



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 8, 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, September 8, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 9:13 a.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Belinda F. Gergel, The Honorable Leona K. Plough and The Honorable Brian DeQuincey Newman. The Honorable Tameika Isaac Devine and The Honorable Daniel J. Rickenmann were absent. 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 March 3, March 10, and March 15, 2010 – *Approved as presented.*

Upon a single motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to approve the Minutes of March 3, 10 and 15, 2010 as presented.

### **PRESENTATIONS**

2. Introduction of the September 2010 Employee of the Month – Ms. Sara Hollar, Forestry and Beautification Superintendent

Ms. Sara Hollar, Forestry and Beautification Superintendent introduced Mr. Mike Singleton, Groundkeeper as the September 2010 Employee of the Month. She described Mr. Singleton as a five (5) year employee that is always friendly, dependable, dedicated and a great asset to the City of Columbia.

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

3. Bungalow Fest Tour – Mr. Fred Monk, President of Earlewood Community Citizens Organization

Mr. Fred Monk, President of Earlewood Community Citizens Organization invited the members of Council and the citizens of the City of Columbia to participate in the Bungalow Fest on Sunday, September 12, 2010 from 1:00 p.m. until 6:00 p.m. along Columbia Avenue and Clark Street. This is a walking tour of 16 homes and gardens as part of Earlewood's Centennial Celebration.

## CONSENT AGENDA

Upon a single motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to approve the **Consent Agenda Items 4.** through **23.** as amended.

### CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

4. Council is asked to approve the Purchase of Dell Servers in order to support the Automatic Vehicle Location (AVL) Software which is being installed in the Police Vehicles, as requested by the Fleet Services Division. Award to Dell Marketing LP, using the SC State Contract in the amount of \$13,816.69. This vendor is located in Atlanta, GA. *Funding Source: Capital Replacement/Computer Equipment <\$5,000; 6308972-657600, \$5,158.96 & Capital Replacement/Computer Equipment >\$5,000; 6308972-658600, \$8,657.73 - Approved*
5. Council is asked to approve the Purchase of One (1) Ford F-150 XL Vehicle, as requested by the Water Distribution Division. Award to Vic Bailey Ford, using the SC State Contract in the amount of \$15,155.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Water Distribution & Maintenance-Auto Trucks Heavy Equipment>\$5,000; 5516203-658500 - Approved*
6. Council is asked to approve an Agreement for Safety Audit Compliance and Training Meetings at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to B.P. Barber & Associates, Inc., in the amount of \$25,500.00. This vendor is located in Columbia, SC. *Funding Source: Operating Budget 5516208-638300*  
**Note:** *Utilities & Engineering requested that B.P. Barber submit this scope of work. - Approved*
7. Council is asked to approve the Purchase of Fifty (50) Automatic Vehicle Locator (AVL) GPS, as requested by the Police Department. Award to Trimble Navigation Limited, as a Sole Source in the amount of \$31,939.50. This vendor is located in Sunnyvale, CA. *Funding Source: Capital Replacement-Computer Electronic Equipment<\$5000; 6308972-657600, \$28,194.50 & Equipment Services; Fuel Parts, Repairs-Computer Electronic Equipment<\$5000; 6308970-657600, \$3,745.00 - Approved*
8. Council is asked to approve the Maintenance Renewal of the Sun Servers for IFAS and Banner, as requested by the Information Technology Department. Award to Dimension Data in the amount of \$35,358.50. This vendor is located in Alpharetta, GA. *Funding Source: Information Technology/Maintenance & Service Contracts 1011120/638200 - Approved*
9. Council is asked to approve Project #WM4144; Pressure Reducing Valve (PRV) Building Improvements at 1217 Crane Church Road, as requested by Utilities and Engineering. Award to Shady Grove Construction, the lowest bidder in amount of \$67,716.00. This vendor is located in Irmo, SC. *Funding Source: Water Systems Additions WM414401-851500 – This is a Mentor Protégé Program Project and Watts and Associates Construction is the Protégé. This project consists of constructing a new concrete slab and masonry shelter for an existing pressure valve assembly on a portion of the City of Columbia water system, which will include the construction of a new access driveway. - Approved*

10. Council is asked to approve the Purchase of Mobile Area Routing and Vehicle Location Information System (MARVLIS) Software for Police vehicles, as requested by the Fleet Service Division. Award to Bradshaw Consulting Services, Inc., as a Sole Source in the amount of \$74,151.00. This vendor is located in Aiken, SC. *Funding Source: Capital Replacement/Computer Equipment >\$5,000; 6308972/658600, \$67,624.00 & Capital Replacement/Computer Equipment <\$5,000; 6308972/657600, \$6,527.00 - Approved*
11. Council is asked to approve a Contract Amendment #4 of the Collaboration Agreement for the University of South Carolina Fuel Cell, as requested by the Office of Economic Development. Award to the South Carolina Research Authority (SCRA), in the amount of \$75,000; to be paid in bi-annual payments of \$37,500 for Fiscal Year 2010/2011. *Funding Source: Economic Development Special Projects Account – Council reaffirmed the funding allocation for Hydrogen Projects in the amount of \$75,000 on September 18, 2010; this is a \$25,000 reduction from fiscal year 2009/2010. - Approved*
12. Council is asked to approve Project #WM4207; Purchase of One (1) Lot of Water Meters for the Water Division, as requested by Utilities and Engineering. Award to Ferguson Enterprises, as a Sole Source in the amount of \$97,542.55. This vendor is located in Elgin, SC. *Funding Source: Water Improvement Fund 5529999-WM420701-658300- **Note:** These meters are being purchased for the Emergency Fort Jackson Water Meter Replacement Project that was approved by City Council on July 21, 2010. - Approved*
13. Council is asked to approve the Purchase of a Hydraulic Excavator, as requested by the Fleet Services Division. Award to Blanchard Machinery, the lowest bidder meeting specifications in the amount of \$139,622.27. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment >\$5,000; 6308972-658500 - Approved*
14. Council is asked to approve the Purchase of a Residential Recycling Truck, as requested by the Fleet Services Division. Award to Columbia Truck Center, the lowest bidder meeting specifications in the amount of \$143,993.00. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement-Auto, Trucks, Heavy Equipment >\$5,000; 6308972-658500 - Approved*
15. Council is asked to approve Project #SS7092; Extension Along Shivers Road, as requested by Utilities and Engineering. Award to CBG, Inc., the lowest bidder in the amount of \$150,868.00. This vendor is located in Gaston, SC. *Funding Source: Sewer Systems Additions SS709201-851600 – This is a Mentor Protégé Program Project and AOS Specialty Contractors is the Protégé. - Approved*
16. Council is asked to approve the Purchase of a Commercial Recycling Truck, as requested by the Fleet Services Division. Award to Carolina International Trucks, the lowest bidder meeting specifications in the amount of \$155,288.00. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement-Auto, Trucks, Heavy Equipment >\$5,000; 6308972-658500 - Approved*
17. Council is asked to approve the Purchase of Thirty-five (35) Panasonic Toughbooks, as requested by the Fleet Services Division for the new Police Vehicles. Award to Waring Enterprises, LLC., the lowest bidder in the amount of \$158,365.35. This vendor is located in Vista, CA. *Funding Source: Capital Replacement/Computer Equipment 6308972-657600 - Approved*

18. **\*\*Council is asked to approve a Professional Services Contract for Housing Opportunities for Persons with AIDS (HOPWA) Program, as requested by the Community Development Department. Award to the Palmetto AIDS Life Support (PALSS) of South Carolina, Inc., in the amount of \$259,785.00. *Funding Source: Fiscal Year 2010-2011 HOPWA Fund - Approved***
19. Council is asked to approve Project #SS6790(3); Increase in Project Amount for North Columbia Lift Station Bypass Pumping and Pump Repair and Replacement, as requested by Utilities and Engineering. Award to McClam & Associates in the amount of \$400,000.00. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Improvement Fund 5529999-SS679003-851200. **Note:** The increase in project amount is associated with pump rentals as well as consistent maintenance while the bypass pumping is in place. McClam & Associates is currently servicing the North Columbia Pump Station by providing temporary bypass piping to ensure continued operation within the station. We are requesting an extension of time to ensure the integrity of the lift station. - Approved*
20. Council is asked to approve Project #SD821502; Highland Park Subdivision Phase II, as requested by Utilities and Engineering. Award to CBG, Inc., the lowest bidder in the amount of \$590,820.00. This vendor is located in Gaston, SC. *Funding Source: Storm Drain Improvements SD821502-656200 – This is a Mentor Protégé Program Project and AOS Specialty Contractors, Inc. is the Protégé for project. - Approved*
21. Council is asked to approve Project #SS7102; North Columbia Pump Station Improvements, as requested by Utilities and Engineering. Award to M.B. Kahn Construction, the lowest responsive and responsible bidder in the amount of \$3,847,000.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Systems Additions SS710201-851600 – This is a Subcontracting Outreach Program Project. - Approved*

#### **ORDINANCES – SECOND READING**

22. Ordinance No.: 2010-115 - Granting an encroachment to Mark Schimmoeller and Sabra Smith for installation and maintenance of an a brick and stone veneer fireplace, partial lattice fence and landscaping within the right of way area of the 1900 block of Oeola Street adjacent to 417 S. Edisto Avenue, Richland County TMS #11309-14-11 – *First reading approval was given on August 18, 2010. – Approved on second reading.*
23. Ordinance No.: 2010-116 – Granting an encroachment to Washington Square, LLC for installation and maintenance of two brick columns with wrought iron fencing within the right of way area adjacent to 701 Santee Avenue, Richland County TMS #11308-08-08 – *First reading approval was given on August 18, 2010. – Approved on second reading.*

#### **ORDINANCES – FIRST READING**

24. Ordinance No.: 2010-131 – Authorizing the City Manager to execute a First Amendment of Lease Agreement between the City of Columbia and Open Living Community, LLC – *Approved on first reading.*

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2010-131 – Authorizing the City Manager to execute a First Amendment of Lease Agreement between the City of Columbia and Open Living Community, LLC. Mayor Benjamin was not present for the vote.

25. Ordinance No.: 2010-140 – Authorizing execution of a Right of Entry and Access Agreement between the City of Columbia and South Carolina Electric and Gas – *Approved on first reading.*

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-140 – Authorizing execution of a Right of Entry and Access Agreement between the City of Columbia and South Carolina Electric and Gas.

### **RESOLUTIONS**

26. Resolution No.: R-2010-61 – Authorizing the City Manager to execute a Lease between the City of Columbia and U.S. REIF/MJW Capitol Center Fee, LLC for lease of Suite 250 in the Capital Center located at 1201 Main Street – *Note: This is the Economic Development Office Lease – Consideration of this item was deferred.*

### **ORDINANCES – FIRST READING**

27. Ordinance No.: 2010-133 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 1, Generally, Sec. 17-127 Basis for establishing areas of special flood hazard – *Approved on first reading.*
28. Ordinance No.: 2010-134 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 2, Administration, Sec. 21-153 Duties of city engineer (2) – *Approved on first reading.*

Upon a single motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to give first reading approval to **Items 27.** and **28.** with the understanding that the City of Columbia will notify owners of properties that have been added to the flood maps if they have not already been notified by the Federal Emergency Management Agency (FEMA).

### **RESOLUTIONS**

29. Resolution No.: R-2010-070 – Authorizing the City Manager to execute a Mutual Aid Agreement with the Town of Irmo for Law Enforcement Matters - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-070 – Authorizing the City Manager to execute a Mutual Aid Agreement with the Town of Irmo for Law Enforcement Matters.

30. Resolution No.: R-2010-072 – Amending Resolution R-2010-032 authorizing consumption of beer and wine at the Italian Festival 2010 - *Approved*

Upon a motion made by Mr. Newman and seconded by Dr. Gergel, Council voted unanimously to approve Resolution No.: R-2010-072 – Amending Resolution R-2010-032 authorizing consumption of beer and wine at the Italian Festival 2010.

31. Resolution No.: R-2010-074 – Authorizing consumption of beer and wine and Columbia's Annual Blues Festival in Martin Luther King, Jr. Memorial Park - *Approved*

Upon a motion made by Dr. Gergel and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2010-074 – Authorizing consumption of beer and wine and Columbia's Annual Blues Festival in Martin Luther King, Jr. Memorial Park.

32. Resolution No.: R-2010-075 – Authorizing Condemnation to Acquire Storm Drainage Easements along Richland County TMS #09314-01-24, 26, 27, 30, & 32 for Northwood Hills/Delverton Drainage Channel Improvements; CIP Project #SD8059A; CF #250-257 - *Approved*

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted four (4) to one (1) to approve Resolution No.: R-2010-075 – Authorizing Condemnation to Acquire Storm Drainage Easements along Richland County TMS #09314-01-24, 26, 27, 30, & 32 for Northwood Hills/Delverton Drainage Channel Improvements; CIP Project #SD8059A; CF #250-257. Voting aye were Mr. Davis, Dr. Gergel, Ms. Plough and Mr. Newman. Mayor Benjamin voted nay.

33. Resolution No.: R-2010-077 - Approving the transfer of budgeted special purpose/emergency reserve funds to cover temporary staff salaries in the Mayor's Office – *This Resolution was not approved. Please see below.*

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to direct the City Manager to identify a funding source to cover salaries for temporary staff in the Mayor's Office and to report back to City Council with his findings. Any funded vacancies and unencumbered funds for budgeted items should be considered as potential sources of funding.

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

34. Proposed "No Through Trucks" Restriction - *Approved*

Upon a motion made by Dr. Gergel and seconded by Mr. Newman, Council voted unanimously to approve the request for "No Through Trucks" restrictions on Maple Street between Devine Street and Rosewood Drive.

35. Council is asked to approve Travel Reimbursements for Mayor Steve Benjamin (\$1,563.00) and Mr. Jim Gambrell, Director of Economic Development (\$1,797.00) in the total amount of \$3,360.00. The trip to San Jose, California was for the purpose of recruiting a prospect company. *Funding Source: Economic Development Special Projects Account Contingency - Approved*

Upon a motion made by Dr. Gergel and seconded by Mr. Davis, Council voted unanimously to approve Travel Reimbursements for Mayor Steve Benjamin (\$1,563.00) and Mr. Jim Gambrell, Director of Economic Development (\$1,797.00) in the total amount of \$3,360.00 from the Economic Development Special Projects Account Contingency Line Item.

36. Capitol Places VII, LLC Recovery Zone Reallocation Request – Mr. Tom Pioreschi, Managing Member of Capitol Places, VII, LLC

Upon a motion made by Dr. Gergel and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2010-076 – A Resolution (1) Reaffirming the designation of the area located at 1001 Senate Street, in the City of Columbia, South Carolina (the "City") as part of a Recovery Zone within the meaning of Section 1400U-1 of the American Recovery and Reinvestment Act of 2009 (the "ARRA") by virtue of the location of such property within the Columbia/Sumter Empowerment Zone; (2) Authorizing Capitol Places VII, LLC as ultimate beneficiary to make arrangements for the issuance of Recovery Zone Facility Bonds, as defined in the ARRA, by any eligible issuer within the meaning of the ARRA, including without limitation the State of South Carolina or any agency thereof, and (3) other matters relating thereto.

37. Columbia Police Department 2010 Vision, Initiatives and Accomplishments - Mr. Mike King, Assistant City Manager and Mr. Carl Burke, Interim Police Chief

Mr. Mike King, Assistant City Manager for Public Safety stated that their vision is to deliver the highest quality public safety services to our citizens while focusing on maximizing the utilization of all available resources. Our core values are efficiency, sense of urgency, professionalism, courtesy and respect. Our guiding principles are communication, cooperation and collaboration. He provided the following initiatives and accomplishments: the CPD ended fiscal year 2009/2010 within budget; they made significant improvements in the utilization and cost effectiveness of overtime; CPD has become a performance driven agency with a 3% decrease in total crime; revitalization of the Police Executive Team comprised of representatives of all divisions of the department; continuation of the Chief's Citizens Advisory Panel; continuation of the Compstat Program; weekly command staff meetings; we are going to encourage City Manager Gantt to continue the regional command meetings; creation of a Police Executive Committee with representatives from all surrounding public safety agencies; and building team partnerships and leveraging resources.

Mr. Carl Burke, Interim Police Chief said that this time last year they were somewhat disheartened about the crime rate and about everything going on around them, but the members of the Columbia Police Department have put their best foot forward and we need to share our appreciation with the men and women of this department for what they've done. One of the deficits that we are facing is equipment and staffing. One of our greatest nemeses is the drug screening process. We must implement very stringent recruiting efforts to include the use of billboards. We don't do enough of telling people what we are doing and how we are doing it. We received rave reviews on the use of the T-3 vehicles in neighborhoods; they have been great crime prevention tools. Our efforts with partners such as ATF and DEA are paying great benefits and should be renewed.

38. City Council Meeting Dates and Times

Ordinance No.: 2010-137 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 2, Council Meetings, Sec 2-51 Time and place of regular meetings; special meetings; meetings open to the public (a)

Upon a motion made by Dr. Gergel and seconded by Ms. Plough, Council voted unanimously to approve Ordinance No.: 2010-137 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 2, Council Meetings, Sec 2-51 Time and place of regular meetings; special meetings; meetings open to the public (a) with the following amendments:

- Meetings will be held on the 1st and 3rd Tuesdays of each month at 6:00 p.m.
- Work Sessions and Executive Sessions will be held prior to the evening meetings.
- Council Committees will meet during the 2<sup>nd</sup> and 4<sup>th</sup> weeks of each month.
- These changes are effective Tuesday, October 19, 2010.

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

Mr. William Ford informed the members of Council of the many initiatives and meetings being sponsored by Homeless Helping Homeless. He sought the City's support of their intent to adopt, beautify and maintain the tunnel at Lady Street. He asked the City to secure a landscape consultant for the project with Hospitality Tax funding. They are working with Councilman Newman and the Elmwood and Arsenal Hill Neighborhood Associations as well.

The members of City Council suggested that the group meet with the City Manager's Office, the Columbia Development Corporation, Columbia Green, the Forestry & Beautification Division and the surrounding Neighborhood Associations to discuss how to incorporate their ideas with current initiatives.

### **EXECUTIVE SESSION**

Upon a motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to go into Executive Session at 11:52 a.m. for the discussion of **Item 39.** as outlined. Mr. Davis was not present for the vote.

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

- **Council adjourned the meeting at 12:35 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk