



CITY OF COLUMBIA
CITY COUNCIL MEETING &
ZONING PUBLIC HEARING MINUTES
WEDNESDAY, SEPTEMBER 17, 2008
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Wednesday, September 17, 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 Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Kirkman Finlay III and The Honorable Belinda F. Gergel. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes of May 21, 2008 – *Approved*

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to approve the Minutes of May 21, 2008 as presented.

PRESENTATIONS

- 1a. ****Distinguished Toastmaster Award Presentation to Mr. Larry Thompson – Ms. Patricia Gann, District 58 Governor of Toastmasters International**

Ms. Patricia Gann, District 58 Governor of Toastmasters International presented an award to the City of Columbia Parks and Recreation Toastmasters Club and a special thanks to Mr. Allison Baker, Assistant City Manager for Public Services. She stated that the Toastmaster's mission is to provide a mutually supportive and positive learning environment for individual members to develop communication and leadership skills, which in turn promotes self-confidence and personal growth. The City of Columbia Parks and Recreation Toastmasters Club #922056 has exemplified this and has earned the distinction of being a President's Distinguished Club; one of only twenty (20) in the State of South Carolina. She also presented Toastmaster Larry Thompson with a plaque for his outstanding accomplishments in leadership excellence in pursuit of the mission of Toastmasters International.

2. September 2008 Monthly Business Spotlight Program Honoree (Strictly Running) – Mr. Angelo McBride, Senior Business Executive / Office of Business Opportunities

Angelo McBride, Senior Business Executive/Office of Business Opportunities introduced Strictly Running and its owner Mr. Paul Bedenbaugh as the September 2008 Monthly Business Spotlight Program Honoree. Strictly Running is located at 1736 Harden Street and they provide training, coaching and other services for individuals who enjoy running. This company was established in 1976 and has grown from two (2) employees to a diverse group of twelve (12). In 1993, Strictly Running hosted a summer night arcade fundraiser to benefit youth around the country and they continue to sponsor community events and activities.

Mayor Coble and the members of Council presented Strictly Running with a Proclamation and a Certificate to the Fast Trac Program.

Mr. Paul Bedenbaugh, Owner of Strictly Running thanked the members of Council for this recognition. He stated that their goal is to help make the City of Columbia a healthier place.

3. Community Promotions Funding Recommendations for August 2008 – The Honorable Judge Mildred McDuffie, Committee Chair

The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee asked if the City wanted to fund social service organizations through Community Promotions; if so, additional money is needed. There is less than \$25,000 left until June 2009. She noted that our youth will need funding for competitions as well. She reported that the Alston Wilkes Society came before the committee for funding, but they didn't have all of their information. Since then she has received the information on a new literacy program and now the committee needs to take another look at the request.

Upon motion by Mayor Coble, seconded by Mr. Rickenmann, Council voted six (6) to one (1) to authorize the committee to review the new information provided by the Alston Wilkes Society as it relates to their request for funding for a new literacy program. Voting aye were Mr. Cromartie, Ms. Devine, Mr. Rickenmann, Mr. Finlay, Dr. Gergel and Mayor Coble. Mr. Davis voted nay.

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the Community Promotions funding recommendations as outlined below.

Community Promotions Monthly Funding 2008-2009

Organization	Project Name	Request	Amount Funded
August			
Austin Wilkes Society <small>*Not the role of the committee, refer to City Council</small>	Homeless Outreach	5,000	0
Sexual Trauma	Anniversary Gala	3,500	1,800
Totals		8,500	1,800

**Mr. Charles P. Austin, Sr., City Manager recognized Ms. Leshia Utsey, Director of Public Relations for being the recipient of the Greater Columbia Chamber of Commerce's 2008 Women in Business Advocate Award. This award was presented to Ms. Utsey at the Chamber's Annual Gala and Auction on September 18, 2008 at the Columbia Metropolitan Convention Center.

4. The Essie Mae Washington-Williams Institute 2008 Fall Fundraiser - Wanda Terry, Founder and Executive Director/ The Essie Mae Washington-Williams Institute

Ms. Wanda Terry, Founder and Executive Director stated that The Essie Mae Washington-Williams Institute is located on Main Street in the Eau Claire Community. The vision of the Essie Mae Washington Organization is to eliminate barriers that hinder the success of clients that may move into the workforce. Their goals are to reduce the poverty rate and help individuals become self-sufficient through income generated options to include lifestyle choices. In partnership with the Department of Social Services, the Institute launched a pilot program called the Upfront Work Program, which is a short-term work program to help families move immediately into employment rather than receive welfare. This collaborative training consists of GED training, life skills, employability skills, family needs, career training development, mentoring and dress for success. They have served eighty-nine (89) women and were able to employ thirty-nine (39). There will be an upcoming luncheon on October 4, 2008 at Brookland Baptist Church. Ms. Terry requested that a key to the City be presented to Ms. Susan Taylor as the keynote speaker of the event.

5. Introduction of Mr. Morihiko Nakahara, Music Director of the South Carolina Philharmonic – Ms. Rhonda Hunsinger, Executive Director / South Carolina Philharmonic

Ms. Rhonda Hunsinger, Executive Director / South Carolina Philharmonic said that the search for a new Music Director took three (3) years and she introduced Mr. Morihiko Nakahara as the new Music Director of the South Carolina Philharmonic.

Mr. Morihiko Nakahara, Music Director / South Carolina Philharmonic said that he is proud to be a resident of the City of Columbia. His first opening concert is on Saturday night at the Kroger Center. He said that the city's support allows them to engage, entertain and enrich the lives of all citizens of Columbia. His goal is to increase offerings for school children and people of all ages. He extended an open invitation to all performances to the members of Council.

6. Coalition of Downtown Neighborhoods – The Honorable Sam Davis

Councilor Davis introduced the Coalition of Downtown Neighborhoods, which is a collaboration of four (4) neighborhoods: Elmwood, Cottontown, Earlewood and Governor's Hill. He introduced Ms. Ellen Cooper is the President and we all know and understand the reason they are here. One reason is that they have not spoken to the full Council regarding the proposed development at Elmwood and North Main and we don't want people to feel that they haven't been heard on the issues that will impact their quality of life.

Ms. Ellen Cooper, President of the Coalition of Downtown Neighborhoods stated that they are no longer a coalition of four neighborhoods, but the Robert Mills Historic District is working with them as well. She stated that the purpose of the coalition is to address the issues facing downtown residents and to work to improve the quality of life for all of us. In January 2008 the Coalition appeared before the Council and said that they wanted to form a partnership with the Council and work towards being more proactive than reactive. Since that time the neighborhoods are always supporting each other's activities and they continue to work together on issues. In January they also presented position paper number one and today they are submitting position paper number two. They are concerned about the project at Elmwood and North Main. She explained that Christ Ministries made a presentation to the neighborhoods, but there were a lot of questions left unanswered. The Midlands Housing Alliance (MHA) is doing a development at the corner of Elmwood and Main Street so they also made presentations to the neighborhoods last week, but they left with many unanswered questions involving funding, staffing, services and hours of operation. She reported that on July 6, 2008, an article was done by The State Newspaper on the large number of crimes committed in the area ranging from aggravated assault to assault with intent to kill. She stated that the Coalition supports the plans to improve Main Street and they are excited about the revitalization of the area.

Mr. Peter Korper, President of the Elmwood Park Neighborhood Association said that the Midlands Housing Alliance plans to receive psychiatric patients, but they do not have the staff to deal with mentally ill patients.

Mr. Paul Bouknight, President of the Cottontown Neighborhood Association said that he appreciates the City's support and time given to the Coalition of Downtown Neighborhoods.

Councilor Devine stated that City leaders are elected to do what is in the best interest of our citizens. We don't have the answers, but hopefully we will start getting answers. We can't successfully come up with solutions when we are on different sides, but when we work together, we can accomplish a lot.

Councilor Rickenmann said that it was a pleasure to go to the meeting and have neighborhoods stand up; ask questions; and want to work towards a solution. He noted that this is not a short-term issue; it's a long-term issue.

CITY COUNCIL DISCUSSION / ACTION

6a. Challenge Day – The Honorable Daniel J. Rickenmann

Councilor Rickenmann stated that they learned about Palmetto Project and Challenge Day at the Furman Institute. The program has taken place at Columbia and Dreher High Schools. He would like to support the implementation of Challenge Day at other high schools and suggested that they fund this as part of the Together We Can initiative. He would like to introduce Challenge Day to some of the middle schools, junior high schools and other high schools with the A Plus Cluster. It is usually 25 adults and 75 children talking about social issues and the differences between them in an effort to work together to resolve these issues. He said that Palmetto Project is requesting \$26,000 and they will provide an additional \$26,000.

Mayor Coble fully supports the request and said that we needed to determine a source of funding. He asked staff to review the material and to put it on the October 1, 2008 agenda.

Councilor Devine would like to air a video about Challenge Day on Channel 2.

Councilor Cromartie noted that the real challenges we are facing are within the at-risk schools and he would like to see the resources placed in the A Plus schools, where they are desperately needed.

Councilor Rickenmann said that the focus is to help those schools within challenged areas.

Councilor Devine suggested that they encourage staff to participate as volunteers for Challenge Day under the auspices of the Together We Can initiative.

Councilor Davis stated that he will support the program. He noted that schools serve as the hub of the community and he suggested that we take advantage of the retired people in the neighborhoods that already know the kids and they have time to visit and help with interpersonal relationships and conflicts.

Mayor Coble suggested to the City Manager that Ms. Teresa Wilson Florence coordinate the Challenge Day activities.

There was a consensus of Council to direct the City Manager to review the request for funding in the amount of \$26,000 for the Challenge Day Event and to bring back funding recommendations for consideration on October 1, 2008. This is being done in an effort to include as many A Plus High Schools and Middle Schools as possible and should be reviewed in relation to the "Together We Can" initiative.

- **Council recessed at 9:56 a.m.**
- **Council reconvened the meeting at 10:05 a.m.**

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 10:05 a.m.**

COMPREHENSIVE PLAN – FIRST READING

7. The Columbia Plan 2018

Ordinance No.: 2008-085 – Adopting the City of Columbia Comprehensive Plan 2018 – *Approved on first reading.*

Mr. Jeff Crick, City Planner presented the final draft of the Comprehensive Plan, which has been in the works since last summer. It began with public input sessions, focus groups and over 700 survey respondents. This is the backbone that ties together the nine (9) elements of planning. The biggest topics were code enforcement, bike/pedestrian movement and public transportation.

Mayor Coble suggested that it may be time to look at a Regional Comprehensive Plan to include the Good to Great initiative and Richland County's Comprehensive Plan without duplication. We should think about doing a strategic plan for the community. He said that this document doesn't cover the things that we are not primarily responsible for, such as education.

Councilor Gergel sensed that the community wants to have a strategic vision and asked that we take the pieces we have and pull them together. How do we monitor and update this plan? I would ask that we have a yearly update and have some idea of the progress on the plan.

Councilor Finlay stated that he understands that we have a matrix on capital improvement projects. We know that we have a large capital improvements backlog. It would be useful to review the matrix and begin to focus on next year's budget. It's all about whether we are going to dedicate the resources and follow the plan. That's where we have fallen down in the past. We must be proactive. Get it in the budget and grade ourselves afterwards to see whether we have accomplished what we set out to do.

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-085 – Adopting the City of Columbia Comprehensive Plan 2018, provided the natural resources element of the plan is amended to **(1)** provide an inventory of water quality within the City with reference to the DHEC list of impaired waters and any other easily available basin and water quality studies for the City and **(2)** commit to the legal requirement making all water bodies swimmable and fishable, 9-0 (08/04/08).

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTIES – FIRST READING

8. **1.5 Acres, SW/S Spears Creek Church Road**, TMS# 28802-01-02; confirm M-1 zoning. – *Approved on first reading.*
9. **131 Pontiac Business Park**, TMS 25715-02-01; confirm M-1 zoning. – *Approved on first reading.*
10. **Blaine Street**, TMS 16305-04-01; confirm RS-2 zoning. – *Approved on first reading.*

No one appeared in support of or in opposition to **Items 8.** through **10.**

11. **101 Powell Road (Midlands Technical College)**, TMS #14500-02-24: confirm C-1 zoning. – *Approved on first reading, subject to staff meeting with Ms. Susanne Cecere to address concerns relating to annexations and future developments.*

Ms. Susanne Cecere of 8412 Wilson Boulevard said her property adjoins Midlands Technical College and she owns ten (10) acres. She was not aware of the Midlands Tech annexation. Ms. Cecere thinks that the annexation was not properly advertised and the letter she received was not signed; she objects to it.

Mayor Coble explained that this is a voluntary annexation by Midlands Tech. Midlands Tech wanted to be in the city. This is confirming the zoning so that they would have the same zoning in the City as they had in the County.

Councilor Devine said that the City is in the County so if someone wants to be annexed into the City they can do so and Midlands Tech has already been annexed.

Ms. Susanne Cecere of 8412 Wilson Boulevard commented that Wilson Boulevard and Pisgah Church Road do not have a traffic light. If the city is going to rezone that, then they also have to take part of the responsibility.

Mr. Charles P. Austin, Sr., City Manager stated that he and Marc Mylott, Director of Planning and Development Services would like to meet with Ms. Cecere to help her better understand the process.

Councilor Davis noted the uniqueness of the Tech Campus in comparison to the others in that they partnered with private industries to come onto the campus.

Councilor Rickenmann suggested they give it first reading and allow Ms. Cecere to have the ability to talk with staff before second reading so they can clarify all the issues.

Councilor Finlay explained that the City is not actively in the adverse annexation business. He explained that Charleston County established a transition zone from urban to suburban to what they are defining as rural and that boundary allows for some of the uses that you want. If they are going to look at establishing an urban sort of suburban rural transition they need to look at that too, because as we move out into areas we are going to come across that and we need to define how we are going to treat people who want to have 10 acres and own a horse. How does that negatively impact the people that build after them?

Councilor Devine suggested that Ms. Cecere contact Tom Ledbetter and others.

Councilor Davis insisted that the advertisement signs should be visible and strategically located at all times.

Upon motion by Mr. Davis, seconded by Ms. Devine, Council voted unanimously to give first reading approval on a single motion to *Confirm the Zoning of Previously Annexed Properties for Items 8. through 11.* as presented. Staff was directed to meet with Ms. Cecere to address her concerns related to **Item 11.** and future zoning changes in that area.

MAJOR AMENDMENT TO PLANNED UNIT DEVELOPMENT – FIRST READING

12. **Harbison Development**, Amend Planned Unit Development requirements concerning the following uses: drive-through facilities, body piercing and tattoo parlors, used merchandise, wireless communication facilities, and non-depository personal credit institutions, the property is zoned PUD-LS and PUD-C. – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 12.**

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to a *Major Amendment to Planned Unit Development* for the Harbison Development, Amend Planned Unit Development requirements concerning the following uses: drive-through facilities, body piercing and tattoo parlors, used merchandise, wireless communication facilities, and non-depository personal credit institutions, the property is zoned PUD-LS and PUD-C.

TEXT AMENDMENTS – FIRST READING

13. **Amend Chapter 17, Article III, Division 8, §17-258 Table of Permitted Uses** to create new text and to amend text of Zoning Ordinance concerning municipal active and passive recreation uses.

Ordinance No: 2008-069 – Amending the 1998 Code Of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 7, General Regulations, is amended to add Sec. 17-289, Active recreation and Sec. 17-258, Table of permitted uses, SIC 795, Civic sports and recreation – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 13.**

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No: 2008-069 – Amending the 1998 Code Of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 7, General Regulations, is amended to add Sec. 17-289, Active recreation and Sec. 17-258, Table of permitted uses, SIC 795, Civic sports and recreation.

14. **Amend Chapter 17, Article III, Division 8, §17-258 Table of Permitted Uses** to add Police protection to use code 9224 Fire protection of Zoning Ordinance.

Ordinance No.: 2008-066 – Amending 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Sec. 17-258, Table of permitted uses, SIC 9224 Fire protection – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 14.**

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2008-066 – Amending 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Sec. 17-258, Table of permitted uses, SIC 9224 Fire protection.

MAP AMENDMENTS (REZONINGS) – FIRST READING

15. **Atlas Road**, TMS# 16311-02-05, rezone from PUD-R (Residential Planned Unit Development) to C-1 (Office and Institutional). – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 15.**

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to a *Map Amendment (Rezoning)* for Atlas Road, TMS# 16311-02-05, rezone from PUD-R (Residential Planned Unit Development) to C-1 (Office and Institutional).

16. **Next to 1205 House Street**, TMS# 11411-19-12, rezone from PUD-R to RG-2. – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 16.**

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to give first reading to a *Map Amendment (Rezoning)* for Next to 1205 House Street, TMS# 11411-19-12, rezone from PUD-R to RG-2.

17. **700 Saluda Avenue**, TMS# 11308-08-02, -03, -08, -09; rezone from PUD-C to MX-1, -5P. – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 17.**

Upon motion by Dr. Gergel, seconded by Ms. Devine, Council voted unanimously to give first reading to the *Map Amendment (Rezoning)* of 700 Saluda Avenue, TMS# 11308-08-02, -03, -08, -09; rezone from PUD-C to MX-1, -5P.

18. **411 Senate Street**, TMS# 08912-11-02, -04; rezone from M-1, –DD and M-2, -DD to PUD-C, -DD. – *Approved on first reading, subject to 1) Conformance with Descriptive Statement revised in accordance with Zoning Division revisions dated July 28, 2008; 2) Reducing encroachment into right-of-way so that curb is aligned with adjacent development. Break-up front retaining wall into stepped terrace to decrease height along sidewalk. Re-work roof on active space in garage to be more substantial and allow for tenant signage; 3) Approval of tree species in right-of-way by Forestry and Beautification prior to planting, 8-0 (08/04/08).*

No one appeared in support of or in opposition to **Item 18.**

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to *Map Amendment (Rezoning)* of 411 Senate Street, TMS# 08912-11-02, -04; rezone from M-1, –DD and M-2, -DD to PUD-C, -DD, subject to **1) Conformance with Descriptive Statement revised in accordance with Zoning Division revisions dated July 28, 2008; 2) Reducing encroachment into right-of-way so that curb is aligned with adjacent development. Break-up front retaining wall into stepped terrace to decrease height along sidewalk. Re-work roof on active space in garage to be more substantial and allow for tenant signage; 3) Approval of tree species in right-of-way by Forestry and Beautification prior to planting,**

19. **Rezone to add –CC overlay district to all parcels to implement Interim Measures for Community Character Protection to Heathwood Neighborhood**, generally bounded by Devereaux Road on the North, Kilbourne Road on the east, Devine Street on the south, and Adger Road to the west; **TMS# 13804-04-01, -02, -03, -05; 13804-05-01, -02, -03, -04, -06; 13808-01-01, -02, -03, -04; 13808-02-01, -03, -04, -05, -06; 13808-03-01, -02, -03, -04, -05, -07, -08, -09, -10, -11, -12, -13, -14, -15, -16; 13808-04-01, -02, -03, -04, -05, -06; 13808-05-01, -05, -03, -04, -05; 13808-12-01, -02, -03, -04, -05, -06, -07; 13808-13-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11, -13; 13808-14-01, -02, -03, -04, -05, -06, -07, -08; 13905-12-01, -02, -03, -04, -05, -06, -07; 13905-13-01, -02, -04, -05, -06, -07, -08, -09; 13905-14-02, -04, -05, -06, -07, -08, -09, -10, -12; 13905-15-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11:** rezone to add –CC overlay to all zoning districts.

Mr. Sam Waters, Co-President of the Historic Heathwood Neighborhood Association / 742 Albion Road stated that he didn't realize the controversy surrounding their request. The most important issue to address is the issue of process; did we handle this appropriately. When the Interim Measures were adopted by Council in August 2007, they were given an original deadline of November 21, 2007. Because of the active questions and answers they had a meeting on October 3, 2007. We had well over 100 people at that meeting and after consulting with both Council Members who were there, we decided that we needed more time to meet with our neighborhood to talk about the Interim Measures and what they meant. Instead of filing for a petition to have an election or ballot voted on in November, we changed that to February 2008. In November 2007, we had another meeting to help us guide discussions to explain what the measures meant. We had another meeting in December 2007, wherein we addressed the same issues.

Councilor Devine asked about the meetings in November and December. How were the notices sent out for those meetings?

Mr. Sam Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road stated that every meeting was announced by emails, mail-outs and phone messages.

Councilor Devine asked if notices went to the members of the neighborhood association or to everybody within the boundaries that has an address in the neighborhood.

Mr. Sam Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road stated that the notices sent in September and October went to everyone. He noted that they had a meeting for the neighborhood in October, November, December, January, and again in February. He felt that they went well beyond what the original memorandum suggested as appropriate for consideration. They were concerned that the neighbors didn't understand what all this meant. There were thirty three (33) properties represented out of one hundred five (105). Approximately seventy percent (70%) or twenty-three (23) of those representatives voted yes and ten (10) voted no.

Councilor Davis asked Mr. Waters if he had any conversations with the property owners that did not attend the meeting. Did they give any indication as to why they didn't attend the meeting?

Mr. Sam Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road said that some owners sent letters to Mr. Finlay expressing their concerns for a revote, but none of those individuals contacted the neighborhood association.

Councilor Davis asked if those interested in a revote were members of the neighborhood association.

Councilor Rickenmann asked how many people are active members of the neighborhood association. He said that the Council has been inundated lately with letters and concerns. He was called this morning by Jeff Caswell who has owned a home on Heathwood Circle for over six (6) months, but has never been contacted. We need to make sure that everybody's noticed.

Councilor Finlay stated that originally the Council thought they could designate the authority to take the vote on this to two (2) neighborhoods, but Professor Hubbard pointed out that by State law that was not possible, so all of a sudden it ends up at Council. I was very clear on warning about the potential blow back from people not being involved. I contributed money to get mailers out. I am concerned that at the end of the day a large number of people, even people that voted for the process, are concerned. He feels that the Interim Measures are a step toward permanent protection; Interim Measures alone is nothing but a two (2) year cooling off period. I can tell you that the ability to move to longer term protection will be tough if we do not hear from everyone. He said that sending the notices via certified mail provides a record of those that received the notices and I have offered to pay for and supervise it, because I think I see what's coming. I see the historic designation process as the battle. This is designed to build the neighborhood and not break it apart. I agree that people should have participated sooner. I would ask that we put off first reading until the first meeting in December. By defacto, the neighborhood is currently under Interim Measures; therefore, I would ask that we put it off for two (2) months; we will send out a letter and a ballot; I will pay for them out of the Council Contingency Account, unless I am advised that I cannot; and this is what I consider to be the win-win situation.

Councilor Gergel would like to understand the process that other neighborhoods used in proceeding with Interim Measures and the process we use to notify residents when a neighborhood goes up for historic designation. Do we send out certified letters? Who pays for it? Do we write all property owners? How do we proceed? Is this consistent with the way we do other notifications?

Mr. Marc Mylott, Director of Planning and Development Services stated that for Interim Measures, we originally outlined a process whereby it would be led by the neighborhood associations. We amended the process whereby we would treat it as any other map amendment with the caveat that the application could only be submitted by a member of City Council. The steps that led to a Council member signing an application varied by the neighborhood association; there has not been a prescribed approach used with the six (6) different neighborhoods. To his knowledge, none of the other neighborhood associations sent the notices via certified mail.

Councilor Finlay asked if any of the other neighborhoods were granted an extension to the opt-in deadline, because Healthwood did receive an extension. He asked if any other neighborhood increased the size of its boundaries without going through the Columbia Council of Neighborhoods. He noted that this process has not been similar to any other process.

Councilor Rickenmann personally has an issue with the fact that the district representative offered a way to have a clear vote and then was not part of the process. He said that the proposal before us is a good thing and there is no need to rush it.

Councilor Gergel asked Mr. Mylott if we require certified mailings for notices related to the historic designation process; and if so, who pays for them.

Ms. Amy Moore, Historic Planner said that we do not require certified mailings.

Councilor Devine said there are questions as to notice, but I don't think we need to require this neighborhood to go above and beyond what we require others to go through. I want to make sure we are on good footing, because this neighborhood will move towards historic designation in the future. She said that the City should send out the notices.

Mr. Marc Mylott, Director of Planning and Development Services reported that today's Zoning Public Hearing was posted on every street corner and every end block.

Councilor Cromartie asked how many postings there were.

Mr. Marc Mylott, Director of Planning and Development Services said that he didn't know; maybe 100 or so.

Councilor Rickenmann disagreed and said that there were not 100 posters out there.

Councilor Devine asked if there was any opposition at the Planning Commission.

Mayor Coble said that we need to be prepared to always use ballots when another vote is needed for clarification. This will become the standard.

Councilor Davis said that he was comfortable with the approach used by the Cottontown Neighborhood Association, because there was no doubt that the majority of the neighborhood was reflected in that process.

Councilor Gergel asked Mr. and Mrs. Waters if they feel that they have followed a process that has resulted in a lack of information in their neighborhood about this issue.

Mr. Sam Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road said absolutely not. He is convinced that we have taken every reasonable measure to distribute the information. He doesn't know what Council expects for them to do differently; this has gone on for five (5) months and notices were sent for each monthly meeting.

Councilor Rickenmann said that he has supported this all the way through, but there needs to be some more discussion, because not everybody feels they have been noticed and not everybody is aware of the larger plan. He asked how many active members are there in the Historic Heathwood Neighborhood Association. Have they been noticed? Why haven't they been involved?

Mayor Coble said that if there is a question about the vote then we can do another vote, but if we change the process to another voting system such as a mail in ballot, then we will have to repeat that process for every neighborhood.

Councilor Gergel said that Mr. Waters has assured us that they have done all they can to notice the property owners. She said that Council decided that neighborhood votes were not binding. She understood that this would not be done by referendum; instead this Council would make the decision.

Mr. Marc Mylott, Director of Planning and Development Services said that it was never intended that the vote taken by the neighborhood association would be binding. He said that questions were raised as to whether or not the vote would be binding. To eliminate those questions, we went to the pure map amendment.

Councilor Devine asked what happened at the Planning Commission. Was opposition voiced there? Was there an attempt to communicate any opposition to this?

Mr. Marc Mylott, Director of Planning and Development Services recalled that no one asked to speak against the Interim Measures.

Mr. Frank Hart, Vice President of the Historic Heathwood Neighborhood Association asked how the proposed letters would be written. As it relates to the other neighborhoods, he asked if the Council knew how many people attended the meeting; how many voted; and what the percentages were. We went through the process and we met repeatedly. We had a huge group of people, they were all upset and they didn't understand anything. He feels that it is ridiculous for people to say that they weren't notified or they didn't know what was going on.

Councilor Davis asked Mr. Hart why he would want to continue this process knowing the level of controversy surrounding it.

Mr. Frank Hart, Vice President of the Historic Heathwood Neighborhood Association asked why the people didn't continue to participate in the meetings if so much controversy existed. He asked how the Council would count the ballots; would a majority of the vote count?

Councilor Rickenmann believes that a yes vote would mean yes; a non-response would mean yes; and a no vote would mean no.

Ms. Mary Baskins Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road stated that Jonathan Chambers, Deputy Zoning Administrator sent a letter to all of the residents. The neighborhood association is in agreement both absolutely and unequivocally that over 50% of the neighbors were involved in the final process.

Councilor Gergel asked if Ms. Waters was referring to the historic designation process that's down the road.

Ms. Mary Baskins Waters, Co-President of the Historic Heathwood Neighborhood Association /742 Albion Road said that it is her understanding that they have two (2) years to contact all of the neighbors.

Mr. Frank Hart, Vice President of the Historic Heathwood Neighborhood Association said that the boundaries of their neighborhood were changed by mistake, because they never extended the boundaries.

Councilor Finlay referred to the association's meeting minutes dated April 26, 2004, Item 5, wherein the neighborhood association stated that they expanded the boundaries to define Beltline, Trenholm and Adger Roads.

Mr. Frank Hart, Vice President of the Historic Heathwood Neighborhood Association agreed that the board did vote to expand the boundaries, but argued that they never entered the process to get that done.

Councilor Finlay noted that the board did vote to expand the boundaries; it never noticed the residents and that led to the first controversy that still waves. He said there is obviously some discomfort from the residents.

Upon motion by Ms. Devine, seconded by Mr. Rickenmann, Council voted four (4) to three (3) to continue the Public Hearing on this matter until November 19, 2008 at 10:00 a.m. Council further directed staff to send letters to the property owners noticing the next Heathwood Neighborhood Association meeting on October 14, 2008 from 6 p.m. to 7 p.m. The envelopes should have "Meeting Notice" printed on them. This neighborhood will continue to be protected under the Interim Measures. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann and Mr. Finlay. Voting nay were Mr. Cromartie, Dr. Gergel and Mayor Coble.

- **Council adjourned the Zoning Public Hearing and recessed at 11:40 a.m.**
- **Council reconvened the Meeting at 11:51 a.m.**

CITY COUNCIL DISCUSSION / ACTION

20. Five Points Parking Consultant Request for Qualifications – The Honorable Belinda F. Gergel

Mr. Steve Gantt, Assistant City Manager for Operations stated that he worked with the Chair of the Five Points Parking Advisory Committee and Dr. Gergel to put the Request for Qualifications (RFQ) together.

Councilor Rickenmann asked if they had a cost estimate. How are we going to know what it is? The citizens' group told us that we did not give people sufficient time to respond to an RFQ. Councilor Rickenmann stated that he is not in support of the way it is now.

Councilor Gergel said that we are talking about this area as a historically designated district. It is historic. The concern was that we bring someone in who has worked in an area that has interesting older buildings and that the parking reflect an understanding of that and the fact that we have neighborhoods that surround it. This is not an RFP for a garage. This is an RFQ seeking to get information. The committee wanted a two week period for responses.

Councilor Devine asked if they have an idea of how this RFQ would be distributed and if 30 days would be enough time to get the caliber of consultants they are looking to respond to this.

Councilor Cromartie asked is this the customary time of 30 days.

Mr. Steve Gantt, Assistant City Manager of Operations stated it's usually 45 days.

Councilor Finlay stated that if the real first step is to study how much parking is needed maybe we should just do that because we might determine we only need 25 or 30 spaces.

Councilor Gergel stated that if we hear that we don't need parking, there will be no reason to continue.

Councilor Finlay said we need to determine the need for parking and then determine the need for a RFQ. No one has ever clearly defined how many spaces we need, when we need them or if people will use them if they don't feel safe.

Councilor Gergel suggested that the 30 days be moved to 45 days. The committee really wanted to move ahead as quickly as possible, first to address if we need parking and if that answer is yes, then we will go on to steps 2, 3, and 4. This process is going to save us money in the long run.

Upon motion by Dr. Gergel, seconded by Mr. Cromartie, Council voted six (6) to one (1) to approve the release of the Five Points Parking Consultant Request for Qualifications as amended to extend the deadline for responses from thirty (30) days to forty-five (45) days. Voting aye were Mr. Cromartie, Mr. Davis, Ms. Devine, Mr. Finlay, Dr. Gergel and Mayor Coble. Mr. Rickenmann voted nay.

REPORTS AND UPDATES

21. City Manager's Report – Mr. Charles P. Austin, Sr., City Manager - *Please refer to Item U1.*
22. Energy Audit Final Report – Mr. Larry Landry, Senior Account Executive / Ameresco - *Please refer to Item U2.*

CONSENT AGENDA

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

23. Council is asked to approve the Purchase of a Ford F-150, as requested by the Parking Department. Award to Vic Bailey Ford using the SC State Contract in the amount of \$12,569.00. This vendor is located in Spartanburg, SC. *Funding Source: 5313112-658500 – Approved*

Councilor Cromartie asked if the City has purchased any fuel efficient trucks.

Mr. Steve Gantt, Sr. Assistant City Manager stated that the City has not purchased any fuel efficient trucks.

Mayor Coble stated that when he makes the welcoming remarks at the Green is Good for Business Summit on October 7, 2008; he needs to be able to say where we are. They are going to expect us to be leaders in going green.

Councilor Cromartie suggested that the City look at automobiles and immediately be in a position to say what we are doing, because smaller towns are buying them.

Councilor Davis stated that if the cars are there and we can go out into the market and find them, then that should be the starting point.

Councilor Finlay said that the diesels are much more efficient as far as gas mileage. The exhaust is environmentally friendly. We are just on the cutting edge of some new technology and it will be a better chance for us to spend some money wisely.

Councilor Finlay asked the City Manager for an update on all the departments to see if their budgets for fuel purchases are going to last through the next ten months. Do we have enough funds budgeted or will we have to make a supplemental allocation?

Mayor Coble stated that what Councilor Finlay asked for is the kind of report that he needs to take with him to the Green is Good for Business Summit.

Councilor Devine asked that she be sent information as to where the City is with the neighborhood version of the Green is Good for Business initiative.

Upon motion by Mr. Finlay, seconded by Mr. Cromartie, Council voted unanimously to approve the Purchase of a Ford F-150, as requested by the Parking Department. Award to Vic Bailey Ford using the SC State Contract in the amount of \$12,569.00. This vendor is located in Spartanburg, SC.

Upon motion by Mr. Finlay, seconded by Mr. Cromartie, Council voted unanimously to approve the **Consent Agenda Items 24.** through **A.** and **Items C.** through **J.** on a single motion. **Items 23.** and **K.** were approved by separate motions. **Item B.** was discussed in Executive Session, but no action was taken.

24. Council is asked to approve the Purchase of Miscellaneous Medical Supplies, as requested by the Fire Department. Award the two (2) lots to the lowest bidders in the total amount of \$13,000.83. *Funding Source: (1012303-624900 \$5,089.94 and 2082306-624900 \$7,910.89) – Approved*

Lot 1	Progressive Medical International	Vista, CA	\$6,948.91
Lot 2	Dash Medical Gloves	Franklin, WI	\$6,051.92

25. Council is asked to approve the Purchase of Maintenance Renewal for SmartNet and extended coverage of remaining critical core equipment, as requested by the Information Technology Department. Award to Qwest Communications Corporation, using SC State Contract in the amount of \$16,965.98. This vendor is located in Denver, CO. *Funding Source: 1011120-638200 - Approved*

26. Council is asked to approve the Purchase of Backup Software Maintenance, as requested by the Information Technology Department. Award to Software House International, using the SC State Contract in the amount of \$17,702.94. This vendor is located in Somerset, NJ. *Funding Source: 1011120-638200 - Approved*

27. Council is asked to approve the Purchase of Water Testing Supplies needed for the Laboratory Colilert Systems, as requested by the Lake Murray and Canal Water Plants. Award to Idexx Distribution Corporation as a sole source in the amount of \$20,931.84. This vendor is located in Westbrook, Maine. *Funding Source: (5516207-625000 \$10,465.92 and 5516206-625000 \$10,465.92) – Approved*

28. Council is asked to approve the Purchase of Firefighter Gloves, as requested by the Fire Department. Award to Nafeco, the lowest bidder in the amount of \$22,951.50. This vendor is located in Rockhill, SC. *Funding Source: (1012303-625900 \$13,388.38 and 2082306-625900 \$9,563.12) - Approved*

29. Council is asked to approve the Purchase of Elevator Repair Services, as requested by the Parking Services Department. Award to Otis Elevator Company, the lowest bidder in the amount of \$23,772.19. This vendor is located in West, Columbia, SC. *Funding Source: 5329999-638100 - Approved*

30. Council is asked to approve the Purchase of Hard Drive Space/Support for the GIS San, as requested by the Information Technology/GIS Department. Award to HP Direct using SC State Contract in the amount of \$23,931.19. This vendor is located in Roseville, CA. *Funding Source: (1011120-658600 \$20,736.60 and 1011120-638200 \$3,194.59) - Approved*
31. Council is asked to approve Project #SD8322; Whaley and Main Street Emergency Flood Protection, as requested by the Engineering Department. Award to Watermark Safety Partners, LTD, the lowest bidder in the amount of \$25,424.00. This vendor is located in San Antonio, TX. *Funding Source: Water Improvement Fund – Approved*

Mayor Coble asked how long it will take to install the safety device for flooding.

Mr. Steve Gantt, Senior Assistant City Manager for Operations stated that it would take 60 to 90 days.

- A. Council is asked to approve a Contract for the Development of Design and Construction Documents for an Amphitheater at Emily Douglas Park, as requested by Parks and Recreations. Award to Kenneth B. Simmons Associates in the amount of \$26,115.00. This vendor is located in Columbia, SC. *Funding Source: Unidentified - Approved*
- B. Council is asked to approve the Use of Professional Recruitment Firms for the Search of a Chief Financial Officer, as requested by Administration. The following firms have agreed to a rate of up to 25% of the starting annual salary, upon successful placement of a candidate from the respective firm. The fee is not to exceed \$32,000.00. *Funding Source: Finance Department Budget – 1011402 – This item was discussed in Executive Session. No action was taken.*
 - MBI Financial Staffing Inc. is a national firm with offices in Columbia, SC
 - Robert Half International, Inc. is a national firm with offices in Columbia, SC
 - John Shell and Association is a local firm in Columbia, SC
- C. Council is asked to approve an Agreement for General Engineering Services specifically relating to the feasibility of improving capacity and reliability for the City's water booster pump stations, as requested by the Engineering Department. Award to Black & Veatch, the lowest bidder in the amount of \$50,000.00. This vendor is located in Greenville and Charleston, SC. *Funding Source: Capital Improvement Program Budget - Approved*
- D. Council is asked to approve an Agreement for General Engineering Services required from time to time in conjunction with operation of the City's water and wastewater treatment plants and respective distribution and collection systems, as requested by the Engineering Department. Award to Howard Engineering, the lowest bidder in the amount of \$50,000.00. This vendor is located in Marietta, GA. *Funding Source: Capital Improvement Program Budget - Approved*
- E. Council is asked to approve the Purchase of One (1) Lot of Defibrillators and accessories, as requested by the Fire Department. Award to Philips Medical Systems, using the SC State Contract in the amount of \$70,046.91. This vendor is located in Seattle, WA. *Funding Source: (2082306-657400 \$36,424.37; 1012304-657400 \$2,300.00; 1012303-657400 \$20,077.48; 1012305-627100 \$11,245.06) - Approved*
- F. Council is asked to approve Project #WM3060; 6" Water Main along Stepp Drive, as requested by the Engineering Department in the amount of \$79,992.55 for the cost of materials. *Funding Source: Water Improvement Fund - Approved*

- G. Council is asked to approve the Purchase of Blended Phosphates / Corrosion Inhibitors, as requested by Lake Murray and Columbia Canal Water Plants. Award to Carus Chemicals, the lowest bidder in the amount of \$178,200.00. This vendor is located in Belmont, NC. *Funding Source: (5516206-624800 \$105,300.00 and 5516207-624800 \$72,900.00) – Approved*
- H. Council is asked to approve the Purchase of Two (2) 1500 GPM Rescue Pumpers, as requested by the Fire Department. Award to Spartan Fire and Apparatus, as a sole source in the amount of \$888,024.00. This vendor is located in Roebuck, SC. *Funding Source: (2082306-658500 \$887,424.00 and 2082306-639900 \$600.00) - Approved*
- I. Council is asked to approve the Purchase of Aluminum Sulfate, as requested by the Lake Murray and Columbia Canal Water Plants. Award to General Chemical, the lowest bidder in the amount of \$952,875.00. This vendor is located in Parsippany, NJ. *Funding Source: (5516206-624800 \$529,375.00 and 5516207-624800 \$423,500.00) - Approved*

ORDINANCES – SECOND READING

- J. Ordinance No.: 2008-080 – Annexing 741 Greenlawn Drive, Richland County TMS #16409-05-21 – *First reading approval was given on September 3, 2008. – Approved on second reading.*
- K. Ordinance No.: 2008-084 – Authorizing the City Manager to execute a Revised Agreement of Sale for the transfer of 0.96 acres (41,635.67 square feet) of an unopened portion of Wheat Street and 0.62 acres (26,891.50 square feet) of an unopened portion of Rice Street to South Carolina Electric and Gas Company – *First reading approval was given on September 3, 2008. – Approved on second reading.*

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

- L. Council is asked to approve an Agreement for Management of the Columbia Canal Rehabilitation Project; CIP WM4167, as requested by Engineering Operations. Award to SCE&G in an amount not to exceed \$2,000,000.00. This firm is located in Columbia, SC. *Funding Source: 2008/2009 Capital Improvements Program Budget - This item was removed from the September 6, 2008 agenda and discussed in Executive Session. This item was withdrawn from the agenda until October 1, 2008. The Council has requested written information on the background of the City's contractual relationship with SCE&G.*

ORDINANCES – FIRST READING

- M. Ordinance No.: 2008-053 – Authorizing City Manager to execute a First Amendment to Lease with Branch Banking and Trust Company (BB&T) for 3905 Ensor Avenue (Lutheran Survey Building) – *Approved on first reading.*

Upon motion by Ms. Devine, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2008-053 – Authorizing City Manager to execute a First Amendment to Lease with Branch Banking and Trust Company (BB&T) for 3905 Ensor Avenue (Lutheran Survey Building).

- N. Ordinance No.: 2008-081 – Granting an encroachment to Stuart Massey and Mary Massey for installation and maintenance of landscaping within the right of way area of Queen Street and Blossom Street adjacent to 2430 Blossom 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.: 2008-081 – Granting an encroachment to Stuart Massey and Mary Massey for installation and maintenance of landscaping within the right of way area of Queen Street and Blossom Street adjacent to 2430 Blossom Street.

- O. Ordinance No.: 2008-082 – Ordinance Granting Consent to Application for Franchise for Cable Service and Setting Franchise Fee – *Approved on first reading.*

Councilor Cromartie wanted to know who would be knowledgeable in establishing the franchise fees and who knows what kind of funds we are talking about.

Councilor Devine asked if we would have the same kind of provisions as we do with Time Warner. Do we get channels from AT&T?

Councilor Rickenmann stated that the franchise fee is going to be assessed to every citizen. He would like to negotiate to get a channel to make sure we are reaching all those customers.

Councilor Devine stated that if someone has Direct TV, they don't get Channel 2.

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-082 – Ordinance Granting Consent to Application for Franchise for Cable Service and Setting Franchise Fee.

- P. Ordinance No.: 2008-088 - 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 (d) – *This item was discussed in Executive Session. Please see Item V1.*

Councilor Cromartie asked if the Ordinance requires that the notifications go to the owners.

Councilor Finlay stated that when owners get served, that is the notice.

RESOLUTIONS

Upon motion by Ms. Devine, seconded by Mr. Rickenmann, Council voted unanimously to approve **Resolution Items Q.** through **S1.** on a single motion.

- Q. Resolution No.: R-2008-040 – Amending Resolution R 2008-009, and authorizing consumption of beer and wine at Five Points Association's 5 After 5 Fall Concert Series - *Approved*
- R. Resolution No.: R-2008-047 – Amending Resolution R-2008-003 authorizing consumption of beer and wine at Viva la Vista - *Approved*
- S. Resolution No.: R-2008-051 - Authorizing the City Manager to execute a Modification of Lease between the City of Columbia and Prop-Care, Inc. Greenovation for 2632 Millwood Avenue (less Suite B) *Funding Source: 1012403-636300 This building is used for the Columbia Police Department's South Region Offices - Approved*

- S1. **Resolution No.: R-2008-052 - Amending Resolution R-2008-010 and authorizing consumption of beer and wine at Congaree Vista Grand Prix – *Approved*

OTHER MATTERS

- T. Joint Land Use Study (JLUS) Policy Committee

Upon motion by Mayor Coble, seconded by Dr. Gergel, Council voted unanimously to approve the appointment of Mr. Daniel J. Rickenmann and Mr. Kirkman Finlay III to the Joint Land Use Study Policy Committee studying the appropriate land uses around Fort Jackson and McCrady Training Center and McIntyre Joint National Guard.

- U. Congaree Regional Waterfront Park Financing Advisory Committee

Councilor Finlay stated that the two primary federal requests are North Main and Harden Street.

Mayor Coble said that we have already gone to Washington and been very clear that the top priorities are North Main and Harden.

Councilor Davis stated that it depends on who is putting forth the full court press of influence. He thinks we should continue to emphasize the City's priorities regarding North Main and Harden Street.

Councilor Devine said that the reality is a request that comes from a Steering Committee gets looked at as a Columbia project and she thinks that it's important for us to have a seat at the table so that the committee understands Council's priorities and that they are aware of how it progresses.

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to approve the appointment of Mayor Robert D. Coble, Mr. E.W. Cromartie, II and Dr. Belinda F. Gergel to the Congaree Regional Waterfront Park Financing Advisory Committee as requested by the Waterfront Steering Team.

REPORTS AND UPDATES

- U1. **City Manager's Report – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager reported on the launch of the City's new website; meetings conducted on Monday in regards to crime in downtown Columbia; the City's fuel conservation plan; the release of a RFQ for an employee benefits plan design and consulting services; an evaluation by Mr. Bruce Trezvant of existing security cameras; the removal of one (1) tree and the salvaging of two (2) trees on Main Street; the installation of a light pole and brick pavers at the entrance of Hennessy's Restaurant; the discontinuance of the Main Street Beautification Project during the holiday season; consideration of the tree removal policy; meetings to discuss the inventory available in vending machines; the September 24, 2008 Work Session Agenda; and the possibility of a business relief package for businesses on Main Street.

Mayor Coble suggested that the City hire additional Fire Inspectors and additional Police Officers.

Councilor Rickenmann stated that he didn't realize that anything above a triplex does not go to Code Enforcement it goes to the Fire Department and we are understaffed for Code Enforcement. He hopes to put forth a supplemental budget amendment to move forward with hiring additional Police Officers and Fire Inspectors.

Mayor Coble mentioned that at the last Retreat, they looked at the officers the City had and that figure was 375. We need to raise that to 400. Chief Carter will be looking at his Comprehensive Plan, because raising the funded level of officers has far more impact than just the shear numbers.

Councilor Finlay stated that we need to focus on the actual numbers. Our actual number of Officers available is at 300. We have to translate from sworn positions to officers actually available. I would like to hear what we need to do from a budget standpoint on recruitment/retention; how do we move that number quickly without compromising standards to get 16% down to 3%.

Councilor Cromartie stated that we should wait on the recommendations from the Chief as it relates to what his needs and budget requirements are. Sometimes it's not the number you have but the technology, equipment and other things that make a difference.

Councilor Davis said that he is looking forward to the Chief's recommendation, but there are some things that need to happen now. There are some immediate needs that the City has.

Councilor Finlay stated that the most important message is to the police force. We understand that they are over-stretched, under-equipped and help is on the way.

U2. **Energy Audit Final Report – Mr. Larry Landry, Senior Account Executive / Ameresco

Mr. Larry Landry, Senior Account Executive for Ameresco presented an overview of the Energy Audit. The City has \$16 million worth of potential projects ranging from lighting to water conservation. He said that everything from the rooftop down is an opportunity to save and all paybacks are based strictly on the savings from the energy side. Mr. Landry stated that \$2.1 million is needed to do all of the lighting in the City buildings including the parking garages. There are six (6) garages that will be retrofit with light-emitting diode (LED). He noted that under this project, payments based on savings are subject to annual appropriations by the city; therefore, it will not be construed as statutory debt.

Mr. Charles P. Austin, Sr., City Manager believes the City should go forward with the pilot program and take a look at the financial analysis to determine what other parts of the project would be feasible for us to move forward with.

Councilor Rickenmann asked the City Manager if he recommends we do the pilot program; assess the other one; and then decide on which one we want to do. He asked Mr. Landry if he would continue to update the data, because we wouldn't want to commit to numbers that are moving and fluctuating.

Mr. Larry Landry, Sr. Account Executive/Ameresco agreed with Mr. Rickenmann in that the numbers do change. He said that the lighting projects have the quickest payback. The Metro Wastewater Treatment Plant could have the most tremendous level of actual dollar savings through energy management.

Councilor Devine stated that the pilot project includes most City owned facilities including parking garages. What City owned facilities might be left out? She stated that it is very prudent to get an independent analysis and see where we are. She would rather the City take on the entire project because things are changing rapidly and they are not changing in the direction we want them to go. We should do as much as we can before a \$25 million project ends up costing us \$50 million because we waited five years.

Councilor Finlay asked how this would impact our balance sheet and income statement.

Please note that Mr. Larry Landry, Sr. Account Executive/Ameresco responses to the previous two (2) questions were inaudible.

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to authorize staff to proceed with the \$2.1 million pilot program comprised exclusively of lighting and lighting controls in most City-owned facilities including light-emitting diode (LED) retrofits in City parking garages; to complete additional research on the entire project; and to determine how this impacts the City's balance sheet. Mr. Cromartie was not present for the vote.

U3. **Housing First Update – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager reported that the Community Development Department has utilized \$10,000 of Community Development Block Grant (CDBG) funds to add ten (10) units to the Housing First Program.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Steve Lefemine, Director of the Columbia Christians for Life appeared before the Council to call for Mayor Coble and the Columbia City Council to repent and to renounce their endorsement and funding of sodomite due to their support of the South Carolina Pride 2008 events.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to go into Executive Session at 1:37 p.m. for the discussion of **Items V.** through **Z.** as outlined below.

V. **Receipt of legal advice which relates to matters covered by attorney-client privilege – *The items was discussed in Executive Session.*

• Council adjourned the Executive Session at 2:05 p.m.

V1. **Ordinance No.: 2008-088 - 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 (d) – *Approved on first reading.*

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2008-088 - 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 (d). Voting aye were Mr. Cromartie, Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel and Mayor Coble. Mr. Finlay voted nay.

• Council reconvened the Executive Session at 2:06 p.m.

W. Discussion regarding the development of security personnel or devices
This item was discussed in Executive Session. No action was taken.

X. **Receipt of legal advice which relates to pending, threatened or potential claim
This item was discussed in Executive Session. No action was taken.

Y. **Discussion of Employment of an Employee
This item was discussed in Executive Session. No action was taken.

Z. **Discussion of negotiations incident to proposed contractual arrangements.
This item was discussed in Executive Session. No action was taken.

- **Dr. Gergel left the meeting at 2:40 p.m.**
- **Council adjourned the meeting at 3:25 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk