



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, NOVEMBER 15, 2006
9:00 A.M.
CITY HALL – COUNCIL CHAMBERS
1737 MAIN STREET
THIRD FLOOR

The Columbia City Council conducted a Meeting on Wednesday, November 15, 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 9:04 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, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Sam Davis arrived at 9:08 a.m.

****Mr. Charles P. Austin, Sr.**, City Manager, introduced Miss Kayla Rolan, the daughter of Ms. Lisa Rolan, Chief Financial Officer for the City of Columbia. Miss Kayla is an eighth grade student at Irmo Middle School and is shadowing her mother for the day.

APPROVAL OF MINUTES

1. Minutes for October 18 and 25, 2006

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of October 18 and 25, 2006 on a single motion and as presented.

PRESENTATIONS

2. November 2006 Employee of the Month (Mr. Robert C. Joyner, Fire Engineer) – Mr. Bradley Anderson, Fire Chief

Fire Chief Bradley Anderson introduced Mr. Robert C. Joyner, Fire Engineer as the November 2006 Employee of the Month. He has been with the City for nine (9) years and he is currently assigned to the Congaree Run Fire Station; volunteers at the Camden Fire Station; and serves upon many committees. Chief Anderson described Mr. Joyner as an involved and compassionate employee.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr., City Manager presented Mr. Robert Joyner with a plaque and tokens of appreciation for being recognized as the City of Columbia November 2006 Employee of the Month.

3. Celebration of the Canal Water Works Centennial – Mr. Bud Summers, Superintendent of the Canal Water Plant and the Lake Murray Water Plant

Mr. Bud Summers presented a pictorial tour of the Canal Water Works in celebration of the system's centennial anniversary. In 1835, the City of Columbia purchased the privately owned water system from Colonel Abram Blanding for \$15,000. The Canal Water Works was built in its present location in 1906. This is a significant landmark in the City of Columbia today. The Canal Plant has undergone six phases of expansion to meet the ever-increasing demands and stringent regulations. Upon completion of the expansion projects in progress, the total Water Works capacity will reach 162 million gallons per day. Mr. Summers invited the members of Council to celebrate the water system's centennial with them today.

4. Five Points Future Five – Mr. Doug Quackenbush, Architect; Mr. Dennis Hiltner, President / Five Points Association and Mr. Jack Van Loan, Five Points Association

Mr. Dennis Hiltner, President of the Five Points Association, stated that the Five Points area is in the final stages of a massive renovation, which will lead to new investments and increased development. He said that the Association wanted to be proactive and influence future development. He introduced Mr. Doug Quackenbush as the Project Architect. Mr. Quackenbush has been involved with the planning process since 1992.

Mr. Doug Quackenbush, Quackenbush Architects and Planners, presented an overview of the Five Points Future Five Plan. The objective is to define what they want Five Points to look like in ten years. He described it as a special urban village. This process began with an Advisory Committee that worked with the City's Planning Department; held a series of workshops; researched the current zoning regulations and parking studies; interviewed developers and city staff; conducted the master plan design phase; put together drawings; and gathered input through a series of public meetings. They would like to see the area mature with buildings on the streets and in fill development that will preserve the unique identity of Five Points, enhances market vitality; promotes mixed use development; elevates character; increases density; and fosters diversity. Mr. Quackenbush asked Council to endorse the plan; adopt the recommendations of the report to move forward and create a special zoning overlay; and start the solicitation process for a consultant to begin the process of implementation.

There was a consensus of Council to review the information presented and to consider the requests on December 13, 2006.

CONSENT AGENDA

Upon motion by Mayor Coble, seconded by Mr. Rickenmann, Council voted unanimously to approve the **Consent Agenda Items 5. through 10. and 15. through 11.** on a single motion and as presented.

CONSIDERATION OF BIDS AND AGREEMENTS

5. Council is asked to approve an Agreement for Engineering Services for an Environmental Assessment in Martin Luther King Park, as requested by Engineering Operations. Award to MACTEC Engineering, in the amount of \$8,000.00. This firm is located in Columbia, SC. *Funding Source: Storm Water Utility Fund - Approved*
6. Council is asked to approve an Agreement for Engineering Services for the Installation of an Altitude Valve on the Hobart Water Storage Tank, as requested by Engineering Operations. Award to Brown and Caldwell in the amount of \$9,950.00. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2006/2007 Capital Improvements Program Budget - Approved*
7. 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 \$30,000.00. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2006/2007 Capital Improvements Program Budget - Approved*
8. Council is asked to approve the Purchase of 3,300 High Security Locks for Parking Meter Coin Vaults, as requested by Parking Services. Award to Login Lock, the lowest bidder, in the amount of \$41,959.20. This firm is located in Southington, CT. *Funding Source: GL-5312501-625600 - Approved*

9. Council is asked to approve the Purchase of Fire Fighter Boots, as requested by the Fire Department. Award to Wally's Fire and Safety, as a sole source, in the amount of \$45,124.20. This firm is located in Mullins, SC. *Finding Source: 1012303-625900 (\$27,177.07) and 2082306-625900 (17,947.13) - Approved*
10. Council is asked to approve the Purchase of MSA Parts and Supplies for the MSA Breathing Units, as requested by the Fire Department. Award to Newton's Fire and Safety, the low bidder, in the amount of \$67,000.50. This firm is located in Swepsonville, NC. *Funding Source: 1012303-657400 (\$27,840.00), 2082306-627100 (\$32,770.00) and 1012303-627100 (\$3,200.00) - Approved*

ORDINANCES – SECOND READING

11. Ordinance No.: 2006-048 – 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. 23-145, Installation of water meters and cross connection control devices *First reading approval was given on June 21, 2006. – Approved on second reading.*
12. Ordinance No.: 2006-049 – 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. 23-148, Sewer tapping fees *First reading approval was given on June 21, 2006. – Approved on second reading.*
13. Ordinance No.: 2006-050 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-152, Sewer plant expansion fee *First reading approval was given on June 21, 2006. – Approved on second reading, subject to 50% of the cost being effective on January 1, 2007 and the remaining 50% of the cost being effective on July 1, 2007.*
14. Ordinance No.: 2006-051 – 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 repeal Sec. 23-147, Meter installation fee for Chapin water service area in its entirety *First reading approval was given on June 21, 2006. – Approved on second reading.*

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted to give second reading approval to **Items 11.** through **14.** as amended to change the effective date of the plant expansion fee to January 1, 2007 for the first 50% and July 1, 2007 for the remaining 50%. This is being done with the understanding that the Affordable Housing Taskforce is reviewing the Ordinances and will provide recommendations to the City Council for consideration.

15. Ordinance No.: 2006-090 – Amending Ordinance 2006-069 (Annexing 130 Fontaine Center Drive TMS# 14205-10-01) *First reading approval was given on November 8, 2006. – Approved on second reading.*
16. Ordinance No.: 2006-091 – Amending Ordinance 2006-070 (Annexing 411 Commerce Drive TMS# 14202-01-59) *First reading approval was given on November 8, 2006. – Approved on second reading.*
17. Ordinance No.: 2006-092 - Approving the purchase of a surety bond in replacement for moneys deposited into the City's 1993 Debt Service Reserve Fund relating to its Water and Sewer System refunding Revenue Bonds, Series 1993; approving the execution and delivery of a guaranty agreement by the City; and other matters relating thereto *First reading approval was given on November 8, 2006. – Approved on second reading.*

18. Ordinance No.: 2006-093 - Authorizing the execution and delivery of a forward delivery or supply agreement by the City of Columbia, South Carolina, in connection with the City's outstanding Waterworks and Sewer System Revenue Bonds; delegating the authority to the Mayor and City Manager to determine certain matters; approving the form of request for offers; repealing Ordinance No. 2005-105 enacted on October 12, 2005; and other matters relating thereto *First reading approval was given on November 8, 2006. – Approved on second reading.*
19. Ordinance No.: 2006-094 - Authorizing the execution and delivery of a forward delivery or supply agreement by the City of Columbia, South Carolina, in connection with the City's installment sale agreement dated November 1, 2004, between the City and Columbia Public Facilities Corporation entered into in connection with the \$19,365,000 Certificates of Participation (Hospitality Fee Pledge), Series 2004; delegating the authority to the Mayor and City manager to determine certain matters; approving the form of request for offers; and other matters relating thereto *First reading approval was given on November 8, 2006. – Approved on second reading.*
20. Ordinance No.: 2006-095 - Authorizing transfer of 0.032 acres (1,388.13 square feet) known as Parcel "A" adjacent to Richland County TMS #09010-10-08 to Pearl B. Fogle *First reading approval was given on November 8, 2006. – Approved on second reading.*

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTIES – SECOND READING

21. 7736 Garners Ferry Road, TMS# 19102-02-07; confirm C-3 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
22. 130 Fontaine Center Drive, TMS# 14205-10-01; confirm M-1 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
23. 411 Commerce Drive NE, TMS# 14202-01-59; confirm M-1 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
24. W/S Farrow Road, 7905 Farrow Road, 8016 Wilson Boulevard, N/S Anders Drive, and W/S Parklane Road, TMS# 14400-01-01; 14403-03-01; 17101-01-02 and 17102-01-01; confirm C-1 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
25. N/S Beckman Road, TMS# 14400-01-01 (p); confirm C-1 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
26. 1100 Bluff Road (The Spur), TMS# 11205-03-01; confirm C-3 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
27. 730 Buckner Road, TMS# 11704-03-01(p), 02, 24(p); confirm M-1 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
28. E/S Cushman Drive and E/S Baldwin Road, TMS# 14103-03-18A and 14103-04-01; confirm C-3 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
29. E/S Woodcreek Farms Road, TMS# 25800-03-28 (p); confirm PUD-R zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*
30. 3440 Broad River Road, TMS# 06110-03-17 and 20, 06115-01-07; confirm C-3 zoning. *First reading approval was given on November 8, 2006. – Approved on second reading.*

ANNEXATION WITH MAP AMENDMENTS / REZONINGS – SECOND READING

31. S/S Saint Andrews Terrace Road, TMS# 06115-01-08; annex and rezone from RG-2 to C-3. *First reading approval was given on November 8, 2006. – Approved on second reading.*

Ordinance No.: 2006-085 – Annexing 3440 Broad River Road and 14.5 +/- acres S/S St. Andrews Road, Richland County TMS# 06110-03-17; 06110-03-20; 06115-01-07 and 06115-01-08 *First reading approval was given on November 8, 2006. – Approved on second reading.*

- A. W/S Gibson Street and N/S McRae Street (The Village at Rivers Edge), Richland County TMS# 09103-02-01; 09103-02-04; 09103-02-05; 09103-02-06; 09104-01-01; 09104-01-02; 09104-01-03; 09104-01-04; 09104-01-05; 09104-01-06; 09104-01-17; 09104-01-18; 09104-01-19; 09104-01-20; 07316-02-11; 07316-02-12 and 07316-02-13; annex and rezone from RS-2, RG-2, and M-1 to PUD-LS. *First reading approval was given on November 8, 2006. - Approved on second reading, subject to compliance with descriptive statement revised by staff.*

Ordinance No.: 2006-084 – Annexing 28.2 +/- acres, W/S Gibson Street and N/S McRae Street, Richland County TMS# 09103-02-01; 09103-02-04; 09103-02-05; 09103-02-06; 09104-01-01; 09104-01-02; 09104-01-03; 09104-01-04; 09104-01-05; 09104-01-06; 09104-01-17; 09104-01-18; 09104-01-19; 09104-01-20; 07316-02-11; 07316-02-12 and 07316-02-13 *First reading approval was given on November 8, 2006. – Approved on second reading.*

MAP AMENDMENTS/REZONINGS – SECOND READING

- B. 7736 Garners Ferry Road, TMS#19102-02-07(p); rezone from C-3 to C-3, -AS. *First reading approval was given on November 8, 2006. – Approved on first reading.*
- C. 602 Richland Street, TMS# 09010-03-01; rezone from RG-3, -DD to PUD-R, -DD. *First reading approval was given on November 8, 2006. – Approved on second reading, subject to condition that uses and regulations not specified within the descriptive statement shall adhere to RG-3 zoning requirements.*
- D. Vacant lot adjacent to 501-03 Beltline Boulevard, TMS#13810-01-06; rezone from PUD-C to amended PUD-C. *First reading approval was given on November 8, 2006. – Approved on second reading, provided (1) single-family lots of record must have the required street frontage width; (2) private drives may not be considered streets; (3) townhouses may need to be configured in a horizontal property regime; and (4) where descriptive statement silent, RG-2 zoning requirements shall apply.*
- E. 501-03 Beltline Boulevard, TMS#13810-01-07; rezone from PUD-C to PUD-C. *First reading approval was given on November 8, 2006. – Approved on second reading provided (1) townhouses may need to be configured in a horizontal property regime; and (2) where descriptive statement silent, RG-2 zoning requirements shall apply.*
- F. 1907 and 1913 Huger Street, TMS# 09006-06-02 and 03; rezone from M-2, -DD to PUD-C, -DD. *First reading approval was given on November 8, 2006. – Approved on second reading.*

- G. 701 thru 711 Lady Street, 717 thru 729 Lady Street, 704 and 708 Lady Street, 1320 thru 1332 Wayne Street, 704-16 Washington Street (Lady Street Shoppes), TMS#09009-08-01 and 04, 08912-07-01; rezone from M-1, PD, DD, M-1, -DP, -DD to PUD-C, PD, DD. *First reading approval was given on November 8, 2006. – Approved on second reading, provided that the amount of space allocated for restaurants/nightclubs/drinking establishments does not exceed 30,000 square feet.*

MAP AMENDMENT / TEXT AMENDMENT – SECOND READING

- H. 1605-07 Main Street, TMS# 09014-10-15; rezone from C-5 to C-5, -DP. *First reading approval was given on November 8, 2006. – Approved on second reading.*
- I. 2626 Stratford Road, TMS# 11415-03-01; rezone from RS-1 to RS-1, -DP. *First reading approval was given on November 8, 2006. – Approved on second reading.*

Ordinance No.: 2006-077 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691, Buildings and site list, (c) is amended to add the following: 2627 Stratford Road and 1607 Main Street *First reading approval was given on November 8, 2006. – Approved on second reading.*

ORDINANCES – FIRST READING

- I1. **Ordinance No.: 2006-102 – Repealing Ordinance 2006-101 – *Approved on first reading.*

ORDINANCES – SECOND READING

- J. Ordinance No.: 2006-097 – (*Revised*) Authorizing and directing the installation of solid raised medians on Gervais Street *First reading approval was given on November 8, 2006.*

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted six (6) to one (1) to give second reading approval to Ordinance No.: 2006-097 – Authorizing and directing the installation of solid raised medians on Gervais Street. Voting aye were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Mr. Rickenmann, Mr. Finlay and Mayor Coble. Ms. Devine voted nay.

MAP AMENDMENTS/REZONINGS – SECOND READING

- K. 1400 Hyatt Avenue, TMS# 09215-11-04; rezone from RG-2 to PUD-R. *First reading approval was given on November 8, 2006. – Approved on second reading, provided (1) building materials shall not be vinyl siding or masonite, instead materials shall be brick, HardiPlank, HardiSiding, stucco, or other like materials; (2) elevations shall include oversized windows and other features similar to structures in the immediate area; (3) the development shall include a regime fee for maintenance of all properties and common areas; and (4) the parking area shall not be a pervious surface.*

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted unanimously to give second reading approval to the Map Amendment / Rezoning of 1400 Hyatt Avenue, TMS# 09215-11-04; rezone from RG-2 to PUD-R, provided **(1)** building materials shall not be vinyl siding or masonite, instead materials shall be brick, HardiPlank, HardiSiding, stucco, or other like materials; **(2)** elevations shall include oversized windows and other features similar to structures in the immediate area; **(3)** the development shall include a regime fee for maintenance of all properties and common areas; and **(4)** the parking area shall not be a pervious surface. Mr. Rickenmann abstained from voting due to a potential conflict of interest.

PUBLIC HEARINGS

ORDINANCES – FIRST READING

L. Ordinance No.: 2006-074 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 4, Animals, Article III, Animal Control, Sec. 4-67, Redemption of impounded pet animals and Sec. 4-68, Adoption of impounded pet animals – *Approved on first reading.*

- **Council opened the Public Hearing at 10:14 a.m.**
- **Council closed the Public Hearing at 10:15 a.m.**

No one appeared in support of or in opposition to the proposed fee increase.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2006-074 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 4, Animals, Article III, Animal Control, Sec. 4-67, Redemption of impounded pet animals and Sec. 4-68, Adoption of impounded pet animals.

M. Ordinance No.: 2006-080 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic to add Article IV, Parking Garages and City Owned Parking Facilities – *Approved on first reading.*

- **Council opened the Public Hearing at 10:15 a.m.**
- **Council closed the Public Hearing at 10:18 a.m.**

No one appeared in support of or in opposition to the proposed fee increases.

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to Ordinance No.: 2006-080 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic to add Article IV, Parking Garages and City Owned Parking Facilities.

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

N. Council is asked to approve the Purchase of Five (5) Months of Private Security for the Emergency Shelters, as requested by Administration. Award to Allied Barton, the lowest bidder, in the amount of \$118,379.80. This firm is located in Columbia, SC. *Funding Source: GL-1018410-63990 – Approved, subject to the City Manager being authorized to contract with the lowest bidding firm in an amount not to exceed \$118,379.80.*

O. Council is asked to approve the Purchase of Bunker Gear, as requested by the Fire Department. Award to Anderson Fire and Safety, the low bidder meeting specifications, in the amount of \$227,237.50. This firm is located in Anderson, SC. *Funding Source: 1012303-625900 (50%) and 2082306-625900 (50%) - Approved*

- P. Council is asked to approve an Agreement for Engineering Services to Conduct a Comprehensive Study of the Four (4) Main Sludge Processes at the Metro Plant, as requested by Engineering Operations. Award to B.P. Barber and Associates, in an amount not to exceed \$101,000.00. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2006/2007 Capital Improvements Program Budget - Approved*

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to approve **Items N.** through **P.** on a single motion.

ORDINANCES – FIRST READING

- Q. Ordinance No.: 2006-098 – Authorizing transfer of 104 Gabriel Street, Richland County TMS# 14203-11-05 (portion) to Tony Wilson and Barbara Wilson – *Approved on first reading.*
- R. Ordinance No.: 2006-099 – Authorizing transfer of 43 Madera Drive, Richland County TMS# 11607-06-08 to Curtis M. Coleman – *Approved on first reading.*

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to **Items Q.** and **R.** on a single motion.

RESOLUTIONS

- S. Resolution No.: 2006-045 - Authorizing annual Vista Lights celebration in the Congaree Vista - *Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: 2006-045 - Authorizing annual Vista Lights celebration in the Congaree Vista.

****Mr. Charles P. Austin, Sr.,** City Manager, commended Councilman E.W. Cromartie, II and the Columbia Police Department for implementing a comprehensive crime and safety program for the Colony Apartments and the Bethel Bishop Chappelle Apartments. He thanked area churches for their participation in the effort to restore calm to the area. He thanked the Two Notch Development Corporation for accepting management responsibilities for the Bethel Bishop Apartments. Mr. Austin said that the level of anxiety and fear has been reduced. The community is now planning a Community Day and plans are underway to renovate the park space behind the Bethel Bishop Apartments.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Ms. Mary Myers, Gable Oaks Resident, appeared before the members of Council to request that a mandatory curfew be imposed on the Gable Oaks Apartment Complex due to the bold crimes that are committed there.

Councilor Davis insisted that Gable Oaks be deemed a neighborhood nuisance and that owners and management be held accountable. He suggested that the curfew not be imposed today, but he reserved the right to support Ms. Myers efforts to preserve the quality of life for the young people in the complex.

There was a consensus of Council to direct staff to meet with Ms. Myers to develop a strategy that would address the public safety concerns.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to go into Executive Session at 10:43 a.m. for the discussion of **Items T.** through **W.** as amended.

- T. Discussion of the employment of an employee
This item was discussed in Executive Session. No action was taken.
- U. Receipt of legal advice, which relates to a pending, threatened or potential claim
This item was discussed in Executive Session. No action was taken.
- V. Receipt of legal advice, which relates to matters covered by attorney-client privilege
This item was discussed in Executive Session. No action was taken.
- W. **Discussions of negotiations incident to proposed contractual arrangements
 - Intergovernmental Agreement on Homelessness
This item was discussed in Executive Session. No action was taken.
- **Council adjourned the meeting at 12:40 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk