



CITY OF COLUMBIA
CITY COUNCIL
DISTRICT IV EVENING MEETING MINUTES
TUESDAY, APRIL 5, 2011
6:00 P.M.
WOODLAND PARK
6500 OLD KNIGHT PARKWAY

The Columbia City Council conducted a District IV Evening Meeting on Tuesday, April 5, 2011 at Woodland Park, 6500 Old Knight Parkway, Columbia, South Carolina. The Honorable Mayor Pro-Tempore Dr. Belinda F. Gergel called the meeting to order at 6:06 p.m. and the following members of Council were present: The Honorable Daniel J. Rickenmann, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. The Honorable Tameika Isaac Devine arrived at 6:30 p.m.; The Honorable Mayor Stephen K. Benjamin arrived at 6:44 p.m.; and The Honorable Sam Davis arrived at 6:51 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.

PRESENTATIONS

1. Welcome Addresses – The Honorable Leona K. Plough, District IV / Mr. Brock Conrad, President of the Meadowfield Neighborhood Association

Councilor Plough, District IV Representative welcomed everyone to the District IV Evening Meeting at Woodland Park. She recognized the following neighborhood leaders that were in attendance: Ms. Mary Baskins-Waters, Historic Heathwood Neighborhood Association; Mr. Pringle Boyd, Hampton Ridge Neighborhood Association; Mr. Tige Watts, Brandon Acres-Cedar Terrace Neighborhood Association; Mr. Ron Thompson, Ashewood Homeowners Association; Ms. Katheryn Bellfield, Booker T. Washington Heights Neighborhood Organization; and Mr. Bill Manley, Eau Claire Community Council.

Mr. Brock Conrad, President of the Meadowfield Neighborhood Association thanked Ms. Plough for her willingness to meet with the residents of District IV on a regular basis to address their concerns. He also thanked the new City Council for the budget responsibility they've shown.

2. Fair Housing Month Proclamation – Ms. Tina Herbert, Deputy Director of the Community Development Department

Ms. Tina Herbert, Deputy Director of the Community Development Department explained that the purpose of Fair Housing Month is to educate our citizens on the issues regarding equality in housing. We have a Fair Housing and Foreclosure Prevention Event scheduled for April 26, 2011 at the Convention Center in partnership with the SC State Housing Department.

Mayor Pro-Tem Gergel and the members of City Council proclaimed April 2011 as Fair Housing Month in the City of Columbia.

3. Introduction of Miss Dedicated Individually to Valiantly Assist (DIVA) Inc. – Miss Kierra Aiken, Miss DIVA 2010

Miss Kierra Aiken, Miss DIVA 2010 introduced herself as a 12 year old student at Blythewood Elementary School. Her platform is to improve the economy by opening more community programs like DIVA, Inc. She recommended an adult group to help reduce stress and abuse to children and teens. A very close friend of mine has been verbally abused, beaten and her self esteem has been low. She further recommended a teen group to help reduce teen pregnancy, drug use, gangs and bullying. Talking to teens isn't easy, but we can show a better path. For more information, visit the website at www.divainternationalinc.org.

Councilor Gergel presented Miss Aiken with “*Telling Our Story*” a book that's being read under the One Book, One Columbia initiative.

4. Celebrate Freedom Festival – Mr. Jack Lovelady, President of the Celebrate Freedom Foundation

Mr. Jack Lovelady, President of the Celebrate Freedom Foundation announced the 13th Annual Celebrate Freedom Festival on Saturday, April 16, 2011 at Finlay Park. The event begins at 9 a.m. featuring the 2nd National Vietnam Era Veterans Homecoming along with educational exhibits and a free concert by Martha Reeves & the Vandellas 4:00 p.m. For more information, visit their website at www.CelebrateFreedomFoundation.org.

CONSENT AGENDA

Upon a single motion made by Mr. Newman and seconded by Mr. Rickenmann, Council voted unanimously to approve the **Consent Agenda Items 5.** through **22.** as presented.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

5. Council is asked to approve an Addition to the City's Property Insurance Coverage for the Columbia Canal Hydroelectric Plant, as requested by the Risk Management Division. The insurance premium is payable to Willis of NC as the City's current broker in the amount of \$12,478.00 for the period of July 1, 2010 to July 1, 2011. *Funding Source: Risk Management Policies and Premiums Account 6058935-644100 - Approved*
6. Council is asked to approve Upgrades to the Touch-less Truck Wash Facility, as requested by the Fleet Services Division. The purchase is awarded to Loyal Systems, Inc. of Gastonia, NC, which is the lowest bidder meeting specification in the amount of \$18,063.09. *Funding Source: Equipment Repair/Service Supply 6308971-631800 - Approved*
7. Council is asked to approve the Purchase of an Optiview Management Suite, as requested by the Information Technology Department. This purchase is being awarded to Fluke Networks of San Francisco, CA in the amount of \$25,079.73. *Funding Source: Technology Replacement/Computer/Elec Equip > \$5,000 6218954-658600 – This is a portable network management tool designed to troubleshoot network and application performance problems; ensure network and infrastructure availability; manage daily operations; ensure compliance with*

regulations; and provide management with accurate reporting and documentation. - Approved

8. Council is asked to approve Contract Amendment #1 to Projects SS7115 and SS7116: Agreement for Engineering Services Relating to the West Columbia and Saluda River Pump Station Improvements, as requested by the Utilities and Engineering Department. The contract is awarded to Brown and Caldwell of Walnut Creek, CA in the amount of \$30,345.00. *Funding Source: Sanitary Sewer 5529999-SS7115-636600 & 5529999-SS7116-636600 – Brown and Caldwell will conduct additional surveying and route alignment around Granby Park; archeological research along force main alignment; and Saluda River force main discharge in order to address the gas pockets and surge pressure issues. - Approved*
9. Council is asked to approve the Purchase of Replacement Cisco Routers and Switches, as requested by the Information Technology Department. The purchase is awarded to NWN Corporation of Charlotte, NC as the lowest bidder meeting specification in the amount of \$65,010.40. *Funding Source: Technology Replacement/Computer Supplies 6218954-627500 - Approved*
10. Council is asked to approve Change Order #2 for the Washington and Taylor Street Garage Improvements, as requested by Parking Services. This contract is awarded to AOS Specialty Contractors, Inc. of Columbia, SC in the amount of \$92,523.00. *Funding Source: Parking CIP PG001109 – The additional work being completed is required by the agreement with Mast General Store and includes painting, electrical, storm drainage, structural upgrades, alleyway resurfacing, concrete apron, and stamped asphalt and brick pavers. This also extends the contract to June 10, 2011. - Approved*
11. Council is asked to approve Change Order #1 for the Columbia Canal Front Site Work, as requested by Construction Management. This contract is awarded to Cherokee, Inc. of Columbia, SC in the amount of \$112,202.20. *Funding Source: Canal Front CP102401- The City of Columbia requested that the contractor drill and install steel casing in the granite rock for the installation of piles to support the new walkway adjacent to the EdVenture Children’s Museum and the Terrace Building. This also extends the contract to January 17, 2012. - Approved*
12. Council is asked to approve Mentor Protégé Program Project #SS696603; Annual Sanitary Sewer Rehabilitation at Washington Park, Bluff Estates, Starlite Subdivision, Eastway Park, Hyatt Park and areas from Bull Street via Calhoun, Barnwell, Blanding, Gregg and Gervais Streets, as requested by the Utilities and Engineering Department. This project is awarded to McClam & Associates of Little Mountain, SC (Mentor) and Patriot Construction of Columbia, SC (Protégé) as the lowest bidder in the amount of \$3,138,425.57. *Funding Source: Sanitary Sewer Maintenance/Special Contracts 5529999-638300 – The CIP budgeted amount for this project is \$4,962,609.00. - Approved*

ORDINANCES – SECOND READING

13. Ordinance No.: 2011-006 – Granting encroachment to the University of South Carolina for construction and maintenance of two (2) handicap parking spaces west of Sims Hall adjacent to 614 Bull Street, Richland County TMS No. 11303-07-01 – *Approved on second reading.*

14. Ordinance No.: 2011-014 – Authorizing the transfer of a 0.02 acre (934.23 square feet) portion of Richland County TMS #09010-10-01 adjacent to 719 Blanding Street to David M. Graves – *Approved on second reading.*

SIDEWALK VENDING ORDINANCES – SECOND READING

15. **NW Corner of Main and Washington Streets**

Ordinance No.: 2011-016 – Granting a Franchise to Keyser Concessions, LLC for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Washington Street – *Approved on second reading.*

16. **SE Corner of Hampton and Assembly Streets**

Ordinance No.: 2011-017 – Granting a Franchise to Doggie Dogs NY Style Hot Dogs for operation of a stationary sidewalk vending cart on the southeast corner of Hampton Street and Assembly Street – *Approved on second reading.*

MAP AMENDMENTS – SECOND READING

17. **2307, 2311, 2315, 2317, 2319, 2321, 2325 Laurel Street, 1820 Oak Street, 2310, 2312 Richland Street, 2300, 2308, 2316, 2318, 2324, 2328 Haskell Avenue, 1600, 1613, 1615, 1619 Heidt Street**, TMS# 11408-07-04, -05, -13, -14, -15, -16, -17, -18, -19, -20; 11408-10-01, -02, -04, -05, -06, -07, -08, -09, -10, -11; Request to rezone from RG-2 (General Residential) and PUD-C (Planned Unit Development) to C-1 (Office and Institutional). – *Approved on second reading.*
18. **1125 Pope Street**, TMS# 09109-10-23; Request to rezone from C-1 (Office and Institutional) to MX-1, NC (Mixed-Use, North Main Corridor). – *Approved on second reading.*
19. **5610 Farrow Road – Bendale Court**, TMS# 11775-01-01 through -21, -23 through -45, -48, and -49. Request to rezone from RG-2 (General Residential) to C-1 (Office and Institutional). – *Approved on second reading.*
20. **80.22 ± acres north side of Saluda River aka Riverbanks Zoo and Gardens**, TMS# 07215-02-09, -10, -11; Request to rezone from RS-1 (Single-Family Residential) to C-3 (General Commercial). – *Approved on second reading.*
21. **301 Gervais Street** – TMS# 08912-02-01, -02, 03, 08912-14-01; Request to rezone from M-2 (Heavy Industrial) –DP (Design Preservation) to C-1 (Office and Institutional) –DP (Design Preservation). – *Approved on second reading.*

ANNEXATION WITH MAP AMENDMENT – SECOND READING

22. **602 Deerwood Street**, TMS# 13708-06-02; Request to annex and zone property RS-2 (Single Family Residential). The property is zoned RS-MD in Richland County. – *Approved on second reading.*

Ordinance No.: 2011-012 – Annexing 602 Deerwood Street, Richland County TMS# 13708-06-02 – *Approved on second reading.*

MAP AMENDMENT – SECOND READING

23. **HEATHWOOD CC1 (COMMUNITY CHARACTER) MAP AMENDMENT - Generally Bounded On The North By Devereaux Road, On The East By Kilbourne Road, On The South By Devine Street, And On The West By Adger Road**, TMS# 13804-04-01 through -03; 13804-04-05; 13804-05-01; 13804-05-02; 013804-05-06; 13808-01-01 through -04; 13808-02-01; 13808-02-03 through -06; 13808-03-01 through -05; 13808-03-07 through -16; 13808-04-01 through -06; 13808-05-01 through -05; 13808-12-01 through -07; 13808-13-01 through -11; 13808-13-13; 13808-14-01 through -08; 13905-12-01 through -07; 13905-13-01; 13905-13-02; 13905-13-04 through -09; 13905-14-02; 13905-14-04 through -10; 13905-14-12; 13905-15-01 through -11; rezone to add –CC1 (Permanent Community Character) overlay –*On February 1, 2011, Council voted six (6) to one (1) to give first reading approval to **HEATHWOOD CC1 (COMMUNITY CHARACTER) MAP AMENDMENT**, subject to deferring second reading consideration until further notice to allow time for staff to meet with Mr. Wade Mullins, other residents, neighborhoods currently under CC-1 guidelines and neighborhoods considering these guidelines as soon as possible to clarify what is required and prohibited within the CC-1 guidelines. The City Attorney is to be involved in these discussions. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel, Ms. Plough and Mr. Newman. Mayor Benjamin voted nay. – Approved on second reading.*

Ms. Krista Hampton, Director of Development Services explained that this is not a historic designation; however, it is permanent measures for Community Character Protection, which reviews demolition of structures over 50 years old and contributing to the historic district; subdivision of lots, only for orientation; and new construction on newly subdivided lots, but not the design of the structure. I did contact some residents to offer clarification; one person never called us back once the information was provided and the other person is comfortable going forward.

- **Ms. Devine joined the meeting at 6:27 p.m.**

Ms. Mary Baskins Waters, Co-President of the Historic Heathwood Neighborhood Association said that they are proud to have their neighborhood recognized and she hopes for a very positive vote.

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to the *Map Amendment* for **HEATHWOOD CC1 (COMMUNITY CHARACTER) MAP AMENDMENT - Generally Bounded On The North By Devereaux Road, On The East By Kilbourne Road, On The South By Devine Street, And On The West By Adger Road**, TMS# 13804-04-01 through -03; 13804-04-05; 13804-05-01; 13804-05-02; 013804-05-06; 13808-01-01 through -04; 13808-02-01; 13808-02-03 through -06; 13808-03-01 through -05; 13808-03-07 through -16; 13808-04-01 through -06; 13808-05-01 through -05; 13808-12-01 through -07; 13808-13-01 through -11; 13808-13-13; 13808-14-01 through -08; 13905-12-01 through -07; 13905-13-01; 13905-13-02; 13905-13-04 through -09; 13905-14-02; 13905-14-04 through -10; 13905-14-12; 13905-15-01 through -11; rezone to add –CC1 (Permanent Community Character) overlay.

RESOLUTIONS

24. Resolution No.: R-2011-026 – Authorizing Eau Claire Community Council's Ribs & Renaissance Arts & Community Festival and consumption of beer and wine at Hyatt Park, Eau Claire Town Hall and the Eau Claire Print Building - *Approved*

Councilor Devine asked staff to verify whether or not Hyatt Park could be excluded from the Resolution since that is the area that was primarily designated for children during last year's event.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2011-026 – Authorizing Eau Claire Community Council's Ribs & Renaissance Arts & Community Festival and consumption of beer and wine at Hyatt Park, Eau Claire Town Hall and the Eau Claire Print Building.

25. Resolution No.: R-2011-030 – (*Amended*) - Authorizing the City Manager to execute a Termination of Lease Agreement between the City of Columbia and Mainstream Group V, LP for lease of the First Floor and Basement of 1644 Main Street (Tapp's Building)

Mr. Jim Gambrell, Director of Economic Development explained that April's payment was made on time; therefore, we needed to reduce the payment for the remainder of the fiscal year to \$52,159.86 and next year's payment for 13 months and 20 days was reduced to \$356,408.32 for a total payment of \$408,568.18. We will be released of any obligation under the lease as soon as the agreement is signed. We still have an obligation to make a payment on July 1, 2011.

Councilor Plaugh suggested that the Council defer this item for further discussion. She reminded the Council that the City's financial obligations were being paid in full early with no present value calculation or an appropriate reduction in the amount to be paid.

Councilor Rickenmann asked that the City of Columbia's name not be included on any leases as they move forward. We should be released and have no lease obligations.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted four (4) to one (1) to approve Resolution No.: R-2011-030 – Authorizing the City Manager to execute a Termination of Lease Agreement between the City of Columbia and Mainstream Group V, LP for lease of the First Floor and Basement of 1644 Main Street (Tapp's Building), as amended. Voting aye were Ms. Devine, Mr. Rickenmann, Dr. Gergel and Mr. Newman. Ms. Plaugh voted nay.

APPOINTMENTS

26. Citizens Advisory Committee for Community Development – *Consideration of this item was deferred.*
27. Climate Protection Action Committee – *Consideration of this item was deferred.*

28. Richland County Board of Assessment Control

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to approve the appointment of Mr. Richard Okey Westfall for a three (3) year term to the Richland County Board of Assessment Control to replace Mr. Ben Arnold, who has served two (2) full terms.

29. Columbia Housing Authority Board of Commissioners

Councilor Devine explained that all of the current members' terms will expire by the summer and that would require us to appoint all new people. I am not sure that would be in the best interest of the Housing Authority. She asked that the item be deferred and directed the City Manager to schedule a meeting with the Executive Director of the Columbia Housing Authority to discuss the Board of Commissioners and to suggest that new appointees' terms be staggered in an effort to maintain a level of leadership on the board. The members of Council are to be notified of the meeting date and time.

This item will be deferred for 30-days.

CITY COUNCIL COMMITTEE REPORTS

Councilor Rickenmann reminded the members of Council about the City Council Budget Workshop scheduled for Wednesday, April 6, 2011 at 9:00 a.m.

Councilor Newman announced that the Public Safety Committee will meet on Thursday, April 14, 2011 at 2:00 p.m.

Councilor Gergel announced that the Arts and Historic Preservation Committee will meet on Tuesday, April 12, 2011 at 2:00 p.m.

▪ **Mayor Benjamin joined the meeting at 6:44 p.m. and is now presiding.**

Mayor Benjamin asked that we continue to pray for people across the entire region; the devastation in North Columbia is quite significant; and we are thankful that no one was significantly hurt.

30. Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to refer an update on the implementation of the Energy Audit conducted by Ameresco, specifically Phase II related to lighting to the Environment and Infrastructure Committee.

ORDINANCE – FIRST READING

31. Ordinance No.: 2011-011 – Approving the creation and administration of the Central Midlands Regional Housing Trust Fund

Mayor Benjamin said that the agency administering the Trust Fund should be able to make decisions on how to spend the funds without Council having to approve the expenditures and that any funds given to the Trust Fund should be separate from the General Fund.

Mr. Ken E. Gaines, City Attorney stated that they didn't define the boundaries for members, but it would be logical for those members to be members of the Council of Governments. The Ordinance becomes effective when the Trust is funded.

Councilor Rickenmann asked if this would be handled by the United Way or if there will be a Request for Proposals process to select an administrator.

Mayor Benjamin said that he expects for United Way to take the lead role.

▪ **Mr. Davis joined the meeting at 6:51 p.m.**

Councilor Plough expressed concerns about setting up a Regional Housing Trust Fund with one entity; that doesn't fulfill what we are trying to do. She suggested that the 4th whereas clause be revised to require more than one municipality or county government to establish the Trust. She further suggested that the 11th whereas clause be revised by replacing the words "desires to dedicate" to "may dedicate", because that doesn't fully commit us during these tight financial times. We have identified \$10,000 from the Columbia Housing Development Corporation, but we haven't identified dollars to help capitalize this and that's what they need.

Councilor Davis said that the models they looked at were multi-county. We can satisfy the bottom line in terms of buy-in with a compelling offer for the other entities to get involved and that will set the tone.

Councilor Devine said that this is the first step in establishing the Regional Housing Trust Fund and it puts us in a better position for others to join.

Councilor Gergel urged Mayor Benjamin to seek out regional partners at the upcoming meeting with the regional Mayors.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2011-011 - Approving the creation and administration of the Central Midlands Regional Housing Trust Fund, with the following caveat:

- Revise the 11th whereas clause by replacing the words City Council "desires to dedicate" to "may dedicate".

Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel, Mr. Newman and Mayor Benjamin. Ms. Plough voted nay.

CITY COUNCIL DISCUSSION / ACTION

32. Council is asked to Provide Local Government Approval of Proposals for Emergency Grants Certification. - *Approved*

- Emergency Grant Proposals
- Zoning Certification Letters
- Draft Local Certification Letter

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to authorize the City Manager to execute a local certification letter for agencies applying for the Emergency Shelter Grant Program Funds through the SC Governors Office of Economic Opportunity, which are due on April 15, 2011.

Mayor Benjamin recognized Ms. Bessie Watson, President of the Columbia Council of Neighborhoods.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Montreavicus Nesmith proposed a multi-family unit recycling program for apartment complexes, town homes and duplexes. He said that his organization would capitalize on these opportunities for economical and environmental growth through the implementation of this program.

The members of Council referred Mr. Nesmith to Mr. Rickenmann as Chair of the Climate Protection Action Committee; the Sustainability Coordinator for information on the Green is Good for Business Program; and the Office of Business Opportunities to help him get up and running.

Mr. Bill Manley suggested that we pray for the Greenview Community, Columbia and the Midlands. He reiterated his concerns about the franchise fee and the fact that he hasn't received information from the City of Columbia. I keep going through the minutes and the news reports. I did find out that the City received \$32 million instead of \$71 million; the rest of it was in property. I am asking for transparency. The concept of the franchise fee came from us taking over the SCE&G bus system. The City's Truth in Spending Report doesn't show any revenues from SCE&G.

Councilor Rickenmann suggested that staff provide Mr. Manley with an itemized list of funding provided to the Central Midlands Regional Transit Authority from the City of Columbia.

Mr. Joe Weir expressed concerns about traffic enforcement on Assembly Street. He insisted that the problem is that people aren't stopping at red lights or prior to making right hand turns, not the number of lanes. He said that Police enforcement is needed.

Fire Chief Aubrey Jenkins announced that the MDA Boot Drive was successful. Approximately \$127,000 was collected in 3 days.

Councilor Gergel announced the upcoming District III Evening Meeting on Tuesday, April 19, 2011 at 6:00 p.m. at the Capital Senior Center located at 1650 Park Circle.

Councilor Plough said that this was her first City Council Meeting in District IV and she is delighted to be their representative. I am also delighted to sit up here with my colleagues that want Columbia to be the very best it can be. We have a wonderful staff that works day and night, many of them have been up since 4:00 a.m. this morning in response to the storm. When you see them, please thank them for what they do. Thank you all for coming and thank you all for your support.

Councilor Davis said that staff has done an excellent job in dealing with what happened overnight. Everyone was very complimentary of staff's efforts, coordination and rapid response.

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to adjourn the meeting at 7:27 p.m.

Respectfully submitted by:

Erika D. Salley
City Clerk