



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 7, 2008
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Wednesday, May 7, 2008 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:08 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 F. Finlay III. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes of March 5, 7, and 19, 2008 - *Approved as presented.*

Upon motion by Mr. Davis, seconded by Ms. Devine, Council voted unanimously to approve the Minutes of March 5, 7, and 19, 2008 on a single motion and as presented.

PRESENTATIONS

- 1a. ****American Heart Association for the Heart Healthy Company Designation – Ms. Mona Carter, Vice President of Corporate Relations for the American Heart Association**

Ms. Mona Carter, Vice President for Corporate Relations for the American Heart Association presented the City of Columbia with a Certificate of Thanks for being a Fit Friendly Company in the Midlands and for participating in the American Heart Association's Heart Walk.

PUBLIC HEARING

- 1a. ****Resolution No.: R-2008-027 - Authorizing the City Manager to execute a Contract of Sale for the purchase of Parking Decks within the mixed use Condominium Project in Five Points from Washington Square, LLC - *The Public Hearing was conducted. No action was taken.***

- **Council opened the Public Hearing at 9:12 a.m.**

Professor Phillip Lacy, University Law School, explained that he looked at the draft contract between the City and Washington Square, LLC as requested by Ms. Caroline Watson. He is aware of the controversy surrounding this project, but he doesn't have an opinion on how it should be built or whether it should be built. The following issues caused him some concern: the limited number of floors of residential units to be built; the need to reconfigure the construction of the tunnels under the site; he would advise the city to get an independent engineering evaluation as to the suitability of the site; is there a problem with the market of condominiums; is the developer capable of financing this project without backing; is the developer pre-signing units and using those contracts to acquire construction financing; is it an interest free loan; where is the remainder of the conventional financing coming from; the position of the city should be secured in the form of a mortgage and not a letter of credit; the definitions and the closing date are all ambiguous; what elements are included in the construction costs; and would the city be obligated for another \$4.8 million. He agreed that the conditions are very favorable to the city, because the more residential units constructed, the less the city should spend on the common components. Dr. Lacy cited other contradictions throughout the contract.

Mr. Scott Linaberry of 2902 Blossom Street appeared on behalf of the Five Points Association Board and businesses directly affected by the parking problem in Five Points. He agreed that Five Points needs more parking. He noted that the project would bring parking, new residents and new retail that would all drive the economic engine in Five Points. He has fifty (50) employees on Thursdays through Saturdays and they take up a lot of parking. He stated that the village quality of Five Points doesn't come from the existing buildings, but because of the people and businesses found there. There is a parking problem during lunch time, happy hour and throughout the evening. They are dismayed because some of the neighborhoods oppose the plan due to the height of the structure. He urged the Council to approve this project.

Mr. Gene Dinkins of 2234 Wheat Street stated that his family is very much affected by what happens in Five Points. He said that it was a quaint neighborhood area that was truly a village. He said that quality developments, quality retail, residential development, parking and stability are needed. He feels that this project would provide all of this, noting that the height is not a problem. He urged the Council to quickly approve this project.

Ms. Carla Moore of 2300 Wilmot Avenue stated that the Shandon Neighborhood Council passed a motion on May 5, 2008 to propose that the Columbia City Council reexamine the alternatives to the current proposal for the Kenny's Auto Site so as to meet the needs of both the businesses and neighborhoods.

Ms. Beth Bilderback of 1724 Pinewood Drive and President of the Hollywood/Rosehill Neighborhood Association appeared before the members of Council on behalf of the Lyon Street, Martin Luther King/Lower Waverly, Midland Terrace, Wales Garden, Waverly and Wheeler Hill Neighborhood Associations to join the Shandon Neighborhood Council in its formal request to ask City Council to reexamine the alternatives to the current proposal for the Kenny's Auto Site so as to meet the needs of both the businesses and neighborhoods. These neighborhoods stand united and ready to assist in accomplishing this in any way possible. In addition, she represents over 612 people from all over Columbia that have signed petitions stating their concerns. She represents 157 people that asked to be included in the list of concerns for a total of 769 names. An electronic petition will be filed with the City Clerk during next week. She described this has been a painful process for the neighborhoods.

Councilor Devine asked that the neighborhoods represented by Ms. Bilderback could send a letter or e-mail to her outlining their individual positions.

Councilor Davis asked Ms. Bilderback to outline her concerns with the current proposal.

Ms. Beth Bilderback of 1724 Pinewood Drive and President of the Hollywood/Rosehill Neighborhood Association explained that there are concerns about locating the parking garage at the Kenny's site in terms of the amount of traffic it will add to an already congested area; the city is spending money for 200 parking spaces when they could spend the same money and get 244 spaces; the Kenny's site is on the edge of Five Points whereas the alternative site is in the center of Five Points; if the city is looking to develop the Harden Street stretch of Five Points she feels that the alternate site would be a better location; the alternate site would remove some of the traffic from the pedestrian area; the city should spend its money wisely; and no pro-forma was done.

Mr. Andrew Marion, Wales Garden Neighborhood Association President-Elect / 1801 Seneca Avenue appeared before the members of Council to present concerns raised at a forum which he moderated to hear the concerns of residents in regards to this development. There were representatives from neighborhoods all around the city for a total of 214 attendees. He estimates that 200 residents oppose this project and are concerned with the city's guidelines, involvement and expenses.

Ms. Joanne Morton appeared before the members of Council in opposition to the project, stating that it is ironic that we are meeting to discuss a major change in a historic area of our community at the same time we are celebrating the preservation of the downtown part of our city. As a grant writer/administrator, she has serious concerns about the contract, because there are a number of issues related to it. She noted that we have one chance to get this right and encouraged the members of Council and the developer to take every precaution they can to make sure we get this right. She asked them to figure out a way to make this project fit into the community better than it appears to fit now.

Ms. Vickie Eslinger appeared before the members of Council in opposition to the project. She noted that she doesn't attend her neighborhood meetings. She has concerns about the way the contract was written. She started with page one and the definition of construction costs and construction price, stating that they were never repeated in the contract. She said that the amount the city should be paid should be defined as the lesser of the construction cost and the maximum cost, but in no event more than \$5.8 million. She further explained that there is not a definition of breach or what would happen if there was a breach; what would happen if there was a default; what if the developers cannot proceed because the project is too expensive; there is no protection for the city. She concurred with Mr. Phillip Lacy's comments. She believes that the way the contract is written is an invitation to arguments if unforeseen problems happen with the construction.

Mr. Manning Frankstone of 102 Edisto Court appeared before the members of Council in support of the project. He asked what are we doing here since the Planned Unit Development (PUD) has been approved and public comment has already been received. This questions whether the city's process is correct or fatally flawed. As a taxpayer he is frightened of the liability if the contract doesn't go through.

Mr. Randy Dennis of 723 Saluda Avenue appeared before the members of Council in opposition to the contract. He stated that if the 2002 Parking Study had been implemented we wouldn't be here today. He noted that there are 562 private spaces and 322 public spaces in Five Points. He feels that parking is not needed in Five Points, but we need to implement the ideas given in the 2002 Parking Study.

Ms. Merritt McHaffie, Executive Director of the Five Points Association, appeared before the members of Council in support of the project on behalf of the merchants and the Five Points Association Board of Directors. She recently conducted a Five Points merchants' opinion poll. This poll showed that 71 merchants out of 89 are in support of this project; 12 are against and 6 merchants are indifferent. She stated that this building is for Five Points, it's in Five Points and the merchants want it.

Mr. Mac Ogburn of 221 Branch Hill Lane appeared before the members of Council in support of the project, noting that it has already been approved and it's unconscionable to take this long to get a project done. He urged the Council to stick to the plan they already approved and not continue this process because it doesn't help.

Mr. Femi Olulenu of 1007 Pine Street appeared before the members of Council in opposition to this project, because a lot of money is being spent. He heard that a Council member will be paid \$1.5 million to sell their business if this is approved. This concerns him and it feels like horse trading. He noted that there is a state owned building on Devine Street and a Food Lion on Harden Street with a lot of under utilized parking spaces. He said that people don't have to park directly in front of the store they are going to. He insisted that Columbia doesn't need additional parking. He said that parking in Five Points won't make the businesses better. It will be another tower that is not needed. He said that \$6 million would do a lot for the community by providing more services.

Mr. Steven Cohen of 1 Airy Hall Court appeared before the members of Council in support the project, because it might generate more growth in the area. He has seen the changes and the deterioration of buildings since his childhood. He noted that they have lost the high quality merchants and don't want bars to be the only thing in Five Points. He thinks that if the city moves forward with this project it might encourage new merchants to come in and help to revitalize the area.

Ms. Sylvie Dessau of 1221 Pine Street appeared before the members of Council in opposition to the project. She is unsettled that this matter was added to the agenda at the last minute. She asked why public money is being spent on structured parking in Five Points when the only parking study that has been done was in 2002 and it said there is no need for structured parking. She requested an updated analysis to see if structured parking is needed in Five Points and where the best location would be. She said that it is paradoxical for the Council to promote fitness on one hand and on the other don't want people to walk a half block for parking. She said that now is the time to discuss the city's commitment. She is concerned about there not being any technical descriptions in the contract and not knowing what's included in the construction costs. She wants a financial analysis to determine how much money the city would lose.

Mr. Doug Quackenbush Architect for Quackenbush Architects and Planners / Author of the Five Points Future Five Plan, thanked the members of Council for their initiative in diverting a portion of the Parking Fund into Five Points, because it is critical. The Master Plan his firm authored, identified parking as a key issue in the healthy development of Five Points to address current needs as well as future needs. He is convinced that addressing this parking need now is the key to providing a catalyst for a new and healthy development in Five Points, which is the whole objective of the Future Five Plan. He stated that this site was identified as an ideal site for structured parking long before they were aware of this proposed development. They noted that it would be critical for any parking deck to be centrally located to maximize use and to support retailers where convenience is a must. They also participated in a planning study in the mid 1990's, which identified this site as an ideal site for structured parking in Five Points. The site has easy access to Devine Street, Saluda Avenue, Santee, Harden and Blossom Streets. The issue of appropriateness was dealt with previously as part of the PUD process. He supports this project based on its merits. He devoted countless hours to studying the plan and making recommendations for its refinement. He urged the members of Council to support it also.

Ms. Tracey Swartout of Santee Avenue appeared before the members of Council in opposition to the project. She stated that perhaps long ago the center of Five Points was at Blossom Street and Devine Street, but it isn't any longer. The studies need to be updated. As a homeowner, resident, former Five Points' employee, former University of South Carolina student and as a business patron she doesn't oppose new residences, retail or parking, but does oppose this specific development, at the proposed height, at the proposed location, at this time and being financed by the city as proposed.

Susie Heyward appeared before the members of Council in opposition to this project. She asked what assurances we will have that this development will be completed. She talked about a development in Richland County that was not completed and was left as an eye sore for the community. She said that enough financing needs to be in place to ensure this don't happen.

Mr. Reed Swearingen 1400 Wellington Drive appeared before the members of Council in opposition to the project, because the proposed building would not fit in with the character of Five Points. He said that maximum usage doesn't trump creating a pedestrian friendly and healthy community. He added that the developers should not be left out on a limb and suggested that they work with the developers to get the project down to a 3-story level. This would not include public parking, but would keep the building in character. It would be an investment into our community and increased tax rolls. He further suggested that another Request for Proposals be released for parking in Five Points.

Ms. Ryan Nevius of 1620 Crestwood Drive appeared before the members of Council in opposition to the project, due to concerns she has with the contract. She is also concerned about the developers going bankrupt and there not being a guarantee that the high price condos will sell. She doesn't believe that drive through windows would add to the neighborhood feel that is cherished in Five Points. She implored the Council to study the traffic flow and to be concerned about the contract issues.

Mr. Bob Gardner of 808 Sims Avenue appeared before the members of Council in opposition to the project. He stated that there isn't a parking problem and if there is, it will be diminished by the increased cost of gas. The real problem is healthcare and the needs of poor people and he would like to see money spent on that.

Ms. Jennifer Gardner appeared before the members of Council in opposition to the project, because there is plenty of surface parking in the area. She wants to know why the city is subsidizing the development and the supposed parking problem in Five Points. She asked that Mr. John Spade of Parking Services go around and count the surface parking spaces with her. She said that there is tons of parking at night and she doesn't believe that a problem exists.

Mr. Thomas Swartout of 516 Santee Avenue appeared before the members of Council in opposition to the project, because there is not a need for a parking structure in Five Points. He urged the Council to consider other options that may be a win-win for all. He requested that the parking study be updated to justify the need for parking. He also questioned the need for a third bank and another pharmacy at that intersection.

Mr. James Knight of 1811 Seneca Avenue appeared before the members of Council in support of the project, because he is concerned that if the city withdraws its support of this project we will end up with another unattractive building at the gateway of Five Points.

Mr. Joe Azar of Upstairs Audio appeared before the members of Council in opposition of the project. He stated that the process is working, because money should not be the glue that seals the lips of the citizens. He said that there are other alternatives than the Claussens proposal for parking in Five Points. He said that the project will create tension between residents and people parking there. He added that in the past election, one councilman almost lost the election over this issue. The activism over this issue will not go away. He suggested that the Council look at what the citizens want.

Ms. Caroline Watson of 516 Congaree Avenue appeared before the members of Council in opposition to the project. She believes in smart growth, fiscal responsibility and open processes and she believes that the city has failed in all three (3) areas. She said that myriads of people communicated their opposition to the height and mass of the structure with the garage. Many people felt this would not be a problem if the garage was not a part of that building. She said that it is time to update the 2002 study rather than spend \$5.8 million to accommodate employee parking. She stated that our nation is in the worst economic downturn in ten (10) years; our housing market is in crisis, particularly the condo market; we have many less than successful condo projects in Columbia; we have a developer with little to no experience in developing public parking garages or condominiums; and we have a signature piece of property in a retail shopping village that has just suffered economically through a major streetscape renovation. The contract being considered is a sparse, loosely worded document that provides no assurances of the finances of the developer; it fails to address known hazards; and it exposes the city to significant risks. There is no specific requirement to complete the project by the delivery date and that needs to be cleared up. There is no liquidated damage provision to force completion by the developer. Why would the city not require the developer to demonstrate that it has the resources to fully fund the project and protect Five Points from mid-construction default? The developer should be able to provide city bonded construction and satisfactory

evidence of loan commitments or other resources to fund the project. Other specific concerns will be filed with the City Clerk.

Mr. Ron Swinson, Co-Developer of Five Points South, explained that in the fall of 2006 he and his partner acquired control of the Kenny's site, which was formerly operated as a grocery store and a muffler business. They contacted City Administration to discuss the opportunity of developing the site into a mixed-use structure to include retail, residential and parking. The reception was favorable and they made a formal request to the City Manager on January 8, 2007. The result was a Resolution approved unanimously by the City Council on March 1, 2007. He recited the language of the Resolution for the record. He said that once the Resolution was approved, they immediately sought input from the neighborhoods and merchants' associations as they developed plans for the Planned Unit Development. They assembled the PUD documents and submitted them to the Planning Commission. At the initial Public Hearing they received significant input and agreed to work out their differences with an Architect of the neighborhood associations and the merchants choosing. They were told that the associations would support the plan if they incorporated the recommendations of Doug Quackenbush. Mr. Quackenbush worked with their Architects for weeks and totally redesigned the façade of the building costing in excess of \$200,000.00. At this point several individuals changed their minds and organized opposition to the project. At the same they were working with City Engineers regarding the drainage tunnels. They felt that their structural engineer's plans were appropriate, but they accepted the city's request and agreed not to build over the tunnels, thus reducing the number of condominiums by three (3). The Planning Commission recommended approval of the PUD to City Council with one descending vote. After additional Public Hearings City Council approved the PUD unanimously subject to a Request for Proposals being issued for Five Points' parking. After review of those submissions, the Kenney's site graded substantially higher than the other submissions; therefore, the City Council voted to go into a contract, subject to the proposed contract being posted on the internet for two (2) weeks for public review. This demonstrates our willingness to cooperate with and accommodate the wishes of all the parties throughout this extensive approval process, even though it was done at great expense to us. He stated that the process has been unusually long, but they do appreciate the continued support of the City Council. While they do respect the right of someone to oppose their project, they do not respect the tactics which continue to be used to undermine decisions which have already been made. The misinformation and scare tactics are totally inappropriate and it is irresponsible to deliberately disseminate incorrect information to gain support for one's cause. He noted for the record that as the developers they have not received one (1) telephone call asking about factual information or what's going on with the project. Their intent is to build a high quality, extraordinary mixed-use project in Five Points to provide retail services, much needed parking and new residences while not removing property from the tax rolls, but significantly increasing it. He stated that they are willing to guarantee the maximum price on this project. He presented photos of other buildings in the area that exceed 75' in height.

Mayor Coble stated that he has supported this project all the way through and when you have a public process with public money being spent, you are going to have opinions from people. He said that misinformation or a disagreement on information is an inevitable part when people have different opinions and that's why we have Public Hearings and give more time for you to respond. The public has a right to comment and the disagreements cannot be categorized as scare tactics, but as part of the public process.

Councilor Finlay stated that he has been against this project literally from the point that he could vote on it, because he doesn't understand how the city could pay \$1 million for air rights without comparables. He thinks that the process has been long, arduous and at points fairly difficult. He doesn't agree with the project and finds that the finances are unworkable. He suggested that they reduce the price of the air rights or that the merchants rent the parking spaces. This will have a chilling effect on future development, because the process is not clear and it gets subjective. While he disagrees with the project, he does believe that the developers have been upright and forthright and he appreciates that.

- **Council adjourned the Public Hearing at 11:07 a.m.**

Councilor Devine stated that there were good points made by both sides, but people have to understand that there are other things that will come up in regards to this site. If the City doesn't participate in the proposed project, the developer will still have the right to develop a Planned Unit Development at that site.

Councilor Sinclair stated that she represents the neighborhoods who are opposed to this project; those neighborhoods that support the project; and the commercial properties. She was amazed at what is allowed to go at the site under the existing zoning. It is important for people to give their perspectives. She added that a Frequently Asked Questions page will be placed on the city's website to clarify things from the city's perspective. She said that the contract needed to be clear and sound and it should protect the public's interest. She noted that in order for Five Points to mature it must become stronger and there are a lot of ways to do that.

- **Council recessed at 11:17 a.m.**
- **Council reconvened at 11:24 a.m.**

PRESENTATIONS

2. Introduction of the April 2008 Employee of the Month (Ms. Karen Kustafik, Park Ranger Coordinator) – Mr. S. Allison Baker, Assistant City Manager for Public Services

Mr. S. Allison Baker, Assistant City Manager for Public Services introduced Ms. Karen Kustafik, Park Ranger Coordinator as the City of Columbia April 2008 Employee of the Month. He said that the City of Columbia was first introduced to Ms. Kustafik in 2000 while she was a student at the University of South Carolina and a member of the Palmetto Peddlers. She met with members of Council along with a coalition of Congaree River users to voice strong concerns and opinions about the needs and uses of the river and park amenities to be constructed along the river. Her passion for the river and knowledge of the environment was quickly recognized. She began working for the city as a part-time Environmental Program Specialist in September 2000; shortly thereafter she was promoted to a full-time position as an Environmental Specialist; and in 2005 Ms. Kustafik accepted the challenge to organize and implement our Park Ranger Program. He said that the city's Park Ranger Program is one of the most successful endeavors that the Parks and Recreation Department has undertaken since he has been the Director of Parks and Recreation.

Mayor Coble and Mr. Charles P. Austin, Sr., City Manager presented Ms. Karen Kustafik with tokens of appreciation for being selected as the City of Columbia April 2008 Employee of the Month.

4. "Get Your Wellness On" Wellness Challenge – The Honorable Tameika Isaac Devine

Councilor Devine presented the citywide "Get Your Wellness On" Challenge, which is a 12-week program that begins on Monday, May 12, 2008. She said that the Wellness Center has transformed people's lives and helped them to live healthier lifestyles. She introduced Ms. Teri Marriott; a nutritionist for Doctors Wellness Center and Mr. Bertram Bailey; a personal trainer for Bodies By Bert, as two of the professionals that will assist in this effort. This is an opportunity for the city to be a leader in wellness. A Wellness Walk was held on Sunday as the kick-off event. She noted that city residents and employees along with Richland School District One and Richland County employees were only charged \$99.00 to join the wellness challenge. All others paid \$149.00. Ms. Devine is also working with staff to expand the Employee Wellness Program and an update will be provided in August 2008.

Ms. Tracey Waring, General Manager of the Charles R. Drew Wellness Center, explained that the City of Columbia has partnered with Doctors Wellness Center to develop a 12-week wellness challenge and the purpose of the program is to challenge the citizens of Columbia to take charge of their health and to live healthier lifestyles. There are several components of the program to include a comprehensive health assessment; 12 weeks of nutrition classes; 12 weeks of group personal training; a field trip to the grocery store; healthy cooking classes; and a post health assessment to compare numbers. They developed a team of certified professionals to include a nutritionist, personal trainers and aerobics instructors. That team has come together to promote proper nutrition, daily fitness, positive attitudes and healthy living. The program will end during the last week of July 2008. A total of 115 people have registered for the program.

4a. **National Tourism Week Proclamation – The Honorable Mayor Robert D. Coble

Mayor Coble presented a Proclamation declaring May 10-18, 2008 as National Tourism Week in the City of Columbia.

4b. **Fast Forward Update – Ms. Dee Albritton, Executive Director of Fast Forward

Ms. Dee Albritton, Director of Fast Forward presented an update on current programming; summer programs; and grants. She announced that there are more seats available for children that are special learners thanks to a \$4,000.00 grant from US Air. She also announced that the Adult Lab has been completely redone and is accessible by people with disabilities. Over 200 Veterans have been served by Fast Forward; 65 of those Veterans have new jobs in Columbia; 1 has left the state; 12 are enrolled in higher education in Columbia; and over 40 have increased their technology skills. She noted that the grant from the Department of Commerce ends in December 2008, but she hopes they will extend it through May 2009. The Knight Foundation has provided a grant to expand the blog and web cast that Fast Forward has been doing for Veterans. The partnership between the City of Columbia; the Workforce Development Board; and Fast Forward is receiving funds from the Department of Labor for a free on-line resource for the City of Columbia. They will be assisted by Midlands Technical College Human Resources students. This will list every resource available in Columbia and can become a great sales tool for the city. This resource can be used at the Winter Shelter to identify resources for homeless individuals. She is currently working on another big grant from the Department of Labor to provide free job training for chronically homeless Veterans.

5. Request to Erect an Irish Memorial at Riverfront Park – Mr. Jim Lawracy, State Director of the Ancient Order of Hibernians

Mr. Jim Lawracy, State Director of the Ancient Order of Hibernians, explained that the Ancient Order of the Hibernians is an international Irish organization that would like to memorialize those that were brought here in the early 1800's to build the canals in the State of South Carolina. He feels that Riverfront Park is the most fitting place for such a memorial. The statute was designed by Mr. Michael Fey the Director of Exhibits for the State Museum. He is not asking for funding from the city, because all funding will be provided by the organization and contractors and developers are providing materials. The Beech Company will provide some of the old granite blocks from the CCI site to be used in creating the monument. It is a simple design in the form of an "I". He asked for Council's permission to place the monument at Riverfront Park in the brick plaza across from the information building and to donate it to the City of Columbia.

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to approve the request to erect an Irish Memorial at Riverfront Park as proposed.

6. Building a Better World – Ms. Barbara Lyles-Anderson, P.E., President of Pentacle

Consulting

Councilor Finlay stated for the record that Ms. Barbara Lyles-Anderson is kin to his wife's family. Ms. Barbara Lyles-Anderson, P.E., President of Pentacle Consulting appeared before the Council as a National Policy Advisor for Montgomery Watson Harza (MWH) to share information on an infrastructure program management system.

Mr. Art Hamid, P.E., National Wet Weather Director for MWH, cited an Article written about Atlanta, Georgia's sewer system entitled "Atlanta Sewer a Blessing in Disguise". He described their water structure and added that MWH has been the Program Manager for the system for seven (7) years. As Program Manager they are an extension of staff and they look at areas where cost can be reduced. He said that the age of most sewer and water pipes is 60 years old and the life of the pipes is 80 years. This is a huge national problem and the Environmental Protection Agency (EPA) estimates that it will cost \$330 billion to upgrade the system nationwide.

Mr. Kerwen Whatley, National Program Director for MWH Small Business Development Program, stated that the City of Columbia is about to invest hundreds of millions of dollars to improve its water and sewer system. The investment in the city's infrastructure is a great opportunity to also invest in the local business community and to provide jobs for local residents. He commended the city for its efforts in kicking off the Mentor Protégé Program. He said that MWH has been successful in implementing these types of programs as well. They understand the importance of local economic development and have designed three (3) programs to aide local governments in achieving local economic development. Those programs are the Small Business Institute, which is their mentor protégé program, wherein they partner with small businesses to work for them as they deliver services to their clients; the Small Business Development Program, which is another program designed to grow, develop and build the capacity of small businesses. It is the next generation of the mentor protégé program by providing the tutelage for businesses to be successful as prime contractors; and the Jobs Creation Initiative, a program wherein employment opportunities are created for local residents through local improvement projects.

Mr. Bill Sukenik, P.E., Principal Engineer for MWH, stated that for seven (7) years he has served as the Deputy Program Manager for Atlanta, Georgia's \$4 million water / wastewater capital improvements program. He said that risk based planning offers quick and informed answers with limited asset data; provides an approach that allows us to focus and prioritize; and it allows you to begin strategizing.

Mr. Art Hamid, P.E., National Wet Weather Director for MWH, stated that the underground assets are important for the city and they must be repaired. He added that for the next five (5) years the City of Columbia has over 200 water and sewer projects and can save more money by being proactive. In summary, a programmatic approach for the infrastructure program will provide local contractor / local business development opportunities; mentor protégé opportunities; and reduce the total cost of programs in a more efficient manner.

Councilor Finlay suggested that the Council schedule time in a Work Session to discuss this matter. He said that we have taken steps towards these programs, but we are not certain on how to get there or how to get the results. He is interested in how other cities have dealt with the same problems we are debating and would like to move forward with discussions after the budget has been approved.

Councilor Davis concurred with Mr. Finlay, noting that there are five (5) significant contracts on today's agenda that demonstrate the need to grow small businesses. He said that we must have adequate workforces in this city. We can maintain the economy and grow businesses.

Mr. Huron Winstead, Regional Vice President for MWH, stated that the city's Mentor Protégé

Program is a very solid and robust program that is the beginning of a deliberate effort to make a change by spreading the wealth economically throughout the community.

Councilor Cromartie said that the city can learn how other cities have done this without reinventing the wheel. We want to ensure that we are using the best practices to achieve the best possible results in the process. He asked how effective the program has been in Atlanta in engaging small, minority and female businesses in water and sewer development. He suggested that they move forward with the presentation as soon as possible.

Mr. Huron Winstead, Regional Vice President for MWH, replied that the program has been hugely successful. There are firms that have grown to become primes themselves and micro businesses have become viable primes. Cities must retrofit and improve aging infrastructure in a meaningful way that impacts the citizens. The sewer system assessment model evaluates and provides condition assessments on a proactive basis as opposed to reacting once you uncover a problem in a streetscape project.

Ms. Barbara Lyles-Anderson, P.E., President of Pentacle Consulting added that they work with existing staff to train them to take on more responsibility and work towards taking over the program.

Councilor Cromartie asked how long it took MWH to move the programs forward in Atlanta.

Mr. Kerwen Whatley, National Program Director for MWH Small Business Development Program, replied that the Small Business Development Program began in Atlanta 1 ½ years ago with 30 participants. He reported that 15 companies have already received additional work as a result of the program and one firm has become a prime vendor for the City of Atlanta.

There was a consensus of Council to schedule a Work Session to discuss local economic development opportunities with MWH Americas, Inc. once the fiscal year 2008/2009 budget has been approved.

APPOINTMENTS

6a. **Community Promotions Advisory Committee

The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee explained that this appointment was added to the agenda, because she wanted Reverend Kirk Bellesen to be a part of the committee's budget process so that he has a better understanding of what the committee is charged to do. Councilman Rickenmann is recommending that Reverend Bellesen be appointed to the board.

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve the appointment of Mr. Kirk Bellesen to the Community Promotions Advisory Committee.

PUBLIC HEARING

7. Third and Final Public Hearing on Community Development Block Grant (CDBG) Recommendations, Home Funds and Housing Opportunities for Persons with AIDS (HOPWA) Recommendations and Proposed Community Development Block Grant (CDBG) Amendments – Ms. Valeria Jackson, Community Development Administrator and Ms. Regina Mills, Citizens Advisory Committee Chair – *The first Public Hearing was conducted on April 16, 2008 and the second Public Hearing was conducted on April 22, 2008 at 5:00 p.m. at 1136 Washington Street.*

Ms. Valeria Jackson, Community Development Administrator, stated that this is the third and

final public hearing being conducted in accordance with the City of Columbia Citizen Participation Plan. The purpose for today is to offer the public opportunities to comment and make suggestions on the city's housing and community development needs. After the closing of this public hearing, she asked that City Council vote on next years Community Development Block Grant (CDBG), Housing Opportunities for Persons with AIDS (HOPWA) and Home budgets. She acknowledged and thanked the members of the Citizens Advisory Committee for their many hours of hard work on these budgets.

- **Council opened the Public Hearing at 12:26 p.m.**

No one appeared in support of or in opposition to these budgets.

- **Council closed the Public Hearing at 12:26 p.m.**

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve the Community Development Block Grant (CDBG) Recommendations, Home Funds and Housing Opportunities for Persons with AIDS (HOPWA) Recommendations and the proposed CDBG Amendments.

**Mayor Coble announced that the City Manager has been honored as the Christian Basketball League's Coach of the Year for leading the Village of Hope Basketball Team to a record of 16 and 0.

REPORTS AND UPDATES

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

Mr. Charles P. Austin, Sr., City Manager announced that the Main Street Phase II Project began on Sunday and we have initiated a major public information education campaign so that we can advise citizens about areas that are affected. This includes working with the local media and posting updates on the city's website. We continue to work on the 2008/2009 budget and to date we have fourteen (14) new Police Officers and funding for the Police and Fire Retention Plan included in the budget. He reminded them that City Council Workshops are scheduled for May 12 and 13, 2008. He welcomed Police Chief Tandy Carter to his first City Council Meeting and Mr. Edgar Heustess, as the new Superintendent of Fleet Services. Mr. Heustess served as the Fleet Manager in the City of Cayce for ten (10) years and now serves as President of the Southeastern Fleet Managers Association. He signed the Language Line Agreement on yesterday and expects the service to be fully operational by the first meeting in June 2008. The following departments are included in that agreement: Municipal Court, Police Department, Fire Department, Homeland Security and the City Clerk's Office. This service is already operational in the 911 Center. On yesterday the Office of Business Opportunities staff held a kick-off meeting for the new Mentor Protégé Program and it was well received by members of the small business community and was attended by approximately 60-persons. We are moving forward with the Human Resources assessment as previously discussed; however, based on the assessment conducted by the Information Technology Director he respectfully requested that Council defer the external assessment and reallocate those funds that were set aside to another area in our budget. He reported that the city's Traffic Engineer recommends the installation of a multi-way stop sign at the intersection of Park Street and Chester Street, because serious accidents have occurred at that intersection. He noted that Councilman Davis encouraged staff to explore the possibility of erecting a multi-way stop sign at this location and that is staff's recommendation.

Councilor Davis stated that it is perfectly clear what the problem is at the intersection and that the neighborhood sent messages to Council describing what they have gone through and their plan of action. He said that what they intend to do should not take place in any neighborhood. He is comfortable that the residents are fully aware of the need for the stop sign, because they

have discussed this matter thoroughly in neighborhood meetings.

Upon motion by Mr. Davis, seconded by Mr. Finlay, Council voted unanimously to approve the installation of a three-way stop sign at the intersection of Park Street at Chester Street.

Mr. Charles P. Austin, Sr., City Manager recognized numerous staff members for receiving professional certifications, awards and accomplishments. He commended them for their tenacity in completing these programs and continuing their work with the city.

**Mayor Coble announced that Councilman E.W. Cromartie, II has been elected as a national delegate for the Democratic Convention.

8. Staff Reports and Updates

- **Skate Park Design – Mr. Damon McDuffie, Park Planner for Parks and Recreation Department

Mr. Damon McDuffie, Park Planner for the Parks and Recreation Department, provided a briefing on the Owens Field Skate Park. He noted that the Parks and Recreation Department advertised the Request for Qualifications (RFQ) on Sunday, December 16, 2007 in order to solicit qualifications and credentials for the purpose of designing the city's first all concrete skate park. Of the responses received, three (3) were from the industry's top designers and developers. A committee composed of two (2) members from the skating organization Pour It Now, the Rosewood Neighborhood President and two (2) employees from Parks and Recreation convened at a public meeting to review and ultimately send forth a recommendation to City Council. The Council confirmed the committee's recommendation to select Wally Hollyday Design as the designer. A series of public meetings and presentations to the Rosewood Neighborhood Association and Pour It Now were held. The Rosewood community leaders and the skaters support the Parks and Recreation Department in asking Council for approval of the concept design and location and to allow staff to move forward with the construction documents for this project. The project will be sent out to bid once funding has been identified.

Councilor Sinclair commended Mr. McDuffie for his efforts throughout this process, which has been very involved due to concerns about the trees, drainage issues and funding.

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to endorse the location of the Skate Park at Owens Field, the concept design and to direct staff to proceed with construction drawings to determine final costs.

- Utilities and Engineering Consumer Confidence Report – Mr. Bud Summers, Superintendent of Water Works – Superintendent of Water Plants

Mr. Bud Summers, Superintendent of Water Works / Plants, stated that for the past 170 years the city has provided our customers with superb quality drinking water. We began pumping water from Seaboard Park in 1835 and today we pump millions of gallons more and perform thousands of water quality tests.

Ms. Stephanie Hodnette, Water Works Environmental Specialist, presented a synopsis of the 2007 Water Quality Report to the members of City Council. The Water Quality Report is required by the Environmental Protection Agency and is an annual publication due to customers no later than July 1st. It is designed to assist customers in making health based decisions about their drinking water consumption by educating them on the sources of their drinking water, any

contaminates that may have been detected and any water quality issues.

- The Columbia Plan Update – Mr. Jeff Crick, Community Planner

Mr. Jeff Crick, Community Planner / Planning Department provided an update on The Columbia (Comprehensive) Plan and a schedule of upcoming input meetings. This process began last summer and now staff is beginning the second phase of the public input process. The plan is required by state law and must be updated every ten (10) years. Discussions have taken place with City departments, Richland County, Central Midlands Council of Governments, the school districts and the Columbia Council of Neighborhoods. The first draft of the plan can be found online at www.columbiaplanningandzoning.net along with the future land use map.

- **Elmwood Park Neighborhood Traffic Control – Mr. David Brewer, Traffic Engineer – *This item was discussed and approved during the City Manager's Report. Please refer to Item 8.*

CONSENT AGENDA

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 10.** through **12.**, **14.** through **20.**, **24.**, **25.**, **26a.** and **27.** with a single motion and as amended. **Item 13.** was withdrawn from the agenda. **Items 21.** through **23.** and **26.** were approved by a separate motion.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

10. Council is asked to approve an Agreement for Construction Management Services for the Animal Shelter Expansion Project, as requested by Animal Services. Award 6% of the construction cost to DESA, Inc. of Columbia, SC. *Funding Source: Funding provided by Richland County – Approved*
11. Council is asked to approve the Purchase of Ricoh AF2400W Office Machine, as requested by the Utilities and Engineering Department. Award to Ricoh Americas Corporation, as the lowest bidder, in the amount \$10,445.74. This vendor is located in Columbia, SC. *Funding Source; 5511701-658600 - Approved*
12. Council is asked to approve a Fence Construction Project, as requested by the Solid Waste Division. Award to Konstruction Services, the lowest bidder, in the amount of \$11,078.78. This firm is located in White Rock, SC. *Funding Source: 2529999-638500 - Approved*
13. Council is asked to approve a Contract for Professional Services for Conducting a Job Analysis for the Position of Fire Fighter, Captain and Battalion Chief, as requested by the Fire Department. Award to the University of South Carolina Institute for Public Service and Policy Research as a sole source contract in the amount of \$14, 500.00. This firm is located in Columbia, SC. *Funding Source: 1012304-636600 (\$7,250.00) and 2082306-636600 (\$7,250.00) – This item was withdrawn from the agenda.*
14. Council is asked to approve the Purchase of Portable Radios and Accessories, as requested by the Traffic and Engineering Division. Award to Motorola of Sumter, SC using the State Contract in the amount of \$17,534.63. *Funding Source: 6238961-657800 - Approved*
15. Council is asked to approve the Purchase of Fire Helmets, as requested by the Fire Department. Award to Safe Industries, the lowest bidder meeting specifications, in the

amount of \$17,762.00. This vendor is located in Greenville, SC. *Funding Source: 1012305-627100 (\$8,881.00) and 2082306-627100 (\$8,881.00) - Approved*

16. Council is asked to approve Change Order #1 to Agreement for Engineering Services for an 18" Water Line along Wilson Boulevard (CIP WM3871, Phase II) to add approximately 6,900 feet of Water Line along Marthan Road (CIP WM3812), as requested by Engineering Operations. Award to Brown and Caldwell in the amount of \$21,000.00. This firm is located in Columbia, SC. *Funding Source: Fiscal Year 2007-2008 Capital Improvements Program Budget - Approved*
17. Council is asked to approve the Purchase of One (1) 400 Horsepower Electric Motor, as requested by the Columbia Canal Water Plant. Award to Electric Motor & Repair as the lowest bidder meeting specifications in the amount of \$35,977.68. This vendor is located in Columbia, SC. *Funding Source: 5516207-851000 - Approved*
18. Council is asked to approve Change Order #1 to the Animal Shelter Expansion / Holding Facility Project, as requested by Animal Services. Award to Moose Construction in the amount of \$40,513.00. This firm is located in Newberry, SC. *Funding Source: Funding provided by Richland County – The Change Order will increase the project amount to \$1,010,388.00 and is within the limits of the original budget. - Approved*
19. Council is asked to approve the Purchase of Two (2) Replacement Servers for the Core City File Servers, as requested by the Information Technology Department. Award to DELL using the SC State Contract in the amount of \$41,170.99. This vendor is located in Round Rock, TX. *Funding Source: 1011120-658600 (\$33,490.49) and 1011120-657600 (\$7,680.50) - Approved*
20. Council is asked to approve Agreements for Consulting Services for Stream Assessment and Preparation of Restoration Plans for the Upper and Lower Portions of the Delverton Drainage Channel Down Stream from Winton Avenue, as requested by Engineering Operations. Environmental Permitting Consultants will conduct a stream assessment for a fee of \$34,875.00 and prepare a restoration plan for a fee of \$28,750.00 for a total amount of \$63,625.00. This firm is located in Columbia, SC. *Funding Source: Storm Water Utility Fund - Approved*
21. Council is asked to approve a Response to the Solicitation for Compost Grinding Services, as requested by Solid Waste. Award to Industrial Waste Service, the lowest bidder, in the amount of \$101,275.50. This firm is located in Camden, SC. *Funding Source: 1014406-638500 - Approved*

Upon motion by Mr. Rickenmann, seconded by Ms. Sinclair, Council voted unanimously to approve a Response to the Solicitation for Compost Grinding Services, as requested by Solid Waste. Award to Industrial Waste Service, the lowest bidder, in the amount of \$101,275.50. This firm is located in Camden, SC.

22. Council is asked to approve Project SS676402 – 24" Sanitary Sewer Force Main Relocation along Bluff Road, as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction Co., Inc. as the lowest bidder in the amount of \$128,496.00. This firm is located in Columbia, SC. *Funding Source: Sanitary Sewer Improvement Fund SS676402-851600 - Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve Project SS676402 – 24" Sanitary Sewer Force Main Relocation along Bluff Road, as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction Co., Inc.

as the lowest bidder in the amount of \$128,496.00. This firm is located in Columbia, SC.

23. Council is asked to approve the Purchase of Vehicles, as requested by various Departments and Divisions. Award to Capitol Chevrolet in the amount of \$45,311.00; Vic Bailey Ford Inc. in the amount of \$58,924.00; and Love Chevrolet in the total amount of \$28,150.00 for a total amount of \$132,385.00. - *Approved*

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve the Purchase of Vehicles, as requested by various Departments and Divisions. Award to Capitol Chevrolet in the amount of \$45,311.00; Vic Bailey Ford Inc. in the amount of \$58,924.00; and Love Chevrolet in the total amount of \$28,150.00 for a total amount of \$132,385.00. (See *chart below*)

<u>Department</u>	<u>Account</u>	<u>Vehicle</u>	<u>Vendor</u>	<u>Amount</u>
Fleet Services	6308971-658500	Chevy Impala - FF	Capitol Chevrolet	\$15,170.00
Business License	1011403-658500	Chevy Impala - FF	Capitol Chevrolet	\$15,170.00
Radio Repair Shop	6238961-658500	Cargo Van – FF	Capitol Chevrolet	\$14,971.00
Traffic Operations	1013204-658500	Ford F-250 with Lift Gate	Vic Bailey Ford	\$22,277.00
Traffic Operations	1013204-658500	Ford F-150	Vic Bailey Ford	\$12,569.00
Police	2659999-658500	Ford F-250 with XLT Pkg.	Vic Bailey Ford	\$24,078.00
	9200000106-6585			
Water Sys Improvements	5516220-658500	Chevy Suburban	Love Chevrolet	\$9,852.50
Wastewater Sys Improvements	5516221-658500			\$14,529.04
Storm Water Engineering	5534202-658500			\$3,768.46

24. Council is asked to approve Project #WM4106; Construction of 4” and 6” Waterlines in Macon Road along Cardiff, Timmons, Christopher and Wembley Streets, as requested by the Utilities and Engineering Department. Award to M.V. Poole Construction, the lowest bidder meeting specifications, in the amount of \$199,912.00. *Funding Source: WM410601-851500 - Approved*
25. Council is asked to approve Project WM3791 – New 8” Water Main along Reamer Road between North Trenholm Road and Satchel Ford Road, as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction Co. Inc., the lowest bidder, in the amount of \$237,135.75. This firm is located in Columbia, SC. *Funding Source: Water Improvement Fund WM379103-851500 - Approved*
26. Council is asked to approve Project SS7052 – Emergency 54” Sanitary Sewer Repair at the Intersection of Williams Street and Calhoun Street, as requested by Engineering Administration. Award to Trussell Brothers Construction Co., Inc. of Columbia, SC in the amount of \$41,301.00 and to McClam and Associates, Inc. of Little Mountain, SC in the amount of \$462,031.50 for a total amount of \$503,332.50. *Funding Source: Sewer Improvement Fund - Approved*

Upon motion by Mr. Finlay, seconded by Ms. Sinclair, Council voted six (6) to one (1) to approve Project SS7052 – Emergency 54” Sanitary Sewer Repair at the Intersection of Williams Street and Calhoun Street, as requested by Engineering Administration. Award to Trussell Brothers Construction Co., Inc. of Columbia, SC in the amount of \$41,301.00 and to McClam and Associates, Inc. of Little Mountain, SC in the amount of \$462,031.50 for a total amount of \$503,332.50. Voting aye were Ms. Sinclair, Mr. Davis, Ms. Devine, Mr. Rickenmann, Mr. Finlay and Mayor Coble. Mr. Cromartie voted nay.

- 26a. **Council is asked to approve Project SD8313; Storm Drain Improvements West of Camellia, Devereaux and Kilbourne, as requested by the Department of Utilities and

Engineering. Award to Ideal Construction, the lowest bidder, in the amount of \$39,655.00. This firm is located in White Rock, SC. *Funding Source: SD831301-656200 - Approved*

ORDINANCES – SECOND READING

27. Ordinance No.: 2008-028 – Annexing 1.5 acres, southwest side of Spears Creek Church Road, Richland County TMS# 28802-01-02 – *Approved on second reading.*

ORDINANCES – SECOND READING

Mayor Coble explained that City Council needed to decide how the Ordinance would be enforced and which Ordinance to approve; the total ban or the one with bar exemptions. The Supreme Court ruled that it could not be a criminal offense, but it could be civil. He suggested that Council schedule a Public Hearing prior to scheduling second reading consideration of the Ordinances.

Upon motion by Mr. Cromartie, seconded by Ms. Sinclair, Council voted unanimously to schedule a Public Hearing for **Items 28a.** and **28b.** on Tuesday, May 13, 2008 at 9:00 a.m. at the Eau Claire Print Building located at 3901 Ensor Avenue. No further action was taken.

- 28a. Ordinance No.: 2008-034 – (*Revised Total Ban*) Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-221, Jurisdiction, enforcement and penalties *First reading approval was given on April 16, 2008. Second reading consideration is scheduled for May 21, 2008.*

- 28b. Ordinance No.: 2008-034 – (*Revised 15/85 Ban*) Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-221, Jurisdiction, enforcement and penalties *First reading approval was given on April 16, 2008. Second reading consideration is scheduled for May 21, 2008.*

ORDINANCES – FIRST READING

29. Ordinance No.: 2008-001 – (*Revised*) Amending the Code of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplemental District Regulations to add a new Sec. 17-322, Interim Measures *The Zoning Public Hearing was conducted on January 23, 2008.*

Upon motion by Ms. Sinclair, seconded by Mr. Cromartie, Council voted unanimously to approve the staff recommendation to take no action on the revised Ordinance No.: 2008-001 – Amending the Code of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplemental District Regulations to add a new Sec. 17-322, Interim Measures, except to remand it to the Planning Commission for consideration and recommendation.

30. Ordinance No.: 2008-031 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General, Sec. 14-3 Begging; obstructing pedestrian or vehicular traffic

Upon motion by Ms. Sinclair, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.: 2008-031 - Amending the 1998 Code of Ordinances of the

City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General, Sec. 14-3 Begging; obstructing pedestrian or vehicular traffic, with the caveat that we receive feedback from the Five Points Association prior to second reading consideration.

31. Ordinance No.: 2008-038 - Authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2008, of the City of Columbia, South Carolina, for the purpose of refunding the city's \$9,400,000 original principal amount General Obligation Bonds, Series 1998; 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 - *Consideration of this matter was deferred.*

RESOLUTIONS

Upon motion by Ms. Sinclair, seconded by Ms. Devine, Council voted unanimously to approve **Items A. through I.** on a single motion

- A. Resolution No.: R-2008-014 – Authorizing Eau Claire Renaissance Fry and consumption of beer and wine at Hyatt Park - *Approved*
- B. Resolution No.: R-2008-017 – Authorizing acceptance and dedication of streets known as Ashewood Lake Drive; Gayle Pond Trace, Silverleaf Court, Paperback Court and Ashewood Commons Drive in Ashewood Subdivision, Phase 1; Richland County TMS# 19104-08-01 (portion); CF# 252-18 - *Approved*
- C. Resolution No.: R-2008-018– Authorizing acceptance and dedication of streets known as Ashewood Commons Drive and Stuckey Road in Ashewood Subdivision, Phase 2; Richland County TMS# 19103-06-01 (portion); CF# 252-18 - *Approved*
- D. Resolution No.: R-2008-019 – Authorizing acceptance and dedication of streets known as Ashewood Lake Drive; Paperback Court and Gayle Pond Trace in Ashewood Subdivision, Phase 3; Richland County TMS# 19104-08-01 (portion); CF# 252-18 - *Approved*
- E. Resolution No.: R-2008-020 – Authorizing acceptance and dedication of streets known as Ashewood Lake Drive; Ironwood Way and Willow Hurst Court in Ashewood Subdivision, Phase 4; Richland County TMS# 19104-08-02 (portion); CF# 252-18 - *Approved*
- F. Resolution No.: R-2008-021 – Authorizing acceptance and dedication of streets known as Ashewood Lake Drive; Willow Hurst Court and Pond Shore Place in Ashewood Subdivision, Phase 5; Richland County TMS# 16316-04-01 and 19104-08-02 (portion); CF# 252-18 - *Approved*
- G. Resolution No.: R-2008-022 – Authorizing consumption of beer and wine at the Rocky Shoals Spider Lily Festival at Riverfront Park - *Approved*
- H. Resolution No.: R-2008-024 – Authorizing consumption of beer and wine at the Summer Concert Series in Finlay Park - *Approved*
- I. Resolution No.: R-2008-025 – Adopting City of Columbia Use of Force Policy - *Approved*

- J. Resolution No.: R-2008-027 - Authorizing the City Manager to execute a Contract of Sale for the purchase of Parking Decks within the mixed use Condominium Project in Five Points from Washington Square, LLC - *A Public Hearing was held for this item. Please refer to Item 1a.*

OTHER MATTERS

- K. Council is asked to approve the Disposition of Sixty Nine (69) Bicycles for Charity, as requested by the Police Department's Property and Evidence Unit. Award to A.J. Lewis Greenview Elementary (20); the Columbia Housing Authority (10); Second Nazareth Baptist Church (5); and Boys Scouts of America (34). - *Approved*

Upon motion by Ms. Devine, seconded by Mr. Davis, Council voted unanimously to approve the Disposition of Sixty Nine (69) Bicycles for Charity, as requested by the Police Department's Property and Evidence Unit. Award to A.J. Lewis Greenview Elementary (20); the Columbia Housing Authority (10); Second Nazareth Baptist Church (5); and Boys Scouts of America (34).

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

- L. Receipt of legal advice, which relates to matters covered by attorney-client privilege
- Hotel Litigation
 - **Whistle Blower Policy
 - **Solicitor's Office

These items were not discussed in Executive Session.

- M. Discussion of compensation of an employee
This item was not discussed in Executive Session.

- N. **Discussion of employment of an employee
This item was not discussed in Executive Session.

- **Council adjourned the meeting at 1:46 p.m. The Executive Session discussion was canceled.**

Respectfully submitted by:

Erika D. Salley
City Clerk