



CITY OF COLUMBIA
CITY COUNCIL PUBLIC HEARING
MINUTES
WEDNESDAY, AUGUST 15, 2007
9:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The City of Columbia City Council conducted a meeting at 9:07 a.m. and a Public Hearing at 10:03 a.m. on Wednesday, August 15, 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 9:07 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Anne M. Sinclair joined the meeting at 9:11 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

**Mayor Coble asked his colleagues and the audience to join him in wishing Councilor Rickenmann a Happy Birthday.

APPROVAL OF MINUTES

1. Minutes of July 11 and July 18, 2007 and August 1, 2007

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of July 11 and 18, 2007 and August 1, 2007 on a single motion and as presented. Ms. Sinclair was not present for the vote.

PRESENTATIONS

2. Recognition of Staff Committee Members for Participating in the Renaming of the City Golf Center to the James E. Clyburn Golf Center – The Honorable E.W. Cromartie, II

- **Ms. Sinclair joined the meeting at 9:11 a.m.**

Councilor Cromartie recognized and thanked City employees and various departments for their support and contribution to the James E. Clyburn Golf Center dedication ceremony. He reported that the event raised over \$100,000 from the corporate and private sector with an additional \$25,000 sponsorship from AT&T, the diamond level sponsor. Those funds will be used to expand the First Tee Golf Program to eleven (11) schools within Richland School District One. He announced that \$10,000 is being earmarked to establish the James E. Clyburn Golf Center Scholarship Fund to assist young people that may have the desire to learn the game of golf, but may not have the funds available to purchase the appropriate attire and equipment. He presented tokens of appreciation to those participants and the members of Council.

**Mr. Charles P. Austin, Sr., City Manager, announced that water stations are established throughout City Hall and will be placed in other City facilities so that we can use our own water.

3. Judge Matthew J. Perry, Jr. Proclamation – The Honorable Mayor Robert D. Coble

Ms. Gloria James, 2nd Vice President of the Board of Trustees for the Historic Columbia Foundation invited the members of Council to the 29th Annual Jubilee Festival of Heritage scheduled for August 25, 2007 from 10:00 a.m. until 6:00 p.m. This event is held at the Mann-Simons Cottage and celebrates the life of Celia Mann and the many contributions that the six generations of her family have made to our community. The festival is also held to educate, preserve and celebrate South Carolina's African American heritage including traditional arts, culture, literature and entertainment. They are also recognizing Judge Matthew J. Perry, Jr. who has made a major impact in our history and our lives. His remarkable career will be honored during the festival.

Mayor Coble and the members of Council presented a proclamation declaring August 25, 2007 as Judge Matthew J. Perry, Jr. Day in the City of Columbia.

4. Introduction of the August 2007 Employee of the Month (Mr. Tony Westmoreland, GIS Coordinator) – Mr. Vincent Simonowicz, Director of Information Technology

Mr. Vincent Simonowicz, Director of Information Technology, introduced Mr. Tony Westmoreland, Geographical Information Systems Coordinator as the August 2007 Employee of the Month. He described Mr. Westmoreland as an eight-year employee that single handedly created the class A GIS organization. He has created partnerships with surrounding governmental entities and learning institutions. Mr. Westmoreland has earned the respect of his peers in his department and across the City of Columbia.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr., City Manager presented Mr. Tony Westmoreland with a plaque and tokens of appreciation for being selected as the City of Columbia August 2007 Employee of the Month.

5. 2007 Community Economic Development Award – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Ms. Reba Campbell, Director of Advocacy and Communications / Municipal Association of South Carolina, presented the 2007 Economic Development Municipal Achievement Award to the City of Columbia for the Economic Development Department's participation in the Technology Incubator and Regional Technology Strategies Program with the University of South Carolina. This year's awards program was particularly competitive and based on innovation, partnership and the ability to replicate the program in other cities. She presented the plaque and a blow up of the ad that appeared in The State newspaper.

6. Tree City USA Award – Mr. Jimmy Walters, South Carolina Forestry Commission

Mr. Jimmy Walters of the South Carolina Forestry Commission presented a flag to the City of Columbia as a 28-year recipient of the Tree City USA Award. The award is presented by the National Arbor Day Foundation and encourages communities to manage their green infrastructure. Columbia has been doing this successfully for 28-years now.

7. Bicycle Friendly Committee Update – Ms. Natalie Cappuccio Britt, Palmetto Cycling Coalition

Ms. Natalie Cappuccio Britt, Palmetto Cycling Coalition / Bicycle Friendly Committee, presented the committee's efforts to make Columbia a bicycle friendly community. The committee was formed one-year ago and has worked diligently toward achieving the designation of Bicycle Friendly Community (BFC). The application process focuses on the five E's, engineering, education, encouragement, enforcement and evaluation. Several cities in South Carolina are also pursuing this designation. Benefits of the program include a huge amount of recognition, grant funding, health, economics, freedom and improved air quality. She noted that 20-bike cops could be equipped at the cost of one (1) police cruiser and that bike parking is much cheaper than parking cars in garages. The committee has identified many projects and they will be hosting a Bike Pedestrian Week during October. She noted that connectivity and parking are the biggest issues. She asked the Council to endorse a bike parking design contest.

Ms. Dana D. Turner, Assistant City Manager of Commerce and Development, explained that they would like to undertake a project in conjunction with SCDOT on Jackson Boulevard at Interstate-77. She said that the intersection is dangerous for cyclist and pedestrians trying to gain access to Kings Grant or Fort Jackson. She requested the Council's support of the project.

Mayor Coble asked that they be sensitive to issues such as Red Tips.

Councilor Cromartie asked that this be done citywide.

Councilor Finlay asked that they be careful when asking property owners to remove shrubbery.

Councilor Davis asked them to also consider narrow streets and how to make them safe for cyclists.

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to authorize the committee to proceed with projects to include working with SCDOT to make access to Jackson Boulevard safer for cyclists and pedestrians by extending limited access from Oxford Road to the I-77 exit ramp and across Jackson Boulevard; to endorse the concept of a citywide Art Contest for the design of bicycle racks that could serve as art and function across the community; and to direct the Bicycle Friendly Committee to keep the Climate Protection Action Committee informed of their initiatives as to not duplicate any efforts.

8. Annual Dancing in the Street Invitation – Mr. Matt Kennell, President and CEO / City Center Partnership

Mr. Matt Kennell, President and CEO / City Center Partnership, invited the members of Council to participate in the 2nd Annual Dancing in the Street / Music on Main Street event scheduled for August 24, 2007 from 6:00 p.m. until 11:00 p.m. at Lady Street and Main Street. The focus of the event is to promote the new look and the new energy of the downtown area and to create awareness of as many shops and businesses as possible. This year's event will include performances by Charlie Brown's Coasters, The Foundations and Fat Back and the Groove Band.

Ms. Judy Stringer, Executive Director of the Columbia Action Council, thanked the members of Council for their continued support of the Columbia Action Council. The Columbia Action Council is also partnering to promote the Annual Classic Car Show on Saturday, August 25, 2007.

9. Debt Service Collection – Mr. Robert Adams, Linebarger, Goggan, Blair & Sampson, LLP Attorneys at Law

Mr. John Rife, Esquire / Linebarger, Goggan, Blair & Sampson, explained that the firm has been in existence for 31-years and is one of the largest Debt Service Collection Law Firms in the nation. They represent over 1,800 governmental clients across the nation with offices in thirteen (13) states. The firm is uniquely situated to handle delinquent account collections because the business of account collections has been merged with the practice of law. They have invested millions of dollars in technology that allows them to track individuals that have left remaining bills behind. The firm handles delinquent receivables for parking tickets, utility accounts, tax collections and more. They customize their collection programs for each client.

PUBLIC HEARING

- **Council opened the Public Hearing at 10:03 a.m.**

10. Ordinance 2006-067 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 22, Streets, Sidewalks and Other Public Places, Article III, Obstructions, to add Division 1, Generally, and Division 2, Publication Dispensing Devices in Downtown Business Improvement District (News Racks)

Councilor Cromartie proposed that the news media, business community and residents form a committee to continue discussions relating to the proposed Ordinance on news racks.

Mr. Jay Bender, Esquire, concurred with Mr. Cromartie's proposal, stating that the Ordinance as written is designed to inconvenience people who read newspapers and without consultation with those that have professional knowledge about how newspapers are circulated. He said there is a better way of doing this and agreed to provide names to the City Manager.

Mr. Charles P. Austin, Sr., City Manager requested that Mr. Marc Mylott, Director of Development Services be a part of the committee and take the lead in terms of coordinating the process.

There was a consensus of Council to develop a taskforce to review the proposed Ordinance on news racks and to provide their recommendations within 60-days. This committee will be lead by Mr. Marc Mylott, Director of Development Services and comprised of Mr. Jay Bender, Esquire, Mr. Matt Kennell, City Center Partnership, Columbia Council of Neighborhoods (neighborhood leaders), representatives from Five Points, Devine Street Merchants Association, the Vista Guild, the Downtown Business Alliance and the Two Notch Merchants Association and other interested persons/organizations.

- **Council closed the Public Hearing at 10:10 a.m.**
- **Council recessed at 10:10 a.m.**
- **Council reconvened the meeting at 10:18 a.m.**

PRESENTATIONS

10a. **The Modjeska Simkins House – The Honorable Sam Davis

Councilor Davis stated that we are at a point of discussion for this matter again, because members of the Foundation, fellow Council members and Blue Cross Blue Shield have come together to fashion a viable solution to solve the problem. The Collaborative for Community Trust has stepped forward through some legal processes and have worked out suitable arrangements with Blue Cross Blue Shield. He said that the proposal is doable and good for the property. He asked his peers to chime in with brief statements. He recognized Ms. Monteith, one of the matriarchs of the family that we are hoping to continue to honor.

Mr. Steve Morrison, President of the Board of Trustees / Historic Columbia Foundation, explained that on Monday the Historic Columbia Foundation accepted the deed to the Modjeska Simkins House with an extraordinary public private partnership. He added that Blue Cross Blue Shield was able to acquire the property with the cooperation of the Collaborative for Community Trust and has committed to raise the money necessary to stabilize and restore the house to its historic proportions. He recognized Mr. Ed Greely an executive with Blue Cross Blue Shield/Historic Columbia Foundation Board Member and thanked him for the tremendous contribution. It will cost \$389,000 during the first year to stabilize, interpret, and put together education materials and to restore the property. They proposed to handle the property as they handle the Robert Mills House and the Mann-Simons Cottage, by deeding the property over to the City of Columbia, the City would own the property and HCF would have a contract to preserve and to protect the property. The cost to interpret, provide utilities, security, maintenance and personnel would be \$60,000 annually. He asked the City to contribute \$65,000 or approximately 20% of the cost to restore the property. In conclusion, he stated that the home was a place of entrepreneurial activity and a crossroads of business, religion, politics and the civil rights movement.

Ms. Monteith thanked the members of City Council, the Historic Columbia Foundation and Blue Cross Blue Shield. She explained that they have worked with the Collaborative for Community Trust and others to preserve the Modjeska Simkins House. She said that today we support this historic occasion as a changing of the guardian, passing of the deed. Because of the concern and generosity of these organizations and individuals the Modjeska Monteith Simkins' house, her works and her caring spirit will continue to inspire present and future generations in perpetuity. She closed by saying thank you, thank you and thank you!

Councilor Devine thanked Blue Cross Blue Shield and the Historic Columbia Foundation for their commitment. She said that this is certainly a great opportunity to preserve and expand the services of the house. She commended Ms. Bruce for what she did by obtaining and preserving the house. She said that the site needed to be marketed at a higher level.

Councilor Cromartie congratulated the new partnership and commended Ms. Bruce for maintaining the legacy of the Modjeska Simkins House.

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to accept the deed to the Modjeska Simkins House; to authorize staff to determine a funding source for the one-time funding in the amount of \$65,000 for restoration of the house; and to determine a funding source for annual allocations in the amount of \$60,000 for the Historic Columbia Foundation to maintain the house.

- 10b. **2007 Palmetto Capital City Classic Update – Coach Willie Jefferies and Mr. Bobby Gist, Palmetto Capital City Classic Committee Member

Coach Willie Jefferies, Executive Director of the Palmetto Capital City Classic invited the members of Council to be VIP guests at the 2007 Palmetto Capital City Classic on Saturday, September 1, 2007 and to participate in the programs surrounding the annual event. The Benedict College Tigers will be playing the Livingstone College Blue Bears. He urged the Council to attend the Media and Sponsors Luncheon on Tuesday, August 28, 2007 at 11:30 a.m.

OTHER MATTERS

11. Energy Conservation Program Vendor Selection – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager, explained that in an effort to improve the City of Columbia's energy cost a Request for Proposals for an Energy Conservation Program was sent out in January 2007 with a pre-proposal meeting on January 16, 2007. Proposals were due back on January 31, 2007. Qualified vendors were asked to respond to any or all proposed options. An internal committee was established to review and make recommendations on the incoming proposals. Option one was a request for an audit of all City buildings to determine ways of cutting energy cost and usage. Option two was a request for an audit of electric bills to be sure that invoices reflect the correct rate structure and that bills are accurate. Option three was a request for an Energy Savings Performance Contract for qualified companies to provide a program to reduce utility expenses in various City buildings, by upgrading energy and operational systems. The cost of this program will be covered by energy and operational savings and should not result in any cost to the City. Four (4) vendors submitted proposals by the requested date: Pace Global Energy Services, Utilities Analysis Inc., Johnson Controls and Ameresco. Pace Global Energy Services submitted a proposal for option two. Utilities Analysis, Inc. submitted a proposal for option two. Johnson Control's presented a proposal for option three. And Ameresco presented a proposal for options one, two and three. The internal committee reviewed the four (4) proposals and then received oral presentations from the top two (2) respondents. Both Ameresco and Johnson Controls were selected to complete an energy audit of the Animal Shelter. Mr. Austin presented the internal committee's recommendation to select Ameresco as the vendor for the Energy Conservation Program. He reported that he received e-mail from Johnson Controls protesting the RFP process. He reviewed the process along with staff and he asked that Council support the committee's recommendation.

12. Protest of the Energy Conservation Program Vendor Selection – The Honorable Mayor Robert D. Coble

Ms. Kim Smith, Johnson Controls, presented their reasons for protesting the vendor selection. She said that the contract was awarded based on the following criteria: contract term; the cost to the customer; and qualifications and experience. She insisted that the first two criteria are not applicable, because no contract term has been established and no pricing was requested or given. She provided the qualifications of Johnson Controls and asked that the City consider allowing both vendors to complete a representative project so the City can evaluate the vendors based on their performance and the results compared to the words and promises given at this stage. She noted that this suggestion was just presented to staff and Council today.

Mr. Charles P. Austin, Sr., City Manager, stated that Johnson Controls would not be eligible for

consideration under option one, because they did not submit a proposal for option one.

There was a consensus of Council to discuss this matter in Executive Session. Refer to Item E1.

13. Security Camera Update – Mr. Charlie Hopkins, Managing Consultant CH2M HILL, Inc.
- *This item was withdrawn from the agenda.*

14. Update on the Subdivision of Lots – Mr. Marc Mylott, Director of Development Services

Mayor Coble recapped the issues surrounding the subdivision of lots. He suggested that Council hear from Mr. Marc Mylott, Director of Development Services and then schedule a Public Hearing for September 5, 2007.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to direct Mr. Marc Mylott, Director of Development Services to schedule a meeting to work on an interim solution during next week with all interested residents, Columbia Council of Neighborhoods (neighborhood leaders), homebuilders, city staff, historic preservation representatives, City Council and other interested parties to develop solutions regarding the subdivision of lots; to schedule a public hearing on September 5, 2007; and to distribute the interim solutions to the public for discussion on September 5, 2007. Interested parties were asked to leave his/her name and contact information with staff prior to leaving today's meeting.

- **Council recessed at 11:32 a.m.**

- **Council reconvened at 11:40 a.m.**

15. Sheraton Columbia Downtown Hotel – Mr. Steven Gantt, Assistant City Manager of Operations - *This item was withdrawn from the agenda.*

16. Earned Income Tax Credits (EITC) – The Honorable Daniel J. Rickenmann

Councilor Rickenmann explained that the Earned Income Tax Credit (EITC) is a special benefit for working people on low to moderate income and it helps to reduce the tax burden, supplement their wages and provide an incentive to work. There is \$3 million sitting on the table for EITC. He said that it would be interesting to work with the city employees that fit into this category. There are costs associated with tax preparation and he suggested that we find an agency to help us with this.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, said that there is a lot of ways the City could participate in the project with our own employees and with companies with qualifying employees. She agreed that millions of dollars are left on the table each year because of the lack of knowledge and the misconception if the EITC.

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to endorse staff recommendations related to educating qualified City employees on the benefits of the Earned Income Tax Credit as it relates to savings and homeownership and to seek businesses that have a lot of employees that fall into the category of qualifiers for the EITC.

CONSENT AGENDA

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 17.** through **25.** on a single motion and as presented. **Item 26.** was withdrawn from the agenda.

OTHER MATTERS

17. Council is asked to approve the Destruction of 384 Narcotics to include Paraphernalia, as requested by the Columbia Police Department's Evidence Unit. - *Approved*

CONSIDERATION OF BIDS AND AGREEMENTS

18. Council is asked to approve the Purchase of a Fire Alarm System for 1136 Washington Square, as requested by the Parking Department. Award to Simplex Grinnell, the lowest bidder, in the amount of \$36,453.00. This firm is located in Columbia, SC. *Funding Source: 4039999-636600 / CP105902-636600 - Approved*
19. Council is asked to approve the Purchase of a Prisoner Transport Van, as requested by the Police Department. Award to Sirchie Finger Print Labs, Inc., the lowest bidder meeting specifications, in the amount of \$38,590.00. This firm is located in Medford, NJ. *Funding Source: 1012403-658500 - Approved*
20. Council is asked to approve Three (3) Lots of Grounds Keeping for One (1) Year, as requested by Forestry and Beautification. Award to Jay's Landscaping and Maintenance, Inc., the lowest bidder, in the amount of \$51,276.00. *Funding Source: 1011217-63600 (Lots include Greystone Boulevard, Garners Ferry Road and Jackson Boulevard) - Approved*
21. Council is asked to approve an Agreement for Engineering, Surveying, Environmental and Project Management Services for the Lady and Lincoln Street Parking Garage, Canal Front and the Esplanade Projects. Award to Mulkey Engineers and Consultants in an amount not to exceed \$65,000.00. This firm is located in Raleigh, NC. *Funding Source: Parking Fund, Canal Front Budget and the Esplanade Budget - Approved*
22. Council is asked to approve the Purchase of Ash, Grit and Sludge Disposal for fiscal year 2007/2008 as requested by the Wastewater Treatment Plant. Award to Waste Management Richland Landfill, the lowest bidder, in the amount of \$200,720.00. This firm is located in Elgin, SC. *Funding Source: GL-5516208-638300 - Approved*

ORDINANCES – SECOND READING

23. Ordinance No.: 2007-055 – Annexing 51 Redbay Road Richland County TMS # 28812-02-07 – *First reading approval was given on August 1, 2007. – Approved on second reading.*
24. Ordinance No.: 2007-056 – Annexing 64 Redbay Road Richland County TMS # 28812-02-11 – *First reading approval was given on August 1, 2007. - Approved on second reading.*
25. Ordinance No.: 2007-057 – Annexing 1021 Clemson Frontage Road Richland County TMS # 25608-01-35 – *First reading approval was given on August 1, 2007. - Approved on second reading.*

26. Ordinance No.: 2007-058 – Annexing NE / S Saint Andrews Road and 124 Harbison Boulevard (portion) Lexington County TMS # 002797-01-011 and 002797-01-012– *First reading approval was given on August 1, 2007. - The applicant withdrew this matter from the agenda until October 3, 2007.*

ORDINANCES – FIRST READING

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval on a single motion to **Items 27.** through **29.** as presented.

27. Ordinance No.: 2007-061 – Authorizing execution of a Quit-Claim Deed to Susan Skinner for the transfer of 0.01 acres (517.20 square feet) along the west side of Wayne Street adjacent to Richland County TMS # 09010-10-10-01 (portion) – *Approved on first reading.*
28. Ordinance No.: 2007-063 - Amending Ordinance 96-002 Adopting the Policy with respect to Special Property Tax Assessments for Rehabilitated Historic Properties – *Approved on first reading.*
29. Ordinance No.: 2007-064 - Authorizing execution of a Lease Agreement between the City of Columbia and the Hydrogen Coalition Partners (University of South Carolina, Engenuity or South Carolina Research Authority) collectively or individually for operation of a Hydrogen Fueling Station – *Approved on first reading.*

RESOLUTIONS

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to approve **Items 30.** through **C.** on a single motion.

30. Resolution No.: R-2007-042 – Authorizing acceptance and dedication of streets known as Colonial Commons Lane, Colonial Commons Subdivision, Phase 2 to the City of Columbia; Richland County TMS# 19108-05-02 (portion); CF#284-21 - *Approved*
31. Resolution No.: R-2007-043 – Release and abandonment of a portion of the City's existing 15' water main easement along Richland County TMS#16701-02-24 (portion); 128 Old Mill Circle, Columbia, SC 29206; Lot 7, Old Mill Development; CF#162-10 - *Approved*
- A. Resolution No.: R-2007-044 – Release and abandonment of a portion of the City's existing 15' water main easement along Richland County TMS# 05000-01-20 (portion); 1001 Kinley Road; CIP Project #WM4101; CF# 250-218 & CF# 160-12 - *Approved*
- B. Resolution No.: R-2007-046 – Authorizing consumption of alcoholic beverages and Five Points Association's 5 After 5 Fall Concert Series - *Approved*
- C. Resolution No.: R-2007-047 – Authorizing consumption of beer and wine at the Steve Spurrier Coaches Show and Carolina Rally - *Approved*

**Councilor Cromartie recognized Miss Shakera Griffin, a rising 9th grade student at Eau Claire High School. Miss Griffin is shadowing Mr. Cromartie.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Mel Jenkins said that he is actively working with several projects from preserving trees to the process of decision-making. He encouraged the Council to stop acting extra legally and to look at expansive and inclusive ways of working with citizens. He stated that the word "neighborhood" was used more than 50 times during the meeting and asked the members of Council for their definition of the word. He said that the definition is not common to all and it's not clearly achieved.

Mr. Larry Landry, Ameresco, appeared before the members of Council in response to the protest of the Energy Conservation Plan vendor selection. He stated that the staff went through a very thorough process. He stated that Ameresco is the largest independent energy services company in the country; they have produced over \$3 billion worth of projects; they employ hundreds of people; their revenue projects are over \$400 million annually; and this is the business they are in. They have worked with Fort Jackson, BMW, Winthrop University, the Veterans Hospitals and many more. He said that is critical that the most qualified company move forward in light of the recent climate initiative.

Mr. Peter Mayers, Rosewood Community Resident, stated that Rosewood is very important and has been a model for years. He said that the city is missing a great opportunity by not preserving the area now. They would like to see more compliance and the boundaries of the neighborhood extended. He inquired about the status of the track being constructed for Dreher High School at Owens Field. He asked about the drain line that's being placed between the parking lot and the ditch; the number of trees that will be removed; and watershed issues.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to go into Executive Session at 12:04 p.m. for the discussion of **Items D.** through **F.** as amended. Mr. Davis was not present for the vote.

- D. Receipt of legal advice, which relates to matters covered by attorney-client privilege
 - Dangerous Dog Ordinance
This item was withdrawn from the agenda.
 - **Water Meter Charges
This item was discussed in Executive Session. No action was taken.

- E. Discussion of the employment of an employee
Items were discussed in Executive Session. No action was taken.

- **Mr. Cromartie left the meeting at 1:55 p.m.**
- **Council adjourned the Executive Session at 2:21 p.m.**

- E1. **Energy Conservation Program Vendor Selection

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted unanimously to accept the staff recommendation to select Ameresco as the vendor for the City's Energy Conservation Program. Mr. Cromartie was not present for the vote.

- **Council recessed at 2:22 p.m.**
 - **Councilor Finlay left the meeting at 2:22 p.m.**
 - **Councilor Davis left the meeting at 2:28 p.m.**
 - **Council reconvened the Executive Session at 2:28 p.m.**
- F. Discussion of negotiations incident to proposed contractual arrangements
- McGrady National Guard
 - **Merchant Capital, LLC
- These items were discussed in Executive Session. No action was taken.*
- **Council adjourned the meeting at 2:53 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk