



CITY OF COLUMBIA
CITY COUNCIL MINUTES
TUESDAY, MAY 5, 2015 – 6:00 P.M.
WOODLAND PARK
6500 OLD KNIGHT PARKWAY

The Columbia City Council conducted a District IV Evening Meeting on Tuesday, May 5, 2015 Woodland Park, 6500 Olde Knight Parkway, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:11 p.m. and the following members of City Council were present: The Honorable Sam Davis, The Honorable Leona K. Plaugh, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable Tameika Isaac Devine arrived at 6:35 p.m. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance to the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

Young adults representing Save Our Kids led the audience in the Pledge of Allegiance.

INVOCATION

Chaplain Byron Powers, Columbia Police Department offered the Invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to adopt the agenda, subject to deferring approval of **Item 4** (*Approval of the Minutes*); removing **Items 9** (*Project WM395602*) and **10** (*Project SS725103*) from the Consent Agenda; and allowing citizens to speak at the beginning of the meeting.

PRESENTATIONS

1. Welcome – The Honorable Leona K. Plaugh, District IV Representative

Councilor Plaugh welcomed everyone to the District IV Evening Meeting.

Councilor Baddourah welcomed everyone to the meeting. He said it is an honor to be in the backyard of our homes. He noted that the tennis courts were reopened last week; the parking lot has been paved; and the police have a speed meter set up.

2. Greetings from the Meadowfield Neighborhood Association

Mr. Brock Conrad, President of the Meadowfield Association welcomed everyone to the neighborhood. He thanked Councilor Plaugh and Officer Avery for keeping him informed. He said it is unfortunate that Officer Avery supports sixteen neighborhoods and that they've recently experienced car break-ins.

3. Greetings from the Hampton Ridge Neighborhood Association

Ms. Jean Moore offered greetings on behalf of the Hampton Ridge Neighborhood Association on behalf of Harold Reaves, President of the Hampton Ridge Neighborhood Association. She asked that a decent flag and flag pole be made available at future meetings.

3a. Greetings from the Hampton Woods Neighborhood Association

Mr. Chris LaTorre offered greetings on behalf of the Hampton Woods Neighborhood Association. He said that Mr. Baddourah really listens and responds to the needs of the community.

APPROVAL OF MINUTES

4. Revised [June 24, 2014](#) Council Meeting; [April 21, 2015](#) Council Meeting – *Consideration of this item was deferred.*

CONSENT AGENDA

Upon a single motion made by Mr. Davis and seconded by Ms. Plaugh, Council voted unanimously to approve the **Consent Agenda Items 5** through **8** and **11** through **15**.

CONSIDERATION OF BIDS & AGREEMENTS

5. Council is asked to approve the [Purchase and Installation of Lab Equipment and Storage Cabinets](#) for the New Police Evidence Building, as requested by the Support Services Division. Award this bid to VWR Furniture of Irving, TX using the National Association of State Procurement Officials Contract in the amount of \$88,342.90. *Funding Source: General Capital Projects/Capital Project Costs 4039999/658650 and Bluff Road Evidence and Storage/Capital Project Costs CP201501/658650 - Approved*
6. Council is asked to approve the [Purchase and Installation of a Genetec Security System](#) for the New Police Evidence Building, as requested by the Support Services Division. Award this bid to Schneider Electric of Carrollton, TX as a Sole Source procurement in the amount of \$88,484.00. *Funding Source: General Capital Projects/Capital Project Costs 4039999/658650 Bluff Road Evidence and Storage/Capital Project Costs CP201501/658650 - Approved*
7. Council is asked to approve the [Purchase and Installation of a Shelving System](#) for the New Police Evidence Building, as requested by the Support Services Division. Award this bid to Patterson-Pope of Charleston, SC using the South Carolina State Contract in the amount of \$219,683.91. *Funding Source: General Capital Projects/Capital Project Costs 4039999/658650 and Bluff Road Evidence and Storage/Capital Project Costs CP201501/658650 - Approved*

8. Council is asked to approve [Contract Amendment #3 for Project SS685401](#); Engineering Services Agreement for Modeling and Evaluating the City's Sanitary Sewer System Piping and Pump Stations to Support a Capacity Assurance Program, as requested by the Utilities and Engineering Department. Award to Hazen & Sawyer, PC of Columbia, SC in the amount of \$175,744.00. **Note:** *This is a Mentor Protégé Program Project. Chao & Associates, Inc. (Protégé) of Columbia, SC is a MBE firm and will implement 8.96% (\$15,750.00) of the contract value and a total of 3.9% (\$75,750.00) of the total project value. Funding Source: 5529999-SS685401-658650 - Approved*
9. Council is asked to approve [Change Order #1 for Project WM395602](#); 24" Water Main Along Broad River Road and Chapin Road, as requested by the Utilities and Engineering Department. Award to McClam and Associates of Little Mountain, SC in the amount of \$926,093.50. **Note:** *This change order is necessary to compensate the contractor for additional work requested by the City of Columbia to expedite the installation of approximately 3,600' of 16" water main associated with WM363701 to extend water to Chapin High School. This change order is a portion of WM363701 and must be completed prior to the start of the school year to provide water to Chapin High School. With this change order, the revised contract amount is \$3,354,312.60. Funding Source: Water Improvement Fund WM363701 - Approved*

Councilor Plaugh said she is concerned about spending \$1 million to expedite this contract. She asked why there is a \$1million change order on a \$3 million contract.

Mr. Joey Jaco, Director of the Utilities and Engineering Department explained that the current contract brings the line up to Highway 48 in Chapin; the next phase continues down Highway 48 as part of our long range plan to bring an additional water loop into the Town of Chapin; this will also serve several schools along the way. He said the school board approved the easement for us to work on the site and we are working with the contractor to expedite the schedule. He noted that the project is in this year's CIP.

Ms. Teresa Wilson, City Manager said we have tried to work with the school district for two years; now they have approved the easement; and we are working to get this done before school starts.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said it is \$1 million to lay this line and it's not additional money to do this quicker.

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve Change Order #1 for Project WM395602; 24" Water Main Along Broad River Road and Chapin Road, as requested by the Utilities and Engineering Department. Award to McClam and Associates of Little Mountain, SC in the amount of \$926,093.50.

10. Council is asked to approve [Project #SS725103](#); Innovista District Infrastructure Improvements, as requested by the Utilities and Engineering Department. Award this bid to LAD Corporation of West Columbia, SC as the lowest responsive bidder in the amount of \$3,863,058.00. **Note:** *This is a Clean Water 2020 Program Project and a Mentor Protégé Program Project. Lexington Earthworks of Gaston, SC (Protégé) will implement 20% of the contract value (\$772,611.00). Funding Source: The CIP budgeted amount for this Capital Project is \$3,883,000.00 from 5529999-658650-SS725103 (CIP Improvement Fund Sewer).* - Approved

Councilor Plaugh asked staff to explain this project as it relates to the design contract Council approved a few meetings ago.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations explained that the design contract included a change order for sanitary sewer evaluation work for this portion of the system as well as street scaping components. She said this is the construction of that sewer line, which is deep and requires us to take the whole road out. She said we will also install decorative lighting and sidewalks.

Councilor Plaugh said she will vote in favor of this contract, because this is using sewer money to do sewer work.

Councilor Baddourah said he received a call about burying the power lines for a project.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said we have worked with a lot of stakeholders and it would cost an additional \$2.7 million. The project will be constructed in 2019 as a penny project and we can look at undergrounding again at that time.

Councilor Devine said staff briefed the Environment and Infrastructure Committee on this in April. She reiterated that staff has worked tirelessly on undergrounding utilities.

In response to Mr. Baddourah's question, Mayor Benjamin reiterated that we are going to take a serious look at every opportunity we get to work with partners to underground utilities.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve Project #SS725103; Innovista District Infrastructure Improvements, as requested by the Utilities and Engineering Department. Award this bid to LAD Corporation of West Columbia, SC as the lowest responsive bidder in the amount of \$3,863,058.00.

ORDINANCES – SECOND READING

11. [Ordinance No.: 2015-034](#) - Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 1100 blocks of Bull Street and Pickens Street and the 1500 blocks of Senate Street and Gervais Street adjacent to the University of South Carolina School of Law, Richland County TMS No. 11401-10-01, for installation and maintenance of a driveway along each block, brick pavers, landscaping and irrigation and authorizing removal and construction of new sidewalks along Bull Street and Pickens Street – *First reading approval was given on April 21, 2014. – Approved on second reading.*
12. [Ordinance No.: 2015-038](#) - Authorizing the City Manager to execute an Amendment to the Parking Lot Lease between the City of Columbia and the University of South Carolina for the Arena/Conference Center - *First reading approval was given on April 21, 2014. – Approved on second reading.*

RESOLUTIONS

13. [Resolution No.: R-2015-021](#) - Authorizing consumption of beer and wine only at Columbia's Annual Blues Festival in Martin Luther King, Jr. Memorial Park on October 24, 2015 - *Approved*
14. [Resolution No.: R-2015-035](#) - Authorizing consumption of beer and wine beverages only at the Main Street Latin Festival in the 1300 and 1400 blocks of Main Street, the western half block of the 1200 block of Lady Street, the eastern half block of the 1100 block of Lady Street and the western half block of the 1100 block of Washington Street on August 22, 2015 - *Approved*
15. [Resolution No.: R-2015-038](#) - Amending Resolution R-2013-110 Authorizing tastings only of locally produced wine and beer only provided by market vendors and operation of Soda City, an open-air market featuring farmers and food from January, 2014 to December, 2015 within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street excluding the sidewalk areas, without closing the intersection of Hampton Street and Main Street, and approving use of the rear bay area of the first floor of the City Center Parking Garage as a permanent alternate site for Soda City during inclement weather or other events; authorizing the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice for use of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street excluding the sidewalk areas, without closing the intersection of Hampton Street and Main Street for Soda City; approving use of the rear bay area of the first floor of the City Center Parking Garage as a permanent alternate site for Soda City during inclement weather or other events; authorize City staff to require vendors to remove items City staff deems not to be in compliance; and to relocate the Market from the 1400 block of Main Street to Boyd Plaza only on Saturday, August 15, 2015 for The Hub move in day; Saturday, August 22, 2015, for the Main Street Latin Festival with a rain date of Saturday, August 29, 2015;

Saturday, October 3, 2015 for the Jam Room Music Festival; and Saturday, October 24, 2015 for SC Pride Festival - *Approved*

APPEARANCE OF THE PUBLIC

Ms. Joyce Zimmerman said she is tired of paying for new taxes and rates that aren't needed. She said we are being unfairly taxed because someone is robbing the water account. She asked if the money is given freely or is it being strong-armed. She said if the \$2.7 million was left in the account it would be enough for maintenance and repairs without raising rates. She asked what is being done with the money.

Ms. Edith Whatley asked how much revenue the City anticipates to generate from the 9.5% rate increase.

Councilor Baddourah said \$11 million.

Ms. Edith Whatley said you are taking 25% out of that increase. She said you are willfully slowing down the progress of the Consent Decree. She questioned **Item 9**, which is a change order. She said staff isn't managing the money or the project. She said we need to focus on necessities; we must fix the sewer system, because we have a Consent Decree. She begged the Council to be fiscally responsible and use 100% of the rate increase for sewer upgrades.

Miss Domonik Doctor, C.A. Johnson High School Student said that it isn't fair to have their opportunities to overcome and do better with their lives snatched from them because they live in a poor community. She has three nephews that live in the Colony Apartments. She said that officers patrol the Colony Apartments, but they should host parties and interact with the members of that community. She said that Eric Washington was her close friend. She insisted that it's time for a change and we are ready for a change. She noted that one in three African-American males will be incarcerated before the age of 18. She said that the police should interact with them during good times as well. She asked that they be given the opportunity to overcome.

Miss Amya Carr expressed concerns about youth unemployment. She said that teenagers are willing to work and they help their single parents take care of their younger siblings. She noted that one in four children under the age of eighteen and a total of 7.4 million children are being raised without fathers and 45% live under the poverty line. She said this is sad and teenagers need an opportunity to work and stay out of trouble during the summer. She said teens are being cut short because of where they come from.

- **Ms. Devine joined the meeting at 6:35 p.m.**

Mayor Benjamin thanked Lee Carroll of Save Our Kids for bringing these young people here tonight. He urged the young ladies to talk with Sam Johnson about our Youth Commission and about the Columbia Urban League's Summer Work Experience Leadership Program. He noted that the City is committed to providing 1,000 summer jobs for teenagers. He asked that Council take a moment later in the meeting to discuss the facts surrounding the rate increase, water and sewer transfers and how those transfers are down precipitously. He said this might involve a mail out on Clean Water 2020.

Ms. Teresa Wilson, City Manager asked that they also discuss some of our successes with City finances.

Mr. Jim Reid, 840 Rickenbaker Road said the issue before us is how to come up with over \$700 million that the federal government has mandated that Columbia spend to upgrade the water and sewer infrastructure over the next ten years. He admitted that a rate increase is required, but there are problems with the proposed ideas for generating the needed money. He suggested that Council stop transferring funds from water and sewer; cutoff non-essential spending from the general fund; establish tier pricing or a surcharge for those who don't pay property taxes; raise rates reasonably; and don't play games with our SCE&G bill and property taxes to fund water and sewer.

Ms. Jane Teas expressed concerns for protecting the South Carolina Coast. She said people are having their best interests sold to international big businesses for oil; we don't need oil, but we do need our beaches. She said we should strongly oppose seismic testing and offshore drilling.

Ms. Ari Derrick, McGregor Drive resident said there has been talk about growth in Columbia and prosperity for all, but the City should not forget that providing basic services is the bedrock of any City and a primary function of City Council. She said that there shouldn't be a transfer from the water and sewer account until the revenue can fully pay for expenses.

Mr. Lee Carroll, Save Our Kids said that the PACE Unit has improved, but it needs more work; they come to the Colony Apartments and Bishop Apartments during certain times. He said that officers attended a community event recently with 1,500 to 2,000 attendees, but they were asked to leave because they weren't friendly. He said that City Judges are prejudice and they are appointed by City Council.

Mr. Alan Hancock, Campaigns Director for the Conservation Voters of South Carolina appeared before the members of Council in support of the Resolution in opposition to offshore drilling. He explained that the US Department of Interior has proposed to allow offshore drilling for oil and gas off the coast of the Atlantic. He said it is Columbia's role to weigh in, because the risks affect us statewide. He noted that eleven municipalities in South Carolina and sixty-five members of Congress have passed similar resolutions opposing offshore drilling. He cited four reasons why the City of Columbia should pass this resolution.

Ms. Linda Headley said she appeared before the Design Development Review Commission (DDRC) on yesterday in opposition to a boarding house. She noted that the property is in a multi-family neighborhood with a few small businesses that aren't open on weekends. She hopes that City Council will deny this matter on July 21, 2015.

Ms. Pamela Greenlaw asked Council to support the resolution in opposition to offshore drilling and seismic testing, because it will impact billions of dollars for fishing, tourism and recreation. She said Columbia is the center and the capital and we need to set the pace for the state.

RESOLUTION

- 15a. [Resolution No.: R-2015-042](#) - A Resolution to Express the City of Columbia's Opposition to Seismic Testing and Offshore Drilling Activities - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2015-042 - A Resolution to Express the City of Columbia's Opposition to Seismic Testing and Offshore Drilling Activities.

PRESENTATIONS

16. [Public Works Week Proclamation](#) – Mr. Robert Anderson, Director of Public Works

Mr. Robert Anderson, Director of Public Works announced that the theme for Public Works Week is *Community Begins Here*. He noted that Mary Pat Baldauf, Sustainability Coordinator is the Local Chapter President of the American Public Works Association. He said that staff is trained and educated through Toast Masters and they host the annual Arbor Day celebration, the Treasured Trees Program, Green is Good for Business Conference, Recycling Green Steps in our schools, the Regional Backhoe Rodeo and career days. He announced that the annual Touch a Truck event will be held on Saturday, May 9, 2015 at 9:00 a.m. and Public Works Week will be celebrated during the week of May 17-23, 2015.

17. [Drinking Water Week Proclamation](#) – Mr. Joey Jaco, Director of the Utilities and Engineering Department

Mr. Joey Jaco, Director of the Utilities and Engineering Department announced that National Drinking Water Week is May 3-9, 2015. He said we have the best tasting water and one of the highest quality drinking waters in the state. He reported that the City serves 375,000 customers in the Midlands. He noted that drinking water is vital to public health, economic vitality, fire protection and the quality of life. He reported that we have over 2,400 miles of pipe in the water system and we serve an average of 60 million gallons per day. He said we have one national recognition and we rank in the top 3 every year. He reported that water costs less than a penny per gallon. He announced a Happy Hour Plant Tour on Thursday, May 7, 2015 at 5:30 p.m.

18. [Workers Memorial Day Proclamation](#) – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of Council recognized Workers Memorial Day as a day to remember victims of workplace injuries. This day was officially recognized on Tuesday, April 28, 2015.

19. [Capital City/Lake Murray Country Update](#) – Ms. Miriam Atria, President/CEO of Capital City/Lake Murray Country Regional Tourism Board

Ms. Miriam Atria, President/CEO of Capital City/Lake Murray Country Regional Tourism Board said the Forrest Wood Cup was a successful event that brought in 65,172 visitors in four days with a direct economic impact of \$25,754,745. She reported that more television shows have been lured here as a result of that event. She announced that the FLW National Collegiate Championship was held in downtown Columbia two weeks ago and the USC team won that event. She also announced that the eleven tourism regions of this state are developing an undiscovered statewide South Carolina television commercial, which will air next year and the Capital City/Lake Murray Country Tourism Board will market its ad to a 750 mile radius. She said thanks to the partnership with the Midlands Authority on Conventions, Sports and Tourism they are luring a premiere striped bass tournament to Lake Murray on December 5, 2015 and 400 motor coach tour operators will visit this area in August 2015. She invited everyone to Betcha Didn't Know, a program being hosted by the Capital City/Lake Murray Country Tourism Board on August 13, 2015 at the Harbison Theater. In closing, she announced that a total of \$12.8 million has been won on Lake Murray since 1999.

PUBLIC HEARING

20. [2015-2019 Consolidated Plan & 2015 Annual Action Plan](#) – Ms. Deborah Livingston, Community Development Director

Ms. Deborah Livingston, Community Development Director said the consolidated plan will be our road map for the next five years. She thanked staff and the Citizens Advisory Committee along with the 300 citizens that participated in the development of this plan. She noted that the annual action plan outlines who will be funded from July 1, 2015 to June 30, 2016.

Mr. Erich Chatham, Founding Partner of Civitas, LLC explained that the consolidated plan is a requirement from HUD of any local government that receives funding. He said the City received \$918,793 in Community Development Block Grant (CDBG) funding; \$426,100 in HOME Program funding; and \$1,196,205 in Housing Opportunities for Persons with AIDS (HOPWA) funding in 2015. He explained that the process began with data collection through a needs assessment and a housing market analysis. He said they worked with staff, stakeholders and citizens to develop the 5-year strategic plan. He noted that tonight is one of seven events for citizen participation to include an online survey, public forums, luncheon with stakeholders and a previous public hearing. He said four priority needs were identified and thirteen goals were established. He said that maps and details on the revitalization areas are included in the plan. He said that projects and funding have been identified for each priority. He noted that HOPWA funds are administered by the City for six (6) counties. He said once the plan is approved and the citizen process is complete, the plan will be submitted online through a HUD system by May 15, 2015.

Councilor Devine asked what the neighborhood revitalization area is.

Ms. Deborah Livingston, Community Development Director explained that it is the footprint of the old empowerment zone map. She announced that we met timeliness by May 2, 2015.

- **Council opened the public hearing at 7:36 p.m.**

Ms. Sarah Williams, Edisto Court resident said we heard a lot about federal funds for the homeless. She asked if that is included in this report.

Ms. Deborah Livingston, Community Development Director said those funds that were announced weeks ago is a different pot of money, but a portion of the CDBG funding will be provided to agencies that will carry out activities for homelessness. She said no one has applied for these funds to create housing for veterans.

Councilor Davis suggested that we encourage the public to read the report and that we provide instructions on where they can find additional information.

- **Council closed the public hearing at 7:38 p.m.**

Mr. Erich Chatham, Founding Partner of Civitas, LLC said they have printed copies of the comments and tabulated results of the survey.

Councilor Plough recognized Tige Watts, as the Chair of the Citizens Advisory Committee.

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to approve the 2015-2019 Consolidated Plan and the 2015 Annual Action Plan.

SIDEWALK VENDING PUBLIC HEARING

21. [Ordinance No.: 2015-026](#) - Granting a Franchise to All Star Hot Dogs for operation of a stationary sidewalk vending cart in the mid-block pad of the 1100 block of Gervais Street - *Approved on first reading.*

- **Council opened the public hearing at 7:34 p.m.**

No one appeared in support of or in opposition to this matter.

- **Council closed the public hearing at 7:34 p.m.**

Upon a motion made by Mr. Baddourah and seconded by Mayor Benjamin, Council voted unanimously to give first reading approval to Ordinance No.: 2015-026 - Granting a Franchise to All Star Hot Dogs for operation of a stationary sidewalk vending cart in the mid-block pad of the 1100 block of Gervais Street.

ORDINANCE – SECOND READING

22. [Ordinance No.: 2015-035](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article III, Water Service, Sec. 23-62 Application for service – *Approved on first reading on April 17, 2015 by a vote of six (6) to one (1).* – *Approved on second reading by a vote of five (5) to two (2).*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted five (5) to two (2) to give second reading approval to Ordinance No.: 2015-035 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article III, Water Service, Sec. 23-62 Application for service. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Ms. Plough and Mr. Baddourah.

ORDINANCE – FIRST READING

23. [Ordinance No.: 2015-010](#) - Authorizing the City Manager to execute an Intergovernmental Agreement Relating to the Pineview Industrial Park between the City of Columbia and Richland County – *Approved on first reading by a vote of five (5) to two (2).*

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted five (5) to two (2) to give first reading approval to Ordinance No.: 2015-010 - Authorizing the City Manager to execute an Intergovernmental Agreement Relating to the Pineview Industrial Park between the City of Columbia and Richland County. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Ms. Plough and Mr. Baddourah.

24. [Ordinance No.: 2015-039](#) - Authorizing the City Manager to execute a Fourth Amendment to Lease between the City of Columbia and Old Boy Properties, LLC for property consisting of 100± acres in Richland County, South Carolina being a portion of the property formerly owned by Columbia Venture, LLC and Sunday School, LLC- *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2015-039 - Authorizing the City Manager to execute a Fourth Amendment to Lease between the City of Columbia and Old Boy Properties, LLC for property consisting of 100± acres in Richland County, South Carolina being a portion of the property formerly owned by Columbia Venture, LLC and Sunday School, LLC.

25. [Ordinance No.: 2015-040](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article XII, Sexually Oriented Businesses, Sec. 11-735 Issuance of license (a) License (3) **Note:** *This amendment seeks to correct the inadvertent omission of a word in one portion of Ordinance No. 2011-105 to clarify that a sexually oriented business license will be denied if the sexually oriented business is not in compliance with locational requirements of any part of the City of Columbia Code (i.e., either the licensing ordinance or zoning ordinance). All other provisions of the City Code (e.g., building code, fire code, etc.) will be enforced through the simpler methods prescribed by those provisions, rather than through the sexually oriented business licensing ordinance. – Approved on first reading.*

Upon a motion made by Ms. Plough and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2015-040 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article XII, Sexually Oriented Businesses, Sec. 11-735 Issuance of license (a) License (3).

26. [Ordinance No.: 2015-041](#) - Authorizing the City Manager to execute a Sixth Amendment to Purchase Agreement between the City of Columbia and Bright-Meyers 2001, LLC for the sale of 5.97 +/-acres (Capital City Stadium), Richland County TMS #11204-02-02 – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2015-041 - Authorizing the City Manager to execute a Sixth Amendment to Purchase Agreement between the City of Columbia and Bright-Meyers 2001, LLC for the sale of 5.97 +/-acres (Capital City Stadium), Richland County TMS #11204-02-02.

27. [Ordinance No.: 2015-042](#) - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Project Icon on Main, Education Realty Operating Partnership, LP (EdR), 1.26 acres Southwest corner of Main Street and College Street, Richland County TMS #11304-07-05 and 11304-07-06) – *Approved on first reading, subject to staff providing a financial analysis on the project.*

Councilor Plough withdrew a motion to approve Ordinance No.: 2015-042 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Project Icon on Main, Education Realty Operating Partnership, LP (EdR), 1.26 acres Southwest corner of Main Street and College Street, Richland County TMS #11304-07-05 and 11304-07-06) on first reading, contingent upon an economic development analysis being provided by staff and putting into place a prohibition on receiving additional applications until a policy is in place on how we will handle future applications.

Mr. Ryan Coleman, Interim Director of Economic Development said the tax is going to be over \$500,000; this is one of the largest student housing projects centrally located to the USC campus; and it's the densest project we've had. He said it fulfills the requirements as set forth in the resolution. He said one of the properties is the College Baptist Ministries, which is tax exempt and the taxes on the other parcel are a little over \$17,000. He said that \$100,000 is the minimum amount we will receive in property taxes.

Councilor Plough asked if that number includes water and sewer and other services that might be needed.

Mr. Ryan Coleman, Interim Director of Economic Development said the infrastructure is already there and we've requested information on the additional service needs.

Mayor Benjamin noted that there will be more water and sewer revenue as well. He asked Mr. Coleman to run the numbers.

Councilor Baddourah asked if more student housing is needed.

Mr. Ryan Coleman, Interim Director of Economic Development said the developers believe there is a market and they can get up to a 90% fill rate on these projects. He said the University of South Carolina is expected to continue to increase enrollment. He said we are meeting the needs and will continue to meet the needs over the next five to six years.

Councilor Baddourah expressed concerns about finding a balance between paying for the services we provide to citizens and providing incentives to businesses. He asked if we are putting ourselves on a limb.

Mayor Benjamin asked for a healthy discussion on the student housing incentive at the next meeting along with the status of current projects and those projects that are in the pipeline. He asked that additional data be provided on Project Icon as well.

Upon a motion made by Mayor Benjamin and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2015-042 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Project Icon on Main, Education Realty Operating Partnership, LP (EdR), 1.26 acres Southwest corner of Main Street and College Street, Richland County TMS #11304-07-05 and 11304-07-06), subject to staff providing a financial analysis on the project.

28. [Ordinance No.: 2015-043](#) - Authorizing the City Manager to execute Voluntary Cleanup Contract 15-6325-NRP in the Matter of SCE&G Transformer Distribution Site, Richland County, between The South Carolina Department of Health and Environmental Control and The City of Columbia for the property commonly known as Dreyfus Road – *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2015-043 - Authorizing the City Manager to execute Voluntary Cleanup Contract 15-6325-NRP in the Matter of SCE&G Transformer Distribution Site, Richland County, between The South Carolina Department of Health and Environmental Control and The City of Columbia for the property commonly known as Dreyfus Road. Mr. Newman was not present for the vote.

29. [Ordinance No.: 2015-044](#) - Authorizing the City Manager to execute an Air Rights Development Contract between the City of Columbia and Hallmark Homes International, Inc. – *Approved on first reading, subject to striking Item B - Assignment on Page 9 of the agreement.*

Councilor Plough explained that this ordinance offers unique opportunities for additional market rate housing in the downtown area. She is thrilled that staff pursued this and that we received a responsive proposal to review.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations further explained that a year ago the City released a Request for Proposals for vertical development above the city-owned garages. This is an agreement with a developer who will build that development. She noted that we are looking at six garages that will be handled one-by-one beginning with the Lady Street Garage. She noted that Item B from page 9 is being stricken from the agreement.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2015-044 - Authorizing the City Manager to execute an Air Rights Development Contract between the City of Columbia and Hallmark Homes International, Inc., subject to striking the following section from the agreement: *Page 9, Item B, Assignment. Developer has the right to assign its rights under this Contract, in whole or on part, without the consent of the City, to affiliated entities or in conjunction with the sale of one or more completed Apartment(s), or collaterally assign this Contract to a construction lender providing financing for the Project. This Contract shall not otherwise be assigned without the consent of the City.* Mr. Newman was not present for the vote.

- **Mr. Baddourah left the meeting at 7:57 p.m.**

RESOLUTION

30. [Resolution No.: R-2015-040](#) - Release and Abandonment of a Portion of the City's Existing 10' Sanitary Sewer Main Easement along a portion of Richland County TMS# 11606-05-38, 37, 36 & 35, identified as 156, 162, 166 & 170 Burton Heights Circle; Common Area No. 3/Detention Pond and Lots 12, 13, & 14, Burton Heights Subdivision, Phase II, CF# 43-31 & CF# 90-16A – *Approved*

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2015-040 - Release and Abandonment of a Portion of the City's Existing 10' Sanitary Sewer Main Easement along a portion of Richland County TMS# 11606-05-38, 37, 36 & 35, identified as 156, 162, 166 & 170 Burton Heights Circle; Common Area No. 3/Detention Pond and Lots 12, 13, & 14, Burton Heights Subdivision, Phase II, CF# 43-31 & CF# 90-16A. Mr. Newman was not present for the vote.

APPOINTMENTS

31. [Columbia Tree and Appearance Commission](#)

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to approve the reappointment of Mr. Charles Howell to the Columbia Tree and Appearance Commission as the Landscape Architect / Horticulturist / Arborist representative. Mr. Newman was not present for the vote.

32. [Midlands Authority for Conventions, Sports and Tourism](#)

Upon a motion made by Ms. Devine and seconded by Ms. Plough, Council voted unanimously to approve the reappointment of Mr. John Hardee to the Midlands Authority for Conventions, Sports and Tourism. Mr. Newman was not present for the vote.

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

33. [Economic & Community Development Committee Report](#)

Councilor Davis reported that the Economic and Community Development Committee met on Tuesday, April 28, 2015 to discuss the Maintenance Assistance Program, which provides assistance to people who are in need of home repairs. He said they are still reviewing the guidelines and the program will be implemented this year. He said they discussed the Rental Rehab Program, which provides assistance to owners of rental properties. He noted that the final recommendations will be discussed at the next meeting on May 26, 2015.

Councilor Plough asked that Council discuss the local preference policy on May 19, 2015.

- **Mr. Newman returned to the meeting at 8:00 p.m.**

34. [Public Safety Committee Report](#)

Councilor Newman reported that the Public Safety Committee met on April 28, 2015 and the Police Chief reported on a number of successes. He said we still want to ensure that our neighborhoods feel safe and we continue to encourage a strong level of engagement from our Police Chief. He said the Police Chief discussed a number of diversions in an attempt to deter youth from being involved in crimes and initiatives that would help youth that may be accused of crimes. He said we discussed a number of different tactics and we encourage the Police Chief to continue to have his officers engaged in the community. He further reported that the Police Chief will be presenting recommendations to City Council on a Citizens Review Panel that will allow for more civic engagement. He noted that officers are more engaged with the community and the Police Chief is an advocate for that.

Councilor Plough reminded everyone to submit their evaluations for the City Manager. She thanked everyone for attending the meeting. She said people planned to be here to address SCE&G's upgrades to the power lines along Garners Ferry Road. She said the line was moved closer to the road and they cut down all of the trees; they have severely damaged that beautiful gateway. She asked staff if the stumps could come up. She said from a previous conversation with SCE&G, the public shouldn't expect any re-vegetation in that corridor.

Mr. Robert Anderson, Public Works Director said SCE&G is looking into this and Public Works staff is looking to see if there is anything we can do.

Councilor Devine said the houses used to be covered and this probably has a severe impact for residents; we need to at least plant trees as a buffer.

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to ask SCE&G to reconsider their policy of not replacing vegetation when they tear down tree lined streets in major corridors in this city.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to re-enter into Executive Session at 8:09 p.m. for the discussion of items as outlined on the Work Session agenda.

- **Council adjourned the meeting at 8:40 p.m.**

Respectfully submitted by:

Erika D. Moore
City Clerk