



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 4, 2012
11:00 A.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE

The Columbia City Council conducted a Meeting on Tuesday, September 4, 2012 at the Eau Claire Print Building located at 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 11:05 a.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan, and The Honorable Moe Baddourah. The Honorable Tameika Isaac Devine was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to go into Executive Session at 11:06 a.m. for the discussion of **Items 1 through 2a**.

1. Receipt of legal advice which relates to a matter covered by the attorney-client privilege - *This item was discussed in Executive Session. No action was taken.*
 2. Receipt of legal advice which relates to a pending, threatened or potential claim - *This item was discussed in Executive Session. No action was taken.*
 - 2a. ****Discussion of the employment of an employee – *This item was discussed in Executive Session. No action was taken.***
- **Council adjourned the Executive Session and convened the Regular Meeting at 12:20 p.m.**

PLEDGE OF ALLEGIANCE

INVOCATION

Chaplain Michael Letts, Columbia Police Department offered the invocation.

ADOPTION OF THE AGENDA

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

- Defer consideration of **Items 5 and 25**.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

3. Work Session Minutes of July [17](#), 2012 – *Approved as presented.*
4. Minutes of August [7](#), 2012 – *Approved as presented.*

Upon a single motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve the Work Session Minutes of July 17, 2012 and the Minutes of August 7, 2012.

5. Minutes of August [21](#), 2012 – *This item was deferred.*

PRESENTATIONS

6. [Lorick's 75th Anniversary Proclamation](#) – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of Council proclaimed Tuesday, September 04, 2012 as Lorick Office Products Day in the City of Columbia.

CONSENT AGENDA

Upon a single motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve the **Consent Agenda Items 7** through **12**.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

7. Council is asked to approve the [Purchase of One \(1\) Ford F-450 with Accessories](#), as requested by the Water Distribution Division. Award to Dick Smith Ford, using the SC State Contract in the amount of \$50,365.00. This vendor is located in Columbia, SC. *Funding Source: Utilities, Water, Distribution and Maintenance-Auto, Trucks, Heavy Equipment, Capital; 5516203-658500- Approved*
8. Council is asked to approve the [Employee Health Center Revised Construction and Up-fit Cost Increase](#) in the amount of \$50,850.49, as requested by the Budget Division. *Funding Source: Employee Health Center, 6048920 – **Note:** The original start-up cost was \$255,013.00. The final invoice total is \$305,553.61- Approved*

9. Council is asked to approve [Capital Improvement Project SS7238](#); An Agreement for Engineering Services for Miscellaneous Sanitary Services, as requested by Utilities and Engineering. Award to M.R. Systems, Inc., in the amount of \$75,000.00. This vendor is located in Norcross, GA. *Funding Source: Sanitary Sewer Maintenance Fund, 5516212-SS723801-636600 – **Note:** The original budgeted amount is \$75,000.00- Approved*
10. Council is asked to approve [Mentor Protégé Program Project SS7224-12](#); Manhole Cleaning at Crane Creek and West Columbia Outfall and Sewer Rehabilitation along Assembly Street, as requested by Utilities and Engineering. Award to Layne Inliner, LLC, the lowest, responsive and responsible bidder in the amount of \$1,062,441.00. This vendor is located in Tucker, GA. *Funding Source: Sanitary Sewer-Special Contracts, 5516212-638300 – **Note:** The original budgeted amount is \$1,064,000.00 - Approved*

ORDINANCES – SECOND READING

11. [Ordinance No.: 2012-080 \(Revised\)](#) – Providing for the Issuance and Sale of not exceeding \$7,545,000 General Obligation Bonds, Series 2012, of the City of Columbia, South Carolina to Prescribe the Purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto – *First reading approval was given on August 21, 2012 - Approved on second reading*
12. [Ordinance No.: 2012-079](#) – Authorizing the City Manager to execute a Quit Claim Deed from the City of Columbia to Palmetto Health transferring the sixty-six (66') foot right of way of former Parkridge Drive located between Lake Murray Boulevard (SC Highway 60) and the intersection of New Parkridge Drive and existing Parkridge Drive, Richland County TMS #05001 & #05002; CF#205-15D – *First reading approval was given on August 21, 2012 - Approved on second reading*

ORDINANCES – FIRST READING

13. [Ordinance No.: 2012-059](#) – Granting encroachment to the University of South Carolina for use of the right of way area of the 1500 block of Greene Street and 800 block of Pickens Street adjacent to USC Petigru College, Richland County TMS #11304-05-01, for installation and maintenance of asphalt pavement, concrete curb, guttering, walkway, brick wall, wrought iron fencing, parking spaces, bike lane, wheel stops, handicap ramp, landscaping and irrigation system – *Approved on first reading.*

Upon a motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2012-059 – Granting encroachment to the University of South Carolina for use of the right of way area of the 1500 block of Greene Street and 800 block of Pickens Street adjacent to USC Petigru College, Richland County TMS #11304-05-01, for installation and maintenance of asphalt pavement, concrete curb, guttering, walkway, brick wall, wrought iron fencing, parking spaces, bike lane, wheel stops, handicap ramp, landscaping and irrigation system.

14. [Ordinance No.: 2012-071](#) – Granting an encroachment to Franklin Sarullo for installation and maintenance of a gravel parking area boarded with railroad ties adjacent to 2301 Blossom Street, Richland County TMS #11312-05-19 – *Approved on first reading.*

Councilor Baddourah suggested that the City develop new parking standards within neighborhoods.

Ms. Krista Hampton, Director of Planning and Development Services said that this site is within the City's right-of-way and Council has to approve the plan. She noted that other options were considered; however, they were not feasible.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2012-071 – Granting an encroachment to Franklin Sarullo for installation and maintenance of a gravel parking area boarded with railroad ties adjacent to 2301 Blossom Street, Richland County TMS #11312-05-19.

15. [Ordinance No.: 2012-075](#) – Granting an encroachment to Heather Digdon and Raymond Torres for installation and maintenance of a stone wall within the right of way area of the 1400 block of Haynesworth Road and the 3700 block of Linwood Road adjacent to 1427 Haynesworth Road, Richland County TMS #13906-11-03 – *Approved on first reading.*

Councilor Baddourah expressed concerns about the storm drainage and how it affects the wall. He referred to the picture, asking if all of the water and pine straw would be directed toward the storm drain. He asked if they have a filtration system.

Mr. Jonathan Chambers, Zoning Administrative said that the plan was reviewed and approved by the Utilities and Engineering Department.

Ms. Dana Higgins, City Engineer said that the proposal helps to hold in the landscaping material and the weep holes will allow the water to flow into the storm drain.

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2012-075 – Granting an encroachment to Heather Digdon and Raymond Torres for installation and maintenance of a stone wall within the right of way area of the 1400 block of Haynesworth Road and the 3700 block of Linwood Road adjacent to 1427 Haynesworth Road, Richland County TMS #13906-11-03.

16. [Ordinance No.: 2012-076](#) – Granting a Franchise to Derek Gamble d/b/a Dogs on the Go, LLC for operation of a stationary sidewalk vending cart on the mid-block pad of the northwestern side of 1100 block of Gervais Street – *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.: 2012-076 – Granting a Franchise to Derek Gamble d/b/a Dogs on the Go, LLC for operation of a stationary sidewalk vending cart on the mid-block pad of the northwestern side of 1100 block of Gervais Street.

17. [Ordinance No.: 2012-078](#) – Amending Ordinance 2011-054 granting encroachment to the University of South Carolina for use of the right of way areas of the 700 block of Assembly Street, 1000 block of Greene Street and 700 block of Park Street adjacent to the Darla Moore School of Business, Richland County TMS #08915-08-01 for installation and maintenance of landscaping; irrigation systems; sidewalks; concrete drop-off drives; service drive; storm drainage junction boxes; catch basin pipe; sanitary sewer service manholes and piping; water service valves; fire hydrant and piping; and "soil nails" (steel reinforcing bars) to include chilled water vaults, supply and return lines; gas service lines; rainwater harvesting system tank and new high pressure steam and condensation lines – *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.: 2012-078 – Amending Ordinance 2011-054 granting encroachment to the University of South Carolina for use of the right of way areas of the 700 block of Assembly Street, 1000 block of Greene Street and 700 block of Park Street adjacent to the Darla Moore School of Business, Richland County TMS #08915-08-01 for installation and maintenance of landscaping; irrigation systems; sidewalks; concrete drop-off drives; service drive; storm drainage junction boxes; catch basin pipe; sanitary sewer service manholes and piping; water service valves; fire hydrant and piping; and "soil nails" (steel reinforcing bars) to include chilled water vaults, supply and return lines; gas service lines; rainwater harvesting system tank and new high pressure steam and condensation lines.

18. [Ordinance No.: 2012-083](#) - Repealing encroachment ordinances 2003-014 to The Cock Pit and 2007-023 to Good Times Unit 3, Inc. for outdoor dining at 805 Harden Street – *Approved on first reading.*

Mr. Kenneth E. Gaines, City Attorney explained that these businesses are closed and the new owner has applied for an encroachment.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2012-083 - Repealing encroachment ordinances 2003-014 to The Cock Pit and 2007-023 to Good Times Unit 3, Inc. for outdoor dining at 805 Harden Street.

RESOLUTIONS

19. [Resolution No.: R-2012-035](#) – Authorizing consumption of beer and wine at the SC Pride Festival 2012 on Main Street – *Approved*

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2012-035 – Authorizing consumption of beer and wine at the SC Pride Festival 2012 on Main Street.

20. [Resolution No.: R-2012-081](#) – Authorizing Condemnation of a 3.824 acre portion of Richland County TMS #16200-01-04 for Construction of a Sanitary Sewer Main from I-77 to Blaine Street to Eliminate the Burnside #1 & #2 Lift Stations; CIP #SS7076-02; CF #250-301– *Approved*

Upon a motion made by Mr. Newman and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2012-081 – Authorizing Condemnation of a 3.824 acre portion of Richland County TMS #16200-01-04 for Construction of a Sanitary Sewer Main from I-77 to Blaine Street to Eliminate the Burnside #1 & #2 Lift Stations; CIP #SS7076-02; CF #250-301.

21. [Resolution No.: R-2012-086](#) – Authorizing the City Manager to execute a Retainer Agreement with W. Ronald Bonds, Esquire to represent the City of Columbia in a class action lawsuit to recover unpaid tourism development fees from online travel companies – *Approved*

Upon a motion made by Mr. Runyan and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2012-086 – Authorizing the City Manager to execute a Retainer Agreement with W. Ronald Bonds, Esquire to represent the City of Columbia in a class action lawsuit to recover unpaid tourism development fees from online travel companies.

22. [Resolution No.: R-2012-087](#) – Authorizing consumption of beer and wine at the South Carolina Oyster Festival in the 1600 block of Blanding Street – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2012-087 – Authorizing consumption of beer and wine at the South Carolina Oyster Festival in the 1600 block of Blanding Street

23. [Resolution No.: R-2012-088](#) – Permitting the Police Department to collect money for Special Olympics South Carolina – *Approved*

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2012-088 – Permitting the Police Department to collect money for Special Olympics South Carolina.

APPOINTMENTS

24. Capital City/Lake Murray Country Regional Tourism Board

Upon a motion made by Mr. Newman and seconded by Mr. Davis council voted unanimously approve the appointment of Mr. Cameron A. Runyan to the Capital City/Lake Murray Country Regional Tourism Board as an Ex-Officio member.

25. [Hospitality Tax Advisory Committee](#) *This item was deferred.*

Mayor Benjamin requested that these positions be re-advertised for a two (2) week period.

APPEARANCE OF THE PUBLIC

Rev. Terry Roberts, Trinity Assembly of God appealed the Council for consideration of their water bill which has increased by \$500.00 over the last month. He spoke with the City's water department and was told that it was due to the recent rate increase. He said that they were required to install a 6" water meter, which is the bulk of their water bill representing over a 100% increase. He noted that they are a non-profit with a new community outreach program and other programs that target single mothers. He said that the rate increase makes their work much more difficult.

Mayor Benjamin said that he has received numerous communications in this regard. He asked the City Manager to look at any nuances that are being experienced with the new billing system.

Mr. Steven A. Gantt, City Manager agreed to have the consultant review this matter with staff. A report will be provided to Council in October.

Ms. Katie L. Riley appeared before the members of Council to respectfully ask Council for help on Mt. Vernon Street where she has a business. She reported a series of incidents with neighbors to include a robbery and a shooting in August. She said that the Police have been called to one residence on 52 occasions. She further reported concerns at a residence on the corner of Glendon and Lorick and asked that the house be boarded up.

Councilor Davis added that he did go by Mt. Vernon on the day of the shooting and the officers will continue communicating with the neighbors. He feels that officers should not make contact with property owners. Property owners should receive a letter and be put on notice when incidents occur. There needs to be a review of the current process. This is a pocket within the neighborhood that is causing problems.

Councilor Plough said that it is a public nuisance and the property owner should be notified.

Upon a motion made by Ms. Plough and seconded by Mr. Newman, Council voted unanimously to refer a review of the temporary sign ordinance to the Economic and Community Development Committee.

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to reconvene the Executive Session at 12:57 p.m.

- **Council adjourned the Executive Session at 1:25 p.m.**

Respectfully submitted by:

Erika D. Moore
City Clerk