

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

April 2, 2009 – 6:30 p.m.

PUBLIC HEARING - ON 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 – 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.; City Attorney Tim Tisher; City Recorder Betty Modrall; and Liz Bermudez, Recording Secretary. No one in the audience requested to make a presentation on Ordinance No. 3765.

Council Member Dickey moved to close the Public Hearing. Council Member Martin seconded the motion. All Council Members present voted aye.

APPROVED:

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WILLIAM E. GENTNER, MAYOR

ATTEST:

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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, 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.

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

APPROVAL OF AGENDA:

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

PRESENTATIONS:

Item 5.1 – **PRESENTATION BY JONATHAN LEWIS, DIRECTOR OF THE SAFE NEIGHBORHOOD COALITION.** Council Member Martin advised that Mr. Lewis is the man hired last year to lead the Safe Neighborhood Coalition of Maury County. Council Member Martin said Mr. Lewis has been spending his time working to develop partnerships and agreements with several agencies across the County. Council Member Martin also recognized Ms. Cheryl Martin, the Secretary of the Safe Neighborhood Coalition. Mr. Lewis said the antidrug coalition's main goal is to reduce drug and alcohol use and abuse along with building the capacity of the County and implementing communitywide change. Mr. Lewis distributed a handout to Council, which documented statistics. Mr. Lewis then proceeded to go over some of the statistics in the document. One statistic Mr. Lewis mentioned was that violent behaviors have increased in an alarming rate of fifty-six percent Countywide and weapon possession on school grounds is up five-hundred percent over the last five years. Maury County is considered a high-risk County due to three of the statistics on the handout that Mr. Lewis passed out. Mr. Lewis advised Maury County is in the top ten percent across the State, which is why the money to start the coalition was given to Maury County. Mr. Lewis said the purpose of the coalition is to affect all of Maury County residents, not just the youth. Mr.

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Lewis advised the coalition has helped many organizations apply for grants with the grants totaling around six and a half million dollars. He said they should whether the grants are approved or denied in the early fall. The Stay on Track Program has been approved for all of the public Middle Schools in Maury County. He said the program picks up where D.A.R.E. (Drug Abuse Resistance Education) leaves off. The program is effective and free. Mr. Lewis went over other strategies that the coalition has. Council Member Stephenson thanked Mr. Lewis for coming before Council. Council Member Stephenson asked if 2006 is the latest data that is available on page three. Mr. Lewis said for that statistic it is, but there is some 2007 and 2008 data also. Council Member Stephenson asked Mr. Lewis if he is familiar with Tennessee Commission on Children and Youth (TCCY) and if the data is from there because they have very helpful information. Mr. Lewis advised it is not, it is actually from P.I.R.E. (Pacific Institute for Research and Evaluation). Vice Mayor Kennedy said Mr. Lewis did a great job and he appreciates him very much. Council Member Martin advised the coalition meets monthly and she would like Mr. Lewis to tell Council when and where they meet. Mr. Lewis advised the coalition meets every fourth Monday of the month at 6:00 p.m. at the Creekside Community Center off Polk Avenue.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 19, 2009.** Council Member Martin moved to approved the Minutes of the March 19, 2009 City Council Meeting. Council Member Dickey seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

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

1. Bid award for gasoline fleet refueling, bulk diesel and lubricant delivery – Finance Department.
2. Bid award for police administrative vehicles – Police Department.

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3. Authorization for sole source procurement for the replacement of digital transceivers – Wastewater Department.
4. Authorization to execute a license agreement for radio tower – Ward 4 – Police Department.
5. Agreement for annual financial and compliance audit – Finance Department.

ADMINISTRATION:

Item 8.1 – **CONSIDER APPROVAL OF THE COUNCIL PROTOCOLS.** City Manager Boyer advised that the Protocols were developed during the government leadership retreat and the Protocols have been extracted from the report that Mr. Sumek provided. Vice Mayor Kennedy advised he was not going to go over everything that he said Tuesday night, but he did want to say he feels the same way he felt that night. Council Member Stephenson advised she passed out an email that she received from Mr. Sumek. Council Member Stephenson said in regards to Protocol number one, the idea of contacting the Department Head or Assistant Director is simply for information purposes and that is the extent of it, it is in no way intended to supersede Mr. Boyer and his position in the City. Council Member Stephenson said when a consultant is hired you follow the lead of the consultant. Council Member Stephenson said she did not compromise the foundation of the document. She did clarify, modify and refine the document, which Mr. Sumek said is all right to do. Council Member Stephenson went over some of the changes that she and Mr. Boyer made to the Protocols. Council Member Stephenson said she just wanted to clarify the Protocols and that she did review the changes with the City Manager and the words that are in blue are the City Manager’s changes to the document. Council Member Stephenson said the changes that are highlighted in yellow were changes that were made after Tuesday night’s Study Session. Council Member Stephenson said Council has the right to refine the document and she had asked Mr. Boyer if he thought the document had been compromised due to the changes. Council Member Stephenson advised that Mr. Boyer said he did not believe the foundation of the document had been compromised. Vice Mayor Kennedy said the time to say something about the Protocols was during the retreat when Mr. Sumek was asking Council if this is what they want and if they are okay with this. Vice Mayor Kennedy said he thinks Council should go with the Protocols

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that Mr. Sumek set for Council and try that version first. Council Member Matthews said Council did not have a lot of time at the retreat to summarize what they went over. Council Member Matthews said her concern is Council is adopting the Protocols for the City and future Council people who were not at the retreat. Council Member Matthews said she appreciates Council Member Stephenson taking the time to go into depth with the Protocols. Council Member Matthews said the Protocols could be unclear for future Councils who did not attend the retreat and that she is fine with making changes when it does not change the foundation of the document. Council Member Stephenson said when a consultant is hired you are not locked into exactly how a document is outlined, particularly when it is simply a bullet outline (framework). Council Member Stephenson pointed out to Council that Mr. Sumek wrote that the Mayor and Council may chose to refine or clarify the documents as they are adopted. Council Member McCullen asked what the procedure is when Council signs off on a document. City Manager Boyer advised that Council signed off on the House Rules, not the Protocols, and that is why the Protocols are before Council. Mayor Gentner asked the City Attorney if adopting this would abrogate what is in the Charter. City Attorney Tisher advised that the Protocols apply to Council's normal meetings and work sessions. Mayor Gentner informed Council that Council Member Stephenson did add an additional Protocol, Protocol 12. Council Member Stephenson went over what Protocol 12 says. Council Member Matthews asked if there is anything in the document about Council's Executive Session. City Attorney Tisher advised there does not need to be anything in the document about Executive Session because there is no deliberation in Executive Session. City Attorney Tisher advised that the sessions are for him to update Council on litigation matters. Council Member Matthews said there have been times when things have left Executive Session that shouldn't have and she asked if the document should include a Protocol for Executive Session. City Attorney Tisher said that Council is reminded repeatedly about the Protocol for Executive Sessions. Council Member Martin asked the City Attorney if there is anything illegal or not according to code or law in the latest version of the Protocols. City Attorney Tisher said that there isn't and he did make a recommendation for one of the changes in Protocol Number 9. Council Member Martin said the last copy of the Protocols with the expanded information reduces some of the possibilities for confusion. Council Member Martin asked Mr. Boyer which version of the Protocols is he

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comfortable working with. City Manager Boyer advised he thinks original Protocol is adequate to operate under but Council Member Matthews's point about people in the future not having participated in the retreat is well taken. Vice Mayor Kennedy said that five minutes was the time mentioned at the Study Session for the audience to speak, but nothing was mentioned about rollover minutes and he thinks that needs to be looked at a little closer. Council Member Stephenson said both the City Attorney and City Manager had a copy of the changes well in advance. Council Member Stephenson responded to Vice Mayor Kennedy's comments about the length of speeches by saying there are times when someone in the audience may not know they are going to speak to Council until they hear something that compels them to speak to Council. Council Member Stephenson said if someone makes the effort to come to a Council Meeting then they should be allowed to be heard. She said the potential for a speaker going on for an hour or two hours is very rare and a long speech can be stopped. Council Member Stephenson moved to approved the revised Council Protocols (red, yellow and blue changes). Council Member Matthews seconded the motion. All Council Members present voted aye with the exception of Council Members Dickey, McCullen, Vice Mayor Kennedy and Mayor Gentner. Motion to approve the revised Council Protocols fails. Council Member Dickey moved to approve the Council Protocols as received from Lyle Sumek. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye with the exception of Council Members Martin, Matthews and Stephenson who voted no. Motion passes.

**Item 8.2 - AUTHORIZATION FOR BRENT HARVEY, JR. TO USE THE BUILDING CURRENTLY OWNED BY THE CITY OF COLUMBIA LOCATED AT 706 WOODLAND STREET FOR PROGRAM P.U.S.H. – WARD 3.** Mr. Brent Harvey, Jr. said he along with Mr. Jerome Pillow have fifty kids pre-registered for program P.U.S.H., which is a boxing program for children. The program is free and held after school hours, six days a week. Mr. Harvey, Jr. asked to take use of the building located at 706 Woodland Street and to bring it up to code. Mr. Harvey, Jr. said P.U.S.H is led by him and Mr. Pillow and they will have different Ministers coming in to speak to the children. Mr. Harvey, Jr. said the training begins each day with a prayer. He said the program is for both boys and girls. Mr. Harvey, Jr. said the program got so big that they have to move from their current location, which was a temporary location to begin

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with. Mr. Harvey, Jr. said injuries in boxing are less than those in some other sports. He advised that he understands that the building he is requesting to use from the City can be torn down at anytime. Mr. Harvey, Jr. said boxing is a tool to get the kids into the program. He said boxing will be used to better men and women in our society. Mr. Harvey, Jr. asked Council for the use of the building on Woodland Street. Council Member Matthews said there are lots of kids that do not have the means to get from this side of town to Ridley Park and there are kids that aren't team sports kind of individuals. Council Member Matthews said she looks forward to seeing what the program can do for this end of East 7<sup>th</sup>. Council Member Matthews said she thinks this can be a lifeline for the children. She hopes that it will be an atmosphere where drug use will not be tolerated. Mr. Harvey, Jr. invited Council to come watch the training at Woodland Street if his request is granted. Mr. Harvey, Jr. said this is not about making good boxers it is about making good men and women. Council Member Matthews said this also may be therapeutic for the children. Mr. Andy Harvey said this sport is a means of education. Mr. Harvey, Jr. said there are some kids that cannot participate in school sports due to grades and this gives them a sport to participate in outside of school sports. Council Member Martin asked Mr. Harvey, Jr. asked where the program is located right now. Mr. Harvey, Jr. advised the program is currently taken place at a local gym, but he didn't even want to have the program start there because it would be only temporary. Mr. Harvey, Jr. advised he only started the program at the local gym because he was afraid if he didn't start it he would lose some of the kids that were interested in the program. Council Member Martin asked where Mr. Harvey, Jr. sees the program in three to five years and what difference he thinks it will make. Mr. Harvey, Jr. said he thinks the program will keep growing, so he will need to find out how to keep enough coaches. Mr. Harvey, Jr. sees positive discipline time for the children and a positive place for children to spend their time. Mr. Andy Harvey said sports unite people and they would like to see adults come out to see the kids box. Mr. Harvey, Jr. said the program takes a while. He said they plan to have a couple of community events. Council Member Martin asked if the program would interact with the City of Columbia Parks and Recreation Department. Mr. Harvey, Jr. said he has not spoken with the Parks and Recreation Department but he would love to talk to the Department because he is open to any suggestions to help make the program grow. Council Member Martin asked if there would be two or one

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programs in Maury County. Mr. Harvey, Jr. said he doesn't know if Dr. Hines will join his program or not, but he does respect Dr. Hines. Council Member Martin asked if this would be a safe place. Mr. Harvey, Jr. responded that it would be a safe place. Council Member Dickey asked how long the program has been in existence. Mr. Harvey, Jr. said to him the program isn't even in place yet because the current location isn't big enough to push the program to its potential. Council Member Dickey asked how a teenager would be able to partake in the program. Mr. Harvey, Jr. went over the time schedule for participants, the insurances and waivers. Council Member Dickey asked about the financing of the program. Mr. Harvey, Jr. advised he does have sponsors for the program but that he and Mr. Pillow have some of their own money to get the program going. Mr. Andy Harvey said their attorney is going to help put together the financial planning. Council Member McCullen asked if Dr. Hines is still involved in the boxing field. Mr. Harvey, Jr. said Dr. Hines doesn't want to completely shut down his gym, but he isn't into competition as much. Vice Mayor Kennedy said he admires Mr. Harvey, Jr. for his dream and wishes him success. Council Member Stephenson asked about the range of ages for the program. Mr. Harvey, Jr. said he targets the ages of five through eighteen. Council Member Stephenson asked if the parents would be signing a release for the children to participate. Mr. Harvey, Jr. responded that a release would be required. Council Member Stephenson asked if a physical from a physician would be required. Mr. Harvey, Jr. said he would have to look into that question because it does bring up a good point. Council Member Stephenson asked about whether or not the Spiritual Leader listed in the PowerPoint is ordained. Mr. Harvey, Jr. advised that he is not ordained. Council Member Stephenson asked if the Harvey's attorney, Mr. Edwards, was going to set them up as a 501(c)3, non-profit corporation. Mr. Harvey, Jr. advised they are already a 501(c)3 through the Southeast Boxing Association. Council Member Stephenson asked if there is a fee for the participants. Mr. Harvey, Jr. responded that there is not a fee. Council Member Stephenson said that in the PowerPoint online access to view the finances is mentioned and she would like to know if the City will have access to the information. Mr. Harvey, Jr. said the City will have access to the financial information. Council Member Stephenson said she understands they do not want to give up on any child, but asked whether an individual who was out of control or posed a danger to others would be permanently banned from the program. Mr. Harvey, Jr. advised he would

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have to ban the individual if they posed a danger to others. Mr. Harvey, Jr. said the program would even have a dress code. Mayor Gentner asked the City Manager to outline the terms and conditions for the use of the building on Woodland Street. City Manager Boyer advised that they are recommending Council to have the City Attorney draft a lease agreement. Within the agreement, the group would be required to make all the code-related improvements to the building at their own expense and they would be required to attain and maintain liability insurance in the amount of one million dollars with the City of Columbia named as an additional insured. City Manager Boyer said the term for the lease would be discussed, along with other issues. Mayor Gentner asked if this would take more than a year. City Manager Boyer advised that the parties involved would need to sit down and talk about what is needed and what the vision for the program is. City Manager Boyer advised if the judicial center gets underway then the Woodland Street property will be very valuable for the City. Council Member Stephenson asked who would be paying the building utility costs. City Manager Boyer said that would have to be included in the lease. His presumption, without talking to Mr. Harvey, is that the program would assume all costs of operations. Mr. Harvey, Jr. advised that City Manager Boyer is correct and that they would take care of all the bills for the building. Council Member Martin moved to approve Mr. Harvey's use of the City of Columbia owned building on 706 Woodland Street, which includes the terms the City Manager and applicant have mentioned. Council Member McCullen seconded the motion. All Council Members present voted aye.

**Item 8.3 - CONSIDER AUTHORIZATION OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE – OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, FOR A THREE YEAR COPS HIRING RECOVERY PROGRAM (CHRP) GRANT – POLICE DEPARTMENT.** City Manager Boyer advised that as discussed at the Study Session, the Police Department is seeking the authority to apply for a grant to fund ten new police officer positions. City Manager Boyer pointed out the three different Organizational Chart options for the Police Department. City Manager Boyer said the grant/program is not without local expense, as it costs \$11,750.00 to put a new police officer on the street and these costs are not eligible for grant reimbursement. City Manager Boyer said that six officers

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would be minimally the number that would help get additional services up and running, but ten officers is the optimal number to best serve the community. City Manager Boyer said the City is looking at between \$70,000-\$117,000 the first year and that maintenance costs exist in subsequent years. City Manager Boyer said it is a good program but the program is not free and he wants Council to go into this with their eyes wide open. Council Member Matthews moved to approve the grant application for ten police officers. Council Member Martin seconded the motion. Chief Bishop said he is very excited about this opportunity but he emphasized this program is not free. Council Member Martin said the deadline for application is April 14, 2009, and she would like to know what the implementation period would be. Assistant Chief Potts said they are not sure when a response will be received but that he anticipates it to be the later part of May. Council Member Martin asked if this grant is part of the 2009 Recovery Act. Assistant Chief Potts advised it is included within the Act. Council Member Martin said that Chief Bishop and Assistant Chief Potts are engaging in community meetings and asked if they think this program will help with collaborating with the community. Chief Bishop said absolutely. City Manager Boyer advised there is a difference in the funding in regards to the Recovery Act. Council Member Stephenson said the information was excellent and she wants to make sure that the Council knows that the City is obligated to retain the new officers for an additional fourth year regardless of the City's financial position. Chief Bishop said that is correct. Council Member Stephenson said she is very supportive of the Police Department, but she is not inclined to raise property taxes for the match. Council Member Stephenson said she would not be supportive of refusing the grant award if the City were to discover that matching dollars could not be provided without raising property taxes. Council Member Stephenson said those are two of her concerns. She advised she is an advocate of the COPS program. Council Member Dickey said the total dollars for the grant for the three years would be about \$1.1 million of funds that cannot be passed up. Council Member Matthews said for a long time the City has not invested a lot of money in the Police Department and she is pleased that this is a top priority. Council Member Matthews said she likes that Chief Bishop is changing things and she is confident the City will be able to find the matching funds, especially without a tax increase. Council Member McCullen said there needs to be more attention shown to the investigation side of the Police Department. Chief Bishop said the intent is

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to be more attentive and catch the “bad guy” before he affects one more individual or one more neighborhood. Council Member Stephenson asked City Manager Boyer about his opinion that it would take either a tax increase or budget reduction to fund this grant. City Manager Boyer advised he has not changed his opinion and that money for this grant is not in the budget. All Council Members present voted aye.

**Item 8.4 - CONSIDER AUTHORIZATION OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE – BUREAU OF JUSTICE ASSISTANCE, FOR FY 2009 RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MAURY COUNTY SHERIFF’S DEPARTMENT – POLICE DEPARTMENT.** Council Member Stephenson moved to approve the grant application to the U.S. Department of Justice – Bureau of Justice Assistance, for FY 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant and to enter into an Interlocal Agreement with Maury County Sheriff’s Department. Council Member Dickey seconded the motion. All Council Members present voted aye.

**RESOLUTIONS:**

**RESOLUTION NO. 09-13 - TAX CORRECTIONS – CITY RECORDER’S OFFICE.**

Council Member Dickey moved to approve Resolution No. 09-13. Council Member Martin seconded the motion. All Council Members present voted aye.

**ORDINANCES:**

**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 – GRANTS AND PLANNING DEPARTMENT.**

**THIRD CONSIDERATION**

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Council Member Dickey moved to approve Ordinance No. 3795 on third consideration with the City Manager’s amendments to the attachment. Council Member Martin seconded the motion. Council Member Stephenson asked that either she or Mr. Boyer explain what was in Council’s packet in regards to this Ordinance. City Manager Boyer advised that Council wanted the landscaping material to be kept at a minimum of five feet tall as a screening device. City Manager Boyer advised that he had to rewrite the paragraph so that it would follow Council’s wishes. City Manager Boyer said he understands his version and Council Member Stephenson’s version are not very different. Council Member Stephenson said she is comfortable either way with which version of the attachment is used. All Council Members present voted aye to approve Ordinance No. 3795 on third consideration with the City Manager amendments to the attachment.

ORDINANCE NO. 3800 - AN ORDINANCE TO AMEND THE  
DECLARATION OF TRUST CREATED  
ON JUNE 19, 2008 BY ORDINANCE  
NUMBER 3752- CITY RECORDER’S  
THIRD CONSIDERATION OFFICE.

Council Member Martin moved to approve Ordinance No. 3800 on third consideration. Vice Mayor Kennedy seconded the motion. All Council Members voted aye.

ORDINANCE NO. 3801 - AN ORDINANCE TO AMEND TITLE 15,  
CHAPTER 6, SECTION 613 OF THE  
COLUMBIA MUNICIPAL CODE  
CONCERNING PARKING  
RESTRICTIONS WITHIN BLOCK  
PARKING ZONES – CITY MANAGER’S  
THIRD CONSIDERATION OFFICE.

Council Member Martin moved to approve Ordinance No. 3801 on third consideration. Vice Mayor Kennedy seconded the motion. Mayor Gentner asked about any pros or cons with the change. City Manager Boyer advised the merchants seem to be very happy with the change and the parking

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attendants are saying that they are bored. City Manager Boyer said this is the second step. Council Member Matthews asked how many parking patrol people the City has. City Manager Boyer advised that the City has two part-time attendants. Council Member Matthews asked if the City could go to one parking attendant. City Manager Boyer advised that could not be done if they want to keep the time of enforcement from 8:00 a.m. until 6:00 p.m. All Council Members present voted aye.

ORDINANCE NO. 3804 - AN ORDINANCE TO AMEND TITLE 3, CHAPTER 1, OF THE COLUMBIA MUNICIPAL CODE BY ADDING A LOCAL LITIGATION TAX TO THE COURT COST FOR THE CITY COURT OF THE CITY OF COLUMBIA, TENNESSEE – CITY RECORDER’S SECOND CONSIDERATION OFFICE.

Council Member McCullen moved to approve Ordinance No. 3804 on second consideration. Council Member Dickey seconded the motion. Council Member Matthews asked City Manager to explain why the funds from this tax could not be earmarked for the Police Department. City Manager Boyer advised that generally accepted accounting practices, which are regulations the City has to follow, say that General Fund revenue must be treated as revenue to the complete fund and cannot be used to reduce the cost of one activity within that fund. Council Member Matthews said this is going to be around a forty to sixty thousand dollar increase if they go by the numbers from last year. City Manager Boyer advised that is correct. 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 MAY 7, 2009 AS THE DATE OF THE PUBLIC HEARING ON THE ANNEXATION AND PLAN OF SERVICES – GRANTS AND

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FIRST CONSIDERATION PLANNING DEPARTMENT.

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

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 MAY 7, 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND

FIRST CONSIDERATION PLANNING DEPARTMENT.

Council Member Dickey made a motion to defer Ordinance No. 3722 on first consideration. Council Member Matthews seconded the motion. All Council Members present voted aye to defer the Ordinance until the next Council Meeting.

ORDINANCE NO. 3802 - AN ORDINANCE TO AMEND ORDINANCE NO. 3448, THE SAME BEING THE ORDINANCE ADOPTING A NEW PROCEDURE AND SANITATION FEE SCHEDULE, BY DELETING THE FEE SCHEDULE FOR THE COLLECTION OF REFUSE WITHIN THE CORPORATE LIMITS OF THE CITY OF COLUMBIA, TENNESSEE – PUBLIC

FIRST CONSIDERATION WORKS DEPARTMENT.

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Vice Mayor Kennedy moved to approve Ordinance No. 3802 on first consideration. Council Member Stephenson seconded the motion. City Manager Boyer advised that staff recommends adopting Sanitation Fees by resolution, which only takes one vote compared to three for ordinances. Vice Mayor Kennedy said they are not changing fees right now. City Manager Boyer said a vote on this ordinance does not change fees, but if Ordinance 3802 passes on third consideration, then staff will bring before Council a 14% increase in commercial fees in a resolution format. City Manager Boyer advised this current ordinance only deletes the fee schedule and that it does not change the fees in any way. City Manager Boyer advised if this ordinance passes then a resolution would have to be passed to change the fee amount. City Manager Boyer said most sanitation systems set their rates by resolutions. All Council Members present voted aye.

ORDINANCE NO. 3805 - AN ORDINANCE TO AMEND TITLE 18,  
CHAPTER 1, SECTION 18-103 OF THE  
MUNICIPAL CODE OF THE CITY OF  
COLUMBIA WITH REFERENCE TO  
SEWER SERVICE CHARGES –  
FIRST CONSIDERATION WASTEWATER DEPARTMENT.

Vice Mayor Kennedy moved to defer Ordinance No. 3805 on first consideration. Council Member McCullen seconded the motion. Vice Mayor Kennedy advised his reason for deferral is he met with the City Manager, Wastewater Director and Finance Director about this Ordinance. Vice Mayor Kennedy said he is working with Mr. Dennis Dycus in Nashville and that he sent Mr. Dycus questions about these charges. City Manager Boyer asked that Mr. Dycus come before Council and speak about the sewer rates in front of the camera. Council Member Matthews asked for the questions that Vice Mayor Kennedy had. Vice Mayor Kennedy advised that he could get her a copy of the questions and, if they defer, he is sure he can get Mr. Dycus to come to the Council Meeting. All Council Members present voted aye to defer with the exception of Council Members Dickey, Martin and Mayor Gentner who voted no. Motion to defer passes.

PUBLIC COMMENTS:

OTHER BUSINESS:

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Council Member Matthews advised she is concerned that Council Member McCullen, who is a board member on the Public Utilities Board, did not have a comment tonight, especially when there is a special-called water meeting. Council Member Matthews sent a “shout out” to Planet Pizza, which is a wonderful family owned business in Neely’s Mill. Council Member Matthews said she is on the Animal Shelter Advisory Committee along with the City Manager and Mayor. She said the meetings are going great and the Humane Society will be doing a review on the Animal Shelter. Council Member Matthews advised there were 20 applicants for the Animal Shelter Director. She said they have chosen three with one alternate to interview for the position. Council Member Matthews said she participated in a task force on the homeless situation and shared the names of members of the task force. Council Member Matthews said there are many who take care of the community’s needy. Council Member Matthews reminded everyone that there are funds to help people with their utility bills and that Maury County was the only County not coming forth to get the matching funds for the utility program. Council Member Matthews asked for a discussion with Council and CPWS as to why they are not participating in a grant that gives back.

Council Member McCullen advised he did announce the April 8<sup>th</sup> meeting and even passed out information about the meeting. He said he tries to do his job on the Public Utilities Board and every time he makes an announcement about the board there seems to be a backlash. Council Member McCullen said he hopes that, in the future, this kind of activity can stop. Council Member Matthews said Council Member McCullen was the Mayor’s appointment to the Board. Council Member Matthews said she has not seen any reports from Council Member McCullen on the activities of the Board and it is a paid position and this topic is one of the most important in the community in regards to the Spring Hill water sale. Council Member McCullen said he passed out information about the meeting and it is even published in the paper. Council Member McCullen asked why he should have to keep repeating himself for the same announcement when he has already made the announcement.

Council Member Martin thanked Mr. Lewis for the report that he brought to Council and they are looking forward to what is to come with the coalition.

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Council Member Martin said today and this week the Mule Town Family Network has been reviewed and she wanted to thank everyone for attending the meetings and showing their support to Mule Town Family Network. Council Member Martin encouraged everyone to have a great Mule Day, to be safe, have fun and spend lots of money.

Council Member Dickey said that Mule Day is the biggest event for Columbia and we have an opportunity to make people aware of what Columbia is really like, besides being the Mule Day Capitol. Council Member Dickey thanked the Police Department and Public Works Department for their part in this event and he appreciates the extra effort it takes to have this kind of event.

Council Member Stephenson advised there will be a Water Efficiency Growth Webinar at City Hall on April 9<sup>th</sup>. Council Member Stephenson also announced that Powerhouse Gym and Stoneybrook Golf Course are hosting a Golf Scramble on Saturday, April 25<sup>th</sup>. The proceeds for this event will be donated to the Tennessee Rehabilitation Center in Columbia, which is a non-profit agency that does not receive any State dollars. Council Member Stephenson said the Center really needs the community's help to keep their doors open.

Vice Mayor Kennedy said the City Manager, Department Heads, Employees and Council are second to none of anybody in the State of Tennessee. Vice Mayor Kennedy said that when he contacted Mr. Dycus in Nashville, it was strictly to get questions answered that he had no way of getting answered. Vice Mayor Kennedy said he didn't go above his limits or bounds, he did ask Mr. Boyer about being able to talk to Mr. Dycus. Vice Mayor Kennedy said he is confident in the City of Columbia. Vice Mayor Kennedy said he would like the City to take part in the parade.

City Manager Boyer advised the City was under a Tornado Warning about three o'clock this afternoon and there was a problem with flooding at Maury County Park. City Manager Boyer said "kudos" go out to the Emergency Management Director and the Saddle and Bridle Club because they have spent the last year developing an emergency plan for Maury County Park when it is Mule Day. City Manager Boyer advised the plan worked, everyone was evacuated to Central High School, no one was hurt and

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everyone was protected. Mr. Boyer said there was some damage to private property because people placed their trailers where they were told not to park. City Manager Boyer advised the water is now receding. He said that the Police Department evacuated everyone from the second floor of their building and City Hall also evacuated everyone from the second floor, including a full court room and judge. City Manager Boyer said the plans for an emergency worked great today. City Manager Boyer again thanked the people that participated in the Emergency Plan for Maury County Park during Mule Day.

Mayor Gentner spoke about the history and economic impact that Mule Day has on the City of Columbia. Mayor Gentner complimented Mr. Boyer and his staff for the preparedness for Mule Day and with dealing with the emergency side of the event that occurred earlier in the afternoon. Mayor Gentner said that you cannot pick up a newspaper or hear on television about the economic situation in the Country; he indicated that we continue to have businesses looking at Columbia as a place to do business. Mayor Gentner said he hopes to hear in the near future announcements of new businesses locating to the City of Columbia.

There being no further business, the meeting adjourned at 8:51 p.m.

APPROVED:

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WILLIAM E. GENTNER, MAYOR

ATTEST:

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BETTY MODRALL, CITY RECORDER