

**CITY OF COLUMBIA  
CITY COUNCIL WORK SESSION MINUTES  
APRIL 26, 2006  
9:00 AM – CITY HALL– 3<sup>RD</sup> FLOOR  
CITY COUNCIL CHAMBERS**

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The Columbia City Council met for a Work Session on Wednesday, April 26, 2006 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. Mayor Robert D. Coble called the meeting to order at 9:03 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Tameika Isaac Devine and The Honorable Daniel J. Rickenmann. The Honorable Anne M. Sinclair arrived at 9:06 a.m. The Honorable Sam Davis is absent due to him being selected for jury duty. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

**CITY COUNCIL DISCUSSION / ACTION**

- A. Water and Wastewater Rate Study Results – Mr. Bill Ziebertz, Consultant for Black & Veatch

Mr. Bill Ziebertz of Black & Veatch presented the results of the City's Water and Sewer Rate and Cost of Service Study. He noted that it is key to understand that the City's water and sewer system is facing a very large capital improvements plan need. The size of the Capital Improvements Plan (CIP) reflects regulatory and growth drivers as well as the past deferral of capital projects resulting from cash flow constraints. This past suppression of the CIP is placing pressure on the current rates and adds more urgency to some of the projects within the CIP. These drivers are the number one challenge for medium and large sized municipal systems. Approximately two thirds of the City's system is over 50 years old. The objectives of the CIP are to meet regulatory requirements; to rehabilitate aging infrastructure; and to meet the needs expressed by new customers. The Capital Improvements Plan totals \$350 million through 2011. At least \$166 million is needed beyond 2011.

- **Councilor Anne M. Sinclair arrived at 9:06 a.m.**
- **Councilor E.W. Cromartie, II left the meeting at 9:07 a.m.**

Mr. John Dooley, Director of Utilities and Engineering, categorized the types of Capital Improvements Projects and the amount needed to fund them over the next five years: Wastewater covers maintenance (\$35.5 million) and work at plants and major pumping stations (\$142 million); Water Capital Improvements Projects covers water quality (\$4.5 million), fire protection (\$4 million), and system expansion (\$42 million) both rehab work and new construction. Annexations and conflicts with SCDOT Projects are also a part of this budget.

Mr. Bill Ziebertz of Black & Veatch recommended an increase in connection charges also known as tap fees and the institution of Capital Contribution Fees in lieu of plant expansion fees. He noted that the current connection charges are not adequate enough to capture the upfront cost that the city bears to build capacity for new growth. The recommended charges replace some existing charges and add new ones.

Mayor Robert D. Coble asked that anyone who relies on the City's water system be briefed on this matter in terms of why the need is there and where the money would go. There needs to be a good balance between growth and how to pay for it.

Mr. Bill Ziebertz of Black & Veatch further recommended that the monthly user charges be increased by 5% annually for at least five years to meet increases in operating costs and capital costs related to existing customers. He noted that a typical monthly bill would be increased by \$1.50. He said that the rate and fee recommendations would also meet the City's needs, cover the costs of the extensive borrowing currently anticipated and result in the lowest possible level of rate increase to current customers. He went on to recommend that the City reduce the transfers from the water and sewer fund; adopt cost of service as recommended; simplify rate classes; and adopt consistent rate differentials. The recommended rate differentials are 1.6 for water and 1.8 for sewer. Capital Contribution Fees are capacity related and should be charged for future connections to the City's water and wastewater systems. He said that it would be advantageous for the City to have parameters in place to evaluate requests for service from other utilities in the future. He said that the City should consider changing the sewer participation program to a cash payment plan for connections versus a tap fee participation; capping participation at the final project cost; continue to allow credit only for taps made on specific lines; and to adopt participation rates of \$541 for the water system and \$638 for the sewer system. He said that these recommendations would collectively meet environmental, public health and economic responsibilities.

There was a consensus of Council to direct staff to provide the Capital Improvements Project Five Year Plan and the study recommendations to the public and media outlets. The plan is to be posted on the City's website for the public to evaluate. The Homebuilders Association, the Greater Columbia Chamber of Commerce, the Northeast Chamber of Commerce and developers that build subdivisions need time to go through this chapter and verse. Elected officials need to be briefed so they can discuss this with their constituents. It is essential to reach out to these groups and invite them to join in on discussions.

Councilor Anne M. Sinclair said that Council should to take the lead and invite the elected officials to meet with them.

- B. Central Midlands Regional Transit Authority Briefing – Mr. Rick Silver of Chernoff Newman and Ms. Mitzi Javers, Executive Director of the Central Midlands Regional Transit Authority

Mr. Rick Silver of Chernoff Newman stated that Central Midlands Regional Transit Authority (CMRTA) continues its transition from a private to a public transportation system. He said that SCANA funded the transition at \$31 million with \$16 million being allocated for new buses, DART vans, efficiencies and operations, etcetera. The other \$15 million was to be paid at \$2.5 million per year for the next six years starting in 2002. The current operating budget is \$11 million. Fares have been increased by 25 cents twice during the transition and it is indicated that another increase would not necessarily increase revenue. The trolley service has been suspended, saving under \$600,000 per year. He discussed the need to create a dedicated funding source for the CMRTA. Services will be reduced by up to 85% by year-end if transition funds run out and if a dedicated funding source is not identified.

- **Councilor E.W. Cromartie, II returned at 11:41 a.m.**

Mr. Rick Silver of Chernoff Newman noted that the CMRTA is funded as follows: Passenger Revenue (15%), City of Columbia (8%), Annual SCANA Transition Funding (21%), Federal Grants (14%); State Grants (5%), Start up Funds Deficit (37%). He recommended that the CMRTA be funded by way of a property tax millage rate increase or a dedicated local option sales tax. Mr. Silver stated that routes could be eliminated, reduced and combined. All weekend and holiday service would be eliminated and all routes will experience a reduction in service hours.

## **TRAFFIC CONTROL MATTERS**

### **C. Forest Hills Neighborhood Traffic Control**

Mr. Dave Brewer, Traffic Engineer, stated that the Forest Hill Neighborhood has withdrawn the request for speed humps on Wellington Drive and Canterbury Drive and added a request for a three way stop at the intersection of Sheffield Road and Wellington Drive. These are not state owned roads.

Councilor E.W. Cromartie, II stated that he has received numerous complaints about the no right turn prohibition on Manning Avenue. He said that it sends the wrong message when you are going down a street and can't turn for reasons not related to traffic. He said that he made a mistake in voting for this and now he realizes the impact and would like to reconsider the matter. He asked that the Forest Hill Neighborhood Association be notified.

Councilor Anne M. Sinclair suggested that there be some discussion with the neighborhood association. She said that she is supportive of reviewing the impact and the overall traffic patterns of the neighborhood before and after the signs were posted.

Mr. Charles P. Austin, Sr., City Manager explained that the neighborhood was under siege many years ago with robberies occurring in people's front yards and break ins happening daily. He said that the action taken was appropriate at the time, but now would be a good time to reevaluate the matter.

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve a request from the Forest Hills Neighborhood Association to install a three-way stop at the intersection of Wellington Drive and Sheffield Road.

### **D. Wheeler Hill Neighborhood Traffic Control**

Mr. Dave Brewer, Traffic Engineer, explained that the Wheeler Hill Neighborhood Association is concerned about cut through traffic between Pickens Street and Wheat Street when trains come through.

Mr. Manton Grier, 1724 Rice Street / Vice President of the Wheeler Hill Neighborhood Association stated that the association distributed questionnaires to other neighbors asking them what issues they felt were significant and one issue was this stop sign. He said that some offer support and others were in opposition to the request for a stop sign and where it would be installed. He asked City Council to consider the installation of a three-way stop sign at the intersection of Barnwell Street and St. James Street for a trial period as a compromise until the annual meeting. He noted that the vast majority supports this compromise.

Mr. Mike Duggan, 325 St. James Street submitted a signed petition representing 14 households and signed by 24 people asking City Council to direct the Wheeler Hill Neighborhood Association to hold a general meeting to address traffic concerns, speed humps and stop signs. He suggested that the problem is on Henderson Street and not St. James Street.

Mr. Bailey Preacher, 1712 Phelps Street, stated that they were told they could not vote during the association meeting, because they were not registered. She said that this is her third home in Wheeler Hill and she should have a say in what goes on. She noted that something needed to be done before someone gets killed.

Paul Degenhart, 1720 Phelps Street, stated that they were told that they could not vote because they had not paid their \$10 registration fee to the association. He said that no one ever asked them to pay the fee. He noted that the neighborhood association should include renters and people that live outside the Wheeler Hill PUD.

Mr. Manton Grier, 1724 Rice Street / Vice President of the Wheeler Hill Neighborhood Association explained that their by-laws call for the payment of dues and for an annual meeting. He said that it is critical to support the neighborhood association. He noted that they reached out to other neighbors and they encourage everyone to join.

Ms. Emily Brasher, 434 Joshua Street noted that the meeting was noticed via e-mail and hard copies. She said that they have been the most transparent leadership that Wheeler Hill has ever seen. She said that communications are sent out weekly to keep everyone informed. She said that five St. James Street residents were in support of this request as well as residents on Phelps Street. She noted that they responded by e-mail without any politicking. Ms. Brasher said that this association is the grassroots formation of democracy.

Ms. Mada Landry, 329 St. James Street stated that they have three small children and there are a lot of kids in the neighborhood. She said that a lot of cars drive really fast and hopefully the City can do something to slow the traffic in their area. She stated that everyone needed to follow the rules and not just particular people.

Ms. Dianne Noriega, 434 Barnwell Street, said that they live one house away from the location in question. She said that she now regrets her original yes vote on the matter and would prefer that the City revisit the study taking into consideration the increased traffic She said in retrospect that the matter did not receive enough time on the floor for thorough discussion and well informed votes. She suggested that they explore other options. She said that she is against the installation of a three-way stop sign.

An unidentified man stated that he has lived there the longest aside from the Smith's. He said that Wheeler Hill was formed as a model community for the City and unfortunately a lot of things in terms of the streets have not occurred. The streets have been patched, but not repaved. He encouraged the members of Council to give some thought to that. He said that he has two small children. He said that he strongly opposes the stop sign, since he has one that stops in front of his house. He suggested that the matter be studied further and that the residents on St. James be included in the process. He said that you can run a stop sign, but you cannot run a speed bump.

Councilor Anne M. Sinclair stated that we have a neighborhood at odds with each other and as the district representative it has been a challenge for her to determine where the majority vote is. She sensed that the issue would be debated until a stop sign is tried. She recommended that they try the stop sign and reevaluate the situation at a later date. She said that the sign would not be a permanent feature.

An unidentified resident asked Council to be sure that these signs are placed so that no additional parking spaces would be lost.

Councilor Anne M. Sinclair assured them that this decision would not adversely impact parking in the area.

Councilor Daniel J. Rickenmann asked if speed limit signs and children playing signs are posted within the Wheeler Hill Neighborhood. He recommended that signs be posted immediately.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve a request from the Wheeler Hill Neighborhood Association to install a multi-way stop sign at the intersection of St. James Street and Barnwell Street on a temporary basis. In addition, staff was directed to install 25 Mile Per Hour Speed Limit signs throughout the Wheeler Hill Neighborhood. Mr. Dave Brewer, Traffic Engineer was directed to present an updated traffic study to the neighborhood association prior to their January annual meeting. The Neighborhood was asked to reconsider this matter during the annual meeting.

Councilor Tameika Isaac Devine requested that the neighborhood consider the use of speed humps if the stop sign doesn't work.

Councilor E.W. Cromartie, II requested that a traffic study be conducted for the entire Wheeler Hill Neighborhood.

- **Council adjourned the meeting to break at 11:05 a.m.**
- **Council reconvened the meeting at 11:09 a.m.**

### **ORINANCES – FIRST READING**

- E. Ordinance No.: 2005-104 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic, Article I, In General, is amended to repeal Sec. 12-5, Operating or parking vehicle for purpose of advertising and to add Sec. 12-18, Advertising vehicles

Councilor Daniel J. Rickenmann explained that multiple business licenses are linked to this function and he proposed implementing a flat fee of \$350.00 per vehicle instead of 5% of gross receipts. He said that it would be difficult to judge the amount of revenue generated in each municipality.

Councilor Anne M. Sinclair asked who would enforce and regulate advertising vehicles. She asked for clarification of an advertising vehicle.

Mr. Jim Meggs, City Attorney stated that this would be a general Police Department regulation. He explained that the current prohibition is against vehicles that are operating for the principal purpose of advertising on the street. He said that a number of business concerns would not be considered advertising vehicles under the current prohibitions, which are common throughout the country. He noted that typically public conveyances are allowed to sell advertising as a further means of supporting public transportation.

Councilor E.W. Cromartie, II requested that the Ordinance include that the vehicle is being operated for the principal purpose of advertising. He said that the principal purpose doctrine is the key and should be included.

Council voted four (4) to one (1) to give first reading approval to Ordinance No.: 2005-104 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic, Article I, In General, is amended to repeal Sec. 12-5, Operating or parking vehicle for purpose of advertising and to add Sec. 12-18, Advertising vehicles, subject to advertising vehicles being defined within the Ordinance. Voting aye were Mr. Cromartie, Ms. Devine, Mr. Rickenmann and Mayor Coble. Voting nay was Ms. Sinclair.

## **CITY COUNCIL DISCUSSION / ACTION**

### **F. Affordable Housing in Columbia Update – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development**

Mayor Robert D. Coble noted that on February 8, 2006, Council voted to direct staff to review affordable housing and how it is done now and to create an Affordable Housing Taskforce. Staff was directed to make recommendations on who would be appointed and how it would work. He suggested that they determine the size and how they would go about making the appointments to the Affordable Housing Taskforce to include those that build affordable housing and those impacted by affordable housing.

Councilor Daniel J. Rickenmann stated that he is not sure that there needs to be a separate committee. He said that City staff is ahead and that Congressman Wilson is impressed with what staff has done with the funding provided. He said that the majority of houses being sold are under \$200,000 and less than 50 homes sold last year in the City limits were over \$500,000. He noted that the City continues to make progress and the creation of another taskforce may delay the process.

Councilor-Elect Kirkman Finlay, III stated that the pending tax increases, increased user fees and sales tax increases adds to the price of homes and make them no longer affordable. He said that there is plenty of affordable housing in Columbia.

Councilor E.W. Cromartie, II said that he was a part of the initial process to create an Affordable Housing Consultation Program twenty years ago. He suggested that the City develop an affordable housing policy, since it is a complicated issue intertwined with gentrification. He noted that he is looking further down the pipeline.

Councilor Tameika Isaac Devine stated that we couldn't concentrate on what the City is doing without determining the impact of our policies. She said that the committee would look at the whole picture and provide an honest evaluation of what we're doing and how we can do it better. She directed staff to make their report on Affordable Housing in Columbia available to the public.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, she pointed out that there was not an analysis of the volume of subsidized housing existing in Columbia. She said that would need to be weighed against the need for more affordable housing, especially with the large percentage of properties in our City Center that doesn't pay taxes. She said that is a careful balance that must be in place.

Councilor Anne M. Sinclair suggested that Council outline the directions for the Committee in terms of what Council wants accomplished. She said that the focus should be on what we want in the future. She questioned the policy of reselling an affordable house, especially when the value has increased.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to form an Affordable Housing Taskforce composed of seven (7) staff members; each Council member should appoint an individual for a total of seven (7); and at least seven (7) at-large appointments should be made by way of application. The taskforce should investigate and research the seven (7) issues outlined in the staff report along with the issue of the resale of an affordable home and the impact that governmental fees, tax increases and permitting processes have on developments. The Committee should consist of neighborhood representatives, real estate developers, bankers and governmental entities.

G. \*\*The Volunteer Center Project Proposal – The Honorable Mayor Robert D. Coble

Mr. Mac Bennett of the United Way of the Midlands (UWM) requested \$20,000.00 from the City of Columbia to match a \$20,000.00 grant received from the Nord Family Foundation to support the recreation of a Volunteer Action Center for the greater community. This is a one-time request for support and the United Way will support the center in the future. The United Way established a Volunteer Center in the 1980's, but it diminished over the years. His objective is to reinstitute the volunteer service center in our community and to coordinate the effort through United Way for their partner agencies, churches, corporations and others. The total budget is \$71,000.00.

There was a consensus of Council to direct Mr. Mac Bennett to submit an application on behalf of the United Way of the Midlands for funding through the Community Promotions Fund.

H. The Free Medical Clinic, Inc. Request for Funding – The Honorable Mayor Robert D. Coble

Mr. Dennis Coker, Executive Director of The Free Medical Clinic, Inc. requested \$25,000.00 from the City of Columbia to support their on-going operations and efforts to provide free medical services to those who can't afford it and who have no insurance. During 2005 they had 13,364 visits and dispensed \$2.76 million worth of medications. He said they primarily care for adult's ages 18 to 64 with chronic medical conditions. The requested funding would be used to purchase medications that are not provided by the Patient Assistance Program (PAP). Mr. Coker said that the program did great things last year, but they lost \$125,000 when anticipated proposals and grants were not awarded. He said that unlike most healthcare providers they spend money to see patients.

There was a consensus of Council to direct Ms. Libby Gober, Ombudsman to review this request and develop a process for consideration.

I. Fiscal Year 2006 / 2007 General Fund Budget Overview – Ms. Melisa Caughman, Budget Administrator

Ms. Melisa Caughman, Budget Administrator, presented a balanced budget for the General Fund with a proposed 20-mil property tax increase to the members of Council. She noted that the last increase in 2000 was 2-mils. She explained that since 2000 departments were asked to prepare their budgets without any increases in funding for operations and at the same time they were directed to add new services, expand services and to do more with less. She said that growth in revenues in the general fund have been minimal and do not keep up with expenditures. She noted that the proposed budget is an increase of \$11 million or 13.4%. The proposed millage rate increase will produce an approximate \$7 million in revenue. One mil is approximately \$350,000. She noted that the Public Safety Departments account for \$45 million of the budget alone. The budget doesn't include any major increases in changes of operations; it does provide the resources that the departments need to deliver the services.

Councilor Tameika Isaac Devine requested that staff review and determine if items within the General Fund could be paid for from the Hospitality Tax Fund in accordance with State law.

Councilor E.W. Cromartie, II, requested that staff review and determine if items within the General Fund could be paid for from the Accommodations Tax Fund in accordance with State law.

Councilor Daniel J. Rickenmann asked for an explanation of the Unreserved Surplus Fund and where it comes from. He noted that the figures are not realistic. He said that increasing taxes and anticipating an end of the year surplus doesn't mix in his world.

Ms. Melisa Caughman, Budget Administrator, responded that the amount is anticipated.

Councilor Anne M. Sinclair stated that it would be helpful to have an analysis of the Water and Sewer transfer to the General Fund.

Councilor Kirkman Finlay, III stated that the Water and Sewer Fund is funding other projects that are not related to water or sewer. He suggested that they review all the transfer from the Water and Sewer Fund.

Mr. Charles P. Austin, Sr., City Manager noted that a lot of positions have been added, but a lot of people have not been added, they have been reassigned.

- **Mayor Robert D. Coble left the meeting at 12:37 a.m.**
- **Councilor Anne M. Sinclair is now presiding.**

There was a consensus of Council to direct staff to prepare a document outlining the impact that a 20-mil increase would have on residential and commercial property taxes.

J. Consideration of the Operation of Pedicabs – Mr. Jim Meggs, City Attorney

Mr. Jim Meggs, City Attorney, explained that there is a request from a businessman who wants to establish a Rickshaw (Pedicab) business and that the City doesn't currently allow for that type of activity on the streets. He said that he wanted to get a temperature reading from the members of Council as to whether or not they wanted to allow this and to what extent it should be regulated. He said that he would come back with a draft set of regulations for Council to consider.

#### **CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS**

K. Council is asked to approve an Intergovernmental Agreement to Provide for the Needs of the Homeless Population in and around the Midlands Region of South Carolina. - *Consideration of this item was deferred.*

Mr. Jim Meggs, City Attorney, explained that the document reflects proposed changes from Lexington County and that the Council should vote to approve the clean document, which was discussed last week.

Councilor Anne M. Sinclair stated that this agreement doesn't commit the other municipalities to funding this effort.

There was a consensus of Council to defer the consideration of this matter.

L. Council is asked to approve a Memorandum of Understanding as part of an Incentive Package and as Inducements to the Company to locate an Insurance Processing Facility in Downtown Columbia, as requested by Commerce and Development. Award to Trumbull Services, Inc. - *Approved*

Councilor E.W. Cromartie, II said that the City should, as a matter of policy, encourage these businesses to employ people from within the Empowerment Zone, since they are being offered incentives for hiring. He said that he would like to see the racial breakdown and where people are located once it is all said and done.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, said that this contract has already been negotiated, but staff will include that clause in future negotiations.

Councilor Daniel J. Rickenmann stated that as long as people are being employed in the City and it is diverse then it qualifies. He said that the incentive was not funded with Empowerment Zone funds.

Mr. Jim Gambrell, Director of Economic Development said that they are aware of Council's concern with diversity and have conveyed that message to the company along with information on the Empowerment Zone tax credits.

- **Mayor Robert D. Coble returned at 12:53 p.m.**

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve a Memorandum of Understanding as part of an Incentive Package and as Inducements to the Company to locate an Insurance Processing Facility in Downtown Columbia. Mr. Charles P. Austin, Sr., City Manager was directed to draft a letter to Trumbull encouraging them to hire employees from the Empowerment Zone.

### **APPEARANCE OF THE PUBLIC HAVING BUSINESS WITH CITY COUNCIL**

Mr. Temple Ligon, The Columbia Star, reported that in 1982 Kirkman Finlay, Jr. declined SCANA's efforts for the City to take over the bus system, because he knew an Electric In Service funded it. He said that the bus system was worked through the books and the cost was absorbed by every weight in the SCANA system. He said that it was a good deal. He stated that with the help of Mr. Rick Silver they were able to gut the bus system running off half of the riders between 1982 and 1992 as reported to their shareholders. Mr. Ligon noted that transit ridership in the US gained 6% between 1982 and 1992.

Ms. Shirley Fields Martin, The McCroy Gallery, invited the members of Council to Artista Vista, which begins on Friday, April 28, 2006 and Saturday, April 29, 2006. All of the galleries in the Vista are participating.

- **Council adjourned the meeting at 12:56 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk