



The Columbia City Council conducted a Regular Meeting on Tuesday, December 18, 2012 at the Eau Claire Print Building located at 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:10 p.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan, and The Honorable Moe Baddourah. The Honorable Tameika Isaac Devine arrived at 6:19 p.m. 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 Jim Reese, Columbia Fire Department offered the invocation.

### **ADOPTION OF THE AGENDA**

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to adopt the agenda as presented.

### **PUBLIC INPUT RELATED TO AGENDA ITEMS**

*No one appeared at this time.*

### **APPROVAL OF MINUTES**

1. Regular Council Meeting Minutes of December [4](#), 2012 - *Approved*

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to approve the Regular Council Meeting Minutes of December 4, 2012, as presented.

### **PRESENTATIONS**

2. [Introduction of the December 2012 Employee of the Month](#) – Mr. Joey Jaco, Director of the Utilities and Engineering Department

Mr. Jody Harley, Interim Superintendent of Wastewater Maintenance introduced Mr. David Mackey, Wastewater Maintenance District Supervisor as the City of Columbia December 2012 Employee of the Month. He described Mr. Mackey as a 29-year

employee with outstanding character and a calming demeanor; he is well respected by his co-workers. Mr. Mackey is the Wastewater Maintenance Safety Officer and Training Officer, a member of Toastmasters and a member of the Water Environment Association of South Carolina.

- **Ms. Devine arrived at 6:19 p.m.**

Mr. David Mackey, Wastewater Maintenance District Supervisor said that he is honored to be selected as the December Employee of the Month.

Mayor Benjamin presented Mr. Mackey with a plaque and Mr. Steven A. Gantt, City Manager presented Mr. Mackey with a token of appreciation for being selected as the City of Columbia December 2012 Employee of the Month.

3. [Special Recognition of Lexington County Sheriff James R. Metts, Ed.D.](#) – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of City Council proclaimed Tuesday, December 18, 2012 as Sheriff Metts Day in the City of Columbia.

4. [Recognition of the Annual Strom Thurmond Awards](#) for Excellence in Law Enforcement 2012 City Police Officer of the Year Chief Randy Scott – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin recognized Police Chief Randall G. Scott for being selected as the 2012 City Police Officer of the Year by the U.S. Attorney's Office during the annual Strom Thurmond Awards for Excellence in Law Enforcement luncheon.

5. Introduction of the New City of Columbia Business License Administrator (*Mr. Roger Myers*) – Mr. Steven A. Gantt, City Manager

Mr. Steven A. Gantt, City Manager introduced Mr. Roger Myers as the new Business License Administrator.

6. Update from [EdVenture Children's Museum](#) – Ms. Catherine Horne, Executive Director

Ms. Catherine Horne, Executive Director of EdVenture announced that 2013 will be the 10<sup>th</sup> year of EdVenture. She reported that it is the largest children's museum in the southeast with more than 2 million visitors and a \$4.1 million operating budget. She reported that their diversity remains strong and they look forward to a major initiative with Hispanic and Latino families. EdVenture was the recipient of the 2011 National Medal for Museum Service; it was named a Top Ten Children's Museum in the United States; and EdVenture was recognized as the 2012 Best Museum by Augusta Family Magazine.

Councilor Devine spoke about the diversity of the afterschool programs at EdVenture that also develop global awareness through civics and government. She recalled her suggestion for Council to consider additional funding for the agencies that are funded as line items in the city’s budget. She noted that they haven’t had the opportunity for an increase in funding like other organizations. She invited everyone to EdVenture’s New Year’s Eve at Noon Event; Columbia’s only ball drop for kids on December 31, 2012 at 12 p.m.

Mayor Benjamin asked when the park will be completed.

Mr. Steven A. Gantt, City Manager stated that improvements should be done by the end of February.

Ms. Catherine Horne, Executive Director added that they are working with the State Museum to install signage for the park.

**OTHER MATTERS**

- 7. [Neighborhood Street Lighting Requests](#) – Mr. Dave Brewer, Director of Traffic Engineering - *Approved*

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Increased Amount	Total Year to Date
Evans Street Area	5	3	\$594.60	\$356.76	\$4,875.72
Broad River Road	0	22	\$0.00	\$5,010.72	\$9,886.44
Heathwood Neighborhood	20	1	\$2,378.40	\$118.92	\$10,005.36

Councilor Devine inquired about the location of lights on Broad River Road.

Mr. Robert Anderson, Public Works Director explained that Richland County is also adding 35 lights on Broad River Road up to St. Andrews Road. The City will install additional lighting up to Lost Creek Drive in the future.

Upon a single motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve Neighborhood Street Lighting Requests for the Evans Street Area, Broad River Road, and Heathwood Neighborhood.

- 8. Council is asked to select one of the three (3) [Responses to the Request for Proposals](#) and to authorize the City Manager to enter into contract negotiations for the Sale of Property within the City Center Garage at 1227 Taylor Street.

Mayor Benjamin said that the proposal from the Eau Claire Cooperative Health Centers seems to be the most complete and solid, without question.

Councilor Plaugh requested a copy of the appraisal.

Mr. Steven A. Gantt, City Manager agreed to provide the information. He explained that a market analysis was done on retail space.

Councilor Davis also selected the proposal from the Eau Claire Cooperative Health Centers.

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to authorize the City Manager to enter into contract negotiations with the Eau Claire Cooperative Health Centers for the Sale of the Property within the City Center Garage at 1227 Taylor Street.

### **CONSENT AGENDA**

Upon a single motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 9** through **21**.

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

9. Council is asked for [Continual Support of the Special City Prosecutor for Fiscal Year 2012/2013](#), as requested by Richland County Solicitor Dan Johnson. Award to the Fifth Judicial Circuit Solicitor's Office in the amount of \$70,000.00. *Funding Source: Solicitors Office / Special Projects; 1018404-638500- Approved*
10. Council is asked to approve the [Purchase of One \(1\) Backhoe Loader](#), as requested by the Wastewater Maintenance Division. Award to Blanchard Machinery Company, using the National Joint Power Alliance Contract in the amount of \$82,864.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Wastewater Maintenance/Machinery & Equipment-Capital; 5516205-658300 - Approved*
11. Council is asked to approve the [Purchase of Playground Design, Equipment and Installation for Valencia Park](#), as requested by Parks and Recreation Department. Award to Cunningham Recreation, Inc., in the amount of \$82,975.26. This vendor is located in Charlotte, NC. *Funding Source: GL: General Capital Projects/Professional Services for Capital Projects, 4039999-658660 and JL: Valencia Park Improvements-SCANA Fund/Professional Services for Capital Projects, PK008103-658660 - Approved*
12. Council is asked to approve the [Purchase of Playground Design, Equipment and Installation for Rosewood Park](#), as requested by Parks and Recreation Department. Award to Cunningham Recreation, Inc., in the amount of \$115,994.30. This vendor is located in Charlotte, NC. *Funding Source: GL: General Capital Projects/Professional Services for Capital Projects, 4039999-658660 and JL: Rosewood Park Improvements-SCANA Fund/Professional Services for Capital Projects, PK006603-658660 - Approved*

13. Council is asked to approve the [Purchase of Two \(2\) Backhoe Loaders](#), as requested by the Water Distribution Division. Award to Blanchard Machinery Company, using the National Joint Powers Alliance Contract in the amount of \$165,728.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Water Dist. & Maintenance/Auto, Trucks, Heavy Equip-Capital; 5516203-658500 - Approved*
14. Council is asked to approve the [Purchase of Storage Capacity](#) to Support Current / Future Projects for the Financial and Utility Billing Systems, as requested by the Information Technology Department. Award to Hewlett Packard Direct in the amount of \$549,659.00. This vendor is located in Roseville, CA. *Funding Source: Technology Replacement/Computer Elec. Equip-Capital - Approved*
15. Council is asked to approve Local Business Enterprise [Capital Improvement Project SS678612](#); Sanitary Sewer Manhole Rehabilitation, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible in the amount of \$825,967.55 with a project contingency of \$70,755.00 for a total amount of \$896,722.55. This vendor is located in Little Mountain, SC. *Funding and Supplement Source: Sanitary Sewer-Special Contracts; 5516212-638300 – **Note:** The original budgeted amount is \$815,000.00 - Approved*

#### ORDINANCES – SECOND READING

16. [Ordinance No.: 2012-097](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 20, Special Fees and Taxes to add Article V Municipal Ad Valorem Tax Abatement – *First reading approval was given on December 4, 2012 – Approved on second reading.*
17. [Ordinance No.: 2012-101](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, to add Sec. 23-154 Extended payment option – *First reading approval was given on December 4, 2012 – Approved on second reading.*
18. [Ordinance No.: 2012-104](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits, Business Regulations, Article II, Business and Professional Licenses, Sec. 11-49 Classification rate schedules, Insurance, Insurance Companies – *First reading approval was given on December 4, 2012 – Approved on second reading.*

<http://www.masc.sc/newsroom/uptown/October%202012/Pages/Time-to-amend-business-license-ordinances-and-agreements.aspx>

19. [Ordinance No.: 2012-105](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-152 Sewer plant expansion fee – *First reading approval was given on December 4, 2012 – Approved on second reading.*
20. [Ordinance No. 2012-106](#) – Granting a Franchise to Derek Gamble d/b/a Dogs on the Go, LLC for operation of a stationary sidewalk vending cart in the mid-block pad near 1423 Main Street – *First reading approval was given on December 4, 2012 – Approved on second reading.*
21. [Ordinance No.: 2012-114](#) – Authorizing the City Manager to execute a License Agreement between the City of Columbia and Core Campus Investment Partners, LLC Licensing the use of Levels 3A and above of the Sumter Street Parking Garage for the placement of amenities and parking for the Core Campus Project tenants and the placement of support structures, if any, with the Sumter Street Parking Garage – *First reading approval was given on December 4, 2012. – Approved on second reading.*

#### **ORDINANCES – FIRST READING**

22. [Ordinance No.: 2012-110](#) – Granting an encroachment to Pearlz Oyster Bar for installation and maintenance of a landing, step and railing in the right of way area of the 1100 block of Park Street adjacent to its building at 936 Gervais Street – *Approved on first reading.*

Councilor Baddourah inquired about the right-of-way portion and the sidewalks, because people also gather in this area.

Mr. Steven A. Gantt, City Manager said that there isn't a designated sidewalk, but through working with staff and retailers, we are working to identify a pathway through the parking lot. We don't think this encroachment will adversely affect what we have laid out.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2012-110 – Granting an encroachment to Pearlz Oyster Bar for installation and maintenance of a landing, step and railing in the right of way area of the 1100 block of Park Street adjacent to its building at 936 Gervais Street.

23. [Ordinance No.: 2012-112](#) – Authorizing the City Manager to execute a Lease Renewal Agreement between the City of Columbia and TN Development Corporation for lease of a portion of the second floor of the building located at 1225 Lady Street – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2012-112 – Authorizing the City Manager to execute a Lease Renewal Agreement between the City of Columbia and TN Development Corporation for lease of a portion of the second floor of the building located at 1225 Lady Street.

## **RESOLUTIONS**

24. [Resolution No.: R-2012-107](#) – Authorizing tastings of locally produced wine at Soda City within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, and authorizing the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice for use of the 1500 block of Main Street excluding Boyd Plaza for Soda City – **Note:** *This extends the event through February 2, 2013 with minor changes to time and bathroom requirements - Approved.*

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2012-107 – Authorizing tastings of locally produced wine at Soda City within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, and authorizing the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice for use of the 1500 block of Main Street excluding Boyd Plaza for Soda City.

25. [Resolution No.: R-2012-111](#) – Authorizing the City Manager and Chief of the Fire Department to execute an Agreement for Mutual Aid in Fire Emergency Services (US) between the City of Columbia and the Secretary of the Air Force for the Commander of McEntire Joint National Guard Base – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2012-111 – Authorizing the City Manager and Chief of the Fire Department to execute an Agreement for Mutual Aid in Fire Emergency Services (US) between the City of Columbia and the Secretary of the Air Force for the Commander of McEntire Joint National Guard Base.

## **APPOINTMENTS**

26. [Municipal Election Commission](#) – *Consideration of the appointment was deferred until January 15, 2013.*

Mayor Benjamin said that we've historically had a good Election Commission; Mr. Osborne has resigned; and we have 2 current appointees. It is a 3-person commission, chaired by Byron Gipson, Esquire and Janice Surginer is a member. He asked Mr. Gaines, City Attorney how best to effectuate how active our Election Commission may need to be in the near and far future. He suggested that they delay the appointment tonight and seek the necessary ordinance changes to expand the commission to five (5) members. He asked if that was permitted or prohibited by state law.

Mr. Kenneth E. Gaines, Esq., City Attorney advised Council that state statute provides for only 3 members. He said that the commissioners don't meet frequently; they determine the qualifications of candidates; and they review the results of the election.

Councilor Devine asked if our Election Commission would hear any problems or protests.

Mr. Kenneth E. Gaines, Esq., City Attorney said yes. He added that there is a provision in state law that allows the city to turn municipal elections over to the county, but we have never exercised that. Our Municipal Election Commission certifies the results and we contract with the county for voting machines and other items.

Mayor Benjamin said that he would like to spend more time and effort on this appointment. He asked that the vacancy be re-advertised for applications and scheduled for Council's consideration on January 15, 2013.

27. [Transportation Penny Oversight Committee](#) – *Consideration of the appointments was deferred until January 8, 2013.*

### **CITY COUNCIL COMMITTEE REPORTS**

Upon a motion made by Ms. Devine and seconded by Ms. Plough Council voted unanimously to refer the KRONOS time and attendance software to the Administrative Policy Committee.

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to refer the review of the City's rental housing programs to the Economic and Community Development Committee.

Councilor Runyan reported the following as Chair of the Arts and Historic Preservation Committee: On Tuesday, December 11, 2012, Robin Waites, Executive Director of the Historic Columbia Foundation and Amy Moore, Preservation Planner for the Planning and Development Services Department presented a plan to educate owners of properties are eligible for landmark designation. He agreed to send a letter to the eligible property owners to educate them about the process, benefits and costs. He suggested that the Council District representative sign the letter as well. A meeting will be organized for further education sessions. The committee also discussed the composition of the Hospitality Tax Advisory Committee, which is composed of eight (8) restaurateurs and three (3) at-large appointees. The committee proposes to change the composition to six (6) restaurateurs and five (5) at-large representatives. The restaurateurs will still be the majority on the committee.

Councilor Davis said he was the odd vote on that recommendation, because the restaurateurs collect the tax.

Councilor Baddourah concurred with Mr. Davis. He said that you won't have a good picture when it comes to measuring the fund, because they also collect that tax.

Councilor Devine said that the at-large representatives can be restaurateurs and there are business owners that are interested in serving.

Councilor Plough asked if the committee has to be changed by ordinance.

Ms. Erika D. Moore, City Clerk stated that the committee was not established by an ordinance.

Upon a motion made by Mr. Runyan and seconded by Ms. Devine, Council voted five (5) to two (2) to change the composition of the Hospitality Tax Advisory Committee from eight (8) restaurateurs and three (3) at-large appointees to six (6) restaurateurs and five (5) at-large appointees. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Ms. Plough and Mr. Baddourah.

Councilors Plough and Baddourah invited everyone to a Holiday Drop In on Sunday, December 23, 2012 from 4 to 6 p.m. at Woodland Park.

#### **APPEARANCE OF THE PUBLIC**

*No one appeared at this time.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to adjourn the meeting at 7:12: p.m.

Respectfully submitted by:

Erika D. Moore  
City Clerk