



CITY OF COLUMBIA
CITY COUNCIL
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 6, 2007
4:00 P.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The City of Columbia City Council conducted a Meeting and Public Hearings on Wednesday, June 6, 2007 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 4:01 p.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

PRESENTATIONS

1. Introduction of a Delegation from China – Ms. Dana Turner, Assistant City Manager for Commerce and Development

Ms. Dana Turner, Assistant City Manager for Commerce and Development, introduced a Delegation from China that the Commerce and Development Group has hosted for the past two (2) days. During the visit they toured many businesses and the University of South Carolina. She thanked Dr. George Wong and Councilor Cromartie for the instrumental role they played in scheduling this visit.

Dr. George Wong, President of the US / China Association, provided remarks on behalf of the Chinese Delegation. He thanked the City of Columbia for their hospitality in receiving this delegation. He said that the delegation was deeply impressed and this is the beginning of beautiful memories in years to come.

2. Homeownership Month – Mr. Eric Cassell, Housing Administrator / Community Development

Mr. Eric Cassell, Housing Administrator / Community Development Department, asked the Council to celebrate and proclaim June 2007 as Homeownership Month in conjunction with the Department of Housing and Urban Development. He highlighted the Operation Paintbrush Program, which provides free paint to low income homeowners for the exterior of their homes. They also partner with volunteer organizations to help paint the exterior of the homes.

Mr. John Hurt, Metro Changers, explained that this organization is a part of the World Changers Organization and is a group of local churches banning together to provide the labor. Volunteers perform exterior renovations and will continue in 2008 with 250 volunteers working on 25-30 homes. He noted that it is a pleasure to work with the City's Community Development staff and invited the members of Council to participate.

Mayor Coble presented a proclamation declaring June 2007 as National Homeownership Month in the City of Columbia.

3. Community Development's Super Saturday Event – Mr. Rick Semon, Community Development Director

Mr. Rick Semon, Community Development Director, presented the Super Saturday Event, which is scheduled for Saturday, June 9, 2007 at the The Shops of North Main Plaza from 10:00 a.m. until 5:00 p.m. as part of National Homeownership Month.

4. **Three Rivers Greenway Update – Mr. Dave Zunker, Vice President / Columbia Metropolitan Convention and Visitors Bureau

Mr. Jim Smith, Chairman of the Riverbanks Zoo Commission, explained that he was asked to put together some concepts for the transfer of property along the north side of the Saluda River into a proposed park for the City of Columbia. He presented a draft Lease for the transfer of the first 100 feet strip portion of the property along the Zoo area to the City of Columbia. The Riverbanks Commission owns 17-acres in fee simple, but the bulk of the property is under a long-term lease with SCANA. He stated that SCANA representatives are in full agreement with the proposed use. He noted that this project would extend the usage of the property. Mr. Smith further noted that it would be more appropriate to put this property under the control of the City of Columbia in terms of safety and security. Mr. Smith said that the next logical extension would be to construct the Saluda Riverwalk.

There was a consensus of council to direct staff to review the proposed lease; to draft a security plan for the site as it is now and a security plan for the construction phase; to review funding options for the construction of the Saluda Riverwalk; to review funding implications for City services; and to report back to Council on their findings.

RESPONSES TO REQUESTS FOR PROPOSALS

5. Professional Auditing Services – Mr. Thomas Fitzsimmons, CPA / Webster Rogers, LLP

Mr. Thomas Fitzsimmons of Webster Rogers, LLP presented background information on the firm and their timeline for assisting the City. He explained their proposal to provide accounting, auditing and tax services to the City of Columbia for the years ending June 30, 2006 through June 30, 2010. The audit planning process would begin during the week of July 2, 2007 and will consist of three (3) phases. They will meet with city officials and personnel to review items in the financial statements, obtain an understanding of the environment in which the city operates, discuss methods used by the city, process significant accounting transactions, discuss any fraud that has taken place and internal controls to mitigate any occurrence of fraud, identify compliance provisions and understand the accounting and administrative controls. A preliminary risk assessment and audit program are then prepared. The bulk of the audit work will be completed during phase II on August 16-17, 2007. The firm will compile, submit and discuss audit observations before completing the review and reporting (phase III). An exit conference would be conducted on August 27, 2007. Their report on the City's financial statement will be issued on August 31, 2007. During the week of September 3, 2007 the firm will begin planning procedures for the 2007 audit.

Mr. Michael Brady of Webster Rogers, LLP, explained that they are prepared to handle this assignment and have hired Mr. Bud Addison to specifically break into the arena of governmental accounting. They have the background and experience to handle the job and are able to meet the City's deadline as outlined in the Request for Proposals. He noted that city staff must meet their deadlines as well.

Mr. Bud Addison of Webster Rogers, LLP, stated that he understands that this is a high profile case and the sense of urgency. He ensured the members of Council that they are prepared to proceed immediately.

Mr. Charles P. Austin, Sr., City Manager, ensured the members of Council that the references provided have been verified and staff is confident that we can get this process moving once he is authorized to do so. He further ensured the members of Council that staff will cooperate and ensure that information is provided in a timely manner. He stated that he would not see the City of Columbia in this position again.

Mr. Rickenmann made a motion to allow the audit committee (City Council members) to meet with representatives of Webster Rogers, LLP for a formal interview process on June 13, 2007 and if the members of Council are comfortable with the firm, at that point they will authorize the City Manager to enter into a contract with the firm for auditing services.

Mayor Coble made a substitute motion and Council voted four (4) to three (3) to select Webster Rogers, LLP as the City's Auditor; the firm is directed to meet with City Council on June 13, 2007 for a more in-depth interview process; and to authorize staff to draft an Agreement for consideration on June 20, 2007. Ms. Sinclair seconded this motion. Voting aye were Mr. Cromartie, Ms. Sinclair Mr. Davis, and Mayor Coble. Voting nay were Mr. Finlay, Mr. Rickenmann and Ms. Devine.

**Mr. John Durst, Vice Chairman of the Midlands Authority for Conventions, Sports and Tourism, announced that The Honorable I. S. Leevy Johnson is serving as Chair of the Board of Directors, Mr. Durst is serving as Vice Chair and Ms. Martha Scott Smith is serving as the Secretary. They are available to provide an update at the pleasure of Council.

6. Energy Conservation Program – Ms. Kim Smith of Johnson Controls and Mr. Larry Landry of Ameresco

Mr. Charles P. Austin, Sr., City Manager requested that Ameresco representatives leave the room while Johnson Controls is presenting their response to the request for proposals.

Ms. Kim Smith presented Johnson Controls' response to the Request for Proposals for an Energy Conservation Program. She explained that the Request for Proposals was issued in December 2006 and since then they were invited to audit the City's Animal Shelter. The results were presented to a committee and now they are prepared to present to Council. They are unique, because they have full service staff that is available to respond to immediate needs that may arise as a result of the improvement measures to be implemented. She outlined other potential infrastructure improvements. They believe that the financial impact to the city's utility savings will be 20-30%, operational savings at 10-15%, avoided capital in the amount of \$5-7 million and a 5% extension on equipment life.

Mr. Stan Cominsky, Regional Sales Manager for the Public Sector / Johnson Controls, explained that performance contracting involves long-term financial commitments from the company that backs up the guarantees it makes. He noted that the cost of energy won't go down and the demand for energy will continue to grow, so conservation has to be a part of the solution.

Mr. Larry Landry, Senior Account Executive presented Ameresco's response to the Request for Proposals for an Energy Conservation Program. He explained that the objective of performance contracting is to implement the maximum level of infrastructure improvements through utility savings funding. It's about selecting a company with the strength and track record to deliver the savings and shifts the risks from the city to that company. They will serve in essence as the General Contractor by controlling the program in-house without depending on subcontractors to get it done. The firm looked at the Animal Shelter, which had a lot of operational savings. He noted that the possibilities are endless. They addressed the three (3) options outlined in the RFP and they looked at additional buildings to include City Hall and Municipal Court. If they looked at a 12-year basis with a 20-30% savings off the City's current utilities there would be \$10-15 million in capital investment improvements totally funded by these savings. They are the only company that will provide a unique two-party agreement.

There was a consensus of Council to direct staff to bring back recommendations on June 20, 2007.

CONSENT AGENDA

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the **Consent Agenda Items 7. and 8., 10. and 11., 13. through 15., 17. through 26., and 28. through E.** as amended and with a single motion. **Items 9., 12. and 16.** were withdrawn from the agenda. **Item 27.** was voted on separately.

CONSIDERATION OF BIDS AND AGREEMENTS

7. Council is asked to approve the Annual Safety Test / Inspection for Trucks / Equipment, as requested by the Fleet Services Division. Award to Structural Technology, Inc., the lowest bidder meeting specifications, in the amount of \$13,452.00. This firm is located in Searcy, AR. *Funding Source: 6308970-672800 - Approved*
8. Council is asked to approve the Purchase of 150 Fire Extinguishers and Cabinets to include Installation and Disposal for the Washington Street, Lady Street and Sumter Street Garage Buildings, as requested by Parking Services. Award to Palmetto Fire and Safety, the lowest bidder, in the amount of \$14,285.03. This firm is located in Darlington, SC. *Funding Source: GL-5313104-638200 - Approved*
9. Council is asked to approve the Purchase of a Security Camera System for the Park Street Garage, as requested by Parking Services. Award to Johnson Controls, Inc., the lowest bidder, in the amount of \$18,136.85. This firm is located in Columbia, SC. *Funding Source: GL-5329999-629900, JL-PG001501-629900 and GL-5329999-629900, JL-PG001502-629900 – This item was withdrawn from the agenda.*
10. Council is asked to approve an Agreement for Consulting Services to Develop a Mitigation Plan for Storm Drainage Construction in St. Mark's Wood Subdivision; CIP# SD8225, as requested by Engineering Operations. Award to Environmental Permitting Consultants (EPC) in the amount of \$18,760.00. This firm is located in Columbia, SC. *Funding Source: 2006/2007 Capital Improvements Program Budget - Approved*
11. Council is asked to approve an Agreement for Consulting Services to Develop a Stream Restoration Plan for the Portion of Rocky Branch Creek located on Martin Luther King Park Property; CIP# SD8279, as requested by Engineering Operations. Award to Environmental Permitting Consultants (EPC) in the amount of \$18,850.00. This firm is located in Columbia, SC. *Funding Source: 2006/2007 Capital Improvements Program Budget - Approved*
12. Council is asked to approve a Service / Maintenance Chemicals Contract for the Automated Fleet Washer for fiscal year 2007/2008, as requested by the Fleet Services Division. Award to Palmetto Industrial Solutions, the lowest bidder meeting specifications, in the amount of \$19,080.00. This firm is located in Columbia, SC. *Funding Source: 6308970-672700 – This item was withdrawn from the agenda.*
13. Council is asked to approve the Purchase of Mobile Radios, as requested by the Police Department. Award to Motorola C&E, Inc., using the SC State Mobile Radio Contract, in the amount of \$29,268.08. This firm is located in Sumter, SC. *Funding Source: 1012401-657800 - Approved*
14. Council is asked to approve the Purchase of Vehicles, as requested by the Police Department. Award to the following vendors using the SC State Vehicle Contract in the total amount of \$33,553.95. Both vendors are located in Columbia, SC. - *Approved*

15. Council is asked to approve the Purchase of Additional Disk Storage, as requested by Information Technology and GIS. Award to Dell Inc., using the State Contract, in the amount of \$39,473.49. This firm is located in Round Rock, TX. *Funding Source: GL-5511121-658600 - Approved*
16. Council is asked to approve the Purchase of Recapped Tires for fiscal year 2007/2008, as requested by the Fleet Services Division. Award Lots 1, 2, 4 and 5 to Bray's Recapping Services of Mount Airy, NC in the amount of \$40,794.00. Award Lot 3 to Snider Tire Inc. of Columbia, SC in the amount of \$1,930.26. These are the low bidders meeting specifications for each lot in the total amount of \$45,171.90. *Funding Source: 6308970/672500 – This item was withdrawn from the agenda.*

ANNEXATIONS WITH MAP AMENDMENTS / REZONINGS - SECOND READING

17. 621 Suber Street, 13708-04-04; annex and rezone from Richland County RG-2 to PUD-R. *First reading approval was given on May 16, 2007. - Approved on second reading, subject to (1) reducing the number of units to 6, (2) reconfiguring the parking access lane, and (3) review and approval by staff of a revised site plan.*

Ordinance No.: 2007-035 – Annexing 621 Suber Street, Richland County TMS # 13708-04-04 *First reading approval was given on May 16, 2007. – Approved on second reading.*

18. 24.97 acres S/S South Beltline Boulevard, 13605-02-01; annex entire parcel, rezone 11.88 acres from Richland County M-2 to M-1, remainder stays M-2.6 *First reading approval was given on May 16, 2007. – Approved on second reading.*

Ordinance No.: 2007-019 – Annexing 24.97 acres S/S South Beltline Boulevard, Richland County TMS # 13605-02-01 *First reading approval was given on May 16, 2007. – Approved on second reading.*

19. 9.22 acres, W/S Hazelwood Road, TMS#19102-02-01 and 02; annex and rezone from Richland County RU to RS-1A. *First reading approval was given on May 16, 2007. – Approved on second reading.*

Ordinance No.: 2007-021 – Annexing 9.22 acres W/S Hazelwood Road, Richland County TMS # 19102-02-01 and 19102-02-02 *First reading approval was given on May 16, 2007. – Approved on second reading.*

20. 1033 & 1037 Kinley Road, TMS#05000-04-04 and 27; annex and rezone from Richland County C-3 to M-1. *First reading approval was given on May 16, 2007. – Approved on second reading, provided southern 150 feet of combined parcels remains C-3 (width to run parallel to southern lot line).*

Ordinance No.: 2007-036 – Annexing 1033 Kinley Road and 1037 Kinley Road, Richland County TMS # 05000-04-27 and 05000-04-04 *First reading approval was given on May 16, 2007. – Approved on second reading.*

21. 4900 Block of Garners Ferry Road, TMS#13813-05-01(p); rezone from Richland County C-3 to C-1. *First reading approval was given on May 16, 2007. – Approved on second reading.*

Ordinance 2007-018 – Annexing 1.1 acres S/S Garners Ferry Road, Richland County TMS# 13813-05-01 (portion) *First reading approval was given on May 16, 2007. – Approved on second reading.*

MAP AMENDMENTS / REZONINGS – SECOND READING

22. 4900 Block of Garners Ferry Road, TMS#13813-05-01(p), 02(p), 16; rezone from C-3 and D-1 to C-1. *First reading approval was given on May 16, 2007. – Approved on second reading.*
23. 812 thru 824 Washington Street, 1307 thru 1325 Lincoln Street, and 825 thru 833 Lady Street (City of Columbia - Lincoln Street Parking Garage), TMS#09013-13-03 thru 06 and 09; rezone from M-1, -PD, -DD, C-4, -PD, -DD, M-1, -PD, -DP, -DD to PUD-C, -DD. *First reading approval was given on May 16, 2007. – Approved on second reading.*
24. 501 and 503 Beltline Boulevard (Azalea Place), TMS# 13810-01-06 and -07; rezone from amended PUD-C to PUD-R. *First reading approval was given on May 16, 2007. - Approved on second reading, provided: (1) Setback from South Beltline Boulevard shall be 15 feet, except for a 3-foot setback along the indented ROW at the intersection; (2) Setback from Azalea Drive shall be at least 10 feet;(3) Setback from the north and west lot lines shall be at least 5 feet; (4) No internal setbacks are required to ensure that the applicant can create fee-simple lots; and (5) Staff and the applicant shall field verify the fence to ensure sight visibility is not compromised.*
25. 4001 River Drive (Horizon Landing), TMS# 09102-01-02; rezone from C-3 to PUD-LS. *First reading approval was given on May 16, 2007. – Approved on second reading, subject to (1) a height restriction of 65 feet above base flood elevation for buildings marked “condo” and “parking garage and condo”, and (2) reducing the distinction between a major and minor amendment to the PUD, specifically regarding the total number of dwelling units, from 50 dwelling units to 25 dwelling units [a proposal which increases the total number of dwelling units to up to 525 is a minor amendment; a proposal which increases the total number of dwelling units to more than 525 is a major amendment], 7-0 (4/2/07). (3) Eliminating the setback requirements for the multi-family residential (apartments and condominiums only), (4) Non-residential uses shall conform to the parking requirements of the Zoning Ordinance as it may be amended from time to time, and (5) Prior to the issuance of variances authorized by the developer, the developer must notify the Zoning Division of the variance and the cumulative total of all variances granted for the development.*
26. 2112 Hampton Street (Allen University Dormitory), TMS#11407-13-03; rezone from C-1, -DP to PUD-R, -DP. *First reading approval was given on May 16, 2007. Approved on second reading, subject to letter on Tomlin & Company letterhead dated March 30, 2007 except striking item no. 4 regarding curtains and drapes.*
27. Oakwood Court Architectural Conservation District, an area bounded by 720 through 728 Holly Street, 723 through 729 and 716 through 730 Olive Street, 715 through 727 and 808 through 922 Sims Streets, 3000 through 3220 and 3001 though 3221 Amherst Avenue, 811 Eaton Street, 714 Greenwood Road, 3000 through 3020 and 3007 through 3017 Kirkwood Road, TMS# 13804-01-01 through 04, 13804-10-07 through 11, 13804-11-07 through 11, 13804-12-02 through 15, 13804-13-01 through 04, 13804-14-01 through 05 and 11, 13804-18-01 through 05 and 09 through 10, 13901-15-09 through 12, 11316-04-02 through 04 and 10 through 13; rezone from RS-2, RS-3, and RD to RS-2, -DP, RS-3, -DP, and RD, -DP. *First reading approval was given on May 16, 2007. – Approved on second reading. Mr. Rickenmann abstained from discussing the matter and voting due to a conflict of interest.*

TEXT AMENDMENTS – SECOND READING

Amend Section 17-681 to include the Oakwood Court Architectural Conservation District, an area bounded by 720 through 728 Holly Street, 723 through 729 and 716 through 730 Olive Street, 715 through 727 and 808 through 922 Sims Streets, 3000 through 3220 and 3001 through 3221 Amherst Avenue, 811 Eaton Street, 714 Greenwood Road, 3000 through 3020 and 3007 through 3017 Kirkwood Road, TMS# 13804-01-01 through 04, 13804-10-07 through 11, 13804-11-07 through 11, 13804-12-02 through 15, 13804-13-01 through 04, 13804-14-01 through 05 and 11, 13804-18-01 through 05 and 09 through 10, 13901-15-09 through 12, 11316-04-02 through 04 and 10 through 13; rezone from RS-2, RS-3, and RD to RS-2, -DP, RS-3, -DP, and RD, -DP. *First reading approval was given on May 16, 2007. – Approved on second reading. Mr. Rickenmann abstained from discussing the matter and voting due to a conflict of interest.*

Ordinance No.: 2007-027 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681, Districts identified, (b) Architectural conservation district to add (4) *First reading approval was given on May 16, 2007. – Approved on second reading. Mr. Rickenmann abstained from discussing the matter and voting due to a conflict of interest.*

28. Amend pertinent sections of the Zoning Ordinance regarding restaurants and drive-thru facilities. *First reading approval was given on May 16, 2007. – Approved on second reading.*

Ordinance No.: 2007-015 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning Division 1, Generally, Sec 17-55, Definitions, Restaurant and Restaurant, fast food; Division 7, General Regulations, Sec. 17-258, Table of permitted uses; and Table 1, Division G, Retail Trade (Sec. 17-263), SIC 58, Eating places (except fast food) and to delete SIC 5814 fast food eating places in its entirety *First reading approval was given on May 16, 2007. – Approved on second reading.*

ORDINANCES – SECOND READING

29. Ordinance No.: 2007-017 – Granting encroachment to Gill Creek Baptist Church for placement and maintenance of two directional signs *First reading approval was given on May 16, 2007. – Approved on second reading, based on the following conditions: (1) Submission and on going maintenance of the liability insurance coverage; (2) Size and design to be as specified in request (18" x 24"); and (3) The signs are mounted close to the ground, so that no part of the sign exceeds 48" in height.*
30. Ordinance No.: 2007-023 – Granting encroachment to Good Times Unit 3, Inc for placement of ten (10) bistro tables, thirty-six (36) chairs, three (3) 2-person benches, six (6) umbrellas with a removable picket fence enclosure for outdoor dining at 805 Harden Street *First reading approval was given on May 16, 2007. – Approved on second reading, with the following conditions: (1) Required liability insurance must be maintained; (2) A space no less than 48", without obstructions, must be maintained along the sidewalk; (3) Any umbrellas must not intrude into the 48" clear space, must be at least 6' above the sidewalk, have no points at their edge, and must be covered by the liability insurance; and (4) Applicant to work with staff for a less obtrusive method of defining dining area, to be incorporated in the Ordinance, such as simple bollards or chain.*

31. Ordinance No.: 2007-024 – Authorizing transfer of 0.38 acres (16.665 square feet), Nursery Road, Lexington County TMS # 001998-02-063 to Barbara E. Vaughn *First reading approval was given on May 16, 2007. – Approved on second reading.*
- A. Ordinance No.: 2007-031 – Annexing 4111 Beecliff Drive, Richland County TMS # 13809-04-09 *First reading approval was given on May 16, 2007. – Approved on second reading.*
- B. Ordinance No.: 2007-032 – Annexing 4653 Broad River Road, Richland County TMS # 06267-02-04 *First reading approval was given on May 16, 2007. – Approved on second reading.*
- C. Ordinance No. 2007-033 – Annexing 594 Spears Creek Church Road, Richland County TMS # 28802-01-01 *First reading approval was given on May 16, 2007. – Approved on second reading.*
- D. Ordinance No.: 2007-034 – Annexing 1037 Market Street, Richland County TMS # 11206-04-04 *First reading approval was given on May 16, 2007. – Approved on second reading.*
- E. Ordinance No.: 2007-037 - To Grant to Sprint-Nextel Communications Company, its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Lines, Poles, Wires, Cables and other Telecommunications Facilities to Render Telecommunications Service to Its Customers in the Limits of the City of Columbia for Such Period as Provided Herein; and to Provide for the Payment of Compensation for the Use of the Streets and Public Places *First reading approval was given on May 16, 2007. – Approved on second reading.*

ORDINANCES – SECOND READING

- F. Ordinance No.: 2007-026 – *(Revised)* Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 1, Generally, Sec. 21-125, Definitions *First reading approval was given on April 18, 2007. – Approved on second reading.*

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give second reading approval to Ordinance No.: 2007-026 – *(Revised)* Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 1, Generally, Sec. 21-125, Definitions.

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

- G. Council is asked to approve Change Order#5 for Project WM838; Improvements to Lake Murray Water Treatment Plant, as requested by Engineering Administration. Award to M.B. Kahn Construction Co., Inc. in the amount of \$59,429.91. This firm is located in Columbia, SC. *Funding Source: Water Bond Fund - Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve Change Order#5 for Project WM838; Improvements to Lake Murray Water Treatment Plant, as requested by Engineering Administration. Award to M.B. Kahn Construction Co., Inc. in the amount of \$59,429.91.

- H. Council is asked to approve Annual Physical Screenings, as requested by the Police Department. Award to Professional Health Services, Inc., the lowest bidder meeting specifications, in the amount of \$114,710.00. This firm is located in Havertown, PA. *Funding Source: 1012405-636900 - Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve Annual Physical Screenings, as requested by the Police Department. Award to Professional Health Services, Inc., the lowest bidder meeting specifications, in the amount of \$114,710.00.

- I. Council is asked to approve Fiscal Year 2007/2008 Testing by Independent Laboratories for Environmental Monitoring Programs required by the City's Code of Ordinances and State and Federal Regulations, as requested by Engineering Operations. Award to the following firms as outlined in the total amount of \$154,422.60. *Funding Source: Metro Wastewater Treatment Plant, Columbia Canal Water Treatment Plant, Lake Murray Water Treatment Plant and Operations Divisions' fiscal year 2007/2008 Operating Budgets – This item was withdrawn from the agenda.*

- J. Council is asked to approve Project #SS7008; 8" Sanitary Sewer Gracern Road, as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction, in the amount of \$196,259.05. This firm is located in Columbia, SC. *Funding Source: GL-5529999-851600 and JL-SS70080101-851600 - Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve Project #SS7008; 8" Sanitary Sewer Gracern Road, as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction, in the amount of \$196,259.05.

- K. Council is asked to approve the Purchase of New Tires for fiscal year 2007/2008, as requested by the Fleet Services Division. Award each lot to the lowest bidder meeting specifications, in the total amount of \$251,826.51. *Funding Source: 6308970/672500 – This item was withdrawn from the agenda.*

- L. Council is asked to approve the Purchase of Water Meters for fiscal year 2007/2008, as requested by the Water Distribution Division. Award to the lowest bidder of each lot in the total amount of \$694,382.15. *Funding Source: 5516203-625600 – This item was withdrawn from the agenda.*

- M. Council is asked to approve Change Order#4 for CIP SS789; Electrical Modifications and Upgrades at the Metro Wastewater Treatment Plant and Various Remote Pump Stations, as requested by Engineering Administration. Award to M.B. Kahn Construction Co., Inc. in the amount of \$712,500.00. This firm is located in Columbia, SC. *Funding Source: Sewer Improvement Fund - Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve Change Order#4 for CIP SS789; Electrical Modifications and Upgrades at the Metro Wastewater Treatment Plant and Various Remote Pump Stations, as requested by Engineering Administration. Award to M.B. Kahn Construction Co., Inc. in the amount of \$712,500.00.

- N. Council is asked to approve Change Order#16 for CIP SS819; Harden Street / Five Points Redevelopment, as requested by Construction Management. Award to L-J Inc. in the amount of \$1,651,999.28. This firm is located in Columbia, SC. *Funding Source: Fund 552 Water and Sewer Improvement Account - Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve Change Order#16 for CIP SS819; Harden Street / Five Points Redevelopment, as requested by Construction Management. Award to L-J Inc. in the amount of \$1,651,999.28.

- O. Council is asked to approve Project #WM3823; Phase I Blanding Street Water Extension, as requested by the Utilities and Engineering Department. Award to D.S. Utilities, the lowest bidder, in the amount of \$3, 465,209.85. This firm is located in Little Mountain, SC. *Funding Source: GL-5529999-851500 / JL-WM38230101-851500 - Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve Project #WM3823; Phase I Blanding Street Water Extension, as requested by the Utilities and Engineering Department. Award to D.S. Utilities, the lowest bidder, in the amount of \$3, 465,209.85.

ORDINANCES – FIRST READING

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval on a single motion to **Items P.** through **T.** as amended.

- P. Ordinance No.: 2007-039 - Repealing Ordinance 2007-008 and Authorizing the transfer of 0.120 acre of the unpaved portion of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-04-01 and 09116-05-01 to The Dutch Fork Trading Company, LLC – *Approved on first reading.*
- P1. **Ordinance No.: 2007-045 – Authorizing the transfer of Richland County TMS# 08916-03-12 located on the northeast corner of Senate Street and Park Street (Old Fire Station) to Capitol Place VII, LLC – *Approved on first reading.*
- Q. Ordinance No.: 2007-046 - Granting encroachment to the University of South Carolina for construction and maintenance of the Horizon Block – *Approved on first reading.*
- R. Ordinance No.: 2007-047 - Authorizing the transfer of a portion of Richland County TMS #09013-13-09 from the City of Columbia to Isadore S. Bernstein, Lowell L. Bernstein and Beth E. Bernstein or their assigns, and acceptance by the City of Columbia of Richland County TMS #09013-13-04 and 09013-13-05 from Isadore S. Bernstein, Lowell L. Bernstein and Beth E. Bernstein – *Approved on first reading.*
- S. Ordinance No.: 2007-049 - Amending Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-208 Eligibility for participation in zone service; Sec. 24-210 New applications to participate in zone service and Sec. 24-211 Equipment for emergency wreckers; 24-hour service required – *Approved on first reading.*
- T. Ordinance No.: 2007-050 – Granting encroachment to the University of South Carolina for installation and maintenance of an irrigation system, landscaping and extension of picket fence within the medians of he 1200, 1300, 1400 and 1500 blocks of Blossom Street – *Approved on first reading.*

RESOLUTIONS

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve **Items U.** through **X.** on a single motion.

U. Resolution No.: R-2007-015 – A Resolution to support the national call to action for affordable housing through regulatory reform - *Approved*

V. Resolution No.: R-2007-021 (a) – To Adopt the CMCOG Commuter Rail Feasibility Study in order to establish priorities for investment in some type of high capacity transit in our region – *Denied*

Resolution No.: R-2007-021 (b) - To Adopt the CMCOG Commuter Rail Feasibility Study in order to establish priorities for investment in some type of high capacity transit in our region - *Council voted unanimously to approve Resolution No.: R-2007-021 (b) - To Adopt the CMCOG Commuter Rail Feasibility Study in order to establish priorities for investment in some type of high capacity transit in our region, which adds that while the City fully endorses the outlined plan, it does not commit any City funds or monetary support to the Central Midlands Council Of Governments' Commuter Rail Feasibility Study.*

W. Resolution No.: R-2007-029 – Permitting the Fire Department to collect money for the Muscular Dystrophy Association - *Approved*

X. Resolution No.: R-2007-030 – Authorizing filing of a lawsuit against the International Council of African Professionals (ICAP) - *Approved*

OTHER MATTERS

Y. Compensation of the Interim City Attorney – The Honorable Mayor Robert D. Coble

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to compensate Mr. Ken Gaines, Interim City Attorney in the amount of \$132,000 annually and to be retroactive to his original appointment date of May 16, 2007.

Z. Council is asked to approve the Disposition of One Hundred Eleven (111) Firearms, as requested by the Police Department's Evidence Unit.

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the destruction of 110 firearms and authorized the Police Department to place one (1) firearm into service.

1. Sheraton Request for Valet Parking Lane and Leased Parking – Mr. Steve Gantt, Senior Assistant City Manager for Operations

Upon motion by Mr. Rickenmann, seconded by Mayor Coble, Council voted unanimously to provide to the Sheraton Hotel the use of seven (7) spaces for valet parking on the north side of Washington Street; a fee of \$6 per day, five days a week, for the use of the seven (7) spaces as specified in the Valet Parking Ordinance; a fee of \$7.50 per day/per car that is parked in a city garage; and staff was directed to work with hotel staff to determine which spaces are available on a daily basis.

2. Request from Benedict College to Install Water and Sewer Lines – Mr. Steve Gantt, Senior Assistant City Manager for Operations – *No action was taken.*

A motion by Mr. Cromartie to approve a request from Benedict College to install water and sewer lines along Read Street to service a proposed housing development, failed for the lack of a second.

Dr. Jabari Simama, Vice President of the Business Center / Benedict College, explained that Benedict College is seeking participation in the construction of ten (10) affordable housing units in the 2300 block of Read Street. They are asking that the partnership be between the Benedict-Allen Community Development Corporation 501 (c) 3 and not Benedict College. The College and the CDC has already put \$225,000 in acquiring the property. They have a \$600,000 grant from HUD that will be used for the development of the property. The total cost for the development is \$1.6 million.

There was a consensus of Council to direct staff to review the request, report back to Council and to provide the project plans for review.

- 2a. 2007 Edward Byrne Memorial Justice Assistance Grant Application – Mr. Charles P. Austin, Sr., City Manager

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve a 25% local funding match for the Columbia Police Department's 2007 Edward Byrne Memorial Justice Assistance Grant Application. The funding will be used to purchase a gunshot triangulation system.

PUBLIC HEARINGS

- **Council opened the Public Hearing at 7:02 p.m.**

3. Ordinance No.: 2007-044 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally

An unidentified female asked the members of Council how citizens are notified of rate increases; why do out of city residents pay more for water than city residents when the water comes from the same source; and why the Eau Claire community has been neglected for so long.

4. Ordinance No.: 2007-048 - To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina for the Fiscal Year ending June 30, 2008 – *No action was taken.*

No one appeared in support of or in opposition to Ordinance No.: 2007-048 - To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina for the Fiscal Year ending June 30, 2008.

- **Council closed the Public Hearings at 7:16 p.m.**

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Councilors Barry Walker and Cathy Condom, Irmo Town Council appeared before the members of Council to request assistance with installing traffic control devices at the intersection of Columbiana Drive and Columbia Avenue. He has spoken with the City's Traffic Engineer and a traffic count was conducted. There are four (4) major subdivisions that could use the intersection once it is improved. There is also a daycare facility directly across the street from this intersection. He urged the Council to help them, help their constituents with this issue.

**Upon motion by Mayor Coble, seconded by Finlay, Council voted unanimously to direct staff to consider the request for a traffic control device at the intersection of Columbiana Drive and Columbia Avenue. This should be given the highest priority as a request from a sister city.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to go into Executive Session at 7:23 p.m. for the discussion of the appointment of an employee and the discussion of negotiations incident to proposed contractual arrangements. No action was taken.

- **Council adjourned the meeting at 8:15 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk