



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
TUESDAY, SEPTEMBER 6, 2011  
6:00 P.M.  
CITY HALL – COUNCIL CHAMBERS  
1737 MAIN STREET

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The Columbia City Council conducted a Regular Meeting and Public Hearings on Tuesday, September 6, 2011 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:07 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. Plaugh and The Honorable Brian DeQuincey Newman. The Honorable Belinda F. Gergel was absent. Also present were Mr. Stephen A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

**PLEDGE OF ALLEGIANCE**

Master Summers, Eagle Scout led the audience in the Pledge of Allegiance.

**INVOCATION**

Chaplain Clyde Waters, Columbia Police Department offered the invocation.

**ADOPTION OF THE AGENDA**

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve the adoption of the agenda, subject to removing **Items 15** and **16** from the Consent Agenda for further discussion, as requested by Ms. Plaugh.

**APPEARANCE OF PUBLIC WITH COMMENTS RELATED TO THE AGENDA**

No one appeared at this time.

**PRESENTATIONS**

1. The Maxcy Gregg Swordfish and Greenview Dolphin Swim Teams Proclamation – The Honorable Mayor Stephen K. Benjamin

The Honorable Mayor Stephen K. Benjamin and the members of City Council proclaimed Tuesday, September 6, 2011 as Maxcy Gregg Swordfish and Greenview Dolphins Day in the City of Columbia. The Maxcy Gregg Swordfish Team completed the year undefeated and the Greenview Dolphin Swim Team captured the East Small Division title.

2. Chestnut Hill Community Update – Mr. J.J. Gentry, President of the Chestnut Hill Plantation Homeowners Association

Mr. J.J. Gentry, President of the Chestnut Hill Plantation Homeowners Association provided an update on the Chestnut Hill Plantation Neighborhood, which is located in the farthest northwest limits of the City of Columbia. We have 600 families in the neighborhood divided into 11 subdivisions. We're one of the only neighborhoods in the City of Columbia with a river landing on the Broad River, a 45-acre trophy bass fishing lake and several fishing ponds; tennis courts; walking trails; and a 160-acre nature area. Please come out and enjoy our amenities and come to our board meetings on the last Monday of each month at 7:30 p.m. and our annual meeting during the first week of December.

3. Community Development Entitlement Program Presentations – Ms. Deborah Livingston, Director of the Community Development Department

Mr. Cecil Hannibal, Chairman of the Citizens Advisory Committee introduced the presenters for the Community Development Entitlement Programs. They will highlight the accomplishments of their programs for fiscal year 2010-2011.

- Housing Opportunities for Persons With Aids Sub-recipient - Ms. Carmen Anthony Julious, Executive Director and Mr. Kabra Benford, Program Manager of Palmetto Aids Life Support Services

Mr. Kabrà Benford, Program Manager for the HOPWA Program / Palmetto Aids Life Support Services reported that PALSS far surpassed the proposed deliverables for both Supportive Services and Housing Information Services. PALSS was contracted to provide Supportive Services to 150 households and Housing Information Services for 75 households. The actual output and outcomes were 369 Supportive Services and 110 Housing Information Services. Additionally, 90% of clients receiving PALSS' case management services report being permanently housed. PALSS was able to coordinate with the Cooperative Ministries, USC Supportive Housing and the Columbia Housing Authority to provide referrals for assistance from other public and private sources for our clients.

- Community Development Block Grant & Homeless Prevention and Rapid Re-Housing Sub-recipient - Dr. David Parker, Director of the USC Office of Supportive Housing Services / Housing First Program

Dr. David Parker, Director of the USC Office of Supportive Housing Services / Housing First Program reported that 2.5 to 3 years of funding was provided for the Homeless Prevention and Rapid Re-Housing Program (HPRP) as part of the American Reinvestment Recovery Act, which was a stimulus package. The idea was to prevent people from becoming homeless and to get people off of the street who were experiencing homelessness for the first time. We were able to incorporate the use of HPRP Funds with CDBG and HOPWA funding to produce better outcomes than we initially expected. In year one, we provided services to 190 people through the Homeless Shelter that we operated for the City of Columbia and we provided housing assistance to 58 persons for case management. We had 248 people who received case management services and 18 of those persons moved into housing. We also focused on healthcare, mental health, substance abuse treatment and employment. Dr. Parker continued to report that the Housing First Program is funded by the Community Development Block Grant and has been in operation since 2008. We are using matching funds from the City of Columbia to match funds from HUD. We can obtain funding for Housing, but it's difficult to secure funding for the services component. Last year, we

were awarded \$246,166 from the City of Columbia and we expended \$196,082, because we had a lot of input, buy in and support from the community and other service providers. Overall, we provided permanent housing to people who were chronically homeless for \$21.48 per day. He noted that most shelters operate at \$35.48 per day. We have 6 new units coming on line at the end of the month and this fall we are submitting a proposal to HUD for 6 additional units. We will introduce a Family First Program and we are requesting 13 units from HUD to use for individuals and homeless families in partnership with the Columbia Housing Authority.

- HOME Investment Partnership Sub-recipient – Ms. Lila Ann Sauls, Executive Director of St. Lawrence Place / Trinity Housing Corporation

Ms. Lila Ann Sauls, Executive Director of St. Lawrence reported that they have been serving homeless families with children since 1989. In addition to housing, we provide wrap around services such as weekly and mandatory case management, childcare and adult life skills programs. We accept single parents with children and traditional couples with children. We are the only shelter in town that accepts teenagers until the age of 18. Four years ago, we had 28 units, but were only able to serve 14 families, because 14 units were in disrepair. We received \$225,000 in HOME funds from the City of Columbia, \$600,000 in forgivable loans from the State Housing Authority and \$100,000 from corporate and private sponsors. Those funds were used to totally renovate the 28 apartments and social service buildings. Without dislocating one family, we replaced all windows, doors and roofs and added installation, porches, paint and landscaping, but most importantly, we changed the face of St. Lawrence Place. It is not a homeless shelter; it's now a community where families and children play and live together.

#### **CITY COUNCIL DISCUSSION / ACTION**

4. Council is asked to Award a Business License Application for a Private Investigator Service to Specialty Investigations Unlimited, Inc. - *Approved*

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve an Application for a Private Investigator Service for Specialty Investigators Unlimited, Inc.

5. Community Challenge Planning Grant Application – Ms. Krista Hampton, Director of Planning and Development Services - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to endorse the Community Challenge Planning Grant Application for the Planning and Development Services Department to fund the update and rewrite of the Zoning and Land Development/Subdivision Regulations (land development code) to replace outdated and disjointed regulations. Ms. Devine was not present for the vote.

6. Edward Byrne Memorial Justice Assistance Grant Program Application for Police Department Equipment and Supplies - Mr. Randy Scott, Chief of the Columbia Police Department - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to endorse the Edward Byrne Memorial Justice Assistance Grant Program Application for Police Department Equipment and Supplies. Ms. Devine was not present for the vote.

7. Assistance to Firefighters Grant Program Application – Mr. Aubrey Jenkins, Chief of the Columbia Fire Department - *Approved*

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to endorse the Assistance to Firefighters Grant Program Application for a driving simulator that would be equipped with two cockpits. Ms. Devine was not present for the vote.

### **CONSENT AGENDA**

Upon a single motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 8 through 14 and 17 through 29. Items 15 and 16** were approved by a separate motion.

### **CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS**

8. Council is asked to approve the Purchase of One (1) John Deer Gator TX, as requested by the Wastewater Treatment Plant. Award to Palmetto Lawn & Leisure, using the SC State Contract in the amount of \$10,163.11. This vendor is located in Lexington, SC. *Funding Source: Utilities Metro Wastewater Plant/Auto Trucks Heavy Equipment-Capital, 5516208-658500 - Approved*
9. Council is asked to approve the Purchase of Hydraulic Fluid, as requested by the Fleet Services Division. Award to Taylor Enterprises, Inc., the lowest bidder meeting specifications in the amount of \$12,754.40. This vendor is located in Spartanburg, SC. *Funding Source: Equipment Services/Fuel Parts and Repair-Misc. Oil, 6308970-672300 - Approved*
10. Council is asked to approve a Twelve (12) Month Extension to the Maintenance and Support Agreement for the Latent Station, as requested by the Columbia Police Department. Award to MorphoTrak in the amount of \$13,822.00. This vendor is located in Anaheim, CA. *Funding Source: Police Support Services/Maintenance and Service Contract, 1012405-638200 – **Note:** This is an Automated Fingerprint Identification System (AFIS) used by crime scene. - Approved*
11. Council is asked to approve Capital Improvement Project #WM3783; 6” Water Main from Pine, Lady, Washington, and Harden Streets, as requested by the Utilities and Engineering Department. Award to MSC Waterworks, the lowest bidder in the amount of \$14,215.79. This vendor is located in Columbia, SC. *Funding Source: Water Capital Improvement Project Fund, 5529999-WM378301-658650 - Approved*
12. Council is asked to approve Capital Improvement Project #SD834103; Agreement to perform a Flood Analysis of Smith’s Branch from North Main Street to Colonial Drive, as requested by Utilities and Engineering. Award to PACE Engineering in the amount of \$16,000.00. This vendor is located in Columbia, SC. *Funding Source: 5549999-SD834103-636600 - Approved*
13. Council is asked to approve the Purchase of Motor Oil, as requested by the Fleet Services Division. Award to Southern Lubricants, Inc., the lowest bidder meeting specifications in the amount of \$21,892.20. This vendor is located in Columbia, SC. *Funding Source: Equipment Services/Fuel Parts and Repair –Motor Oil, 6308970-672200 - Approved*

14. Council is asked to approve the Purchase of Eighteen (18) Premier Stretcher Carriers with Non-Puncture Tires and 500 pound capacity, as requested by the Emergency Operations Center. Award to Omega Safety Services, the only bidder in the amount of \$29,810.63. This vendor is located in Irmo, SC. *Funding Source: Homeland Security Grant Control/Special Departmental Supplies, 2549999-627100 - Approved*
15. Council is asked to approve Change Order #1 for Project CM1010; Parks and Recreation Building and Community Center, as requested by Utilities and Engineering. Award to Quackenbush Architects & Planners in the amount of \$78,925.00. This vendor is located in Columbia, SC. *Funding Source: Parks and Recreations Project Fund #PK008501 – **Note:** This change order is necessary to compensate the architect for additional design work, construction administration and materials testing services that were not included in the original agreement. This work includes a playground relocation study, additional survey and design for a new water main, additional 9 months for construction administration and soils testing. – This item was removed from the Consent Agenda and approved by a separate motion. Please refer to **Item 45.***
16. Council is asked to approve Change Order #2 for Project CM1010; Parks and Recreation Building and Community Center, as requested by Utilities and Engineering. Award to Pyramid Contracting in the amount of \$24,343.64. This vendor is located in Columbia, SC. *Funding Source: Parks and Recreation Project Fund, PK008501 – **Note:** This change order is necessary to compensate the contractor for additional costs associated with submitting two (2) separate pay requests for each building and insurance required to delay the start of the project. – This item was removed from the Consent Agenda and approved by a separate motion. Please refer to **Item 46.***
17. Council is asked to approve the Purchase of a H40 Final Clarifier Drive Assembly for the TowBow Clarification System, as requested by the Wastewater Treatment Plant. Award to Siemens Industry, Inc., as a Sole Source in the amount of \$34,775.00. This vendor is located in Waukesha, WI. *Funding Source: Utilities Wastewater Plant/Small Hand Tools other equipment, 5516208-623100 – **Note:** The purpose of the final clarifier is to convert solids to a settleable form which can be removed from the wastewater stream. - Approved*
18. Council is asked to approve Capital Improvement Project #WM3814; 8” Water Main Crossing at Wilson Boulevard and along Fairlawn Court and 4” Water Main along Fairlawn Court, as requested by Utilities and Engineering. Award to MSC Waterworks, the lowest bidder in the amount of \$39,884.59. This vendor is located in Columbia, SC. *Funding Source: Water Capital Improvement Project Fund, 5529999-SM381401-658650 - Approved*
19. Council is asked to approve Capital Improvement Project #CP835901; Martin Luther King Jr. Park Pedestrian Bridge, as requested by Utilities and Engineering. Award to Cherokee, Inc., the lowest, responsive and responsible bidder in the amount of \$69,370.00. This vendor is located in Columbia, SC. *Funding Source: Storm Water Maintenance Fund, 4039999-658660/CP835901-658660 – This is a Mentor Protégé Program Project and Q&Q Construction, Inc. is the Protégé. - Approved*

20. Council is asked to approve the Renewal of the Annual Oracle Maintenance Support, as requested by the Information Technology Department. Award to Mythics in the amount of \$105,199.03. This vendor is located in Virginia Beach, VA. *Funding Source: Information Technology/Maintenance and Service Contract, 1011120-638200 – **Note:** The Oracle Data Base supports IFAS (the financial system) and Banner (the customer billing system for water).* - Approved
21. Council is asked to approve the Renewal of the Annual Records Management System (RMS) Software Maintenance, as requested by the Columbia Police Department. Award to Visionair Inc., in the amount of \$127,015.94. This vendor is located in Castle Hayne, NC. *Funding Source: Police Support Services/Maintenance and Service Contract 1012405-638200 – **Note:** This system is used by Officers to assist with field based reporting of incidents.* - Approved
22. Council is asked to approve a Contract for Auditing Services, as requested by the Finance Department. Award to Webster Rogers, LLP in the amount of \$134,900.00. This vendor is located in Florence, SC. *Funding Source: Finance Water Administration/Audit Cost, 5511409-635600 – **Note:** The contract is for a three (3) year term with two (2) optional one year renewals.* - Approved
23. Council is asked to approve the Purchase of Materials and Labor to Resurface Four (4) Different Areas in the Belvedere Neighborhood, as requested by Utilities and Engineering. Award to Sloan Construction Co., the lowest bidder in the amount of \$148,937.55. This vendor is located in Columbia, SC. *Funding Source: Sewer Maintenance Projects/Special Contracts, 5516212-638300 - Approved*
24. Council is asked to approve the Purchase of Three (3) 4x4 Backhoes with 4 in 1 Buckets, as requested by the Water Distribution Division. Award to Blanchard Machinery Co., using the SC State Contract in the amount of \$218,355.54. This vendor is located West Columbia, SC. *Funding Source: Utilities Water Distribution & Maint/Auto Trucks Heavy Equip-Capital, 5516202-658500 - Approved*
25. Council is asked to approve Change Order #1 for Project SS7102; North Columbia Pump Station Improvements, as requested by Utilities and Engineering. Award to M.B. Khan Construction Co., Inc., in the amount of \$220,861.10. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund – **Note:** This change order is necessary to compensate the contractor for unforeseen, but necessary repairs to six (6) existing pumps.* - Approved
26. Council is asked to approve Capital Improvement Project #WM4225; 8” Repair along Sunset Drive and Phillips Street, as requested by Utilities and Engineering. Award to Trussell Brothers Construction, the lowest, responsive and responsible bidder in the amount of \$273,607.60. This vendor is located in Columbia, SC. *Funding Source: Water Main Maintenance Fund CIP Special Contracts; 5516210-638300 – This is a Mentor Protégé Program Project and Corley Construction is the Protégé.* - Approved

27. Council is asked to approve the Purchase of Six (6) Vehicles, as requested by Several Departments. Award to the following bidders, using the SC State Contract in the total amount of \$161,464.00. *Funding Source: (Utilities Wastewater Maintenance-Auto Trucks Heavy Equipment Capital, 5516205-658500; \$91,124.00); (Street Scaping Control-Auto Trucks Heavy Equipment Capital, 1012405-658500; \$17,585.00); (Police Investigations-Auto Trucks Heavy Equipment Capital, 1012407-658500; \$52,755.00) - Approved*

Vendor	Qty	Type	Department	Total
Magic City Ford Lincoln Mercury	2	Ford 450 Crew Cab	Utilities -WWM	\$91,124.00
Herndon Chevrolet	4	Chevrolet Impala	Police Department	\$70,340.00
			<b>TOTAL</b>	<b>\$161,464.00</b>

28. Council is asked to approve the Purchase of Ten (10) Vehicles, as requested by Several Departments. Award to the following bidders, using the SC State Contract in the total amount of \$205,883.00. *Funding Source: (Utilities Water Distribution & Maintenance-Auto, Trucks, Heavy Equip-Capital, 5516203-658500; \$79,436.00); (Capital Replacement-Auto, Trucks, Heavy Equipment-Capital, 6308972-658500; \$35,464.00); (Utilities Metro WWTP-Auto, Trucks, Heavy Equip Capital, 5516208-6585800; \$14,983.00); (Utilities Water Customer Services-Auto, Trucks, Heavy Equip Capital, 5516202-68500; \$76,000.00) - Approved*

Vendor	Qty.	Type	Department	Total
Benson Ford Mercury	1	Ford F-250	Utilities - WDM	\$23,374.00
Vic Bailey Ford	2	Ford Escape Hybrid	Utilities - WDM	\$56,062.00
Magic City Motor Corp	1	Ford F-350	General Services	\$35,464.00
Vic Bailey Ford	1	Ford F-150 Pickup	Utilities - MWWTP	\$14,983.00
Vic Bailey Ford	5	Ford Ranger	Utilities - WCS	\$76,000.00
			<b>TOTAL</b>	<b>\$205,883.00</b>

29. Council is asked to approve the Purchase of Twenty-Seven (27) Vehicles, as requested by Several Department. Award to the following bidders, using the SC State Contract in the amount of \$777,872.09. *Funding Source: (Utilities Metro Wastewater Plant-Auto Trucks Heavy Equipment Capital, 5516208-658500; \$14,983.00) & (Capital Replacement-Auto Trucks Heavy Equipment Capital, 6308972-658500; \$762,889.09) - Approved*

Vendor	Qty	Type	Department	Total
Vic Bailey Ford	1	Ford F-150	WWTP	\$14,983.00
Herndon Chevrolet	26	Chevrolet Impala	Police Department	\$762,889.09
			<b>TOTAL</b>	<b>\$777,872.09</b>

**ORDINANCES – FIRST READING**

30. Ordinance No.: 2011-053 – Granting an encroachment to Benedict College for placement and maintenance of a concrete walkway within the right of way area adjacent to 2315 Laurel Street, Richland County TMS #11408-07-17 – *Approved on first reading.*

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2011-053 – Granting an encroachment to Benedict College for placement and maintenance of a concrete walkway within the right of way area adjacent to 2315 Laurel Street, Richland County TMS #11408-07-17.

31. Ordinance No.: 011-055 – Granting an encroachment to Benedict College for placement and maintenance of landscaping within the right of way adjacent to 111 Doctors Circle, Richland County TMS #R09116-03-04 – *Approved on first reading.*

- **Mayor Benjamin left the Council Chambers at 6:56 p.m. and Mayor Pro-Tempore Plaugh is now presiding.**

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 011-055 – Granting an encroachment to Benedict College for placement and maintenance of landscaping within the right of way adjacent to 111 Doctors Circle, Richland County TMS #R09116-03-04. Mayor Benjamin was not present for the vote.

32. Ordinance No.: 2011-066 – Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Columbia and Richland County Consenting to the Inclusion of 132.284 acres, more or less, known as Richland County TMS #16200-04-18 into the I-77 Corridor Regional Industrial Park – *Approved on first reading.*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2011-066 – Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Columbia and Richland County Consenting to the Inclusion of 132.284 acres, more or less, known as Richland County TMS #16200-04-18 into the I-77 Corridor Regional Industrial Park. Mayor Benjamin was not present for the vote.

- **Mayor Benjamin returned at 6:57 p.m. and is now presiding.**

33. Ordinance No.: 2011-068 – An Eighth Supplemental Ordinance Providing for the Issuance and Sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, In one or more series, In the Aggregate Principal amount of not exceeding \$135,000,000, In order to refinance certain outstanding indebtedness and finance certain improvements to the system; Authorizing the Mayor, The City Manager, The Finance Director and the Treasurer, or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2011-068 – An Eighth Supplemental Ordinance Providing for the Issuance and Sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, In one or more series, In the Aggregate Principal amount of not exceeding \$135,000,000, In order to refinance certain outstanding indebtedness and finance certain improvements to the system; Authorizing the Mayor, The City Manager, The Finance Director and the Treasurer, or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto.

- **Council recessed at 6:58 p.m.**
- **Council reconvened at 7:02 p.m.**

## **PUBLIC HEARINGS**

### **SIDEWALK VENDING ORDINANCE - FIRST READING**

34. Ordinance No.: 2011-065 – Granting a Franchise to Alley’s Italian Ice for operation of a stationary sidewalk vending cart on the north corner of Taylor Street and Lincoln Street at the Finlay Park entrance – *Approved on first reading.*

- **Council opened the Public Hearing at 7:02 p.m.**

No one appeared in support of or in opposition to **Item 34.**

- **Council closed the Public Hearing at 7:03 p.m.**

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2011-065 – Granting a Franchise to Alley’s Italian Ice for operation of a stationary sidewalk vending cart on the north corner of Taylor Street and Lincoln Street at the Finlay Park entrance.

Mrs. E. Gail Anderson Holness, 3806 Colonial Drive expressed her appreciation and support of Mayor Benjamin and City Council. I wanted to congratulate and acknowledge the great victory of Steve Benjamin as the new Mayor of Columbia. She urged the Council to increase airport movement in the City so that she wouldn’t have to fly to Atlanta and rent a car to come home.

### **WRECKER SERVICE ORDINANCE – FIRST READING**

35. Ordinance No.: 2011-058 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-210 New applications to participate in zone service; Sec. 24-211 Equipment for emergency wreckers; 24-hour service required; Sec. 24-214 Storage lots and Sec. 24-215 Towing and storage charges – *Approved on first reading with revisions as outlined in the motion.*

Councilor Rickenmann said that the storage fees are too low. I’d like to increase the fee from \$10 to \$25.

Councilor Davis concurred, adding that it’s worth taking another look at the fees given where we are with the economy. Costs do go up and it sounds reasonable to me.

Councilor Plough asked why that adjustment wasn’t made.

Mr. Robert Anderson, Interim Director of Public Works explained that they met with the Columbia Police Department and we mirrored Richland County’s rates. I’ve heard the same complaint.

- **Council opened the Public Hearing at 7:07 p.m.**

Mr. Puff Howard, Puff Howard’s Towing Service said that the insurance companies allow them to bill up to \$160.00 for collision tows. He requested an increase based on the cost of equipment, fuel and liability. He distributed the S.C. Highway Patrol fee structure, which covered tows for violations, collisions, stranded motorists and storage per day.

Mayor Benjamin said that the rates hadn't been adjusted in quite some time. We met and Mr. Howard shared these concerns on behalf of the entire industry and the reality is that rates haven't kept up with the economy. Everyone on Council expressed interest in making sure that the rates are fair, recognizing the increased costs that you have experienced over the last several years.

Chief Randy Scott, Columbia Police Department requested an addendum or an agreement to allow the tow companies to work with victims that may experience a lapse in notification of their vehicle being towed, especially when the incident is documented by the Police Department. By law, we have to send a certified letter and sometimes the owner won't receive it for many days and then they are stuck with a bill much greater than the value of the vehicle.

Mr. Jack Brazzell, Carolina Paint & Body said that by state law we have to give them seven days of free storage.

Mr. Tommy Suddeth, Suddeth's Towing Service clarified that under state law, if a vehicle is reported stolen, once it is towed, the owner is responsible for the tow bill itself, but they are given seven free days of storage to give the Police Department time to notify the owner to pick the vehicle up.

▪ **Council closed the Public Hearing at 7:18 p.m.**

Upon a motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2011-058 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-210 New applications to participate in zone service; Sec. 24-211 Equipment for emergency wreckers; 24-hour service required; Sec. 24-214 Storage lots and Sec. 24-215 Towing and storage charges, subject to the following revisions prior to second reading consideration:

1. Increase fee for a collision tow to \$160;
2. Increase fee for a violation tow to \$125;
3. Increase fee for a no tow to \$50, if the lien is satisfied;
4. Increase fee for daily storage to \$25, after seven days;
5. Provide a comparison of rates with Richland County and the Highway Patrol; and
6. Work out the nuances to ensure that victims of crimes aren't being penalized and that the service providers interest in space is taken into consideration.

**RESOLUTIONS**

36. Resolution No.: R-2011-049 – Authorizing the City Manager to execute a Third Amendment to Lease Agreement with First Citizens Bank and Trust Company, Inc. for the lease of 1225 Lady Street - *Approved by a vote of five (5) to one (1).*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted five (5) to one (1) to approve Resolution No.: R-2011-049 – Authorizing the City Manager to execute a Third Amendment to Lease Agreement with First Citizens Bank and Trust Company, Inc. for the lease of 1225 Lady Street. Voting aye were Mr. Davis, Ms. Devine, Ms. Plough, Mr. Newman and Mayor Benjamin. Mr. Rickenmann voted nay.

37. Resolution No.: R-2011-055 – Adopting City of Columbia Use of Force Policy - *Approved*

Chief Randy Scott, Columbia Police Department explained that the Use of Force Policy is being revised to add Class III Officers and State Constables. With respect to the backup weapon, currently it's on the right or what we consider your weak side ankle, but there are other ways of carrying back up weapons. If you pointed your Taser, you would have to do a Use of Force Policy, but if you pointed your weapon initially, you did not have to do a Use of Force Policy; therefore, we added that to make it stronger. With respect to the cameras on the Tasers, the cameras cost \$450 more and to date the cameras haven't vetted any quality videos, because the camera only cuts on after the Taser is activated. We changed the word Watch Commander to Staff Duty Officer, which is in effect 24 hours per day instead of at night.

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2011-055 – Adopting City of Columbia Use of Force Policy.

38. Resolution No.: R-2011-057 – Authorizing the City Manager to execute an Agreement with Richland County School District One to provide School Resource Officers from the Columbia Police Department to various schools - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2011-057 – Authorizing the City Manager to execute an Agreement with Richland County School District One to provide School Resource Officers from the Columbia Police Department to various schools, during fiscal year 2011-2012.

39. Resolution No.: R-2011-059 – Authorizing the City Manager to execute an Agreement of Purchase and Sale between the City of Columbia and Chapin Development Company for the purchase of approximately 1.30 acres on Broomstraw Road known as Lexington County TMS #00723-02-002 (portion), CIP Project #WM4138 CF #220-346 for the new Chapin Water Tank Site - *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2011-059 – Authorizing the City Manager to execute an Agreement of Purchase and Sale between the City of Columbia and Chapin Development Company for the purchase of approximately 1.30 acres on Broomstraw Road known as Lexington County TMS #00723-02-002 (portion), CIP Project #WM4138 CF #220-346 for the new Chapin Water Tank Site.

### **APPOINTMENTS**

40. Bicycle and Pedestrian Advisory Committee (BPAC)

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve the appointment of Mr. Will Haltiwanger as nominated by Ms. Plough and Mr. Cliff Span as nominated by Mr. Newman to the Bicycle and Pedestrian Advisory Committee. All remaining appointments were deferred to September 20, 2011.

41. Community Promotions Advisory Committee

There was a consensus of Council to review the term limits of the Community Promotions Advisory Committee members; to revise the Resolution establishing term limits; and to advertise the acceptance of applications to fill vacancies.

42. Greater Columbia Community Relations Council

Councilor Devine requested a breakdown of the diversity of the current board members to include race, gender and Council Districts.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the appointment of Mr. Daniel Cole to the Greater Columbia Community Relations Council for a three-year term.

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve the appointment of Mr. Lou Nolan to the Greater Columbia Community Relations Council for a three-year term.

There was a consensus of Council to reserve one vacancy for the consideration of an appointee from Council District One on September 20, 2011.

**CITY COUNCIL COMMITTEE REPORTS**

43. Environmental & Infrastructure Committee

Councilor Devine, as Chair of the Environmental and Infrastructure Committee reported that the Committee met on September 30, 2011 to discuss the privatization of garbage collection services, the 2010 Water Audit Report, remote meter reading and power lines in residential areas. She requested that the full Council receive a copy of the 2010 Water Audit Report and that the City Clerk schedule a tour of the Water Plants during a time that's convenient for the full Council.

44. Administrative Policy Committee

Councilor Plough, as Chair of the Administrative Policy Committee reported that the Committee met on September 30, 2011 to discuss the City's Ethics Policy. At the next meeting on September 27, 2011, we are asking for a committee comprised of a representative from the Columbia Council of Neighborhoods, a private or corporate citizen involved in ethics and an attorney practicing in ethics to join us as we talk with Ms. Cathy Hazelwood as the Deputy Director and General Counsel for the South Carolina Ethics Commission. We also discussed guidelines for presentations during City Council Meetings, which the City Manager has already limited to six (6) presentations per Council Meeting at three (3) minutes each. She recommended that the Council adopt a policy regarding revisions to the agenda.

Upon a motion made by Ms. Plough and seconded by Mr. Newman, Council voted unanimously to adopt the committee's recommendation to no longer revise the meeting agendas unless deemed necessary by the City Manager.

## CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

45. Council is asked to approve Change Order #1 for Project CM1010; Parks and Recreation Building and Community Center, as requested by Utilities and Engineering. Award to Quackenbush Architects & Planners in the amount of \$78,925.00. This vendor is located in Columbia, SC. *Funding Source: Parks and Recreations Project Fund #PK008501 – **Note:** This change order is necessary to compensate the architect for additional design work, construction administration and materials testing services that were not included in the original agreement. This work includes a playground relocation study, additional survey and design for a new water main, additional 9 months for construction administration and soils testing. – This item was removed from the Consent Agenda. - Approved by a vote of five (5) to one (1).*
46. Council is asked to approve Change Order #2 for Project CM1010; Parks and Recreation Building and Community Center, as requested by Utilities and Engineering. Award to Pyramid Contracting in the amount of \$24,343.64. This vendor is located in Columbia, SC. *Funding Source: Parks and Recreation Project Fund, PK008501 – **Note:** This change order is necessary to compensate the contractor for additional costs associated with submitting two (2) separate pay requests for each building and insurance required to delay the start of the project. – This item was removed from the Consent Agenda. - Approved by a vote of five (5) to one (1).*

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted five (5) to one (1) to approve **Items 45** and **46**. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Mr. Newman and Mayor Benjamin. Ms. Plough voted nay.

## APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to adjourn the meeting at 7:55 p.m.

Respectfully submitted by:

Erika D. Salley  
City Clerk