



CITY OF COLUMBIA
CITY COUNCIL MEETING &
PUBLIC HEARING MINUTES
WEDNESDAY, JUNE 4, 2008
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Public Hearing on Wednesday, June 4, 2008 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:03 a.m. The following members of Council were present: The Honorable Anne M. Sinclair, The Honorable Sam Davis, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Tameika Isaacs Devine arrived at 9:12 a.m. The Honorable E.W. Cromartie, II was absent. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes of April 16, 2008 – *Approved as presented.*

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of April 16, 2008 as presented.

PRESENTATIONS

- 1a. ****Special Presentation – Mr. Charles P. Austin, Sr., City Manager**

Mr. Charles P. Austin, Sr., City Manager presented The Honorable Robert D. Coble with the Hettie Rickett Leadership Award from the South Carolina Community Development Association, which was presented to Mr. Tony Lawton, Director of Community Development on May 22, 2008 on behalf of Mayor Coble.

- 1b. ****Introduction of the May 2008 Employee of the Month – Mr. John Dooley, Director of Utilities and Engineering**

Mr. Bud Summers, Superintendent of the Waterworks Plant introduced Ms. Betty Grassnickle, Water Works Staff Assistant as the May 2008 Employee of the Month. He described Ms. Grassnickle as a 14-year employee that is rarely out work, never leaves work until all tasks are completed. She works well with co-workers and constantly displays a very positive and cheerful outlook.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr., City Manager presented Ms. Betty Grassnickle with a plaque and tokens of appreciation for being selected as the May 2008 Employee of the Month.

- **Ms. Devine arrived at 9:12 a.m.**

2. Richland County Transportation Study Committee Update – Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee presented a synopsis of the 8-year plan for transportation and the key components that apply to the City of Columbia. She explained that the 39-member committee engaged for over 18 months in an effort to study the multi-module transportation issues that we face now and going forward over the next 25-years. She recognized the committee members that were present, noting that they worked many long hours to produce 7 technical memorandums. They developed a plan that would cost \$3.8 billion if they were able to fund everything. There is \$600 million currently available. The portions of the 8 year plan that apply to the beltway or the inner part of the city will cost over a half billion dollars. Outside the beltway there are congestion issues; inside the beltway there is a shortage of bike lanes, sidewalks and issues facing the bus system. The proposal is \$303 million for roadways over the next 8 years to include 8 road widening projects, 13 intersection projects, 2 special projects and 7 county-wide programs to include dirt road paving and road resurfacing. The committee recommends that \$51.9 million be designated to look at roads inside the beltway in the city to include special projects such as the Assembly Street Railroad grade separation at \$39.5 million; the intersections at North Main Street and Fairfield Road at \$6.2 million and at North Main Street at Monticello Road at \$6.2 million. The countywide greenway, bike and pedestrian projects are \$75.8 million to include 49.3 miles of new sidewalks; 119.8 miles of new bike lanes; and 27.4 miles of new greenways. There are only 3-miles of existing bike lanes in Richland County. Within the beltway that is \$41.7 million; the pedestrian sidewalks improvements are 13.3 miles or \$15.9 million; 32 intersection improvements at \$3.2 million; bikeways at 55 miles for \$13.9 million; 19.3 miles of greenways for \$8.6 million. Countywide transit is \$126 million to maintain the bus service across the county beyond 2009, it expands the transit service to cover 75% of the county's transit dependent areas from the current rate of 68%; it improves the service hours and the frequency of service; and adds amenities to the bus stops such as seats, shelters, better signage and trash cans. Approximately 80% to 85% of the bus service is located within the beltway area and the local sales tax will ensure that service will continue beyond 2009. The committee tried very hard to create a balance in the modes across the county so that there will be support from everyone for this proposal. The money is not there to do everything that needs to be done, but it is a fair and balanced plan.

Councilor Finlay said that he has \$15,000 left in his council surplus account and he intends to spend that on a microphone and camera system that is slightly less antiquated and if it is not a violation of city policy. He said that the system should be wireless and with a small investment we can get state of the art camera technology with captioning for all citizens.

Councilor Rickenmann asked if the committee discussed creating a collaborative bus system along with the universities and colleges. He was in Clemson and they don't charge for the bus service, because they have pooled all of their resources to include Pickens County. He said that the frequency of the bus system and its outreach is amazing.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee said that this is an abbreviated version of the entire presentation. She said that one recommendation is that there is a Director of Transportation and that Director of Transportation would be directed to work with the University of South Carolina and other potential partners to improve the bus service without replicating efforts. She said that Clemson's population is different and more concentrated into a small area.

Councilor Rickenmann said that we should be able to come up with a great system without charging a fee, since we are funding it from a tax revenue source and the revenue is minuscule at less than \$1 million per year. He said that, as a Council they should bring forth a motion to push forward a collaborative effort. He realizes that a system is needed and noted the time that it takes to get from one location to another on the bus.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee responded that one recommendation is to look at the routes around the transit center so that everything doesn't have to come from way out then into the transit center and back way out.

Councilor Davis said that the intersection at North Main and Fairfield Road is a safety issue that the Central Midlands Council of Governments tends to look at as well. This location deserves consideration given the number of accidents that occur there. He hopes that the plan stays in tact, because it makes sense in terms of the long and short term needs. He doesn't have a problem supporting the plan as submitted. He noted that it was a yeoman's task and the committee did its best to address the needs that are heard every day. He said that there are local needs that are not a priority for SCDOT.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee noted that it was an involved process wherein the committee studied and uncovered the needs and then went through an elaborate process for determining what the priorities were. This had to do with input from public meetings, priorities that were already set, safety and population density.

Mayor Coble stated that the University of South Carolina has its own bus system and they charge through student fess; Benedict College and Allen University don't have their own systems, but they have apartments that are further out and we have actual systems that work with them. Once the public system has a dedicated funding source we can collaborate with the schools and feed their revenues into the pool of funding. He believes that the Regional Transit Authority Board would like to have a thoughtful discussion about the fees. If the referendum passes then the collaboration would occur. He noted for the record that the RTA board is comprised of appointees from Richland County and Lexington County and while no entity in Lexington County is funding the effort, their appointees are most supportive. They are the ambassadors for getting Lexington County to understand that it is in their best economic interest. We should encourage a regional effort, because as gas prices increase more people will need it.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee stated that their first recommendation under governance is that they really encourage this to become a truly regional system.

Councilor Devine said that the recommendations regarding the RTA are very good. She stated that at the last meeting of the RTA, there were a couple of findings that they took exception to and were planning to make a presentation to County Council. She asked if those exceptions had been revisited or taken into account in the final report.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee said that to her knowledge there hasn't been a formal recommendation on that, but there have been conversations around ways that all players can work together more effectively to ensure this is a regional system that truly expands. She doesn't know if there have been any other presentations or conversations around that.

Councilor Devine explained that the RTA recognizes that the system isn't where it needs to be, but with financial and other limitations they are doing their best to provide the service that is needed. We know that if it was expanded it would get better. The sales tax and a dedicated funding source would be essential to making those improvements. She asked how they plan to get this information out to where it needs to be. How do we go to the voters and help them understand the critical needs and what the referendum would provide.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee explained that technically the committee's business is finished, but they are working hard to get the story out, because this is a balanced plan. The Chamber of Commerce has agreed to work with them to support the plan. It is important to do as they did in York County by having an incremental plan. Our effort is to go forth and help people understand how this impacts their lives.

Councilor Rickenmann asked if there were discussions about the contract the RTA is under now and how costly it is. He said that there may be an opportunity for the RTA to run more efficiently and more effectively if that contract was changed.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee said that the Director of Transportation would be directed to look at all of those things that might impact the most efficient operations of the system.

Councilor Davis said that they met with SCDOT representatives last week to get an understanding of the issues with prioritization and the criteria. One thing that came to light is that when we try to go to SCDOT for additional dollars we go to Washington, DC and they look at how much is being done locally to participate. He thinks that it is important for the public to understand that the more we do and the more we put in locally, the better our chances are for bringing our state and federal dollars back home to the local level. It is a demonstration of the importance that we put into these projects and needs when it comes to safety and moving people throughout the community, because it has an economic impact.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee stated that through the 1¢ local option sales tax those people that come into our county will also help support the roads and the transit systems they are using.

Councilor Finlay asked how can we guarantee that non-residents will help pay for the system. He will have a tough time supporting this, because we cannot raise taxes every year at the rate we are going, especially in an economic downturn and expect for people to be able to pay it.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee admitted that they struggled with that question and they thought about where the jobs, economic development and sources of revenue would be without a public transit system and with a 100-year timeline for resurfacing roads and a 150 year timeline for paving dirt roads. This will cause us to stagnate.

Councilor Finlay stated that widened roads don't necessarily eliminate congestion in fact they spawn more congestion; the more money you spend bringing people in from the suburbs the further out you can create new development, thereby pulling development out of your city center and sending it to the suburbs with cheaper land and cheaper rates. The more we do to encourage low cost stability to live further from the city center, the more we hollow out our city and then it becomes a donut. He asked if the committee addressed those issues.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee said that they talked a great deal about this and a lot of people wanted to see more road work. One of the top recommendations is that there be much orchestrated planning between the Director of Transportation and urban planning to provide incentives to encourage in city density and growth to support transit, bikeways and sidewalks so that we do have a walk able and mass transit friendly city.

Councilor Sinclair hopes that the City Council would take action to authorize CPAC to work with this committee when the time is right. She noted that as Chair of the CPAC she knows that improving our air quality is a huge issue. She said that there are mixed points of views from members of CPAC on the increased sales tax. She would like for Council to take action on the plan and authorize CPAC to work with the Transportation Study Committee, because the greenways, bike paths, increased urban development and more transit oriented development fit into the scope of CPAC.

Dr. Caroline Whitson, Chair of the Richland County Transportation Study Committee stated that two of the major drivers as the committee went forward were air quality/federal standards and gasoline prices. She noted that the high gasoline prices are increasing the use of mass transit systems throughout the county to the point where systems are becoming overwhelmed.

There was a consensus of Council to schedule a Work Session with the full Council to discuss and endorse the Transportation Study. Mayor Coble will talk with members of Richland County Council to see where they are with this so that we don't get ahead of them. He strongly supports the report and agrees that if we don't keep up with our infrastructure and provide mass transit, we will not be able to compete in the global economy.

3. National Homeownership Month Proclamation – Ms. Carole Seebode, Senior Loan Officer for the Community Development Department

Ms. Carole Seebode, Senior Loan Officer for the Community Development Department announced that June is National Homeownership Month. She introduced Mr. Jim Chaplain the Director of the Columbia Field Office with the United States Department of Housing and Urban Development, as a partner to the City of Columbia's Community Development Department.

The Council presented a proclamation declaring June as National Homeownership Month in the City of Columbia to Mr. Jim Chaplin, Area Director for the Department of Housing and Urban Development.

Mr. Jim Chaplin, Area Director of the Department of Housing and Urban Development said that its homeownership month and we should celebrate, because homeownership is one of the most important keys to a successful city. He stated that affordable housing is energy efficient housing and he wants city staff to promote energy efficiency throughout the City of Columbia with HUD funding and by adopting codes that encourage energy efficiency. He noted that the city receives over \$2 million from HUD in HOME Funds and Community Development Block Grant (CDBG) Funds and they are tracking the development and rehabilitation of energy efficient homes. He announced the upcoming statewide Energy Conference with the theme of developing affordable energy efficient housing throughout this state.

Ms. Latoya Grate, Planner II for the Planning Department stated that she purchased a home four (4) months ago through the city's Employee Loan Program. She said that Community Development staff encouraged her to talk to them immediately and it motivated her to know that she didn't have to work that hard to reach her goal. She said that the city's loan program is why she moved into the city along with the close proximity to work, all of the amenities, community events and so much more.

Councilor Davis asked how many new homeowners Ms. Grate has recruited.

Ms. Latoya Grate, Planner II for the Planning Department replied that she has tried to recruit three (3) others to apply for the loan.

Councilor Davis said that what she represents all that is good about the city and asked that Ms. Grate be recruited for the North Columbia marketing program.

Ms. Carole Seebode, Senior Loan Officer for the Community Development Department reported that they have made over seventy (70) employee loans.

4. Community Development Week "Super Saturday" – Ms. Charmaine Clark, Community Neighborhood Specialist for Community Development

Ms. Charmaine Clark, Community Neighborhood Specialist for Community Development invited everyone to participate in the Super Saturday event on Saturday, June 7, 2008 from 10:00 a.m. to 3:00 p.m. at the Kathryn M. Bellfield / Booker Washington Heights Cultural Arts Center, 2611 Grant Street. The purpose of Super Saturday is to promote all activities that help to develop this city and its neighborhoods. The Community Development Department and partners will focus on three (3) Community Development components: Housing 101, which is about maintaining your home on a low budget; City Living Lender Program; and Healthy Living. There will be more Super Saturday Events throughout all Council Districts.

- 4a. **Municipal Improvement District Update – Mr. Tony Lawton, Community Development Director

Mr. Tony Lawton, Director of Community Development provided an update on the establishment of the proposed Municipal Improvement District and the necessary steps required by law in designating a Redevelopment Project Area. He reported that there has been a series of meetings and conference calls with the city's Financial Advisors and Bond Counsel. He presented two (2) memos and the Tax Increment Financing (TIF) District map to the Council.

Councilor Finlay asked for a timeline at the next meeting.

Councilor Devine stated that the intention is not to include Richland County and the School Board. This needs to be made clear, because we are only looking at a Municipal Improvement District (MID) and not support from the county and the school board. She asked for a listing of the proposed projects and the anticipated cost at the next meeting.

Councilor Sinclair asked for a more legible map.

Councilor Davis reemphasized Ms. Devine's point in terms of the bond that we are setting for ourselves and that's why it is being called a MID and not a TIF. He is also interested in the public involvement component and a timeframe for input and putting the financing together.

Councilor Rickenmann suggested that they schedule a Work Session for an in-depth discussion on the MID.

Mr. Tony Lawton, Director of Community Development added that as we move forward with this, we should be mindful that we will lose the designation for the Empowerment Zone by December 31, 2009 and that we have approximately \$112 million of Empowerment Facility Bonds that we could use as incentives with the development of the MID. He urged the Council to be very proactive while moving forward with this process.

Councilor Finlay requested an Annexation Workshop and the upcoming schedule for the summer.

Councilor Devine asked for the timeframe of the issuance of the Water and Sewer Bonds, noting that it would reduce the cost if we moved forward with the bonds for the MID at the same time.

Mr. Steve Gantt, Senior Assistant City Manager for Operations responded that they would like to sale the Water and Sewer Bonds by the end of 2008.

There was a consensus of Council to schedule a Work Session for further discussion of the proposed Municipal Improvement District (MID) during the afternoon of Wednesday, June 18, 2008.

REPORTS AND UPDATES

5. City Manager's Report – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager introduced Ms. Karen Brinkley, a Master of Public Administration (MPA) student from the University of South Carolina who is currently doing an internship with the city in the Office of the Senior Assistant City Manager for Operations. He reported on the following matters:

- **Installation of Security Cameras**

As it relates to the installation of cameras, we had some discussion on last week about cameras that were installed out in the College Place area and in response to that I met with Mr. Bruce Trezvant out at College Place and had a chance to look at the cameras that he has installed. We had some further discussion and I have asked Bruce to take a look at the hardware that we have in stock to see what part of that hardware might be usable, if any of it and if so then we might move forward with utilizing that hardware until such time as we are able to put together a package to purchase additional hardware. I am encouraged by what I saw. I think he has made good use of the equipment that he has, so I do believe that there are opportunities available to us as it relates to utilizing his concept and also utilizing the equipment we presently have in stock.

Councilor Devine asked if Mr. Austin gave Mr. Trezvant a timeframe to have that information back to him.

Mr. Charles P. Austin, Sr., City Manager stated that Mr. Trezvant is supposed to come by his office today. As a matter of fact, they were supposed to meet on Monday, but his Executive

Staff Meeting went longer than anticipated.

- **Garage Security**

We've had a recent rash of auto break-ins in downtown garages and in response to that, we met with Matt Kennell the Executive Director of the Business Improvement District and developed a plan to address those auto break-ins and that plan includes securing a contract with International Security Management Group (ISMG). They began this past week with daily patrols in the Sumter Street Garage and the Lady Street Garage. ISMG will have two security officers working the garages during the day and two officers in those garages at night. Our goal is to prevent auto break-ins and to keep unauthorized persons out of the garages. We will also consult with Chief Carter and the Columbia Police Department and we will adjust the assignments for the security officers based on the volume of incidents that we have reported to us. To date, we are happy to announce that there has been a dramatic decrease in the number of reported incidents. I think the response was timely; I am very encouraged by the partnership with the Business Improvement District, our staff and of course the security company that has the contract.

- **Calling Tree**

I talked with you last week about the Calling Tree that I am in the process of setting up as a means of maximizing my opportunities to communicate with you. At this point, Alpha Integrated Systems, which is a local vendor, is developing a new calling tree for my use. The one we thought we had accomplished a part of what we wanted to do, but it was still a bit more cumbersome than I wanted it to be, so I have asked them to refine that and they will come back to me on Monday and I will take a look then to see if it accomplishes what I've requested.

- **Benches on Downtown Sidewalks and Bus Stops**

We also talked about the benches downtown and the problem that we've had with persons occupying the benches. One of the discussions of course was about removing the benches and there was another discussion about the sections we can place in the benches. So I have asked staff to go back and research the problem and to come back with some options that range from the extreme of taking all of the benches out to the other side where we leave the benches in and maybe have one section and then try to find what is viable in the middle to allow us to have two sections in the benches to preclude anybody from using the benches as day beds. As soon as we get those options together, I will come back to you and I would hope that by the end of the month we will have something that we can move forward with that will address the problem. I do realize that we have persons who have disabilities or persons who are senior citizens and removing the benches will cause them to have to stand and wait for the bus.

- **Uniform Service Charge Associated with Online Payment Service**

As it relates to the Uniform Service Charge associated with online payments, if you would look at item # 10 on your agenda, you will see an ordinance authorizing a special fee that is to be paid to the service provider of our Online Payment Service. This is a fee that is required by the service provider to process electronic payments and these fees go directly to the service provider. We don't get anything out of it, but we have expressed an interest in having the availability of online payments and this gives us an opportunity to move forward with that. I've asked staff to give me a comprehensive timeline so that we can tell you when you can expect

that service to be in place. As of this date, we don't have that, but I would hope by the time we come back to you on June 11, 2008, we should have that.

Councilor Rickenmann requested a price before he is asked to vote for this. He said that most entities charge a flat fee for using credit cards. He wants to know what that fee would be and what it includes, because right now it is very open-ended and he doesn't think that is the approach we want to take.

Mr. Charles P. Austin, Sr., City Manager said that he would get the second part of the response, but the first part is that there is a small fee based on the credit card that is being used. Apparently each credit card vendor sets their own fee, but he needs to get the additional information.

Councilor Rickenmann said that all retail business owners know that this is a game and there are a lot of hidden charges. He thinks that before we impose something on the public we should know what that is.

Councilor Finlay said that SCE&G only allows up to \$600.00 per charge and that commercial customers won't pay a \$3,000 water bill in five (5) pieces. He thinks that we need to focus on small and large customers being able to pay the whole bill without having to piece meal it.

Councilor Sinclair asked about the fee for Electronic Funds Transfer and if someone wanted to pay a bill out of their checking account why should there be a fee. If we want to encourage people to do this, why do they have to pay more than the cost of a stamp? She said that she doesn't pay a fee for any of the bills that she pays online.

Mr. Charles P. Austin, Sr., City Manager explained that those issues would have to be researched further so that when the next update is given we will have those answers.

Councilor Devine said that she received several comments about the fee after the last discussion and she wants to make sure we have the documentation to show that this is a fee that is necessary to be charged. Some believe that this fee would not be charged by another vendor.

Mr. Charles P. Austin, Sr., City Manager said that significant questions had been raised and he respectfully asked that any action be deferred on item 10 until staff has a chance to go back and do some additional research. He reported that he continues to make progress with the proposed reorganization of city functions. He sincerely appreciates Council's thoughtful and candid input as we work toward our goal of achieving maximum efficiency in the delivery of services while utilizing our existing resources. He would hope to have the reorganization completed by the end of June so that when we go into the new fiscal year we will have functions aligned for the upcoming year. Finally, streetscaping on Main Street Phase II has been continuing; the disruptions have been minimal; and our goal is to maintain an open channel with residents and merchants in the affected area. He is very pleased with the level of cooperation between city staff, the residents, merchants and especially Matt Kennell and the BID staff. We are trusting that the process will continue to move forward with minimal disruption.

Councilor Sinclair suggested that the City Manager include in his next report information on the Spider Lily Festival that took place on Saturday, because our staff worked really hard to bring in a wide range of partners and it was very well attended.

Councilor Devine asked that staff put the information on Channel 2 and assist with the mass distribution of the information.

Councilor Rickenmann requested an update on the progress of the Disparity Study.

Councilor Finlay requested a copy of the City Manager's Report in writing and in the agenda book, because it provides a running commentary of what we are working on.

Mr. Charles P. Austin, Sr., City Manager concluded by expressing staff's sincere gratitude to the Council, because this has been a very interesting, thought provoking and interactive budget process. We are coming to a point where we are ready for the budget presentation, but we encourage the Council's input as we go forward.

This report was received as information. No action was taken.

PUBLIC HEARING

Ms. Melisa Caughman, Interim Finance Director presented an overview of the fiscal year 2008/2009 proposed budget. This is a Public Hearing on the budget; we will give an overview, receive comments today and give the Ordinance first reading consideration on June 11, 2008. They made sure the budget was in balance by holding departments at current year funding levels; by being more efficient with our resources; and revenue changes. We are maintaining service levels in this coming year. The following Strategic Plan initiatives and City Council goals will be addressed throughout this budget: For Goal One "To Enhance the Quality of Life of the City of Columbia for All Citizens, Customers and Visitors", Public Safety was a significant importance with the Police and Fire Retention and Recruitment Plan; we wanted to continue our efforts with Richland School District One and the Together We Can initiative; Winter Shelter Operations; and Anti-Gang initiatives to include expanding existing programs and adding community collaboration; and working with our neighboring jurisdictions. For City Council Goal Two "To Enhance and Protect Our Natural and Built Infrastructure", we focused on reducing the direct transfer from \$4.5 million to \$3 million from the Water and Sewer Fund to the General Fund and to reduce the indirect cost allocations by \$465,000 as the second and final year of the Black & Veatch recommendation for that reduction. Through these savings to the Water and Sewer Fund we applied those funds to the water and sewer system for capital improvements. The sustainability initiatives will include building on the successes of the Climate Protection Action Committee (CPAC) and continued operations for initiatives such as the Green is Good for Business Conference and the Green Business Member Program. For City Council Goal Three "To Enhance Columbia's Future Role as the Flagship Municipality in South Carolina Through the use of Best Practices for Local Government Operations", two Historic Preservation Planners have been added; as it relates to Municipal Governance, a Human Resources Assessment project is underway; continued Finance/Accounting restructuring; and the Information Technology Department's implementation of online payments; and to create an environment of excellence we are expanding the Employee Orientation, the compensation and classification study and the Cost of Living Adjustments at 3% for employees earning up to \$75,000 annually. For Council Goal 4 "To Grow the City's Tax Base by Facilitating Opportunities for Citizens and Future Generations to Reach Their Full Economic, Social and Cultural Potential, the Business License Division will be converting to the North American Industrial Classification System (NAICS) codes; as it relates to community promotions, we will continue our commitment to agencies that help promote tourism and provide quality of life for our community; the General Fund includes \$800,000, Hospitality Tax \$4,846,000; and Accommodations Tax \$1,275,000; and for economic development we have a continued

commitment with regards to the contingency fund; the Office of Business Opportunities' initiatives and other initiatives will provide incentives to grow new businesses and help to retain others. The General Fund is \$104,854,451 with revenues from property taxes and licenses and permits making up the majority of revenue for the General Fund. She noted that transfers in only make up 7% of the General Fund revenue. The dissolution of the TIF has added to the property tax revenue for the General Fund, because those properties are now a part of the General Fund as opposed to the TIF District. There is a 3.8 mil property tax increase, which increases the millage rate from 102.5 to 106.3, which is approximately a \$15.20 annual increase on a \$100,000 owner occupied home. She noted that Public Safety makes up the majority of the General Fund expenditures with Public Works and Parks and Recreation being a large portion of that allocation. The following are significant budget additions / increases for the General Fund: the Police and Fire Recruitment and Retention Plan with a 3-year phase in of salary adjustments at \$1.3 million; the inmate Per Diem for the Richland County Alvin S. Glenn Detention Center at \$350,000; the Winter Shelter increased budget by \$400,000; the Office Lease for 1225 Lady Street at \$350,000; Legal Services for the Hotel and Disparity Study at \$350,000; an additional \$25,000 for the Together We Can initiative; a \$300,000 increase to the Police Department's budget for seven (7) new Police Officers; the addition of three (3) Battalion Chiefs for the Fire Department at \$270,000; the replacement of Solid Waste equipment at \$150,000; two (2) Historic Preservation Planners at \$125,000; the Human Resources Assessment at \$100,000; accounting services provided by the Municipal Association of South Carolina at \$200,000; the repayment to the Water and Sewer Fund for the TIF bonds and the indirect cost allocation reduction at \$1,965,000 for a total new or increased budget amount of \$6,035,000. Water and Sewer Improvements is \$101,315,437 with the majority of those revenues coming from water sales and sewer sales. The expenditures for the Water and Sewer Fund total \$101,315,437 with the Utilities and Engineering Department being 41% of that budget and then 20% for debt service. There is a 5% water and sewer rate increase resulting in a \$1.65 increase per month for in-city customers and \$2.89 per month for those outside of city limits. She reported that \$22,230,272 will be transferred to the Capital Improvements Program, which is an increase of 31% and a transfer for streetscape projects in the amount of \$1,857,821. The Water and Sewer Improvement Fund budget is \$109,464,492, which is 50% Water Improvements and 50% Sewer Improvements to include an \$80 million allocation from an upcoming bond issue in the fall of 2008. Stormwater Operating and Improvements is \$5.8 million, with revenues increasing by \$869,700 as a result of the increase in the Storm Water base rate from \$3.95 to \$4.80. The majority of the increase in the Stormwater Fund is allocated for the issuance of the NPDES Permit, which is a federally mandated program that will monitor the compliance of storm water run off. The transfer to storm drain projects will be \$3,069,502, which is an 8% increase over the current year. The Parking Fund is \$7,097,550, which is an increase of 3% over the current year and includes full operations of the Park Street Garage and the opening of the Lincoln Street Garage in the winter of 2008. Debt Service is a large portion of the Parking Fund at \$3,168,322. The budget includes the added private security for the garages and a \$1 million transfer to the General Fund. The projected Parking Fund revenue is \$7,097,550, which primarily comes from parking garages and lots as well as non-moving violations and parking meters. The expenditures for the Parking Fund include Debt Service at \$3,168,322, which is the largest as well as administration and operations of the parking facilities. The Hospitality Tax Budget is \$7,346,500 with over \$4 million or 66% being allocated to outside agencies; Debt Service at 23% and an \$800,000 allocation to the General Fund. The Accommodations Tax Budget is \$1.3 million to the Accommodations Tax Advisory Committee with \$25,000 or 3% to the General Fund, which is the same as the current year.

- **Council opened the Public Hearing at 10:41 a.m.**

Mr. Raj Alluri appeared before the Council on behalf of the Columbia International Festival reported that the festival has had 13 successful years and they appreciate the funding provided by the city. He is disappointed that this year they were only given \$20,000, which is \$10,000 less than the previous year. This reduction will hurt the festival that has been well received by the community. He asked the Council to consider bringing the \$10,000 bac, because they can't afford to not have the money to keep the festival growing. He distributed the Mission Statement for the Columbia International Festival, an article from The State Newspaper and the advertisement flyer, noting that the City of Columbia's name is on the flyer.

Ms. Pam Harpootlian appeared before the members of Council on behalf of the Columbia Jazz Company and the arts and festivals. She said that there is a history of arts in Columbia. She said that there was community service money and everyone was coming to Council asking for that money. Then there was Hospitality Tax and Accommodations Tax money and that was good for the city, because the city no longer had to defend why they were funding arts groups instead of paying for police officers. That was good, because the people who were eating and drinking in Columbia and the people who were spending the night in Columbia were now paying for the arts and the festivals and so the community services money closed and that was no longer available to arts groups and festivals. This year the city closed the accommodations tax money and now there is only one place to go; hospitality tax money. She said that the accommodations tax money went to the Columbia Metropolitan Conventions and Visitors Bureau and the Capital City Lake Murray Country Regional Tourism organizations. She asked what is it that these two organizations will advertise and market. She said that the city is stripping away the arts infrastructure and entertainment of this community. She stated that Columbia City Jazz was cut by \$10,000 and they are a casualty of the decision made to shift everybody into the hospitality tax fund. She said that they functioned with the same amount of money for years, but they can't take a 50% cut in funding. She asked if General Fund money as stripped away and supplanted with the Accommodations Tax money when money was given to those two (2) groups. She asked if they received additional funding.

Councilor Rickenmann responded no, because the groups don't get General Fund money.

Councilor Devine stated that funding for those two (2) groups was cut as well.

Ms. Pam Harpootlian asked if the city is considering hiring a consultant to come up with a new slogan to inspire people to come into Columbia. She said that people won't come here because of that, but because of what they can do while they are here.

Councilor Finlay agreed that we needed to quit focusing on slogans and instead focus on the real primary goals such as police and fire. He said that the Convention Center is being cut. He said that while more groups are applying for the hospitality taxes aren't growing as quickly.

Ms. Tara Robertson, Board of Trustees for the Edventure Children's Museum requested the city's continued support through the renewal of the 3 year commitment of hospitality tax revenues. She reported that EdVenture has been here for 5 years and the economic impact in the Midlands is over \$70 million. These figures come from an independent economic impact analysis that looked at visitor spending, payroll, purchases, activities and other areas. She noted that they will welcome the 1 millionth visitor this summer, surpassing peer museums and that 600,000 visitors are from beyond Richland County. The multi-year funding commitment has been vital in allowing the organization to adequately plan, fund and implement major initiatives and exhibits; provides for a well maintenance facility; the presentation of a dozen new major exhibits and 6,000 educational programs; and enabled EdVenture to become one of the top five

destinations in South Carolina. On behalf of the community based trustee board, Ms. Robertson encouraged the Council's renewal of the multi-year commitment, noting that EdVenture leverages the city's funding to create earned revenue of more than \$3 million.

Ms. Catherine Horne, President and Chief Executive Officer of EdVenture Children's Museum appeared before the Council on behalf of the children they are blessed to serve. In addition to the economic impact and the tourism numbers, EdVenture has created opportunities for children. These opportunities range from free admission programs to include partnerships with Richland School District One as required through the Tax Increment Financing District; scholarships for after school and summer camps; early childhood programs to include training for individuals who lead childcare programs in their homes and small community settings; leadership development programs for at risk middle school students; and much more. She said that their work in meeting the needs of this community is growing by leaps and bounds and requires them to advance and have the financial resources and staff necessary to carry this out.

Mr. Pete Cannon appeared before the members of Council in support of arts and entertainment since it is the spirit of the city. That is what the hospitality tax is all about and it was meant to support events and arts in the community. He noted that 40% of visitors for the International Festival come from out of town and their overall budget is \$200,000; therefore \$30,000 is a significant share. We want this to be an international city. Over 40 countries are represented at the International Festival and it is a successful event that brings people and notoriety to this city. He asked Mr. Raj Alluri to request an additional \$10,000 to expand the event.

▪ **Council adjourned the Public Hearing at 11:03 a.m.**

Councilor Devine stated that the Council is not voting today, but she wanted to clear up some of the misinformation that is out there. She said that the city is not using hospitality taxes to fund additional Police Officers, but they are transferring hospitality tax funds to the general fund to pay for Park Rangers as done in previous years. The reality is that this fund is not growing at the rate we would like for it to and quite honestly, when you are budgeting for next year you have to be conservative, because in this economy it may not grow or maintain its level for next year. There are groups that have never been funded before and they are not getting what they requested, but they were given a shot this year. As a City Council, we have to be mindful that we cannot always fund the same groups over and over and increase that pot without even considering other groups for funding. These groups impact our quality of life, arts and entertainment. She is still a very big proponent of hospitality tax funds going to these groups. She said that is not personal against any group, but we have to be realistic with the money. She requested clarification on the proposal for the development of a new slogan. She said that the city spent more money than it should have in the past in developing the current slogan. She inquired about the marketing of smaller groups and asked that we go back and look at avenues to ensure that these smaller groups have access to marketing, because that is going to be the death of some of these groups if they are not able to get their schedules publicized.

Councilor Rickenmann said that we need better cooperation from the groups to push people to spend money in our city and that would help to create additional funding. It costs merchants to collect the tax, but they don't get discounts or anything. He said that we needed to ensure that all small restaurants are promoted equally as well. He said that there is a contingency for the hospitality tax committee to consider funding for new groups or to add to the current funding levels.

Councilor Finlay said that he is against multi-year commitments to individual groups, because it is a direct contrast. He said that the Council will have to decide if they are willing to commit to three or four large organizations with multi-year and additional funds and not fund or decrease funding for smaller groups. He doesn't think that is implicitly fair. He said that hospitality tax money should be a long-term way to develop new and exciting festivals and arts for the city, but not a way to fund our existing and on-going festivals, museums, etc. If these groups cannot come very close to breaking even on their own operations, then at some point they will cease to exist.

Councilor Davis said that we trust the committees to make those decisions; we try to be fair across the board; and we can't guarantee the same amounts to everybody every year. Some groups do a good job and have a good product, but they never receive anything. We support the committees and their recommendations, but promotion is the key. He said that the Council recently stressed to the committees to take a look at the byproduct when the funding period is over, where the folks are coming from, where do they stay, how long do they stay and where do they go to eat. He talked about marketing the city through the television in hotel rooms. He urged the Council to come up with a better mechanism for funding these organizations that create the revenue.

Councilor Rickenmann reminded the Council that he proposed that they look at the budget, once the audits are done, to pledge to pay down some debt. Obviously, the first debt is when we dissolved the TIF dispute; we borrowed \$3.8 million from the water and sewer fund and I want to make sure we pay that down. We also committed \$1.6 to the Village at Rivers Edge from CDBG funds and it needs to be replaced. I would like to pledge that we try to pay that one time expense, because it will affect our General Fund in the future if it drags out. Part two is that we allocate money to reduce our Risk Management Fund and then any remaining balance should go into the General Capital Projects Fund. He said that we won't know what the surplus is until all of the audits are complete, which may be in September. Since we have underestimated revenue for the last couple of years we know there is going to be a surplus. I am going to bring these priorities forward next week. He will formalize and circulate the motion in advance.

Mayor Coble said that he will certainly look at all of those details and he thinks it's an excellent idea for using revenues of our surplus.

Councilor Finlay agreed, stating that the real reason to support the idea is, because those debts were incurred in previous years and any surplus from those years should offset the debts incurred in that year; otherwise, if we spend the money on other projects we in essence are growing the liabilities on our balance sheet while not increasing our assets.

6. Ordinance No.: 2008-042 – To Raise Revenue and Adopt the Budget for The City of Columbia, South Carolina for the Fiscal Year ending June 30, 2009 - *This Ordinance will be given first reading consideration on June 11, 2008.*
7. Ordinance No.: 2008-039 – 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. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally, (b) Consumers using water cooling towers for air conditioning and (f) Contaminated groundwater - *This Ordinance will be given first reading consideration on June 11, 2008.*

8. Ordinance No.: 2008-040 – 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. 23-147 Installation of water meters serving fire protection sprinkler systems - *This Ordinance will be given first reading consideration on June 11, 2008.*
9. Ordinance No.: 2008-044 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article VII, Stormwater Management, Sec. 23-208 Stormwater Service charge rates - *This Ordinance will be given first reading consideration on June 11, 2008.*
10. Ordinance No.: 2008-036 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 20, Special Fees and taxes to add Article IV, Electronic Payment Fees - *This Ordinance will be given first reading consideration on June 11, 2008.*

CONSENT AGENDA

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to approve the **Consent Agenda Items 11.** through **13.**, **16.** and **18.** through **26.** as presented. **Items 14., 15.** and **17.** were approved by separate motions.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

11. Council is asked to approve the Purchase of Laptop Mounting Equipment, as requested by the Police Department. Award this bid to Dana Safety, the lowest bidder meeting all specifications, in the amount of \$10,028.79. This vendor is located in Columbia, SC. *Funding Source: 1012401-657400 - Approved*
12. Council is asked to approve the Purchase of Six (6) Mobile Radio Units and Accessories, as requested by the Fire Department. Award the bid to Motorola through a SC State Contract in the total amount of \$19,111.27. This vendor is located in Sumter, SC. *Funding Source: 2032301-627100 - Approved*
13. Council is asked to approve Project SS7053; Sanitary Sewer Replacement at Blueridge Terrace and Slashpine Lane, as requested by Engineering Administration. This work will be completed by City Forces in the amount of \$42,600.00. *Funding Source: Sewer Improvements Fund - Approved*
14. Council is asked to approve a Memorandum of Understanding for a New Pilot Manufacturing Facility in Columbia, SC to Produce Hydrogen Fuel Cartridges, as requested by Economic Development. Award the Memorandum of Understanding to Trulite, Inc. in the amount of \$50,000.00 as part of the Columbia Fuel Cell Collaboration. *Funding Source: Economic Development Special Projects Account*

Mr. Neil McLean of Engenuity SC explained that the company they are working with is called Trulite and is based out of Bluffdale, Utah. It is a company they initially met at a military manufacturing forum that was hosted in Columbia last year. He further explained that Trulite uses hydrogen cartridges to make electricity. The City of Columbia Department of Homeland

Security has been successfully testing similar devices over the past year. This is the type of company and activity that we want to recruit to Columbia. The proposal is for \$50,000 for the city to buy five units from Trulite as part of the Fuel Cell Collaboration. This proposal will create nine jobs in Columbia; construct a pilot manufacturing plant; and a facility at the new Midlands Technical College Enterprise Campus. The South Carolina Research Authority is also involved in this project and they have committed a \$200,000 loan as well as a \$175,000 equipment lease. The University of South Carolina is involved and they will be setting up a small facility wherein they will work with Trulite on research matters. They are proposing that the city participate in purchasing these portable power packs for the Police Department, Homeland Security and the Fire Department to use. He explained that the MOU with the Fuel Cell Collaborative is a separate matter for Council approval and the funding for the MOU and the cartridges is in the Economic Development Contingency Budget. This is to ask for specific approval of the MOU and approval of the \$50,000 expenditure.

Mr. Charles P. Austin, Sr., City Manager explained that the funding was not allocated for Trulite; it was allocated for the agreement with Trumball, but they never requested the money.

Councilor Devine said that the Council needed to discuss the Economic Development Special Project Accounts, because their intention is not for staff to decide what is to be funded. She said that they have asked what would happen with the \$86,000 remaining from the agreement with Trumball. She said that the Council needed to decide where to reprogram those funds.

Councilor Finlay stated that the memo did not speak to reallocating money, nor did Council make that decision. He added that the proposal doesn't clearly explain what's being done. He wants a clear definition of what's going on.

Upon motion by Mr. Davis, seconded by Ms. Sinclair, Council voted unanimously to approve funding in the amount of \$50,000.00 for the purchase of five (5) KH4 portable power units from Trulite for the Homeland Security, Police and Fire Departments, subject to the approval of the Memorandum of Understanding (MOU) being deferred until Council receives an explanation of the intent of the MOU and any other funding expectations as it relates to the MOU.

15. Council is asked to approve an Agreement for Engineering Services to Review Plans and Specifications for a 48" Water Main and Booster Pumping Station, as requested by Engineering Operations. Award to B.P. Barber and Associates in an amount not to exceed \$282,700.00. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2007/2008 Capital Improvements Program Budget - Approved*

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to approve an Agreement for Engineering Services to Review Plans and Specifications for a 48" Water Main and Booster Pumping Station, as requested by Engineering Operations. Award to B.P. Barber and Associates in an amount not to exceed \$282,700.00. This firm is located in Columbia, SC.

16. Council is asked to approve Project WM4016; Water System Improvements for the Army National Guard McCrady Training Center, as requested by the Utilities and Engineering Department. Award this bid to Barwick Plumbing Co., the lowest bidder, in the amount of \$1,771,021.00. This firm is located in Columbia, SC. *Funding Source: Water Maintenance Improvement Fund #WM4106-8515 - Approved*

17. Council is asked to authorize Contract Negotiations for Design and Consulting Services for the Development of Construction Documents for a New Administration Facility, as

requested by the Parks and Recreation Department. Award to Quackenbush Architects and Planners of Columbia, South Carolina. - *Approved*
Councilor Rickenmann said that he doesn't feel comfortable approving a contract without knowing what the dollar amount is. He is concerned that this may be construed as an open ended check and should not be approved with a funding source attached to it.

Mr. Damon McDuffie, for Parks and Recreation explained that the Parks and Recreation Department doesn't bid for professional services, the services are negotiated. The Department is seeking permission to enter into negotiations with Quackenbush Architects and Planners. This will not cost any money and the contract(s) will be presented to Council for consideration.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to authorize Contract Negotiations for Design and Consulting Services for the Development of Construction Documents for a New Administration Facility, as requested by the Parks and Recreation Department. Award to Quackenbush Architects and Planners of Columbia, South Carolina. The funding source will be identified once the contracts are brought forward for consideration.

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTIES – SECOND READING

18. **1103 Hazelwood Road**, TMS# 19103-01-05; zoned RS-LD in Richland County; confirm equivalent zoning of RS-1. – *First reading approval was given on May 21, 2008. – Approved on second reading.*
19. **21 Bayleaf Court, 22 Bayleaf Court, 25 Bayleaf Court, 60 Redbay Road, 66 Redbay Road, and 68 Redbay Road**, TMS# 28812-02-01, 28812-02-05, 28812-02-02, 28812-02-10, 28812-02-12, and 28812 -02-13; zoned PDD in Richland County; confirm equivalent zoning of PUD-R. – *First reading approval was given on May 21, 2008. – Approved on second reading.*
20. **615 Suber Street**, TMS# 13708-04-02; zoned RM-HD in Richland County; confirm equivalent zoning of RG-2. – *First reading approval was given on May 21, 2008. – Approved on second reading.*
21. **810 Broad River Road, 934 Broad River Road, 938 Broad River Road, and 942 Broad River Road**; TMS# 07311-05-01, 07311-05-11, 07311-05-10 and 07310-02-01; zoned GC in Richland County; confirm equivalent zoning of C-3. – *First reading approval was given on May 21, 2008. – Approved on second reading.*

ANNEXATION WITH REZONING – SECOND READING

22. **Blaine Street at Whitlock Street**, TMS# 16305-03-02; rezone from Richland County RS-MD (Single-family residential) to M-1 (Light Industrial). – *First reading approval was given on May 21, 2008. – Approved on second reading.*

Ordinance No.: 2008-029 – Annexing two 0.5 acre lots, south side of Blaine Street, Richland County TMS# 16305-03-02 and 16305-04-01 - *First reading approval was given on May 21, 2008. – Approved on second reading.*

MAJOR CHANGE TO A PLANNED UNIT DEVELOPMENT (PUD) – SECOND READING

23. **201 Columbiana Drive**, TMS# 001999-02-057; rezone from PUD-C to amended PUD-C. – *First reading approval was given on May 21, 2008. – Approved on second reading provided: 1) Lighting is to be directional and focused on the site to minimize any effects on adjacent neighborhoods; and 2) Maintain buffer area along back of parcel.*

TEXT AMENDMENTS – SECOND READING

24. **Amend Chapter 17, Article 3, Division 9, §17-317, Home occupations.**

Ordinance No.: 2008-033 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplemental District Regulations, Sec. 17-317 Home occupations – *First reading approval was given on May 21, 2008. – Approved on second reading.*

25. **Amend Chapter 17, Article 3, Division 4, §17-138, Notice publication.**

Ordinance No.: 2008-027 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 4, Amendments, Sec. 17-138 Notice of hearings – *First reading approval was given on May 21, 2008. – Approved on second reading.*

ORDINANCES – SECOND READING

26. Ordinance No.: 2008-038 - Authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2008, of the City of Columbia, South Carolina, for the purpose of refunding the city's \$9,400,000 original principal amount General Obligation Bonds, Series 1998; fixing the form and details of the bonds; authorizing the Mayor and City Manager to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – *First reading approval was given on May 21, 2008. – Approved on second reading.*

TEXT AMENDMENT – DISCUSSION ONLY

27. **MX-1 (Mixed-Use) Zoning District**, create new and/or amend pertinent sections of Zoning Ordinance to establish the MX-1 (Mixed-Use) zoning district. *The Public Hearing was conducted and first reading approval was given on March 19, 2008. – No action was taken on June 4, 2008.*

Mr. Marc Mylott, Director of Development Services explained that this matter is on the agenda for discussion only, because the text that would create the MX-1 district has been given first reading approval; the text that creates the Five Points overlay has not been given first reading approval; and the application of those districts to the actual geography has not been given first reading approval. In order to get everything up to the same point, we are asking that the Council take no action on **Item 27.** and give **Items 28.** and **29.** first reading approval.

TEXT AMENDMENT – FIRST READING

28. **5P (Five Points) Zoning Overlay District**, create new and/or amend pertinent sections of Zoning Ordinance to establish the 5P (Five Points) zoning overlay district. *The Public Hearing was conducted on March 19, 2008. Approved on first reading.*

Ordinance No.: 2008-025 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 1, Generally, Sec. 17-54 Rules of construction; interpretation of types of districts; Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-231 Districts enumerated (c); Sec. 17-258 Table of permitted uses (1) to add (h); Sec. 17-260 Warehousing (SIC 4227 and 424)(a)(3); Sec. 17-263 Retail trade (SIC 52-59) (b); Sec. 17-275 Lot size, setback and height requirements to add (k); Sec. 17-282 Antennas (b); Sec. 17-283 Wireless communication facilities TABLE 3; and to add Sec. 17-284-5P five points district; Sec. 17-285 MX-1 mixed-use district corridor/neighborhood; Sec. 17-286 Motor vehicle, boat and recreation vehicle dealers; Sec. 17-287 Used merchandise stores; Sec. 17-288 Offices and clinics of other health practitioners including therapeutic massage; Division 9, Supplementary District Regulations to add Sec. 17-321 -5P five points overlay district; Division 12, Signs, Sec. 17-407 Signs permitted in commercial and industrial districts (2)(a), (3)(a)(1) and (5)(a)(4); Article V, Historic Preservation and Architectural Review, Division I, Generally, Sec. 17-653 Design and development review commission (b)(9); Sec. 17-655 Administration to add (c) Administration of -5P design guidelines and re-letter Certificate conditions to (d) - *The Public Hearing was conducted on March 19, 2008. Approved on first reading.*

Councilor Finlay said that the zoning changes incorporate property owners, the public and the tenants, but this zoning is not supported by the private property owners. They want to negotiate on seven (7) items and they have been told “no” on six (6) of the items. He has seen a lot of petitions that have been signed by private property owners that are against this. He said that we need to be very sensitive to how these issues work out. He can't support this without a little more compromise with private property owners.

Councilor Rickenmann will support first reading approval, but requested a discussion with staff about the involvement of the DDRC. He likes the MX-1 zoning, but believes it is a zoning change that adds another step for groups to go through. He is not sure what role the DDRC would play in that. He said that people would agree with this if they understood it better. What are the architectural criteria for Five Points?

Councilor Devine concurred with Mr. Rickenmann and said that she would like to weigh the pros and cons of the DDRC. She said that she has spoken with some property owners and believes that their only reservation is the DDRC involvement. She said that some concerns may be gone since we have training in place and new members. They just want to know what they can and cannot do with their property. She would like to ask a legal question in executive session. She noted that Mr. Cromartie's desire is that they take into account the impact this would have on the Martin Luther King Neighborhood, which abuts the commercial corridor of Harden Street.

Councilor Davis has no problem with the motion that's being considered, but believes that we should have further discussions so the questions are cleared up. He suggested that they minimize the number of hoops people are going through and work to dispel the perception that we are pitting the neighborhoods against businesses. He doesn't want the DDRC to be a constant thorn in the side for folks.

Councilor Finlay noted that a single piece of property has caused the most contention in the whole zoning issue in Five Points and this Council exempted it from the exiting zoning and gave it new entitlements. We had zoning in place, we exempted it and now we have a problem. We are changing the zoning and when the Council chooses, we will exempt certain parcels out of this overlay. He doesn't understand the bigger goal of this process, noting that we are facilitating a fight between commercial and residential property owners.

Councilor Sinclair stated that the issue that Councilor Finlay is bringing up continues to resurface throughout the discussion of Five Points South. She said that anyone can request a Planned Unit Development (PUD). If you want to change your zoning, you can go to the Board of Zoning Adjustments for a modification. If you want a significant change, you can apply for a PUD and go through that process. An overlay is not carved in stone and property owners throughout the entire city that want to do something differently has the ability to apply for a special exception, a PUD or an adjustment before BOZA. As a result, our city has grown stronger.

Councilor Finlay insisted that developers know that a PUD is not an option in Five Points.

Councilor Sinclair said that C-3 zoning is not appropriate for Five Points and that the MX-1 zoning and the overlay will give us the urban feel that we want.

Councilor Finlay stated that the property owners don't want this and that everybody is deciding the fate of the property except for the people that pay taxes on it.

Upon motion by Ms. Sinclair, seconded by Mayor Coble, Council voted five (5) to one (1) to give first reading approval to **Item 28**. Ordinance No.: 2008-025 for the text that creates the 5P Overlay, provided that the threshold for review by staff versus the Design Development Review Commission (DDRC) (as described on page 33, new section 17-655 (c)(2) (a) and (b)) is increased from \$500,000 to \$660,000 and that the threshold changes monthly based upon the non-preliminary Producer Price Index (PPI) for "materials and components for construction" as published by the U.S. Department of Labor, Bureau of Labor Statistics. The base figure for this change is \$660,000 as of December 2007. Voting aye were Ms. Sinclair, Mr. Davis, Ms. Devine, Mr. Rickenmann and Mayor Coble. Mr. Finlay voted nay.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to schedule a meeting with the appropriate Development Services staff along with Mr. Jim Meggs, former City Attorney to discuss the role of the Design Development Review Commission (DDRC) and if it is necessary with the MX-1 zoning. This discussion should take place prior to second reading consideration on June 18, 2008.

MAP AMENDMENT / REZONING – FIRST READING

29. **Five Points:** Area generally bounded to the north by Gervais Street, to the west by the Southern RR, to the south by parcels fronting Blossom Street, to the east by Hilton Street and continuing in a straight line northerly to Lee Street, continue north- westerly to Pavilion Avenue, jogging east to Pine continuing north to College Street, jogging west approximately 85 feet and turning north to Stark Street, along Walnut Street to Senate Street and behind parcels fronting Harden Street to Gervais Street, but excluding the PUD-C on Saluda Avenue and industrial and residentially zoned properties from the MX-1 district. Rezone from C-1, C-2, C-3, C-3 –DP, M-1, RG-3, PUD-C to MX-1-5P, MX-1 -DP, PUD-C –5P, M-1-5P, RG-3 –5P (see associated text amendments above). *The Public Hearing was conducted on March 19, 2008. Approved on first reading.*

Councilor Finlay stated that he would vote in favor of first reading of this Ordinance if the descriptive statement is amended to remove the word “jogging” and to add more clarification to the boundaries of the map.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted five (5) to one (1) to give first reading approval to the **Item 29.** the *Map Amendment / Rezoning of Five Points* as described above and subject to the description being revised prior to second reading approval. Voting aye were Ms. Sinclair, Mr. Davis, Ms. Devine, Mr. Rickenmann and Mayor Coble. Mr. Finlay voted nay.

Upon motion by Ms. Sinclair, seconded by Mayor Coble, Council voted unanimously to direct staff to present a report to City Council regarding the positives and negatives of efforts to implement the Five Points Master Plan, especially regarding the MX-1 and 5P overlay districts within five (5) years of the effective date of the rezoning of Five Points.

ORDINANCES – FIRST READING

30. Ordinance No.: 2008-032 – Granting encroachment to Parkway Capitol Center, LLC for installation and maintenance of nine outdoor planters within the sidewalk right of way area on the northeast side of Gervais Street and Assembly Street adjacent to 1201 Main Street – *Approved on first reading.*

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-032 – Granting encroachment to Parkway Capitol Center, LLC for installation and maintenance of nine outdoor planters within the sidewalk right of way area on the northeast side of Gervais Street and Assembly Street adjacent to 1201 Main Street.

31. Ordinance No.: 2008-035 – Granting encroachment to the State of South Carolina for removal of existing trees, installation and maintenance of new trees and enlargement and maintenance of existing planters and irrigation system adjacent to the Supreme Court Building at 1231 Gervais Street and Sumter Street – *Approved on first reading.*

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-035 – Granting encroachment to the State of South Carolina for removal of existing trees, installation and maintenance of new trees and enlargement and maintenance of existing planters and irrigation system adjacent to the

Supreme Court Building at 1231 Gervais Street and Sumter Street.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to give first reading approval on a single motion to **Items A., A1. and A2.** as presented.

- A. Ordinance No.: 2008-045 – Annexing 131 Pontiac Business Center Drive, Richland County TMS# 25715-02-01 – *Approved on first reading.*
- A1. **Ordinance No.: 2008-054 - Authorizing the City Manager to execute an Agreement of Sale for the purchase of Lots 6, 7, 8 and a small portion of Lot 23 for construction of a Fire Station and the remaining portion of Lot 23 for ownership, operation and maintenance of a Storm Water Detention Facility to serve the Fire Station known as Richland County TMS Nos. 06110-02-03, 05 & 07 (or portions thereof) ; and to provide for other properties owned by Cedar Development 2, LLC to have a use equity in the Storm Water Detention Facility and to provide for a prorata sharing of the annual cost to operate and maintain the Storm Water Detention Facility between the City and property owners having a use equity in the Storm Water Detention Facility – *Approved on first reading.*
- A2. **Ordinance No.: 2008-043 – Granting encroachment to Carriage Place Horizontal Property Regime for installation and maintenance of landscaping, an irrigation system, lighting, curbs and gutters within the right of way area adjacent to its property on Davidson Street – *Approved on first reading.*

RESOLUTIONS

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve **Items B. through D.** on a single motion and as presented.

- B. Resolution No.: R-2008-015 – Adopting Police Emergency Vehicle Operation and Motor Vehicle Pursuit Policy for the Police Department - *Approved*

Mr. Charles P. Austin, Sr., City Manager explained that this policy is in compliance with the standards as set forth by the Commission for Law Enforcement Accreditation.

- C. Resolution R-2008-029 - Authorizing execution of a Contract for Third Party Administration of Tort Liability with Companion Third Party Administrative Services, LLC - *Approved*
- D. Resolution R-2008-030 - Authorizing execution of a Contract for Third Party Administration and Adjustment Services to the City's Self-Insured Workers' Compensation Program with Companion Third Party Administrative Services, LLC - *Approved*

Councilor Rickenmann hopes that we can work with Companion Third Party Administrative Services, LLC to develop a cafeteria plan as requested by several departments and in connection with the discussions on healthcare.

CITY COUNCIL DISCUSSION / ACTION

- E. Safety and Security Plan – The Honorable Mayor Robert D. Coble

This item was withdrawn from the agenda.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. John Temple Ligon, *The Columbia Star*, appeared before the members of Council to invite them to a lecture on Friday, June 13, 2008 at Councilman's Finlay former Rising High on Main Street across from the Columbia Museum of Art at 6:00 p.m. The lecture will be on the history of the streets of Rome. He said that 6-story buildings were very typical in ancient Rome between 100 and 200 A.D. He said that Mr. Phillip Johnson, the Dean of American Architects referred to Rome as the worlds most walk able city. He said that the retail was on the first floor, the well to do live on the second floor and poor people lived on the top floors. He said that six stories was the maximum, because they knew what happened when those buildings failed and collapsed.

OTHER MATTERS

E1. Council Meeting Dates – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager reminded the members of Council of their upcoming meeting schedule, noting that July 9, 2008 is the upcoming District One Evening Meeting and that a location needed to be determined.

Councilor Davis stated that he would like to include his constituency across the river in the next Evening Meeting.

Councilor Devine suggested that the District One Evening Meeting be conducted in the new gymnasium at Greenview Park and that we publicize an appreciation time for Senator Kay Patterson. She added that staff has confirmed Senator Patterson's schedule and he is able to attend on July 9, 2008.

Councilor Davis agreed to conduct the District One Evening Meeting at Greenview Park on July 9, 2008.

EXECUTIVE SESSION

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to go into Executive Session at 12:10 p.m. for the discussion of **Items F.** through **I.** as amended.

- F. Receipt of legal advice, which relates to matters covered by attorney-client privilege
- Lower Richland Sewer Service Request
 - Keenan High School Petition for Annexation
 - Five Points Overlay / Property Rights

These items were discussed in Executive Session. No action was taken.

- G. Receipt of legal advice, which relates to pending, threatened or potential claims
- Hotel Litigation
 - Columbia Ribs, LLC
 - **Health Insurance Benefits
 - **Business License Appeal for Synergetic, Inc.

These items were discussed in Executive Session. No action was taken.

- H. Discussion of employment of an employee (2)
These items were discussed in Executive Session. No action was taken.
- I. Discussion of negotiations incident to proposed contractual arrangements
This item was not discussed in Executive Session.
- **Council adjourned the Executive Session discussion at 2:27 p.m. to convene the Audit Committee Meeting.**

Respectfully submitted by:

Erika D. Salley
City Clerk