



CITY OF COLUMBIA
CITY COUNCIL
SPECIAL ZONING PUBLIC HEARING
MINUTES
WEDNESDAY, APRIL 12, 2006
10:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The City of Columbia City Council conducted a Special Zoning Public Hearing on Wednesday, April 12, 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 10:05 a.m. The following members of City Council were present: The Honorable E. W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Tameika Isaac Devine and The Honorable Daniel J. Rickenmann. The Honorable Sam Davis was absent due to a business related trip. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

SPECIAL ZONING PUBLIC HEARING

- **Council opened the Special Zoning Public Hearing at**

MAP AMENDMENTS/REZONING – FIRST READING

1. +/- 2.9 acres, Clifton, Drake, & Norris Streets, TMS# 16505-04-02, rezone from RG-2 to PUD-R.

Mr. Marc Mylott, Director of Development Services, stated that Council would consider the rezoning of the 2.9 acres from RG-2 to PUD-R. He explained that the existing zoning would permit 49 multi-family residential dwelling units, subject to certain site development restrictions. The applicant proposes to subdivide it into 24 single-family lots. The Planning Commission has reviewed the request and has provided two (2) recommendations.

Mr. John Blackmon, Direct Development Corporation, stated that they have looked at the property for a long time and decided that the best option for the area is single-family housing. He noted that the price points would be \$125,000 to \$195,000.

Councilor Elect Kirkman Finlay, III noted the close proximity to the old Columbia Organic Company site and asked if an environmental study was done on the site and if the study could be provided to the neighborhood.

Mr. Tige Watts, President of the Brandon Acres / Cedar Terrace Neighborhood Association, noted that they have not reviewed any environmental studies, but this proposal is the best option for the neighborhood.

Councilor Tameika Isaac Devine asked if the Phase One Study results could be provided.

Mr. John Blackmon, Direct Development Corporation stated that he would have to get permission from the owner of the documents. He noted that the study had nothing to do with the zoning request.

Ms. Lois McCarty, Brandon Acres /Cedar Terrace Neighborhood Resident, stated that she has lived in this neighborhood most of her life and she disagrees with putting homes on that former Columbia Organic site that needs to be cleaned up. She stated that she has had conversations with the former Columbia Fire Chief Jansen who says that the site has chemicals on it and Mr. Pat Walker, Director of the Department of Health and Environmental Control who said that DHEC is going to hire a contractor to excavate and clay cap the property. She said that the small neighborhood couldn't handle the traffic impact. Ms. McCarty supports the request to rezone, but she is against the Section 8 Housing and placing people on dangerous property

Mr. Jeffrey Riggs, Brandon Acres /Cedar Terrace Neighborhood Resident, stated that he resides on the opposite side of the parcel in question. He asked the members of Council to delay the decision until they feel comfortable that Mr. John Blackmon has been cleared by DHEC. He said that chemicals were stored and spilled on that site.

Mr. Malcolm Rentz, 1028 Cedar Terrace Road, asked how much frontage would be on Norris Street. Mr. Rentz stated that residents would not be able to drive into their back yards. He asked how closely they would be to the power lines. He is concerned about access, overcrowding and water runoff.

Mr. Marc Mylott, Director of Development Services, stated that the site plan proposes to have five (5) lots on Norris Street at 36 feet totaling 180 feet wide and 105 feet deep. He said that he is not aware of South Carolina Electric and Gas imposing any restrictions.

Mr. Allen Francis, 1024 Cedar Terrace Road, noted that he lives next door to Mr. Rentz and Mr. Grays. He said that developers are about making money and once they are done he will be left holding the bag. He stated that there are great concerns. He said that he elected the members of Council on a moral basis, but he doesn't see any moral obligation from them.

Mr. Marc Mylott, Director of Development Services, explained that the local zoning and permitting process reviews whether or not the soil is structurally stable to support a foundation. The role of reviewing soil contamination is done by DHEC along with the review of the storm water and engineering aspects, since the site is larger than two (2) acres.

Councilor Daniel J. Rickenmann stated that the Columbia City Council has to review the zoning request that is before them. He suggested that the community get DHEC involved in the other matters.

Mr. Jim Meggs, City Attorney added that no prudent purchaser would proceed with the purchase of property that is contaminated.

Mr. John Blackmon, Direct Development Corporation, stated that the bank would not loan money to us without a clear Phase One study.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to approve on first reading, subject to the property owner presenting the Phase One study results to Mr. Jim Meggs, City Attorney and to the residents. Mr. Jim Meggs, City Attorney was directed to instruct the residents on how to read the results. Mr. Marc Mylott, Director of Development Services was directed to review the drainage concerns prior to second reading consideration and provided that **(1)** the architectural style, massing, and building materials of the single-family residences generally match those presented to the Brandon Acres / Cedar Terrace Neighborhood Association, and **(2)** the development conform to the site plan stamped Received by Development Services on 3/1/06, specifically the building footprints and keeping the 50-foot buffer on lots 6 through 19 in a natural state, 9-0 (3/6/06).

- **Council adjourned the Special Zoning Public Hearing at 10:43 a.m.**

PRESENTATIONS

- 1a. **Recognition of National Youth Violence Prevention Week Essay Contest Winners – Ms. Kim Mitchell, Special Programs Coordinator for the Parks and Recreation Department

Councilor Tameika Isaac Devine stated that they had a very good National Youth Violence Prevention Week, which ended with a Rap Up Party with the radio stations and other sponsors. The winners of the essay contest were also announced and recognized. There were 81 participants in the contest with three (3) winners from each school level. She said that the event celebrated the good things that youth are involved in.

Ms. Kim Mitchell, Special Programs Coordinator for the Parks and Recreation Department represented the essay contest winners to the members of City Council. The Elementary School level essay topic was “What Respect Means to Me?”. The winners were: Damien Wesley (3rd); Taquana Pearson (2nd); and Kayvon Young (1st). The Middle School essay topic was “How is Respect Important in Today’s Society?” The winners were: Ainess Jordan (3rd); Harty Kay (2nd); and India Scott (1st). The High School essay topic was “How has Respect or the Lack of Respect Shaped Your Life?” The winners were: Christopher H. (3rd); Tiana Booker (2nd); and Brittany Hooks (1st). All winners will receive monetary prizes as well as tickets to the Three Rivers Music Festival purchased by Mr. Bo Aughtry.

2. Community Development Week Proclamation – Mr. Rick Semon, Director of Community Development

Mr. Rick Semon, Director of Community Development, announced that the week of April 17 – 23, 2006 is Community Development Week in the City of Columbia. He said that they celebrate Community Development each day when homes are purchased and neighborhoods are assisted. He said that they may not make the product, but they make the product better.

Mayor Robert D. Coble and the members of Council declared the week of April 17 to April 23, 2006 as Community Development Week in the City of Columbia.

3. Recognition of Employee Volunteers – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development and Mr. S. Allison Baker, Assistant City Manager for Public Services - *This item was withdrawn from the agenda.*
4. Corporate Stewardship Award – Mr. Fred Delk, Executive Director of Columbia Development Corporation

Mr. Fred Delk, Director of the Columbia Development Corporation stated that they worked for many years using Community Development Block Grant funding to affect the redevelopment of the Confederate Print Building.

Mr. Ned Pendarvis, Chairman of the Columbia Development Corporation Board of Directors, appeared before the members of Council to present the Corporate Stewardship Award from Governor Mark Sanford for the Publix project. This is the third major award received for the Publix Grocery Store.

5. Introduction of Miss Fairfield County – Ms. Deborah Livingston, Director of the TN Development Corporation and Miss Ebony Woods, Property Manager for the TN Development Corporation

Ms. Deborah Livingston, Director of the Columbia Housing Development Corporation and the Two Notch Development Corporation introduced Miss Ebony Woods as the new Miss Fairfield County.

Miss Ebony Woods, Property Manager for the Two Notch Development Corporation, stated that as Miss Fairfield County her platform is Understanding Homelessness in our Society / Caring and Reaching Others With Needs (CROWN). She said that she developed a love for working with the homeless when she worked in the Community Development Department and volunteered at the Homeless Service Connect Day Project. She said that she is working hard with Fairfield County Council to implement a Homeless Connect Project in Fairfield County as well.

CONSENT AGENDA

CONSIDERATION OF BIDS AND AGREEMENTS

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve on a single motion the **Consent Agenda Items 6.** through **17.** as presented.

6. Council is asked to a One-Year Service for the HVAC System at the Drew Wellness Center, as requested by the Parks and Recreation Department. Award to W.B. Guimarin Co. in the amount of \$12,696.00. This firm is located in Columbia, SC. *Funding Source: 2055111-636600 - Approved*
7. Council is asked to approve the Purchase of Fifty (50) MSA Masks for the MSA Breathing Units, as requested by the Fire Department. Award to Newton's Fire and Safety, as a Sole Source Purchase in the amount of \$13,515.00. This vendor is located in Swepsonville, NC. *Funding Source: GL-1012303-631800 and GL-2082306-631800 - Approved*
8. Council is asked to approve the Purchase of a 2006 Dodge Caravan, as requested by the Parking Division. Award to Butler Chrysler Dodge, using the SC State Vehicle Contract, in the amount of \$14,738.00. This vendor is located in Beaufort, SC. *Funding Source: 5312413-658500 - Approved*
9. Council is asked to approve the Purchase of a PTO Driven Air Compressor Mounted on a Chassis to be Provided by the City of Columbia, as requested by the Water Distribution Division. Award to Lee Transport, the only responding vendor, in the amount of \$14,824.10. This vendor is located in Columbia, SC. *Funding Source: 5516203-658500 - Approved*
10. Council is asked to approve the Purchase of 1050 Diazepam Auto-Injectors (CANA Kits), as requested by Emergency Operations Center. Award to the United States Department of Health and Human Services Supply Center, the lowest bidder, in the amount of \$16,383.36. This vendor is located in Perrypoint, MD. *Funding Source: GL-2059999-624900 and JL-9601000102-624900 – Approved*
11. Council is asked to approve Four (4) Lots of Grounds Maintenance for a Three (3) Month Period, as requested by the Forestry and Beautification Division. Award the Lots to the low bidders as outlined below for a total amount of \$21,077.25. This contract may be extended for an additional twelve (12) months once funding becomes available for fiscal year 2006/2007. *Funding Source: GL-1011217-636600 - Approved*
12. Council is asked to approve the Purchase of a ¾ ton Pick-up Truck, as requested by the Wastewater Maintenance Division. Award to Butler Chrysler Dodge, using the SC State Purchasing Contract, in the amount of \$25,567.50. This vendor is located in Beaufort, SC. *Funding Source: 5516205-658500 - Approved*

13. Council is asked to approve the Purchase of Repair Parts for the Hurst Jaws of Life Tool, as requested by the Fire Department. Award to MDS Matrix Medical, the authorized dealer, in the amount of \$49,619.00. This vendor is located in Ballentine, SC. *Funding Source: 1012303-658300 - Approved*

ORDINANCES – SECOND READING

14. Ordinance No.: 2006-017 – Authorizing conveyance to Guignard Associates, LLC of the turn around circle at the end of Williams Street adjacent to its property *First reading approval was given on April 5, 2006. – Approved on second reading.*
15. Ordinance No.: 2006-020 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, to repeal Article VI, Dangerous Buildings Sec. 5-291 through Sec. 5-297 in its entirety *First reading approval was given on April 5, 2006. – Approved on second reading.*
16. Ordinance No.: 2006-021 - Annexing 1111 Balsam Road, Richland County TMS #07311-08-04 *First reading approval was given on April 5, 2006. – Approved on second reading.*
17. Ordinance No.: 2006-022 - Annexing 620 and 624 Riverhill Circle, Richland County TMS #07314-01-03 and 07314-01-01 *First reading approval was given on April 5, 2006. – Approved on second reading.*

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve **Items 18.** and **19.** as presented.

18. Council is asked to approve an Agreement for Engineering Services for the Design of Improvements to the City's Green Lakes, Emerald Lakes and Wexhurst Wastewater Pumping Stations, as requested by Engineering Operations. Award to American Engineering Consultants, Inc. in an amount not to exceed \$128,468.00. *Funding Source: Fiscal year 2005/2006 Capital Improvements Program Budget - Approved*
19. Council is asked to approve the Purchase of Forty-Two (42) Panasonic Toughbooks, as requested by the Police Department. Award to Soft Intelligence Inc., the low bidder, in the amount of \$166,983.39. This vendor is located in Roswell, GA. *Funding Source: 1012401-657600 - Approved*

ORDINANCES – SECOND READING

20. Ordinance No.: 2006-012 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, Permit, indemnification and insurance requirements for work affecting streets or other public property, (b) Liability insurance *First reading approval was given on March 8, 2006. – Approved on second reading.*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to give second reading approval to Ordinance No.: 2006-012 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, Permit, indemnification and insurance requirements for work affecting streets or other public property, (b) Liability insurance.

MAP AMENDMENTS / REZONING – SECOND READING

21. 4.86 acres, Glendon Road and Marsteller Street (Marsteller Court), TMS# 09213-02-07, and 09213-04-07 and 15; rezone from RG-1 and M-1 to PUD-R. *First reading approval was given on March 8, 2006. – Approved on second reading.*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to give second reading approval to a Map Amendment and the Rezoning of 4.86 acres, Glendon Road and Marsteller Street (Marsteller Court), TMS# 09213-02-07, and 09213-04-07 and 15; rezone from RG-1 and M-1 to PUD-R. Mr. Rickenmann abstained from voting due to a conflict of interest.

ORDINANCES – FIRST READING

22. Ordinance No.: 2006-023 – Authorizing transfer of 5.834 +/- acres, NE corner of Heyward Street and Wayne Street, being a portion of Richland County TMS# 08816-09-01 to Heyward Street Associates, LLC – *Approved on first reading.*

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2006-023 – Authorizing transfer of 5.834 +/- acres, NE corner of Heyward Street and Wayne Street, being a portion of Richland County TMS# 08816-09-01 to Heyward Street Associates, LLC.

RESOLUTIONS

23. Resolution No.: R-2006-014 – Rescinding Resolution R-2002-082 entitled “Guidelines for Rehiring Retirees” - *Approved*

Mr. Jim Meggs, City Attorney, stated that the Resolution needed to be rescinded, because the matter of rehiring retirees is governed by State legislation.

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2006-014 – Rescinding Resolution R-2002-082 entitled “Guidelines for Rehiring Retirees”.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

- **Council adjourned the meeting at 11:16 a.m. to reconvene the Work Session.**

Respectfully submitted by:

Erika D. Salley
City Clerk