



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, FEBRUARY 21, 2007  
9:00 A.M.  
CITY COUNCIL CHAMBERS  
1737 MAIN STREET

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The Columbia City Council conducted a Meeting on Wednesday, February 21, 2007 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 9:05 a.m. The following members of City Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Anne M. Sinclair arrived at 9:12 a.m. and The Honorable Tameika Isaac Devine arrived at 9:15 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

### **APPROVAL OF MINUTES**

1. Minutes for February 7, 2007

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Minutes of February 7, 2007 as presented.

### **PRESENTATIONS**

2. Introduction of the February 2007 Employee of the Month – Ms. Melissa Gentry, Director of Public Works

Ms. Melissa Gentry, Director of Public Works introduced Mr. Michael Clem an Electrician III for the Traffic Engineering Division as the February 2007 Employee of the Month. She described Mr. Clem as a dedicated, loyal, enthusiastic and talented employee that leads his team well.

Mayor Robert D. Coble presented Mr. Clem with a plaque and Mr. Charles P. Austin, Sr., City Manager presented Mr. Michael Clem with tokens of appreciation for being selected as the February 2007 Employee of the Month.

- **Ms. Sinclair joined the meeting at 9:12 a.m.**

- 2a. \*\*Introduction of City Staff – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager introduced Mr. Vincent Simonowicz as the new Director of Information Technology; Ms. Teresa W. Florence as the new Director of the Office of Governmental Affairs and Community Relations; and Mr. Kenneth Wiggins as the new Director of Procurement.

- **Ms. Devine joined the meeting at 9:15 a.m.**

3. City in Celebration / Donen Film Festival Update – Mr. John Whitehead, Executive Director of the Columbia Music Festival Association

Mr. John Whitehead, Executive Director of the Columbia Music Festival Association (CMFA) presented the Donen Film Festival: Scarf and Screen Columbia Event, which is scheduled for Thursday, May 31, 2007 through Sunday, June 3, 2007. Pre Festival Events are scheduled for February 23-25, 2007 and May 4-5, 2007. He described the event as a Hospitality Tax reinvestment project with a new twist on dinner and a movie. The intent was to create an event that reaches across socio-economic lines, with a national outreach, a diverse appeal and generate revenue to replenish the hospitality and accommodations tax revenue basis.

- **Mr. Cromartie left the meeting at 9:22 a.m.**

Mr. Larry Hembree explained that the goal of this fiscal year is to entice everyone who loves film to spend time in Columbia celebrating creative filmmakers, while enjoying our City. They will highlight the work of three (3) filmmakers connected to Columbia during the first year. They are also planning the first Main Street Film Crawl and the First Annual IndieGrits Film Festival as part of the Donen Film Festival.

Mr. Joshua Burrack presented a 30-second promotional spot he created to highlight the Donen Film Festival. This spot will premiere during the South Carolina Book Festival this weekend.

4. Affordable Housing Taskforce Recommendations – Mr. Mark Cox, Affordable Housing Taskforce Member

Mr. Mark Cox, Affordable Housing Taskforce, presented the recommendations on Affordable Housing in Columbia. He recommended that the City treat the City Living Loan Program as a priority and continue to fully fund the program over the next five (5) years; continue to support the activities of the affiliated Development Corporations; provide quality multi-family rental units that are affordable for households with incomes that are 80% of the Area Median Income or less with the rental units not costing more than 30% of the family's monthly income; address the need for an increase in the number of affordable multi-family housing units by dedicating a set amount of funds toward the development of new multi-family rental units, by creating subsidy programs to allow low income families to access private market multi-family units, by steadfastly preserving and rehabilitating existing units and by imposing conditions on the sale of property owned by the City or its affiliated development corporations; draft and adopt an Ordinance allowing for voluntary inclusionary zoning based on certain terms and conditions; implement specific requirements for the sale of City owned property to meet the need for affordable housing; investigate the feasibility of Community Land Trusts and implement them, if feasible; develop a policy allowing for the re-establishment of accessory dwelling units that have lost their grandfather status where these units will be used for affordable housing; encourage and actively participate in the development of the State of South Carolina's Qualified Action Plan for the issuance of tax credits to insure that the requirements of the plan meet the needs of Columbia; form an oversight agency to monitor and enforce affordable housing policies and regulations; take a consistent, unwavering position against the "Not in my backyard" NIMBYism and ensure that its actions relating to residential land use and development comply with this position so that there will be an impartial distribution of affordable multi-family rental housing throughout the City; and to be a leader in this area and bring regional partners to the table to develop a comprehensive strategy for developing affordable housing in the region.

There was a consensus of Council to thank the Affordable Housing Taskforce members for their efforts, hard work and dedication and for meeting the six-month deadline.

Upon motion by Mayor Coble, seconded by Ms. Sinclair, voted unanimously to direct staff to distribute the final report to the public domain for review and comment; to further review the issues discussed to include gentrification and impact fees; to develop a timeline for the implementation of the recommendations along with the order in which items will be reviewed/implemented; and to report back to the Council on March 7, 2007.

### **CONSENT AGENDA**

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve on a single motion the Consent Agenda Items **5.**, **7.** through **9.** and **11.** through **19.** as amended. **Items 6.** and **10.** were withdrawn from the agenda.

### **CONSIDERATION OF BIDS AND AGREEMENTS**

5. Council is asked to approve the Purchase of Fifty (50) Each MSA Ultralite Masks for Various Fire Stations, as requested by the Fire Department. Award to Newton's Fire & Safety, the lowest bidder, in the amount of \$13,250.00. This vendor is located in Swepsonville, NC. *Funding Source: 11012303-625900 (Fire Suppression \$6,625.00) and 2082306-625900 (County Fire Administration \$6,625.00) - Approved*
6. Council is asked to approve SS6933; Repairs to Seven (7) Check Valves on the Old Return Sludge Pump at the MWWTP, as requested by the Utilities and Engineering Department. Award to Ferguson Enterprises, Inc. in the amount of \$14,474.56. This firm is located in Columbia, SC. *Funding Source: Sewer Improvement Fund – This item was withdrawn from the agenda.*
7. Council is asked to approve SS6933; Replacement of Worn Methane Gas Pressure Relief Valves at the MWWTP; as requested by the Utilities and Engineering Department. Award to US Filter Envirex Products in the amount of \$18,785.68. This firm is located in Charlotte, NC. *Funding Source: Sewer Improvement Fund - Approved*
8. Council is asked to approve SS6933; Replacement of Worn Pumps in the Old Dissolved Air Flotation Building at the MWWTP; as requested by the Utilities and Engineering Department. Award to Shanley Pump & Equipment in the amount of \$20,515.58. This firm is located in Arlington Heights, IL. *Funding Source: Sewer Improvement Fund - Approved*
9. Council is asked to approve the Purchase of a Satellite System, as requested by the Fire Department. Award to Hughes Network Systems, using the GSA Contract, in the amount of \$26,769.43. This vendor is located in Germantown, MD. *Funding Source: GL-2082306-638200 - Approved*
10. Council is asked to approve SS6933; Replacement of the Hanger Bearing at the MWWTP; as requested by the Utilities and Engineering Department. Award to Curtis' Fabrication & Installation, Inc. in the amount of \$28,238.40. This firm is located in Columbia, SC. *Funding Source: Sewer Improvement Fund – This item was withdrawn from the agenda.*
11. Council is asked to approve the Purchase of a Trimble Rover Kit, as requested by the Geographic Information Systems (GIS) Division. Award to Duncan-Parnell, the lowest bidder, in the amount of \$31,453.38. This vendor is located in North Charleston, SC. *Funding Source: 5511121-658600 - Approved*

12. Council is asked to approve a Contract for Professional Services to Provide Lobbying Services before the General Assembly, as requested by Administrative Services. Award to McLeod Butler Communications, LLC in a monthly amount of \$2,333.00 not to exceed \$28,000.00 for fiscal year 2006/2007. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 - Approved*
13. Council is asked to approve a Contract for Professional Services to Provide Lobbying Services before the General Assembly, as requested by Administrative Services. Award to The Grant Group, Inc. in a monthly amount of \$2,333.00 not to exceed \$28,000.00 for fiscal year 2006/2007. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 - Approved*
14. Council is asked to approve a Contract for Professional Services to Provide Lobbying Services before the General Assembly, as requested by Administrative Services. Award to State Capitol Group, LLC in a monthly amount of \$4,667.00 not to exceed \$56,000.00 for fiscal year 2006/2007. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 - Approved*
15. Council is asked to approve the Purchase of One (1) lot of Propper Uniform Shirts for Various Fire Stations, as requested by the Fire Department. Award to Botach Tactical, the lowest bidder, in the amount of \$73,049.98. This vendor is located in Los Angeles, CA. *Funding Source: 1012303-624100 (Fire Suppression \$36,524.99) and 2082306-624100 (County Fire Administration \$36,524.99) - Approved*
- 15a. **\*\***Council is asked to approve the Purchase of One (1) Chevrolet Impala, as requested by Homeland Security. Award to Capitol Chevrolet using the SC State Vehicle Contract in the amount of \$15,169.95. This firm is located in Columbia, SC. *Funding Source: 1012202-658500 - Approved*

#### ORDINANCES – SECOND READING

16. Ordinance No.: 2007-003 – Authorizing transfer of Falling Springs Court to Land Holdings Two, LLC *First reading approval was given on February 7, 2007. – Approved on second reading.*
17. Ordinance No.: 2007-005 – Authorizing transfer of 1404 Oak Street, Richland County TMS# 11407-15-09 to Ray Lynne Gray *First reading approval was given on February 7, 2007. – Approved on second reading.*
18. Ordinance No.: 2007-008 – Authorizing transfer of 0.109 acre (4,750 square feet) of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-05-01 and 09116-05-02 to The Dutch Fork Trading Company, LLC *First reading approval was given on February 7, 2007. – Approved on second reading.*

#### MAP AMENDMENTS / REZONINGS / TEXT AMENDMENTS – SECOND READING

19. 1414 Gregg Street, TMS#11406-02-22; rezone from C-1 to C-1, -DP. *First reading approval was given on February 7, 2007. – Approved on second reading.*  
 Council District: 2  
 Proposal: Rezone to include property on List of City Landmarks, Group II (see related item under Text Amendments).  
 Applicant: Dr. Wanda Gale Breedlove.  
 PC Recommendation: Approve, 7-0 (11/606).

Staff Recommendation: Approve.

Ordinance No.: 2007-004 – 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) Group II, add 1414 Gregg Street *First reading approval was given on February 7, 2007. – Approved on second reading.*

**CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS**

20. Council is asked to approve Change Order #2 CIP WM3064; Water Main along Dubard Street, Burley Court, Lucille Drive and Paxton Street, as requested by Engineering Administration. Award to Carolina Tap & Bore, Inc. in the amount of \$138,190.00. This firm is located in West Columbia, SC. *Funding Source: Water Improvement Fund - Approved*

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve Change Order #2 CIP WM3064; Water Main along Dubard Street, Burley Court, Lucille Drive and Paxton Street, as requested by Engineering Administration. Award to Carolina Tap & Bore, Inc. in the amount of \$138,190.00.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve **Items 21** through **21b** on a single motion and as amended.

21. Council is asked to approve SS6395; Replacement of the Cummins Generator at the Saluda River Pump Station; as requested by the Utilities and Engineering Department. Award to Blanchard Power Systems in the amount of \$163,718.92. This firm is located in Columbia, SC. *Funding Source: Sewer Improvement Fund - Approved*
- 21a. Council is asked to approve the Purchase of Vehicles, as requested by Various Divisions and Departments. Award to the following vendors in the total amount of \$110,703.95: Capital Chevrolet of Columbia, SC (\$15,169.95); Benson Ford Mercury of Easley, SC (\$58,095.00); Vic Bailey Ford Inc. of Spartanburg, SC (\$16,054.00); and Love Chevrolet Co. of Columbia, SC (\$21,385.00) - *Approved*

<u>Department</u>	<u>Type</u>	<u>Funding Source</u>	<u>Vendor</u>	<u>Amount</u>
Business License	Chevrolet Impala	1011403-658500	Capital Chevrolet	\$15,169.95
Business License	Ford Focus	1011403-658500	Benson Ford Mercury	\$11,856.00
Wastewater Maint.	Ford F-350	5516205-658500	Benson Ford Mercury	\$34,383.00
Metro WWTP	Ford Focus	5516208-658500	Benson Ford Mercury	\$11,856.00
Metro WWTP	Ford F-250	5516208-658500	Vic Bailey Ford Inc.	\$16,054.00
Metro WWTP	Trailblazer	5516208-658500	Love Chevrolet Co.	\$21,385.00

- 21b. Council is asked to approve Project SS6911; Root Removal for Sanitary Sewer, as requested by the Utilities and Engineering Department. Award to Dukes Root Control, the only responsive bidder, in the amount of \$299,250.00. This firm is located in Syracuse, NY. *Funding Source: GL-5529999-851600 / JL-SS691101-851600 – Approved*

## **ORDINANCES – SECOND READING**

22. Ordinance No.: 2007-007 – Approving the form, terms and provisions of an amended and restated Master Intergovernmental Agreement by and between the City of Columbia, South Carolina, Richland County and the University of South Carolina with respect to certain parking facilities for the University’s Research Campus Projects; approving the forms, terms and provisions of certain Ground Leases and the absolute assignments thereof relating to such parking facilities; authorizing the execution of such agreements; and other matters relating thereto *First reading approval was given on February 7, 2007. - This item was given second reading approval after an Executive Session discussion. Please refer to Item 30a.*

## **ORDINANCES – FIRST READING**

23. Ordinance No.: 2007-009 – Annexing 247 Plumbers Road, Richland County TMS# 14306-01-04 – *Approved on first reading.*

Upon motion by Mr. Davis, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to Ordinance No.: 2007-009 – Annexing 247 Plumbers Road, Richland County TMS# 14306-01-04.

## **RESOLUTIONS**

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to approve **Items 24 and 25** on a single motion.

24. Resolution No.: R-2007-005 – Authorizing and directing Labor Counsel to commence a declaratory judgment action seeking a declaration of the City of Columbia’s wage payment obligations under S.C. Code Ann. §8-7-90 (1976, as amended), relating to the calculation of compensation due employees returning from military leave - *Approved*
25. Resolution No.: R-2007-006-Authorizing acceptance and dedication of street known as Colonial Commons Lane in Colonial Commons Subdivision, Phase I to the City of Columbia; Richland County TMS# 19108-05-01 (portion); CF#284-21 - *Approved*

## **OTHER MATTERS**

26. Council is asked to approve a Request for a Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Doris M. Dixon doing business as Omega Grace Discount Taxi, 2246 Ervine Street, Columbia, SC 29204. - *Approved*

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to award a Certificate of Convenience and Necessity to Doris M. Dixon doing business as Omega Grace Discount Taxi, 2246 Ervine Street, Columbia, SC 29204.

27. Update on the Collaborative Project to Align Economic Development Initiatives with Neighborhood Initiatives – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development reported that Engenuity SC is amenable to helping educate the neighborhoods on fuel cell and the new economy. She has not been able to discuss the concept with Innovista representatives, but a

Request for Qualifications is being developed to accompany the selection process for a consultant.

28. Five Points Future Five Plan Update – Mr. Chip Land, Annexation Coordinator

Mr. Chip Land, Annexation Coordinator, presented an update on staffing for the Planning Department. He reported that a new Planner would be hired and this would allow current staff to complete the Comprehensive Plan, the Five Points Future Five Plan and other pending matters.

29. Discussion of Boards and Commissions – Ms. Erika D. Salley, City Clerk

• **Mr. Cromartie returned at 10:28 a.m.**

There was a consensus of Council to request a listing of pending vacancies along with the applications for review. Council will submit recommendations for revisions to the Handbook to the City Clerk by March 7, 2007. The handbook will be further discussed on March 21, 2007.

30. City Council Evening Meeting Schedule – The Honorable Anne M. Sinclair

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted five (5) to two (2) to discontinue monthly evening meetings. Council will continue to meet on the first and third Wednesday of each month during the day and Council will continue to conduct quarterly district evening meetings. Council reserves the right to conduct evening meetings at their discretion; therefore, the meeting calendar is subject to change. Voting aye were Ms. Sinclair, Mr. Davis, Ms. Devine, Mr. Rickenmann and Mr. Finlay. Voting nay were Mr. Cromartie and Mayor Coble.

• **Mr. Davis left the meeting at 10:50 a.m.**

**APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL**

Ms. Margaret Thomas appeared before the members of Council to express her opposition to the closing of Brayton's Alley. She cited concerns about emergency vehicle access due to her father's age and medical history. She noted that they are not opposed to improving the neighborhood.

Mr. Bill Manley urged the members of Council to conduct one town meeting per month for the citizens to come out and be heard. He recommended that surplus funding be spent to improve Channel 2. He said that the Council is pulling away from the people in the community.

Ms. Catherine Flemming Bruce presented the "Three Cities Sky Way" a Collaborative for Community Trust initiative between the Town of Springdale, West Columbia and the City of Columbia. The purpose would be to brand a specific corridor from the Columbia Metropolitan Airport to Downtown Columbia as a welcoming entrance from the Airport. She requested Council's endorsement of the concept.

Mr. Temple Ligon invited the members of Council to a lecture on Michelangelo on Friday March 9, 2007 at 6:00 p.m. on the top floor of the Senate Plaza.

Ms. Doris Hilderbrand stated that the representatives of the Cooperative Health Centers had not discussed the closing of Brayton's Alley with the community. She also expressed concerns for transporting the disabled residents and emergency vehicle access.

## **EXECUTIVE SESSION**

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to go into Executive Session at 11:14 a.m. for the discussion of **Items 30a** through **E** as amended.

- 30a. \*\*Receipt of legal advice, which relates to a matter covered by attorney-client privilege
- Ordinance No.: 2007-007 – Approving the form, terms and provisions of an amended and restated Master Intergovernmental Agreement by and between the City of Columbia, South Carolina, Richland County and the University of South Carolina with respect to certain parking facilities for the University's Research Campus Projects; approving the forms, terms and provisions of certain Ground Leases and the absolute assignments thereof relating to such parking facilities; authorizing the execution of such agreements; and other matters relating thereto *First reading approval was given on February 7, 2007.*

- **Council adjourned the Executive Session discussion at 12:38 p.m.**

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted four (4) to one (1) to give second reading approval to Ordinance No.: 2007-007 – Approving the form, terms and provisions of an amended and restated Master Intergovernmental Agreement by and between the City of Columbia, South Carolina, Richland County and the University of South Carolina with respect to certain parking facilities for the University's Research Campus Projects; approving the forms, terms and provisions of certain Ground Leases and the absolute assignments thereof relating to such parking facilities; authorizing the execution of such agreements; and other matters relating thereto. Voting aye was Mr. Cromartie, Ms. Sinclair, Ms. Devine and Mr. Rickenmann. Mr. Finlay voted nay. Mayor Coble abstained from voting due to a conflict of interest.

- **Council reconvened the Executive Session discussion at 12:39 p.m.**

31. Discussion of negotiations incident to proposed contractual arrangements
- Potential Parking Structure at Hampton Street and Assembly Street
- This item was discussed in Executive Session. No action was taken.*

- A. Discussion of negotiations incident to the proposed sale of property
- Cook Avenue
  - Irmo Drive
- These items were discussed in Executive Session. No action was taken.*

- B. Discussion of negotiations incident to the proposed purchase of property
- South University
  - Five Points Joint Venture Parking Deck
- These items were discussed in Executive Session. No action was taken.*

- C. Receipt of legal advice, which relates to a matter covered by attorney-client privilege
- First Citizens and Washington Square
  - County Tax Increment Financing Dispute / Arbitrator Selection
  - \*\*Busby Street Condemnation

- \*\*Franchise Fees
- \*\*East Central City Consortium

*These items were discussed in Executive Session. No action was taken.*

D. Receipt of legal advice, which relates to pending, threatened or potential claim  
*This item was discussed in Executive Session. No action was taken.*

E. \*\*Discussion of the employment of an employee  
*This item was discussed in Executive Session. No action was taken.*

- **Council adjourned the meeting at 2:50 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk