved to authorize the Mayor to execute a contract with Dobual Spring Creek Partners to purchase a portion of the right-of-way necessary for ingress and egress to Ridley Park – Ward 4. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

8.4 – CONSIDER AUTHORIZATION FOR ADDENDUM NO. 2 WITH BARGE, WAGGONER, SUMNER & CANNON, INC. FOR THE RIDLEY PARK COMPLEX PROJECT – ENGINEERING DEPARTMENT. Council Member Dickey moved to grant authorization for Addendum No. 2 with Barge, Waggoner, Sumner & Cannon, Inc. for the Ridley Park Complex Project. Vice Mayor Kennedy seconded the motion. Council Member Stephenson clarified that the additional services, numbers 1-13, which total \$54,000, are additional services for design. She asked if this is to design what is being proposed now: 10 ball fields, a concession stand, a maintenance building, 2 football fields and completion of roads. Mr. Boyer stated yes; however, with the provision that architectural work for structures (maintenance building and bathrooms) is not included in the \$54,000. Council Member Stephenson stated that the City is currently \$47-48 million in debt, according to the Finance Director. The original project, which was seen before the election of new Council Members, consisted of four ball diamonds, a maintenance building, concession stands and completion of roads at a cost of \$2.2 million. The City has currently spent \$2.3 million; however, no structures have been completed. The City has already spent more than what was originally proposed and today we are considering approving \$300,000 more. Even though the City still has the \$5 million we have set aside for the project, with what has already been spent the total cost of the project would be at \$8 million; however, this will probably not be enough to complete the project of 10 ball fields, 2 football fields, 7 soccer fields, other buildings and completion of roads per Mr. Boyer. While understanding that this project, once completed, will be an asset to our community and will bring in revenues, fiscal constraint should be show under the current economic situation. While the City did make a commitment, the economic future was unforeseen. Under the current economic situation, this is what Council Member Stephenson hoped could

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be done: Since the ball fields at River Walk must be moved before that project can carry forward, she asked that Council go back to the original phase of 4 ball diamonds, maintenance building, concession stand and completion of roads. Council Member Matthews stated she is concerned this project will not come in at budget. Mr. Boyer was asked if he had thought about going back to the first proposal of 4 ball fields. He stated no, that he was doing what was directed by Council. Council Member Martin discussed the phases of the project and the cost of each phase. She also had questions on the bid process. Mr. Boyer explained that one contractor would be awarded the entire project under their bid. Vice Mayor Kennedy stated this project will greatly benefit the City and it needs to be started immediately. Council Member Stephenson stated she did not want to delay the project, but would like to amend it if that is an option. Mr. Boyer stated this is an option that Council can consider. However, it is important that the fields at Pillow Park be relocated. If not, the River Walk project will be delayed. Council Member Stephenson stated she would like to amend the motion to move forward on design services and approve 6 ball fields, maintenance building, concession stand and completion of roads. Council Member Matthews seconded the motion. Mr. Boyer advised Council that there would be an additional charge to revise the Master Plan. Council Member Martin asked Mr. Boyer to give a list of what is to be completed in Phase 1 as proposed. Mr. Boyer stated an access road, 2 football fields, 10 ball fields (softball for children and adults, and baseball fields), maintenance building, concession stand, along with lighting and irrigation to support all the fields. Council Member Matthews stated that she would like to defer this until the next meeting. Council Member Martin seconded the motion to defer. Council Member Stephenson suggested a special study session for this item before the next Council meeting. Mr. Boyer stated that would be possible if additional staff preparation was not required. Council Member Dickey stated that he did not see needing one more week to approve something that had been going on for two years. He said that this needs to be cleared up and that Council should go back and approve the original motion. Vice Mayor Kennedy stated that the Council needs to do things as promised, that they cannot always say “it’s the economy” and that we have to believe what we are doing is right and it will all work out. The motion to defer was voted on and failed with a 3-4 vote. Those voting in favor of the deferral were Council Members Martin, Matthews and Stephenson. Mayor Gentner stated that next the amendment to the motion

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needs to be voted upon. The amended motion was to proceed with 6 ball fields, maintenance building, concession stand and completion of roads. Mayor Gentner questioned if bids could be taken for the original proposal but the bid documents could specify that the Council has the right to remove one or more items. Mr. Boyer stated this would not be a good idea because you would not get quality bids by placing contingencies in the bid; Council needs to make a decision. Vice Mayor Kennedy stated the layout was approved in February 2006 and it's time to go forward. Council Member Stephenson stated that a lot has changed since then and the ball fields are not a priority with the economy in its current shape. A vote was taken on the amendment. The amendment failed with a 2-5 vote; voting aye were Council Members Matthews and Stephenson. There was additional discussion and then a vote was taken on the original motion made by Council Member Dickey and seconded by Vice Mayor Kennedy to authorize approval for Addendum No. 2 with Barge, Waggoner, Sumner and Cannon, Inc. for the Ridley Park Complex Project. All Council Members present voted aye, with the exception of Council Member Stephenson who abstained.

8.5 – AUTHORIZATION FOR THE MAYOR TO SIGN THE NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND THE COLUMBIA SOCCER ASSOCIATION – PARKS AND RECREATION DEPARTMENT. Council Member Martin moved to authorize the Mayor to sign the Non-Exclusive Use and Occupancy Permit between the City of Columbia and the Columbia Soccer Association. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

8.6 – AUTHORIZATION FOR THE MAYOR TO SIGN THE NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND THE MAURY COUNTY SCHOOL BOARD OF EDUCATION – PARKS AND RECREATION DEPARTMENT. Vice Mayor Kennedy moved to authorize the Mayor to sign the Non-Exclusive Use and Occupancy Permit between the City of Columbia and the Maury County School Board of Education. Council Member Martin seconded the motion. All Council Members present voted aye.

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RESOLUTIONS:

RESOLUTION NO. 09-05 - TAX CORRECTIONS – CITY
RECORDER’S OFFICE.

Council Member Martin moved to approve Resolution No. 09-05. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 09-06 - A RESOLUTION TO APPLY FOR
COMMUNITY DEVELOPMENT BLOCK
GRANT FUNDS TO ESTABLISH A
YOUTH EMPOWERMENT FACILITY AS
A DETERRENT TO SOCIAL
DEGRADATION – GRANTS AND
PLANNING DEPARTMENT.

Council Member Martin moved to approve Resolution No. 09-06. Vice Mayor Kennedy seconded the motion. Mayor Gentner asked where the attached letters referenced in #3 are. Mr. Boyer stated that the letters do not exist. The resolution has been drafted to show that the letters will be a part of the grant application but they will not be ready until the fundraising is complete. Council Member Martin asked if Mr. Trent Ogilvie could speak on this project. Mr. Ogilvie, Executive Director for the Columbia Housing Authority, stated this is for an 18,000 square foot community center located on Wayne Street. Community Development Block Grants (CDBG’s) are funds given to the State of Tennessee by the U.S. Department of Housing and Urban Development for projects that can improve the community in various ways. This grant would be used mainly for rehabilitation of the building. The Boys and Girls Club and Head Start would be using this facility. This facility falls under the community livability section of the CDBG program. Council Member Matthews had questions regarding the fundraising portion and how the money will be funded to help with the grant. Mr. Ogilvie stated that since \$100,000 of matching money is needed, the Columbia Housing Authority, Boys and Girls Club, Head Start Program and the City of Columbia would each write letters of intent for \$25,000 to come up with the required total matching funds. The Columbia Housing Authority is committing over and above their match amount since they are

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purchasing the land and building. Council Member Matthews asked how much was paid for the building and the land since this can be used as collateral. Mr. Ogilvie stated they plan to purchase the building and the land for \$575,000. Council Member Stephenson asked what guidelines are used to determine which project gets grant funds. There was some discussion about when the grant was made public and when the City and others were first notified about this grant. Ms. Lori Braley, South Central Development District, stated the first workshop was held in December by the State to let it be known what grants would be available. It is then her job to let each city and town know the same. The first step in the process is to hold a public meeting which the community may attend to let the governing bodies know which projects they would like to submit for the grants. There are four categories in which non-entitlement towns and cities can apply: housing rehab, water, sewer and the broad category of community livability. Most of the grants received by Columbia have been for sewer rehabilitation. Ms. Braley stated that a community center has never been funded; however, this project is vital to the health and safety of the community. The maximum grant is for \$300,000. The project total would be \$400,000 and the eligible funding level is 75%, which is where the \$100,000 comes into play. The grant application deadline is February 25th, and commitment of matching funds has to be in place at the time the application is submitted. The application is submitted to the Tennessee Department of Economic and Community Development. It is then presented against all other projects in the community livability category. A representative would then be sent to interview the Mayor and see the site, after which a recommendation would be made to the Governor. The Governor has the final say as to whether the grant is approved or not. Usually we are notified in September or October whether the grants have been funded and this year there is a chance that some stimulus money may be available, as well. Council Member Matthews asked about the possibility of getting a Fire Station for Ward 3. Ms. Braley stated that historically only volunteer fire departments have been funded and one of the requirements is you have an ISO rating of 8 or above. Columbia currently has a 3. Council Member Martin asked David Holderfield to discuss how many CDBG's Columbia has received in the past and what they have been used for. Mr. Holderfield stated the City has been awarded 5 grants in the past for sewer rehabilitation, mostly within the East Hills area which is a low to moderate income area. A free service connection was also provided to the affected homeowners to hook up to the

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service. Total money awarded in the past totals around \$2 million. Council Member Martin stated that based on things that are happening; this project is something we need to do. We are either going to spend money for this community center or for more prisons. Council Member Stephenson asked how many grants will be awarded and who the City would be competing against. Ms. Braley stated that we would be competing against every rural community in the State of Tennessee that has applied for a grant under the community livability category. Last year there were 15 applications and only 8 grants were awarded. Council Member Stephenson discussed with Mr. Ogilvie and Ms. Braley how the grant money would flow through the the City of Columbia. Mr. John Stephens, representative of the Boys and Girls Club, said that the Boys and Girls Club membership consists of children ages 5-18 and that Head Start caters to children up to age 5. Together, these two organizations service children who need them the most. Currently, the Boys and Girls Club serves 140 children per day, with a waiting list of 30-40. Younger children would be placed in the new facility and teens would use the existing Boys and Girls Club location. The Boys and Girls Club and Head Start program would share the new facility. In terms of an investment of \$25,000, each group would receive the benefit of a \$400,000 facility. There has never been a better time to do this and it is a time when the children need us the most. Council Member Dickey showed appreciation for all of the different organizations. A lot of work has been done, but we have 20 days to meet a schedule and the project needs to move forward. Council Member Martin stated she would like to ask Chris Poynter, Assistant Executive Director of the Boys and Girls Club, a question. At the current location on 210 W 8th Street, there is a mixture of all ages. She asked what kind of things are they planning to do by separating some of the ages. Mr. Poynter, Boys and Girls Club, said that the current location would be used for a teen center, for sixth graders up, and the new center would be used for younger children. Council Member Stephenson asked Mr. Stephens for an age breakdown the 140 children being served at this time. Mr. Poynter stated that 75-80% of them fall into the younger category. Mr. Stephens stated that daily attendance averages 140. Council Member Stephenson asked Ms. Braley for clarification of what categories fall under the community livability section. Ms. Braley stated that in her 25-year experience, a community center has never been funded. CDBG's typically fund fire protection, health departments, weather sirens, ambulances, etc. However, she called and talked with Program Management

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Staff at the Department of Economic and Community Development and was told that this would be an eligible project and that community livability would be the best fit, category-wise. Council Member Stephenson asked Mr. Boyer if the wording needed to be changed on the Resolution, since it states that local financial and/or corporate institutions will provide funding. Mr. Boyer stated he was not sure; however, he would request that Council include in the motion the \$25,000 commitment from the City of Columbia, which would come from General Government reserves in this year's budget. Mayor Gentner asked for an amendment to the motion on the table. Council Member McCullen made a motion to approve the \$25,000 commitment for matching funds out of General Government Reserves. Council Member Matthews seconded the motion. All Council Members present voted aye. Mr. Boyer stated that based on everything that has been said, the motion should also be amended to specify which entities would give \$25,000 to make up the \$100,000. Council Member Martin made a motion to specify that matching funds would come the following agencies in section #3: the Columbia Housing Authority, the Boys and Girls Club, the Head Start Program and the City of Columbia. Council Member McCullen seconded the motion. All Council Members present voted aye.

ORDINANCES:

ORDINANCE NO. 3784 - AN ORDINANCE TO AMEND
ORDINANCE PROVIDING FOR THE
COLLECTION OF 2007 DELINQUENT
PROPERTY TAXES – CITY
THIRD CONSIDERATION RECORDER'S OFFICE.

Council Member Martin moved to approve Ordinance No. 3784 on third consideration. Council Member McCullen seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3785 - AN ORDINANCE PROVIDING FOR THE
COLLECTION OF 2007 DELINQUENT
PERSONAL PROPERTY TAXES – CITY
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Vice Mayor Kennedy moved to approve Ordinance No. 3785 on third consideration. Council Member Martin seconded the motion. All Council Members present voted aye. Council Member Matthews was absent during the vote.

ORDINANCE NO. 3786 - AN ORDINANCE PROVIDING FOR THE
COLLECTION OF 2007 DELINQUENT
SPECIAL ASSESSMENTS – CITY
THIRD CONSIDERATION RECORDER’S OFFICE

Council Member Martin moved to approve Ordinance No. 3786 on third consideration. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye. Council Member Matthews was absent during the vote.

ORDINANCE NO. 3789 - AN ORDINANCE TO AMEND
ORDINANCE NO. 3638, THE SAME
BEING THE ZONING ORDINANCE OF
THE CITY OF COLUMBIA, BY
REZONING 211 DEPOT STREET FROM
I-G (INDUSTRIAL GENERAL) TO MRC
(MIXED RESIDENTIAL COMMERCIAL)
-GRANTS AND PLANNING
THIRD CONSIDERATION DEPARTMENT

Council Member Matthews moved to approve Ordinance No. 3789 on third consideration. Council Member Dickey seconded the motion. Mayor Gentner asked if the requirements (A-C) as listed under Item 4 on the Ordinance are being met. Attorney Cara Lynn stated, “Yes”. All Council Members present voted aye, with the exception of Council Member Stephenson who abstained.

ORDINANCE NO. 3793 - AN ORDINANCE TO AMEND THE CITY
OF COLUMBIA, TENNESSEE
SECOND CONSIDERATION EMPLOYEES’ RETIREMENT PLAN

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Vice Mayor Kennedy moved to approve the second consideration of Ordinance No. 3793. Council Member Martin seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3721 - AN ORDINANCE TO ANNEX PROPERTY KNOWN AS WINDY HILL FARM LOCATED ON THE SOUTH SIDE OF CAMPBELLSVILLE PIKE CONTAINING 131.89 ACRES AND ESTABLISH THE DATE OF FEBRUARY 19, 2009 AS THE DATE OF THE PUBLIC HEARING ON THE ANNEXATION AND PLAN OF SERVICES – GRANTS AND FIRST CONSIDERATION PLANNING DEPARTMENT.

Vice Mayor Kennedy moved to defer Ordinance No. 3721 on first consideration. Council Member Matthews seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3722 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638 – THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TO ZONE PROPERTY BEING ANNEXED BY ORDINANCE NO. 3721 KNOWN AS WINDY HILL FARM LOCATED ON THE SOUTH SIDE OF CAMPBELLSVILLE PIKE CONTAINING 131.89 ACRES TO R-10 PLANNED UNIT DEVELOPMENT AND ESTABLISH THE DATE OF FEBRUARY 19, 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND FIRST CONSIDERATION PLANNING DEPARTMENT.

Vice Mayor Kennedy motioned to defer Ordinance No. 3722 on first consideration. Council Member Dickey seconded the motion. All Council members present voted aye.

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ORDINANCE NO. 3783 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 2013 AND 2015 SOUTH MAIN STREET FROM MCD (MIXED COMMERCIAL DISTRICT) TO RS-6 (MEDIUM DENSITY RESIDENTIAL DISTRICT) AND ESTABLISH THE DATE OF MARCH 5, 2009 AS THE DATE OF THE PUBLIC HEARING - GRANTS AND PLANNING DEPARTMENT.

FIRST CONSIDERATION

Vice Mayor Kennedy motioned to approve Ordinance No. 3783 on first consideration. Council Member McCullen seconded the motion. Council Member Matthews stated she believed this would constitute spot zoning, since there is not anything else surrounding the property that is zoned RS-6. Council Member Matthews then stated having said that, the current zoning of MCD is not the best fit for this area; the City needs to take another look at this area and the zoning. Council Member Dickey and Council Member Matthews voted no. Mayor Gentner, Vice Mayor Kennedy and Council Member McCullen voted aye. Council Member Martin and Council Member Stephenson abstained. Mr. Boyer stated that abstentions classified as “no” votes and that to pass the ordinance, four yes votes would have been required. With the vote of 3-4, the motion to approve Ordinance 3783 fails.

ORDINANCE NO. 3792 - AN ORDINANCE TO AMEND THE FY 2008-2009 BUDGET ORDINANCE NO. 3753 AS PREVIOUSLY AMENDED, PROVIDING FOR REVISIONS TO THE GENERAL FUND AND ESTABLISH THE DATE OF MARCH 5, 2009 AS THE DATE OF THE PUBLIC HEARING.

FIRST CONSIDERATION

Vice Mayor Kennedy motioned to approve Ordinance No. 3792 on first consideration and establish the date of public hearing. Council Member Matthews seconded the motion. All Council members present voted aye

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ORDINANCE NO. 3794 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, EXEMPTING BUILDINGS GREATER THAN 500 FEET FROM A MAJOR ROADWAY FROM REVIEW OF THE ARCHITECTURAL REVIEW BOARD AND ESTABLISH THE DATE OF MARCH 5, 2009 AS THE DATE OF THE PUBLIC HEARING - GRANTS AND PLANNING DEPARTMENT

FIRST CONSIDERATION

Council Member Stephenson motioned to disapprove Ordinance No. 3794 on first consideration. Council Member McCullen seconded the motion. Council Member Martin asked Mr. Boyer if that was his recommendation; Mr. Boyer replied, “Yes”. All Council members present voted aye.

ORDINANCE NO. 3795 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, REGARDING NON PAVED STORAGE AREAS AND ESTABLISH THE DATE OF MARCH 5, 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND PLANNING DEPARTMENT

FIRST CONSIDERATION

Council Member McCullen made a motion to defer Ordinance No. 3795 on first consideration. Vice Mayor Kennedy seconded the motion. All Council members present voted aye.

ORDINANCE NO. 3796 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, REGARDING SOCIAL SERVICE INSTITUTIONS AND ESTABLISH THE DATE OF MARCH 5,

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FIRST CONSIDERATION 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND PLANNING DEPARTMENT.

Council Member Stephenson made a motion to defer Ordinance No. 3796 on first consideration. Council Member Dickey seconded the motion. All Council members present voted aye.

ORDINANCE NO. 3798 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638, THE SAME BEING ARTICLE XI (PUD DEVELOPMENT REGULATIONS) OF THE FORMER ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY AMENDING THE PUD MASTER PLAN AT 2536 NASHVILLE HIGHWAY IN NEAPOLIS AT DAILY'S MARKET TO INCREASE THE SIZE OF THE BUILDING AND ESTABLISH THE DATE OF MARCH 5, 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND PLANNING DEPARTMENT.

FIRST CONSIDERATION

Council Member Dickey made a motion to approve Ordinance No. 3798 on first consideration. Vice Mayor Kennedy seconded the motion. All Council members present voted aye.

ORDINANCE NO. 3799 - AN ORDINANCE TO AMEND THE CITY OF COLUMBIA, TENNESSEE EMPLOYEES' RETIREMENT PLAN – CITY RECORDER'S OFFICE.

FIRST CONSIDERATION

Council Member Martin made a motion to approve Ordinance No. 3799 on first consideration. Council Member Stephenson seconded the motion. All Council members present voted aye.

OTHER BUSINESS:

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

February 5, 2009 – 6:30 p.m.

Council Member Stephenson stated she has tried to reach Mr. Clark, with Columbia Power & Water Systems (CPWS), to discuss the articles in the paper. Apparently, Duck River Electric Membership Cooperative has committed \$70,000 in funds, which could be matched, for utility bill assistance for low-income persons. After speaking to Mr. Clark, she was informed that Duck River is a Coop, while CPWS is a municipal utility with an elected board.

Council Member Dickey stated that he received a memo regarding the National League of Cities Registration and that he will not be attending. The cost would range from \$3,500 - \$4,000 and he feels that it is an unnecessary expense.

Council Member Martin reminded everyone of the information in the packet announcing the special celebration of Black History Month.

Council Member Matthews stated she has information that CPWS is trying to sell the City's water supply to Spring Hill. She would like the Mayor and City Manager to formally ask Mr. Jim Clark to appear before Council, with his Board members, to explain what is going on with this. She also reminded everyone about the Planning Commission meeting on February 11th at 4:00 P.M. concerning the Southern Urban Growth Area, part of the Comprehensive Plan. In addition, she invited everyone to a benefit at Columbia Central High School for Sheriff's Deputy Brian Owens.

Council Member McCullen stated that he is a member of the Power Board, representing the Council, and he will be happy to take any concerns to Mr. Clark. He also stated his position on the board needs to be respected.

Mayor Gentner thanked the members of Council who participated in the Planning March at Cherry Theatre for the Martin Luther King Celebration. Mayor Gentner has also spoken with Mr. Clark regarding energy information being placed on the website and mentioned the possibility to Mr. Boyer maybe the City could do that as well. Mayor Gentner then stated that on behalf of Director of Schools Eddie Hickman, members of the City Council and Mr. Boyer are being invited along with all elected officials in Maury County, Maury Alliance, and their affiliates to Central High School

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

February 5, 2009 – 6:30 p.m.

on February 20, 2009 at 8:30 or 9:00 a.m. (time will be announced later). The agenda for the day will consist of gaining a first-hand experience of how the Board of Education is addressing the issue of vocational training. In addition, those in attendance will be able to interact with the students and teachers. Lunch will be provided. This is part of Dr. Penn's evaluation of Maury County's economic assessment. His report indicated that training was essential in the growth of our community and workforce. Later, something else will be done in conjunction with Columbia State and Hohenwald Vocational School. During the 2009 calendar year, we will be implementing some of the suggestions in Dr. Penn's report, of which all members of Council have a copy.

There being no further business the meeting adjourned at 9:30 p.m.

APPROVED:

WILLIAM E. GENTNER, MAYOR

ATTEST:

BETTY MODRALL, CITY RECORDER