



CITY OF COLUMBIA
CITY COUNCIL MEETING &
ZONING PUBLIC HEARING MINUTES
WEDNESDAY, MARCH 17, 2010
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting; a Sidewalk Vending Public Hearing; and a Zoning Public Hearing on Wednesday, March 17, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:07 a.m. and the following members of Council were present: 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 was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

INVOCATION

The Honorable Tameika Isaac Devine offered the Invocation.

APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Minutes of September 2, 2009 - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the Minutes of September 2, 2009 as presented.

FUNDING RECOMMENDATIONS

2. February 2010 Community Promotions Funding Recommendations – The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve a request for \$2,500 from the Community Promotions Fund for the Carolina Children's Home as recommended by the Community Promotions Advisory Committee.

PRESENTATIONS

3. Introduction of the February 2010 Employee of the Month – Ms. Marli Drum, Superintendent of Animal Services

Ms. Marli Drum, Superintendent of Animal Services introduced Ms. Kimberly Tsuboi, Animal Services Clerk as the February 2010 Employee of the Month. She said that Ms. Tsuboi is officially an Animal Services Clerk, but her efforts don't stop there. She has always been a very dedicated employee; helping wherever needed. She is caring, compassionate and patient with the animals and people that she comes into contact with.

Mayor Coble presented Ms. Kimberly Tsuboi with a certificate and Mr. Steven A. Gantt, City Manager presented Ms. Tsuboi with tokens of appreciation for being selected as the February 2010 Employee of the Month.

4. Introduction of Mr. Dan Mann, AAE - Ms. Anne Sinclair, Vice Chair and Mr. Xavier Starkes, Member of the Richland / Lexington Airport Commission

Ms. Anne Sinclair, Vice Chair of the Richland / Lexington Airport Commission said that they are honored to represent the City and its citizens on the Airport Commission. She introduced Mr. Dan Mann as the new Executive Director of the Richland / Lexington Airport Commission. Mr. Mann is from Cedar Rapids, Iowa; he has over 20 years experience in the aviation industry; and he has been a leader in various airport associations. He is a resident of Council District Three and his wife is a school teacher.

Mr. Dan Mann, Executive Director of the Richland/Lexington Airport Commission said that he is impressed with Columbia's hospitality and outreach and he is excited to be here. I hope that we can improve the service, customer perception and facilities at the airport.

Mr. Xavier Starkes, Member of the Richland / Lexington Airport Commission updated the Council on the activities of the Richland / Lexington Airport Commission. The Commission is working to decrease costs, increase air service and continue to provide the quality of service that we have been providing for years. We are blessed to have Dan and we feel that he is going to do a great job for us. Thank you for your continued support.

Councilor Finlay asked if they have done a rate or tax comparison on where airplanes are domiciled. He said that different counties charge different degrees of property taxes.

Mr. Dan Mann, Executive Director of the Richland/Lexington Airport Commission said that he isn't familiar with that, but they can look into it and provide an answer.

5. Paperless "E-Billing" Service – Mr. Vincent Simonowicz, Director of the Information Technology Department

Mr. Vincent Simonowicz, Director of the Information Technology Department reported that it has been one year since we went live with online payment services and the online suite of products. He sought Council's endorsement of moving forward with a Paperless E-Billing Service.

Ms. Carmen Flemming, Project Leader stated that the Paperless E-Billing Service is for water, solid waste and parking garage rental payments. One year ago, we offered multiple options for customers to pay bills, but we were missing a real-time online payment solution. We are partnering with SC.gov to provide online payment services. We kicked the program off in July 2008; we conducted a pilot program in January 2009; and were running live by March 4, 2010. Since that time, we've had an 18% adoption rate, which tripled our predictions. We've collected over 58,000 transactions totaling \$3.8 million. We've successfully implemented online payments; the City of Columbia has committed to going green; customer feedback says they are ready for paperless billing; and we have an opportunity to collaborate with Laser Print to explore the E-Billing option. Our goal is to provide secure and cost effective solutions for the City and for customers wanting a convenient and seamless option. We decided that the best strategy was to tie the E-Billing Service into our successful Customer Web Access online payment system. Customers will receive an e-mail notification when their bills are ready and then they can go online to review the bill at their leisure. Ms. Flemming noted that the customer will no longer receive a bill in the mail once he/she signs up for the E-Billing Service. In addition, Laser Print will provide the number of bills being printed versus the number of bills processed through E-Billing for the City of Columbia.

Mr. Mark Johnson, Project Leader demonstrated the current Customer Web Access account being used by existing customers; how to sign up for electronic billing; and how to review past bills and consumption history.

Councilor Devine inquired about customers set up for draft payments; will everything be paperless for them, as well.

Mr. Mark Johnson, Project Leader said that is correct.

Upon a motion made by Mr. Finlay and seconded by Mr. Davis, Council voted unanimously to endorse the E-Billing Service for water bill, parking and solid waste payments, as requested by the Information Technology Department.

CITY COUNCIL DISCUSSION / ACTION

6. Council is asked to approve a Request for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Lamont Hampton doing business as Uptown Taxi Service.

Upon a motion made by Mr. Davis and seconded by Mr. Finlay, Council voted unanimously to approve a Request for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Lamont Hampton doing business as Uptown Taxi Service.

7. Central Midlands Regional Transit Authority (CMRTA) Request

Mayor Coble explained that a small portion of the stimulus funds can be used for operations and due to our Intergovernmental Agreement with the CMRTA, Richland County and the City of Columbia has to approve the use of the funds for operations, if the Board chose to do so.

Councilor Finlay said that some of our previous commitments from the federal government have bound us to some very stringent labor practice laws that have severe liabilities and certain policies about the decisions we make have high cost impacts. Does this have any of those types of strings attached to it? Is the City increasing its potential financial liability by doing this?

Ms. Mitzi Javers, Executive Director of the CMRTA stated that the statutory regulations don't increase each time you take an additional allocation of federal funding.

Councilor Gergel inquired about the level of funding associated with the request.

Ms. Mitzi Javers, Executive Director of the CMRTA stated that it's up to \$466,000.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve a request from the Central Midlands Regional Transit Authority to allow for the amendment of the Interim Transit Funding Intergovernmental Agreement which would permit the Central Midlands Regional Transit Authority to use one-time American Recovery and Reinvestment Act funds for implementation of improvements to the transit system.

8. Street Lighting Requests – Mr. Dave Brewer, City Traffic Engineer

Mr. Dave Brewer, City Traffic Engineer explained that they received a series of street lighting requests, they reviewed them and these are the recommendations:

- one (1) additional light at 924 Hampton Street for an annual increased amount of \$119.00;
- fifteen (15) additional lights in the Edisto Court Neighborhood for an annual increased amount of \$2,345.00;
- One (1) additional light within the 4400 block of Abingdon Road in the Hyatt Park Neighborhood for an annual increased amount of \$119.00;
- Eight (8) additional lights in the Robert Mills Neighborhood for an increased annual amount of \$951.00;

- Five (5) additional lights on George Rogers Boulevard for an increased annual amount of \$1,062.00;
- Two (2) additional lights at the City's Animal Shelter for an increased annual amount of \$376.00; and
- One (1) additional light on Old Woodlands Road for an increased annual amount of \$119.00.

Councilor Devine inquired about the status of the lighting assessment for the Greenview Community.

Mr. Dave Brewer, City Traffic Engineer explained that it takes SCE&G some time to complete the installations, because the crews are installing lights in addition to their maintenance responsibilities.

Councilor Devine requested a lighting assessment for the Lyon Street Community, specifically McDuffie Street and House Street.

Councilor Finlay asked if there is funding in the budget.

Mr. Dave Brewer, City Traffic Engineer said that the funding was increased and we are within budget.

Mr. Steven A. Gantt, City Manager said that we are adding expenses to the budget that were not originally contemplated when we put the budget together; therefore, I felt that it was my responsibility to bring those to you for consideration. We will include an electricity contingency in the fiscal year 2010/2011 budget to help us with some of these.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the seven (7) requests for additional street lights in the total amount of \$5,091.00.

9. Policy Procedures and Voting Process for Historic Designation – Ms. Amy Moore, Historic Preservation Planner

Ms. Amy Moore, Historic Preservation Planner reported that the proposed changes were sent to leaders in the existing historic districts and all of the Community Character districts. She noted that the response was very minimal, but a few changes were made.

Councilor Gergel requested that staff provide a breakdown of voters by property owners within the neighborhood; property owners that reside outside the neighborhood; property owners that reside outside of the City; and those with multiple parcels.

Councilor Davis recalled that one of the sticklers was the number of voters a multiple parcel owner would have. How will we handle that?

Ms. Amy Moore, Historic Preservation Planner said that if a property owner has five parcels within the district then that owner would get five votes; if they have one parcel, they will get one vote.

Councilor Finlay said that he wants to ensure that these numbers are being provided for information, because that is a hot issue and we should not try to change the process later.

Councilor Gergel assured Mr. Finlay that this is being done so that they can be aware of who is voting in terms of the results that will be presented for consideration. It is very important that we remind our neighborhoods that we are very interested in knowing how they feel. This is but one factor that comes into a decision that the City must make about how we ensure sustainable neighborhoods.

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to approve the policy procedures and voting process for Historic Designations.

****Mr. S. Allison Baker**, Senior Assistant City Manager introduced Mr. Randy Davis as the new Recreation Superintendent for the Parks and Recreation Department.

CONSENT AGENDA

Upon a single motion made by Mr. Finlay and seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 10.** through **18.** as presented.

Upon a single motion made by Mr. Finlay and seconded by Dr. Gergel, Council voted unanimously to reconsider the motion to approve the **Consent Agenda Items 10.** through **18.**

Upon a single motion made by Mr. Finlay and seconded by Dr. Gergel, Council voted unanimously to approve the **Consent Agenda Items 10.** through **17.** as presented. **Item 18.** was discussed in Executive Session and no action was taken.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

- 10. Council is asked to approve an Independent Contractor Agreement for Technical Writing Advisement and Assistance, as requested by the Utilities and Engineering Department. Award to Dee A. Bennett in the amount of \$14,004.00. *Funding Source: 5529999-WM420501-636600 (50%) and 5529999-SS712401-636600 (50%) - Approved*
- 11. Council is asked to approve Change Order #1 to Agreement for Engineering Services for Design and Construction of Storm Drainage Improvements along the Delverton Ditch adjacent to Northwood Hills Subdivision; CIP SD805905, as requested by Engineering Operations. Award to Cox and Dinkins in the amount of \$24,200.00. This firm is located in Columbia, SC. *Funding Source: Stormwater Utility 5549999-SD805905-636600 - Approved*
- 12. Council is asked to approve the Purchase of Limatorque Actuators, as requested by the Columbia Canal Water Plant. Award to Chalmers & Kubeck-South as a sole source in the amount of \$41,624.00. This vendor is located in Watkinsville, GA. *Funding Source: GL5529999-851100 / JL WM419201-851100 - Approved*
- 13. Council is asked to approve a 12-month Contract Renewal for ESRI (Arc) Software Maintenance, as requested by the Information Technology Department. Award to ESRI in the amount of \$47,321.27. This firm is located in Redlands, CA. - *Approved*

Department	Funding Source	Amount
Eng, Planning, PW, Fire Police	5511121-638200	\$24,958.27
Engineering	5511706-638200	5,831.50
Engineering – Operations	5534201-638200	2,835.50
Engineering – Administration	5511701-638200	1,926.00
Planning	1014101-638200	2,782.00
Public Works Department	1011124-638200	3,638.00
Fire Department	1012301-638200	1,605.00
Police Department	1012402-638200	3,745.00
TOTAL		\$47,321.27

14. Council is asked to approve Change Order #3; SS6966; Annual Sewer Rehabilitation, as requested by Engineering Administration. Award to Southeast Pipe Survey in the amount of \$58,125.00. This firm is located in Patterson, GA. *Funding Source: Sewer Improvement Funds – This change order is to compensate the contractor for the 12” open cut repair of an existing sewer main and bypass pump. - Approved*
15. Council is asked to approve Change Order #7; SS701702; Removal of Beavers and Beaver Dam Debris, as requested by Engineering Administration. Award to McClam & Associates in the amount of \$94,975.00. This firm is located in Little Mountain, SC. *Funding Source: Sewer Improvement Funds – The additional costs are associated with clearing at the Columbia Canal Dike. - Approved*
16. Council is asked to approve the Purchase of 2,000 Roll Carts, as requested by the Solid Waste Division. Award to Toter Inc. as a sole source in the amount of \$98,226.00. This vendor is located in Statesville, NC. *Funding Source: 1014401-627600 - Approved*
17. Council is asked to approve an Agreement for Engineering Services for Evaluation and Design Services for Refurbishing or Replacing the City’s West Columbia and Saluda River Sewage Pumping Stations and Completing Design of a Force Main between the West Columbia Pump Station and the City’s Metro Plant; SS7115 and SS7116, as requested by Engineering Operations. Award to Brown and Caldwell in an amount not to exceed \$1,434,500. This firm is located in Columbia, SC. *Funding Source; Sewer Improvement Funds 5529999-SS711501-636600 & 5529999-SS711601-636600 – Brown and Caldwell proposes to team with Atlantic South Consulting Services, an approved MBE Protégé located in Charleston, SC at a fee of approximately \$171,500. The total amount subcontracted is \$553,030 or 40% of the total agreement value. - Approved*
18. Council is asked to approve a Contract for Retiree Medicare Supplemental Insurance, as requested by the Employee Insurance Committee. Award to UnitedHealthcare in a project annual amount of \$1,474,200. This firm is located in Minnetonka, MN. *Funding Source: Health Insurance Fund 6048933 – This item was discussed in Executive Session. No action was taken.*

SIDEWALK VENDING PUBLIC HEARING

ORDINANCES – FIRST READING

19. Ordinance No.: 2010-048 – Granting a Franchise to David Roberts d/b/a Der Tacos, LLC for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Gervais Street – *The Public Hearing was conducted and first reading approval was deferred to March 24, 2010.*

RESOLUTION

20. Resolution No.: R-2010-020 – Amending Sidewalk Vending Locations and Authorized Merchandise – *Consideration of this item was deferred to March 24, 2010.*

- **Council opened the Sidewalk Vending Public Hearing at 10:07 a.m.**

The following individuals appeared before the Council in opposition to Item 10:

Ms. Amy Stone, City Center Partnership
 Ms. Ellyn Seasons
 Ms. Adrienne Newber, Holder Properties
 Ms. Cheryl Love, Director of Property Management / Holder Properties

Mr. J.P. Scurry, Colliers & Keenan

The following individuals appeared before the Council in support of **Item 10**:

Mr. David Roberts, Applicant
Mr. Temple Ligon, The Columbia Star

▪ **Council closed the Sidewalk Vending Public Hearing at 10:33 a.m.**

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to defer the Sidewalk Vending Public Hearing on Ordinance No.: 2010-048 – Granting a Franchise to David Roberts d/b/a Der Tacos, LLC for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Gervais Street and to defer consideration of Resolution No.: R-2010-020 – Amending Sidewalk Vending Locations and Authorized Merchandise to allow Mr. David Roberts, Applicant to meet with Mr. Marc Mylott, Director of Planning and Development Services; Mr. Jonathan Chambers, Deputy Zoning Administrator; and Ms. Amy Stone, City Center Partnership to identify an alternate location for the sidewalk vending cart.

ZONING PUBLIC HEARING

▪ **Council opened the Zoning Public Hearing at 10:41 a.m.**

MAP AMENDMENT – FIRST READING

21. **1207 Greenlawn Drive**, TMS# 16414-01-06; rezone from RS-1 (Single-Family Residential) to UTD (Urban Transitional District). *The Zoning Public Hearing was held on January 20, 2010 and no action was taken. - Denied.*

The following individuals appeared before the Council in opposition to **Item 21**:

Mr. Richard Wrigley
Mr. Jim Brown, 1010 Kenmore Drive
Dr. Jonathan Leader, 1205 Haven Drive
Ms. Nancy Raley, 903 Asbury Drive
Mr. Lee Hemphill, 1015 Fairwood Drive

The following individual appeared before the Council to provide observations on the City's zoning regulations:

Mr. Keith Seymour, Carolina Panorama

The following individuals appeared before the Council in support of **Item 21**:

Mr. Marion McDonald, Co-Owner of 1207 Greenlawn Drive
Ms. Sara McDonald Derrick, Co-Owner of 1207 Greenlawn Drive
Ms. Robin Newton, Applicant
Ms. Trisha Buff
Ms. Harriet Armstrong, Realtor

Upon a motion made by Mr. Finlay and seconded by Ms. Devine, Council voted unanimously to deny first reading approval of the Map Amendment for 1207 Greenlawn Drive, TMS# 16414-01-06; rezone from RS-1 (Single-Family Residential) to UTD (Urban Transitional District).

MAP AMENDMENT – SECOND READING

22. **NC Overlay District:** Create new and/or amend pertinent sections of Zoning Ordinance relating to the creation of the NC (North Main Corridor) zoning overlay district.

Ordinance No.: 2009-131 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, Sec. 17-231 Districts enumerated to add -NC North Columbia overlay district; Sec. 17-275 Lot size, setback and height requirements, Table 2; Sec. 17-283 Wireless Communication facilities (c) Districts where permitted, height and setbacks (6) Table 3 to add "NC" (North Main Corridor); and to add Sec. 17-295-NC North Main Corridor; Division 9, Supplementary District Regulations to add Sec. 17-324 -NC North Main Corridor overlay district; Article V, Historic Preservation and Architectural Review, Division 1, Generally, Sec. 17-653 Design and development review commission (9) to add -NC; and Sec. 17-655 Administration to amend (d) Administration of -ID and to add (e) Administration of -NC design guideline – *First reading approval was given on January 20, 2010. – Approved on second reading.*

23. **North Main Corridor** - generally encompassing North Main Street from Elmwood Avenue to Craven Street and further identified on TMS# 09012-06-08, 09, 10, 11; 09016-01-02; 09016-02-01, 02, 06 thru 09, 11; 09016-03-01, 10, 11, 12, 14; 09016-09-01, 19 thru 24; 09016-12-01, 02, 04, 05, 06, 12 thru 20; 09016-13-06, 08, 13; 09016-14-03 thru 07; 09016-15- 12, 13; 09109-05-15, 16, 18, 20; 09109-06-01, 05, 06, 07; 09109-08-01, 06, 07, 08; 09109-09-01, 02, 04, 05, 06, 08; 09109-10-20, 45, 46; 09109-12-07 thru 10, 16, 17; 09109-13-06, 07 (partial)*, 08, 10; 09110-05-01, 02, 03, 04, 12; 09110-10-06 (partial)*, 10; 09110-11-01, 12, 13; 09110-12-01, 02; 09110-13-01, 02, 03; 09110-14-03 thru 07; 09110-16-04 thru 08; 09110-22-01; 09110-24-01; 09111-04-01 thru 07, 12; 09111-05-01; 09111-06-01 thru 04; 09111-07-01, 02, 04; 09112-04-02 thru 07, 16, 17, 18; 09112-05-01, 06; 09112-06-01 thru 11; 09112-07-01, 06, 07, 09; 09112-08-02 thru 08, 18; 09112-09-01, 03; 09113-01-03, 04, 05; 09113-12-20; 09113-13-01, 02, 15 thru 23, 25, 26, 27; 09209-18-01, 02, 05 thru 08; 09209-19-03, 04; 09209-20-01 thru 04; 09209-21-01 thru 03; 09209-22-01 thru 06, 08; 09209-23-04 thru 07; 09210-04-10, 11, 12, 21; 09210-05-08 thru 11, 15, 16, 17, 20; 09210-06-02 thru 06; 09213-01-01, 19 thru 24; 09213-06-01 (partial)*; 09213-07-01 thru 04, 12, 13, 14 ; 09214-02-06; 09214-03-01; 09214-12-01, 08, 09; 09214-13-01, 02; 09214-14-01, 05, 07, 08, 17; 09214-15-01 thru 07; 09215-07-09 thru 13; 09215-08-01 thru 04; 09215-09-04, 07; 09215-10-01, 21, 22, 23; 09215-13-01 (partial)* and 02 thru 07, 21; 09215-17-05; 09216-07-10, 11, 12; 09216-08-31, 32, 34, 62; 11604-03-01 thru 05, 07 thru 10, 12; 11604-04-01; 11604-05-01; 11604-06-03 thru 09, 17, 18; 11604-15-01, 02, 04 thru 09, 18, 19; 1604-17-02, 07, 09; 11604-18-15, 17 thru 20; 11701-08-10, 11; 11701-09-01; 11701-10-01, 02, 03, 05, 06, 09, 12; 11701-11-01, 02. **Rezone parcels to MX-1 (Mixed-Use Neighborhood).** * Refer to zoning maps for delineation of parcels which are partially included. – *First reading approval was given on January 20, 2010. - Approved on second reading.*

24. **North Main Corridor** - generally encompassing North Main Street from Elmwood Avenue to Craven Street, and further identified on TMS# 09012-06-08, 09, 10, 11; 09016-01-02; 09016-02-01, 02, 06 thru 09, 11; 09016-03-01, 10, 11, 12, 14; 09016-09-01, 19 thru 24; 09016-12-01, 02, 04, 05, 06, 12 thru 20; 09016-13-06, 08, 13; 09016-14-03 thru 07; 09016-15- 12, 13; 09109-05-15, 16, 18, 20; 09109-06-01, 05, 06, 07; 09109-08-01, 06, 07, 08; 09109-09-01, 05, 06, 08; 09109-10-20, 45, 46; 09109-12-07 thru 10, 16, 17; 09109-13-06, 07 (partial)*, 08, 10; 09110-10-06 (partial)*, 10; 09110-11-01, 12, 13; 09110-12-01, 02; 09110-13-01, 02, 03; 09110-14-01, 02; 09110-14-03 thru 07; 09110-22-01; 09110-24-01; 09111-04-01 thru 07, 12; 09111-05-01; 09111-06-01 thru 04; 09111-07-01, 02, 04; 09112-04-02 thru 07, 16, 17, 18; 09112-05-01, 06; 09112-06-01 thru 11; 09112-07-01, 06, 07, 09; 09112-08-02 thru 08, 18; 09112-09-01, 03; 09113-01-03, 04, 05; 09113-12-20; 09113-13-01, 02, 15 thru 23, 25, 26, 27; 09209-18-01, 02,

05 thru 08; 09209-19-03, 04; 09209-20-01 thru 04; 09209-21-01 thru 03; 09209-22-01 thru 06, 08; 09209-23-04 thru 07; 09210-04-10, 11, 12, 21; 09210-05-08 thru 11, 15, 16, 17, 20; 09210-06-02 thru 06; 09213-01-01, 19 thru 24; 09213-06-01 (partial)*; 09213-07-01 thru 04, 12, 13, 14; 09214-02-06; 09214-03-01; 09214-12-01, 08, 09; 09214-13-01, 02; 09214-14-01, 05, 07, 08, 17; 09214-15-01 thru 07; 09215-07-09 thru 13; 09215-08-01 thru 04; 09215-09-01, 03, 04, 07; 09215-10-01, 21, 22, 23; 09215-13-01 (partial)* and 02 thru 07, 21; 09215-17-05; 09216-07-10, 11, 12; 09216-08-31, 32, 34, 62; 11604-03-01 thru 05, 07 thru 10, 12; 11604-04-01; 11604-05-01; 11604-06-03 thru 09, 17, 18; 11604-15-01, 02, 04 thru 09, 18, 19; 11604-17-01, 02, 07, 08, 09; 11604-18-15, 17 thru 20; 11701-08-10, 11; 11701-09-01; 11701-10-01, 02, 03, 05, 06, 09, 12; 11701-11-01, 02. **Rezone parcels to add NC (North Main Corridor) overlay district.** * Refer to zoning maps for delineation of parcels which are partially included. – *First reading approval was given on January 20, 2010. - Approved on second reading.*

No one appeared in support of or in opposition to **Items 22.** through **24.**

Upon a single motion made by Mr. Davis and seconded by Mr. Finlay, Council voted unanimously to give second reading approval to **Map Amendment Items 22.** through **24.**

TEXT AMENDMENT – FIRST READING

25. **Amend §17-258** concerning district permissions for MX-1 to permit certain manufacturing uses as special exceptions to facilitate artisans/craftspersons.

Ordinance No.: 2010-050 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Division 8, Sec. 17-258 Table of permitted uses, Division D Manufacturing, SIC 23, Apparel and other finished products made from fabrics and similar materials; SIC 26 Paper and allied products; SIC 32 Stone, clay, glass and concrete products; SIC 34 Fabricated metal products, except machinery and transportation equipment and SIC 39 Manufacturing industries, not elsewhere classified – *Approved on first reading.*

No one appeared in support of or opposition to **Item 25.**

Upon a motion made by Mr. Finlay and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2010-050 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Division 8, Sec. 17-258 Table of permitted uses, Division D Manufacturing, SIC 23, Apparel and other finished products made from fabrics and similar materials; SIC 26 Paper and allied products; SIC 32 Stone, clay, glass and concrete products; SIC 34 Fabricated metal products, except machinery and transportation equipment and SIC 39 Manufacturing industries, not elsewhere classified. Mayor Coble was not present for the vote.

MAP AMENDMENT – FIRST READING

26. **3901 Rosewood Drive**, TMS# 13806-08-18; rezone from RS-2 –CC to UTD – *Approved on first reading.*

No one appeared in support of or opposition to **Item 26.**

Upon a motion made by Dr. Gergel and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to the Map Amendment for 3901 Rosewood Drive, TMS# 13806-08-18; rezone from RS-2 –CC to UTD.

CASES WITH MAP AND TEXT AMENDMENTS – FIRST READING

27. **1601 Main Street, TMS# 09014-10-16; rezone to add –DP (Design Preservation) -**
Approved on first reading.
28. **Amend §17-691(c)** to add structure as a Group II Landmark

Ordinance No.: 2010-049 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c) to add 1601 Main Street, TMS# 09014-10-16 – *Approved on first reading.*

No one appeared in support of or opposition to **Items 27.** and **28.**

Upon a single motion made by Ms. Devine and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to the Map Amendment for 1601 Main Street, TMS# 09014-10-16; rezone to add –DP (Design Preservation) **and** Ordinance No.: 2010-049 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c) to add 1601 Main Street, TMS# 09014-10-16. Mayor Coble abstained from voting due to a conflict of interest.

ANNEXATIONS WITH MAP AMENDMENTS – FIRST READING

Residential Annexations – § 5 of the Voting Rights Act requires pre-clearance for the City's April 6, 2010 election. The timeframes for pre-clearance and compliance with the election laws do not permit the City to annex any additional residential properties after September 30, 2009 through April 30, 2010 during an election year.

29. **5901 N. Main Street, TMS# 11711-12-24;** annex and zone property C-3 (General Commercial). The property is zoned GC in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-042 – Annexing 5901 N. Main Street, Richland County TMS# 11711-12-24 – *Approved on first reading.*

30. **1624 Browning Road, TMS# 05916-01-10;** annex and zone property C-3 (General Commercial). The property is zoned GC in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-043 – Annexing 1624 Browning Road, Richland County TMS# 05916-01-10 – *Approved on first reading.*

No one appeared in support of or opposition to **Items 29.** and **30.**

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the **Annexation with Map Amendment Items 29.** and **30.**

31. **5400 Farrow Road, TMS# 11612-07-02;** annex and zone property C-3 (General Commercial). The property is zoned GC in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-044 – Annexing 5400 Farrow Road, Richland County TMS# 11612-07-02 – *Approved on first reading.*

32. **4126 Beecliff Drive**, TMS# 13809-03-13; annex and zone property RS-2 (Single-Family Residential). The property is zoned RS-MD (Single-Family Residential) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-039 – Annexing 4126 Beecliff Drive, Richland County TMS# 13809-03-13 – *Approved on first reading.*

33. **4032 Rosewood Drive, 4040 Rosewood Drive, 209 and 223A-C South Beltline Blvd.** TMS#13805-05-07, -09, -10, -11; annex and zone property C-3 (General Commercial) and **307 South Beltline Blvd, TMS # 13805-05-12**; annex and zone property C-1 (Office and Institutional). The property is zoned GC (General Commercial) and OI (Office and Institutional) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-038 – Annexing 4032 Rosewood Drive, 4040 Rosewood Drive, 209 South Beltline Boulevard, 223 A-C South Beltline Boulevard and 307 South Beltline Boulevard, Richland County TMS# 13805-05-07, 13805-05-09, 13805-05-10, 13805-05-11 and 13805-05-12 – *Approved on first reading.*

34. **150 and 166 Pontiac Business Center Drive**, TMS# 25714-01-01, -02; annex and zone property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-037 – Annexing 150 Pontiac Business Center Drive and 166 Pontiac Business Center Drive, Richland County TMS# 25714-01-01 and 25714-01-02 – *Approved on first reading.*

35. **595 Spears Creek Church Road**, TMS# 28800-01-15; annex and zone property PUD-C (Commercial Planned Unit Development). The property is zoned PDD (Planned Development) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-036 – Annexing 595 Spears Creek Church Road, Richland County TMS# 28800-01-15 – *Approved on first reading.*

36. **901 Spears Creek Court**, TMS# 28802-02-03; annex and zone property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-035 – Annexing 901 Spears Creek Church Road, Richland County TMS# 28802-02-03 – *Approved on first reading.*

37. **120 Pontiac Business Center Drive**, TMS# 25715-01-03; annex and zone property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-034 – Annexing 120 Pontiac Business Center Drive, Richland County TMS# 25715-01-03 – *Approved on first reading.*

38. **3113 Farrow Road**, TMS# 11504-30-16; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-040 – Annexing 3113 Farrow Road, Richland County TMS# 11504-30-16 – *Approved on first reading.*

39. **1804 Gary Street**, TMS# 11612-02-04; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County. – *Approved on first reading.*

Ordinance No.: 2010-041 – Annexing 1804 Gary Street, Richland County TMS# 11612-02-04 – *Approved on first reading.*

No one appeared in support of or opposition to **Items 31.** through **39.**

Upon a single motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to give first reading approval to the Annexations with Map Amendments for **Items 31.** through **39.**

- **Council closed the Zoning Public Hearing at 11:42 a.m.**

ORDINANCES- FIRST READING

40. Ordinance No.: 2010-028 – Granting an encroachment to Preston Sabalis and Louisa Sabalis for installation and maintenance of landscape timbers within the right of way area of the 3200 block of Cannon Street adjacent to 123 S. Ravenel Street – *Approved on first reading.*

Upon a motion made by Dr. Gergel and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2010-028 – Granting an encroachment to Preston Sabalis and Louisa Sabalis for installation and maintenance of landscape timbers within the right of way area of the 3200 block of Cannon Street adjacent to 123 S. Ravenel Street.

41. Ordinance No.: 2010-029 – Granting an encroachment to the Historic Waverly Improvement and Protection Association for installation and maintenance of landscaping and irrigation within the right of way areas of 2214 Washington Street; 2214 Hampton Street; North side of the 2300 block of Hampton Street; NE corner of Heidt Street and Gervais Street; NE corner of Pine Street and Gervais Street; NW corner of Hampton Street and North Millwood Avenue; NW Corner of Oak Street and Washington Street; NE corner of Oak Street and Washington Street; SE corner of Washington Street and Oak Street; SW corner of Washington Street and Oak Street; NW corner of Lady Street at Pine Street; SW corner of Lady Street and Pine Street; SE corner of Lady Street and Pine Street; NE corner of Lady Street and Pine Street; SE corner of Taylor Street and Oak Street; 1421 Oak Street; SE corner of Hampton Street and Oak Street; and SE corner of Hampton Street and Harden Street – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to give first reading approval to Ordinance No.: 2010-029 – Granting an encroachment to the Historic Waverly Improvement and Protection Association for installation and maintenance of landscaping and irrigation within the right of way areas of 2214 Washington Street; 2214 Hampton Street; North side of the 2300 block of Hampton Street; NE corner of Heidt Street and Gervais Street; NE corner of Pine Street and Gervais Street; NW corner of Hampton Street and North Millwood Avenue; NW Corner of Oak Street and Washington Street; NE corner of Oak Street and Washington Street; SE corner of Washington Street and Oak Street; SW corner of Washington Street and Oak Street; NW corner of Lady Street at Pine Street; SW corner of Lady Street and Pine Street; SE corner of Lady Street and Pine Street; NE corner of Lady Street and Pine Street; SE corner of Taylor Street and Oak Street; 1421 Oak Street; SE corner of Hampton Street and Oak Street; and SE corner of Hampton Street and Harden Street.

42. Ordinance No.: 2010-030 – Granting an encroachment to Ursula R. Pallares for installation and maintenance of an aluminum fence, double walk gate, four brick columns, brick pavers and landscaping within the right of way area adjacent to 407 S. Ravenel Street, Richland County TMS# 13801-03-09 – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2010-030 – Granting an encroachment to Ursula R. Pallares for installation and maintenance of an aluminum fence, double walk gate, four brick columns, brick pavers and landscaping within the right of way area adjacent to 407 S. Ravenel Street, Richland County TMS# 13801-03-09.

43. Ordinance No.: 2010-052 – Granting an easement to South Carolina Electric & Gas Company (SCE&G) for Relocation of Power Lines along a portion of City Property for Service to the Metro Wastewater Treatment Plant; Richland County TMS# 11000-01-02 and TMS# 11000-01-03 (portion); CF# 250-277 – *Approved on first reading.*

Upon a motion made by Mr. Finlay and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-052 – Granting an easement to South Carolina Electric & Gas Company (SCE&G) for Relocation of Power Lines along a portion of City Property for Service to the Metro Wastewater Treatment Plant; Richland County TMS# 11000-01-02 and TMS# 11000-01-03 (portion); CF# 250-277.

RESOLUTIONS

Upon a single motion made by Mr. Finlay and seconded by Mr. Davis, Council voted unanimously to approve **Items 44.** through **54.**

44. Resolution No.: R-2010-009 – Authorizing consumption of beer and wine at Five Points Association's 5 After 5 Concert Series – *Approved*
45. Resolution No.: R-2010-014 – Authorizing consumption of beer and wine at Capital City Music and Wing Fling Charity Fundraiser - *Approved*
46. Resolution No.: R-2010-015 – Authorizing consumption of beer and wine at The Crawfish Festival - *Approved*
47. Resolution No.: R-2010-018 – Authorizing consumption of beer and wine within Boyd Plaza adjacent to the Columbia Museum of Art for the Contemporaries Oyster Roast - *Approved*
48. Resolution No.: R-2010-019 – Release and Abandonment of a Portion of the City's Existing Sanitary Sewer Easement along Richland County TMS# 11405-10-03 (portion); 1001 Harden Street and 901 Harden Street (Marketplace & Chick-Fil-A Restaurant); CF# 316-17 - *Approved*
49. Resolution No.: R-2010-021 – Authorizing consumption of beer and wine at the MYPA Spring Fling – Vista Block Party - *Approved*
50. Resolution No.: R-2010-022 – Release and Abandonment of a Portion of the City's Existing 25' Storm Drainage Easement along Richland County TMS# 11216-23-23 (portion); 23 Graymont Circle; Lot 6, Graymont; CF# 246-10A - *Approved*
51. Resolution No.: R-2010-023 – Release and Abandonment of a Portion of the City's Existing 15' Sanitary Sewer Easement along Richland County TMS# 11216-23-16 (portion); 51 Graymont Circle; Lot 13, Graymont; CF# 246-10A - *Approved*

52. Resolution No.: R-2010-024 – Release and Abandonment of a Portion of the City's Existing 12' Storm Drainage Easement along Richland County TMS# 11216-23-15 (portion); 55 Graymont Circle; Lot 14, Graymont; CF# 246-10A - *Approved*
53. Resolution No.: R-2010-025 – Release and Abandonment of a Portion of the City's Existing 15' Sanitary Sewer Easement along Richland County TMS# 11216-23-14 (portion); 59 Graymont Circle; Lot 15, Graymont; CF# 246-10A - *Approved*
54. Resolution No.: R-2010-026 – Release and Abandonment of a Portion of the City's Existing 15' Sanitary Sewer Easement along Richland County TMS# 13815-03-12 (portion); 858 Burwell Lane; Lot 9, Block T, Deaswood; CF# 37-04 & CF# 250-83D - *Approved*

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Ms. Catherine Bruce thanked the Council for approving Ordinance 2010-029, which is an encroachment for the Historic Waverly Improvement and Protection Association. We do have a problem with the maintenance that we are expected to fulfill, because two of these are residential sites; one is on Oak Street and the other is on Hampton Street; there is heavy traffic and a lot of parking throughout the day; and we find it difficult to set a time when we will be able to do the physical work and have access to the spaces. I would like to propose that we submit a residential parking permit petition along with the plans of this project. The petition has been supported by most of the homeowners in the community.

Councilor Devine suggested that Ms. Bruce contact Mr. John Spade, Parking Services Director.

Mr. Keith Seymour said that transportation is his pet peeve in the City. It is great that you are annexing all of this property, but you need to consider whether there is transportation to that area; the North Main area in particular. Can people get to and from work? I've been communicating with Ms. Baldauf with the sustainability project and we agree that you are going to cut down on a lot of pollution from the traffic. Two (2) buses go out to St. Andrews and they overlap. People are getting older and they don't drive. The bus system needs to be like it is in Atlanta and Charlotte; it needs to be an economic tool that attracts businesses. I would hate to see the bus stop going out to the Airport.

Councilor Finlay asked Mr. Gantt to provide an executive summary of where the budget is today and what he sees coming up for 2010/2011 in terms of revenues, expenditures and hurdles we will have to overcome.

Mr. Steven A. Gantt, City Manager reported that so far through the 2009/2010 budget, staff has done an extraordinary job with controlling expenses and we are \$5 million under our anticipated expenses for the year. We have done an exhaustive review of our revenue for 2009/2010 and we will probably make our revenue budget for this year, although the revenue may come from a different source than anticipated. For 2010/2011, with the exception of two departments everybody came in at or below last year's allotments. There are some things that I added back to the budget. I put a \$2 million reserve in the General Fund budget. Unfortunately, the furlough numbers are still included in the budget, but that will most likely come out. The \$1 million RTA payment is in this year's budget. We are anticipating an additional \$1 million for our risk management. At first blush of the budget we are \$4.8 million, including the reserve, out of balance. That is result of items other than departmental budgets. The departments have done an outstanding job of reallocating their resources. There are a lot of things we need to talk about as we go through the process of talking about how we get balanced. This does not include our capital improvement and replacement budget, which for 2009/2010 we haven't done any major capital purchases in order to get back on track. We need about \$9 million for 2010/2011 in order

to get back on track. We need a \$5 million revenue stream going forward to make sure that police cars and fire trucks are continually rolled over.

Councilor Finlay asked if there had been any large pay increases over the past year.

Mr. Steven A. Gantt, City Manager said that we haven't had any large pay increases in at least two years in any of our budgets.

Councilor Gergel asked if any Administrators received a pay increase.

Mr. Steven A. Gantt, City Manager said unless there was a position change; there were no cost of living adjustments; and there are none anticipated in the 2010/2011 budget.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 12:27 p.m. for the discussion of **Items 55.** through **57.** as outlined. **Item 58.** was withdrawn.

55. Discussion of negotiations incident to the proposed sale of property – *This item was discussed in Executive Session. No action was taken.*
 56. Discussion of employment of an employee – *This item was discussed in Executive Session. No action was taken.*
 57. **Discussion of negotiations incident to proposed contractual arrangements
 - *United Health*
 - *Blue Cross Blue Shield**These items were discussed in Executive Session. No action was taken.*
 58. **Investigative proceedings regarding allegations of criminal misconduct – *This item was not discussed in Executive Session.*
- **Council adjourned the meeting at 1:15 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk