

**CITY OF COLUMBIA
CITY COUNCIL WORK SESSION MINUTES
OCTOBER 3, 2007 - 2:00 PM
C.A. JOHNSON PREPARATORY ACADEMY
2219 BARHAMVILLE ROAD**



The Columbia City Council held a Work Session on Wednesday, October 3, 2007 at the C.A. Johnson Preparatory Academy located at 2219 Barhamville Road, Columbia, South Carolina. Mayor Pro-Tempore Tameika Isaac Devine called the meeting to order at 2:18 p.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis, The Honorable Anne M. Sinclair, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Mayor Robert D. Coble joined the meeting at 3:39 p.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

CITY COUNCIL APPOINTMENTS TO BOARDS AND COMMISSIONS

A. Code Enforcement Taskforce

Upon motion by Mr. Finlay, seconded by Mr. Rickenmann, Council voted unanimously to approve the appointment of Mr. Mel Jenkins (Mr. Rickenmann) and Mr. Coley Brown (Mr. Finlay) to the Code Enforcement Taskforce. This is an ad-hoc committee and no term limits have been established. The following vacancies remain: Representatives for District I and business owners within the Farrow Road, Garners Ferry Road and Two Notch Road corridors.

It was suggested that a representative of Woodhill Mall be selected for the Garners Ferry Road corridor vacancy. It was further recommended that someone from the Two Notch Road Merchants Association represent the Two Notch Road corridor. Mr. Cromartie and Mr. Davis will make a joint nomination for the Farrow Road corridor.

B. Riverbanks Park Commission

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the appointment of Mr. Earl Brown to the Riverbanks Park Commission for a six (6) year term. There are no remaining vacancies.

C. Columbia Action Council

Councilor Cromartie asked if the Columbia Action Council is a viable organization.

Councilor Sinclair asked about the status of the board, noting that the Columbia Action Council remains active.

Mr. Charles P. Austin, Sr., City Manager stated that because the Columbia Action Council falls under the Parks and Recreation Department there might not be a need for a Board of Directors, but maybe an advisory board instead.

There was a consensus of Council to direct Mr. Charles P. Austin, Sr., City Manager, Mr. S. Allison Baker, Assistant City Manager for Public Services and Ms. Judy Stringer, the Executive Director of the Columbia Action Council to meet and discuss the current and future need for a Board of Directors for the Columbia Action Council since it is an entity under the City's Parks and Recreation Department.

D. Columbia Museum of Art Commission

Councilor Cromartie asked about the diversity of the current Columbia Museum of Art Commission members. He wants to ensure that the city's appointments reflect the diversity of the City of Columbia.

Councilor Sinclair explained that this is a five (5)-person Commission with different roles from the Board of Trustees.

Councilor Devine asked if Ms. Boyd would serve on the Board and the Commission if the recommendation is approved by Council.

There was a consensus of Council to request that the Columbia Museum of Art Commission review the current board structure along with the recommendations for new members to ensure there is diverse representation on the Commission. Staff was asked to research the difference in the roles of the Board of Trustees and the Commission. Two (2) vacancies are pending.

E. Columbia Music Festival Association

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve the appointment of Mr. Charles Sterne for a four (4) year term to expire on October 3, 2011. There is one (1) vacancy remaining.

F. Commercial Loan Review Board

Councilor Cromartie explained that the Commercial Revolving Loan Review Board was created to provide minority and females an opportunity to get small business loans in the City of Columbia.

Councilor Rickenmann stated that the purpose is great, but we can't move forward until we have enough applications to fill the slots.

Councilor Devine noted that staff has reported challenges with this board.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, stated that it's hard getting enough people to constitute a quorum due to conflicting schedules.

Councilor Davis suggested that staff look at improving the scheduling. He stated that people needed to be replaced if they can't attend the meetings. We need to figure out a way to help it become a functioning group.

Councilor Sinclair suggested that staff include a very clear explanation of what they do when advertising the vacancies.

Councilor Finlay urged the Council to finalize some appointments to clear the way for others. He noted that some of the smaller boards are stepping-stones to the larger boards.

Staff was directed to advertise the vacancies with a clear explanation of the purpose of the board and the role of its members. There are five (5) vacancies.

G. Greater Columbia Community Relations Council

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the appointment of Keisha Adams, Melvin Carter, II, Bennie Colclough, Walid Hakim and Hal Stevenson for a three-year term.

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to approve the reappointment of Helene Cargile and Erika Salley for a three (3) year term. A District II representative will fill the remaining vacancy.

Councilor Cromartie is to contact Ms. Myrtle Gordon to determine if she is interested in being reappointed.

H. Mini Grant Committee

No action was taken. An appointee is needed from Districts 1 and 4 and the Mayor.

CITY COUNCIL DISCUSSION / ACTION

I. Economic Development Special Projects Account – Ms. Dana Turner, Assistant City Manager for Commerce and Development

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, asked the Council to consider approving all allocations from the Economic Development Special Projects Account to include funding for the World Affairs Council, Export Consortium, The Alliance, Midlands Economic Business Alliance and the contribution to the upcoming hydrogen project.

Councilor Rickenmann asked why the Central SC Alliance had not signed a Memorandum of Understanding (MOU) as other organizations are required to. He asked that their funding be pulled from the list until they sign a contract or MOU.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, stated that the others have signed a MOU, but the Alliance refuses to do so each year.

Councilor Devine asked about the status of jobs being created by Trumbull Insurance Services.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, explained that they have changed leadership recently. The City did receive a request last year to fund them pursuant to our agreement, but they were not able to provide us with CPA verified documentation on their job creation activities. We did not incur any expenses last year and we have tried to contact the new CEO, but attempts were unsuccessful. Last year was the first year we would have been obligated to fund them.

Councilor Finlay asked if it was legal for us to do this. He is unsure if it falls within the city's purview to pay direct compensation for job creation.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, added that the original request was for assistance with parking. The signed Memorandum of Understanding was reviewed by the Legal Department and it contains specific requirements, such as the jobs must pay at least \$40,000 and there's a cap on the amount of the city's exposure.

Councilor Finlay requested a copy of the legal opinion provided in regards to the MOU with Trumbull Insurance Services.

Councilor Cromartie recalled that the MOU was an incentive for the firm to move downtown.

Councilor Sinclair asked if the firm had received any money to date.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, stated that the firm had not received any funding from the city.

Councilor Davis requested a report outlining what the organizations are doing to meet the expectations of the funding agreement.

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to approve the fiscal year 2007/2008 anticipated requests from the Economic Development Special Projects Account in the total amount of \$558,000. Requests in the amount of \$169,000 were previously approved for a total amount of \$727,000.

Councilor Devine asked about the status of the Development Corporation proposal.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, explained that they are ready to move forward with the Development Corporation allocations. She offered to speak as to what the Corporations would use the funding for.

Councilor Sinclair said that a detailed memo has already been provided and asked Ms. Turner to speak to the amount and when the funding transfer would occur.

Councilor Rickenmann stated that the Two Notch Development Corporation (TNDC) is still holding onto 3-4 lots in the Waverly area and he recommended that those lots be sent over to the East Central City Consortium.

Councilor Cromartie said that we couldn't give any property to them until we know exactly where East Central is.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, recommended that they allocate the available funding to the Columbia Housing Development Corporation, the Columbia Development Corporation and the Eau Claire Development Corporation. The Two Notch Development Corporation would not receive additional funding, because approximately \$2.8 million in HOME Funds has been transferred to them for the completion of a project.

Councilor Devine asked if the funding for the TNDC included the acquisition of the apartments as discussed.

Ms. Dana D. Turner, Assistant City Manager for Commerce and Development, said they would need to be creative to come up with a number of different ways to have enough funding available to do the development that has been discussed. They are looking at tax credits and other options to be able to redevelop the entire track.

Councilor Sinclair explained that she met with the City Manager and the Chief Financial Officer to discuss funding for the Development Corporations and the amount allocated during the budget process. She asked Ms. Lisa Rolan, Chief Financial Officer to explain how the funding is allocated so the Council can determine how they want to handle it.

Ms. Lisa Rolan, Chief Financial Officer, explained that during the budget process the Development Corporations are allocated a certain amount that goes to Personnel Services and Operating Expenses. The funds for operating expenses can be spent in any way, but the funding for personnel services can only be used for personnel services to include salaries and benefits. She added that there is a cushion in the fund to cover merit increases. The Two Notch Development Corporation actually returns a certain amount of personnel services back to the City. The Budget Ordinance must specify if funding is being allocated or appropriated for the Development Corporations.

Councilor Devine stated that the intent was to generally give funding to the Development Corporations.

Ms. Lisa Rolan, Chief Financial Officer, further explained that the Ordinance states that in order to move money from personnel services to operating expenses you have to ask for City Council's approval.

Councilor Sinclair stated that her understanding was that the money was going to the Development Corporations. We need to do something differently for this year to make the change. I am not sure what it would take for us to do what we intended.

Councilor Cromartie said that he had never heard of this before. We thought the allocations went directly to the Development Corporations

Mr. Charles P. Austin, Sr., City Manager explained that we are responsible for paying the salaries and benefits for the Development Corporations and that the money has to be earmarked some place. We take from their allocations to cover their salaries and benefits. If Council allocated unrestricted funding we would have to then determine how to cover their salaries and benefits.

- **Mayor Coble joined the meeting at 3:39 p.m. and is now presiding.**

J. Board of Zoning Appeals

Councilor Rickenmann suggested that Council appoint Mr. Emile Delfice as a replacement for Mr. Lowndes Pope. Mr. Delfice would serve the remainder of Mr. Pope's term.

Councilor Finlay stated that he would like to appointment someone from District Four to the Board of Zoning Appeals. He nominated Mr. Calhoun McMeekin for an appointment to the Board of Zoning Appeals.

Councilor Sinclair stated that she would like to hold the appointments until Council members are able to contact applicants they do not know. She said this is necessary, because appointees make decisions that impact the entire city.

Councilor Devine concurred with Ms. Sinclair and requested that the appointments be held until Council members talk directly with nominees and are comfortable they can represent this city as a whole.

Councilor Davis agreed that the Council should wait until the next meeting to finalize the appointments, but suggested that they not add additional nominations.

Mayor Coble said that there needs to be a balance on the land use boards and commissions. He said that any wholesale changes to the Planning Commission and the Design Development Review Commission would need to be balanced.

Councilor Rickenmann suggested that they hold the appointments to all land use boards until the next meeting.

Councilor Finlay suggested that there be a date of demarcation for the application process.

Councilor Cromartie said that Council should reserve the right to make nominations.

Councilor Rickenmann said that the appointments have been hammered for several months and we have a good slate of candidates. We told everybody that we were voting this time. We have to make a decision today.

Upon motion by Mr. Rickenmann, seconded by Mr. Davis, Council voted six (6) to one (1) to close the application process effective today, October 3, 2007 for all Land Use Boards and Commissions to include the Board of Zoning Appeals, the Design Development Review Commission and the Planning Commission. Council will discuss the applications today and finalize the appointments on October 17, 2007. Voting aye were Mr. Finlay, Mr. Rickenmann, Ms. Devine, Mr. Davis, Ms. Sinclair and Mr. Cromartie. Mayor Coble voted nay.

Councilor Sinclair asked the Council to consider the reappointment of Ms. Elizabeth Webber. She suggested that Mr. Delfice be considered for an appointment to another board or commission.

There was a consensus of Council to contact the applicants that are being considered for the one (1) vacancy. The reappointment of Ms. Elizabeth Webber is also pending. No action was taken.

K. Design Development Review Commission

Councilor Rickenmann noted that there is no representation from persons in the construction industry. He said there are two (2) applicants that would fit the category and urged the Council to consider this.

Councilor Sinclair is concerned that only (2) of the current board members reside within historic districts. She would like to see more appointees that live under the rules created by design overlays or designations.

Councilor Cromartie nominated Mr. Bob Guild for an appointment to the Design Development Review Commission. He nominated Mr. Carl Frederick for the Planning Commission.

Councilor Devine requested a breakdown of the diversity of the group.

Ms. Lucinda Statler, Urban Planner, explained that there are six (6) vacancies including the two (2) individuals that are eligible for reappointment. There are a total of nine (9) positions on the commission. The positions are: Architectural Historian, Preservation Architect, Planner, Attorney, Real Estate Broker, Developer and At-large.

Councilor Davis nominated Mr. Carl Thompson for an appointment to the Design Development Review Commission.

There was a consensus of Council to obtain additional information by contacting various applicants. Staff was asked to provide additional information regarding the current vacancies and composition of the board. No action was taken.

L. Midlands Authority for Conventions, Sports and Tourism Board

There was a consensus of Council to ask Ms. Devine to contact the current Chairman of the Board to get their perspective on the pending appointment.

M. Planning Commission

Mr. Chip Land, Director of Planning, noted that Mr. Ron Anderson has moved from Council District One to Council District Three.

Councilor Devine recommended the reappointment of Ms. Tiaa Rutherford to the Planning Commission.

Councilor Davis concurred with the reappointment of Ms. Tiaa Rutherford.

Councilor Finlay nominated Mr. Mark James, noting that he is a developer. He further suggested that the Council consider Mr. Lee Mashburn and Mr. Walter Powell for an appointment.

Councilor Rickenmann nominated Mr. Chris Brownlee, noting that he has a wealth of knowledge about the real estate business and he's a big advocate for the Historic Columbia Foundation.

Mayor Coble reminded the group of the Resolution that was passed recently, endorsing a Joint Planning Commission with Richland County. He stated that board members need to be made aware of this Resolution. The way to get to a joint planning effort is for staff to work well together.

Mr. Chip Land, Director of Planning, explained that city and county staff meet regularly and they plan to have a joint meeting between the two with one being hosted by the city and the other being hosted by the county. We are working with the county on other initiatives, attending each others meetings and sharing maps, data and other information gathered by Central Midlands.

Councilor Finlay asked the legal staff to clearly define the legal parameters of each land use board placing emphasis on what they have purview over and what they do not have purview over.

There was a consensus of Council to obtain additional information by contacting the applicants. No action was taken.

N. **Central Midlands Council of Governments

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to approve the reappointment of Mr. John Hardee to the Central Midlands Council of Governments for a second and final three (3) year term.

Councilor Davis would like to contact the Council District Two representative that currently serves on the Central Midlands Council of Governments.

O. Richland / Lexington Airport District

The Legal Department will research the statute to ensure we select the best-suited applicant. No action was taken.

EXECUTIVE SESSION

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to go into Executive Session at 5:37 p.m. for the discussion of **Items P.** through **R.** as amended.

- P. Receipt of legal advice related to a matter covered by attorney-client privilege
Items were discussed in Executive Session. No action was taken.
- Q. ****Discussion of the employment of an employee**
Items were discussed in Executive Session. No action was taken.
- R. ****Discussion of negotiations incident to proposed contractual arrangements**
- Wireless Fidelity (Wi-Fi)
This item was discussed in Executive Session. No action was taken.
- **Council adjourned the Executive Session discussion at 6:40 p.m. to convene the District II Evening Meeting.**

Respectfully submitted by:

Erika D. Salley
City Clerk