

CITY COUNCIL MEETING – COLUMBIA, TENNESSEE

June 4, 2009 – 6:30 p.m.

PUBLIC HEARING - ON ORDINANCE NO. 3807- AN ORDINANCE TO AMEND ORDINANCE NO. 3638 – THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 1119 SOUTH MAIN STREET FROM I-G (INDUSTRIAL GENERAL) TO GCS (GENERAL COMMERCIAL SERVICES) DISTRICT.

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; Assistant City Recorder Sue York; and Liz Bermudez, Recording Secretary. City Recorder Betty Modrall was absent.

There being no one present in connection with the Public Hearing for Ordinance No. 3807, Council Member Martin moved to close the Public Hearing. Council Member Stephenson 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. Assistant City Recorder Sue York 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; Assistant City Recorder Sue York; and Liz Bermudez, Recording Secretary. City Recorder Betty Modrall was absent.

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

### APPROVAL OF AGENDA:

Mayor Gentner moved to approve the Agenda as amended by removing Item 9.1 from the Agenda. Vice Mayor Kennedy seconded the motion. Mayor Gentner advised that Item 9.1 is Resolution No. 09-20. At the Study Session, Mr. Trent Ogilvie with the Columbia Housing Authority and Mr. Alvin Nance from the Knoxville Community Development Council shared with Council the concept of establishing a redevelopment authority within the Columbia Housing Authority. Mayor Gentner informed everyone that this is provided for in State law and is an opportunity for the City of Columbia to take the Columbia Housing Authority to a new level. Mayor Gentner said as needs arise, the City may use the Redevelopment Authority to deal with blighted areas of the community. Mayor Gentner said some members of Council who have concerns about the Resolution have contacted him. Additional information will be pulled together for Council before the Resolution is brought back at the July 16<sup>th</sup> Council Meeting. Council Member Dickey said he does not understand why, with all the work that has gone into planning, this Council is not moving forward on the item. Mayor Gentner said he feels comfortable with this item, but there are other members of Council that aren't as familiar with the item and he would prefer they get more information so they could feel comfortable voting on the item. Council Member Matthews said she is in favor of Item 9.1 and she would like to request a study session in advance of the item coming back on the Agenda. Vice Mayor Kennedy said he respects what Council Member Matthews said but the Mayor just said there will be a meeting with the gentlemen and they will get back with Council. Mayor Gentner said he was not necessarily proposing an additional study session, but if members of

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council wanted a special study session to hear discussion then he is fine with that. Council Member Stephenson said she, too, would like to be involved and would like for all of Council to be able participate in the study session by making comments and asking questions. All Council Members present voted aye to approve the amended Agenda.

**PRESENTATION:**

**Item 5.1 – PRESENTATION BY SPRING HILL MAYOR MICHAEL DINWIDDIE THANKING THE COLUMBIA CITY COUNCIL FOR INITIATING THE GM SPRING HILL SUPPORT PROCLAMATION.**

Spring Hill Mayor Dinwiddie said there are two things that people do not hear enough of in the world. One of those things is “I love you” and the other is “thank you”. Mayor Dinwiddie said he was before Council tonight to say “thank you”. Mayor Dinwiddie advised if everyone said more of those two phrases then the world would probably be a better place to live in. Mayor Dinwiddie informed everyone that there is an easy tendency to make the news about the General Motors Spring Hill Plant negative, but he is remaining optimistic for the plant. Mayor Dinwiddie spoke about a meeting that took place about a month ago with the United Steel Workers along with the Alliance of American Manufacturing; they held a rally at the UAW Hall in Spring Hill in support of American jobs staying in America. He said there were several speakers who chose to speak at the rally including Mayor Gentner. Mayor Dinwiddie said there were many other City of Columbia Council Members in attendance at the rally. Mayor Dinwiddie advised when Mayor Gentner introduced the other members of the Columbia City Council who were in attendance at the rally, it dawned on him that the City of Columbia is extremely fortunate to have leaders like Columbia’s leaders. He said no other city including his own city, Spring Hill, had members of the legislative body at that rally and for Columbia City Council to take time out of their schedule to attend a rally in a different city to support the workers demonstrates their dedication and commitment to this entire region. Mayor Dinwiddie said he believes that two months ago, the plant was on the closure list, but he believes because of the support and attention given to General Motors about the Spring Hill Plant, the plant was removed from the closure list. Mayor Dinwiddie advised the City of Columbia Council passed a Resolution in support of General Motors and Mayor Gentner has called meetings and press conferences in a very proactive manner. Mayor

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Dinwiddie said he believes that each member of Columbia’s City Council has made a difference in the survival of the Spring Hill Plant. Mayor Dinwiddie said they should feel extremely proud of themselves and the citizens of Columbia should be proud of them. Mayor Dinwiddie again thanked the Columbia City Council.

ORGANIZATIONAL BUSINESS:

Item 6.1 – **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 21, 2009.** Council Member Martin moved to approve the Regular City Council Meeting Minutes of May 21, 2009. Council Member Matthews seconded the motion. All Council Members present voted aye.

CONSENT AGENDA:

Vice Mayor Kennedy 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. Consider payment to Tennessee Department of Revenue for City Business Tax due to the State of Tennessee – City Recorder’s Office.
2. Authorize the Personnel Director to sign the employer group application change form with Blue Cross Blue Shield of Tennessee for Medical and Dental Insurance – Personnel Department.
3. Approval of request by City of Spring Hill Police Department for donation of surplus 19-inch flat screen monitors – MIS Department.

ADMINISTRATION:

Item 8.1 – **AUTHORIZATION TO EXECUTE CONTRACT WITH GEORGE A. CLANTON CONSTRUCTION COMPANY FOR CONSTRUCTION OF FIRE STATION 2 – WARD 1 – FIRE DEPARTMENT.** Council Member McCullen moved to approve the authorization to execute the contract with George A. Clanton Construction

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Company for construction of Fire Station 2. Vice Mayor Kennedy seconded the motion. Council Member Matthews moved to defer the authorization of the contract. Council Member Stephenson seconded the motion to defer. Council Member Matthews said Council Member Stephenson brought up a good point Tuesday evening about Clanton Construction charging the City some outrageous fees for them not being able to work on Ridley Park due to some delays. Council Member Matthews said Clanton won the bid for the fire hall but the City has not negotiated any type of status for the City in case there are delays. Council Member Matthews said members of Council have purchased floodplain property and she reminded them that May of this year was the most rained on month for the City of Columbia. Council Member Matthews said she would like to make sure the City has protected itself in case we run into quite a bit of water and flooding takes place on the property in the middle of construction. Council Member Matthews said if flooding does take place and there is a delay, she would like to somehow try to lessen the penalties. Mayor Gentner asked Council Member Matthews if she was asking for the contract to be amended in some way to address that. Council Member Matthews said she believes that Mr. Boyer said that Council would have to defer the item if they wanted to negotiate those points into the contract. Mayor Gentner asked the City Attorney to look at the Agreement, which is a standard AIA document. He asked if the proposed contract would suffice to address such issues that might come up as opposed to coming up with an amended contract. City Attorney Tisher said he could speak more specifically about weather. He said if you look at the second page of the contract, it provides for a completion time of 301 days from the date of commencement for substantial completion. City Attorney Tisher went on to say if there is a weather-related delay, then there is a provision in the contract under which the contractor could ask for a change order. One of the provisions could be to extend the contract time. He continued by saying that the change order would have to be brought before Council after going through the City's architects. He said Clanton would submit what the justifications for the change order were (as to what the conditions were that were unusual that caused that delay) and Council would have the right to approve or disapprove that change order. City Attorney Tisher said if there were a delay due to weather then Clanton would technically be bound to the 301 days unless they came to Council with a change order to extend the timeframe. Mayor Gentner said this is a standard AIA contract and it does address this issue and provides a means

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by which a resolution and/or possible payments could be made if that were the case. Mayor Gentner said if the City and contractor were not able to agree, then the remedy of going through the court system would exist. City Attorney Tisher advised the contract does provide for alternate dispute resolution and there always is ultimately the remedy of courts, if necessary. Council Member Stephenson said that, on Tuesday night, her primary concern was to have something in the contract so that if something occurred that the City had no control over, the City would not be penalized. She said her major concern was that when there was a delay with Ridley Park, Clanton asked for a substantial amount of money and that is what she had an issue with. There was discussion as to whether Council can be discussing these matters during a motion to defer. City Attorney Tisher advised that since the issues that Council has are related to the topic and why they want to defer, he believes they can discuss this issue. Council Member Stephenson advised that she had spoken with Mr. Boyer about the contract and that after speaking with the City Manager, she was comfortable with the AIA contract. Council Member Martin said if there has been conversation that Council needs to have brought before them then she would also like to hear it. City Manager Boyer advised Council that the City Attorney, Fire Chief and he had looked over the contract. Within the contract, there is an addendum that provides a procedure for requests for change orders and how the costs will be substantiated and so forth. City Manager Boyer said that, during his conversation with Council Member Stephenson, he had recommended proceeding with the contract since it provides for a way for change orders to be requested and requires substantiation related to actual and true costs of any delays by any reason. City Manager Boyer advised that Clanton also followed this process in the previous case. Council Member Martin asked that a copy of the addendum that Mr. Boyer spoke about be provided to Council members. Council Member Matthews said she would withdraw her motion to defer in light of the conversation that she was not privy to. Council Member Stephenson said she would withdraw her second. Council then voted on the original motion, which was to approve the contract. All Council Members present voted aye.

**Item 8.2 – CONSIDER AUTHORIZATION FOR ADDENDUM TO BARGE WAGGONER SUMNER & CANNON DESIGN CONTRACT FOR THE RIDLEY PARK COMPLEX PROJECT – WARD 4 – ENGINEERING DEPARTMENT.** Council Member Dickey moved to

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approve the authorization for addendum to Barge Waggoner Sumner & Cannon design contract for the Ridley Park Complex Project. Council Member McCullen seconded the motion. Vice Mayor Kennedy said he would like to know that the contract they have will have everything placed in it and there will not be any extra costs. He said he wants to know from start to end that everything is in the contract. City Manager Boyer advised staff tries to do that, but he would never tell Council going into a major construction project that everything is there and there would not be a change order. City Manager Boyer said that is not the nature of major construction work and he does not want Council to think that there will not be any change orders or addendums. Vice Mayor Kennedy said he would like to think there are no high dollar items missing. City Manager Boyer said that staff believes that the contract they are considering tonight is the final change order to Barge, Waggoner, Sumner and Cannon's engineering and design contract. City Manager Boyer said this isn't about the design or bid of the park; it is just about compensating the company for the design and engineering work they have done and are going to be doing. City Manager Boyer informed Council that construction still has to be done and there are some high dollar items in that. All Council Members present voted aye.

**Item 8.3 – AUTHORIZE WORD OF LIFE MINISTRY TO RESERVE AND USE THE MACEDONIA RECREATION CENTER FOR SUNDAY SERVICES AND ACTIVITIES THROUGH JUNE 30, 2011, AT THE CITY'S APPROVED RATE FOR THE USE OF RECREATION FACILITIES ON DAYS THAT THE FACILITY IS NOT OPEN TO THE PUBLIC.** Council Member Martin moved to approve the use of the Macedonia Recreation Center by Word of Life Ministry at the rate for the use of Recreation Facilities on days that the Facility is not open to the public. Vice Mayor Kennedy seconded the motion. Vice Mayor Kennedy said they had a lengthy discussion about this Tuesday night and he said he personally feels they are on the wrong track about charging for this facility. Vice Mayor Kennedy said he knows what the City Manager said and he understands that. Vice Mayor Kennedy said on Wednesdays the charge for the facility is twenty dollars an hour and on Sundays, it is forty dollars an hour. Vice Mayor Kennedy said the City's payout for one employee to be there on Wednesday is sixteen dollars an hour. Vice Mayor Kennedy said he is trying to figure out how to lower the rate. Vice Mayor Kennedy said Mrs. Gray is a part-time Parks and

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Recreation employee and, with the former Parks and Recreation Director, Mrs. Gray was allowed to go in and serve as an employee. Then, for some reason, that was cut out. Vice Mayor Kennedy asked if there is a possibility of getting Mrs. Gray back into the center on those days. Vice Mayor Kennedy said he would like to see a way to try to get the cost down. Council Member Martin said that Word of Life is doing great work and she challenged the Word of Life community and the Council to continue to look for other possibilities to help in this situation. Council Member Martin said there may be a model somewhere for them to look at. She advised that she appreciates Pastor Gray's DVD and everyone needs to be challenged to find something that can be used to help with this situation. Council Member McCullen said at the last meeting he made a motion to reduce the fees and it was defeated, but he noticed a lot of times the City has contracts with the Little Leagues where the costs are shared due to them marking their lines and that sort of thing. Council Member McCullen advised Council should pass this tonight and keep looking for a way to reduce the fees. He said he has a problem with Word of Life paying more with fees than what he paid for the construction of his building. Council Member Matthews said there are people that come to the City all the time requesting money or some kind of need and they do as good a job as Pastor Gray does. Council Member Matthews said they have to be consistent with what everyone is charged. Council Member Matthews mentioned Word of Life talking to the Boys and Girls Club since they are not open on the weekends or Wednesday nights and maybe, they can work something out with that group. Council Member Matthews told Pastor Gray she had a lot of ideas that she would like to share with him. Council Member Matthews advised that Word of Life Ministry is paying between seven hundred dollars and one thousand dollars a month for use of Macedonia Center, so that would put them at twelve thousand dollars of money that the City would be giving them. She said that amount puts them way above what other organizations ask for in regards to appropriations. Council Member Matthews advised that the 501c3 organizations provide financial statements and budgets to Council so they can see how the money is spent. This way, other organizations that are asking for money or help can be treated equally. Council Member Dickey said he appreciates what Pastor Gray is trying to do for the community and the support of all those in the audience shows that he is doing good work. Council Member Dickey said when the Council is advised to do something by legal counsel; they need to follow those recommendations. Mayor

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Gentner asked the City Manager to speak about this issue. City Manager Boyer advised the Council adopted a Fee Schedule, which envisions all users of City facilities, particularly recreation facilities, being treated in a like manner. He said there is no basis for a waiver that they are not willing to give to everyone. City Manager Boyer said he knows there are some Council members who do not like fees, but fees are part of the General Fund revenue structure. Without those fees, the property tax rate would need to be increased to accomplish the same things that are being accomplished today. City Manager Boyer responded to the Vice Mayor's earlier comments and questions. City Manager Boyer asked that the former Recreation Director be left out of this issue completely. He said that she did what Council and the former City Manager asked her to do. City Manager Boyer advised that the Charter and the Personnel Regulations prohibit an employee from working for the City and working for someone else at the same time. He said Mrs. Gray, who is good part-time employee, was working for the City and working for Pastor Gray at the same time and that is why that was stopped. City Manager Boyer said City employees have to be paid no matter who is working. He reminded Council if they change the fee policy, it would have a financial impact, so either less could be done or taxes would have to be increased. City Manager Boyer said discussion about fees should not be about a certain organization, it should be about the community as a whole. Mayor Gentner asked why the City could not contract with Word of Life on Wednesdays to provide recreation services for anyone in the general vicinity of the Macedonia Center. Mayor Gentner asked if the City would be able to meet the requirements that it has and also give a small revenue stream to Pastor Gray by saying this facility is for everyone to come and use on Wednesdays and the City would compensate him for the three or four hours. City Manager Boyer said the City has never seen a proposal of that sort from Word of Life. City Manager Boyer informed everyone that Word of Life would have to drop all religious education from their program if they are going to be under contract with the City because we cannot use tax money to pay for religious programs. City Manager Boyer continued by speaking about the reduced fees that the City uses with Little Leagues. He said Word of Life hasn't brought any proposals to the City. He said the leagues come to the City saying they will line the fields or mow, etc., which is work the City would have to do if the organization did not do it. Therefore, there is a true cost reduction for the City of Columbia. City Manager Boyer advised that Word of Life has only

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asked for a fee waiver. Vice Mayor Kennedy said he wasn't speaking about the former Parks and Recreation Director in any way. He said that he just knew this had been suspended and City Manager Boyer had answered the question as to why Mrs. Gray wasn't working when Word of Life met. Vice Mayor Kennedy said his understanding is that Pastor Gray is asking for a reduction of the fees and not asking the City to forgive the entire amount. Pastor Gray said he is honored tonight to just stand before Council. Pastor Gray said Word of Life has been seeking to help the City by reaching 250 kids. He thanked Council for helping them reach out to have a positive impact on the community, even though in 2007 the fees were doubled. Pastor Gray said they came in peace and would like to leave in peace. Pastor Gray said he teaches the kids to pray for those in authority. Pastor Gray said "thank you" and they will continue to do the work with helping this City, but with the fees being at the amount they are they will have to find somewhere else to do their work in the City. Pastor Gray said they will be outside for a while until God provides them a place for them. This will put off the burden on the ministry and the kids for him to have to continuously come before Council. Pastor Gray thanked Council for the encouraging words and he again thanked everyone. Pastor Gray said he hopes his closing statements will end the discussion on this topic and there are a few things at Macedonia Center that they need to move out. Mayor Gentner asked Pastor Gray if on Wednesdays if there is a way for them to just have recreation and fellowship and if the religious part of program could be conducted somewhere else. Pastor Gray said he appreciated the Mayor's statement. Pastor Gray told the City Manager if they had known of any proposals, they could have offered to help. They do many things to help and there was a lack of knowledge and lack of information given to them. Mayor Gentner said he has no problem making a motion to defer this if Pastor Gray needs time to come up with something that Council could support. Mayor Gentner asked if Pastor Gray would like him to make that motion. Pastor Gray said he is honored but would have to pray on it and he would rather for them be able to depart. Mayor Gentner moved to defer. Council Member Stephenson seconded. All Council Members present voted aye to defer with the exception of Council Member McCullen who voted no. City Manager Boyer said he does not know why the item was deferred and would like to know what staff is to accomplish. Mayor Gentner said he hopes that Pastor Gray and his advisory group will think through the process to see if they feel there is some opportunity to present a

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proposal that would be beneficial to them and the City. If they are not prepared in two weeks, then he is prepared to defer again to give them more time to come up with a proposal. Mayor Gentner said he has asked for statistics on the crime in the Macedonia area and he thinks the crime rate will reflect the good that Pastor Gray is doing in that area. City Manager Boyer advised to get those statistics the Police Department would have to take people off the streets to do research as to what the number may be. Mayor Gentner said his gut feeling is that crime is not as prevalent there as it is in other locations because of what the churches and Pastor Gray are doing in that area. Council Member Matthews asked how much it would affect the Parks and Recreation budget if Word of Life didn't use the facility. Council Member Matthews said Pastor Gray has not presented one financial statement to Council and they require that from all the 501c3's that ask for money from the City. Council Member McCullen asked why Word of Life would have to present their financial statement if the City isn't going to give them anything. Council Member McCullen asked what the City is going to do if they will not be receiving the fees that Pastor Gray normally pays. Mayor Gentner said he believes the budget is balanced, in part, from those fees. City Manager Boyer advised that expenses will go down because the City wouldn't have to pay for staffing the facility for six hours every Sunday unless someone rents it. Council Member McCullen asked if the rent offsets everything. City Manager Boyer said the intent of the fee is not to offset everything. Council Member Matthews stressed to everyone that a 501c3 gets the status of not paying taxes and in lieu of doing that, they have federal and state requirements on full disclosure of their business practices. That requirement is for any 501c3 in this town. She said City officials can request financial statements at any point from an organization to make sure an organization is not taking advantage or fundraising in the City. Council Member Matthews said it is important that the financial statements be checked to make sure business is being done correctly. Vice Mayor Kennedy asked why we would need to see their financial statement if the City isn't giving them anything. Mr. Larry Reeves said that Pastor Gray is doing something that no other organization is doing. Mr. Reeves said Pastor Gray feeds the kids and gives them a bible study. Mr. Reeves asked that the City look at what the Macedonia Center brings in less what Pastor Gray pays per year. He said that the City may be able to make a profit by renting Pastor Gray the total facility for a yearly base figure. He said there are hundreds of programs that Pastor Gray could implement even further if

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he had a facility he could go into anytime. Mr. Reeves said renting the facility would be beneficial to everyone. Council Member Matthews asked what he would do differently than the Boys and Girls Club and other organizations. Mayor Gentner said there may not be much of a crossover. Mayor Gentner said he thinks Pastor Gray has done a great job. City Attorney Tisher advised Council that the item has been discussed and was deferred so technically they need to move on to the next item on the Agenda.

RESOLUTIONS:

RESOLUTION NO. 09-20 - CONFIRMING COLUMBIA HOUSING AUTHORITY (CHA) AS THE REDEVELOPMENT AUTHORITY OF THE CITY OF COLUMBIA, TENNESSEE.

This Resolution was removed from the Agenda during the Approval of Agenda process.

RESOLUTION NO. 09-22 - REQUESTING THE MAURY COUNTY ELECTION COMMISSION CONDUCT A CITY ELECTION FOR THE OFFICES OF MAYOR AND VICE-MAYOR ON NOVEMBER 3, 2009.

Council Member Martin moved to approve Resolution No. 09-22. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

RESOLUTION NO. 09-23 - AUTHORIZING THE DAILY HERALD AS THE OFFICIAL LOCAL NEWSPAPER FOR THE CITY OF COLUMBIA – CITY RECORDER’S OFFICE.

Council Member McCullen moved to approve Resolution No. 09-23. Council Member Martin seconded the motion. All Council Members present voted aye.

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ORDINANCES:

ORDINANCE NO. 3807 - AN ORDINANCE TO AMEND ORDINANCE NO. 3638 – THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, BY REZONING 1119 SOUTH MAIN STREET FROM I-G (INDUSTRIAL GENERAL) TO GCS (GENERAL COMMERCIAL SERVICES) DISTRICT - WARD 3 – GRANTS AND PLANNING DEPARTMENT.  
THIRD CONSIDERATION

Council Member Martin moved to approve Ordinance No. 3807 on third consideration. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye with the exception of Council Member Stephenson who abstained.

ORDINANCE NO. 3808 - AN ORDINANCE TO AMEND ORDINANCE NO. 3448, THE SAME BEING THE ORDINANCE ADOPTING A NEW PROCEDURE AND SANITATION FEE SCHEDULE, BY ADOPTING A NEW FEE SCHEDULE FOR THE COLLECTION OF COMMERCIAL REFUSE WITHIN THE CORPORATE LIMITS OF THE CITY OF COLUMBIA, TENNESSEE – PUBLIC WORKS DEPARTMENT.  
THIRD CONSIDERATION

Vice Mayor Kennedy moved to approve Ordinance No. 3808 on third consideration. Council Member McCullen seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3806 - APPROPRIATION ORDINANCE FOR FISCAL YEAR JULY 1, 2009 THROUGH JUNE 30, 2010 – FINANCE DEPARTMENT.  
SECOND CONSIDERATION

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Mayor Gentner added the words “as amended” as he made the motion to approve Ordinance No. 3806 on second consideration. Council Member Matthews seconded the motion. City Attorney Tisher asked if the “as amended” would incorporate the amendments that Mr. Boyer was about to go over. City Manager Boyer went over the budget amendments incorporated in the attachment labeled “Proposed FY 2009-10 Budget Modifications To Date, June 4, 2009”. Council Member Matthews asked about the money for a Police Substation. City Manager Boyer said staff has not had time to look at the request for the substation yet, but they have not forgotten about the request. Vice Mayor Kennedy said he would like to see what can be done to give the employees a one percent increase for a raise. Vice Mayor Kennedy asked about the overtime issue. City Manager Boyer advised there is not a way to fund the one percent raise for employees without raising property taxes. Council Member Dickey said they have cut about everywhere possible to try to balance the budget but through all the discussion, none of the Council Members have mentioned taking a cut in their pay. Council Member Dickey said he is willing to take a 20% cut in pay. He said that isn’t a lot of money, but he is willing to take that cut and he challenges the other Council Members to consider doing that. Council Member Stephenson said that the hundred dollars a month that Council Member Dickey is speaking about cutting from their pay is one hundred dollars that she works hard for and she doesn’t feel comfortable with that kind of pressure on her. She said in regards to her own personal situation she is not in favor of that. Mayor Gentner said Council did have extensive discussion with the City Manager and staff on the worst-case scenario in regards to General Motors. City Manager Boyer said he is not terming it a “worst-case scenario” and that it is only a guess as to what may happen to revenue. City Manager Boyer said Council Member Matthews asked staff to see what happened to revenue back when there were closures with other plants in the area. City Manager Boyer advised that staff was able to find the information requested and it showed that revenue went up each time. He said speculation that sales tax revenue would fall has no logical basis and has no substantiation in recent history, but that staff did a planning exercise in case there was a ten percent sales tax reduction and where other fees in the community were reduced. City Manager Boyer briefly went over some of the scenarios. City Manager Boyer said it is important for community to know the City is prepared to deal with any revenue reductions

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that may occur, but it is too early to know what may happen. He said if the City has to react quickly then the City will be ready because Council did ask for the City to work on a plan. Vice Mayor Kennedy said he agrees with Council Member Stephenson on being opposed to Council Member Dickey's suggestion of taking a cut in their pay. Vice Mayor Kennedy said he doesn't get enough money from being on Council to pay for gas to go around town and help people. Council Member Martin said during all of the budget hearings she has shared with Council that she wanted to see a mission plan: a "just in case" scenario. She said now they have the document, which she is excited about having. Council Member Dickey said he hopes Council Member Stephenson didn't take his remarks personally because that wasn't the intent. Council Member Dickey said before he ran for the Council seat, he checked the pay. He said that if he had to base his decision to run on the pay, then he probably wouldn't have run for his Council seat. Council Member Dickey said this isn't the first time he has done this, he has done this with his employees and it makes him feel more a part of what is going on. Council Member McCullen said he is excited about the plan in an emergency situation. He said he feels like Council Member Dickey in that he is willing to give up a little of his pay if need be. All Council Members present voted aye on the Ordinance as amended with the exception of Vice Mayor Kennedy and Council Member McCullen who voted no.

ORDINANCE NO. 3809 - AN ORDINANCE FIXING THE TAX RATE FOR THE CITY OF COLUMBIA FOR THE YEAR 2009 ON ALL TAXABLE PROPERTY AT THE RATE OF \$1.38 PER \$100.00 – CITY  
SECOND CONSIDERATION RECORDER'S OFFICE.

Vice Mayor Kennedy moved to approve Ordinance No. 3809 on second consideration. Council Member Martin seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3810 - AN ORDINANCE TO AMEND THE FY 2008-09 BUDGET ORDINANCE NO. 3753 AS PREVIOUSLY AMENDED,

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PROVIDING FOR REVISIONS TO THE  
GENERAL FUND – FINANCE  
SECOND CONSIDERATION DEPARTMENT.

Council Member Martin moved to approve Ordinance No. 3810 on second consideration. Vice Mayor Kennedy seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3811 - AN ORDINANCE TO APPROVE THE  
CLASSIFICATION AND  
COMPENSATION PLAN FOR THE  
EMPLOYEES OF THE CITY OF  
COLUMBIA FOR THE 2009-2010  
FISCAL YEAR – PERSONNEL  
SECOND CONSIDERATION DEPARTMENT.

Vice Mayor Kennedy moved to approve Ordinance No. 3811 on second consideration. 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 JULY 2, 2009  
AS THE DATE OF THE PUBLIC  
HEARINGS ON THE ANNEXATION  
AND PLAN OF SERVICES – GRANTS  
FIRST CONSIDERATION AND PLANNING DEPARTMENT.

Council Member Dickey moved to defer Ordinance No. 3721 on first consideration until the adoption of the comprehensive plan. Council Member McCullen seconded the motion. Mayor Gentner asked the City Attorney if that was the correct motion. City Attorney Tisher advised under Robert's Rule of Order, Council can only defer an item to the next regularly scheduled Council Meeting. Council Member Dickey changed his motion to defer until the next Regular Council Meeting. Council Member

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McCullen, who seconded the motion, agreed to the change. All Council Members present voted aye to defer Ordinance No. 3721 on first consideration.

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-0 PLANNED UNIT DEVELOPMENT AND ESTABLISH THE DATE OF JULY 2, 2009 AS THE DATE OF THE PUBLIC HEARING – GRANTS AND PLANNING DEPARTMENT.

FIRST CONSIDERATION

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

ORDINANCE NO. 3814 - AN ORDINANCE TO AMEND THE CITY OF COLUMBIA EMPLOYEES' RETIREMENT PLAN RELATIVE TO THE EMPLOYEE'S CONTRIBUTION – CITY RECORDER'S OFFICE.

FIRST CONSIDERATION

Council Member Martin moved to approve Ordinance No. 3814 on first consideration. Council Member Matthews seconded the motion. City Manager Boyer advised the Ordinance needs to be amended due to the budget that was passed on second consideration earlier this evening. City Manager Boyer said the Ordinance needs to be amended to say “An Ordinance to amend the City of Columbia Employees’ Retirement Plan relative to the City’s Contribution” (instead of Employee’s contribution). He

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also said that Section 1 needs to be amended to say “the City of Columbia Employees’ Retirement Plan be amended by providing that the City’s contribution to such fund be changed from 9.44% to 10.5%” so that the Ordinance will support the budget passed by Council on second consideration. Mayor Gentner asked the City Manager to go over the percentages again. City Manager Boyer advised the percentages are from 9.44% to 10.5%. Mayor Gentner asked Council Member Martin if she would be willing to amend her motion to agree with what the City Manager said. Council Member Martin agreed she would amend her motion to include what the City Manager said. City Attorney Tisher repeated what the motion should say. All Council Members present voted aye on the amended Ordinance with the exception of Vice Mayor Kennedy who voted no.

ORDINANCE NO. 3815 - AN ORDINANCE TO AMEND THE CITY OF COLUMBIA PRE 65 AND POST 65 HEALTHCARE INSURANCE BENEFIT FOR ELIGIBLE RETIREES OF THE CITY OF COLUMBIA RELATIVE TO THE CITY’S CONTRIBUTION – CITY RECORDER’S OFFICE.  
FIRST CONSIDERATION

Council Member Martin moved to approve Ordinance No. 3815. Council Member Stephenson seconded the motion. All Council Members present voted aye.

ORDINANCE NO. 3816 - 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 – WASTEWATER DEPARTMENT.  
FIRST CONSIDERATION

Ordinance No. 3816 died on first consideration due to a lack of a motion.

**OTHER BUSINESS:**

Council Member McCullen advised Mr. Boyer that there was a situation going on at James Campbell and West 7<sup>th</sup> with the new doctor’s facility and

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it is something urgent that he would like to talk to him about when he gets back into the office from being out of town.

Council Member Matthews thanked everyone for a good meeting. Council Member Matthews spoke about a small town in Kansas and the ordeal they went through when a tornado devastated their town. Council Member Matthews said our City is having challenges but we are blessed that what we have to face is nothing like what other cities in the country have had to go through. Council Member Matthews spoke about all the wars we have gone through and how the City has come out resilient and together, and she is looking forward to the next couple of years. She said she believes in the Council and the people of Columbia. Council Member Matthews spoke about the onslaught of people scamming the elderly and about not giving people personal information. Council Member Matthews gave her “shout outs” to Steamies, a new business in town that she said was quite good, and to Stoltz Printing and Publishing on North Main. Council Member Matthews gave a grateful “shout out” to Mr. Kerry Pulliam because he is starting renovations on a house on West 6<sup>th</sup> Street. She also spoke about the new fence going up on Mayes Place and how we need to keep tourism thriving.

Council Member Martin said her constituents have been asking when the Fairview Park Pool would be opened. City Manager Boyer advised that, as explained in the weekly report, legislation had been passed requiring that the drain of the pool be changed. City Manager Boyer said the law took effect this year so it was a little hard to find a contractor available to do the work, but the drain has been changed to comply with Federal Regulations. Council Member Martin said there is a prayer vigil scheduled for Nastasia Mosley. Council Member Martin said there will be five math academies held by Columbia State Community College. Council Member Martin said if anyone is interested in the academy for his or her 7<sup>th</sup> or 8<sup>th</sup> grader then they can contact her at 931-540-2644. Council Member Martin asked if the City is involved with the summer lunch programs again. Parks and Recreation Director Brian Borden said the Parks day camps work with the school system. He said the Boys and Girls Club will pick up the USDA program and with some of the parks facilities they may be able to transport some of the kids to the Boys and Girls Club. Director Borden said after the lunch program ends the kids will bring their own lunch to the day camp.

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Council Member Martin said on May 27<sup>th</sup> she had the opportunity along with Council Member Stephenson to attend the Power of Ten Summit at the War Memorial Building in Nashville. Council Member Martin said the meeting was about what everyone is doing with regional transportation problems.

Council Member Dickey said it has been a tough week and he had access to a list of General Motors Plants that were closing. Council Member Dickey said the Spring Hill Plant and two other plants are on the standby list, which, to him, gives a new meaning to the word “standby” which would be “hope”. Council Member Dickey said he thinks we have all the pluses and we need to keep a positive attitude in regards to the Spring Hill Plant. Council Member Dickey said we need to enjoy the next six months of operation and hopes to hear good news about the Spring Hill Plant.

Council Member Stephenson thanked the City Manager and the Management Team for a great City picnic and all their hard work. She also thanked the Management Team for all the hard work they have put into the budget and the contingency plan. Council Member Stephenson said the Spring Hill Plant would begin layoffs. The layoff was supposed to be a five-week layoff and that may now be a layoff until August 1<sup>st</sup>. Council Member Stephenson said the plant would continue to manufacture the Traverse, possibly until November if the vehicle is selling well. There are some people in the stamping and powertrain divisions that will continue to work. There are nine plants that have been closed and three plants on standby. She said only one of the three plants will get the car. Council Member Stephenson said General Motor employees today found out that in terms of a buy-out, the employees of the nine plants that have been closed will have the opportunity for the buy-out. So, it appears that those here that may have considered the buy-out may not even get that opportunity. Council Member Stephenson said it is hard to hear you may not get benefits from a company for which you have been working a long time. Council Member Stephenson asked if there was another budget workshop scheduled. City Manager Boyer advised there isn't another workshop scheduled.

City Manager Boyer advised there is a Special Called City Council Meeting scheduled for June 11, 2009 in the Council Chambers for the Public Hearing and first consideration of the Southern Urban Growth Area Comprehensive

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Plan. City Manager Boyer said Mayor Dinwiddie is right about saying “thank you”. City Manager Boyer said May has been a very unusual month for the City and the employees. City Manager Boyer said thank you to all the employees and Management Team for all the hard work they have done.

Mayor Gentner said he would be attending the South Central Workforce Development Board meeting that will outline how they are going to address the people that are going to be laid off from their jobs with General Motors. Mayor Gentner said they have learned a lot from past experience and Monday they will begin the process on preparing what everyone is going to do. Mayor Gentner said over the past several years the veterans of our county have been struggling by having to go to other counties for their needs. Mayor Gentner said a VA clinic is scheduled to come to Columbia, Tennessee, and they will be accepting proposals for this clinic. Mayor Gentner said it is his understanding that the clinic should be up and running in September of this year.

There being no further business, the meeting adjourned at 8:28 p.m.

APPROVED:

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WILLIAM E. GENTNER, MAYOR

ATTEST:

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BETTY MODRALL, CITY RECORDER