



CITY OF COLUMBIA
CITY COUNCIL PUBLIC HEARING MINUTES
WEDNESDAY, SEPTEMBER 5, 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, September 5, 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 9:03 a.m. and the Public Hearing to order at 11:16 a.m. The following members of City Council were present: The Honorable E.W. Cromartie, II, The Honorable Anne M. Sinclair, The Honorable Sam Davis, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Tameika Isaac Devine arrived at 9:26 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 August 15, 2007

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the Minutes of August 15, 2007 as presented.

PRESENTATIONS

- 1a. **Introduction of Miss South Carolina (Miss Crystal Garrett) – The Honorable E.W. Cromartie, II

Councilor Cromartie introduced Miss Crystal Alicia Garrett stating that she appeared before the City Council when she was fifteen (15) years old and now she is before us representing the people of this state as Miss South Carolina. He said that we are honored and delighted to have her here today.

Miss Crystal Alicia Garrett, Miss South Carolina, spoke to the members of Council about her organization Preparing and Empowering Asthmatic Kids (PEAK). She recalled her last visit with City Council and thanked them for their encouragement over the years. She rendered an awesome vocal selection to the audience.

Councilor Sinclair thanked Miss Garrett for her leadership with Family Connection, an organization that's near and dear to her heart.

Mayor Coble presented Miss Garrett with a proclamation and a key to the City declaring August 25, 2007 as Crystal Alicia Garrett Day in the City of Columbia and Mr. Cromartie presented Miss Garrett with flowers.

2. Recognition of Development Services Staff – Mr. Marc Mylott, Development Services Director

Mr. Marc Mylott, Director of Development Services, recognized the following staff members that recently earned certifications from the International Codes Council in various capacities within the Development Services Department.

Residential Building Inspectors

John Long certified as a Residential Building Inspector

Brent Hawkins certified as a Commercial Mechanical and Electrical Inspector

Eric Williams certified as a Property Maintenance, Housing and Zoning Inspector

Housing Inspectors

Myron Sims certified as a Property Maintenance and Housing Inspector

Janice Pitts certified as a Residential Building Inspector

Code Enforcement Inspector

Lee Bass certified as a Zoning Inspector

3. Introduction to the City Council – Ms. Cynthia Hardy, Vice President of Operations / Maxim Communications Group, Inc.

Ms. Cynthia Hardy, Vice President of Operations / Maxim Communications Group, Inc. and a Richland One Middle College Foundation Board Member, introduced the leadership of the first Richland One Middle College. The College recently received the Innovator Award from the Southern Growth Policies Board, because of its innovation in developing a world-class workforce. The Richland One Middle College concept is a high school located on a college campus. The students are juniors and seniors and attend school there. Midlands Technical College works with the Middle College to usher the students from there straight into college. She introduced Mr. Clifton Peay, Chairman of the Board of Directors, Ms. Audrey Breeland, Dean and Ms. Penny Jefferson, Operations Manager. She provided greetings on behalf of Dr. Robert Kirton, the Executive Director.

Mr. Clifton Peay, Board of Trustees, thanked the members of Council for their support of the Richland One Middle College. He stated that the future is now for our students. They provide workforce development and internships.

Councilor Sinclair stated that we want our young people to be ready for the new economy and that this program is working towards that.

Councilor Davis said that what's being done with these kids to keep them in school and to help them focus on the new economy will provide a significant labor force that will be attractive to the Northeast Midlands Technical College Campus.

Councilor Cromartie spoke about the City's Work Initiative Program and suggested that the Richland One Middle College partner with the Office of Business Opportunities.

4. Introduction to the Council – Ms. Elizabeth Quackenbush, Development Director for Volunteers of America of the Carolinas

Ms. Elizabeth Quackenbush, Development Director for Volunteers of America of the Carolinas thanked the members of Council for their continued support and introduced Mr. Robert Rogers as the new CEO of Volunteers of America of the Carolinas.

Mr. Robert Rogers, Chief Executive Officer / Volunteers of America of the Carolinas, said that he is truly honored to join this community. The organization has existed for 111 years and the program has existed for 17 years in the City of Columbia. The Children's Garden provides childcare to the poor and the needy. The Literacy Program is Turning Pages for adults and children.

- **Ms. Devine joined the meeting at 9:26 a.m.**

5. Freedom Walk and the National 9/11 Memorial Museum Exhibition and Tour – General (Retired) George Goldsmith

General (Ret.) George Goldsmith informed the members of Council of the activities that will be held at Finlay Park on September 10 and 11, 2007 in commemoration of September 11, 2001 and as part of the America Supports You Freedom Walk. The America Supports You Freedom Walk began in 2005 at the Pentagon to pay tribute to all the people who lost their lives in the September 11, 2001 tragedies and focuses on recognizing the First Responders and all Veterans.

6. 2007 Junior Wild Water World Championship Update – Mr. Scott Powers, Executive Director / Columbia Regional Sports Council

Mr. Scott Powers, Executive Director / Columbia Regional Sports Council, stated that this past July the Columbia Riverbanks Region hosted a truly unique event as 150 international competitors, coaches and support staff visited our community to compete in the 2007 Junior Wild Water World Championships. This was the first Wild Water Championship in the history of North America. It was a combined effort of the entire community brought together by our rivers and our Greenway. The Columbia Fire Department and their expertise in swift water rescue was key in planning. He thanked Fire Chief Bradley Anderson, Assistant Chiefs Aubrey Jenkins and Rick Dunn and Captains Travis Carricato, Steve Curry and Ralph Guyton. The Columbia Police Department assisted with security and traffic control around the Saluda River and the Riverbanks Zoo area; The Parks and Recreation Department provided their expertise in and around the river. He thanked Ms. Karen Kustafik, Park Ranger and Environmental Coordinator and Park Rangers Andy Grizzell, Luther Goins and Dexter Campbell. He sent his heartfelt thanks to everyone involved.

7. Columbia Retail Strategy and Implementation Program – Mr. Matt Kennell, President and CEO / City Center Partnership and Mr. Jim Apple, Board Chairman

Mr. Jim Apple, Board Chairman / City Center Partnership Board of Directors, explained that the City Center Partnership completed a strategic plan one year ago and the organization's number one priority was more street level retail. They researched alternatives to meet this objective. One key contact was with the International Downtown Association. They identified a premiere partner to create more street level retail. They went to Austin, Texas to verify the work the firm was doing in the community. The approach we are taking is that this is not a plan that we put in a binder and place on a shelf; there is a very robust implementation component. The City Center Partnership will hire an employee as a full time retail business recruiter. The board will hold staff and the entire process accountable. He said that retail is very critical to our downtown, because it diversifies the tax base and creates jobs and helps to meet the expectations of downtown residents. He asked for City Council's full support with moving this plan forward.

Mr. Matt Kennell, President / City Center Partnership, stated that this is the highest priority for downtown and the urban core of Columbia over the next few years. He said there has been great success in the office market; downtown residential is beyond our greatest expectations with 300 people living on Main Street. They are trying to build a whole community, create jobs, and fill up street level storefronts, to create a sense of energy and to dispel lingering beliefs about the environment downtown. The specific proposal is to ask the City of Columbia to help fund this effort through this fiscal year. The board has committee to hire an employee for 3 years and the consultant will help to select the best recruiter and train the employee for an extensive period. Then they will work diligently to bring more retail into the heart of downtown and to support the surrounding retail corridors of Columbia to include North Main Street, Two Notch, Farrow Road, Five Points, greater Main Street and the Vista areas.

Councilor Sinclair said that she is very supportive of this process. She thought that the city was paying for half the contract and the City Center Partnership was paying the other half. She now understands that is not accurate. She said that if the City is fully funding the contract, the contract should be between the City and the company. The funding is coming from the Office of Business Opportunity, two (2) Development Corporations and a sizable chunk is coming from the Empowerment Zone. She wants to make sure that the benefits are spread throughout the City. She would feel more comfortable if the City monitors how the funds are spent so the different areas could benefit.

Mr. Matt Kennell, President / City Center Partnership, explained that there was a misunderstanding and that they are matching the City's fee over a three year period. They are estimating the cost at \$70,000 per year over three years, which is equal to the amount the City is contributing. He said that the City is represented on the Board through the Mayor, Councilman Cromartie and Mr. Jim Gambrell, Director of Economic Development. He said that the CCP would work with the City on the best way to execute the contract.

Councilor Finlay inquired about what we are doing to help with the homeless issue on Main Street. He said that until that issue is dealt with, it would be very difficult to attract more retail on Main Street. He said that we are going to embark on tearing up two blocks of Main Street and asked if it made sense to attract retail where we have on-going construction.

Mr. Matt Kennell, President / City Center Partnership, said that it is a deliberate and long-term process, because retail won't turn around over night. He believes that they should deal with the homeless issue and retailers simultaneously. He explained that daytime and nighttime officers are helping along with the Clean and Safety Team to reduce the problem. Hospitality Tax funding will be used to address the issue by purchasing vehicles to increase visibility in the area and that one position has been shifted from the Clean Team to the Safety Team.

Councilor Davis is supportive of the plan, because the northern part of the city is included. He asked if there is a priority area or will they look at this as a whole. He is committed to turning around the Farrow Road area in terms of retail. He admits that timing is an issue and asked how soon the dialogue will begin with the folks on Farrow Road and how they can jump start some recruitment. The desire is for North Main to become seamless at Elmwood Avenue. He said that this study is the last shot for the area and if they don't benefit from this then it may be another 30 years before something comes along.

Mr. Matt Kennell, President / City Center Partnership, noted that they will begin community dialogue this fall on the process and opportunities, but you never really know until you do the analysis.

Councilor Cromartie is happy that we are moving in this direction. There is now a Two Notch Road Merchants Association with Officers and a Board of Directors. He stated that every major retailer in America understands homelessness. He asked that all corridors be included.

Councilor Finlay is supportive of turning Main Street around. He received a message about the homeless issue on Main Street at night and this must be tackled.

Councilor Davis stated that some of this is our responsibility to see that areas lacking in economic development get a certain amount of attention. As we move forward it is important that we listen to this, because there is a perception that pockets in the city have been overlooked.

Councilor Devine agreed that we needed to move forward. She shared concerns about the contract parties, because the City will be held accountable.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to approve the funding sources as outlined for the Retail Study and to direct the City Center Partnership to work with city staff to develop a contract that moves the study forward in a mutually agreeable manner. The City of Columbia will provide particular oversight for other corridors included in the study.

8. Housing Emergency Loan Program (H.E.L.P.) – Mr. Eric Cassell, Senior Loan Administrator / Community Development Housing and Loan Administration

Mr. Eric Cassell, Senior Loan Administrator stated that through their contact with neighborhood associations and City Council's input it became apparent that there is a growing need for home repair assistance to low and very low-income families. Home repairs such as plumbing, heating and other health or safety issues are sometimes a financial burden; therefore, they have taken steps to assist families. The existing emergency home repair loan program is funded with federal dollars and is difficult to work with due to restrictions. They took it upon themselves to generate non-federal funds that will allow them to operate a new program without additional funding from the city. The new Housing Emergency Loan Program (H.E.L.P.) provides an easier path for low-income families to address home repairs. Eligibility is based upon the 80% median income, but the program is geared toward even lower incomes. There are no HUD requirements with this program. The total amount of funding available is \$100,000. The funding is a loan with no interest occurring and no payments are due until the owner no longer occupies the property for whatever reason.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to endorse the Housing Emergency Loan Program (H.E.L.P.) as presented.

9. Request for Funding – Ms. Miriam Atria, President and CEO of the Capital City/Lake Murray Country

Ms. Miriam Atria, President and CEO of the Capital City/Lake Murray Country, presented a video of the 2007 Forest Woods Fishing Tournament. She announced that the super bowl of fishing, the Forest Woods Cup is coming to Lake Murray and Downtown Columbia in August 2008. She stated that five years ago they asked for \$200,000 to fund this event, but the industry and the budget has grown so they are in need of additional support from the City of Columbia. They received \$100,000 from the South Carolina Competitive Grants Program, funding from the South Carolina Department of Parks, Recreation and Tourism and the Richland County Accommodations Tax Fund for a total of \$275,000. The event is large and is being spread over a two (2) year budget. She requested \$50,000 from the City of Columbia Accommodations Tax Fund for fiscal year 2007-08. They received \$60,000 out of the initial \$100,000 request. She stated that the return on investment could be a potential \$40 million economic impact from this event that will bring over 900 guests to downtown Columbia. She stated that history would be made in our region. She announced that \$3 million would be given away during the tournament and that a non-fishing person could win \$1 million.

Councilor Finlay reminded his peers of their consensus to stand by the decisions made by the

funding advisory committees.

Ms. Miriam Atria, President and CEO of the Capital City/Lake Murray Country, stated that they did not have an opportunity to appear before the committee due to the timing factor and confidentiality concerns.

Ms. Libby Gober, Ombudsman, explained that this request was not finalized in time to be considered within the established process. She suggested that she take this request and previous requests back to the Accommodations Tax Advisory Committee to consider once the surplus funding has been identified.

Councilor Devine agreed with Mr. Finlay's concerns and acknowledged that worthy projects do come along after the funding process is complete. She further suggested that the committees set aside funding in the future for such instances. There has to be rules, but we don't want to be in a position where we can't host an event that will have a tremendous impact on our region. She asked that the committee provide a recommendation.

Councilor Finlay suggested that we set aside 10-20% of funding, but he warned that they be very careful about allowing organizations to submit requests beyond the established deadlines.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to request that the Accommodations Tax Advisory Committee review the additional information along with the request for funding from the Capital City/Lake Murray Country in the amount of \$50,000 for the 2008 Forest Woods Fishing Tournament.

10. Security Camera Update – Mr. Charlie Hopkins, Managing Consultant CH2M HILL, Inc.

Mr. Dean Crisp, Chief of Police, explained that during the late summer of 2005 the City Council began looking at camera systems and the impact they have on crime and safety. Then the City Manager appointed a Camera Committee that met several times, conducted on site visits, analyzed the current system, completed a comprehensive report and constructed a Request for Proposals to look at vendors that may be able to provide the expertise needed to move this project forward. The committee received four (4) responses and viewed presentations by three (3) vendors. They unanimously selected CH2M Hill, Inc. as the vendor for the City's security cameras.

Mr. Charlie Hopkins, Managing Consultant / CH2M Hill, Inc., explained that they have been in continuous engineering business for over 170-years. They have 61-years in the security business dealing with the Department of Defense, the Department of Energy, city governments, universities and hospitals. They bring a unique opportunity to the City of Columbia with almost 600 employees in Spartanburg, SC. He noted that many projects are technology projects along with infrastructure planning. They complete security projects all throughout the world. The firm would confirm the city's mid-term and long-term objectives, assist with and/or perform an analysis and then make recommendations on implementation to include the budget. They would serve as an extension of current staff to ensure that the project is a success. They would serve as an agent during the design, planning and bidding, construction, management, start up, conditioning and training of staff. They determine what the city's needs are and then find the product to meet the City's operational and organizational needs.

Mayor Coble asked the consultant to describe the type of system we could have based on the amount of available funding in terms of effectiveness and the quantity.

Mr. Charlie Hopkins, Managing Consultant / CH2M Hill, Inc., said that a basic camera is a day/night high-resolution type camera costing \$800 to \$1,000 or \$3,000 to \$5,000 installed. Another piece is the infrastructure or how the data is transmitted back to collection points.

Councilor Devine asked if the firm would help to identify funding options. She stated that we currently have a system that doesn't serve our purposes and asked if there was an opportunity to recoup funding for the system.

Mr. Charlie Hopkins, Managing Consultant / CH2M Hill, Inc., said that they are an engineering firm without ties with camera manufacturers. They would develop the system specifications and the procurement documentation, help to analyze the bids and help to identify funding.

Upon motion by Ms. Sinclair, seconded by Mayor Coble, Council voted unanimously to accept the committee's recommendation to select CH2MHill, Inc. as the Security Camera Consultant and to authorize the City Manager to proceed with contract negotiations.

- **Council recessed at 11:07 a.m.**
- **Council reconvened the meeting at 11:14 a.m.**
- **Mr. Cromartie left the meeting at 11:14 a.m.**

PUBLIC HEARING

- **Council opened the Public Hearing at 11:16 a.m.**

11. Interim Measures Regarding Subdivisions, McMansions and Demolitions – Mr. Marc Mylott, Director of Development Services

Mr. Marc Mylott, Director of Development Services, explained that the memo provided is a place where they can start a conversation about what City Council may or may not entertain in terms of the interim measures.

The following individuals appeared before the Council to provide remarks on the interim measures regarding Subdivisions, McMansions and Demolitions.

Ms. Pamela Greenlaw, 1001 Wotan Road, requested consideration of ensuring that both interim and permanent community character protection ordinances include not only the recommended historic districts of the areas projected, but also all metropolitan areas. By limiting protection ordinances to those that are only recommended or protected will draw development into unprotected areas. Appropriate protection will be ignored. Infill designs must preserve trees and green space. She suggested that the City create a mechanism such as conservation mitigation banks; provide an incentive for builders, land owners and developers to retain trees on their properties; and protect trees during construction.

Ms. Coles Lawton, 143 Saluda Avenue, Wales Garden Neighborhood, stated that her neighborhood is very happy that Council is tackling this important issue. Their neighborhood is almost 100 years old and they voted two years ago to pursue the historic district designation with the purpose of preserving and protecting our unique neighborhood identity. She requested that homes being removed be subject to review.

Ms. Beth Herron, 329 Southwood Drive, Immediate Past President of the Hollywood/Rosehill Neighborhood Association, stated that most of their homes are between 50-70 years old. Homes built within the last half of the twentieth century were sympathetic to the character of the neighborhood; however, within the past several years they have seen corner lots being subdivided and the demolition and removal of homes that were in good condition.

Ms. Pat Gilmartin, 320 Southwood Drive, implored the Council to do what they can to preserve the character and nature of the neighborhoods. Any new development should be consistent in size, scale, building material, architecture and landscape with the existing neighborhood.

Mr. Earl McLeod, Executive Director / Homebuilders Association, 625 Taylor Street, stated that in general they accept the staff recommendations, because it will allow us (builders/developers/home owners) to be clear on what the rules are. He said that there has to be clear communication with the property owners as neighborhoods are pursuing historic designation. He asked that the Council not consider moratoriums, because it would negatively impact the City. He explained that planners, developers, builders and environmentalists consider infill type development to be smart.

Ms. Sylvie Dessau, 1221 Pine Street, Waverly Community resident, said that she owns property within different areas of town and some of the neighborhoods have historic designation, some are eligible to get it and some are not in areas with official representation. She asked City Council to adopt the recommendations in staff's memo with a few modifications. She suggested that buildings over 50 years old be considered.

Ms. Tom McLean, 5 Myrtle Court, declined to speak since there were so many others that supported their position.

Ms. Emily Israel, 209 Wateree Avenue, also declined to speak since there were so many others that supported their position.

Mr. Tom Gotshall, 1824 Senate Street, University Neighborhood resident, stated that his neighborhood is an architectural conservation district and that along with zoning regulations have been the salvation of their neighborhood and has promoted some good development as well. All neighborhoods are interested in aesthetics. He said that infill development should be done appropriately. He supports the interim measures. He said that the measures do not cover new construction on single lots even if it's not subject to a new subdivision.

Ms. Tracy Swartout, 516 Santee Avenue, Wales Garden Neighborhood Association, stated that her family has lived in Columbia for nearly 100 years and never lived in a home that was built after the 1940's. She supports the interim measures for homes greater than 50 years old both inside and outside the designated protection areas.

Mr. Jay Graham, 4118 Kenilworth Road, said that 90% of the lots that could be subdivided within Shandon and Wales Garden have already been subdivided. He said that less than 1% of the properties have been demolished in these areas. He stated that the North Main area that is currently under development will be affected more so than the others.

Ms. Susan Creed, 1426 Geiger Avenue, stated that it takes 25-50 years for trees to grow and it is extremely important to consider the homes that are 50 years old or older. She said that a moratorium sends a message that development in Columbia is a planned, thought out and intelligent process.

Ms. Beth Bilderback, 1724 Pinewood Drive, President of the Hollywood/Rosehill Neighborhood Association, represented a coalition of leaders from historically eligible neighborhoods. They sincerely appreciate Council's effort to protect the integrity of the historic neighborhoods by implementing interim measures that continue to encourage infill development, but also provide some measure of review of the projects. In general they support staff's proposal; however, they recommended the following changes: 1) review of demolition to be changed from 80 years to 50 years as established alongside the National Preservation Act; 2) review of demolition should include moving a structure to another site; and 3) recognize that the two year time line proposed for the interim measures may not be enough time for all interested neighborhoods to receive local historic designations. She encouraged Council to immediately implement the recommended staffing additions and to introduce a taskforce that would address long-term solutions to these issues.

Mr. Mel Jenkins, 3324 Montgomery Avenue / Environmentalists Inc., explained that Environmentalists Inc. has been researching this matter and plan to present data to Council and staff to help with this whole process. He endorses a moratorium. He stated that he is getting good, but inconsistent help from Council and staff on his many projects. He thanked Mr. Ben Arnold for assisting this project and this dialogue.

Mr. Russell Sox, 2231 Wallace Street / Cottontown Neighborhood Association, thanked city staff for drafting the interim measures, noting that this was a much-needed discussion. He supports the proposal and stated that additional staffing resources are needed in Development Services. He said that they have been on the pending list for over one year. He supports the 50 year standard for judging historical significance. He asked that they consider the review of the removal of structures from neighborhoods as part of this agreement.

Mr. David Barry, 505 Winding Way, stated that as a developer, his work is concentrated in the Eau Claire / Columbia College area. He has concerns about the subdivision of lots and corner lots. He requested the specifics, because every subdivision is not the same when you are doing infill development. He supports added resources for Development Services.

Ms. Relta Sanders Miller, 4427 Wedgewood Drive, asked that the neighborhoods be preserved, particularly Edisto Court.

Ms. Mary Walters, 724 Albion Road / Heathwood Neighborhood Association Co-President, reiterated that she is in support of the interim measures. They support the request for additional staff within Development Services, the Design Development Review Commission review of demolition permits of houses older than 50 years and the DDRC review of the removal of houses from neighborhoods.

Ms. Rebecca Munnerlyn, 417 Etiwan Avenue / Rosewood Neighborhood resident, strongly supports the proposed interim measures. She suggested that the City observe the national standard of 50 years for protection eligibility of structures and make the adjustments to consider home removal as an important issue. She stated that a five (5) feet front yard setback is not adequate, because it would not allow vehicular access to the rear of the property. She strongly supports the proposal for a thirty feet separation between a new lot line and an original structure when subdividing a lot.

Mr. Lee Marsha III, 1505 Tanglewood Road, stated that this a difficult issue to address. He said that old structures need to be removed when necessary, but he would also like to see the architecture in Columbia preserved. He encouraged Council to fully staff the Development Services Department.

Mr. Whit Suber, 9 Trimblestone Court, said that the thrust of the issue is about the control of property and that it is clear that a group wants to streamline the process and how quickly they can gain control of others people property. He stated that fifty years doesn't make property historical. He is concerned about how this review will impact the sale of property.

Ms. Ruth Thomas, 1339 Sinkler Road, said that Columbia has a lot of problems that she has observed over the years with great sadness and that she's glad these concerns are being brought to the forefront and given attention. She suggested that instead of citizens being on the outside let them be a part of the round table discussions where you can see, interchange and interact with each other. We will come up with better solutions from the combined work.

Mr. Matt Carroll, 2761 Rosewood Drive, Chairman of the Rosewood Merchants Association, concurred with Mr. Suber's comments. He said these are zoning issues and established zoning regulations help us all. He asked that there be set standards instead of a review of every single case. This would make it easier for property owners.

Mr. Russell Arensbury, 3304 Wilmot Avenue favors a moratorium and a strenuous preservation effort of our trees. He noted that a mature tree soaks up 60 to 70 times the amount of water than the 3"-4" trees the developers put in.

Ms. Margaret Masse, 6122 Sheldon Lane / Brandon Acres Cedar Terrace Neighborhood, said that they now have a historic home that was relocated there and they treasure it. She is worried about the development that is putting 24 houses on a two-acre lot.

Ms. Jennifer Gardner asked the audience if they had read Chapter 17 in the City Code. She asked who understands the appeal process if you were to lose before a board. She said that we needed to be more practical about this since we are constrained by State law and some Federal laws.

Mr. Peter Mayers, Rosewood Community Resident, said that these decisions should be made from the city down, by the citizens and not by developers. He said that this is an issue across the world and not just in the City of Columbia. He researched the matter and found thousands of websites that you can go to see what other cities have done. He noted that the Mayor of Atlanta issued a moratorium on all building.

Mr. Andy Chandler, 2331 Wilmot Avenue / Shandon Neighborhood Resident / Coordinator for the National Register of Historic Places in the State, said that his home was built in 1935 and is a mail order house. He supports the interim measures as put forward to include adding more staff to handle the designation process for neighborhoods. He recommended that the 80-year requirement be altered to a 50-year requirement as stated by many people here today.

Mr. Lake, Shandon Neighborhood Council, said that he is the single most affected person in the room by the infilling of lots. He said that the house next to him would not pass any of the proposed suggestions as it relates to height and density. He said that a retaining wall was built on his property line and would like the City's help in removing it. He stated that it was a mistake to divide the property line the way it was done. He said that there should be a 40-year requirement; a 120-day waiting period and all of the restrictions should apply when the appropriate application for historic designation is approved.

Ms. Susan Lake, Shandon Neighborhood Council, agreed that the 80-year standard is far too long. She stated that once a house is destroyed it is gone forever.

Mr. John Temple Ligon, Reporter for The Columbia Star, begged the members of Council to allow for creativity, originality, innovative design and problem solving architect to prevent houses from all looking alike. He invited the members of Council to hear a lecture on Louie Kahn, one of the great architects from the 21st century on Friday, September 14, 2007 at 6:00 p.m. in the Kress Building.

Ms. Elaine Cooper said that she lives a couple houses away from Forest Acres where she sees a lot of infill development around her. She is concerned about the loss of trees and the new structures not being energy efficient. She urged the Council to read a report from 1987 by the United Nations Convene World Commission on Environment and Development. The report talks about meeting the needs of the present generation without compromising the ability of future generations to meet their needs.

▪ **Council closed the Public Hearing at 12:19 p.m.**

Mayor Coble said that the interim measures have to go through the Planning Commission and the normal Ordinance process. He suggested that they discuss Mr. Mylott's memo in terms of do we want them to prepare such an Ordinance and send it through the appropriate process. He further suggested that they discuss the matters in yellow and other issues we may want to change or make additions to. He said that if we are going to have a review for a structure then we should use the timeframe that is the national standard. We don't want the interim rules to be different from the permanent rules. He stated that moving a structure should be reviewed.

Councilor Sinclair suggested that they discuss the memo section by section. She said that if we are going to put in interim measures what would be the area covered. She stated that the matter needed to be grappled with as a policy issue. She suggested that they reach an agreement on that.

Councilor Finlay asked that the exact process be laid out so that everyone understands.

Mr. Marc Mylott, Director of Development Services, explained that if someone wanted to do something contrary to the interim measures, they would make an application to the Design Development Review Commission (DDRC); it would be reviewed and decided upon at the DDRC meeting.

Councilor Devine asked staff to explain what would happen if an applicant doesn't like the DDRC's decision.

Ms. Amy Moore, Preservation Planner, explained that currently staff reviews all demolitions first to see if it meets certain criteria. If it does, then demolition can be approved at the staff level. If it is a contributing house, 50 years or older or of architectural significance, then it does require DDRC review.

Councilor Rickenmann asked staff to talk about the criteria so that everybody understands.

Ms. Amy Moore, Preservation Planner, explained that when staff looks at demolitions they look at how has the house changed, how has the structure changed, has it changed significantly, architecturally, over time or does it still retain those features that were part of its character when it was built, is it rare to the neighborhood, is it the only remaining example or does it contribute to the fabric of the neighborhood, is the City requiring its demolition for health and safety reasons. They look at many different criteria, not just one, when reviewing demolitions.

Councilor Finlay asked if an applicant would lose their ability to appeal.

Mr. Marc Mylott, Director of Development Services, said that the appeal process for demolitions would go to City Council as outlined in Section 17-677, Appeals.

Councilor Rickenmann asked if someone would have the ability to demolish a 1950's quadraplex that doesn't contribute to the character of a historic district to construct something more modern, but within the same lot size.

Ms. Amy Moore, Preservation Planner, stated that they try not to dictate style, but they do look at principals of massing, height, rhythm of openings, materials used and so on. They would love for new kinds of contemporary development to come into neighborhoods, because the evolution of building styles is very important.

Councilor Rickenmann said that some folks feel that historic designations solve all of the problems. He said that historic preservation; subdivisions and mcmansions are the three (3) issues. He agreed that the rules should be consistent and then add the layer of historic designation if the neighborhood, as a whole agrees to this.

Councilor Finlay said that we are in a negative process now by discussing what we don't want people to do. He said that it is important to discuss what we do want people to do, since there are parts of the City we want people to develop and where we want densities to change. He suggested that they step back and try to determine the big picture for the City of Columbia.

Councilor Davis said that futuristic perceptions make sense and that sometimes what you see is how you get a grasp of the character of the neighborhood. He said there is a line where you maintain that character and still allow some degree of creativity to blend in with what you have. There are areas where they will be stepping forward for historic designations, but those that don't have the designation still cry out to the city for certain kinds of protections, service and enforcement. Who gets the most attention and why? Is it because of the designation? He thinks there is room for both, but we're not there yet. In either case somebody has an investment.

Mayor Coble said that this process would allow for other areas that may want to be included.

Councilor Sinclair said that there are some neighborhoods that may be interested in being a part of the interim measures and some may not. She suggested that they use the study completed by John M. Bryan and Associates as the core and allow an opportunity for neighborhoods, by a specific process; to vote to come under the interim guidelines if they want to. She noted that some neighborhoods don't want to be a part of this. She further noted that some areas don't have an active neighborhood association, but need an opportunity to voice their opinion collectively.

Councilor Finlay stated that over five (5) neighborhoods have in some way shape or form entered the process for historic designation. He said that Councilor Sinclair's recommendation would allow interested neighborhoods to opt in.

Councilor Rickenmann said that all impacted property owners needed to be informed either through water bill inserts or another mechanism. He said that everybody needed to be aware of the interim process as well as the permanent process.

Councilor Sinclair stated that water bill inserts might not be the most effective means of communicating, but once the direction is determined they need to communicate with all property owners.

Mayor Coble suggested that no demolition permits be issued for any structure fifty years or older without being reviewed by the DDRC.

▪ **Mr. Cromartie returned to the meeting at 12:42 p.m.**

Ms. Amy Moore, Preservation Planner, said that some buildings fifty years old or older are not worth saving. If anyone disagrees with staff's decision, they can make an appeal to the DDRC.

Councilor Finlay said that he is more comfortable with setting the standard at 80 years. He fears that by using the 50-year rule we are adding an additional burden on current staff without any additional assistance.

Mayor Coble explained that the permanent rule under historic designation is 50-years and that we should not have different interim rules from the permanent rules.

Councilor Davis asked for the number of structures on the list to be demolished.

Councilor Rickenmann explained that there are two lists, one for historic designations and the other is for dilapidated properties and that Ms. Moore only deals with the historic properties.

Councilor Davis argued that areas that are designated and protected are dealt with right away, but in areas without a designation structures are allowed to sit for years before they are demolished.

Ms. Amy Moore, Preservation Planner, said that the moving of structures is considered by the DDRC. They have relocation criteria to review prior to making a decision.

Mayor Coble asked if a move could be considered by the same criteria, such as a non-contributing building. He suggested that staff draft language that covers moving a structure, but with a similar approval process as demolitions.

Councilor Devine asked why we want to make it difficult for owners to preserve their property and to move it.

Councilor Finlay said that he doesn't see how we would begin to approach the idea of demolition by neglect. He said that we should give better options than demolition.

Ms. Amy Moore, Preservation Planner, said that she is hesitant about a liberal interpretation of relocation, because it can potentially change the fabric of a neighborhood overtime. There are occasions where people want to move a structure to a different lot within the same neighborhood.

Councilor Devine asked for the incentives offered for moving a structure instead of demolition.

Ms. Amy Moore, Preservation Planner, said that she fears moving structures in and out of neighborhoods while there is still context and contributing structures. How far can you go before you start losing what makes that neighborhood special over time?

Councilor Cromartie said that structures in the Waverly Community are old and wanted to know the process of moving a structure within a designated neighborhood. He said that senior citizens can't afford to repair their homes.

Ms. Amy Moore, Preservation Planner, said that they look at the following criteria: condition of house, can it be moved safely, will it fit into the context of the new neighborhood and is it not feasible for it to remain where it currently is. They try not to make extravagant demands on homeowners and they refer homeowners to assistance programs.

Councilor Finlay suggested that Council adopt the interim measures and change the review of demolitions to 50 years. He said that neighborhoods would have to opt in by a simple opt in process. Those that don't want the interim protections won't opt in.

Mayor Coble said that a neighborhood organization could opt in and then use the John Bryan Study to rationalize why a neighborhood is included. He would like to see what's in and what's out.

Mr. Davis asked if the criteria needed to be met by the voting members of the neighborhood association or a certain percentage of the neighborhood.

Ms. Amy Moore, Preservation Planner, said that notices are sent to all property owners.

Councilor Rickenmann reminded the Council that the issues of subdivision and house sizes still needed to be addressed.

Councilor Finlay recommended that we allow staff to come back with additional recommendations on the “opt in” and “opt out” process at the next meeting.

Mayor Coble said that he is comfortable with the geographic area having more of an opt in provision as long as the current neighborhoods that have opted in don't have to go through a laborious process. He said that the permanent decision should be a laborious process. He agrees with the 50-year age of a structure and believes that the same rules should apply to moving a structure. The interim measures expire after two years if the neighborhood doesn't pursue a permanent designation.

Ms. Amy Moore, Preservation Planner, explained that neighborhood presidents contact their office to say that they are interested in the designation and to find out if they qualify. They are added to the waiting list then staff goes out to speak at a neighborhood association meeting to explain what the designation would mean. A vote is taken and then the official process begins.

Councilor Cromartie suggested that applicants be able to appeal staff decisions on moving structures to the City Council.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to ask the appropriate staff to bring back a final document that would go through the Planning Commission; that there be an opt in provision for neighborhoods as discussed; that we not issue a demolition permit for any structure 50 years old or older without review and approval by the Design Development Review Commission; that there will be some review of moving structures; and that appeals of decisions to move or demolish structures come before City Council for consideration.

Councilor Devine stated that there are other issues that have not been addressed. She said that some neighborhoods may not want the historic designation, but do want the City to address the issue of subdivision of lots. She said that the matter needed to be addressed sooner rather than later.

- **Council recessed at 1:34 p.m.**
- **Council reconvened at 1:43 p.m.**

11a. **Ordinance No.: 2007-069 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Division 2, Driver's Permit, Sec. 24-72, Investigation of application; persons ineligible for permit and Sec. 24-81, Appeals – *Approved on first reading.*

Upon motion by Mayor Coble, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval to Ordinance No.: 2007-069 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Division 2, Driver's Permit, Sec. 24-72, Investigation of application; persons ineligible for permit and Sec. 24-81, Appeals.

PUBLIC HEARING - MAP AMENDMENTS / REZONINGS – FIRST READING

12. 156 Preserve Lane, TMS# 13715-01-26; rezone from PUD-R to amended PUD-R. – *The Public Hearing and first reading consideration were rescheduled on July 18, 2007 for September 5, 2007. – Consideration of this matter was deferred to October 3, 2007.*

There was a consensus of Council to defer the Public Hearing and first reading consideration of the Map Amendment/Rezoning of 156 Preserve Lane until October 3, 2007.

CONSENT AGENDA

Upon motion by Mr. Davis, seconded by Mr. Rickenmann, Council voted unanimously to approve on a single motion, the **Consent Agenda Items 13.** through **27.** as presented.

CONSIDERATION OF BIDS AND AGREEMENTS

13. Council is asked to approve the Purchase of two (2) Natural Gas Powered Generators, Panels and the Installation of the Generators, as requested by the Traffic Engineering Department. Award to Palmetto Power Systems, the lowest bidder, in the amount of \$11,115.00. This firm is located in West Columbia, SC. *Funding Source: 6238961-658800 - Approved*
14. Council is asked to approve the Purchase of two (2) Fujitsu Scanners, as requested by the Engineering Department. Award to Zones, Inc., the lowest bidder, in the amount of \$14,320.83. This vendor is located in Auburn, WA. *Funding Source: 5511701-658600 - Approved*
15. Council is asked to approve Purchase Materials and Labor for Maintenance for the Metro Wastewater Treatment Plant, as requested by the Utilities and Engineering Department. Award to C&D Specialty Parts, the lowest bidder, in the amount of \$15,251.87. This vendor is located in Florence, SC. *Funding Source: 5516208-631800 - Approved*
16. Council is asked to approve Maintenance at the Metro Wastewater Treatment Plant, as requested by the Utilities and Engineering Department. Award to Darby Electric, the lowest bidder, in the amount of \$17,889.62. This firm is located in Anderson, SC. *Funding Source: 5516208-631800 - Approved*
17. Council is asked to approve an Agreement for Architectural Services for the Expansion of the City's Animal Shelter, as requested by Engineering Operations. Award to Quackenbush Architects & Planners. This firm is located in Columbia, SC. *Quackenbush agrees to provide the necessary services for a fixed lump sum fee of \$86,520.00 plus an additional lump sum fee of \$15,000 for reimbursable expenses. The total estimated project cost is \$1,237,105.00. Richland County will provide \$1.2 million for costs associated with the project. – Approved*
18. Council is asked to approve Catering Services for the 2007 Employee Luncheon, as requested by the Employee Special Activities Committee. Award to Blowfish Baseball & Home Plate Catering, the lowest bidder, in the amount of \$16,800.00. This firm is located in Columbia, SC. *Funding Source: 1011125 - General Fund - Approved*
19. Council is asked to approve a Contract for Professional Lobbying Services, as requested by the Director of Governmental Affairs and Community Relations. Award to The Grant Group, Inc., in the total amount of \$28,835.88. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 (Administration/Special Projects) - Approved*

20. Council is asked to approve a Contract for Professional Lobbying Services, as requested by the Director of Governmental Affairs and Community Relations. Award to McLeod Butler Communications, LLC in the total amount of \$28,835.88. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 (Administration/Special Projects) - Approved*
21. Council is asked to approve a Contract for Professional Lobbying Services, as requested by the Director of Governmental Affairs and Community Relations. Award to State Capitol Group, LLC in the total amount of \$57,671.76. This firm is located in Columbia, SC. *Funding Source: 1011103-638300 (Administration/Special Projects) - Approved*
22. Council is asked to approve the Purchase of Lot 8, Blended Phosphate as Part of the Annual Chemical Bid, as requested by the Lake Murray and Columbia Canal Water Treatment Plants. Award to Carus Chemical, the low bidder meeting specifications, in the amount of \$64,220.00. This firm is located in Belmont, NC. *Funding Source: GL-5516206-624800 (\$27,170.00) and GL-5516207-624800 (\$37,050.00) - Approved*
23. Council is asked to approve a Construction Contract, as requested by the Community Development Housing Division. Award to L.O. Fogle General Contractor, in the amount of \$80,151.00. This firm is located in Elgin, SC. *Funding Source: General Funds 171900 - Approved*
24. Council is asked to approve an Agreement for Engineering Services for the Construction of 13,000 feet of 16" Water Main along Two Notch Road from Existing Pontiac Pump Station to Existing Village at Sandhill Tank; CIP Project WM4115, as requested by Engineering Operations. Award to Brown and Caldwell in the amount of \$198,000. This firm is located in Columbia, SC. *Funding Source: Fiscal year 2007/2008 Capital Improvements Program Budget - Approved*
25. Council is asked to approve the Gervais Street Riverwalk Connection, as requested by the Parks and Recreation Department. Award to Cherokee, Inc., the lowest bidder, in the amount of \$636,955.75. This firm is located in Columbia, SC. *Funding Source: CP 10-3201-636600 - Approved*

ORDINANCES – SECOND READING

26. Ordinance No.: 2007-061 – Authorizing execution of a Quit-Claim Deed to Susan Skinner for the transfer of 0.01 acres (517.20 square feet) along the west side of Wayne Street adjacent to Richland County TMS # 09010-10-10-01 (portion) – *Approved on second reading.*
27. Ordinance No.: 2007-063 - Amending Ordinance 96-002 Adopting the Policy with respect to Special Property Tax Assessments for Rehabilitated Historic Properties – *Approved on second reading.*

ORDINANCES – FIRST READING

28. Ordinance No.: 2007-054 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 4, Animals, Article III, Animal Control, Division 1, Generally, Sec. 4-61 Definitions, Sec. 4-62, License for dogs and cats; rabies vaccination, and Division 2, Dangerous Animals – *Approved on first reading.*

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2007-054 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 4, Animals, Article III, Animal Control, Division 1, Generally, Sec. 4-61 Definitions, Sec. 4-62, License for dogs and cats; rabies vaccination, and Division 2, Dangerous Animals.

29. Ordinance No.: 2007-065 – Repealing Ordinances 85-47 and 91-88 granted to Senate Plaza for 1520 Senate Street – *Approved on first reading.*

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2007-065 – Repealing Ordinances 85-47 and 91-88 granted to Senate Plaza for 1520 Senate Street.

30. Ordinance No.: 2007-068 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses against the Public Peace and Order to add Sec. 14-105, Urban Camping and improper use of public places – *Approved on first reading.*

Councilor Sinclair stated that she is supportive of this Ordinance and asked the Legal staff to look at the language to see if it precludes the Parks and Recreation Department from having any kind of organized urban camping.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2007-068 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses against the Public Peace and Order to add Sec. 14-105, Urban Camping and improper use of public places, *subject to staff verifying that the Ordinance doesn't preclude the Parks and Recreation Department from hosting camping trips in the parks.*

31. Ordinance No.: 2007-069 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, Division 2, Driver's Permit, Sec. 24-72, Investigation of application; persons ineligible for permit and Sec. 24-81, Appeals – *Approved on first reading. (See Item 11a.)*

- A. Ordinance No.: 2007-071 - Authorizing the Issuance and Sale of not Exceeding \$12,135,000 General Obligation Bonds, Series 2007, of the City of Columbia, South Carolina, Consisting of General Obligation Bonds, Series 2007A and General Obligation Bonds, Taxable Series 2007B; Fixing the Form and Details of the Bonds; Authorizing the Mayor and City Manager to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Matters Relating Thereto – *Approved on first reading.*

- B. Ordinance No.: 2007-072 - A Fifth Supplemental Ordinance Providing for the Issuance and Sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Aggregate Principal Amount of not Exceeding \$105,000,000; Approving the Execution and Delivery of Various Agreements and Documents Necessary for the City to Enter into a Forward Starting Swap Agreement in the Nominal Amount of not Exceeding \$85,000,000; Delegating the Authority to the Mayor and City Manager to Determine Certain Matters with Respect to Such Bonds and Swap Agreement; and Other Matters Relating Thereto – *Approved on first reading.*

Councilor Rickenmann asked if there is a reason why authority with respect to the bonds is being delegated to the Mayor and the City Manager and not the entire Council.

Councilor Cromartie said that Council usually selects the bond counsel to ensure there is diversity.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to give first reading approval on a single motion to Ordinance No.: 2007-071 - Authorizing the Issuance and Sale of not Exceeding \$12,135,000 General Obligation Bonds, Series 2007, of the City of Columbia, South Carolina, Consisting of General Obligation Bonds, Series 2007A and General Obligation Bonds, Taxable Series 2007B; Fixing the Form and Details of the Bonds; Authorizing the Mayor and City Manager to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Matters Relating Thereto **and** Ordinance No.: 2007-072 - A Fifth Supplemental Ordinance Providing for the Issuance and Sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, in the Aggregate Principal Amount of not Exceeding \$105,000,000; Approving the Execution and Delivery of Various Agreements and Documents Necessary for the City to Enter into a Forward Starting Swap Agreement in the Nominal Amount of not Exceeding \$85,000,000; Delegating the Authority to the Mayor and City Manager to Determine Certain Matters with Respect to Such Bonds and Swap Agreement; and Other Matters Relating Thereto, *subject to staff contacting the Bond Attorneys and gaining clarification on why the Mayor and City Manager are given authority instead of the entire Council.*

OTHER MATTERS

- B1. ** 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, 4507 N. Main Street, Columbia, South Carolina doing business as Second II None Shuttle Service. - *Approved*

Upon motion by Mr. Finlay, seconded by Ms. Sinclair, 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, 4507 N. Main Street, Columbia, South Carolina doing business as Second II None Shuttle Service.

RESOLUTIONS

Upon motion by Ms. Sinclair, seconded by Mr. Rickenmann, Council voted unanimously to approve **Items C., D. and F.** on a single motion. **Item E.** was withdrawn from the agenda.

- C. Resolution No.: R-2007-045 – Authorizing consumption of alcoholic beverages, street closing and open container blanket for Five Points Association's "End of Construction Celebration" - *Approved*
- D. Resolution No.: R-2007-048 – Authorizing the City Manager to execute a Bill of Sale for the transfer of a Mitchell B-25 known as "Skunkie" to the Celebrate Freedom Foundation - *Approved*

- E. Resolution No.: R-2007-049 – A Resolution in Support of Richland County’s Resolution to Encourage the U.S. Environmental Protection Agency to Maintain Current National Ambient Air Quality for Ground Level Ozone - *This Resolution was withdrawn from the agenda. We were asked by Richland County to approve this Resolution, but Council had previously taken action on this matter.*
- F. Resolution No.: R-2007-051 – Authorizing consumption of alcoholic beverages and Annual Blues Festival at Martin Luther King, Jr. Memorial Park - *Approved*

OTHER MATTERS

- G. Community Promotions Funding Recommendations – Ms. Libby Gober, Ombudsman – *Approved the committee’s recommendation to deny funding. (See Chart below)*

Community Promotions Monthly Funding 2007-2008

Organization	Project Name	Request	Amount Funded
August 2007			
Heritage Woods Neighborhood Assoc.	Benches/Tables for Subdivision	1,065	0
*No Funding for Individual Neighborhoods. If this were funded it would set a precedent for other neighborhood request.			
Ronald McDonald House Charities	Red Nose Run	2,500	0
*No Funding for Walks/Runs			

- G1. ****KOBAN Inc. Funding Request – Ms. Libby Gober, Ombudsman - *Council voted unanimously to approve funding for KOBAN Inc. for fiscal year 2007/2008 in the amount of \$100,000 from various funding sources.***

Mr. Charles P. Austin, Sr., City Manager explained that KOBAN was expecting funding from the Eisenhower Foundation, but the Eisenhower Foundation was not adequately funded. Also, KOBAN did not submit the appropriate request for funding to the City of Columbia, because they did not know that their funding source changed. The funding is available. We have met with them already and explained the application process and the expectations.

Ms. Libby Gober, Ombudsman, explained that KOBAN’s major funding from the City was shifted to the Community Promotions Fund, but the organization did not know that. They submitted an application for Community Promotions funding for various small projects throughout the year, but not for their annual funding. The Council did approve additional funding in the amount of \$13,000 during fiscal year 2006/2007.

Councilor Devine urged staff to better communicate the funding process to all agencies. They need to know that this is a competitive process. She asked Ms. Gober to explain how the Mini Grant Program and the CANDO Program works to the Heritage Woods Neighborhood Association.

Councilor Cromartie stated that we need to remain flexible during the budget cycle.

Councilor Rickenmann stated that funding needed to be set aside for such instances, but once the money is gone, it’s gone.

Ms. Libby Gober, Ombudsman, explained that the funding would be general fund money coming from several sources. She further explained that a couple of purchase orders from Community Promotions were not used last year. That money will be transferred and the remaining balance would come from the City Manager’s Contingency Account.

Upon motion by Ms. Devine, seconded by Ms. Sinclair, Council voted unanimously to approve on a single motion funding for KOBAN, Inc. for fiscal year 2007/2008 in the amount of \$100,000 from various funding sources **and** the Community Promotions Advisory Committee's recommendation to not fund either of the organizations that applied. (see *chart on page 19*)

H. Sheraton Columbia Downtown Hotel – Mr. Steven Gantt, Assistant City Manager of Operations

Mr. Steven Gantt, Assistant City Manager of Operations, explained that a letter was received from the attorney representing the Sheraton in the old Palmetto Building requesting assistance from the City with traffic control as they move into the building; the replacement of a street light that they say came down, but the City cannot locate it; and the construction of the sidewalk along Main Street and Washington Street to be in concert with what we have already done with Phase I of the Main Street Project. The Palmetto Building encroaches under the sidewalk out to the edge of the road along Washington Street and Main Street and we had a law suit prior to the sale of the building, because the owners felt that we were responsible for the damages incurred because the sidewalk leaked. Mr. Gantt recommended that we not do the construction work, but instead provide the same pavers used on the Main Street Project to his contractor so that we have a consistent look. The Sheraton has not requested an encroachment and their Certificate of Occupancy will not issued until an encroachment is approved. This has been communicated by Mr. Gantt and the City's Legal Department. We don't want to be involved in the process of waterproofing or constructing the sidewalk. We did direct them on the construction criteria 6-months ago.

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to approve the staff recommendation to provide pavers as used on Main Street to the contractor for the Sheraton Hotel for their sidewalk construction project. City staff will not be involved in the construction of the sidewalk. Staff was directed to provide adequate street lighting on Washington Street for the hotel site. The City's Homeland Security Department will assist with traffic control.

I. Handbook on Boards and Commissions – Ms. Erika D. Salley, City Clerk

Ms. Erika D. Salley, City Clerk, explained that a Code of Conduct is included in the handbook, but the Message from City Council is not included.

Councilor Finlay stated that he is fine with the handbook, but wanted to schedule time to discuss the appointments to the boards and commissions.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to add the following statement as part of the Message from City Council: It is the policy of the City of Columbia for boards and commissions to reflect the racial and gender diversity as well as the geographic representation of the residents of this city. The appointment process should reflect this philosophy statement on all boards and commissions of the city.

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve the Handbook on Boards and Commissions as presented.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Steve Lefemine, Director of Columbia Christians for Life, explained that on Friday, August 31, 2007 he e-mailed the City Council members, the City Manager and the City Clerk requesting a sound amplification permit to use a battery operated mega phone on the Taylor Street sidewalk outside Finlay Park on Monday, September 10 and 11, 2007 during the National 9/11 Memorial Tour from 10:00 a.m. to 6:30 p.m. on the 10th and 12:00 noon to 6:00 p.m. on the 11th. Those times were modified to 2:00 p.m. until 6:30 p.m. on the 10th and 1:00 p.m. until 8:00 p.m. on the 11th during the times the Tour is open to the public. He was informed by phone on yesterday by the City Clerk that his request was denied by management. He stated that the City's Legal Department did not believe that his request met the City Code under Section 8-57 subparagraph D. He asked Council what the specific reason(s) for denial under the City Code is/are. If denied under this section, is there some other provision that he can apply for a permit. He further requested that City Council adopt a Resolution under Section 22-301 allowing him to use the mega phone as requested.

Mayor Coble asked for legal advice in Executive Session regarding the matter.

There was a consensus of Council to receive legal advice and meet with Mr. Lefemine after such advice is given.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to go into Executive Session at 2:25 p.m. for the discussion of **Items J.** through **J2.** as amended.

- J. Discussion of negotiations incident to the proposed sale of property
Items were discussed in Executive Session. No action was taken.
- J1. **Receipt of legal advice, which relates to matters covered by attorney – client privilege
 - **Use of amplification devices
 - **TIF Audit Update
 - Governor's Hill*Items were discussed in Executive Session. No action was taken.*
- J2. **Discussion of negotiations incident to proposed contractual arrangements
Items were discussed in Executive Session. No action was taken.

OTHER MATTERS

- K. City Council to meet with Mr. Ric Luber, President and CEO for the Midlands Authority for Conventions, Sports and Tourism - *This item was deferred.*
- **Mr. Finlay left the meeting at 3:58 p.m.**
- **Council adjourned the Executive Session at 4:00 p.m.**

OTHER MATTERS

L. Request to Use Sound Amplification Devices on Taylor Street

Mayor Coble read the following statement on behalf of the Council in response to Mr. Lefemine's request to use sound amplification devices on Taylor Street, noting that they will not engage in discussion once the answer is given:

Exercise of the first amendment right of free speech does not require that the City allow you to use sound amplification and may violate the City's noise Ordinance.

Your proposal is not a broadcast program of music, speeches or general entertainment as part of and in recognition of the community celebration of national, state or city events, a public festival or an outstanding event of a non-commercial nature.

You are certainly entitled to use the public areas to convey your message as permitted by the first amendment.

There was a consensus of Council to deny the request from Mr. Steve Lefemine, Director of Columbia Christians for Life to use sound amplification devices on Taylor Street on September 10-11, 2007 during the National 9/11 Memorial Tour and directed the City Clerk to draft a letter of response to Mr. Lefemine immediately.

- **Council adjourned the meeting at 4:10 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk