



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

---

The City of Columbia City Council conducted a Meeting on Wednesday, November 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 9:07 a.m. The following members of 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, City Manager and Ms. Erika D. Salley, City Clerk.

### **APPROVAL OF MINUTES**

1. Minutes of September 5, 2007

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to approve the Minutes of September 5, 2007 as presented.

### **PRESENTATIONS**

2. Introduction of the October Employee of the Month (Master Patrol Officer Martin J. Folding) – Major Norman L. Caldwell

Major Norman L. Caldwell, Columbia Police Department, introduced Master Patrol Officer Martin J. Folding as the October 2007 Employee of the Month. He said that MPO Folding became a member of the Police Department in October 2003, in April 2006 he was assigned to the Old Woodlands Community and over the past year he was assigned 17 additional communities to be responsible for. He called him the Ranger of the South Region, because of all of his responsibilities in the area. He continues to work very hard and can be described as an excellent communicator, a master of multi tasks, logistics specialist and a statistician. He is often assigned to special units.

Lieutenant Derrick Thornton, Columbia Police Department, further stated that MPO Folding is a member of the SWAT Team and he participates in numerous special operations. He is quick to volunteer for these tasks without neglecting the communities. He has never seen an officer as diligent as MPO Folding.

Mayor Robert D. Coble and Mr. Charles P. Austin, Sr., City Manager presented Mr. Folding with tokens of appreciation for being selected as the October 2007 Employee of the Month.

An unidentified representative of the Woodlands area said that Officer Folding is a real tribute to the Columbia Police Department. He has given his personal cell phone number to citizens and will respond to calls on his days off.

3. Seed Technology Center Introduction (Dr. B. Alexander Ingram, President) – Ms. April Heyward, President/CEO of Heyward Company Inc.

Ms. April Heyward, President/CEO of Heyward Company Inc. introduced Dr. B. Alexander Ingram, President of the Seed Technology Center. She noted that this is a new business in the city limits that offer programs that could benefit the City of Columbia.

Dr. B. Alexander Ingram, President of the Seed Technology Center, explained that the Seed Technology Center is a new innovative program that brings technology education to youth ages 16-24 and unemployed adults 25 and older. They are endeavoring to bring high technology jobs and skills training to those that may otherwise not receive this training. Programs range from application development to program design and development. Dr. Ingram has 25-years in the technology industry and brings a team with over 100 years of experience to the table. The members of Council were invited to attend an Open House on Thursday, November 15, 2007 at 7:00 p.m. at the Seed Technology Center, 1101 Elmwood Avenue, Suite A.

4. Update from the Historic Columbia Foundation – Mr. Cal Watson, Board of Trustees President

Mr. Cal Watson, Board of Trustees President, provided an update on the activities of the Historic Columbia Foundation, as the new President. He introduced the leadership team and other board members that were in attendance. Mr. Watson noted that they had significant success leveraging the support from the city with major gifts from Richland County for the Woodrow Wilson restoration and from the State of South Carolina for preservation of the Randolph Cemetery. The Historic Columbia Foundation is entering a very busy season of tours and programs. They are marketing events through magazines and television utilizing the Hospitality Tax Funding provided. The Modjeska Simpkins House will not be open for the holidays, but they are working on plans for the site. In October they hired a Preservation Architect to help create a preservation plan for the main structure and the secondary building. They are working to organize community round tables to decide the best way to interpret and use the Simpkins House. He expressed their gratefulness to the City of Columbia and Blue Cross Blue Shield for their support.

Councilor Sinclair stated that she is excited to hear about the different marketing efforts, because it is important to have people tour the sites. She urged Historic Columbia to continue their marketing efforts.

Councilor Cromartie thanked the organization for their efforts with the Modjeska Simpkins House.

Councilor Rickenmann asked to see the current number of visitors touring sites and attending events through the Historic Columbia Foundation now and how the numbers change as a result of the marketing efforts.

Councilor Davis stated that the house is a great addition to the Historic Columbia Foundation. He asked if the Eau Claire Town Hall is listed as a reference point for visitors. He noted that Columbia has a lot of history and this building is worthy of people knowing the history of it, why it still stands and the community's effort to preserve it.

Ms. Robin Waites, Executive Director / Historic Columbia Foundation, explained that the Foundation would be distributing highlights of important buildings throughout the city and county and within neighborhoods. This initiative is a part of their strategic plan.

5. Proposed Seven Day Beer and Wine Sales – Mr. Baylean Moore

Mr. Baylean Moore of Total Wine and More presented information on the statutory framework of on premise and off premise permits. He explained that the Department of Revenue issues two types of permits. On premise permits authorize consumption and sales on premise. Off premise permits authorize sales, but not consumption. Both permits are for 6 days per week unless a municipality authorizes a 7-day permit, which requires a vote in favor of a referendum by the majority of voters.

Councilor Devine asked if each business would have to apply for the permit.

Mr. Baylean Moore of Total Wine and More, responded yes each business would have to apply for 7-day beer and wine sales, but no spirits would be sold on Sunday. The Department of Revenue may deny a permit if a protest is submitted by an impacted individual or business. The referendum can be placed on the ballot through a petition method or through the passage of an Ordinance, it must be on the ballot for the next general election and it must be forwarded to the Municipal Election Commission at least 60-days prior to the next election. Both Richland and Lexington Counties already held successful referendums to allow on premise permits.

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to direct the Interim City Attorney to prepare an Ordinance allowing for a referendum on 7-day off premise consumption for the April 2008 Municipal Election.

Councilor Cromartie asked if this matter would be a conflict of interest for Council members that sell alcohol.

Mr. Ken Gaines, Interim City Attorney, said that he would research the matter, but this should not pose a conflict, because the voters will actually decide.

6. Green is Good for Business Conference Update – Ms. Melissa Smith Gentry, Director of Public Works

Ms. Melissa Smith Gentry, Director of Public Works, reported that the September 24, 2007 “Green is Good for Business Conference” was a huge success. The conference generated over \$37,000, the expenses were \$29,000, leaving the committee over \$7,000 to continue working on CPAC initiatives. The Climate Protection Action Committee will be hosting a “Green Business Boot Camp” on Thursday, November 29, 2007 at the Greater Columbia Chamber of Commerce, 930 Richland Street from 11:00 a.m. until 1:00 p.m.

7. Residential Setback for Electronic Billboards - Mr. Marc Mylott, Director of Development Services

Mr. Marc Mylott, Director of Development Services asked the members of Council to ratify their decision on the 300’ residential setback for electronic billboards as voted on in June 2006. The members of Council received comments from constituents in favor of and in opposition to the electronic billboards.

Mr. Vance Kornegay, 1200 Shirley Street, appeared before the members of Council in opposition to digital billboards. He urged the Council to delay permitting of additional digital billboards. He expressed the need for civic input now that we have experienced the digital billboards.

Ms. Ryan Nevius, Hollywood/ Rosehill Neighborhood Association, appeared before the members of Council in opposition to digital billboards on highways. She said that there are many innovative ways to reach our goals and recommended that the billboards be placed on public transportation where it provides income. She offered to research what other cities are doing and provide that information to city staff.

Ms. Rosie Craig, M Craig Company / McFarland Properties appeared before the members of Council in opposition to digital billboards. She said that the city is making a mistake and urged them to appoint a citizen's committee before they grant anymore carte blanche.

Ms. Beatrice Bates, 2113-A Ithica Street, requested that a committee be appointed to study the impact of electronic billboards.

Mr. Basil Garzia, 612 Wilwood Avenue, thanked the city for the Climate Protection Action Committee's initiatives, noting that beautification is also good for business and electronic billboards are not a part of that formula. He agreed with the suggestion to form a committee.

Ms. Alison Floyd, 2808 Wheat Street, stated that she is dismayed and confused about the city's approval of digital billboards and urged the Council to suspend the issuance of permits.

Ms. Susan Craig, 3118 Amherst Avenue, said that she is opposed to digital billboards for many reasons.

Mr. Peter Mayers, Rosewood Community, said that this was a six-month test and asked about the caps, the benefits and revenue to the City of Columbia from these signs and the environmental impact they cause. He added that these billboards are expensive to install and to take down. He urged the Council to establish a citizen committee. He invited the Council to tomorrow's Light Up Rosewood event.

Mr. Hal Stevenson, 1511 Hagood Avenue, invited the members of Council to a Prayer Breakfast on November 8, 2007 at 7 a.m. at the Columbia Metropolitan Convention Center. Lamar Advertising is the only company with digital billboards and he commended the firm on their efforts and suggested that we look at the real impact of the digital billboards.

Mr. Bob Amundson, 964 Laurie Lane, said that the Rosewood Community has always been concerned about billboards. He said that in September, the Richland County Council voted to oppose billboards, because of the potential negative impact on neighborhoods. Digital billboards should not be allowed until a study and a survey is conducted. He noted that forming a committee is an acceptable idea.

Mr. Michael Beaudette, 4041 Sandwood Drive / Professional Printers, said that green is good for business. He noted that the evolution of billboards has gone from hand painted to vinyl and now to electronic billboards. He said that billboards belong within gateways and not in residential areas, because they help companies market and grow. This could be a great thing if done and managed correctly.

Mr. Michael Waston, Architect/LEED Accredited Professional, 112 S. Saluda Avenue, said that the Climate Protection Action Committee hosted a great conference and that he was wowed by the city's leadership. He is a Leadership in Energy and Environmental Design (LEED) accredited professional and said that one aspect is to minimize light trespass from buildings and sites. He noted that a carefully designed and maintained outdoor lighting system can help a project be a non-intrusive member of the community. He urged the Council to consider if digital billboards are good citizens of our community.

Mr. Scott Shockley, Vice President of Lamar Advertising, said that his company presently has five (5) electronic billboards in the city. The competitive market in terms of advertising has driven the need for digital billboards, because it enables real time messaging and in business speed is everything. They are working with emergency personnel to establish protocol for turning over the technology in times of dire emergencies. He said that the Rosewood Community would not be seeing any digital billboards due to the setbacks in the area. All traditional signs are being changed to 100% recyclable products by mid 2008. He urged everyone to compare the lights under the canopy at gas stations to the brightness of the LED billboards. He noted that Lamar Advertising is committed to being responsible stewards and will work with Development Services to resolve any issues.

Ms. Valerie Moore, After School Program Director, said that she has concerns about young drivers being distracted by digital billboards, because as an adult she is distracted.

Mr. David Cable, President of Chernoff Newman Marketing Agency, said that he understands the concerns voiced today, but doesn't want to get into a knee jerk reaction to this. He said that we should look at attributes such as safety issues and the facts. He noted that the industry is doing a good job.

Mayor Robert D. Coble said that the issue is whether to loosen the 300' residential requirement. He is not in favor of making the setback less restrictive in terms of neighborhoods.

Councilor Sinclair asked for clarification on the buffer and if it applies to other areas. She is displeased with the digital billboard at Gervais Street and Harden Street and is convinced that it shouldn't be there. She will not support any modifications to the buffer. She noted that the billboards can only go in highly commercial areas.

Mr. Marc Mylott, Director of Development Services, noted that the buffer only applies to residential areas.

Councilor Finlay said that he likes the billboard at Gervais Street and Harden Street. He said that it's expensive and it's a good compromise.

Councilor Davis is opposed to billboards on North Main Street, but has not heard any complaints. He is not in favor of eliminating the buffer requirement.

Councilor Cromartie is supportive of placing the digital billboards in business corridors only. He would not be bothered if the billboard at Gervais Street and Harden Street was removed. He suggested that they monitor the lighting and distance to ensure consistency.

Councilor Devine concurred with Ms. Sinclair. She stated that the one at Gervais Street and Harden Street is distracting, but the others are not.

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to retain the 300' buffer for electronic billboards within residential areas.

- 7a. \*\*Resolution No.: R-2007-063 – Authorizing City Manager to execute a Memorandum of Understanding between the Hand Educational Foundation, Hand Middle School and City of Columbia for partial funding donated by Hand Educational Foundation for the City of Columbia to construct the Emily Douglas Amphitheater and subsequent use by Hand Middle School

Councilor Sinclair explained that the Hand Foundation has worked with the leadership at Hand Middle School on a vision for an amphitheater to be placed on the property at Hand. During planning, the School District did a referendum and it took a huge chunk of the limited property for the much needed addition to Hand. Then discussions shifted to constructing this amphitheater at Emily Douglas Park on the Wheat Street side. One year ago City Council authorized a plan for Emily Douglas Park and that has been completed. Council is asked to consider a Memorandum of Understanding (MOU) that outlines the relationship between the Foundation and the City on this project. It clearly outlines how much money the Foundation needs to raise and how the site will be used during and after school.

Ms. Lynn Stokes Murray, President of the Hand Foundation Board, stated that the project has been in the works for a long time with a lot of planning between the Foundation, school, community, city and church. She noted that Ken Simmons and Associates drafted the renderings. The school has a diverse population and five arts programs will utilize the amphitheater as well as the handon cluster churches and the City of Columbia Parks and Recreation Department. This is a public private partnership and the Foundation pledges to raise \$75,000. They have already raised \$25,000 to include a \$10,000 grant from Blue Cross Blue Shield. She asked the Council to approve the MOU.

Councilor Finlay asked where the funding would come from. He is in favor of the city participating in this one-time capital project.

Mr. S. Allison Baker, Assistant City Manager for Public Services, stated that the source has not been identified for the city's portion of funding.

Councilor Sinclair added that we would look at year end surplus funding.

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2007-063 – Authorizing City Manager to execute a Memorandum of Understanding between the Hand Educational Foundation, Hand Middle School and City of Columbia for partial funding donated by Hand Educational Foundation for the City of Columbia to construct the Emily Douglas Amphitheater and subsequent use by Hand Middle School, *subject to Hand Middle School being removed as a party to this Memorandum of Understanding.*

8. City Manager's Report – Mr. Charles Austin, Sr., City Manager

Mr. Charles Austin, Sr., City Manager provided a progress report on the following matters:

***Columbia Police Department: CPD Review Panel & Nationwide Police Chief Search***

Two major initiatives are underway in the Police Department. First, the Columbia Police Department Review Panel members have been appointed and begun the review process. The panel members have been asked to oversee the process for the Management and Operations Assessment of the Columbia Police Department. The assessment will include an evaluation of the department's operations and a leadership analysis.

I am very pleased with the caliber of the professionals who have agreed to serve on the review panel. Their varied backgrounds give us a uniquely qualified group of individuals to undertake this task.

Once the assessment has been completed the information gathered will be used to assist in the overall strategic planning process for the Columbia Police Department. The information will also be used as a resource in the current police chief search, which is the next item that I will address as it relates to the Police Department.

The nationwide search for a Police Chief began on Tuesday, October 30<sup>th</sup>.

The Police Chief vacancy announcement has been posted, advertised and opened for applicants for approximately 60 days. The hiring process will involve an extensive background investigation to include drug screenings, psychiatric evaluations and detailed professional assessments.

We are seeking applicants with a minimum of a Bachelor's degree. A Master's degree is strongly preferred. Applicants should also have at least 10 years of experience at the Major, Deputy Chief or Chief levels - within a medium to large law enforcement / police department.

Finalists will be engaged in meetings with City Council, Department Heads, and representatives from the Columbia Police Department. Finalists will also be involved in approximately 3 Question & Answer Sessions with the community at large. The public will also have an opportunity to interact with finalists during an open reception.

I will also visit the home office/department of each finalist. The projected time frame for the hiring process is a 3 to 6 month period.

The position description will be distributed to major public safety publications and to multiple public safety and law enforcement organizations and agencies.

***Energy Audit***

The City's Energy Audit is in progress. According to staff reports from General Services, the Audit Agreement with Ameresco has been signed. Ameresco will complete the Energy Audit of all City buildings. Ameresco has met with the larger departments to explain the audit process and to inform them of what will be expected from each department. In addition Ameresco has also begun the audit of the city's buildings and facilities. They have been going through our buildings for about a month and are approximately one third complete with the audit. The estimated time for the audit to be complete is the end of January. When the Energy Audit has been completed, Ameresco will present a proposed project list for evaluation by city staff.

## ***CAD 911 System Update***

As we have previously reported, it was determined that the 911 Computer Aided Dispatch System, also known as CAD, was in need of replacement. The CAD replacement committee, which consists of representatives from the City and Richland County, have completed the RFP process and selected Tritech Software as the CAD product/vendor of choice. As of this month, the committee is working with Tritech to draft a Statement of Work, a Purchase Agreement and determine pricing for products and services. A projected completion date for this phase of the process is December 2007. The committee's overall "go live" date for the project is Spring 2008.

## ***Assessments of the IT and Human Resources Departments***

During the strategic planning process with our Executive Management team, both the IT and Human Resources functions were identified as critical needs areas.

IT staff has conducted an internal assessment and after reviewing their information, it has been determined that it is necessary to bring in external assistance in order to move forward with the city's IT objectives and goals. We will be working on developing a plan to identify external resources in order for us to move our city to the next level from a technological standpoint. We will be focusing on some primary functions to improve customer services for our citizens such as an online payment system and more access to information via point of access kiosks.

We will also move forward concurrently to enhance services in our Human Resources Department. During the strategic planning sessions, we identified the need to review and improve our employee evaluation tools and increase our recruitment and retention programs.

## ***Fines and Collections (Municipal Court, Water Customer Service, Collections, Parking Tickets, and Business License Fees)***

City staff in multiple departments has been working simultaneously on efforts to collect unpaid and past due fines and fees. This report will reflect current information regarding Municipal Court, Water Customer Service, Collections, Parking Tickets, and Business License Fees.

- Municipal Court:

Scheduled Time Payment Collections – In February 2006 new procedures were implemented for collecting delinquent scheduled time payments and monitoring new agreements. As of September 2007, \$388, 197 has been collected and the Court has retained \$216,618 of the amount collected.

We have also taken steps to move forward with exploring our options as it relates to a Setoff Debt Collection Program. On August 6, 2007, city staff met with the Municipal Association's Collection Program Manager in order to review programs that are being utilized by municipalities. The next phase will involve engaging our IT staff in the process and gaining their assistance and knowledge about how we move forward internally.

- Business License:

During October 2007, the City issued 95 new business licenses. The total number of business licenses issued so far for this fiscal year is 210.

Business License fees are due as of April 15<sup>th</sup> of each year. As of April 2007, there were approximately 200 unpaid or delinquent business licenses. As of November 6, 2007, there

were 18 delinquent licenses. From April 2007 through October 2007, a total of \$200,000 has been collected. This has been accomplished through the efforts of city inspectors making site visits to collect unpaid and delinquent license fees.

- Water Customer Service:

Thus far, the set off debt (Money that is Withheld from Income Taxes) for 2007 is \$143,984.32.

- Parking Tickets:

From November 2005 to October 2006, the total collected for parking tickets and late fees was \$1,503,529.28. From November 2006 through October 2007, the total collected was \$1,449,768.56.

Collections staff is reviewing future recommendations and updates will be provided as those options are researched and deemed feasible. We will also move forward with identifying a vendor who will handle collection services for vehicles with out of state tags.

### ***Financial Audit Update***

Currently, a final draft of the Comprehensive Annual Financial Report for Fiscal Year '05 – '06 has been completed and transmitted to the auditor for quality control review. After the auditor presents his report to City Council, staff will provide the '06 – '07 financial statements to the auditors.

As part of the proposed reorganization of the Finance Department, I have authorized two (2) Deputy CFO Positions.

Finance staff has also been working on items and functions that were addressed in the auditor's management letter.

- Grant Accounting – Staff is in the process of developing a system for recording billings of grant programs on the books until the cash is received. In addition, they are developing a procedure for recording when they are made in the accounts receivable subsidiary ledger.
- Allowance for Doubtful Accounts – Staff is currently developing a formal policy for calculating doubtful receivables.
- Inventory Valuation – Staff is currently working on a training session with departments throughout the City to provide guidance to the inventory custodians as to the items to be included in inventory and to evaluate whether or not inventories should be recorded in the governmental funds.
- Disposal of Fixed Assets – Staff is currently working on a formal procedure to ensure disposals of fixed assets are reported to the finance department as they occur. In addition, we are developing a standardized form to provide adequate accounting documentation and to provide adherence to the City's policy.
- Timely and Accurate Financial Reports – Currently, Council is receiving monthly reports.
- General Ledger Compliant with GASB 34 Conversion – With the completion of the 05/06 audit, we will be in full compliance.
- Accounting Staff's Use of Spreadsheet Files – With the completion of the 05/06 audit, staff will no longer rely on spreadsheets to complete and produce the financial statements. The reports will be produced through the City's financial software.
- Formal Year-End Closing Schedule – Finance Staff have developed a formal year-end closing schedule.
- Receiving Reports and Invoice Procedures – Staff have implemented a new way of processing invoices. Instead of batching, invoices are processed individually. In addition, we have developed several reports to help eliminate this problem. Also, a training session with the departments will be held within the next few months.

- Regular Reconciliation of Bank Statements – These have been reconciled timely and monthly since July 2007.
- Policy for Construction in Progress – Staff is in the process of developing a policy. In addition, we will be setting up monthly meetings to review the outstanding Capital Projects.
- Time Sheets – Staff has developed a procedure that is being implemented during the month of November. In addition, payroll will be performing an internal audit for compliance.
- Staff Training – Staff is working on a succession planning for the Accounting Division. In addition, an IFAS consultant was on location last week training staff in an IFAS Boot Camp.
- Establish and Implement Accounting Policies and Procedures – Staff is currently working on and updating policies and procedures.

I accept responsibility for the overall performance of city staff. I have never, nor will I ever shrink from my responsibility. I would like to thank staff for their due diligence. This completes my report and we will now hear reports from members of the Executive Management team:

Dana Turner will provide an update on the Winter Shelter, which is scheduled to open later this month. One point of reference is the intake process we will use while operating the Winter Shelter. Staff will use the HMIS, which is the Homeless Management Information System to compile information on those who access shelter services. No criminal background checks will be conducted.

Ms. Turner will also give a briefing on the funding structure for the city's Development Corporations.

Steve Gantt will then provide updates on the Land Acquisition Fund and the North Main Streetscape project. We are pleased to report that we have received the green light from DOT for the North Main project and are preparing to move forward accordingly.

Our last project update for this morning will come from Missy Gentry, chairperson for the Camera Committee. One matter we would like to clarify is that the Camera Committee is currently working with a consulting firm to develop a strategic plan regarding equipment needs and to identify specific locations. We are not in negotiations at this time with camera equipment vendors.

Mayor Robert D. Coble scheduled the City Manager's Performance Evaluation for November 28, 2007. He asked Ms. Devine to contact the Municipal Association to get a copy of their performance evaluation forms. He urged his peers to agree on a process for this evaluation. He agreed that a Retreat is needed in January to review larger issues. He said that the Retreat needed to be accessible to citizens.

Members of Staff provided progress reports on the following matters:

***Winter Shelter - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development***

We are working fast and furious on two fronts to be ready for the opening of the Winter Shelter. Construction is still underway at the site, but plans are to open one building next week. Staff is working around the clock to provide shelter at Martin Luther King Park during cold nights and during the day to finalize details with regard to the permanent location of the shelter. Staff plans to bring three (3) contracts forward on November 28, 2007 for transportation, cleaning and security services. They are conducting interviews for site and shift managers. We had promising conversations with some service providers about ways we can partner to do more for the shelter clients. We are also working closely with the Midlands Interfaith Group to provide food and they have already stepped up to the plate during several cold nights. She thanked other departments that have worked hard to make the temporary location at the park run very smoothly.

***Development Corporations - Ms. Dana D. Turner, Assistant City Manager for Commerce and Development***

We are moving forward and are very close to a resolution of the accounting issues with regard to the Columbia Development Corporation. We have explored the Land Acquisition Account, but there are not sufficient funds to allow for an allocation to the Development Corporations at this time. With regard to the issue of the allocation itself to the Development Corporations, we have met and talked and there is a recommendation from the Chief Financial Officer about how we would treat that in the future. In accordance with your wishes as an allocation and with the annual analysis of the various salary accounts so the monies would transition over to the Development Corporations for future use for projects should there be any funds left at the end of the year.

Councilor Devine asked how we would resolve the funding matter retroactively. Have we resolved that to make sure they have gotten the full benefit.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, we have not resolved that and it would take some time to delve into past years to determine that. We have established a policy going forward.

Councilor Devine said that as we consider next year's budget, we should allocate enough funding to cover any losses realized by the Development Corporations.

Councilor Sinclair reiterated Ms. Devine's point, stating that there is bound to be some way to figure this out. This is important to do, because we expect a lot from our Development Corporations in terms of improving the neighborhoods and the commercial areas. She asked for a response to Mr. Ned Pendarvis' letter on behalf of the Columbia Development Corporation.

Mr. Charles P. Austin, Sr., City Manager said that he is working on a couple of options that will allow us to assist the Development Corporations. Those options will be presented to the Council on November 28, 2007.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, explained that Mr. Pendarvis is requesting that the Columbia Development Corporation be able to retain \$100,000 of the \$400,000 repaid from the Publix deal to reimburse them for carrying cost and other expenses incurred with the Publix projects and other projects that occurred before that time, but were not successful.

Councilor Sinclair said that this reimbursement would be equivalent to paying them a Developer's Fee.

Councilor Finlay asked if the Development Corporations were standalone entities or subsidiaries of the city. He wants to make sure we are clear on this if anything were to happen. He asked if the Corporations should fall under the city's audit process.

Councilor Cromartie said that the Development Corporations are subsidiaries and the employees are directly responsible to the City Manager.

Councilor Davis asked if this would impact the Columbia College project. He asked if we would be penalized.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, stated that the Council has adopted a policy that allows the Development Corporations to earn Development Fees now.

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to allow the Columbia Development Corporation to retain \$100,000 of the \$400,000 from the Publix deal and that the remaining \$300,000 go into the Land Acquisition Fund.

***North Main Street – Mr. Steve Gantt, Senior Assistant City Manager for Operations***

Mostly every department in the City had some involvement with the construction of the Winter Shelter over the last six weeks and he is thankful for the generosity of all that helped. There are two (2) 7,000 sq. ft. buildings, the first building will be available for occupancy next Monday and the second building will open on the following Monday.

Councilor Cromartie requested a tour of the site.

Mr. Steve Gantt, Senior Assistant City Manager for Operations, reported that we have finally received a certification letter and our indemnification agreement from the Department of Transportation for the North Main Street Project and we are ready to move forward with the bidding process. The Federal Highway Administration requires us to use American made steel on the ornamental light poles. We are deciding how to handle the construction management of this project due to the reduction in staff in the city's Construction Management Department. We are getting information from Parsons Brinckerhoff, but this may require us to advertise a Request for Qualifications. He reported that the acquisition of property has been lengthy and expensive, because our staff handled more than 200 right of way and easement acquisitions.

***Land Acquisition Fund – Mr. Steve Gantt, Senior Assistant City Manager for Operations***

There is no money available in the Land Acquisition Fund. We sold a significant amount of property over the past two (2) years, but we had also committed those funds to other projects. For instance, \$6 million was received from CanalSide, but \$3 million went towards the payment of the subsidy for the Hilton Hotel and the remaining balance went back to the Community Development Department to pay a portion of the 108 loan, to help with the Regional Transit Authority (RTA) and to help with their housing initiative. All of the money from the Kline property went directly to the RTA for the bus barn, because we had a \$3 million commitment to them. We committed two years of lease payments for the Lady Street building for city office space. The \$1.5 million sale of the Senate Street Fire Station has been extended until January to resolve pending issues, but it will go into the Land Acquisition Fund. The Land Acquisition Fund is presently \$1.2 million in the red.

Councilor Sinclair asked to see all transactions from and to the Land Acquisition Fund since the beginning, in writing.

Councilor Finlay asked if there were any unfunded liabilities.

Mr. Steve Gantt, Senior Assistant City Manager for Operations, responded no, but there are some pending sales that will help our situation to some degree.

Councilor Devine said that she is not happy to hear this information. She said that it is positive that we feel that we have accurate numbers, but there are several opportunities that the Development Corporations have available to them right now that they can't take advantage of. She asked staff to put their heads together to figure out some creative ways to fund these projects. She would like to see monthly statements on the Land Acquisition Fund. She asked if

there were other properties that needed to be sold.

Mr. Steve Gantt, Senior Assistant City Manager for Operations, said that there are other properties, but the most attractive properties have been sold. He noted that the sale of the bus barn site would produce substantial revenue.

Councilor Davis said that funding needed to go back into the Land Acquisition Fund to fund future projects. He is glad to see that funding is going back into the Water and Sewer Fund as well.

Councilor Rickenmann said these reports are critical to the retreat, because we cannot strategically plan without this information.

Councilor Sinclair asked about the availability of the revenue generated from the sale of the Naval Reserve Building.

Mr. Steve Gantt, Senior Assistant City Manager for Operations, stated that the funding has been set aside for a new Parks and Recreation Administrative Building. It was not placed in the Land Acquisition Fund.

### ***Security Cameras – Ms. Melissa Gentry, Director of Public Works***

We are in the middle of negotiations with the Consultant. On September 5, 2007 City Council authorized staff to enter into negotiations and they are underway. There have been challenges with identifying the scope, because there's a lot of input that's needed. Departments involved include: Police, Fire, Homeland Security, General Services, Information Technology, 911 and Public Works to ensure that the end result is something we can be proud of. We anticipate coming back to City Council with a recommendation to enter into a contract with CH2 M Hill. Our goal is to let them along with City staff, develop a master plan of the camera system.

These reports were received as information only. No action was taken.

### **CONSENT AGENDA**

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve the **Consent Agenda Items 9.** through **21.** on a single motion and as amended.

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

9. Council is asked to approve the installation of two (2) new Ashbin Chutes for #1 and #2 Ash Bins, as requested by the Metro Wastewater Treatment Plant. Award to C & D Specialty Parts, the lowest bidder, in the amount of \$11,000.00. This vendor is located in Florence, SC. *Funding Source: 5516208-631800 - Approved*
10. Council is asked to approve the Purchase of Laptop Mounts, as requested by the Police Department. Award to Palmetto Distributors, the lowest bidder, in the amount of \$11,497.15. This vendor is located in Columbia, SC. *Funding Source: 1012401-657400 - Approved*
11. Council is asked to approve the Purchase of one (1) Electric Hose Dryer, as requested by the Fire Department. Award to Apex Pinnacle Corporation, the lowest bidder, in the

amount of \$13,595.29. *Funding Source: 2082333-658300 - Approved*

12. Council is asked to approve the Purchase of Pumps at the Sewer Lift Stations, as requested by the Metro Wastewater Treatment Plant. Award to ITT Flygt Corporation, the lowest bidder, in the amount of \$14,528.46. This vendor is located in North, SC. *Funding Source: 5516208-621800 - Approved*
13. Council is asked to approve the Purchase of Office Panels (6<sup>th</sup> Floor), as requested by the Utilities and Engineering Department. Award to Connecting Elements, using the SC State Contract, in the amount of \$16,925.44. This firm is located in Columbia, SC. *Funding Source: 5529999-639900 / WM413101-639900 Washington Square Improvement Project - Approved*
14. Council is asked to approve the Purchase of One (1) MOSCAD Unit for Station 4 (Woodcreek), as requested by the Fire Department. Award to Motorola Communications and Electronics, Inc., using the SC State Contract, in the amount of \$17,013.00. This vendor is located in Atlanta, GA. *Funding Source: 1012303-658800 – Approved*
15. Council is asked to approve the Purchase of Office Panels (7<sup>th</sup> Floor), as requested by the Utilities and Engineering Department. Award to Connecting Elements, using the SC State Contract, in the amount of \$20,530.89. This firm is located in Columbia, SC. *Funding Source: 5529999-851500 / WM413101-851500 Washington Square Improvement Project - Approved*
16. Council is asked to approve an Agreement for the Completion of the Valencia Park Construction Project, as requested by the Parks and Recreation Department. Award to John Watkins of Architectural Design Associates, as an emergency procurement, in the amount of \$44,800.00. This firm is located in Columbia, SC. *Funding Source: PK008103 - Approved*
17. Council is asked to approve Contract Negotiations for the Design of the Rosewood/South Edisto Park, as requested by the Parks and Recreation Department. Award to the Dennis Corporation as recommended by the Selection Committee. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2004/2005 Carry Forward Funds - Approved*
18. Council is asked to approve the Oracle Annual Support Agreement, as requested by Information Technology. Award to DLT Solutions, the lowest bidder, in the amount of \$63,050.68. This vendor is located in Herndon, VA. *Funding Source: 1011120-638200 - Approved*
19. Council is asked to approve the Worker's Compensation Excess of Loss Policy Renewal, as requested by Risk Management. Award to Safety National, the lowest bidder in the amount of \$83,364.00. This firm is located in St. Louis, MO. *Funding Source: 60989939-636200 - Approved*
20. Council is asked to approve the Purchase of two (2) Rescue Trucks, as requested by the Fire Department. Award to Seagrave Fire Apparatus, LLC, the lowest bidder, in the amount of \$325,420.00. This vendor is located in Rock Hill, SC. *Funding Source: 2082306-658500 - Approved*
- 20a. **\*\***Council is asked to approve the Purchase of 2,200 \$50.00 Value Gift Cards for the Employees Christmas, as requested by the Employee Special Activities Committee. Award to Piggly Wiggly in the amount of \$102,987.50. This vendor is located in Charleston, SC. *Funding Source: 1011125-639900 - Approved*

- 20b. \*\*Council is asked to approve a Water System Upgrade in the Belvedere Subdivision, as requested by the Utilities and Engineering Department. Award to Independent Waterworks the lowest bidder in the amount of \$25,131.71. This firm is located in West Columbia, SC. *Funding Source: WM377001-851500 - Approved*
- 20c. \*\*Council is asked to approve a Water System Upgrade at Rocky Knoll (Habitat for Humanity) CIP Project #WM4089, as requested by the Utilities and Engineering Department. Award to HD Waterworks Supply the lowest bidder in the amount of \$25,471.51. This firm is located in West Columbia, SC. *Funding Source: WM408901-851500 - Approved*

#### ORDINANCES – SECOND READING

21. Ordinance No.: 2007-086 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article II, Business and Professional Licenses, 11-49, Classification Rate Schedules Code 078, SIC Code 1500, CONTRACTORS 5 and 8 – *Approved on second reading.*

#### ORDINANCES – FIRST READING

22. Ordinance No.: 2007-073 – Granting encroachment to Matthew Addison, Jr. and Frances J. Addison for installation and maintenance of an irrigation system, landscaping, sidewalk and steps within the right of way area adjacent to 407 Pickens Street and for installation and maintenance of an irrigation system, landscaping and two driveways within the right of way area of Rice Street adjacent to 1509 Rice 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.: 2007-073 - Granting encroachment to Matthew Addison, Jr. and Frances J. Addison for installation and maintenance of an irrigation system, landscaping, sidewalk and steps within the right of way area adjacent to 407 Pickens Street and for installation and maintenance of an irrigation system, landscaping and two driveways within the right of way area of Rice Street adjacent to 1509 Rice Street.

23. Ordinance No.: 2007-082 – Granting encroachment to the State of South Carolina for installation and maintenance of security gates, security sensors, bollards, landscaping, lighting, retaining walls, signage, and barriers and land and parking configuration within the rights of way areas of Sumter Street, Main Street, Assembly Street, Senate Street and Pendleton Street adjacent to the State Capitol Complex – *Approved on first reading.*

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2007-082 – Granting encroachment to the State of South Carolina for installation and maintenance of security gates, security sensors, bollards, landscaping, lighting, retaining walls, signage, and barriers and land and parking configuration within the rights of way areas of Sumter Street, Main Street, Assembly Street, Senate Street and Pendleton Street adjacent to the State Capitol Complex, with the following conditions. Council also voiced concerns regarding parking and safety issues. They urged the requestor to determine alternatives for off setting the loss of parking spaces in the area and to consider how their proposed traffic configuration may impede the flow of traffic. Voting aye were Mr. Cromartie, Ms. Sinclair, Ms. Devine, Mr. Rickenmann, Mr. Finlay and Mayor Coble. Mr. Davis voted nay.

- *At Senate Street, the Radio Frequency Identification Device (RFID) sensors are to be relocated approximately 40 feet to the east of their present location to ensure proper clearances from underground water lines.*
- *At Pendleton Street and Senate Street, all new construction shall meet ADA accessibility standards.*
- *At Pendleton Street, the hydraulic power unit (HPU) at the garage entry shall be located within the confines of the lower planter walls to avoid conflict with existing water lines.*
- *At Pendleton Street, the guard booth will be relocated adjacent to the curb line of the street to avoid conflicts with existing water lines.*
- *The City of Columbia will provide a hold harmless agreement to be signed by the State of South Carolina.*
- *At Pendleton Street, specific design of the sidewalk bump-out on Pendleton Street shall be coordinated with the City of Columbia. This bump-out shall meet or exceed ADA standards for accessibility.*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give first reading approval on a single motion to **Items 24.** through **27.** as presented.

24. Ordinance No.: 2007-088 – Annexing 26 Bayleaf Court; 55 Redbay Road; 52 Redbay Road; 15 Redbay court and 12 Redbay court; Richland County TMS# 28812-02-04; 28812-02-06; 28812-02-08; 22812-02-16 and 28808-03-09 – *Approved on first reading.*
25. Ordinance No.: 2007-089 – Annexing 106.87 acres, N/S Atlas Road, Richland County TMS# 13500-02-04; 13500-02-05 and 13510-01-03 – *Approved on first reading.*
26. Ordinance No.: 2007-090 – Annexing 36.482 acres, Clemson Frontage Road, Richland County TMS# 25700-02-04 and 25700-02-10 – *Approved on first reading.*
27. Ordinance No.: 2007-092 – Vacating and closing an unopened portion of Roberts Street and a forty (40') portion of Calhoun Street for the Winter Shelter – *Approved on first reading.*

## **RESOLUTION**

28. Resolution No.: R-2007-059 – Authorizing Notice of 2008 Election for Three Members of City Council - *Approved*

Upon motion by Mr. Finlay, seconded by Ms. Sinclair, Council voted unanimously to approve Resolution No.: R-2007-059 - Authorizing Notice of 2008 Election for Three Members of City Council.

29. Resolution No.: R-2007-062 – Authorizing execution of Extension of Lease for Office Space at 1401 Main Street – *Consideration of this item was deferred.*
30. Resolution No.: R-2007-063 – Authorizing City Manager to execute a Memorandum of Understanding between the Hand Educational Foundation, Hand Middle School and City of Columbia for partial funding donated by Hand Educational Foundation for the City of Columbia to construct the Emily Douglas Amphitheater and subsequent use by Hand Middle School – *Please refer to Item 7a.*

## **OTHER MATTERS**

31. Township Auditorium Request for Hospitality Taxes - Ms. Libby Gober, Ombudsman

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to return retro-active all hospitality taxes collected by The Township Auditorium to date, after staff has verified the final numbers. This should be done on an annual basis, going forward, and all returns must be certified by the City Manager prior to being processed.

A. Accommodations Tax Funding for the Pioneer Bowl - Ms. Libby Gober, Ombudsman

Upon motion by Mr. Davis, seconded by Ms. Sinclair, Council voted unanimously to approve funding in the amount of \$15,000 for the Pioneer Bowl as recommended by the Accommodations Tax Advisory Committee.

B. \*\*Veterans Day Parade

Individuals appeared before the members of Council to voice their concerns about the new policy prohibiting motorcycles in the 2007 Veterans Day Parade.

There was a consensus of Council to allow the City Manager to draft a policy outlining the rules and regulations for riding motorcycles in the 2007 Veterans Day Parade. This information is to ensure the safety of all and shall be shared with all units participating in the parade.

**CITY COUNCIL APPOINTMENTS TO BOARDS AND COMMISSIONS**

C. Board of Zoning Appeals

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to approve the reappointment of Ms. Elizabeth Webber Akre for a second and final term expiring on April 3, 2012 and the appointment of Mr. Silas Calhoun McMeekin III effective February 1, 2008 through February 1, 2013.

D. Design Development Review Commission

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to approve the reappointment of Ms. Gertrude Seibels and Mr. Walter Sims for their second and final terms expiring on April 30, 2010 and the appointment of Ms. Susan Wilson as a Planner, Ms. Tina Herbert as an Attorney, Mr. Bruce Harper as a Real Estate Broker/Developer, and Ms. Leslie Skinner as an At-large appointee effective February 1, 2008 through February 1, 2011.

E. Historic Columbia Foundation

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to approve the appointment of Ms. Carla Moore for a two-year term expiring November 7, 2009. She is replacing Ms. Arrington Cox on the Board of Trustees.

F. Housing Authority of the City of Columbia

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve the appointment of Ms. Bessie Watson for a five-year term expiring November 7, 2012. She is replacing Mr. James Barber on the Board of Commissioners.

G. Planning Commission

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to

approve the reappointment of Mr. Ronald Anderson, Ms. Tiaa Rutherford and Mr. Billy Way for their second and final terms. Mr. Anderson's and Ms. Rutherford's terms will expire on March 1, 2009. Mr. Billy Way's term will expire on March 1, 2008. Council also approved the appointment of Mr. Mark James, Mr. Christopher Brownlee, Mr. Robert Guild, Ms. Brenda Oliver, Ms. Maryellyn Cannizzaro and Mr. Carl Frederick for a three-year term effective February 1, 2008 through February 1, 2011.

#### H. Effective Date of Service and Training of Members of Land Use Boards

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to establish the effective date of new appointments as February 1, 2008 for the Board of Zoning Appeals, Design Development Review Commission and Planning Commission. All current board members are asked to continue to serve until February 1, 2008.

The City Attorney, Training Administrator and other key staff members were directed to develop a training session and timetable for these new board members. Staff was directed to contact the Municipal Association of South Carolina to determine what courses they may have available. This information should be presented to Council by November 28, 2007. New board members must attend one or more meetings of the board they were appointed to prior to February 1, 2008.

A meeting will be scheduled with the Columbia City Council wherein appointees will take an oath, Council will communicate their expectations and former board members will be recognized for their tenure as well.

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

The following individuals appeared before the members of Council to express concerns about how the Columbia Police Department personnel treated them as they rallied peacefully off of Garners Ferry Road during an event attended by President George Bush.

Ms. Nan Acrom  
Ms. Jennifer Gardner  
Mr. Henry Job  
Mr. Wade Fulmer

Councilor Cromartie commended the group for demonstrating peacefully.

Councilor Finlay intends to look into the matter.

Mr. Charles P. Austin, Sr., City Manager, said that he would follow up with the individuals and provide a report to the Council.

Temple Ligon invited the members of Council to a lecture on Friday, October 19, 2007 in the Cress Building #221.

#### **EXECUTIVE SESSION**

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to go into Executive Session at 1:27 p.m. for the discussion of **Items I.** through **M.** as presented.

- **Mayor Coble left the meeting at 1:30 p.m.**

I. Receipt of legal advice relating to a matter covered by attorney-client privilege

- Time Warner Cable / Channel 2 negotiations with Richland County
- Requests to grandfather water meters
- Tax Increment Financing "TIF" Dispute

*Items were discussed in Executive Session. No action was taken.*

- J. Discussion of negotiations incident to the proposed purchase of property
- Water Street Property

*Items were discussed in Executive Session. No action was taken.*

- K. Discussion of negotiations incident to the proposed sale of property
- Eau Claire Development Corporation
  - Rice Street Property
  - Heyward Street at Park Street

*Items were discussed in Executive Session. No action was taken.*

- L. Discussion of compensation of an employee

*Items were discussed in Executive Session. No action was taken.*

- M. Discussion of Employment of an employee

*Items were discussed in Executive Session. No action was taken.*

- **Mr. Finlay left the meeting at 2:20 p.m.**
- **Mayor Coble joined the Executive Session discussion at 3:15 p.m.**
- **Ms. Devine left the meeting at 3:32 p.m.**
- **Council adjourned the meeting at 3:44 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk