



CITY OF COLUMBIA
CITY COUNCIL PUBLIC HEARING MINUTES
WEDNESDAY, OCTOBER 18, 2006
9:00 A.M.
CITY HALL – COUNCIL CHAMBERS
1737 MAIN STREET
THIRD FLOOR

The Columbia City Council conducted a Meeting on Wednesday, October 18, 2006 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:00 a.m. The following members of City Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Tameika Isaac Devine arrived at 9:02 a.m. The Honorable Sam Davis was absent due to a business trip. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes for September 13, 2006

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve the Minutes for September 13, 2006 as presented.

PRESENTATIONS

2. October 2006 Employee of the Month (Mr. Joe E. Gray, Jr., Investigator) – Mr. H. Dean Crisp, Columbia Police Chief

Major C. E. Burke, Columbia Police Department, introduced Mr. Joe E. Gray, Jr. as the October 2006 Employee of the Month. He said that this recognition is a special privilege and that he admires Investigator Gray for his hard work.

Captain T. H. Dodson, Columbia Police Department, stated that it has been his honor to work with Mr. Gray over the years. Investigator Gray currently serves as the Polygraph Examiner. He is steadfast in performance and never asks for anything in return.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr. presented Mr. Joe E. Gray with a plaque and a token of appreciation for being recognized as the City of Columbia October 2006 Employee of the Month.

3. Recognition of Mr. Mike Manis for Obtaining Designation as a Certified Economic Developer – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, recognized Mr. Mike Manis, Director of the Eau Claire Development Corporation for obtaining the designation of Certified Economic Developer from the International Economic Development Council. There are twenty-eight Certified Economic Developers in South Carolina and Mr. Manis is the first city employee to obtain this designation.

Mr. Henry Hopkins, Chairman of the Eau Claire Community Council, said that the Eau Claire Community is very fortunate to have Mr. Manis and the expertise that he brings to the Eau Claire Development Corporation. He commended Mr. Manis for continuing to enhance his education.

4. Recognition of Mr. Satch Krantz, Executive Director of Riverbanks Zoo and Gardens for Thirty Years of Outstanding Service – Mayor Robert D. Coble

Mayor Robert D. Coble recognized Mr. Satch Krantz for thirty years of outstanding service in the Midlands. He presented Mr. Krantz with a Proclamation and a Key to the City. He said that he and his organization are the real superstars and economic engines. He stated that Mr. Krantz accomplishments have made an impact on the quality of life for humans as well as animals.

****Mr. Charles P. Austin, Sr.**, City Manager reminded persons who lobby the City, that we do have a City Lobbyist Registration process. Individuals hired to represent a firm by lobbying the City should register with the City Clerk's Office as a Lobbyist.

- 4a. ****Charley's Columbia Backyard** – Ms. Caroline Bennett, Author - *This presentation was deferred.*
5. Multi-Space Parking Meters – Mr. John Spade, Parking Services Director - *This presentation was withdrawn from the agenda. Additional information will be given to the members of Council.*

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 9:19 a.m. for the discussion of **Item 6.** as amended.

6. ****Receipt of legal advice**, which relates to matters covered by attorney-client privilege *Items were discussed in Executive Session. No action was taken.*
- **Council adjourned the Executive Session discussion at 10:00 a.m. to convene the Public Hearings.**

****Mayor Coble** recognized Mr. Lewis Waring, Mayor Pro-Tempore of the City of Charleston. He is serving his third term as a District 7 Representative on the Charleston City Council and is featured in the 2007 BellSouth African American History Calendar. His granddaughter, Ms. Tracie Waring is the General Manager of Columbia's Charles R. Drew Wellness Center.

PRESENTATIONS

- 6a. September 2006 Employee of the Month (Mr. Guy R. Robinson, Solid Waste / Truck Driver III) - Ms. Melissa Gentry, Director of Public Works

Mr. Robert Anderson, Solid Waste Superintendent, introduced Mr. Guy Robinson, Truck Driver III of the Solid Waste Division as the September 2006 Employee of the Month. He commended Mr. Guy for being a dedicated employee that comes to work at 4:00 a.m. He safely maneuvers a front loader truck into and out of alleys within the City each day.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr. presented Mr. Guy Robinson with a plaque and a token of appreciation for being recognized as the City of Columbia September 2006 Employee of the Month.

PUBLIC HEARING

7. East Gervais Streetscaping Project – Mr. Chip Land, Annexation Coordinator

Mr. Chip Land, Annexation Coordinator, explained that the East Gervais Streetscaping Project has been around for a long time. The initial intent was to go east of Millwood Avenue to the intersection of Trenholm Road to limit vehicular traffic from cutting through the neighborhoods; to impede traffic flow on Gervais Street; and to enhance a significant gateway into and out of the City. He presented a map to show the restricted left turns at Paige Street and Liberty Hill Avenue; the turn lane at House Street; the restricted no left turn onto McDuffie Avenue; the left turn movement onto Manning Avenue and Tree Street; another median in that area; limited left turns onto Zeigler Street; restrictions at King Street and at Westminster Street; all movement will be allowed at the intersection of Woodrow Street and Devonshire, but there will be a small traffic island in that area; there will be nothing in front of the shopping centers. He noted that several homes in the area have retaining walls on the street that prohibit them from getting out of their driveways safely without a turn lane.

Chief Bradley Anderson, Columbia Fire Department, stated that the proposal doesn't create a problem for the Fire Department, but they may have to make a U-turn and come back around or come up a feeder street to reach a fire along Gervais Street.

Captain Carl E. Burke, Columbia Police Department, stated that this could negate the response time during an emergency.

- **Council opened the Public Hearing at 10:29 a.m.**

Mr. Marvin Heller, 1213 McDuffie Avenue, stated that he is a lifetime resident and submitted a petition containing seventy- (70) signatures from individuals with concerns about this plan, because it limits access to a main artery and the access of safety vehicles. He said that they view the proposed medians as walls, like the one separating Forest Hills. He said that Gervais Street could be beautified without limiting access. He urged Council to consider limiting access to the less populated streets.

Ms. Jossette McDaniel, 1210 McDuffie Avenue, said that the Lyon Street Community has lost many contributing factors over the years to include a public library, a public school, a bank, grocery store and a drug store, while others were gaining green space. She said that she supports and encourages beautification, but the proposal limits access to and from the neighborhood.

Mr. Sam Clarke, Jr., 1207 Westminster Drive, appeared on behalf of the Forest Hills Neighborhood Association's President, to express their support for this project, because it will preserve and enhance the environment. They are concerned about the volume and speed of traffic in the area, so the priority is to reduce traffic within the neighborhood.

Mr. Lenard Mayers, 1225 Liberty Hill Avenue, said that beautification is fine, but they should not block streets that have lots of residents. He suggested that they install speed bumps to slow down the traffic within the neighborhood. He said that the proposal could delay emergency vehicles. He said that the community voted to work against this plan, because it would be an inconvenience for the residents.

Mr. Kenneth Burton, 2408 F M Young Avenue, said that they met and voted six to one against the plan. He said that the community might compromise if McDuffie Avenue and Liberty Hill Avenue were left open. He noted that the redevelopment of East Gervais Street is a part of the East Central City Consortium plan. He said that there are real traffic issues on Trenholm Road, Wellington Drive and Maple Street.

Ms. Hillary McDonald, 1511 Wellington Drive, stated that the traffic on Wellington Drive is not acceptable to most of the residents. She said that there are seven islands in her neighborhood that are heavily planted and treed and taken care of by volunteers. She said that she is eager to do the same along Gervais Street. She believes that this plan would increase property values.

Ms. Jana Daley, 1412 Westminster Drive, said that this issue is not about traffic control, but it is about creating a safe and happy place for families. She said that it is only a matter of time before a car hits a child. She encouraged the Council to be proactive.

Mr. Fred Easley, 1521 Fairview Drive / President of Melrose Heights Neighborhood Association, said that the Melrose Heights Neighborhood Association fully supports the beautification project. He said that cut through traffic and high speeds are a concern.

Mr. Edie Purvis, 4499 Chicora Street, said that the plan would create an obstacle for emergency services. She urged the Council to consider beautifying the curbsides and leave the center lane as it is.

Mr. Arno Hart, 1223 Wellington Drive, said that he supports the plan, because it was a very transparent and professional process. He stated that the plan improves the safety of all neighborhoods and it would improve the development potential for all properties in the area.

Mr. Anthony A. Dicks, 1237 House Street, stated that he supports the neighborhood association's decision.

Mr. Titus Glover, Forest Hill Neighborhood Association, said that he is concerned about Stratford Road, Canterbury Road and Manning Avenue. He said that Manning Avenue should be closed, because it cannot hold a lot of traffic.

- **Council closed the Public Hearing at 11:16 a.m.**

There was a consensus of Council to direct staff to evaluate the suggestions made today and to report back to City Council on November 1, 2006.

- **Council adjourned the meeting to break at 11:16 a.m.**
- **Council reconvened the meeting at 11:23 a.m.**

7a. **Five Points Parking

- **Council opened the Public Hearing at 11:26 a.m.**

Mr. Randy Dennis, 723 Saluda Avenue, presented a petition for the record in opposition to parking meter enforcement on weekends in Five Points. He said that merchants often pay parking tickets for their customers. He noted that the area has been under construction for two (2) years and that has limited access to businesses. He said that businesses have been hurt enough and would like to reach a compromise.

Mr. Don Rosick, 718 Santee Avenue, said that construction has done the businesses in. He requested a level playing field.

Ms. Marthalyn Schimsa, 745 Saluda Avenue, said that the meters have hurt her business, which opened shortly before the construction began. She asked why people aren't ticketed in the Vista.

Mr. Andrew G. Dial said that he doesn't have a dog in this fight, because he parks far away from Five Points to avoid getting a ticket. He said that enforcement is not good for Five Points.

Mr. Michael Howard, 1113 Lady Street, he said that after living in Five Points for eight (8) years his friends began getting tickets after staying overnight. He said that meters and retail do not get along. He also pays parking tickets for his customers. He noted that there is free two hour parking on Devine Street, but not in Five Points. He asked Council to eliminate Saturday enforcement and include free two-hour parking spaces.

Ms. Elizabeth Comer, 605 Harden Street, opposes Saturday enforcement of parking meters. She said that her customers have to pay, then they are ticketed and she has to hear about it. She tells her customers to park behind her store.

Mr. Peter Webb said that Five Points is a ghost town between 1:00 p.m. and 5:00 p.m. He stated that parking meters are great for restaurants. He opposes Saturday enforcement, because the meters have created a lower income for area retailers.

Mr. Randy Dennis, 723 Saluda Avenue, said that employee parking is not a big problem, because there is more private parking than public parking. He said that they needed to work closer with property owners to lease spaces for employees.

Ms. Ruth Thomas had a record year during the construction because people enjoyed the lack of traffic. She said that the meters were installed and her business continues to drop each month.

Ms. Pamela Greenlaw noted that she would rather go to Five Points than Sandhills to shop.

Ms. Julie Roberts is considering relocating her business. She doesn't want meters at all and noted that the biggest problem is the restaurants during lunchtime and their employees. She suggested that owners insist that employees not park in customer spaces

Mr. Mel Jenkins concurred with Councilor Finlay's comments. He no longer shops in Five Points, because of the meters.

An unidentified male stated that he owns a business in Five Points and in Harbison and that customers do not want to come to Five Points, because of the meters. He said that he is opposed to Saturday enforcement unless it is done throughout the whole city.

Ms. Janice Jones said that she doesn't shop or eat in Five Points anymore because of the construction.

- **Council closed the Public Hearing at 12:02 p.m.**

Upon motion by Mr. Rickenman, seconded by Mr. Cromartie, Council voted unanimously to direct staff to begin the process of mediation for Five Points and to work through this process as expeditiously as possible; the Parking Services Director was asked to provide input on the suggestions made in regards to the removal of parking meters in Five Points; and staff was directed to report back to Council on November 1, 2006.

CONSENT AGENDA

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to approve the **Consent Agenda Items 8.** through **11.** as amended.

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

8. Council is asked to approve a Construction Contract for 102 Gabriel Street, as requested by the Community Development Department. Award to L.O. Fogle General Contractor in the amount of \$112,800.00. This firm is located in Elgin, SC. *Funding Source: 5090000-172100 - Approved*
9. Council is asked to approve a Construction Contract for 104 Gabriel Street, as requested by the Community Development Department. Award to L.O. Fogle General Contractor in the amount of \$114,450.00. This firm is located in Elgin, SC. *Funding Source: 5090000-172100 - Approved*
- 9a. ******Council is asked to approve the Rental of a Portable Shower Trailer for the Homeless Shelter at the Senate Street Location, as requested by Administration. Award to Nature's Calling, Inc., in the amount of \$31,535.00 for six months. This vendor is located in Charleston, SC. *Funding Source: 1018410-639900 - Approved*
- 9b. ******Council is asked to approve the Negotiation of a Contract for the Installation of Street Lights in the Olympia and Elmwood Park Neighborhoods, as requested by the Public Works Department. Award to Gregory Electric in an amount to be negotiated. This firm is located in Columbia, SC. *Funding Source: Elmwood Park Project \$145,000 SCDOT Grant, \$91,718.97 CANDO Grants, and \$32,171.90 Elmwood Park Neighborhood Association - Approved*

ORDINANCES – SECOND READING

10. Ordinance No.: 2006-079 – Annexing 3.27 +/- acres, Village – Phase 2A, Woodcreek Farms, Richland County TMS# 25800-03-28 (portion) *First reading approval was given on October 11, 2006. – Approved on second reading.*

MAP AMENDMENTS / REZONING - SECOND READING

11. 401 Williams Street, 431 Williams Street, W/S Williams Street/USC Baseball Stadium, TMS# 08909-01-01, 02, 03, and 06; rezone from M-1, -DD and M-2, -DD to PUD-C, -DD. *First reading approval was given on May 10, 2006. – Approved on second reading.*

ORDINANCES – FIRST READING

12. Ordinance No.: 2006-081 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter __, Article __, Sec. ____, Establishing Regulations and Requirements Relating to Smoking of Tobacco Products in the City of Columbia

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted four (4) to two (2) to give first reading approval to Ordinance No.: 2006-081 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter __, Article __, Sec. ____, Establishing Regulations and Requirements Relating to Smoking of Tobacco Products in the City of Columbia, realizing that second reading will be very important; whatever happens the City will seek a declaratory judgment action to resolve the legal issues of pre-emption; and the Ordinance may be revised to clarify definitions of exempted businesses. Voting aye were Mr. Cromartie, Ms. Sinclair, Ms. Devine and Mayor Coble. Voting nay were Mr. Rickenmann and Mr. Finlay.

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval on a single motion to **Items 13.** through **15.** as presented.

13. Ordinance No.: 2006-082 – Annexing N/S Saluda River near W/S I-26, Richland County TMS# 07208-03-09; Lexington County TMS# 03697-09-04 – *Approved on first reading.*
14. Ordinance No.: 2006-086 – Annexing Parcel D-17, Woodcreek Farms containing 43.7 +/- acres, Richland County TMS# 28900-03-09 (portion) – *Approved on first reading.*
15. Ordinance No.: 2006-087 – Annexing Parcel E, 0.344 +/- acres, W/S Woodcreek Farms Road, Richland County TMS# 25800-03-28 (portion) – *Approved on first reading.*

MAP AMENDMENTS / REZONING- FIRST READING

16. 1351 Jim Hamilton Boulevard and 1100 South Holly Street, TMS# 13702-01-30(p) and 13703-01-01A (p); rezone from M-1 and PUD-C to PUD-C. *A Public Hearing was conducted on September 13, 2006. – Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve a Map Amendment for 1351 Jim Hamilton Boulevard and 1100 South Holly Street, TMS# 13702-01-30(p) and 13703-01-01A (p); rezone from M-1 and PUD-C to PUD-C, provided that the site plan be in substantial conformance with Option #3, which orients the track parallel to Airport Boulevard and south of the trees. The City should work with the School District and bear the responsibility for relocating the Skateboard Park in the same area. Mr. Cromartie abstained from voting due to a potential conflict of interest.

APPOINTMENTS

17. Green Committee – The Honorable Anne M. Sinclair

The appointments to the Green Committee were deferred. Individuals interested in serving on the Green Committee should contact the Office of the City Clerk (545.3043 or cityclerk@columbiasc.net) for additional information.

CITY COUNCIL DISCUSSION / ACTION

18. Governors Hill Homeowners Association – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to accept ownership of the roads and drainage system within Governors Hill.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Mel Jenkins thanked the members of Council for the action taken on Item 16.

Mr. Warner Wells said that he is ready to assist and provide ideas on how the homeless shelters should be managed.

Mr. Ryan Cockrell presented a petition with over 200 signatures requesting that the School District's request be denied and that no one be allowed to disturb the skateboard park. He said that the skateboarders would like to share their plans for the park with Council. He asked that the City work with them to construct a better park. He said that the group would work to get donations to fund the project.

Councilor Sinclair said that the goal is to relocate the current park. She said that they might be able to work with staff to see if there is a way to ultimately make the park better. At this juncture we need to use the existing ramps and move forward. She encouraged Mr. Cockrell to submit his ideas to the Parks and Recreation Department.

Ms. Joyce Bagenstos thanked the members of Council for the consideration given to Owens Field Park.

Ms. Emily Folline Mikell said that the homeless shelter has been an issue for several years and that the proposed locations were rejected and now one is being located at the corner of Taylor Street and Pickens Street. She asked for the same consideration given to others, because her business will be hurt by this decision.

Ms. Janise Jones thanked the members of Council for the action taken on Owens Field Park.

Mr. Keith Costello thanked the members of Council for developing a positive outcome for Owens Field. He said that a lot of people from different states use this facility.

Ms. Kimberly Goober, 1519 Taylor Street, asked the members of Council to reconsider the two (2) locations selected for the homeless shelters. She said that her employer shares a parking lot with the site located at 1511 Taylor Street. She cited security issues and asked the business community to come together to find a solution. She suggested that the shelter be located in a building at the corner of Taylor Street and Barnwell Street.

An unidentified female said that she grew up in the bar business and that this ban should be done across the board. She said that bars are for grown ups.

Ms. Wendy Wells said that it is counter productive to place a homeless shelter in the Vista since it is experiencing a renaissance.

Ms. Pamela Greenlaw, Sierra Club Member, thanked the members of Council for their action on Owens Field. She is encouraged and asked the members of Council to continue to include them in issues that impact their community.

Ms. Lisa Turner, Director of Advocacy / American Heart Association, thanked the members of Council for supporting the smoke free Ordinance. She looks forward to fine tuning the document and offered to assist with the process.

Ms. Lila Bendkowska said that she never found out how many trees were being removed from the Owens Field site.

Mr. Mark Cox, Regions Bank / 1010 Gervais Street, said that the rear of the bank abuts the Senate Street Fire Station and he voiced his opposition to the homeless shelter being located there. He is concerned about citizens and employees alike.

Mr. Peter Mayers, Rosewood Community Resident, thanked the members of Council for their action on Owens Field.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to go into Executive Session at 1:35 p.m. for the discussion of **Items 19.** and **20.** as amended.

19. **Discussion of negotiations incident to proposed contractual arrangements
 - East Central City Consortium

Items were discussed in Executive Session. No action was taken.

20. ****Receipt of legal advice, which relates to matters covered by attorney-client privilege
*Items were discussed in Executive Session. No action was taken.***

- **Council adjourned the meeting at 2:30 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk