



**CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, MAY 6, 2009  
9:00 A.M.  
CITY COUNCIL CHAMBERS  
1737 MAIN STREET**

The Columbia City Council conducted a Regular Meeting on Wednesday, May 6, 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 9:14 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Kirkman Finlay III and The Honorable Belinda F. Gergel. The Honorable Sam Davis was absent. Also present were Mr. Steven A. Gantt, Interim City Manager and Ms. Erika D. Salley, City Clerk.

**APPROVAL OF MINUTES**

1. Minutes of October 15, 2008, January 28, 2009 and February 4, 2009 – *Approved as presented.*

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of October 15, 2008, January 28, 2009 and February 4, 2009 with a single motion as presented. Ms. Devine was not present for the vote.

**FINANCIAL MATTERS**

2. Community Promotions Monthly Funding Recommendations for May 2009 –The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve the committee's recommendation to award \$2,500 to the Greenview Elementary School for the Odyssey of the Minds World Finals from the Community Promotions Fund. (*Please refer to chart below.*)

**Community Promotions Monthly Funding 2008-2009**

Organization	Project Name	Request	Amount Funded
<b>April</b>			
Lewis Greenview Elementary	Odyssey of the Mind World Finals	5,000	2,500

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to carry forward any funds remaining in the Community Promotions Fund at the end of Fiscal Year 2008/2009 to Fiscal Year 2009/2010. The estimated remaining balance is \$10,000.

3. Employee Benefits (Retiree) – The Honorable Daniel J. Rickenmann

Upon motion by Mr. Rickenmann, seconded by Dr. Gergel, Council voted unanimously to adopt the active employee benefits plan for retirees who are not eligible for Medicare; the retiree will be asked to contribute 10% for themselves and 30% for their dependents; a single retiree would pay \$33.18, \$172.54 for retiree and spouse, \$82.95 for retiree and dependent child and \$252.17 for a family; those retirees that are post-65 and/or Medicare/Medicaid eligible will receive a supplemental policy with a prescription card at no cost to the retiree, but the spouse will be asked to pay 30% or roughly \$67 per month; these rates are guaranteed for 18 months; and to form a committee of seven (7) as follows: two (2) retirees, two (2) active employees, two (2) council members, one (1) representative from the Human Resources Department and an independent consultant to explore how we can continue to manage health care.

**PRESENTATIONS**

4. Introduction of the May 2009 Employee of the Month (Mr. Kristopher Kinard, Maintenance Tech III) – Mr. John Dooley, Jr., P.E. Director of Utilities and Engineering and Mr. Bud Summers, Superintendent

Mr. Bud Summers, Superintendent introduced Mr. Kristopher Kinard, Maintenance Technician III at the Canal Water Treatment Plant as the May 2009 Employee of the Month.

Mayor Coble presented Mr. Kinard with a Certificate of Excellence and Mr. Steven Gantt, Interim City Manager presented Mr. Kinard with a token of appreciation.

5. Introduction to Engineering Program – Ms. Lisa B. Muzekari, P.E., Senior Project Manager of BP Barber

Mayor Coble and the members of Council presented Certificates to the following students at W.G. Sanders Middle School for their participation in the Introduction to Engineering Program.

Jeremy Austin	Natasha Byers	William Campbell
DuQuan Clarke	Kenneth Hill	Shaireef Johnson
Shannin Johnson	David Lewis	Eldrick McCullough
Turquoise Williams	Michael Rankin	Alexandria Hamilton
Rickey Willis	Barron Hopkins	

6. Bike-to-Work Day Proclamation – Ms. Gerry Lynn Hall, Community Development and Mr. John Hall, *BikeColumbia* Evaluation/Planning Co-Team Leader

Mayor Coble and the members of Council proclaimed Friday, May 15, 2009 as Bike-To-Work Day in the City of Columbia.

7. National Public Garden Day Proclamation – Ms. Robin Waites, Executive Director of the Historic Columbia Foundation

Mayor Coble and the members of Council proclaimed Friday, May 8, 2009 as National Public Gardens Day in the City of Columbia.

**PUBLIC HEARINGS**

8. 2009 / 2010 Annual Action Plan for the Community Development Department – Mr. Tony Lawton, Director of Community Development and Ms. Dollie Bristow, Community Investment Manager

- **Council opened the Public Hearing at 10:29 a.m.**

Ms. Regina Mills, Chair of the Citizens Advisory Committee appeared before the members of Council to address concerns related to the proposed projects for the Community Development Block Grant entitlement for fiscal year 2009/2010.

There was a consensus of Council to direct Mr. Tony Lawton, Director of Community Development to meet with Ms. Mills in an effort to help her better understand the recommendations and how those recommendations will be funded.

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to adjourn the Public Hearing at 10:46 a.m.

9. Justice Assistance Grant Program – Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations

- **Council opened the Public Hearing at 11:33 a.m.**

No one appeared in support of or in opposition to **Item 9**.

- **Council closed the Public Hearing at 11:33 a.m.**

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to approve the Columbia Police Department's application for the Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$597,483 for equipment and supplies.

9a. \*\*2009 / 2010 Annual Action Plan for the Community Development Department – Mr. Tony Lawton, Director of Community Development

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to reconvene the Public Hearing at 11:33 a.m.

Ms. Regina Mills, Chair of the Citizens Advisory Committee asked the members of Council to approve the 2009/2010 Annual Action Plan for the Community Development Department.

- **Council adjourned the Public Hearing at 11:34 a.m.**

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve the 2009/2010 Annual Action Plan for the Community Development Department.

- **Council recessed at 11:35 a.m.**
- **Council reconvened at 11:45 a.m.**

#### **CITY COUNCIL DISCUSSION / ACTION**

10. Front End Loader Collection Operation– Mr. Robert Anderson, Superintendent of Solid Waste

There was a consensus of Council to schedule a Public Hearing for citizen input on the proposal for Front End Loader Collection Operations on Wednesday, May 27, 2009 at 9:00 a.m.

11. Annexation Urban Service Area – Mr. Marc Mylott, Director of Planning and Development Services / Zoning Administrator

Upon motion by Mr. Finlay, seconded by Dr. Gergel, Council voted unanimously to endorse the Urban Service Areas plan for annexing donut holes and primary areas and to schedule a strategic Work Session for continued discussions in August 2009.

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

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to approve **Items 12.** through **20.** and **22.** through **24.** with a single motion. **Item 21.** was approved by a separate motion.

12. Council is asked to approve Project #SS7056(24); Price Increase for the Purchase of two (2) Flight Attachment Brackets for the Repair of two (2) DAF Top Flights at the Metro Wastewater Treatment Plant. Award to Siemen Water Technologies, as a Sole Source in the amount of \$10,348.00. This vendor is located in Charlotte, NC. *Funding Source: Sewer Improvement Fund 5529999-SS705624-851200 – **Note:** On April 15, 2009, Council approved the purchase of material in the amount of \$78,568.00. The amount requested is due to an unexpected price increase. - Approved*
13. Council is asked to approve the Purchase of Vetter Rescue Bags, as requested by the Fire Department. Award to Newton's Fire & Safety, the lowest bidder in the amount of \$11,814.94. This vendor is located in Swepsonville, NC. *Funding Source: 2082306-627100 - Approved*
14. Council is asked to approve the Purchase of one (1) lot of Pharmaceuticals, as requested by the Homeland Security / EOC Department. Award to Cardinal Health Distribution, using the SC State Contract in the amount of \$12,002.84. This vendor is located in Greensboro, NC. *Funding Source: MMRS Department of Homeland Security Sec 2007 EPA Grant 2549999-624900 9601000207-624900 - Approved*
15. Council is asked to approve the Purchase of Annual Safety Inspection Testing and Certification for Trucks / Equipment, as requested by the Fleet Service Division. Award to American Test Center, the lowest bidder in the amount of \$14,701.80. This vendor is located in River Falls, WI. *Funding Source: 6308970-672800 - Approved*
16. Council is asked to approve Project #SS7056(23); Purchase of Wear Shoes and Bottom Sigma Flights in order to repair Primary Clarifier Basins at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Siemens Water Technologies, as a Sole Source in the amount of \$15,613.00. This vendor is located in Charlotte, NC. *Funding Source: Sewer Improvement Fund 5529999-SS705623-851200 **Note:** The purpose of primary clarifiers is to separate the settled and floating solids from the raw sewage. This reduces the organic loading on the aeration basins and the secondary clarifiers so they can operate more efficiently. Wear shoes keep the drive chain and flights from rubbing along the clarifier bottom. - Approved*
17. Council is asked to approve the Purchase of Updating of the Columbia, South Carolina Metropolitan Medical Response System (MMRS) Plans, as requested by The Emergency Operations Office. Award to University of South Carolina in the amount of \$19,999.00. This vendor is located in Columbia, SC. *Funding Source: 2549999-636700 9601000207-636700 MMRS Department of Homeland Sec 2007 EPA Grant - Approved*

18. Council is asked to approve the Purchase of Airbag Lifting System, as requested by the Fire Department. Award to Newton's Fire & Safety in the amount of \$27,738.68. This vendor is located in Swepsonville, NC. *Funding Source: (1012303-657400 \$22,713.96); (1012303-627100 \$5,024.72) – **Note:** These are inflatable lifting bags for rescue work to help persons who are trapped in or under vehicles. - Approved*
19. Council is asked to approve the Purchase of Auto Charge Super Kits, as requested by the Fire Department. Award to Slagle Fire Equipment @ Supply in the amount of \$34,309.37. This vendor is located in West Columbia, SC. *Funding Source: (1012303-627100 \$16,782.77); (2082306-627100 \$17,526.60) – **Note:** These are electrical power supplies to keep the new onboard computers running in the fire trucks while they are parked in the fire stations. The computers can receive dispatch information through the automatic vehicle location system (AVL) and transmit the trucks' locations. - Approved*
20. Council is asked to approve Project # SD8326; Agreement to Render Structural, Engineering Design and Construction Services in Connection with repair of Columbia Canal Water Treatment Plant Drainage Tunnels, as requested by Utilities and Engineering. Award to Chao and Associates, Inc., in the amount of \$75,000.00. This vendor is located in Columbia, SC. *Funding Source: FY 2008 / 2009 Capital Improvement Program Budget. - Approved*
21. Council is asked to approve Purchase of Taser Weapons and Accessories, as requested by the Police Department. Award to Lawmen's, as a Sole Source in the amount of \$116,352.41. This vendor is located in Columbia SC. *Funding Source: 2659999-6271000 9211000101-6271000 Gunshot Triangulation – US Justice Grant - Approved*

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to approve the Purchase of Taser Weapons and Accessories, as requested by the Police Department. Award to Lawmen's, as a Sole Source in the amount of \$116,352.41. This vendor is located in Columbia SC.

22. Council is asked to approve Project #SS7091; Emergency Sanitary Sewer Replacement Along Quail Lane between Lockwood and Wrenwood Lanes, as requested by Utilities and Engineering. Award to Shady Grove Construction Company, the lowest bidder in the amount of \$283,171.00. This vendor is located in Irmo, SC. *Funding Source: Sewer Improvement Fund SS709101 851600 - Approved*
23. Council is asked to approve Project #SD8059; Phase I of Northwood Hills / Delverton Drainage Channel Improvements, as requested by Utilities and Engineering. Award to L-J, Inc., the lowest bidder in the amount of \$594,191.75. This vendor is located in Columbia, SC. *Funding Source: Storm Drain Funding Project #SS80591A-656200 – This is a Mentor Protégé Program Project - Approved*
24. Council is asked to approve Project #701702; Removal of Beavers and Beaver Dam Debris, as requested by Utilities and Engineering. Award to McClam & Associates in the amount of \$992,013.05. This vendor is located in Little Mountain, SC. *Funding Source: Sanitary Sewer Funding Project #SS701702-851600 – This is a Mentor Protégé Program Project - Approved*

## **ORDINANCES – SECOND READING**

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give second reading approval to **Items 25.** and **26.** with a single motion.

25. Ordinance No.: 2009-028 - Granting an encroachment to Zion Baptist Church for installation and maintenance of landscaping and an “L” shaped handicap ramp / walkway with guardrail and landings within the right of way area adjacent to 1324 Gadsden Street (*Mr. Chip Land, Long Range Planner: Recommends approval*) – *First reading approval was given on April 15, 2009. – Approved on second reading.*
26. Ordinance No.: 2009-031 – Granting encroachment to The Church of the Lord Jesus Christ of the Apostolic Faith, Inc. for a directional sign on the southwest corner of Miller Avenue and Main Street (*Mr. Chip Land, Long Range Planner: Recommends approval*) – *First reading approval was given on April 15, 2009. – Approved on second reading.*

## **ORDINANCES – FIRST READING**

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to **Items 27.** through **29.** with a single motion.

27. Ordinance No.: 2009-037 – Granting a 30' Easement Along a Portion of City Property Identified as the Piney Grove Water Tank Site to Lexington County for Steward Drive Paving and Improvements Project; Lexington County TMS #002898-04-006 (Portion); CF #250-270 – *Approved on first reading.*
28. Ordinance No. 2009-039 – Annexing 745 Hazelwood Road and 7756 Garners Ferry Road Richland County TMS #19102-02-04 and 19102-02-05 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *Approved on first reading.*
29. Ordinance No.: 2009-044 – Repealing Ordinance No.: 2008-065 authorizing a property tax credit to taxpayers within the corporate limits of the City of Columbia for installation of fire sprinkler systems in compliance with S.C. Code Ann. §12-6-3622 – *Approved on first reading.*
30. Ordinance No.: 2009-046 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal, Sec. 19-31 Definitions, Bulk container; Sec. 19-40 Frequency of collection; limitations on quantity of waste; Sec. 19-41 Restrictions on collection, (g) Bulk containers for multiple dwelling units and (h) Bulk containers for commercial and industrial users; and Sec. 19-43 Service fees to delete (3) Property exempt from ad valorem tax, (4) Commercial refuse collection and (5) Taxable nonresidential properties and to renumber (6) Building material collection – *First reading consideration was deferred.*
- 30a. **\*\*Ordinance No.: 2009-048 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic, Article I, General, Sec. 12-13 through trucks prohibited on certain streets – *First reading consideration was deferred.***

- 30b. \*\*Ordinance No.: 2009-050 – Authorizing the City of Columbia, South Carolina, to execute and deliver an Equipment Lease Purchase Agreement, 2009, in the amount of not exceeding \$900,000 between the City and the Lessor thereof to defray the cost of acquiring certain equipment; and other matters relating thereto – *Approved on first reading.*

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2009-050 – Authorizing the City of Columbia, South Carolina, to execute and deliver an Equipment Lease Purchase Agreement, 2009, in the amount of not exceeding \$900,000 between the City and the Lessor thereof to defray the cost of acquiring certain equipment; and other matters relating thereto.

## **RESOLUTIONS**

Upon motion by Mr. Rickenmann, seconded by Dr. Gergel, Council voted unanimously to approve **Items 31.** through **D.** with a single motion.

31. Resolution No.: R-2009-022 – Authorizing Acceptance and Dedication of Street Known as Jim Hamilton Boulevard to the City of Columbia; Richland County TMS #13702 (Portion); CF #214-10A - *Approved*
- A. Resolution No.: R-2009-023 – Authorizing Acceptance and Dedication of Street known as Moores Creek Drive, Musgroves Mill Lane and Nestle Court in Moore’s Creek Subdivision to the City of Columbia; Richland County TMS #19108-14-01 (Portion); CF #293-12 - *Approved*
- B. Resolution No.: R-2009-024 – Authorizing Eau Claire Community Council's Ribs & Renaissance Arts & and consumption of beer and wine at Hyatt Park, Eau Claire Town Hall and the Eau Claire Print Building - *Approved*
- C. Resolution No.: R-2009-026 - Authorizing Condemnation to acquire A 25’ Sanitary Sewer Easement Along Richland County TMS#14900-01-31 for Sanitary Sewer Main from Beasley Creek Trunk Line Along Creek Boundary and Crossing Community Road to Richland County TMS#150000-02-02; CIP Project #SS6846, Phase 2; CF#250-231 - *Approved*
- D. Resolution No.: R-2009-027 – Authorizing the Interim City Manager to execute Agreements with Richland County School District One to provide School Resource Officers from the Columbia Police Department to various schools - *Approved*
- E. Resolution No.: R-2009-028 - Authorizing consumption of beer and wine at the Summer Concert Series in Finlay Park - *Approved*

Upon motion by Mr. Finlay, seconded by Dr. Gergel, Council voted unanimously to approve Resolution No.: R-2009-028 - Authorizing consumption of beer and wine at the Summer Concert Series in Finlay Park.

## **APPOINTMENTS**

- F. Animal Services Advisory Committee – *Consideration of this item was deferred.*
- G. Complete Count Committee / Census 2010 – *Consideration of this item was deferred.*
- H. Greater Columbia Community Relations Council – *Consideration of this item was deferred.*

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

Ms. Carolyn Taylor appeared before the Council to inform them of the Attorney General's opinion as it relates to the City of Columbia not having authority to tag vehicles on private property. If a vehicle is parked on private property with the consent of the owner or the person in control of the property the City doesn't have the authority to tag it; it's not abandoned and even it were junk it could not be taken away from that property. She reminded Mr. Rickenmann that the last time she was here he told her to give her questions to Mr. Gantt and the answers would be supplied in written form, but she hasn't received any answers.

Councilor Devine stated that she spoke with the City Attorney and the Director of Planning and Development Services about this and we are in litigation with Ms. Taylor and because of that they have not answered her questions in writing. She would need to take that up with the Legal Department.

Ms. Carolyn Taylor argued that they are not in litigation about abandoned vehicles. No one informed me of this. She provided supporting documentation to the Council from the SC Code of Laws.

Mr. Keith Seymour, Carolina Panorama appeared before the Council to express his concerns about Council considering the availability of public transportation when annexing property.

## **BUDGET WORK SESSION**

- I. Fiscal Year 2009 / 2010 Budget Review – The Honorable Kirkman Finlay III - *The Budget Work Session was rescheduled to May 13, 2009.*

## **EXECUTIVE SESSION**

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to go into Executive Session at 1:19 p.m. for the discussion of **Items J.** through **M.** as amended.

- J. \*\*Discussion of compensation of an employee  
*This item was discussed in Executive Session. No action was taken.*
- K. \*\*Receipt of legal advice which relate to matters covered by attorney-client privilege
  - Prohibition of Trucks*Items were discussed in Executive Session. No action was taken.*
- L. \*\*Discussion of negotiations incident to proposed contractual arrangements
  - Richland County School District One
  - Fire Services
  - Benedict College*Items were discussed in Executive Session. No action was taken.*
- M. \*\* Receipt of legal advice which relate to pending, threatened or potential claims  
*Items were discussed in Executive Session. No action was taken.*
  - **Council adjourned the meeting at 4:15 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk

*\*\*Amendment to the Agenda*