



CITY OF COLUMBIA  
CITY COUNCIL  
DISTRICT III EVENING MEETING MINUTES  
WEDNESDAY, JANUARY 7, 2009  
6:00 P.M.  
SOUTH KILBOURNE ELEMARTARY  
1400 SOUTH KILBOURNE ROAD

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The Columbia City Council met for a District III Evening Meeting on Wednesday, January 7, 2009 at South Kilbourne Elementary School, 1400 South Kilbourne Road, Columbia, South Carolina. The Honorable Tameika Isaac Devine called the meeting to order at 6:00 p.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis, The Honorable Kirkman Finlay III and The Honorable Belinda F. Gergel. The Honorable Daniel J. Rickenmann and The Honorable Mayor Robert D. Coble were absent. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

### **PRESENTATIONS**

1. Welcome to the District III Evening Meeting – The Honorable Belinda F. Gergel

Boy Scout Troop 10 of Eastminster Presbyterian Church led the audience in the Pledge of Allegiance. They are working to earn their Citizenship in the Community Badge.

Councilor Gergel welcomed everyone to the District III Evening Meeting. She recognized the neighborhood, education and business leaders that were in attendance.

2. Welcome to South Kilbourne Elementary School – Ms. Sarah Smith, Principal

Ms. Sarah Smith, Principal welcomed everyone to South Kilbourne Elementary School where a diverse population of 285 students receive quality instruction and daily encouragement. She reported that the school has made Adequate Yearly Progress (AYP) for the past six (6) years. She commended the qualified members of staff. Ms. Smith presented Dr. Gergel with a token of appreciation.

The Student Council of South Kilbourne Elementary School demonstrated the true meaning of positive character traits.

3. Welcome to the South Kilbourne Neighborhood – Ms. Frankie Funchess, South Kilbourne Neighborhood Association

Ms. Frankie Funchess, Historian for the South Kilbourne Neighborhood Association provided welcoming remarks on behalf of Ms. Victoria Chein, President of the South Kilbourne Neighborhood Association.

4. Welcome to the Rosewood Community - Ms. Rebecca Munnerlyn, Incoming President / Rosewood Community Council

Ms. Rebecca Munnerlyn, Incoming President of the Rosewood Community Council welcomed everyone to the Rosewood Community. She invited the members of Council to their upcoming neighborhood meeting on Thursday, January 15, 2009 at the newly named Jim Hamilton – L.B. Owens Airport.

Mr. Ryan Cockrell of Pour It Now invited the members of Council to the Columbia Museum of Art on Friday, January 9, 2009 from 5:00 p.m. until 7:00 p.m. for a Community Gallery Reception: Skate and Create. He announced that Pour It Now received a \$25,000 grant from the Tony Hawk Foundation for the Owens Field Skate Park.

### **APPROVAL OF MINUTES**

5. Minutes of August 20 & 21, 2008 (City Council Retreat)

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Minutes of August 20, 2008 and August 21, 2008 on a single motion and as presented.

\*\*Councilor Devine stated that Mayor Coble is traveling to Washington, DC this evening to join President-Elect Barack Obama and the Transition Team for a press conference on tomorrow. She said that Councilman Rickenmann is with his Mother, who is having medical problems and asked that we all keep the Rickenmann family in our prayers.

### **PRESENTATION**

6. Business Spotlight Program Commemoration – Mr. Angelo McBride, Administrator / Office of Business Opportunities

Mr. Angelo McBride, Administrator / Office of Business Opportunities thanked the members of Council for their support of the Business Spotlight Program. He acknowledged the following thirteen (13) businesses that have been recognized since the inception of the program in November 2007.

Imara Communications Inc.  
Dennis Corporation  
University Dental, PA  
The Gillespie Agency  
WZRB CW-47  
Home Owners Mortgage  
WLTX-TV

His & Hers Tailoring  
Miyo's Gourmet Group / M Vista  
Cox & Dinkins  
Strictly Running  
Eric's San Jose  
Acupuncture Clinic

Mr. Dan Dennis, President of the Dennis Corporation thanked the Mayor, members of Council and especially the hardworking employees of the Office of Business Opportunities for their help, assistance and the opportunity to be here tonight. He said that the city's continued leadership, commitment and participation in these types of programs are critical to the growth of our great city. He said that the Business Spotlight Program highlights activities that may otherwise go unnoticed. The program encompasses an environment which allows small businesses to flourish while positively impacting our great city. His firm has been in business for three (3) years and would not be in business today if not for the City of Columbia and the Office of Business Opportunities.

Mr. William D. Skelton, Owner of the Acupuncture Clinic said that this program is exemplary of teamwork. The program is trying to establish teamwork to create something much bigger out of the parts so that it's a much greater whole.

The honorees of the program presented each member of Council with a framed plaque, which included all of their business seals as a token of appreciation.

Councilor Devine urged the honorees to take advantage of the Business Fast Trac Growth Venture Program.

Councilor Cromartie recognized Mr. Dan Dennis for his gracious sponsorship of the Martin Luther King, Jr. Dream Keeper Award scholarships.

### **OTHER MATTERS**

7. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Ben Hassine Mounir doing business as United Shuttle of America, LLC located at 1724 Mobile Avenue, West Columbia, SC. - *Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Ben Hassine Mounir doing business as United Shuttle of America, LLC located at 1724 Mobile Avenue, West Columbia, SC.

### **CONSENT AGENDA**

Upon motion by Mr. Cromartie, seconded by Dr. Gergel, Council voted unanimously to approve the **Consent Agenda Items 8.** through **B.** on a single motion. The consideration of **Item 17.** was deferred.

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

8. Council is asked to approve the Purchase of Rescue Strut Systems, as requested by the Fire Department. Award to ESI Equipment, Inc / Junkyard Industries, the lowest bidder in the amount of \$10,432.50. This vendor is located in Horsham, PA. *Funding Source: (2082306-657400 \$8,346.00) & (1012303-657400 \$2,086.50) - Approved*
9. Council is asked to approve the Purchase of a Two Post Vehicle Lift, as requested by the Fleet Services Division. Award to Heavy Duty Lift & Equipment Inc., the lowest bidder in the amount of \$11,658.01. This vendor is located in Flowery Branch, GA. *Funding Source: 6308971-658400 - Approved*
10. Council is asked to approve the Purchase of Three (3) Dell Web Servers for IFAS, as requested by the Information Technology Department. Award to Dell Marketing LP, using the SC State Contract in the amount of \$15,392.63. This vendor is located in Round Rock, TX. *Funding Source: 6218950-658600 - Approved*
11. Council is asked to approve the Purchase of Motor Oil, as requested by the Fleet Services Division. Award to Dilmar Oil Company, the lowest bidder in the amount of \$18,015.50. This vendor is located in Columbia SC. *Funding Source: 6308970-672200 - Approved*
12. Council is asked to approve the Purchase of Fibre Channel Switches / IFAS Upgrade, as requested by the Information Technology Department. Award to HP Direct, using the SC State Contract in the amount of \$20,942.04. This vendor is located in Omaha, NE. *Funding Source: 1011120-658600 - Approved*
13. Council is asked to approve the Purchase of Two (2) Electric Hose Dryers for Station Twelve (12) and Station Thirty-four (34), as requested by the Fire Department. Award to Apex Pinnacle, the lowest bidder in the amount of \$27,190.58. This vendor is located in Port Crane, NY. *Funding Source: (1012303-658400 \$13,595.29) & (2082334-658300 \$13,595.29) - Approved*

14. Council is asked to approve the Purchase of Handheld Casio IT-3100M53 Units with accessories, as requested by Parking Services. Award to Wireless Tech Products, the lowest bidder in the amount of \$32,825.36. This vendor is located in Aurora, IL. *Funding Source: 5312413-657600 - Approved*
15. Council is asked to approve the Purchase of One (1) IFAS Database Server Upgrade Install, as requested by the Information Technology Department. Award to Mythics, Inc., using the SC State Contract in the amount of \$37,133.28. This vendor is located in Virginia Beach, VA. *Funding Source: 6218950-658600 - Approved*
16. Council is asked to approve the Agreement for Laboratory Services with Shealy Environmental Services, as requested by Utilities and Engineering. Award to Shealy Environmental, the lowest bidder in the amount of \$37,753.00. This vendor is located in Columbia, SC. *Funding Source: FY 2008 / 209 Operating Budget - Approved*
17. Council is asked to approve the Professional Services Contract for conducting development and testing for the promotional ranks of Battalion Chief, Captain and Engineer in March 2009, as requested by the Fire Department. Award to University of South Carolina, as a Sole Source in the amount of \$42,250.00. This vendor is located in Columbia, SC. *Funding Source: (1012301-636600 \$1,100.00); (2082306-636600 \$20,025.00); (1012304-636600 \$21,125.00) – This item was withdrawn from the agenda.*
18. Council is asked to approve the Purchase of Five (5) Sun Servers for the IFAS Database Server Upgrade, as requested by the Information Technology Department. Award to Dimension Data, using the SC State Contract in the amount of \$54,459.58. This vendor is located in Charlotte, NC. *Funding Source: (1011120-658600 \$32,100.00) & (6218950-658600 \$22,359.58) - Approved*
19. Council is asked to approve Projects WM3873 and WM3964; Change Order #2 for Design and Construction of Two (2) Million Gallon Water Storage Tanks, as requested by Utilities and Engineering. Award to Kimley Horn and Associates, Inc. in the amount of \$67,400.00. *Funding Source: Capital Improvement Program. **Note:** Council approved the Agenda Item on November 5, 2008. However, the combined DBE sub consultant fee of \$49,400 was the only fee referenced in the Council Agenda transmittal memo instead of the total value of the Change Order. - Approved*
20. Council is asked to approve Project WM4147; 6" Along Seven Oaks Lane, as requested by Utilities and Engineering. Award to Carolina Tap and Bore, the lowest bidder in the amount of \$68,295.00. This vendor is located in West Columbia, SC. *Funding Source: WM414701-851500 – This is a Mentor Protégé Program Project - Approved*
21. Council is asked to approve the Service Agreement to provide Lease Lights, Electrical Service and Maintenance for Finlay Park, as requested by the Department of Parks and Recreation. Award to South Carolina Electric and Gas (SCE&G) for a one (1) time Installation charge in the amount of \$68,500.00 or Twenty-four (24) monthly installments of \$2,855.00. *Funding Source: Current Electrical Service Funds for Finlay Park - Approved*
22. Council is asked to approve the Purchase of Body Armor Vests, as requested by the Police Department. Award to Wright-Johnston Uniforms, the lowest bidder in the amount of \$69,443.00. This vendor is located in Columbia, SC. *Funding Source: 1012402-624100 \$69,443.00 - Approved*

23. Council is asked to approve the Purchase of a Mini Side Loader Garbage Truck, as requested by Fleet Services. Award to Volvo & GMC Truck Center, the lowest bidder in the amount of \$87,410.65. This vendor is located in Charlotte, NC. *Funding Source: 6308972-658500 - Approved*
24. Council is asked to approve Change Order #5; Animal Shelter Expansion, as requested by Utilities and Engineering. Award to Moose Construction in the amount of \$104,000.00. *Funding Source: 4039999/63600 CP001801/636600 - Approved*
25. **\*\***Council is asked to approve Change Order #9; Animal Shelter Renovation. Award to Moose Construction in the amount of \$14,783.99. *Funding Source: 4039999/63600 CP001801/636600 - Approved*
26. Council is asked to approve the Purchase of a Dump Truck with High Lift Tailgate, as requested by Wastewater Maintenance Department. Award to Volvo and GMC Truck Center, the lowest bidder in the amount of \$107,602.00. This vendor is located in Charlotte, NC. *Funding Source: 5516205-658500 – Approved*
27. Council is asked to approve Project WM3945; 6” Along Samson Circle, as requested by Utilities and Engineering. Award to Carolina Tap & Bore, the lowest bidder in the amount of \$123,593.00. This vendor is located in West Columbia, SC. *Funding Source: WM394501-851500 – This is a Mentor Protégé Program Project - Approved*
28. Council is asked to approve Project WM4109; 12” Along Atlantic Drive, as requested by Utilities and Engineering. Award to Shady Grove Construction, the lowest bidder in the amount of \$576,652.75. This vendor is located in Irmo, SC. *Funding Source: WM410901-851500 – This is a Mentor Protégé Program Project – Approved*
29. **\*\***Council is asked to approve an Agreement between the City of Columbia, EngenuitySC, University of South Carolina and the South Carolina Research Authority (SCRA) for the Funding, Construction, Operation and Payment of a Columbia Hydrogen Fueling Station. *Funding Source: South Carolina Energy Office “ConserFund” Program - Approved*
30. **\*\***Council is asked to approve a Management Services Contract between the City of Columbia and the South Carolina Research Authority (SCRA) for project oversight of the Columbia Hydrogen Fueling Station. *Funding Source: South Carolina Energy Office “ConserFund” Program - Approved*

#### ORDINANCES – SECOND READING

31. Ordinance No.: 2008-050 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking, Division 3, Residential Permit Parking Districts – *First reading approval was given on December 17, 2008 – Approved on second reading.*
- A. Ordinance No.: 2008-107 – Annexing 1313 Rosewood Drive Richland County TMS # 11208-01-02 – *First reading approval was given on December 17, 2008 – Approved on second reading.*
- B. Ordinance No.: 2008-106 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article VII Prostitution – *First reading approval was given on December 3, 2008. – Approved on second reading.*

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

- C. Council is asked to approve the Agreement for site selection for a New Garage to serve the Downtown Area, as requested by Parking Services. Award to LS3P Architects in the amount of \$75,000.00 and not to exceed a reimbursable amount of \$6,000.00. *Funding Source: 2005 Parking Revenue Bond – This is a Mentor Protégé Program – Approved*

Councilor Finlay asked for clarification on the 8% fee.

Mr. Steve Gantt, Senior Assistant City Manager for Operations explained that this is actually two (2) different agreements; the \$75,000 agreement is to make the site selection for the downtown garage. There were three (3) locations and LS3P will go through schematic drawings and more to determine which site is most accommodating for the new garage. He explained that the 8% fee is based on the contract price when the project is bid.

Councilor Finlay asked if they could move forward with the site selection now without binding ourselves to the 8% fee associated with construction management.

Mr. Steve Gantt, Senior Assistant City Manager for Operations said that the 8% fee is for the design of the garage. We went through the whole Request for Proposals (RFP) process for site selection, design and supervision of the construction of the parking facility. It is a negotiated number that is 2.5% less from where it started; that's a good number for us.

Councilor Cromartie said that he talked with the City Center Partnership and downtown neighborhood representatives about this and they have asked to be a part of the selection process.

Mr. Steve Gantt, Senior Assistant City Manager for Operations said that is exactly the reason why they added to the contract for LS3P to assist in the site selection process; because we know there will be a lot of different ideas from different groups and we felt like we needed some assistance with that.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Agreement for Site Selection for a New Garage to serve the Downtown Area, as requested by Parking Services. Award to LS3P Architects in the amount of \$75,000.00 and not to exceed a reimbursable amount of \$6,000.00, subject to the downtown neighborhood associations, the City Center Partnership and City Council members being invited to participate in input sessions during the site selection process.

## **ORDINANCES – FIRST READING**

Upon motion by Mr. Davis, seconded by Dr. Gergel, Council voted unanimously to give first reading approval on a single motion to **Items D.** and **E.** as presented.

- D. Ordinance No.: 2008-068 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article VIII, Abandoned Refrigerators and Other Hazardous Containers (*as recommended by the Code Enforcement Taskforce*) – *Approved on first reading.*
- E. Ordinance No.: 2008-104 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Provisions to add Article X, Sexual Offender Residency Restrictions – *Approved on first reading.*

## **RESOLUTIONS**

- F. Resolution No.: R-2009-001 - Authorizing consumption of beer and wine at Cinco de Mayo 2009 in Finlay Park - *This item was withdrawn from the agenda.*

## **REPORTS AND UPDATES**

- G. City Manager's Report – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager said that as we transition from 2008 to 2009, staff wants to continue to move toward building a culture of transparency in Municipal Government and our theme for this year will be "The Year of Accountability". Towards that end, we stress to our staff that we expect that we will address city issues and conduct business of the city with a sense of urgency, purposefulness and efficiency. Toward that end, I would like to give you an update on three (3) issues that we have been discussing over the past few months. The first of those involves our Business License Division. We've had a number of changes in the Business License Division, not the least of which has been the dynamic leadership that Ms. Brenda Kyzer has provided. We want to talk tonight about the goal of the Citywide Strategic Plan by being able to better communicate important Business License information to the community and ensuring that information is both timely and accurate. We have some programs and tools that we will be using to ensure that we are communicating in a timely manner with our business community. We will use the City of Columbia website and the Business License webpage; Office of Business Opportunities webpage; the City of Columbia Office of Business Opportunities; we will participate in the Office of Business Opportunities Business Programs throughout the year; and the South Carolina Business One-Stop website. Again, that's to be sure as information needs to be communicated across the city, that it's done in a timely manner. Also, we will utilize Channel 2 in a very effective and consistent matter as part of disseminating information so that it might be accessible to all of our citizens. We've had some conversations at one point about the prospect of an Amnesty Program through our Business License Division. We are not yet comfortable that we should proceed with that right now. There are some prevailing issues that we need to explore. Particularly the legal issue and whether we would do that across the board for any other delinquent account that may be owed to the city. We would like to defer any decision and come back to you at a later time with a recommendation and to ask for your approval in that regard. I want to also give you information regarding the Council Retreat. We are moving ahead in a positive way and I certainly want to thank you for your input and patience as we worked toward developing an agenda; identifying a site; and determining a date. At this point we have been extended the use of the Sandhill Research & Education Center, which is owned by Clemson University. The dates that we have agreed on with you are February 27 & 28, 2009 and we thank you for your commitment to those two (2) full days. Also, we will have with us on February 27, 2009, Mr. Juan Johnson who is President of Juan Johnson Consulting and Facilitation. He is a Senior Associate with the Riley Institute and a facilitator for the Riley Institute Diversity leaders Initiative of which Ms. Devine and Mr. Rickenmann are both program graduates. We're looking forward to Mr. Johnson's presentation. He will lead sessions on diversity and teambuilding and the second day will be committed to budget and audit business. We have a timeline for going live with our Customer Web Access (CWA) for paying city utilities, parking garage and solid waste bills online. I know that this is something that Council has been very committed to and I thank staff for the work they've committed. We are prepared to go into it at a different level. In December 2008, we started the network penetration tests from SC CIO's office to ensure that the servers were ready for Internet usage; on January 7, 2009 we announced to all City employees that they can register for an account and can view their bill and pay online from a city computer; on January 26, 2009 we verified if any needed changes were made per the results of the CIO penetration tests; on January 27, 2009 we announced to customers on the cycle one billing and an additional random sampling that they can go online to register and use CWA; after customer feedback we will start advertising the March 1, 2009 go-live date; and on March 1, 2009 the CWA will go live. For the BidOnline system for vendors and bidders, there should be a software update in the next few weeks to

take care of the primary issues with being able to properly post bids online. Final testing can take place after that and a determination will be made at that time as it relates to a go-live date. This goes back to the work we've done as it relates to the Disparity Study. All in all we're excited about these projects and again they represent staff's commitment to move forward and to enhance our message, which is One Message, One Mission, One Columbia and to ensure that we provide the very best quality of services that we have the ability to do.

This report was received as information. No action was taken.

#### H. Staff Reports

- Hospitality Tax Fund – Mr. Bill Ellis, Deputy Finance Director

Mr. Bill Ellis, Deputy Finance Director stated that there's a memo in Council's packet which reflects the revenue collections through November 2008. It shows that the Hospitality Tax revenue, which we're concerned about being on target, apparently is, at least through the month of November. We recommend that we fund that \$250,000 that was held in reserve and release it right now, because every indication that we have is that we will meet budget for the Hospitality Tax for this year. We do believe there will be a downturn next year.

Councilor Cromartie asked what would be done in anticipation of the downturn as opposed to releasing the entire \$250,000.

Councilor Devine said that we don't need to. Next year staff can account for that in the budget.

Mr. Bill Ellis, Deputy Finance Director said that if there is a shortfall it will come out of next year's funds.

Councilor Finlay said that we have talked over the years about trying to get a true assessment of what could be held back from the Hospitality Taxes for services provided to parades and special events in the city for the total cost of police and other services. It would be wise for us to go ahead and prepare those numbers sooner rather than later and then disseminate them, because after the numbers we've heard today, I think we need to prepare to always fund public safety since we committed to that as a priority.

Mr. Charles P. Austin, Sr., City Manager said that is a realistic perspective.

Councilor Gergel said that she is also concerned about pulling that money right now and I am a big proponent of the Hospitality Tax; it goes toward building cultural tourism in our community. Would we be better served by hanging on to that money a little back longer? She suggested that they reconsider the matter in March or April 2009.

Ms. Libby Gober, Assistant to the City Council explained that the \$250,000 was the contingency funding. They received \$2.5 million; they disbursed that; and you all set up a \$250,000 contingency and the Council allocated \$20,000 to the Cultural Council out of that, which left a balance of \$230,000.

There was a consensus of Council to continue to hold the \$230,000 contingency funding in the Hospitality Tax Fund. This matter will be reconsidered in April 2009.

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

Dr. Percy Mack, Superintendent of Richland School District One thanked the members of Council for conducting the meeting at South Kilbourne Elementary School.

- **Council adjourned the meeting at 6:54 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk