

**CITY OF COLUMBIA CITY COUNCIL  
WORK SESSION MINUTES  
MARCH 19, 2013 – 2:00 P.M.  
EAU CLAIRE PRINT BUILDING  
3907 ENSOR AVENUE**



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The Columbia City Council met for a Work Session on Tuesday, March 19, 2013 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 2:10 p.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were 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.

**EXECUTIVE SESSION**

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to enter into Executive Session at 2:11 p.m. for the discussion of **Items 1** through **3** as outlined.

1. Discussion of negotiations incident to the proposed purchase of property – *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.*
  3. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
- **Council adjourned the Executive Session at 3:28 p.m. and reconvened the Work Session at 3:33 p.m.**

**CITY COUNCIL DISCUSSION / ACTION**

- 3a. **\*\*Palmetto Compress Discussion – The Honorable Mayor Stephen K. Benjamin**

Mayor Benjamin explained that they discussed legal and potential contractual issues in executive session and decided to have policy discussion and hear from the public. He thanked those that sent electronic communications to Council. He said that those emails have solid ideas that can be used to preserve this very iconic building. He asked Council to entertain a motion to direct the City Manager to enter into a contract to purchase the Compress Building and aggressively work with partners and preservationists to come back with a proposal for adaptive reuse of this building. He insisted that we have to decide what

kind of city we want to build; we don't have to take what every developer brings to us. He noted that this is not the standard that will be used for every building; this is a gateway building; and we have a window of opportunity in which there are no contractual obligations between the owner and a developer.

Councilor Plough stated that she has no interest in negotiating with the property owner; we have other properties that are sitting there. She urged the public to be engaged. She stated that we have significant properties that are deteriorating every day. She said that we have an opportunity to take a business approach to what we are doing. She asked if there is an appraisal.

Mayor Benjamin said there have been engaged conversations about the purchase of the building. He stated that the city is close towards financing; we have significant interests from retail developers, entertainment venues and the Historic Columbia Foundation has offered to exhibit a museum for the history of Columbia. He insisted that the deliberation of the development was well thought out and requires an optimistic approach.

Councilor Davis said it's up to Columbia to decide what it wants to be versus a developer making that determination. He said that every decision has to stand on its own merit; we need to know when it's our time or when to step back and encourage other people to do what needs to be done. He is supporting the proposed approach to preserve the Compress Building. He referred to the Town Hall and the Print Building and could and would have happened if the city hadn't partnered with the community. He said this is an instance where the city has a role to play and it makes sense that we do partner with the private sector, because they will have to do what needs to be done with the building. He said we will purchase it, but we won't hold on to the building very long. He said that he will be with everybody else in looking at the bottom line and the expectations; we'll get there.

Councilor Baddourah referenced the Arts and Historic Preservation Committee meeting held a few months ago where they heard from architects, business owners and developers as to whether or not the building could be reused. He said it is premature to make a motion to enter into contractual negotiations until we get more information. He wants to know if it is reusable; why were they told that it wasn't reusable; and what it is reusable for.

Mayor Benjamin said that any contract requires due diligence; we know how valuable the dirt is if nothing else; and we haven't engaged into any discussions that have exceeded that value. He noted that the property is on the border of the innovation district and the waterfront district; the value will dwarf in comparison to what we pay for it today.

Council Newman expressed his support of the motion, noting that this action doesn't solidify any type of development plans, but it does move us forward to preserve this structure. He said we want to be a unique city, but we want to make sure we are equitable to everyone involved. He added that we are on the cusp of a good remedy that keeps us from infringing on the plans of the property owner. He urged staff to move expeditiously to get us further and to engage the community.

Councilor Devine said that some council members may have been more engaged than others, but the communication was thoughtful; we want to preserve our history and several of you have been very engaged by offering your thoughts and opinions. She said Council heard about the ability to preserve the building and the options being presented are exciting and viable. She agreed that we have to be good stewards. She said she always wanted to preserve this building. She said that Mr. Palen has done a wonderful job in working this out and making this feasible.

Councilor Runyan said this topic was his welcome as an elected official. He is excited about the fruitful timing of this discussion. He wants to be a faithful steward of taxpayer resources and having this property back on the roll and contributing to the area.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted six (6) to one (1) to direct the City Manager to immediately engage in negotiations with the owner for the purchase of the Compress Building while incorporating the details discussed in Executive Session and to bring back an ordinance at the next meeting for consideration. Voting aye were Mr. Davis, Ms. Devine, Ms. Plaugh, Mr. Newman, Mr. Runyan and Mayor Benjamin. Mr. Baddourah voted nay.

4. [Work it Up Job Training Scholarship Program](#) – Ms. Gloria Saeed, Executive Director of the TN Development Corporation and Mr. Michael Strange, Executive Director of the Eau Claire Development Corporation

Ms. Gloria Saeed, Executive Director of the TN Development Corporation introduced the partners and board members that were in attendance. She said the Work It Up Job Training Scholarship Program was established because of a generous contribution made to the City through NEC User Group, a non-profit organization. She thanked Mayor Benjamin and Mr. Ed White of Nelson Mullins Law Firm for supporting the program. She explained that the charitable gift will be used to create jobs, help the homeless, provide healthcare and assist with children's education. She further explained that the program is designed to help individuals whose total household earnings are at or below 80% of the Housing Urban Development median income.

Mr. Michael Strange, Executive Director of the Eau Claire Development Corporation explained the purpose of the program. He said qualified applicants will have an opportunity to select from a job list based on the individual's needs through a partnership with Midlands Technical College and Richland One Adult Education. The \$184,000 received from NEC will be divided over a two (2) year period and it will be used as a scholarship to help fund books and materials; each student will receive up to \$3,000 to include tuition and stipends for transportation, childcare, soft skills and work keys. He said that a four (4) week skills assessment and soft skills training will begin in June; the work keys test results will be completed in July; and the course registration and monitoring will begin in August.

Mayor Benjamin thanked staff for beginning the process. He said the first interaction with NEC was a good conversation and we wanted to identify the use of resources to bring self-sufficiency back to the community.

Councilor Plaugh requested a copy of the budget. She asked if they can use PELL Grants to compliment this program.

County Councilman Paul Livingston said no, because continuing education programs / Quick Jobs are not covered by PELL Grants or FASFA.

Ms. Kim Manns, Midlands Technical College said they are called Quick Jobs, because majority of the programs can be completed in fifteen (15) months.

Councilor Devine asked if there is still a waiting list for the CNA Program.

Ms. Kim Manns, Midlands Technical College said they can conduct a class at a location in the community, if there are a certain number of people that want to do it.

Councilor Baddourah asked if they could partner with the colleges seen on the television.

Mayor Benjamin stated that Midlands Technical College is the premiere Technical College in the country and does the best Quick Jobs.

County Councilman Paul Livingston said that Midlands Tech provides training based on the jobs available.

Councilor Davis said that this will fill the gap and we will need to do what we can to make sure it's successful.

Councilor Devine said this is similar to what was done with the Work Initiative Program. She asked if they thought about how to extend this program after the funds are gone in two years.

Ms. Gloria Saeed, Executive Director of the TN Development Corporation said they hope to gain data through this program for additional grant funding to include the City of Columbia Community Development Department.

Ms. Teresa Wilson, City Manager said they were also looking to set aside funds through the Office of Business Opportunities and grants, because we want to keep this program going.

Ms. Gloria Saeed, Executive Director of the Columbia Development Corporation and the TN Development Corporation noted that the Power Center was also successful.

Councilor Devine asked about employee programs to help with literacy and GED that were cut due to the lack of funding. She would like to look at the needs we have internally and parlay this relationship with our existing needs.

Ms. Teresa Wilson, City Manager said that she has spoken with the Human Resources Director about investing into our human capital without spending a lot of money.

Councilor Plaugh asked about the targeted areas.

Ms. Gloria Saeed, Executive Director of the TN Development Corporation said that the TNDC targeted area includes Lyon Street, Martin Luther King and Booker Washington Heights neighborhoods.

Councilor Plaugh asked if others should apply.

Mr. Michael Strange, Executive Director of the Eau Claire Development Corporation said at this time, we will only target the 29203 and 29204 zip codes; when additional funding becomes available, we will branch out to other areas.

County Councilman Paul Livingston said there is strong effort right now with the State Legislature to get funding similar to the PELL Grant for Quick Jobs similar.

Mr. Henry Hopkins, Eau Claire Community Council thanked Councilor Livingston. He said it's a good program; the community endorses it; and they want to be a part of making it successful.

5. [Proposed Policy for the Judicial Selection Process](#) – Ms. Pamela Benjamin, Director of Human Resources

Ms. Pamela Benjamin, Director of Human Resources provided information on the appointment of Judges as outlined in the Code of Laws.

Mayor Benjamin asked staff to verify the current Judges that are seeking reappointment.

Councilor Baddourah asked if the Certificate of Good Standing comes from the Bar Association.

Ms. Pamela Benjamin, Director of Human Resources said yes.

Councilor Newman recalled that he became the Judicial Liaison after Ms. Devine along with the Public Safety Committee Chair and tried to steer Council through the last round of appointments. He said they need to avoid the lack of inclusiveness. He stated that the Judges are people that we appoint as a Council and while this process is correct, we need to do it as a whole Council.

Councilor Baddourah concurred with Mr. Newman, noting that with his help, the Public Safety Committee will make the appropriate recommendations to the full Council.

Councilor Devine said that she has gone through this process a few times. She agreed that the full Council should interview the applicants and make sure interviews are conducted by the full Council. She suggested that they use a process to evaluate judicial temperament. She noted that two (2) Municipal Judges have been elevated; we have quality people elected to our bench and some have gone on to higher benches.

Ms. Teresa Wilson, City Manager said that we looked at the Statewide Judicial Merit Selection process and that would address judicial temperament.

Councilor Plough said that she would not want to be put in the position of appointing people that she hasn't dialoged with at all or did not know.

Councilor Davis concurred with the recommendation to have the candidates voted on by the full Council.

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve the Proposed Policy for the Judicial Selection Appointment Process with the caveat that the process will include the full Council instead of the Public Safety Committee.

▪ **Mayor Benjamin left the meeting at 5:02 p.m.**

6. Goals for Homeless Services – The Honorable Cameron A. Runyan

Councilor Runyan recalled that at City Council's retreat a goal was adopted that would end visible homelessness in five (5) years. He said this will require an ambitious approach. He suggested the creation of a system that is self-sustaining without the direct financial involvement of the city. He said the city is spending over a million dollars a year in direct financial investments in homelessness and that is money that could be redirected to other areas. He said it is important for the city to continue with the stated goal and continue to serve as a partner and working as a facilitator with the different facilitators. He noted that churches and the faith community have a lot more capacity to leverage.

Councilor Devine asked if Mr. Runyan will have a formal proposal available.

Councilor Runyan said yes.

Ms. Teresa Wilson, City Manager said an update will be given to the Public Safety Committee, but the bigger discussion on March 26<sup>th</sup> will impact the operations of the Winter Shelter going forward; we will have the broader discussion on April 9<sup>th</sup>.

Councilor Devine said we will also hear from Dr. David Parker on April 9, 2013 and we should invite Col. Curry of Transitions and Rev. Jones of Christ Central. She noted that the Ebenezer contract expires on March 31<sup>st</sup> and the Transitions Board of Directors met this morning and they declined the offer from the Salvation Army to host meals. She asked if somebody is working on that issue.

Ms. Teresa Wilson, City Manager said that feedings haven't taken place at the Winter Shelter, but staff has been directed to look at what we would have to do in a quick manner to accommodate feedings at that.

Councilor Runyan said that Rev. Jones of Christ Central has offered to assist with feedings at his own cost. He said this is an opportunity to bridge the gap with community resources.

Ms. Teresa Wilson, City Manager said that it has been confirmed that we can do feedings at the Winter Shelter; however, more up-fitting will be needed if this is done long term.

Councilor Devine asked Ms. Cooper and Councilman Livingston to be at the meeting on April 9<sup>th</sup> and to inform others.

Ms. Teresa Wilson, City Manager said we will cast a wide net and she has talked to Mac Bennett at United Way.

Councilor Plaugh said she is confused, because when the homelessness issue was initially addressed, Council asked Dr. Parker to get involved. She thought all the shelters were involved; it sounds like two initiatives.

Councilor Runyan said it's an outgrowth of what we learned in the Winter Shelter this year. He said they recognized where the important leverage points are.

Councilor Plaugh assumed that all providers aren't a part of the same group.

Councilor Runyan said they are working together.

Councilor Devine said that's part of the confusion; we need to be careful, because when we appointed this group Dr. Parker was the only one that could bring people together. She said we need to listen to this committee and not seem like we are going off on our own. She said the way we frame this discussion is going to be important.

Councilor Davis asked that everyone keep in mind that Dr. Parker was handling initial contract with the city. He said he liked the model and the data showed that they were placing people on jobs and in their own apartments; those are the measures we should be looking at when providing services. He noted that the model has national recognition and it qualifies for federal funding, which takes some pressure off of the city and other service providers. He agreed that everybody needs to be at the table and hopefully there will be a joint understanding, recommendation and agreement at the end of the day.

Ms. Teresa Wilson, City Manager said that it is paramount that we ensure that the different bodies are able to present their findings and it is important that this Council look at its stated goals and what it takes to achieve that. There are a number of agencies and committees and each of you have your priorities. On April 9<sup>th</sup>, we will bring the information to bear, this Council will have to receive that and decide how you best address your strategic goal while keeping in mind the fiscal constraints.

Councilor Runyan said that they are all coming at it from the same perspective. He agreed that Mr. Davis' references to goals needed to be a part of the discussion. He said that April 9<sup>th</sup> will be a very positive discussion.

Councilor Plaugh said that she is still confused, but she appreciates what Mr. Runyan has pursued; we are all interested in addressing homelessness in the most cost effective and human way possible. She said that she labored in the field with the providers for many years and learned that you work with them and share in a fashion where they can digest it and think through it instead of putting it in a public forum. She wants all the information, but she wants to make sure that the people that know this information intimately share it before we are sitting in a public forum. She urged that there be an opportunity for both sides to discuss this prior to a public meeting on April 9<sup>th</sup>.

Councilor Newman said that it would be prudent to circulate the items that may be added to the conversation.

Ms. Teresa Wilson, City Manager said she doesn't know how many perspectives there are on the goal. She sought further direction on the need for another meeting.

Councilor Devine appreciates Ms. Plaugh's comments; however, we are so far gone that there may not be enough time to back up and do that. She said that another meeting that isn't public may fuel speculation.

8. [Proposed Bulk Water Policy](#) – Mr. Joey Jaco, Director of Utilities and Engineering

Mr. Joey Jaco, Director of Utilities and Engineering presented recommendations to establish a Bulk Water Policy for the Sale of Potable Water.

Councilor Plaugh asked for clarity in the language of the resolution. She said it appeared to limit Council to only vote on the recommendations. She suggested that it reads Bulk Water Agreements to be approved by City Council with recommendations from Utilities and Engineering.

Mr. Joey Jaco, Director of Utilities and Engineering said the majority of the recommendations are listed in the existing Bulk Water Agreement.

Councilor Baddourah asked why we need a resolution.

Councilor Plaugh said Council didn't have a policy when considering a bulk sale. She asked for a list of bulk water customers and the current bulk water rate schedule.

Mr. Joey Jaco, Utilities and Engineering Director said that the Town of Chapin, Town of Winnsboro, Carolina Water, Fort Jackson, and the City of Cayce are on an emergency basis.

Councilor Plaugh asked for clarity on paragraph one concerning the capacity of sale; should it read "when it's in the city's best interest to do so". She said we may have the capacity to sale, but it may not be in the best interest of the city to do so. She suggested that paragraph four read purchased water should "only" be distributed within purchaser's service area. She asked Council why we allow the resale of our water; it should be under very finite circumstances.

Mr. Joey Jaco, Utilities and Engineering Director said we are trying to limit customers who are not contiguous to our service area and resellers who solely don't rely on the city's water supply.

Councilor Plaugh asked will this help offset the cost that our customers have to bear.

Mr. Joey Jaco, Director of Utilities and Engineering said it is a good economic deal for the city.

Councilor Davis asked will the purchaser pay the cost to lay the pipes.

Mr. Joey Jaco, Director of Utilities and Engineering said it is our standard that the purchaser will pay the cost; purchase the meters; and acquire any required property and easements.

Councilor Plaugh said she is fine on the resale, but they should be restricted to their service area; broaden paragraph 1 and add "only" to paragraph 4.

8. Monthly Financial Report – Mr. Jeff Palen, Chief Financial Officer

Mr. Jeff Palen, Chief Financial Officer said he is expecting the Comprehensive Annual Financial Report (CAFR) any day now; upon receipt he will forward it to Council; post it electronically; and schedule the outside auditor to present to Council during a Work Session.

Councilor Devine inquired about the auditor's contract.

Mr. Jeff Palen, Chief Financial Officer stated that this is the first year of the renewed contract. He presented the General Fund report, noting that they added the actual revenues for the prior year in the first column, the budgeted amount for the current year in the second column and the actual through February in the third column. He suggested that reports be presented during the first meeting of the following month. He continued to report that all revenues are compared to the prior year, because revenues do not come in equally during 12-month periods. He said that total revenues have a positive variance of \$4,683,000 versus last year and that is a good sign. He noted that some funds will be a one-time issue that will help with this year.

Councilor Plaugh asked about the current service charges.

Mr. Jeff Palen, Chief Financial Officer said it is a reflection of the indirect transfers that come into the General Fund; now it's done on a monthly basis.

Mr. Jeff Palen, Chief Financial Officer reviewed the General Fund expenditures to include the actuals for the prior year. He announced that there was a surplus of \$542,000 for fiscal year 2012/2013. He noted that the number will be larger in the CAFR, because other items are lumped into it. He said that expenditures are broken out by the month and the numbers are very positive. He feels comfortable that we are right at the break even mark and as we enter into March, that is a great place to be.

Councilor Baddourah asked if depreciation is a part of this report.

Mr. Jeff Palen, Chief Financial Officer said that depreciation will not reflect here; however, it will reflect in other funds. He noted that the entries for depreciation are typically done at year end, but he is looking at a proper way to estimate that.

Councilor Plaugh asked for the actual year-to-date and the prior year-to-date expenditures.

Mr. Jeff Palen, Chief Financial Officer said that it includes the total actual for the prior year and agreed to include the actual year-to-date going forward.

Councilor Plaugh expressed interest in waiting to schedule the monthly financial report and providing it for public viewing through an agenda hyperlink.

Mr. Jeff Palen, Chief Financial Officer said that the Hospitality Tax Fund revenue collections are slightly higher than anticipated; we are on budget for the Water and Sewer revenues and the expenditures are slightly under budget; and the Parking Fund revenues are lower than projected, but tend to increase during the Spring.

Councilor Plaugh requested the same information on the Water and Sewer Fund for the next meeting.

Mr. Jeff Palen, Chief Financial Officer presented the bond activity to include new issuances, refunding and pending activity.

Councilor Devine requested the names of bond counsel on the three pending bonds.

Councilor Plaugh asked about the contingency of Water and Sewer rate adjustments.

Mr. Jeff Palen, Chief Financial Officer stated it is based on the adjustments. He concluded the report with a review of the city's banking relationships.

- **Council adjourned the Work Session at 6:03 p.m.**

Respectfully submitted by:

Erika D. Moore  
City Clerk



CITY OF COLUMBIA  
CITY COUNCIL MEETING MINUTES  
TUESDAY, MARCH 19, 2013  
6:00 P.M.  
EAU CLAIRE PRINT BUILDING  
3907 ENSOR AVENUE

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The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Tuesday, March 19, 2013 at the Eau Claire Print Building, 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Pro-Tempore Brian DeQuincey Newman called the meeting to order at 6:18 p.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Cameron A. Runyan, and The Honorable Moe Baddourah. The Honorable Mayor Stephen K. Benjamin 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**

Fire Chief Aubrey Jenkins offered the invocation.

**PET OF THE WEEK**

Ms. Marli Drum, Superintendent of Animal Services introduced Fred as the Pet of the Week. Fred is one happy go lucky fella that loves other dogs and is well-behaved. 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](http://www.petfinder.com) . For more information, visit the Columbia Animal Shelter at 127 Humane Lane or call (803)776-7387.

The [Pawmetto Lifeline Bark to the Park Walk](#) will be held on Saturday, April 20, 2013 at Finlay Park. The Bark to the Park Walk for the Animals is one of Pawmetto Lifeline's largest fundraising efforts to save homeless pets across the Midlands.

**ADOPTION OF THE AGENDA**

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the adoption of the agenda, as presented.

**PUBLIC INPUT RELATED TO AGENDA ITEMS**

*No one appeared at this time.*

## PUBLIC HEARING

### ORDINANCE – FIRST READING

1. [Ordinance No.: 2013-013](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rate, and Sec. 23-149 Sewer service rates, (a) Generally - *Approved on first reading by a vote of five (5) to one (1).*  
Water and Sewer Rate Presentation

Ms. Melissa Gentry, P.E., Assistant City Manager outlined the following water and sewer rate options to be implemented and made effective on May 1, 2013: Modify base rate by a factor of 50% for meters 1” and larger; dual meter customers only, will pay the base rate for the large meter in lieu of both meters; dual meter customers only, will pay the sewer base rate based on the small meter size in lieu of the larger meter size; and a volumetric increase of 7.96% consistent with the increase originally identified in the rate study for fiscal year 2013/2014, for all 142,017 customers. She presented a chart of the city’s current customer base, which identified 126,828 customers with 5/8” meters; the base rate that existed prior to July 1, 2012; the current base rates; the proposed base rates; and the rates for customers inside and outside the city limits, along with the cost savings for all customers by meter size.

Mr. Joey Jaco, Director of Utilities and Engineering Department reported that recent infrastructure improvements include improving the reliability and efficiency of our water intake and replacing older pumps at the Columbia Canal Water Works; installing new headworks at the Metro Wastewater Plant to improve reliability and flow control; and rehabilitating our five largest wastewater pump stations. He outlined a few of the future projects to include elevated drinking water tank improvements to help with localized pressure and storage and annual sanitary sewer rehabilitation projects. He announced that sanitary sewer overflows have been reduced by 50% since fiscal year 2008 and over the past three years we were consistently in the top three for the best tasting water. He cited other awards received by the city and individual employees. The city is making great efforts to reach out to the public through public service announcements, water bill inserts, scheduling plant tours, online at [www.cocwatersewer.com](http://www.cocwatersewer.com) and through workshops and/or one-on-one sessions. Mr. Jaco recommended that City Council implement the proposed rates, proceed with the volumetric increase, secure a consultant for customer audit services, continue Automated Meter Reading pilot to implement additional meters, and update the rate study annually.

- **Council opened the Public Hearing at 6:37 p.m.**

No one appeared in support of or in opposition to *Item 1*.

Councilor Baddourah asked if the Public Hearing was properly advertised.

Ms. Melissa Gentry, P.E., Assistant City Manager stated that the Public Hearing was properly advertised.

Ms. Teresa Wilson, City Manager stated that it has to be advertised in the *State Newspaper*.

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to close the Public Hearing at 6:39 p.m.

Councilor Baddourah said that his biggest issue with the rate increase and how many people it affected. He said that the average senior citizen can't afford this and will be affected the most. He reiterated his concern about transferring funds from water and sewer operations to the general fund to support other programs; it is not in the best interest of the water rate increase.

Councilor Plough said that we have overflows and we have to address those. She said that a lot of the overflows come from grease build up and we've launched programs to address that, both with restaurants and apartment complexes. She stated that we have a large water system and it is much like a utility. She recalled discussing on numerous occasions that a proper transfer is appropriate, because it's like a transfer fee. She expressed concerns about economic development activities that are funded from water and sewer, but they don't directly generate water and sewer customers; those kinds of expenditures don't belong in the Water and Sewer Fund; they belong in the General Fund. She acknowledged that a reasonable transfer is appropriate and could appear in the general fund to fund those economic development activities. She noted that the rate change is an increase for residential customers and a downward adjustment for a lot of commercial customers; not everyone will get a 7.9% increase, because it is a percentage of volume. She supports the motion, because she doesn't think we have an alternative.

Councilor Devine stated that we are decreasing the rates that we voted on in the fall and this covers the next fiscal year as well. She noted that a lot of work has to be done to the system and staff has already presented a budget that works to decrease the transfer from the Water and Sewer Fund over the next few years. She echoed Ms. Plough's suggestion about looking at a reasonable transfer fee instead of grasping at straws. She said that customer bills will go down.

Councilor Baddourah said that we went up on the rate and are coming down on the fee. He noted that his bill will not go down.

Councilor Davis said that staff's recommendations did not come easy; it took a lot of thought, time and analysis. He hopes this process is maintained as part of the process going forward. He recalled that a comparison of cities similar to Columbia showed that Columbia was on the low side and with these adjustments Columbia remains on the low side. He stated that Council understands that the infrastructure must be maintained. He noted that Columbia's water quality has always been rated high. He urged everyone to continue to follow this issue as Council moves toward second reading. He stated that it's not easy to vote for a rate increase; however, it has been justified and he is certain that there will be an overall appreciation for what we're going to do. He acknowledged that there are some things that we can do more efficiently with the system. He supports his colleagues in voting for the rate decrease.

Ms. Melissa Gentry, P.E., Assistant City Manager asked Council to implement the following changes:

- **Change 1:** Modify Bases rate by factor of 50% for meters 1” and larger;
- **Change 2:** Dual meter customers only pay base rate for large meter in lieu of both meters;
- **Change 3:** Dual meter customers pay sewer base rate based on small meter size in lieu of large meter size; and
- **Change 4:** Volumetric Increase of 7.96%, consistent with increase originally identified in the rate study for Fiscal Year 2013/2014.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted five (5) to one (1) to give first reading approval to Ordinance No.: 2013-013 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-143 Water service rate, and Sec. 23-149 Sewer service rates, (a) Generally. Voting aye were Mr. Davis, Ms. Devine, Ms. Plough, Mr. Newman and Mr. Runyan. Mr. Baddourah voted nay.

\*\*Mayor Pro-Tem Newman thanked the Public Relations Department for the flowers given in recognition of Women’s History Month and in recognition of the accomplishments that women have made in our society. He encouraged everyone to research and to celebrate this month.

## **PRESENTATIONS**

### 2. [Earth Hour Proclamation](#) – The Honorable Cameron A. Runyan

Councilor Runyan recognized the Climate Protection Action Campaign Committee (CPAC), which is made of volunteers from around the city who are experts in various realms and dedicate a lot of their time to bring environmental benefit to the city. He announced that on Saturday, March 23, 2013 at 8:30 p.m., the City of Columbia will join other cities, businesses and organizations around the globe in switching off all nonessential lighting in city buildings for one hour.

The members of City Council proclaimed Saturday, March 23, 2013 between 8:30 p.m. and 9:30 p.m. as Earth Hour in the City of Columbia. They urged fellow citizens, businesses and organizations to participate in this event and to commit to actions to conserve energy and reduce carbon emissions.

### 3. *Dave the Potter Documentary* – The Honorable Tameika Isaac Devine and Mr. George Wingard, University of South Carolina College of Arts and Sciences Program Coordinator for the Savannah River Archaeological Research Program

The Honorable Tameika Isaac Devine announced that Thursday, March 21, 2013 is our Annual Together We Can Read initiative and we are reading *Dave the Potter* to Richland One third graders. She explained that Dave was a slave from Edgefield County who used his love for literacy to help teach other slaves how to read by engraving poetry into his pottery. She said that the McKissick Museum has a collection of Dave’s pottery. She

introduced George Wingard as the Program Coordinator for the Savannah River Archaeological Research Program (SRAAP). Mr. Wingard is from Aiken County and has been with the SRAAP since 1993. Mr. Wingard is currently working with colleagues to analyze stone pottery found at the SRARP; excavating in the historic Mill Village in Graniteville; and producing a documentary of this great stoneware potter Dave.

Mr. George Wingard, University of South Carolina College of Arts and Sciences Program Coordinator for the Savannah River Archaeological Research Program said that in 2006, they found a broken Dave vessel in a 1950's Era trash pile. He said that the vessel now belongs to the federal government. He stated that the collection is used for outreach, to talk about archeology and to tell Dave's story. He presented a 4-minute trailer of the documentary that is being produced. He presented the Dave vessel that was found broken in a trash pile in 2006. He noted that it was used for 90 years.

Councilor Devine asked that we continue to cooperate with Mr. Wingard to bring the documentary here in collaboration with USC and all we're doing to commemorate Civil Rights. She said that Darion McCloud, a Richland One graduate served as the model for the book's illustrator Bryan Collier and he serves as the actor for the documentary.

\*\*Mayor Pro-Tem Newman recognized Boy Scout Troop 672 from Sandhill. He announced that Scott Craig of Spring Valley High School; Zach Builds of Ridgeview High School; and Lewis Johnson of Spring Valley High School are working on their citizenship in the community merit badges.

## **ZONING PUBLIC HEARING**

### **▪ Council opened the Zoning Public Hearing at 7:12 p.m.**

#### **ANNEXATION WITH MAP AMENDMENT – FIRST READING**

4. **121 Clemson Road**, TMS# 25705-07-20; to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County—*Approved on first reading.*

|                       |   |
|-----------------------|---|
| Council District:     | 4   |
| Proposal:             | Annex and zone property C-3. Primary Area |
| Applicant:            | Colvinas, LLC                             |
| PC Recommendation:    | Approve C-3 zoning, (7-0) 01/07/13        |
| Staff Recommendation: | Approve                                   |

**Ordinance No.: 2013-028** – Annexing 121 Clemson Road, Richland County TMS #25705-07-20 – *Approved on first reading.*

*No one appeared in support of or in opposition to Item 4.*

Upon a single motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the *Annexation with Map Amendment* for 121 Clemson Road, TMS# 25705-07-20; to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County **and** Ordinance No.: 2013-028 – Annexing 121 Clemson Road, Richland County TMS #25705-07-20

5. [2121, 2129, 2141, 2114, 2118, 2122, and 2130 Apple Valley Road](#), TMS# 07502-01-02, 07502-01-04, 07502-01-07, 07502-07-03, 07502-07-04, 07502-07-05, and 07502-07-07; request to annex and zone the properties RG-1 (General Residential). The property is zoned RM-MD (Multi-Family Residential-Medium Density) in Richland County– *Approved on first reading.*

Council District: 1  
Proposal: Annex and zone property RG-1. Secondary Area  
Applicant: Marguerite W. Sanders  
PC Recommendation: Approve RG-1 zoning, (7-0) 01/07/13  
Staff Recommendation: Approve

[Ordinance No.: 2013-029](#) – Annexing 2121 Apple Valley Road, 2129 Apple Valley Road, 2141 Apple Valley Road, 2114 Apple Valley Road, 2118 Apple Valley Road, 2122 Apple Valley Road, and 2130 Apple Valley Road, Richland County TMS# 07502-01-02, 07502-01-04, 075 02-01 -07, 07502-07-03, 0 7502-07-04, 07502-07-05, and 0 7502-07-07– *Approved on first reading.*

Councilor Devine asked if this is a doughnut hole.

Ms. Krista Hampton, Director of Planning and Development Services explained that this annexation was initiated by the property owner and it will help to fill in the donut hole.

*No one appeared in support of or in opposition to Item 5.*

Upon a single motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to give first reading approval to the *Annexation with Map Amendment* for 2121, 2129, 2141, 2114, 2118, 2122, and 2130 Apple Valley Road, TMS# 07502-01-02, 07502-01-04, 07502-01-07, 07502-07-03, 07502-07-04, 07502-07-05, and 07502-07-07; request to annex and zone the properties RG-1 (General Residential). The property is zoned RM-MD (Multi-Family Residential-Medium Density) in Richland County **and** Ordinance No.: 2013-029 – Annexing 2121 Apple Valley Road, 2129 Apple Valley Road, 2141 Apple Valley Road, 2114 Apple Valley Road, 2118 Apple Valley Road, 2122 Apple Valley Road, and 2130 Apple Valley Road, Richland County TMS# 07502-01-02, 07502-01-04, 075 02-01 -07, 07502-07-03, 0 7502-07-04, 07502-07-05, and 0 7502-07-07.

6. [2225 and 2306 Apple Valley Road](#), TMS# 07502-01-15 and 07502-07-12; to annex and zone the properties RG-1 (General Residential). The property is zoned RM-MD (Multi-Family Residential-Medium Density) in Richland County—*Approved on first reading.*

Council District: 1  
Proposal: Annex and zone property RG-1. Contiguous Property  
Applicant: Karl and Alyson Meier  
PC Recommendation: Approve RG-1 zoning, (7-0) 01/07/13  
Staff Recommendation: Approve

[Ordinance No.: 2013-033](#) – Annexing 2225 Apple Valley Road and 2306 Apple Valley Road, Richland County TMS #07502-01-15 and 07502-07-12 – *Approved on first reading.*

*No one appeared in support of or in opposition to Item 6.*

Upon a single motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the *Annexation with Map Amendment* for 2225 and 2306 Apple Valley Road, TMS# 07502-01-15 and 07502-07-12; to annex and zone the properties RG-1 (General Residential). The property is zoned RM-MD (Multi-Family Residential-Medium Density) in Richland County **and** Ordinance No.: 2013-033 – Annexing 2225 Apple Valley Road and 2306 Apple Valley Road, Richland County TMS #07502-01-15 and 07502-07-12.

7. [4454 Rosewood Drive and W/S Gills Creek Parkway](#), TMS# 13809-03-20 and 13809-03-24; request to annex and rezone the properties D-1 (Development District). The property is zoned GC (General Commercial) in Richland County—*Approved on first reading.*

Council District: 3  
Proposal: Annex and zone property D-1. Contiguous Area  
Applicant: City of Columbia  
PC Recommendation: Approve D-1 zoning, (6-0) 02/04/2013  
Staff Recommendation: Approve

[Ordinance No.: 2013-027](#) – Annexing 4454 Rosewood Drive and 4.847 acres W/S Gills Creek Parkway Richland County TMS #13809-03-20 and 13809-03-24—*Approved on first reading.*

*No one appeared in support of or in opposition to Item 7.*

Ms. Krista Hampton, Director of Planning and Development Services explained that staff was doing some work in this area and realized that the city owned this property, but it wasn't inside the city. She noted that it's in the watershed and a development zoning classification is recommended.

Upon a single motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the *Annexation with Map Amendment* for 4454 Rosewood Drive and W/S Gills Creek Parkway, TMS# 13809-03-20 and 13809-03-24; request to annex and rezone the properties D-1 (Development District). The property is zoned GC (General Commercial) in Richland County **and** Ordinance No.: 2013-027 – Annexing 4454 Rosewood Drive and 4.847 acres W/S Gills Creek Parkway Richland County TMS #13809-03-20 and 13809-03-24.

Councilor Baddourah requested a list of residential and commercial annexations done in the past year and whether those properties are occupied or vacant lots.

MAP AMENDMENT – FIRST READING

8. [4402 and 4404 Fair Street](#), TMS# 09211-05-01 and 09211-05-14; request to rezone from RS-3 (Single Family Residential) to C-1 (Office & Institutional) – *Approved on first reading.*
- |                       |                                  |
|-----------------------|----------------------------------|
| Council District:     | 1                                |
| Proposal:             | Rezone property from RS-3 to C-1 |
| Applicant:            | Eau Claire Cooperative Health    |
| PC Recommendation:    | Approve, (7-0) 01/07/13          |
| Staff Recommendation: | Approve                          |

*No one appeared in support of or in opposition to Item 8.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to the *Map Amendment* for 4402 and 4404 Fair Street, TMS# 09211-05-01 and 09211-05-14; request to rezone from RS-3 (Single Family Residential) to C-1 (Office & Institutional).

9. [1 Rice Court](#), TMS# 11307-09-15 (portion of being 0.34+/- acres); request to rezone from RS-3 with DP overlay (Single Family Residential) to RG-2 without DP overlay (General Residential) – *Approved on first reading.*
- |                       |  |
|-----------------------|--|
| Council District:     | 3  |
| Proposal:             | Rezone property from RS-3 with DP overlay to RG-2 without DP overlay |
| Applicant:            | James M. Daniel, III   |
| PC Recommendation:    | Approve, (7-0) 01/07/13  |
| Staff Recommendation: | Approve  |

Councilor Baddourah asked if the Design Preservation (DP) overlay will be affected once this property is rezoned.

Ms. Krista Hampton, Director of Planning and Development Services explained that the Wales Garden Neighborhood is in a historic district. She stated that a small sliver will be removed from the parcel that's in the historic district and appended the parcel that is in Wheeler Hill.

No one appeared in support of or in opposition to Item 9.

Upon a motion made by Mr. Runyan and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to the *Map Amendment* for 1 Rice Court, TMS# 11307-09-15; request to rezone from RS-3 with DP overlay (Single Family Residential) to RG-2 without DP overlay (General Residential).

10. [101 Wayne Street being the block bounded by Whaley Street, Wayne Street, Heyward Street and Church Street](#), TMS# 08913-16-05; request to rezone from M-1(Light Industrial) with -PD (Planned Development) overlay to MX-1 (Mixed Use) without -PD overlay – *Approved on first reading.*

|                       |  |
|-----------------------|--|
| Council District:     | 2  |
| Proposal:             | Rezone property from M-1 with –PD overlay to MX-1 without –PD overlay; and site plan review of four-story, 172-unit multi-family development with 6,500 sq. ft. of retail space. |
| Applicant:            | Heyward Street Associates, LLC   |
| PC Recommendation:    | Approve, (7-0) 01/07/13  |
| Staff Recommendation: | Approve  |

Councilor Devine asked if there will be retail on the bottom and residential on the top.

Ms. Krista Hampton, Director of Planning and Development Services explained that there is a retail component to this, while understanding that we can't condition rezoning. She stated that in response to neighborhood requests they have included retail on the first floor as well as preserved a significant portion of the open space.

Mr. Bob Guild appeared on behalf of the Granby Mill Village Neighborhood Association to support of the rezoning proposal. He thanked the City of Columbia, the developer and his design team for helping make the neighborhoods long-term vision for preservation and adaptive reuse of the Granby and Olympia Mills and their associated properties a reality. He stated that this plan is in accordance with what the neighborhood has sought for a long time; they are protecting green space; and we are getting neighborhood retail.

Upon a motion made by Mr. Runyan and seconded by Ms. Devine, Council voted unanimously to give first reading approval to the *Map Amendment* for 101 Wayne Street being the block bounded by Whaley Street, Wayne Street, Heyward Street and Church Street, TMS# 08913-16-05; request to rezone from M-1(Light Industrial) with -PD (Planned Development) overlay to MX-1 (Mixed Use) without -PD overlay.

- **Council closed the Zoning Public Hearing at 7:25 p.m.**

## CONSENT AGENDA

Councilor Plough complimented staff on **Item 13**, the protégé only project. She asked staff to explain to the public what that means.

Ms. Teresa Wilson, City Manager stated that there have many recommendations associated with the Disparity Study and this is one of the recommendations that we implemented.

Mr. Joey Jaco, Director of Utilities and Engineering further explained that in discussions with Mr. Franklin Lee, Esq., they wanted to improve the success of the Mentor Protégé Program by only inviting the protégés to bid on a project. He explained that they chose a project under \$200,000 to allow small contractors to be able to bond the project. He said there were four protégé bidders and they were encouraged to interact with their mentors, but it was not required that they be a part of the team. He stated that the project was awarded to a good contractor and this shows the success of the program.

Councilor Plough referenced **Item 15** and thanked Mr. Robert Anderson, Public Works Director for his yeoman efforts involving the Gills Creek Parkway. She said that after meetings with the community and the Gills Creek Watershed Association, everybody fully understands and supports the proposed work to be done under this contract. She noted that Mr. Anderson will continue to monitor the implementation, because there are still concerns about traffic, speed humps, the need for a traffic light on Garners Ferry Road and people crossing over the line when turning off of Gills Creek Parkway onto Pelham.

Upon a single motion made by Mr. Baddourah and seconded by Mr. Runyan, Council voted unanimously to approve the **Consent Agenda Items 11** through **17**.

### CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

11. Council is asked to approve [Capital Improvement Project CM2007](#); Infrastructure Improvements to Dorrah Street, as requested by Utilities and Engineering. Award to Sloan Construction, the lowest, responsive and responsible bidder in the amount of \$50,333.10. This vendor is located in Columbia, SC. *Funding Source: CDBG JL: 9100901012 GL: 251999; SR808101– **Note:** The original budgeted amount for this service is \$61,231.00 - Approved*
12. Council is asked to approve the [Purchase of One \(1\) Ford 450 4x4 Truck](#), using the SC State Contract and a Harben Body by way of a Sole Source Purchase, as requested by the Wastewater Treatment Plant. Award to Dick Smith Ford in the amount of \$95,170.99. This vendor is located in Columbia, SC. *Funding Source: Utilities Wastewater Maintenance/Auto, Trucks, Heavy Equipment-Capital, 5516205-658500 **Note:** One Purchase Order will be issued to Dick Smith, which is the state contract vendor. The Harben unit is being purchased through a Sole Source and will be installed by Jet Vac Sewer Equipment in Sumter, SC. Jet Vac Sewer is the Harben distributor for North and South Carolina - Approved*

13. Council is asked to approve a [Protégé Only Project WM4258](#); Phase 1, 6” Ductile Iron Pipe Improvements on Delverton Street from Pinner Road to Stebondale Road and Barnsbury Road, as requested by Utilities and Engineering. Award to Lake Murray Utility, the lowest, responsive and responsible bidder in the amount of \$164,750.00 with a 10 % project contingency (\$20,054.00) for a total amount of \$184,804.00. This vendor is located in Columbia, SC. *Funding Source: CIP Improvement Fund, 552999-658650 – **Note:** The original budgeted amount for this service is \$226,094.00 - Approved*
  
14. Council is asked to approve a [Professional Services Agreement to Conduct Operator Apprenticeship Training at the Wastewater Treatment Plant](#), as requested by Utilities and Engineering. Award to Florence & Hutcheson, Inc., in the amount of \$265,779.00. This vendor is located in Columbia, SC. *Funding Source: Wastewater Treatment Plant’s Operating Budget, 5516208-636600 – **Note:** This specialized training will be performed using three sub-consultants: Passaro Engineering, LLC (Mounty Airy, MD) will assist with Operator Training at 16.93% of the contract value; On Line Environmental, Inc., (Lexington, SC) will conduct the laboratory portion of the Operator Training program at 5.64% of the contract value; and ProStick Productions, SP (LaVergne, TN) will produce power point presentations for the training modules at 1.32% of the contract value. The original budgeted amount for this service is \$300,000.00 - 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 \$830,000.00 - Approved*

**ORDINANCES – SECOND READING**

16. [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 – *First reading approval was given on March 5, 2013 – Approved on second reading.*
  
17. [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 – *First reading approval was given on March 5, 2013 – Approved on second reading.*

## **ORDINANCES – FIRST READING**

18. [Ordinance No.: 2013-022](#) – Granting encroachment to the University of South Carolina for use of the right of way area of the 700 block of Bull Street and 700 block of Pickens Street adjacent to the west and east sides of Sims Hall at 1501 Devine Street, Richland County TMS #11303-07-01 for installation and maintenance of stamped asphalt pavement, concrete curbing, sidewalk, parking spaces and handicap parking spaces and handicap access isle – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to give first reading approval Ordinance No.: 2013-022 – Granting encroachment to the University of South Carolina for use of the right of way area of the 700 block of Bull Street and 700 block of Pickens Street adjacent to the west and east sides of Sims Hall at 1501 Devine Street, Richland County TMS #11303-07-01 for installation and maintenance of stamped asphalt pavement, concrete curbing, sidewalk, parking spaces and handicap parking spaces and handicap access isle.

19. [Ordinance No.: 2013-031](#) – Granting encroachment to the South Carolina State Library for installation and maintenance of handrails along the steps located in the right of way area adjacent to its building at 1500 Senate Street - *Approved on first reading.*

Upon a motion made by Ms. Plaugh and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval Ordinance No.: 2013-031 – Granting encroachment to the South Carolina State Library for installation and maintenance of handrails along the steps located in the right of way area adjacent to its building at 1500 Senate Street.

20. [Ordinance No.: 2013-035](#) – Authorizing the City Manager to execute an Amendment of License and Memorandum of Lease Agreement between the City of Columbia and Core Campus Columbia I, LLC and City's Consent to an Assignment of Amendment of License and Memorandum of Lease Agreement with regard to the property known as the Sumter Street Parking Garage located at 1400 Sumter Street – *Approved on first reading.*

Councilor Plaugh clarified that this is a 55 year lease and the assignment will only take place if they go into foreclosure.

Upon a motion made by Mr. Runyan and seconded by Ms. Devine, Council voted unanimously to give first reading approval Ordinance No.: 2013-035 – Authorizing the City Manager to execute a Memorandum of License Agreement between the City of Columbia and Core Campus Columbia I, LLC and an Assignment of License Agreement and City's Consent with regard to the property known as the Sumter Street Parking Garage located at 1400 Sumter Street.

## **RESOLUTIONS**

21. [Resolution No.: R-2013-013](#) – Authorizing consumption of beer and wine **only** at the Columbia’s Annual Blues Festival in Martin Luther King, Jr. Memorial Park – *Approved*
22. [Resolution No.: R-2013-026](#) – Authorizing Eau Claire Community Council’s Eau Claire Fest and consumption of beer and wine **only** at Hyatt Park, Eau Claire Town Hall and the Eau Claire Print Building - *Approved*

Upon a single motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve **Item 21.** Resolution No.: R-2013-013 – Authorizing consumption of beer and wine only at the Columbia’s Annual Blues Festival in Martin Luther King, Jr. Memorial Park and **Item 22.** Resolution No.: R-2013-026 – Authorizing Eau Claire Community Council’s Eau Claire Fest and consumption of beer and wine only at Hyatt Park, Eau Claire Town Hall and the Eau Claire Print Building.

23. [Resolution No.: R-2013-020](#) – Authorizing Acceptance and Dedication of Street Known as Shop Grove Drive (50’r/w) in Shop Grove Commerce Park, Phase 1-A to the City of Columbia; Richland County TMS #16202-02-01 (Portion); CF #314-12 - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2013-020 – Authorizing Acceptance and Dedication of Street Known as Shop Grove Drive (50’r/w) in Shop Grove Commerce Park, Phase 1-A to the City of Columbia; Richland County TMS #16202-02-01 (Portion); CF #314-12.

24. [Resolution No.: R-2013-031](#) – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and Columbia Development Corporation for lease of a portion of 1042 Adeline Drive to be used by the Columbia Police Department and Columbia Parks and Recreation Department - *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2013-031 – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and Columbia Development Corporation for lease of a portion of 1042 Adeline Drive to be used by the Columbia Police Department and Columbia Parks and Recreation Department.

25. [Resolution No.: R-2013-034](#) – Authorizing consumption of beer and wine at the Indie Grits Film Festival in the 1600 block of Main Street between Blanding Street and Taylor Street - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2013-034 – Authorizing consumption of beer and wine at the Indie Grits Film Festival in the 1600 block of Main Street between Blanding Street and Taylor Street.

26. [Resolution No.: R-2013-036](#) – Release and abandonment of a portion of the City's existing Sanitary Sewer Easement along 4869 Kilbourne Road; Richland County TMS #13816-01-20 (Portion); CIP Project#SS482 (20)-718; CF#37-4, CF#37-12 and CF#250-65 - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2013-036 – Release and abandonment of a portion of the City's existing Sanitary Sewer Easement along 4869 Kilbourne Road; Richland County TMS #13816-01-20 (Portion); CIP Project#SS482 (20)-718; CF#37-4, CF#37-12 and CF#250-65.

27. [Resolution No.: R-2013-038](#) – Establishing a Bulk Water Policy with respect to the Sale of Potable Water - *Approved*

Upon a motion made by Ms. Plough and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2013-038 – Establishing a Bulk Water Policy with respect to the Sale of Potable Water, with the following amendments:

1. Bulk Water Agreements are approved by Council as recommended with recommendation by Utilities and Engineering when in the best interest of the City.
4. Purchased water shall only be distributed within Purchaser's service area. Purchaser may sell to other water providers (Bulk Water Customers) provided that the customers are not contiguous to the City's service area and the Purchaser does not solely rely on the City's water service to provide adequate service.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

28. [Transportation Penny Advisory Committee](#) - Council is asked to stagger the terms of its appointees to 3, 4 and 5 years.

Upon a motion made by Mr. Runyan and seconded by Ms. Plough, Council voted unanimously to modify the staggered terms of individuals appointed to the Transportation Penny Advisory Committee, as follows: Mr. Todd Avant - 3 years; Mr. Trevor Bowers – 4 years; and Mrs. Virginia Sanders – 5 years.

### **CITY COUNCIL COMMITTEE REPORTS**

Upon a motion made by Ms. Devine and seconded by Ms. Plough, Council voted unanimously to refer a report from Dana Higgins on the National Bike Summit to the Environment and Infrastructure Committee.

29. Finance, Audit and Budget Committee [March 14, 2013 Report](#)

Councilor Newman reported that the Finance Audit and Budget Committee met briefly on March 14, 2012 for an initial review of the General Fund budget. He stated that staff is working to finalize the budget and the next meeting will be held on March 28, 2013 at 9 a.m. He noted that the committee will do a thorough review of the General Fund budget in preparation of the budget discussion on April 9, 2013 at 9 a.m.

**APPEARANCE OF THE PUBLIC**

Apostle Clark, Rehoboth United Assemblies, 611 Laurel Street appeared before Council to explain the church's side of the story. He explained that the current members of Council were not present when this situation first happened. He said that he met with Mayor Coble and Mr. Cromartie at that time and sent a letter listing their objections to the home being built that close to the church. He said their congregation is very dissatisfied, because they are being told to move. He noted that the church has been there for thirty years; it is paid for; and they have done great things in the community. Apostle Clark stated that the contractor and builder agreed to grant the church driveway permission to encroach past the extended property line, but the homeowner has planted trees to block the driveway. He said this limits access for the disabled. He insisted that the citations they get are for violating Sec. 8-67(c) which says they are creating a public nuisance, because they use sound amplifying devices loudly as to reasonably disturb persons in the vicinity. He further insisted that clause b states that no musical instruments or radio or phonograph with such volume between 10 p.m. and 7 a.m. He stated that they are not having church at 10 p.m. or 7 a.m. He described how they decided not to use any musical instruments, but instead to clap their hands and pat their feet and the police were called. Apostle Clark stated that the neighbors stand on their porch and record; not inside their home. He insisted that they cannot be heard from the front of the church. He described how they even moved the drums to the other side of the church to accommodate them, but there seems to be no accommodation. He believes that this is becoming a personal matter. In closing, Apostle Clark stated that they are not trying to run people away by making what they label as noise; it's our form of worship.

Dr. Harriet Clark, Founding Pastor of Rehoboth United Assemblies said that she has a problem when the Mayor states that they are not wrong; the Police Chief said they're not wrong; but they are being bled dry by these citations. She said that someone needs to ask why the church is being fined, because the homeowner doesn't get a citation. She said that the homeowners planted trees and dug up half of the church's driveway. She stated that there is a member on two canes who volunteers at the church and has a hard time getting into the facility. She insisted that this is brewing bad feelings between the church and the Police Department.

Mayor Pro-Tem Newman asked Ms. Tina Herbert, Executive Director of the Office of Business Opportunities to outline the city's efforts to resolve this matter. He said that we want to ensure that no one is being singled out or ridiculed by the Police Department or any other city staff.

Ms. Tina Herbert, Executive Director of the Office of Business Opportunities said that they are working to schedule mediation on March 25, 2013 with Danny Crowe, Esq. She noted that there have been issues that both parties brought up that the city can assist with such as parking, the encroachment issue, and other issues we can help with. She stated that we must find a way for them to coexist now.

Mayor Pro-Tem Newman requested a copy of the plat and that a summary of communications be sent to the members of Council. He agreed that we want everyone to coexist peacefully and hopefully we can find a remedy. He encouraged everyone to come to the mediation session with an open mind. He asked Ms. Herbert to let Council know how they can get engaged.

Councilor Baddourah ensured Apostle Clark that the Police Department isn't picking on Apostle Clark; they are reacting to a phone call from a resident. As the chair of the Public Safety Committee, he is proud of the Columbia Police Department and it is their duty to respond to complaints and to protect us.

Mayor Pro-Tem Newman charged Captain Marsh and Chief Scott with laying out the investigation for Council. He said that we have great officers, but none of the Council members were there when the church was cited. He said God forbid if something was done inappropriately; we would want to know about it.

Apostle Clark, Rehoboth United Assemblies requested a written or oral apology for the incident wherein an officer stepped into the pulpit, because it is a sacred place and the officer was not invited into the pulpit.

Mr. Thomas Waters explained that on one occasion he called the police first when the neighbors dug the driveway up and planted trees. He said that he told the neighbors that he was going to take up the trees and the neighbor called the police and said he threatened her. He said that the officer on the scene discredited that report and other officers arrived, but determined that it is a civil matter and nothing could be done; the neighbor was not reprimanded for making a false call.

Councilor Devine stated that it is state property and she agreed that it is a civil matter. She said there are several sides to the story and there is perception. She explained that it's Council's job to investigate the matter, but Council will not be there to try the case if they go to court. She agreed that they needed to coexist together and that they didn't need to rehash a lot of stuff in this forum, but work to reach an agreement. She stated that it's Council's job to help resolve this, but Council has no jurisdiction over civil matters.

Ms. Teresa Wilson, City Manager said she is happy for us to facilitate the issues that are related to the city.

Mayor Pro-Tem Newman said the ultimate goal is to figure out how we can help.

Mr. Thomas Waters said the church is not on the original plat; the developer planned to construct a park after pushing us out. He stated that this has been a continuous uphill situation.

Councilor Davis said he understands the arguments from both sides and he doesn't think the church should move. He remembers every apartment building that was there before construction. He agreed that there's a need now to cohabitate. He said there is an offer on the table and suggested that both parties consider that; mediation is a very good start. He said that the city has boundaries, but the city has responsibilities also.

Mayor Pro-Tem Newman thanked Apostle Clark and other church representatives for coming and informing the members of Council of the events. He asked Ms. Herbert to provide them a report after the mediation to determine how the city can help to resolve matters within our control.

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to adjourn the meeting at 8:07 p.m.

Respectfully submitted by:

Erika D. Moore  
City Clerk