



The Columbia City Council conducted a Regular Meeting and a Sidewalk Vending Public Hearing on Tuesday, December 4, 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 6:19 p.m. The following members of Council were present: The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman and The Honorable Cameron A. Runyan. The Honorable Moe Baddourah arrived at 6:21 p.m. and The Honorable Sam Davis arrived at 6:50 p.m. The Honorable Tameika Isaac Devine was absent. 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.

- **Mr. Baddourah joined the meeting at 6:19 p.m.**

ADOPTION OF THE AGENDA

Councilor Plough explained that **Items 28** and **29** are the Tax Increment Financing (TIF) Intergovernmental Agreements for the Renaissance and Innovista. She stated that one of her colleagues requested today, that those items be deferred. She intends to vote against the deferral of these items, because they were asked to put it on the agenda for tonight and once we put a public notice out we should proceed in that fashion.

Mayor Benjamin added that earlier today, Ms. Plough had a conversation to this effect. He noted that previous conversations of this Council indicated that we would probably vote on this issue on the 18th, but if there was going to be some possible action, it was required to be on the agenda. He noted that there was a vigorous discussion. He stated for the record that Ms. Devine and Mr. Davis will join us later; they are both at County Council working on this and other issues; and they may have something to say when they come back here.

Upon a single motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted four (4) to one (1) to adopt the agenda, subject to deferring second reading consideration of **Items 28** and **29**, the Columbia and Innovista Redevelopment Plans. Voting aye were Mr. Baddourah, Mr. Runyan, Mr. Newman, and Mayor Benjamin. Voting nay was Ms. Plough.

Upon a single motion made by Mr. Runyan and seconded by Mr. Baddourah, Council voted unanimously to adopt the agenda with the following amendments:

- Defer **Item 8** Columbia Museum of Art Update
- Defer consideration of **Item 34** TN Development Corporation Lease Renewal
- Defer consideration of **Item 44** Appointments to the Midlands Authority for Conventions, Sports, and Tourism

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Minutes of October 16, 2012 – *Approved as amended.*
2. Minutes of November 13 and 19, 2012 – *Approved as presented.*

Councilor Plough requested that the following amendment be made to the Work Session Minutes of October 16, 2012 minutes:

Page 2 - Councilor Plough added that “this” Council has made adjustments in the water/sewer rates and that Council has not been neglectful.

Upon a single motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve the Meeting Minutes of October 16, 2012, as amended and the Minutes of November 13 and 19, 2012, as presented.

PRESENTATIONS

3. Annual South Carolina Association of Public Safety Officials Conference Awards – Mr. S. Allison Baker, Senior Assistant City Manager and Kimberly Gathers, Director of Columbia/Richland Emergency Communication Center

Mr. S. Allison Baker, Senior Assistant City Manager announced that the Columbia/Richland Emergency Communication Center was selected as the Agency of the Year at the Annual South Carolina Association of Public Safety Officials Conference and the agency was reaccredited nationally. He further announced that employees were recognized for outstanding service at that facility.

Ms. Kimberly Gathers, Director of Columbia/Richland Emergency Communication Center recognized Ms. Naeemah Foster and Ms. Wendy Royal for receiving the Palmetto Awards, for individuals demonstrating exemplary service and going above and beyond on a daily basis in entering 911 calls and dispatching those calls to the First Responders. She also introduced the Deputy Director, Ms. Jacqueline Richburg and Mr. Ken Brown as the Training Officer.

Mr. S. Allison Baker, Senior Assistant City Manager reminded everyone of the significant role of the emergency communication. He stated that if they don't properly and quickly handle a call nothing happens; the police, fire or ambulance service don't get there. He said that it is extremely gratifying to the City of Columbia that they would be selected as Agency of the Year.

4. Mayor's Campaign Against Breast Cancer Check Presentation to Palmetto Health – The Honorable Mayor Stephen K. Benjamin

Mr. Samuel Tenenbaum, President of the Palmetto Health Foundation expressed thanks to the City for doing this for many years. You have raised \$5,000 for the Isabel Law Breast Cancer Bosom Buddies. This helps to fund the nurse navigators who help those who have been diagnosed with breast cancer to navigate through all of the options. He noted that Palmetto Health Hospital is the largest employer in Richland County with over 10,000 employees. These dollars along with the Walk for Life will give \$500,000 to the breast cancer centers at Palmetto Health. He thanked the community, city and staff for all they have done. There were 6,200 participants in the Walk for Life and we hope to have 10,000 to 11,000 next year.

Mayor Benjamin thanked Mr. Tenenbaum for all of the work that the Palmetto Foundation does in this community. He thanked Ted Creech of AT&T as another wonderful corporate sponsor. He applauded staff for their hard work in making this happen each year for the folks that need our help, support and love.

5. Special Recognition of Dr. Louis Lynn – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin recognized Dr. Louis Lynn of ENVIRO AgScience for being selected to receive the Ronald H. Brown Leadership Award from the U.S. Department of Commerce, Minority Business Development Agency on Thursday, December 6, 2012. Dr. Lynn of ENVIRO AgScience will be recognized as the National 2012 Minority Business Man of the Year. He said that we are all very proud of Dr. Lynn in the wonderful walk he has made in business and with God.

Councilor Plaugh stated that this is a marvelous small businessperson in our community that started out extremely small, but has grown and given back time and time again.

Upon a motion made by Mr. Runyan and seconded by Ms. Plaugh, Council voted unanimously to proclaim Tuesday, December 4, 2012 as Dr. Louis Lynn Day in the City of Columbia.

6. Hyatt Park / Keenan Terrace Neighborhood Association – Ms. Ellen Fishburne Triplett, President

Ms. Ellen Fishburne Triplett, President of Hyatt Park / Kennan Terrace Neighborhood Association said that Hyatt Park and the Leroy Moss Community Center serve a core purpose while nourishing the residents, especially the youth. She said that the park property and adjacent areas have become hotspots for criminal activity. She said that the property is owned by the city and should be secured by the city and that's why we are here tonight asking for security cameras and lighting. She offered to provide the city with a quote provided by Statewide Security Systems. She cited the petition that has been passed by the neighborhood association and signed by 18 residents. She recognized those in support of the installation and maintenance of no fewer than 3 external surveillance cameras and one internal surveillance camera.

Click [here](#) to read the petition.

Mr. Bill Manley, Chair of the Block Captains Committee for the Hyatt Park / Kennan Terrace Neighborhood Association stated that he supports the installation of cameras at 950 Jackson Avenue and the surrounding properties. He said that our children and all residents must feel secure and safe, inside and outside during activities. He shared crime statistics over the past three months ranging from robbery to assault and battery. He referenced the cameras installed inside and outside of the Charles R. Drew Wellness Center. He said that the cameras mounted in the gym at Hyatt Park are inoperable. He urged Council to look at all neighborhoods. He noted that a neighborhood coalition is being formed.

Mayor Benjamin agreed that cameras are a wonderful tool; they are invaluable in helping us solve crimes across the city. He said that they are in dialog with Statewide Security Systems daily. He asked Mr. Gantt and Chief Scott if any of the existing cameras on North Main can be oriented in the interim to get a better view of Hyatt Park. He agreed that an assessment should be done in all city parks to determine what can be done to enhance safety. He said that we need to talk more about the existing cameras, because they are not a deterrent if people don't know they are there.

Mr. Bill Manley, Chair of the Block Captains Committee for the Hyatt Park / Kennan Terrace Neighborhood Association requested a report in three (3) months.

Mayor Benjamin agreed to provide a report much sooner than that, noting that 25% of all cameras deployed in the City of Columbia are in North Columbia.

- **Councilor Davis joined the meeting at 6:50 p.m.**

7. [Unity Community Action Plan](#) – Dr. Germon Miller, Akeru Legacy Council

Dr. Germon Miller, Akeru Legacy Council introduced young men who have who have pledged to reduce violence and crime in Columbia. She said that they have been meeting at Pacific Park and would like a work session with City Council. She said that they will be honoring the elderly with a day of service in January.

Mr. Michael C. Jackson, member of the Unity Anti-Violence Committee thanked the Council for allowing them to use Pacific Park as their headquarters. He said that the absence of a good father figure plays a major role in the lives of young males and females. He said that they are taking in young men that are lost and teaching them what we've learned in life. He said that having this building is our only chance to change the way they look at us.

Mr. B.J. Page, member of the Unity Anti-Violence Committee thanked Council for the opportunity to speak this evening on behalf of the Genuine Determination Network. He said that it takes dedication, determination, and discipline to do better as far as members of the community and to become a pillar ourselves. He said that they don't want people to judge a book by its cover and we are here to do our part in doing positive things.

Ms. Peggy Hoskins, College Intern / RICH Program Administrator said that she wants to bring more attention to homelessness. She said that a lot of black men in her neighborhood are homeless; they don't have a place to go at night; and they walk the streets until morning when the parks open. She hopes that with this program they can give them a family, because a lot of them don't have that.

Mr. Codybleu Crittenden, member of the Unity Anti-Violence Committee asked for more technology advances at Pacific Park for the afterschool program for kids. He insisted that computers and laptops provide a gateway from crime and violence. He said that the kids won't want to hang out in the streets and it will keep them in school and on the right path.

In harmony, they cited "Our Sovereign Truce and Declaration for Community Peace".

Mayor Benjamin thanked them for their resolution, hard work and commitment. He doesn't believe that there's nothing more important that we can do than investing our resources in developing our young people to live up to their God-given potential. He told the members of the Unity Anti-Violence Committee that the Council is proud of them and support what they're doing. He asked Mr. Newman, the chair of the Finance, Audit and Budget Committee to make it a priority to ensure that funding is available to not only sustain, but to grow this effort next year.

8. Columbia Museum of Art Update – Ms. Karen Brosius, Executive Director – *This presentation was deferred.*

9. Capital City / Lake Murray Country Regional Tourism Board Update – Ms. Miriam Atria, President / Chief Executive Officer

Ms. Miriam Atria, President/Chief Executive Officer stated that the U.S. Fish and Wildlife Service reported that in the last four (4) years we have had an 11% increase in fishing across the United States. She said that this organization promotes Lake Murray County, which competes with seven (7) other lakes in this state. She said that we have seen a 40% increase in fishing in South Carolina. She said that this organization has been very successful in taking accommodations and hospitality tax funds and promoting fishing the great outdoors and the Lake Murray Country Region as a vacation destination. She unveiled a new 60-second video/television ad and provided a brief update on the national advertisement campaign.

SIDEWALK VENDING PUBLIC HEARING

10. [Mid-Block Pad near 1423 Main Street](#)

[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 – *Approved on first reading.*

- **Council opened the Sidewalk Vending Public Hearing at 7:12 p.m.**

No one appeared in support or in opposition to the operation of a stationary sidewalk vending cart in the mid-block pad near 1423 Main Street.

- **Council closed the Sidewalk Vending Public Hearing at 7:13 p.m.**

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to 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.

OTHER MATTERS

11. [Neighborhood Street Lighting Request](#) – 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
Cottontown Neighborhood	64	11	\$7,610.88	\$1,308.12	\$4,518.96

Upon a single motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve Neighborhood Street Lighting Request for the Cottontown Neighborhood.

12. Discussion of Potential Conflict of Interest with Community Assistance Providers, Inc. (CAP) – Ms. Deborah Livingston, Community Development Director

Ms. Deborah Livingston, Community Development Director explained that the Department of Housing and Urban Development (HUD) requires the city's Community Development Department to publically note a potential conflict of interest and we do this by putting it on a City Council agenda and writing a letter of exception to HUD. She further explained that the agency was recertified as a Community Housing Development Organization (CHDO) and they are the only CHDO approved by the City based on HUD's new policies dealing with financial management and capacity. She said that the application provided by CAP, Inc. is the most complete and exceptional packet she has ever seen. She noted that they received another application from a non-profit.

Mayor Benjamin stated for the record that Ms. Devine isn't present nor has she participated in this discussion. He asked if this requires action.

Mr. Kenneth E. Gaines, Esq., City Attorney said no.

Councilor Plough said that her concern is not with the conflict of interest provision, but the fact that we are a city that is sliding away from our stable home ownership base. She said that we're seeing a decline below 50% and we are providing a fairly deep subsidy for rental property. She said that we are taking single-family properties and turning them into low income housing. She said that she is very supportive of rehabilitating properties that are rental already. She is concerned that we are taking \$93,750 to subsidize turning single-family units into rental properties and the grant portion of that is \$25,000. She said that we do not give \$25,000 to individuals who want to buy houses. She asked that staff bring back their policies and procedures, noting that they have looked at the single family piece, but they have not looked at the rehabilitation portion. She said that they are a little out of whack in terms of how we allocate monies and how we are spending them, because HOME money can go into rental and homeownership; all of it has to go into low income. She said that helping people move into homeownership is in their best interest and is certainly in this community's best interest when single family properties are involved. She said that they can help identify other CHDOs to help us with our home ownership component.

Mayor Benjamin asked Ms. Livingston to outline the homeownership portfolio for the last several years.

Ms. Deborah Livingston, Community Development Director reported that they have done over \$106 million worth of loans with the private sector and city dollars. The city has put in about \$28 million and the private sector has done the rest. We have five (5) participating banks. She said that we do use our HOME dollars for homeownership; it is a focus of ours and the focus for CHDOs has historically been rental properties.

Mayor Benjamin inquired about the delinquency rate.

Ms. Deborah Livingston, Community Development Director said that they have less than 1% delinquency. She noted that they provide counseling. She added that CHDOs also provide rental counseling, maintenance and inspections. The City is required to ensure that those properties are maintained and to conduct annual site visits. She explained HUDs policy that addresses the vacancy rate.

Councilor Plough reiterated that her point on this is that it's a pretty deep subsidy going into a rental area; if these were apartment buildings that would be one thing, but this case we are taking single family units. She said that it's time to step back and reflect; we could take these same dollars and help better stabilize homeownership.

Ms. Deborah Livingston, Community Development Director added that HUD has looked at homeownership and you must have the market feasibility study to help determine whether homeownership or rental is what fits best in that particular project. Also, their new regulations state that if a house is not sold within six (6) months it has to be turned into rental units so that homes do not sit vacant.

Councilor Davis inquired about the concept of a genuine rent to own program, which also helps to stabilize a neighborhood.

Ms. Deborah Livingston, Community Development Director said that CAP, Inc. works with their rental clients to become homeowners; that is the ultimate goal.

CONSENT AGENDA

Upon a single motion made by Mr. Newman and seconded by Ms. Plough, Council voted unanimously to approve the Consent Agenda Items **13** through **27**.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

13. Council is asked to approve [Capital Improvement Projects WM4270, SS7240 and SD8348](#); An Agreement for General Consulting Engineering Services, as requested by Utilities and Engineering. Award to PACE Engineering Consulting, Inc., in the amount of \$50,000.00. This vendor is located in Columbia, SC. *Funding Source: Water, Sewer and Storm Water Maintenance Funds; 5516210-WM427001-63660, 5516212-SS724001-6366 and 5534210-SD834801-63660 – **Note:** The original budget amount for this project is \$50,000.00- Approved*

14. Council is asked to approve the [Purchase of Two \(2\) F-250 Service Trucks](#), as requested by the Fleet Services Division. Award to Vic Bailey Ford, Inc. (Spartanburg, SC) and Lee Transport Equipment (Columbia, SC), using the SC State Contract in the amount of \$57,206.00. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment-Capital; 6308972-658500 – **Note:** Vic Bailey Ford will pay Lee Transport Equipment \$3,778.00 to install the body of the trucks- Approved*

15. Council is asked to approve the [Purchase of One \(1\) Single Axle Dump Truck](#), as requested by the Street Division. Award to Carolina International Trucks, Inc., (Columbia, SC) and Lee Transport Equipment, Inc., (Columbia, SC), using the SC State Contract in the amount of \$73,803.00. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment-Capital; 6308972-658500 – **Note:** Vic Bailey Ford will pay Lee Transport Equipment \$7,731.00 to install the body of the truck- Approved*
16. Council is asked to approve the [Purchase of One \(1\) Bucket Truck](#), as requested by the Fleet Services Division. Award to Altec Industries, Inc., using the National Joint Powers Alliance Contract in the amount of \$132,290.00. This vendor is located in Birmingham, AL. *Funding Sources: Capital Replacement/Auto, Trucks, Heavy Equipment-Capital; 6308972-658500- Approved*
17. Council is asked to approve a [Professional Service Agreement for Uniform Services](#), as requested by the Police Department. Award to Wright Johnston Uniforms for an annual amount of \$165,000.00. This vendor is located in Columbia, SC. *Funding Source: Police Administrative Services-Uniforms and Clothing; 1012402-624100 – **Note:** Per Purchasing Director, the initial term of agreement is for three (3) years and the maximum amount will not exceed \$495,000.00. The solicitation also allowed for two additional one year options (after the first three years) so the maximum term will be up to 5 years. - Approved*
18. Council is asked to approve [Capital Improvement Project SS722412](#); Change Order #1, Manhole Cleaning at Crane Creek and West Columbia Outfall and Sewer Rehabilitation along Assembly Street, as requested by Utilities and Engineering. Award to Layne Inliner, LLC in the amount of \$240,086.93. This vendor is located in Tucker, GA. *Funding Source: Sewer Improvement Fund – **Note:** This change order was initiated by the City and is necessary to compensate the contractor to perform additional work due to the discovery of irreparable manholes within the project area - Approved*
19. Council is asked to approve the [Purchase of Thirteen \(13\) Chevrolet Impala Patrol Vehicles](#), as requested by the Police Department. Award to Love Chevrolet Company, using the SC State Contract in the amount of \$321,581.00. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement/Auto Trucks, Heavy Equipment-Capital; 6308972-658500 - Approved*
20. Council is asked to approve the [Purchase of One \(1\) Sewer Vacuum Truck](#), as requested by the Street Division. Award to Public Works Equipment and Supply, Inc., using the National Joint Powers Alliance Contract in the amount of \$333,462.00. This vendor is located in Monroe, NC. *Funding Source: Streets-Storm Drains/Auto, Trucks, Heavy Equip-Capital; 5534203-658500 - Approved*

ORDINANCES – SECOND READING

21. [Ordinance No.: 2012-102](#) – Granting an encroachment to Baker Office Buildings, LLC for installation and maintenance of a brick paver walkway with concrete edging, landscaping and an irrigation system in the right of way area adjacent to 1400 Pickens Street, Richland County TMS #11402-11-20A – *First reading approval was given on November 13, 2012 – Approved on second reading.*
22. [Ordinance No.: 2012-107](#) – Repealing encroachment ordinance 85-46 granted to Adriana’s Gelateria, Inc. for tables and chairs for outdoor dining at 721 Saluda Avenue – *First reading approval was given on November 13, 2012– Approved on second reading.*
23. [Ordinance No.: 2012-108](#) – Repealing encroachment ordinance 88-29 granted to B.O. Brooker for tables and chairs for outdoor dining at The Cotton Club and Tavern on the Green at 638 Harden Street – *First reading approval was given on November 13, 2012– Approved on second reading.*
24. [Ordinance No.: 2012-109](#) – Repealing encroachment ordinance 95-020 granted to My Potter for four (4) café style tables and chairs for outdoor dining at 631 Harden Street – *First reading approval was given on November 13, 2012– Approved on second reading.*
25. [Ordinance No.: 2012-111](#) – Authorizing consumption of beer and wine beverages **only** at the 2012 Famously Hot New Year Event – *First reading approval was given on November 13, 2012 – Approved on second reading.*

MAP AMENDMENT – SECOND READING

26. [1027 Barnwell Street](#), TMS# 11405-18-06; request to rezone from PUD-C, -DP to C-1, -DP. – *First reading approval was given on November 13, 2012 – Approved on second reading.*

Council District:	3
Proposal:	Rezone property from PUD-C, -DP to C-1, -DP
Applicant:	Steven A. Gantt on behalf of City Council
PC Recommendation:	Approve, (7-2) 09/10/12
Staff Recommendation:	Denial

MAJOR AMENDMENT TO A PUD-C – SECOND READING

27. [W/S 300, 400, 500 block of Williams Street and N/S 300 block of Catawba Street](#), TMS# 08909-01- 01, -07, -08; request major amendment to a PUD-C to convert single-family residential area to parking – *First reading approval was given on November 13, 2012– Approved on second reading.*

Council District: 2
Proposal: Major amendment to a PUD-C to convert single-family residential area to parking.
Applicant: Gilbert Walker, Columbia Housing Authority
University of South Carolina
PC Recommendation: Approve, (9-0) 09/10/12
Staff Recommendation: Approve

ORDINANCES – SECOND READING

28. [Ordinance No.: 2012-055](#) – Authorizing the City Manager to execute an Intergovernmental Agreement (Columbia Renaissance Redevelopment Plan), among the City of Columbia, Richland County and School District No. 1 of Richland County – *First reading approval was given on August 21, 2012. – Consideration of this item was deferred.*
29. [Ordinance No.: 2012-081](#) – Authorizing the City Manager to execute an Intergovernmental Agreement (Innovista Redevelopment Plan) among the City of Columbia, Richland County and School District No. 1 of Richland County – *First reading approval was given on August 21, 2012. – Consideration of this item was deferred.*

ORDINANCES – FIRST READING

30. [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 – *Approved on first reading.*

Mr. Steven A. Gantt, City Manager explained that this ordinance will allow us to set up extended payment plans.

Councilor Plaugh inquired about the next ordinance and the fact that it is deleting the extended payment option, because it is wrapped up in this ordinance. She said that she didn't see the sewer expansion fee included.

Mr. Kenneth E. Gaines, Esq., City Attorney explained that the sewer expansion fee is still in Ordinance 2012-105. He further explained that they added a new section 23-154 to get extended payment options to both sewer tap fees and water tap fees and to better define how the interest is calculated.

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to 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.

31. [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 – *Approved on first reading.*

Upon a single motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to 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.

32. [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 – *Approved on first reading.*

Councilor Plaugh said that the New York Times has published a series of articles on the use of tax abatement as an economic development tool. She said that one point that was raised is that communities don't always record enough information to do a cost analysis as to whether that abatement makes economic sense, long term. She asked that collect and record the proper information so that we can evaluate whether these tax incentives benefit us long term.

Mayor Benjamin asked if the New York Times provided a matrix.

Councilor Plaugh said that they were primarily looking at the real property calculation. She quoted the CEO of Hallmark that said...if you are looking for competitiveness in a region, the most important thing a region can do is to focus on education and this issue of incentives is transferring money from education to business.

Upon a single motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to give first reading approval to 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.

33. [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 – *Approved on first reading.*

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

Councilor Plaugh inquired about the impact of this change.

Ms. Brenda Kyzer, Business License Administrator said that there is absolutely no impact to the city. She explained that there were changes the federal law and then in state law that makes the Municipal Association the central collection point; it's a technicality. She said that the South Carolina Department of Insurance will collect the brokers' premium tax, disburse it back to Municipal Association of South Carolina (MASC) and then MASC will disburse it to the cities.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to give first reading approval to 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.

34. [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 – *Consideration of this item was deferred.*
35. [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 4-B 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 *Note: The attached document may be revised prior to scheduling second reading of the ordinance. – Approved on first reading.*

Councilor Plaugh said that she will support this with the understanding that the Mayor, City Manager and others would try to work something out. She stated for the record that she would personally prefer a sale as opposed to the lease or licensing agreement, due to the liabilities the city ends up with when we do a lease. She said that properties adjacent to this parking structure are the ones utilizing it. She stated that there is no benefit to us owning it long term.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to 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 4-B 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.

RESOLUTIONS

- 35a. [Resolution No.: R-2012-071](#) – Approving the honorary naming of the 1600 block of Gregg Street between Taylor Street and Blanding Street "Leevy Lane" – *Approved*

Mayor Benjamin announced that this weekend, there will be a celebration of the 44th anniversary of the death of Mr. I.S. Leevy. He stated that this is one of the twenty-five sites that we will be marking next year in recognition of the 50th anniversary of 1963 and chronicling the contributions of African-Americans to this great city.

Upon a motion made by Ms. Plough and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2012-071 – Approving the honorary naming of the 1600 block of Gregg Street between Taylor Street and Blanding Street "Leevy Lane".

36. [Resolution No.: R-2012-082](#) – Authorizing the City Manager to execute a Second Amendment to Lease Agreement between the City of Columbia and National Railroad Passenger Corporation, a District of Columbia Corporation for lease of the Amtrak Station – *Approved*

Councilor Baddourah sought an explanation.

Mr. Steven A. Gantt, City Manager stated that the Amtrak Station is owned by the city.

Upon a motion made by and seconded by, Council voted unanimously to approve Resolution No.: R-2012-082 – Authorizing the City Manager to execute a Second Amendment to Lease Agreement between the City of Columbia and National Railroad Passenger Corporation, a District of Columbia Corporation for lease of the Amtrak Station.

37. [Resolution No.: R-2012-102](#) – Requesting the South Carolina State Legislature amend South Carolina Code of Laws Title 6, Local Government- Provisions Applicable To Special Purpose Districts and Other Political Subdivisions, Chapter 5 Investment of Funds by Political Subdivisions to authorize local governments to invest in the State of Israel bonds denominated in United States dollars, if the obligations bear an investment grade rating of at least two nationally recognized rating services – *Approved by a five (5) to one (1) vote. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plough, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.*

Mayor Benjamin explained that this will give the city and other municipalities that same investment options that the state has, if it passes the General Assembly.

Councilor Baddourah said that he researched this and he isn't convinced that the city needs to go further with this. He doesn't understand the reasoning. He asked if staff had a recommendation. He asked why international bonds and why the State of Israel.

Mayor Benjamin said that we are supporters of the State of Israel. He explained that Council previously passed a resolution in support of the disinvestment in Iraqi funds. He said that it is a sound investment and the yield is significantly higher. He noted that it is exclusive to infrastructure.

Councilor Runyan asked what percentage of the state portfolio is in Israel bonds.

Mayor Benjamin said that the State Retirement System is approximately \$25 billion or more, but it's a fraction.

Councilor Plough asked why it's prohibited now.

Mayor Benjamin stated that the state wasn't allowed to do until 5 to 6 years ago; it required a constitutional amendment to allow the state to invest.

Councilor Plough sought staff's opinion.

Mr. Bill Ellis, Finance Director said that staff doesn't have a position. He said that you would have to evaluate every investment opportunity with a risk and a reward. He stated that he would love to have more investment options than we currently have.

Councilor Plough asked why we wouldn't ask for other options.

Mayor Benjamin suggested that Ms. Plough come back with another Resolution. He said that this is a request to the state and it's not giving us the authority to do anything that we don't currently have the right to.

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted five (5) to one (1) to approve Resolution No.: R-2012-102 – Requesting the South Carolina State Legislature amend South Carolina Code of Laws Title 6, Local Government- Provisions Applicable To Special Purpose Districts and Other Political Subdivisions, Chapter 5 Investment of Funds by Political Subdivisions to authorize local governments to invest in the State of Israel bonds denominated in United States dollars, if the obligations bear an investment grade rating of at least two nationally recognized rating services. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plough, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

38. Resolution No.: R-2012-105 – Authorizing purchase of 16 acres, more or less, on the western side of Gills Creek Parkway, Richland County TMS #13712-02-46 for mitigation purposes – *Approved*

Mr. Steven A. Gantt, City Manager explained that they did not do a normal appraisal of this property, but they did evaluate the mitigation credit and it exceeds the amount we would be paying for this property. It also gives us 16 additional acres in Gills Creek watershed area that we will need down the road.

Councilor Davis asked if we are keeping it in that area or are we putting it in the bank.

Mr. Steven A. Gantt, City Manager said that we have to keep the credits in the same watershed where they are located, but we also picked up some other mitigation credits. He said that any opportunity he gets to purchase or acquire by donation, property that can be used for mitigation we try to do so.

Councilor Plough asked how this relates to what's on the tax rolls.

Mr. Steven A. Gantt, City Manager explained that he didn't check, because he felt like it was a good purchase for us.

Councilor Plough asked that that we know what's on the current tax rolls going forward, even when we have some way of calculating the mitigation.

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2012-105 – Authorizing purchase of 16 acres, more or less, on the western side of Gills Creek Parkway, Richland County TMS #13712-02-46 for mitigation purposes.

39. [Resolution No.: R-2012-106](#) - Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and Marketplace Columbia, LLC for lease of 1001 Harden Street, Suite 200 to be used by the Columbia Police Department Community Services Division – *Approved*

Mr. Steven A. Gantt, City Manager said that the Pro-Active Community Enforcement (PACE) Team will be located here.

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2012-106 - Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and Marketplace Columbia, LLC for lease of 1001 Harden Street, Suite 200 to be used by the Columbia Police Department Community Services Division.

40. [Resolution No.: R-2012-108](#) – A Resolution in Support of the Preservation of Tax Exempt Financing – *Approved*

Mr. Steven A. Gantt, City Manager said that staff very strongly supports this.

Mayor Benjamin explained that tax exempt financing is under attack and 75% of the nation's infrastructure is done by state governments, local governments and other political subdivision using this method of taxation. He said that there are a number of proposals going around Washington as we look at a fiscal cliff, the sequester, tax reform and deficit reduction overall. He said that almost every proposal looks at removing or significantly limiting the tax exemption. He insisted that it is important that all local governments take a stand and say that we need this as a tool. He said that very few dollars are flowing from the federal government to build local infrastructure and there's no money coming from state government to do so; therefore, the local communities have decided that we're going to step up and do it ourselves. He stated that we need to make sure that the tools we utilize remain available to us. He said that this is a resolution in support of the preservation of tax-emption of municipal bonds.

Upon a motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to approve Resolution No.: R-2012-108 – A Resolution in Support of the Preservation of Tax Exempt Financing.

41. [Resolution No.: R-2012-109](#) – Authorizing the City Manager to execute a Bill of Sale and Gift Agreement between the City of Columbia and AgFirst Farm Credit Bank for the acceptance and relocation of art donated to the City of Columbia by AgFirst Farm Credit Bank – *Approved*

Mayor Benjamin asked if we decided where this is being relocated to.

Mr. Steven A. Gantt, City Manager said that they are still evaluating different locations, but they hope to come back soon with a suitable location.

Councilor Baddourah said that he would like to get the public involved in the site selection process.

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2012-109 – Authorizing the City Manager to execute a Bill of Sale and Gift Agreement between the City of Columbia and AgFirst Farm Credit Bank for the acceptance and relocation of art donated to the City of Columbia by AgFirst Farm Credit Bank.

- 41a. [Resolution No.: R-2012-110](#) – Adopting the City of Columbia Façade Improvement Program - *Approved*

Ms. Tina Herbert, Director of the Office of Business Opportunities reviewed the revisions to the Façade Loan Program that were presented in today's work session. She reported that changes were made to the section 11.3(g)4 related to security cameras and section 11.3(g)6 was added to address applicants who have previously received; or may be eligible in the future for City of Columbia grant or loan funds for security cameras.

Councilor Davis recalled that this item was reviewed by the Economic and Community Development Committee and he recommended that it be adopted as presented. For the record, he stated that the Façade Improvement Program funding for this year is earmarked for North Main Street from Elmwood to I-20.

Upon a motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to approve Resolution No.: R-2012-110 – Adopting the City of Columbia Façade Improvement Program, as amended.

APPOINTMENTS

42. River Alliance

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to approve the appointment of Councilman Brian DeQuincey Newman to the River Alliance Board.

43. [Columbia Housing Authority](#)

Upon a motion made by Mr. Runyan and seconded by Ms. Plough, Council voted unanimously to approve the re-appointment of Ms. Bessie Watson to the Columbia Housing Authority to serve a second and final five (5) year term.

44. [Midlands Authority for Conventions, Sports, and Tourism](#) – *Consideration of this item was deferred.*

45. [Columbia Parks and Recreation Foundation](#)

Councilor Newman expressed interest in appointing Mr. Lawrence Flynn to the Columbia Parks and Recreation Foundation.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to approve the appointment of Ms. April Jones, Mr. Scott Powers and Ms. Katherine Swartz to the Columbia Parks and Recreation Foundation for a three (3) year term.

CITY COUNCIL COMMITTEE REPORT

Councilor Plough suggested that Council review the policy for appointments to committees. She said that there are instances where two terms might not be what serves this community the best. She asked that staff bring back recommendations in terms of the appointment policies and procedures, because it's important not to continue to violate what was done by previous Councils.

Ms. Connie Lucius, Office of the City Clerk said that there are few boards and commissions that the Resolution doesn't apply to.

Mayor Benjamin said that he would rather see us tighten things up. He said that the challenge for many years was that we had a very small number of people serving on a number of boards. He said that we've all done a good job in trying to get new people from across the city to apply for boards and commissions. He noted that with boards such as the Columbia Housing Authority, we even faced the challenge of all board members leaving at one time, but we rectified that. He suggested that they continue to cast a wide net, focus on tightening up and be true to the policy that we have. He requested a list of those boards that have challenges.

Councilor Davis suggested that they look at the tenure of individuals and make the proper decisions based on that.

Councilor Baddourah asked on behalf of the Public Safety Committee that Council make a recommendation to increase the pay for hired police officers for special events from \$35 to \$40 to be utilized for police funds.

Mr. Steven A. Gantt, City Manager asked that they hold consideration of that matter until it is reviewed by the City Attorney.

Mayor Benjamin recalled that when Council established the committees, a policy was set so that the only way things should come before the committee is that they come on the referral of the full Council. He said that it's important to not have activity generated outside of the Council, coming to the committee and then coming to Council without any discussion by Council. He asked his peers to handle that accordingly as we move forward in all six (6) of the committees.

In reference to Mr. Baddourah's request, Mayor Benjamin stated that this will drive up the budgets for private sector entities and non-profits who request hospitality tax dollars for the events.

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to refer to the Public Safety Committee, a discussion of the fiscal impact and legality of an increase in the hourly rate charged by officers working special events from \$35 to \$40 with those resources to be added to the Columbia Police Department's operating budget.

Councilor Runyan requested that the Arts and Historic Preservation Committee discuss a demolition delay ordinance. He said that staff has done preliminary research and this is a tool that other municipalities such as Boston use to protect their historic properties. He said that it is a stop gap measure to prevent what happened to the Elmore Store from happening again.

Councilor Davis asked that this proposed ordinance be restricted to historic designations and not to prevent the demolition of neglected properties.

Upon a motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to refer the discussion of a demolition delay ordinance to the Arts and Historic Preservation Committee.

Councilor Plaugh requested an update on the status of the audit.

Mr. Bill Ellis, Finance Director said that there was a delay.

Mr. Steven A. Gantt, City Manager said that we hope to have the audit by the end of the month.

APPEARANCE OF THE PUBLIC

Councilor Davis explained that he provided Council with preliminary information on the concerns of the Greenview community. He noted that he would not prevent anybody from speaking on the issue.

Mayor Benjamin recognized Rev. Dr. Goff and the leaders of the Greenview Community who are in attendance in support of a new pool for the community. He said that staff was asked to do some research in terms of what it would take to get that done. He said that in the interest of time, we are looking at relining the pool, but the direction from the community is that they want a new pool. He noted that Mr. Davis asked Mr. Baker how we can get this done and what period of time can we get it done.

Mr. S. Allison Baker, Senior Assistant City Manager reported that they have asked the pool contractor to provide us with several different scenarios. One option is an upgrade of the existing pool to include a granite lining, a new filtration system, additional decking, fencing and refurbishing the pool. He said that they also asked for a price on using the existing basket room and creating a 25 meter pool. This is essentially a new pool and it's similar to the situation we created at Maxcy Gregg Park, where we used the old pool house and created a new pool well. The third option was a complete new outdoor pool that's separate from the existing building. He stated that it may create some challenges in terms of where we locate it, but we have asked for those three different prices. We wanted to refurbish it so that we can reopen this summer. I would say that if we do more than what the \$300,000 would pay for, which is an upgrade of the existing pool, it would not happen by this summer and it may cost up to \$750,000 to \$1 million for a pool separate from the existing space. He suggested that there needed to be complete community input and meetings to ensure that the final decision is in keeping with the needs of the community to include the specific amenities.

Councilor Davis suggested that the community speak to the issue.

Rev. Dr. Norvel Goff Sr., Pastor of Reid Chapel African Methodist Episcopal Church said that they use the Greenview Community facilities and the community is pleased with the working relationship we have with the Mayor and City Council, particularly Councilman Davis. He clearly stated that they want a new pool. He requested an analysis

and a timetable. He invited the full Council to come to the Greenview Community and hear from them and present in-depth proposals to the community on a new pool.

Mayor Benjamin asked if the community will support a new pool even if it won't be complete by this summer.

Rev. Dr. Norvel Goff Sr., Pastor of Reid Chapel African Methodist Episcopal Church asked if there could be a simultaneous effort on a parallel track. He said that the ultimate goal is a new pool while providing services for the community during the summer. He suggested that they pull together as One Columbia to ensure that other facilities and partners including universities and colleges would provide those services that are much needed.

Mr. Lonnie Simpson, Greenview Community resident said that he had the privilege to use the Olympic size pools 43 years ago at University of South Carolina (USC) during the winter. He said that the Greenview Pool was there in 1968. He said that during his youth they would walk 5 miles to swim in their Olympic size pool at the Young Men's Christian Association (YMCA). He also had access to Olympic size pools in Atlanta, GA. He said that they should have had an Olympic size pool at Greenview Park in 1968. He said that he would like to see an indoor pool for the senior citizens to have water aerobics.

Dr. Albert Reid, Greenview Community Resident said that over 30 years ago they wanted a state of the art, indoor - lighted pool; gymnasium; exercise rooms; meeting rooms and an arts and crafts area. He said that all they've received in 30 years is a wading pool that's leaking; two (2) ill-equipped buildings; a kitchen with a non-functioning stove and dishwasher; and several poorly furnished rooms. He said that they did get a nice set of modern tennis courts that bring visitors from everywhere. He said that he voted against these inferior facilities. He cited articles in the State Newspaper about Greenview Park's proposed upgrade to the pool. He cited the accomplishments of the Greenview Swim Team. He sought a unanimous vote of approval from Council.

Mr. Jesse Stroy, Resident of the Greenview Community / Leader of the Greenview Senior Citizens Fitness Group stated that the seniors want an indoor Olympic sized swimming pool. He said that they are the largest group in the southeast. In closing, he stated that they don't want to be charged anything to include taxes, because they've paid their dues.

Mayor Benjamin said that it sounds like there needs to be a master plan for the development of better facilities at Greenview Park. He said that it's not fruitful to argue about the past; we are trying to rebuild an entire city. He noted that the pool at Maxcy Gregg Park was over seventy years old. He insisted that Greenview is not neglected, but it may be high time for discussions about doing something special at Greenview Park over time. He said that we will have a report back later this week and we need to determine how best to disseminate this information to the community. He stated that there must be some consensus on what will be done and he encouraged the community leaders to help build that consensus.

Mr. Lonnie Simpson, Greenview Community resident asked if it would be possible to bus the kids to other facilities during the summer.

Mayor Benjamin agreed that those arrangements could be made.

Mr. A.C. Roberts said that he worked for the Fire Department for almost 29 years and he was injured on a fire truck. He said that the City of Columbia lied to the retirees when they said they would pay their policies. He said that he takes eighteen medications per day and one-third of his check goes towards his copay. He said that he recently received a letter saying that he had to pay for insurance.

Ms. Michelle Huggins said that over two (2) years ago SCE&G gave money to the Parks and Recreation Department for new playground equipment at Valencia and Rosewood Parks. She said that there has been a standstill and there is no playground equipment at Valencia Park.

Mr. Jeff Caton, Director of Parks and Recreation said that they are in the procurement process and they should bring forward a recommendation at the next meeting.

Ms. Michelle Huggins said that she has called the police on several occasions while visiting Hyatt Park during baseball season. She agreed that this area is in need of cameras.

Mr. Lonnie Simpson, Greenview Community resident said that the Columbia Police Department is doing a great job in Greenview and the crime rate has improved. He suggested that lighting be added to the parks.

Mayor Benjamin said that crime is down in Greenview and across the city with the help of citizens that take on a leadership role. He announced that a dinner will be held with the General Assembly on February 6, 2013 and advised his peers that they will be asked for corporate donations.

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to adjourn the meeting at 8:53 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk