

**CITY OF COLUMBIA CITY COUNCIL
WORK SESSION MINUTES
MARCH 5, 2013 – 2:00 P.M.
EAU CLAIRE TOWN HALL
3905 ENSOR AVENUE**



The Columbia City Council met for a Work Session on Tuesday, March 5, 2013 at the Eau Claire Town Hall located at 3905 Ensor Avenue, Columbia South Carolina. The Honorable Sam Davis called the meeting to order at 2:16 p.m. The following members of Council were present: The Honorable Leona K. Plough, and The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable Tameika Isaac Devine arrived at 2:18 p.m. The Honorable Mayor Stephen K. Benjamin and The Honorable Brian DeQuincey Newman were absent. Also present were Ms. Teresa B. Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

CITY COUNCIL DISCUSSION / ACTION

1. [Columbia Tree and Appearance Commission Update](#) – Ms. Sara Hollar, Forestry and Beautification Superintendent and Mr. Andy Whitfield, Chair of the Columbia Tree and Appearance Commission – *Consideration of this item was deferred.*
2. Update and Timeline on the Busted Plug Sculpture – Mr. S. Allison Baker, Senior Assistant City Manager

Mr. S. Allison Baker, Senior Assistant City Manager reported that two (2) sites are under consideration for the relocation of the *Busted Plug*; geotechnical work must be completed; traffic volumes will be considered; and the artist will be involved in the selection process. He noted that a Request for Proposals (RFP) was issued and submittals are due by March 15, 2013.

Councilor Plough reiterated her request to look at the park as a jewel to ensure that what is done is in keeping with the original plans for the park and to look at future maintenance. She suggested that respondents be provided with the history on the park.

Councilor Baddourah asked about the removal of the sculpture from the existing location.

Mr. S. Allison Baker, Senior Assistant City Manager said that if there is urgency in moving the sculpture, it would have to be stored.

Councilor Davis recalled the Mayor’s desire to meet the July 4th timeline. He noted that site preparations may inhibit that.

- **Councilor Devine arrived at 2:18 p.m.**

Mr. S. Allison Baker, Senior Assistant City Manager said that the design of the feature will determine if fabrications are needed for the mechanical system and that generally takes four (4) to six (6) weeks. He said that the geotechnical information will help in determining the completion date along with the design of the actual fountain or feature. He agreed to provide periodic updates.

Ms. Teresa Wilson, City Manager inquired about funding.

Councilor Baddourah noted that \$25,000 is available.

Mr. S. Allison Baker, Senior Assistant City Manager said the amount was capped at \$350,000 in the RFP and staff would need to identify a funding source.

Ms. Teresa Wilson, City Manager added that the Arts and Historic Preservation Committee has discussed the possibility of funding this as a legacy project, which would use hospitality tax dollars. She said this would be something for Council to discuss.

Councilor Baddourah asked that Mr. Gantt share his initial thoughts on the funding needed to relocate the plug.

Ms. Teresa Wilson, City Manager agreed, but noted that the initial funding was for relocation and doesn't address the expenses for a splash pad.

3. [Funding Request from Epworth Children's Home](#)

Councilor Devine recalled that she presented this funding request to Council a few weeks ago and that the funding is for a capital campaign that was initially presented by former Councilman Daniel Rickenmann in June. She said there was a discussion of this Council, but not a vote. She said that Council funded many requests, but Epworth was not on the list. She noted that Mr. Gantt suggested funding this from the \$75,000 Council Contingency Account. She asked that this Council fund Epworth from that contingency in the amount of \$22,000, unless the City Manager had a different suggestion.

Ms. Teresa Wilson, City Manager distributed new projections for Community Development Block Grant (CDBG) funding, while reserving the right to cut allocations pending the outcome of the Sequestration.

Mr. Daniel Rickenmann, former City Councilman recalled that in June 2012, he asked that Epworth be fully funded for transitional housing for teens. He noted that they weren't fully funded from CDBG.

Councilor Devine noted that Epworth did receive some money from Richland County and CDBG for this year.

Councilor Plaugh stated that this is a very worthwhile project. She expressed concerns about utilizing the funding that was set aside for an external auditor, because the audit function would be helpful to the new City Manager. She recalled that it was an internal position that was eliminated and Council decided to move forward with an auditor through a contract.

Councilor Baddourah concurred. He asked that Council revisit the decision and look at cost estimates. He asked if the remaining funds could be used for auditing if we decide to do it this fiscal year.

Councilor Devine said that the function is important and the Budget Committee will be looking at the audit function with feedback from the City Manager and City Council.

Ms. Teresa Wilson, City Manager clarified that there wasn't an allocation to Epworth from CDBG in 2011/2012; there was a \$60,000 allocation in 2010/2011 and they have been steadily drawing that down.

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted four (4) to one (1) to approve an allocation in the amount of \$22,000 to Epworth Children's Home from the Council Contingency Fund with the understanding that the City Manager and staff may identify an alternate funding source. Voting aye were Mr. Davis, Ms. Devine, Mr. Runyan and Mr. Baddourah. Ms. Plaugh voted nay.

4. [Information Technology Update](#) – Mr. S. Allison Baker, Senior Assistant City Manager

Mr. S. Allison Baker, Senior Assistant City Manager reported that Council approved a recommendation in 2012 to hire a contractual Chief Information Officers (CIO) from a private company rather than hiring an IT Director. He provided an overview of the creation and evolution of the Information Technology Department.

Ms. Elisa Limbaugh, CIO highlighted the projects that the IT department has completed and is currently working on; she discussed the role of IT along with its accomplishments and hindrances.

Mr. Philip Weinbach, GIS Coordinator explained that the city's GIS data will be unique. He said that the parks locator will locate parks near your address with any number of distinct amenities; citizens will be able to identify their council person; there will be a government services layer, which will tell you what day your garbage and recycling is picked up; and you can determine where the nearby police and fire stations, post offices and hospitals are located.

Ms. Elisa Limbaugh, CIO indicated that the upcoming business license data will allow individuals to remit online business license payments, renewals and taxes; submit changes to business license information; and print payment coupons.

Mr. S. Allison Baker, Senior Assistant City Manager asked if there is an opportunity to collaborate and share information with GIS staff in other municipalities. He asked if they could be combined with other municipalities.

Mr. Philip Weinbach, GIS Coordinator responded that there are opportunities to share information, but because each entity offers different services it would not be wise to consolidate. He said that consolidating would lessen our efforts to give citizens more detailed information.

Councilor Davis asked if Council will be given recommendations for collaboration efforts.

Ms. Elisa Limbaugh, CIO replied yes.

Councilor Runyan asked if GIS is just data points segregated by layers. He sought to understand what the hindrance is.

Mr. Philip Weinbach, GIS Coordinator elaborated that the county does not maintain our data nor do they go out and label all of our water meters, fire hydrants and other tangibles. He noted that in past efforts the county requested funding in order to share information, whereas with the Lexington County we have an agreement and we openly share data.

Ms. Elisa Limbaugh, CIO continued to review the projects that IT is currently working on. She recommended that IT staff become more proactive than reactive. She reported that a proposal was submitted during the budget process for the creation of a project management office that would help guide the projects.

Ms. Teresa Wilson, City Manager stated that in sharing her ideas for the Chief Financial Officer with Council she said that the CFO would eventually oversee IT, Finance and also the project management piece underneath it. She noted that this proposal validates the need for that type of office and they proposed a structure and budget for that piece.

Councilor Plaugh asked if there is a community that has successfully employed these concepts.

Ms. Elisa Limbaugh, CIO replied yes; Mike Ujcich, CIO has worked with Lexington County for the past six (6) years.

Mr. Mike Ujcich, CIO Lexington County reported that since he's been at Lexington County, they have implemented these ideas.

Councilor Plaugh asked if there were any cities.

Councilor Devine replied yes. She reported that she recently attended a leadership class with the National League of Cities (NLC) on what different IT departments are doing.

Councilor Baddourah inquired about a security system to protect citizens and vendors.

Ms. Elisa Limbaugh, CIO acknowledged that there was a request to have a security specialist position for a few years to focus solely on that, because security is an element that is considered with every project.

Councilor Runyan said that IT is the most important department in the city; it's involved in every department in the city; if it's not excellent, then the city is not excellent. He suggested that the city look at the history of technology as it grows, evolves and matures so that we can continue to use technology in an era of flat line budgets and to increase efficiencies in our city.

5. [Sanitary Sewer Overflows](#) (SSOs) – The Honorable Tameika Isaac Devine

Councilor Devine reported that in last week's Environmental and Infrastructure Committee meeting the Congaree River Keeper expressed concerns about the recent sanitary sewer overflows that occurred and the committee asked that staff give Council quarterly updates on this matter.

Mr. Bill Davis, Wastewater Engineer stated that SSOs are discharges of raw sewage into the system. He explained how they occur, what causes chronic overflows; and what happens when one occurs.

Councilor Plaugh asked how old our lines are.

Mr. Joey Jaco, Director of Utilities and Engineering replied most of downtown is over 50 years old; a lot of the system was built in the 1970s when they used concrete pipe and this piping is now wearing out. He noted that the newer system uses plastic or PVC.

Councilor Plaugh inquired about the system in North Main Street.

Mr. Bill Davis, Wastewater Engineer explained that the Eau Claire area was built in the 1930s and the city took it over in the early 1970s. He reported that up to 75,000 SSOs occur in the nation annually. He explained the impacts of the SSOs. He said that one small leak could cost the city \$300-\$500, using one to two employees to clean it up. He estimated that an overflow over 5,000 gallons, would cost the city \$4,000. He said that we can now track our costs through City Works. He showed maps highlighting SSOs for the prior fiscal year and for the first 6 months of this fiscal year. He stated that the city is one of the very few cities in the state, under permit criteria given to us by the EPA that stipulates we have to report every single drop that spills. He noted that other municipalities only have to report 500 gallons or more. He reported that we had eighteen (18) overflows last year and only six (6) for the first half of this year. He explained that three (3) spills occurred in February. He said that once crews are notified, they are sent to assess the situation and determine what they will need in equipment and personnel; they will also make all the notifications; and DHEC receives the final report within five (5) days. He explained how the notification process works and when media is contacted. He listed the different causes of SSOs including non-accidental, blockages and extreme rain storms.

Mr. Joey Jaco, Director of Utilities and Engineering outlined the projects currently being undertaken and future projects that will upgrade the system. He noted that we have a capacity insurance program for developers that wish to tie into our system.

Councilor Plaugh asked how that ties into the city being business friendly.

Mr. Joey Jaco, Director of Utilities and Engineering explained that they are currently doing a hydrolytic model of the system; once that model is in place, we can build separate systems that check capacity to our system; and this will help build more program process with quicker responses.

Councilor Baddourah asked if we had been penalized by DHEC for any overflows.

Mr. Joey Jaco, Director of Utilities and Engineering said that he was not aware of us being fined.

Mr. Joey Jaco, Director of Utilities and Engineering reported that the spill at the Congaree was created by the contractor.

Councilor Devine concluded that the River Keeper wanted Council to be mindful that we have knowledgeable staff that is looking at reducing SSOs and we have a CIP that's in place. She noted that they want us to have periodic reviews of the CIP and as we are contemplating budgets and rate increases, to also be mindful of the full picture of all of our actions as it relates to the strategic plan, making sure we reduce SSOs and keeping our system healthy.

6. Proposed Policy for the Judicial Selection Process –*Consideration of this item was deferred.*
7. Adopting City of Columbia Police Department's [Emergency Vehicle Operation and Motor Vehicle Pursuit Policy](#) and the City of Columbia [Response to Resistance Policy](#)

Police Chief Randy Scott, Columbia Police Department provided an update on the Emergency Vehicle Pursuit Policy and Response to Resistance Policy, which was formerly referred to as the Use of Force Policy. He explained that the Emergency Vehicle Response Policy adds and subtracts language including our upgraded firearms and the word Taser, because that's the name brand. He noted that Tasers helped reduce the number of injuries to suspects and have absolutely reduced the number of injuries to officers.

Ms. Teresa Wilson, City Manager asked if the question the Solicitor raised had been answered.

Police Chief Randy Scott, Columbia Police Department replied yes; we worked through the entire process with the City Attorney's Office.

Councilor Baddourah asked if this is the same practice used by other cities in the country.

Police Chief Randy Scott, Columbia Police Department stated that this policy is considerably more detailed. He noted that the use of such words as “Probable Cause” has been changed to “Recent Case Log”; it also articulates when officers go for week-long training and limitations of how fast you can go when responding to incidents; and it addresses the chase policy for violent offenders. He noted that the policy is very comprehensive; however it is not concrete, because it’s always changing based on Supreme Court rulings.

Councilor Devine asked if we have the tire deflation devices.

Police Chief Randy Scott, Columbia Police Department said yes, but he found out that is it was never approved and/or officers were not trained by the department. He said they will not allow officers to use the stop stick devices, until training has taken place. He noted that training lasts three (3) days and Council has not approved that part of the policy yet.

Councilor Davis stated that he was relieved when he read the pursuit policy; it does provide guidelines as to when to pursue. He expressed concern for children playing in the street.

Police Chief Randy Scott, Columbia Police Department said that officers must always take into effect the use of due care regardless of what the situation is; that cannot be mitigated.

Ms. Teresa Wilson, City Manager said she was intrigued to learn at a recent community meeting that Captain Navarro and Officer Carrizales attended a training that uses verbal judo. She is interested in the things that officers are doing prior to situations escalating. She said they were extremely excited about the training and were highly favorable of the person who did the training. She expressed support for the trainer coming here to conduct more training.

Police Chief Randy Scott, Columbia Police Department said they are implanting the verbal judo training and continuing the diversity training for our annual certifications of all officers in the department. He reported that officers are in active shooter training; making sure that our officers are up to speed on 2 man quick response active shooting; and we are staying on top of training and making sure our officers stay in the forefront. He expressed gratitude to the City Manager and Council for helping make sure his officers are provided the assets they need to be able to continue their training; without a trained officer it’s a train wreck.

Councilor Runyan asked about verbal judo.

Police Chief Randy Scott, Columbia Police Department described verbal judo as a non-physical way of verbally reducing confrontations; it’s being able to talk a person down. He explained that if a person is agitated there are certain tactics from a verbal standpoint that can be used to calm a person down and alleviate the situation without contact. He said that they won’t have to deploy a Taser or OC (Pepper) spray.

Councilor Plough asked why they eliminated the check for off duty weapons.

Police Chief Randy Scott, Columbia Police Department stated that the off duty weapons must be certified annually. He stated that when an officer comes his weapon is checked into the National Crime Information Center (NCIC). He noted that a lot of rules and logic were unnecessary or redundant. He said there is also a change in weapons from a .45 with 8 rounds to the FN with 18 rounds; an undercover officer cannot carry a .45, because it cannot be concealed.

Councilor Plaugh expressed concerns about removing the time restriction requirements for reporting. She wondered if we are deleting the reporting of information to the Chief.

Police Chief Randy Scott, Columbia Police Department stated that the reporting for the Response to Resistance Policy is more stringent. He clarified that if they have an incident of less lethal or use of lethal weapon, they must have the report completed and turned in by the end of the shift so that it can be turned into Internal Affairs (IA) by 8 a.m. the following morning.

Councilor Plaugh said that we are loosening up the time restriction required for submission to the Chief. She said that sections 1, 11, and 13 eliminate the time requirement for submission to the Chief.

Police Chief Randy Scott, Columbia Police Department responded that IA was not receiving use of force reports; they are reporting all of those to me.

Assistant Chief Leslie Wisler, Columbia Police Department explained that each section had a requirement that a report be submitted strictly by 8 a.m. the next morning; in order to make sure that we had factually correct reports, it now states a reasonable period of time. He further explained that it does not mean that it's an indefinite period of time; it just means that it needs to get there quickly and promptly, but it also needs to be accurate. He noted that given whatever time the incident occurred, we want to make sure that the right people got the right information, and that we have a quick and accurate report for the Chief. He added that there are other reporting mechanisms in place such as staff duty reports and the Chief gets a call every day at 6 a.m. about every incident that occurred. He noted that the Use of Force Report is more formal and we want it to be right and legally defensible.

Ms. Teresa Wilson, City Manager noted that the policy states that the report will be completed prior to the end of the officer's shift.

Assistant Chief Leslie Wisler, Columbia Police Department reviewed the reporting requirements in section 13. He noted on page 17, IA will conduct an independent investigation and that a report has to be done as soon as practical to do so.

Police Chief Randy Scott, Columbia Police Department added that there is no report as far as the use of force or pursuit that would not come to his office. He said that it also adds the K9 Unit, which was not previously included.

Assistant Chief Leslie Wisler, Columbia Police Department referenced page 15, which states “as soon as it is practical to do so” in terms of submitting reports.

Councilor Plaugh asked if that practicality is determined by the Chief.

Assistant Chief Leslie Wisler, Columbia Police Department replied yes.

Police Chief Randy Scott, Columbia Police Department added that in a deadly use of force situation, if it occurred late it would be hard determining that the report is due at 8 am.

Councilor Plaugh suggested that the language should include “as determined by the Chief” to follow “as soon as it is practical to do so”.

Councilor Baddourah asked about the current practice.

Police Chief Randy Scott, Columbia Police Department said that it varies; if it’s a use of force report all reports have to be done by the end of the shift or it may be a deadly force or extensive report that takes a while. He reiterated that he receives a call very morning about what has happened.

Councilor Davis acknowledged that the wording will be changed to reflect the concerns discussed and the changes will be added to the motion during the Council meeting.

8. [Policy for Term Limits for Members of City Boards](#) – The Honorable Leona K. Plaugh

Councilor Plaugh said there are a number of appointments on the regular meeting agenda and the current policy is rigid. She said they struggle to find balance of having some continuity and depth and bringing in new opportunities for service. She referred to the Midlands Authority for Conventions, Sports and Tourism and Hospitality Tax Advisory Committee (HTAX). She said she didn’t have a solution per se, but thought about extending some of the terms. She sought to bring this to the table for discussion.

Councilor Devine recalled the thought behind the policy was to address the fact that several people had been serving for lengthy time periods and on several boards and Council wasn’t able to open it up to new people. She asked the City Attorney if Council could make exceptions without a resolution.

Mr. Kenneth E. Gaines, City Attorney suggested that the resolution be revised to provide that flexibility.

Councilor Baddourah asked if individuals can serve on more than one board. He asked for an inventory on how many people are currently serving on more than one board.

Councilor Devine replied no. She explained that Community Promotions and the Empowerment Zone were exempted, because there were certain positions on those boards

and commissions that called for people to serve on them. She said this no longer applies. She noted that if someone applies to serve on another board they will typically resign from the current board.

Ms. Connie Lucius, Office of the City Clerk added that currently, there are only two (2) individuals serving on multiple boards.

Ms. Teresa Wilson, City Manager asked that the language include appointees being elected as officers of that board. She referenced the Central Midlands Council of Governments (CMCOG) Board.

Councilor Plaugh requested that we incorporate language that would allow extended terms if they are moving into a leadership role.

Ms. Teresa Wilson, City Manager stated that the CMCOG and the Airport District Commission have multiple entities that serve as chair on a rotation basis.

Councilor Plaugh stated that she would hesitate to go down a path where we knowingly are going to violate a policy when there are some problems with the policy that needs to be tweaked.

Councilor Davis suggested that there may not be a problem with the policy; maybe Council hasn't been as expeditious in making appointments.

Councilor Baddourah noted that there have been times when we haven't had a lot of applicants; we re-appoint a lot of people because there is no one out there to serve.

Councilor Davis polled Council asking if they should proceed with appointments as planned until the policy has been tweaked.

▪ **Mayor Benjamin arrived at 4:49 p.m.**

Councilor Devine suggested that they repeal the policy tonight; make the appointments; and then come back with an amended policy. She said that she supports the policy. She agreed that there are situations that arise that you may want to carve out an exception at Council's discretion.

Councilor Plaugh suggested that they add something that gives Council the ability to grant an exception and then ask the City Attorney to refine it, but she's not supportive of throwing the whole thing out.

Councilor Davis suggested that they move forward with the understanding that the policy will be tweaked.

Mayor Benjamin said the purpose of the policy is to get out of the habit of appointing the same people to serve on boards and commissions and recognizing that we have many talented individuals all across this City that are willing to serve. He said ascension into a leadership role might be an exception. He noted that some boards have not been staggered and we are staggering terms so we don't cycle everyone off at the same time. He said it can't be at Council's discretion if we are going to have a policy. He said the policy preceded him, but it was the right thing to do then and we should stick with it.

Ms. Teresa Wilson, City Manager asked the City Attorney to provide a description of exceptions.

Mr. Kenneth E. Gaines, Esq., City Attorney inserted "Unless City Council determines in its discretion that the appointee brings unique characteristics beneficial to..."

Ms. Teresa Wilson, City Manager said it's too broad.

Mayor Benjamin suggested that they proceed with the appointments that are in compliance with the policy and then work to update it by next week.

Councilor Davis asked that they review the caveat that says unless otherwise permitted by the by-laws of that committee.

Mayor Benjamin suggested that they hold appointments to the Election Commission, Midlands Authority and the Hospitality Tax Committee until they figure out how to stagger the terms and not have everyone rotate off at the same time.

**Councilor Devine announced that Ms. Barbara Scott has passed away.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to go into Executive Session at 5:01 p.m.

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

▪ **Council adjourned the Work Session at 6:00 p.m.**

Respectfully submitted by:

Erika D. Moore
City Clerk



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 5, 2013
6:00 P.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE

The Columbia City Council conducted a Council Meeting on Tuesday, March 5, 2013 at the Eau Claire Print Building located at 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:10 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable Brian DeQuincey Newman was absent. Also present were Ms. Teresa B. Wilson, 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

Father Anthony Giunta offered the Invocation on behalf of the Columbia Police Department.

Councilor Plough led a moment of silence in remembrance of Mrs. Barbara Scott, Richland School Board Commissioner and Mrs. Beaudell Stevenson Hendrix, the grandmother of City Manager Teresa Wilson.

PET OF THE WEEK

Ms. Marli Drum, Superintendent of Animal Services introduced Gimli as the Pet of the Week. This sweet little guy is already 10 months old, so he isn't going to get much bigger. All adult animals are half price for the entire month of February. All animals are spay/neutered, micro-chipped, vaccinated and wormed. Canines are tested for heartworms and felines are tested for feline leukemia/aids. To view other animals available for adoption, visit www.petfinder.com . For more information, visit the Columbia Animal Shelter at 127 Humane Lane or call (803)776-7387.

ADOPTION OF THE AGENDA

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve the adoption of the agenda, subject to deferring consideration of Item 15, which is the consideration of Capital Improvement Projects SD8347 and SR8039; Roadway Improvements to Gills Creek.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

***Amendment to the Agenda*

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APPROVAL OF MINUTES

Upon a single motion made by Ms. Plaugh and seconded by Ms. Devine, Council voted unanimously to approve the Council Meeting Minutes for February 5 and 19, 2013.

1. Minutes of February [5](#), 2013 Council Meeting – *Approved as presented.*
2. Minutes of February [19](#), 2013 Council Meeting – *Approved as presented.*

PRESENTATIONS

- 2a. ****Columbia Firefighter Appreciation Month – Fire Chief Aubrey Jenkins**

Mayor Benjamin and the members of Council proclaimed March 2013 as Columbia Firefighter Appreciation Month in the City of Columbia.

Ms. Tara Heil, Executive Director of the Columbia Muscular Dystrophy Association said that the Firefighters partnered with MDA from the beginning of the organization and over the past 60 years continue to raise more money to fight neuromuscular disease than any other sponsor. The Columbia Fire Department lives up to that tradition with the annual Boot Drive on March 20-22, 2013 at intersections in Columbia and Richland County. The funds will be used to assist local families with flu shots, repairs to medical equipment, visits to the MDA medical clinic and the MDA summer camp.

3. [Recognition of Mr. Ryan Coleman, Business Liaison for the Office of Economic Development](#) – Mr. Jim Gambrell, Director of Economic Development

Mr. Jim Gambrell, Director of Economic Development recognized Mr. Ryan Coleman, Liaison for the Office of Economic Development for earning the designation of Certified Economic Developer from the International Economic Development Council. This national recognition denotes a mastery of principal skills in economic development, professional attainment and a commitment to personal and professional growth. There are only two individuals in South Carolina that have passed the exam in the last two years. Approximately 231 people in South Carolina are involved in economic development, but there are only twenty-two certified economic development designees in the State of South Carolina.

4. Introduction of [Widows of Opportunity](#) – Ms. Kimberly Richardson, President of Widows of Opportunity

Ms. Kimberly Richardson, President of Widows of Opportunity spoke openly about the tragic loss of her husband and the need for support. She started this organization to support, educate and help widows cope with the loss of a spouse. Widows of Opportunity have support group meetings to allow widows to come together to share their stories and learn effective coping skills. She partners with funeral homes and the military. She said that widows are often forgotten and it's time for people to help them.

5. Together We Can Read 2013 – The Honorable Tameika Isaac Devine

Councilor Devine announced the fifth Annual Together We Can Read initiative in collaboration with Richland School District One. In hopes of cultivating a love for reading, over 100 community leaders will read *Dave the Potter* to all Richland One third graders on March 21, 2013 at 9:00 a.m. *Dave the Potter* by Laban Carrisk is a factually based book on Dave, who was a slave from Edgefield, South Carolina. Dave understood how important literacy was and used his skill in pottery to carve writings on stoneware. On the cover is a photograph of Darren McLeod, a great local storyteller. In addition to leaving a copy of the book with every third grader, a book will be left for each school library.

Commissioner Jamie Devine, Chairman of the Richland One School Board thanked the members of Council for their continued support of the school district and the community. He invited the public to read in Richland One schools, 180 days a year.

6. Update on Richland One – Dr. Percy Mack, Richland School District One Superintendent

Dr. Percy Mack, Richland School District One Superintendent thanked City Council for their support. He presented the “Building a Foundation for New Millennium Learners”. He stated that the focus is academic and student achievement. Dr. Mack highlighted the significant progress made within the district since 2008. He reported that Richland One received a grade of 89.6% on its federal report card; the Class of 2012 received a record high \$55.3 million in scholarships; two students received the Gates Millennium Scholarship; and the district has an AA+ credit rating.

7. [2013 Community Development Marketing Campaign for Housing Loan Programs](#) – Ms. Deborah Livingston, Director of Community Development

Ms. Deborah Livingston, Director of Community Development presented the 2013 Community Development Marketing Campaign for the housing loan programs. She said that the Community Development Department has been lending for over 35 years. She reported that the total amount of the first two initiatives was \$101 million with \$25 million from the city and \$75 million from the partner banks. She thanked the partner banks for their participation and for funding this marketing campaign. The third initiative

began in 2012 with the following participating banks committing a total of \$20 million: BB&T (\$10 million), First Citizens (\$2.2 million), NBSC (\$4.5 million), South Carolina Bank & Trust (\$2.2 million) and Security Federal (\$1million). In 2012, they loaned \$1.8 million through 17 loans. The city’s participation was \$394,000. This year, the goal is to close 74 loans. She unveiled the new marketing materials that were created by Post No Bills. The Columbia Housing Authority’s Rosewood Hills Community is featured in the marketing brochures, which are in English and Spanish. Also, in partnership with Lamar Advertising billboards will be placed throughout the city. They partnered with WLTX for a 15 second commercial airing 22 times during March Madness; a spotlight segment on March 6, 2013 at noon; and other advertising tools. She acknowledged and thanked the Community Development staff and other city staff for their assistance.

Ms. Doris Blocker, NBSC said they’re proud to be partners with the City of Columbia and this initiative. She said in these times when you find lenders not wanting to make loans, it’s refreshing to find somebody who is. She announced that they closed a loan yesterday for a very happy young lady.

Ms. Tracee Crocker, BB&T said they’ve been partners with the city for over ten years and it is a wonderful program to allow first time home buyers to secure homeownership with little or no money down and no private mortgage insurance; it’s a phenomenal program. She congratulated Ms. Livingston on the marketing campaign.

Mr. Tommy Harris, First Citizens Bank said they have been working with the city on this program for over 30 years. He has been involved for over 16 years and has seen the evolution of these programs. He said the city has great staff that screens all applicants before they come to the lenders.

Mr. Nate Barber, SCB&T said they look forward to participating in the program again. He recalled starting with the bank in 2003 and writing the first letter committing SCB&T to \$7.5 million. He said they are looking forward to great things.

OTHER MATTERS

8. [Neighborhood Street Lighting Requests](#) - *Approved*

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Increased Amount	Total Year to Date
<u>The Gates Condos</u> located on Shop Road	1	1	\$118.92	\$118.92	\$17,468.88
<u>Gills Creek Parkway</u> between Rosewood Drive Extension and High Hill Circle	12	3	\$0.00	\$637.56	\$18,106.44
<u>Lester Drive</u> between High Circle and Bay Shell Drive	9	6	\$1,070.28	\$713.52	\$18,819.96

Upon a single motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve the street lighting requests for The Gates Condos located on Shop Road; Gills Creek Parkway between Rosewood Drive Extension and High Hill Circle; and Lester Drive between High Circle and Bay Shell Drive.

CONSENT AGENDA

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 9** through **14** and **16** through **18**.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

9. Council is asked to approve [Repairs to the Multistage Centrifugal Blower](#), as requested by the Wastewater Treatment Plant Division. Award to Gardner Denver Centrifugal Products, Inc., as a Sole Source in the amount of \$63,555.20. This vendor is located in Peachtree City, GA. *Funding Source: Wastewater Treatment Plant, Operations, Testing and Maintenance, 5516208-631800 - Approved*
10. Council is asked to approve [Mentor Protégé Program Project SS7230-12](#); Sanitary Sewer Easement Herbicide Treatment Annual Maintenance Contract, as requested by Utilities and Engineering. Award to Naturchem, Inc. (Mentor), the lowest, responsive and responsible bidder in the amount of \$59,350.00 with a project contingency of \$11,870.00 for a total amount of \$71,220.00. This vendor is located in Lexington, SC. *Funding Source: Sanitary Sewer Maintenance Fund, 5516212-638200 – Note: Gregory Landscape Services (Protégé) is implementing 45% (\$26,707.50) of the contract value. The original budgeted amount for this service is \$250,000.00 – Approved*
11. Council is asked to approve a [One Year Contract Extension for a Chief Information Officer to assist the Information Technology Department with guiding strategic decisions and system implementations](#). Award to Advanced Automation Consulting, Inc. of Irmo, SC in an amount not to exceed \$150,000.00. *Funding Source: Information Technology; 1011120 – Approved*
12. Council is asked to approve [Mentor Protégé Program Project SS7093-12](#); Sanitary Sewer Wet Well Cleaning Annual Maintenance Contract, as requested by Utilities and Engineering. Award to McClam and Associates, Inc. (Mentor), the lowest, responsive and responsible bidder in the amount of \$340,200.00 with a project contingency of \$65,000.00 for a total amount of \$405,200.00. This vendor is located in Little Mountain, SC. *Funding Source: Sanitary Sewer Maintenance Fund, 5516212-638200 – Note: Patriot Construction, Inc. (Protégé) is implementing 5% (\$17,010.00) of the contract value. The original budgeted amount for this service is \$500,000.00. - Approved*
13. Council is asked to approve the [Purchase of One \(1\) Pierce Truck with a Pump Body](#), as requested by the Fire Department. Award to Spartan Fire and Emergency Apparatus, as a Sole Source in the amount of \$435,331.00. This vendor is located in Roebuck, SC. *Funding Source: Capital Replacements/Auto, Trucks, Heavy Equipment-Capital, 6308972-658500 - Approved*

14. Council is asked to approve the [Purchase of One \(1\) Pierce Truck with a Rescue Cab](#), as requested by the Fire Department. Award to Spartan Fire and Emergency Apparatus, as a Sole Source in the amount of \$595,286.00. This vendor is located in Roebuck, SC. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment-Capital, 6308972-658500- Approved*
15. Council is asked to approve [Capital Improvement Projects SD8347 and SR8039](#); Roadway Improvements to Gills Creek, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible bidder in the amount of \$746,134.30 with a 10% project contingency (\$74,613.43) for a total amount of \$820,747.73. This vendor is located in Little Mountain, SC. *Funding Source: CIP Improvement Fund, SR803901-658660 – **Note:** The original budgeted amount for this project is \$830,000. - Consideration of this item was deferred.*

ORDINANCES – SECOND READING

16. [Ordinance No.: 2013-019](#) – Repealing encroachment ordinance 2000-035 granting Cat & Cleaver Catering Company placement of three (3) tables and nine (9) chairs for outdoor dining at 1202 Main Street – **Note:** *This establishment is no longer in business – First reading approval was given on February 19, 2013 – Approved on second reading.*
17. [Ordinance No.: 2013-020](#) – Repealing encroachment ordinance 98-038 to Schlotzsky’s Deli for four (4) tables and eight (8) chairs for outdoor dining at 1324 Main Street – **Note:** *This establishment is no longer in business – First reading approval was given on February 19, 2013 – Approved on second reading.*
18. [Ordinance No.: 2013-021](#) – Repealing encroachment ordinance 98-027 to LaVecchia’s Seafood Grille for thirty-two (32) chairs. Six (6) barstool, eight (8) traditional tables and three (3) high-boy tables for outdoor dining in the 1200 block of Laurel Street adjacent to its building at the corner of Laurel Street and Main Street – **Note:** *This establishment is no longer in business – First reading approval was given on February 19, 2013 – Approved on second reading.*

ORDINANCES – FIRST READING

19. [Ordinance No.: 2013-026](#) – Amending ordinance 2013-007 annexing 841 Sparkleberry Crossing Road, Richland County TMS# 25705-07-31 to reflect the correct address of the property as 841 Sparkleberry Lane, Richland County TMS# 25705-07-31 – *Approved on first reading.*

Councilor Plaugh asked the City Attorney if they needed to correct the zoning.

Mr. Kenneth E. Gaines, Esq., City Attorney said no; the zoning is okay.

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-026 – Amending ordinance 2013-007 annexing 841 Sparkleberry Crossing Road, Richland County TMS# 25705-07-31 to reflect the correct address of the property as 841 Sparkleberry Lane, Richland County TMS# 25705-07-31.

20. [Ordinance No.: 2013-030](#) – Granting Easements to East Richland County Public Service District along a portion of City-owned properties identified as Richland County TMS #11000-01-10 and TMS #11000-01-11 (near the Metro Wastewater Treatment Plant) and Richland County TMS #13508-02-01 (Columbia Industrial Park) for Construction of a Sanitary Sewer Force Main; CF #250-317– *Approved on first reading.*

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2013-030 – Granting Easements to East Richland County Public Service District along a portion of City-owned properties identified as Richland County TMS #11000-01-10 and TMS #11000-01-11 (near the Metro Wastewater Treatment Plant) and Richland County TMS #13508-02-01 (Columbia Industrial Park) for Construction of a Sanitary Sewer Force Main; CF #250-317.

RESOLUTIONS

21. [Resolution No.: R-2012-083](#) – Authorizing the reopening of the portion of Lester Drive located between High Circle and Bailey Street and installation of speed humps - *Approved*

Mayor Benjamin asked if Mr. Newman had any comments on this item.

Ms. Teresa Wilson, City Manager said not that she is aware of. She explained that a Resolution is being done as a formality going forward.

Mayor Benjamin noted that there were a number of different community concerns raised around this issue. He noted that they previously voted to add lighting; the city is installing speed humps; and this ensures that public safety and the public have various ways of egress and ingress to the property.

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2012-083 – Authorizing the reopening of the portion of Lester Drive located between High Circle and Bailey Street and installation of speed humps.

22. [Resolution No.: R-2013-010](#) – Adopting City of Columbia Police Department's Emergency Vehicle Operation and Motor Vehicle Pursuit Policy - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2013-010 – Adopting City of Columbia Police Department’s Emergency Vehicle Operation and Motor Vehicle Pursuit Policy.

23. [Resolution No.: R-2013-011](#) – Adopting City of Columbia Response to Resistance Policy - *Approved*

Councilor Plough recommended that where reports are being submitted “as practical by the Chief” be replaced with “as determined by the Chief”. This change will be made in several sections of the policy, because that practicality is determined by the Chief.

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2013-011 – Adopting City of Columbia Response to Resistance Policy, as amended to clarify that reports will be submitted as determined by the Chief.

24. [Resolution No.: R-2013-022](#) – Authorizing consumption of beer and wine only at Five Points Association’s 5 After 5 Concert Series - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2013-022 – Authorizing consumption of beer and wine only at Five Points Association’s 5 After 5 Concert Series.

25. [Resolution No.: R-2013-023](#) – Authorizing Acceptance and Dedication of Streets known as Eastfair Drive (40’ R/W), Eason Court (40’R/W) and Fair Hills Loop (40’ R/W) in Eastfair, Phase 1 to the City of Columbia; Richland County TMS# 19104-15-01 (Portion); CF#297-11 - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2013-023 – Authorizing Acceptance and Dedication of Streets known as Eastfair Drive (40’ R/W), Eason Court (40’R/W) and Fair Hills Loop (40’ R/W) in Eastfair, Phase 1 to the City of Columbia; Richland County TMS# 19104-15-01 (Portion); CF#297-11.

26. [Resolution No.: R-2013-024](#) – Permitting the Fire Department to collect money for the Muscular Dystrophy Association - *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2013-024 – Permitting the Fire Department to collect money for the Muscular Dystrophy Association.

27. [Resolution R-2013-027](#) – Authorizing change of signatures on financial accounts - *Approved*

Upon a motion made by Mr. Runyan and seconded by Ms. Devine, Council voted unanimously to approve Resolution R-2013-027 – Authorizing change of signatures on financial accounts.

28. [Resolution No.: R-2013-029](#) – Approving the honorary naming of the Woodlake Drive Bridge the “Chappelle Heath Manning Bridge” - *Approved*

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2013-029 – Approving the honorary naming of the Woodlake Drive Bridge the “Chappelle Heath Manning Bridge”.

- 28a. ******[Resolution No.: R-2013-030](#) – Approving the honorary naming of the Quail Lane Bridge the “Leila Manning Cart Bridge” - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2013-030 – Approving the honorary naming of the Quail Lane Bridge the “Leila Manning Cart Bridge”.

APPOINTMENTS

29. [Board of Zoning Appeals](#)

Councilor Devine nominated Mr. Silas McMeekin for reappointment, noting that he has served very well. She further noted that members appointed to the land use boards go through training at the city’s expense.

Councilor Baddourah nominated Mr. John Jordan.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to reappoint Mr. Silas McMeekin to the Board of Zoning Appeals for a second five year term.

Councilor Plough said there are a great number of applicants that could serve our city well. She asked that the applicants be encouraged to seek opportunities to serve in other capacities.

30. [Climate Protection Action Committee](#)

Upon a motion made by Ms. Plough and seconded by Mr. Runyan, Council voted unanimously to reappoint Mr. Leon Marsha, III as the District Four representative and Dr. Bruce Coull as the At-large representative to the Climate Protection Action Committee for a second two year term. The consideration of an appointment for District Two was deferred, pending changes to the policy for term limits.

31. [Columbia Housing Authority](#)

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to reappoint Ms. Alexzena Furgess to the Columbia Housing Authority Board of Commissioners for a second term of five years.

32. [Columbia Museum of Art](#)

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to approve the reappointment of Ms. Katherine Davis to the Columbia Museum of Art Commission for a second five year term.

33. [Columbia Music Festival Association](#)

Upon a motion made by Ms. Devine and seconded by Ms. Plough, Council voted unanimously to approve the reappointment of Ms. Martha Fowler for a second four year term to the Columbia Music Festival Association.

34. [Columbia Tree and Appearance Commission](#)

Councilor Baddourah nominated Mr. Jeremy Parnell, noting that he's with SCDOT and could serve as a liaison for the city on issues with trees.

Councilor Devine suggested that Mr. Parnell's position with SCDOT could create a conflict of interest on certain matters.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to appoint Mr. Charles Moore, Mr. John McKenzie and Mr. Tom Clements as at-large representatives and Mr. Jason Holiday as the realtor/developer representative to the Columbia Tree and Appearance Commission for a three year term.

35. [Hospitality Tax Advisory Committee](#) – *Consideration of this item was deferred.*

Mayor Benjamin suggested that the current applications be kept in the hopper and that there be a brief period of reapplication for upcoming vacancies. He further suggested that they consider four seats being one year terms and the other four being two year terms. He said they could hold some people over and appoint them again next year.

Councilor Davis suggested that the members be appointed for different periods in order to create staggered terms.

Councilor Plough asked why the members serve two year terms.

Ms. Libby Gober, City Council Assistant said that's the way it was established.

Mayor Benjamin asked if they have the latitude to change the terms. He suggested that they appoint the current vacancies for two years and stagger the upcoming five vacancies. He acknowledged that they may need to make an exception for those that have already served two terms.

Councilor Runyan explained that the staff recommendation was to stagger terms in three categories so that three would come up for reappointment one year; four the next year; and four the following year. He asked if three year terms would work better. He suggested that the current vacancies be appointed for one year and then reappointed next year for a three year term.

Councilor Davis said they would be served well if someone served a one (1) year term.

Mayor Benjamin asked when the committee starts reviewing applications.

Ms. Libby Gober, City Council Assistant said applications are due next Friday and the committee will convene at the beginning of May.

Mayor Benjamin recommended that they hold all appointments until next month to allow time for the policy changes to be approved and advertising.

Mr. Kenneth E. Gaines, Esq., City Attorney stated that it's a local hospitality statute and there are no provisions about how we make up the membership of the committee; we can amend the Resolution.

Mayor Benjamin asked the City Attorney to bring back a recommendation.

Councilor Baddourah suggested that a one (1) year term is too short and that terms should be extended to three (3) years.

36. [Transportation Penny Advisory Committee](#)

Ms. Connie Lucius, City Clerk's Office explained that Richland County asked the city to stagger the terms of its appointees for one, two and three years.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to stagger the existing terms as follows: Mr. Todd Avant will serve for one (1) year; Mr. Trevor Bowers will serve for two (2) years; and Ms. Virginia Sanders will serve for three (3) years.

37. [Municipal Election Commission](#) – *Consideration of this item was deferred.*

38. [Midlands Authority for Conventions, Sports and Tourism](#) - *Consideration of this item was deferred.*

Mayor Benjamin said that we have a very good board and we have to figure out a way to get other good folks involved over there. He agreed to contact Mr. Luber and the board chair. He asked that vacancies be posted by the first of the month.

CITY COUNCIL COMMITTEE REPORTS

Councilor Runyan reported that the Arts and Historic Preservation Committee discussed the staggering of committee appointees and wanted to bring back the following Hospitality Tax funding recommendations as previously submitted to Council.

- I. Endorsement of eligible expenditures for Hospitality Tax Funds:
 - a) Marketing – advertising, promotions, mailing and design, billboard and banner locations.
 - b) Security – off duty police officers, private security, clean and safe teams
 - c) Entertainment – dancers, artists etc. Does not include per diems for travel/accommodations. Only includes contractual amounts paid.
 - d) Facilities and Buildings – operation and maintenance
- II. Can use up to 75% of funds for either a marketing director’s salary or retainer for the firm handling the marketing.
- III. All organizations have to go through the application process in order to be considered for funds. This includes organizations that have missed the application deadline.
- IV. It is the committee’s discretion to review funding requests for conferences, walks and runs.

Councilor Baddourah asked if all applicants had to complete an application, but did not have to present to the committee.

Councilor Runyan clarified that any outside organization that receives hospitality tax funding must submit an application. He explained that in the past we’ve had organizations that did not submit an application and this is a way of clearing this up. He noted that Council makes the final decision on how the money is distributed.

Mayor Benjamin stated that everyone has to go through the formal process, but the ultimate discretion rests with Council.

Councilor Plough asked about using funds for infrastructure or beautification.

Councilor Runyan clarified that this is an endorsed set of guidelines from Council to the committee. He stated that this came from the statute and facilities and buildings are one of the subcategories that we would send with endorsement to the committee.

Councilor Plough sought clarification about the marketing staff. She asked if the committee could review and approve a budget for an event that would be paying a staff person.

Councilor Runyan explained that the committee's discussion was relative to an organization using hospitality tax funds to hire a marketing director for the organization while simultaneously maintaining a retainer relationship with a marketing firm. He reported that it was the consensus of the committee that it essentially constitutes having two marketing directors; it would be either or.

Ms. Teresa Wilson, City Manager sought clarification on the application process. She asked if any request regardless of how it is received would be directed to the application process.

Mayor Benjamin said yes.

Councilor Baddourah asked if the recommendations should be approved at the next meeting, because this is the first time he heard the recommendations.

Mayor Benjamin said this has been done with the advice of Council and all interested parties. He said he is comfortable with this.

Councilor Devine sought clarification on whether or not an application is required from staff for the use of hospitality funds internally.

Mayor Benjamin said no, unless our staff is advocating for outside groups.

Councilor Runyan said it's for outside organizations.

Ms. Teresa Wilson, City Manager said that this is a good mechanism for addressing requests for funding that are submitted outside of the committee process.

Mayor Benjamin clarified that it is a way to deal with outside requests and those that may be out of cycle, but also to give the committee some direction as to their latitude as well as the discretion of Council.

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to endorse the following guidelines for the Hospitality Tax Advisory Committee.

- I. Endorsement of eligible expenditures for Hospitality Tax Funds:
 - a) Marketing – advertising, promotions, mailing and design, billboard and banner locations.
 - b) Security – off duty police officers, private security, clean and safe teams
 - c) Entertainment – dancers, artists etc. Does not include per diems for travel/accommodations. Only includes contractual amounts paid.
 - d) Facilities and Buildings – operation and maintenance
- II. Can use up to 75% of funds for either a marketing director's salary or retainer for the firm handling the marketing.

- III. All organizations have to go through the application process in order to be considered for funds. This includes organizations that have missed the application deadline.
- IV. It is the committee's discretion to review funding requests for conferences, walks and runs.

Councilor Runyan reported that the committee discussed maintaining a 10% reserve in the Hospitality Tax Fund. He said that we currently have debt issued against the Hospitality Tax Fund and it was recommended that we maintain a 10% reserve to cover debt service if we have a hiccup and to have a cushion in case we run into cash flow issues. He said we already have a functional reserve that's approximately \$900,000, but there's no policy endorsing a reserve.

Mayor Benjamin asked if the reserve would build annually.

Ms. Teresa Wilson, City Manager said we would maintain the 10% level.

Upon a motion made by Mr. Runyan and seconded by Ms. Plaugh, Council voted unanimously to approve maintaining a 10% reserve in the Hospitality Tax Fund.

Councilor Devine reported that the Environment and Infrastructure Committee met on February 28, 2013 and Bill Stangler from the Congaree River Keeper expressed concerns regarding recent sanitary sewer overflows; the public notification process; and Council not receiving regular reports on sanitary sewer overflows. She noted that Council received the first of the regular reports today from staff and will begin receiving quarterly reports. She noted that there has been a reduction in overflows over the last several years. She asked that staff work with the River Keeper to notify interested parties. She reported that the committee discussed the Lake Katherine sediment removal with members of the Lake Katherine Homeowners Association. She said the committee was briefed on the fact that a previous Council agreed to fund the dredging of Lake Katherine, but that hasn't happened. The consensus of the committee was to direct staff to seek funding to complete this project. She recalled that the City Attorney expressed concerns with what the city can and cannot do and that was discussed today in Executive Session. We believe we addressed all those concerns and we asked staff to bring back a full report to Council on March 19, 2013. She said that City Manager Wilson will be meeting with Mr. McDonald, Richland County Administrator tomorrow. The city will look to other partners to see if we can resolve this issue. There is concern, because they have a permit from the Army Corp of Engineers that expires in September and that's why we asked for this to be fast tracked. She said the committee would like for Council to take action on March 19, 2013 to move this project forward. The committee also reviewed a residential FOG pilot program for multifamily residences. She noted that the commercial FOG program is very successful and has helped reduce sanitary sewer overflows as well as inform business owners about putting fats, oils and grease into our sewer system. She explained that she was approached by a company in Atlanta that has a program that could be beneficial. The staff reported that they were intrigued by the program, but wanted to gather additional information for

the next committee meeting. The Mayor referred the review of the parking garages and surface parking in terms of economic development. She said that they had a brief conversation, but deferred the matter until they could obtain additional information.

Mayor Benjamin clarified that the discussion is about looking at parking garages as an economic development tool as we continue to encourage vertical development downtown. He said that we generate significant taxes from the office towers downtown and it requires a lot less infrastructure. He charged the committee with looking at our garages in a different way to incentivize vertical development.

Councilor Devine added that the committee asked Ms. Krista Hampton, Director of Planning and Development Services to look at what other cities are doing and Mr. John Spade, Director of Parking Services will be drafting a Request for Proposals for an updated parking study.

Mayor Benjamin said that as we move forward with how we look at parking, it is very important that we don't look for perspective development, we are not doing spec garages; we need to build where we know there's going to be a multi-million dollar tower on that spot.

Councilor Devine referred the review of a proposal for a disability assessment to the Environment and Infrastructure Committee.

Ms. Connie Lucius, City Clerk's Office said that the Mayor's Committee on the Employment of People with Disabilities was in the process of doing an assessment four years ago.

A motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to refer the review of a proposal for a disability assessment to the Environment and Infrastructure Committee.

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to refer the review of concerns from Richland School District One regarding the sewer lines servicing WG Sanders to the Environment and Infrastructure Committee.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to ask the Public Safety Committee to look at innovative ways to keep more fines internally with Municipal Court and in collaboration with the City Attorney, review a proposed ordinance that was adopted by other cities.

Upon a motion made by Mr. Baddourah and seconded by Ms. Plough, Council voted unanimously to refer an update on the Winter Shelter from day one to closing to the Public Safety Committee.

Councilor Davis reported that the Economic and Community Development Committee met twice last week to catch up on matters. The first matter was a carryover from the meeting held in North Columbia regarding the master plan. He said that a group is looking at each section of the plan so that they will fully understand the concepts and expectations moving forward. He said there were possible concerns about zoning and that may be a factor in the end. They are preparing to make a solid decision as to how to approach this publically and whether or not there will be a cost associated to implement the plan. The intent is to get public input. The committee attempted to finish the Commercial Revolving Loan Fund policy recommendations. He said that staff has undertaken a humungous task of updating the policy and making sure that we are in line with federal guidelines. He said that the committee did not complete it, but they agree that staff is addressing those issues that have been front and center. He added that the loan portfolio is in good shape.

Councilor Plough said that staff is providing quarterly updates on the loan portfolio.

Councilor Davis continued to report that staff presented a thorough and well-rounded evaluation of the Business Services Review Taskforce recommendations. The committee recommends that Council endorse staff's response to the taskforce recommendations.

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to endorse and adopt staff's response to the Business Services Review Taskforce recommendations.

Councilor Davis stated for the record that city staff put in the time and energy and provided the technical input for us and the committee. He said they did a good job with Dana Higgins, City Engineer taking the lead for us and the product is what we expected. He noted that they did not get any push back from the members of the taskforce that attended the committee meeting.

Councilor Plough stated that staff did an incredible job; the product is very valuable; and the best part was seeing staff engaged and anxious to take these recommendations that they were vested in and move them into implementation. She noted that there will be budgetary impacts as a result of this endorsement.

APPEARANCE OF THE PUBLIC

Ms. Sheri Callahan of 615 Laurel Street expressed concerns about a disturbance coming from Rehoboth United Assemblies at 611 Laurel Street, which is a 900 sq. ft. church that has been there for thirty (30) years. She provided a chronology of the situation from August 2012 to the present. She reported chronic loud drumming and amplified yelling, screaming and singing, sometimes up to seven (7) days a week. She stated that the problems have progressed and they are not getting any help. She stated that it's the city's responsibility to deal with the parking situation in front of the house. She said that these actions are violating the noise ordinance and affecting the value of their home and their quality of life. She noted that twenty (20) incident reports have been filed since October 25th, twelve (12) citations have been issued, three (3) cases were lost and a number of

citations are pending. She said that the officers' hands have been tied; nobody is doing anything; and the Mayor is not returning her calls

Mayor Benjamin stated that he has not received any recent messages from Ms. Callahan. He insisted that the officer's hands have not been tied, because they continue to issue citations at Council's direction.

Ms. Sheri Callahan of 615 Laurel Street said that officers' were given instructions not to cite the church on Sundays and there have been times they've been instructed not to cite during the day. She described how disruptive the noise was on Thanksgiving Day.

Mayor Benjamin explained that when this issue first came up, the entire Council did discuss this with the Police Department and the only directive that they gave the Police Department was not to interrupt church services to serve the pastor while in the pulpit; we found it disrespectful. He said they saw this as a very difficult issue; it's certainly a church's right to worship in the place they've been worshipping for three (3) decades and it's certainly your right to the peaceful enjoyment of your home. We saw it as an incident where there were two (2) major and very valid concerns that were head to head. All that we feel we can do is to follow the law. He noted that the church had not received as many or any citations before Ms. Callahan came to see him and now they've gotten almost two (2) dozen citations. To say that we haven't responded isn't fair or true. In addition to that the police addressed Council on this issue; you've spent a lot of time with officers; and I met with the pastor and his attorney. He explained that he also met with State Legislator Leon Howard on this issue, the executive Director of the Columbia Development Corporation to think creatively as to some way we could find the church someplace else to locate outside of a residential area; our Office of Business Opportunities and two (2) realtors who have given us reports on different potential locations. I've presented those to the pastor for consideration. We have been engaged, but there's only so much that we can do. We need to address the parking issues, but we can't just shut it down. What else would you require?

Mr. Tim Ellis of 615 Laurel Street said that they are not asking for the church to be shut down. He said that the gentleman is totally defiant and his character is questionable; we've reached out to him and he is willing to tie up your officers and the court docket versus sound proofing the church.

Councilor Devine said it's his right to ask for a jury trial. What are you asking us today?

Ms. Sheri Callahan of 615 Laurel Street said that they would go to jail if they had as many citations as the church. She said they asked them to just not amplify.

Mr. Tim Ellis of 615 Laurel Street said things are fine when they don't use amplification. He noted that the officers are witnessing this from their living room. He added that they are trying to get a 7-year old to bed and the services start at 8 p.m.

Ms. Sheri Callahan of 615 Laurel Street presented a video of the church service that was recorded last week from inside the home. She said that the neighbors are upset about this, but they are afraid to get involved.

Police Chief Randy Scott said that there are several cases pending; officers are responding and writing citations.

Councilor Davis asked when this first began.

Mr. Tim Ellis of 615 Laurel Street said since day one, but he spent a lot of time away from the home when he first moved there.

Councilor Plough asked staff when this would reach the level of a public nuisance. She said the church has a right, but any property owner also has a right.

Mayor Benjamin reminded everyone that this session is a public record and we are videotaping.

Mr. Kenneth E. Gaines, Esq., City Attorney said there are two issues; you are balancing the freedom of religion and the rights of a property owner. He said there is a statute where the Attorney General, Solicitor and the individual can bring a nuisance action. He said that the statute may not apply to churches, but he will provide it and look to see if there is anything more we can do as a city.

Mayor Benjamin said that we need to look at parking regulations that are being violated. He agreed to facilitate a dialog about sound proofing the church. He advised Ms. Callahan and Mr. Ellis to address the apostle appropriately in order to have meaningful dialog. He said that we are trying to find a creative way to relocate the church; we've been working our tails off to deal with two very different coexisting entities.

Ms. Teresa Wilson, City Manager said it would be interesting to have the history of the original development since the church was there then. She asked Ms. Hampton if she has any history to provide.

Mayor Benjamin suggested that Mr. Fred Delk, Director of the Columbia Development Corporation could provide that information.

Ms. Sheri Callahan of 615 Laurel Street said that it's unfair to have an ordinance in place that he is allowed to disobey.

Mayor Benjamin said he violates it, he's cited and he's convicted.

Councilor Devine agreed that it's highly disrespectful for the officers to serve the minister in the pulpit. She said there will be an opportunity for them to be heard in court.

Ms. Sheri Callahan of 615 Laurel Street said they turn the volume down as the police is seen approaching the church and turn it back up after the police leave; it's unfair. She says it's a delicate and political fireball for anybody to deal with and it's humiliating for them.

Mayor Benjamin said it's not political for us. He said he had never met Apostle Clark or any of the church members until he met with them as a result of Ms. Callahan's complaint. He said no one is worried about political issues; it's just a tough legal fairness issue and we're using all the tools in our toolbox to try and resolve it and we wish it could happen in a more expeditious manner. He said we are praying for all of you.

Dr. Germon Miller, AKERU Legacy Council announced that the RICH Program and The Genuine Determination Network have been approved to hold an Anti-Violence Memorial and Vigil on the State House steps. This statewide event will be held on Thursday, April 4, 2013 by young adults between the ages of 17 to 30. April 4, 2013 is also the anniversary of Dr. King's assassination. Also, March is Federal Women's History Month. She distributed information on A Self Preservation Safety Seminar for women to be held on March 19, 2013 at 6:00 p.m. at the Pacific Park Community Center, 200 Wayne Street.

Councilor Plough thanked her colleagues that attended the meeting dealing with Gills Creek Parkway. She stated that Council is holding the item for 30 days to allow staff to meet with the neighbors and the Gills Creek Watershed Association to work out something in terms of the design that will enhance the safety and environmental sensitivity of that area. She said that staff is going to meet next week; meanwhile, she hopes the contractors agree to extend this bid while we obtain closure on other issues.

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to adjourn the meeting at 8:53 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk

Meeting Dates	Type of Meeting	Meeting Times
March 14, 2013	Finance, Audit and Budget Committee <i>Parking Services Conference Room – 820 Washington Street</i>	9:00 a.m.
March 19, 2013	Work Session <i>Eau Claire Town Hall – 3905 Ensor Avenue</i>	2:00 p.m.
	Council Meeting <i>Eau Claire Print Building – 3907 Ensor Avenue</i>	6:00 p.m.
	Public Hearing for Water Service Rates & First Reading	6:00 p.m.
	Zoning Public Hearing	7:00 p.m.
March 26, 2013	Economic and Community Development Committee <i>Parking Services Conference Room – 820 Washington Street</i>	9:00 a.m.
	Public Safety Committee <i>Parking Services Conference Room – 820 Washington Street</i>	11:00 a.m.
	Environment and Infrastructure Committee <i>Parking Services Conference Room – 820 Washington Street</i>	2:00 p.m.
	Administrative Policy Committee <i>Parking Services Conference Room – 820 Washington Street</i>	3:00 p.m.
	Special Called Meeting <i>Parking Services Conference Room – 820 Washington Street</i>	5:30 p.m.
March 28, 2013	Finance, Audit and Budget Committee <i>Parking Services Conference Room – 820 Washington Street</i>	9:00 a.m.

In accordance with Ordinance No.: 2004-094 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, to add VI, Lobbyist, Sec. 2-302. (a) Any person who acts as a lobbyist must within fifteen days of being employed or retained as a lobbyist, register with the city clerk. (b) The registration must be in a form approved by the city council that includes only the name and business address of the lobbyist, the name and business address of the person or entity that compensates the lobbyist and the issue or matter for which the lobbyist has been retained. A separate form shall be submitted for each issue or matter and each person or entity who compensates the lobbyist. (c) Any lobbyist who is employed by the city or has contracts with the city must seek approval by city council to be a lobbyist for other clients so long as he is employed or under contract. To obtain a Lobbyist Registration Form please contact the Office of the City Clerk at (803) 545.3045 or send your request to cityclerk@columbiasc.net.