



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

The Columbia City Council conducted a Regular Meeting on Wednesday, November 4, 2009 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. Mayor Robert D. Coble called the meeting to order at 9:06 a.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine and The Honorable Belinda F. Gergel. The Honorable Daniel J. Rickenmann arrived at 9:08 a.m.; The Honorable Kirkman Finlay III arrived at 9:53 a.m.; and The Honorable E.W. Cromartie, II was absent. Also present were Mr. Steven A. Gantt, Interim City Manager and Ms. Erika D. Salley, City Clerk.

INVOCATION

Mr. Michael Letts, Chaplain for the Columbia Police Department offered the Invocation.

APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS

No one appeared at this time.

MINUTES

1. Minutes of April 1, April 8, April 15, April 22, and April 29, 2009

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve the Minutes of April 1, 8, 15, 22 and 29, 2009 with a single motion.

PRESENTATIONS

2. Introduction of the October 2009 Employee of the Month – Mr. Tandy Carter, Chief of Columbia Police Department

Police Chief Tandy Carter introduced Mr. Clyde H. Smith, Master Police Officer as the October 2009 Employee of the Month. He described MPO Smith as a superb employee that serves as the Computer Liaison for the Police Department. He is the go to person for all computer issues.

Mayor Robert D. Coble presented MPO Smith with a certificate and Mr. Steven A. Gantt, Interim City Manager presented MPO Smith with a token of appreciation for being selected as the October 2009 Employee of the Month.

3. Introduction of the November 2009 Employee of the Month – Mr. Bradley Anderson, Chief of Columbia Fire Department

Fire Chief Bradley Anderson introduced Mr. Steve Pittman, Station 3 Fire Engineer as the November 2009 Employee of the Month. He described Mr. Pittman as an electrical wizard that is called on to make many repairs in the Fire Department.

Mayor Robert D. Coble presented Mr. Pittman with a certificate and Mr. Steven A. Gantt, Interim City Manager presented Mr. Pittman with a token of appreciation for being selected as the November 2009 Employee of the Month.

4. 4th Quarter 2009 Business Spotlight Program Honoree – Mr. Ryan Coleman, Small Business Liaison

Mr. Ryan Coleman, Small Business Liaison introduced Argand Energy Solutions as the 4th Quarter 2009 Business Spotlight Program Honoree.

Mayor Robert D. Coble and the members of Council presented Mr. Chris Salmon, Co-Founder of Argand Energy Solutions with a proclamation for being selected as the 4th Quarter 2009 Business Spotlight Program Honoree.

5. Free to Breathe Lung Cancer Awareness Walk – Ms. Angie Bankhead Derrick, South Carolina Against Lung Cancer

Ms. Angie Bankhead Derrick, South Carolina Against Lung Cancer invited the members of Council to participate in the Free to Breathe Lung Cancer Awareness Walk on November 21, 2009.

Mayor Robert D. Coble and the members of Council presented a proclamation declaring November as Lung Cancer Awareness Month.

6. Cardiovascular Screening Project – Ms. Bonnie Greenwood, St. Jude Medical S.C., Inc.

Ms. Bonnie Greenwood, St. Jude Medical S.C., Inc. explained that free Cardiovascular Risk Surveys, Lab Tests to include PSA (Prostate Cancer Screen) and Diabetes (Blood Sugar Test), Blood Pressure, Carotid Screen (Ultrasound of Arteries to Evaluate Risk of Stroke) and Echocardiogram (Ultrasound of Heart to Assess How your heart pumps) screenings will be offered to all City of Columbia employees. The dates have not been established for this program.

There was a consensus of Council to ask Ms. Ray Borders Gray, Employee Wellness Campaign Coordinator and Ms. Greenwood to work with the Employee Insurance Committee and the Human Resources Department on this initiative.

7. WasteZero Presentation – Mr. Joseph W. Morris, Vice President of Business Development for WasteZero

Mr. Joseph W. Morris, Vice President of Business Development reported that WasteZero is a South Carolina based company that partners with municipalities to deliver programs that reduce waste going to landfills, improve recycling rates and generate revenue.

- **Mr. Finlay arrived at 9:53 a.m.**

There was a consensus of Council to direct Assistant City Manager S. Allison Baker, representatives of the Solid Waste Department, the Climate Protection Action Committee and a citizen representative to meet with Mr. Morris to explore any and all ideas related to the City's recycling program and the performance assessment and to make recommendations on an overall solution for consideration by City Council.

8. Joint Land Use Study (JLUS) – Ms. Liz Drake, Associate Principal of EDAW AECOM

Ms. Liz Drake, Associate Principal of EDAW AECOM presented the findings of the Fort Jackson and McEntyre Joint Land Use Study. The purpose of the study is to reduce the risk of encroachment and to protect a very critical economic engine for this community. She recommended that a special zoning overlay be added to six (6) areas within the City of Columbia, Richland County and Kershaw County in addition to nine (9) prioritized actions. The next steps are to finalize the report and to conduct additional community workshops.

The Council received the report as information. No action was taken.

CITY COUNCIL DISCUSSION / ACTION

9. September 2009 Community Promotions Funding Recommendation –The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee

The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee reported that the New Life World Ministries requested \$75,000, but we do not fund religious organizations. She recommended that the South Carolina Wildlife Federation receive \$2,000, subject to providing proof of other funding received.

Upon a motion made by Mr. Finlay and seconded by Mr. Rickenmann, Council voted unanimously to approve the Community Promotions Advisory Committee's recommendation to fund the South Carolina Wildlife Federation in the total amount of \$2,000, subject to the organization providing proof of other funding received.

10. Approval to Submit Request for Local Building Code Modification to South Carolina Building Code Council (*Staff Recommends: approval*) - Mr. Jerry Thompson, Building Official

Mr. Jerry Thompson, Building Official / Planning and Development Services Department explained that over the years our seismic maps have changed and they cut our counties in half making it very confusing. The General Assembly conducted a study to determine which seismic maps should be used and it was decided that if we remain in the seismic zone C it would be a lot less stringent. The Building Code Council would rather we obtain local approval for a code modification.

Upon a motion made by Mr. Davis and seconded by Mr. Finlay, Council voted unanimously to authorize staff to submit a request for a Local Building Code Modification to the South Carolina Building Code Council. The modification would base building code requirements upon the seismic hazard zone prescribed by the 2008 USGS map.

11. Landfill Contract – Ms. Melisa Smith Gentry, Director of Public Works

There was a consensus of Council to reschedule this matter for a brief discussion in December 2009 while reserving the City's right to extend the contract for a 90-day period.

12. Council is asked to approve the installation of three (3) Speed Humps on Jim Hamilton Boulevard between Airport Boulevard and Ott Road.

There was a consensus of Council to direct Mr. Brewer to schedule a meeting with the residents of the Rosewood, Rosewood Hills and South Edisto Court Communities and all industrial businesses within that corridor prior to Council's approval.

13. Business License Fees & Penalties – Ms. Brenda Kyzer, Business License Administrator – *This item was withdrawn from the agenda.*

14. Medical & Pharmacy Benefits Administration Proposals – Employee Insurance Committee

There was a consensus of Council to dispose of other agenda items prior to discussing the proposals for medical and pharmacy benefits administration.

- **Council recessed at 11:00 a.m.**
- **Council reconvened at 11:08 a.m.**

**There was a consensus of Council to revert back to using the consent agenda to approve items that are not contested and to place the consent agenda at the beginning of the agenda.

MAP AMENDMENTS – SECOND READING

- 14a. ****Percival Road NE of Antler Way**, TMS# 22713-01-01; rezone 1.3-acre portion from C-3-A (General Commercial) to RG-2 (General Residential) and rezone 1.16-acre portion from RG-1 (General Residential) to RG-2 (General Residential); TMS# 22713-01-20, -21: rezone from RG-1 (General Residential) to RG-2 (General Residential). – *This item was deferred on May 20, 2009. – First reading approval was given on October 7, 2009. – Approved on second reading.*

Ms. Nancy Behenna, Deer Lake Resident appeared before the members of Council to report that they did not meet with the developer as instructed by the City Council on October 7, 2009.

Mr. Ken Orman, Developer explained that they intend to put the detention pond in for a new homeowners association and not the existing one.

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to the *Map Amendment* for Percival Road NE of Antler Way, TMS# 22713-01-01; rezone 1.3-acre portion from C-3-A (General Commercial) to RG-2 (General Residential) and rezone 1.16-acre portion from RG-1 (General Residential) to RG-2 (General Residential); TMS# 22713-01-20, -21: rezone from RG-1 (General Residential) to RG-2 (General Residential).

CITY COUNCIL DISCUSSION ACTION

- 14b. ****Medical & Pharmacy Benefits Administration Proposals – Employee Insurance Committee**

Ms. Sharon Cunningham, Senior Consultant and Mr. David Runkel, PharmD / Senior Consultant for Towers Perrin reviewed the guiding principles that were adopted by Council in 2008 to provide direction for health plan decisions and to provide objectives for the medical and pharmacy Request for Proposals process. The Employee Insurance Committee recommends moving forward with Blue Cross Blue Shield of South Carolina as the City's medical vendor and Medco as the City's pharmacy (prescription drug) vendor. There is an estimated savings of \$2.4 million over a three-year period.

Upon a motion made by Mr. Rickenmann and seconded by Finlay, Council voted unanimously to direct staff to proceed with contract negotiations with Blue Cross Blue Shield and MedCo and to authorize the Interim City Manager to execute a letter of intent as the contracts are being finalized.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

15. Council is asked to approve a Contract for Vending Machines at the Charles R. Drew Wellness Center, as requested by Parks & Recreation Department. Award to South Carolina Commission for the Blind as the assigned vendor. **Note:** *The assigned vendor will be responsible to remit ten percent (10%) of gross vending sales to the City of Columbia for a 90 day period in which this amount will be paid to the Charles R. Drew Scholarship and Program Fund. After the 90 day trial period, the assigned vendor will evaluate the profitability of the facility and notify the City of Columbia within 15 days of any change in the monthly remittance in which the percentage will increase from ten percent (10%) to fifteen (15%). – Consideration of this item was deferred.*

Upon a motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to approve **Items 16.** through **22.** with a single motion.

16. Council is asked to approve Project #SS7099(6); Increase in Project Amount for Wexford Wastewater Lift Station Emergency Repairs, as requested by Utilities and Engineering. Award to McClam & Associates in the amount of \$15,881.73. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Improvement Fund 5529999-SS709906-851200 - Approved*
17. Council is asked to approve the Purchase of Motor Oil, as requested by the Fleet Services Division. Award to Dilmar Oil Company, the lowest bidder in the amount of \$22,213.20. This vendor is located in Columbia, SC. *Funding Source: 6308970-627200 - Approved*
18. Council is asked to approve the Contract for Temporary Personnel Services, as requested by Public Works. Award to Action Labor & Staffing Connection, the lowest bidder in the amount of \$35,000. This vendor is located in Columbia, SC. *Funding Source: 1014402-610700 – **Note:** This bid is for Leaf Season Personnel - Approved*
- 18a. ******Council is asked to approve the Grant for Digital Radio Upgrade for EOD Robot, as requested by the Office of Homeland Security. Award to South Carolina Law Enforcement Division (SLED) in the amount of \$60,909.95. This vendor is located in Columbia, SC. *Funding Source: 2009 Grant Award Letter – **Note:** The Grant Award is for \$60,000. Three options in reference to \$910.00 overage: 1) Sled can request Remote Tech to include taxes to Grant; 2) The City of Columbia can use their tax exempt number for this purchase only; 3) The City of Columbia can pay the additional \$910.00. - Approved*
19. Council is asked to approve Project #SD8333; Agreement for Miscellaneous Stormwater Services, as requested by Utilities and Engineering. Award to Brown and Caldwell in the amount of \$75,000. This vendor is located in Columbia, SC. *Funding Source: Stormwater Utility Fund 5549999-SD8333301-636600 - Approved*
20. Council is asked to approve Project #SS7067; 8” Extension and Rehabilitation along McRae Street, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest bidder in the amount of \$105,856.30. This vendor is located in Little Mountain, SC. *Funding Source: SS706701 – This is a Mentor Protégé Program Project - Approved*
21. Council is asked to approve Project #SD8299; Agreement for Reeder Point Branch Stream Restoration, as requested by Utilities and Engineering. Award to Woolpert in the amount of \$127,204.00. This vendor is located in Columbia, SC. *Funding Source: Stormwater Utility Fund 5549999-SD829901-636600 - Approved*

22. Council is asked to approve the Agreement for relating to Fishway Prescriptions Contained in FERC Renewal License for the Columbia Hydro Plant, as requested by Utilities and Engineering. Award to SCE&G in the amount of \$200,000. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund 5529999-WM416702-636600 - Approved*

MAP AMENDMENTS – SECOND READING

23. **Percival Road NE of Antler Way**, TMS# 22713-01-01; rezone 1.3-acre portion from C-3-A (General Commercial) to RG-2 (General Residential) and rezone 1.16-acre portion from RG-1 (General Residential) to RG-2 (General Residential); TMS# 22713-01-20, -21; rezone from RG-1 (General Residential) to RG-2 (General Residential). – *This item was deferred on May 20, 2009 – First reading approval was given on October 7, 2009. This item was approved on second reading. Please refer to **Item 14a**.*

ORDINANCES – SECOND READING

24. Ordinance No.: 2009-032 – Granting encroachment to Arnold Construction Corporation for installation and maintenance of landscaping, an irrigation system, driveway, patio, guard rail, electrical service lines and a dumpster pad within the right of way area of the 700 block of Washington Street adjacent to their building at 1331 Gadsden Street – *Approved on second reading.*

Upon a motion made by Mr. Finlay and seconded by Ms. Devine, Council voted unanimously to give second reading approval to Ordinance No.: 2009-032 - Granting encroachment to Arnold Construction Corporation for installation and maintenance of landscaping, an irrigation system, driveway, patio, guard rail, electrical service lines and a dumpster pad within the right of way area of the 700 block of Washington Street adjacent to their building at 1331 Gadsden Street.

ORDINANCES – FIRST READING

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to give first reading approval to **Items 25.** through **D.** with a single motion.

25. Ordinance No.: 2009-068 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 2, Building Code, Sec. 5-51, Adoption; conflicting provisions – *Approved on first reading.*
26. Ordinance No.: 2009-069 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Building and Building Regulations, Article II, Building and Technical Codes, Division 8, Sec. 5-171, Adoption; conflicting provisions – *Approved on first reading.*
27. Ordinance No.: 2009-070 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 9, Fire Prevention and Protection, Article IV, Fire Prevention Code, Sec 9-61, Adoption; conflicting provisions – *Approved on first reading.*
28. Ordinance No.: 2009-071 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 3, Gas Code, Sec. 5-71, Adoption; conflicting provisions – *Approved on first reading.*
29. Ordinance No.: 2009-072 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 6, Mechanical Code, Sec. 5-131, Adoption; conflicting provisions – *Approved on first reading.*

30. Ordinance No.: 2009-073 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 4, Plumbing Code, Sec. 5-91, Adoption; conflicting provisions – *Approved on first reading.*
31. Ordinance No.: 2009-074 – Amending Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Building and Building Regulations, Article II, Building and Technical Codes, Division 7, Property Maintenance Code, Sec. 5-151, Adoption; conflicting provisions – *Approved on first reading.*
- A. Ordinance No.: 2009-075 – Amending the 1998 Code of Ordinance of the City of Columbia, Chapter 5, Article II, Building and Technical Codes, to add Division 9, International Residential Code for One- and Two- Family Dwellings, Sec. 5-191, Adoption; conflicting provisions – *Approved on first reading.*
- B. Ordinance No.: 2009-076 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 5 Electric Code, Sec 5-111, Adoption; conflicting provisions – *Approved on first reading.*
- C. Ordinance No.: 2009-111 – Granting an encroachment to Emi Ohta for installation and maintenance of vinyl fencing adjacent to her property at 422 South Ravenel Street, Richland County TMS #13801-04-16 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *Approved on first reading.*
- D. Ordinance No: 2009-112 – Granting an encroachment to Charles T. Overturf and Christine Overturf for installation and maintenance of landscape timbers adjacent to 3300 Prentice Avenue, Richland County TMS #13801-04-01 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *Approved on first reading.*

RESOLUTIONS

- E. Resolution No.: R-2009-083 – Resolution appointing Assistant City Manager Allison Baker as City Chaplin for the purpose of giving or arranging for the giving of invocations at City Council meetings – *Consideration of this item was deferred.*

There was a consensus of Council to defer approval of this item until November 18, 2009 and to direct the City Attorney to determine if the members of Council can offer the invocation.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Finlay, Council voted unanimously to approve **Items F.** and **G.** with a single motion.

- F. Resolution No.: R-2009-085 – Authorizing Acceptance and Dedication of Streets known as Rosewood Hills Drive, Oceola Street, South Bull Street and South Pickens Street in Rosewood Hills Subdivision to the City of Columbia; Richland County TMS #11212-01-01 and TMS #11212-02-01 (Portion); CF #284-05 - *Approved*
- G. Resolution No.: R-2009-086 – Authorizing the Interim City Manager to execute an Energy Performance Contract between the City of Columbia and Ameresco, Inc. - *Approved*

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

Upon a motion made by Mr. Rickenmann and seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 12:07 p.m. for the discussion of **Items H.** through **K.** as amended.

- H. Discussion of negotiations incident to proposed contractual arrangements
- Burnside Property
 - In-House Medical Clinic

These items were discussed in Executive Session. No action was taken.

- I. Receipt of legal advice which relates to matter covered by attorney-client privilege.
- Canal Hydro Plant Generation Credit
 - McKesson

These items were discussed in Executive Session. No action was taken.

- ****Redevelopment Plans**

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

- J. Receipt of legal advice which relates to a pending, threatened or potential claim.
- Moroz v. City, et. al - Conflict waiver
 - Gregg Street Tree Claim

These items were discussed in Executive Session. No action was taken.

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

- **Mr. Finlay left the meeting at 1:05 p.m.**
- **Dr. Gergel left the meeting at 1:08 p.m.**
- **Council adjourned the Executive Session at 2:08 p.m.**

CITY COUNCIL DISCUSSION / ACTION

- L. ****Columbia Renaissance Redevelopment Plan & InnoVista Redevelopment Plan**

Upon a motion made by Mayor Coble and seconded by Ms. Devine, Council voted unanimously to defer the public hearings for the Columbia Renaissance and InnoVista Redevelopment Plans, which was originally scheduled for November 18, 2009 until February 4, 2010 and to instruct the attorneys to prepare the necessary notifications.

- **Council adjourned the meeting at 2:09 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk