



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 20, 2007
9:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

The City of Columbia City Council conducted a Meeting and a Public Hearing on Wednesday, June 20, 2007 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina. Mayor Robert D. Coble called the meeting to order at 9:05 a.m. The following members of Council were present: 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. The Honorable E.W. Cromartie, II arrived at 10:27 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes of May 16, 2007 and June 6, 2007

Upon motion by Mr. Davis, seconded by Ms. Sinclair, Council voted unanimously to approve the Minutes of May 16, 2007 and June 6, 2007 on a single motion and as presented.

PRESENTATIONS

2. Recognition of the Accomplishments of the Commerce and Development Group - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development

Ms. Dana Turner, Assistant City Manager for Commerce and Development recognized Ms. Valeria Jackson, Community Development Administrator and Ms. Deborah Livingston, Executive Director of the Columbia Housing Development Corporation and the Two Notch Development Corporation for completion of the Clemson University / Benedict College Community Development Certificate Program and Ms. Deidre Crow, Deputy Director for Economic Development / International Trade Liaison for a recent award she received from the US Commercial Service of the US Department of Commerce for the City's participation, through Ms. Crow, in the formation of collaborative efforts and furthering of global trade efforts in Columbia.

3. Update from the Mayor's Committee on Employment of People with Disabilities – Ms. Catherine Vincent, Committee Chair, Ms. Marge Butler, Governor's Office of Client Assistance Programs and Ms. Maris Burton, Executive Director of the South Carolina Independent Living Council

Ms. Maris Burton, Executive Director of the South Carolina Independent Living Council and a ten (10) year member of the Mayor's Committee on Employment of People with Disabilities stated that the committee is composed of people with all types of disabilities. She has a sister that has mental illness. She explained that the Mayor's Committee consists of volunteers from service organizations from across the Midlands. The committee has existed for 30 years and functions as a local extension of the Governor's Committee on the Employment of People with Disabilities and ultimately the President's Committee. Their goal is to have equitable access to employment opportunities for qualified persons having physical, mental, cognitive or sensory impairments and opportunities for qualified people to find employment. The committee encourages employers with job vacancies to make efforts necessary for equal consideration. They are involved with training employees and employers about hiring practices and some of the incentives that are available when you hire someone with a disability.

Ms. Sandy Bostick, Committee Secretary, stated that she is a disabled Veteran after serving in Iraq for sixteen (16) months. She is now a Disability Navigator for the South Carolina Employment Security Commission. She loves to help people with disabilities.

Ms. Catherine Vincent, Committee Chair, stated that she has family members with mental illness and a husband with a physical disability. She is a Case Manager for Project HOPE at the Disability Action Center. They conduct several programs such as Lunch and Learn where organization representatives talk to employers about the benefits of hiring people with disabilities and an Awards Luncheon in which they recognize the employer of the year, the employee of the year and student of the year.

Ms. Maris Burton, Mayor's Committee on Employment of People with Disabilities, requested additional funding in the amount of \$2,500 to fund various projects such as an accessibility survey, the committee's future website and the purchase of t-shirts.

Councilors Rickenmann and Finlay agreed to personally provide a monetary donation to the Mayor's Committee on Employment of People with Disabilities in the amount of \$500 each, upon receipt of a written request.

4. First Report of the Code Enforcement Taskforce – Reverend Wiley Cooper, Chair

Reverend Wiley Cooper, Chair, recognized the staff and members that participated with the Code Enforcement Taskforce. He asked the Council to consider the four (4) recommendations made by the Taskforce related to abandoned/derelict vehicles, front yard parking, graffiti and signs within setbacks on private property. He urged the Council to fill the Code Enforcement Taskforce vacancies as outlined in the report. He asked that they allow Code Enforcement Officers to initiate tows of abandoned and derelict vehicles without police assistance and that they expand the definition of derelict vehicles to all unregistered vehicles by pursuing changes to the State Code. He suggested that they extend the notice of the vehicle for 12 months to avoid shifting of the vehicle from site to site to avoid compliance and ensure that car covers can't be used to exempt a vehicle from compliance.

Councilor Finlay asked if there is a way the city can add an amount to the license fee instead of changing state law. This fee would be citywide and not designed to create revenue but compliance.

Reverend Wiley Cooper, Taskforce Chair, said that the Taskforce would be glad to see how that recommendation would work.

Councilor Devine stated that these issues aren't only in the City of Columbia and that there are other local governments with similar issues, so this may get a lot of support. She asked if the committee contemplated or addressed the issue of determining the owners of vehicles and finding titles.

Mr. Marc Mylott, Director of Development Services, stated that wrecker services are required to compile the paperwork and make provisions to keep the car until disposition

Councilor Davis said that there is a company on Monticello Road called Pull Apart that offers a price for the car, tows it away and dismantles it on site. He said that this would provide an option; it's environmentally acceptable; and may help with storage space.

Reverend Wiley Cooper, Taskforce Chair, talked about front yard parking and asked Council to consider amending the Zoning Ordinance to hold property owners accountable for unlawful parking by tenants after two (2) notices. They must also ensure that parking places are completely covered by appropriate items as outlined by the Ordinance.

Councilor Rickenmann suggested that they look at allowing landscaping bricks or other options that are aesthetically pleasing.

Councilor Sinclair suggested that the committee pull all of the changes together so that the Ordinance is only amended once.

Mr. Marc Mylott, Director of Development Services, said that the Front Yard Parking Ordinance allows a multitude of surface types and that there are previous options currently available.

Reverend Wiley Cooper, Taskforce Chair, recommended that City Council direct staff to cross train police officers so they can enforce the vehicular parking Ordinance. They will be retraining Community Safety Officers and Residential Safety Officers on this matter.

Councilor Devine asked if there were any prohibitions on cross training officers on most code enforcement issues that come up regularly.

Reverend Wiley Cooper, Taskforce Chair, continued with recommendation three relating to graffiti. He asked Council to approve Ordinance 2007-041 to eliminate the exemptions of single-family residential properties. He recommended that staff be directed to use a City of Columbia consent abatement form to abate graffiti on property. It was separate at first because of costs to the property owner; this should no longer be an issue

Councilor Davis is in favor of the rapid response so the private sector allowance might help. He received a call about gang graffiti from the Hess Station to Columbia College Drive. He said it was a task getting the graffiti removed, because of the city right of way and private property, noting that if there was no cooperation from the private property owners we could have missed some spots.

Reverend Wiley Cooper, Taskforce Chair, suggested that they request neighborhood associations to ask residents to sign the form in advance so that graffiti is removed immediately. Recommendation four deals with signs within setbacks. It was suggested that Council amend the Ordinance so that any sign placed in a set back must not obstruct the view of motorists and pedestrians.

Councilor Rickenmann stated that one issue has been trees and suggested that they look at the Landscape Ordinance so that the tree height canopy should not impede traffic.

Mr. Marc Mylott, Director of Development Services, stated that we have language on the books that takes care of those types of things and that these issues are primarily on private property.

Councilor Finlay stated that we must be careful of what we plant and where we plant it. He would like to appoint Mr. Coley Brown to the taskforce to deal with pods. A clear permitting process is needed for that.

Reverend Wiley Cooper, Taskforce Chair, asked that Council extend the Taskforce's constitution for a period of one (1) year so they can complete their efforts, noting that this can't be done in the time given.

Mayor Coble asked what would be the timeframe if we moved forward today.

Mr. Marc Mylott, Director of Development Services, said that he can start work with the Legislative Liaison to get the state law changed; it would be a staff directive on front yard parking as well; this would go to the Planning Commission in July for the September Public Hearing; and the graffiti item is on the agenda today.

Councilor Rickenmann would like to fill a position since his appointee declined.

Councilor Davis did not know that the Farrow Road appointee didn't attend the meetings. He will get someone else to serve.

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to direct staff to implement the Graffiti Ordinance; to prepare other Ordinances and strategies as outlined; and to extend the term of the committee for one (1) additional year.

**Councilor Sinclair announced that Pour It Now is involved in raising money for a new skateboard park by holding a Skate and Create event on Thursday and an art show at Gallery 808 on Friday. The money raised will go to the group for the new skate park.

- **Council recessed at 9:58 a.m.**
- **Council reconvened at 10:07 a.m.**

**Reverend Michael Bingham, Chaplain for the Columbia Fire Department, led the group in a moment of silent meditation and prayer for the community and families of the nine (9) heroes that died while battling a fire in Charleston, South Carolina.

PUBLIC HEARINGS – ORDINANCES FIRST READING

5. Ordinance No.: 2007-044 - Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally - *This Public Hearing was not held. The Ordinance was given first reading approval. See Item 27a.*

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

6. Ordinance No.: 2007-048 - To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina for the Fiscal Year ending June 30, 2008

Mr. Charles P. Austin, Sr., City Manager explained that the budget submitted for consideration is a balanced budget at approximately \$100 million dollars. It was cut drastically by Administration with a recommended 3.5 mil increase, the maximum level we can ask for this year. If we didn't increase the milage this year and there is not a population growth we won't be eligible for a mil increase next year. He noted that we go above and beyond the level of services required. This budget gives an opportunity to sustain and to provide additional resources in some instances without putting a heavy burden on any of us. He strongly encouraged Council's support of the budget as submitted. Administration and staff will begin the fiscal year 2008/2009-budget planning in August or September. No positions have been eliminated. A 3% cost of living adjustment is recommended for employees along with an average 2% merit increase. The integrity of the Community Promotions program will be maintained and we will be able to meet our debt services. The budget as presented encompasses the basic services and the needs for our employees.

Mr. Preston Winkler, Executive Director of the Greater Columbia Community Relations Council, stated that last Wednesday the Community Relations Council sponsored its 43rd annual meeting and that they are working to build a better community of racial understanding, harmony and reconciliation, but challenges still remain. This can only be done with the support of Richland County, the City of Columbia and the Chamber of Commerce. Council's continued support will allow the 30-member board to address major issues such as youth violence, gang prevention and fair housing. Columbia will truly be a better place when we celebrate the diversity of all.

Dr. Lonnie Randolph Jr., National Association for the Advancement of Colored People / South Carolina State Chapter President stated that he is a 58 year resident of Columbia. He said that the NAACP supports the city's budget of inclusion and the \$90 million budget for water and sewer but would like to further discuss the grave concern for the budget of exclusion. He is deeply concerned about organizations being funded through Community Promotions. He said that having the Office of Business Opportunities and the Community Relations Council are proactive measures. He stated that we may need a set of ten (10) commandments for the Columbia City Council where grandstanding is not a place for government.

William Starrett, Executive and Artistic Director / Columbia City Ballet, thanked the City of Columbia for the support given over the years. The Columbia City Ballet is South Carolina's oldest and largest dance company. It is nationally recognized and a critically acclaimed member of the dance community. Funding from the City of Columbia has allowed them to achieve several outstanding projects including a future ballet based on the lives and music of Hootie and the Blowfish. They have a new booking management to continue Dancing the Art of Jonathan Green.

- **Mr. Cromartie joined the meeting at 10:27 a.m.**

Ms. Harriett Gardenhire supports the administrator's version of the budget. She talked with Mr. Rickenmann and Mr. Finlay and admitted that they both have good points. She added that Ms. Daisy Block isn't here, but she concurs.

Mr. Andy Whitt, Executive Director of the Cultural Council, stated that they shifted their focus over the last three (3) years and they are not really in the arts business, but they are in the economic development business. Based on the Georgia Tech model of arts and cultural spending the total industry expenses are over \$26 million. Attendees spent \$29 million; total attendance was over 1 million; non-residents were over 341,000; and most attendees came from outside Richland and Lexington Counties. He concluded that it's smart business to grow the arts.

Ms. Eve Wilson, Executive Director of the Sexual Trauma Services in the Midlands stated that the agency has provided over 20 years of service and education on sexual trauma issues. These services are free and confidential. The City is vital to the continuation of the organization. Services are provided in Richland, Lexington and Newberry Counties. In May the agency answered forty- (40) hospital calls and can be reached all hours of the day through their hotline. She urged the Council to continue supporting the agency through Community Promotions.

Councilor Finlay thanked a large group of business leaders and people that have asked to come forward in support of his proposed budget, because they support an increase in Police protection, due to numerous crimes in their community. He asked those individuals to speak.

Mr. Dave Wilson stated that he has learned a few facts about the City of Columbia from its Annual Reports produced each year. He cited such facts as citizens have decreased since 1998; registered voters have decreased; the city's boundaries have grown; the number of firefighters have decreased; police protection stations have doubled; general costs have increased by 300%; and employees have increased by 356. He urged the Council to take a more comprehensive viewpoint of the city's budget. He owns his own business and supports a family of seven (7) soon to be eight (8). He asked the City to tighten its belt and help our city to be financially secured.

Ms. Debbie Yoho said that as an informed citizen she is appalled at the attempt to derail a deliberative process; as a taxpayer who purchased a home in 1977 she offered her permission for the City to raise taxes if it will benefit the organizations that allow her to have a high quality of life. She works for an organization that teaches adults to read and this is a basic service as much as water, sewer, fire and police. She urged the Council to adopt a budget in which many people had input.

Mr. Jim Cantey said that he makes a living in Real Estate and that he has contributed some of his money to different organizations in the City of Columbia. He said that taxes consistently go up. He has property within the Business Improvement District, which is paid money to provide additional services that the City should provide. He urged the Council to consider how the money will be spent and to prioritize the needs of the City of Columbia.

Mr. Durham Carter as a resident of Columbia for seventy-eight years wonders where we are going, because it seems that we are going backwards. He urged the Council to think in terms of the whole Columbia and not a particular area. He has problems in his area. He further urged the Council to do it for all people and all areas. He isn't against funding for more Officers, but asked that they be fair in what they are doing.

Mr. Dave Zunker, Midlands Authority on Conventions, Sports and Tourism, cited the recent profile in the US Airways Magazine that reached 9,000 meeting planners and many readers, adding that Columbia is being discovered. The International Wild Water Canoe and Kayaking Event will take place in July, producing a (ten) 10 to one (1) return on investment. He asked for the Council's continued support.

Mr. Travis Butler stated that we have to start thinking of this city as a whole. He said that one big problem is marketing the different niches in Columbia that work separately. Another problem is that the books were closed a month ago. He asked how Mr. Rickenmann and Mr. Finlay could put a budget forward before the books were closed. He said that if he ran his business like that he would be broke.

Ms. Judy Stringer, Director of the Columbia Action Council, stated that the organization was formed in 1979 and this is the first year the events were able to use accommodations tax and hospitality tax revenue. They have avoided not charging admission. She said this is a fabulous agency for the City of Columbia and thanked the Council for supporting the organization over the years.

Mr. Vanzelle Haire, incoming Chair / Community Relations Council, thanked the Council for their support and encouraged them to consider their continued support at past levels or increased levels, because they are here to enhance the quality of life.

Mr. Raj Aluri thanked the Council for supporting the Columbia International Festival and the arts community in general, because it helps the life of people and brings business to our community.

Mr. Bill Manley said that he doesn't understand what this budget is about and that the 2005-2006 audit hasn't been completed. He said that citizens are not listening to what's going on, because they don't watch channel two which needs enhancements. He asked why the auditor did not complete the audit from last year. He is going to request a copy of the management reports and start looking at City Council and their financial management. He urged them not to criticize the movement, but to try to find out where the money is going.

Mr. Chris Scott is a small business owner and he wrote Mr. Finlay a letter about taxes going up - 314% increase over 4 years. He congratulated Mr. Rickenmann and Mr. Finlay for questioning the process and for stepping into a hot bed of political issues.

▪ **Council closed the Public Hearing at 11:18 a.m.**

Councilor Rickenmann wanted to dispel the rumors that this was a plot to unseat the City Manager. He stated the following: to present an alternative budget is within their purview; we don't have to agree on everything; I have been very supportive of the entire community; I am pro business; there are areas where we can tighten our belt or shift around; we will start the process earlier and work together; we understand the challenges; and it's an opportunity to have a return on citizen's investments, to get ahead on employee benefits and to put funds in the big three (3) to allow them to get ahead.

Councilor Davis congratulated his two colleagues on their willingness to offer a second look at the budget process. He didn't consider their actions as an 11th hour approach, because it is a part of the process and politics. He stated the following: I think we have done well as a Council and as a city; we have led the state in not raising taxes; I have no problem with looking at what we can do for the big three (3) departments; I am a strong proponent for making sure that we address police protection; and I am comfortable with my position of supporting the budget proposed by staff versus the two (2) alternatives.

Councilor Cromartie introduced his shadow from the Columbia Urban League, Miss Latifa Anderson. He stated the following: I don't support any decrease in funding to the community promotions fund; I don't support any reductions that may impact employees; I support the millage increase because of the change in state law; I support 3.5 mils because we don't know what can be done in the future; and that this has been good government in action.

Mayor Coble stated the following: the rules have changed, before you could vote for a tax increase as needed, but now they are substituting a sales tax for the school operating budget; most homeowners will see a 50% increase in their bill; local government can only raise millage by population growth and the inflation rate; I don't want to get permanently behind and catch up; last year we added 20 officers and that budget went up by 12.5%; and that you have to add officers every two (2) years to be able to work them into the system.

Councilor Sinclair stated the following: Public Safety is 48% of the City Manager's budget, indicating that Public Safety is a top priority; Public Works is 19% of the budget; Parks and Recreation is 9%; we went through a period of time when we scrambled to replace capital equipment for these three (3); we have been in a regular replacement program for several years now; I would submit that the City Manager's budget is very strong and solid on Public Safety, Public Works and Parks and Recreation; the land acquisition fund started years ago when land is sold it is put into this fund so we'll have the resources to purchase land and to redevelop areas. For us to start using those funds for other uses is a real mistake; we had good discussions, but what troubles me is how we got to this point; citizens expect us to solve problems and to come up with ideas and solutions; refrain from email blasts and opt ed pieces; and if we could provide services for less than 3.5 mils I would support that.

Councilor Devine stated the following: I would like to see a lesser millage rate increase , but what position would the reduction put us in next year; the City Manager's budget is not ideal, but it's the best proposal before us now; Kirkman Finlay's proposal reallocates funds from other basic services and we can't limit basic services to those three (3) departments; Daniel Rickenmann's budget is worthy of looking at; the land acquisition fund was set up for a specific purpose and we have a lot of development plans; affordable housing is also a great area of concern; land acquisition funds should be used to help Development Corporations do what we need done in neighborhoods; our costs are increasing as well; the City Manager and staff worked hard to present this budget and the alternatives don't need to be laid at the feet of the City Manager; and that we must move forward with the City Manager's budget

Councilor Finlay stated the following: this has been a learning curve and a very interesting experience to see the budget come together; it has been difficult because of the inconsistencies in financial reporting, directives from City Council and the use of one time monies; how is using surplus funds to pay rent advantageous; I approached a councilmember about an alternative budget over a month ago and was told that we needed to move the current budget forward after cleaning it up; the growth in Columbia is limited which means that our growth in tax dollars is limited; the legislature has started to cut into our ability to operate as we have in the past ; I appreciate the communications; I ask that people call or email me, because I am willing to listen; the total separation is 2%; and I cannot favor raising taxes because we can, because it leads to spending because we can.

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted two (2) to five (5) to deny the alternative budget presented by Mr. Rickenmann as follows: propose a 1.5 mil increase; the use of \$2.1 million dollars of revenue from the sale of properties; \$1 million of that money would go to general insurance and retiree benefits; \$600,000 to Public Safety; \$350,000 to Public Works and \$150,000 to Parks and Recreation for one time purchases; saving \$800,000 in the general fund allowing us to offset the two (2) mil decrease being proposed; this allows us to increase one time money into the big three (3) and get \$200,000 ahead of general insurance and retiree benefits leaving revenue. Voting aye were Mr. Rickenmann and Mr. Finlay. Voting nay were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Ms. Devine and Mayor Coble.

Upon motion by Mr. Finlay, seconded by Mr. Rickenmann, Council voted two (2) to five (5) to deny the alternative budget presented by Mr. Finlay as follows: propose a 1.5 mil increase; Public Safety increase by \$700,000, Public Works by \$250,000 and Parks and Recreation by \$50,000; these increases are to be funded through slowing of growth of line items of general government, community promotions: non-department and other; \$800,000 be moved from operating reserve or surplus to a one time payment to help mitigate unfunded liability in employee benefits; \$1 million from surplus or property sales be used to fund one time capital expenses for the big three; earmark surplus funds to fund one time capital expenditures in these departments. Voting aye were Mr. Rickenmann and Mr. Finlay. Voting nay were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Ms. Devine and Mayor Coble.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted five (5) to two (2) to give first reading approval to Ordinance No.: 2007-048 - To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina for the Fiscal Year ending June 30, 2008. This budget includes a 3.5 mil increase. Voting aye were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Ms. Devine and Mayor Coble. Voting nay were Mr. Rickenmann and Mr. Finlay.

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to establish the capital projects in Public Safety, Public Works and Parks and Recreation as top priorities once the audited, unallocated surplus amount has been determined and that by October 1, 2007 staff and Council establish the number of public safety officers (to include police and fire) as our goal and develop a retention policy to keep public safety officers employed.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to direct staff to review the current properties under contract and the monies that will be available to provide a one-time allocation to the Development Corporations for the actual purchase of properties and Ms. Dana Turner was directed to provide a proposal on the Development Corporations being able to charge a development fee.

A motion by Mr. Rickenmann and seconded by Mr. Finlay to prohibit the Council from directing the City Manager to find funds and defer other projects to accommodate requests outside of the budget was withdrawn. He did ask the Council to commit to a date in September for the first set of roundtable discussions / budget workshops.

- **Council recessed at 12:33 p.m.**
- **Council reconvened at 12:41 p.m.**

PUBLIC HEARING

7. Ordinance No.: 2006-067 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 22, Streets, Sidewalks and Other Public Places, Article III, Obstructions, to add Division 1, Generally, and Division 2, Publication Dispensing Devices in Downtown Business Improvement Districts *First reading approval was given on August 16, 2006. – This item was withdrawn from the agenda.*

CONSENT AGENDA

Upon motion by Ms. Sinclair, seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 8.** through **21.** on a single motion and as presented.

CONSIDERATION OF BIDS AND AGREEMENTS

8. Council is asked to approve the Purchase of Motor Oil, as requested by the Fleet Services Division. Award to Dilmar Oil Company, Inc., the lowest bidder, in the amount of \$10,250.60. This vendor is located in Columbia, SC. *Funding Source: 6308970-672200 - Approved*
9. Council is asked to approve the Purchase of an Advertisement in US Airways Magazine, as requested by the Commerce and Development Group. Award to Pace Communications in the amount of \$13,050.00. This firm is located in Charlotte, NC. *Funding Source: Economic Development Special Projects Account \$8,050.00 and Public Relations Department Budget \$5,000.00 - Approved*
10. Council is asked to approve the Purchase of Marketing Materials in Connection with the Republican Party Debate, as requested by the Commerce and Development Group. Award to Post No Bills in the amount of \$15,000.00. This firm is located in Columbia, SC. *Funding Source: Economic Development Special Projects Account - Approved*
11. Council is asked to approve the Purchase of Two (2) Mini Service Line Inspection Systems with Locators, as requested by the Wastewater Maintenance Division. Award to Ferguson Enterprises, the lowest bidder, in the amount of \$23,105.88. This vendor is located in Columbia, SC. *Funding Source: GL-5516205-658400 - Approved*

12. Council is asked to approve the Purchase of Mobile Radios, as requested by the Emergency Operations Department. Award to Motorola C&E, Inc., using the S.C. State Mobile Radio Contract, in the amount of \$27,100.16. This vendor is located in Sumter, SC. *Funding Source: 2059999-658800 / 9601000205-658800 Emergency Operations – MMRS SLED Grant Funds \$5,529.55; 2059999-657800 / 9601000205-657800 Emergency Operations – MMRS SLED Grant Funds \$18,681.88; 2059999-623700 / 9601000205-623700 Emergency Operations – MMRS SLED Grant Funds \$2,884.56; and 1012201-623700 Emergency Operations \$4.17 - Approved*
13. Council is asked to approve a Contract for Professional Services for the Re-design of the Economic Development Gateway Website, as requested by the Commerce and Development Group. Award to The Rackes Group in an amount not to exceed \$28,725.00. This firm is located in Columbia, SC. *Funding Source: Economic Development Special Projects Account - Approved*
14. Council is asked to approve the Purchase of a Truck Mounted Water Jetting Unit, as requested by the Wastewater Maintenance Division. Award to Jet Vac Sewer Equipment Co., the lowest bidder meeting specifications, in the amount of \$49,004.22. This vendor is located in Sumter, SC. *Funding Source: GL-5516205-658500 - Approved*
15. Council is asked to approve CIP WM4103; Pay Difference Agreement for 18" Water Main along Turkey Farms Road; City File #282-18, as requested by Engineering Administration. Award to DS Utilities, in the total amount of \$73,378.10. This firm is located in Columbia, SC. *Funding Source: Water Improvement Fund - Approved*

ORDINANCES – SECOND READING

16. Ordinance No.: 2007-039 - Repealing Ordinance 2007-008 and Authorizing the transfer of 0.120 acre of the unpaved portion of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-04-01 and 09116-05-01 to The Dutch Fork Trading Company, LLC *First reading approval was given on June 6, 2006. – Approved on second reading.*
17. Ordinance No.: 2007-045 – Authorizing the transfer of Richland County TMS# 08916-03-12 located on the northeast corner of Senate Street and Park Street (Old Fire Station) to Capitol Place VII, LLC *First reading approval was given on June 6, 2006. – Approved on second reading.*
18. Ordinance No.: 2007-046 - Granting encroachment to the University of South Carolina for construction and maintenance of the Horizon Block *First reading approval was given on June 6, 2006. – Approved on second reading.*
19. Ordinance No.: 2007-047 - Authorizing the transfer of a portion of Richland County TMS #09013-13-09 from the City of Columbia to Isadore S. Bernstein, Lowell L. Bernstein and Beth E. Bernstein or their assigns, and acceptance by the City of Columbia of Richland County TMS #09013-13-04 and 09013-13-05 from Isadore S. Bernstein, Lowell L. Bernstein and Beth E. Bernstein *First reading approval was given on June 6, 2006. – Approved on second reading.*
20. Ordinance No.: 2007-049 - Amending Chapter 24, Vehicles for Hire, Article IV, Wrecker and Towing Services, Sec. 24-207 Zone service generally; Sec. 24-208 Eligibility for participation in zone service; Sec. 24-210 New applications to participate in zone service and Sec. 24-211 Equipment for emergency wreckers; 24-hour service required *First reading approval was given on June 6, 2006. – Approved on second reading.*

21. Ordinance No.: 2007-050 – Granting encroachment to the University of South Carolina for installation and maintenance of an irrigation system, landscaping and extension of picket fence within the medians of the 1200, 1300, 1400 and 1500 blocks of Blossom Street *First reading approval was given on June 6, 2006. – Approved on second reading.*

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

22. Council is asked to approve Change Order #3 for WM3818; Water Main Construction from Greenville Circle to Canal Drive via Means Avenue and Balsam Road, as requested by Engineering Administration. Award to Trussell Brothers Construction Company, Inc. in the amount of \$86,798.00. This firm is located in Columbia, SC. *Funding Source: Water Improvement Fund - Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve Change Order #3 for WM3818; Water Main Construction from Greenville Circle to Canal Drive via Means Avenue and Balsam Road, as requested by Engineering Administration. Award to Trussell Brothers Construction Company, Inc. in the amount of \$86,798.00.

23. Council is asked to approve a Letter of Agreement for Auditing Services, as requested by Administration. Award to Webster Rogers, LLP in an amount not to exceed \$93,450.00. This firm is located in Columbia, SC. - *Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted six (6) to one (1) to approve a Letter of Agreement for Auditing Services for fiscal year 2005/2006, as requested by Administration. Award to Webster Rogers, LLP in an amount not to exceed \$93,450.00. Voting aye were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Ms. Devine, Mr. Rickenmann and Mayor Coble. Voting nay was Mr. Finlay.

24. Council is asked to approve WM4116; Emergency Installation of Temporary Bypass Pumping System for the Pontiac Pump Station, as requested by Engineering Administration. Award to Carolina Tap and Bore of West Columbia, SC and Goodwin Pumps of North Charleston, SC in the total amount of \$210,000.00. *Funding Source: Water Improvement Fund - Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve WM4116; Emergency Installation of Temporary Bypass Pumping System for the Pontiac Pump Station, as requested by Engineering Administration. Award to Carolina Tap and Bore of West Columbia, SC and Goodwin Pumps of North Charleston, SC in the total amount of \$210,000.00.

ORDINANCES – FIRST READING

25. Ordinance No.: 2007-038 – Granting encroachment to Chris LaCaruba for installation and maintenance of a wood fence at 425 South Ravenel Street – *Approved on first reading.*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to Ordinance No.: 2007-038 – Granting encroachment to Chris LaCaruba for installation and maintenance of a wood fence at 425 South Ravenel Street.

26. Ordinance No.: 2007-041 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IX, Graffiti Sec. 12-269, Ease of removal provisions to delete Sec. 14-271, Exempt property in its entirety – *Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2007-041 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IX, Graffiti Sec. 12-269, Ease of removal provisions to delete Sec. 14-271, Exempt property in its entirety.

27. Ordinance No.: 2007-051 – Authorizing execution of a Lease Agreement between the City of Columbia and Columbia Carriage Works, LLC for the Washington Street Tunnel and adjoining unpaved area – *Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2007-051 – Authorizing execution of a Lease Agreement between the City of Columbia and Columbia Carriage Works, LLC for the Washington Street Tunnel and adjoining unpaved area.

- 27a. Ordinance No.: 2007-044 - Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally – *Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted five (5) to two (2) to give first reading approval to Ordinance No.: 2007-044 - 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. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally. Voting aye were Mr. Cromartie, Ms. Sinclair, Mr. Davis, Ms. Devine and Mayor Coble. Voting nay were Mr. Rickenmann and Mr. Finlay.

MAP AMENDMENTS / REZONINGS - FIRST READING

28. 3005 Devine Street and 3000, 3004, 3012 and 3020 Kirkwood (Incarnation Lutheran Church), TMS# 13804-13-01, -02, -03 and -04; rezone from C-1 and RS-2 to PUD-C. *The Zoning Public Hearing was conducted on May 16, 2007. – Approved on first reading.*

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to the Map Amendment / Rezoning of 3005 Devine Street and 3000, 3004, 3012 and 3020 Kirkwood (Incarnation Lutheran Church), TMS# 13804-13-01, -02, -03 and -04; rezone from C-1 and RS-2 to PUD-C, subject to conformance with (1) the 2-page letter with 1-page attachment from the Boudreaux Group dated May 13, 2007 and stamped RECEIVED DEVELOPMENT SERVICES June 13, 2007, provided that the access drive to the current 3101 Devine Street parking lot is a double-lane access (24-feet wide) rather than a single-lane access as described within item no. 1 and (2) the 5-page letter dated June 13, 2007 from Robert F. Fuller.

RESOLUTIONS

29. Resolution No.: R-2007-033 – Authorizing acceptance of Richland County TMS#13705-11-01; 13705-11-02; 13705-11-03; 13705-11-04; 13705-11-08; 13705-11-09; 13705-11-10; 13709-03-06; 13709-03-07; 13709-03-08; 13612-01-01; 13612-01-02; 13612-01-03; 13612-01-04; 13612-01-05; 13612-01-06; 13612-01-07; 13612-01-08 and 13612-01-09 adjacent to Gills Creek from Van M. McAlister, Charles W. McAlister, J.T. McAlister, Jr. and A. Keith McAlister - *This item was withdrawn from the agenda.*
30. Resolution No.: R-2007-034 - Authorizing the City Manager to execute a Memorandum of Agreement with the Housing Authority of the City of Columbia for improvements and enhancements at Drew Park through the Celia Saxon HOPE VI Grant - *Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve Resolution No.: R-2007-034 - Authorizing the City Manager to execute a Memorandum of Agreement with the Housing Authority of the City of Columbia for improvements and enhancements at Drew Park through the Celia Saxon HOPE VI Grant.

OTHER MATTERS

31. Council is asked to approve a Request for a Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Mary A. Lybrand of 4507 North Main Street, Columbia, South Carolina 29203 doing business as Second to None. - *Approved*

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to approve a Request for a Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Mary A. Lybrand of 4507 North Main Street, Columbia, South Carolina 29203 doing business as Second to None.

- A. Chauffeurs License Appeal Process – Mr. Charles P. Austin, Sr., City Manager

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to approve the staff recommendations for the Chauffeurs License Appeal Process. An Ordinance will be drafted that will allow consideration for persons convicted of crimes of moral turpitude or manslaughter if it has been more than ten years since conviction, sentence and parole has passed; remove the appeals process from City Council; create a panel to hear appeals from denial or suspension by the Police Chief; allow the panel to make final recommendations to the City Manager; and allow appeals from the City Manager's decision to go to Circuit Court.

- A1. **Intersection of Adger and Ott at Dreher High School – The Honorable Anne M. Sinclair

Councilor Sinclair explained that as part of the construction at Dreher High School, Millwood Avenue would be modified to provide a turn lane into the school parking lot. The intersection of Devine, Millwood, Adger and Ott may be reconfigured so that it is a straight shot from Adger to Ott.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to authorize the City Manager to write a letter to the Director of SCDOT with copies to the DOT Commission, Dr. Coles as Richland School District One Superintendent and the School Board requesting a public hearing prior to any changes at the intersection of Adger and Ott at Dreher High School.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. William Seyfer appeared before the members of Council to discuss Ordinance 2007-049 relating to Wrecker Services. He is a Managing Partner in a company opening in the City of Columbia and recently found out that the original rules have changed since they began the process nine (9) months ago. He asked that any contracts/applications submitted prior to this change be given consideration under the old laws.

Mayor Coble asked the City Attorney to provide a briefing on this matter.

******Councilor Devine urged the Council to consider allowing the public to speak on matters as they appear on the agenda. Time should be limited to two (2) minutes.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 1:08 p.m. for the discussion of **Items B.** through **D.** as amended.

- B. Receipt of legal advice, which relates to matters covered by attorney-privilege
 - ******Hotel Litigation
This item was withdrawn from the agenda.
 - Military Leave Pay
This item was discussed in Executive Session. No action was taken.

- C. Discussion of negotiations incident to the proposed sale of property
 - Park Street Property
 - ******Wayne Street PropertyThese items were discussed in Executive Session. No action was taken.

- D. Discussion of the Discipline of an Employee(s)
This item was discussed in Executive Session. No action was taken.

- **Council adjourned the meeting at 1:58 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk