

**CITY OF COLUMBIA CITY COUNCIL
WORK SESSION MINUTES
JANUARY 10, 2012 – 2:00 P.M.
CITY HALL - 1737 MAIN STREET**



The Columbia City Council met for a Work Session on Tuesday, January 10, 2012 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:08 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 Belinda F. Gergel, The Honorable Leona K. Plaugh and The Honorable Brian DeQuincey Newman. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

CITY COUNCIL DISCUSSION / ACTION

1. Rocky Branch Floodplain – Ms. Ryan Nevius, Executive Director / Sustainable Midlands

Ms. Ryan Nevius, Executive Director Sustainable Midlands announced the formation of the Rocky Branch Watershed Alliance, which conducted its first technical meeting on January 5, 2012.

Mr. Christian Mergner, Independent Consultant said that their goal is to find the most cost effective solution for the flooding problem. He presented a topographic map of Richland County, the Rocky Branch Basin within the Congaree Watershed, and the FEMA 100 Year Flood Map. He presented photographs of flooding within the Rocky Branch Basin that occurred on September 25, 2011. He said that the most extreme instances of flooding occur near the Capital City Stadium property. The developers have decided to engineer a retaining wall around the property and then backfill the area. The effect is that it adds 202,000 cubic yards of material to that area and it displaces over 40,000 gallons of water. There are other choices. Retaining walls are used as a last resort in any planning design to solve a problem. He suggested that they look at the small margin of issues that affect everybody. A lot of resources are available that can share in collecting data.

Dr. Venkat Lakshmi, University of South Carolina Department of Earth and Ocean Sciences Professor of Hydrology for the / Chair of the Rocky Branch Watershed Alliance said that development in low lying areas is a problem. Rocky Branch is a very small creek and there isn't a lot of data. The first step is to conduct a study in order to collect information on the urban watershed and then work together to find a solution.

Mr. Joey Jaco, City Engineer reported that in 2006, the city hired Parsons Brinckerhoff to conduct a study of Rocky Branch and they brought forth many recommendations to address flooding in Five Points and at Whaley and Main Streets. The recommendations were \$40 million in improvements.

Mr. Steven A. Gantt, City Manager added that a study was done prior to that on flooding around Palmetto Baptist to Constan Carwash. It was another \$16 million to retain the water toward Hampton Street.

Ms. Eunice McAllister stated that Rocky Branch doesn't start at Martin Luther King Park. No one has done a study of the contiguous watersheds. There are a great number of things to be considered from an historical point of view, both upstream from the site and at the development site. The current development isn't something that should be dumped on and considered by the City without further study.

Ms. Ryan Nevius, Executive Director / sustainable Midlands stated that this is publicly owned property that serves as a flood basin. Why would we want to sell that? Our recommendation is to allow the technical team to come up with a solution. Don't sell the property until we understand the implications.

Ms. Viola Hedley agreed that a traffic engineering study is needed. This is a grand opportunity. We understand nationally and federally that watersheds are to be preserved and they are the best way to deal with storm water.

2. Renaissance Tax Increment Financing – The Honorable Tameika Isaac Devine

Councilor Devine reported that Chairman Livingston appointed Councilors Rose, Jeter and Jackson from Richland County to work on a committee. The Mayor appointed me and Councilors Davis and Newman, since their districts are involved. There are various opinions on this, but we can't answer questions unless we know that this is going to move forward. Meetings will begin later this month. We've received feedback from Richland County and Richland School District One. They need more information on both plans. The Renaissance Plan doesn't have as much information as the Innovista Plan. I would like to retain Haynsworth, Sinkler and Boyd, P.A. through a Letter of Engagement that is on tonight's agenda for consultant representation for the Renaissance District Plan. A Council briefing will be scheduled in February.

Councilor Rickenmann expressed concerns about expenditures in the letter of engagement not being subject to a cap on funding.

Councilor Plough expressed concerns about establishing a committee before the City Council had an opportunity to discuss the boundaries, projects to be included and TIF funding levels.

Councilor Devine said that the plans have already been approved. We need a full understanding of where their concerns lie. We need input from them so that we will know what changes to make.

Councilor Plough expressed further concerns about the source of funding for the letter of engagement. We should move ahead with our internal audit function. Whether the City Manager wants to hire someone internally or have someone work externally.

A motion made by Ms. Plough and seconded by Dr. Gergel, to direct the City Manager to proceed with the internal audit function by hiring someone internally or externally. The auditing function would be funded by contingency funding already set aside for this purpose, was not voted upon.

Mayor Benjamin urged Ms. Devine to move forward with the committee discussions and to keep the lines of communication open.

Ms. Teresa Wilson, Assistant City Manager noted that the source of funding is contingency funding from the Legislative budget. There is a balance of \$65,000. Other expenses have already come from this line item.

Dr. Gergel sought clarification on the need to approve the Letter of Engagement and expend funds when we are not sure where this is headed. Is this funding set aside for legislative lobbying?

Councilor Rickenmann suggested that the city use the funding for internal auditing services as intended. He suggested that funding for the Letter of Engagement come from the Legal Department's budget. It makes sense to have someone look at the global picture. This could change the boundaries, participants, how we backstop it, and who helps with the liability, etc.

Mr. Ken E. Gaines, City Attorney sought clarification on the funding cap for the agreement. He agreed to contact Mr. Shytle to discuss funding for the Letter of Agreement prior to tonight's meeting.

Upon an amended motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to direct the City Manager to proceed with a Request for Proposals for an external firm to provide internal auditing services for a six (6) month period. A cost estimate should be provided to City Council. The funding source was identified as the contingency line item within the Legislative budget.

3. Ebenezer Lutheran Church Security, Mr. Steven A. Gantt, City Manager

Mr. Steven A. Gantt, City Manager explained that we had an agreement with the Cooperative Ministry for us to provide funding for security during feedings at Ebenezer Lutheran Church. The contract expired on December 31, 2011. It is our responsibility to provide security at Ebenezer until March 31st. He requested authorization from City Council to expend no more than \$10,000 for security through March 31st to include reimbursing the Salvation Army for January. I have not identified a source of funding.

Councilor Rickenmann asked that the City Attorney review the contract with the Cooperative Ministry to ensure there's no liability.

Councilor Gergel suggested that funds come from the contingency fund within the Legislative budget.

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve a Short Term Letter of Agreement with G4S Secure Solutions for Security Services at Ebenezer Lutheran Church from January 1, 2012 to March 31, 2012 in an amount not to exceed \$10,000.00. The City Manager will identify the funding source. Ms. Devine was not present for the vote.

4. NAACP 2012 King Day at the Dome

Mr. Steven A. Gantt, City Manager said that the Statewide Leadership Committee has submitted a request for \$12,375 for police services during the Annual King Day at the Dome March and Rally on Monday, January 16, 2012. Funding has been identified in the Hospitality Tax Contingency Fund.

Mayor Benjamin asked that a letter be sent to the organization asking them to comply with the application process for annual funding requests.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to authorize the allocation of funding in an amount not to exceed \$12,000 for public safety services during the 2012 King Day at the Dome March and Rally.

5. **South Carolina Justice Assistance Grant Program – Mr. Randy Scott, Chief of Columbia Police Department and Cpl. Robert Allmann, Columbia Police Department

Mr. Randy Scott, Chief of Columbia Police Department said that they are proactively seeking ways to lower crime in Columbia.

Cpl. Robert Allmann, Columbia Police Department proposed the composition of a Proactive Gun Unit in an effort to reduce gun violence by aggressively enforcing firearm laws and removing tools of the crimes. We will work closely with Federal Task Forces and the Narcotics and Gang Units. We are

requesting approximately \$670,000 from the SC Justice Assistance Grant, which requires a 10% match from the City each year based on the allocation. The unit would consist of one (1) supervisor and five (5) officers.

Councilor Devine inquired about the impact this additional unit would have on healthcare costs.

Mr. Randy Scott, Chief of Columbia Police Department said that healthcare expenses for these officers would be covered by the grant for three (3) years.

Councilor Davis stated that it would be helpful for this unit to be cross-trained with other units.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to endorse the South Carolina Justice Assistance Grant Program application.

6. GASB45 Update – Mr. Bill Ellis, Finance Director and Ms. Melisa Caughman, Budget Director

Mr. Bill Ellis, Finance Director said that our GASB45 is open-ended. We have no cap, whatsoever. In 2005, the value of the liability was \$95.6 million and in 2009, it was \$161.8 million. The Governmental Accounting Standards Board requires that governments perform a valuation every two (2) years. Since 2008, the city reduced the retiree liability; however, our actuarial liability is growing at such an exponential rate that the City must do something to cap the cost. The City now funds 7% of salaries towards its GASB 45 liability for an approximate \$6.2 million. For 2012, our liability is going to be over 412 million, but we can cap it. On November 15, 2011, City Council received a presentation from Towers Watson on the recent valuation of the City's liability and on alternatives for consideration. City Council instructed staff to come back with further analysis of three (3) alternatives and the potential impact the alternatives would have at reducing the liability along with any budgetary or cost savings.

Mayor Benjamin endorsed Alternative 3B.

Mr. Steven A. Gantt, City Manager recommended the approval of Alternative 3D.

Ms. Melisa Caughman, Budget Director said that the Human Resources Department will identify a Health Insurance Exchange Program for post-65 retirees.

Mr. Bill Ellis, Finance Director suggested a \$5 million cap and retirees would be required to pay the difference.

It is noted for the record that Ms. Plough is a current City of Columbia retiree and abstained from discussions due to a conflict of interest.

Councilor Davis supports Alternative 3D.

Councilor Rickenmann supports Alternative 3D. It gives us the flexibility for the long run.

A motion made by Mayor Benjamin and seconded by Ms. Devine to endorse Alternative 3B in response to the 2012 GASB 45 Valuation and Cost Scenarios presented by Towers Watson on November 15, 2011, failed by a vote of two (2) to four (4). Voting aye were Ms. Devine and Mayor Benjamin. Voting nay were Mr. Davis, Mr. Rickenmann, Dr. Gergel and Mr. Newman. Ms. Plough abstained from voting due to a conflict of interest.

Mayor Benjamin said that whether we like it or not we made an obligation to past and current employees. Some of you may think you are looking long-term, but you are being short sighted.

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted to five (5) to one (1) to endorse Alternative 3D in response to the 2012 GASB 45 Valuation and Cost Scenarios presented by Towers Watson on November 15, 2011. The City of Columbia will no longer assume sponsorship of the post-65 plan. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel and Mr. Newman. Mayor Benjamin voted nay. Ms. Plaugh abstained from voting due to a conflict of interest.

- **Council recessed at 5:14 p.m.**
- **Council reconvened at 5:35 p.m.**

EXECUTIVE SESSION

Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to go into Executive Session at 5:35 p.m. for the discussion of **Items 7** through **9**.

7. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
8. Receipt of legal advice which relates to matter covered by attorney-client privilege – *This item was discussed in Executive Session. No action was taken.*
9. ****Discussion of the employment of an employee – *This item was discussed in Executive Session. No action was taken.***

- **Council adjourned the Work Session at 6:00 p.m.**

Respectfully submitted by:

Erika D. Moore
City Clerk



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 10, 2012
6:00 P.M.
CITY HALL – COUNCIL CHAMBERS
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Tuesday, January 10, 2011 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:12 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 Belinda F. Gergel, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

INVOCATION

Chaplain Clyde Waters, Columbia Police Department offered the invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to adopt the agenda with the following revisions:

- Defer consideration of **Items 14** and **15**. The vacancies on these boards and commissions should be advertised for a two-week period with the consideration of applicants by City Council on February 7, 2012.

APPEARANCE OF PUBLIC WITH COMMENTS RELATED TO THE AGENDA

No one appeared at this time.

PRESENTATIONS

1. One Year Anniversary of NOMA Bark Park – Ms. Virginia Bedford, Earlewood Park Community

Ms. Virginia Bedford, NOMA Bark Park Committee Member announced the one year anniversary of the NOMA Bark Park.

Ms. Rebecca Haynes, Chair of the NOMA Bark Park presented the accomplishments of the NOMA Bark Park 7-member committee. We adopted Smith Branch and conducted two (2) spring clean ups. We were awarded the City's Stream Clean award and used that to spruce up Smith Creek. We have over 300 canine members. We recently went green and paperless with an online application process. She presented a video of the NOMA Bark Park members accounting their experiences at the park.

CITY COUNCIL DISCUSSION / ACTION

2. Council is asked to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. This certificate is being awarded to Konstantinos G. Patoulas doing business as SC Palmetto Taxi at 118 Leonard Circle, Camden, SC. - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve an Application for Certificate of Convenience and Necessity, as requested by the Business License Division. This certificate is being awarded to Konstantinos G. Patoulas doing business as SC Palmetto Taxi at 118 Leonard Circle, Camden, SC.

CONSENT AGENDA

Upon a single motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 3. through 10.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

3. Council is asked to approve an Engagement Letter to assist in the Amendment of the Renaissance Tax Increment Financing Development Plan and to Provide additional Advice and Counsel related thereto. Award to Haynsworth, Sinkler Boyd, P.A.'s Consultant in a total amount not to exceed \$25,000.00. This vendor is located in Columbia, SC. *Funding Source: Legal Department's Budget for Outside Legal Counsel – Approved –Note: A City Council briefing will be scheduled.*
4. Council is asked to approve the Purchase of Four (4) Ford F-250 w/ Service Body and Tow Packages, as requested by the Wastewater Treatment Plant Division. Award to Vic Bailey Ford, Inc., using the SC State Contract in the amount of \$96,348.00. This vendor is located in Spartanburg, SC. *Funding Source: Utilities Metro Waste Water Plant-Auto Trucks Heavy Equipment Capital, 5516208-658500 - Approved*
5. Council is asked to approve Capital Improvement Project WM3767; An Agreement for Engineering Services for Design, Engineering and Construction Phase Services for the Installation of 24-inch, 16-inch and 12-inch water mains on Longtown Road, as requested by Utilities and Engineering. Award to Genesis Consulting Group in the amount of \$198,385.00. This vendor is located in Columbia, SC. *Funding Source: Water Maintenance Fund, 5529999-WM3767-658660 – **Note:** The following sub-consultants will be providing assistance: Construction Support Services (Columbia, SC) will perform a water line, parcel and easement survey at 20% of the contract and Sharp Business Consulting Services (Columbia, SC) will provide preliminary locations of existing utilities at .04% of the contract. - Approved*

6. Council is asked to approve the Purchase of Three (3) Residential-Recycling Trucks, as requested by the Fleet Services Division. Award to Carolina International Trucks, Inc., the lowest bidder meeting specifications in the amount of \$435,863.34. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement-Auto, Trucks, and Heavy Equipment Capital 6308972-658500 - Approved*
7. Council is asked to approve Mentor Protégé Program and Local Business Preference Projects SD835401, WM422601, SS717501 and SR804701; Pinner Road Bridge Construction for Northwood Hill Subdivision Phase II, as requested by Utilities and Engineering. Award to Republic Contracting, the lowest, responsive and responsible bidder in the amount of \$ 580,277.25. This vendor is located in Columbia, SC. *Funding Source: Sanitary Sewer Improvement Fund, 5549999-658650 - CIP budgeted amount for this project is \$768,582.75. - Approved*
8. Council is asked to approve Capital Improvement Projects WM4231, WM3774 and WM3752; An Agreement for Engineering Services for the Canal Water Treatment Plant High Service Pump Improvements in Rooms 2 & 3, Clearwell Improvements and Reservoir Dredging and Improvements, as requested by Utilities and Engineering. Award to URS Corporation in the amount of \$2,789,000.00. This vendor is located in Columbia, SC. *Funding Source: Water Maintenance Fund: 5529999-WM4231-6586600, 5529999-WM3774-658660 and 5529999-WM3752-6586600 – Note: The following sub-consultants will be providing assistance: Howard Engineering (Marietta, GA) will provide Electrical & Mechanical Engineering Services at 4.5% of the contract; Chao & Associates (Columbia, SC) will provide Structural Engineering Services at 17% of the contract; Terracon Consultants, Inc., (Columbia, SC) will provide Construction Quality Assurance Geotechnical Services at 3% of the contract; and DESA, Inc.,(Columbia, SC) will provide Protégé-Assist with Preparation of Plans & Specifications, Construction Administration and Observation Services at 8% of the contract. - Approved*
9. Council is asked to approve Subcontracting Outreach Program and Local Business Preference Project WM395601; Broad River Road and Mt. Vernon Church Road construction installation of water lines and fire hydrants, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible bidder in the amount of \$5,624,939.90. This vendor is located in Little Mountain, SC. *Funding Source: Water Main Improvement Fund, 5529999-658650 - Approved*

ORDINANCES – SECOND READING

10. Ordinance No. 2011-088 – Annexing 5307 Forest Drive and 5377 Forest Drive, Richland County TMS #76706-03-29 and 76706-03-30 – *First reading approval was given on December 20, 2011 – Approved on second reading.*

ORDINANCES – FIRST READING

11. Ordinance No.: 2011-103 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-204, Competitive sealed bidding required; exceptions –*Approved on first reading.*

Upon a motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to give first reading approval to Ordinance No.: 2011-103 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-204, Competitive sealed bidding required; exceptions.

RESOLUTIONS

Upon a single motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve **Items 12 and 13.**

12. Resolution No.: R-2012-001 – Authorizing consumption of beer and wine at Five Points St. Pat’s Kickoff Event - *Approved*
13. Resolution No.: R-2012-002 – Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the “St. Pat’s in Five Points Festival” - *Approved*

APPOINTMENTS

14. Building Board of Adjustments and Appeals – *Consideration of this item was deferred.*
15. Hospitality Tax Advisory Committee – *Consideration of this item was deferred.*

CITY COUNCIL COMMITTEE REPORTS

Councilor Devine agreed to schedule a separate Work Session with Mr. Shytle to discuss the Renaissance Redevelopment Plan. She informed the Council that she has asked Mr. Gantt, City Manager to start a Bank on City pilot program to offer mainstream financial services to City employees. The program is designed to promote financial literacy and to assist individuals gain access to bank accounts with little to no fees.

Councilor Plough reiterated the report from the Economic Development Committee given on December 13, 2011 in relation to the corridor plan that was requested for the Crosshill corridor.

A motion was made by Ms. Plaugh and seconded by Dr. Gergel to allocate \$200,000 from the Reserve Fund for this year and next year to initiate the beginning of the corridor planning process for South Assembly Street, Millwood Avenue, Farrow Road and Crosshill/Garners Ferry Road and that the process start immediately for Crosshill/Garners Ferry Road. Funding could be used to pay for a consultant or to bring someone on staff.

Upon an amended motion made by Ms. Plaugh and seconded by Dr. Gergel, Council voted six (6) to one (1) to allow the City Manager and staff to prepare recommendations on how to proceed with corridor studies for South Assembly Street, Millwood Avenue, Farrow Road and Crosshill/Garners Ferry Road and to provide possible funding sources. These recommendations are to be presented to City Council on January 17, 2012. Voting aye were Mr. Davis, Ms. Devine, Dr. Gergel, Ms. Plaugh, Mr. Newman and Mayor Benjamin. Mr. Rickenmann 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 7:16 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk