



CITY OF COLUMBIA  
CITY COUNCIL MINUTES  
WEDNESDAY, FEBRUARY 4, 2009  
9:00 A.M.  
CITY COUNCIL CHAMBERS  
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Wednesday, February 4, 2009 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 9:13 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 Belinda F. Gergel. The Honorable Kirkman Finlay III arrived at 9:17 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

### **APPROVAL OF MINUTES**

1. Minutes of September 10, 2008 – *Approved as presented.*

Upon motion by Mr. Davis, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of September 10, 2008 as presented.

### **PRESENTATIONS**

- 1a. **\*\*Introduction of Guests – Mr. Charles P. Austin, Sr., City Manager**

Mr. Charles P. Austin, Sr., City Manager introduced Ms. Sandra Zanfini, Administrative Secretary for the City Manager's Office and Ms. Joan Grove, City Clerk for the City of Myrtle Beach. They are here for a demonstration of the Liberty Court Recording System used by the Columbia City Clerk.

2. Columbia Tree and Appearance Commission (CTAC) – Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission said that the Tree and Appearance Commission was started in the early 1900's as the Columbia Appearance Commission. In 2002, they became the Columbia Tree and Appearance Commission when they adopted the Landscape Ordinance. The Commission is governed by § 17-814 of the City of Columbia Code of Laws, which requires eleven (11) members; ten (10) of which are appointed by the Columbia City Council. There are designated positions for an Arborist, Horticulturist or Landscape Architect; Land Developer or Realtor; Architect or Engineer; Columbia Green appointee; and seven (7) members serve at-large. He explained that the city received thirteen (13) applications for two (2) current vacancies; five (5) vacancies will occur during 2009; and those vacancies will be advertised as well.

- **Mr. Finlay joined the meeting at 9:17 a.m.**

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission continued to report that the Commission recently divided into four (4) committees that report to the Commission during the monthly meetings. Those committees are: Finance and Administration; Planting and Appearance; Events and Awards; and Liaison. In 1995, the Commission adopted a ten year plan and to date, 99% of that plan has been carried out. In 2002, they completed the Urban Forestry Management Plan for the City of Columbia. At that time, the street value of trees within the City of Columbia totaled \$75 million. The report recommended that we plant at least eight hundred (800) trees per year and we are not reaching that right now; we are planting five

hundred (500) trees per year. He said that the Commission also pushed for the adoption of the Landscape and Tree Ordinance. Over the last fifteen (15) years the City of Columbia has been very busy with beautifying the city, which adds to the quality of life. There needs to be a plan formulated for the City of Columbia and we think an essential part of that plan will be a landscaping program and a tree planting program. He talked about returning Assembly Street back to how it was; the older version of Assembly Street was not a barrier between Main Street and the Vista; it was an inviting area. He said that the development of Assembly Street needs to be carefully planned and the Commission wants to be a part of that process. They talked to the University of South Carolina and they have plans for Assembly Street bordering the USC campus area. We need a plan for South Main and other areas around the city as well. Mr. Duvall said that the committee needs a permanent source of funding to develop another ten year plan and for plantings and maintenance of former and future plantings. He offered to work with Council to think of funding sources. The Commission meets on the third Wednesday of each month at 4:30 p.m. at the Municipal Association Building, 1411 Gervais Street.

Mayor Coble said that the greening of Columbia both economically and through the natural environment is very important and adds to the quality of life immeasurably.

Councilor Cromartie congratulated Mr. Duvall for his leadership. He encouraged the Chairman to ensure that we have geographical and racial diversity as it relates to the members of the Commission. We want to make sure that diversity is reflected in the recommendations with appointees from each district of the city. He plans to bring forth nominations as well.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission stated that the Commission is politically sensitive and they will bring forth a diverse group.

Councilor Davis asked if the Commission would consider looking at the Farrow Road corridor, which doesn't have any trees between Colonial Drive and I-20. This is a major corridor off the interstate. I would be interested in some of your strategies and having this included in the five year plan. He asked that they look at the North Main corridor given the investment we are making there.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission said that they are willing to develop a plan subject to the availability of funding.

Councilor Finlay said that Mr. Davis Buchanan should be considered for a vacancy as he is the president of Columbia Green and he is a local developer.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission said that he will encourage Mr. Buchanan to submit an application.

Councilor Finlay asked Mr. Duvall to help him with the analogy made on Assembly Street. The Assembly Street I remember from 1990 looks very much like it does today.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission said that he was talking about 75 years ago when it was a marketplace.

Councilor Finlay said that development in the Vista has been astronomical over the last 18 or 20 years and it doesn't seem that Assembly Street impeded it; perhaps things could be better, but there doesn't seem to be an impediment from Assembly Street.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission insisted that it's not an impediment for the Vista, but it is an impediment to Main Street. If we could make it more pedestrian friendly along Assembly Street then the energy being generated in the Vista might help Main Street.

Councilor Finlay said that there are other issues we need to deal with when women are being kidnapped and assaulted outside the Richland County Public Library at lunch time. He said that beautification only works if it's safe. He added that it is a big project on a tough list right now.

Councilor Gergel said that women have been very active in city beautification and efforts all over this country. In the early 20<sup>th</sup> century, women from every neighborhood were involved in championing the need to beautify and to plant trees and shrubbery that would build on the heritage that this city has. She was told that Columbia struggles with an identity, but we can always be beautiful. I am interested in what it would take to get eight hundred (800) trees planted per year, because that is important.

Mr. Howard Duvall, Chair of Columbia Tree and Appearance Commission said that they will come back with a concrete proposal.

Councilor Rickenmann said that his Aunt was visiting from Africa and she was impressed by the amount of greenery the city has. He explained that there is a group that he works with that is trying to obtain more sponsorship from the business and residential community. Their goal is to plant five hundred (500) trees per year, which is a \$50,000 annual investment. We also have to budget for maintenance, because it doesn't do any good to plant a tree that we can't take care of. He agrees with the overall plan. He believes that there is a lot of grant money for greening communities and he offered to assign someone to assist the committee with researching the grants, especially for the planning stage. He wants to coordinate with the Commission and he is already coordinating with Columbia Green.

3.       \*\*Cities Mean Business Month – Ms. Reba Campbell, Deputy Executive Director for the Municipal Association of South Carolina and Mr. Ike McLeese, President of the Greater Columbia Chamber of Commerce

Ms. Reba Campbell, Deputy Executive Director for the Municipal Association of South Carolina provided an update on the 2<sup>nd</sup> Annual Cities Mean Business Month. This initiative brings attention to the important relationship between strong cities and their local business communities. They have developed a program of action that any city in this state can use to recognize the relationship between businesses and cities. She said that Columbia has great things going on in the Office of Business Opportunities with the Business Spotlight Program, Fast Growth Venture Program and the Mentor Protégé Program.

Mr. Ike McLeese, President of the Greater Columbia Chamber of Commerce said that the Good to Great initiative has a business retention and expansion component; they are working with the Office of Business Opportunities to call on over 100 businesses; and they will report to Council on their findings. He stated that in a healthy community 80% of the economic development should come from local businesses.

Mayor Coble and the members of Council presented a proclamation declaring February 2009 as Cities Mean Business Month in the City of Columbia.

**REPORTS AND UPDATES**

- 4. Community Promotions Funding Recommendation –The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted unanimously to approve the committee’s recommendation to deny the request for funding as outlined below.

**Community Promotions Monthly Funding 2008-2009**

Organization	Project Name	Request	Amount Funded
<b>January</b>			
South Carolina Shakespeare	Romeo & Juliet	15,000	0
*Organization already funded \$22,000 during the annual round of applications			
<b>Totals</b>		<b>15,000</b>	<b>0</b>

**CITY COUNCIL DISCUSSION / ACTION**

- 5. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Claude James Brown, Jr. doing business as Deluxe Cab located at 17 Gidding Court, Irmo SC. - *Approved*

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Claude James Brown, Jr. doing business as Deluxe Cab located at 17 Gidding Court, Irmo SC.

- 6. Columbia College Drive Speed Hump Request

Councilor Davis explained that he drove across the two (2) speed humps on Lorick Avenue and they don’t seem to have the effect that I thought the humps would have; they seem to be a little lower. Can we do more to these to get the effect that we really want?

Mr. Dave Brewer, Traffic Engineer reported that staff went to SCDOT about Lorick Avenue and they refused to let us change the specifications. We have to use their specifications on Columbia College Drive as well.

Mayor Coble asked what the difference is.

Mr. Dave Brewer, Traffic Engineer said that our specifications are higher and the humps are more pronounced.

Councilor Davis continued to explain that there was a car approaching the speed hump and he did not stop; there was no effect whatsoever. There is a hazard on Columbia College Drive that warrants this. The Department of Transportation doesn’t understand what we are trying to do. We’ve had cars to enter yards and wipe out trees. I would recommend that we do that or put them on notice that we are going to do this. If not, we would be wasting time and money.

Upon motion by Mr. Davis, seconded by Mr. Rickenmann, Council voted unanimously to approve the Installation of a Speed Hump on Columbia College Drive between Colonial Drive and the railroad crossing, subject to the City of Columbia notifying SCDOT of our need to increase the height of the speed humps to meet the city’s specifications.

7. Challenge Day Funding Approval

Mr. Charles P. Austin, Sr., City Manager reported that the funding for Challenge Day will come from the budget for Together We Can.

Councilor Finlay asked if that budget has a positive fund balance.

Mr. Charles P. Austin, Sr., City Manager said yes.

Mayor Coble said that Dr. Mack, Superintendent of Richland School District One wants to incorporate Together We Can as an integral part of what the District is already doing.

Councilor Gergel said that she spoke with individuals from the Center of Contemporary Arts and they mentioned an initiative that would pair artists with students from the A Plus Schools.

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to disburse funding from the Together We Can initiative's budget in the amount of \$26,000 to Palmetto Project for six (6) days of events associated with Challenge Day.

8. \*\*Interim Funding Proposal for the Central Midlands Regional Transit Authority (CMRTA) – The Honorable Mayor Robert D. Coble

Mayor Coble distributed copies of the proposed interim funding plan that was presented to the City/County RTA Committee. He explained that Richland County will institute the mass transit fee at \$10 to be paid by all residents and to remain effective for a two (2) year period. Richland County has also outlined what they will do on a long-term basis. There are a number of requirements for the CMRTA including changing the board structure. The City of Columbia has to contribute \$1 million per year for two (2) years in addition to the power plant revenue for fiscal year 2010 and 2011. Can the City impose a vehicle registration fee in conjunction with the mass transit fee? He said that's not possible without dissolving the RTA and starting over and it may require a referendum.

Councilor Devine asked Mayor Coble to expound on that, because she thought we only needed approval from our delegation.

Mr. Ken Gaines, City Attorney advised the Council of the need to discuss this in Executive Session, noting that there are some hoops to jump through.

Councilor Devine said that we need to look at all options before increasing our debt.

Mr. Ken Gaines, City Attorney advised the Council that there may be some problems with a vehicle registration fee.

Councilor Finlay asked if \$1 million could come from General the Fund.

Mr. Ken Gaines, City Attorney said I believe so.

Mayor Coble asked if it could come from property taxes.

Mr. Ken Gaines, City Attorney said that he will have to look at that.

Councilor Davis said he is interested in looking at property taxes also.

Mayor Coble requested the City Attorney's opinion in the form of a memo. He said that Richland County has given first reading approval to an ordinance to impose the mass transit fee and it must pass in March for collection to begin July 1<sup>st</sup>. They are waiting on us to identify our funding source. He suggested that we use proceeds from the sale of the Bus Barn property on Huger Street, which was appraised at \$6 million as the source of repayment for the \$2 million over two (2) years. He directed staff to look into that option, because it might not make business sense to sell the property. If we can't then I would suggest that we borrow the money and repay it when the property can be sold. We need to complete the Memorandum of Understanding with Richland County. If other legal funding sources become available then we can consider those sources at that time.

Councilor Cromartie said that this will allow Richland County to move forward, because they won't move forward until we make the commitment. This allows us to make sure the process works and the system continues to run. It's important for Council to realize that this has been a long process over the years.

The following motion was made by Mayor Coble, seconded by Mr. Cromartie and discussed by all members of Council:

- I. City agrees to use as the source of payment for the \$2 million over two years for the City/County Interim finance Plan as required by Richland County Council, the proceeds from the sale of the "Bus Barn" property on Huger Street.*
- II. Move that City staff proceed to sell the "Bus Barn" property at the appraised value of at least \$6 million. If due to current national economic and local real estate market conditions, the "Bus Barn" property cannot be sold at or near the appraised value, then the City will borrow the \$2 million over the next two years and repay the loan from the sale of the property when market conditions allow for the sale.*
- III. Direct that staff work with the County to complete and bring back to City Council the City County MOU.*
- IV. If other legally permissible funding sources become available and City Council approves the use of those resources, then City Council could vote to use those funding sources in lieu of the sale of the "Bus Barn" property.*

The following substitute motion was made by Mr. Finlay, seconded by Mr. Rickenmann and discussed by all members of Council:

- I. The source of funding is the General Fund to exclude property taxes, because this is an operating expense and should be funded from our operating budget.*

Councilor Rickenmann said that the problem is that we don't own the Bus Barn property.

Mayor Coble clarified that we will own the property after the clean up is complete.

Councilor Finlay asked how do you commit to use it as a source of payment and we don't own it. It could be years. He stated that Bond Anticipation Notes (BAN) is only good for one (1) year and they are fairly expensive. We would probably issue it for \$1 million at a cost of \$13 -14,000, which is an expensive fee. The BAN would have to be rolled over to the following year, thus creating additional expenses. We have a \$20 million capital improvement projects list and if we are going to dispose of future capital assets we should use the proceeds to pay down the capital improvement projects or we need to address some of our current liabilities on our balance sheet as outlined on page 83 of the 2007 audit. Any motion we pass needs to acknowledge that dramatic changes need to be made. There is a \$22 million contingent liability to shutting down the bus system. Whose balance sheet would that go on? This is stop gap funding that should come from the General Fund and we need another solution in 18 months.

Mayor Coble declared that we are not going to shut down the bus system in the City of Columbia.

Councilor Finlay said that if Richland County's referendum is not passed we will have to come up with \$4 million in 2012. I need clarification on the contingent liability for the CMRTA; whom does the liability fall upon?

Mayor Coble stated that we contractually own the property and SCE&G has a contractual obligation to clean it up. We will get the title in July; we don't want to own it until it is cleaned up. He said that borrowing money would only occur if we don't sell the property. We have the ability to cut \$1 million from the budget to fund this; we can't raise taxes; there are issues that require all the money we have; we may cut the bus system back; we need to provide the source today so we can get the interim financing plan moving.

Councilor Rickenmann said that there is a way to fold the two (2) motions together. He suggested that the City of Columbia commit funding from the General Fund and use the Bus Barn property as a back stop. He is opposed to the use of bonding and suggested that the City transfer the property to the Development Corporations that have the ability to leverage against it. He said that the City needed to have requirements in the agreement. Any service reductions inside the City of Columbia need to come to us first; Richland County, City of Columbia and the Central Midlands Regional Transit Authority must agree to the obligations. He suggested that the CMRTA reduce its operating costs through the union. The current contract is not favorable for the bus system. We need to look at all operating costs. There should be an operations analysis to include the operations and cost. We must all agree to the third party vendor that's being selected. We need a fresh set of eyes to look at this.

Mayor Coble said that his motion allows for this and he is not prepared to say that we will amend a budget that we haven't seen.

Councilor Rickenmann repeated the requirements and contingencies to include points 3 and 6 from the Agreement. He added that Richland County and the City of Columbia equally share in any potential liability.

Mayor Coble said that we need to know what those liabilities are. He suggested that a team of lawyers look at that.

Councilor Rickenmann noted that the City of Columbia is always left holding the bag.

Councilor Davis said that we are further along now and he doesn't have a problem with the requirements that are on the table now. If we are going to fund this from the General Fund then that has to be done as expeditiously as possible so we will know what kind of hit the General Fund is going to take.

Councilor Rickenmann said that we can back stop it with the sell of the property.

Councilor Davis said that he doesn't have a problem with the back stop contingency, because it is an existing resource. I agree that we should not consider bonding; we need to really understand each party's obligations; don't want to see us left holding the bag; the contract is the elephant in the room right now; and it is a threat to keeping the buses on the road.

Councilor Gergel said that there is another elephant and that is the limitations we have on next year's budget; it is going to be a very lean year. The proposal presented by Mayor Coble is reasonable; I would fully support that; we need to move on and resolve this now; it has plenty of flexibility; and I am not supportive of the substitute motion.

Councilor Devine said that there have been good points made, but we have to make a decision today. I am not crazy about BANS, but I would like to see if we could use the General Fund, although adding another \$1 million to our budget is unlikely. She said that Mr. Rickenmann

proposal is interesting; can we transfer the property to the Columbia Development Corporation and let them mortgage it. Can we incorporate those two (2) things, because I don't want to immediately go out and do a bond if there are other options available?

Councilor Finlay said that the source would be from the General Fund for both years; it would be back stopped by a transfer of the Bus Barn to the Columbia Development Corporation; upon sale of the property, we would pay down the mortgage fees; and a third of the proceeds would go to the bus system, capital improvement projects and the Internal Service Fund. He agreed that Mr. Rickenmann brought up great issues, but we need to understand the long-term liabilities of his recommendations.

Mayor Coble said that we need clarity in what we tell the County. He said that all of Mr. Rickenmann's suggestions could be added to the Memorandum of Understanding. He insisted that his motion clearly gets the ball across the line for Richland County to move forward without any confusing issues.

Mr. Ken E. Gaines, City Attorney advised the Council to go into Executive Session.

Mayor Coble disagreed with going into Executive Session.

Councilor Gergel asked Mayor Coble to clarify the issues with the property.

Mayor Coble explained that we have a long standing contract that is enforceable; they are cleaning it up; and it should be done by July.

Councilor Devine asked if there's a deadline.

Mayor Coble reported that they are out there cleaning it up now.

Councilor Rickenmann said either way we are transferring funds.

*Mr. Finlay withdrew and restated the previous motion and Mr. Rickenmann seconded the motion:*

- I. Commit to Richland County for \$1 million in fiscal year 2009/2010 and fiscal year 2010/2011 from the General Fund to exclude property taxes.
- II. The proceeds from the sell or mortgage of the Bus Barn property will be back stop funds; one-third of the proceeds will go to bus system, the capital improvement program and the Internal Service Fund/liabilities.
- III. Incorporate Mr. Rickenmann's requirements to include all three (3) parties in each requirement; and staff is to research long term liabilities.
- IV. Richland County should agree to accept half of all liabilities.

Councilor Rickenmann added that \$2 million goes to the Central Midlands Regional Transit Authority and the \$4 million remaining from the proceeds of the Bus Barn property should come back to Council for consideration of allocations.

Mayor Coble said I am for my motion and not for this one, because my motion allows us to do this in a timely and thoughtful manner. We are not trying to decide where to spend the remainder of the proceeds; we need an interim funding program to get Richland County to adopt their mass transit fee.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted five (5) to two (2) to approve the following as it relates to Interim Funding for the Regional Transit Authority. Voting aye were Mr. Cromartie, Mr. Davis, Ms. Devine, Dr. Gergel and Mayor Coble. Voting nay were Mr. Rickenmann and Mr. Finlay. Mr. Finlay's substitute motion failed.

- I. The City agrees to use as the source of payment for the \$2 million over two (2) years for the City County Interim Finance Plan as required by Richland County Council, the proceeds from the sale of the "Bus Barn" property on Huger Street.
  - II. Secondly, move that City staff proceed to sell the "Bus Barn" property at the appraised value of at least \$6 million. If due to current national economic and local real estate market conditions, the "Bus Barn" property cannot be sold at or near the appraised value and if legally permissible, the City will transfer the "Bus Barn" property to a Development Corporation and borrow the money without using bonds or the City will borrow the \$2 million over the next two years and repay the loan from the sale of the property when market conditions allow for the sale.
  - III. Direct that staff work with the County to complete and bring back to City Council the City County MOU.
  - IV. If other legally permissible funding sources become available and City Council approves the use of those sources, then City Council could vote to use those funding sources in lieu of the sale of the "Bus Barn" property.
  - V. The "Requirements and Contingencies" of the Interim Funding Plan shall pertain to Richland County, the City of Columbia and the Central Midlands Regional Transit Authority and should be included in the MOU.
9. Update on External / Internal Auditor

Councilor Finlay said that there are changes that need to be discussed in Executive Session. I tried to figure out where the talent lies, because there are some local firms that will be able to help us with this. We are also hiring an internal audit trainer for staff and for us. One part to incorporate is training on books, balance sheets and other financial documents.

Mayor Coble said that this doesn't need to be discussed in Executive Session.

Councilor Finlay said that we don't want the Internal Auditor to work with staff to resolve issues; we need them to work with Council to resolve issues. He will provide the changes to the City Attorney.

Mayor Coble asked the City Attorney to redline the document so they can see where the changes are. This doesn't need to be put back on the agenda if we are okay with it.

Councilor Finlay suggested that they vote on the matter on February 11, 2009.

#### 10. City Manager Search Process

Upon motion by Mayor Coble, seconded by Mr. Rickenmann, Council voted unanimously to direct staff to proceed with the issuance of a Request for Qualifications (RFQ) for an executive search firm to include that references must accompany all responses; this includes direct correspondence with the ten (10) companies that were identified; then follow the normal process for distributing an RFQ to include any national publications, websites, the Municipal Association of South Carolina, the National League of Cities and the International City/County Management Association (ICMA) with a 30 day response time; and to request references from the ICMA.

10a. \*\*Update on External / Internal Auditor

Councilor Finlay referred to the External/Internal Auditor Request for Qualifications stating that there is an internal audit function and it states that it should be noted that no individual city department may initiate an internal audit. The only party that may request specific internal audits to be performed is the City's Audit Committee. I think we should add that two or three members of Council could request an audit of any department. The other change I would make is that the Internal Auditor notifies Council once the audits are complete and then he/she should seek instruction on what to audit next.

Councilor Cromartie said that it should be three (3) members of Council.

Councilor Devine said that the external/internal auditor should work for Council, not the Audit Committee. She asked that this be included in the RFQ now.

Mayor Coble said that they need the duties, goals and responsibilities of the Audit Committee and that the expectations of the external/internal auditor should be included.

Councilor Finlay further suggested that the auditor present to Council in a public session and on a monthly basis.

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to reconsider this matter on February 11, 2009. Mr. Finlay was asked to provide the information to the members of Council in advance.

11. Eau Claire Community Council Request – The Honorable Sam Davis - *Consideration of this item was deferred.*

**CONSENT AGENDA**

Councilor Finlay said that after getting an e-mail stating that we are approximately \$950,000 over expenses as of January, that leaves us with five (5) months left in this year and I think it would be a good idea for us to no longer have the rolling consent agenda, but to vote on items individually. He asked the Finance Department and other related departments to help prioritize these expenses, because something might have to wait until July 1<sup>st</sup>. We need a mechanism to help understand the cost and how to control it.

Mayor Coble concurred.

Councilor Davis concurred, stating that he is having heartburn with the change orders.

Councilor Cromartie expects that staff will not bring forth a request to purchase something unless it is in balance with the budget. The Council should not have to juggle and reduce figures, but it is the City Manager's responsibility through the Finance Department to ensure that we are getting accurate information. He asked Mr. Austin if he is making sure, through the Finance Department, that we will be back in line with the budget and that we are not continuing to overspend.

Mr. Charles P. Austin, Sr., City Manager said that's our goal sir.

Councilor Cromartie said this is not a goal; it's a directive.

Mr. Charles P. Austin, Sr., City Manager said that our goal and directive is to ensure that all spending is restricted.

Councilor Finlay said that the budget predicted a zero deficit; we are anticipating a \$3 million hit on the General Fund or carry forward from the previous year; and somehow we as a Council must be willing to prioritize big issues for staff and where we expect the cuts to come. There is \$8-9 million in spending each month. There must be some way for Council to have a rolling tally of where we are on the deficit so we can understand the impact.

Mayor Coble requested a thoughtful presentation from staff outlining the actions being taken to reduce spending for the current budget and next year's budget. Do whatever is necessary to ensure that we are in balance with the budget for this year.

Mr. Charles P. Austin, Sr., City Manager said that he received some information this morning, but he is not pleased with it nor is it the information that we asked for.

Mayor Coble asked that this presentation take place at the beginning of the meeting next Wednesday.

Councilor Devine said that she understands the cuts going forward, but she is concerned about the rationale of how these things happened. She requested an explanation of agenda items. She recalled that Mr. Finlay requested that the balance of the accounts be included in the agenda packet. She also requested an explanation of overtures that have occurred.

Councilor Davis concurred stating that he is concerned about staff moving funds around to different areas. He requested a bi-weekly report on accounts that are taking major hits.

Councilor Rickenmann suggested that Council discuss overtures and expenditures and determine how we are going to catch up. He understands that the cost changed for **Items 15.** through **19.**, but he wants clarification on the funding source. We need to understand how funding is from the proceeds of the Tax Increment Financing (TIF) Plan.

Mr. Steve Gantt, Senior Assistant City Manager for Operations reported that 3-4 months ago we bid the contract for Canal Front; the bids came back and we had a conflict with the two (2) lowest bidders; we determined that the cost of the building and the site work were in our budget, but when you connected them the low bidder was higher than what we anticipated the expense to be; we talked to City Council and decided to separate the bid into two (2) projects to get the best prices on both; site consultants have been working with us on this for five (5) years; we've extended construction management contracts; the project was one (1) of twelve (12) in the Tax Increment Financing Plan and that money is still available; this is also funded through the Hospitality Tax Fund; after completion, the Parks and Recreation Department and EdVenture will jointly operate and maintain the site through shared costs; and we will use this addition to generate revenue by providing food service to help defray the cost for EdVenture.

Councilor Rickenmann said that he did not get that understanding from reading the back up materials. Do we have enough funding remaining from the TIF proceeds?

Mr. Steve Gantt, Senior Assistant City Manager for Operations explained that we have \$7 million; \$4 million from the initial proceeds of the TIF; \$3 million from the Hospitality Tax Bond Issue; and additional funds through accrued interest on the bond that we may need to use to complete the project. This is our last part of the Greenway property on our side of the river. We redesigned this project 3-4 times; Mickey Layton of LCK is the Construction Manager; and we had to amend their contract to get additional design work done. It will take longer to get this done. We will wait to do the hardscaping in two (2) phases and we are 99% ready to bid the plans in 45 days. Then we will bring the contract for the building forward. The exterior of the building has not changed from 2005/2006. He noted that these two (2) funds can only be used for capital projects.

Councilor Finlay asked if staff is projecting that the operating deficit is going to grow. How are we going to cut the numbers and close the operating gap? I am trying to convey to this Council that I don't think staff can cut \$ 4 million of operating monies within the last five (5) months of the year.

Councilor Gergel said that she asked if these items on the agenda were absolutely essential and the City Manager affirmed that these are essential programs and services that can not be deferred until next year. We need to look quickly at what has to be cut from the budget.

Mr. Steve Gantt, Senior Assistant City Manager for Operations assured the Council that the City Manager has run us through the gauntlet already about items that go on the agenda. We must be able to unequivocally justify that these are essential things that we need to spend money on. These requests are reviewed multiple times before they get to Council.

Councilor Rickenmann said that the agenda items have not been a problem in the past. He needs a comfort level from the City Manager, the Senior Assistant City Manager and the Finance Department that we are addressing this, because huge overtime expenses have popped up over the last 45 days and we need to understand that. We need to have ongoing discussions on the status of healthcare and other issues, because those are the things that have been outside of the budget and this has affected where we are today.

Mr. Steve Gantt, Senior Assistant City Manager for Operations explained that the City Manager directed them to identify which departments have abused the overtime and for what reasons. We need to put controls in place to monitor the overtime, health insurance and workers compensation. We have put more money into workers compensation from the various departments and we need to inflate that number to ensure that we are in line with where we need to be. We are increasing the drawdown for each department for health insurance and workers compensation on a monthly basis, thus leaving the departments less dollars to do what they have to do.

Mayor Coble said that we need to be prepared to apply for a variety of sources of funding for a variety of things based on the assumption that something is going to come down from the stimulus package. It is clear that the regional transit authorities will receive operational funding, but Richland County may have some question about who gets the credit for it. He complimented Ms. Teresa Wilson Florence, Director of Governmental Affairs for her hard work.

Councilor Finlay asked the City Manager and Mr. Gantt to estimate the amount that we will have to reduce spending for next year.

Mr. Steve Gantt, Senior Assistant City Manager for Operations said \$5-6 million.

Mr. Charles P. Austin, Sr., City Manager said that is a fair number.

Mr. Steve Gantt, Senior Assistant City Manager for Operations said that it could be as much as \$7 million.

Councilor Finlay said that it's crucial for this Council to consider that there may be a 25% cut.

Councilor Rickenmann suggested that the Council send letters to the organizations that receive funding from the City to let them know that there's going to be some cuts coming their way. They are working on their budgets and I don't want somebody to believe they are going to get full funding next year, because it's not a reality. We are not going to be able to fund our departments fully and I don't think we can fully fund outside agencies. We need to initiate a letter encouraging these agencies to plan ahead in their budget cycles.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

12. Council is asked to approve the Purchase of an On-Line Reporting System, as requested by the Police Department. Award to LeadsOnLine LLC, as a Sole Source in the amount of \$17,704.22. This vendor is located in Dallas, TX. *Funding Source: Asset Forfeiture Account - Approved*

Councilor Cromartie asked for an explanation of **Item 12**. How would the system work?

Mr. Tandy Carter, Chief of Police explained Leads Online is a pawn shop data retrieval system. We are still doing this the old fashioned way and this purchase is to move the Columbia Police Department into the 21st century. The web based system would be active immediately and no Information Technology support is needed.

Councilor Devine asked if all pawn shops are required to enter their inventory into the system.

Mr. Tandy Carter, Chief of Police said that the system provides access to 85% of all pawn shops in South Carolina.

Councilor Devine asked if the City Attorney can research an ordinance that would require all pawn shops to enter the information into the system.

Councilor Davis said that residents need to document and log their personal belongings. He asked if the City of Columbia can advertise educational materials through the Public Relations Department.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Purchase of an On-Line Reporting System, as requested by the Police Department. Award to LeadsOnLine LLC, as a Sole Source in the amount of \$17,704.22. This vendor is located in Dallas, TX. Mayor Coble was not present for the vote.

13. Council is asked to Authorize Contract Negotiations for a Response to the Request for Proposals for a Pavement Management Study of City Owned Streets in an amount not to exceed \$80,000.00, as requested by the Public Works Department. Award to Wilbur Smith & Associates of Columbia, SC as recommended by the Selection Committee. *Funding Source: 4079999-636600 – Approved*

Councilor Finlay asked if **Item 13**. was absolutely crucial or if this could help with the deficit.

Ms. Melissa Gentry, P.E., Public Works Director said that the Pavement Management Study is not mission critical and that they are only seeking permission to negotiate the contract price. She noted that they would have to come back to Council for final approval.

Councilor Rickenmann asked if this study would help us obtain federal grants and other funding.

Ms. Melissa Gentry, P.E., Public Works Director said that it would help us identify our current and future needs; prioritize the needed improvements; to focus on the areas in need; and to secure available grant funding.

Upon motion by Mr. Finlay, seconded by Mr. Cromartie, Council voted unanimously to Authorize Contract Negotiations for a Response to the Request for Proposals for a Pavement Management Study of City Owned Streets in an amount not to exceed \$80,000.00, as requested by the Public Works Department. Award to Wilbur Smith & Associates of Columbia, SC as recommended by the Selection Committee.

14. Council is asked to approve the Purchase of Two (2) In Ground Truck Lifts, as requested by the Fleet Services Division. Award to Mohawk Resources, the lowest bidder in the amount of \$191,786.80. This vendor is located in Denver, NC. *Funding Source: 6308971-6584000 - Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Purchase of Two (2) In Ground Truck Lifts, as requested by the Fleet Services Division. Award to Mohawk Resources, the lowest bidder in the amount of \$191,786.80. This vendor is located in Denver, NC.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve **Items 15.** through **18.** on a single motion and as presented.

15. Council is asked to approve the Change in Scope of the Columbia Canal Front Project, as requested by the Engineering Department. Award to Case Consulting, Inc. in the amount of \$15,100.00. *Funding Source: TIF proceeds and the Hospitality Bond Issued in 2003 – **Note:** The change involves completion of the project in two separate phases, the addition to the EdVenture Children’s Museum and the site work for the Columbia Canal Front. This change in scope of work will involve a later start date and providing consultation during the re-bidding process of both phases of work. - Approved*
16. Council is asked to approve the Change in Scope of the Columbia Canal Front Project, as requested by the Engineering Department. Award to Cox & Dinkins in the amount of \$41,453.00. *Funding Source: TIF proceeds and the Hospitality Bond Issued in 2003 – **Note:** The change involves separating the Building Package from the Site Package and to add the pedestrian walkway connection on the south side of Gervais Street Bridge. The change in scope work will involve a later start date and providing consultation during the re-bidding process of both phases of work. - Approved*
17. Council is asked to approve the Change in Scope of the Columbia Canal Front Project, as requested by the Engineering Department. Award to Studio 2LR in the amount of \$58,995.00. *Funding Source: TIF proceeds and the Hospitality Bond Issued in 2003 – **Note:** The change involves separating the Building Package from the Site Package and changing the building design to meet the new International Building Code 2006 requirements. - Approved*
18. Council is asked to approve the Change in Scope of the Columbia Canal Front Project, as requested by the Engineering Department. Award to Grimball Cotterill & Associates in the amount of \$68,275.00. *Funding Source: TIF proceeds and the Hospitality Bond Issued in 2003 – **Note:** The change involves separating the Building Package from the Site Package and will serve as the lead designer on the Site package and will be responsible for coordination of all professional consultants. The change in scope of work will involve a later start date and providing consultation during the re-bidding process of both phases of work. - Approved*

#### ORDINANCES – SECOND READING

19. 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 – *First reading approval was given on January 7, 2009. – Approved on second reading.*

Councilor Devine explained that this ordinance mirrors State Law that will be in effect later this year.

Upon motion by Ms. Devine, seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to 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.

20. Ordinance No.: 2008-109 – Granting an encroachment to Governors Hill Home Owners Association for installation and maintenance of an irrigation system, landscaping and electrical boring within the right of way area adjacent to 13 Governors Hill (*Mr. Chip Land, Long Range Planner: Recommends approval*) - *First reading approval was given on January 28, 2009. – Approved on second reading.*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give second reading approval to Ordinance No.: 2008-109 – Granting an encroachment to Governors Hill Home Owners Association for installation and maintenance of an irrigation system, landscaping and electrical boring within the right of way area adjacent to 13 Governors Hill.

21. Ordinance No.: 2008-110 – Granting an encroachment to Steve Moon for installation and maintenance of two stone entry columns and a walkway within the Heyward Street right of way, and two concrete steps, a walkway and two stone wing walls within the right of way area of the 100 block of South Saluda adjacent to 1842 Heyward Street (*Mr. Chip Land, Long Range Planner: Recommends approval*) - *First reading approval was given on January 28, 2009. – Approved on second reading.*

Upon motion by Dr. Gergel, seconded by Mr. Cromartie, Council voted unanimously to give second reading approval to Ordinance No.: 2008-110 – Granting an encroachment to Steve Moon for installation and maintenance of two stone entry columns and a walkway within the Heyward Street right of way, and two concrete steps, a walkway and two stone wing walls within the right of way area of the 100 block of South Saluda adjacent to 1842 Heyward Street.

22. Ordinance No.: 2009-003 – Granting an encroachment to Steve McKelvey and Tracy McKelvey for installation and maintenance of a driveway within the right of way area of the 400 block of Princess Street adjacent to their property at 2401 Wilmot Avenue (*Mr. Chip Land, Long Range Planner: Recommends approval*)- *First reading approval was given on January 28, 2009. Approved on second reading.*

Upon motion by Dr. Gergel, seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to Ordinance No.: 2009-003 – Granting an encroachment to Steve McKelvey and Tracy McKelvey for installation and maintenance of a driveway within the right of way area of the 400 block of Princess Street adjacent to their property at 2401 Wilmot Avenue.

### **ORDINANCES – FIRST READING**

23. Ordinance No.: 2008-048 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina Chapter 2, Administration, Article III, Officers and Employees, Sec. 2-120 through Sec. 2-131 and Article IV, Departments, Sec. Sec. 2-151, Departments created; department heads; administrative regulations and procedures, (a)

Mayor Coble requested an organizational chart to explain the changes being made.

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-048 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina Chapter 2, Administration, Article III, Officers and Employees, Sec. 2-120 through Sec. 2-131 and Article IV, Departments, Sec. Sec. 2-151, Departments created; department heads; administrative regulations and procedures, (a), subject to the City Manager providing a new organizational chart prior to second reading consideration of the ordinance.

24. Ordinance No.: 2008-095 - Annexing 5432 Farrow Road, Richland County TMS #11612-07-18 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*). - *Approved on first reading.*

Councilor Finlay said that the numbers on the cost of annexations are being defined a little better, but we also need to understand if all annexations are under our current annexation policy.

Councilor Davis said that **Item 24.** is something we would all appreciate, because it is one of those donut holes. It is a large tract of land that has been just sitting there and they are just starting construction. It makes sense to bring this online.

Mr. Charles P. Austin, Sr., City Manager said that he reviews the annexations just as he does the budget in terms of the financial impact.

Councilor Devine agreed with Mr. Finlay. She suggested that a Work Session be scheduled to discuss the City's current annexation policy; possible changes; and the upcoming Census 2010. As we move forward we need to plan to grow strategically. At this point, we have handicapped ourselves by not looking at the way our City is growing and the future impact of that growth.

Mr. Marc Mylott, Director of Planning Development Services explained that staff has been working on this matter. It's a matter of consolidating and understanding the various service providers and how those overlap. It will be 30-60 days before we make the presentation to Council.

Councilor Cromartie said that the Census Committee is greatly concerned and I referred them to staff. At the same time the Central Midlands Council of Governments constantly indicates to us that the small cities and towns were actively trying to grow and they did in fact grow and as a result they received an additional \$50,000 per person based upon the Census Bureau. He said that the funding received in Community Development each year and the other Federal formulas are directly related to the number of people in a city. We need to make sure we start counting residents now.

Councilor Finlay asked to see the information from the Council of Governments, because he believes that we lost 8,000 to 10,000 people in the last census, but I don't believe we lost \$400 million in funding.

Councilor Cromartie asked staff to contact the Council of Governments and obtain the accurate numbers as it relates to federal funding received per capita.

Upon motion by Mr. Davis, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-095 - Annexing 5432 Farrow Road, Richland County TMS #11612-07-18.

Councilor Finlay said that he has nothing against these two (2) annexations. He read information from the packet provided: "Both of these use a utility other than the City of Columbia utility for sewer." He said that we've moved outside of our service boundary. He continued "The responding Fire Station is located outside the 1.5 mile limit; the ladder response is outside the 2.5 mile limit; therefore it would impact current services. Should additional projects be added to this area then consideration for an increase in fire service should be taken. The Police Department does not recommend approval of this annexation. Currently, the South Region is short approximately forty (40) Police Officers and any additional responsibilities will only further erode the level of services. Response times are already greater than acceptable levels." You have just heard that we must cut \$7 million out of the operating budget we're in and another 7% next year. At best, the Police Department is going to get what they got last year. Councilor Finlay asked where is the mathematical logic for this decision.

Councilor Rickenmann noted that the same occurred with **Item 26**. It goes back to what we discussed months ago; we are looking at providing services where we can without annexing, because it doesn't make sense. One example that we've used for a long time is Woodcreek Farms and how long it took us to get close to the number. All of these are critical points that we need to take into consideration.

Councilor Devine said that she is not opposed to not annexing, because I see the Police Department's recommendation. The numbers are important as it relates to our budget, but we have to look long-term. We don't want to tax the Police Department more than it is, but there are other issues that affect our ability to retain and recruit officers; that is short sighted as well. To not annex property that may potentially get us to something else is a mistake. There needs to be a discussion amongst Council as far as our ultimate goals and where do we want to get to.

Mayor Coble concurred with Ms. Devine's comments. He said that the dilution of existing, limited and stretched services will be the reason not to annex something and then we won't annex anything. The downside of not having an annexation policy means that we miss opportunities for growth. Staff should review annexations strategically.

Councilor Finlay asked if water customers sign a covenant that says we can annex properties at any time.

Mr. Marc Mylott, Director of Planning Development Services said that he doesn't believe it says at any point, because they have fulfilled their obligation by submitting a petition.

Councilor Finlay asked if the covenant could say that, because as he understands it, once you are on city water and there is a covenant, we can annex you at any point we choose.

Mr. Ken E. Gaines, City Attorney explained that the covenant does say that once you've become contiguous you have to file a petition and I believe that once they file that petition you can choose to act on it or not.

Councilor Devine asked if the City can act on a petition that is two (2) years old.

Mr. Ken E. Gaines, City Attorney said that a petition expires after six (6) months from submission.

Councilor Finlay said that he is fine with annexing these properties, but we should be honest in saying that we hear the concerns of the Police and Fire Departments and they will get more money next year.

Councilor Devine exclaimed that the Council doesn't deny the Police and Fire Departments; we gave more to increase Police Officer salaries, but we are still losing Police Officers, so it's not about the money we're giving the Police Department. It is short sighted to prohibit us from growing our tax base, because the Police Department says that its resources are limited.

Councilor Finlay noted that over the last ten (10) years total spending grew 115%; the Police Department grew 50%; and Public Works grew 48%; which is half the rate of everything else in government. We are speaking out of both sides of our mouths.

Councilor Cromartie said that there is an optimum time for growth and he supports both annexations.

Councilor Davis said that he understands that there always has to be a strategy to how we go about annexations. You limit your potential growth if you don't plan ahead. The other issue has been the lack of a strategy. The donut holes are really causing us to lose revenue and impacting economic development in terms of our ability to attract people into those areas. Councilor Finlay requested that they hold these items; that staff provide a map of the area; and that staff explain the logic to Council.

Mr. Marc Mylott, Director of Planning Development Services explained that it does not give him any great pleasure to offer a recommendation where his colleagues have concerns, but it is not just a matter of the here and the now. We have already committed to providing services to many parcels along Percival Road and this is interior of that. I would not recommend annexing property that takes us further down Percival Road.

Councilor Finlay noted that the more businesses we add outside of our service zone impacts our insurance.

Mr. Marc Mylott, Director of Planning Development Services said that he doesn't disagree and staff is trying to understand the crazy math that is involved with the ISO rating.

Councilor Finlay said that if you don't take care of the short-term, then there is no long-term. He said that everything has a finite capacity and we are reaching it. How are we resolving it on the other side?

Councilor Rickenmann requested an entire snap shot of the area with all annexations. We need to see the total justification of it and we have to look at long-term and short-term impacts.

Councilor Finlay said that he doesn't see where we are going to recoup the costs.

Mr. Marc Mylott, Director of Planning Development Services said that the costs are not as black and white.

Councilor Cromartie suggested that City Council and staff compose an Annexation Committee to evaluate the City of Columbia and surrounding areas to determine what strategic properties we want to annex to include the donut holes and then be in a position to move forward. If we don't do this quickly, then we will lose the opportunity to obtain potential revenue.

*The following members of Council agreed to serve on the Annexation Committee: Dr. Belinda F. Gergel, Mr. E.W. Cromartie, II, Mr. Kirkman Finlay III and Mr. Daniel Rickenmann.*

Councilor Cromartie asked Mr. Mylott to show the full maps on the screen as a regular part of the approval process and to explain how we would annex property without a covenant.

Mr. Marc Mylott, Director of Planning Development Services said we would use the 75% method wherein we select an area and get the stakeholders and residents of the area to agree to the annexation. He asked if the City Council is willing to say that we won't continue to provide water to those that are outside of the city limits and don't want to be annexed into the city.

Councilor Cromartie asked if that is a legal position. If so, that is where we need to be and we don't have much time to get this done.

Councilor Devine said that a business person was turned off when we tried to use the petition process for annexation. It was said that we did not make a case as to why it's advantageous to be in the city and we need to step that up.

Mr. Marc Mylott, Director of Planning Development Services said that we won't be able to make that quantitative argument every single time and that's when we will turn to a qualitative position, but at the end of the day I don't want to set false expectations. We are developing packages to outline the quantitative and qualitative advantages.

Councilor Finlay said that both annexations are adjacent to parcels we have outside the corporate boundary.

Mr. Marc Mylott, Director of Planning Development Services said that we don't have a true corporate boundary.

Councilor Finlay said that he would like to hold these items until the next meeting. He also wants a lot more definition of the area. I want to hear a defined plan. We are spending money on something we hope is good for the city, but we are cutting services that we know are good for the city.

Mayor Coble asked staff to prepare a memo related to the incremental cost of annexing contiguous properties.

Mr. Marc Mylott, Director of Planning Development Services explained that you can't quantitatively identify the short-term conditions versus the long-term benefits. You can't put the needs to satisfy employee shortfalls on this annexation. He questioned the Police and Fire Departments response to annexations.

Councilor Finlay said lets imagine that it's a 1,000 house subdivision and the average household in the city is three (3) people per house; that would add 3,000 new residents, which would increase the City's population by 2%. There is a formula that needs more work, because the financial burden is getting ready to hit us.

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval on a single motion to **Item 25**. Ordinance No.: 2008-102 – Annexing 2635 Percival Road, Richland County TMS #19716-01-06 and **Item 26**. Ordinance No.: 2009-005 – Annexing 11.24 acres, N/S Clemson Road Richland County TMS # 25700-04-05. The requested information should be provided prior to second reading consideration.

25. Ordinance No.: 2008-102 – Annexing 2635 Percival Road, Richland County TMS #19716-01-06 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*). – *Approved on first reading. The members of Council outlined their expectations regarding the current Annexation Policy and the maps and documentation that should be included in the packet of information.*

26. Ordinance No.: 2009-005 – Annexing 11.24 acres, N/S Clemson Road Richland County TMS # 25700-04-05 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *Approved on first reading. The members of Council outlined their expectations regarding the current Annexation Policy and the maps and documentation that should be included in the packet of information.*
27. Ordinance No.: 2009-011 - 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; Sec. 21-127 Basis for establishing areas of special flood hazard; and Division 2, Administration, Sec. 21-153 Duties of city engineer – *Approved on first reading, subject to staff reporting on the economic impact of enacting this Ordinance.*

Councilor Rickenmann asked for an explanation of **Item 27.**, because this is a costly process.

Mr. Ken E. Gaines, City Attorney explained that these are technical requirements to the amendment to keep us in compliance with FEMA and the flood insurance program.

Councilor Rickenmann said there is more to it, because it places a burden on residents that have to put up with FEMA changing the map lines. It also impacts our revenue on the permitting side.

Mr. Ken E. Gaines, City Attorney stated that we have no choice.

Councilor Cromartie asked what the economical impact is. We need to know the economic impact for us and citizens on all ordinances that we consider.

Mr. Ken E. Gaines, City Attorney agreed to get that information and advised the Council that we need to give it first reading today in order to meet the FEMA deadline.

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2009-011 - 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; Sec. 21-127 Basis for establishing areas of special flood hazard; and Division 2, Administration, Sec. 21-153 Duties of city engineer, *subject to staff reporting on the economic impact of enacting this Ordinance.*

## **EXECUTIVE SESSION**

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to go into Executive Session at 12:37 p.m. for the discussion of matters as outlined below.

28. Discussion of negotiations incident to proposed contractual arrangements
  - Towers Perrin  
*This item was discussed in Executive Session. No action was taken.*
  - Richland School District One School Resource Officer (SRO) Contracts  
*This item was not discussed in Executive Session.*

29. Receipt of legal advice which relates to a matter covered by attorney-client privilege
- Ordinance No.: 2008-108 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-218 to add (8); and to delete Sec. 8-219 and renumber subsequent section

*This item was not discussed in Executive Session.*

30. Discussion of employment of an employee
- This item was discussed in Executive Session. No action was taken.*

- **Council adjourned the Executive Session at 2:55 p.m.**
- **Council reconvened the meeting at 2:59 p.m.**

### **STAFF REPORTS**

31. Bid Online Update – Mr. Tony Lawton, Director of Community Development

Mr. Tony Lawton, Director of Community Development announced a marketing campaign to advertise the Centralized Bidder Registration Program to include the distribution of brochures and a training program for vendors on February 12, 19, 26 and March 4, 2009 from 2:00 p.m. until 5:00 p.m. The Information Technology Department and others will conduct the training and the Public Relations Department will lead the marketing campaign.

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

Mr. Charles P. Austin, Sr., City Manager reported as follows: I want to advise you that we are making copies of the cost saving measures to give to you this afternoon. If you would read over them and e-mail me or Steve with your comments we would appreciate it. The Fort Jackson Group was not able to join us this afternoon, because LTC. Richardson was called away on another matter, but we are still working with them and they have committed to be a part of the next clean up campaign. We have provided a side by side analysis of the stimulus package. Please read through it and ask questions later. It appears that the stimulus package is fluid right now; there might be another cut; we will go with what we have right now and provide updates on a regular basis. I am now going to ask Chief Carter if he would come for the presentation of Phase II of the Comprehensive Police Plan.

- B. Community Service Project – LTC. Christopher Richardson, 187<sup>th</sup> Ordnance Battalion / Fort Jackson – *Please refer to Item A. LTC Richardson was not present at this time.*

- C. Comprehensive Plan Part II – Mr. Tandy Carter, Chief of the Columbia Police Department

Mr. Jacques Gilliam, Director of Human Resources presented a breakdown of the officers that left the Columbia Police Department by position and a summary of exit interviews that were conducted from 2005 through 2008. You will find in 2007 that we lost 56 officers, which is a large number representing almost 80% of the total number of officers.

Councilor Finlay said that we are not losing upper management officers, but we are losing front line officers.

Mr. Jacques Gilliam, Director of Human Resources replied that we are losing some upper management, but the bulk of individuals lost were patrol officers.

Councilor Cromartie asked why.

Mr. Jacques Gilliam, Director of Human Resources thinks that it is mostly related to career development, which addresses pay, retirement and other issues. The cadets stay with us for two (2) years and then go somewhere else, but not because of money. For example, I did an exit interview with an officer and he said his primary reason for leaving was for money; I looked at his salary and he had earned over \$50,000 with overtime in one year.

Councilor Finlay said that we have employees making half their salaries in overtime. You mean they are working forty (40) hours and twenty (20) hours overtime consistently.

Mr. Jacques Gilliam, Director of Human Resources said yes; we have employees that make half of their salary from overtime.

Councilor Finlay said that is a dramatic problem. What if he was retiring and we had to pay his retirement off of the overtime pay as well.

Councilor Cromartie said that overtime results from problems in the community, because they have to do additional overtime to protect our citizens.

Mr. Tandy Carter, Chief of the Columbia Police Department said that when you spend that much on overtime, it means that you don't have enough people to do the job and that is the first indication. We have to look at how much we are spending on overtime and why.

Councilor Finlay asked how long this has been a problem for the department.

Mr. Tandy Carter, Chief of the Columbia Police Department explained that an estimated 2.3 million tourists visit the City of Columbia each year and the Police Department already serves a population of 126,000 people and a 55 square mile area. When you start looking at those costs, you also have to look at where you are spending the time and money.

Councilor Cromartie said that the money is there to hire additional officers, but it's being spent on overtime.

Mr. Tandy Carter, Chief of the Columbia Police Department agreed. He said that he can sit down and figure out how many officers can be hired based on the amount being spent on overtime. The last time we looked, there were 80,000 hours in overtime totaling approximately \$1.9 million per year.

Councilor Finlay said that's forty (40) officers.

Councilor Rickenmann would like to see the number of officers we've hired. Is it just a revolving door?

Councilor Finlay said 197.

Mayor Coble said that 2008 was the best year in terms of retaining officers.

Mr. Jacques Gilliam, Director of Human Resources added that the information on exit interviews is directly related to officers only. There were 154 exit interviews conducted out of 184 officers. He said that career advancement appeared to be the number one factor in officers leaving.

Councilor Davis said that he is interested in the amount of money being spent on overtime and the outcome of the statistics provided says that it's not about money. We still have a problem and if we don't fix that we will continue to pay the overtime.

Mr. Jacques Gilliam, Director of Human Resources said that the officers like the overtime pay.

Councilor Gergel asked if the salaries weren't a problem because of the overtime opportunities.

Mr. Jacques Gilliam, Director of Human Resources said yes, I am sure of that.

Councilor Devine recalled that four (4) years ago there was an issue about overtime and the law; we were trying to keep them from getting a certain amount of overtime. It's great that they want to get that overtime, but we need to keep that in perspective, because if we are spending over \$1 million in overtime then some of that money can be shifted to either increasing salaries or having other positions to reduce the need for so much overtime. The biggest area of concern is career advancement. We are privileged to have such longevity in our officers, but that also keeps the newer officers feeling like there is no area for advancement. We have to grapple with that and look at retaining our officers and having the benefit of the wisdom and experience of veterans. I would love to hear your ideas on that.

Councilor Finlay said that we need someone from outside this community with a fresh set of eyes to diagnose the problem, because we are paying, we are running a lot of overtime hours, we can't hire people, there seems to be frustration and we need somebody who isn't connected with the Police Department, has a very strong law enforcement background and that has been through management to come in and review it, because there is an issue.

Mayor Coble said that he would hope that is why we have Chief Carter. We need to give him the opportunity to do that.

Councilor Finlay said that some of these issues predate Chief Carter and I want to make sure that these long standing issues are addressed.

Mayor Coble said that he is looking forward to the Police Chief coming back with recommendations on hiring, retention and things of that nature. I want to see how this works.

Mr. Tandy Carter, Chief of the Columbia Police Department presented the second phase of the Comprehensive Five Year Plan. He is proposing to enhance the current recruiting and retention plan based on the history of the Police Department. He believes that equipment, tools and training is what keeps people in this organization. Have we been doing that very well? He said that people are leaving, because you can work less somewhere else and get paid more money. I want to start off by talking about a goal and I want to stick with this goal over the next five (5) years. My goal is to reduce part one crime by 50% over the next five (5) years. He presented the crime statistics for 2007, stating that we had 8,505 serious crimes committed in the City of Columbia. This is about quality of life and that's the one thing that all citizens understand. He said that South Carolina has the highest violent crime rate of all fifty (50) states. He stated that Columbia had 1,257.7 violent crimes per 100,000 residents in 2007 as compared to the national average of 466.9. There were 56 property crimes in Columbia per every 100,000 citizens as compared to the national average of 32. Our quality of life is greatly impacted by the total combined part one crime rate of 69 per 100,000 residents and we would like to get our crime level to represent 34 serious crimes per 100,000 residents. I wanted to start by talking about crime and now I want to talk about people. He presented a strength report for fiscal year 2009/2010, which shows the number of officers and investigators allocated per region. In the next two (2) fiscal years, he would like to grow the Police Department by twenty-six (26) officers per fiscal year for a total of fifty-two (52). He said that in 1949 we had fourteen (14) investigators, which means that we have grown by thirteen (13) investigators year-to-date.

Councilor Devine asked if he plans to add twenty-one (21) investigators.

Mr. Tandy Carter, Chief of the Columbia Police Department said yes for a total of forty-two (42) investigators and fifty two (52) officers in two (2) years. I am trying to grow the agency based on the number of people I need to do the job. If one (1) additional officer is needed in the Metro Region you truly need six (6) officers for a twelve (12) hour shift. The manpower allocation formula for 24/7 police coverage considers the average number of days off, vacation days, training, sick days, hurt-on-duty days, military leave, court attendance and holidays. I am also looking at the demand for service and the formula is based on standards set by the National Advisory Commission on Criminal Justice Standards, the Commission on Accreditation of Law Enforcement Agencies and the FBI Academy. He said that out of the twenty seven (27) Investigators, four (4) are part-time. The current case load for an Investigator is 1,268 cases per year, but the national average is 372 cases per year. The Investigator has to investigate the cases, go to court and provide follow-up, which are all time consuming and tedious tasks.

Councilor Devine said that is very understandable and we don't want Investigators out there solving crimes. We have all heard complaints about follow-up. She suggested that the Chief consider utilizing the administrative staff to contact the victims. We are hearing that Investigators do not follow-up and citizens just want someone to call them back and you can use non-uniform personnel as a supplement.

Mr. Tandy Carter, Chief of the Columbia Police Department agreed that the Investigators should call people back. The whole thing is challenging for us because of the demands on time. I'm not saying that Investigators aren't calling people back, but there is room for improvement.

Councilor Finlay said that the point is our Investigators are working 3.5 to 4 times the number of cases than the national average. It's impossible to not have problems.

Councilor Devine said that you do the best with what you have and you get creative; you shift your resources to provide the services.

Councilor Cromartie said that the Council has always added more employees to the Police Department than any other department and it doesn't matter how many we hire if we're not able to retain them. It will be a revolving circle until we address that. He noted that there are other concerns that need to be addressed in Executive Session.

Mr. Tandy Carter, Chief of the Columbia Police Department reported that it would cost approximately \$1.7 million to hire forty two (42) new investigators and to purchase the necessary equipment. We would take fifteen (15) investigators with specialized skills and bring them in laterally, meaning that I would hire someone that is ready to go to work on day one. I am concerned that we should be growing our investigators from the bottom to allow officers to compete for promotions. Currently, we are promoting six (6) officers to investigators per year and with the fifteen (15) investigators that is a total of twenty-one investigators, which are all included in the \$1.7 million. I think the concept of growing laterally is a good concept given the concerns about growth.

Mayor Coble complimented the Police Chief for allowing officers to attend neighborhood meetings to talk about the residency tier program and recruiting and the idea that the best way to have an officer living in a neighborhood is to recruit the officer. This has been very successful in 3-4 neighborhoods. The other thing is that General Goldsmith was very complimentary of your and the Police Department's follow up on trying to recruit Military Patrol Officers that may be coming out of the military. Those are two (2) things that we have been very proactive on.

Mr. Tandy Carter, Chief of the Columbia Police Department reported that he hired four (4) people on Monday and two (2) individuals were very interested in the Officer Residency Program. The Officer Residency Program is a recruiting incentive that we offer to encourage officers to live within the City of Columbia.

Councilor Gergel stated that Chief Carter mentioned in December that we had twenty-one (21) vacancies and that you thought we would be able to fill those by June 30<sup>th</sup>.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we actually have more vacancies due to retirement and other reasons. He further reported that in December eighty (80) applications were submitted for the Police Department and he has eight (8) applicants going through the employment process now. He said that he would rather have a vacancy than hire someone that we can't retain. I am looking for people that are interested in a business career.

Councilor Cromartie asked what the entry level salary is.

Mr. Tandy Carter, Chief of the Columbia Police Department said that it is \$29,330.

Councilor Cromartie asked what the entry level salary is for someone with a degree.

Mr. Tandy Carter, Chief of the Columbia Police Department said that it's about \$33,000. We have a good incentive that compensates people based on experience, educational level and the ability to speak multiple languages.

Councilor Gergel asked Chief Carter if he makes the decision on each person that's hired.

Mr. Tandy Carter, Chief of the Columbia Police Department responded that he interviews all applicants and applicants must write an ethical statement. We really need to decide if the Officer Residency Program is something we can move forward on so we can give quality information out. Officers are also taking advantage of either rent free or reduced rent residences as well.

Mayor Coble suggested that staff look at the Stimulus Bill to develop a strategic plan for the use of COPS funds for equipment and even HOME funds for the housing incentive. We need to determine how we will use these various pots of money. Obviously, we can hire more officers and acquire more equipment.

Councilor Cromartie suggested that they meet with the Community Development Department to identify city owned housing throughout the City of Columbia and be in a position to implement the residency program very quickly. We should be in a position to put officers in various homes across the city within the next 30-60 days.

Mr. Tandy Carter, Chief of the Columbia Police Department said that they have received a lot of help from Mr. Tony Lawton, Director of Community Development and Ms. Deborah Livingston, Director of the Columbia Housing Development Corporation. We have interest in the program, but we haven't officially formalized the program.

Councilor Davis said that possible residency locations have already been submitted for the North Columbia area. We need to move on this, because the neighborhoods would welcome it. Do you have a grant writer in your department? There are grapevines of possible funding sources that are specifically earmarked for law enforcement.

- **Mr. Rickenmann left the meeting at 3:48 p.m.**

Mr. Tandy Carter, Chief of the Columbia Police Department replied no.

Councilor Gergel said that we need to have people ready to write the applications so we will be ready to take advantage of every opportunity that's out there. When we talked about the Officer Residency Program last December, we talked primarily about home ownership and I think that some of the properties the city presently owns may be more attractive to indebted officers who may not wish to purchase a home in a more challenged area; they may be interested in taking free rent in some of those places.

Mr. Tandy Carter, Chief of the Columbia Police Department agreed with Councilor Gergel noting that officers with children are more interested in the schools. He suggested that they consider installing camera systems in the units so that officers will feel that their property is protected while they are away. He said that the figures listed in the presentation did not impact the first two (2) fiscal years. We are also talking about a Career Development Plan to help officers move through the ranks of the Police Department. We have to do a better job of laying that process out.

Councilor Davis said that the Council needs something tangible; we need to know the Career Development Plan and when they plan to implement it. There are a lot of officers that are frustrated and are looking at other opportunities. A couple of years ago we talked about the Explorer's Program; it was a great program and some of our current officers came in through the program. I would ask that you all reconsider the Explorer's Program as another opportunity to recruit more officers and possibly retain them.

Mr. Tandy Carter, Chief of the Columbia Police Department said that the Explorers Program is still on the table. He is also looking at a Cadet Program to target students. They would be part-time employees; we would work around their school hours; and when they become old enough to be a Police Officer it then becomes a recruiting mechanism.

Councilor Cromartie asked how we move from the plan to implementation at a much faster pace, because there is a degree of frustration. What does the City Council need to do? There are owners and developers that want to put officers in their units in highly visible areas and are willing to do this rent free. We need to put officers out on Segways and bicycles in order to increase visibility.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we have great ideas, but no one has directed him to move forward with them.

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to direct the City Manager to proceed with the implementation of the Officer Residency Program in reference to properties owned by the City of Columbia within the next thirty (30) days. Staff was directed to identify officers that are interested in the program and be in a position to put them into the program as soon as possible. Mr. Rickenmann was not present for the vote.

Councilor Davis said that people are asking for officers on bicycles in neighborhoods. They would like for us to be closer to them and we will get a return on our investment, because those are the people we get information from. When are we going to start doing some creative things to help the people that are facing a rash of break-ins and shootings?

Mr. Tandy Carter, Chief of the Columbia Police Department said that we get a lot of information about criminal activity that happens in the economically distressed neighborhoods.

Councilor Davis said it's not just the economically distressed neighborhoods.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we do have a lot more cooperation from people in challenging neighborhoods; we have solved a lot of stuff in a short time. I would like to see more relationship building as well. Part of it comes with the demand; we are entering calls all the time and we don't have officers available to park their cars and walk around.

Councilor Cromartie suggested that they deploy a Segway in each Council District and then the officers could move throughout the community and that would be a tremendous community relations project. Why not buy five (5) or six (6) of the Segways if the money is in the budget and then all of a sudden people will see policemen moving around. Those are immediate things that can be done to make a difference. He asked the City Manager if this can be done.

Mr. Tandy Carter, Chief of the Columbia Police Department reported that the Phase I restructuring of the Police Department is complete. We took specialized positions and put them into teams to work together in neighborhoods. We are trying to do one manageable piece at a time so we looked at an area of the city that creates 6% of our crime and we are determining what we can focus the resources on to reduce crime in that area and then move on to our next most challenging area. We're looking at armed robberies, which are increasing because of the economy. We are also seeing an increase in domestic violence. He noted that each time the unemployment index goes up so does the crime index. We are looking at those things that create a lot of fear in the neighborhoods. We have some areas that people are afraid to live in and we have been concentrating a lot of overtime in those areas. We are taking a finite amount of resources, given our call volume, and trying to create a visible presence in neighborhoods. We must figure out the next area that will be targeted. He invited the members of Council to attend the Compstat meetings.

Councilor Devine stated that a constituent observed the fact that while officers were ticketing drivers for speeding there were car break-ins occurring just two (2) blocks away. She suggested that in addition to being visible, we may want to patrol in unmarked cars.

Mr. Tandy Carter, Chief of the Columbia Police Department said that traffic enforcement within neighborhoods is driven by complaints. He said that as we up the ante in terms of officers and investigators, we also have to look at how we structure them to serve the various regions. I provided a breakdown of how those officers and investigators would be placed in the regions and that will be continuously reviewed.

Councilor Davis requested copies of the organizational chart for the Police Department.

Mr. Tandy Carter, Chief of the Columbia Police Department proceeded to discuss equipment and technology. This is the only Police Department he's been in that doesn't have tasers. The tasers provide the officers with more options than pulling a gun out and shooting it. This is something that we need now.

Councilor Finlay asked if the funds are in the budget.

Mr. Tandy Carter, Chief of the Columbia Police Department said yes, we have it in our budget.

Councilor Gergel asked if there would be a policy.

Mr. Tandy Carter, Chief of the Columbia Police Department said yes; we are waiting for legal review. Mr. Cooper is making sure the policy stands the test of time and any legal challenges. We will provide copies to Council as soon as it is available.

Councilor Devine asked if the vehicles have everything they need in them. Does the listed amount include the equipment that goes in the vehicle?

Mr. Tandy Carter, Chief of the Columbia Police Department said that for every eighty (80) vehicles another mechanic and additional space is needed. Over 50% of our vehicles are in excess of 50,000 miles and as the vehicles get older they require more maintenance. The price does include the equipment.

Councilor Cromartie asked what difference it would make if we only purchased four (4) T3 mobile vehicles now instead of eight (8). He asked the City Manager if it is possible to look at the list and determine what we are in a position to purchase within the next 30-60 days. He asked that the City Manger bring that information back to Council.

Councilor Devine noted that these things are for the fiscal year 2009/2010.

Councilor Gergel said that she looked at the items and it's essentially \$800,000 overall.

Councilor Finlay said that the amount doesn't include salaries.

Mayor Coble said that it will be difficult with this budget, but this will be our priority. We will look at every dollar from the federal government and we are going to do all we can.

Councilor Finlay said that we are just trying to get back to the national average.

Mr. Tandy Carter, Chief of the Columbia Police Department said that Columbia has suffered from not deciding how much is too much.

Mayor Coble reiterated the suggestion to apply for Stimulus funding.

Councilor Finlay said we will have to find \$3 million in new funding and whatever we can offset through federal dollars is wonderful, but we need to plan to commit at least \$3 million of new money to the Police Department in 2009/2010 and 2010/2011. He noted that the Budget Director provided a memo outlining the following: "Please keep in mind that the General Fund budget is more than 50% public safety departments. If the decision is made to reduce budgets and to exempt public safety departments, there would be a tremendous impact on remaining budgets and basic services provided to the citizens and residents." I understand the implications, but this is the most serious thing we're going to do. I realize that we are going to have a very large deficit at the end of next year. I realize this is going to be financially challenging, but we have to fix it. He asked Chief Carter to break out the funding needed per year. He suggested that we consider bonding for the equipment since we need it sooner rather than later.

Councilor Devine asked if the Error Free Record Management System is different from what we have now.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we are exploring alternatives. We need to decide if we are staying with Visionair or switching to SunGard. I want to make sure that we maximize the technology that's available.

Councilor Devine said that years ago she heard concerns about our record keeping and whether or not we were able to keep records the way they should be kept; whether or not the software was preparing the reports we needed and with accuracy; whether the laptops work in the cars; and our ability to instantaneously provide reports.

Mr. Tandy Carter, Chief of the Columbia Police Department said that the sixty-seven (67) or so laptops that we have in cars are capable of providing reports. He admitted that there are serious integration problems with the technology; we have not maximized the system to our advantage; and we have to reduce the redundancy.

Councilor Devine urged the Police Chief to keep in mind that we tend to go with vendors that are exclusive and then upgrades are more costly keeping us from upgrading as things change. We need to understand the expansion of the system and be able to plan for future needs without boxing ourselves in. As far as our overall technology plan, you are right some cities post crime statistics on their websites and I would like to see us be able to do that with our crime statistics as well.

Mr. Tandy Carter, Chief of the Columbia Police Department said that he had that exact conversation with Mr. Vincent Simonowicz, Information Technology Department.

Councilor Davis said that there is a concern about being able to rely on the numbers being provided, especially when the city and county have varying numbers. He suggested that we look at how we share information and who we share it with.

Mr. Tandy Carter, Chief of the Columbia Police Department said that they are considering how to provide real time information.

Councilor Gergel said that this has been helpful for her and she hopes that the Chief will appear before the Council on a regular basis to provide updates. I understand we've had some changes in command at the Metro Region.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we moved one (1) Captain to the West Region; one (1) retired; and we have a Lieutenant that's acting now. We have some promotions to do, but I don't want a lot of Chiefs and no Indians. When I start filling vacancies I will also do some promotions. We are going to work with what we have first.

Councilor Gergel heard from a resident that there have been 174 reports made since May 2007 on the same house and the same person. We must work as carefully as we can and as closely as we can to ensure that we are exploring all of the possible options. I would hate to think what this one individual has resulted in, in terms of its cost to the city.

Mr. Tandy Carter, Chief of the Columbia Police Department stated that we have a lot of these cases and we need to change what we are doing in order to change the dynamics with the homeless population. He explained that a minor arrest consumes at least two (2) hours of an officers time.

Councilor Gergel said that she asked for a conservative estimate of what this cost us and it looks like its \$25,000, if not more.

Councilor Finlay asked Chief Carter to contact Mr. Joel Wier of the National Alliance on Mental Illness (NAMI Mid-Carolina), because he queried Mr. Finlay about § 44.13.05a. It talks about individuals who police perceive with mental illnesses can be transported to a treatment facility versus jail. I would love to understand our policy; I think it duck tails very well with this homeless question. We have enough expenses and if they need to be in treatment instead of jail then we need to figure out our policy and try to move.

Mr. Tandy Carter, Chief of the Columbia Police Department said that we have a lot of mental illness issues; we had about nine hundred (900) transfers in 2008. He added that a lot of things distract officers from delivering services.

- **Mr. Finlay left the meeting at 4:31 p.m.**

Mr. Tandy Carter, Chief of the Columbia Police Department said that we put so little money toward investing in people and we wonder why they leave. Other organizations are investing more in quality training. We are trying to sponsor training in-house and make it available to all law enforcement in South Carolina. We are taking advantage of free training opportunities as well. The proposal is to spend more money on basic skills training for rookies than any other training.

Councilor Devine said that the concept of training for law enforcement on how to deal with the homeless population came up at a meeting. With our shelter up and running now and potentially two (2) more shelters being a couple of blocks down the street I think that training needs to be incorporated in the budget starting next year. I also think we really need to look at specialized training on how to deal with the homeless so that we can be proactive and on top of things once our shelters are up and running.

Mr. Tandy Carter, Chief of the Columbia Police Department said that it's not just the homeless; it's the special population to include those with mental illnesses.

Mayor Coble thanked and congratulated Chief Carter on this. We are all very supportive of this plan; it's very ambitious, but that's what we want. With the Federal Economic Recovery Bill and other things coming from Washington, we may have a unique opportunity to get a substantial portion of this or a head start on this. We need to look strategically at that Stimulus Bill to ensure that we can pull money from every pot to implement this plan.

Councilor Gergel requested an update on what we are presently doing at our Homeless Shelter. She would like a better understanding of any day services that we are providing.

Mr. Charles P. Austin, Sr., City Manager said that we will provide an update next week.

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

No one appeared at this time.

- **Council adjourned the meeting at 4:40 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk