



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, JUNE 16, 2010  
9:00 A.M.  
COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR  
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Wednesday, June 16, 2010 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. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Belinda F. Gergel and The Honorable Kirkman Finlay III. The Honorable Daniel J. Rickenmann arrived at 9:57 a.m. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

### **INVOCATION**

Pastor Darrell Croft, Chaplain for the Columbia Fire Department offered the Invocation.

### **APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS**

No one appeared at this time.

### **MINUTES**

1. Minutes of November 4, November 16 and November 18, 2009 - *Approved*

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the Minutes of November 4, 16 and 18, 2009 presented.

### **CONSENT AGENDA**

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 3.** through **18.** Consideration of **Item 2.** was deferred to June 23, 2010.

#### **CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS**

2. Council is asked to approve a First Addendum to the Operation and Management Agreement between the City of Columbia and EdVenture for the Terrace Building Addition. – *Consideration of this item was deferred to June 23, 2010.*
3. Council is asked to approve the Purchase of Three (3) Portable Radios with Smartzone Connectivity, as requested by the Police Department/Homeland Security Division. Award to Motorola C&E, Inc., using the SC State Contract in the amount of \$10,611.03. This vendor is located in Sumter, SC. *Funding Source: 1012202-623700 - Approved*
4. Council is asked to approve the Purchase of Three (3) Dell Laptops, as requested by the Fire Department. Award to Dell, using the SC State Contract in the amount of \$11,544.70. This vendor is located in Round Rock, TX. *Funding Source: 1012303-657600 - Approved*

5. Council is asked to approve the request to Furnish and Install the Fencing for Earlewood Dog Park, as requested by the Parks & Recreation Department. Award to Brabham Fence Company in the amount of \$23,340.57. This vendor is located in Columbia, SC. *Funding Source: 5534201638300 - Approved*
6. Council is asked to approve a Three (3) Year License Renewal/Support for Cisco Ironport, as requested by the Information Technology Department. Award to Presidio Networked Solutions in the amount of \$32,795.50. This vendor is located in Atlanta, GA. *Funding Source: 1011120-638200 - Approved*
- 6a. **\*\***Council is asked to approve a Cityworks Enterprise License Agreement Upgrade, as requested by the Information Technology Department. Award to Azteca Systems, Inc. in the amount of \$37,450.00. This vendor is located in Sandy, UT. *Funding Source: (1011120-638200 \$10,700.00); (5516203-638200 \$13,375.00) and (5516205-638200 \$13,375.00) - Approved*
7. Council is asked to approve Project #SS6871; Purchase of Drive Assembly for the Final Clarifier Train One (1) at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Siemens Technologies, as a Sole Source in the amount of \$37,918.66. This vendor is located in Waukesha, WI. *Funding Source: Sewer Improvement Fund 5529999-SS687101-851200 - Approved*
8. Council is asked to approve Project #SS713001 & SD834001; An Agreement for Miscellaneous Services Associated with United States Army Corps of Engineers (USCOE) Section 404/401 Permitting and Work Orders one (1) through three (3), as requested by Utilities and Engineering. Award to Environmental Permitting Consultants (EPC) in the amount of \$50,000.00. This vendor is located in Greenville, SC. *Funding Source: Sewer Improvements Fund 5529999-SS713001-636600 and Stormwater Utility Fund 5549999-SD834001-636600 - Approved*
- 8a. **\*\***Council is asked to approve the Purchase for Clean Fill Dirt, as requested by the Solid Waste Department. Award to L.A. Barrier & Son, Inc., in the amount of \$66,768.00. This vendor is located in Lexington, SC. *Funding Source: 1014405-638500 - Approved*
9. Council is asked to approve Project #WM4208 & SS7134; An Agreement for Structural Engineering Services, as requested by Utilities and Engineering. Award to Chao and Associates in the amount of \$75,000.00. This vendor is located in Columbia, SC. *Funding Source: 5529999-WM420801-636600 - Approved*
10. Council is asked to approve Project #SS6871; Purchase of Material to Rebuild Primary Clarifiers Five (5) and Six (6) at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Siemens Technologies, as a Sole Source in the amount of \$118,466.12. This vendor is located in Waukesha, WI. *Funding Source: Sewer Improvement Fund 5529999-SS687101-851200 - Approved*
11. Council is asked to approve the Renewal of Insurance Policies for Commercial Property, Computer, Crime, Auto-Mayor, Auto-Parks & Recreation, General Liability Major Parks. Award to Willis of North Carolina in the amount of \$188,949.90. *Funding Source: Premiums and Policies Account 6058935 - Approved*
12. Council is asked to approve Project #9801000105; An Agreement to Remove Overhead Lines and Install Underground Along Harden Street from the Railroad to Read Street, as requested by Utilities and Engineering. Award to South Carolina Electric and Gas (SCE&G) in the amount of \$1,238,750.00. This vendor is located in Cayce, SC. *Funding Source: 4139999-9801000105-639900 – Approved*

13. Council is asked to approve a Two (2) Year Extension Contract for Professional Services between the City of Columbia and Merchant Capital, LLC in the amount not to exceed \$450,000.00. This Firm is located in Atlanta, GA. - *Approved*
14. Council is asked to approve Project #WM395601; An Agreement for Design and Construction of Water Lines to Provide Additional Supplies of City Water to the Chapin, SC Area, Phase I and II, as requested by Utilities and Engineering. Award to Civil Engineering in the amount of \$564,690.00.00. This vendor is located in Columbia, SC. *Funding Source: Water Improvement Fund 5529999-WM395601-636600 - Approved*
15. Council is asked to approve Project #SS7135; Sanitary Sewer Overflow Clean up and Right-of-Way Clearing, as requested by Utilities and Engineering in the amount of \$1,934,404.00. *Funding Source: Sanitary Sewer CIP Budget / Water & Sewer Bond. - Approved*
16. Council is asked to approve Project #SS7058; A Subcontracting Outreach Program Disinfection Improvements for the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to M.B. Kahn Construction in the amount of \$2,081,000.00. This vendor is located in Columbia, SC. *Funding Source: SS705801- Approved*
17. Council is asked to approve a Contract Renewal for Medical Benefits Administration, as requested by the Employee Insurance Committee. Award to BlueCross BlueShield in the amount of \$16,291,000.00. This vendor is located in Columbia, SC. - *Approved*

#### ORDINANCES – SECOND READING

18. Ordinance No.: 2010-084 – Authorizing the transfer of 5208 Randall Avenue, Richland County TMS #11701-06-05 to Eau Claire Development Corp. and 612 Glenlea Road, Richland County TMS #09314-06-06; 136 Springway Drive, Richland County TMS #16310-05-25; 2514 Louise Street, Richland County TMS #11510-01-20; 1216 Pine Street, Richland County TMS #11406-07-20; 4061 Water Street, Richland County TMS #11602-12-07; 1501 Manning Avenue, Richland County TMS #11411-06-09; 1525 Manning Avenue, Richland County TMS #R11412-06-06; and R11411-06-03; 1527 Manning Avenue, Richland County TMS #R11412-06-06; and 926 East Campanella Drive, Richland County TMS #R14305-15-25 to Columbia Housing Development Corporation – *First reading approval was given on May 19, 2010. – Consideration of this item was deferred.*

#### PRESENTATIONS

19. Introduction of the June 2010 Employee of the Month – Interim Police Chief Carl Burke, Columbia Police Department

Major Randy Martin, Homeland Security Division of the Columbia Police Department introduced Mr. David Stapleton, Community Safety Officer as the June 2010 Employee of the Month. He became a CSO in 2002 and was assigned to the Canal Water Plant. He is a relentless worker that shows up even when he's sick. He does an outstanding job.

Mr. Glenn Sawyer, Community Safety Coordinator for the Homeland Security Division further explained that CSO Stapleton deserves this recognition, because he is the kind of guy that everybody wants to work with. CSO Stapleton deals with visitors, park patrons and people looking for directions; he is an excellent communicator.

Mayor Coble presented CSO David Stapleton with a certificate and Mr. Steven A. Gantt, City Manager presented CSO David Stapleton with a token of appreciation for being selected as the June 2010 Employee of the Month.

- 20. Homeownership Month Proclamation – Ms. Dollie Bristow, Community Development/Community Investment Manager

Mayor Coble and the members of Council proclaimed June 2010 as Homeownership Month in the City of Columbia.

- 21. Neighborhood Stabilization Program (NSP) – Ms. Deborah Livingston, Director of the Columbia Housing Development Corporation

Ms. Deborah Livingston, Director of the Columbia Housing Development Corporation explained that the Neighborhood Stabilization Program has three activities; we received \$3,900,000 for acquisition / rehabilitation; \$881,556 for redevelopment; and \$144,209 from the Richland County allocation for a total amount of \$4,044,210. To date, 30 houses have been purchased and one house is currently under contract.

This was an update. No action was taken.

- **Mr. Finlay left the meeting at 9:34 a.m.**

**CITY COUNCIL DISCUSSION / ACTION**

- 22. Neighborhood Street Lighting Requests – Mr. Robert Anderson, Deputy Director of Public Works

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the Neighborhood Street Lighting Requests as outlined below.

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Increased Amount
904 Muller Avenue	150	1	\$237.84	\$118.92
Lyon Street Neighborhood	150	14	\$23,054.28	\$1,664.88

- 22a. **\*\*Council is asked to approve a Business License Application for a Detective Agency. Award to Mr. Michael Joseph McNamara, Sr. of Anthony Proietta & Associates, Inc., as requested by the Business License Division.**

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve a Business License Application for a Detective Agency. Award to Mr. Michael Joseph McNamara, Sr. of Anthony Proietta & Associates, Inc., as requested by the Business License Division.

**ORDINANCES – FIRST READING**

- 23. Ordinance No.: 2010-088 – Granting DukeNet Communications, LLC, its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Fiber Optic Network Facilities for Such Period as Provided Herein; to Provide for the Payment of Compensation for its Use of the Streets and Public Places; and to authorize the City Manager to execute the attached Rights-of-Way Access Agreement – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-088 – Granting DukeNet Communications, LLC, its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Fiber Optic Network Facilities for Such Period as Provided Herein; to Provide for the Payment of Compensation for its Use of the Streets and Public Places; and to authorize the City Manager to execute the attached Rights-of-Way Access Agreement.

24. Ordinance No.: 2010-097 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article III, Officers and Employees to repeal Sec. 2-130 Director of business enterprise and grants; and Article IV, Departments, Sec. 2-151, Departments created; department heads; administrative regulations and procedures, (a) to repeal (15) Business enterprise and grants – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-097 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article III, Officers and Employees to repeal Sec. 2-130 Director of business enterprise and grants; and Article IV, Departments, Sec. 2-151, Departments created; department heads; administrative regulations and procedures, (a) to repeal (15) Business enterprise and grants.

## **RESOLUTIONS**

25. Resolution No.: R-2010-51 – Authorizing the City Manager to execute a 911 Communications Center Consolidation Agreement between the City of Columbia and Richland County - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-51 – Authorizing the City Manager to execute a 911 Communications Center Consolidation Agreement between the City of Columbia and Richland County.

- **Council recessed at 9:47 a.m.**
- **Council reconvened at 9:57 a.m. and Mr. Rickenmann was present at this time.**

## **ORDINANCES – FIRST READING**

26. Ordinance No.: 2010-047 – To Raise Revenue and Adopt the Budget for The City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2011 – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to give first reading approval to Ordinance No.: 2010-047 – To Raise Revenue and Adopt the Budget for The City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2011.

27. Ordinance No.: 2010-086 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 20, Special Fees and Taxes to add Article IV, Electronic Payment Fees – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-086 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 20, Special Fees and Taxes to add Article IV, Electronic Payment Fees.

28. Ordinance No.: 2010-089 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally, (b) Consumers using water cooling towers for air conditioning and (f) Contaminated groundwater – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted four (4) to one (1) to give first reading approval to Ordinance No.: 2010-089 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rates and Sec. 23-149 Sewer service rates, (a) Generally, (b) Consumers using water cooling towers for air conditioning and (f) Contaminated groundwater. Voting aye were Mr. Davis, Ms. Devine, Dr. Gergel and Mayor Coble. Mr. Rickenmann voted nay.

### **APPOINTMENTS**

29. Municipal Court Judges

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve the reappointment of Municipal Court Judges as follows.

- Chief Administrative Judge Dana D. Turner for a term expiring on July 1, 2013;
- Judges Lincoln C. Jenkins, III, Steven D. Dennis and Marion O. Hanna for a term expiring on July 1, 2013;
- Judges B. Jean Burns, J. Steedley Bogan and DeAndrea G. Benjamin for a term expiring on July 1, 2012; and
- Substitute Judges Carlton B. Bagby, James S. Guignard and William C. Smith for a term expiring on July 1, 2012.

30. Board of Zoning Appeals – *Consideration of appointments was deferred.*

31. Design Development Review Commission – *Consideration of appointments was deferred.*

32. Planning Commission – *Consideration of appointments was deferred.*

### **CITY COUNCIL DISCUSSION /ACTION**

33. \*\*Security for Downtown Neighborhoods and Businesses – The Honorable Daniel J. Rickenmann

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted four (4) to one (1) to allocate \$200,000 from the fiscal year 2009/2010 unallocated reserves to provide public safety services for the downtown neighborhoods and businesses contiguous to the Midlands Housing Alliance's Transition Center. Mr. Mike King, Assistant City Manager for Public Safety was directed to develop a public safety plan and budget for consideration by City Council. This plan will be reviewed with the surrounding neighborhoods and businesses. Voting aye were Ms. Devine, Mr. Rickenmann, Dr. Gergel and Mayor Coble. Mr. Davis voted nay.

- **Mayor Coble left the meeting at 10:38 a.m. and Councilman Davis is now presiding as the senior member of Council.**

## **APPOINTMENTS**

34. \*\*Maxcy Gregg Park Centennial Celebration Advisory Committee – The Honorable Belinda F. Gergel

Councilor Gergel encouraged the members of Council to make their appointments to the Maxcy Gregg Centennial Celebration Advisory Committee. We are looking for good people who have been involved in parks.

Councilor Rickenmann nominated Mr. Andy Marion to serve on the Maxcy Gregg Park Centennial Celebration Advisory Committee.

Councilor Devine nominated Ms. Beth Richardson to serve on the Maxcy Gregg Park Centennial Celebration Advisory Committee.

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

Ms. Jean Denman, Downtown Resident appeared before the members of Council in support of funding for the Midlands Housing Alliance. She sought clarification on the motion made by City Council to approve funding for security for the organization.

Mr. Paul Pingel, Associate Pastor / Ebenezer Lutheran Church appeared before the members of Council in support of funding for the Midlands Housing Alliance. We currently house the evening weekday meals with the Salvation Army and will continue that through the end of September. The need for a transition center is great and we anticipate that as something to help the neighborhood around our church building. I want to affirm the support of the City government for this project as a way to indicate that our community is coming together to support an important problem.

Mr. Reggie Murphy, Cottontown Resident/ Chairmain of the Workforce Development Board for the Midlands appeared before the members of Council to state that he neither supports nor opposes the Midlands Housing Alliance. I am in great support of its mission and I am not particularly opposed to its location. I want to see MHA teach its patrons to respect our community; respect the historical nature of the neighborhoods; and to have respect for the people. They seem to have the ability raise a huge sum of money and I think they should have to pay for external security. I am meeting with MHA to see how the Workforce Development Board can work with them to help train and employ the residents of the transition center.

Mr. Jim Morris, Main Street Resident appeared before the members of Council in support of the Midlands Housing Alliance. I am convinced that this center is going to move us in the right direction and its going to return people to society as productive, taxpaying citizens.

Ms. Patty Durkin, Downtown Resident and Business Owner appeared before the members of Council to present a signed petition from downtown business and property owners that are in opposition to the location of the Midlands Housing Alliance. She asked the Council if they determined whether or not this is a good business decision. Have you seen the financials from MHA for the next five (5) years? Will they come back again next year? What will the City's responsibility be towards economic development? You are condemning an area the size of Five Points. We already have enough homeless shelters downtown.

Ms. Charlotte Thompson, Downtown Business Owner appeared before the members of Council to express concerns about issues of criminal activity. I am concerned that the MHA facility will attract and concentrate an overwhelming number of homeless individuals to this area of the city. General Fund monies from taxes and other revenues should be used to improve property values and to create an environment for businesses to flourish; this helps to increase City revenue. The

MHA has discussed onsite security for their facility, but who will provide onsite security for the local businesses and homeowners who directly contribute to the tax base.

Ms. Kate Webb appeared before the members of Council in support of the homeless and the Midlands Housing Alliance. The homeless are members of our society and there are no public toilets for the homeless. There seems to be a lot of money being spent to incarcerate them, but that money could be much better spent on public toilets.

Mr. Preston Winkler, Executive Director / Greater Columbia Community Relations Council appeared before the members of Council in support of continued funding for the Community Relations Council. The City of Columbia is committed to embracing diversity and improving race relations. We are in the midst of a great transition and the funding for the Community Relations Council is essential to assuring that we will remain a great city.

Mr. John Holmes appeared before the members of Council on behalf of Homeless Helping Homeless. He said that the residents and business owners have justified complaints, but not all homeless people are committing crimes. He asked the Council to use wisdom and compassion. He announced that Homeless Helping Homeless formed over a month ago and they will start an Adopt-A-Block Project on June 26, 2010 to show that they are concerned about this City; we want to be respectful, responsible and productive citizens of this society; and we are employable.

Dr. Marie Faltas appeared before the members of Council to express concerns about her comments being censored during a previously recorded Council meeting. She urged the Council to start converting to green energy. Unless you take positive action to get my plans for what may be South Carolina's first completely solar house approved, I would want to see under what pretense you have taken any funds from the federal government under the green initiatives. It is not possible to submit a solar building plan that will work and be cost effective and that will comply with the ancient ways of building. You denied my permit and had me arrested on false charges and let's not forget that.

Mr. Bill Manley, Eau Claire Community Resident appeared before the members of Council to express concerns about the Community Development Department and Ordinance No.: 2010-084, which he previously discussed. I am concerned about the housing issues that we have in Columbia, but I am also interested in what's going on with the Community Development Department. I found the monthly budget reports on the computer and the money for the Development Corporations is under the Water & Sewer Fund. There are a lot of houses under the City of Columbia. We pay a lease payment of \$462,000 per year for where the Community Development and Human Resources Departments are located. He noted that he could not find the Commercial Revolving Loan Fund anywhere in the budget.

- **Mayor Pro-Tempore Finlay returned to the meeting and is now presiding.**

### **EXECUTIVE SESSION**

Upon a motion made by Mr. Rickenmann and seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 11:23 a.m. for the discussion of **Items 34.** and **35.** as outlined.

34. Receipt of legal advice which relates to matter covered by attorney-client privilege
  - Salvation Army
  - Club Dreams

*These items were discussed in Executive Session. No action was taken.*

35. **\*\*Discussion of negotiations incident to proposed contractual arrangements –  
*Contractual matters were discussed in Executive. No action was taken.***

- **Council adjourned the meeting at 1:11 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk