



CITY OF COLUMBIA  
CITY COUNCIL MINUTES  
TUESDAY, APRIL 21, 2015 – 6:00 P.M.  
CITY HALL - 1737 MAIN STREET  
COUNCIL CHAMBERS - 3<sup>RD</sup> FLOOR

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The Columbia City Council conducted a Meeting on Tuesday, April 21, 2015 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:14 p.m. The following members of City Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Chaplain Darrell Croft, Columbia Fire Department offered the Invocation.

**ADOPTION OF THE AGENDA**

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to adopt the agenda, subject to removing **Item 10** from the Consent Agenda.

**APPROVAL OF MINUTES**

1. [Revised June 24, 2014 Council Meeting; January 27, 2015 Work Session & Council Meeting; February 4, 2015 Special Called Meeting; and February 17, 2015 Council Meeting](#) – *Approved as presented.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to approve the January 27, 2015 Work Session and Council Meeting Minutes and the February 17, 2015 Council Meeting Minutes.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to approve the revised June 24, 2014 Council Meeting Minutes and the February 4, 2015 Special Called Meeting Minutes. Ms. Plough abstained from voting.

## **PRESENTATIONS**

### 2. Go Red Fashion Show Check Presentation – The Honorable Tameika Isaac Devine

Councilor Devine recalled that the City’s first Go Red Fashion Show was held on March 20, 2015 in an effort to elevate our partnership with the American Heart Association and to raise money for this great cause. The fashion show was supported by professional models and makeup artists, elected officials, citizens and local retailers. The grand finale featured the fashions of Ridgeway, South Carolina’s Sergio Hudson, a nationally renowned designer and winner of Styled to Rock. Special entertainment was provided by Comedian Nikita B. She presented a check in the amount of \$3,500 to the American Heart Association in honor of Mayor Robert D. Coble.

### 2a. [Resolution No.: R-2015-039](#) – Approving the honorary naming of the 1600 block of Windover Drive from Two Notch Road to Belvedere Drive to “Gunter Way” - *Approved*

Councilor Newman recognized members of the Belvedere Community and Gunter’s Chapel Baptist Church. He said it is appropriate to find ways to honor those that do great things in our communities. He is thankful to the Belvedere Community and Gunter’s Chapel for making this request. He cited Reverend Lewis Gunter’s many accomplishments and appointments. Most notably, Reverend Gunter has served as the Pastor of Gunter’s Chapel Baptist Church since 1976.

Mayor Benjamin thanked the Gunter Family for the work they do in that community and for the least among us.

Ms. Diane Wiley, President of the Belvedere Community invited the members of Council to a banquet honoring Reverend Lewis Gunter on Sunday, April 25, 2015 at 4:00 p.m. at Gunter’s Chapel.

Pastor Lewis Gunter said this recognition makes him feel good, but he didn’t do these things for honor or praise, he did it for God and his people.

Upon a motion made by Mr. Newman and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2015-039 – Approving the honorary naming of the 1600 block of Windover Drive from Two Notch Road to Belvedere Drive to “Gunter Way”.

### 3. [Business Spotlight Program Honoree](#) – Mr. Angelo McBride, Administrator for the Office of Business Opportunities

Mr. Angelo McBride, Administrator for the Office of Business Opportunities introduced City Arts as the Business Spotlight Program Honoree for the third quarter of 2015.

Mr. Lee Catoe, Columbia Chamber of Commerce said the City’s Spotlight Program is an excellent way of recognizing businesses. He said that City Art will join the Chamber of Commerce as a courtesy of the City of Columbia. He invited everyone to visit the Chamber on Monday, May 4, 2015 as they recognize small businesses during Small Business Week.

Mr. Randy Hanna of City Art invited everyone to check out the arts at Artista Vista on Thursday, April 23, 2015 from 5:00 p.m. until 9:00 p.m.

Mayor Benjamin and the members of City Council proclaimed the third quarter of 2015 as City Arts Quarter in the City of Columbia.

4. Recognition of [NxLevel Micro-Entrepreneur Graduates](#) – Mr. Angelo McBride, Administrator for the Office of Business Opportunities

Mr. Angelo McBride, Administrator for the Office of Business Opportunities introduced the graduates of the NxLevel Micro-Entrepreneur Class of April 2015.

Mr. Trey Gordner, Koios said NxLevel was exactly what he needed to work on his business, not in it. It afforded him an opportunity to think about strategic issues.

Ms. Evangelina Hemphill, The Hemphill Agency said it was amazing to find this resource in Columbia.

5. Recognition of [FastTrac Growth Venture Graduates](#) - Mr. Angelo McBride, Administrator for the Office of Business Opportunities

Mr. Angelo McBride, Administrator for the Office of Business Opportunities introduced the FastTrac Growth Venture Class of April 2015, the majority of which are contractors. He announced that Small Business Week is May 4-8, 2015 and a conference will be held on May 5, 2015 from 8:00 a.m. to 2:00 p.m. at the Convention Center.

Mr. Jacques' Riley, New Venue Technologies, Inc. said they spent three hours per work learning about their business and what they can do to improve it.

Ms. Diane Rushing, AOS Specialty Construction, Inc. said the networking was awesome and the best part was learning about the services offered by the Office of Business Opportunities.

6. [Owens Field Park Master Plan Design](#) – Mr. Jeff Caton, Director of the Parks and Recreation Department

Mr. Jeff Caton, Director of the Parks and Recreation Department recalled that this process began with a desire by Coach Ray Tanner to bring a Miracle League field to the City of Columbia. Based on the needs of the Miracle League field, Owens Field was identified as the best location. Numerous public meetings were held and many concerns were identified. Those concerns included safety, lighting, storm water, over programming at the site, and deficiencies in parking and restrooms. He described Owens Field as a destination facility. He presented an aerial view of the existing Owens Field, noting that a primary road bisects the playing area and creates safety concerns. He presented schematics that addressed a lot of the concerns expressed during the public meetings and the design process. He explained that the Miracle League provides a smaller field for disabled individuals to enjoy baseball. This field can also be used for T-ball. He said it creates an area for disabled children to play with able-bodied children. The design also upgrades the two (2) existing fields, creates a boundless playground, and adds picnic shelters. The design

removes the road that bisects the play areas. He said there will be two (2) additional restrooms; an area designed for a dog park; and additional parking. He said that Richland School District One will allow the use of the large parking area at Memorial Stadium during the weekend. He noted that Richland County is working to improve storm water and trails in the park as well. He said that Council and Coach Tanner have provided a total of \$1.1 million to begin the work; the focus will be on the Miracle League field and then the current needs will be addressed. He noted that thousands of people use this facility every week.

Councilor Baddourah thanked Mr. Caton for all of his hard work on developing a compromised plan and vision for this highly used park. He said he is pleased with the outcome and he asked Council to approve this project and to move forward.

Councilor Devine said there are a lot of moving parts to this and several governmental entities to work with. She commended staff for working through all of those issues; it looks great.

Councilor Plaugh asked how the traffic pattern will work.

Mr. Jeff Caton, Director of the Parks and Recreation Department said the trails will provide improved pedestrian access, but vehicles won't be able to access those areas.

Upon a motion made by Mr. Baddourah and seconded by Ms. Plaugh, Council voted unanimously to approve the Owens Field Park Master Plan Design.

Mr. Bob Amundson, Rosewood Community resident reiterated that the process has been good and this is what the community wants. He said this is a physical activity destination with peaceful mornings and insane weekends. He said the City of Columbia has been good, but the biggest challenge is storm water. He expressed concerns about the need to renovate the playing fields. He strongly feels that the YMCA needs to help with the infrastructure improvements and upgrades to the fields.

## **OTHER MATTERS**

7. CitiScooter (Scootaway) Parking Request – Mr. Frank Scozzafava, CEO and Founder of CitiScooter, Inc.

Mr. Mike Campbell Board member for CitiScooter, Inc. said he is proud to be a part of this company that is providing innovative transportation to college students. He introduced Frank Scozzafava as a graduate of the University of South Carolina who won Shark Tank for another business venture. He said they've been working with the University of South Carolina on this business venture. He said they would like to provide this service at Fort Jackson and as a long term economic development project for South Carolina.

Mr. Frank Scozzafava, CEO and Founder of CitiScooter, Inc. said the City of Columbia and USC have the perfect demographics for this project. He explained that the scooters can be controlled by your phone through an app. The scooters are placed in convenient locations and can be picked up at one location and dropped off at another location. He said you pay for the time that you ride and they are environmentally friendly. He said Columbia was chosen as the

test pilot city and the service will launch on May 7, 2015 with thirty-eight scooters. He said they require ten to 15 parking spaces from the City and each space would hold 5 scooters. He said they will have five hundred scooters by August 1, 2015. He said that the scooter rental is \$2.99 per 30 minutes. He noted that there are no registration fees and gas, helmets, parking and insurance are included in the rental fee for any length of time. He explained that parking locations have been secured through July 31, 2015 with USC; he is looking for parking at off-campus housing like Granby Mills and the Hub; and City spaces are needed. He said that the spaces will be marked with removable tape made by 3M. He outlined the safety parameters and noted that free rider education classes will be held at Midlands Technical College every Sunday. He stated that Scootaway will generate tax revenue; create new jobs; and rent office space.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations explained that staff is looking at city-owned private lots. She noted that an ordinance change is needed for the scooters to be in the right of way. She added that parking spaces are an amenity and they would need to discuss this with the hospitality districts as well.

Mr. Frank Scozzafava, CEO and Founder of CitiScooter, Inc. said they are not asking for anything for free; there is money to invest in your city and state; and we are happy to make up the revenue lost by the parking meters.

Mayor Benjamin expressed his support for this idea. He urged staff to do what's needed to make this happen.

Upon a motion made by Mayor Benjamin and seconded by Ms. Plough, Council voted unanimously to authorize staff to move forward with supporting the CitiScooter (Scootaway) parking request.

8. Council is asked to approve the Installation of a [Three-Way Stop Control](#) at the intersection of Gauley Drive and Wiltown Court, as requested by the Chestnut Hill Homeowner's Association. – *Approved*

Upon a motion made by Mr. Davis and seconded by Mayor Benjamin, Council voted unanimously to approve the Installation of a Three-Way Stop Control at the intersection of Gauley Drive and Wiltown Court, as requested by the Chestnut Hill Homeowner's Association. Mr. Baddourah was not present for the vote.

### **CONSENT AGENDA**

Upon a single motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve the **Consent Agenda Items 9 and 11 through 15.**

## CONSIDERATION OF BIDS & AGREEMENTS

9. Council is asked to approve the [Purchase of Two \(2\) Trailer Mounted Debris Collectors](#) for the Solid Waste Division, as requested by the Fleet Services Division. Award to Old Dominion Brush Company, Inc., using the National Joint Powers Alliance Contract in the amount of \$65,478.24. This vendor is located in Richmond, VA. *Funding Source: Capital Replacement/Autos, Truck, Heavy Equipment-Capital; 6308972-658500 – Note: The original budgeted amount for this purchase is \$66,960.00. - Approved*
10. Council is asked to approve [Project SS6911 \(15\); Root Control Annual Maintenance Contract](#), as requested by the Utilities and Engineering Department. Award to Dukes Root Control, the lowest responsive bidder in the amount of \$405,864.70 with a project contingency of \$48,416.50 for a total amount of \$454,281.20. This firm is located in West Syracuse, NY. *Funding Source: Water Sewer Operating/Maintenance; 5516205-638305 – Note: The original budgeted amount for this project is \$500,000.00. - Approved*

Councilor Plaugh asked why the low bid was considered non-compliant.

Mr. Joey Jaco, Director of the Utilities and Engineering Department explained that the low bid did not meet two (2) specifications.

Upon a motion made by Mr. Davis and seconded by Ms. Plaugh, Council voted unanimously to approve Council is asked to approve Project SS6911 (15); Root Control Annual Maintenance Contract, as requested by the Utilities and Engineering Department. Award to Dukes Root Control, the lowest responsive bidder in the amount of \$405,864.70 with a project contingency of \$48,416.50 for a total amount of \$454,281.20. This firm is located in West Syracuse, NY.

## ORDINANCES – SECOND READING

11. [Ordinance No.: 2015-011](#) – Granting a Franchise to Keyser Concessions, LLC for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Washington Street – *First reading approval was given on April 14, 2015. – Approved on second reading.*
12. [Ordinance No.: 2015-027](#) – Amending Ordinance 71-018 granting an encroachment to the South Carolina Baptist Hospital for installation of an elevated pedestrian walkway over the 1300 block of Taylor Street to include installation and maintenance of an awning – *Note: An awning will be added to a small portion of the crosswalk. – First reading approval was given on April 14, 2015. – Approved on second reading.*
13. [Ordinance No.: 2015-028](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-1 Prohibited Acts in parks, (8) Alcoholic beverages is amended to add Earlewood Community Building and Park – *First reading approval was given on April 14, 2015 as amended by striking Martin Luther King Park from the ordinance. Note: The Earlewood Community Building was added to the revised ordinance. – Approved on second reading.*

14. [Ordinance No.: 2015-031](#) – Granting an encroachment to Congaree Vista Guild for placement of a steel sculpture with concrete foundation within the sidewalk right of way area of the 900 block of Lady Street and adjacent to 912 Lady Street, Richland County TMS #09089-02-01 – First reading approval was given on April 14, 2015. – *First reading approval was given on April 14, 2015. – Approved on second reading.*

## **RESOLUTIONS**

15. [Resolution No.: R-2014-095](#) – Authorizing consumption of beer and wine beverages only at The Rosewood Crawfish Festival on Saturday, May 2, 2015 - *Approved*

## **CONSIDERATION OF BIDS & AGREEMENTS**

16. Council is asked to approve a [Guaranteed Maximum Price for the Construction of the Columbia Commons Multi-Use Entertainment Venue](#), as requested by the Special Projects Administrator. Award to CCEB Venture Partners of Irmo, SC in the amount of \$27,041,475 with a \$1,014,223 project contingency to be managed by the City of Columbia Special Projects Administrator. *Funding Source: The amount of the request, when added to the previously approved Early Site Package GMP (December 16, 2014), is in line with the overall Multi-Use Entertainment Venue Project Hard Cost Budget of \$28,700,000. Note: Of the total amount, 86% will be subcontracted, exceeding the 49% amount required by the Subcontractor Outreach Program. Within the 49% subcontracting requirement was an aspirational goal of 40% going to qualified Local Business Enterprises. This goal was exceeded by 191% with a total project percentage of 57%. Also within the 49% subcontracting requirement was an aspirational goal of 35% (17% of total project) going to Disadvantaged Business Enterprises. This goal was exceeded with a total project percentage of 20%. A list of businesses and their locations is attached. – Approved by a vote of five (5) to two (2).*

Councilor Plaugh questioned whether or not the City has the resources in place to accept this bid; we are short by \$1.8 million to be able to cover this. She asked how the DHEC letter impacts the timing and procedures of the project.

Mr. Gregory Tucker, Special Projects Administrator said the City's commitment to the project would be \$1,864,913 short. The commitment by Hardball Capital through the Venue Development Agreement and the Venue License Agreement is another \$7 million committed to the City contractually to make up any difference. He explained that the DHEC letter is addressing a portion of the site being used for soil storage; it doesn't affect the project from a timing or use standpoint.

Ms. Jeanne Lisowski, Esq., Assistant City Attorney recommended that a discussion of legal ramifications be done in Executive Session. She clarified that the Venue License Agreement obligates Hardball Capital to pay to the City up to \$7 million of expenses related to the construction of the ballpark; they are obligated under the contract. She said the intent and the language do legally obligate Hardball Capital.

Councilor Plaugh said she is concerned about when we will see that money.

Ms. Jeanne Lisowski, Esq., Assistant City Attorney said that would be up to the City to make a demand of that money according to our construction plans and that would be under the purview of Mr. Tucker.

Mayor Benjamin asked if the venue construction is on time and on budget.

Mr. Gregory Tucker, Special Projects Administrator said yes.

Councilor Plough insisted that we don't have cash on hand to do this.

Councilor Devine asked when we intend to request the funding.

Mr. Gregory Tucker, Special Projects Administrator said the funding will be requested when needed and the entire amount is not paid out until the end; we are one year away from that.

Mayor Benjamin stated that we will provide appropriate oversight; these questions are appropriate oversight of public funds, but in no way do we expect to micromanage this process; you are doing a great job with it Mr. Tucker. He spoke to the additional work that has been done in preparing a number of our own citizens to also work on this facility.

Mr. Gregory Tucker, Special Projects Administrator reported that CCEB, which is a combination of three (3) local firms and a national firm is the construction manager for this project. The procurement process required them to follow the Subcontracting Outreach Program and within that program a 49% goal was established. They exceed this with a total of 86% subcontracting outreach on the project. Within the 49% subcontracting requirement, City Council provided aspirational goals of 40% participation from Local Business Enterprises and 35% (17% of total project) from Disadvantaged Business Enterprises. The local business participation was 57% and the disadvantaged business participation was 20%. He said there is now a lot of work out there and these guys have done an excellent job recruiting for this project.

Mr. Mike Daniels, Business Operations Manager at Enviro AgScience said they sponsored a workforce development training program in January in partnership with the Columbia Housing Authority. He said they provided a month of extensive soft skills training and on February 2, 2015, thirty-two (32) individuals graduated with trades. These graduates will be partnered with subcontractors throughout the course of the project.

Ms. Teresa Wilson, City Manager clarified that staff has ensured that cash is on hand in the amount that Council is being asked to approve and we've asked for letters of commitment from Hardball Capital.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted five (5) to two (2) to approve a Guaranteed Maximum Price for the Construction of the Columbia Commons Multi-Use Entertainment Venue, as requested by the Special Projects Administrator. Award to CCEB Venture Partners of Irmo, SC in the amount of \$27,041,475 with a \$1,014,223 project contingency to be managed by the City of Columbia Special Projects Administrator. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Ms. Plough and Mr. Baddourah.

## **ORDINANCES –FIRST READING**

17. [Ordinance No.: 2015-034](#) - Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 1100 blocks of Bull Street and Pickens Street and the 1500 blocks of Senate Street and Gervais Street adjacent to the University of South Carolina School of Law, Richland County TMS Nos. 11401-10-01, for installation and maintenance of a driveway along each block, brick pavers, landscaping and irrigation and authorizing removal and construction of new sidewalks along Bull Street and Pickens Street – *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2015-034 - Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 1100 blocks of Bull Street and Pickens Street and the 1500 blocks of Senate Street and Gervais Street adjacent to the University of South Carolina School of Law, Richland County TMS Nos. 11401-10-01, for installation and maintenance of a driveway along each block, brick pavers, landscaping and irrigation and authorizing removal and construction of new sidewalks along Bull Street and Pickens Street.

18. [Ordinance No.: 2015-035](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article III, Water Service, Sec. 23-62 Application for service – *Approved on first reading by a vote of six (6) to one (1).*

Councilor Plough said she won't support this motion, because it's a generic ordinance that is open-ended in terms of who we might provide this waiver of our covenant to; it is not tied to any particular industrial park that the County may develop.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2015-035 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article III, Water Service, Sec. 23-62 Application for service. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Mr. Runyan, Mr. Baddourah and Mayor Benjamin. Ms. Plough voted nay.

19. [Ordinance No.: 2015-038](#) - Authorizing the City Manager to execute a Lease Amendment to the Parking Lot Lease in favor of the University of South Carolina for the Arena/Conference Center – *Approved on first reading.*

Ms. Teresa Wilson, City Manager explained that this is the parking lot agreement to allow the University of South Carolina to move forward with the Foundation Square project.

Councilor Plough asked if there is a retention pond beneath the lot.

Ms. Melissa Gentry, P.E., Assistant City Manager said there are two (2) lots and this amends the lot at the corner of Lincoln Street and Greene Street.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2015-038 - Authorizing the City Manager to execute a Lease Amendment to the Parking Lot Lease in favor of the University of South Carolina for the Arena/Conference Center.

## **APPOINTMENTS**

### 20. [Citizen Appointment to the Efficiency Opportunities Review Committee](#)

Upon a motion made by Mr. Davis and seconded by Mayor Benjamin, Council voted unanimously to appoint Ms. Jannie Nelson as a District One representative to the Efficiency Opportunities Review Committee.

### 21. [Citizens Advisory Committee](#)

Upon a motion made by Mr. Baddourah and seconded by Mr. Runyan, Council voted unanimously to approve the appointment of Mr. Walter Marks as a District Three representative to the Citizens Advisory Committee.

- Mr. Baddourah left the meeting at 8:00 p.m.

## **CITY COUNCIL COMMITTEE REPORTS/REFERRALS**

### 22. Environment & Infrastructure Committee Report

Councilor Devine reported that the Environment and Infrastructure Committee received a joint presentation from City staff and SCE&G today. She recalled that members of Council received emails concerning the reconducting work. Staff and SCE&G reiterated the notification process that was put into place years ago. The committee talked about other ways to get the information out, specifically by informing the members of Council; providing information to citizens; and working with SCE&G to post more information on YouTube and CityTV about the tree trimming process. The committee discussed working more with SCE&G to find resources to underground utilities. SCE&G said the City has used non-service funds very well and staff will be looking at stipulations in the franchise agreement that allows 70% of property owners in an area to contribute to underground utilities through their bills. The next meeting will be held in May.

### 23. Finance Audit and Budget Committee Report

Councilor Runyan said the Finance, Audit and Budget Committee met last Thursday to discuss the impact of business license fees; the possible reduction of business license fees; and to hear from Representative Rick Quinn. He referred everyone to the Clerk's report that is forthcoming.

## **APPEARANCE OF THE PUBLIC**

Mr. Ronald Myers reiterated his comments made last week. He noted that if you go to areas like Sandhills and District Two there are more things for kids to do as compared to people who stay around District One. He said certain things instigate crime. When kids only have basketball courts it makes them a part of the stereotype. He said by bringing jobs to predominately black areas will curve crime, bring more people to the area and less crime will be created.

Mayor Benjamin said he looks forward to meeting with Mr. Myers.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to enter into Executive Session at 8:07 p.m. for a discussion of items as outlined on the work session agenda. Mr. Baddourah was not present for the vote.

- **Mr. Runyan left the meeting at 8:07 p.m. and did not participate in the Executive Session discussion.**
- **Mr. Davis left the meeting at 8:45 p.m.**
- **Council adjourned the meeting at 9:00 p.m.**

Respectfully submitted by:

Erika D. Moore  
City Clerk