



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 7, 2007
9:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The Columbia City Council conducted a Meeting on Wednesday, March 7, 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 9:09 a.m. The following members of City Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes for February 21, 2007

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve the Minutes of February 21, 2007 as presented.

PRESENTATIONS

**Councilor Cromartie introduced Master Michael Gallman, a junior at Spring Valley High School. Michael is shadowing Mr. Cromartie today as part of his research paper on United States History.

2. Losing Big Weight Loss Challenge for City Employees – Mr. S. Allison Baker, Assistant City Manager for Public Services

Mr. S. Allison Baker, Assistant City Manager for Public Services, explained that the idea for the Losing Big Weight Loss Challenge was created by Mr. Tony Lawton and first conducted within the Commerce and Development cluster. He thanked Mr. Lawton and Ms. Dana Turner for endorsing the idea.

Ms. Tracy Waring, General Manager of the Charles R. Drew Wellness Center thanked Ms. Pearl Osborne for helping to organize the challenge and Mr. Bertram Bailey, Owner of Bodies by Bert for providing personal training for the participants. The goal of the challenge was to expose all employees to a comprehensive wellness program. There were thirty-seven (37) active participants and eight (8) teams. She recognized the participants of the City's Losing Big Weight Loss Challenge.

3. Boys and Girls Clubs of the Midlands Update – Mr. Carter Clark, Chief Professional Officer

Mr. Carter Clark, Chief Professional Officer, provided an update on the Boys and Girls Clubs of the Midlands. He reported that they do have a partnership with the City's Park and Recreation Department for the use of the Ben Arnold Center. The program currently serves 110 youth per day from the general community. Results show that the students' grades and behaviors are improving.

4. Valencia Park Name Change Proposal – Mr. Travis C. Wheeler, President of the Rosewood Community Council

Mr. Travis C. Wheeler, President of the Rosewood Community Council, stated that they are grateful for the renovations being done at Valencia Park. They are organizing an opening ceremony to thank the City Council for their efforts. He explained that the Rosewood Community Council voted to support naming the field at Valencia Park the Charles Ellinger Field. The idea is to have two plaques, one with the field name and another with a brief bio of Mr. Ellinger.

Mr. Charles Ellinger, Jr. explained that his father grew up without a father, but decided to be active in his life by coaching baseball. He said that his father developed a passion for the sport and for the Rosewood Community. Mr. Charles Ellinger, Sr. passed away in 1997.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to authorize City staff to proceed with naming the ball field at Valencia Park the “Charles Ellinger Field”.

5. USC Technology Incubator Program Update – Mr. Joel Stevenson, Executive Director

Mr. Joel Stevenson, Executive Director, provided an update on the University of South Carolina Technology Incubator Program. He reported that in 2006, 479 jobs were created, minorities hold 101 of those jobs, 17 companies have graduated from the Incubator, 29 companies are in the Incubator, the average salary for the companies in the Incubator is \$48,750, the average salary for the graduate companies is \$61,450, the average salary for African Americans is \$53,750 and there are 2 international companies in the Incubator Program. The renovations have been completed on the first and third floors of 1225 Laurel Street. They have been nominated for the Municipal Association of South Carolina Achievement Award. The South Carolina Department of Commerce is using the Incubator Program as a model for the State of South Carolina. Mr. Stevenson presented the Council with a framed ad that was placed in the Wall Street Journal to congratulate the companies that have graduated from the USC Technology Incubator Program and to thank the sponsors as well.

6. Midlands Authority for Conventions, Sports & Tourism Update – Mr. Bill Dukes, Chairman

Mr. Bill Dukes, Chairman, provided an update on the activities of the Midlands Authority for Conventions, Sports and Tourism. He reported that there has been a \$7.57 million economic impact from room nights booked during July 2006 through January 2007. He outlined the major conventions that are booked for 2007 at the Convention Center. They are advertising via electronic billboards and Columbia will be featured in the US Airways Magazine. The Columbia Regional Sports Council has secured the National Golf Association’s Pro Tour at Woodcreek Farms this spring. Mr. Dukes reported that the construction budget came in under budget by \$700,000. He encouraged the members of Council to be good partners to the two other funding governments stating that in June 2010 the Authority will have a reserve in excess of \$7 million. He noted that the funding was used in the past to pay debt, for marketing expenses, to fund a reserve for furniture, fixtures, technology replacement and expenses. He stated that for five years the partners allowed the Authority to utilize the funding to cover operating deficits, which ranged from \$250,000 to 330,000. In June 2010 those funds can only be used for the expansion of the Convention Center if all funding partners agree. If they do not agree, the funds will be returned to the participating governments, pro rata. He noted that there is a need for additional exhibit space. Mr. Dukes closed by saying that he regrets that he has never pushed for a funding mechanism for the Conventions and Visitors Bureau, noting that this doesn’t include the Convention Center.

7. Gang Assessment Briefing – The Honorable Mayor Robert D. Coble

Mayor Robert D. Coble introduced Dr. Jeff Rojek of the University of South Carolina School of Criminology, Ms. Abigail Rogers of Benedict College and Dr. Michael R. Smith of the University of South Carolina. He explained that youth violence and gangs are at the top of the list of problems for the community as a whole. He traveled to Washington, D.C. to meet with representatives of the Department of Justice to inquire about the best plan to address the problem. He was told to properly assess the issue; work with the USC School of Criminology; and to form a taskforce that involved everyone to help shape the results of the assessment and to identify real solutions for the real problems. He asked Dr. Rojek, Dr. Smith and Ms. Rogers to outline why an assessment is needed, what the assessment will be and the next steps. He encouraged all partners to support this process with both their presence and their resources.

Dr. Jeff Rojek, University of South Carolina Department of Criminology and Criminal Justice explained how the City would benefit from a comprehensive analysis on gangs. He explained that there are two agreed upon models in responding to gangs and youth violence: the Comprehensive Spur Goal Youth Violence Response Model or Operation Cease Fire Model. They both combine intervention, suppression and prevention efforts in a concentrated manner. There will be a detailed analysis of the nature of the gang problem and the resources available. They would then fashion detailed responses for those communities and then monitor the results to determine if the response is working. A lot of stakeholders have responded to the problem in different ways, but the data, perspectives and knowledge are all overlapping and not connecting. He proposed that a comprehensive analysis be conducted on the front end to determine the nature and characteristics of the gang activity in the area and the observations and experiences of the residents of the community that have had contact with the problem; to understand what was done in the past; and to determine what resources are available for the future. Dr. Rojek stated that funding has been identified for the assessment.

There was a consensus of Council to begin working with all partners to formalize their support; to finalize the budget for a Comprehensive Gang Assessment; and to establish a timeline for the process. This assessment should include parents and families; an inclusive management and accountability mechanism; discussions with Mr. A.V. Strong of Project Gang Out; an overall timeline to include phases and periods for evaluation; concrete information for the entire City of Columbia; and ideas for organizations with existing programs that may need strengthening to produce results. This matter will be further discussed on March 21, 2007.

CONSENT AGENDA

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the **Consent Agenda Items 8 through 13 and 16** on a single motion and as presented. **Item 14** was withdrawn from the agenda and **Item 15** was removed from the Consent Agenda.

CONSIDERATION OF BIDS AND AGREEMENTS

8. Council is asked to approve the Renewal of the Maintenance Service Plan for the Atomic Absorption-Graphite Furnace at the Lake Murray Water Plant, as requested by the Utilities and Engineering Department. Award to Perkin Elmer LAS Inc. as a sole source in the amount of \$15,582.00. This vendor is located in Shelton, Connecticut.
Funding Source: GL-5516207-638200 - Approved
9. Council is asked to approve the Purchase of an Active Voice Recording System, as requested by Water Customer Service. Award to Replay Systems / Voice Print

International as a sole source in the amount of \$24,160.58. This firm is located in Camarillo, California. *Funding Source: GL-5511407-658600 - Approved*

10. Council is asked to approve an Agreement for Engineering Services to Provide Design and Construction Phase Engineering Services for 3,325 Linear Feet of 6" Water Line along Erskine Street, Hillside Road and St. Claire Drive; CIP WM3068, as requested by Engineering Operations. Award to Advent Engineering in the amount of \$28,400.00. This firm is located in Charleston, SC. *Funding Source: FY 2006/2007 Capital Improvements Program - Approved*
11. Council is asked to approve Project SS7017; Cooperative Service Agreement to Provide Beaver Damage Management Services, as requested by Engineering Administration. Award to the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services in the amount of \$55,000.00. This firm is located in Columbia, SC. *Funding Source: Water and Sewer Improvement Fund (\$44,000.00) and Storm Water Fund (\$11,000.00) - Approved*
12. Council is asked to approve a Water Main Extension Agreement to Serve Wessinger Road Water Line Service Area, as requested by Engineering Operations. - *Approved*
13. Council is asked to approve an Amendment to the Healing Properties Inc. Contract with the Community Development Department to ensure that the use of City Housing Opportunities of Persons With Aids (HOPWA) Funds for property acquisition, new construction and rehabilitation is limited to community residences, Single Room Occupancy (SRO) dwellings, short-term facilities, project based units and other housing facilities approved by the Department of Housing and Urban Development. - *Approved*
14. Council is asked to approve an Amendment to the Existing Auditing Contract, as requested by the Finance Department. Award to J.W. Hunt and Company, LLP in an amount not to exceed \$50,000.00 for the closure of the books for fiscal year 2006 and an amount not to exceed \$75,000.00 for the closure of the books for fiscal year 2007 and staff training. This firm is located in Columbia, SC. - *This item was withdrawn from the agenda.*

ORDINANCES – SECOND READING

15. Ordinance No.: 2007-006 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 22, Streets, Sidewalks and other Public Places, Article VIII, Festivals or Other Public Events to add Sec. 22-302, Allowable Beverage Containers *First reading approval was given on February 7, 2007. - This item was removed from the Consent Agenda. Please refer to Item 17b.*
16. Ordinance No.: 2007-009 – Annexing 247 Plumbers Road, Richland County TMS# 14306-01-04 *First reading approval was given on February 21, 2007. – Approved on second reading.*

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

17. Council is asked to approve the Purchase of Vehicles, as requested by Various Departments and Divisions. Award to Benson Ford Mercury of Easley, SC; Love Chevrolet of Columbia, SC; and Burns Automotive of Rock Hill, SC. in the total amount of \$150,529.00. - *Approved*

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to

approve the Purchase of Vehicles, as requested by Various Departments and Divisions. Award to Benson Ford Mercury of Easley, SC; Love Chevrolet of Columbia, SC; and Burns Automotive of Rock Hill, SC. in the total amount of \$150,529.00.

<u>Department</u>	<u>Funding Source</u>	<u>Type</u>	<u>Qty.</u>	<u>Vendor</u>	<u>Amount</u>
Homeland Security /	2059999-658500	Ford F-350	2	Benson Ford Mercury	\$60,918.00
MMRS Department	JL-9601000107- 658500				
Police Investigations	1012407-658500	Chevy Impala	3	Love Chevrolet	\$54,183.00
Wastewater Maintenance	5516205-658500	Ford F-450	1	Burns Automotive	\$35,428.00

ORDINANCES – SECOND READING

17b. **Ordinance No.: 2007-006 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 22, Streets, Sidewalks and other Public Places, Article VIII, Festivals or Other Public Events to add Sec. 22-302, Allowable Beverage Containers *First reading approval was given on February 7, 2007. - Denied*

Councilor Sinclair explained that a couple of years ago beer cans were thrown at a band and that created great concern for herself and the St. Patrick's Day Committee. She thought that the Resolution that is approved by City Council each year, prohibited glass at festivals and that the Resolution could be enforced. She was asked by Mr. Jack Van Loan to withdraw the Ordinance from the agenda. She stated that the City is responsible for the attendees at the event. She urged the members of Council to give law enforcement the tools needed to ensure public safety. She noted that the Ordinance would apply to all beverages.

Councilor Rickenmann stated that we couldn't legally enforce the proposed Ordinance. He noted that plastic bottles could create the same damage. He suggested that they only allow drinking in controlled environments such as the bars and restaurants with liquor licenses.

Mr. Charles P. Austin, Sr., City Manager, recalled a number of instances wherein bottles and cans were utilized as weapons during events. He explained that drinking in the streets changes the dynamics of the situation. He said that it is a general public safety concern and expressed his disagreement with the practice of using public streets for the consumption of alcohol in any form. He stated that he is concerned about the potential of bottles of any sort being used as weapons adding that this has been an issue since the mid 1990's. He said that the proposed Ordinance is enforceable.

Mr. Ken Gaines, Assistant City Attorney, stated that the Resolution is not enforceable by a Police Officer. He said that an Ordinance is required and the penalty would be \$500 or 30 days.

Mr. Jim Kirkham, Budweiser of Columbia, stated that this Ordinance is important to their business and the community. He said that there would be no festival without the beer sales on the street, because that is the primary source of funding. They tried to eliminate glass bottles and replace them with draft sales poured into cups or 12-ounce cans, but that didn't work. They now have a green aluminum bottle with shamrocks on it to promote the festival. He recommended that the Police Department be more proactive by helping to control the crowd and by providing better stage management.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted one (1) to six (6) to give second reading approval to Ordinance No.: 2007-006 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 22, Streets, Sidewalks and other

Public Places, Article VIII, Festivals or Other Public Events to add Sec. 22-302, Allowable Beverage Containers. Ms. Sinclair voted in favor of the Ordinance. Voting nay were Mr. Cromartie, Mr. Davis, Ms. Devine, Mr. Rickenmann, Mr. Finlay and Mayor Coble.

ORDINANCES – FIRST READING

- 18. Ordinance No.: 2007-010 – Authorizing transfer of 164 Springway Drive, Richland County TMS# 16310-05-32, to Tasha L. Watson – *Approved on first reading.*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2007-010 – Authorizing transfer of 164 Springway Drive, Richland County TMS# 16310-05-32, to Tasha L. Watson.

- 19. Ordinance No.: 2007-011 – Authorizing transfer of 1.22 acres (53,143 square feet) more or less at the intersection of SC Highway 6 and Irmo Drive known as Lexington County TMS# 001800-07-02 to Owen Industries, Inc. – *Approved on first reading.*

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2007-011 – Authorizing transfer of 1.22 acres (53,143 square feet) more or less at the intersection of SC Highway 6 and Irmo Drive known as Lexington County TMS# 001800-07-02 to Owen Industries, Inc. Mr. Rickenmann abstained from voting due to a conflict of interest.

RESOLUTIONS

- 20. Resolution No.: R-2007-007 – Authorizing consumption of alcoholic beverages at The Crawfish Festival - *Approved*

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve Resolution No.: R-2007-007 – Authorizing consumption of alcoholic beverages at The Crawfish Festival.

- 21. Resolution No.: R-2007-009 - Approving the Preliminary Outline of Transaction Terms for Parking Facilities in Five Points - *Approved*

Upon motion by Ms. Sinclair, seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2007-009 - Approving the Preliminary Outline of Transaction Terms for Parking Facilities in Five Points. Mr. Finlay abstained from voting due to a potential conflict of interest.

CITY COUNCIL DISCUSSION / ACTION

- 22. Community Promotions Funding Recommendations – Ms. Libby Gober, Ombudsman

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the Community Promotions Funding Recommendations for February 2007 in the total amount of \$3,600.00 and as outlined below.

Community Promotions Monthly Funding 2006-2007 (February)

Organization	Project Name	Request	Amount Funded
A Better Way	Gang Out	5,000	2,400
Palmetto Center for Women (formerly YWCA) *New Organization, Limited Funds	Palmetto Center for Women	15,000	0
SC Gospel Quartets, Inc.	Awards & Banquet	20,000	0

*Referred to Hospitality and Accommodations tax			
SC Basketball Association	AAU Super Regional	4,000	1,200
*Indicates reasons projects were not funded			

23. Special Marketing Items for the City of Columbia – The Honorable Mayor Robert D. Coble

Upon motion by Mayor Coble, seconded by Mr. Finlay, Council voted unanimously to approve an allocation in the amount of \$15,000 to purchase special marketing materials to distribute to national media outlets during the Presidential Primaries, subject to the City Manager determining a source of funding. These materials may include a website media center and other helpful items.

23a. **Columbia Festival of the Arts – The Honorable Mayor Robert D. Coble

Mr. Marvin Chernoff explained that the Columbia Festival of the Arts is scheduled for April 26th to May 6, 2007 and would provide 75 different events; 29 groups will be performing; there will be 5 separate events; and 30 art galleries will be open and featuring 66 artists. The City has already allocated \$118,000 for the festival. The festival organizers are only charging \$125 per person for the Opening Black Tie Gala at the Horseshoe. They have raised \$85,000 from Friends of the Festival and \$130,000 in corporate sponsorships for a total of \$215,000. He noted that the individual groups and organizations would charge and retain their own fees. He stated that their funding request to the Conventions and Visitors Bureau was denied.

Mayor Coble explained that the Festival has requested an additional \$132,000 to fund marketing efforts outside the City of Columbia. He explained that the funding is not available in this year's budget and that the festival organizers have applied for a loan from Wachovia Bank and that the bank is looking for a commitment of repayment. He suggested that the funding request be included in with the City's fiscal year 2007/2008 budget requests.

Mr. Don Tomlin reiterated that this funding is needed for advertising and that it would be a tragedy to pull this together and not have funding to advertise in outlying cities. He reported that the Columbia Development Corporation and the City Center Partnership are considering a vote to sponsor the festival.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted five (5) to two (2) to direct staff to include the request from the Columbia Festival of the Arts in an amount up to \$132,000 in the fiscal year 2007/2008 budget. Funding would be used for marketing the Columbia Festival of Arts outside the City of Columbia and should come from the Hospitality Tax Fund. Council asked the festival organizers to continue to pursue funding from other sources to help defray the cost of advertising. Voting aye were Mr. Cromartie, Mr. Davis, Ms. Devine, Mr. Rickenmann and Mayor Coble. Voting nay were Ms. Sinclair and Mr. Finlay.

24. Chauffeurs License Appeals Process – Ms. Dana D. Turner, Assistant City Manager for Commerce and Development - *Consideration of this matter was deferred for legal review until March 21, 2007.*

25. Affordable Housing Taskforce Recommendations - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Upon motion by Mayor Coble, seconded by Mr. Finlay, Council voted unanimously to endorse the Affordable Housing Taskforce report and to direct staff to implement the recommendations; draft a timeline and a budget; and to create a mechanism for quarterly reporting.

- 25a. **Saluda Riverwalk Construction – Mr. S. Allison Baker, Assistant City Manager for Public Services

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to authorize staff to enter into a Contractual Agreement with Cherokee Construction, (the low bidder of the project) for the construction of the Saluda Riverwalk in an amount not to exceed \$3,000 to \$5,000. This construction project is to begin prior to March 18, 2007.

- 25b. **City / County Pending Matters – The Honorable Mayor Robert D. Coble

Mayor Coble reported that they continue to meet with Richland County to resolve pending issues such as the Animal Shelter. He said that Richland County is prepared to move forward with renovating The Township Auditorium and would like to remove the City's appointees from the board if the City doesn't participate in the renovation project. They also requested the return of any Hospitality Tax Funding generated by The Township Auditorium.

There was a consensus of Council to consider a request from Richland County to have the hospitality taxes generated by The Township Auditorium appropriated back to The Township Auditorium.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 11:54 a.m. for the discussion of **Items 26** through **28** as amended.

26. Discussion of negotiations incident to the proposed sale of property
Items were discussed in Executive Session. No action was taken.
27. Discussion of negotiations incident to proposed contractual arrangements
- McCrady National Guard Training Facility
Items were discussed in Executive Session. No action was taken.
28. **Receipt of legal advice which relates to a pending, threatened or potential claim
This item was discussed in Executive Session. No action was taken.

- **Council adjourned the meeting at 1:45 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk