



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 17, 2009
9:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The Columbia City Council did not conduct the scheduled Work Session at 8:00 a.m. The Columbia City Council conducted a Regular Meeting / Budget Public Hearing on Wednesday, June 17, 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 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 9:28 a.m. Also present were Mr. Steven A. Gantt, Interim City Manager and Ms. Erika D. Salley, City Clerk.

WORK SESSION

Executive Search for a City Manager – Mr. James Mercer, CMC / President of the Mercer Group, Inc. - *This item was withdrawn from the agenda.*

APPROVAL OF MINUTES

1. Minutes of November 5, 2008 – *Approved as presented.*

Upon motion by Ms. Devine, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of November 5, 2008 as presented.

PRESENTATIONS

2. Homeownership Month Proclamation – Ms. Deborah Livingston, Deputy Director of Community Development and Mr. Kareem Evans, CityLender I Loan Recipient

Ms. Deborah Livingston, Deputy Director of the Community Development Department provided a brief overview of the history of the CityLender I Loan Program and the partnership with the Department of Housing and Urban Development (HUD).

Mr. Kareem Evans, CityLender I Loan Program Recipient enthusiastically described his home buying experience with the City of Columbia and the Columbia Housing Authority.

Mr. Tony Lawton, Director of Community Development and Ms. Deborah Livingston, Deputy Director of Community Development presented a framed token of appreciation to the banks that partner with the City of Columbia to make homeownership a reality for the citizens of Columbia.

Mayor Coble and the members of Council presented a proclamation declaring June 2009 as Homeownership Month in the City of Columbia.

- 2a. **Recognition of Cox and Dinkins – Ms. Mary Pat Baldauf, Sustainability Facilitator

Ms. Mary Pat Baldauf, Sustainability Facilitator recognized Cox and Dinkins for receiving the Carolina Recycling Association's Green Building Project of the Year Award for their Leed™ certified commercial office building. This award honors a green building project that makes a significant contribution to the advancement of environmentally responsible / sustainable building practices.

3. Introduction of the New Executive Director of the Capital Senior Center (*Ms. Mary Kessler*) – The Honorable Belinda F. Gergel

The Honorable Belinda F. Gergel introduced Ms. Mary Kessler as the new Executive Director for the Capital Senior Center.

Ms. Mary Kessler, Executive Director of the Capital Senior Center provided a brief overview of the programs and services offered by the Center and the measures taken to continue those programs and services.

4. Update on Ribs & Renaissance Community Festival – Ms. Becky Bailey, Eau Claire Community Council – *This presentation was deferred until July 8, 2009.*

SIDEWALK VENDING PUBLIC HEARING

RESOLUTION

5. Resolution No.: R-2009-038 – Amending Sidewalk Vending Location and Authorized Merchandise - *Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2009-038 – Amending Sidewalk Vending Location and Authorized Merchandise. Mr. Davis was not present for the vote.

ORDINANCES – FIRST READING

- **Council opened the Pubic Hearing at 9:49 a.m.**

No one appeared in support of or in opposition to **Items 6a.** and **6b.**

- **Council closed the Public Hearing at 9:50 a.m.**

6a. End of Lincoln Street North Side of Taylor Street

Ordinance No.: 2009-061 (A) – Granting a Franchise to Jay Dahlgren, Jr. d/b/a Palmetto Enterprises for operation of a stationary sidewalk vending cart on the north corner of Lincoln Street and Taylor Street adjacent to Finlay Park (*Preferred Choice*)

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2009-061 (A) – Granting a Franchise to Jay Dahlgren, Jr. d/b/a Palmetto Enterprises for operation of a stationary sidewalk vending cart on the north corner of Lincoln Street and Taylor Street adjacent to Finlay Park. Mr. Davis was not present for the vote.

6b. SW Corner of Assembly and Laurel Streets

Ordinance No.: 2009-061 (B) – Granting a Franchise to Jay Dahlgren, Jr. d/b/a Palmetto Enterprises for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street (*Second Choice*)

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to deny approval of Ordinance No.: 2009-061 (B) – Granting a Franchise to Jay Dahlgren, Jr. d/b/a Palmetto Enterprises for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street.

- **Council recessed at 9:52 a.m.**
- **Council reconvened at 10:02 a.m.**

BUDGET PUBLIC HEARING

Ms. Melisa Caughman, Budget Director explained that the budget priorities for fiscal year 2009/2010 consisted of the budget being in balance without a tax or rate increase while limiting the impact on basic services and focusing on improving efficiencies by consolidating or eliminating duplicated services. The General Fund budget is \$106,303,068 with projected revenues coming from property taxes in the amount of \$48,785,696, which is a 7.13% increase and business licenses and permits in the amount of \$26,763,600, which is a 7.29% decrease. Combined property taxes and licenses and permits comprise 71% of the General Fund budget. Overall, the budget increase is approximately 1.4% over 2008/2009. There is an inclusion of a \$2.75 million special reserve for unanticipated/emergency expenditures. The departmental budgets reflect the total cost of healthcare, workers compensation and GASB 45. The General Fund budget expenditures total \$106,303,068 with Public Safety comprising 45% of the budget. The proposed budget for Water & Sewer is \$104,021,212 with an increase of \$2.7 million (2.7%) over 2008/2009. Again, no rate increases are proposed for water and sewer. The growth of revenues have leveled off following two (2) years of inflated meter and tap sales. The transfer to Capital Improvement Projects is \$20,721,635; the transfer to the General Fund is \$4.5 million; and debt service is \$17,296,704. The departmental budgets include the total projected cost for health care, workers compensation and GASB 45. She noted that water sales make up the largest percentage of revenue for the Water & Sewer Operating Fund. The Economic and Business Development expenditures were decreased by 24.4% through combined efficiencies. The Utilities and Engineering Department and the transfer to the Water & Sewer CIP make up the majority of this budget's operating expenses. The proposed budget for Storm Water Operating is \$6,080,392, which is an increase of \$280,392 over 2008/2009. The revenue is generated from storm water fees, the \$1 million transfer from the General Fund and interest earnings. This year the budget does include a portion of Solid Waste's street sweeping budget in anticipation of the implementation of the NPDES Storm Water Permit, which requires street sweeping. There is a transfer to Storm Drain Capital Projects in the amount of \$2,564,373. The departmental budgets also reflect the full cost of healthcare, workers compensation and GASB 45. The proposed budget for the Parking Fund is \$7,785,250, which is \$687,700 or 10% from 2008/2009. The revenues from the garages are projected to decrease primarily due to the anticipated vacancies at the Sumter Street Garage. This budget also includes a portion of Public Works' street sweeping and the Sign Shop for the services provided to Parking Operations. Debt service is maintained at \$3.1 million; the transfer to the General Fund is \$1.25 million, which is a \$250,000 increase; and this budget also includes the full cost for healthcare, workers compensation and GASB 45. The Parking Fund revenues have increased by 10% and are generated primarily from parking garages and lots; parking meters; and non-moving violations. The majority of the expenditures are for debt service and Parking Operations. The Hospitality Tax budget is projected at \$10,192,742, which is an 18% increase including a transfer from the fund balance in the amount of \$2.79 million. The committee will receive \$2.55 million to allocate.

Councilor Rickenmann asked that Ms. Caughman verify the amount being allocated to the committee prior to second reading of the budget ordinance.

Ms. Melisa Caughman, Budget Director reminded the Council that \$200,000 was allocated for the State Museum for the five (5) year commitment. The committee is receiving a \$50,000 increase.

Councilor Devine added that the committee use to allocate \$120,000 to the State Museum, but the commitment needs to be \$200,000 in order for the State Museum to receive the matching funds from the State. We removed them from the committee process; the committee doesn't

have to give the State Museum \$120,000 as in the past; and we have made up the difference.

Ms. Melisa Caughman, Budget Director continued to report that EdVenture, the Columbia Museum of Art, the Historic Columbia Foundation and the Columbia Music Festival all maintain their funding at current year levels. In 2008/2009 we completed our commitment to Allen University and Columbia College; therefore, they are not included in the 2009/2010 budget. The transfer to the General Fund is \$2.3 million for services provided out of the General Fund to historic and tourism related facilities and debt service is \$3,261,142, which includes an additional year that will be set aside in reserves. The Accommodations Tax budget is \$1,285,000 and the majority of this allocation goes to the Conventions and Visitors Bureau at \$1 million and Lake Murray Tourism at \$200,000. The contingency is not included this year; however, the General Fund transfer was increased by 240% from \$25,000 to \$85,000.

Councilor Devine asked why the Liquor Rebate Fund wasn't included.

Ms. Melisa Caughman, Budget Director said that staff doesn't have any recommendations for the Liquor Rebate Fund.

Councilor Cromartie asked how much is in the Liquor Rebate Fund.

Ms. Melisa Caughman, Budget Director said that she doesn't know; she would have to check.

Councilor Devine inquired about the money allocated for the Detention Center within the General Fund. Exactly what were our expenditures in 2008/2009 and was \$350,000 enough?

Ms. Melisa Caughman, Budget Director reported that we are billed quarterly and the first three quarters was \$274,500; there are some fluctuations each month; and without a full year of collections, we are not sure where each month is.

Councilor Rickenmann said that we've talked about looking at the ordinances to determine the differences between City and County laws. Are there some things we can change so that we're not paying extra fees for certain arrests?

Councilor Devine stated that she has routinely heard from the Judges that some arrests are the result of minor offenses that should not require someone to go to jail, but if they should be in jail then we need to ensure that the communication from the Police Department to the Judge is adequate. We should continue to look at that. Our state prohibits us from recouping the fees from defendants; however, Virginia passed something earlier this year that allows their governments to recoup the fees. We need to pursue this through our legislative delegation.

Councilor Finlay said that in tourist designations people don't go to jail for non-violent crimes such as public drunkenness and littering; instead, they have to show up at 7:00 a.m. the next morning to do a couple of hours of community service. Things like that would save us a lot of money.

Councilor Cromartie concurred with the sentiment, adding that this technique could be used when a suspect is not a threat to the public. I do know of a situation wherein someone was given a summons and we should do more of that. This is a policy decision.

Councilor Davis concurred. What is the timeframe for looking at this and offering suggestions? I would ask that they be expeditious in getting the recommendations to Council, because this will continue to impact the budget.

Councilor Devine clarified that she is not second guessing the judgment of officers; there may be some information that leads them to believe that the person needs to be locked up; if there is such information, it's not being communicated to the judges.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to implement an efficient summons process for minimizing the amount of time non-violent offenders are incarcerated.

▪ **Council opened the Public Hearing at 10:21 a.m.**

Mr. Bill Manley, Eau Claire Community Resident said that we are seeing a new budget, but I want to talk about the past budget. I attend meetings quite often, but I am not sure that the public understands the General Fund. We seem to be picking on the General Fund in the respect that we don't have enough money in there. As of May 31st, \$86,481,000 was collected in the General Fund; expenditures including encumbrances are \$103,683,000; and you have a month to go. Let's be real, the General Fund will never be self supporting unless you raise our taxes by 30% to 50%. All City services come out of the General Fund. When you get skimping with the General Fund do you realize the effect that you have on us. In your proposed budget, you are reducing the Police Department in hopes of using the grants to take care of the shortfall; that's not what grants are for; grants have to stand on their own and they have to be spent on what they were approved for. I am concerned that the budget needs to be looked at. He added that \$1.5 million was spent for accounting services. Now you are going to look at the Risk Management Fund, which I've asked repeatedly to look at. The most difficult thing is about the employees; the morale is terrible; it's not good to great; it's not where friendliness flows. He suggested that Council look at other services and charges to the General Fund, which amount to \$14,677,000. The water & sewer amounted to \$13,819,000. Why so much? That's not payroll; that's not services or supplies; that's other types of services. Other citizens need to look at this. We don't need an Administrative Parks and Recreation Building as much as we need a fire station. Get us involved. I have sent emails with attachments asking to be involved and I will speak again at the next meeting.

▪ **Council closed the Public Hearing at 10:26 a.m.**

ORDINANCE – FIRST READING

7. Ordinance No.: 2009-030 – To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2010

Councilor Devine said that is important for the PowerPoint to be on the website and on Channel 2 so people can understand where our money comes from and what we spend it on. She asked Ms. Utsey and Ms. Caughman to post the information by Friday.

Councilor Cromartie stated that the City of Columbia has never in its history involuntarily dismissed employees who meet the goals and objectives and received merit increases on a regular basis. We are having tough times and I acknowledge that and I understand that the budget is worse now than we've ever seen in history. I further realize that I have no support in reference to this motion, but I think it's important that we realize that this is difficult for our employees and it impacts their morale. They don't know what's going to happen after this. I fully realize that some members of Council want a reduction in force; we have 2,200 employees and they would like to see that number reduced. I understand that, but I think that number can be reduced by going through a process and not eliminating people in current positions. I recommended that we transfer funds from the Water & Sewer Fund, but they indicated that it would affect the bonds. I also recommended that we have across the board salary cuts up to 1% and not to exceed 2%. I've had the pleasure and the privilege to vote on twenty-seven (27) budgets in the City of Columbia and I've always supported the budget.

Councilor Devine said that she respects Mr. Cromartie's position and she thinks it's admirable for him to feel that way. I don't like seeing people out of work; however, we've had a lot of discussions about the City's mission and whether or not we are providing basic services. To say that we will continue something just because it's the way we've always done it is not doing our

employees, our citizens or ourselves a service in that aspect. It's great to have other things to do, but in this economy everybody has to look at their mission and where the focus should be. We provide things that are nice, but they don't always fit within the essential services that the City has to provide to ensure that we have a viable City. It would affect basic services and law enforcement if we were to do across the board cuts. I hope there are other avenues for some of the employees whose functions are no longer essential. At this time I am unable to support Mr. Cromartie's motion, because we need to focus on the basic services that we are asked to provide. My reluctance for across the board cuts is the message that it sends.

Upon motion by Mr. Cromartie, seconded by Mayor Coble Council voted one (1) to six (6) to adopt the budget for the City of Columbia for the fiscal year ending June 30, 2010 without eliminating any positions in the General Fund that directly result in the involuntary dismissal of employees. Mr. Cromartie voted aye. Voting nay were Mr. Davis, Ms. Devine, Mr. Rickenmann, Mr. Finlay, Dr. Gergel and Mayor Coble.

Councilor Finlay made a motion to approve the budget as presented. He added that we have money in our Land Acquisition Fund; we can encumber this as a second reserve for the City in case the financial position deteriorates; and the money will not be spent without the explicit authorization of this Council.

Mayor Coble said that the Community Promotions budget, as we discussed, will be included in that.

Upon motion by Mr. Finlay, seconded by Mayor Coble, Council voted unanimously to give first reading approval to Ordinance No.: 2009-030 - To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2010 by accepting staff's combined operating funds proposed budget summary as put forth in today's presentation with total revenues and transfers-in for a total amount of \$106,303,068 and expenditures in the amount of \$106,303,068. The Land Acquisition Fund will become the second Reserve Fund for the City of Columbia and funds shall only be encumbered after explicit authorization from the full Council.

- **Council recessed at 10:45 a.m.**
- **Council reconvened at 10:55 a.m.**

CITY COUNCIL DISCUSSION / ACTION

- 7a. ****Energy Efficiency and Conservation Block Grant (EECBG) Application – The Honorable Mayor Robert D. Coble and Ms. Teresa Wilson Florence, Director of Governmental Affairs**

Mayor Coble explained that this grant application is due by June 25, 2009. We have two (2) categories: the green building incentives program and the implementation of the energy audit. As part of the ECCBG application, you can reserve money for a regional energy conservation plan. Our Climate Protection Action Plan should be the regional plan. While in Washington, DC last week, Congressman Clyburn's office was very supportive of having a regional plan. He asked that we reserve \$150,000 just as Richland County and Lexington County did. If this is not done then the monies would go back into the plan for something else.

Councilor Rickenmann said that he has concerns. At the last meeting we went through the process and asked the Climate Protection Action Committee (CPAC) to take the lead. I am concerned that we are going to take some more money away for a third party to duplicate the services. If we take more funds out of that then we will eliminate the savings and the cost structure that we put together. We passed a motion; we gave directions; and we know what the results are. Part of the results is to see cost savings. IF we adjust that amount again, that will

mean that we will have to expend more money; it will take us longer to see the payback; and we are going to duplicate what we've asked the CPAC to do. I would stick with the motion we recently passed.

Mayor Coble said that the criteria he would use to rationalize this is that the regional plan would help our congressional delegation bring in more resources from the federal monies for energy. If there isn't a unanimous vote of this Council then I won't be interested in pushing something that everyone doesn't see the value in. It would be great to have a regional plan that doesn't cost us any more money.

Ms. Teresa Wilson Florence, Director of Governmental Affairs explained that she and Ms. Segars, Grants Professional have gone through this at length and it's not quite as simple as just preserving the money. The application is very specific and you have to talk about the metrics of exactly what it is you're doing. I've met with Richland County; I went to their meeting last night; and I heard their motion. They are putting \$150,000 towards a sustainability plan; however, they are not committed to doing a regional effort unless it's agreed upon by all entities. We can be creative in the way we craft the language in the grant; however, you are going to affect the financing of the energy audit project and you have to come up with a dollar amount. There is a separate part of the grant application where we have to list exactly what the money is used for. She added that Lexington County has reserved \$250,000 towards their administrative cost and some type of plan, but no one has identified who would do the plan. She noted that neither Lexington County nor Richland County have a plan in place. Last night, Richland County voted to do something internally even if the regional effort doesn't come about.

Councilor Gergel asked if we can designate our sustainability plan as the regional plan and ask that Ms. Sinclair or another designee of Council immediately contact the other jurisdictions and invite their participation in it.

Councilor Rickenmann reiterated that CPAC is our designee and if they want to put a united front together then CPAC would be the representative of the City and that's where our funding would flow through.

Mayor Coble said that he doesn't have a problem with designating the money to CPAC. We wouldn't need \$150,000.

Councilor Rickenmann asked that Ms. Florence come back with a plan.

Ms. Teresa Wilson Florence, Director of Governmental Affairs respectfully requested that they figure this out now, because we are under the gun.

Ms. Chris Segars, Grants Professional explained that as part of the grant application we have to spell out our particular entity's conservation strategy. I have noted the work that CPAC has done and one of the things we also have to note is how we're working with the adjacent units of government and the state. We don't need to reserve money for it; we need to be able to explain how we are working through this.

Mr. Robert Anderson, Superintendent of Solid Waste added that Ms. Baldauf, Sustainability Coordinator is working up a list of the surrounding counties and municipalities. I believe that Lexington County is in the process of buying into our Green Business Member Program.

Councilor Davis asked how they came up with the dollar amount.

Ms. Teresa Wilson Florence, Director of Governmental Affairs explained that there have been discussions about doing this. Ultimately, the other two (2) entities will probably do something internally. There is a reason for them to set money aside, because they don't have anything in place currently. There have been discussions about another outside entity working the region to

bring this together. She added that CPAC can be a baseline; it is a decision for Council to make.

Councilor Finlay said that his struggle is that we are a part of Richland County. If Richland County puts \$150,000 aside, that covers 400,000 county residents. The City of Columbia would be covering 1/3 of those residents again and we would be contributing more per capita. We must be careful with the current budget constraints; we should not bear the lion's share of the burden for the smallest group.

Mayor Coble said that this is a formula grant and the unincorporated areas receive a portion. This is a unique case where we both received money. He suggested that we hold \$50,000 for CPAC.

Councilor Rickenmann asked who the third party is.

Ms. Teresa Wilson Florence, Director of Governmental Affairs stated that Engenuity has approached all three (3) entities about doing a regional plan. I am not quite sure that the amount is based off of Engenuity's amount in their proposal, but Engenuity presented to Richland County and stated that they would be able to produce a significant regional plan if all of the entities provided \$150,000 each.

Councilor Finlay asked if we would be funding Engenuity through this.

Ms. Teresa Wilson Florence, Director of Governmental Affairs said no sir; I don't think so.

Councilor Rickenmann said that he is for designating the funds for the regional plan. A plan and another funding option was presented to the other governmental agency by a third party and it's yet to be brought to this Council; and now I feel like I am being pushed into an agreement when CPAC has already put a lot of effort and time into this plan. We need some discussions to understand whose driving the train and whose role is what.

Ms. Teresa Wilson Florence, Director of Governmental Affairs clarified that the time constraints have not allowed for the proper presentations to be made. I am simply bringing back the information that I've received.

Councilor Davis said that CPAC is our investment up to this point and he is not for setting anything aside; CPAC would be our contribution given the investment we've already made.

Councilor Gergel said that it is critical that we develop a regional approach to sustainability. I am supportive of setting aside money for CPAC, if CPAC needs it.

Councilor Finlay said that if we do that we will have less money to spend on our own energy efficiencies. While I am all for regional support, it seems to me that the way we help the City's finances and our energy efficiency is to move forward with the plan as we have it in place.

Ms. Teresa Wilson Florence, Director of Governmental Affairs said that we can look for other funding options such as a competitive grant.

Upon motion by Mayor Coble, seconded by Dr. Gergel, Council voted unanimously to invite all regional governments to determine if the Climate Protection Action Committee's Plan can be adopted as a regional plan; to approve the plan and grant application as presented on June 3, 2009; and to brief our delegation on this regional initiative.

8. Revised Employee Holiday Pay Policy

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to revise the Employee Holiday Pay Policy effective July 1, 2009.

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to approve **Items 9.** through **12.** and **14.** with a single motion. **Item 13.** was deferred.

9. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Carlton Lang doing business as Carlton's Discount Taxi located at 1000 Windsor Shores Drive, Columbia, SC. - *Approved*
10. Council is asked to approve the Business License Application for Blue Knight Private Detective / Security Agency, LLC, as requested by the Business License Division. - *Approved*
11. Council is asked to approve the Business License Application for Total Enterprise Security, as requested by the Business License Division. - *Approved*
12. Council is asked to approve the Disposition of 545 Narcotic Cases to include Paraphernalia, as requested by the Police Department's Evidence and Property Unit - *Approved*
13. Four Way Stop Request at the intersections of Southwood Drive and Crestwood Drive. - *Consideration of this item was deferred.*
14. Road Ownership Transfer Request - *Approve the request for the city to assume ownership of the section of Washington Street from Wayne Street to Lincoln Street from the S.C. Department of Transportation. **Note:** This request is to facilitate a development on the southwest corner of Gadsden Street and Washington Street.* - *Approved*

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

Councilor Cromartie inquired about **Item 20.**

Mr. John Dooley, Director of Utilities and Engineering explained that they are adding a water main on a street. We thought the line was 6" all the way, but we found out that it's just 6" at the intersection and then it's a 1" line down at the balance of it. We've asked a contractor for the price to replace the 1" line with a 6" line all the way down.

Councilor Cromartie asked if this is a Mentor Protégé Project. If so, who are they?

Mr. John Dooley, Director of Utilities and Engineering said yes; Shady Grove and Clarence Scipio.

Councilor Cromartie asked if the protégé is automatically a part of the change order.

Mr. John Dooley, Director of Utilities and Engineering said yes; that is correct.

Councilor Devine asked if there could be a level of coordination with the State on **Item 16.** She noted that the State is resurfacing a lot of roads right now and people don't know who's doing the work. I am not sure if they are notifying people when they are doing work, but I received several calls about the resurfacing of River Drive.

Mr. Steven A. Gantt, Interim City Manager said that we have requested a schedule from SCDOT, but they are reluctant to tell us when they will be repaving streets.

Councilor Devine suggested that the City of Columbia distribute information regarding the projects.

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve **Items 15.** through **23.** with a single motion.

15. Council is asked to approve the Purchase of a Water Quality Logger (Monitoring Device) Associated with Stormwater Permit Stream Monitoring Compliance, as requested by Utilities and Engineering in the amount of \$11,803.93. *Funding Source: 5534201-638300 - Approved*
16. Council is asked to approve Project #SS6864; SCDOT Resurfacing of Roads within City Limits – Replacement of Manholes, as requested by Utilities and Engineering in the amount of \$57,031.00. *Funding Source: Sewer Improvement Fund 5529999-SS686401-658670 - Approved subject to the Public Relations Department drafting a Press Release to notify constituents of the ongoing road resurfacing projects that are underway by the South Carolina Department of Transportation.*
17. Council is asked to approve the Agreement for Improvements to the City's Longcreek Subdivision Sewer Pumping Stations #1, #2, and #3, as requested by the Engineering Department. Award to HPG and Company in the amount of \$61,660.00. This vendor is located in West Columbia, SC. *Funding Source: Sewer Improvement Fund 5529999-SS08301-636600 - Approved*
18. Council is asked to approve Project #SS7047; Sanitary Sewer Relocation at C.A Johnson Preparatory Academy, as requested by Utilities and Engineering in the amount of \$67,207.28. *Funding Source: Sewer Improvement Fund 5529999-SS704701-658670 - Approved*
19. Council is asked to approve Project #SD8323; Proposed Road Design and Storm Drainage Improvement along Gist, Gervais and Senate Street, as requested by Utilities and Engineering. Award to LAD Corporation, the lowest bidder in the amount of \$90,056.00. This vendor is located in Swansea, SC. *Funding Source: #SD832301-656200 – This is a Mentor Protégé Program Project - Approved*
20. Council is asked to approve Project #WM4109; Change Order #3; Water Main Construction along Atlantic Drive, Balsam Road and Bentley Drive, as requested by Utilities and Engineering. Award to Shady Grove Construction, LLC., in the amount of \$103,897.00. This vendor is located in Irmo, SC. *Funding Source: Water Improvement Fund WM410901-851500 – Approved. This is a continuing Mentor-Protégé Program project in conjunction with Clarence Scipio.*
21. Council is asked to approve Project #WM4125; Piney Grove Road Bridge Relocation, as requested by Utilities and Engineering in the amount of \$106,940.18. *Funding Source: Water Improvement Fund 5529999-WM412501-851500 - Approved*
22. Council is asked to approve the Purchase of Recapped Tires, as requested by the Fleet Services Division. Award to the lowest bidder of each lot in the total amount of \$244,494.95. *Funding Source: 6308970-672500 – Approved*

Lots 1, 2, & 5	Brady's	Mt. Airy, NC	\$35,086.40
Lots 3 & 7	Snider	Columbia, SC	\$150,787.00
Lots 4, 6, & 8	Consolidated	W. Columbia, SC	\$42,626.55
		Taxes	\$15,995.00
		Total	\$244,494.95

23. Council is asked to approve the Purchase of New Tires, as requested by the Fleet Services Division. Award to the lowest bidder of each lot in the total amount of \$263,173.77. *Funding Source: 6308970-672500 - Approved*

Lots 1,2,3,5,9,10,13,14,15,16,18,19,21,22,24&28	Brady's	Mt. Airy, NC	\$120,584.95
Lots 25 & 30	Snider	Columbia, SC	\$2,469.50
Lots 17,20,&29	Strategic	Greenville, SC	\$6,212.30
Lots 4,6,7,8,11,12,23,26,&27	Consolidated	W. Columbia, SC	\$113,306.85
		SC Waste Disposal Tax	\$3,620.00
		Taxes	\$16,980.17
		Total	\$263,173.77

ORDINANCES – SECOND READING

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to give second reading approval to **Items 24., 26. and 28.** with a single motion. The consideration of **Item 25.** was deferred until July 8, 2009. **Item 27.** was approved by a separate motion.

24. Ordinance No.: 2009-047 – Granting an encroachment to the Columbia Development Corporation for installation and maintenance of five pieces of public art in the flower beds within the right of way area of the 1200 block of Lincoln Street adjacent to The Blue Marlin (*Mr. Chip Land, Long Range Planner: Recommends approval*) – *First reading approval was given on June 3, 2009. – Approved on second reading.*
25. Ordinance No.: 2009-048 – (*Revised*) – 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 – *This ordinance is sponsored by Mr. E.W Cromartie II. - This item was deferred on May 6, 2009 and May 20, 2009. – First reading approval was give on June 3, 2009. - Second reading consideration was deferred until July 8, 2009, subject to Mr. Gantt scheduling a meeting with Mr. Cromartie and the Truckers Association.*
26. Ordinance No.: 2009-053 – Annexing 101 Pontiac Business Center Drive, Richland County TMS #25715-02-04 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) - **Note:** *This property falls within the City's primary service area. – First reading approval was given on June 3, 2009. – Approved on second reading.*
27. Ordinance No.: 2009-057 - Amending Ordinance No. 2007-071 Enacted On September 19, 2007, which authorized the Issuance and Sale of not exceeding \$12,135,000 general obligation bonds, series 2007, of the City of Columbia, South Carolina; deleting certain projects and include additional projects for which the bonds may be issued; and other matters relating thereto – *This item was deferred on May 20, 2009 – First reading approval was given on June 3, 2009.*

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted five (5) to two (2) to give second reading approval to Ordinance No.: 2009-057 - Amending Ordinance No. 2007-071 Enacted On September 19, 2007, which authorized the Issuance and Sale of not exceeding \$12,135,000 general obligation bonds, series 2007, of the City of Columbia, South Carolina; deleting certain projects and include additional projects for which the bonds may be issued; and other matters relating thereto. Voting aye were Mr. Cromartie, Mr. Davis, Ms. Devine, Dr. Gergel

and Mayor Coble. Voting nay were Mr. Rickenmann and Mr. Finlay.

28. Ordinance No.: 2009-058 – Authorizing the Interim City Manager to execute a Lease Agreement between the City of Columbia and South Carolina Research Authority for lease of the unopened of Park Street Right-of-Way Located North of the intersection of Park Street and Catawba Street – *First reading approval was given on June 3, 2009. – Approved on second reading.*

ORDINANCES – FIRST READING

29. Ordinance No.: 2009-055 – Annexing 121 Shop Road Extension, Richland County TMS #16200-04-18(*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – **Note:** This property falls within the City’s proposed secondary service area . - *Approved on second reading.*

Councilor Finlay said that this will only generate \$13,000 in new taxes. If 155 acres are built out industrial then I think it will generate significantly more money than that. I don’t think that 155 unimproved acres will generate \$237,000 in additional police costs. He told Mr. King that we are trying to accurately understand the cost of annexation, because it has profound costs on the departments you are supervising. This will be subdivided into 55 industrial tracts and I imagine that upon completion they will produce all kinds of revenue and if they aren’t developed then it won’t produce any costs. We are presented an apples and oranges comparison. I would ask that Mr. King be the liaison going forward. This is the type of development that we want to bring in, because we are going to get great tap fees; commercial property taxes; and this will be good for the City. But, if you read the staff recommendation, we are upside down \$225,000 the day we do it, but I don’t think that’s correct. Going forward, we need these types of annexations and we need a true understanding of police costs once the property’s totally built out, but we don’t need something that makes it appear as negative cash flow for us.

Councilor Devine asked Mr. Mylott to provide an estimate of what taxes would be on all annexations prior to and after build out.

Mr. Marc Mylott, Director of Planning and Development Services said that based upon the way in which the surrounding industrial properties have developed and on estimates applied to 55 built out lots, we are looking at \$85,000 on pure property taxes, excluding sales taxes, business license revenue, tap fees and water consumption. That is a conservative estimate based upon the way in which the area has developed.

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2009-055 – Annexing 121 Shop Road Extension, Richland County TMS #16200-04-18.

30. Ordinance No.: 2009-059 – Authorizing use of the first \$4,000,000.00 from sale of real property for the purpose of funding the City of Columbia’s obligation to the Central Midlands Regional Transit Authority in the amount of \$2,000,000.00 for FY 09/10 and \$2,000,000.00 for FY 10/11 by transferring such amount to the Hydro Fund when received – *Approved on first reading.*

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2009-059 – Authorizing use of the first \$4,000,000.00 from sale of real property for the purpose of funding the City of Columbia’s obligation to the Central Midlands Regional Transit Authority in the amount of \$2,000,000.00 for FY 09/10 and \$2,000,000.00 for FY 10/11 by transferring such amount to the Hydro Fund when received.

31. Ordinance No.: 2009-062 – An Ordinance authorizing the delivery of a Waterworks and Sewer System Revenue Bond (Junior Lien – Sewer and Water Administration, Maintenance and Storage Facility Project), series 2009, of the City of Columbia, South Carolina, for the purpose of acquiring certain Real Property; providing for the payment of the principal of the bond from the Net Revenues derived from the operation of the City's Waterworks and Sewer System; Delegating the authority to the Mayor and Interim City Manager to determine certain matters with respect to the bonds; authorizing the execution and delivery of various documents, including the contract of sale; and other matters relating thereto. – *Approved on first reading.*

Councilor Finlay asked Mr. Gantt to explain **Item 31**.

Mr. Steven A. Gantt, Interim City Manager explained that this will allow us to make the acquisition of property on Beltline Boulevard that will be used for the water and sewer maintenance facility in the future.

Mr. Ken Gaines, City Attorney further explained that the closing is scheduled for June 30, 2009; the first payment will be made out of this fiscal year's budget; under the bond we will make a payment during the next fiscal year; and the final payment will be made in the third fiscal year. The property is on the tax rolls for \$2.6 million and we are not paying any interest on the bond.

Councilor Cromartie asked that a meeting be scheduled with the Belvedere Neighborhood.

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2009-062 – An Ordinance authorizing the delivery of a Waterworks and Sewer System Revenue Bond (Junior Lien – Sewer and Water Administration, Maintenance and Storage Facility Project), series 2009, of the City of Columbia, South Carolina, for the purpose of acquiring certain Real Property; providing for the payment of the principal of the bond from the Net Revenues derived from the operation of the City's Waterworks and Sewer System; Delegating the authority to the Mayor and Interim City Manager to determine certain matters with respect to the bonds; authorizing the execution and delivery of various documents, including the contract of sale; and other matters relating thereto.

RESOLUTIONS

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve **Items A.** through **C.** with a single motion and as presented.

- A. Resolution No.: R-2009-035 – Authorizing consumption of beer and wine at Vista Bikes - *Approved*
- B. Resolution No.: R-2009-036 – Authorizing Condemnation for acquisition for the Rosewood South Edisto Park Project, 1914 Wiley Street, Richland County TMS #11212-16-03 – *Project appraised at \$17,500 - Funding Source: GL4039999/JLPK006601; This item was deferred on June 3, 2009 - Approved*
- C. Resolution No.: R-2009-039 – Authorizing purchase of approximately 0.89 acres (38,973.02 square feet) located on the s/s Summit Parkway, Richland County TMS #20314-01-03 (portion) for construction of the Genstar Water Tank Site in the Summit Subdivision, CIP Project #WM4136 from Summit Community Association Inc. *Funding Source: 5529999-WM413601/639900 - Approved*

**Councilor Devine requested that we add a segment for citizens to appear at the beginning of the meeting to address items that are related to the agenda. I would like for us to implement that starting with the first meeting in July if no one has an objection.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Ernest Stroman appeared before the members of Council to express concerns relating to Item B; the property at 1914 Wiley Street. I am a member of the family that owns the property and I am here asking you to reconsider the amount you are paying for that property. I don't think we are getting a fair deal for the property. I wrote a letter to Mayor Coble two weeks ago expressing my dissatisfaction. I understand that the City has already built something on it.

Mayor Coble asked the City Attorney to brief the Council on this matter in Executive Session. He asked Mr. Stroman for another copy of the letter. He also asked Mr. Stroman if the letter included a price.

Mr. Ernest Stroman said that the price wasn't included in the letter. The letter stated that I would like for you to consider another type of judgment for that property, but there's no set price.

Councilor Rickenmann asked Mr. Stroman if he is representing the entire family.

Mr. Ernest Stroman said yes; I am the family.

Councilor Rickenmann asked that we contact Mr. Stroman today, because there has obviously been a lack of communication and we don't want that to continue.

Councilor Cromartie noted that Mr. Stroman is a City employee.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 11:46 a.m. for the discussion of **Items D.** through **F.** as amended.

D. Discussion of negotiations incident to proposed contractual arrangements

- External / Internal Auditor

This item was discussed in Executive Session. No action was taken.

- **Mercer Group

*This item was discussed in Executive Session. Please refer to **Item I.***

E. **Discussion of employment of employee

This item was discussed in Executive Session. No action was taken.

F. **Receipt of legal advice as it relates to matters covered by attorney-client privilege

This item was discussed in Executive Session. No action was taken.

- **Council adjourned the Executive Session at 12:37 p.m.**

G. Stop Loss Insurance

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to authorize the City Manager to raise the Stop-Loss Insurance with Blue Cross Blue Shield from \$275,000 to \$350,000.

H. Fire Services Contract Extension

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to authorize the City Manager to execute the Fire Services Contract Extension.

- I. Council is asked to approve an Agreement to Hire an Executive Recruiter to Conduct a Search for a City Manager for the City of Columbia. Award to the Mercer Group, Inc. in the amount of \$15,000 plus expenses not to exceed \$8,000. - *Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve an Agreement to Hire an Executive Recruiter to Conduct a Search for a City Manager for the City of Columbia. Award to the Mercer Group, Inc. in the amount of \$15,000 plus expenses not to exceed \$8,000.

EXECUTIVE SESSION

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to reconvene the Executive Session at 12:38 p.m. for the discussion of a contractual matter.

- J. Discussion of negotiations incident to proposed contractual arrangements
- Canal Hydroelectric Plant

This item was discussed in Executive Session. No action was taken.

- **Mr. Davis and Mr. Finlay left the meeting at 1:10 p.m.**
- **Council adjourned the meeting at 1:23 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk