



The Columbia City Council conducted a Regular Meeting on Wednesday, August 4, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 9:05 a.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Daniel J. Rickenmann, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. The Honorable Belinda F. Gergel arrived at 9:09 a.m. and The Honorable Tameika Isaac Devine is on maternity leave. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

INVOCATION

Chaplain Darrell Croft, Columbia Fire Department offered the Invocation.

MINUTES

1. Minutes of February 3, 2010 – *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of February 3, 2010 as presented.

- **Dr. Gergel arrived at 9:09 a.m.**

CONSENT AGENDA

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

2. Council is asked to approve an Agreement for Consulting Services to Develop and Implement a Public Information and Community Relations Initiative for Utility Construction of the North Main Street Improvements Project; Phase 1B, Fairfield Road to Fuller Avenue, as requested by the Utilities and Engineering Department. Award to P.J. Noble and Associates (PJNA), **the lowest bidder** in the amount of \$65,000.00. This vendor is located in Columbia, SC. *Funding Source: North Main Street Streetscape Project Fund 4139999-9307000101- **Note:** This will not be federally funded. - Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve an Agreement for Consulting Services to Develop and Implement a Public Information and Community Relations Initiative for Utility Construction of the North Main Street Improvements Project; Phase 1B, Fairfield Road to Fuller Avenue, as requested by the Utilities and Engineering Department. Award to P.J. Noble and Associates (PJNA), **the lowest bidder** in the amount of \$65,000.00. This vendor is located in Columbia, SC.

3. Council is asked to approve an Agreement for Contract Modification Number Eight (8) for a Right-of-Way Acquisition Services for the North Main Street Improvements Project, as requested by the Utilities and Engineering Department. Award to PB Americas, Inc., the lowest bidder in the amount of \$77,611.60. This vendor is located in Columbia, SC. *Funding Source: North Main Street Streetscape Project Fund 4139999-9307000101-638300 - Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve an Agreement for Contract Modification Number Eight (8) for a Right-of-Way Acquisition Services for the North Main Street Improvements Project, as requested by the Utilities and Engineering Department. Award to PB Americas, Inc., the lowest bidder in the amount of \$77,611.60. This vendor is located in Columbia, SC.

4. Council is asked to approve a Six (6) Month Contract Renewal for Rental Uniforms Issued to City Employees, as requested by City Departments. Award to Unifirst Corporation, the lowest bidder in the amount of \$88,911.08. This vendor is located in Lexington, SC. *Funding Source: Central Stores Supplies – Uniform and Clothing 6208956-624100 - Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve a Six (6) Month Contract Renewal for Rental Uniforms Issued to City Employees, as requested by City Departments. Award to Unifirst Corporation, the lowest bidder in the amount of \$88,911.08. This vendor is located in Lexington, SC.

5. Council is asked to approve an Engagement Agreement to Provide Guidance, Counsel, and Training related to the City's Implementation of Commercial Non-discrimination and Subcontracting Outreach Policies, a Mentor Protégé Program, Establishment of an Automatic Centralized Bidder Registration System and further Policy Development and Implementation design to promote the fair and equitable participation of Minority and Women-owned Businesses in City Contracts. Agreement with Tydings & Rosenberg, LLP for an overall budget not to exceed \$202,500.00 to include \$150,000 for law firm of Tydings & Rosenberg, LLP; an additional \$52,500 for the Charleston Group which consists of project legal fees and reimbursable out-of-pocket expenses; the bill time for local South Carolina counsels, Helen Grant, Esquire and Jonathan Charleston, Esquire at a rate of \$300 per hour; and additional hourly rates ranging for \$175.00 to \$275.00 per hour for associates at the Charleston Group that may be assigned to this matter as necessary. This vendor is located Baltimore, MD. *Funding Source: Central Administration -Legal -Professional Services 1011501/636600 – Consideration of this item was deferred.*

A motion made by Ms. Plough and seconded by Mr. Davis to extend all bids of any significance related to construction, architectural and engineering projects to give us time to look at what we might incorporate in the language for local preference, with the exception of anything of an emergency nature, was withdrawn.

There was a consensus of Council to request a one-page explanation of the Engagement Agreement; it's scope; history of Mr. Lee's engagement with the Office of Business Opportunities; and accomplishments to date as a result of the 2004 Disparity Study. This matter will be reconsidered on August 18, 2010.

6. Council is asked to approve Change Order #1 to Projects #WM3823 & WM3175; an Agreement for the Construction of New High Services Discharge Pipe Lines at the Columbia Canal Water Treatment Plant for a High Service Pump Station Discharge and Transmission Piping Upgrade, as requested by the Utilities and Engineering Department. Award to B.P. Barber & Associates in the amount of \$227,005.00. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund 5529999-WM382301-636600 & 5529999-SM317501-63600 – **Note:** The change order is to provide for structural remediation, control upgrades to generators, and design & construction package changes to accommodate the storm drainage tunnel remediation work. Utilities & Engineering requested the change and Joey Jaco, Interim Director of the Utilities and Engineering Department is recommending its approval. This is a Mentor Protégé Program Project. - Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve Change Order #1 to Projects #WM3823 & WM3175; an Agreement for the Construction of New High Services Discharge Pipe Lines at the Columbia Canal Water Treatment Plant for a High Service Pump Station Discharge and Transmission Piping Upgrade, as requested by the Utilities and Engineering Department. Award to B.P. Barber & Associates in the amount of \$227,005.00. This vendor is located in Columbia, SC.

7. Council is asked to approve Project #SS6722; an Agreement for Construction Phase Services for Headworks Improvements at the City's Metro Wastewater Treatment Plant, as requested by the Utilities and Engineering Department. Award to Hazen and Sawyer in the amount of \$1,731,280.00. This vendor is located in Raleigh, NC. *Funding Source: Sewer Improvements Fund 5529999-SS672203-636600 – **Note:** This construction is necessary to improve hydraulics at the Wastewater Treatment Plant. – This is a Mentor Protégé Program Project. - Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve Project #SS6722; an Agreement for Construction Phase Services for Headworks Improvements at the City's Metro Wastewater Treatment Plant, as requested by the Utilities and Engineering Department. Award to Hazen and Sawyer in the amount of \$1,731,280.00. This vendor is located in Raleigh, NC.

ORDINANCES – SECOND READING

8. Ordinance No.: 2010-114 – Authorizing the Issuance and Sale by the City of Columbia, South Carolina of Its not exceeding \$11,500,000 General Obligation Refunding Bonds, In one of more series, for the purpose of refunding a portion of the City 's \$15,500,000 original principal amount General Obligation Bonds Series 2002, and its not exceeding \$10,000,000 General Obligation Bonds in one or more series, for the purpose of funding certain capital projects; fixing the form and details for the bonds; authorizing the Mayor, the City Manager, the Finance Director and the Treasurer, or any two of them acting together 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 – *First reading approval was given on July 21, 2010. Approved on second reading.*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to give second reading approval to Ordinance No.: 2010-114 – Authorizing the Issuance and Sale by the City of Columbia, South Carolina of Its not exceeding \$11,500,000 General Obligation Refunding Bonds, In one of more series, for the purpose of refunding a portion of the City 's \$15,500,000 original principal amount General Obligation Bonds Series 2002, and its not exceeding \$10,000,000 General Obligation Bonds in one or more series, for the purpose of funding certain capital projects; fixing the form and details for the bonds; authorizing the Mayor, the City Manager, the Finance Director and the Treasurer, or any two of them acting together 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.

9. Ordinance No.: 2010-117 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article III, Contractors, Sec. 17-73 Technical qualifications - *Code Enforcement Task Force Recommendation: Approve – First reading approval was given on July 28, 2010. - Approved on second reading.*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to Ordinance No.: 2010-117 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article III, Contractors, Sec. 17-73 Technical qualifications.

PRESENTATIONS

10. Introduction of the July 2010 Employee of the Month – Ms. Kimberly Gathers, Communications Director

Ms. Kimberly Gathers, Director of the Columbia/Richland 911 Communications Center introduced Ms. Shamika Carraway, Assistant Shift Supervisor for the 911 Communications Center as the July 2010 Employee of the Month.

Mayor Benjamin presented Ms. Carraway with a certificate and Mr. Steven A. Gantt, City Manager presented Ms. Carraway with a token of appreciation for being selected as the July 2010 Employee of the Month.

11. Introduction of the August 2010 Employee of the Month – Mr. John Spade, Director of Parking Services

Mr. John Spade, Director of Parking Services introduced Mr. William “Will” F. Green, Parking Meter Collector for Parking Services as the August 2010 Employee of the Month.

Mayor Benjamin presented Mr. Green with a certificate and Mr. Steven A. Gantt, City Manager presented Mr. Green with a token of appreciation for being selected as the August 2010 Employee of the Month.

12. United Way Recognitions – Mr. Bradley Anderson, Special Projects Coordinator

Mr. Bradley Anderson, Special Projects Coordinator recognized the following departments and divisions that performed exceptionally well in the City’s 2009 United Way campaign:

Bronze Award - \$50-\$99 per employee

- Parking Services - 67% participation averaging \$66 per employee
- Fleet Services - 80% participation averaging \$62 per employee

Silver Award - \$100-\$149 per employee

- Human Resources - 50% participation averaging \$104 per employee
- Community Development - 85% participation averaging \$100 per employee

Gold Award - \$150 or more per employee

- Development Services - 69% participation averaging \$165 per employee

13. Central SC Alliance Update – Mr. Mike Briggs, President

Mr. Mike Briggs, President of the Central SC Alliance reported that we are doing well in central South Carolina from an economic development standpoint. We were created in 1994 as a 501 (c) 3 comprised of nine (9) counties. We have focused on recruiting businesses and helping existing businesses expand. Since 1994 we have recruited companies that invested approximately \$8 billion and created 50,000 jobs.

14. Community History Project – Ms. Robin Waites, Executive Director/ Historic Columbia Foundation

Ms. Robin Waites, Executive Director/ Historic Columbia Foundation presented the RETRACE Project to the members of Council, which is a project to research and document the history of the following six (6) neighborhoods: Arsenal Hill, Lower Waverly, Cottontown, Historic Waverly, Hollywood-Rosehill and Old Shandon. This will include self guided walking tours, wayside signage in city parks and virtual tours. She invited the Council members to participate in each neighborhood event and the 32nd Annual Jubilee Festival of Heritage on August 28, 2010.

15. The Declaration for the Right to Literacy – Ms. Ellen Hinrichs, Executive Director of USC Center for Children’s Books and Literature and Ms. Sarah Conrad, Community Volunteer

Ms. JoAnn Turnquist, President and CEO of the Central Carolina Community Foundation introduced the Foundation’s board members and others that are also members of Literacy 2030. We are here to sign The Declaration for the Right to Literacy.

Ms. Sarah Conrad, Federal Grant Coordinator for the South Carolina Association for Nonprofit Organizations explained that literacy is the ability to read, write, and speak in English. In order to have an active and participatory democracy in this county, we must have a literate constituency. There will be a Literacy Summit on October 16, 2010 at the Richland Public Library to address the state of literacy in the Midlands and to craft a committee agenda that places reading at the front and center of what we do in this community.

Ms. Ellen Hinrichs, Executive Director of the University of South Carolina Center for Children’s Books and Literature said that on June 13, 2009 as part of the National Community Literacy Conference, literacy rights supporters held the first ever Right to Literacy Convention. At the convention, delegates from across the country added their names to the Right to Literacy Declaration scroll. The Declaration for the Right to Literacy supports 5-prongs of literacy: building the community; strengthening the family; ensuring people’s right to self-determination; improving the workforce; and transforming the literacy system. The scroll has been traveling since June 2009 and no one from South Carolina has signed it. The scroll will travel to Washington, DC to be presented to President Barack Obama in September to show that local communities from across the country are standing up for literacy.

Mayor Benjamin and the members of Council signed The Declaration for the Right to Literacy.

16. Solar Energy and Electrical Code Training Summary – Mr. Mike Switzer, Business Development/Argand Energy Solutions

Mr. Mike Switzer, Business Development/Argand Energy Solutions reported that inspectors and regulators didn’t know very much about solar panel installations and the owner of Argand Solutions recommended that they have a nationally recognized solar expert conduct a conference in an effort to educate our state. The Office of Business Opportunities reviewed the proposal and sponsored the conference on July 20, 2010 and it was a great success with 156 attendees from as far away as Maryland. There was a great representation of inspectors to include fire inspectors. Several governmental agencies, technical colleges and businesses sponsored the event. I would like to thank you for your support of the work that Mr. Ryan Coleman and the Office of Business Opportunities is doing.

CITY COUNCIL DISCUSSION / ACTION

17. Neighborhood Yard Debris – The Honorable Daniel Rickenmann

Councilor Rickenmann said that we continue to have issues related to debris in our storm water. We had a huge storm a week ago and the next morning I cleaned a few storm drains in the neighborhood. By that afternoon people had piled stuff in front of the storm drains again. We've talked about the continuous flooding and we've looked at other options. I wanted to ask that Ms. Melissa Gentry, Public Works Director and Mr. Robert Anderson, Superintendent of Solid Waste pull previous reports that they prepared and let's formulate a way to attack this problem. We must find a way to keep trash from flowing into our drains.

Councilor Davis said that he is having problems with people that do lawns in the City. They tend to blow the debris into the streets and they leave it. It is dangerous for drivers. Somebody has to be responsible for what comes off of private property into the neighborhood and main arteries.

Councilor Gergel said that she was under the impression that we were looking at the bagging ordinance as part of the permitting process for storm water.

Mr. Robert Anderson, Superintendent of Solid Waste reported that they have been monitoring several options. Richland County attempted to enact a bagging ordinance, but it failed. They are doing a pilot program with roll carts and yard debris and we will be monitoring that. The blowing will be included as well.

Ms. Melissa Gentry, Public Works Director added that the storm water permit doesn't require bagging, but it is an option that can be considered to help with our permitting. We are working with the Engineering Department on a daily basis to ensure that any options compliment the permit.

18. First Day of School Initiative – Ms. Teresa Wilson, Director of Governmental Affairs

Ms. Teresa Wilson, Director of Governmental Affairs reported that Charleston, South Carolina initiated a First Day of School Initiative and First Day Festival in 2003. She noted that the City of Columbia informally encourages its employees to be very visible with their own children and to volunteer during the school year. The First Day Festival is a campaign to generate widespread community support for schools; excitement about the beginning of the new school year; and a celebration of education. The main purposes of the initiative are to encourage parents to attend school with their children on the first day; urge businesses to support parents by giving them time off to get involved in their child's education; and enhance public engagement in our schools. With time being of the essence, we will continue to explore the First Day Festival. I would recommend that we formalize what we are already doing as far as encouraging employees to participate with the students on the first day of school. Ms. Devine also encourages formalizing a volunteer effort during the school year.

Upon a motion made by Dr. Gergel and seconded by Ms. Plough, Council voted unanimously to endorse the First Day of School Initiative in the City of Columbia. A letter will be signed by Mayor Benjamin explaining that City employees who have children in school will be given two (2) hours off to take their children to school on the first day. The necessary arrangements should be made with the employee's supervisors and Department Heads.

19. Extension of Interim Measures for Community Character Protection in Forest Hills – Ms. Krista Hampton, Planning/Development Administrator

Ms. Krista Hampton, Planning/Development Administrator reported that the Forest Hills Neighborhood was granted Interim Measures on August 8, 2008. These measures must be removed or renewed after two (2) years or upon the vote of Council concerning a Design Preservation overlay. The neighborhood is currently working with preservation staff to establish a Design Preservation overlay and would like to extend the protection afforded by the –CC overlay during this period of deliberation.

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to extend the Interim Measures for Community Character Protection (-CC overlay) as requested by the Forest Hill Neighborhood.

20. Columbia Canal Recommendations – Mr. Joey Jaco, PE, Interim Director of Utilities and Engineering

Mr. Joey Jaco, PE, Interim Director of Utilities and Engineering reported that nine (9) seepages were discovered in the Canal in 2007. We decided to move forward with the removal of vegetation; inspection of Canal face; and to only repair the areas of known seepage. A park user group was formed to address concerns of removal of vegetation and trees along with staff. A meeting was held on June 17, 2010 with FERC and the following plan was developed: remove underbrush including saplings, shrubbery and dead trees from the Canal embankment; create an approximate 6' wide inspection path at the toe of the slope including the removal of underbrush and trees up to 4" in diameter; inspect the Canal embankment for seepages, dead trees and surface erosion; repair areas of immediate concerns; provide recommendations to FERC; and continue to work with the park user group and SCDNR.

Ms. Ryan Nevius said that we want to make our City a place where people can live, work and play with clean air and clean water. We have citizen volunteers coming in on August 11th and 13th at 7:30 a.m. to tag important habitat along the Columbia Canal so that the animals in that ecosystem will be able to survive the cutting of the underbrush. We are excited about working with the City to ensure that our greenways, water quality and air quality remain a key consideration.

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to endorse the recommendations as presented. Mr. Davis was not present for the vote.

RESOLUTIONS

21. Resolution No.: R-2010-063 – Reduction and reallocation of a portion of the Mayor's salary - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to approve Resolution No.: R-2010-063 – Reduction and reallocation of a portion of the Mayor's salary.

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve **Items 22.** and **23.**

22. Resolution No.: R-2010-064 – Authorizing Acceptance and Dedication of street known as Park Central Court in Park Central to the City of Columbia; Richland County TMS#09115-01-03; CF #294-15 - *Approved*

23. Resolution No.R-2010-65 – Authorizing Acceptance and Dedication of streets known as Vermillion Drive, Acropolis Court, Opus Court and Willow Tree Drive in Willow Tree Subdivision, Phases I and 2 to the City of Columbia; Richland County TMS #19215-08-03; CF #278-16 - *Approved*

APPOINTMENTS

24. Central Midlands Council of Governments

Upon a motion made by Dr. Gergel and seconded by Ms. Plaugh, Council voted unanimously to approve the appointment of Mr. Earl F. Brown, Jr. as the City's Representative to the Central Midlands Development Corporation (CMDC) Board of Directors.

25. **Climate Protection Action Committee (CPAC)

Upon a motion made by Dr. Gergel and seconded by Ms. Plaugh, Council voted unanimously to approve the appointment of The Honorable Daniel J. Rickenmann as Chairman of the Climate Protection Action Committee.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

CITY COUNCIL DISCUSSION / ACTION

26. **Council Committees – Mr. Steve Gantt, City Manager

Mr. Steve Gantt, City Manager reported that the Assistant City Managers and Ms. Missy Caughman, Budget Director have been working to develop guidelines for a committee structure. After we received the report from the Transition Team, we noticed a lot of similarity between the breakdown of the committee and the subcommittee structure; we thought it would be a good way to break up the committee structure with the City Council. We have covered all of the areas that the Transition Team discussed, except for regionalism, which stretches across the board. We would propose that two (2) Council members serve on each committee; a councilperson could serve on more than one (1) committee; each committee will have a staff liaison; we will need someone to publicly advertise the agenda and take minutes of the meeting; we will need to establish a system for appointments and term limits; and we hope to have two (2) Council meetings per month and then use the other two (2) weeks for committee work. He noted that Mr. Bradley Anderson, Special Projects Coordinator traveled to Mt. Pleasant on yesterday to observe how and what they do.

Mr. S. Allison Baker, Senior Assistant City Manager explained that they recommended smaller numbers, because you have to determine how many committees of Council there will be and how your time will be distributed in terms of managing those committees and developing good information in order to have decision points for the entire Council.

There was a consensus of Council to add a Committee of Arts and Historic Preservation. This will allow each Councilmember to serve as Chair of one of the respective committees; after consultation with each Councilmember, Mayor Benjamin will have the authority to appoint the committees and the chairs; three (3) members of Council will be appointed to each committee; the terms shall be two (2) years; issues considered by the committees should be the result of a directive from Council for further review or generated by staff; all decisions will be made by the full Council; and the Council will continue to meet on the 1st and 3rd Wednesday of each month and the committees will meet during the 2nd and 4th weeks.

27. ****Council Retreat – The Honorable Leona K. Plough**

There was a consensus of Council to set aside one (1) day of the Retreat for a strategic planning session. Mayor Benjamin, Mr. Davis, Ms. Plough and the City Manager will meet to set the agenda for the strategic planning session.

28. ****Law Enforcement Briefings – The Honorable Leona K. Plough**

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to schedule a public hearing solely for the purpose of receiving public input on the potential contract for the management and oversight of the Columbia Police Department by the Richland County Sheriff's Department.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to go into Executive Session at 1:14 p.m. for the discussion of **Items 29.** and **30.** as outlined.

29. Discussion of negotiations incident to the proposed sale of property

- Laurel at Huger Street

This item was discussed in Executive Session. No action was taken.

30. Discussion of negotiations incident to proposed contractual arrangements

- Five Points Fountain Maintenance
- ****Non-Disclosure Agreement**

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

- **Council adjourned the meeting at 3:15 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk