



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES **REVISED**
TUESDAY, JANUARY 25, 2011
6:00 P.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Tuesday, January 25, 2011 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:01 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. The Honorable Belinda F. Gergel arrived at 7:22 p.m. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

PLEDGE OF ALLEGIANCE

INVOCATION

Rev. S. Allison Baker, Senior Assistant City Manager offered the Invocation.

APPROVAL OF MINUTES

1. Minutes of September 8, 15 and 29, 2010; October 6 and 19, 2010; November 2, 9 and 16, 2010; and December 7 and 14, 2010 - *Deferred*

A single motion made by Mr. Rickenmann and seconded by Ms. Devine to approve the Minutes as presented was withdrawn.

At the request of Councilor Plough the approval of the Minutes was deferred until February 1, 2011 for additional time to review all of the Minutes.

PRESENTATIONS

2. Introduction of the 2010 Employee of the Year – Mr. Aubrey Jenkins, Interim Chief of the Columbia Fire Department

Mr. Aubrey Jenkins, Interim Chief of the Columbia Fire Department introduced Mr. Michael Cothran, Administrative Division Chief for the Columbia Fire Department as the City of Columbia 2010 Employee of the Year. He described Mr. Cothran as a joy to work with and a good steward of the City's resources.

Mayor Benjamin and Mr. Steven A. Gantt, City Manager presented Mr. Michael Cothran with a plaque and tokens of appreciation for being selected as the City of Columbia 2010 Employee of the Year.

3. ****Columbia City Ballet – Mr. William Starrett, Artistic Director**

Mr. Fred R. Sheheen, President of the Board of Directors for the Columbia City Ballet announced the Columbia City Ballet's full length production of *Cinderella* in February and *A Midsummer Night's Dream* in March. He also announced their 50th Anniversary Gala on May 7, 2011. He reported that their audiences increased this year for the Dracula and Nutcracker performances.

4. Parks and Recreation Park Ranger Presentation – Mr. S. Allison Baker, Senior Assistant City Manager

Mr. S. Allison Baker, Senior Assistant City Manager said that one of the most successful things they've done in Parks and Recreation in recent years was the institution of the Park Ranger Corp, particularly in our Riverfront Park.

Mr. L.C. Goings, Park Ranger reported that their first mission is to have a presence in the parks; to take care of the parks; and have people feel safe and secure in the parks. At this point, we need to expand this vision into environmental education and interpretative education.

Mr. Jay Robinson, Park Ranger III Supervisor reported that all Park Rangers are very excited about 2011 and are busy with winter landscaping. We reached out to environmental and historical groups to consider the needs for programs in the City. The proposed programs will cover Life Science, Physical Science, Earth Science and historical knowledge of the park site. Programs are inquiry based and developed to address the South Carolina Education Standards for Science. Additional information on these programs can be found online at <http://www.columbiasc.net/parksandrec/214>.

5. Honorary Renaming of a Portion of Farrow Road for Reverend Roscoe C. Wilson, Sr. – The Honorable Mayor Stephen K. Benjamin

The Honorable Mayor Stephen K. Benjamin announced the Honorary Renaming of a portion of Farrow Road from W. Beltline Boulevard to Harden Street Extension after Rev. Dr. Roscoe C. Wilson, Sr. who served as the Pastor of St. John Baptist Church for 50 years.

Rev. Dr. Jamie O. Graham, Sr., Pastor of St. John Baptist Church appeared before City Council in support of the honorary renaming. He said that Rev. Wilson influenced the church, the community and this City and State. He was a great teacher and a great preacher that stood tall for civil rights and social justice.

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve the honorary renaming of the portion of Farrow Road from West Beltline Boulevard to Harden Street Extension to Roscoe C. Wilson, Sr. Boulevard. The members of St. John Baptist Church will work with the S.C. Department of Archives and History to formally preserve Dr. Wilson's legacy. The ceremony is scheduled for Sunday, March 27, 2011.

CITY COUNCIL DISCUSSION / ACTION

6. Council is asked to approve an invoice to compensate for Richland County School District One's Rental of the University of South Carolina Coliseum in the amount of \$4,680.58. *Funding Source: Together We Can Account 1018418-681310 - Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve an invoice to compensate for Richland County School District One's Rental of the University of South Carolina Coliseum in the amount of \$4,680.58, with the understanding that this arrangement ends December 31, 2011.

7. Council is asked to approve a Memorandum of Agreement for the use of the Charles R. Drew Wellness Center for Richland School District One's Elementary School Water Safety and Swimming Instruction Program. - *Deferred*

At the request of Councilor Rickenmann consideration of this item was deferred for consideration of the costs being incurred by the City of Columbia. The existing Agreement expires in April 2011.

8. Council is asked to approve an invoice to compensate for the Purchase of Two-thousand (2,000) Books for Together We Can Read 2011 in the amount of \$13,000.00. *Funding Source: Together We Can Account 1018418-681310 - Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve the Purchase of 2,000 Books for Together We Can Read 2011 as a Sole Source Procurement. Award to Learning Adventures, Inc. in the amount of \$13,000.00. This vendor is located in Columbia, SC.

9. Multi-Way Stop Request

Upon a motion made by Ms. Devine and seconded by Ms. Plough, Council voted unanimously to approve the installation of a Multi-Way Stop at the intersection of Sumter Street and Summerville Avenue.

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve **Items 10.** and **11.**

10. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Joseph Dunn doing business as 5 Star Limousine Service located at 1209 Murraywood Drive, Columbia, SC. - *Approved*
11. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Trans Palmetto Services doing business as Limo Plus located at 229 Orchard Hill Drive, West Columbia, SC. - *Approved*

CONSENT AGENDA

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 12.** through **30.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

12. Council is asked to approve an Agreement for the Fuel Cell Collaborative to support the operating cost of a Hydrogen Fuel Powered Shuttle Bus (Ford) that will be operated in Columbia. Award to the South Carolina Research Authority in the amount of \$20,000 that was previously allocated by City Council. **Note:** *This project insures the continued use of our Hydrogen Fueling Station for an additional twelve (12) months.* - *Approved*
13. Council is asked to approve the Purchase of Moyno Pump parts or equal, as requested by the Wastewater Treatment Plant. Award to Liberty Process Equipment, the lowest bidder in the amount of \$12,433.40. This vendor is located in Arlington Heights, IL. *Funding Source: Utilities Metro Wastewater Plant/Equipment Repair Service Supply, 5516208-631800 - Approved*
14. Council is asked to approve the Purchase of the Annual Tree Bid, as requested by the Forestry and Beautification Division. Award to the lowest bidder meeting specification of each lot in the total amount of \$34,922.87. *Funding Source: Forestry Right of Way Maintenance/Lawn and Grounds Maintenance 1011216-627300 – **Note:** Lots Two (2) and Five (5) are awarded based upon the Local Business Enterprise preference program.* - *Approved*

Lots 1,2,4,5,7	Long Branch Farms; Columbia, SC	\$23,146.52
Lots 3,6	Environmental Lawn Care; Columbia, SC	\$11,776.35

15. Council is asked to approve Change Order #1 to **Project CM1010**; Parks and Recreation Administration Building and Community Center, as requested by the Parks and Recreation Department. Award to Pyramid Contracting, LLC in the amount of \$37,407.00. This vendor is located in Irmo, SC. *Funding Source: 4039999-638300/PK008501-638300 – **Note:** The original funding source for the Parks and Recreation Administration Building and Community Center Project is PK008301 General Obligation Bonds / Fund 403 from 2005 and 2007 financing in the amount of \$2,030,000 and a Community Development Block Grant Fund allocation in the amount of \$400,000. The change order reflects additional cost to the contract for demolition of building and exposing underground fuel tank. - Approved*
16. Council is asked to approve the Purchase of One (1) Bandit Stump Grinder, as requested by the Forestry and Beautification Division. Award to Ditch Witch of the Carolinas, using the SC State Contract in the amount of \$38,731.86. This vendor is located in Charlotte, NC. *Funding Source: Forestry Hazard Elimination/Other Equipment over \$5,000.00; 1011213/658400 - Approved*
17. Council is asked to approve Project #SS7161; Purchase Request for Liquid, Field, and Solids Sampling, as requested by Utilities and Engineering. Award to Shealy Environmental Services, Inc., in the amount of \$40,214.00. This vendor is located in West Columbia, SC. *Funding Source: Sanitary Sewer Maintenance Fund 5516212-638300 – Approved*
18. Council is asked to approve Project #WM4010; Task Order #2, an Agreement for Professional Services for Renovation, Painting and Preventive Maintenance Services for Ames Road Water Storage Facility, as requested by Utilities and Engineering. Award to Utility Service Company, Inc. (USC) in the amount of \$41,759.00. This vendor is located in Perry, GA. *Funding Source: Water Improvements Program Budget; 5529999-WM401002-636600 - Approved*
19. Council is asked to approve the Annual Maintenance Renewal of ESRI Software for various departments within the City, as requested by the Information Technology Department. Award to Environmental Systems Research Institute in the amount of \$57,741.36. This vendor is located in Redlands, CA. *Funding Source: (Geographic Information System/Maintenance & Service Contracts; 511121/638200 \$33,897.47); (Engineering/Maintenance & Service Contracts; 5511706/638200 \$5,831.50); (Engineering-Storm Water Operations/Maintenance & Service Contracts; 5534201/638200 \$2,835.50); (Engineering Administration/Maintenance & Service Contracts; 5511701/638200 \$1,926.00); (Planning/Maintenance & Service Contracts; 1011601/638200 \$2,782.00); (Public Works Administration/Maintenance & Service Contracts; 1011124/638200 \$3,638.00); (Fire Suppression/Maintenance & Service Contracts; 1012303/638200 \$1,605.00); (Police Support Services/Maintenance & Service Contracts; 1012405/638200 \$3,745.00); (Legal/Maintenance & Service Contracts; 1011501/638200 \$192.59); (Loans-General Loans Fund Pool/Miscellaneous Other Services; 5024304/639900 \$58.04); (Traffic Engineering/Maintenance & Service Contracts; 1013203/638200 \$1,230.26) – **Note:** This software serves as a GIS data/mapping tool. - Approved*

20. Council is asked to approve the Annual Maintenance Renewal of the Cityworks Enterprise License Agreement, as requested by the Information Technology Department. Award to Azteca Systems, Inc., in the amount of \$60,000.00. This vendor is located in Sandy, UT. *Funding Source: (Utilities Water Dist & Maint/Maintenance Contract, 5516203/638200 \$15,000.00); Utilities Wastewater Maint/Maintenance Contracts, 5516205/638200 \$15,000.00); Forestry Horticulture/Maintenance Contracts, 1011217/638200 \$15,000.00); Streets & Sidewalks Repair/Maintenance Contracts \$11,000.00); Streets Water & Sewer Repair/Maintenance Contracts, 5513202/638200 \$2,000.00); (Streets Storm Drains/Maintenance Contracts, 5534203/638200 \$2,000.00) - Approved*
21. Council is asked to approve the Resurfacing of Pisgah Church Road, as requested by the Street Division. Award to Sloan Construction Company, Inc., the lowest bidder in the amount of \$72,387.70. This vendor is located in Columbia, SC. *Funding Source: Street Resurfacing Capital Project/Clement Masonry Material; Pisgah Church Rd Resurfacing/Clement Masonry Material; GL4079999-623400 JLSR803101-623400 - Approved*
22. Council is asked to approve a Contract for Professional Services for the Prosecution of all Domestic Violence Cases occurring within the limits of the City of Columbia, as requested by the Columbia Police Department. Award to the Fifth Circuit Solicitor's Office in the amount of \$75,393.00. *Funding Source: SCDPS/JAG-CDV Investigator & Prosecutor Grant (1G09008); 9213000110 – 636600 - Approved*
23. Council is asked to approve the Purchase of One (1) Biomass Gasifier Model BMA1200 Unit and Shelter, as requested by the Animal Control Division. Award to Biomass Marketing Association, Inc., as a Sole Source in the amount of \$94,598.57. This vendor is located in Hobgood, NC. *Funding Source: Animal Shelter Holding Account, Other Equipment >\$5,000.00; 101201-658400 - Approved*
24. Council is asked to approve a Twelve (12) Month Renewal for Software Maintenance, as requested by the Columbia Police Department. Award to Vision Air in the amount of \$115,044.72. This vendor is located in Castle Hayne, NC. *Funding Source: 1012405-638200 - Approved*
25. Council is asked to approve the Annual Support and Maintenance Renewal of IFAS, as requested by General Administration. Award to Sungard Bi-Tech, Inc. in the amount of \$164,506.00. This vendor is located in Chicago, IL. *Funding Source: General Admin. Information Technology/Maintenance Contracts; 6218950/638200 - Approved*
26. Council is asked to approve the Purchase of Morning Pride Bunker Gear, as requested by the Columbia Fire & Rescue Division. Award to Newton's Fire & Safety, the lowest bidder meeting specifications in the amount of \$178,155.00. This vendor is located in Simpsonville, NC. *Funding Source: (50% Fire Suppression-Safety Clothing and Supply; 1012303-625900 \$89,077.50) and (50% County Fire Administration-Safety Clothing and Supply; 2082306-625900 \$89,077.50) - Approved*
27. Council is asked to approve Project #SS7159 (5); Repair of Centrifuge #1 at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Alfa Laval, as a Sole Source in the amount of \$300,000.00. This vendor is located in Chesapeake, VA. *Funding Source: Sanitary Sewer Maintenance Fund; 5516212-638300 - Approved*

ORDINANCES – SECOND READING

28. **SW Corner of Assembly and Laurel Streets Continue Operation**

Ordinance No.: 2010-155 – Granting a Franchise to Mary Smalls d/b/a Harris Charette for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street adjacent to Finlay Park – *First reading approval was given on December 14, 2010. – Approved on second reading.*

29. **Mid-Block Pad Near 1701 Main Street Continue Operation**

Ordinance No.: 2010-156 – Granting a Franchise to Robert Spencer for operation of a stationary sidewalk vending cart in the mid-block pad near 1701 Main Street – *First reading was given on December 14, 2010. – Approved on second reading.*

30. **Mid-Block Pad Near 1333 Main Street Continue Operation**

Ordinance No.: 2010-157 – Granting a Franchise to Regina Doster and Kylin Doster d/b/a Carolina Dawgs for operation of a stationary sidewalk vending cart within the mid-block pad near 1333 Main Street – *First reading approval was given on December 14, 2010. – Approved on second reading.*

ORDINANCES – FIRST READING

31. Ordinance No.: 2010-154 – Authorizing the City Manager to execute an Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of approximately 64,469 square feet known as 319 Blanding Street and 22 Williams Street, Richland County TMS #09005-02-44 and #09005-02-23 – *This item was discussed in Executive Session. Approved on first reading with conditions. Please refer to **Items 49. and 51.***
32. Ordinance No.: 2010-161 – Authorizing the City Manager to execute lease between the City of Columbia and Lockhart Power Company for the Canal Hydroelectric Plant – *This item was discussed in Executive Session. Please refer to **Item 49.***
33. Ordinance No.: 2011-002 – Authorizing the City Manager to execute an Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of approximately 0.08 acres (3,477.92 square feet) at the southwest corner of Huger Street and Laurel Street, known as Richland County TMS #09010-14-02 – *Approved on first reading.*

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2011-002 – Authorizing the City Manager to execute an Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of approximately 0.08 acres (3,477.92 square feet) at the southwest corner of Huger Street and Laurel Street, known as Richland County TMS #09010-14-02.

RESOLUTIONS

Upon a single motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve **Resolution Items 34.** through **38.**

34. Resolution No.: R-2011-001 – Authorizing consumption of beer and wine at Viva la Vista 2011 – *Approved*

35. Resolution No.: R-2011-002 – Authorizing consumption of beer and wine at Vista Lights 2011 – *Approved*
36. Resolution No.: R-2011-005 – Authorizing consumption of beer and wine at the Urban Tour and Awareness Campaign of Main Street – *Approved*
37. Resolution No.: R-2011-006 – Authorizing consumption of beer and wine at Mingle & Jingle on Main Street – *Approved*
38. Resolution No.: R-2011-009 – Authorizing consumption of beer and wine at Five Points St. Pat's Kickoff Event – *Approved*
39. Resolution No.: R-2011-012 – Authorizing the City Manager to execute a Lease between the City of Columbia and U.S. House Representative James E. Clyburn for approximately 4,535 square feet of office space known as Suite 200, 1225 Lady Street – *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2011-012 – Authorizing the City Manager to execute a Lease between the City of Columbia and U.S. House Representative James E. Clyburn for approximately 5,199.50 square feet of office space known as Suite 200, 1225 Lady Street, as amended.

40. Resolution No.: R-2011-013 – Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the “St. Pat's in Five Points Festival” – *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2011-013 – Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the “St. Pat's in Five Points Festival”.

CITY COUNCIL COMMITTEE REPORTS

41. Council is asked to provide committee reports and/or present motions to refer specific matters to a particular Council Committee at this time.

Councilor Rickenmann reported that the Finance, Audit and Budget Committee met today and an Action Report of the meeting will be distributed.

Councilor Plough reported that the Administrative Policy Committee met on Tuesday, January 18, 2011.

- The Committee discussed the City Manager and City Attorney evaluations. The committee recommends that the Council use the forms being provided by the committee for each evaluation; begin making notations and submit benchmarks for the City Manager to be used in the evaluation discussion by February 1, 2011. City Council should schedule an Executive Session to complete the City Manager's evaluation on February 15, 2011 at 3:00 p.m. and the City Attorney's evaluation on March 15, 2011 at 3:00 p.m.
- We discussed unified services and compiled a long list of possibilities on unified services. We asked staff to review the list to determine if other items need to be added. The objective is to set priorities during the February 1, 2011 Work Session. The County has formed a work group and we would like to reach out to them once we set our priorities.
- We recommend that we draft a Request for Proposals to audit all ongoing revenue sources for the City every five (5) years.
- We recommend that Staff collect ethics policies from other cities and City Council determine if we want to adopt an ethics policy and/or commission.

- The Committee recommended that City Council schedule regular meetings and determine that deviations will be at the approval of the majority of the Council. Schedule a Work Session on the 1st Tuesday of each month at 2:00 p.m. effective February 1, 2011. If deemed necessary, we would schedule a special session on the 3rd Tuesday of each month.
- Establish guidelines for presentations to include time limits, regardless of the number of presenters. Do we want to schedule presentations during regular meetings or Work Sessions?
- We decided not to give any further recommendations on refining the committee process, but after further experience, we may have recommendations at a later time.

There was a consensus of Council to schedule a Work Session on Tuesday, February 1, 2011 at 2:00 p.m. and to ask Ms. Plough to reduce the Committee's recommendations to a motion for consideration on February 1, 2011. Staff was asked to consult with Richland County about their committee process.

Upon a motion made by Mr. Newman and seconded by Mr. Rickenmann, Council voted unanimously to refer a thorough review of the Municipal Court and its component units to the Public Safety Committee. The Committee is asked to consider the recommendations of the EquaTerra Efficiency Study as part of this review.

42. Council is asked to refer an update from the Navigating from Good to Great Foundation to the Economic and Community Development Committee.

There was a consensus of Council to schedule an update from the Navigating from Good to Great Foundation during the Work Session on March 1, 2011 at 2:00 p.m.

43. Council is asked to refer an update on the Development Corporations to the Economic and Community Development Committee.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to refer an update on the Development Corporations to the Economic and Community Development Committee.

APPOINTMENT

44. One Book One Columbia

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve the appointment of Professor Dianne Johnson to the One Book One Columbia Committee, as nominated by The Honorable Tameika Isaac Devine.

- **Dr. Gergel joined the meeting at 7:22 p.m.**

CITY COUNCIL DISCUSSION / ACTION

45. **Employee Residency Requirement

Councilor Plough raised concerns about the City's employee residency requirements and looking at setting a policy for a certain level of employees.

Mr. Steven A. Gantt, City Manager said that there is not a written employee residency requirement in the handbook nor has it been a condition of employment since he has been the City Manager. My role has been to hire the very best we can hire to do the job that we need done. It would make it much clearer if we had a policy from Council.

Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted unanimously to remove **Item 50.** from the agenda.

Mr. Ken E. Gaines, City Attorney confirmed that there is no policy in the Employee Handbook regarding the residency of City employees, but it has been a policy of the two (2) previous City Managers.

Mr. Al Nickles, City's Labor Attorney reported that in the State of South Carolina there is no statute that dictates residency, except in very specific circumstances. For example, Municipal Judges may not be required to live within the municipality. The state statutes are silent as it relates to municipal employees. Some municipalities choose to have residency requirements and some choose not to. In some states, residency requirements have been overturned by the General Assembly. You may be limiting who can apply for or work for the municipality. To require this retroactively, when that was not a part of the requirement at time of the application, raises legal issues. There are opportunities to have grandfather provisions and policies adopted, applicable only prospectively. There isn't an ordinance. If a policy is implemented, Council should look at it carefully and decide if it should be enforced; how should it be enforced; who is it to apply; and should it apply retroactively or prospectively.

Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted six (6) to one (1) to refer the discussion of the employee residency requirement to the Administrative Policy Committee to determine if such a policy is needed and at what level it would apply. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel, Ms. Plough and Mr. Newman. Mayor Benjamin voted nay.

Upon a single motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to approve **Item 46.** Neighborhood Street Lighting to Devine Street between Millwood Avenue and Santee Avenue and **Item 47.** Neighborhood Street Lighting at 2510 McDonald Street.

46. Neighborhood Street Lighting Request – Mr. Dave Brewer, Director of Traffic Engineering - *Approved*

47. Neighborhood Street Lighting Request – Mr. Dave Brewer, Director of Traffic Engineering - *Approved*

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Bruce Sanders said that Council may not need to pursue the curfew law; maybe the new Police Chief can deal with that. Curfews are unfair; they cause problems for people that aren't doing anything only to get to the people that are doing something wrong.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to go into Executive Session at 7:53 p.m. for the discussion of **Items 48.** and **49.** **Item 50.** was withdrawn from the agenda.

48. Discussion of compensation of an employee – *This item was discussed in Executive Session. No action was taken.*

49. Discussion of negotiations incident to proposed contractual arrangements

- Ordinance No.: 2010-154 – *Approved on first reading with conditions. Please refer to Item 51.*
- Ordinance No.: 2010-161 – *This item was discussed in Executive Session. No action was taken.*

50. **Discussion of employment of employee – *This item was removed from the agenda.*

▪ **Council adjourned the Executive Session at 8:23 p.m. and reconvened the meeting.
ORDINANCE – FIRST READING**

51. Ordinance No.: 2010-154 – Authorizing the City Manager to execute an Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of approximately 64,469 square feet known as 319 Blanding Street and 22 Williams Street, Richland County TMS #09005-02-44 and #09005-02-23 – *Approved on first reading.*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis Council voted unanimously to give first reading approval to Ordinance No.: 2010-154 – Authorizing the City Manager to execute an Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of approximately 64,469 square feet known as 319 Blanding Street and 22 Williams Street, Richland County TMS #09005-02-44 and #09005-02-23, subject to amending Paragraph 5 so that the Purchaser cannot waive the contingency to remove the Department of Interior's restriction on the property; that the sale price will be \$750,000 regardless of the square footage after the survey; the Purchaser shall clarify where the Little Red School House will be relocated on the property; deed that property to the City; or relocate the Little Red School House on a property they select and deed it to the City; that location is subject to the approval of the City, which will not be unreasonably withheld. Relocation of the Little Red School House is at the Purchaser's expense. The City of Columbia will proceed with second and final reading approval of the Ordinance, if these terms are acceptable to the Purchaser.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to adjourn the meeting at 8:26 p.m.

Respectfully submitted by:

Erika D. Salley
City Clerk