



CITY OF COLUMBIA CITY COUNCIL
BULL STREET CAMPUS DEVELOPMENT AGREEMENT
SECOND PUBLIC HEARING MINUTES
JULY 9, 2013 – 2:00 P.M.
EARLEWOOD COMMUNITY CENTER
1113 PARKSIDE DRIVE

The Columbia City Council met in Executive Session and conducted a Second Public Hearing on the Bull Street Campus Development Agreement on Tuesday, July 9, 2013 at the Earlewood Community Center, 1113 Parkside Drive, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 11:23 a.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable 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 Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to enter into Executive Session at 11:23 a.m. for the discussion of **Item 1**.

1. 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 2:10 p.m. and convened the Second Public Hearing on the Bull Street Campus Development Agreement at 2:30 p.m.**

SECOND PUBLIC HEARING

[FINAL BULL STREET CAMPUS DEVELOPMENT AGREEMENT](#)

[AMENDED BULL STREET CAMPUS DEVELOPMENT AGREEMENT](#)

ORDINANCE – SECOND READING

2. **[Ordinance No.: 2013-072](#)** – An Ordinance to approve pursuant to Section 6-31-30 of the Code of Laws for South Carolina, 1976, as amended, a Development Agreement between the City of Columbia, South Carolina and Hughes Development Corporation, as equitable owner and developer, of approximately 165 acres of land within the City of Columbia, commonly known as the Department of Mental Health's "Bull Street Campus" – *First reading approval was given on July 1, 2013 by a vote of four (4) to three (3). – Approved on second reading by a vote of four (4) to two (2).*

Mayor Benjamin provided the following highlights: in May 2005, the City of Columbia, the State of South Carolina, and the Central Carolina Community Foundation held a weeklong Bull Street charette led by Andreas Duany; in 2007 the Supreme Court ruled that the Department of Mental Health could sell the property with proceeds going to DMH for the benefit of those who are mentally ill in South Carolina; NAI began marketing in January 2009; in December 2009, City Council appointed the Bull Street Property Advisory Committee; in December 2010, Hughes Development placed the property under contract; in June 2011, the Board of the Department of Mental Health approved the sell to Hughes; after Planning Commission meetings and public hearings, the Bull Street Planned Unit Development (PUD) received final approval in October 2012; the City of Columbia released the Bull Street Development Agreement to the public; and City Council held the first public hearing on the Bull Street Development Agreement last Monday. He outlined the economic development benefits of Bull Street as derived from the Miley report. He reported that 74% of the property's historic structures will be protected and 181 acres will go back on the tax rolls. He presented a chart outlining the total amount of public investment and the commensurate job creation from BMW, Boeing and Bull Street. He reported that since the last meeting, city staff compiled the comments, concerns, questions and suggestions voiced during the first public hearing and sat down with Hughes Development and the lawyers to negotiate further changes to the agreement. He reported that those negotiations created a series of amendments that are included in the agreement before us today. He recalled that the NAACP and others asked about minority owned businesses and procurement and others asked about small, local and women owned businesses. He further reported that Hughes Development agreed to comply with all of our city policies and programs regarding local, small, women, and minority-owned business outreach; to comply with the city's local business enterprise preference policy that was passed in 2010 to give businesses in this metropolitan area preference of contract. He reported that they will provide an annual report to City Council on local, small, women and minority business outreach and participation. He said they also discussed Camp Asylum and it remains a unanimous priority for this Council to assist and ensure the proper site study and archaeological excavation of Camp Asylum is done. He added that Hughes Development has agreed to amend the development agreement to require noise and lighting studies for the baseball stadium and they agreed to utilize construction techniques to mitigate the impact on surrounding neighborhoods. He explained that before the City of Columbia provides the first of two possible 800 space parking garages, Hughes must develop 120,000 sq. ft. of taxable property. He said that Richland School District One will be consulted before a school is built on that site and will be given the first opportunity to operate any such school. He recalled that there were concerns from commercial and residential realtors and they agreed that owners can enter into an exclusive listing with the brokerage of their choice as long as everyone abides by existing covenants and restrictions. He noted that there is also language amending the covenants to reduce the amount of time Hughes has to exercise his right of first of refusal. He said that no public dollars can be spent until the detailed master plan is submitted and approved for each phase of public development as outlined in Section XVII (A). He stated that the PUD and development agreement together will provide a significant amount of public oversight over all aspects of the Bull Street development. He said in order to receive public dollars Hughes Development must provide a city approved phased master plan, comply with city procurement policies, meet the development benchmarks and provide annual reports to the Mayor and City Council. He continued to explain that the city retains the authority to issue

stop work orders and work permits issued to the developer and such development companies based on our zoning regulations or any other state or city building codes. He stated that parking garages are needed in this type of urban development and the conditions are fairly clear. He clarified that the city agreed to deliver the first parking garage when 120,000 sq. ft. of taxable property is delivered, when the Babcock Building is rehabilitated or when a baseball stadium is built and for the second facility, Hughes Development must purchase half of the total property or secure \$75 million in private investment. He acknowledged that the city can be sued for breach of contract if it doesn't meet its obligation under the development agreement; that's true with any contract; and Hughes Development faces the same liability should they breach the contract.

Councilor Devine announced that she has a commitment out of town today and has to leave early. She wants to hear from the public and she feels like time is needed for this. She made a motion to open the public hearing and to defer action until July 23, 2013. The motion was seconded by Ms. Plough.

Councilor Baddourah agreed with Ms. Devine, stating that more time is needed to discuss this and to bring public influence.

Councilor Plough said she hopes to continue this public hearing until July 23, 2013 at 6:00 p.m. and at a larger location. She acknowledged that staff has worked hard to address the issues raised by citizens and members of Council, but there are a number of other issues we will hear today. She said this is a refinement process; we want this project to work; we want Bull Street to move forward; we want it to be the very best it can be.

Mayor Benjamin was very clear that there are a number of challenges at play here and we will have a significant missed opportunity if we don't move forward today. He said there will be room for improvements to the relationship; the development agreement, if necessary; and to the covenants. He said this deal will die today if we don't move forward. He would like to hear what the public has to say before we decide to kill this deal. He added that there will be continued debate and there will be several opportunities for the public to share their thoughts and positions. He further noted that not one dime of public money will flow to this project without several benchmarks being met including a great deal of public disclosure.

A motion made by Ms. Devine and seconded by Ms. Plough, to open the public hearing and to defer action until July 23, 2013 failed by a vote of three (3) to four (4). Voting aye were Mr. Baddourah, Ms. Plough and Ms. Devine. Voting nay were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin.

▪ **Council opened the Public Hearing at 2:51 p.m.**

Ms. Marsha Horsford expressed concerns about having good security for the parking garages. She suggested that drivers enter into an enclosed area and then enter into the garage.

Mr. Toby Burleson, Cottontown resident said he was excited about the Bull Street project 10 years ago, but now he has concerns about the viability of the project. He cited Ms. Plough's op-ed piece in The State Newspaper. He is concerned that Mr. Hughes has not made any statements about what the project will look like; a traffic impact study hasn't been done; and a feasibility study for the baseball stadium has not been done. He expressed concerns about the 3 to 1 ratio of rental and ownership properties. He said the CCI property is a prime example of what happens when the city doesn't look out for the public's trust.

Mr. Chester DePratter, Ph.D., Archaeologist for the South Carolina Institute of Archaeology and Anthropology at the University of South Carolina inquired about Mr. Hughes' \$25,000 commitment towards an archaeological dig. He asked if that is Mr. Hughes' entire commitment or is it for the initial phase. – [Click here to view comments](#)

Mayor Benjamin stated that the city will also add Camp Asylum in our plans moving forward for the financing of the excavation.

Councilor Plough said the cost of doing it properly would start at \$200,000 and we need to identify other substantial funding.

Mayor Benjamin said they received rough estimates on the area, amount of square footage, the parcel site that may have been corrupted and previous construction.

Mr. Chester DePratter, Ph.D., Archaeologist for the South Carolina Institute of Archaeology and Anthropology at the University of South Carolina said it is 3.6 acres.

Mayor Benjamin said Camp Asylum is exciting and we have to make sure it gets done.

Ms. Susan Creed, Cottontown resident expressed concerns about the City being unresponsive to the Historic Columbia Foundation's concerns and a legal document given to the City in 2009. She said that Camp Asylum never showed up to her in a meaningful way until last Monday. She asked what would have happened to this site if Dr. DePratter had not brought the matter up last week. She asked why the important things aren't considered until Council is nudged.

Mayor Benjamin said the dig was previously discussed and you will find unanimous support of it from Council. He said the letter asked that the development agreement not be approved until there is a meeting of the minds regarding the preservation of certain buildings on Bull Street. He encouraged someone to produce the document being referred to. He stated that we are having these public hearings so we can receive input and it is not lost on this Council that historic preservation goes well beneath the earth, as a result funding for the Historic Columbia Foundation has increased over the years to include funding the 1963 effort and funding the largest archaeological dig of African-American sites that any city has ever tried in the country.

Ms. Susan Creed, Cottontown resident questioned how ordinary people get to understand what's going on without having it delivered to them in a non-participatory way. She said decisions are made and then they hear what happened.

Ms. Pansy Buzhard, member of the Board of Realtors said there is a difference between merely listening with one's ear and listening with one's heart; we are only wise when we listen with our ears and heart. She doesn't believe that this deal is so fragile. She said if it dies today, then it needs to die today. She said we live in a relatively small state and she drove an hour to be here. She lives in Batesburg, but Columbia has always been a part of her life. As a Native American, what's under Bull Street is important to her. She said Council holds Columbia in trust, because she's our capital city; she belongs to us all.

Ms. Lucy Lewis, a former South Carolina Department of Mental Health employee for 33 years said she has love for Bull Street and lots of memories. She supports development, but urged Council to slow down and do it right, because we only have one shot at this. She said we can have progress and preservation. She spoke of a lady who retired from the Department of Mental Health and then worked to create the first archives for the Department of Mental Health. These items were displayed at the State Museum. She supports this, but urged everyone to do the best we can with preservation and progress.

Ms. Elizabeth Marks, Robert Mills Historic District stated that their northern boundary is Calhoun Street and they've been watching the plans for the street openings very carefully. She asked that they continue to talk about the streets that are being opened up, because Calhoun Street and the neighborhood streets cannot handle major commercial thru-traffic. She said this could result in 1,000 cars going south each day. She said they welcome pedestrian access on Calhoun at Pickens, Henderson and Barnwell Streets. She said they want to talk about a different kind of access on Gregg Street.

Mayor Benjamin sought clarification on the neighborhood's preference regarding access.

Ms. Elizabeth Marks, Robert Mills Historic District stated that Pickens, Henderson and Barnwell should have pedestrian and bike openings. She said they can negotiate on Gregg Street, noting that there is a thru-street from Calhoun to Colonial Drive and they hope that could be a service access. She said the two lanes streets can't handle that high density commercial traffic.

Councilor Davis said he reviewed the maps and the access points. He noted that there are three on Harden Street. He asked if the neighborhood is only considering two access points.

Ms. Elizabeth Marks, Robert Mills Historic District said the access points on Harden are going to be commercial. She stated that Exhibit C shows all streets having commercial access. She asked that they not break into the historic wall and that they not make Barnwell Street a high speed throughway.

Mayor Benjamin clarified that the wall on Calhoun Street was included as a precedent structure in the PUD last year and any changes to that wall would require DDRC approval. He noted that the Duany Plan called for seven (7) access points on Calhoun Street and this plan calls for three (3). He said that the PUD that was approved last year, calls for access points from Henderson, Barnwell and Gregg Streets. He said they both have concerns about Henderson Street; it looks more like a candidate for some other type of transportation like bicycles, pedestrians and the like.

Mr. Richard Burts said as a preservationist he would love to see the word demolition changed to stabilization for the historic structures in the development agreement. He wished that the city's funding for demolishing the historic buildings would be taken out of that since we have fought for a couple of decades on the value of this historic core section of the village. He wished that the development agreement called for incentives for quick and adaptive reuse of the historic structures. He wished that the developer would hold off on the demolition of any historic structures until new plans are approved, permitted and bonded. He wished that the core village would be parceled out so that the smaller historic buildings could be obtained by the little guys, like him. He wished the camp had enough time to divulge all its secrets. He wished he didn't have to convince people that preservation is good for business and it does make economic sense. He wished he knew what Council obviously knows. He wished Bob Hughes the best.

Mr. Andrew Tolleson said as a lifelong city resident, he is vested here. As a consulting engineer he is in favor of the plan at face value; it seems to be responsive for the acreage, the lay of the land and the concessions and covenants he has heard and seen. He believes that there is a system of rules and the city's planning and zoning has been consistent. He noted that the private institutional investment is driven by a pro forma. He asked everyone to think about Charleston, the Battery and Market Street; San Antonio Texas and the creek that runs through it; and Greenville. He thinks Council is on the right track and if this is done right, the dollars will work out. He urged Council to create an experience.

Mr. Clarence Hill said that preliminary evidence has been submitted as it relates to the project. He urged Council to continue to have open dialog with the citizenry of this area in hopes of discovering what their real issues are. He said that all reports appear to be favorable to this exciting venture to revitalize a major property within the confines of the City of Columbia. He said the proposal adds a new and dynamic element to the City of Columbia. He stated that Columbia is the capital of our great state and why not add another element that makes Columbia a destination. He said this project brings a tremendous mixed-use development to the east corridor of Columbia; it brings jobs for our citizens and new tax revenue. He said that we must leave a legacy for the generations to come.

Ms. Diane Wiley said this needs to pass, but she is concerned about the Public Works Complex being so close to the development. She asked that Public Works not be moved to the Belvedere Community. She said we should have a football field. She asked Council to keep the historic places.

Mr. Perrin Brunson, Earlewood resident said that they are very excited about this development and they hope that it goes through. She said this is such a great opportunity for future generations and to preserve history. She said they are excited about the public input process along the way.

Little Miss Maggie Brunson said we should have a playground in our plan.

Ms. Eleanor Dalton said she is in favor of this project, because this has been an eyesore coming into the City of Columbia. She is not opposed to a ball field, but she asked if any thought had been given to a nice amphitheater on the site, because it would add a new and different venue to the City.

Mr. Jefferson Ulmert said he is new to Columbia and he is excited to be a part of this process. He asked if this is the last time he will get to talk about this plan. He noted that the master plan has to be approved by Council and there will be other opportunities for the public to be involved along the way.

Mayor Benjamin said that is correct. He cited Section 17 of the agreement.

Mr. Jefferson Ulmert added that as a native of the Upstate he remembers when Greenville was a dying city, but it slowly began to emerge and Mr. Hughes was a part of that. He said that he can't cite numbers, but there is a huge difference in the downtown area of Greenville and how the community has grown.

Councilor Plaugh asked someone to elaborate on the upcoming opportunities for the public to comment on Bull Street.

Ms. Krista Hampton, Director of Planning and Development Services explained that there is a Consolidated Review Committee that will review these plans and there is a staff review.

Mayor Benjamin asked if we can allow for public input.

Ms. Krista Hampton, Director of Planning and Development Services said that very little time is granted within the PUD for staff to review the proposals and respond. She said we would have to figure out how to notice the public and comply with the time requirements.

Councilor Davis said this is an important step moving forward. He asked that staff look at the scheduling and consider that as part of the feedback process.

Ms. Teresa Wilson, City Manager noted that Krista must maintain a process; however, outside of that there is certainly the collaborative piece that will allow Council and the developer to have open dialog in sessions such as these; that is at the discretion of this Council.

Ms. Krista Hampton, Director of Planning and Development Services concurred.

Councilor Plaugh requested that we establish a process for the public to have ongoing and meaningful input. She questioned how much meaningful input the public can have given the PUD requirements. She said if there is a way, we certainly want to accommodate that.

Ms. Plaugh made a motion to move forward with a formal process for meaningful public input on an ongoing basis. The motion failed for the lack of a second.

Mayor Benjamin asked if we could wait to address the motion and recommendations made by Toby Ward, because he would like to discuss this further as a group.

Councilor Plough referenced the section of the development agreement that talks about a master plan for public facilities and other public infrastructure. She said this is not a development plan. She said the Council asked our team to be meeting with Mr. Hughes' team to expand or modify that language to include not only a master plan for our public improvements, but also a master plan on a phased basis for the site. She noted that this Council is trying to get a broader statement included in the document.

Mr. Eric Dickey thanked Council for providing this second chance for the public to speak. He said he came back from vacation for last week's meeting. He said currently this property is not a place where he wants to bring his daughters to after dark, but hopefully one day, it will be. He said this will be multiple projects with multiple developers; it's very dynamic and that's why there isn't a finite plan right now. He noted that Columbia is becoming a business friendly city and this would be a step forward to show that Columbia is a place that people want to live, work and play. He said Smith Branch is closed and this project will open it up. He said we want to preserve the buildings instead of letting them rot. He insisted that developing, policing and putting this property on the tax roll is the proper way to move forward. He said conversations are going back to the PUD that was approved last year. He insisted that the time is now and the funding will be there either through a TIF, pay as you go or by issuing bonds. He said this is his home and he wants to see it flourish; this is the chance to do it.

Mr. Brian Taylor concurred with Mr. Dickey; there has been ample time to discuss this. He expressed concerns about Mr. Hughes having exclusive rights to select the individuals on the Design Review Board (DRB). He would like to see city representatives on the board.

Ms. Robin Waites, Executive Director of the Historic Columbia Foundation said here we are after almost 10 years of conversation about Bull Street: it has been a long road from the 2005 Duany charette; to the historic overlay in 2009; the subsequent establishment of a Council appointed committee; to the development of guiding principles; to this year's application for landmark designation. She noted that City Council and countless residents have been discussing this for some time; however, it doesn't appear that this development agreement reflects the sentiments of so many residents who care deeply about the historic properties on this site. She said at Council's request and one last ditch effort to provide some protection to the historic resources standing on a small section of the Bull Street Campus, the Foundation made recommendations for Council's consideration last week and the document before you does not reflect those recommendations. She said by not amending this agreement, you are signing the demolition permit for the historic buildings on the Bull Street Campus; you give up all future rights to apply for landmark designation; you are signing the demolition permit on an irreplaceable segment of our city and our state's history; and not only do you give a green light to the wrecking ball with this vote, but we are then going to pay for it. She said once it's gone, it's gone like the former CCI campus, Mr. Elmore's store and the entire Ward One. She urged Council to reconsider the modest amendments to the development agreement that were submitted last week that will provide some level of protection for the historic structures on the Bull Street Campus. – [Click here to view comments](#)

Dr. Lonnie Randolph, Jr., President of the South Carolina Conference of the NAACP said many proposals that have come before the city have died; this city can't be killed by a proposal. He insisted that if this project dies or if a person dies, we'll do as we do with all other things that die; we grieve them, we bury them, and prepare for the next generation. He said most state, city and county governments ignore entrepreneurs of other ethnic groups, particularly African Americans and women. He noted that today is the anniversary of the 14th Amendment to the United States Constitution, which provided equal protection under the law. He said that was included to protect the rights of people of color and we still need those protections; all citizens' rights should be protected. He insisted that even after the 237 birthday of our country, this is a government of, for and by the people and all citizens should have an opportunity to have their concerns addressed. He urged all grown-ups to be careful with the way they act; we can all disagree, but we need to learn how to deal better with all citizens. He suggested that an adverse impact study be done instead of giving the school district the right of first refusal. He said this would provide information and it will protect the students of Richland School District One from any adverse activity by groups and organizations that are not interested in the education of all children. He applauded the city's Mentor-Protégé Program. He said that northeast Columbia should not be left out of this project; a TIF should be considered. He urged all citizens to get involved with the City of Columbia and to be steadfast in every election.

Mr. Dennis Caldwell said Hughes must specialize in the development of projects in the city. He insisted that there's no way a company will ruin its reputation by walking away from a project it started; if they're bluffing that they will leave tomorrow, I wouldn't bet on it. He stated that there was a state prison for mentally ill women on that site; it was operated in the 1970s. He admitted that he doesn't know anything about the financing. He asked that Council not use the water bills to pay for this project either directly or indirectly.

Mayor Benjamin said there is unanimous support of that position on this Council.

Mr. Dennis Caldwell said it is important for Council to continue to coordinate and bring people together. He suggested that the City sit down with the statewide mental health board, the appropriate legislative committee and the governor to show them what's being done, as a courtesy. He hopes that the City video tapes the interior and exterior of each building so that we will have a historical and pictorial record of the buildings. He asked Council to coordinate with the statewide historical society, because there is a lot of history there and once it's destroyed, it cannot be replaced. He said there is a great need for low income housing. He urged Council to have the developer put state agency offices on the campus in order to secure federal funding. He asked Council to provide more ADA compliant parking.

Councilor Devine said that they all want the project to work. She commended staff and the Mayor for their hard work over one week to incorporate the comments made at the last meeting. She hopes that the comments being made today will be incorporated. She said this Council is committed to making this project work for the future of Columbia. She noted that Mr. Hughes has been very cooperative and she hopes we can continue the dialog after today and tweak the things that need clarification.

- **Councilor Devine left the meeting at 4:08 p.m.**

Ms. Susie Heyward said that she has not reviewed the development agreement. She recalled that Councilman Davis told the Planning Commission members to always be deliberate and to take their time before changing zoning, because the residents will have to live with it for the rest of their lives. She urged Council to take that into consideration. She asked if the tree ordinance is in effect under this PUD.

Ms. Krista Hampton, Director of Planning and Development Services said the PUD has its own provisions for landscaping; the landscape ordinance is supplanted so the PUD governs the landscaping provisions for the development. She stated that the landscape provisions of the zoning ordinance do not apply.

Mayor Benjamin asked Ms. Hampton to pull that language and share it with Ms. Heyward.

Ms. Susie Heyward concurred with Mr. Burts and urged Council to not tear down trees or historic buildings until the area is ready to be developed. She stated that they can build on the topography and leave the trees. She expressed concerns about rental properties that have become dilapidated. She asked Council to urge the developer to build better rental property.

Ms. Krista Hampton, Director of Planning and Development Services said significant trees located outside of the proposed thoroughfare rights-of-way, plaza areas, utility placement zones and building footprint construction zones shall be preserved or mitigated one to one. She noted that this varies from the city's tree ordinance in that any significant tree is mitigated (replanted) two to one regardless of its location. She said that there is a tree survey requirement and the development agreement has increased that to any tree 12" or greater.

Mayor Benjamin noted that the change was made at the request of the Columbia Tree and Appearance Commission.

Ms. Krista Hampton, Director of Planning and Development Services noted that there are also provisions for landscaping in parking lots.

Councilor Plough asked Ms. Hampton to respond to the Columbia Tree and Appearance Commission's recommendations.

Ms. Krista Hampton, Director of Planning and Development Services said the inclusion was to survey any tree 12" or greater prior to the development. She noted that subsequently, they requested that the survey requirement include the tree preservation requirements of our ordinance, which requires replanting regardless of where the tree is located, but that wasn't included.

Ms. Susie Heyward inquired about the two (2) committees.

Ms. Krista Hampton, Director of Planning and Development Services said the other committee is the Development Review Board (DRB); all projects will go to that board prior to being submitted to the city at which point it will go through city staff review.

Ms. Susie Heyward asked who appoints the DRB.

Mayor Benjamin said the developer does.

Ms. Krista Hampton, Director of Planning and Development Services clarified that the DRB no longer administers the PUD, the city does.

Mr. J.T. McLawhorn, President of the Columbia Urban League recalled that 41 years ago he was a city planner in Charlotte and people told Mayor Belk to slow down. He said change doesn't come by easily; it takes bold leadership. He said he reviewed the plan; it is a great land use development plan; it is a great public-private partnership and an opportunity for Columbia. He said he reviewed the job forecast and he asked that the city list the Columbia Urban League as a strategic partner, because they would like to assist with job recruitment. He said those persons living in inner-city areas do not benefit from most job opportunities. He called this a renaissance development. He urged the Mayor to stay the course. He commended the city on this effort.

Ms. Emma Myers, Jones McDonald/Edgewood Community said she lives two miles from the proposed development. She said the community is excited about the potential development, because it will have direct impact on those that live in the area. She said there is a difference between history and historic. She likes the idea of taking videos of the buildings, but she's not sure we want to keep all of the buildings, because those in the African American community did not have the best experiences with Bull Street. She said we need to change that image and think of Columbia as a progressive community. She commended the Department of Mental Health for doing something with this property, because it has been sitting there for a long time. She said you have to go around that property to get where you are going; it doesn't need to be an eye sore. She requested that we keep minority and women vendors in mind as we move forward to develop this property.

Ms. Elaine Cooper said it doesn't look like the public will be involved in the design of this property. She said it's too bad that the surrounding neighborhoods will be impacted by the increased high density, traffic and the loss of trees. She noted you can never replace an old tree by planting; you can't bring back a 100 years. She said it is such a beautiful place to walk through. She said there wasn't a shady place to park around here, because the trees were cut down. She said the mark of a great city is a city that does consider trees and old buildings. She said it's too bad they won't be involved with the environmental concerns. She said it's too bad for all of us, because we aren't sure where this money is coming from.

Mr. Floyd Brown, World Improvement said he was born here and his parents and grandparents are products of Richland One. He noted that Bob Hughes agreed to include minority businesses; World Improvement would like to participate in recycling efforts for the project; and they would like to be a protégé firm for Bob Hughes. He recalled that Mayor Benjamin told his class at Benedict College to dream big, because dreams do come true.

Ms. Pamela Greenlaw said the space would be marvelous green space and the idea of building apartments and hotels converts that green space to private use; we need more use of the property for the public. She suggested that a physical memorial be included in the plan as a way to mark the legacy of former leaders that sought to help those with mental and emotional illnesses and to mark the sad day that our state turned its back on the mentally ill.

Rev. Thomas Summers, retired Methodist Minister and former Chaplain and Supervisor of Clinical Pastoral Education on the Bull Street Campus said that he has great affection for that sacred space. He invited Council to look at this as a process similar to anticipating the birth of a child. He has a heart of investment in that area and asked that they not destroy the last few moments of giving birth to this wonderful project; there's so much at stake. He talked about the majestic trees and buildings on the site. He said that Council has a historical legacy to wade through. He said we would not be having these deliberations if it were not for the mentally ill. He noted that in the early nineteenth century there was a compassionate family that donated the land. He urged them to remember the mentally ill and the fact that federal funding is disastrous.

Mr. Bill Lindsey, Executive Director of NAMI South Carolina said the organization is the largest grassroots non-profit for improving the lives of those with mental illness and their families through education, support and advocacy. He recalled testifying on this issue in 2006. He further recalled that in 1963, President John F. Kennedy passed the Community Mental Health Act as a promise to those with mental illness that they will be treated and treated well. He said a part of what we are discussing today is a result of not funding that act and that act brought us to moving people off the state hospital grounds and back into the community. He said it was an excellent idea, but the funding did not follow the patients. He said we have a community mental health system in our state, but patients don't have housing, treatment and work. He said these folks need our help and they need funding. He noted that this has been a fifty year project. He added that folks can do well with treatment and we can't forget about the mentally ill in the process. He stated that the proceeds from the sale of this property should go to fund services for the mentally ill.

Mr. Russell D' Arensborg said this is like vultures picking clean the bones of what was once a state of the art mental health facility. He concurred with the comments of Richard Burts and Robin Waites. He said you can't replace an old tree or an old building. He said this sounds too good to be true.

Ms. Kim Campbell, public history master's candidate at the University of South Carolina asked if Hughes can proceed without public funding and without ever showing a plan.

Mayor Benjamin said he could if he bought the property from the Department of Mental Health.

Ms. Kim Campbell, public history master's candidate at the University of South Carolina asked if any structure not protected by the PUD could be torn down if he didn't want the public funds.

Mayor Benjamin said yes.

Ms. Kim Campbell, Public History Masters Candidate at the University of South Carolina said that seems irresponsible given the history of this site. She encouraged Council to consider the amendments that the Historic Columbia Foundation asked for and protect the buildings. She urged Council to consider the history that could be thrown away if they don't protect those structures in a more substantial way than what's currently being done.

Councilor Plough asked Ms. Hampton to identify what historic properties are protected and the level of protection they have.

Ms. Krista Hampton, Director of Planning and Development Services said there are two (2) structures that are city landmarks meaning that any work to the exterior and demolition requests are reviewed by the city's Design Development and Review Commission; that is the central portion of the Babcock Building and the historic brick wall; the PUD identifies precedent structures which are preserved (retained) and demolition is not permitted for the north and south wings, the dining halls, the Chapel of Hope and the central portion of the Williams Building; any changes to those buildings are reviewed by the Development Review Board (DRB); within the Development Agreement, the Bakery, Laundry and Ensor Buildings are being offered up before the developer demolishes them.

Councilor Plough asked if it is feasible to relocate those buildings.

Ms. Krista Hampton, Director of Planning and Development Services said that any of the buildings could be relocated with the proper level of funding. She noted that masonry structures are generally more difficult to relocate.

Councilor Plough asked which of the three (3) buildings the city would be able to relocate.

Ms. Krista Hampton, Director of Planning and Development Services said they are all mason structures and fairly difficult to relocate, but not impossible. She said the offer would be to anybody to relocate the buildings, not necessarily the city.

Councilor Plough asked if it is at the city's expense.

Ms. Krista Hampton, Director of Planning and Development Services said someone else.

Councilor Davis said something will be lost if the buildings are relocated to another site.

Ms. Krista Hampton, Director of Planning and Development Services stated that relocation almost always negates eligibility for the national register.

Ms. Joy Jay, Mental Health America of South Carolina and South Carolina State Housing Taskforce said she has been involved in this process since the property went on the market. She said they build housing for the mentally ill, they have almost 1,000 units and they have discussed this with clients that were served on Bull Street. She said that 70% of the clients only wanted the Babcock Building and the Chapel of Hope preserved. She said we need to go into the future, because we've waited 10 years and 700 people with mental illnesses are on the waiting list for housing. She reported having a difficult time trying to get housing for individuals with mental illnesses, because a lot of folks don't want neighbors with mental health illnesses.

Mr. Duncan McIntosh said that no one is getting exactly what they want with this deal. He said the issue today is not whether Bull Street is a good project; everybody agrees with that; the issue today is where there is a rift in not approving this today. He said no one is questioning whether or not Bob Hughes is qualified, they just want more time. He asked Council for two (2) weeks, because there are a thousand issues. He said the longer we wait the more likely it is for Mr. Hughes to walk away. He said the greatest risk is doing a deal with an unqualified developer who leaves us with a useless unfinished project. He said that Bob Hughes did it in Greenville; he has the vision, experience, character and the capital to help us transform our city. He encouraged Council to seize the opportunity today.

Mr. Eddie Wilder, Owner of ERA Wilder Realty / Central Carolina Association of Realtors said they are challenged with property rights and protecting the interest of owners throughout the Midlands. He said they were concerned with the changes made to property rights, but the Home Builders Association and the Central Carolina Association of Realtors met with the Mayor to discuss those concerns and he assured them that the issues would be addressed. He said they also met with the legal team for Hughes Development to work out the final details. He stated that they got 80% of what they wanted and 100% of what they needed. He said Mr. Hughes was accommodating and caring and he wants to hear the voice of the people of Columbia. He said the same diligence, passion and effort given to this project should be provided within all corridors. He said his great mentor is his grandmother who said to whom much is given, much is expected.

Dr. Albert L. Reid said his goal today is to persuade Council to table the vote on closure of our Bull Street properties, because the voices have not been heard. He cited the Mayor's editorial describing this as "the largest project of its kind east of the Mississippi, possibly in the nation." He insisted that it's more than that; this serves as a historic and sacred symbol, a reminder of the groups of our history in this great state and nation. He said the past is always present and this property should be preserved for all people of South Carolina for the education of our youth in mental health research, not revenue. He said we need to take the time for due diligence to determine the best use of this property. He suggested that an independent law firm investigate and sign off on the long and short term benefits of this property. He suggested that a consortium of many people with expert knowledge is needed to direct us to the right decision. He said that Mr. Hughes is a man that he never met; he refused to divulge the future plans for this property; he heard that Mr. Hughes is a great guy. He recalled the Green Diamond Project that was led by Mr. Hughes. He recalled that the City of Cayce annexed thousands of acres of floodplain properties along the Congaree River. He stated that the time and circumstances of this transaction reminds him of that deal where we are giving Mr. Hughes the tax payer properties for the next twenty years; this is a bad investment. He announced that his community advised him to tell the Mayor and all the public officials that they have not given them the authority to secretly negotiate the sale of state owned property. He added that Council should give this property to the University of South Carolina for mental health research.

Dr. Milton Kimpson said the opinions of people who have spoken here today are important and he hopes to be around when the project is completed.

Mr. Mike Bedenbaugh said it is absurd to think that the efforts made by the Palmetto Trust Foundation have caused the two (2) year delay. He said that the “Time is Now” stickers could have been worn when the city, county and Central Midlands paid over \$300,000 to do a study on this place. He asked why Andreas Duany isn’t a part of this process now. He said the time was when the Department of Mental Health wasn’t willing to divide it up as we had asked; to separate the historic properties so 120 acres could have gone into a development; and we could have already had people lined up to invest in those buildings then. He said the time was when the Planning Commission and DDRC said we should have an overlay. He said the time was when Council appointed the Bull Street Property Advisory Committee. He said we are now sitting here with very few options and it is disappointing that we are stuck with something that looks like we are in between a rock and a hard place. He said fear is leading this. He quoted the Mayor as saying “You can’t just think it or dream it or have this vision as to where you want to go without having a real plan.”

Mayor Benjamin clarified that there were five (5) meetings of the committee.

Mr. Henry Nechemias said if the developer was a local developer that understood the value of old buildings, we would not be having this discussion; we are frightened about Bob Hughes; he doesn’t seem to care about saving the old buildings, because they are in his way. He said Bob Hughes’ history here in Columbia is Green Diamond, which is a very scary history. He said people hang out in the Vista, because people like old buildings; they don’t feel good in a glass structure. He feels like Mr. Hughes doesn’t understand that. He thanked Council for saving the Palmetto Compress Warehouse. He urged Council to do something to improve this situation. He said he wants to move forward, but with someone with more understanding.

Ms. Ryan Nevius, Executive Director of Sustainable Midlands said Greenville had a plan and a zoning director that held Mr. Hughes’ feet to the fire. She said we don’t have a plan and without a vision or a plan we won’t have a great project. She asked Council to slow down. She said that the conservationists and preservationists presented their issues to the Mayor last October and was told that we will have time. She asked Council to do the same for the requests that were made by the conservationists and preservationists as they did for the realtors and for minority businesses.

Mayor Benjamin clarified that while several of the concessions might not have been agreed to by the majority of Council or by Mr. Hughes, preservationists met with Mr. Hughes well in advance of the other meetings.

Ms. Ryan Nevius, Executive Director of Sustainable Midlands said we are ready to sit down and work for 48 hours straight with the lawyers, Council and the developers. She said Mr. Hughes bought when the market was down, before there was an agreement to the Smart Code and there were national experts that said if this plan had a Smart Code and a plan, people would be lined up with more experience in developing large projects than Mr. Hughes. She urged Council to move forward on all the issues and stop wasting our time with public input.

Ms. Jeannie Eidson, Livable Links Initiative presented their vision of Bull Street, which was presented to the city in October 2011. She said they used the original Duany Plan and added assets to it to make the community more unique and marketable, because they said single family homes wouldn't sell. She said this is what non-planners could come up with; can you imagine what true planners would come up with when they put a pen to paper. She noted that the bottom half is what Hughes has proposed; this is all he has presented to the public since August 2012. She noted that she attended every hearing, meeting and workshop held related to the Bull Street property. She expressed concerns about the city being disrespected and how their company's behavior towards the city is being permeated and how we're being treated. She said from tossing out the Duany Plan that our citizens paid \$300,000 for and wanted to push forward with, to the strategic move of combining a PUD and Form Based Code so that they aren't really responsible for the requirements of either one. She said we are standing here today and we don't know how we're going to have input on a public hearing. She said Hughes manipulated the PUD and Form Based Code so that he gets everything out of both of them and gives us nothing in return. [Click here to view Livable Link's Plan](#)

Mr. Toby Ward, Esq. said the city should influence and nurture redevelopment of this Bull Street property. He said Hughes seems to have experience in this regard that the city doesn't and Hughes seems capable, even if noncommittal to an adaptive reuse of the historic asylum campus and the civil war camp that was located there; the lack of commitment concerns me. He said it is clear that City Council is not going to put off the vote today and I wish it were otherwise. He asked Council to first agree to identify the funding mechanism, but you don't seem to want to do that.

Mayor Benjamin said we are going to talk about that today.

Mr. Toby Ward, Esq. said he would like for there to be time for citizen input. He understands the circumstances that are present and he wants all citizens to support the city, whatever the decision is, because we need to protect this city from anything that could harm this project or this city. He suggested that Council appoint a five member commission to advise Council on the city's various upcoming roles under the development agreement and the PUD, including funding, benchmarks and development activities. He suggested that the committee be chaired by a Council appointee and comprised of a representative from the Columbia Chamber of Commerce, South Carolina Small Business Chamber of Commerce, Coalition of Downtown Neighborhoods and the Historic Columbia Foundation. He further suggested that the committee members be sworn to advise the city on the discharge of its responsibilities and the developer's fulfillment of its responsibilities. He said the Bull Street Commission would meet at least every other month and report to Council at least twice per year. - [Click here to view comments](#)

Mayor Benjamin said this is a great idea and he appreciates the input.

Councilor Plough expressed concerns about public input. She doesn't want there to be the perception that we can form a commission, have another meeting and that input would impact something in some way. She sought clarification on the matter, noting that once we approve the development agreement, it is done; it goes to the staff and Mr. Hughes' appointed group.

Mayor Benjamin stated that the issue is allowing for input, engagement, commentary and suggestions, but certainly the ultimate decision making will reside with this Council and not surrendering that at all. He said engagement means that you talk, you listen, you have ideas and if in fact adjustments need to be made, we have the authority as this Council to pursue those changes.

Councilor Plough clarified that she doesn't want any misunderstanding by the people that continue to ask for public input, because she doesn't know of any issue that will come back to City Council for a vote, other than maybe public funding. She asked if a plan will come to this Council in a public setting.

Ms. Teresa Wilson, City Manager recalled suggesting that now would be a good time to have a process articulated in line with the broad language about collaboration. She agreed that the proposed commission is a great well thought out idea. She said while Council won't have the time, certainly that is what staff is for, but to have the very valid perspectives of stakeholders that you articulated would be quite helpful. She said that gets into the definition of what engagement means. She said it means an opportunity where the community will continue to be involved through what may be a twenty year build out of this property. She says the agreement doesn't prohibit this Council from doing something like that. She said Ms. Plough is asking how the ideas, suggestions and concerns would be implemented.

Councilor Plough said we can't add any requirements, we can't put an overlay on, we can't do a historic district; we can't do anything.

Ms. Teresa Wilson, City Manager said we would not be discussing substantive matters such as overlays. She believes there has been a willingness from the developer to be at the table with staff and you all have the opportunity today to ask that a committee of stakeholders be at the table. She said that doesn't mean that substantive things that are contrary to this agreement or the PUD will be implemented.

Councilor Plough said she doesn't want anybody to think that this Council is giving away any authority other than the approval that's in this document, because we've lost it. She said we have no more ability to go back in and do anything once we approve this document. She said it would be wonderful if Mr. Hughes agreed to have stakeholder input going forward, but there's nothing Council can require.

Ms. Teresa Wilson, City Manager agreed and stated that she would not purport to speak for Mr. Hughes, but she believes there is willingness for him to be at the table with our community. She said we are done with substantive items.

Mr. George Greene, Rosewood Hills Resident said they support this and because of funding, the Housing Authority was able to revitalize Saxon Homes into Celia Saxon and Hendley Homes into Rosewood Hills. He said the residents don't have to worry about drugs and gang bangers as much as the surrounding neighborhoods. He said Bull Street has been vacant for 10 years and this development will bring a lot of bright and interesting businesses to this area. He said this will put people to work and help people to do great things. He said they welcome this development and he looks forward to seeing it.

Mr. Floyd Cutner, President of Residential Executive Council for the Columbia Housing Authority said they wishes Council would move forward with this plan, because it is a great plan and it will move us into a better future. He said our time is now and the time is coming for our children and grandchildren. He said they are trying to eliminate barriers. He noted that this project is to expand our area surrounding Celia Saxon, the community center, tennis center and the new bank. He said we want brighter things to come to our neighborhood and the inner city, but if you leave things stagnant for a period of years, it will be destroyed from the inside out. He further noted that the Columbia Housing Authority is really behind this.

Mr. Roscoe Wilson said growth and inclusion are his concern. He said he was raised in Columbia. He recalled when his father would pick him up from W.A. Perry Middle School and take him to the Columbia Airport to fly to Atlanta on Eastern Airlines see the Braves. He supports the project. He said we have to grow, because he wants to do business in Columbia and this is an opportunity for a small business man. He recalled that Columbia had a market bigger than Atlanta in the 1960s. He said page 12 Section K of the contract talks about the inclusion of minority, female and local businesses. He implored the members of Council to make sure these businesses are included and to monitor it. He wants Columbia to be a big city not only in size, but in revenue and female, minority, local and small business inclusion.

Mr. Joseph Azar, owner of Upstairs Audio said Council is wrong about their stance and the statistics are wrong and biased. He said that baseball is going to Lexington County and they are building a stadium. He said it is not about Hughes, it's about citizens having to pay him for a development deal. He agreed with Mr. Baddourah's comments made last week about property taxes. He talked about flooding on Marion Street and Elmwood Park and the destruction that will be caused to neighborhoods and personal property. He said it is strange that Council chose to schedule this meeting today at 2:00 p.m. when people couldn't come. He asked why Council wouldn't buy this property. He insisted that it would cost the city one-third less to buy it and develop it. He asked the Mayor why we didn't buy it.

Mayor Benjamin quoted Mr. Azar as stating in his newsletter that the city shouldn't be in the development business. He asked Mr. Azar why the city should buy it.

Mr. Joseph Azar, owner of Upstairs Audio said the city is choosing to get in the development business and there is a much cheaper way to do it. He reiterated his question.

Mayor Benjamin stated that the property is under contract and there is something called tortious interference with contract. He said he wouldn't buy it anyway; it wouldn't be the position of the city do so. He said you pilloried the city when the city decided to buy the Palmetto Compress and several other times. He said you are asking these questions that you don't even believe the answer to.

Mr. Joseph Azar, owner of Upstairs Audio insisted that the Mayor is wrong. He said we are putting in \$50 million for an \$80 million investment by somebody else. He said if other developers would have known that they were going to get \$50 million there would be a line out that door. He said the city failed at Three Rivers; it looks like subsidized property. He asked what Bob Coble is getting out of the back end of this. He asked what the kickbacks behind the scene are.

Mayor Benjamin stated that this is a job of service and they sacrifice a great deal of their time, a great deal of their capital and a great deal of special time with family to be here. He insisted that no one gains anything pecuniary from this. He acknowledged that this is the people's seat and we won't suffer from not making decisions. He said he doesn't fear Mr. Azar or the judgment of citizens. He stated that God has not given him a spirit of fear; He has given him the spirit of power, of love and of a sound mind; and he uses it every single. He said it is important for you to try to get people roused up, to try and insult people and try to bring out the worst in people, but you came to the wrong place on the wrong day; God bless you!

Councilor Davis told Mr. Azar that he has tried to stay focused on this whether they disagree or not, but don't ever imply kickbacks; you are way out of line.

Mr. Tom Clements, Earlewood Community resident and a member of the Tree and Appearance Commission said Council is moving in the right direction related to the trees. He said the CTAC gave a presentation for the city's landscape ordinance to be adopted and included in the PUD; that didn't happen, but the plan was modified so that a tree survey would be done for trees larger than 12". He said part of the problem is that there are construction zones and infrastructure zones in the PUD and once the trees are cut down, there's no way to replace them. He said if the development is going to be so special, then the city should require the replacement of trees by a certain formula. He asked why Mr. Hughes wasn't asked to meet the standard of the tree ordinance and why a lower standard was adopted.

Mayor Benjamin said that was the topic of discussion a few times between the city and the developer during the PUD development process and the development of this agreement.

Mr. Krista Hampton, Director of Planning and Development Services explained that the Hughes Team indicated that the reason to have a different standard is because it is an urban development with more buildings and less green space; therefore, to apply the standards of mitigation and replacement are impractical in such an urban environment.

Mr. Tom Clements, Earlewood Community resident and a member of the Tree and Appearance Commission said that's his opinion. He asked the city to make a determination that the city ordinance be applied to this development as requested by the Tree and Appearance Commission.

Councilor Plough said the current ordinance applies across the city. She said it doesn't distinguish downtown from a commercial node. She said we were told that the language was offered, but declined.

Mr. Tommy Burkett, North Columbia Business Association expressed concerns about Mr. Hughes being able to make his own code enforcement and that isn't right. He said as an electrical contractor they have codes to go by and the city doesn't change them. He asked why the ordinance was changed for the trees and property. He said some trees will have to be cut to build, but overall you can keep what's there. He said the contract doesn't run out until July 31st; why do you have to rush this. He reported that the Department of Mental Health said they would extend it if needed. He urged Council to listen to the people. He said we all want the project and everybody needs the jobs. He suggested that a clause be added to the contract that gives local contractors within the City of Columbia a 10% advantage over out of town contractors. He expressed his disappointment in Councilman Davis, noting that the people in 29203 are very upset with him. He urged Council to work out an agreement that benefit the city and the residents. He suggested that the property could become the best state park in the nation.

Ms. Candy Waites asked that those in attendance representing Hughes Development identify themselves so that they might speak with them.

Mayor Benjamin stated that three (3) representatives of Hughes Development have been here listening today and will be available for questions and comments.

Ms. Candy Waites said she is not here today to discuss the specifics of the development of the Bull Street property; others have done that extremely well. She said as a citizen of Columbia, she has the right and responsibility to know the total costs and where the city expects to get the funds to pay for this project. She said it is a dark day for our democratic process when it becomes acceptable for the public's elected representatives to spend tens of millions of dollars without revealing the source of the funds. She said we expect you to be fiscally responsible; you are elected to represent us and we have every right to expect your decisions to be public information. She said you are doing irreparable damage to the public's trust when you do not share information that will impact every one of our lives for years to come; the time has long passed to tell us where you are getting the funds to pay for this project.

Ms. Jennifer Gardner said she is appalled by this meeting, because there's absolutely no discussion about money or the underlying assumptions. She asked that the comparison slide on Boeing and BMW be deleted, because it is misleading. She asked what the developer is selling with the underlying assumption that whatever is going to be sold, there are going to be buyers.

Mayor Benjamin asked Ms. Gardner if she read Dr. Miley's study.

Ms. Jennifer Gardner said it's completely misleading; they are selling commodities; you're not. She said that a lot of money will be thrown into this on a short term basis. She wants to hear more about that aspect.

Mr. Russell DePratter said his father spoke twice about Camp Asylum, but he wants to speak about the buildings on the Bull Street property. He said he has a disorder and if he had lived in the 1920s, 1940s or the 1960s, he probably would have been in one of the buildings at some point. He asked Council to think about the people in need who lived back then, their past, the importance of that site and their experiences. He asked Council not to erase these buildings from our city's history.

Mr. Bob Wynn, President of the Arsenal Hill Neighborhood Association said he has great respect for the cause and the weight of the decision that has to be made. He commended Council for the manner in which this has been handled. He said his grandfather [the late Richard Samuel Roberts] was a photographer in the 1920s and 1930s and he renovated and restored his grandfather's house on Wayne Street. He recalled that in the 1970's Wayne Street was to be done away with; it was to be a bypass from I-126, but the community members disagreed with that idea and Arsenal Hill remains today, because of the wisdom of the community and City Council in preserving that section. He said this city has always taken preservation very seriously. He said that his grandfather's photographs documented the history of Columbia and the surrounding areas. His grandfather has over 3,000 glass negatives preserved at USC, but photographs alone cannot last forever. He said the buildings we have an opportunity to save are very important, historically for the years to come. He read last week that two (2) pyramids in Peru were destroyed by developers. He hopes that Council will appoint a commission to prevent the destruction of the buildings on this site by a developer.

Ms. Lynn Murray said she has no professional interest in this project. She said she was taken aback by hearing so many negative things. She appreciates what Council is doing for economic development for this city. As a member of the business community, she knows how important that is for us as we move forward into the next 10 to 15 years. She said the project is something to be proud of and we should move forward for the benefit of all citizens in our city.

- **Council closed the second public hearing on the Bull Street Development Agreement at 6:24 p.m.**

Mayor Benjamin asked legal counsel to advise them on the recommended amendments to the development agreement and then they will discuss the issues raised along with the recommendation made by Toby Ward.

Mr. Kenneth E. Gaines, Esq., City Attorney outlined the following revisions to the Bull Street Development Agreement:

- **Page 8-9 – X. Applicable Land Use Regulations** – added “In return for the respective rights, benefits and burdens undertaken by the parties, Developer shall be, and is hereby relieved of obligations imposed by future land development laws, ordinances and regulations, except those which may be specifically provided for herein.” This section was removed from page 29.

- **Page 12** – added “subsequent” (*Subject to State approval, the Developer agrees to make available for an archaeological dig within 120 days of the final approval of the Agreement, and for a subsequent duration of no more than 120 days, the area of the property known as “Camp Asylum”. The Developer agrees to pay one-half of the costs of the archaeological dig, up to \$25,000.00. Additionally, the Developer agrees to the placement by the appropriate historic preservation society of a standard sized marker to recognize the historical significance of Camp Asylum.*)
- **Pages 14 - 15** - Clarified that road right of way acquisitions from the South Carolina Department of Mental Health is an allowable expense for use of public funds. The private roads constructed by Mr. Hughes will be deeded to the city at no cost.
- **Page 16 – Paragraph 11. Funding** – added “acquired” (*The Property may have roads acquired, designed and/or constructed with funding provided by the City.*)
- **Page 17 – Paragraph 15. Traffic Impacts** – added “instead, has” (*Given the urban location of the Project and its connected network of street development, the City has granted Developer relief from the traffic study requirements of the City’s PLDZC and instead, has imposed standards appropriate to the property in the PUD Ordinance.*)
- **Pages 21-22** – added “failure to construct, rehabilitate or build taxable square footage, investment or buildings as set forth in subsection (o) (i) and (o) (ii) above after obtaining funds from the city for the parking facilities shall be a breach of this Agreement, curable by Developer providing substitute funds to replace the revenue lost to the city as a result of the default.”
- **Page 29 Section R. Merger** – removed “In return for the respective rights, benefits and burdens undertaken by the parties, Developer shall be, and is hereby relieved of obligations imposed by future land development laws, ordinances and regulations, except those which may be specifically provided for herein.”

Councilor Plaugh sought clarification on the changes made to Page 8.

Mr. David Tedder, Esq. explained that the sentence was the very last sentence under the heading merger; it was a misplaced sentence; it deals with the applicability of future land use regulations; and we struck it from the last sentence under merger and moved it to the land use section entitled applicable land use regulations.

Councilor Plaugh said several changes clarify what she hoped would not need to be clarified in that the city now can use its public funds to acquire the right of way for the streets and then use our public funds to improve the streets. She said rather than the improvements being done as an incentive, we have to buy the land at \$90,000 a square acre for property that we will then improve.

Ms. Teresa Wilson, City Manager clarified that the developer would use the money towards the acquisition of the property.

Councilor Plaugh said that we can mutually agree to add additional funds.

Ms. Teresa Wilson, City Manager said if the Council chose to do that, but she doesn't see there being additional funds to go towards that.

Mr. Kenneth E. Gaines, Esq., City Attorney further clarified that any public funds used by the developer under this agreement, the city has to ultimately own that public infrastructure.

Councilor Plaugh asked if it's within three (3) years.

Mr. David Tedder, Esq. said it's generally three (3) years or as otherwise required by the funding mechanism.

Councilor Plaugh recalled the request for there to be negotiations about the trigger on Exhibit C; when the \$5.2 million initially went in and another trigger when the \$7⁺ million went in.

Mr. Kenneth E. Gaines, Esq., City Attorney said those negotiations failed; there are no triggers.

Mr. David Tedder, Esq. said other than adding the creation of the master plan for public facilities and site plan or site improvements.

Councilor Plaugh said they asked for changes in that language that would allow for a master plan or something like that and not just a master plan for public improvements; there would be a plan for development as well as public improvements.

Mr. David Tedder, Esq. said there was a discussion about a trigger in the master plan and how the money would come under exhibit c. He said they will have to create a master plan for public facilities, but they can only create a master plan for what is going to be built or what is reasonably anticipated to be necessary as the basic infrastructure. He said as a natural progression, it will begin to come along side by side for the specific development of infrastructure.

Councilor Plaugh said we thought it was important to not just know what the public infrastructure improvements were going to be, but what was anticipated on the private development. She said if you look at TIFs (Tax Increment Financing), you want to know what tax base is being generated and we don't get that until later phases of this agreement.

Mayor Benjamin noted that the master plan has to be presented before the city is required to secure any financing.

Councilor Plaugh sought clarification on the fact that we are paying \$90,000 per acre for the Magnolia Alee, \$90,000 per acre for park land, and \$90,000 per acre for any right of way or anything else that we want to take title to. She said we are talking about \$7 million just to acquire right of way over and above any additional investment we will need to make.

Ms. Teresa Wilson, City Manager clarified that \$90,000 per acre is the amount Mr. Hughes is paying in the agreement with the Department of Mental Health. As to the acquisition, she would hope there is some room for discussion about \$90,000 an acre for acquisition.

Councilor Plough asked how we could adjust our agreement if he is able to get any sort of adjustment or are you suggesting that we would revisit this development agreement.

Mr. Kenneth E. Gaines, Esq., City Attorney said if Mr. Hughes can convince the Department of Mental Health to reduce the price of the road right of ways or donate them to the city that would increase his infrastructure funding.

Councilor Plough asked how we feel about receiving a perpetual easement if this is approved.

Mr. Kenneth E. Gaines, Esq., City Attorney said we receive perpetual easements all the time; I'd rather have it dedicated.

Councilor Plough inquired about mitigation credits related to day lighting Smith Branch. She referenced a document and asked how those credits are being addressed.

Ms. Teresa Wilson, City Manager said staff would work with Mr. Hughes on that.

Councilor Plough said there are height limitations that would affect Calhoun Street. She asked if there are other height restrictions on the site.

Ms. Krista Hampton, Director of Planning and Development Services said there are height restrictions in the T4 and T5 areas, which is 6 stories and those can be anywhere on the site. She said those are transects that guide the form based code within the development. She said it is assumed at the beginning to be T5, which is a bit more denser, but as T4 is permitted within those districts, it is as the developer applies for approval that we apply those transects; currently both of these can be anywhere on the site.

Councilor Plough asked if they will have an opportunity through staff review to comment on height.

Ms. Krista Hampton, Director of Planning and Development Services said no; it's permitted as of right within the PUD. She said there are some locations near Harden Street that may go up to 10 stories, because of the topography and location.

Councilor Plough inquired about mitigation again.

Ms. Teresa Wilson, City Manager said that is a discussion we need to clarify; we would work with Mr. Hughes and his staff. She said the city would want to take advantage of that. She clarified that it is stream enhancement credits in this instance versus wetlands.

Councilor Davis asked when the feds would come into play.

Ms. Teresa Wilson, City Manager said they will need to determine that.

Councilor Davis asked if they will provide restrictions.

Ms. Dana Higgins, City Engineer said the city is working on an umbrella bank with the four (4) watersheds and currently if you use stream enhancement credits, you have to use them in the same watershed, which is why we are developing the umbrella bank; we'd be able to use it any of the four (4) watersheds in the City of Columbia.

Councilor Plaugh noted that we would be doing the work with public money.

Ms. Dana Higgins, City Engineer said that the credits should go into our bank; we are looking to partner regionally with Lexington County and Richland County for the umbrella bank; and it would be a huge advantage for us to be able to use stream enhancement credits.

Mayor Benjamin told the attorneys that we need a document to reflect that.

Councilor Plaugh said that the agreement between the developer and the Department of Mental Health calls for the city to have immediate law enforcement responsibility of this property. She asked if that carried forward into our document and do we immediately have that added responsibility.

Ms. Teresa Wilson, City Manager said the Columbia Police Department and Richland County Sheriff's Department are already working with the Department of Mental Health to secure the property. She said we will ultimately staff the substation that is to be provided by the developer. She said the developer was asked to allow our Chief of Police the opportunity to evaluate that and there are budget implications every fiscal year. She said we are appreciative to have the substation built and we will staff it at the level that it should be.

Mr. Kenneth E. Gaines, Esq., City Attorney said that the development agreement doesn't address that specifically, but the City Manager has.

Councilor Plaugh noted that the Department of Mental Health is not the signatory on the development agreement although they own the property. She said by virtue of this agreement, we are doing a lot of improvements on land that they currently have title to. She asked if it would be better for everybody concerned to have the Department of Mental Health as the signatory.

Mr. David Tedder, Esq. said that the Department of Mental Health is not a signatory, because they are not a party to the agreement; they are a party to the purchase and sale agreement, which is referenced as the predicate for Hughes being able to move forward. He explained that anyone who purchases from Mr. Hughes is bound by the development agreement. He said all things being equal, it would be better to have them as a signatory, but it is not a requirement for us to move forward with the development agreement nor is it a defect in the process of the development agreement.

Councilor Davis said beyond the sale being consummated, we don't have a relationship with the State.

Mr. David Tedder, Esq. said once they sell the property the successors and interest become the real parties.

Councilor Plough insisted that all parties should sign.

Councilor Davis said that he prefers for it to be very clean so that there is no appearance of obligations to the Department of Mental Health once the deal is cut; we will be dealing with Hughes; and there will be no misconception about what the responsibilities and obligations are. He said that the substation should serve the entire community and not just this one development; there are other parts of the community and this would provide relief for other substations.

Councilor Plough made a motion to add the Department of Mental Health as a signatory to the development agreement for the purpose of clarifying roles and responsibilities.

Mayor Benjamin said it is clear that this agreement is between the city and Hughes Development. He suggested that we send a copy of the agreement to the Department of Mental Health. He's not sure what the rules are for adding a State agency as a signatory to a document; it could be problematic. He said he will vote against the motion.

Councilor Plough added that the attorneys suggested that it might be in our best interest to do that and I am inclined to take the advice from our attorneys.

A motion made by Ms. Plough and seconded by Mr. Baddourah to add the Department of Mental Health as a signatory to the development agreement for the purpose of clarifying roles and responsibilities, failed by a vote of two (2) to four (4). Voting aye were Ms. Plough and Mr. Baddourah. Voting nay were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin.

Councilor Plough said changes were made in the master covenant to address the interest of the real estate community. She said the Department of Mental Health is a signatory on that document. She asked how they know that the Department of Mental Health is comfortable with this.

Mr. Dave Tedder, Esq. explained that one of the documents is included as a reference document; it's not the final restrictive covenant. He said the restrictive covenant on the purchase and sale agreement has to be approved by the Department of Mental Health and it will become applicable to properties as those properties are transferred and placed under Mr. Hughes' control. He said it was made as a reference, because there is a list of prohibited uses as a separate exhibit attached to the development agreement to prevent locally unwanted land uses. He said there will be more modifications to the restrictive covenants as they reach the final stage, but those prohibited uses will not change. He said the city will not be enforcing the restrictive covenants as part of an ordinance, with the exception of the prohibited uses.

Councilor Davis asked if we will take a look at those restrictive covenants.

Ms. Teresa Wilson, City Manager said yes.

Councilor Plaugh said the real estate community will be interested in any modifications as well. She asked how they will be notified of changes.

Mayor Benjamin said the covenants were added in the interest of transparency; they are not a part of the development agreement. He said if we want to have an advisory committee and let them review changes as they occur, we can ask them to, but I am not sure this is what we want to do.

Councilor Plaugh said the developer and the Department Mental Health reserve the right to review and modify the covenants to their best interest and we want to know what those are.

Mr. Dave Tedder, Esq. advised City Council that a representative of Mr. Hughes reported that Mr. Hughes doesn't have a problem advising City Council of any future amendments and he confirmed that if city funds are used to create mitigation credits or enhancement credits, they belong to the city.

Ms. Teresa Wilson, City Manager noted that a header fell off of Page 17 and Section C (*services*) and should be added.

Mr. David Tedder, Esq. added that there were formatting errors that changed the numbered outline and they will go back and make those corrections.

Mayor Benjamin asked to discuss the finances. He introduced the finance team to include the city's Chief Financial Officer, Jeff Palen; Brent Robertson, city's Financial Advisor from Merchant Capital; and Michael Seezen, Esq., city's Bond Counsel from the McNair Law Firm. He reported that the city is in the black for the fourth year in a row, our credit rating has improved and the city has a very healthy balance sheet as well. He said as this project and the phasing evolve, the requirements are that public infrastructure is delivered to the project. He noted that the developer has to present that phase of the master plan before the city even has to secure financing for that piece of the puzzle. He said it is anticipated that the first amount of public funds to be used in this project, will not occur until the first quarter of 2014. He said that staff was asked to present as many options as possible and a range of options were presented last month for consumption by Council. He said the goal is to give staff as much flexibility as possible to meet the needs of the project as it evolves and ensuring that they have all the tools at their disposal to be responsive. He stated that the storm water fund will be used for storm water and the water and sewer fund will be used for water and sewer. He said they discussed the possibility of utilizing our general obligation debt capacity moving forward and some adjustments we have to make prospectively including some of the City Manager's ideas and proposals like Build Columbia and significant efficiencies we seek to recognize. He said the city can fund this deal even if it's one of the options previously stated, potential bonding of different sources of revenue or seeking a tax increment financing plan. He said it is his personal desire to have Bull Street on the tax rolls sooner rather than later and that Bull Street happens whether or not we have anyone else on board. He said that regional partnerships should be one of the options on the table. He insisted that we can do this deal and we will do this deal.

Councilor Plaugh recalled asking for a preliminary closeout for this year.

Mr. Jeff Palen, Chief Financial Officer said they were finishing the numbers this morning, but two months' worth of other revenues and governmental items will be recognized. He said at this point everything is in the black, but it is hard to give an exact number.

Ms. Teresa Wilson, City Manager noted that by accounting standards, we have until August to get those things done.

Mr. Jeff Palen, Chief Financial Officer said they went through the agreement and focused on Schedule C relative to our commitments to the phases. He said they tried to identify the amount of funds that will be spent in each phase and the funding source. He said that \$5.25 million is needed for phase one; \$7.9 million for phase two; \$2.1 for phase three; and \$15 million for phase four. He said there are certain things we can fund using a pay-as-you-go system. He estimated that \$1.5 million may be spent on water and sewer infrastructure each year for a four (4) year period. He said there are other funding opportunities to include hospitality funds, tax increment financing, joint tax increment financing, water and sewer funds, storm water funds, and issuing debt through the general fund. He said our capacity for the next four (4) years for issuing a general obligation bond is up to \$7 million. He noted that it is a large sum of money, but it's not all in year one and the goal for us is to spend this over the next several years by finding the appropriate sources that will pay for each item. He agreed that there are other efficiencies and growth potential in the parking system that can be used to pay for debt. He said there is a potential to use up to \$1 million from the Community Development Block Grant and private public partnerships. He said the key is using different tools to fund the project; there are a lot of options out there; and we can choose the best funding source at that time.

Mayor Benjamin recalled that we use general obligation bonds to replace rolling stock, which is an inefficient use of that funding. He recommended that staff look at a number of different ways to drop our financial requirements as it relates to our tipping fees at the landfill or our cost of fuel, dropping those numbers precipitously. He acknowledged that there is no perfect way to buy vehicles, but this is a very ineffective way to fund your rolling stock replacement. He asked staff to look at other ways to do that prospectively.

Mr. Jeff Palen, Chief Financial Officer stated that staff is looking at other ways to fund rolling capital. He agreed that using our general obligation debt capacity to pay for rolling stock is not the best use of our general obligation funds; however, it was a necessary measure four (4) years ago. He noted that we haven't issued that bond in this budget year and that is a part of the plan for the upcoming year.

Mayor Benjamin said they discussed using Bond Anticipation Notes (BANs) for the delivery of parking. He noted that the development of Core Campus will increase cash flow significantly for the Sumter Street Garage; the Hyatt will provide a significant source of revenue for the Lincoln Street Garage; there are two (2) requests for proposals out for the parking master plan; a request for proposal is out for an updated parking model for a portion of Main Street; and in a short period of time parking services will be in a very different state than it is now. He said those anticipatory contracts are very good things for the system.

Mr. Jeff Palen, Chief Financial Officer said we will see efficiency in how we run the system and there will be new revenues coming in. He said depending on the timeframe of the garages, we will work that in, but if we end up building up, the capacity in the parking system to issue bonds for that, then that's another issue out there.

Councilor Baddourah sought clarification on the alternatives to fund the garages such as a TIF or a GO Bond. He referenced a memo that outlined the debt per capita. He asked how much debt per capita there will be per resident; will it increase. He also inquired about the ratio of debt.

Mr. Jeff Palen, Chief Financial Officer said yes, we've had other garages that we used GO Bond capacity for. He said he did not know how much debt per capita it would be, but he will provide that. He said it will increase depending on how we finance it. He said the estimated capacity for each year is based on debt; we are paying off debt each year and creating capacity.

Councilor Runyan said the memo being referenced by Mr. Baddourah compared other large cities in the state. He said there is a fundamental difference between Greenville, Charleston and Columbia in that we own our water system; we are undertaking half a billion dollars of deferred maintenance upgrades now and we are having to borrow some of the money to that; therefore, our debt per capita would certainly be higher than Greenville.

Councilor Plaugh noted that in the first year we need to identify \$13.2 million for phase one to include one parking garage and public infrastructure for \$5.2 million.

Mr. Jeff Palen, Chief Financial Officer said he put the first parking garage in year one on the spreadsheet.

Mr. Kenneth E. Gaines, Esq., City Attorney explained that the development agreement provides certain triggers.

Councilor Plaugh said she understands there are triggers, but if they meet the triggers then we have to address it. She said 120,000 sq. ft. is like building a K-Mart. She is trying to figure out how easily we could come up with that money. She said we could take our GO Bond capacity to \$7 million, but we can't buy police cars and fire trucks unless we can identify another source. She said we can only use \$300,000 from the storm water fund and \$625,000 from the water and sewer fund. She asked where the rest of the money would come from.

Mr. Jeff Palen, Chief Financial Officer clarified that those are estimates.

Ms. Teresa Wilson, City Manager added that the developer may have to spend that additional amount, because unless we make arrangements with the Department of Mental Health some of the public funds may be spent on acquisition.

Mr. Jeff Palen, Chief Financial Officer said it also depends on when a bond is issued; we could go from having \$7 million in capacity to having an additional \$5 million in capacity as we roll into June and July 2014. He said there may be a need to issue bonds sooner. He recalled when the city worked with the University of South Carolina on two (2) parking garages; we issued BANs in 2006 and in 2007 we issued the bonds that were used to repay those BANs.

Councilor Plaugh asked how that would impact anything else we would want to do, because this would become an obligation. She said we need revenue sources to pay back the borrowed funds.

Mayor Benjamin said debt service for the issuance of GO Bonds ranged from \$300,000 to \$400,000 per year to a high year of maybe \$1 million and dropping down after 2018/2019.

Mr. Jeff Palen, Chief Financial Officer said there will be a longer term on those bonds and the increase in debt service will be \$300,000 to \$600,000 during the first year.

Councilor Plaugh asked if they are anticipating additional operating or maintenance costs during the first year.

Mayor Benjamin said the memo provided on annexations is illustrative of the fact that the city can bring this property into our domain and service it prospectively, quite well. – [Click here to view memo](#)

Councilor Plaugh asked if that means that the maintenance of projects going forward will be funded with the new tax revenues, because the new tax revenue coming in will be captured in a TIF. She asked how that would affect the Bailey Bill.

Mayor Benjamin said we all value the Bailey Bill as a tool that we want developers to utilize. He said that an annexation history of the city from 1992 to the present shows that the city annually annexes 299 acres of property; over the last 21 years the largest single annexation was 152 acres; and the Bull Street Campus is smaller in acreage in comparison to other subdivisions brought into the city over the last several years. He noted that the Chestnut Hill Plantation was 534 acres; Woodcreek Farms 291 acres; the Belvedere Community 306 acres; Peachtree Drive 39.4 acres; Capital Heights and Bayberry Mews 49 acres; Highland Park 58 acres; Kings Grant 240 acres; Gregg Park almost 137 acres; Burnside Farms 102 acres; East Lake 78 acres; we can consume large pieces of property; some of them were fully developed and some were less developed. We have consumed various size properties and this is in the middle; we can consume it and cover the operations and maintenance costs.

Councilor Plaugh said the challenge is the short term; we haven't raised property taxes; and the city operates on a very tight line. She recalled that the city wanted to do a compensation and classification study to make sure our employees are properly compensated, but she doesn't know where that money is coming from.

Mayor Benjamin called for a period of discussion and to entertain motions. He said we need to memorialize in some way a vehicle for ongoing public input into this process. He offered another amendment that was offered up earlier by Toby Ward. He said we've had a great deal of input and comment; questions have been raised and a great deal of public discussion has been had in the development of the PUD and we need to memorialize a vehicle for ongoing public input into this process. He said that how you go through the planning process is somewhat constrained so having some meaningful way to have ongoing citizen input is important. He reviewed Mr. Ward's recommendation.

Mr. Kenneth E. Gaines, Esq., City Attorney reported that page 16 of the Development Agreement has been amended to add *paragraph 9 Stream and/or Wetland Crossings; Mitigation Credits: Potential accesses across any streams or stream buffers, or jurisdictional wetlands on or adjacent to the Property, if any, shall be allowed if approved by DHEC and/or the U.S. Army Corps of Engineers, to the extent such approvals are required. To the extent Public Improvement Funds are used in a manner which creates wetland, stream enhancement or other like mitigation credits, control and ownership of such will be that of the City.*

Mayor Benjamin made a motion that Council will appoint a five (5) member commission that will serve in an advisory role to City Council prospectively.

Councilor Baddourah asked that a minority woman owned business representative is appointed.

Ms. Teresa Wilson, City Manager clarified that we are not amending the document; this is a motion separate and apart from the document.

Mayor Benjamin concurred; this is separate from the document. He continued to outline the motion as follows: Ask Council to appoint a seven (7) member commission to serve in an advisory role to the city on making sure that the vision and the goals articulated by this Council in achieving quality development on Bull Street including advising us on funding issues, benchmarks and development activities. The commission will be chaired by a member of Council and comprised of six (6) other representatives of the business community including a minority business owner, a representative of the Coalition of Downtown Neighborhoods, a representative of the historic preservation community. All appointments will be approved by Council and appointees will be duly sworn to advise the city in the discharge of its responsibilities and the developer of its responsibilities. We will ask the Bull Street Commission to meet at least every other month and report to Council at least twice a year. The motion was seconded by Mr. Runyan.

Ms. Teresa Wilson, City Manager said staff wants to be involved with that entire process and will be advising the Council.

Mayor Benjamin said that they will interface more with staff than Council. He said that it is important to ensure that we have ongoing opportunities for public input in this process.

Councilor Plough sought clarification on the benchmarks the Bull Street Commission would advise Council on.

Mayor Benjamin referenced the benchmarks outlined in the development agreement. He said there are benchmarks and developer obligations that must be met; those are fair. He explained that the purpose of this advisory council is to advise us if in fact something is not being done and we can articulate the issues that need to be monitored.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to approve the creation of the Bull Street Commission to be comprised of seven (7) members serving in an advisory role to the city in advancing the vision and the goals articulated by this Council in achieving quality development on Bull Street, including funding issues, benchmarks and development activities. The commission will be chaired by a member of City Council and comprised of six (6) other representatives from the following categories: the business community including a minority business owner, the Coalition of Downtown Neighborhoods and the historic preservation community. All appointments will be approved by City Council and appointees will be duly sworn to advise the city and the developer in the discharge of their respective responsibilities. The Bull Street Commission is asked to meet at least every other month and report to Council at least twice a year.

Mayor Benjamin made a motion to adopt the ordinance to approve the development agreement as amended and it was seconded by Mr. Davis.

Councilor Plough said this is a sad day in Columbia; we talk about a legacy; we are about to hand over our legacy to a private developer with very little oversight. She said we give him our treasures, we give him our money, we give him our resources to be able to even demolish our treasures; we buy streets from him and we improve them. She is amazed that we find ourselves where we are. She stated that the bottom line is despite all of that, it is about the fact that there is not a plan, the basic zoning has no plan underneath it; we don't know what his plans are nor do the public; and we really don't know where the money is going to come from. She is not prepared to hope that we can come up with an alternate funding source for our police, rolling stock and our other needs. She sees the promise and wonderful opportunities for this development to be successful, but she struggles with being able to see the financial stepping stones that will get us there and believing that we are moving in the right direction. She said we have a wonderful opportunity and a very good developer, but the mix is all wrong. She said with much sadness that today is indeed a hallmark day in the history of this city when we take our private dollars and hand them over to a private developer and pray he does good work.

Mayor Benjamin said we all love this city and that extends to people who live in the city and to those who live in the county or somewhere else. He is excited about this day; the promise of 11,000 jobs and the promise of restoring and providing for adaptive reuse of the structures identified in the PUD and the development agreement. He pledged to personally work with the developer on the buildings that are not listed. He said this Council moved quite boldly on the Palmetto Compress Building to provide for the preservation and adaptive reuse of that structure. He said this Council has continued to establish its preservation when you look at Main Street and Community Development Block Grant dollars helping bring historic

structures on Main Street back to life. He said there has been a process for ongoing public input; there will now be a process for continuing ongoing public input, but at some point we must move forward boldly to make sure this property comes into the city domain and is utilized to its highest and best use to the benefit of the people of the City of Columbia and the Midlands region. He clarified that a number of people had the opportunity to buy when the market was down. He asked did they in fact believe in the promise of his property, step up and put their money on the line. He said Bob Hughes stepped up, put his money on the line and that is indicative of the fact that he believes in the promise of Columbia and will continue to work with us to develop that property to its highest and best use. He said Bob Hughes had several conversations with him and shared information as recently as today that the people of Columbia will find very exciting as we move forward. He firmly believes that whether you're talking about additional tax revenue for our schools, for the county or the city or whether you're talking about 11,000 new jobs or if you're talking about the financing, there was no illegitimate questions asked. He acknowledged that this is a significant undertaking. He firmly believes in the potential and the possibility of this city; we can do it; and certainly we can do it together. He said at some point it's time for discussion and debate to end and it's time to act. He knew this issue would not be easy; it's not supposed to be easy; it's a process that we're still supposed to engage in and guide the process along to its successful completion. He is excited about this day and he believes that we will all look back with pride on the day we decided to move forward.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted four (4) to two (2) to give second reading approval to Ordinance No.: 2013-072 – An Ordinance to approve pursuant to Section 6-31-30 of the Code of Laws for South Carolina, 1976, as amended, a Development Agreement between the City of Columbia, South Carolina and Hughes Development Corporation, as equitable owner and developer, of approximately 165 acres of land within the City of Columbia, commonly known as the Department of Mental Health's "Bull Street Campus", as amended. Voting aye were Mr. Davis, Mr. Newman, Mr. Runyan and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Plough.

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to adjourn the Second Public Hearing on the Bull Street Campus Development Agreement at 8:07 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk