

**CITY OF COLUMBIA
WORK SESSION MINUTES
AUGUST 12, 2009 – 9:00AM
CITY HALL - 1737 MAIN STREET**



The Columbia City Council met for a Work Session on Wednesday, August 12, 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 9:09 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 Kirkman Finlay III and The Honorable Belinda F. Gergel. The Honorable Daniel J. Rickenmann arrived at 10:22 a.m. Also present were Mr. Steven A. Gantt, Interim City Manager and Ms. Erika D. Salley, City Clerk.

CITY COUNCIL DISCUSSION / ACTION

1. **Palmetto Health “Women at Heart” Resolution – The Honorable Tameika Isaac Devine

Upon motion by Ms. Devine, seconded by Dr. Gergel, Council voted unanimously to pass a voice resolution endorsing a collaborative partnership between the City of Columbia and Palmetto Health in implementing the 2009 Palmetto Health Women at Heart Forum and Exhibition.

2. Responses to the Performance Assessment Request for Qualifications – Mr. S. Allison Baker, Assistant City Manager for Public Services

Mr. S. Allison Baker, Assistant City Manager for Public Services explained that the Council will be hearing presentations from the organizations that will be looking to complete a performance assessment on our departments or those departments selected by Council. Today, we are asking them to introduce their companies; provide a comparable municipality experience; outline the methodology to be used; explain the benefits of their particular approach; and talk about their price schedule.

Councilor Finlay said that this is a tacit acknowledgement that there are additional deficiencies that we should be able to realize from the City's operation. That means that there will be action items and ideas that will save a percentage of the budget. We really need to ask ourselves if we are going to be willing to move forward with this, because it is going to require us to embrace the plan. We need to be certain that we as a Council are willing to undertake some very hard decisions. In today's environment we are under pressure to move quickly. I am wholeheartedly in favor of an efficiency report if once we do it, we embrace it.

Councilor Gergel said that it is her expectation that the Council would take this study very seriously and that we look at every recommendation. It is my expectation that we will be made more efficient as a result of this.

Councilor Devine said that Mr. Finlay's point is just that it's no sense in wasting people's time if we're not going to do the recommendations. That was the comment I made when I presented this idea. The recommendations will come and we will have to make some tough decisions. Not every recommendation will be something that we will accept.

Mr. Jim Mercer, The Mercer Group / Project Manager and Senior Consultant said that their firm handles a variety of management consulting in addition to executive recruiting. We are a corporation based in Atlanta with 20 offices nationwide and 30 professionals in our firm. Many of those professionals either came out of large management consultant firms or they are former local government managers. We specialize in management consulting for local governments and we have a large number of successful management consulting assignments. Mr. Mercer outlined many comparable experiences and the efficiencies gained by their clients. The project objectives are to evaluate existing departmental functions and procedures; benchmark findings against comparable organizations; develop a strategic action plan for improvement and cost savings; and create a framework for measuring progress towards the new goals. We are proposing a comprehensive performance assessment of the Police and Homeland Security; Fire; Public Works; Parks and Recreation; and Information Technology Departments, as identified by the City of Columbia. We will develop a strategic action plan and create a framework for measuring progress towards that plan. We recommend a methodology that would include consultants of our firm working in conjunction with city officials. There would be an understanding among department directors and yourselves about the rationale for our recommendations and we will leave behind a residual capacity to implement the recommendations. We are proposing both a strategic and tactical approach by looking at the missions and services of each department; the mandates on those departments; strategies they are currently employing to achieve that mission; how they are organized; and what resources they are utilizing. We would also look at the tactics to achieve the mission; the processes and systems used; methods and procedures used; the flexibility of the approaches being used; and how performance is being measured. We will develop performance measures for the departments; we will develop a final report; and make a presentation. The work plan is to collect and review data that currently exists; apply several diagnostic instruments; conduct site visits, interviews and focus groups; execute a SWOT analysis and make experienced observations; benchmark the departments against best practices and national standards; develop an analysis of our findings; discuss alternatives with a steering committee; prepare a preliminary report; develop our findings and recommendations; and assist the City in developing a strategic plan to implement our recommendations. The first phase of the project is strategies for service level and controllable cost. The second phase would be benchmarking, the development of a strategic plan and performance measurement. He presented a local government strategic planning model, which was developed over a number of years and tested in different applications. The expected results include direct cost savings; improved productivity; future cost avoidance; a streamlined and focus organization; alignment of a strategic plan with performance measures in place; and increased employee commitment to the organization. Without having an opportunity to talk with department directors, we estimate that this project can be done over a six (6) month period of time. We ask for flexibility to negotiate a time frame to meet the needs of the City. Based on our understanding of the scope of this project, our fees and expenses will be divided into three (3) categories: \$175,000 for a reconnaissance study done in phases; \$285,000 for a more detailed, in-depth study; and \$225,000 for a mixture of the two (2) approaches.

- **Council recessed at 10:21 a.m.**
- **Mr. Rickenmann joined the meeting at 10:22 a.m.**
- **Council reconvened at 10:22 a.m.**

Ms. Angela Robinson, Equa Terra, Inc. / Project Advisor introduced herself as a native of Orangeburg, South Carolina. This corporation not only looks at the client; we look at the community; and how we can impact the City of Columbia's community. We do that by engaging the local workforce. We want to rev up the economy of Columbia by securing local advisors.

Mr. Scot Armstrong, Equa Terra, Inc. / Global Managing Director of Enterprise Systems / Project Manager explained that EquaTerra was founded in 2003. We provide business advisory services to include strategic assessments; outsourcing advisors; and oversight for large program initiatives. We have been identified by the Black Book of Outsourcing and other sources as the number one overall advisor globally in these types of services. Our headquarters are in Houston, Texas, but we are a virtual company in that all of our resources don't work out of office locations; we work from home offices and we travel extensively. We leverage resources in the places where we establish work and we try to hire people locally. We have engagements across the globe with 300 advisors; we've completed over 2,000 successful advisory projects; we've overseen a total contact value of \$300 billion. He provided an overview of the project team, noting that they are completely independent. If we come in and identify an opportunity to do something strategically, we won't be the ones performing that work; we will help you find the right person to do it. Everything we focus on is about making it quantitative. He provided a listing of a number of their clients by industry, noting that they were ranked number one for public sector advisory services in the United States, as well as globally. Mr. Armstrong presented a listing of comparable municipality experience for the extensive network of resources across all of EquaTerra. The performance assessment utilizes an activity based costing technique. It allows us to move away from hypotheticals. We can show what it costs you to perform all of the processes that you perform; what it cost to provide the services you provide; and how you compare to other municipalities. This allows us to identify potential inefficiencies and provides us with a mechanism for demonstrating opportunities that we've implemented to remove some of those inefficiencies for other municipalities. Our approach begins with a performance assessment that leads to a comprehensive document, which outlines our strategic objectives with dollars behind everything that we put on paper. We will then help with structuring the way you source things. From there you go into implementation and optimization. The focus of our efforts is strategy where we effectively prepare; collect documentation; assess your current situation; and identify future strategic objectives. He presented a graphic of Activity Based Costing (ABC) tools, which demonstrates the fact that processes range depending upon how much time your people put into them. This is typically based on how good their systems are; how good their knowledge is around that system; how well they are trained; and a lot of different factors. We can draw that out as part of the analysis we conduct and identify the items that are truly inefficiencies in these processes. By removing the inefficiencies, we can then begin to identify solutions that will mitigate those inefficiencies and will create strategic objectives for you to help improve how you are doing things as an operation. Because it uses activity based costing, the cost of the processes and the inefficiencies are quantifiable. It will tell you the true story of how things really look and it's going to give you options in terms of how you want to address that. Lastly, it puts you in a really good position to assure your success. This is a bottom up approach, which is also good for your staff, because you are building the need for change from the bottom up, department by department. We can bring to the table requirements for any application you might want to look at in comparison to the systems you have. We will have examples of standard operating procedures, policies and challenges we've seen in other municipalities. We believe that this project will take about eight (8) or nine (9) weeks in time and lead you to a point where you will have a strategy in hand by mid-October to take action on. It is my experience that a large portion of the savings or revenue generation that might be available is something that has to built upon; however, 10% to 25% of the overall benefit can be realized almost immediately. Our fee structure is a fixed fee of \$186,720.

- **Council recessed at 11:32 a.m.**
- **Council reconvened at 11:36 a.m.**

Dr. Fred Seamon, MGT of America, Inc. / Senior Partner said that even if you have not experienced two (2) years of budget overspends like you are confronting, you will still have significant challenges related to resources and services. We help organizations deal with those challenges related to resources and services, because resources are finite. We are a national management consultant firm, head quartered in Tallahassee, Florida. We have been around for 34 years with offices in four (4) states and we do work all over the country with 130 full-time professionals. We've completed over 3,000 projects around the country. The first contract we were awarded was with the South Carolina Department of Higher Education. We conducted the City of Columbia's disparity study and compensation and classification study. He introduced the project team, noting that they keep their commitments to clients. He cited their prior experiences adding that they looked at strengths and weaknesses in basic operations; ways to leverage talent and resources in each project; and ways to identify, prevent and avoid organizational insanity. The common thread in each study is that we looked at structure, operations, process and systems and opportunities to reduce cost; improve service delivery; and help those organizations change the way they do business. We spend time with the folks that actually do the work; we look at how they do the work; what they bring to the table in terms of knowledge, skills and ability to do the work; the process they use; and the policies, procedures and practices that are in place. We also benchmark against other cities and best practices as a way of developing comparisons.

Mr. Reggie Smith, MGT of America, Inc. / Team Leader explained that he has over 17 years of state experience; he is the Bureau Chief for the Department of Health and Rehabilitative Services, which is the largest agency in the State of Florida for social services; and he's held various administrative positions throughout his career. We fully understand the requirements of your RFP; we understand that you want to improve citywide performances; you want to operate more efficiently; and you need to concentrate on streamlining and simplifying operations. In order to get to the efficiencies you are looking for, you must conduct workflow analysis, workload analysis and map out the different major processes for each department. We will do an evaluation of your management and business processes. We will identify strengths for each department that we review as well as weaknesses. We will identify inefficiencies which include unnecessary work steps; duplication of efforts; functions that can be outsourced; cost saving opportunities; we will conduct peer analysis and benchmarks; we will look at performance standards and measures to determine the level you are currently operating; and develop recommendations for improvement. All of this will improve your budgetary standing. We also understand your scope of services and as we go through our process we will help identify appropriate alternatives for opportunities of improvement. We will work with you to determine which cities you feel are peer to the City of Columbia and then we will conduct our benchmarks and interviews. Based on our experience throughout the country, we have the working knowledge to be able to look at reliable analysis and produce comparisons for recommendations. We will develop a strategic action plan for improvement and cost savings and our implementation plan will be developed when we conclude the study. We will make recommendations on who should be in charge of seeing a particular recommendation through. We will give you cost saving figures. Sometimes, we make recommendations for improvement that will cost and we will show those along with a timeframe for implementation. We will assist in monitoring and measuring performance, based on that.

Ms. Suzanne Bradford, CPA, MGT of America, Inc. / Project Director said that she started her career in banking and from there she went to city government in Austin, Texas in the Special Projects Department. She explained that one of the most important steps in their processes is the project initiation phase wherein we set the tone; discuss the scope, work

plan, timelines, your expectations and how we can meet those expectations. We will assist you with notifying employees that we are doing this study; communication is really important. It is during this phase that we determine who the City's main contact for the project will be so that we can establish a relationship; find out what kind of status reports you want to see; how often you want to receive the status reports; and a lot of other preliminary planning goes into the project initiation phase. We pride ourselves in flexibility; we are very structured, but we have to be flexible. We look at your work processes; we meet with your people; and we ask them what they want to measure. They know their weaknesses, they know their strengths and they want to see what other cities are doing in certain areas. We like to make very detailed recommendations to include implementation steps, timelines and budgets. We consider how this impacts the entire organization. We review a lot of data; the City will have to produce a lot of data. We first look at your website to see what's available there. We prepare a data inventory that lists what we've asked for; what we've received; and who on our team is actually using that data. This helps us to make sure that we don't have duplicate requests for information and it helps me to be able to support my team's findings, recommendations and fiscal impacts. We also use a data portal to store data and it can be accessed by the client. My primary role is communicating and coordinating with the client. I also see my role as helping my team members do the best job that they can do. As project manager, I review any deliverable that is submitted by a team member. I am charged with ensuring that the report looks and sounds consistent. A diagnostic review is a high level review that helps us to focus on where the real problems are. We make use of prior studies, surveys and reports. She said that audits are good for basic information and we use them to determine if there are repeat findings, if you addressed the findings and how you addressed the findings. We have found that it is helpful to have the client draft an introductory letter to the City Managers of their peer cities to explain what we are doing. It helps open the door for us and we offer to share the benchmarking survey with the peer cities, if they choose. Our consultant team is comprised of senior staff with prior city government experience. We have a large team to draw from if we need more expertise or analytical support. We prepared an initial work plan: task one is to initiate the project; task two is to develop preliminary profiles of the departments being reviewed; task three is to select your peer group; we have selected Tallahassee, Florida; Beaumont, Texas; Charleston, South Carolina; Abilene, Texas; and Savannah, Georgia as your peers based on the demographics and we will make sure that the City is agreeable with the selected peers; task four is where the team comes on site, we talk to your employees, we hold focus groups, we do ride-a-longs with your police; and then we will prepare the draft report and the final report.

Mr. Reggie Smith, MGT of America, Inc. / Team Leader said that they are a public sector management consultant and research firm. We work with city and county governments all over the United States. We've seen the good, the bad and the ugly as it relates to city and county government operations. We have a national reputation for doing this. We've done this before; we have a proven methodology for doing this. We have a proven record of helping clients change the way they do business. Some 70% to 80% of our business comes from repeat clients and in the consulting world that is very significant. We understand the realities of running and managing a city; we've trained city and county managers. We are very interested in conducting this project for the City of Columbia. Our price is \$156,794.00.

Ms. Suzanne Bradford, CPA, MGT of America, Inc. / Project Director explained that it typically takes four to six months to complete a review like this, but it is negotiable and we work as best we can to meet your needs.

- **Council recessed at 12:20 a.m.**
- **Council reconvened at 12:28 a.m.**

Mr. Michael H. Walker, Principal / Berkshire Advisors, Inc. explained that they are a small general management consulting firm. We do efficiency studies for local governments; virtually all of our work is for public sector organizations to include school districts, local governments and state governments. We help local governments make effective use of their resources. We've learned over the years that bad consulting is when you come up with the right answer, but you can't implement it and good consulting is when you come up with a solution that is supported by facts and is capable of being implemented in the environment that you're working in. That's important in terms of how we structure our project teams. We have people who are full-time consultants and we also have people that are practitioners. Having a mix of people on the team really ensures that the quality of our work is maintained. We have a team that's going to be very good at getting you the right answer in terms of the analytics of the process. We study more police and fire departments than anything else, because that's where cities spend their money and have concerns about whether they are getting value for their resources and if they are providing the level of services needed by the citizens. He said that they study up to seven (7) police departments over the course of a year. It seemed to us that you want more than just a study that says here are the opportunities that you can follow to improve the efficiency and effectiveness of operations right now, but also you are looking for a plan to help you maintain a focus on ensuring that your operations are efficient and effective in the long term. We want to give you recommendations to help you improve your efficiency now, otherwise, the project is a failure but in the long term it's going to be a failure if it doesn't provide the foundation for improving efficiency and effectiveness. First, we have to look at how things are done now; can we do them better; are there ways to be more efficient and effective. Second, you have to make a compelling case for change; how do you get people to be focused on change over the long term and accept the change that is needed, because change is hard. We have to consider the barriers to change that you need to overcome and take a systemic approach to deal with those issues. We will also leave you with all of the tools and techniques that we used to do the work so that you don't have to hire another consultant in three years to do an analysis; you can do it yourself. You have to develop a performance management system that encourages your department heads to think about how they are operating and how they can change in the future. To improve efficiency now we will look at the services being offered and at what level. Those are the primary drivers of the cost of operation. How are those provided? Can we do it more efficiently and effectively? Who provides the services? Are we better off continuing to provide the service in-house or can we look to shared service arrangements with other facets of local government or private sector entities? When we start the engagement, we will develop an inventory of all of the programs and functions that each department provides and attempt to categorize them as primary, secondary or supplemental. We will also look to see if there are things that you are doing that you don't need to be doing anymore. We are going to work with a steering committee to define the level of service you want to provide. Is it more expensive to provide faster response times for law enforcement? We want to understand what your expectations are for service and the modeled relationship between service and cost so that you understand what it cost to improve service and what savings would result if you said that we can't afford to provide the same level of service anymore. Sometimes you will find that you spend a lot of money providing incremental services that aren't valued by the citizens. In other cases, you can substantially increase services that our valued by the citizens by making a small investment. What services should be offered? Should we be making changes in those services? And if we change the level of service, what would the cost implications be. There is a perception that the number of people within a department can't change. You have to match skills with needs. You have to look at scheduling and deployment; having more people than necessary increases cost without improving service. He said that specialization is another issue; there are some functions where it is cost effective to have a specialist do the work and in other places it drives up your cost. For example, there is no reason that your in-service crews can't do fire inspections, but there is a perspective that because their job is to go out and fight fires, we don't need to do these other things. Over the years we've learned that these

are the key drivers of cost and service. When you think about privatization and shared service delivery, there's often a lot of heat and not much light that goes on in those discussions. There is an ideology that people think that everything should be privatized and some people think that nothing should be privatized; and our view is that there are times where even if you are extremely efficient as a local government, you're not going to be able to perform as well as a private firm that has an economic scale that you can't leverage. You have to consider what role you want your department to play. Do you want the Parks and Recreation Department to deliver services or to ensure that all our citizens have access to services? You don't want duplication, if there are other providers in the community; you want to fill in the gaps and we would look at the services being provided, where they are provided and if there are ways to leverage resources more effectively. We will have a narrative associated with the recommendations so that people can read it and understand why the change is proposed and how things will be better. It has to be supported by rigorous analysis; you have to make sure that your answers are correct and practical. We will provide examples of where other jurisdictions have done it. You have to think systemically about change. We will think about implementation on day one and the barriers that we will have to overcome. The steering committee will give us guidance on operations and ensure that we don't miss things. We would be happy to meet with Council members at the beginning of the study and it is also helpful to meet with Council members during the middle of the study, because we will then have a better understanding of what the issues are. We have been doing this for many years and we'd like to think that we have improved and refined our approaches and tools for doing this work. Our work plan is divided into fourteen (14) phases. We will schedule drop-in sessions for community leaders.

Ms. Maureen Costello-Shea, Berkshire Advisors, Inc. explained that they typically develop an online survey tool that asks questions of employees in each department; it allows every employee to give input into the study. We ask the employees that we interview in each department for their thoughts and ideas. Our approach is to interview and conduct fact finding at every level in the organization.

Mr. Michael H. Walker, Principal / Berkshire Advisors, Inc. continued to explain that they consider how the issues look from the employee's perspective; how the issues look from the community's perspective; and how the issues look from the management's perspective, while remembering that you must have a sound rigorous and analytical basis on the recommendations. We hope that this is the first stage of an ongoing process to make sure that focus on cost becomes a part of how you do business in Columbia. We will track a lot of best practices and benchmark information, but we want to tailor that information to your needs. The measure isn't how many cops you have per 1,000 population; the measure is how many crooks you have. A city with more crooks, incidents and activities need more police officers than cities that have less crooks, but that city may be of similar size. We will base our staffing recommendations on the level of service that you want to provide. Our approach is balanced and will show you what you can do to build on your strengths. The price to conduct this study is \$224,500, which sounds like a lot of money, but we are also talking about more than 1,500 consulting hours. It is costly because we have to talk to a lot of people and there are no shortcuts to doing this work correctly or you will end up with recommendations that aren't quite right. The price brings you through the report stage and it doesn't include any ongoing implementation assistance. It takes four (4) to five (5) months to conduct the study. We can begin within a couple of weeks of you telling us that you would like for us to start.

These reports were received as information. No action was taken.

- **Council recessed at 1:17 p.m.**
- **Council reconvened at 1:34 p.m. in the second floor conference room.**

3. City Job Fair Sponsorship – The Honorable Mayor Robert D. Coble

There was a consensus of Council to participate in a Job Summit to highlight the jobs and economic opportunities in the City of Columbia.

4. [Columbia Police Department's Use of Force Policy \(Tasers\)](#) – Mr. Tandy Carter, Chief of Columbia Police Department

Mr. Tandy Carter, Chief of Columbia Police Department reported that they are required to do an analysis on use of force every year and every three years. Over the last four (4) years, the Columbia Police Department had 277 uses of force; and they have made 33,500 custodial arrests.

Councilor Devine asked how he got the number 277.

Mr. Tandy Carter, Chief of Columbia Police Department explained that every time there is use of force they have to complete a complaint form.

Councilor Cromartie asked what is considered as use of force.

Mr. Tandy Carter, Chief of Columbia Police Department said that includes the use of hands, a baton, OC spray or a weapon.

Councilor Devine asked if it is a self-reporting use of force.

Mr. Tandy Carter, Chief of Columbia Police Department said yes; officers are required to do it by policy; there is a chain of command; and it always ends up on my desk. They are required to report it and there is discipline if they don't. He reported that 60% of the time that officers used force, they have used weaponless force, meaning that they used their hands in a forceful manner. He reported that 55% of the time they used their hands; 25% of the time they used OC spray; and they pulled their weapon out and used it nine (9) times.

Councilor Gergel asked under what circumstances they pull a weapon out.

Mr. Tandy Carter, Chief of Columbia Police Department explained that it's when they feel that their life has been threatened or someone else's life has been threatened. They have the authority to shoot their weapons in defense of themselves and others. You all should be interested in the number of complaints generated from the 277 instances that they've used force. We had a total of 25 complaints in four (4) years from officers using excessive force. For example, a gentleman came in and said that he was stopped in Five Points and thrown against a car; that's a complaint.

Councilor Devine asked if all 25 complaints were already self reported by the officers.

Mr. Tandy Carter, Chief of Columbia Police Department said that the complaints are made by the citizens, not by the officers.

Councilor Finlay used an example wherein a male and a female were roughed up by the cops, but there was no record in the Police Department. They laid hands on him and put him in a choke hold. Isn't that a use of force?

Mr. Tandy Carter, Chief of Columbia Police Department said that there was a use of force complaint made by the officer and a complaint was subsequently made by the person.

Councilor Finlay said that he never heard that the officer acknowledged using force on that individual. If two individuals are involved and two officers take part in the arrest, is that one use of force or two.

Mr. Tandy Carter, Chief of Columbia Police Department said that is one use of force, because they are putting it all together. Everybody that is a part of that use of force puts a supplemental statement together.

Councilor Finlay asked if that occurred after the complaint or before the complaint.

Mr. Tandy Carter, Chief of Columbia Police Department said before the complaint, because the officers have to report or they will be discharged.

Councilor Gergel asked if there was an occasion when someone complained about the use of force that you or the department was not aware that force had been used.

Mr. Tandy Carter, Chief of Columbia Police Department stated that a complaint can be made by a citizen by sending an e-mail, writing a letter or in person. If I get a complaint of use of force I must have the person come in and make a statement so I can verify that statement and then the complaint starts.

Councilor Devine said that she wants to make sure that we don't have instances where officers aren't self reporting and if it weren't for the fact that the citizen filed a complaint, we would have never known that. Do you feel comfortable that all of the reports are being made as they are supposed to?

Mr. Tandy Carter, Chief of Columbia Police Department said I do and I want to assure you that I do. I wasn't here the first four years; I've been here the last 15 months and every time they use force based on our policy, it is reported by an officer, because we have to do a use of force form. I also have to review it; I am the last person in the chain of command to review it.

Councilor Davis asked if we are able to track instances where reports are not filed. We get complaints about things that occurred in the community, but the responding officer did not do a report.

Mr. Tandy Carter, Chief of Columbia Police Department said that is a difficult question. We track what is known to police.

Councilor Finlay asked if anyone made up a complaint about police brutality out of 33,000 arrests.

Mr. Tandy Carter, Chief of Columbia Police Department said yes.

Councilor Finlay asked how that would be consistent. What if someone is arrested and there is no display of force; the officer wouldn't self report.

Mr. Tandy Carter, Chief of Columbia Police Department said that our policy determines when an officer has to report; you have to be able to meet every detail for all the situations.

Councilor Finlay said that he can't believe that out of 33,000 arrests nobody has made a totally unfounded report of excessive force. How does that fall in the category with the 25 or the 277 instances?

Mr. Tandy Carter, Chief of Columbia Police Department said that it happens occasionally, but he doesn't have those numbers.

Councilor Cromartie said that based on what the members of Council are hearing they don't feel that this information is accurate.

Mr. Tandy Carter, Chief of Columbia Police Department said that they can't make this information up; they have to support it; and it is verified every three (3) years for reaccreditation.

Mayor Coble asked if the policy on Tasers is the national standard.

Mr. Tandy Carter, Chief of Columbia Police Department said that it has been approved by the Legal Department and it was compared with the national standards.

Councilor Devine asked how this policy compares to Richland County.

Mr. Tandy Carter, Chief of Columbia Police Department said that he doesn't know if Mr. Cooper looked at Richland County, but he did look at Charlotte, NC and Shelby, NC.

Councilor Devine said that she is okay with the Tasers. My concern is about the use of less than lethal force. It seems vague to me and I am wondering if you compared this to what other cities have done. We should be more specific on that. She used the example of an officer allegedly pulling a man out of a wheelchair. Is that an acceptable use of force? This is saying that police officers are authorized to use force to protect themselves, to restrain or subdue somebody or bring an unlawful situation safely and effectively under control. I want to make sure that when we get sued that we have something in our policy that specifies when it is appropriate to use less than deadly force. The policy on weapons is real clear; this is a good policy, but when you are not using a weapon you get on a slippery slope. We need something compatible to what other departments have done.

Mr. Tandy Carter, Chief of Columbia Police Department said that he feels very comfortable with this policy. The Tasers are even easier, because we are buying high dollar Tasers that have cameras on them and audio. Even if you don't use it, it's recording and providing adequate documentation.

Councilor Davis said that there is a difference between force and arrest. I am concerned about the human factor. I don't trust Tasers and I don't trust people using them. I don't want to send the officers out there unprepared. I will go on record voting for this, but I don't concur with it, because the perception is negative. As policy makers we are in the same basket, if we screw up that means that the Police Department screws up and vice versa. I am concerned about the line between force and arrests.

Mr. Tandy Carter, Chief of Columbia Police Department reassured the Council that this needed to be done to reduce injuries to officers thus reducing the number of officers that are out. Everybody in Columbia and Richland County has Tasers, except for the Columbia Police Department.

Councilor Cromartie said that he supports the use of Tasers. I just want to ensure that the officers are fully aware of when they need to use them; that they are well trained; that they understand when they can use them and when they cannot; and how to respond when an individual is immobilized.

Mr. Tandy Carter, Chief of Columbia Police Department said that when the Taser is deployed, the camera captures everything and cannot be disabled. You cannot carry a Taser unless you've gone through training.

Sgt. Chris Butzer, Columbia Police Department / Training said that he was first tased in 2003 and he has been tased five times since then. I received the certification of carry, but without the support of Council and the Use of Force Policy, I do not carry one. The Taser device generates electricity and it is transferred to the individual. The device generates 50,000 volts, which is an incredible amount of energy; however, the amps are so low that it doesn't affect implants and defibrillators. Part of the training aspect is proper use and deployment and the foundation of that comes from the Use of Force Policy. As an instructor, I do not deviate from a policy.

Councilor Davis expressed concerns about individuals that may intellectually challenged and misunderstood in the community. If they don't comply with certain instructions and procedures that they are not accustomed to then these are the people that may be hit more than once with the Taser. You have problems when you hit a person multiple times with a Taser.

Sgt. Chris Butzer, Columbia Police Department / Training explained that the officers will be trained to recognize certain conditions and mediating in other ways than tasing, because Tasers are not a cure-all just as a baton or a firearm is not a cure-all for bringing a situation under control.

Councilor Cromartie asked if they use an electrical baton.

Sgt. Chris Butzer, Columbia Police Department / Training said that they use a collapsible baton. There are several circumstances where an officer may have no other option than to use a baton, which is effective in a very close range. The Taser is nothing more than an additional tool for me to utilize. The video is an investigative tool and a training tool.

Councilor Cromartie asked how many officers will have Tasers.

Mr. Tandy Carter, Chief of Columbia Police Department said 72; we will purchase 69 in the JAG Grant; and we will buy some more when we get the funding.

Councilor Gergel asked how you carry a Taser.

Sgt. Chris Butzer, Columbia Police Department / Training said that you carry it on your belt. It has a similar type of holstering system with a locking device like a firearm; they are highly visible.

Mr. Tandy Carter, Chief of Columbia Police Department explained that all officers must be Tased for 5 seconds before they can be issued a Taser.

Sgt. Chris Butzer, Columbia Police Department / Training explained that the device is designed to automatically discharge for five seconds and then it cuts off. The trigger has to be released and pulled again to start another discharge.

Mr. Tandy Carter, Chief of Columbia Police Department added that the average person will comply after the first discharge and that gives you enough time to handcuff them. It is an excruciating pain that turns your muscles into a wet noodle and you generally don't have to tell anybody the second time unless they are under the influence of some drugs or alcohol.

Mr. Arnold Karr, Executive Director of the Carolina Peace Resource Center / 935 Main Street appeared before the members of Council in opposition to the use of force policy related to tasers. He said that federal funds should not be used to purchase tasers; that doesn't stimulate the economy.

Upon motion by Mayor Coble, seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: 2009-056 – Adopting City of Columbia Use of Force Policy. The Police Chief was directed to provide a report to Council on each instance that use of force is used by a Police Officer. The appropriate personnel should respond to Mr. Karr’s comments in writing.

5. Business License Fees – Ms. Brenda Kyzer, Business License Administrator - *This discussion was deferred.*

BUDGET COMMITTEE

6. [Treasurer's Report](#) – Mr. Jeff Palen, Treasurer – *This report was deferred.*

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to go into Executive Session at 2:45 p.m. for the discussion of **Items 7.** and **8.** as outlined.

7. ****Discussion of compensation of an employee - *This item was discussed in Executive Session. No action was taken.***
8. ****Discussion of negotiations incident to proposed contractual arrangements**
 - Village at River’s Edge - *This item was discussed in Executive Session. No action was taken.*

- **Council adjourned the meeting at 3:37 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk