



CITY OF COLUMBIA
CITY COUNCIL PUBLIC HEARING MINUTES
WEDNESDAY, SEPTEMBER 20, 2006
10:00 A.M.
CITY HALL – COUNCIL CHAMBERS
1737 MAIN STREET
THIRD FLOOR

The Columbia City Council conducted a Public Hearing on Wednesday, September 20, 2006 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. Mayor Robert D. Coble called the meeting to order at 10:12 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Tameika Isaac Devine and The Honorable Kirkman Finlay III. The Honorable Sam Davis arrived at 12:18 p.m. The Honorable Daniel J. Rickenmann was absent. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

PUBLIC HEARING

1. Proposed Fiscal Year 2005/2006 Consolidated Annual Performance and Evaluation Reports (CAPERS) – Mr. Rick Semon, Community Development Director

Mr. Rick Semon, Community Development Director, explained that the City of Columbia is mandated by the US Department of Housing and Urban Development to have this hearing to solicit comment on the proposed Fiscal Year 2005/2006 Consolidated Annual Performance and Evaluation Reports. This report covers the Community Development Block Grant (CDBG), Housing Opportunities for Persons with HIV/AIDS (HOPWA) and HOME Partnership Programs. Copies of the reports are available in the Office of Community Development located at 1136 Washington Street or send an email request to comdev@columbiasc.net.

- **Council opened the Public Hearing at 10:15 a.m.**

No one appeared to speak in support of or in opposition to the proposed fiscal year 2006/2007 Consolidated Annual Performance and Evaluation Reports.

- **Council closed the Public Hearing at 10:15 a.m.**

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

PRESENTATIONS

2. September 2006 Employee of the Month (Mr. Guy R. Robinson, Solid Waste / Truck Driver III) – Ms. Melissa Gentry, Director of Public Works - *This presentation was deferred until October 18, 2006.*
3. Columbia City Ballet Request for Funding Update – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., reported that staff has examined the City's budget resources and that he is unable to recommend a monetary allocation at this time; however, he has directed staff to continue to meet with representatives of the Columbia City Ballet to identify strategic means of addressing the deficit.

Councilor Sinclair asked how much Accommodations Tax Funding the organization had received.

Ms. Libby Gober, Ombudsman, reported that the Columbia City Ballet has received an allocation of \$70,000 already, leaving a balance of \$5,000 to be disbursed once the proper documentation is received.

Dr. Linda Mason, Columbia City Ballet Board of Director, explained that they desperately need help from the Hospitality Tax Fund or the first performance in October won't take place.

Mr. William Starrett, Columbia City Ballet Executive Director, explained that they have to meet a \$38,000 payroll on October 11th and 25th each. He said that they traditionally received \$60,000 from the Hospitality Tax Fund and \$20,000 from Accommodations Tax. He said that this year they received a total of \$75,200, which they have already received the bulk of. He explained that they requested \$380,000 for this fiscal year, because this shortfall was projected some time ago. He said that they must be able to market their upcoming production of Frankenstein and that forty-two dancers have been here for two weeks without pay. They are preparing for the performances at SC State University, the production of Frankenstein, Jack Frost and the Nutcracker.

Councilor Anne Sinclair said that she is not surprised with the findings of staff. She said that staff will continue to explore options and that she is concerned about them already spending their funding for this fiscal year.

Councilor Kirkman Finlay III volunteered to assist the Columbia City Ballet by meeting with bank representatives to obtain private involvement on some two to three year loans to carry them over with the caveat that the Executive Director and the Board of Directors continue fund raising efforts to retire the current debt; that they end any and all discussions of the City of Columbia bailing them out of this debt; that they get their financial information in order; and that they be open and honest about their financial situation during future discussions. He said that the Council may be willing to help the process along by providing a statement of comfort that funding of future years may be used to repay the loans, but they would not be able to commit future City Council members. He said that he would be doing this as an individual, not as a Councilman. He further suggested that they empower Board member Chris Ray of Fastco and his Community Development Representative, Levan Green to help with this process since they are from the business community.

Mr. William Starrett, Columbia City Ballet Executive Director said that the offering was very generous and noted that the Board of Directors have contributed a lot of their personal revenue to the organization. They are reassembling the Jonathan Green Taskforce as well.

4. Implementation of the Business Utilization Causation Study Recommendations - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development and Mr. Tony Lawton, Director of the Office of Business Opportunities

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, said that they should review of the City's procurement policies and practices with staff and legal counsel. They will pursue the continued implementation of a centralized bidder registration system, but it will require more time and money. There is a new module of IFAS and we need to see if it gets us closer to the recommendations of Mr. Franklin Lee. Once the upgraded module is in place staff will determine if we can use it or if we need to purchase an outside product. We currently have a centralized bidders list that is available through the Purchasing Department and a list of minority vendors and small / women owned businesses in the Office of Business Opportunities. We need to work towards an online registration process in the future. She recommended that the Subcontracting Outreach program be amended to require more documentation and site visits. She admitted that there are areas in which the City can improve upon.

CONSENT AGENDA

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 5.** through **17.** on a single motion and as presented.

CONSIDERATION OF BIDS AND AGREEMENTS

5. Council is asked to approve the Purchase of Hydraulic Fluid used in City Equipment, as requested by Fleet Services. Award to Dilmar Oil, the lowest bidder, in the amount of \$10,780.20. This vendor is located in Columbia, SC. *Funding Source: 6308970-673200 - Approved*
6. Council is asked for approval to Rent a Generator for the Saluda River Pump Station, as requested by the Wastewater Treatment Plant. Award to Blanchard Machinery, the lowest bidder, in the amount of \$12,375.50. This firm is located in West Columbia, SC. *Funding Source: 5516208-631800 - Approved*
7. Council is asked to approve the Purchase of Fifty (50) Face Pieces and Ten (10) Stainless Steel Tees for the MSA Breathing Units, as requested by the Fire Department. Award to Neston's Fire & Safety, the lowest bidder, in the amount of \$13,939.00. This vendor is located in Swepsonville, NC. *Funding Source: 2082306-627100 - Approved*
8. Council is asked to approve the Renewal of the AutoCad Subscription for One Year to Include Software Updates, as requested by the Engineering Department. Award to DLT Solutions in the amount of \$15,170.72. This firm is located in Herndon, VA. *Funding Source: GL-5516220-627510 - Approved*
9. Council is asked to approve Project SD8288; Read Street Extension (Benedict College), as requested by Engineering Administration. Award to SCE&G in the amount of \$15,700.00. This firm is located in Columbia, SC. *Funding Source: Storm Water Improvement Fund - Approved*

ORDINANCES – SECOND READING

10. Ordinance No.: 2006-073 – Annexing 1100 Bluff Road, Richland County TMS# 11205-03-01 - *First reading approval was given on September 13, 2006. – Approved on second reading.*

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTY- SECOND READING

11. 6825 Pennington Road, TMS# 16407-07-02; confirm M-1 zoning. - *First reading approval was given on September 13, 2006. – Approved on second reading.*

ANNEXATION WITH MAP AMENDMENTS/REZONINGS – SECOND READING

12. E/S Scotch Pine Road, TMS# 22004-01-01, 12, 13, 15, 16, 17, 18 and 23 (p); annex and rezone from RS-HD (Residential, Single-Family—High Density, Richland County) to PUD-R (Planned Unit Development-Residential). - *First reading approval was given on September 13, 2006. – Approved on second reading.*

Ordinance No.: 2006-072 – Annexing 3.5 +/- acres, E/E Scotch Pine Road, Richland County TMS# 22004-01-38 (f/k/a 22004-01-023 (portion) - *First reading approval was given on September 13, 2006. – Approved on second reading.*

13. 927 South Stadium Road, TMS# 11206-06-21; annex and rezone from M-1 (Light Industrial, Richland County) to PUD-C (Planned Unit Development-Commercial). - *First reading approval was given on September 13, 2006. – Approved on second reading.*

Ordinance No.: 2006-071 – Annexing 927 S. Stadium Road, Richland County TMS# 11206-06-21 - *First reading approval was given on September 13, 2006. – Approved on second reading.*

MAP AMENDMENTS / REZONING - SECOND READING

14. Wheeler Hill PUD II; E/S Rice Street, 1509 Rice Street, 1603 Rice Street, 1605-1607 Rice Street, 1611 Rice Street, 1613 Rice Street, 1615 Rice Street, 419 Henderson Street, 421 Henderson Street, 423 Henderson Street, 425 Henderson Street, 312 Pickens Street, 314 Pickens Street, 318 Pickens Street, 401 Pickens Street, 405 Pickens Street, 407 Pickens Street, 409 Pickens Street, 411 Pickens Street 416 Pickens Street, 426 Pickens Street, NX 400 Calway Alley, 418 Calway Alley, NX 418 Calway Alley, 423 Calway Alley, 424 Calway Alley, NX 424 Calway Alley, 425 Calway Alley, 427 Calway Alley, NX 427 Calway Alley, N/S Phelps Street, N/S Catawba Street, TMS#11304-13-29, 11307-12-09, 11307-13-01, 03, 04, 05, 06, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 30, 11307-14-02, 03, 04, 05, 06, 07, 11307-18-05, 11307-19-01, 06, 07, 08; rezone from RG-2 and C-1 to PUD-R. – *First reading approval was given on September 13, 2006. – Approved on second reading, subject to (1) incorporating the site plan for the northern green space, and (2) working with staff to resolve staff comments.*
15. W/S Atlas Road, 16307-05-03 and the entire width of that portion of the I-77 ROW immediately adjacent to TMS#16307-05-02, 16307-05-03, 16306-02-04, 16306-02-01, and Atlas Road, excluding the ACL Railroad ROW/easement generally parallel to Rockwood Road, stopping at the City limits (generally the southern boundary of the ACL Railroad ROW/easement shown on TMS 16305); rezone from D-1 to M-1. – *First reading approval was given on September 13, 2006. – Approved on second reading.*
16. 404 Wildwood Avenue, TMS# 09211-15-02; rezone from RS-1 to PUD-R. – *First reading consideration was given on September 13, 2006. – Approved on second reading.*
17. 912 South Edisto Avenue, TMS# 11211-02-12; rezone from M-1 to PUD-R. – *First reading consideration was given on September 13, 2006. – Approved on second reading, provided (1) minor and major changes shall be defined as § 17-305 (10) (a.)(b.), (2) signage to be in accordance with C-1 zoning requirements, and (3) usage to be in accordance with C-1 zoning requirements with one operator only.*

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve **Items 18.** through **21.** on a single motion and as presented.

18. Council is asked to approve Change Order #5 for Project#SS720; Metro Wastewater Treatment Plant Renovations and Additions, as requested by Engineering Administration. Award to Ideal Construction Co., Inc. in the amount of \$20,000.00. This firm is located in White Rock, SC. *Funding Source: Sewer Improvement Fund - Approved*
19. Council is asked to approve Change Order #1 for Project WM4066; Pinemont Drive Water Line, as requested by Engineering Administration. Award to Carolina Tap and Bore in the amount of \$20,200.00. This firm is located in West Columbia, SC. *Funding Source: Water Improvement Fund - Approved*

20. Council is asked to approve the Purchase of Storefront Office Space, as requested by Parking Services. Award to PC Partnership in an amount not to exceed \$85,270.00. This firm is located in Columbia, SC. *Funding Source: 2005/2006 Fiscal Year Parking Capital Improvement Program - Approved*
21. Council is asked to approve Project #WM3988; Improvements and Upgrades to Pontiac Pump Station, as requested by the Utilities and Engineering Department. Award to D. R. Terry Construction, the lowest bidder, in the amount of \$341,269.00. This firm is located in Greer, SC. *Funding Source: GL-5529999-851500 / JL-WM398801-851500 - Approved*
22. Implementation of the Business Utilization Causation Study Recommendations - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development and Mr. Tony Lawton, Director of the Office of Business Opportunities - *Continued*

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, she said that some of Mr. Lee's recommendations have been implemented. She proposed that the City meet the requirement of broad based advertising through the City's webpage and that they tighten the language on change orders and add penalties and repercussions for not complying with the program.

Mr. Charles P. Austin, Sr., City Manager said that they would also address the matter of contractors bidding and being awarded multiple projects when they don't have the resources to complete them all. He said that staff would make sure the City isn't paying for change orders that are the responsibility of the contractor.

- **Mayor Coble left the meeting at 10:40 a.m.**
- **Councilor Sinclair is now presiding.**

Councilor Cromartie said that he is concerned about the length of time it is taking to implement the Mentor Protégé Program within the area of water and sewer.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, explained that further implementation of the recommendations would depend upon the collection of additional data. She explained that the 10% retaining fee would be held to ensure that contractors comply with the program.

This was received as information. No action was taken.

PRESENTATIONS

23. ****Habitat 29203 – Ms. Emily Cooper and Ms. Wilhelmina Kimpson**

Ms. Emily Cooper, Co-chair of Habitat 29203, explained that the ad-hoc committee was formed out of concerns expressed at the North Columbia Master Plan Sessions. Its goal was to develop and encourage tools that maintain diversity while reaping the benefits of gentrification. Councilman Sam Davis called this committee together. A small group of community leaders met for ten months to hear experts and to discuss needs. The members of Habitat 29203 agree that they wanted diversity in density, economic circumstances, housing stock, age, gender, education and the number of renters versus homeowners. They learned that the community would not readily accept diversity unless there is excellence in policing and code enforcement. Ms. Cooper asked that policies of inclusionary zoning be considered in the market where appropriate; that common sense zoning be explored; approval be weighted heavily on the quality of the product, need and affordability or ability to fill a void in the market; that financing

options be advertised in a variety of ways; that we reach renters; that provisions in planning and zoning should be made to ensure diversity in the types of housing stock; explore the City's opportunity to provide input when apartments are switched to condominiums; maintain diversity in choices of housing; require covenants and deed restrictions (such as maintenance, autos and junk) where there are mixed income communities; consider granting loans for improving existing stock or for the rehabilitation of homes; ensure an economic balance throughout the community in part through more private marketing to replace substandard rentals; enhance education programs for Realtors; and make Richland One Schools a priority.

This was received as information.

OTHER MATTERS

24. Overview of City Boards and Commissions - Ms. Erika D. Salley, City Clerk – *Discussion of this matter was deferred.*

25. Update on The Village at River's Edge – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager, proposed that upon review and written approval by the Department of Housing and Urban Development, the City would allocate \$1.6 million in Economic Development Initiative (EDI) grant funds to provide for infrastructure development for the Village at Rivers Edge Project.

Councilor Finlay said that we could use a Municipal Improvement District (MID) on this if the houses are not occupied when the development starts. He said this might be a more effective instrument than Tax Increment Financing, because it would not involve the County or the School District.

Mr. Steven Gantt, Senior Assistant City Manager for Operations, said that legal counsel has determined that a MID should be done on the very front in. He added that the proposed Tax Increment Financing would only include funds generated from the City's portion of that increment.

- **Councilor Kirkman Finlay III left the meeting at 11:05 a.m.**

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Scott Trent said that he appeared to issue some thoughts, but he would prefer to address the full Council at a later time.

- **Council adjourned the meeting to break at 11:06 a.m.**

Mayor Robert D. Coble reconvened the meeting at 12:18 p.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Tameika Isaac Devine and The Honorable Sam Davis. The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III were absent. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Ms. Lila Bendkowska, Rosewood Community resident, presented copies of the mass mailing sent out by the School District, information regarding the demolition plan, current wetland information and the site plan all-relating to the Owens Field site. She asked for the dimensions of the proposed track and how they compare to the old track. She said that the wetlands determination request submitted by Columbia Parks and Recreation Department nine (9) years ago needed to be revisited.

26. Update on The Village at River's Edge – Mr. Charles P. Austin, Sr., City Manager - *Continued*

Mr. Charles P. Austin, Sr., City Manager, explained that this proposal represents the combined efforts of several members of staff. It is to use the \$1.6 million remaining in the Economic Development Initiative fund; Community Development would submit a revised plan to the Department of Housing and Urban Development for consideration and written approval; staff will work with the development to determine how these funds would be used; and the loan would be repaid from a City Tax Increment Financing District. The structure of the proposal is as follows:

- To use the remaining \$1.6 million EDI funds, the Community Development Department is required to submit a revised plan to HUD for consideration and approval. Staff will work with the developer to determine the uses of the funds, the cost of the project, the source and terms of the repayment of funds and other essential details of the project. These funds must be used in the form of a loan.
- If approved by HUD, the funds would be loaned to a newly created redevelopment commission.
- Repayment of the loan would be made through the creation of a City of Columbia Tax Increment District. Initial calculations indicate that at final build out the project will be sufficient to repay the note to the City on terms that are acceptable to HUD.

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to approve staff recommendations pertaining to the partnership with the Village at River's Edge.

27. City Council Meeting Schedule - Mr. Charles P. Austin, Sr., City Manager - *Discussion of this matter was deferred.*

- **Council adjourned the meeting at 12:33 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk