



CITY OF COLUMBIA
CITY COUNCIL
ZONING PUBLIC HEARING MINUTES
WEDNESDAY, MAY 10, 2006
10:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The City of Columbia City Council conducted a Zoning Public Hearing on Wednesday, May 10, 2006 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. Mayor Pro-Tempore Sam Davis called the meeting to order at 10:07 a.m. The following members of City Council were present: The Honorable Anne M. Sinclair, The Honorable Tameika Isaac Devine and The Honorable Daniel J. Rickenmann. The Honorable E.W. Cromartie, II and Mayor Robert D. Coble were absent due to a trip to Washington, D.C. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

PUBLIC HEARING

1. Proposed Community Development Block Grant Amendments for Fiscal Year 2006 / 2007 – Mr. Rick Semon, Community Development Director

Mr. Rick Semon, Community Development Director explained that this is the second and final Public Hearing being conducted in accord with the Citizen's Participation Plan. The purpose is to offer a second opportunity for comments and suggestions on the City's housing and community development needs. At the end of the hearing City Council can vote on the proposed Community Development Block Grant (CDBG) and Housing of People with Aids (HOPWA) Program budgets. He acknowledged and thanked the members of the Citizens Advisory Committee for their hard work. He noted that they recommended that the proceeds from the CanalSide property sale be used for the purchase and construction of the bus barn property for the Regional Transit Authority as well as for housing loans for moderate to low-income families.

- **Council opened the Public Hearing at 10:10 a.m.**

No one appeared in opposition to or in support of the proposed Community Development Block Grant Amendments for fiscal year 2006/2007.

- **Council closed the Public Hearing at 10:11 a.m.**

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve the Community Development Block Grant Budget for fiscal year 2006/2007 in the amount of \$1,438,702 as recommended by the Citizens Advisory Committee for Community Development.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve the Housing of People With Aids (HOPWA) Budget for fiscal year 2006/2007 in the amount of \$1,041,000.

CITY COUNCIL DISCUSSION / ACTION

2. Approval of Columbia Assisting Neighborhood Development Opportunities (CANDO) Applications – Mr. Rick Semon, Community Development Director

Mr. Rick Semon, Community Development Director, presented the Citizens Advisory Committee recommendations for Columbia Assisting Neighborhood Development Opportunities (CANDO) funding for fiscal year 2006/2007.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve the Citizens Advisory Committee recommendations for Columbia Assisting Neighborhood Development Opportunities (CANDO) grant funding for fiscal year 2006/2007 as presented in the amount of \$129,419.45.

- 2a. Operating Hours of City Parks – Mr. S. Allison Baker, Assistant City Manager for Public Services

Mr. S. Allison Baker, Assistant City Manager for Public Services requested an additional forty-five days to discuss the operation hours of park facilities with various neighborhoods during their regularly scheduled monthly meetings.

There was a consensus of Council to direct Staff to present a recommendation to Council as soon as possible since we are approaching the summer months. He was asked to share the meeting dates with the members of Council. A member of the Police Department was asked to escort them so that residents can understand the safety concerns related to extended hours as well as the cost to the city during a tough budget year. All opening and closing times should remain consistent throughout the city.

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 10:20 a.m.**

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTY – FIRST READING

3. 620 & 624 Riverhill Circle, TMS# 07314-01-01 and 03; confirm RS-1 zoning. – *Approved on first reading.*

No one appeared in support of or in opposition to this request.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the *Confirmation of Zoning of Previously Annexed Property* located at 620 & 624 Riverhill Circle, TMS# 07314-01-01 and 03; confirm RS-1 zoning.

4. 1111 Balsam Road, TMS# 07311-08-04; confirm RS-2 zoning. – *Approved on first reading.*

Mr. Thomas Ford, President of the Huffman Heights Neighborhood Association, stated that they have several issues with the annexation and rezoning request. He said that the water pressure is inadequate, because there is only a two-inch line and it would be imperative for the City to install a larger line. He said that signs were not posted prior to the annexation of the property. He noted that the house was moved from another location a year ago and the neighbors have experienced numerous problems since.

Ms. Ida Ford, 1110 Balsam Road, stated that the water pressure problem is significant. She said that she witnessed a fire in which the Fire Fighters could not get enough water from the hydrant to dispose of the fire. She said that no signs were posted or they would have asked the City to delay consideration until they can get more water. She stated that it has been difficult to get the applicant to comply with the rules set by Richland County and they will come to City Council for relief if further problems are created.

Mr. Marc Mylott, Development Services Director stated that this is the first time he has been made aware of these concerns. He said that the City would be able to take over jurisdiction in terms of code enforcement.

Mr. C. Braden Stoneburner, Jr., Applicant stated that most of the accusations made were untrue. He said that the firm that moved the house had permits and that the rubble was fill dirt brought in to fill the porches. He stated that the house is completed and they are only waiting on a water service provider. He intends to live in the house.

Mr. John Dooley, Director of Utilities and Engineering stated that a part of the annexation process would be an upgrade to the water system for fire protection. He said that he would determine where the project falls on the list.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the Map Amendment and Rezoning of 1111 Balsam Road, TMS# 07311-08-04; confirm RS-2 zoning. Mr. John Dooley, Director of Utilities and Engineering was directed to provide information on the waterlines. Mr. Marc Mylott, Development Services Director was asked to determine why the neighborhood wasn't notified of the petition for annexation and to review the code enforcement concerns brought forward. These reports are required prior to second reading approval and the residents should receive the information as well.

MAP AMENDMENTS / REZONING – FIRST READING

5. 601 to 621 Main Street (Mixed-use Development), TMS# 11303-13-03, and 06 through 10; rezone from C-3, -DD to PUD-R, -DD.

Mr. Robert Fuller, Attorney representing Holder Properties, stated that the project has been before the Planning Commission on three occasions to resolve concerns and was approved unanimously. It is a development at the south end of Main Street near the University of South Carolina. It is a service center for the University of South Carolina Research Campus with accessible retail, onsite parking and an urban design with mixed use and residential space.

No one appeared in support of or in opposition to this request.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to the *Map Amendment* and *Rezoning* of 601 to 621 Main Street (Mixed-use Development), TMS# 11303-13-03, and 06 through 10; rezone from C-3, -DD to PUD-R, -DD subject to (1) the applicant working with staff and installing the appropriate traffic safeguards and (2) the applicant updating the traffic study.

6. 4600 Trenholm Road, TMS# 13914-01-06; rezone from RS-1 to PUD-C.

Ms. Laura Nichols of Landmark Resources stated that the site was built as a dance studio and has always been used as commercial space. In the past three businesses have operated from this site, but Dr. Boyd will be the only occupant and will upgrade the site.

No one appeared in support of or in opposition to this request.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the *Map Amendment* and *Rezoning* of 4600 Trenholm Road, TMS# 13914-01-06; rezone from RS-1 to PUD-C, provided that (1) minor and major changes are defined in accordance with §17-305 (10) (a.) and (b.) of Zoning Ordinance, and (2) signage shall be in accordance with C-1 zoning requirements.

7. 2301 Wayne Street, TMS# 09011-01-01; rezone from M-1 to PUD-R.

Mr. Bruce Todd stated that he met with the neighborhood association and showed them the subdivision of the property and a typical rendering of the home. It is the intention of the owner to conform to the architectural characteristics of the other homes.

Mr. Elliot Houser, Vice President of the Elmwood Park Neighborhood Association, stated that the neighborhood association supports the request. He wanted to know how this would affect the development of the bicycle and walking trail slated for the area.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the *Map Amendment* and *Rezoning* of 2301 Wayne Street, TMS# 09011-01-01; rezone from M-1 to PUD-R. The front yard setback may be reduced to 10 feet.

8. 2000 Block of Two Notch Road, TMS# 11509-09-01A(P); rezone from PUD-R to PUD-C.

Ms. Pat Noble, Agent for Benedict College, stated that the applicant proposes the construction of an 87-guest room choice hotel with on site parking. The matter has been discussed with the neighborhood council. The College owns the property, but has not decided who will own the hotel.

No one appeared in support of or in opposition to this request.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval on a single motion to the *Map Amendment* and *Rezoning* of the 2000 Block of Two Notch Road, TMS# 11509-09-01A(P); rezone from PUD-R to PUD-C, provided that minor changes are defined in accordance with §17-305 (10) (a.).

9. 519-525 Laurel Street and 1801-1813 Pulaski Street, NX 612 Richland Street, 1817 Wayne Street, 617-619 Laurel Street, 615 Laurel Street, 603-605 Laurel Street, 1808-1809½ Pulaski Street, 1812-1812½ Pulaski Street, 1814 Pulaski Street, TMS# 09010-16-18; 09010-03-04, 05, 08, 09, 10, 12, 13, and 14, 09010-03-03(P), 15(P); rezone from RG-3, -DD to PUD-R, -DD.

Mr. Brian Boyer, Applicant, stated that this has been a transparent process and that he has the support of Councilor E.W. Cromartie, II, the Columbia Development Corporation and the Arsenal Hill Neighborhood Association. The project site is bounded by Laurel Street to the south and by Wayne Street and the railroad cut to the east. It is a mix of single and two-family units. There is a natural buffer on Pulaski Street to the commercial properties on Huger Street.

Mr. Fred Delk, Director of the Columbia Development Corporation stated that this project is exactly what they envisioned for Arsenal Hill. He said that the scale of the homes is appropriate and they are affordable.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to give first reading approval to the *Map Amendment and Rezoning* of 519-525 Laurel Street and 1801-1813 Pulaski Street, NX 612 Richland Street, 1817 Wayne Street, 617-619 Laurel Street, 615 Laurel Street, 603-605 Laurel Street, 1808-1809½ Pulaski Street, 1812-1812½ Pulaski Street, 1814 Pulaski Street, TMS# 09010-16-18; 09010-03-04, 05, 08, 09, 10, 12, 13, and 14, 09010-03-03(P), 15(P); rezone from RG-3, -DD to PUD-R, -DD.

10. 532 Hillcrest Avenue, TMS# 09210-02-08; rezone from RS-1 to RS-3.

Mr. John Nester, Applicant stated that they intend to construct two single-family homes consistent with the neighborhood design and architecture. They have received approval from the neighborhood association.

Mr. Russell Sulton, Resident, stated that this is a good idea and it will help increase property values in the area.

Mr. Keith Mclver, President of the Hyatt Park Neighborhood Association, stated that the neighborhood association overwhelmingly supports the project. He said that they are working with the developers to split the property along Palmetto Avenue instead of a diagonal split on Hillcrest Avenue.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the *Map Amendment and Rezoning* of 532 Hillcrest Avenue, TMS# 09210-02-08; rezone from RS-1 to RS-3.

11. 404 Wildwood Avenue, TMS# 09211-15-02; rezone from RS-1 to RS-3.

Mr. John Nester, Applicant, stated that they intend to rehabilitate an existing and neglected home. He noted that there were challenges with the roofline and the property itself. He said that they are trying to help the community and that he went door to door to discuss the matter with residents. He said that he has not received any negative comments.

Mr. Russell Sulton, Resident, stated that he supports this project and that his previous comments were related to this matter.

Mr. Keith Mclver, President of the Hyatt Park Neighborhood Association, stated that the neighborhood association opposes the rezoning request, because the property is not appropriate for subdividing. He said that they would like for the property to maintain its current zoning. He noted that Mr. Nester did not knock on his door with the petition. He said that the footprint is really tight, the home doesn't conform to the character and parking is not adequate.

Mr. Marc Mylott, Development Services Director, stated that RS-3 zoning would intrude into RS-1 zoning and that it would setting a bad precedent for future developers wanting RS-3 zoning.

Mr. John Nester, Applicant, stated that they decided to go with RS-3 zoning, because that's how the property across from them and behind them is zoned. He noted that the lot is substantially larger than the others. He said that they are willing to consider a Planned Unit Development (PUD). He believes that the homes would bring excitement and vibrancy to the area.

Mr. Jim Criner, Co-Applicant stated that the parking would go beside the house with plenty of room for two cars. The existing house will have a nice circle driveway. He stated that without approval they would not renovate the home due to the anticipated loss in profit.

The applicants withdrew this request.

12. 300 Sumter Street and 1300 Wheat Street/USC Band and Dance Facility, TMS# 11302-08-02 and 03; rezone from C-1, -PD and C-3, -PD to C-3, -PD.

Mr. Terry Buckman of Garvin Design Group stated that they are pursuing the rezoning request, because the property intersects two different zoning districts.

No one appeared in opposition to or in support of the request.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to the *Map Amendment* and *Rezoning* of 300 Sumter Street and 1300 Wheat Street/USC Band and Dance Facility, TMS# 11302-08-02 and 03; rezone from C-1, -PD and C-3, -PD to C-3, -PD.

13. 401 Williams Street, 431 Williams Street, W/S Williams Street/USC Baseball Stadium, TMS# 08909-01-01, 02, 03, and 06; rezone from M-1, -DD and M-2, -DD to PUD-C, -DD.

Mr. Marc Mylott, Development Services Director, requested that second reading consideration be deferred until outstanding traffic issues are resolved.

Mr. John McCartha, Attorney for the University of South Carolina, explained that this PUD is the end result of collaboration with the neighborhoods and City staff. He stated that several meetings were held.

Mr. Marc Mylott, Development Services Director, explained that the original preliminary traffic report outlined several areas that their Traffic Engineer was to investigate. He stated that the area of concern is westbound movement at Blossom Street and then making a left turn onto Williams Street. He said that there is not a left turn signal at this intersection, the intersection has not been upgraded and there are no pedestrian crossing lanes.

Mr. Bob Guild, Granby Neighborhood Association, stated that they are making significant changes to the Granby Neighborhood. He said that there are concerns about the volume of traffic and the number of people associated with a large spectator facility. The neighborhood association has not taken a formal position on this matter. He said that he has worked with the University of South Carolina to mitigate those potential adverse impacts on the neighborhood. He noted that there are clear positives that they welcome. He commended USC for initiating a Cooperative Agreement with the neighborhood.

Mr. Marc Mylott, Development Services Director, stated that the intersection in question is Huger Street at Blossom Street not Williams Street.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to the *Map Amendment* and *Rezoning* of 401 Williams Street, 431 Williams Street, W/S Williams Street/USC Baseball Stadium, TMS# 08909-01-01, 02, 03, and 06; rezone from M-1, -DD and M-2, -DD to PUD-C, -DD, subject to the University of South Carolina resolving the traffic concerns presented by staff prior to second reading approval.

It was clarified for the record that the maximum seating is 7,500 not 10,000.

ANNEXATION WITH REZONING – FIRST READING

14. +/- 7.2 acres, 6720 Pennington Road at Peyton Street, TMS# 16407-06-01; rezone from Richland County M-1 to PUD-R.
Ordinance No.: 2006-033 - Annexing 6720 Pennington Road, Richland County TMS #16407-06-01

Mr. Lucas Bunch, Pennington Place Development, LLC, stated that this is their third development project within two years. He noted that those projects added \$16 million to the City's tax base. The proposed seven acres would zone down from M-1 to PUD-R with no objections thus far. This project would add a \$14 million tax base. Mr. Bunch stated that the Neighborhood Association loved the transition of single family homes. This project will consist of single-family homes to the north side and higher density to the south side near industrial and intense commercial sites. He noted that he could not reach the residents of Pennington Acres, but they did contact him with opposition to the rezoning request. He submitted a letter of support from the Garden Springs Neighborhood Association.

Mr. Larry Rider, President of the Pennington Place Homeowners Association, appeared before the members of Council in support of the project, because it will benefit everyone by having an immediate tax base for the City and customers for the area businesses.

Ms. Mary Ann Hopkins, Pennington Place resident, stated that she resided in Pennington Acres, but decided to downsize. She said that the amenities are wonderful and she loves it there.

Ms. Gloria Latimore, St. Marks Woods resident, appeared before the members of Council in support of the request. Her parents moved from Aiken, South Carolina to Pennington Place. She said that this is best for the area from a safety standpoint and property taxes.

Mr. Lucas Bunch, Pennington Place Development, LLC, explained that the fifteen homes on the northern property line have a single access point with rear alleys for garages with no back ended parking onto Pennington Road. As a concession, they created an emergency only access lane for emergency vehicles. Residents won't be able to see the town homes behind them due to the natural buffer. He noted that SCDOT has not expressed concerns about traffic, but the developer has requested a traffic light at Pennington Road and Leesburg Road. There will be fifty- three town homes, fifteen single-family, and eighteen matching style condos.

Mr. Marshall Connor, 6700 Wingard Drive, appeared before the members of Council in opposition to the request. He stated that the residents have concerns about density, traffic, compatibility and drainage.

Mr. Andy Love owns a house across the street from the proposed development. He stated that he opposes the request due to the size of the development, constant water runoff and standing water and compatibility. He suggested that the residents exit on Peyton Street instead of Pennington Road to alleviate some of the traffic problems. He asked the members of Council to deny the request.

Mr. Jim Bevels, Yorkshire Neighborhood Association, stated the neighborhood association met and decided to remain neutral.

Mr. Don Tomlin stated that he has invested in this project as well. He said that it is denser, because the property cost twice as much as the other due to the industrial zoning. He stated that they would not ask the City to pave another road. He asked that they not misinterpret their intention to deliver affordable housing.

Mr. Mike Diggs stated that the developer should not have purchased the property since it doesn't fit the neighborhood. He stated that SCDOT would run a road along Interstate 77 to Garners Ferry Road.

Mr. John Eddleman, 6707 Francis Street, stated that he initiated the whole process. He met with the City's Zoning personnel and received information that indicated the M-1 businesses that are allowed in the area. He noted that there are a variety of businesses that could be developed at the site. He suggested that they sale the land to another entity that could develop it for public purposes.

Mr. Darren Holcombe, Cox and Dinkins, stated that they prepared the site plan for the project and that most of Peyton Road is a County maintained dirt road. He said that there is no feasible way to extend it to Leesburg Road. He said that the issue is not relevant.

Upon motion of Ms. Devine, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to the *Annexation and Rezoning* of +/- 7.2 acres, 6720 Pennington Road at Peyton Street, TMS# 16407-06-01; rezone from Richland County M-1 to PUD-R and Ordinance No.: 2006-033 - Annexing 6720 Pennington Road, Richland County TMS #16407-06-01.

15. 143.81 acres, N/S Screaming Eagle Road, TMS# 31600-02-18; rezone from Richland County RU (Rural) to RS-3.
Ordinance No.: 2006-032 - Annexing 144+/- acres, S/S Percival Road and N/S Screaming Eagle Road, Richland County TMS #31600-02-18

Mr. Chip Land, Annexation Coordinator, stated that the Applicant would like to receive public comment today, but requests that the Public Hearing be extended to May 17, 2006. Staff recommended denial of the request due to the negative fiscal impact to the City of Columbia; the area is best suited for a rural, low density residential land use pattern; the potential negative impact on Fort Jackson missions; and the difficulty for City staff to adequately provide services to the area.

Mr. Greg Layman, representing the Mungo Company, requested rezoning of this property located between Percival Road and Screaming Eagle Road to allow for the creation of an affordable single-family residential community consisting of less than 450 homes. He stated that the community will be accessible by both Screaming Eagle and Percival Roads and will be located two miles from the intersection of Interstate 20 and Spears Creek Church Road. He noted that the site is 2.4 miles from the closest City Fire and Police Station to be located on Spears Creek Church Road, 3 miles from the Woodcreek Subdivision, 2.5 miles from Pontiac Elementary School and 1 mile from the site of the newly proposed middle school. Mr. Layman insisted that their request is reasonable.

Mr. Tom Milliken, NAI Avant, distributed maps of the site. He said that the property has been tied up for a year now while dealing with the City. He said that the applicant feels singled out due to the number of tracts that have already been annexed, seven of which were for residential development. He said that this is not spot zoning. He questioned the fairness in having the developer do a study on the site.

Mr. Chip Land, Annexation Coordinator, explained that by State law the City is required to notify Fort Jackson of any and all annexations and rezoning requests within a 3,000 feet radius of the military installation boundaries. Most of the annexations occurred prior to this regulation. He stated that there is a heightened awareness about concerns of encroaching onto the boundaries of the fort. He noted that the site would not receive sewer services from the City and they are negotiating to get water service from the Lugoff-Elgin system.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to defer first reading consideration of the *Annexation* and *Rezoning* of 143.81 acres, N/S Screaming Eagle Road, TMS# 31600-02-18; rezone from Richland County RU (Rural) to RS-3 and Ordinance No.: 2006-032 - Annexing 144+/- acres, S/S Percival Road and N/S Screaming Eagle Road, Richland County TMS #31600-02-18 and to extend the Public Hearing on this matter until May 17, 2006.

- **Council closed the Public Hearing at 12:34 p.m. and adjourned the meeting to break.**
- **Council reconvened the meeting at 12:39 p.m.**

APPROVAL OF MINUTES

16. Minutes of April 5 and 12, 2006

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of April 5 and 12, 2006 as presented.

CONSENT AGENDA

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve the **Consent Agenda Items 17.** through **21.** as presented.

ORDINANCES – SECOND READING

17. Ordinance No.: 2006-016 – Granting encroachment to Jeff Caswell for installation and maintenance of landscaping and a wrought fence with brick columns adjacent to his property at 1828 Greene Street – *First reading approval was given on May 3, 2006. – Approved on second reading.*
18. Ordinance No.: 2006-018 – Granting encroachment to the University of South Carolina for construction and maintenance of the Biomed Block – *First reading approval was given on May 3, 2006. – Approved on second reading.*
19. Ordinance No.: 2006-019 – Granting encroachment to the University of South Carolina for construction and maintenance of the Horizon Block – *First reading approval was given on May 3, 2006. – Approved on second reading.*
20. Ordinance No.: 2006-027- Annexing 1046 Berea Road, 1047 Berea Road and NW/S Market Street, Richland County TMS #11206-04-01, 11206-04-03, 11206-03-02 and 11206-04-02 – *First reading approval was given on May 3, 2006. – Approved on second reading.*
21. Ordinance No.: 2006-029 - Annexing 3701 Clement Road and 3707 Clement Road, Richland County TMS #09104-08-07 – *First reading approval was given on May 3, 2006. – Approved on second reading.*

ORDINANCES – FIRST READING

22. Ordinance No.: 2006-015 – Granting encroachment to David Chase for installation and maintenance of landscaping and sidewalks adjacent to his property – *Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2006-015 – Granting encroachment to David Chase for installation and maintenance of landscaping and sidewalks adjacent to his property, subject to the following: Forestry and Beautification recommends the approval of the Encroachment Ordinance with the signed agreement by the applicant, Mr. David Chase. 1) Mr. Chase will remove the shrubbery in the City right of way. This would be the junipers and hollies on Assembly Street and Whaley Street. These plants will be replaced with landscaped beds and sod, thus eliminating a site hazard exiting the businesses. The areas will be irrigated. 2) The eight Red Sunset maples existing in the City right-of-way are in extremely poor condition. This species has struggled with scale and has not done well under the heat and dry conditions. These City trees will be removed and replaced with a more tolerant street tree, of medium height (under the SCE&G wires) and more drought/heat resistant. The Chinese Pistache has been chosen and the tree will match others of the same species in the Assembly Street corridor. These trees will be placed at the appropriate intervals by Forestry staff. Trees will be added to the Whaley Street right of way where none have existed before. The proposed sidewalks may not happen soon. The landscaping above will be done at the expense of Mr. Chase. Mr. Chase will restore any disturbance by future sidewalk construction.

23. Ordinance No.: 2006-028 – Annexing 1828 Pineview Road, Richland County TMS# 19000-01-08 - *Approved on first reading.*

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to Ordinance No.: 2006-028 – Annexing 1828 Pineview Road, Richland County TMS# 19000-01-08.

RESOLUTIONS

24. Resolution No.: R-2006-019 – Authorizing renewal of the contract with Companion Third Party Administrators, LLC for administration of Worker’s Compensation Program - *Approved*

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2006-019 – Authorizing renewal of the contract with Companion Third Party Administrators, LLC for administration of Worker’s Compensation Program.

25. Resolution No.: R-2006-020 – Authorizing consumption of beer and wine at Progressive Black Caucus Association’s Candidate Forum and Stump Rally at St. Anna’s Park - *Denied*

Reverend Burton, Lyon Street Community, stated that the community met to discuss this event and voted unanimously not to support the request to serve alcohol at the park due to the presence of children.

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to *deny* Resolution No.: R-2006-020 – Authorizing consumption of beer and wine at Progressive Black Caucus Association’s Candidate Forum and Stump Rally at St. Anna’s Park.

OTHER MATTERS

26. Council is asked to approve a request from the Columbia Fire Department to Collect Donations for the Muscular Dystrophy Association at the following intersections on Wednesday, August 23, 2006 until Friday, August 25, 2006.

Assembly Street at Gervais Street

Blossom Street at Huger Street

Bluff Road at Beltline Boulevard

Bush River Road at Broad River Road

St. Andrews Road at Broad River Road

Bull Street at Elmwood Avenue

Veterans Road at Garners Ferry

Devine Street at Harden Street

Sunset Drive at North Main Street

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve a request from the Columbia Fire Department to Collect Donations for the Muscular Dystrophy Association at the following intersections on Wednesday, August 23, 2006 until Friday, August 25, 2006 at the locations outlined above.

Mr. Tom Carson of the Muscular Dystrophy Association presented Certificates of Appreciation to the members of Council for their continued support.

APPOINTMENTS

27. Affordable Housing Taskforce

Consideration of this matter was deferred until May 17, 2006.

CITY COUNCIL DISCUSSION / ACTION

28. Fiscal Year 2006 / 2007 Water and Sewer Operating Fund and Capital Improvement Program – Ms. Melisa Caughman, Budget Administrator

Ms. Melisa Caughman, Budget Administrator, presented an overview of the fiscal year 2006 / 2007 Water and Sewer Operating Fund and Capital Improvements Program. She explained that some budget reductions have been made. This budget includes the recommended rate increase. She noted that 100% of the rate increase would fund the Capital Improvement Program for an additional amount of \$19 million.

Councilor Anne M. Sinclair suggested that Council consider a 15-mil increase instead of 20 mils.

Councilor-Elect Kirkman Finlay, III suggested that they pay the Columbia Police Department for covering the USC football games from the Hospitality Tax Fund. He stated that Council could identify \$2 million in direct cuts.

Councilor Daniel J. Rickenmann suggested that Council establish an amount that won't hurt people's pockets. He said that he is also concerned about the rising costs of other services. He said that he would support a 5-mil increase and then tell citizens we will increase it each year.

Councilor Sam Davis stated that he could not support a 15 or 20 mil increase. He said that he hasn't talked to anyone who supports it, especially when they see progress in other areas except theirs.

Councilor Tameika Isaac Devine stated that the cost of doing business has increased, but we have not increased our fees. She said that citizens might not get the services they deserve without an increase.

Ms. Melisa Caughman, Budget Administrator noted that the City would net \$7 million on a 20-mil increase.

Mr. G.C. Robinet, Chief Financial Officer, stated that indirect costs were put into the Finance budget as a result of a study conducted in 1985. Since then a study has not been conducted, but indirect cost increase yearly and incrementally. Direct costs are the costs that all the units within the General Fund commit to the support of the Water and Sewer Fund to include a portion of the Mayor and Councilors' salaries, the City Managers and the Legal Department's salaries. He noted that a current study would cost \$75,000 to \$100,000 and would take a consultant 90 to 120 days to complete.

There was a consensus of Council to compose a list of budget policy statements to establish guidelines for future budgeting processes.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to go into Executive Session at 1:54 p.m. for the discussion of **Item 29.** as outlined.

29. Discussion of negotiations incident to the City's position in adversary situations involving the assertion of a claim - *This matter was discussed in Executive Session. No action was taken.*

- **Council adjourned the meeting at 2:25 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk