



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 10, 2013
6:00 P.M.
CITY HALL COUNCIL CHAMBERS
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Tuesday, December 10, 2013 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:18 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Brian DeQuincey Newman, The Honorable Leona K. Plaugh, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Ms. Teresa B. Wilson, City Manager and Ms. Niki Daniels, City Clerk Assistant. This meeting was advertised in accordance with the Freedom of Information Act.

PLEDGE OF ALLEGIANCE

INVOCATION

Reverend Michael H. Baker, Senior Pastor of Greater Saint Luke Baptist Church offered the Invocation.

PRESENTATIONS

1. Presentation from a Faith Based Partner to the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center – Rev. Michael H. Baker, Senior Pastor of Greater Saint Luke Baptist Church

Reverend Michael H. Baker, Senior Pastor of Greater Saint Luke Baptist Church presented a check in the amount of \$1,000 to the Parks and Recreation staff to purchase Christmas toys for the children at the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center. He said when he visited the center, he saw great accomplishments and noticed that there was a tree on the wall, which has 52 names of children that desire to have a pleasant Christmas, but due to economic reasons, their families are not able to provide.

Mayor Benjamin said on the behalf of the people of the City of Columbia, we recognize that in order for our system of government to work, we need partnerships from the private communities and faith communities. He thanked Rev. Baker for his leadership and presented him with a plaque.

ADOPTION OF THE AGENDA

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

- **Item 29** (*Soda City Resolution*) and **Item 33** (*City Council Committee Appointments*) were moved to the Work Session Agenda.
- **Item 6** (*Performance Based Professional Services Agreement for a Water Revenue Savings Audit*) was removed from the Consent Agenda.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

PRESENTATIONS

2. Introduction of a New Housing Program: General Assistance Program (GAP) – Ms. Deborah Livingston, Community Development Director

Ms. Deborah Livingston, Community Development Director gave an update on the employee loan program. She said the city went from providing zero (0) loans to nine (9) employee loans to include four (4) pending loans in the pipe line. The loans are from various departments including various income levels. She introduced the new General Assistance Program (GAP), which is in collaboration with the Federal Home Loan Bank to provide \$300,000 in grants in target neighborhoods for renovations to owner occupied property. She said two activities will be carried out in the target areas: 1) down payment assistance of \$10,000 and 2) \$10,000 to provide a new roof, installation, and heating and cooling systems. She said we have five (5) partner banks and three (3) are Federal Loan Banks. The target areas are South Edisto, Lyon Street, Martin Luther King, Booker Washington Heights and Eau Claire.

OTHER MATTERS

3. Council is asked to approve the Installation of [Two \(2\) Speed Humps on Sims Avenue and a Four \(4\) Way Stop at Amherst Avenue and Greenwood Road](#) in the Oakwood Court Neighborhood. – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve the Installation of Two (2) Speed Humps on Sims Avenue and a Four (4) Way Stop at Amherst Avenue and Greenwood Road in the Oakwood Court Neighborhood.

4. Council is asked to approve the Installation of [Two \(2\) Speed Humps on Saye Cut Road](#). – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman Council voted unanimously to approve the Installation of Two (2) Speed Humps on Saye Cut Road.

5. [Neighborhood Street Lighting Request](#) – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Ms. Devine, Council voted unanimously to approve the following Neighborhood Street Lighting Request:

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Project Request Total	Total Year to Date
Fountain Lake Way	0	4	\$0.00	\$850.08	\$12,509.44

CONSENT AGENDA

Upon a single motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 7 through 23. Item 6** was approved by a separate motion.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

6. Council is asked to approve a [Performance Based Professional Services Agreement for a Water Revenue Savings Audit](#), as requested by Utilities and Engineering. Award to Utility Revenue Management Company, Inc. This vendor is located in Houston, TX. – *Note: URM is essentially auditing accounts, evaluating billing records and identifying billing issues and field conditions that result in inappropriately billing and revenues. – Approved*

Councilor Plaugh asked staff to explain how this process will work.

Ms. Melissa Gentry, P.E., Assistant City Manager of Operations said we are recommending to hire a company to help with looking at billing practices and to look at our accounts to make sure they are coded correctly in the field. The consultant will get 60% of any increased revenue and that will expire after a three year period.

Councilor Plaugh asked if the proposed negotiations are in line with other cities.

Ms. Melissa Gentry, P.E., Assistant City Manager of Operations said yes; we talked with other cities that are completely satisfied with the service and have benefited from it.

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve Performance Based Professional Services Agreement for a Water Revenue Savings Audit, as requested by Utilities and Engineering. Award to Utility Revenue Management Company, Inc.

7. Council is asked to approve a [Contract for Professional Services for Citywide Technology Training](#). Award to Fast Forward in the amount of \$100,000.00. This vendor is located in Columbia, SC. – *Approved*

8. Council is asked to approve the [Purchase of Voice and Data Cabling Services](#), as requested by the Information Technology Department. Award to MD Technologies, a Local Business Enterprise in an amount not to exceed \$100,000.00. This vendor is located in Columbia, SC. *Funding Source: Support Service Public Building/Wiring Changes; 5511219-632120. – Approved*
9. Council is asked to approve the [Purchase of One \(1\) 10.5 Cubic Yard Concrete Mixer Truck](#), as requested by the Street Division. Award to Carolina International Truck, Inc., in the amount of \$150,287.00. This vendor is located in Columbia, SC. *Funding Source: Street Division Water & Sewer Repairs-Autos, Truck, Heavy Equipment Capital; 5513202-658500 – Approved*
10. Council is asked to approve the [Purchase of Four \(4\) All-in-One Recharging Systems and Seven \(7\) Containment Fill Stations](#), as requested by the Fire Department. Award to Newton’s Fire and Safety Equipment as a sole source procurement in the amount of \$203,545.83. This vendor is located in Swepsonville, NC. *Funding Source: Homeland Security/Grant Control-Machinery & Equipment Capital 2012 Assistant to Firefighter Grant; 2549999-658300 / 9610002012-65830 – Note: These are breathing air compressor units that filter air for the SCBA (self-contained breathing apparatus) and the stations that hold the air. – Approved*
11. Council is asked to approve [Project SS7235; Improvements to Four \(4\) Wastewater Pump Stations](#), as requested by Utilities and Engineering. Award to M.B. Kahn Construction Co., Inc., the lowest, responsive and responsible bidder in the amount of \$244,442.00. This vendor is located in Columbia, SC. *Funding Source: Sanitary Sewer Maintenance Fund Special Contracts; 5516212-638300 – Note: This project is included in the capital improvement program and the budgeted amount is \$329,004.00. – Approved*
12. Council is asked to approve the [Purchase of a Mass Evacuation Bus](#), as requested by the Fire Department. Award to Matthews Specialty Vehicles, Inc., in the amount of \$283,692.00. This vendor is located in Greensboro, NC. *Funding Source: Homeland Security Grant Control-Autos, Truck, Heavy Equip. Capital; 2549999-658500 and MMRS-Transport Bus/11MMRS01-Autos, Truck, Heavy Equip. Capital; 9906100113-658500 – Approved*

13. Council is asked to approve [Projects WM380402 and SS7242; Construction at Earlewood, Keenan and Cato Drives](#), as requested by Utilities and Engineering. Award to G.H. Smith Construction, the lowest, responsive and responsible bidder in the amount of \$2,109,165.30. This vendor is located in Columbia, SC. – *Funding Source: \$717,802.30 will be funded from FY14 Water Capital Improvement Project and \$1,391,363 will be funded from FY14 Wastewater Capital Improvement Project – **Note:** This is a Mentor Protégé Program Project and Lake Murray Utility (Protégé) located in Chapin, SC is implementing 6% (\$100,000) of the contract value. The original budgeted amount for this task is \$2,053,265.00. – Approved*

ORDINANCES – SECOND READING

14. [Ordinance No.: 2013-129](#) – To amend Ordinance No. 2005-125, which authorized the Issuance of not exceeding \$7,750,000 General Obligation Bond Anticipation Notes, series 2006A and Taxable series 2006B, of the City of Columbia, South Carolina, to authorize the use of certain unexpended bond anticipation note proceeds for the City’s General Capital Improvements needs; and other matters relating thereto – *First reading approval was given on November 19, 2013. – Approved on second reading.*
15. [Ordinance No. 2013-131](#) – Granting encroachment to the Catholic Charities for installation and maintenance of sod and an irrigation system within the right of way areas of the 1400 block of Pickens Street and the 1500 block of Hampton Street adjacent to its building at 1427 Pickens Street, Richland County TMS #11402-13-05 – *First reading approval was given on November 19, 2013. – Approved on second reading.*

MAP AMENDMENT – SECOND READING

16. [1400 Blaine Street](#), TMS# 16305-04-01; request to rezone .26 acres from RS-2 (Single Family Residential) to M-1 (Light Industrial District). – *First reading approval was given on November 19, 2013. – Approved on second reading.*

Council District:	3
Proposal:	Rezone parcel from RS-2 zoning to M-1
Applicant:	Frank E. Robinson, III of Richardson, Plowden and Robinson, P.A. for South Carolina Property Partners, LLC
PC Recommendation:	Approve (7-0), 09/09/13
Staff Recommendation:	Approve

17. [919 True Street](#), TMS# 16408-01-03; request to rezone 1.67 acres from M-1 (Light Industrial District) to C-1 (Office and Institutional District). – *First reading approval was given on November 19, 2013. – Approved on second reading.*
- Council District: 4
 Proposal: Rezone parcel from M-1 zoning to C-1
 Applicant: James H. Carr for James H. Carr & Associates, Inc.
 PC Recommendation: Approve (7-0), 09/09/13
 Staff Recommendation: Approve

ANNEXATION WITH MAP AMENDMENT – SECOND READING

18. [2309 Apple Valley Road](#), TMS# 07502-01-18; request recommendation to annex and zone the properties RG-1 (General Residential). The property is zoned RM-MD (Multi-Family Residential-Medium Density) in Richland County. – *First reading approval was given on November 19, 2013. – Approved on second reading.*
- Council District: 1
 Proposal: Annex and zone properties RG-1; contiguous; secondary area
 Applicant: Marguerite W. Sanders
 PC Recommendation: Approve (7-0), 09/09/13
 Staff Recommendation: Approve

[Ordinance No.: 2013-121](#) – Annexing 2309 Apple Valley Road, Richland County TMS #07502-01-18 – *First reading approval was given on November 19, 2013. – Approved on second reading.*

19. [168 Island View Circle](#), TMS# 28912-01-06; request recommendation to annex and zone the properties PUD-R (Planned Unit Development-Residential). The property is zoned PDD (Planned Development District) in Richland County. – *First reading approval was given on November 19, 2013. – Approved on second reading.*
- Council District: 4
 Proposal: Annex and zone properties PUD-R; contiguous; Donut Hole
 Applicant: Brian K. Searfoss and Lisa C. Searfoss
 PC Recommendation: Approve (7-0), 09/09/13
 Staff Recommendation: Approve

[Ordinance No.: 2013-122](#) – Annexing 168 Island View Circle, Richland County TMS #28912-01-06 – *First reading approval was given on November 19, 2013. – Approved on second reading.*

20. **602 Bush River Road and 101 Arrowwood Road**, TMS# 07301-06-02(a) and 07304-0602(b); request recommendation to annex and zone the properties C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on November 19, 2013. – Approved on second reading.*

Council District: 2
Proposal: Annex and zone properties C-3;
contiguous; secondary area
Applicant: Danny R. Kiser
PC Recommendation: Approve (7-0), 09/09/13
Staff Recommendation: Approve

Ordinance No.: 2013-120 – Annexing 602 Bush River Road and 101 Arrowwood Road, Richland County TMS #07304-06-02(a) and 07304-06-02(b) – *First reading approval was given on November 19, 2013. – Approved on second reading.*

21. **3810 River Drive**, TMS# 09103-05-04; request recommendation to annex and zone the properties C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on November 19, 2013. – Approved on second reading.*

Council District: 1
Proposal: Annex and zone properties C-3;
contiguous; primary area
Applicant: Bobbie S. Bell & Mary Frances Dyches
PC Recommendation: Approve (7-0), 09/09/13
Staff Recommendation: Approve

Ordinance No.: 2013-119 – Annexing 3804 River Drive, 3806 River Drive and 3810 River Drive, Richland County TMS #09103-05-04 – *First reading approval given on November 19, 2013. – Approved on second reading.*

22. **NX 1409 Dunston Road**, TMS# 16309-06-01; request recommendation to annex and zone the properties M-1 (Light Industrial). The property is zoned RS-MD (Single-Family Residential-Medium Density) in Richland County. – *First reading approval was given on November 19, 2013. – Approved on second reading.*

Council District: 3
Proposal: Annex and rezone property to M-1;
contiguous; secondary area
Applicant: John Richardson, Jr.
PC Recommendation: Approve (7-0), 09/09/13
Staff Recommendation: Approve

[Ordinance No.: 2013-123](#) – Annexing NX 1409 Dunston Road, Richland County TMS #16309-06-01 – *First reading approval was given on November 19, 2013. – Approved on second reading.*

TEXT AMENDMENT – SECOND READING

23. [Amend §17-258 Table of Permitted Uses](#) to modify SIC number and permitted locations for Temporary Help Supply Services. – *First reading approval was given on November 19, 2013. – Approved on second reading.*

Council District: 1, 2, 3, and 4
Proposal: Amend Chapter 17 – 112 (2)
Applicant: Krista M. Hampton, Director of Planning & Development Services
PC Recommendation: Approve (6-1), 09/09/13
Staff Recommendation: Approve

[Ordinance No.: 2013-115](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning Division 8, District Descriptions, Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses, SIC 736 Personnel Supply Services – *First reading approval was given on November 19, 2013. – Approved on second reading.*

ORDINANCES – FIRST READING

24. [Ordinance No.: 2013-126](#) – Granting encroachment to First Citizens Bank for installation and maintenance of eight (8) in-ground LED lights within the right of way area of the 1200 block of Main Street adjacent to its building at 1210-1214 Main Street, Richland County TMS #09103-07-12 – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2013-126 - Granting encroachment to First Citizens Bank for installation and maintenance of eight (8) in-ground LED lights within the right of way area of the 1200 block of Main Street adjacent to its building at 1210-1214 Main Street, Richland County TMS #09103-07-12.

25. [Ordinance No.: 2013-133](#) – Granting encroachment to the State of South Carolina Budget and Control Board for installation and maintenance of a concrete island bump out and aluminum fencing within the right of way area of the 1200 block of Pendleton Street adjacent to the Brown Building located at 1205 Pendleton Street, Richland County TMS # 11304-01-01 – *Approved on first reading.*

Upon a motion made by Mr. Newman and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2013-133 – Granting encroachment to the State of South Carolina Budget and Control Board for installation and maintenance of a concrete island bump out and aluminum fencing within the right of way area of the 1200 block of Pendleton Street adjacent to the Brown Building located at 1205 Pendleton Street, Richland County TMS # 11304-01-01.

26. [Ordinance No.: 2013-134](#) – Authorizing the City Manager to execute Amendment No. 5 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25,444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No. : 09005-02-44 and 09005-02-23 – *Approved on first reading by a vote of six (6) to one (1).*

Councilor Plaugh asked the City Attorney to explain why the ordinance is back on the agenda.

Mr. Kenneth Gaines, City Attorney said in completing the title work on the parcel on the property; they thought there was a potential title defect; it has been concluded; and now we need to extend the contract to close the deal.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2013-134 - Authorizing the City Manager to execute Amendment No. 5 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25,444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and 09005-02-23. Voting aye were Mr. Davis, Ms. Devine, Mr. Newman, Ms. Plaugh, Mr. Runyan and Mayor Benjamin. Mr. Baddourah voted nay.

27. [Ordinance No.: 2013-135](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General, to add Sec. 14-6 Selling or furnishing individual cigarettes or cigarettes not in original packaging – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2013-135 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General, to add Sec. 14-6 Selling or furnishing individual cigarettes or cigarettes not in original packaging.

RESOLUTIONS

28. [Resolution No.: R-2013-108](#) – Authorizing the City Manager to execute Memorandum of Understanding between the City of Columbia and the United States Marine Corps Forces, Special Operations Command (MARSCO) for use of City property for training exercises - *Approved*

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve Resolution No.: R-2013-108 – Authorizing the City Manager to execute Memorandum of Understanding between the City of Columbia and the United States Marine Corps Forces, Special Operations Command (MARSCO) for use of City property for training exercises.

29. Resolution No.: R-2013-110 – Authorizing tastings only of locally produced wine and beer only provided by market vendors and operation of Soda City, an open-air market featuring farmers and food from January, 2014 to December, 2015 within the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street excluding the sidewalk areas, without closing the intersection of Hampton Street and Main Street, and approving use of the rear bay area of the first floor of the City Center Parking Garage as a permanent alternate site for Soda City during inclement weather or other events; authorizing the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice for use of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas and based on growth and/or seasonal fluctuations expanding to the 1400 block of Main Street excluding the sidewalk areas, without closing the intersection of Hampton Street and Main Street for Soda City; approving use of the rear bay area of the first floor of the City Center Parking Garage as a permanent alternate site for Soda City during inclement weather or other events; and authorize City staff to require vendors to remove items City staff deems not to be in compliance – *This item was moved to the Work Session Agenda.*

30. [Resolution No.: R-2013-112](#) – Resolution to form a Sister City with Taichung City – *Consideration of this item was deferred.*

31. [Resolution No.: R-2013-113](#) – Authorizing the City Manager to execute a First Amendment to Agreement between the City of Columbia and The Midlands Housing Alliance, Inc. for 2025 Main Street for the Fiscal Year 2013-2014 – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2013-113 – Authorizing the City Manager to execute a First Amendment to Agreement between the City of Columbia and The Midlands Housing Alliance, Inc. for 2025 Main Street for the Fiscal Year 2013-2014.

APPOINTMENTS

32. [Midlands Authority for Conventions, Sports and Tourism](#)

Mayor Benjamin said it is important to have some continuity. He said we should move forward with the appointments as recommended, effective January 1, 2014.

Councilor Plaugh asked if the applicants live in the City limits.

Ms. Connie Lucius, Ombudsman said it's not a requirement.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to approve the appointment of the following individuals to the Midlands Authority for Conventions, Sports and Tourism, effective January 1, 2014:

- Reappoint Mr. Bill Ellen to serve a final term expiring June 30, 2015
- Reappoint Mr. John Hardee to serve a final term expiring June 30, 2015
- Appoint Dr. Simon Hudson to serve a 3 year term ending January 31, 2017
- Appoint Mr. Chris Asouzu to serve a 3 year term ending January 31, 2017
- Appoint Ms. Janice Marshall to serve a 3 year term ending January 31, 2017

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

33. Council Committees – *This item was moved to the Work Session Agenda.*

34. Economic and Community Development Committee December 4, 2013 Report

Councilor Davis said the committee discussed the Disparity Study on December 4, 2013 and the final recommendations will be presented in January. He said the committee discussed the new youth sports initiative and the Council was briefed during the Work Session today.

APPEARANCE OF THE PUBLIC

Mr. Richard Dougherty, Homeless Representative said he's been made an offer by a Reverend to use a portion of a school off of South Beltline to open a ministry shelter to help get the homeless off the street. He asked the City to help with the reconstruction.

Mayor Benjamin inquired about the staff contact person for homelessness.

Ms. Teresa Wilson, City Manager said Jeff Rainwater, Community Development Liaison and David Knoche, Director of General Services.

Mr. Richard Dougherty, Homeless Representative assured Council that money is only needed for reconstruction.

Mr. Jaja Akair, Homeless Representative said he has teamed up with Homeless Helping Homeless and will be presenting a proposal and a long term goal of fixing homeless issues.

Mr. Sheron Malone, former gang member said he started a non-profit organization called Stop the Violence, which is to help the troubled youth get off the streets and to deter gang violence. He asked what can be done to assist former gang members with records in order to obtain jobs in the city and what resources are in place to help incarcerated youth.

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to adjourn the meeting at 7:03 p.m.

Respectfully submitted by:

Niki Daniels
City Clerk Assistant