



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, AUGUST 7, 2012
12:00 P.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE

The Columbia City Council conducted a Regular Meeting on Tuesday, August 7, 2012 at the Eau Claire Print Building, 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 12:16 p.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

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 Mr. Newman, Council voted unanimously to adopt the agenda with the following amendments:

- The Lester Drive discussion will be discussed under presentations.
- **Item 21** is not a Local Business Preference Project.
- The correct amount for **Item 24** is \$227,509.00.
- **Item 41** is being deferred at the request of the Developer.
- The correct address for **Item 51** is 1027 Barnwell Street.

PUBLIC INPUT RELATED TO AGENDA ITEMS

Mr. Ward Briggs appeared before the members of Council in opposition to **Item 51**. He said that they would like to protect the neighborhood from commercial encroachment.

Dr. John Stucker, 911 Laurens Street appeared before the members of Council in opposition to **Item 51**. He asked Council to set aside this resolution and allow them to work with the owner and the development foundation on the appropriate solution.

Click [here](#) to read the University Hill Neighborhood Association's statement.

Mr. Robert Fuller, Esq. appeared on behalf of the owner of the building located at 1027 Barnwell Street. He believed that this process is introductory and there will be plenty of time for discussion. He asked Council to please move forward with the initiation process.

APPROVAL OF MINUTES

1. Minutes of July [10](#), 2012 and July [17](#), 2012 - *Approved*

Upon a motion made by Mr. Newman and seconded by Ms. Plaugh, Council voted unanimously to approve the Meeting Minutes of July 10, 2012 and July 17, 2012.

PRESENTATIONS

2. [Recognition of 50 Years of Dedication, Leadership and Service to the City of Columbia](#) – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of Council proclaimed Tuesday, August 07, 2012 as Howard Lederfind Day in the City of Columbia.

Click [here](#) to read Howard Lederfind's statement.

3. [Recognition of the AAU SC Hornets Championship](#) – The Honorable Stephen K. Benjamin

Mayor Benjamin and the members of Council proclaimed August 2013 as South Carolina Hornets 11U (Blue) Boys Basketball Month in the City of Columbia.

4. Reopening Lester Drive

Councilor Newman explained that Lester Drive is a frontage road along I-277 that was closed due to past public safety issues. He stated that due to changes in the Police Department and the annexation of Bayberry Mews it becomes a logical decision to open up that pathway for increased traffic flow.

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to direct the City Attorney to prepare a resolution authorizing the reopening of Lester Drive. This matter will be voted on at the next meeting and a traffic study should be conducted to determine the need for speed humps on Lester Drive.

Councilor Devine added that there was not an official act taken to close Lester Drive.

Mr. Steven A. Gantt, City Manager noted that it was a SCDOT owned road, but it has been dedicated back to the City and is now a City owned street.

5. Recognition of the Columbia Urban League Summer Work Experience Leadership Program – Mr. Randy Scott, Police Chief

Police Chief Scott presented a Certificate of Appreciation to Mr. J.T. McLawhorn, President of the Columbia Urban League for cooperating with the Columbia Police Department in the Summer Work Experience Leadership Program (SWELP).

Mr. J.T. McLawhorn, President of the Columbia Urban League highlighted the need for programs and partnerships such as SWELP, which started twenty years ago to stop the violence and hire youth. He said that work is the foundation for young people to become very positive. He thanked the City of Columbia, Richland County, Richland School District One and the University of South Carolina on behalf of the 800 youth that participated in the program this summer.

Lt. Vandell McCary, Columbia Police Department recognized the School Resource Officers that mentored the youth. He acknowledged the youth that worked with the Columbia Police Department and the Columbia Parks and Recreation Department.

5. Presentation of the Intergovernmental Fire Services Agreement – Mr. Aubrey Jenkins, Fire Chief

Fire Chief Jenkins thanked the members of Council for their support and confidence in the Fire Department. He said that they saved jobs by allowing them to negotiate the agreement. He presented the Mayor and the City Manager with a framed Intergovernmental Fire Services Agreement.

CITY COUNCIL DISCUSSION / ACTION

6. Hospitality Tax Study – The Honorable Tameika Isaac Devine

Councilor Devine recalled that they discussed doing a Hospitality Tax Study in the past. She stated that it is time to assess where we are trying to go and we want to make sure that we are strategic in our allocation of funding as we move forward. She asked Mr. Regan to present the idea of what a study would encompass to the members of Council. She said that they need to be honest with themselves and what their intentions are moving forward. She said that the study may show us that it may be better to utilize the money as seed money; we may need to look at groups that are able to support themselves; and we may need to consider reducing the city's investment so that smaller groups can use that as seed money and grow. She suggested that they allow the study to give us the real data and to then use that data as intended and not politically.

Ms. Libby Gober, City Council Assistant said that the city has collected the tax for nine years and it may be time to conduct a study. She said that previous Council members and present members have expressed an interest in conducting a study. She asked how far back they wanted to go and exactly what they were looking for.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment said that his research expertise is finance and economic impact studies. He has conducted over 100 feasibility and impact studies for events such as the St. Patrick's Day Festival, Vista Lights, Artista Vista, the Family Circle in Charleston and all athletic events for USC. He suggested that they look at the indirect business use taxes, which also includes the hospitality and accommodations taxes. He said that history is nice and should be summarized 3 years back with the big, midsized, new and mature events. He further

suggested that they look at the direct spending patterns. He said that this will give Council and staff the tools they need to identify the best projects in order to increase those indirect business taxes. He said that this study will provide a template for identifying the events that are generating the most tax benefit back to the city; it will provide an opportunity to look at new events; and the ability to prioritize existing events.

Councilor Newman inquired about the amount of time it will take for data collection. What do you perceive as a fee for a few years and how is that affected by how far back we go.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment stated that the farther back you go, the more time it will take. He said that they would like to be ready for the next round of funding. He stated that a shortened period of time may cost more, because it is labor intensive.

Mayor Benjamin asked if it would more effective to identify and study a handful of events this fiscal year.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment responded that the best approach would be to sample the big, midsize and small events. He said that cities and counties get into a rut of doing the same thing over and over. He asked what new event might spark something and spawn outside people to come to Columbia.

Councilor Newman said that his concern is determining the economic impact for those entities that we fund. He said that it may be more prudent to start with a small sample. He supports starting with entities that are funded at the higher end. He requested a timeframe for that sampling. He requested a breakdown of the funding provided.

Councilor Baddourah agreed that this is a great idea. He stated that a lot of organizations are funded, because the city would like to have an entertainment district for visitors. He said that he served on the Hospitality Tax Advisory Committee for two years and he is well aware of the system. He said that it is invested wisely, but we can do better by Council providing guidelines to the committee on how to allocate the funds. He would like to see if they continue supporting organizations that expect the hospitality money to keep going or are they strictly going for a return on investment from the research.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment said that one of the goals of the study is to assist Council in taking some of the personal and political aspect out of this and to quantify what is there. He noted that not all events are the same, but we can have strict guidelines.

Councilor Baddourah agreed that they should look at five to six festivals that are funded at the higher end, new festivals and events that were being done twenty (20) years ago.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment suggested that they look at 12 to 15 groups.

Councilor Davis agreed that they continue to fund the same organizations over and over and there becomes an expectation of entitlement. He insisted that this makes it difficult for new ideas to prosper and there are locals that are diamonds in the rough and they don't get the opportunity to enjoy some of the funding.

Mayor Benjamin asked if Mr. Regan's interpretation of economic impact is the importation of external capital into the city. He asked the Arts and Historic Preservation Committee to narrow this down and bring back a recommendation to Council. He said that they want a clear sampling of the groups funded and that every several years they have to step back, retool and make sure they are getting the best bang for the buck.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment said that we often overlook the leakage in the economy from people leaving this area and attending events in places like Charlotte. He said that he wants to focus on that retention.

Councilor Devine asked that they also look at the type of event goer that attends the various events. She said that the monetary impact may be different for varying events. She noted that they struggle with comparing different events. She added that this study is ineligible for hospitality tax funding and that they should look at funding from the General Fund. She asked that Mr. Regan provide an estimated cost and that the City Manager consider a funding source.

Councilor Newman stressed the importance of narrowing down the sampling in order to complete the study prior to the next round of funding allocations. He said that it is extremely hard to differentiate entities that get funding, but there are some entities that lean on this funding every year as a significant part of their budget and it may not necessarily be the best return for the city.

Councilor Devine suggested that Mr. Regan provide his recommendations to the committee.

Councilor Runyan invited Dr. Regan to meet with the committee next week. He said that it's time to strengthen the framework to give Council and the committee more decision making tools.

Councilor Plough asked for clarification on the method of distinguishing between a cultural event and a festival where one will always outweigh the other in terms of participation and return on investment.

Dr. Tom Regan, University of South Carolina Department of Sport and Entertainment said that the study will be broken into thirds to eliminate some margin of error. He stated that there has to be a weighted intangible aspect to this.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to ask the Arts and Historic Preservation Committee to provide a recommendation on the scope of the Hospitality Tax Study. A report should be provided to the full Council in September.

7. Redevelopment District Discussion – The Honorable Tameika Isaac Devine

Councilor Devine reported that the discussions have continued among the working group for the County, School District and City. She said that the County and School District have retained counsel to help them and we are in the final stages of finalizing a proposed Intergovernmental Agreement (IGA). She said that the lawyers are meeting this week. She noted that there haven't been comments on anything substantive in the IGA. She said that they are working to incorporate how the oversight committee will function; conflicts of interest statements; and freedom of information requests. She explained that once the attorneys meet this week, there will be a draft IGA for this Council's consideration on August 21st and it will be sent to the members of Council for review on August 10th. She hopes that once all questions are answered, this Council will be in a position to approve the IGA in order for notice to be sent to the other taxing entities. She anticipated that the County would consider the IGA in September and we should be in a position to have a public hearing in October or early November, in hope of finalizing the entire process this year.

Councilor Plough asked if the IGA covers both Tax Increment Financing (TIF) plans.

Councilor Devine replied that there will be two (2) separate IGAs, but they are identical with the exception of changes. She added that the attorneys will be available next week to meet with the newer members of Council to go over any points.

Councilor Plough asked to attend the briefing with the attorneys.

9. Update from the Bicycle and Pedestrian Advisory Committee – Ms. Natalie Britt, Executive Director of the Palmetto Conservation Foundation – *This item was deferred.*

PUBLIC HEARING

ORDINANCES – FIRST READING

10. [Ordinance No.: 2012-072](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 6, Elections, Sec. 6-6 Time of elections; notice and Sec. 6-7 Time of taking office; contested elections

Mayor Benjamin asked those in support of changing the election of the first Tuesday after the first Monday in November of odd-numbered years to please stand. He then asked those against it to stand.

- **Council opened the Public Hearing at 1:29 p.m.**

Mr. Alan Roblee, 3701 MacGregor Drive said that he doesn't oppose moving elections to November, because it's probably a perfect time; however, the odd-numbered years may not make any difference between the system we have now and what is being proposed. He said that there is no tremendous cost saving, but there would be for even-numbered years. As a precinct clerk in Brandon, he said that the turnout is dismal. He suggested that all precincts be combined at 2020 Hampton Street. He expressed concerns with voting in schools and segregating voters from students.

Mayor Benjamin said that there is a great deal of merit to Mr. Roblee's concerns. He said that he has grave concerns with partisanship. He said that we are trying to tie into Americans' intuitive behavior to vote in November. He thanked Mr. Roblee for his service. He said that he wouldn't vote to move the election to November of even-numbered years. He said that it is a move in the right direction and we must put as much time and effort into education as necessary.

Councilor Davis suggested that we work with the School District to streamline the process. He said that we have to make this work. He has always been concerned with keeping the partisan politics out of local government. He said that the best system is the non-partisan system and he is preserving that. He said that city elections do get lost in that process and if we can stay on the odd year to avoid the partisanship, we are saying that we assume the responsibility to keep it clean.

Councilor Baddourah said that you can't keep the partisanship out of a local race. He said that he has an issue with losing 6 months from his term, because he needs every day to complete his work. He stated that one of the goals is to increase voter participation. He would like to bring it to the even years or leave the system as is. He said that there is no guarantee that we will increase participation. He noted that a run-off will be during the week of Thanksgiving.

Councilor Devine said that other municipalities have done this and we can learn from their experiences. She said that moving the elections will eventually increase participation.

Mayor Benjamin thanked the League of Women Voters for helping to educate the Council every step of the way in this process.

Councilor Plough said that she is delighted that this Council is willing to take up what has been a hard issue for other City of Columbia City Councils to deal with. She said that it is a tribute to those sitting on this Council today. She checked with citizens throughout the community and no one indicated that a move to November wouldn't be supported. She said that we are helping to move the entire region in this direction and it is a responsible time of year for voting to take place. She agreed that the election results have been dismal and a move to November is a move to try to build momentum to get people involved in the electoral process. She hopes that we will educate voters.

- **Council closed the Public Hearing at 1:46 p.m.**

Upon a motion made by Ms. Plaugh and seconded by Mayor Benjamin, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2012-072 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 6, Elections, Sec. 6-6 Time of elections; notice and Sec. 6-7 Time of taking office; contested elections. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plaugh, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

SIDEWALK VENDING PUBLIC HEARING

ORDINANCES – FIRST READING

[Mid-Block Pad at College Street and East Side of Sumter Street](#)

11. **[Ordinance No.: 2012-070](#)** – Granting a Franchise to Kathleen May d/b/a Kat’s Hawaiian Shave Ice, LLC for operation of a stationary sidewalk vending cart within the mid-block pad at the end of College Street and East Side of Sumter Street (USC Horseshoe) - *Consideration of this item was deferred.*

- **Council opened the Sidewalk Vending Public Hearing at 1:47 p.m.**

Ms. Brenda Kyzer, Business License Administrator explained that this is a new applicant for a pre-approved location.

Mr. Derrick Huggins, University of South Carolina said that due to the proximity of this site to the USC Horseshoe, they would like to work with the City of Columbia and the vendor to find an alternate location.

Mayor Benjamin asked Ms. Kyzer to bring the parties together to find an alternative site.

Councilor Newman asked when the site was last used. He requested a list of pre-approved sidewalk vending locations.

Ms. Brenda Kyzer, Business License Administrator replied that the pad was used last in 2010. She explained that the applicant’s second choice is at the corner of Sumter and Greene Streets. She agreed to send the list of pre-approved pads to Council and to meet with the applicant.

- **Council closed the Sidewalk Vending Public Hearing at 1:50 p.m.**

CONSENT AGENDA

Upon a single motion made by Mr. Newman and seconded by Ms. Plaugh, Council voted unanimously to approve the Consent Agenda Items **12** through **40** as amended during the adoption of the agenda.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

12. Council is asked to approve [Capital Improvement Projects SS7212 and SD8374](#); An Agreement for General Consulting Engineering Services in conjunction with the United States Corps of Engineering Section 404/401 Permitting, as requested by Utilities and Engineering. Award to Environmental Permitting Consultants, Inc., in the amount of \$50,000.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund, 5529999-SS7212-658600 and Storm water Drainage Fund, 5549999-SD8374-658660 - Approved*
13. Council is asked to approve [Capital Improvement Project WM416703](#); Contract Amendment #1, Agreement for Engineering Services for Inspections and Engineering Services in Connection with the Columbia Canal Embankment, Phase III Project, as requested by Utilities and Engineering. Award to Chao & Associates, Inc., in the amount of \$66,050.00. This vendor is located in Columbia, SC. *Funding Source: Water Capital Fund, 5529999-WM416703-658660 – **Note:** The original budgeted for this project is \$235,000.00 - Approved*
14. Council is asked to approve the [Purchase of Monthly Palmetto Radio Service/Airtime for Fiscal Year 2012/2013](#), as requested by the Fire Department. Award to Motorola Inc., using the SC State Contract in the amount of \$75,000.00. This vendor is located in Sumter, SC. *Funding Source: 1012303-638200 - Approved*
15. Council is asked to approve the [Purchase of 1,500 ninety-six Gallon Roll Carts](#), as requested by the Solid Waste Division. Award to Toter Inc., as a Sole Source in the amount of \$77,682.00. This vendor is located in Statesville, NC. *Funding Source: Solid Waste Roll Carts-Roll Carts and Recycle Bins, 1014401-627600 - Approved*
16. Council is asked to approve the [Purchase of Oracle Content Management Software License and Maintenance](#) to be used for the City's Website Redesign Project, as requested by Information Technology Department. Award to Mythics, Inc., in the amount of \$88,389.00. This vendor is located in Virginia Beach, VA. *Funding Source: Web Center Content Processor License, 1011120-638200 and Update Rights and Product Technical Support License, 1011120-638200 - Approved*
17. Council is asked to approve the [Renewal of Oracle Maintenance Support](#), as requested by Information Technology Department. Award to Mythics, using the SC State Contract in the amount of \$115,347.95. This vendor is located in Virginia Beach. *Funding Source: Information Technology/Maintenance and Service Contract, 1011120-638200 - Approved*

18. Council is asked to approve the [Purchase of a Truck Tri-Axle](#), as requested by the Metro Wastewater Treatment Plant Division. Award to Columbia Truck Center as a Local Business Enterprise Vendor approved to meet the low bidder's price in the amount of \$133,400.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Metro Wastewater Plant-Auto, Trucks, Heavy Equipment-Capital, 5516208-658500 - Approved*
19. Council is asked to approve the [Renewal for RMS Software Maintenance](#), as requested by the Police Department. Award to Visionair Inc., in the amount of \$138,327.57. This vendor is located in Castle Hayne, NC. *Funding Source: Police Administrative Services/Maintenance and Service Contract, 1012402-638200 - Approved*
20. Council is asked to approve the [Purchase of One \(1\) Lot of Office Furniture for the Earlewood Park Administration Building](#), as requested by the Parks and Recreation Department. Award to Corporate Concepts, using the SC State Contract in the amount of \$143,065.64. This vendor is located in Columbia, SC. *Funding Source: GL: 4039999-621010; GL: General Capital Projects-Small Office Furniture; JL: PK008501-621010; JL: New Parks/Recreation Building-Small Office - Approved*
21. Council is asked to approve [Project WM4257](#); 12" Water Main Relocation along Piney Grove Road, as requested by Utilities and Engineering. Award to Carolina Tap and Bore, Inc., the lowest, responsive and responsible bidder in the amount of \$158,285.00. This vendor is located in West Columbia, SC. *Funding Source: Water Main Special Contracts 5516210-638300 – **Note:** The original budgeted amount is 153,000.00 - Approved*
22. Council is asked to approve [Capital Improvement Projects SS6871 and SS7136](#); Contract Amendment #1, Agreement for Improvements to the Metro Wastewater Treatment Plant's Secondary Clarifiers & Anaerobic Digester, as requested by Utilities and Engineering. Award to AECOM Technical Services, Inc., in the amount of \$156,831.07. This vendor is located in Columbia, SC. *Funding Source: Sewer Maintenance Fund, 5516212-SS687101-636600 – **Note:** Construction Support Services (Columbia, SC) will perform Mapping Grade GPS Services at 5.28% of the total contract value. The original budgeted amount was \$903,691.00 - Approved*
23. Council is asked to approve the [Purchase of Radio Air Time for Fiscal Year 2012/2013](#), as requested by the Police Department. Award to Motorola Inc., using the SC State Contract in the amount of \$200,000.00. This vendor is located in Sumter, SC. *Funding Source: Police Administrative Services-Other Lease/Rental, 1012402-636500 - Approved*

24. Council is asked to approve the [Purchase of an Automated Side Loader Garbage Truck](#), as requested by the Fleet Services Division. Award to Amick D. Equipment as the lowest bidder meeting specifications in the amount of \$227,509.00. This vendor is located in Lexington, SC. *Funding Source: Capital Replacement-Auto, Trucks, Heavy Equip-Capital 6308972-658500 - Approved*
25. Council is asked to approve [Capital Improvement Project SD8385](#); An Agreement for Engineering Services to Conduct a Water Quality Monitoring Study and Memorandum of Understanding, as requested by Utilities and Engineering. Award to Woolpert, Inc., in the amount of \$278,000.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Maintenance Fund, 5516212-636600 – **Note:** Roger and Callcott, Inc., (Greenville, SC) will perform Storm water runoff sample analysis and general laboratory services at 7.91% of the total contract. YSI, Inc., (St. Petersburg, FL) will perform monitoring site installation services at 7.19% of the total contract. The original budget amount is \$300,000.00. - Approved*
26. Council is asked to approve [Change Order #1; Renovation and Restoration above the Existing Drop Ceiling in City Hall Council Chambers](#), as requested by the General Services Department. Award to Dillon Construction Services in the amount of \$378,875.00 with a Contingency Funding of \$21,125.00 for a total amount of \$400,000.00. This vendor is located in Columbia, SC. *Funding Source: Liquor Rebate Fund \$300,000 and EECBG Stimulus Administration \$100,000 - Approved*
27. Council is asked to approve the [Purchase of Three Hundred and Seventy Five \(375\) Dell Computers for Phase II Rollout](#), as requested by Information Technology Department. Award to Dell Marketing LP, using the SC State Contract in the amount of \$444,109.17. This vendor is located in Round Rock, TX. *Funding Source: Technology Replacement/Computer Equipment Hardware, 6218954-627500 - Approved*
28. Council is asked to approve the [Purchase of Screenings, Grit, Sludge Hauling and Container Rental for Fiscal Year 2012/2013](#), as requested by the Wastewater Treat Plant Division. Award to Waste Management/Richland County Landfill as the lowest bidder meeting specifications in the amount of \$1,323,048.00. This vendor is located in Elgin, SC. *Funding Source: 5516208-638300 - Approved*

ORDINANCES – SECOND READING

29. [Ordinance No.: 2012-061](#) – Authorizing the City Manager to execute an Agreement of Purchase and Sale between the City of Columbia and the University of South Carolina Alumni Association for the sale of a parcel of real property being approximately 0.06 acres (2,699.73 square feet) and located adjacent to Richland County TMS number R08916-1 0-01 at the Southeastern corner of the intersection of Senate Street and Lincoln Street – *First reading approval was given on July 17, 2012 – Approved on second reading.*
30. [Ordinance No.: 2012-068](#) – Amending Ordinance No. 2012-018 granting South Carolina Telecommunications Group Holdings LLC, d/b/a Spirit Communications, its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Lines, Poles, Wires, Cables and other Telecommunications Facilities to Render Telecommunications Service to Its Customers in the Limits of the City of Columbia for Such Period as Provided Herein; and to Provide for the Payment of Compensation for the Use of the Streets and Public Places – *First reading approval was given on July 17, 2012 – Approved on second reading.*
31. [Ordinance No.: 2012-069](#) (*Revised*) – An Ordinance to Authorize the Renewal and Extension of the Letter of Credit Securing the \$81,860,000 Original Principal amount City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds Series 2009, and to Approve the Form and Terms of, and Authorize the Execution of, Supplements or Amendments to the Letter of Credit and Reimbursement Agreement, the Remarketing Agreement and the Tender Agent Agreement, and other Agreements as necessary or desirable; and other matters related thereto – *First reading approval was given on July 10, 2012 – Approved on second reading.*

ANNEXATION WITH MAP AMENDMENT - SECOND READING

32. [5005 Woodbrier Street](#), TMS# 09309-06-11 request to annex and zone the property RG-2. The property is zoned RM-MD in Richland County and 5001 Woodbrier Street, TMS# 09309-06-12; request to annex and rezone the property RS-3. The property is zoned RM-MD in Richland County. – *First reading approval was given on July 17, 2012 – Approved on second reading.*

Council District: 1
Proposal: Annex and zone property RG-2 and RS-3
Applicant: Wallace C. Ford
PC Recommendation: Approve, (7-0) 05/07/12
Staff Recommendation: Approve

[Ordinance No.: 2012-062](#) – Annexing 5005 Woodbrier Street and portion of 5001 Woodbrier Street Richland County TMS #09309-06-11 and 09309-06-12 (portion) – *First reading approval was given on July 17, 2012 – Approved on second reading.*

33. [1.07 acres, NE/S Kinley Road](#), TMS# 05000-04-10; request to annex and rezone the property C-3. The property is zoned RU in Richland County. – *First reading approval was given on July 17, 2012 – Approved on second reading.*

Council District: 1
Proposal: Annex and zone property C-3
Applicant: Odis B. Richardson
PC Recommendation: Approve, (5-0) 06/04/12
Staff Recommendation: Approve

[Ordinance No.: 2012-063](#) – Annexing 1.07 acres NE/S Kinley Road Richland County TMS #05000-04-10 – *First reading approval was given on July 17, 2012 – Approved on second reading.*

34. [1628 Browning Road](#), TMS# 06013-01-25; request to annex and rezone the property C-3. The property is zoned RU, OI and GC in Richland County. – *First reading approval was given on July 17, 2012 – Approved on second reading.*

Council District: 2
Proposal: Annex and zone property C-3
Applicant: Browning Office Investment, LLC
PC Recommendation: Approve, (5-0) 06/04/12
Staff Recommendation: Approve

[Ordinance No.: 2012-064](#) – Annexing 1628 Browning Road Richland County TMS #06013-01-25 – *First reading approval was given on July 17, 2012 – Approved on second reading.*

35. [1742 Busby Street](#), TMS# 11607-07-05; request to annex and zone the property RG-2. The property is zoned RM-HD in Richland County. – *First reading approval was given on July 17, 2012 – Approved on second reading.*

Council District: 2
Proposal: Annex and zone property RG-2
Applicant: City of Columbia
PC Recommendation: Approve, (5-0) 06/04/12
Staff Recommendation: Approve

[Ordinance No.: 2012-065](#) – Annexing 1742 Busby Street Richland County TMS #11607-07-05 – *First reading approval was given on July 17, 2012 – Approved on second reading.*

36. [109 Arborgate Circle](#), TMS# 05013-03-18; request to annex and zone the property PUD-LS. The property is zoned PDD in Richland County. – *First reading approval was given on July 17, 2012 – Approved on second reading.*
Council District: 1
Proposal: Annex and zone property PUD-LS
Applicant: Clifton S. Prince and Lisa H. Westbury
PC Recommendation: Approve, (5-0) 06/04/12
Staff Recommendation: Approve

[Ordinance No.: 2012-066](#) – Annexing 109 Arborgate Circle Richland County TMS #05013-03-18 – *First reading approval was given on July 17, 2012 – Approved on second reading.*

CONFIRMATION OF ZONING OF PREVIOUSLY ANNEXED PROPERTY – SECOND READING

37. [941 Spears Creek Court](#), TMS# 25714-01-07; request to confirm the M-1 zoning classification. – *First reading approval was given on July 17, 2012 – Approved on second reading.*
Council District: 4
Proposal: Confirm M-1 zoning
Applicant: Johnathan Chambers, Zoning Administrator
PC Recommendation: Approve M-1 zoning, (5-0) 06/04/2012
Staff Recommendation: Approve

MAP AMENDMENT – SECOND READING

38. [W/S Broadway Street at Flora Street](#), TMS# 11301-04-03, -04; request to rezone property from M-2 to M-1 and TMS# 11301-04-20, -21; request to rezone property from C-3 to M-1. – *First reading approval was given on July 17, 2012 – Approved on second reading.*
Council District: 3
Proposal: Rezone property from M-2 and C-3 to M-1
Applicant: Richard Morton, SCE&G
PC Recommendation: Approve, (7-0) 05/07/12
Staff Recommendation: Approve

39. [2100 Two Notch Road](#), TMS# 11509-09-01A (portion); request to rezone from PUD-C and M-1 to C-3. – *First reading approval was given on July 17, 2012 – Approved on second reading.*
Council District: 2
Proposal: Rezone property from PUD-C and M-1 to C-3
Applicant: Charles Gary for Benedict College
PC Recommendation: Approve, (6-0) 05/07/12
Staff Recommendation: Approve

40. [135 John Harmon Road](#), TMS# 05000-04-13; request to rezone from PUD-LS to C-3. – *First reading approval was given on July 17, 2012 – Approved on second reading.*
- | | |
|-----------------------|------------------------------------|
| Council District: | 1 |
| Proposal: | Rezone property from PUD-LS to C-3 |
| Applicant: | Cameron Zurbreugg |
| PC Recommendation: | Approve, (5-0) 06/04/12 |
| Staff Recommendation: | Approve |

MAJOR AMENDMENT TO A PLANNED UNIT DEVELOPMENT – SECOND READING

41. [823 Gervais Street](#), TMS# 08916-01-04; request a Major Amendment to the PUD to develop Parcel 2 as 6-story, 130 room hotel. – *First reading approval was given on July 17, 2012. Consideration of this item was deferred at the request of the Developer.*
- | | |
|-----------------------|--|
| Council District: | 2 |
| Proposal: | Major Amendment to a PUD to develop parcel 2 as 6-story, 130-room hotel |
| Applicant: | Winford Lindsay, Architect |
| PC Recommendation: | Approve subject to staff comments except for those relating to landscaping beyond what is proposed by applicant; however, if additional landscaping can be achieved, Planning Commission is supportive, (5-2) 05/02/2011 |
| Staff Recommendation: | Approve subject to staff comments (see case summary) |

OTHER MATTERS

42. [No Through Trucks Request](#) - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Newman, Council voted unanimously to approve No Through Truck Restrictions on Crowson Road and Rickenbaker Road.

43. [Speed Hump Request](#) - *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to approve the installation of Speed Humps on Kirkland Street and Dickson Street.

Councilor Devine asked that Mr. Brewer follow-up on a request for speed humps near Greenview Elementary School.

Councilor Davis said that the North Columbia Civic Club was to submit the request.

44. Council is asked to approve the Style Guide for the City's Logo

Mr. S. Allison Baker, Senior Assistant City Manager presented guidelines for the usage of the new city logo. He explained that the following rules of usage will reinforce how our logo should be properly displayed: the specific color of the seal is reflux blue; the specific font is quicksand; the official motto is "We Are Columbia"; the logo background will remain white when used against a dark background; and a disclaimer will be included. He said that once Council approves the guidelines, they will be distributed internally and externally.

Councilor Runyan inquired where the motto "We are Columbia" originated.

Mr. S. Allison Baker, Senior Assistant City Manager acknowledged that it came from the Council Retreat held last year.

Councilor Devine asked if the gold seal is still offered.

Mr. S. Allison Baker, Senior Assistant City Manager said that the gold seal is recommended for use by City Council and senior management.

Ms. Doreen Sullivan, Post No Bills explained the importance of the style guide. She said that there are so many variations throughout the city and this will give you the protection to take action if someone does not follow it.

Councilor Runyan asked how they will address misuse of the logo once it's approved.

Mr. S. Allison Baker, Senior Assistant City Manager replied that city has a number of options. He said that we need to be consistent with what we do and what we present, internally.

Ms. Leshia Utsey, Director of Marketing and Media said that in the same manner the city has asked that those organizations that receive funding use the "Famously Hot" logo, we can at least have the same expectations for the City of Columbia.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to approve the City of Columbia Style Guide as presented.

ORDINANCES – FIRST READING

45. [Ordinance No.: 2012-073](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-1 Prohibited acts in parks (8) and (9) – *Approved on first reading.*

Mr. Steven A. Gantt, City Manager explained that the City Attorney added Boyd Plaza to the list of parks within our system where alcoholic beverages can be consumed.

Councilor Devine asked if Council would still need to approve each event.

Mr. Ken E. Gaines, City Attorney said that a resolution would be needed along with an Alcoholic Beverage Control (ABC) permit.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2012-073 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-1 Prohibited acts in parks (8) and (9).

46. [Ordinance No.: 2012-077](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-149 Sewer service rates (d) Apartments and roominghouses and (e) Hotels, motels, dormitories and roominghouses - *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2012-077 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-149 Sewer service rates (d) Apartments and roominghouses and (e) Hotels, motels, dormitories and roominghouses.

RESOLUTIONS

47. [Resolution No.: R-2012-074](#) – Authorizing the City Manager to execute a Parking Agreement between the City of Columbia and Noble / HY Columbia, LLC for the Lincoln Street Parking Garage- *Approved*

Councilor Plough asked why this wouldn't be deferred since the zoning matter is being deferred.

Mr. John Spade, Director of Parking Services said that the developer has asked that his matter be approved so that it does not delay the financing package in the event that the zoning matter is approved in the future. He said that the rates are based on the rates approved by ordinance. He noted that the agreement is contingent upon the opening of the hotel.

Upon a motion made by Mr. Runyan and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2012-074 – Authorizing the City Manager to execute a Parking Agreement between the City of Columbia and Noble / HY Columbia, LLC for the Lincoln Street Parking Garage.

48. [Resolution No.: R-2012-076](#) – Authorizing the Mayor to execute Employment Contracts between the City of Columbia and Steven A. Gantt - *Approved*

Councilor Plough inquired about the amount of the contract since it was left blank.

Mayor Benjamin said that Mr. Gantt will be kept at his current salary, which is \$175,000. He said that the reality is that his salary is out of whack in comparison to what we will have to pay a new City Manager.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2012-076 – Authorizing the Mayor to execute Employment Contracts between the City of Columbia and Steven A. Gantt.

49. [Resolution No.: R-2012-077](#) – Authorizing consumption of beer and wine beverages and Group Therapy’s Annual Chili Cook-off - *Approved*

Upon a motion made by Mr. Newman and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2012-077 – Authorizing consumption of beer and wine beverages and Group Therapy’s Annual Chili Cook-off.

50. [Resolution No.: R-2012-078](#) – Amending Resolution R-2012-053 Authorizing consumption of beer and wine at the USC Pep Rally at Wild Wing Café in the Vista - *Approved*

Upon a motion made by Mr. Newman and seconded by Ms. Plough, Council voted unanimously to approve Resolution No.: R-2012-078 – Amending Resolution R-2012-053 Authorizing consumption of beer and wine at the USC Pep Rally at Wild Wing Café in the Vista.

51. [Resolution No.: R-2012-080](#) – Authorizing the City Manager to initiate rezoning of 1027 Barnwell Street, Richland County TMS #11405-18-06 - *Approved*

Councilor Devine said that she understands the questions of the neighborhood. She said that there is misinformation on the neighborhood’s side and she asked Mr. Fuller to provide them with the right information.

Councilors Runyan and Plough concurred with Ms. Devine.

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2012-080 – Authorizing the City Manager to initiate rezoning of 1027 Barnwell Street, Richland County TMS #11405-18-06.

COMMITTEE REPORTS

Councilor Devine said that the Environmental and Infrastructure Committee met on July 17, 2012 and the following matters were reviewed:

- A downtown resident raised a concern about downtown Christmas tree lighting. She did a lot of research and asked that we look into how lighting is done at Saluda Shoals and Riverbanks Zoo. We asked staff to provide a recommendation so that it may incorporate an implementation plan over several years.
- We received an update from Mr. David Knoche on the efficiency initiative that was implemented several years ago. We should be very proud of what staff has done with limited resources.
- Staff met with Martech Research to discuss products that break down fats, oils and greases in the sewer lines. Staff will be moving forward to implement a test in our sewer system.
- The Committee is recommending that Council approve the bylaws for the Climate Protection Action Committee (CPAC).
- We also had a presentation on the Regional Sustainability Plan. We will have this on the next Council agenda for approval.
- We talked about the Shandon Storm Water pilot project that was previously approved. Mr. Baddourah asked that we implement the green infrastructure and traditional methods to get more projects done. Staff will continue to look at ways to address the storm water issues all over the city. We came to the consensus that as we phase in the green infrastructure, we will look at how to get the most bang for the buck.
- Finally, we believe that we have dealt with our commercial dumping issues. She recalled that Council considered an ordinance to limit the times that the dumpsters could be emptied. Mr. Anderson has met with the offending companies; we are comfortable with the resolution; and we don't believe an ordinance is needed.

Councilor Baddourah reported that the Public Safety Committee reviewed the following information on July 24, 2012:

- Chief Scott reviewed statistics about the homeless and crime issues.
- Chief Scott reported that all officers have been assigned cellphones.
- We also talked about the Livability Court and we are still working to find a happy median with Judge Turner's assistance.
- Mr. Gantt suggested that another Request for Proposal be released for the Winter Shelter.

APPOINTMENTS

52. [Columbia Tree & Appearance Commission](#)

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to approve the appointment of Ms. Elizabeth Marks to the Columbia Tree and Appearance Commission as an At-Large representative for a three (3) year term.

53. [Bicycle and Pedestrian Advisory Committee](#)

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the appointment of Dr. Gordon Langston to the Bicycle and Pedestrian Advisory Committee for a two (2) year term.

APPEARANCE OF THE PUBLIC

Dr. Germon Miller “Mama G” announced that she recently returned from representing Columbia, SC as an educator in Washington, DC during the Peace Alliance Advocacy Retreat. During her visit, she spoke about anti-violence behavioral methods. She was interviewed by Phil Donahue, a cultural pathfinder who plans to do a segment on his Body of War documentary.

EXECUTIVE SESSION

Councilor Plough added a contractual matter to Executive Session.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to go into Executive Session at 2:21p.m. for the discussion of **Items 54** and **55** as outlined.

- 54. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
- 55. Receipt of legal advice which relates to a pending, threatened or potential claim – *This item was discussed in Executive Session. No action was taken.*
- **Council adjourned the meeting at 4:35 p.m.**

Respectfully submitted by:

Erika D. Moore
City Clerk