

**CITY OF COLUMBIA CITY COUNCIL  
WORK SESSION MINUTES  
AUGUST 2, 2011 – 2:00 - 4:30 P.M.  
CITY HALL - 1737 MAIN STREET**



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The City of Columbia City Council conducted a Work Session on Tuesday, August 02, 2011 in the City Hall Council Conference Room located at 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:08 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Belinda F. Gergel, The Honorable Leona K. Plaugh and The Honorable Brian DeQuincey Newman. The Honorable Tameika Isaac Devine arrived at 3:40 p.m. and The Honorable Daniel J. Rickenmann was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

**CONSENT AGENDA**

Upon a single motion made by Dr. Gergel and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 1** through **17** as presented.

**CONSIDERATION OF BIDS, AGREEMENTS & CHANGE ORDERS**

1. Council is asked to approve a Contract for Professional Services for a Criminal Domestic Violence Prosecutor, as requested by the Police Department. Award to the Fifth Circuit Solicitor's Office in the amount of \$71,425.00. *Funding Source: SCDPS/JAG – CDV Investigator & Prosecutor Grant (1GSI09007) - Approved*

**ORDINANCES – SECOND READING**

2. Ordinance No.:2011-013 – Amending Ordinance 2009-015 granting encroachment to Michael Drennan for installation and maintenance of landscaping, an irrigation system, two flagstone pavers walking paths, an arbor and a bench to include a wooden privacy fence, brick pillars and a walk gate within the right of way area of the 2300 block of Blossom Street adjacent to his property at 2227 Terrace Way, Richland County TMS #11312-11-05 – *First reading approval was given on July 19, 2011. – Approved on second reading.*
3. Ordinance No.: 2011-041 - Granting encroachment to Brian Truluck and Dianne Poston for installation and maintenance of landscaping, brick and mortar wall, steps and six piers with concrete caps within the right of way area of the 600 block of Waccamaw Avenue adjacent to 601 and 603 Waccamaw Avenue, Richland County TMS #11307-05-03 – *First reading approval was given on July 19, 2011. – Approved on second reading.*
4. Ordinance No.: 2011-042 - Granting an encroachment to Mezza Bistro for placement and maintenance of five (5) tables; ten (10) chairs; two (2) umbrellas and two (2) planters within the sidewalk right of way adjacent to 701 Gervais Street, Suite 110 for use by its patrons for outdoor dining during normal business hours – *First reading approval was given on July 19, 2011. – Approved on second reading.*

5. Ordinance No.: 2011-044 – Authorizing the Issuance and Sale by the City of Columbia, South Carolina, of its not exceeding \$6,000,000 General Obligation Bonds, Series 2011C for the purpose of funding certain Capital Projects; Fixing the form and details of the Bonds; Authorizing the Mayor, The City Manager, The Finance Director and the Treasurer, of Any Two of Them Acting Together to Determine certain matters relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the proceeds thereof; and other matters relating – *First reading approval was given on July 19, 2011. – Approved on second reading.*
6. Ordinance No.: 2011-052 – Granting a Franchise to Doggie Dogs NY Style Hot Dogs for operation of a stationary sidewalk vending cart on the northeast corner of Lady Street and Main Street – *First reading approval was given on July 19, 2011. – Approved on second reading.*

MAP AMENDMENT – SECOND READING

7. **Hollywood/Rose Hill**, TMS# TMS# 11208-04-01 thru -02, 11208-04-05 thru -06, 11305-03-05 thru -12, 11305-04-01 thru -17, 11305-05-01 thru -11, 11305-06-01 thru -06, 11305-07-01 thru -16, 11305-08-01 thru -14, 11305-09-01 thru -13, 11305-10-01 thru -16, 11305-11-01 thru -08, 11305-11-11 thru -12, 11305-11-14 thru -16, 11305-12-01 thru -24, 11305-13-01, 11305-13-03 thru -18, 11305-14-11 thru -13, 11305-14-17, 11305-14-23 thru -29, 11306-09-01 thru -11, 11306-18-01 thru -12, 11309-01-01, 11309-01-03 thru -07, 11309-02-01 thru -08, 11309-03-01 thru -07, 11309-04-01 thru -06, 11309-04-11 thru -12, 11309-05-01 thru -05, 11309-05-07, 11309-06-01 thru -08, 11309-07-01 thru -17, 11309-08-01 thru -14, 11309-08-19 thru -29, 11309-09-01, 11309-09-03 thru -13, 11309-10-01 thru -06, 11309-10-08 thru -10, 11309-10-12 thru -15, 11309-10-17 thru -22, 11309-17-01 thru -07, 11309-17-10, 11309-18-01 thru -09, 11309-18-13, 11309-19-01 thru -27, 11309-20-01 thru -21, 11310-11-01 thru -04, 11310-12-01 thru -24, 11310-13-01 thru -13, 11310-14-01 thru -03, 11310-14-05 thru -17, 11310-15-01 thru -16, 11310-16-01 thru -03, 11310-16-05 thru -18, 11310-17-01 thru -07, 11310-18-01 thru -03, 11310-19-01 thru -17, 11310-20-01 thru -06, 11310-21-01 thru -11, 11313-01-01 thru -03; request to rezone add –CC1 (Community Character Permanent) overlay to existing residential zoning classifications. – *First reading approval was given on July 19, 2011. – Approved on second reading.*
8. **4519 Monticello Road**; TMS# 09211-05-04; request to rezone from RS-3 (Single-Family Residential) to C-1 (Office and Institutional). – *First reading approval was given on July 19, 2011. – Approved on second reading.*
9. **5817 and 5819 Colonial Drive**; TMS# 11710-14-19 (portion); request to rezone from RS-3 (Single-Family Residential) to C-3A (General Commercial) – *First reading approval was given on July 19, 2011. - Approved on second reading.*
10. **301 Greystone Boulevard**, TMS# 07309-02-11; request to rezone from PUD-C (Commercial Planned Unit Development) to M-1 (Light Commercial). – *First reading approval was given on July 19, 2011. - Approved on second reading.*

ANNEXATION WITH MAP AMENDMENT – SECOND READING

11. **NE/S Kinley Road; TMS# 05000-04-11, -12; request recommendation concerning application to annex and rezone the property C-3 (General Commercial). The property is zoned RU (Rural) in Richland County). – First reading approval was given on July 19, 2011. – Approved on second reading.**

Ordinance No.: 2011-050 – Annexing Parcel A (1.13 acres) and Parcel B (1.09 acres) NE/S Kinley Road, Richland County TMS #05000-04-11 and 05000-04-12 – *First reading approval was given on July 19, 2011. – Approved on second reading.*

CASES WITH MAP AND TEXT AMENDMENT –SECOND READING

12. **Lower Cemetery (Text Amendment), Amend Section 17-691(d) to add structure as a Group III Landmark**

**Penitentiary Cemetery (Text Amendment), Amend Section 17-691(d) to add structure as a Group III Landmark**

Ordinance No.: 2011-049 - 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, (d) to add Lower Cemetery, TMS # 07314-02-05 and 09007-01-04 (p) and Penitentiary Cemetery, TMS # 09008-01-05 – *First reading approval was given on July 19, 2011. – Approved on second reading.*

13. **Penitentiary Cemetery (Map Amendment), TMS# 09008-01-05; Rezone to add –DP overlay to designate structure as a Landmark. – First reading approval was given on July 19, 2011. – Approved on second reading.**

14. **Lower Cemetery (Map Amendment), TMS# 08912-02-04(portion) and 07314-02-05; Rezone to add –DP overlay to designate structure as a Landmark. – First reading approval was given on July 19, 2011. – Approved on second reading.**

TEXT AMENDMENTS – SECOND READING

15. **Amend §17-258 to create classification for Tailors and Alteration Shops (SIC # 7219.1)**

Ordinance No.: 2011-047 - 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 721 Laundry cleaning and garment services to add 7219.1 Tailors and alteration shops – *First reading approval was given on July 19, 2011. – Approved on second reading.*

16. **Amend 17-258 to modify permissions for Veterinary Services (SIC # 74).**

*\*\*Amendment to the Agenda*

Ordinance No.: 2011-048 - 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. 17-259 Veterinary services (SIC 74) to add (c) and Sec. 17-258 Table of permitted uses SIC 74 Veterinary services – *First reading approval was given on July 19, 2011. – Approved on second reading.*

**17. Amend §17-55 Definitions and 17-258 to establish regulations for Temporary Vendors**

Ordinance No.: 2010-119 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 1, Generally, Sec.17-55 Definitions to add Temporary vendor and Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses to add (7) – *First reading approval was given on July 19, 2011. – Approved on second reading.*

**ORDINANCE – FIRST READING**

**18. Ordinance No.: 2011-031 – Establishing the City Center Business Improvement District – *Approved on first reading.***

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2011-031 – Establishing the City Center Business Improvement District.

**CITY COUNCIL DISCUSSION / ACTION**

**19. Central Midlands Regional Transit Authority (Release of 1<sup>st</sup> Quarter Funding)**

Mr. Steven A. Gantt, City Manager reported that he received an invoice from the Central Midlands Regional Transit Authority for the first quarter payment request. They also provided information verifying that they are under contract with an outside financial group to review their finances. I asked the Finance Director to make sure that we have the opportunity, under the contract, to review the finances on a month-to-month basis. The CMRTA discussed the hiring of an Interim Executive Director and it will be in their minutes. The intent is that they have satisfied the two things that you've asked for; therefore, I would ask for authorization to release the funding to them for the first quarter.

Councilor Gergel added that the Board has indication their willingness to resign if we were ready to make the appointments; they are ready to move forward with the reorganization. I would ask that we consider moving forward with the Intergovernmental Agreement (IGA).

Upon a motion made by Dr. Gergel and seconded by Mayor Benjamin, Council voted unanimously to authorize the release of the first quarter payment from the collections of the 2% franchise fee that is set aside for public transportation to the Central Midlands Regional Transit Authority.

There was a consensus of Council to authorize Mayor Benjamin, the City Manager and the City Attorney to discuss a step-by-step process for aggressively moving forward with the Intergovernmental Agreement with Ms. Francenia Heizer, Esq., as legal counsel for the Central Midlands Regional Transit Authority. A report on the framework of the Intergovernmental Agreement is due back to City Council on August 16, 2011.

20. Guardian Accidental Death and Dismemberment Policy

Ms. Hattie Halsey, Deputy Director of Human Resources reported that the policy with Guardian was to be effective on August 1, 2011. We need to know if you want to offer this benefit through the Police Officer Retirement System (PORS) effective July 2012 or with Guardian now, for all City employees.

Upon a motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to approve the Accidental Death and Dismemberment Policy with Guardian Life Insurance Company effective August 1, 2011 for all City of Columbia employees.

Mr. Steven A. Gantt, City Manager stated for the record that all departments are expected to absorb this small amount of money within their operating budgets for this year.

21. Hospitality Tax Surplus Funds

Ms. Melisa Caughman, Budget Director reported that the 2010/2011 un-audited actual revenues were \$8,402,695 and expenditures were \$10,261,435, which also included \$975,000 of surplus funds to balance the budget. The end of year balance was a \$1,858,740 deficit, as a result of using prior year surplus to balance the budget and debt service payments.

Mr. Steven A. Gantt, City Manager further reported that the June 30, 2011 balance in the Hospitality Tax unallocated reserve is \$981,668.

Ms. Melisa Caughman, Budget Director reviewed the Hospitality Tax surplus funding requests that are pending. The 2010/2011 allocation carry forward in the amount of \$92,151 comes from the agencies that were funded during 2010/2011, but are allowed by City Council Resolution to carry forward the remaining funding for additional years. The contract with Leisure Fun was approved through February 2012 and has a balance of \$7,875. The 9/11 Memorial was funded by City Council in the amount of \$50,000. The Parks and Recreation Foundation's request for \$65,000 is for various events and activities that were formerly sponsored by the Columbia Action Council. The SC State Fair's request is \$70,000; the Hospitality District Team's estimated cost is \$400,000; and the proposed Hospitality Tax 10% reserve is \$771,400. The total of the requests for surplus funds is \$1,456,426 and if funded, there would be a deficit of \$474,758.

There was an in-depth discussion on the pending requests and possible uses for the remaining Hospitality Tax surplus funds to include cameras for the Hospitality Districts and other areas with safety concerns.

Upon a motion made by Dr. Gergel and seconded by Ms. Plough, Council voted unanimously to designate \$400,000 from the Hospitality Tax surplus funds to the Columbia Hospitality District Team.

Upon a motion made by Dr. Gergel and seconded by Mr. Newman, Council voted unanimously to refer the review of security cameras for the Hospitality Districts and other areas of concern to the Public Safety Committee. Deputy Chief Ruben Santiago of the Columbia Police Department and a representative from the Human Resources Department are asked to participate in the discussion scheduled for August 9, 2011 at 11:00 a.m. A full report will be made to City Council on August 16, 2011.

Upon a motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to allocate \$65,000 from the Hospitality Tax surplus funds to the Parks and Recreation Foundation.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to allocate \$58,000 from the Hospitality Tax surplus funds to the South Carolina State Fair.

There was a consensus of Council to hold an hour long strategic discussion on the Hospitality Tax Fund during the upcoming Retreat. Council's thoughts should be captured in one comprehensive document to be shared with the Hospitality Tax Advisory Committee.

Upon a motion made by Ms. Plough and seconded by Dr. Gergel, Council voted unanimously to release \$75,000 of previously approved Accommodations Tax funding to Capital City/Lake Murray Country for media expenses.

## 22. Public Safety Plan of Action / Budget for Hospitality Districts

Mr. Steven A. Gantt, City Manager explained that this is a collaborative effort between the Business License Division, Police Department, Fire Department, Development Services, and the Budget Office to pull together the most efficient way to initiate this plan. This will be the same Team all of the time; they will be working a set schedule from 6:00 p.m. to 6:00 a.m. either on Thursday, Friday and Saturday or Friday, Saturday and Sunday; and they will be working in the Hospitality Districts in the entire City. This is the core group, but we have the capability to pull in additional resources from the Columbia Police Department and other law enforcement agencies.

Deputy Chief Ruben Santiago, Columbia Police Department reported that the focus of Columbia's Hospitality District Team would be to address quality of life issues. The first phase will consist of 2 Police Officers, 1 Sergeant, 1 Fire Marshal, 1 Business License Inspector and 1 Zoning Inspector. The Police and Fire personnel will cross-train and the Business License and Zoning Inspectors will cross-train for 3 months; all teams will attend hospitality training; and they will be prepared to start on August 11, 2011. The composition of the team will be re-evaluated following the initial 3-month review phase. It is anticipated that the final team will consist of 2 Police Officers, 1 Police Supervisor, 1 Fire Marshal, 1 Business License/Zoning Inspector. The estimated cost of personnel is \$295,889, equipment/supplies is \$26,874 and vehicles is \$45,750 for a total estimated amount of \$368,513.

## 23. Appointments to the Greater Columbia Community Relations Council

Upon a motion made by Mr. Davis and seconded by Dr. Gergel, Council voted unanimously to approve the appointment of the following individuals to the Greater Columbia Community Relations Council Board of Directors for a three (3) year term: Ms. Lynn Hutto, Ms. Jennifer Powers and Mr. Ronald Thompson.

\*\*There was a consensus of Council to proceed with the advertisement of vacancies for the Columbia Housing Authority Board of Directors with the understanding that the reappointments will need to be staggered in order to maintain the efficiency of the board.

24. \*\*Celebrating and Commemorating the Legacy of The Honorable Matthew J. Perry, Jr.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve a request from Dr. Gergel to celebrate and commemorate the legacy of The Honorable Judge Matthew J. Perry by erecting a historical marker at the location of his boyhood home in the Waverly Community. Staff should investigate whether or not there is an existing historical marker at the site. The estimated cost of the historical marker is \$1,800; the City Manager will identify the source of funding; and Dr. Gergel offered to assist with fundraising efforts, if needed.

▪ **Ms. Devine joined the meeting at 3:40 p.m.**

25. Midlands Housing Alliance Contract

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to authorize the City Manger to execute an Agreement between the City of Columbia and The Midlands Housing Alliance, Inc. for 2025 Main Street for fiscal year 2011/2012 in the amount of \$250,000 with the right of first refusal. This contract and the associated funding will be considered by City Council on an annual basis.

### **EXECUTIVE SESSION**

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to go into Executive Session at 3:44 p.m. for the discussion of **Items 26** through **29**.

26. Receipt of legal advice which relates to matter covered by attorney-client privilege – *Items was discussed in Executive Session. No action was taken.*

27. Discussion of matters relating to proposed location or expansion of services to encourage location or expansion of industries or other businesses – *This item was discussed in Executive Session. Please refer to **Item 31**.*

28. Discussion of negotiations incident to proposed contractual arrangements – *Items were discussed in Executive Session. Please refer to **Items 30**.*

29. \*\*Investigative proceedings regarding allegations of criminal misconduct – *This item was discussed in Executive Session. No action was taken.*

▪ **Council adjourned the Executive Session at 5:30 p.m. and reconvened the Work Session.**

30. \*\*Voluntary Long Term Disability and Vision Benefits

\*\*Amendment to the Agenda

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve voluntary and employee paid Long Term Disability Benefits for the plan period of September 1, 2011 through December 31, 2015 and Vision Benefits for the plan period of January 1, 2012 through December 31, 2015 with Guardian Life Insurance Company, as recommended by the Employee Insurance Committee. Dr. Gergel was not present for the vote.

31.     \*\*Shop Grove Industrial Park

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to authorize the City Manager to issue a letter of commitment to coordinate with Richland County to create a multi-county industrial park at Shop Grove Industrial Park for economic development purposes and to provide appropriate funding to construct infrastructure to serve the industrial park, which is to be repaid by a fee in lieu of taxes. Dr. Gergel was not present for the vote.

- **Council adjourned the Work Session at 5:32 p.m.**

Respectfully submitted by:

Erika D. Salley  
City Clerk