



CITY OF COLUMBIA
DISTRICT II EVENING MEETING MINUTES
TUESDAY, OCTOBER 15, 2013
6:00 P.M.
EDVENTURE CHILDREN'S MUSEUM
211 GERVAIS STREET

The Columbia City Council conducted a District II Evening Meeting on Tuesday, October 15, 2013 at Edventure Children's Museum, 211 Gervais Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:17 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plaugh, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Ms. Teresa 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

Mr. Cliff, Ray and Michael Spann led the audience in the pledge of allegiance.

INVOCATION

Mr. S. Allison Baker, Senior Assistant City Manager offered the Invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to adopt the agenda, subject to removing **Items 13, 16, and 17** from the **Consent Agenda**.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Meeting Minutes of May 7, 2013 and August 6, 2013 – *Consideration of this item was deferred.*

Councilor Baddourah asked to hold the minutes until he has an opportunity to listen to the recording.

PRESENTATIONS

2. Welcome Address – The Honorable Brian DeQuincey Newman, District II Representative

Councilor Newman welcomed everyone to the District II Meeting at EdVenture. He said he wanted to bring everyone out to Coble Plaza, a new addition at EdVenture that showcases some of the positive aspects of District II.

Ms. Catherine Horne, Executive Director of EdVenture welcomed everyone to EdVenture. She recognized her board chair, trustees and staff. She provided an update on EdVenture Children's Museum and the upcoming 10th Anniversary. She said that EdVenture is focused on the healthy development of children and success in learning. She said they are excited to be at this important milestone entering their second decade and they are grateful for the support from the City of Columbia throughout this process.

3. Greetings from the Arsenal Hill Neighborhood Association – Mr. Bob Wynn, President of the Arsenal Hill Neighborhood Association

Mr. Bob Wynn, President of the Arsenal Hill Neighborhood Association offered greetings on behalf of the Arsenal Hill Neighborhood Association. He said the City of Columbia is growing in remarkable ways. He said Arsenal Hill, Columbia's oldest neighborhood, is bounded by Huger, Assembly, Elmwood and Gervais and comprised of businesses, homeowners and various types of properties and historic structures. He said they see opportunities to contribute positively. He asked how they can be partners in bringing new life and prosperity to the capital city.

Councilor Newman acknowledged that Arsenal Hill has been impacted by a lot of recent decisions that were made by City Council. He said it is an example of positive collaboration and ensuring that we communicate objective and factual information to everyone in the community.

****Ms. Teresa Wilson**, City Manager asked Council to consider discussing the funding requests from external organizations and the elections fee agreement.

4. [Introduction of the September 2013 Employee of the Month](#) – Ms. Sara Hollar, Forestry and Beautification Superintendent

Ms. Sara Hollar, Forestry and Beautification Superintendent introduced Mr. Jesse Barnes, Groundskeeper for the Forestry and Beautification Division as the September 2013 Employee of the Month. She described Mr. Barnes as a great asset to the division, department and the City of Columbia.

Mayor Benjamin presented Mr. Barnes with a plaque and City Manager Wilson presented Mr. Barnes with a token of appreciation.

5. [Introduction of the October 2013 Employee of the Month](#) – Interim Police Chief Ruben Santiago

Mr. Ruben Santiago, Interim Police Chief introduced Ms. Linda Eller, Personnel Coordinator for the Columbia Police Department as the October 2013 Employee of the Month. He recognized Ms. Eller for 25 years of service and for her participation in numerous city events.

Mayor Benjamin presented Ms. Eller with a plaque and City Manager Wilson presented Ms. Eller with a token of appreciation.

6. [Community Planning Month Proclamation](#) – The Honorable Mayor Stephen K. Benjamin

Mr. John Fellows, Assoc. AIA, AICP, Planning Administrator announced that this year's theme is People and Places. He said that National Community Planning Month is designed to celebrate the benefits of planning and communities, noting that Richland County is projected to have an increase in population of 18.5% from 2010 to 2030. He announced that last Friday, the Planning Department held a planning session for the West Gervais Commercial Area. On Thursday, October 17, 2013 there will be a planning session on the Devine Street/Fort Jackson Boulevard commercial node.

Mayor Benjamin and the members of Council proclaimed October 2013 as National Community Planning Month in the City of Columbia.

7. [Update on Let's Move! Columbia](#) – The Honorable Tameika Isaac Devine

Councilor Devine recalled that Lets Move is a comprehensive initiative that began in 2010 by First Lady Michelle Obama. It is dedicated to solving the problem of obesity within a generation. In July 2012, the City of Columbia officially became a Lets Move City. She said that Let's Move Cities and Towns had five (5) goals and we committed to achieving all five (5) goals. The City was awarded a gold medal for meeting goal one: Start Early, Start Smart. For goal two: My Plate, Your Place the city received a gold medal. For goal three: Smart Servings for Students we received a silver medal. For goal four: Model Food Service we received a gold medal. Under goal five: Active Kids at Play, we received a gold medal. She recognized our partners for Lets Move. She announced that the City of Columbia is tied as the number one first place Let's Move City in the nation. She outlined the following next steps: form a childhood obesity taskforce, gather statistics, set measurable goals, and expand partnerships.

8. [Reopening of the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center](#) – Mr. Jeffrey Caton, Director of Parks and Recreation

Mr. Jeffrey Caton, Director of Parks and Recreation announced the grand reopening of the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center on November 2, 2013. He reported that the first phase of renovations is now complete and phase two will cost approximately \$600,000. He recognized many agencies that will provide services such as wellness screenings, parenting classes and GED classes at the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center. [Click here to view the full presentation](#)

- 8a. ****[Update on the RICH Program](#)** – Dr. Germon Miller

Mr. Cody Blue, RICH Program Participant recognized CSO Ewell Graddick for giving him money for transportation on a day that he was stranded. He announced his enlistment in the Air Force. He presented CSO Graddick with an [award](#) recognizing his honor and dedication.

Ms. Peggy Hoskins, RICH Program Intern thanked Dr. Miller for allowing her to travel and experience new things under the RICH Program.

Dr. Germon Miller announced that they will be traveling to Baltimore, MD, Washington, DC and Philadelphia, PA from October 24, 2013 to October 28, 2013 to collaborate with the Peace Alliance and other organizations with regard to youth antiviolence. She announced that the RICH Program is celebrating its second anniversary.

9. Tourism is Working for Columbia – Ms. Miriam Atria, President and Chief Executive Officer of Capital City Lake Murray Country and Mr. Ric Luber, President and Chief Executive Officer of the Midlands Authority for Conventions, Sports & Tourism

Ms. Miriam Atria, President and Chief Executive Officer of Capital City Lake Murray Country thanked the members of Council for investing in tourism. She stated that marketing dollars are being stretched and producing a \$24 return on investment on every \$1. She announced that WPIX filmed our region and aired a 30-minute show about the 10 coolest things to do in this region.

Mr. Ric Luber, President and Chief Executive Officer of the Midlands Authority for Conventions, Sports & Tourism presented a five-year view of the top ten economic development indicators. He said there are a number of simultaneous events going on at the Convention Center and more space will be needed eventually.

Ms. Miriam Atria, President and Chief Executive Officer of Capital City Lake Murray Country announced that they are bringing the Forest Woods Cup back to Columbia in August 2014, which will be viewed by 429 million households. She insisted that tourism is working for Columbia.

OTHER MATTERS

10. Council is asked to approve a [Request for Certificate of Convenience and Necessity](#), as requested by the Business License Division. Award to Mr. Thomas A. Richards doing business as R&R Pedicab Company, located at 1076 Drayton Court, Fort Mill, SC. – ***Note:*** *The applicant is planning to place eight (8) pedicabs into service.*

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted unanimously to approve a Request for Certificate of Convenience and Necessity, as requested by the Business License Division. Award to Mr. Thomas A. Richards doing business as R&R Pedicab Company, located at 1076 Drayton Court, Fort Mill, SC.

Councilor Devine asked if the Pedicab will be in downtown Columbia.

Mr. Thomas A. Richards, Applicant said he is operating eight (8) cabs in Charlotte and he would like to operate here for the USC football games. He wants to look at the potential and hopefully establish a pedicab business here.

11. [Neighborhood Street Lighting Requests](#)

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the following neighborhood street lighting requests:

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Project Request Total	Total Year to Date
3902 Grand Street	2	1	\$237.84	\$118.92	\$1,336.36
Clement Road	2	12	\$450.36	\$1,427.04	\$2,763.40
Greystone Boulevard	1	1	\$212.52	\$212.52	\$2,975.92
3417 Moss Avenue	2	1	\$237.84	\$118.92	\$3,094.84

- 11a. [Palmetto Compress Warehouse](#) – Mr. Fred Delk, Executive Director of the Columbia Development Corporation

Mr. Fred Delk, Executive Director of the Columbia Development Corporation (CDC) stated that the CDC is bringing forth a recommendation for a developer of the Palmetto Compress Warehouse Building. He explained that the CDC produced a Request for Proposals and evaluated the responses. On behalf of the CDC, he recommended that Council accept the proposal from Palmetto Compress Preservation Developers, LLC. He noted the that the contract will be for \$5,750,000 in addition to

the expenses incurred within the last six (6) months, which is \$100,000 more than the Corporation’s purchase price of the building.

Mayor Benjamin said this was discussed during the Work Session (*Item 2*) today. He said this is a win for preservation, adaptive reuse, and the Ward One Community.

Councilor Plough admitted that she was a critic of this proposal from the beginning and she is delighted that we have an excellent proposal that will end with a contract in December. She noted that a lot of due diligence is needed. She said we must not view this as the appropriate model for redevelopment in the future.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to authorize the Columbia Development Corporation to enter into a contract with Palmetto Compress Preservation Developers, LLC as the developer of the Palmetto Compress Warehouse.

CONSENT AGENDA

Upon a single motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 12, 14, 15, 18 and 19.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

- 12. Council is asked to reimburse the [USC/Columbia Technology Incubator](#) in the amount of \$50,000 for the boiler replacement at 1225 Lady Street, as requested by the General Services. *Funding Source: 5511219 658400 - Approved*
- 13. Council is asked to approve the [Purchase of FC300 Bluetooth Meter Reading Devices](#), as requested by the Water Distribution Division. Award to Itron, as a Sole Source for the following quantities and services in the amount of \$106,560.36. This vendor is located in Liberty Lake, WA. *Funding Source: Utilities/Water Main Customer Service/Computer Equipment/Hardware; 5516202-627500 - Approved*

Quantity	Services	Amounts
27	G5 Handheld Meter Reading Units	\$78,165.00
6	Bay Multi-Dock including Power Supply & Power Cable	\$10,188.00
6	Charge/Comm Interface Cable, USB Client for Active sync	\$252.00
27	Bluetooth Maintenance	\$8,910.00
6	Bay Multi-Dock Maintenance including Power Supply & Power Cable	\$1,152.00
	Total	\$98,667.00
	Tax (8%)	\$7,893.36
	Grand Total	\$106,560.36

Councilor Plough sought clarification on the proposals.

Mr. Joey Jaco, Director of Utilities and Engineering said these devices are compatible with the existing software system and these are replacements. He noted that these are Bluetooth devices that can be used for remote meter reading.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the Purchase of FC300 Bluetooth Meter Reading Devices, as requested by the Water Distribution Division. Award to Itron, as a Sole Source for the following quantities and services in the amount of \$106,560.36.

14. Council is asked to approve the [Purchase of five \(5\) separate lots of Wastewater Maintenance Materials for Fiscal Year 2013/2014](#), as requested by the Wastewater Maintenance Division. Award to the lowest bidder of each lot in the amount of \$245,946.78. *Funding Source: Utilities Wastewater Maintenance/Pipe, Fittings, Hydrants, etc.; 5516205-625700 – **Note:** Lots 4 and 5 are based on applying the Local Business Enterprise preference policy. - Approved*

Lot	Vendors	Locations	Amounts
1	Independent Water Works (LBE vendor awarded based on low bid)	Lexington, SC	\$158,392.00
2	Fortiline, Inc. (Mainline Supply)	Columbia, SC	\$2,478.00
3	Hayes Pipe	Nashville, TN	\$66,858.50
4 & 5	Independent Water Works (Awarded based on applying LBE preference)	Lexington, SC	
		Tax (8%)	\$18,218.28
		Grand Total	\$245,946.78

15. Council is asked to approve [Mentor Protégé Program Project SS7241](#); 8” Sanitary Sewer Extension to Plumbers Road, as requested by Utilities and Engineering. Award to McClam and Associates, the lowest, responsive and responsible bidder in the amount of \$252,833.35. This vendor is located in Little Mountain, SC. *Funding Source: Capital Project Improvement Fund; 5529999-658650 – **Note:** A project contingency of \$26,000 is included in the amount and Patriot Construction (Protégé) located in Columbia, SC is implementing 5% (\$11,341.66) of the contract value. The original budgeted amount for this task is \$286,705.00. - Approved*
16. Council is asked to approve the [Purchase of a Parking Control Equipment Package](#), as requested by the Parking Services Department. Award to Southern Time Equipment Company in an amount not to exceed \$492,780.36. This vendor is located in Wilson, NC. *Funding Source: Parking Imp Project Control/Spec Contract/Capital Projects RFID Scanners City Center Garage, 5329999-658650/PG001119; \$29,449.00; Parking Imp Project Control/Spec Contract/ Capital Projects/Gate Control Equipment Lady Street Garage, 5329999-658650-PG001120; \$213,958.12 and Parking Imp Project Control/Spec Contract/Capital Projects/Sumter St. Gate Control Equipment, 5329999-658650-PG001121; \$249,373.24 - Approved*

Councilor Plough sought clarification on the proposals received.

Mr. John Spade, Director of Parking Services said that Southern Time Equipment Company had more experience; they have offices in Charlotte and Charleston; and their proposal included a hotel package for the Marriott and Sheraton. He said staff will also talk to the vendor about replacing the older equipment in the Park Street Garage. He noted that there was a \$100,000 difference in the proposals.

Upon a motion made by Ms. Plough and seconded by Mr. Runyan, Council voted unanimously to approve the Purchase of a Parking Control Equipment Package, as requested by the Parking Services Department. Award to Southern Time Equipment Company in an amount not to exceed \$492,780.36.

ORDINANCES – SECOND READING

17. [Ordinance No.: 2013-087](#) (*Revised*) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 1, Generally, Sec. 2-31 Salaries of mayor and councilmembers – *First reading approval was given on October 1, 2013. Mayor Benjamin and Mr. Baddourah abstained from discussions. - Approved on second reading as amended.*

Mr. Kenneth E. Gaines, Esq., City Attorney reported that the Human Resources Director did not find another municipality that provided a benefits package. He suggested that the provision for a benefits package be removed from the ordinance.

Mr. Joe Azar said it sets a bad precedent to raise the salary at this time. He said we are raising the mayor's salary by 425% or more if we don't change the style of system that we have. He said there are positions open in the Fire and Police Departments; we train them and they go off to other cities. He said that all candidates knew what the salary was when they ran, but they still decided to run.

Councilor Runyan made a motion to give second reading approval to Ordinance No.: 2013-087 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 1, Generally, Sec. 2-31 Salaries of mayor and councilmembers on second reading with the suggestion to strike “in a full time capacity”.

Councilor Plough seconded the motion.

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to waive attorney-client privilege on this matter.

Mr. Kenneth E. Gaines, Esq., City Attorney said the view that he takes is consistent with the view taken by the Municipal Association of South Carolina and the City's labor attorney, Al Nickles. He said that state law doesn't authorize councilmembers to limit the mayor's outside employment. In Chapters 7 and 21 in Title 5, it addresses how to handle conflicts of municipal officers contracting in a municipality and it suggests that outside employment is not prohibited. He suggested that they request an Attorney General's opinion before implementing this limitation, because it could be subject to a successful challenge.

There was an in-depth discussion regarding the following:

- Prohibiting income from full-time employment
- Types of outside employment that are being prohibited
- The ability to adjust the salary downward
- Addressing benefits such as a driver or a car
- Council's approval of increased costs

Upon a motion made by Mr. Runyan and seconded by Ms. Plough, Council voted unanimously to give second reading approval to Ordinance No.: 2013-087 – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 1, Generally, Sec. 2-31 Salaries of mayor and councilmembers, subject to removing the following. Mayor Benjamin and Mr. Baddourah abstained from voted due to a potential conflict of interest.

- “and a benefits package as follows:”
 - “shall serve in a full time capacity and”
18. [Ordinance No.: 2013-107](#) – Granting encroachment to John M. Herr and Lucrecia L. Herr for installation and maintenance of a parking pad within the right of way area adjacent to 3611 Foxhall Road, Richland County TMS# 14109-02-14 – *First reading approval was given on October 1, 2013. – Approved on second reading.*
19. [Ordinance No.: 2013-112](#) – Approving certification of site under S.C. Code Ann. §12-65-50 of the South Carolina Textiles Communities Revitalization Act for 214 Wayne Street, Richland County TMS #08913-12-10 – [Plat Area](#) – *First reading approval was given on October 1, 2013. – Approved on second reading.*

ORDINANCES – FIRST READING

20. [Ordinance No.: 2013-109](#) – Granting encroachment to Noble I/HY Columbia, LLC for installation and maintenance of a driveway, sidewalks, curbing, guttering, landscaping and an irrigation system within the right of way areas of the 800 block of Lady Street, and installation and maintenance of a sidewalk with pavers and a handicap ramp, curbing and guttering within the right of way area of the 800 block of Gervais Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04 – *Approved on first reading.*

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-109 – Granting encroachment to Noble I/HY Columbia, LLC for installation and maintenance of a driveway, sidewalks, curbing, guttering, landscaping and an irrigation system within the right of way areas of the 800 block of Lady Street, and installation and maintenance of a sidewalk with pavers and a handicap ramp, curbing and guttering within the right of way area of the 800 block of Gervais Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04. Mr. Baddourah was not present for the vote.

21. [Ordinance No.: 2013-117](#) – Adopting the Commercial Revolving Loan Fund (“CRLF”) Code, revised August 2, 2013, and approving the Loan Agreement and Promissory Note document formats – [Major changes to CRLF Code](#) – *Approved on first reading by a vote of six (6) to one (1), subject to amending the title to remove the approval of the Loan Agreement and Promissory Note document formats.*

Councilor Davis explained that this is the outcome of the discussions held by the Economic and Community Development Committee. He presented the recommendations for Council’s approval.

Mr. Kenneth E. Gaines, Esq., City Attorney asked Council to adopt the Commercial Revolving Loan Fund Code, but not the loan agreement and promissory loan document.

Councilor Plaugh said she cannot support the Columbia Economic Renaissance Fund (CERF), because it is set up only to be operated with General Fund money making direct loans to businesses. She said it is not an appropriate use of taxpayer dollars.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2013-117 – Adopting the Commercial Revolving Loan Fund (“CRLF”) Code, revised August 2, 2013, and approving the Loan Agreement and Promissory Note document formats, subject to removing the approval of the Loan Agreement and Promissory Note document formats. Voting aye were Mr. Baddourah, Mr. Runyan, Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Ms. Plaugh voted nay.

Upon a motion made by Ms. Plough and seconded by Mr. Baddourah, Council voted unanimously to communicate with our elected representatives in Washington, D.C. the fact that the bulk of the City of Columbia's funding to make commercial loans is provided to us through the Department of Economic Development Administration and we have long been a participant in their commercial revolving loan fund, but for over two (2) years our funds have been frozen and we have not been able to make loans. This is a real impediment. Ask them to look into this matter to get these funds unfrozen for us so that we can maximize the effectiveness of these dollars in our community. She asked that the Economic Development Administration be copied on the letter.

RESOLUTIONS

Mr. Ruben Santiago, Interim Police Chief explained that **Items 22** through **25** allows the Police Departments and the alcohol enforcement teams to have multi-jurisdictional rights to work together. He said the mutual aid agreements allow us to offer assistance during emergencies and catastrophes and to enforce laws outside the city limits.

Upon a single motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to approve **Items 22** through **25**.

22. [Resolution No.: R-2013-094](#) – Authorizing the City Manager and Interim Chief of Police to execute An Intergovernmental Mutual Aid Agreement for the Three Rivers Greenway between Lexington County and the Lexington County Sheriff's Department, Richland County and the Richland County Sheriff's Department, the City of Columbia and the City of Columbia Police Department, the City of Cayce and the City of Cayce Public Safety Department, the City of West Columbia and the City of West Columbia Police Department, the Irmo-Chapin Recreation Commission, the South Carolina Department of Natural Resources, the University of South Carolina Division of Public Safety, the Irmo Fire District, the Congaree Swamp National Park and the River Alliance – *Approved*
23. [Resolution No.: R-2013-095](#) - Authorizing the City Manager and Interim Chief of Police to execute a Multijurisdictional Alcohol Enforcement Unit Agreement between the Town of Lexington and the Town of Lexington Police Department, Richland County and the Richland County Sheriff's Department, the University of South Carolina and the University of South Carolina Division of Law Enforcement and Safety, the City of West Columbia and the City of West Columbia Police Department, the Town of Lexington and the Town of Lexington Police Department, the City of Cayce and the City of Cayce Department of Public Safety, and the City of Columbia and the City of Columbia Police Department - *Approved*

24. [Resolution No.: R-2013-096](#) – Authorizing the City Manager and Interim Chief of Police to execute a Mutual Aid Agreement and Narcotics Enforcement Agreement between the City of Columbia and City of Columbia Police Department and the City of Springdale and the City of Springdale Police Department - *Approved*
25. [Resolution No.: R-2013-097](#) – Authorizing the City Manager and Interim Chief of Police to execute a Mutual Aid Agreement and Narcotics Enforcement Agreement between the City of Columbia and City of Columbia Police Department and Horry County and the Horry County Police Department – *Approved*
26. [Resolution No.: R-2013-098](#) – Repealing Resolution R-2013-011 Adopting City of Columbia Response to Resistance Policy and Adopting City of Columbia Response to Resistance Policy – [Memo](#) – *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2013-098 – Repealing Resolution R-2013-011 Adopting City of Columbia Response to Resistance Policy and Adopting City of Columbia Response to Resistance Policy.

27. [Resolution No.: R-2013-099](#) – Authorizing the City Manager to execute a Fee Agreement for Election Costs between the City of Columbia and Richland County – *Approved, subject to a one (1) year term and subject to Richland County paying the City’s legal fees if there is an act or omission of Richland County.*

Councilor Plough moved that we proceed with a one year term to the agreement instead of a five year term so that we can have experience with how this election will be run. Ms. Devine seconded the motion.

Mr. Kenneth E. Gaines, Esq., City Attorney recommended that we add a clause that Richland County will pay our legal fees if we have an act or omission of Richland County.

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2013-099 – Authorizing the City Manager to execute a Fee Agreement for Election Costs between the City of Columbia and Richland County, subject to a one (1) year term and subject to Richland County paying the City’s legal fees if there is an act or omission of Richland County.

28. [Resolution No.: R-2013-100](#) – Authorizing the City Manager to execute a Water Main Extension Agreement between the City of Columbia and County of Lexington for construction of a water main extension and internal distribution system to service Palmetto Shores – *Approved, subject to the tap certificates being valid for eight (8) years.*

Upon a motion made by Ms. Plaugh and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2013-100 – Authorizing the City Manager to execute a Water Main Extension Agreement between the City of Columbia and County of Lexington for construction of a water main extension and internal distribution system to service Palmetto Shores Correction, subject to the tap certificates being valid for eight (8) years.

29. [Resolution No.: R-2013-101](#) – Authorizing the City Manager to execute an Agreement between the City of Columbia and Richland County School District One for the demolition and lease of the Virginia Pack School property located at 3602 Thurmond Street, Richland County TMS # 11614-01-12 for open space recreational use – *Approved by a vote of six (6) to one (1).*

Councilor Plaugh expressed concerns about the agreement. She said we will spend \$300,000 to take the building down; the school district will decide if they want to enter into a fifty (50) year lease; and then we will proceed with the construction of a community room, at the least.

Mr. Kenneth E. Gaines, Esq., City Attorney said the agreement implies that the city and county will agree to a lease and if they don't, the school district will have to pay our \$300,000 back over ten (10) years.

Councilor Devine said there is no plan and several board members said the good faith to negotiate is just that, but if we don't do anything or if we do something contrary to what they want done, they can get the property back.

Mr. S. Allison Baker, Senior Assistant City Manager said the city wouldn't commit to anything beyond demolishing the building and grading the ground. He said the school would not commit to a shorter timeframe for repayment.

Councilor Newman said there was an issue with us acquiring the property outright; therefore, a lease was the best process to go through. He said this has been out here for a long time; projects were identified by each Council member; and funds were set aside for the demolition. He doesn't believe the entire \$300,000 will be spent.

Ms. Diane Wiley, Belvedere Neighborhood President said the school has been sitting there for ten (10) years and there are boys sitting on top of the building shooting at each other and having parties. She said we need answers, because it is a high crime area with prostitution and they have to call the police all the time. She said they are fighting to get the ugly building out of the neighborhood.

Councilor Runyan said he supports this project. He asked if we can shorten the repayment term from ten (10) years.

Mr. S. Allison Baker, Senior Assistant City Manager said we started with two (2) years went to five (5) and ended up with ten (10) years.

Mayor Benjamin said getting this property adaptively reused for something positive in the Belvedere Community is absolutely important. He said we have to look at a creative partnership to deliver a public amenity to this community.

Councilor Newman clarified that the school district didn't ask us to do this; this was City Council stepping up to the plate to do something productive in this neighborhood.

Upon a motion made by Mr. Newman and seconded by Ms. Devine, Council voted six (6) to one (1) to approve Resolution No.: R-2013-101 – Authorizing the City Manager to execute an Agreement between the City of Columbia and Richland County School District One for the demolition and lease of the Virginia Pack School property located at 3602 Thurmond Street, Richland County TMS # 11614-01-12 for open space recreational use. Voting aye were Mr. Baddourah, Mr. Runyan, Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Ms. Plough voted nay.

Councilor Devine said this can be a great green space.

APPOINTMENTS

30. [Bicycle Pedestrian Advisory Committee](#)

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to appoint Ms. Gale Baker and Mr. Michael Hill as Council District I representatives to the Bicycle Pedestrian Advisory Committee.

31. [Planning Commission](#)

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to approve the appointment of Dr. Josh McDuffie to the Planning Commission for a three-year term.

Councilor Plough asked that applicants be considered for District IV.

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

32. Council is asked to refer a presentation of options to obtain police vehicles to the Public Safety Committee, as requested by The Honorable Moe Baddourah.

There was a consensus of Council to schedule this as a presentation to the full Council.

**Councilor Devine announced that the next meeting of the Environment and Infrastructure Committee will be held in November.

CITY COUNCIL DISCUSSION / ACTION

33. **Funding Requests from External Organizations

Ms. Sheldon Paschal, Executive Director for the 701 Center for Contemporary Art explained that they originally requested \$60,000 and was awarded a total of \$45,000. She requested additional funding in the amount of \$15,000 for marketing.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted four (4) to three (3) to approve the following funding allocations from the designated Hospitality Tax Reserve Fund in the total amount of \$100,200. Voting aye were Mr. Runyan, Mr. Newman, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah, Ms. Plaugh and Ms. Devine.

Greenview Music Festival	\$ 7,700
Cornbread Festival	\$ 30,000
Eau Claire Fest	\$ 15,000
World AIDS Day	\$ 7,500
SC State Fair	\$ 15,000
<u>701 Center for Contemporary Art</u>	\$ 15,000
The Sustainers	\$ 10,000

34. 2 a.m. Bar Closings

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to direct the City Attorney to bring back a revised ordinance with a 2 a.m. absolute closing of bars in the City of Columbia. Staff was directed to reach out to all Hospitality Associations, the Hospitality Zone Taskforce, neighborhood associations and the Chamber of Commerce and to provide a report on what has happened since the implementation of the ordinance. Mr. Davis was not present for the vote.

APPEARANCE OF THE PUBLIC

No one appeared at this time.

EXECUTIVE SESSION

Upon a motion made by Mr. Runyan and seconded by Ms. Plaugh, Council voted unanimously to enter into executive session at 9:42 p.m. for the discussion of **Items 35, 36 and 37.**

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

36. **Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*

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

- **Council adjourned the Executive Session at 10:30 p.m.**

Respectfully submitted by;

Erika D. Moore
City Clerk