



---

## **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

Chaplain Darrell Croft, Columbia Fire Department offered the Invocation.

The Columbia City Council conducted a Regular Meeting on Tuesday, December 7, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:09 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Belinda F. Gergel and The Honorable Brian DeQuincey Newman. The Honorable Leona K. Plaugh was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Niki Daniels, City Clerk Assistant.

### **PUBLIC HEARING**

#### **RESOLUTION**

1. Resolution No.: R-2010-099 – A Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (The University of South Carolina Development Foundation Project) Series 2010, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, In the Aggregate Principal Amount of Not Exceeding \$27,000,000.
  - **Council opened the Public Hearing at 6:15 p.m.**

No one appeared in support of or in opposition to **Item 1**.

- **Council closed the Public Hearing at 6:15 p.m.**

In the interest of full disclosure, Mayor Benjamin stated that he serves on the University of South Carolina Development Foundation Board; however, this is not a conflict of interest as he has no personal or financial interest in this matter.

Mr. Steven A. Gantt, City Manager explained that anytime a public entity uses a JEDA for the sale of bonds, it has to go through the municipality or jurisdiction for which that public entity lies. There is no financial obligation on behalf of the City of Columbia.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-099 – A Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (The University of South Carolina Development Foundation Project) Series 2010, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, In the Aggregate Principal Amount of Not Exceeding \$27,000,000, with the caveat that the Resolution be amended to clarify that the City has no financial responsibility in this matter.

## **PRESENTATIONS**

2. Introduction of the November 2010 Employee of the Month – Mr. Aubrey Jenkins, Chief of Columbia Fire Department

Mr. Aubrey Jenkins, Chief of Columbia Fire Department introduced Mr. Erwin Boykin, Fire Logistics as the November 2010 Employee of the Month. He described Mr. Boykin as a joyous and faithful 18-year employee that visits every fire station and has contact with every firefighter.

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

3. Introduction of the December 2010 Employee of the Month – Mr. Willie B. Abney, Assistant Superintendent of the Wastewater Maintenance Division

Mr. Willie B. Abney, Assistant Superintendent of the Wastewater Maintenance Division introduced Mr. Martin Golston, Foreman I as the December 2010 Employee of the Month. He described Mr. Golston as a 10-year employee that has moved rapidly through the ranks of the Division.

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

4. Recognition of the U.S. Professor of the Year National Award – The Honorable Belinda F. Gergel, Dr. Caroline Whitson, President of Columbia College and Ms. Rebecca B. Munnerlyn, Executive Director of Public Relations for Columbia College

Mayor Benjamin and the members of Council proclaimed Tuesday, December 7, 2010 as Dr. Zubizarreta Day in the City of Columbia. Dr. John Zubizarreta, Director of the Honors Program for Columbia College was named the U.S. Professor of the Year by the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education for undergraduate baccalaureate colleges. This is the first time that a South Carolina professor has been selected for this prestigious national honor.

5. Gonzales Garden Revitalization Project – Ms. Julia Prater, Deputy for Affordable Housing and Hope VI Coordinator/ Columbia Housing Authority

Mr. Gilbert Walker, Executive Director of the Columbia Housing Authority reported that the Columbia Housing Authority is involved in three (3) projects: The Villages at River's Edge, Allen Benedict Court and Gonzales Gardens. He reported that the City is involved in the Village at River's Edge; infrastructure construction is underway; and that construction is expected to begin in January 2011 with Phase I being completed by the middle of 2012. There will be 60 public housing town homes and 36 single-family affordable homes on that site. Phase II will be developed at a later date as determined by the developer. He further reported that The Columbia Housing Authority recently submitted a HOPE VI application for \$22 million for the demolition and revitalization of the Allen Benedict Court public housing development. Funding announcements are expected to be made during April 2011. The last project is Gonzales Gardens, which was built in 1940 on Forest Drive. With the assistance of the public and the residents, we developed a master plan and now we are seeking funding for the implementation of the plan. We plan to develop single family homes, multi-family units and elderly units for a total of 170 units. We may seek tax credits to increase the affordability.

6. Columbia Parks and Recreation Foundation – Mr. Fred Easley, President / Columbia Parks and Recreation Foundation and Mr. Travis Wheeler, Vice President / Columbia Parks and Recreation Foundation

Mr. Fred Easley, President / Columbia Parks and Recreation Foundation presented the revised bylaws for the Columbia Parks and Recreation Foundation for review and approval by the City Council. We are reducing the number of Council appointees from two (2) to one (1). This would reduce the committee to fifteen (15) members with seven (7) being appointed by City Council and eight (8) being appointed by the Foundation. We also added a succession policy that would allow the vice president to take over in the event that something happened to the president. We are now a 501 (c) 3 organization and can raise money for the Foundation.

Upon a motion made by Dr. Gergel and seconded by Mr. Rickenmann, Council voted unanimously to endorse the revised bylaws of the Columbia Parks and Recreation Foundation. The appointments are to be approved by City Council within the next 30 to 60 days.

7. Columbia Museum of Art Update – Ms. Karen Brosius, Executive Director / Columbia Museum of Art

Ms. Karen Brosius, Executive Director / Columbia Museum of Art reported that the Museum serves over 40,000 students and that their core is education. Our 2008 Economic Impact Study revealed that we generate over \$23 million annually in economic activity and we serve 11, 000 people a month. In 2011, we will open the year with “Who Shot Rock and Roll”, a photographic history from 1955 to the present focusing on the relationship of the visual image and the development of Rock and Roll over 60 years. The 2011 fall exhibition will be “NATURE AND THE GRAND AMERICAN VISION: Masterpieces of the Hudson River School Painters”. Today, we launched our new solar power project, which is the largest commercial installation of solar power in the State of South Carolina.

8. Midlands Authority for Conventions, Sports & Tourism – Mr. Ric Luber, President

Mr. Ric Luber, President / Midlands Authority for Conventions, Sports & Tourism distributed a Competitive Analysis Report and a list of bookings from July 2010 to June 2011. He presented a video that highlighted the importance of supporting the promotion of tourism.

9. Vista Greenway Project – Mr. Cliff Spann, President of the Arsenal Hill Neighborhood Association

Mr. Cliff Spann, President of the Arsenal Hill Neighborhood Association presented the proposed development of a portion of the old Seaboard Airlines Railroad bed that lies between Lady Street and Elmwood Avenue into a pedestrian/bike greenway. It would provide improved and safer pedestrian access to Finlay Park and the Vista for residents of Earlewood Park and Arsenal Hill Neighborhoods. He requested Council’s endorsement of the use of this City-owned land for development of a Vista Greenway. He estimated the capital cost at \$300,000 to \$350,000.

Upon a motion made by Mr. Newman and seconded by Dr. Gergel, Council voted unanimously to endorse the project; to provide a letter of support for the Vista Greenway Steering Committee; and to direct the City Manager and staff to work closely with the steering committee to address concerns related to erosion control, to review the capital budget and to develop a maintenance budget.

## CITY COUNCIL DISCUSSION / ACTION

### 10. Speed Hump Request

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve the installation of three (3) speed humps on Whittaker Drive.

### 11. State and Federal Legislative Priorities – Ms. Teresa Wilson, Director of Governmental Affairs, Ms. Barbara McCall and Mr. Ralph Garboushian /CapitalEdge Strategies, LLC

Ms. Teresa Wilson, Director of Governmental Affairs, Ms. Barbara McCall and Mr. Ralph Garboushian /CapitalEdge Strategies, LLC provided a follow-up to the directives, suggestions and recommendations provided by City Council during the September 2010 Retreat. She distributed final working drafts of the State Priorities along with budgetary implications and the Federal Legislative Program.

There was a consensus of Council to amend the Federal Legislative Program to indicate Council's opposition to any adverse affect of Base Realignment and Closure to surrounding military installations and language on the solar power zones, tax credits and incentives, fuel cell, hydrogen and biomass opportunities. The final draft of the State Priorities and Federal Legislative Program will be considered for endorsement by City Council on December 14, 2010.

## CONSENT AGENDA

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 12.** through **17.** and **20.** through **40.** **Items 18.** and **19.** were approved by separate motions.

### CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

12. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to Fast Forward Community Technology Center in the amount of \$10,000.00. This vendor is located in Columbia, SC. *Funding Source: FY2010-2011 CDBG-PI; JL9100300910 - Approved*
13. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to Keep the Midlands Beautiful in the amount of \$12,000.00. This vendor is located in Columbia, SC. *Funding Source: FY2010-2011 CDBG-PI; JL9100300410 - Approved*
14. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to Eau Claire Promise Zone in the amount of \$50,000.00. This vendor is located in Columbia, SC. *Funding Source: FY1997-2008 CDBG; JL910300710 - Approved*
15. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to College Summit in the amount of \$50,000.00. This vendor is located in Orangeburg, SC. *Funding Source: FY2010-2011 CDBG; JL9100300210 - Approved*

16. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to Palmetto Health Richland in the amount of \$50,000.00. This vendor is located in Columbia, SC. *Funding Source: FY2010-2011 CDBG; JL9100301110 - Approved*
17. Council is asked to approve the Community Development Block Grant (CDBG) Subrecipient Agreement for Fiscal Year 2010-2011, as requested by the Community Development Department. Award to Epworth Children's Home in the amount of \$60,000.00. This vendor is located in Columbia, SC. *Funding Source: FY2010-2011 CDBG-PI; JL9100300510 - Approved*
18. Council is asked to approve the Purchase for the Employee Holiday Luncheon, as requested by the City Manager's Office and coordinated by the Public Works Department. Award to Hudson's Smokehouse, LLC, the lowest bidder meeting specifications in the amount of \$10,255.95. This vendor is located in Lexington, SC. *Funding Source: To be determined - Approved*

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the Purchase for the Employee Holiday Luncheon, as requested by the City Manager's Office and coordinated by the Public Works Department. Award to Hudson's Smokehouse, LLC, the lowest bidder meeting specifications in the amount of \$10,255.95. This vendor is located in Lexington, SC.

19. Council is asked to approve the Retiree Medicare Supplemental Insurance Contract for the plan period of January 1, 2011 through December 31, 2011, as requested by The Employee Insurance Committee. Award to United Healthcare at a per member monthly rate of \$185.50 for medical, which includes a three percent (3%) increase and \$205.32 for pharmacy, which includes a twenty percent (20%) increase. *Funding Source: GL 6048933 – **Note:** There are no changes to the term of the contract. The increase was determined based on higher claims than originally anticipated, and the City spending more on higher cost drugs than the overall book of business. - Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve the Retiree Medicare Supplemental Insurance Contract for the plan period of January 1, 2011 through December 31, 2011, as requested by The Employee Insurance Committee. Award to United Healthcare at a per member monthly rate of \$185.50 for medical, which includes a three percent (3%) increase and \$205.32 for pharmacy, which includes a twenty percent (20%) increase.

20. Council is asked to approve an Agreement for the Operation and Maintenance of the Fountains in Five Points, as requested by the Parks and Recreation Department. Award to the Five Points Association, Inc (FPA) for a total of \$2,960.00 per month, payable in advance of the first day of each month, with a three percent (3%) annual increase per lease over the previous lease year. This vendor is located in Columbia, SC. *Funding Source: 1015102-638200 - Approved*
21. Council is asked to approve the Purchase of a Flygt Pump, as requested by the Metro Wastewater Treatment Plant. Award to ITT Water & Wastewater, as a Sole Source in the amount of \$11,473.61. This vendor is located in Charlotte, NC. *Funding Source: Utilities Metro Wastewater Plant/Equipment Repair/Service Supply 5516208-631800 - Approved*

22. Council is asked to approve Project #SS7167-01; Reroute Existing Sanitary Sewer Line around the New Parks and Recreation Building in Earlewood Park, as requested by Utilities and Engineering. Award to HD Supply Waterworks, the lowest bidder in the amount of \$16,310.00. This vendor is located in West Columbia, SC. *Funding Source: Sanitary Sewer Capital Improvement Fund 5529999-SS716701-658650 - Approved*
23. Council is asked to approve Project #SS7074-01; Installation of Replacement Air Release Valve for Sanitary Sewer Force Mains System Wide, as requested by Utilities and Engineering. Award to New Independent Waterworks, the lowest bidder in the amount of \$16,775.09. This vendor is located in Lexington, SC. *Funding Source: Sanitary Sewer Capital Improvement Fund 5529999-SS707401-851600 - Approved*
24. Council is asked to approve Project #SS717101; Task Order for Geotechnical Assessment Services for Existing Levees near Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Terracon Consulting, Inc., in the amount of \$24,600.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund 5529999-SS717101-636600 – Approved*
25. Council is asked to approve the Purchase for Replacing Fire Resistant Coating at 1136 Washington Street, as requested General Services Division. Award to Hawkrigde Enterprises, Inc., the lowest bidder in the amount of \$30,987.00. This vendor is located in Augusta, GA. *Funding Source: General Capital Projects/Professional Services for Capital Projects Elevator Renovations Washington Sq/Professional Serv. for Capital Projects 4039999-658600/CP105903-658600 - Approved*
26. Council is asked to approve an Endorsement Extension for Worker's Compensation Excess Loss Insurance Coverage from January 1, 2011 through July 1, 2011. Award to Safety National Casualty Corporation in the amount of \$41,276.00. This vendor is located in St. Louis, Missouri. *Funding Source: Workers' Compensation Administration 6098939/636200 Insurance and Bonding - Approved*
27. Council is asked to approve Project #SS7161; An Agreement for Headworks Analysis and Local Limits Study at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Black & Veatch Corporation in the amount of \$58,500.00. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Improvements Fund 5529999-SS716101-636600 - Approved*
28. Council is asked to approve the Purchase of a Pothole Patcher, as requested by the Fleet Services Division. Award to Public Works Equipment and Supply, Inc., the lowest bidder in the amount of \$147,400.00. This vendor is located in Monroe, NC. *Funding Source: Capital Replacement, Auto Trucks, Heavy Equipment>\$5,000; GL 6308972-658500 - Approved*
29. Council is asked to approve Project #SS7112; West Columbia Outfall Manhole Rehabilitation, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible bidder in the amount of \$256,252.50. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Maintenance Fund-Special Contracts 5516212-638300 – This is a Mentor Protégé Program Project and Patriot Construction is the Protégé. - Approved*

30. Council is asked to approve Project #WM4139; An Agreement for Chapin Booster Pumping Station Improvements, as requested by Utilities and Engineering. Award to Brown & Caldwell, Inc., in the amount of \$354,000.00. This vendor is located in Columbia, SC. *Funding Source: Water Improvements Fund 5529999-WM413901-636600 - Approved*
31. Council is asked to approve Project #SS7154 & SS7155; An Agreement for Repairs and Modifications at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to B.P. Barber & Associates, Inc., in the amount of \$400,430.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund 5529999-SS7154-636600 & 5529999-SS715501-636600 – This is a Mentor Protégé Program Project and DESA, Inc is the Protégé. – Approved*
32. Council is asked to approve Project #SS7143; Easement Clearing, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest responsive and responsible bidder in the amount of \$961,069.15. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Maintenance Fund-Special Contracts 5516212-638300 – This is a Mentor Protégé Program Project and Patriot Construction is the Protégé. - Approved*
33. Council is asked to approve Project #SS7088; II Rehabilitation Saluda River Basin 09, as requested by Utilities and Engineering. Award to Trussell Bros. Construction Co., Inc., the lowest bidder in the amount of \$1,455,379.00. This vendor is located in Columbia, SC. *Funding Source: Sanitary Sewer Maintenance Fund-Special Contracts 5516212-638300 – This is a Subcontracting Outreach Program Project. - Approved*

#### MAP AMENDMENT – SECOND READING

34. **1320 Buckner Road**, TMS# 11704-03-07; request recommendation to rezone D-1 (Development District) to M-1 (Light Industrial). – *First reading approval was given on November 16, 2010. - Approved on second reading.*

#### CASES WITH MAP AND TEXT AMENDMENTS – SECOND READING

35. **TEXT AMENDMENT- Amend §17-691(c) to add 1614 Main Street as a Group II Landmark**

Ordinance No.: 2010-151 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c) to add 1614 Main Street, TMS #09014-04-16 – *First reading approval was given on November 16, 2010. – Approved on second reading.*

**MAP AMENDMENT- 1614 Main Street-** TMS# 09014-04-16; rezone to add –DP (Design Preservation Overlay) to C-5 zoning. *First reading approval was given on November 16, 2010. - Approved on second reading.*

#### ANNEXATION WITH MAP AMENDMENT – SECOND READING

36. **W/S Club Ridge Road, 209, 213, 217, 219 Club Ridge Road**, TMS# 28900-01-33, 28906-08-02, 28906-08-03, 28906-08-04, and 28906-08-05; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. *First reading approval was given on November 16, 2010. – Approved on second reading.*

Ordinance No.: 2010-148 – Annexing W/S Club Ridge Road, 209 Club Ridge Road, 213 Club Ridge Road, 217 Club Ridge Road and 219 Club Ridge Road, Richland County TMS #28900-01-33, #28906-08-02, #28906-08-03, #28906-08-04 and 28906-08-05 – *First reading approval was given on November 16, 2010. – Approved on second reading.*

37. **167 Island View Circle**, TMS# 28908-02-10; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. *First reading approval was given on November 16, 2010. – Approved on second reading.*

Ordinance No.: 2010-149 – Annexing 167 Island View Circle, Richland County TMS #28908-02-10 – *First reading approval was given on November 16, 2010. – Approved on second reading.*

38. **1 Old Landing Court**, TMS# 28901-03-06; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. *First reading approval was given on November 16, 2010. – Approved on second reading.*

Ordinance No.: 2010-150 – Annexing 1 Old Landing Court, Richland County TMS #28907-03-06 – *First reading approval was given on November 16, 2010. – Approved on second reading.*

39. **405, 407 and 409 S. Assembly Street**, TMS# 11204-04-01, 11204-04-02, 11204-04-03, and 11204-04-05; annex and zone property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. *First reading approval was given on November 16, 2010. – Approved on second reading.*

Ordinance No.: 2010-147 – Annexing 405 South Assembly Street, 407 South Assembly Street and 409 South Assembly Street, Richland County TMS #11204-04-01, #11204-04-02, #11204-04-03 and 11204-04-05 – *First reading approval was given on November 16, 2010. – Approved on second reading.*

#### TEXT AMENDMENT – SECOND READING

40. **§17-258 Table of Permitted Uses, SIC# 7381 Detective agencies and protective services.**

Ordinance No.: 2010 -143 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec.17-258 Table of permitted uses, SIC 738 Miscellaneous business services – *First reading approval was given on November 16, 2010. – Approved on second reading.*

## **RESOLUTIONS**

41. Resolution No.: R-2010-101 – Authorizing and the City Manager to execute an Amended Agreement of Purchase and Sale between the City of Columbia and 1620 Main, LLC for the purchase of 1620-4 Main Street, Richland County TMS #09014-04-17 and the adjacent alleyway - *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2010-101 – Authorizing and the City Manager to execute an Amended Agreement of Purchase and Sale between the City of Columbia and 1620 Main, LLC for the purchase of 1620-4 Main Street, Richland County TMS #09014-04-17 and the adjacent alleyway.

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

Mr. Ernest Stroman appeared before the members of Council as the heir and landowner of 1914 Wiley Street where the City of Columbia Edisto Discovery Park is currently located. He feels that he deserves more money for this property than what the City has offered under the condemnation. He said that he was employed by the City of Columbia, but lost his job due to budget cuts; he has an existing mortgage under the City's employee loan program; and he has health problems.

## **MOMENT OF SILENCE**

Councilor Gergel led the group in a moment of silence in memory of Ret. Captain Michael Hendrix. Captain Hendrix passed away on Tuesday, November 30, 2010. He retired in June of 2010 after 25 years of service with the Columbia Police Department.

## **EXECUTIVE SESSION**

Upon a motion made by Mr. Rickenmann and seconded by Dr. Gergel, Council voted unanimously to go into Executive Session at 8:35 p.m. for the discussion of **Items 42.** and **43.**

42. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
43. Discussion of negotiations incident to the proposed sale of property – *This item was discussed in Executive Session. No action was taken.*
- **Council adjourned the meeting at 8:50 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk