



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 1, 2011
6:00 P.M.
CITY HALL – COUNCIL CHAMBERS
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Tuesday, November 1, 2011 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:22 p.m. and the following members of City Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Belinda F. Gergel, The Honorable Leona K. Plaugh and The Honorable Brian DeQuincey Newman. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk.

PLEDGE OF ALLEGIANCE

INVOCATION

Chaplain Byron Powers, Columbia Police Department offered the Invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to adopt the agenda with the following amendments:

- Corrected contract amount for Item 16
- Appearance of the public having business with City Council will occur after the presentations

APPROVAL OF MINUTES

1. Minutes of October 18, 2011 – *Approved*

Upon a motion made by Ms. Devine and seconded by Ms. Plaugh, Council voted unanimously to approve the Minutes of October 18, 2011 as presented.

PRESENTATIONS

2. Recycle to Win Initiative – Ms. Mary Pat Baldauf, Sustainability Facilitator

Ms. Mary Pat Baldauf, Sustainability Facilitator announced the Recycle to Win Initiative. Coca-Cola Bottling Company Consolidated is promoting good recycling practices throughout City of Columbia, Richland County, Lexington County and the communities of Cayce, West Columbia, Blythewood, Springdale and Lexington. Residents will receive an opt-in sticker for their recycling bins and if they decide to participate the sticker should be placed on the bin. A Prize Patrol will randomly visit neighborhoods and examine recycling bins from November 7, 2001 through April 2012. If all of the items in the chosen bin are recycled correctly, the resident will win a \$50 Gift card from Bi-Lo. This proposal was presented to staff and the Climate Protection Action Campaign and it

has been endorsed wholeheartedly. It's a great public/private partnership and a fun way to increase education about our recycling program while getting people to recycle more. She sought City Council's endorsement of the program.

Mr. Lauren Steel, Vice President of Corporate Affairs for Coca-Cola Bottling Company Consolidated announced the Recycle to Win press conference scheduled for November 2, 2011 at 11:00 a.m. at the Bi-Lo located at 2453 Charleston Highway in Cayce.

Councilor Devine inquired about the education process for citizens. How will we educate people about what to place in their recycling bins?

Mr. Lauren Steel, Vice President of Corporate Affairs for Coca-Cola Bottling Company Consolidated assured Council that an education campaign is part of the program. We will use television, mailers and other venues to educate the public. There is already a very good recycling program here and this will make it better.

Ms. Mary Pat Baldauf, Sustainability Facilitator said that the City will be producing a magnet with DHEC promotional funds. The magnets will have pictures of the materials that we do accept.

Upon a motion made by Ms. Devine and seconded by Dr. Gergel, Council voted unanimously to endorse the Recycle to Win Initiative.

3. The SNAP Challenge – Ms. Denise Holland, CEO / Harvest Hope Food Bank and Ms. Jennifer Moore, Senior Director / United Way of the Midlands

Ms. Denise Holland, CEO / Harvest Hope Food Bank said that the Supplemental Nutrition Assistance Program (SNAP) Challenge is a part of Homeless and Hungry Week, which is November 13-20, 2011. The SNAP recipients in our State live on \$4 per day. It is very difficult for them to do that. We ask you to join us in this challenge. We have seen a 50% increase in people coming to Harvest Hope this year. Our local partners are having difficulty staying open. We encourage you to be a part of this by showing your support to help those who suffer from hunger and homelessness.

Ms. Jennifer Moore, Senior Director / United Way of the Midlands explained that each year the week prior to Thanksgiving is National Hunger and Homeless Awareness Week. United Way has partnered with Harvest Hope Food Bank to launch the SNAP Challenge. We are learning how limited resources really affect the food choices that we all make. There are very difficult decisions that our federal elected officials will have to make in the coming week. We are concerned about the safety net for our families who are struggling. The challenge is \$4 per person per day. You can do it as an individual or as an entire family. We would love the participation of local leaders of this community.

4. Fruit Tree Planting Project – The Honorable Belinda F. Gergel

Councilor Gergel announced that Columbia is one of twenty cities selected across the nation to win a free fruit orchard in 2011. She urged everyone who is interested in good, safe and local food and those who understand the importance of great amenities like a fruit orchard to cities and communities to participate in the planting of the Fruit Orchard on Saturday, November 5, 2011 at 9:30 a.m. at Owens Field. She introduced Mr. Joseph James, President and CEO of the Corporation for Economic Opportunity, which helped lead the charge for this activity. She also introduced Ms. Joy Leisen of Americorp VISTA. Ms. Leisen coordinated a variety of activities in conjunction with this initiative. She recognized Ms. Jenna Stevens, President of the Rosewood Community Council and Ms. Ryan Nevius of Sustainable Midlands.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Mr. Mel Jenkins, 3324 Montgomery Avenue / Environmentalists, Inc. cited the following paragraph from a 40-page report, because it addresses exactly what is happening with Occupy Columbia: “Young people can especially be won over with civic engagement in communities when they have the leeway to act independently on their own responsibility; when they can contribute their own abilities, interests and solutions to problems; and when the activity they participate in is fun and meaningful. In these situations the individual is able to express civic mindedness as a medium for self determination.” That’s what’s happening!

Mr. Dillon Corbett, 738 Maryland Street / Occupy Columbia stated that this is our City Council and for those of you who remember who elected you and who put you here, it is very important that you realize that a movement has started, because people in our country, in our state and local governments and our national government have forgotten who put them there. That’s why we’re here. I’d like to address the issue of the Assembly Street development. Occupy Columbia has been hosting daily meetings, because we are trying to come up with an idea to halt this development. We think it is going to be awful. We’re not fools. We understand which developer you had these talks with. We know that it’s Wal-Mart and I’m not afraid to say it. We think it is going to dry up Main Street and its going to dry up small businesses in our community. We believe it’s going to pollute the major tributary that runs into the Congaree River, which is not safe to swim or fish in now. He presented a map, which shows flooding issues smack dab in the middle of where this Wal-Mart is being proposed to be built. These issues have not been addressed so far. We’ve had an outpour of public support on this issue and I would tell you that this will not fly with us. This will not fly with your constituents. If you push this through, I will see to it that you’re not re-elected. We won’t stand for it. We’re here because you all have deemed that we are powerless and you no longer work for your constituencies. That’s a misconception. We believe that Bomber’s Stadium, a city-owned sports facility is very important. I don’t understand why it would be flattened. There is a rumor that a new baseball stadium will be built at the Bull Street property. This doesn’t make sense and I want to know whose pocket is being fattened by this.

Ms. Ashley Thomas, 836 Ohio Street said that she has lived in Olympia for the last nine years. I am not technically in the City limits, but I love Columbia. It is a unique and special place. The City and the State have commissioned reports to determine the value of Olympia in a historic sense. It is found that there is significant value to keeping historic neighborhoods protected. That would be ruined and the area would be devastated if there was a large development, whether it's Wal-Mart or any other major big box store. Columbia is already suffering from the lack of small businesses and the lack of community support for small businesses. This Wal-Mart perpetuates the denigration of our community.

Mr. Joe Azar, 746 Harden Street said that water and sewer problems need to be addressed. The culvert needs to be doubled. We know that it backs up and floods on the street. We have problems and before you do anything that needs to be addressed so that we can go forward. We don't know who's going to develop and what. There are possible/probable law suits on this. If it damages homes, you will have a problem as a city. This comes out of our pockets; not yours. A lot of citizens have been concerned about how cheaply we're selling that ballpark. Why is it so cheap when a new ballpark will cost \$40 million? Who is going to pay for that? We have an alternative to this. We have a Sam's Club building on Sunset Drive that has sat empty for over a decade. That building is in the middle of a greater population than the ballpark. Eau Claire wants the development; Eau Claire needs a tenant. The North Main Plaza keeps turning over. The narrowing of Assembly Street needs to be addressed. Whoever decided that there needed to be a bike path on Assembly Street, obviously does not ride a bicycle. If you are going to ride bicycle in this city, you take Sumter Street, Marion Street, Main Street and Bull Street, because there are too many hills on Assembly Street.

Mr. Travis Bland, 808 ½ King Street / Occupy Columbia said that Occupy Columbia may seem like a very vocal opponent of yours, but we're not. We want to work together to make Columbia a special place; a place we can all enjoy. From my own experience, that is what Columbia has been. The northeast side of the city is just a sprawl of concrete box chains. There's nothing unique about it. Downtown Columbia provided me with a new experience. As I see it, Columbia has a problem retaining young talent. I hear my friends wanting to move away, because Columbia is not cool. Developing a large box chain the size of Wal-Mart would detract youth more, because it's not perceived as something that's desirable. I think we need to encourage young talent to stay in Columbia. With this development, we have an opportunity to do something unique for our city. He suggested the development of a community center, green space or a baseball hall of fame for South Carolina with a regional and local focus. Let's take this as an opportunity to focus on the environment and make it something that we can all enjoy and be proud of.

Ms. Vi Hendley, 104 Alabama Street / Occupy Columbia said that she is less than 500 feet from the city limits and that she lives in front of the Rocky Branch. The City of Columbia has a real future. I've lived here since 1983. I hope that my grandson grows up to see the city be what I hope it can be; sustainable, green and a tree city. A super center could wreak havoc on local business. A super center has a grocery store, a drug store, a gardening store, an auto store, a clothing store; all of what we have in small businesses in

town. My neighborhood can't afford a development that will rape it. As we saw the site plans today, that store would be on Bluff Road, which is less than 100 feet away from homes. You will here the giant air conditioning, refrigeration units and heating units. The rails cross Assembly Street and Rosewood Drive. Where do think all the traffic will go for the Wal-Mart? It is going to come hauling through my neighborhood on Olympic Avenue to Bluff Road. There are a lot of family businesses that have made their living in the Olympia community. The Rocky Branch is Five Points, USC and Olympia and we would hope that you'd plan accordingly.

Ms. Jeannie Eidson, 230 S. Edisto Avenue, Livable Links said that this new group consists of government employees, architects, lawyers, storm water managers and floodplain managers. The city has been kind enough to give us an audience with its Planners. The Urban Land Institute came up with the idea of a linear park for the area they are talking about on Assembly Street. We have suggested things like Net Zero communities. She said that she sent the members of Council a PDF of all of the Wal-Marts in other towns, including ours and you don't see them downtown. The reason is because downtown is strapped with local businesses. I am going to keep the faith that everything is going to work out; no decision has been made; you are listening to us; and that you are listening to Occupy Columbia.

Mr. Tim Smith, 3305 Cannon Street/ Owner of Papa Jazz said that one of his big concerns as a merchant is the closing of neighborhood businesses, which seems to follow Wal-Mart wherever they go. I am from Batesburg-Leesville and a few years ago I noticed that almost every home of any value was for sale or vacant. My father informed that they were putting a Wal-Mart in and expanding the highway. This company prized itself on selling primarily foreign made goods. It's taking money out of the country and that is something we should bear in mind. That's a historic ballpark and a lot of famous baseball players played there. I fear that the Olympia neighborhood would no longer exist if you get a big box chain store in there. As a merchant, many of the merchants in the community are with Occupy Columbia 100%.

Mayor Benjamin stated that it is very important to Council that citizens participate in this process. We must hear constructive criticism from people who care about this City. It is very important that you don't just come when we are talking about Assembly Street or other issues. All the various issues considering every aspect of this City that we discuss. This is your City, this is your government and we look forward to your active participation. He asked the City Manager to engage in various conversations with the perspective developer. There were some concerns raised that were very sound and legitimate. I am particularly interested in the impact on neighborhoods and the impact on the environment. We want to make sure that we answer each of these questions to the satisfaction of the constituents. There are issues of neighborhood impact, regardless of where you live in Olympia, whether you are in the City or in the County, you are a part of this City and your concerns are our concerns. As it relates to any environmental considerations, we want to make sure that we talk to our staff. Our staff is your staff and we want to make sure that concerns regarding any potential development there are fully vetted and shared with the community and what that impact might be. There are a lot of

folks who might not like this particular development or the prospective developer. A lot of folks have also wanted development on South Assembly Street for a number of years. A larger discussion is to be how that purports with our vision for how we see the city developing. We've had a very active discussion on Assembly Street from Rosewood to Elmwood and many of you participated in it; in trying to figure out how we can still move people and products. The western side of Assembly is changing dramatically. How can we accommodate pedestrian issues and make it a much safer place? How can we connect the vibrancy of the creative class of the Vista and downtown and pull people together? You see the University moving west and an increasing number of students. This includes some serious safety issues and fatalities that have occurred over the last year. You have to make sure that whatever happens there purports with our vision; our master plan of how we want to see Assembly Street develop and also maybe taking that in conjunction with our proposed Infrastructure Bank Application that's going before the State Department of Transportation. I want to make it very clear that it is our job to set policy for this city; it's a job that we all take very seriously; it's a job that on most days is not one bit of fun. We want to make sure that whatever process we go through is fair to all parties involved. Our responsibilities are for the citizens of this city; that also includes the corporate citizens, whether you like it or not. We don't want to get into the habit of sitting at a table that picks winners and losers. We want to make sure that we are not setting a hurdle too high for anyone to clear. It would have a potential chilling effect on that part of Assembly Street for many years to come if we handle this wrong. We want to make sure we handle it right. We've endeavored aggressively over the last year and a half to encourage as much public input as possible by moving our Council Meetings to evenings so that people who have jobs can still come; doing live streaming video of meetings so that wherever you happen to be, you can watch your government in action; and certainly trying our best to be accommodating to citizens by having more public hearings than we should. It is important that we hear from the people, particularly to ensure that opinions are being adequately considered in what we do.

Councilor Gergel concurred with Mayor Benjamin. She said that we do need to pause, reflect and sit around the table with folks to ensure that we are addressing the environmental, the neighborhood, and planning and economic impact issues around this property.

Councilor Devine reported that the Environment and Infrastructure Committee discussed these issues on October 25, 2011 and the committee's recommendation was to take in account citizens concerns regarding the development of the Assembly Street property, regardless of whom the developer may or may not be and to look at the environmental issues, specifically the 2003 grant that was submitted to the EPA. The grant was sent to me by Ryan Nevius and I forwarded it to the members of Council and the City Manager. We would ask that the City Manager look at that plan. Councilman Rickenmann asked that we look at the Susaki Plan and have the Utilities and Engineering Department report back regarding any involvement or plans by USC and Richland County.

Councilor Newman concurred with the Mayor and Dr. Gergel, noting that they are policy makers and they take that seriously. We hear your concerns. At the same time, we have obligations to ensure that we effectuate democracy and operate in a fair minded manner. He added a request for the City Manager to highly publicize any additional forums that may be held.

Mayor Benjamin suggested that the City postpone the execution of any documents. Let's add some public forums between now and December 20, 2011. We don't need to have official Council meetings, but we need opportunities for the public to share information with us on any and every environmental issue and the issues we articulated here.

Councilor Gergel said that she received e-mails from the Five Points Association and asked that this information be communicated to small businesses.

Upon a motion made by Mayor Benjamin and seconded by Dr. Gergel, Council voted unanimously to direct the City Manager to proceed as follows as it relates to the development of the Capital City Stadium property:

- a) Direct the City Manager to meet with the prospective developer to discuss the neighborhood impact and various environmental issues raised before us.
- b) Direct the City Manager to consider the State Infrastructure Bank Application and the planning process that was recently undertaken to ensure that it purports with our vision for Assembly Street from Elmwood to Rosewood.
- c) Direct staff to review the 2003 grant that was submitted to the Environmental Protection Agency and the Susaki Plan.
- d) The Utilities and Engineering Department will report back regarding any involvement or plans of the University of South Carolina and Richland County.
- e) Schedule and highly publicize forums for input from citizens and small business owners.
- f) Implement a mechanism that would allow citizens to share their good ideas with the City Manger.
- g) All recommendations will be considered by City Council on December 20, 2011 in order to determine how we move forward.

OTHER MATTERS

5. Fiscal Year 2011/2012 Hospitality Grant Application Second Round Funding – Ms. Libby Gober, Assistant to City Council

Ms. Libby Gober, Assistant to City Council presented the committee recommendations for the second round of funding for Fiscal Year 2011/2012 Hospitality Tax Grant applications.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve recommendations for the second round of funding for Fiscal Year 2011/2012 Hospitality Tax Grant applications as presented.

6. Fiscal Year 2011/2012 Community Promotions Funding Recommendations –The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee

The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee presented the committee's recommendations for fiscal year 2011/2012 Community Promotions funding. We ask that you please approve this, because it is critical for those that have lost their jobs and require medical assistance.

Councilor Newman inquired about the application that was not funded for the Matthew Perry Park.

The Honorable Judge Mildred McDuffie, Chair explained that they felt that social services were very important at this time. The committee also thought about the fact that the he already has a building downtown that's named after him and a historic marker in the Waverly neighborhood.

Councilor Newman thanked Judge McDuffie for her work and the additional explanation. He said that he still believes that this would be a good way to honor the late Judge Perry.

The Honorable Judge Mildred McDuffie, Chair further explained that a park would not be appropriate at this location, because elderly citizens reside on both sides of the proposed site. She suggested that this project be funded through private fundraising efforts.

Councilor Newman reiterated his interest in this project being funded. He asked staff if there are any other possible ways to fund this project.

Councilor Plough inquired about funding for the Columbia Council of Neighborhoods. They did not submit a proposal, but there was a request to ask the City Manager if he could help identify some resources. We had a letter submitted before us in August from the Columbia Council of Neighborhoods, requesting funding. I don't know if the City Manager has been able to address that.

Mr. Steven A. Gantt, City Manager reported that they did look through the General Fund budget and there is contingency funding in Council's budget that hasn't been utilized. There is more sufficient funding there to fund that amount as requested.

Councilor Plough said that she is concerned about the use of General Fund dollars for the various activities in general. We asked this committee to take the \$100,000 and allocate it based on proposals that have come in, which I think you have done a very good job. My basic concern is that there are many basic services within the City that we really needed

to use those dollars for. I certainly know that there are a lot of needs in this community, but there are also some basic needs in this City.

The Honorable Judge Mildred McDuffie, Chair stated that City Council gave the funding to the committee. I don't know how you voted on it, but they were given to us. We did what we know to be right. We feel that social services are very important at this time.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted six (6) to one (1) to approve the committee's recommendations for fiscal year 2011/2012 Community Promotions funding with an additional \$10,000 for the Columbia Council of Neighborhoods from the Council Contingency Fund. Voting aye were Mr. Davis, Ms. Devine, Mr. Rickenmann, Dr. Gergel, Mr. Newman and Mayor Benjamin. Ms. Plough voted nay.

7. Council is asked to schedule a date for the tour of the Water Plant Facilities

There was a consensus of Council to direct the City Clerk to schedule tentative dates for the tour of the City's two (2) Water Plants and the Wastewater Treatment Plant prior to the holidays. It is noted that this was a recommendation from the Environment and Infrastructure Committee.

8. Council is asked to reaffirm the Assessment for the Business Improvement District, as it relates to the appeal filed by Diane Davis for 1400 Laurel Street.

Mr. Steven A. Gantt, City Manager explained that an appeal to the assessment for the Business Improvement District was filed on October 19, 2011 and it was heard by the Economic and Community Development Committee on October 25, 2011. He asked the City Council to reaffirm its approval of the assessment.

Mr. Kenneth E. Gaines, City Attorney further explained that Council simply needed to reaffirm the assessment that was previously approved by way of a Resolution.

Councilor Davis reported that the Economic and Community Development Committee heard Mrs. Davis' appeal and there was a thorough explanation of what the issues were. The service issues were separated and clarified. We all took note of the issues that were made before us and that was the basis of our recommendation.

Councilor Plough stated that the City Center Partnership will also reach out to her about some of the concerns. We did recommend that we move forward.

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to reaffirm the assessment for the Business Improvement District, as previously approved by Resolution No.: R-2011-038 – Approving Assessment Roll for City Center Business Improvement District.

9. Council is asked to ratify the following motion made on October 18, 2011:

Upon a motion made by Mr. Newman and seconded by Dr. Gergel, Council voted unanimously to ratify the following motion made on October 18, 2011:

Upon a motion made by Dr. Gergel and seconded by Mr. Rickenmann, Council voted unanimously to approve the Intergovernmental Agreement Relating to the Interim Financing for the Central Midlands Regional Transit Authority, subject to approval by the Central Midlands Regional Transit Authority, Lexington County and Richland County.

CONSENT AGENDA

Upon a motion made by Mayor Benjamin and seconded by Dr. Gergel, Council voted unanimously to approve the **Consent Agenda Items 10 through 15, 17, 18, 20 and 21.** **Item 16** was approved by a separate motion and **Item 19** was withdrawn from the agenda.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

10. Council is asked to approve the Repair of a High Service Pump Motor, as requested by the Lake Murray Water Plant Division. Award to Electric Motor & Repair, the lowest bidder meeting specifications in the amount of \$24,880.00. This vendor is located in West Columbia, SC. *Funding Source: Utilities Lake Murray Water Plant/Machinery & Equipment-Capital, 5516207-628300 - Approved*
11. Council is asked to approve the Purchase of Radio Equipment, as requested by the Police Department. Award to Motorola, using the SC State Contract in the amount of \$31,683.45. This vendor is located in Sumter, SC. *Funding Source: Police Administrative Services-Radio Equipment, 1012402-627800 - Approved*
12. Council is asked to approve a Sub-Recipient Agreement between the City of Columbia and the Columbia Housing Development Corporation for the Housing Rehabilitation, Acquisition and Demolition Project for Fiscal Year 2011/2012 in the total amount of \$58,265.00. *Funding Source: FY 2005/2006 Community Development Block Grant Entitlement; \$20,265.00 and FY 2005/2006 Community Development Block Grant Housing Rehabilitation Revolving Loan Fund; \$38,000.00 - Approved*
13. Council is asked to approve Capital Improvement Projects WM4239 and SS7196; Agreement for Consulting Services to Perform a Water and Sewer Rate Study, as requested by Utilities and Engineering. Award to Utility Advisors' Network in the amount not to exceed \$147,900.00. This vendor is located in Orlando, FL. *Funding Source: 5516210-WM4239-636600 & 5516210-SS7196-636600 - Approved*

14. Council is asked to approve the Purchase of Four (4) Chevrolet Tahoes and Accessories, as requested by the Police Department. Award to Love Chevrolet Company, using the SC State Contract in the amount of \$151,148.00. This vendor is located in Columbia, SC. *Funding Source: Confiscated Funds DEA-Heavy Equipment Capital; 2042412-658500 - Approved*
15. Council is asked to approve Change Order #5, SS6785; Sanitary Sewer Rehabilitation Annual Contract, as requested by Utilities and Engineering. Award to Improved Technologies Group, LLC in the amount of \$377,721.20. This vendor is located in Knoxville, TN. *Funding Source: Sewer Improvement Fund – Note: The contract was revised because staff added additional areas for rehabilitation. The purpose of this change order is to finalize the contract amount with the actual quantities completed in the contract. The CIP estimated budgeted amount for this project was \$4,818,074.00; the low bidder's amount was \$2,818,887.00 which gives a revised total of \$3,322,281.70. - Approved*
16. Council is asked to approve Capital Improvement Projects SS7180 and SS7182; Agreement for Improvements to Anaerobic Digesters and the Rehabilitation of the Sludge Dewatering System for the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to URS / BP Barber & Associates, Inc. as an hourly rate not to exceed the total amount of \$825,984.00. This vendor is located in San Francisco, CA. *Funding Source: 5529999-SS7180 & SS7182-658600 – Note: The following sub-consultants will be assisting with work under this Agreement: Howard Engineering (Marietta, SC) to provide Electrical and Mechanical Engineering for \$69,500.00; K&P Engineering (Lexington, SC) for Structural Engineering for \$7,500.00 and DESA, Inc (Columbia, SC) for Protégé-Construction Administration and Observation for \$94,274.00. – Approved*

Upon a motion made by Mayor Benjamin and seconded by Ms. Plough, Council voted five (5) to one (1) to approve Capital Improvement Projects SS7180 and SS7182; Agreement for Improvements to Anaerobic Digesters and the Rehabilitation of the Sludge Dewatering System for the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to URS / BP Barber & Associates, Inc. at an hourly rate not to exceed the total amount of \$825,984.00. This vendor is located in San Francisco, CA. Voting aye were Mr. Davis, Ms. Devine, Dr. Gergel, Ms. Plough and Mayor Benjamin. Mr. Rickenmann voted nay. Mr. Newman was not present for the vote.

17. Council is asked to approve an Agreement for Design / Build Services for the Renovation of the Columbia Tennis Center, as requested by Utilities and Engineering. Award to M.A.R. Construction Company, Inc. in the amount of \$987,270.00. This vendor is located in Lexington, SC. *Funding Source: 4039999-658650-PK006403-658650 – Note: City Council's approval is contingent upon legal review and approval of the contract. - Approved*

18. Council is asked to approve Capital Improvement Projects SS6884, WM4179, SD8141, CM2004 and CM1024; a Subcontractor Outreach Program and Local Business Preference Project for the Construction Improvements and Streetscape of North Harden Street Phase II, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible bidder in the amount of \$13,671,424.36. This vendor is located in Little Mountain, SC. *Funding Source: Capital Improvements Program, 658650-WM417901/SS688401/SD814201- **Note:** This project was initiated by the City of Columbia and the CIP budgeted amount is \$19,000,000.00. - Approved*
19. Council is asked to approve an Extension to the Services Agreement to assist with the operation of the City's Winter Shelter. Award to the Cooperative Ministry through March 2012 in an amount not to exceed \$500,000.00. This vendor is located in Columbia, SC. *Funding Source: General Fund 1018410 – This item was withdrawn from the agenda, as there is a rollover clause in the existing agreement.*

ORDINANCES – SECOND READING

20. Ordinance No.: 2011-076 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 202-7 Award of contracts – *First reading approval was given on October 18, 2011. – Approved on second reading.*
21. Ordinance No.: 2011-078 – Granting an easement to South Carolina Electric & Gas Company (SCE&G) for overhead and underground power lines along a portion of City Property Identified as Earlewood Park for the North Main Street Streetscape Project, Phase IA-2; Richland County TMS #09111-08-01 (Portion); CF#250-304 – *First reading approval was given on October 18, 2011. - Approved on second reading.*

ORDINANCES – FIRST READING

Upon a single motion made by Ms. Devine and seconded by Ms. Plough, Council voted unanimously to give first reading approval to **Items 22** through **24**. Mr. Newman was not present for the vote.

22. Ordinance No.: 2011-056 – Granting encroachments to Shannon Hozie for installation and maintenance of two brick pillars with lights, two steps, landscaping and an irrigation system within the right of way area adjacent to 201 S. Pickens Street, Richland County TMS #11305-10-02 - *Approved on first reading.*

23. Ordinance No.: 2011-057 – Granting an encroachment to Peace, Love and Rocky Roast for placement and maintenance of one concrete and granite step, a portable handicapped ramp, and two (2) planters within the sidewalk right of way adjacent to 925 Gervais Street, Richland County TMS #09013-11-17 - *Approved on first reading.*
24. Ordinance No.: 2011-074 – Granting and encroachment to WB Columbia, LLC for placement, installation and maintenance of a wooden deck with built in grill, concrete and brick pavers, wood arbor, concrete piers and aluminum decorative fencing, landscaping and an irrigation system within the right of way area adjacent to 902-F Gervais Street, Richland County TMS #08916-02-01, and fifty-eight (58) chairs, fourteen (14) tables for use by its patrons for outdoor dining during normal business hours - *Approved on first reading.*
25. Ordinance No.: 2011-086 – Authorizing the transfer of the “Busby Street Properties” from the City of Columbia to the Eau Claire Development Corporation – *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.: 2011-086 – Authorizing the transfer of the “Busby Street Properties” from the City of Columbia to the Eau Claire Development Corporation. Mr. Newman was not present for the vote.

RESOLUTIONS

26. Resolution No.: R-2011-068 – Authorizing the City Manager to execute a Mutual Aid Agreement between the City of Columbia and City of Forest Acres Police Department – *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2011-068 – Authorizing the City Manager to execute a Mutual Aid Agreement between the City of Columbia and City of Forest Acres Police Department.

27. Resolution No.: R-2011-071 – Establishing Residency Requirements – *Consideration of this item was deferred.*

Mayor Benjamin stated that this is a move in the wrong direction. We need to aggressively recruit the most talented people that we possibly can including people who are currently working on staff. I don't think we should require people to sell their homes and move two blocks over just to take advantage of a promotion in the City. I would like for us to hesitate on any action and at the very least conduct a survey with our peer cities to determine what they are doing. I would be curious to see if anyone else has this type of a policy in place. We need to cast a wide net not just with our staff, but also with our boards and commissions.

Councilor Plough agreed with having the City Manager check with other cities. Our recommendation was that we establish a residency requirement and give the latitude to the City Manager to work with whoever the applicant might be so that they would ultimately move to the City. During tough economic times, it is very different than some of the most prosperous times. Legal Counsel has advised us that we should not do an ordinance without putting in a specific timeframe for positions such as the City Manager, Senior Assistant City Manager, Assistant City Managers, the City Attorney and Department Heads. We would like to see the senior management team live within the City of Columbia and understand how our services work. This would impact future employees.

Councilor Gergel said that we are wise to spend more time on this one. I am torn on this. On one hand I completely agree with you Ms. Plough and on the other hand Mr. Mayor, I completely agree with you. We must recruit fabulous people. It is hard to sell a house right now. It would do us good to take a look at what other communities are doing. Let's dialog more and think about where we are going.

Councilor Devine said that this ordinance is not an impediment to recruiting the best and brightest. We should strive to be a city that everybody would want to be a part of. I understand regionalism and growth, but the reality is our tax base comes from the people who live in the city and our voters are people who live in this city. There is value to having people in key positions living in the City. There are ways that people keep their children in the desired schools and that is not an obstacle. I do encourage us to take some time and look at this. She urged the City Manager be sure to look at the policies of peer cities and not just those within South Carolina.

Councilor Davis said that he supports the committee's recommendation with the caveat that the City Manager has some flexibility. I would separate this from boards and commissions.

Mayor Benjamin referred to the peer cities reviewed in a services report provided during last year's retreat.

Mr. Steven A. Gantt, City Manager inquired about senior staff and department heads that are responsible for water and sewer or those things that are not just within the corporate limits of the City of Columbia. Does that have any bearing?

APPOINTMENTS

28. Central Midlands Regional Transit Authority

Upon a motion made by Mayor Benjamin and seconded by Dr. Gergel, Council voted unanimously to approve the appointment of Mr. Darrell Huggins and Mr. Ron Anderson to the Central Midlands Regional Transit Authority Board of Directors. Mr. Bob Liming will be appointed to one of the Advisory Committees, once they are formulated.

29. Columbia Music Festival Association

Upon a motion made by Ms. Plaugh and seconded by Ms. Devine, Council voted unanimously to approve the reappointment of Mr. Charles Sterne to the Columbia Music Festival Association for a second and final term ending in October 2013.

CITY COUNCIL COMMITTEE REPORTS

Councilor Rickenmann asked that the Finance Audit and Budget Committee meet on Tuesday, November 8, 2011 at noon, instead of 9:00 a.m.

Councilor Davis reported that the Economic and Community Development Committee discussed the Columbia Renaissance and Innovista Redevelopment Plans. We provided an overview of where we are and who the players may likely be.

Councilor Devine further explained that we have resumed discussions with particular members of Richland County Council and the School District. There needs to be move formalized discussions taking direction from the leadership of both boards. The School Board has appointed a subcommittee already. The County has not done so. The next step would be for a formal request from the Mayor to ask the Chairman to appoint a subcommittee of the County Council that could have discussions. The request from the committee was to ask that this Council direct the City Manager to have the appropriate staff provide the information necessary to amend the Innovista Redevelopment Plan for a discussion and vote, recognizing that there are different views on this Council, but clearly there's nothing in front of us to consider right now. At this point there needs to be an amendment to the Innovista Plan, which would update the assessed values and the ordinance, would come to Council for discussion. The second request is for the City Manager to work with Ms. Teresa Wilson, Assistant City Manager to identify the appropriate staff to work on the potential amendments to the Columbia Renaissance Redevelopment Plan. This would include the amendment of boundaries and/or projects. She asked that the members of Council be able to review the updated information for the Innovista Plan. She noted that Ms. Plaugh requested a Work Session for the Waterfront Steering Committee to present the plan. Once we vote, there's a 45-day window. She asked that these matters not be voted upon until we're okay with the County and the School District understanding where we are so that the time does not start ticking.

Mr. Steven A. Gantt, City Manager reported that the updated information on the Innovista Plan is available. He noted that there has been some growth, but not very much. There are five to six properties that were on the tax rolls the last time we ran the numbers that are not on the tax rolls now. He said that there are some things that we must have in place prior to moving forward. There must be a backstop on both of the plans. That information must be incorporated into the new rate study that we are having done on the Water & Sewer Fund. That pushes us to late December or early January before we have that information.

Councilor Gergel said that she's not sure exactly where we are. She sought clarification on the discussions that have taken place. The preliminary discussion needs to be whether or not there is a willingness among this Council to move forward. What is this going to involve?

Councilor Plough said that she needed to understand the parameters, boundaries and projects to be included before assigning staff to this. Where is the backstop for the Innovista Redevelopment Plan? I would be concerned if we were adjusting the rate study in order to provide a backstop for the Innovista and Renaissance Plans with Water and Sewer funds; whatever the size may be. Would there be another way to provide the backstop for either project? What would that consist of? Are there examples of where that has been done previously? Assume the TIF is successful, how do we provide services to an area that we are not generating income in. How do we ensure that there is adequate money to provide basic services?

Mayor Benjamin stated that there is an interest in both of the potential TIFs. The Waterfront District is a lot farther and that's what we will be spending more of our time discussing. We will take a real hard look at how we can effectively combine Bull Street if we move forward with a Renaissance TIF. He agreed with scheduling a Work Session.

Councilor Davis said that his colleagues clearly stated what the proceedings need to be. There are a number of examples out there that we could look at. We make our best decisions when we don't do it in a vacuum. Quite frankly, given where we are and why it's put on the table in the first place, it's needed. We need to do it and we need to do what other successful cities have done. This is a viable resource. Put it on the table and make it a reality.

Councilor Rickenmann inquired about the considerations from the School Board and the County. Will we have that information before making any amendments?

Councilor Devine reported that the Environment and Infrastructure Committee met on October 25, 2011 at 9:00 a.m. I previously mentioned our discussion on the Assembly Street development. We also had a presentation from IBM on the assessment done for the City. They reported on the City of Columbia smarter water opportunity areas. We were intrigued by what was presented and we asked that they provide the committee with specific recommendations on solutions that we can implement. We also asked the City staff to provide an analysis based on those recommendations as far as what we can possibly move forward with. Joey Jaco, City Engineer reported to us that the Request for Proposals for the Advanced Meter Reading pilot project would be out this week. We are asking companies to provide a proposal on how we can look at and test advanced meter reading equipment. We discussed the privatization of solid waste services again. We continue to receive information from companies. At our next meeting we will be discussing what forum to use to accept any unsolicited proposals and a timeframe for doing so. She asked interested Council members to forward their comments to committee members prior to the next meeting.

Councilor Plough reported that the Administrative Policy Committee met on October 25, 2011. We are reviewing revisions to the current City ethics policy for employees. We are also preparing one that deals with the Mayor and Council members; city boards, commissions and authorities; and we are asking our Human Resources Director to report about ethics training we provide at our next meeting and to look at the recommendations provided by Blue Cross Blue Shield in terms of some of the ethics training that they provide. We are also looking at reporting systems for any sort of ethical violation. Recommendations from Blue Cross Blue Shield include hotline services, drop boxes, anonymous web reporting and protocol for processing complaints and reporting complaints to City Council. The other item on our agenda deals with the appointment of City staff to boards and commissions and other organizations. We need to clarify who serves on the Development Corporations' Board of Directors before we take that back up.

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to assign the evaluation of the City's tax structure to the Finance, Audit and Budget Committee. This evaluation will include a long-term review of our budgeting process and sources of revenue. Mr. Newman was not present for the vote.

Councilor Gergel announced that the Arts and Historic Preservation Committee will be meeting on Tuesday, November 8, 2011 and they will be looking at old City records.

There was a consensus of Council to cancel the December 6, 2011 meeting and to conduct Council Meetings on December 13 and 20, 2011.

Mr. Steven A. Gantt, City Manager reported that the Actuarial Report from Towers-Watson is scheduled for November 15, 2011. We will discuss GASB45 and benefits for at least an hour. We have the Wilbur Smith report coming back on the Central Midlands Regional Transit Authority. We will need to pick another time for the discussion of the TIF. We passed the taxi cab regulations a couple of weeks ago and one of the requirements was for the drivers to go through the hospitality training. The training is not available through the Conventions and Visitors Bureau at this time. We gave drivers a 90-day grace period to complete this training. We have an AA-1 rating on our water and sewer; that is on step away from the AAA rating. This is a non-insured AA-1 rating. Everybody in this room needs to take credit for that. If we keep on doing what we are doing, we will get the AAA rating in the next year or so.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

Upon a motion made by Mr. Davis and seconded by Ms. Plough, Council voted unanimously to adjourn at 8:42 p.m. Mr. Newman was not present for the vote.

Respectfully submitted by:

Erika D. Moore
City Clerk