



CITY OF COLUMBIA
WORK SESSION MEETING MINUTES
TUESDAY, AUGUST 6, 2013
2:00 P.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE

On Tuesday, August 6, 2013, the Columbia City Council met in Executive Session at the Eau Claire Town Hall, 3905 Ensor Avenue, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 1:24 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable 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.

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to go into Executive Session at 1:25 p.m. for the discussion of **Items 1, 2, 13 and 14.**

EXECUTIVE SESSION

1. Receipt of legal advice which relates to a matter covered by attorney-client privilege - *This item was discussed in Executive Session. No action was taken.*
 2. Receipt of legal advice which relates to a pending, threatened or potential claim - *This item was discussed in Executive Session. No action was taken.*
 3. Discussion of the employment of an employee – *Discussion of this item was deferred.*
- **Council adjourned the Executive Session at 2:30 p.m. and convened the Work Session at 2:35 p.m. Mr. Runyan was not present at this time.**

CITY COUNCIL DISCUSSION / ACTION

4. [Fiscal Year 2013 / 2014 General Fund External Organization Requests](#) – Ms. Melissa Caughman, Budget Director

Ms. Melissa Caughman, Budget Director recalled that City Council allocated \$100,000.00 from the General Fund to address funding requests from outside organizations.

Ms. Teresa Wilson, City Manager explained that they have often discussed having a process for reviewing requests that come in through various sources. She further explained that they issued a notice of funds availability for this funding, which is similar to the former Community Promotions Fund. She noted that this was an attempt to give everybody the opportunity to apply.

Councilor Plough made a motion to fund Reality Check Midlands at \$50,000.00 from the \$250,000 reserves in the General Fund. Ms. Devine seconded the motion.

Councilor Plough noted that there was \$1 million in the Reserve Fund last year and now it has been cut to \$250,000.00.

Mayor Benjamin noted that we had a \$900,000.00 hospitality tax reserve.

Ms. Teresa Wilson, City Manager suggested they find out what the county has allocated and how successful the group has been with private fundraising efforts. She suggested that it could be \$25,000.00 from the city and county each.

Councilor Devine suggested that funding be approved up to \$50,000.00.

Councilor Plough explained that Reality Check is a privately driven community planning economic development initiative that has already been done in Charlotte, Greenville and Charleston.

Councilor Newman said he supports the motion, but he sought clarity on the level of support we already committed to.

Mayor Benjamin stated that Richland County allocated \$25,000.00. He asked staff to find out how much has been raised. He suggested that they come back to the motion. He asked if the Columbia Urban League ramped up their efforts this year for its youth employment program.

Ms. Teresa Wilson, City Manager said that the Urban League was appreciative of the funding generated through water bills for Youth Works, which is usually \$30,000.00 along with the \$50,000.00 Council approved last year. She explained that the additional request is for a year-long program and we contributed to that by identifying parks where the programming will occur during the school year. She noted that they ramped up their efforts to employ youth last year and the previous year.

Ms. Melissa Caughman, Budget Director said that the year round program is for \$75,000.00 and the summer youth program is \$100,000.00 for 252 participants.

Councilor Devine said that the Columbia Urban League, Capital Senior Center and the Greater Columbia Community Relations Council were line items in the Community Promotions Fund in prior years; there has always been a significant commitment from the city.

Councilor Davis said the Columbia Urban League has one of the largest and most sustaining summer programs that provide youth with meaningful jobs.

Councilor Plough asked if we had promoted the water bill donations for Youth Works lately.

Ms. Teresa Wilson, City Manager said they are looking to revamp the water bill itself so that it can be used as an efficient marketing tool.

Councilor Devine said that a number of requests are outdated. She suggested that Jared Glover serve as a liaison to SC Equality and work with them on their initiative, instead of funding them. She recommended that the request from the Home Builders Association be linked with Home Works or another group that can complete the roof replacement.

Mayor Benjamin reported that the Urban Land Institute's budget for Reality Check is \$400,000.00 and they have raised \$265,000.00 from public and private donations. He reported that the Columbia Urban League served sixty (60) additional youth through the Summer Work Experience Leadership Program (SWELP).

Councilor Newman asked if any work was done at the USC/Columbia Technology Incubator Center.

Ms. Teresa Wilson, City Manager said they did the work and asked us to reimburse them. She noted that they received \$25,000.00 from the Economic Development Fund.

Councilor Devine inquired about IT-ology.

Ms. Melissa Caughman, Budget Director said that it includes funding for POSSCON.

Councilor Baddourah requested that Senior Resources be funded for its Meals on Wheels program.

Councilor Devine said that we've had a long standing partnership with Communities in Schools, but they are not being funded.

Ms. Melissa Caughman, Budget Director noted that we last funded the organization three (3) years ago.

Councilor Devine added that the Arnold School is a partner in Lets Move! and she would like to fund the organization in the amount of \$1,000.00 for twenty (20) children to participate in the 13-week Good Bodies Program.

Mayor Benjamin acknowledged that there are a number of requests that speak to the growing need to serve children in our community in a much more urbanized manner. He asked to set funding aside for a competitive pool of applicants.

Councilor Devine recalled that they had a committee that reviewed requests for Community Promotions funding.

Councilor Newman asked if we would have to appoint new people. He noted that these may be time sensitive requests.

Mayor Benjamin suggested that it could be a Council committee.

Councilor Devine inquired about the requests from religious organizations that don't have a 501(c) (3) status. She asked that any limitations on funding be communicated to those organizations.

Councilor Plough said there was an expectation to fund groups in the City and not events. She said with the limited resources we have, we need to tie everything back to our strategic plan.

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to allocate \$50,000.00 to the Urban Land Institute for Reality Check Midlands from reserves in the General Fund.

Ms. Melissa Caughman, Budget Director reported that there is \$43,000.00 available in the Accommodations Tax Fund that can be used for general purposes.

Councilor Plough requested a breakdown of the request for reimbursement from the USC/Columbia Technology Incubator Center.

Ms. Teresa Wilson, City Manager explained that \$77,000.00 was for the boiler and \$10,000.00 was for other operating issues.

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted five (5) to one (1) to approve the allocation of \$25,000.00 to the Lourie Center (formerly known as the Capital Senior Center); \$5,000.00 to Alston Wilkes; and \$5,000.00 to SisterCare in the total amount of \$35,000.00 from the \$100,000.00 in the General Fund. Voting aye were Mr. Baddourah, Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Ms. Plough voted nay.

Mayor Benjamin asked that we incorporate the cost of operating our building at 1225 Laurel Street going forward.

Mr. David Knoche, General Services Superintendent explained that we updated the HVAC system on two floors when we moved out and we did mold abatement around the old boiler. He noted that the cooling tower needs to be repaired and they replaced the boiler themselves at the end of the year.

Mayor Benjamin noted that private sector funds were also used for the repairs. He stated that this incubator program was recently highlighted as a program to watch and we should ensure that the basic needs of this building are taken care of.

Ms. Teresa Wilson, City Manager said we are venturing down a path to do creative things to assist these young business owners.

Councilor Plough said that staff has tried to be helpful, but the building has a number of problems associated with it. She said their focus should be more on incubating the businesses and not repairing the building they occupy.

Ms. Teresa Wilson, City Manager suggested that David Knoche sit down with them again to get a better understanding of what the needs are for this year.

Mayor Benjamin said we must make a long-term determination on what we will do with this building.

Ms. Teresa Wilson, City Manager said we would love to have them look at 1225 Lady Street.

There was a consensus of Council to accept the City Manager's recommendation for David Knoche to meet with Mr. Kirkland within the next seven (7) days to ascertain the anticipated maintenance costs for this year.

5. [Fiscal Year 2013/2014 Accommodations Tax Funding Recommendations](#) – Mr. David May, Chair of the Accommodations Tax Advisory Committee

Mr. David May, Chair of the Accommodations Tax Advisory Committee / General Manager for Ruth's Chris Steakhouse presented the committee's recommendations.

Councilor Plough asked about the request from the Three Rivers Music Festival.

Mr. David May, Chair of the Accommodations Tax Advisory Committee advised Council that all applications were reviewed, but this one was not discussed.

Councilor Devine recalled that the previous Council voted to have the Accommodations Tax Advisory Committee review large requests. She asked if they are still operating under that concept.

Mr. David May, Chair of the Accommodations Tax Advisory Committee said there was a strong will by the committee and the unanimous decision that some events were worthy of consideration and funded on a minimal basis.

Councilor Davis asked what the reason was for not considering Three Rivers.

Mr. David May, Chair of the Accommodations Tax Advisory Committee said we made a decision to fund the Greater Community Relations Council and the International Festival.

Councilor Baddourah asked if organizations are funded from both the Hospitality Tax and Accommodations Tax.

Mayor Benjamin replied yes.

Councilor Baddourah inquired about the committee's allocation versus the projected collections.

Ms. Melissa Caughman, Budget Director said the revenue projections are based on the \$1.5 million from the Accommodations Tax; per State law \$25,000 goes to the General Fund; 5% is available for general purposes; and the remaining amount goes to the committee.

Councilor Plough noted that the committee had \$1,401,250 to allocate.

Ms. Melissa Caughman, Budget Director said the 2012/2013 budget also included an allocation from fund balance.

Mr. David May, Chair of the Accommodations Tax Advisory Committee said if there is a surplus, the committee recommends that additional funding go to the Conventions and Visitors Bureau (CVB).

Mayor Benjamin said that he would like to take Capital City Lake Murray back to last year's appropriation in order to give consideration to other organizations prospectively.

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to approve the recommendations from the Accommodations Tax Advisory Committee for fiscal year 2013 / 2014, subject to funding Capital City Lake Murray at \$175,000.00 from the Accommodations Tax Fund. Mr. Newman was not present for the vote.

Greater Columbia Community Relations Council	\$40,000
Columbia International Festival	\$16,000
Capital City Lake Murray	\$175,000
Columbia Metropolitan Conventions and Visitors Bureau	\$1,142,000

Councilor Devine made a motion to fund the Three Rivers Music Festival at \$25,000. This was seconded by Mr. Newman.

Councilor Plough requested an update on the Three Rivers Music Festival, because they had issues with the weather. She is unsure where they are with the resources we've given them this year.

Councilor Devine said we haven't allocated anything, but the County has.

Ms. Sandra Sims said the County allocated \$100,000.00 this fiscal year, we're moving forward with two dates and trying to get our artists back.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted four (4) to one (1) to allocate \$25,000.00 to the Three Rivers Music Festival from the Accommodations Tax Fund. Voting aye were Ms. Plough, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay. Mr. Newman was not present for the vote.

6. [Fiscal Year 2013/2014 Hospitality Tax Funding Recommendations](#) – Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said \$2.29 million was allocated and the committee spent two (2) weeks reviewing ninety (90) applications along with the qualitative and quantitative value that the funding can put back into the community. He said this is a great that reinvests in the community.

Councilor Devine asked about the Three Rivers Music Festival.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said that the request was for a large amount and there was a short time for planning; the committee did not feel this would be a good use of City funds.

Councilor Devine asked if there is a surplus.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said in the past, we were asked to leave a surplus for a second round of applications; there wasn't a request to leave a surplus this year.

Mayor Benjamin noted that there is a \$900,000 Reserve Fund. He acknowledged that they all have different reasons for the reserve, but he doesn't want it to be looked at as fund balance at the end of the year. He said unless our intentions are to use that reserve for the purpose that the Hospitality Tax should be used for then there is no purpose for having a reserve.

Councilor Baddourah asked that the following funding adjustments be made: \$1,500 for the Hollywood Rose Hill Neighborhood Association Home Tour from the Five Points Association; \$20,000 for the Columbia Restaurant Association; \$5,000 increase for the Palmetto Opera; \$25,000 for the Columbia International Festival; and an additional \$1,000 to the Trenholm Artist Guild from the Rosewood Merchants Association.

Councilor Devine suggested that the Rosewood Merchants Association partner with the Trenholm Artist Guild to pool their efforts, instead of penalizing another group. She agreed that more funding is needed for the Columbia International Festival. She supports the committee's recommendations. She asked the committee to consider a policy for funding runs next year.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said the committee has discussed runs and that is being taken into consideration.

Mayor Benjamin said that the Main Street Crit is a unique event and he would like to see it funded.

Ms. Devine made a motion to approve the Hospitality Tax Advisory Committee's recommendations for fiscal year 2013 / 2014. Mr. Newman seconded the motion.

Councilor Newman noted the additional time put in by the committee on weekends and by attending Council committee meetings. He doesn't see the overarching issues he saw previously and likes what he sees for the most part.

Councilor Davis said that he has always advocated for spreading the money around more and giving new groups an opportunity to get in the game.

Councilor Plough asked about the decrease in funding for the Riverbanks Zoo and Gardens, because they are a huge tourist attraction for us.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said it is an ongoing request and they are so successful and we are supplementing that success by giving the Hospitality Tax funding to them.

Mayor Benjamin noted that this is the final year for the five year commitment to the State Museum and we previously approved funding for the State Fair.

Councilor Devine asked about Keep the Midlands Beautiful.

Ms. Teresa Wilson, City Manager said we are working with them internally through our Public Works Department.

Councilor Plough asked if the line items have been approved.

Ms. Teresa Wilson, City Manager said yes, you approved everything as listed.

Mayor Benjamin asked Council about their thoughts on reserves. He asked the committee if they are prepared to do a supplemental round of funding.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee said yes.

Councilor Devine suggested to wait until the audit is complete, because additional funding may be available.

Ms. Libby Gober, Assistant to City Council said that the funds may roll back into the fund balance.

Mayor Benjamin deferred to the majority. He said that he would love to sequester a majority of that funding for major issues such as restoring the historic gardens overseen by the Historic Columbia Foundation, the International Festival and Main Street Crit.

7. Other Funding Matters – Ms. Teresa Wilson, City Manager
- [Additional Requests from Line Items Organizations](#)
 - [Camp Asylum](#)
 - [FIG Communications Package](#)
 - [Busted Plug](#) / Legacy Projects
 - Hospitality Tax Bond

Ms. Melissa Caughman, Budget Director noted that there is a supplemental page that outlines the requests from EdVenture, the Columbia Art Museum operating requests and special projects.

Ms. Teresa Wilson, City Manager reviewed the additional funding requests from line item organizations such as Camp Asylum, FIG Communication Package and the Busted Plug. She said they will be reviewing the Capital Improvement Plan and the General Fund. She said that from a staff review of Finlay Park it is a legacy project in its entirety. She added that a hospitality tax bond is an opportunity to do something special there.

Mayor Benjamin asked about park improvements and funding mechanisms.

Ms. Teresa Wilson, City Manager said that staff would need to do an analysis of the park.

Mayor Benjamin asked if that includes the Greenway.

Ms. Teresa Wilson, City Manager said it could be included to some extent, but if you were to look at the hospitality tax bonding capacity, then I would love to be able to speak firmly about what we could accomplish and how much it would take and then it would be at the will of Council to proceed.

Mayor Benjamin concurred.

Councilor Plough agreed with Finlay Park being our legacy project for now; it needs a lot of work. She said it needs a commitment on behalf of this city to put in the operational and maintenance staff to maintain it.

Councilor Devine added that we are hopeful that there will be additional dollars available for the Greenway portion; it should be incorporated in the planning.

Councilor Plough said adding the Busted Plug can be exceptional, but we have to look comprehensively at the park. We need to look at parking and accommodate the existing patterns that will change in the park.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the Hospitality Tax Advisory Committee funding recommendations.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted four (4) to one (1) to appropriate \$200,000 from the Reserve Fund for a supplemental round of funding for the Hospitality Tax Advisory Committee and to increase funding for the following organizations from the Hospitality Tax Fund: \$10,000 for the Main Street Crit; \$12,500 for the Columbia International Festival; \$10,000 for the Eau Claire Community Council; \$10,000 for the Chamber of Commerce for printing of Fort Jackson publications; \$25,000 for the Camp Asylum excavation; \$2,500 for the Earlewood Community Council; and \$55,000 for the Historic Columbia Foundation for Our Story Matters 1963 for a total amount of \$325,000. Voting aye were Mr. Newman, Ms. Devine, Mr. Davis and Mayor Benjamin. Ms. Plough voted nay. Mr. Baddourah was not present for the vote.

Mr. John Whitehead, Chair of the Hospitality Tax Advisory Committee asked if the \$200,000 for new projects or can they reexamine applications that were already proposed.

Mayor Benjamin said he is not adverse to the committee reviewing requests that came before them previously. He suggested that the committee decide how much to retain for new requests.

Councilor Devine suggested that they leave that to the discretion of the committee. She asked to review the additional requests from the Historic Columbia Foundation, the Columbia Museum of Art and EdVenture as part of our long-term planning.

Ms. Teresa Wilson, City Manager agreed to discuss the additional requests at a later date.

Ms. Janet Scouten explained that FIG can be used as an economic development tool and a communications package for the City of Columbia by shining a spotlight on great things happening in the community. She said it currently exists in a few communities including Lancaster, Pennsylvania; it is free and distributed four (4) times a year; 65% of the distribution is direct mail with the goal of serving as a pride piece. She noted that it can be used as a tool to bring in local tourists. She described it as a public/private partnership. She said the city would partner with FIG and the city's logo will be on the introduction page of each hard copy issue and on the website. She added that FIG provides web ads, yearlong promotion of events, openings and happenings, weekly e-blasts and an online list of businesses by category.

Mayor Benjamin said that FIG is a high quality publication. He said there are others here that would love to do this and have asked for a competitive process.

Ms. Janet Scouten, FIG said that Columbia has a lot of magazines, but FIG is an economic development tool and a direct marketing piece; it is not run by an editor, but more by a marketer.

Councilor Plough said it's a great book. She asked what the mailing costs would be.

Ms. Janet Scouten, FIG said many businesses are very interested in it; it's a new magazine to Columbia, but it has been around for eight (8) years.

Councilor Plough inquired about the arrangement with Lancaster.

Ms. Janet Scouten, FIG said the City of Lancaster has partnered with the magazine and each entity develops its own partnership with the magazine.

Councilor Plough said we would have to issue a Request for Proposals; it could not be considered as a sole source.

Ms. Janet Scouten, FIG said they are looking to launch three issues with November being the first issue.

Ms. Teresa Wilson, City Manager asked if Council would consider this as a partnership to allow staff to drive this as an Economic Development asset for our small businesses.

Mayor Benjamin said he was sold on FIG when he first saw it, but he would love to reach out to others who have expressed an interest with a 14-day turnaround for proposals.

Ms. Teresa Wilson, City Manager asked about the funding source.

Mayor Benjamin suggested the Hospitality Tax Fund.

Councilor Devine suggested that the Office of Business Opportunities or Economic Development is an appropriate source since it will drive our small businesses.

Councilor Davis asked for staff recommendations.

Mayor Benjamin sought to make the commitment today; to determine the funding source from those three (3) funds; and kick off the request for proposals.

Ms. Teresa Wilson, City Manager agreed to provide a recommendation on funding the three publications in the amount of \$18,000.

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted five (5) to one (1) to ask staff to bring back recommendations on the request from FIG Communications to include a process and a funding source. Voting aye were Mr. Baddourah, Mr. Newman, Ms. Plough, Ms. Devine and Mayor Benjamin. Mr. Davis voted nay.

8. Council is asked to approve an [Artwork Loan & Display Agreement](#) between the City of Columbia and the South Carolina State Museum effective September 1, 2013 to December 31, 2013. *This artwork will be displayed at City Hall.*

Councilor Plough asked staff to complete a cost analysis for the requests.

Mr. David Knoche, General Services Director said the cost is very minimal.

Councilor Davis asked that we consider liability.

Mr. David Knoche, General Services Director advised that our liability is minimal.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to approve the Artwork Loan & Display Agreement between the City of Columbia and the South Carolina State Museum effective September 1, 2013 to December 31, 2013.

9. [2013 Election Expenses](#) – Ms. Erika D. Moore, City Clerk

Mayor Benjamin asked if the cost provided is what the city has to pay and does it include the referendum for the library and other municipal elections. He noted that it has increased significantly.

Ms. Erika D. Moore, City Clerk explained that if the Town of Irmo has an election, we will share the costs of two (2) precincts; that's a \$1,000 savings. She continued to explain that since the referendum for the library is now on the ballot, we will have precincts that have more county voters than city voters and the County is in discussions with their Legal Department to determine how we can balance those costs.

Mayor Benjamin asked how it was done in the past in relation to more county voters than city voters at any one precinct; were those cost shared.

Councilor Davis said the countywide referendum could have some bearing on numbers as well as costs that can be shared.

Ms. Erika D. Moore, City Clerk said that she, the City Attorney and his administrator recently met with the County to discuss the cost of the upcoming election. She explained that after learning of the county referendum, the decision was made to un-combine precincts in an effort to address an influx of voters. She noted that if we were to combine the precincts, we would have the cost of re-advertising and noticing those changes to the public.

Councilor Plough inquired about precincts that have registered voters, but no one voted. She noted that one precinct has 54 registered voters and no one voted; another precinct has 52 registered voters and no one voted; and a third precinct has 135 registered voters with only one (1) person voting. She suggested that we consolidate these precincts to gain some efficiency. She asked why there is a need to break them out; the city shouldn't have to bear the costs.

Mayor Benjamin expressed an abundance of caution related to the 300% cost increase. He stated that no one wants to see a repeat of the debacle that happened in 2012. He said we need to make some additional requests to see if we could share more of the costs. He questioned some of the costs that have been outlined by the county. He asked about the deadline.

Ms. Erika D. Moore, City Clerk said there is time to make a well informed decision. She explained that there may be another cost savings from the on demand printing of absentee ballots. She agreed to meet with the County again to delve into the costs more.

10. Bull Street Update - The Honorable Mayor Stephen K. Benjamin – *Discussion of this item was deferred.*
11. Palmetto Compress Warehouse Update – Mr. Fred Delk, Executive Director of the Columbia Development Corporation – *Discussion of this item was deferred.*

RESOLUTION

12. [Resolution No.: R-2013-081](#) – Establishing a Policy Prohibiting Non-Law Enforcement Officials or Employees from Appearing at Crime Scenes - *Denied*

Mayor Benjamin made a motion to give approval to Resolution No.: R-2013-081 – Establishing a Policy Prohibiting Non-Law Enforcement Officials or Employees from Appearing at Crime Scenes. It was seconded by Ms. Devine.

Councilor Plough stated that everything we are trying to achieve is already on the books. She said we have to identify what a crime scene is. She asked why this is important.

Mayor Benjamin replied it is important that elected officials and appointed officials leave those matters to the police officers to handle; there is no place for any of us at a crime scene.

Councilor Plough said that is covered in state law. She asked for clarification of what a crime scene consists of.

Councilor Devine recalled that she and her husband went to TS Martin several years ago when there was a shooting. She noted that she did not go beyond the tape, but this would prohibit us from going to the scene. She said this resolution is not necessary. She is concerned that when a neighborhood needs consolation, she would not want to be prohibited from showing up. She said if it goes forward a definition for a crime scene is needed.

Councilor Davis said this can be done by a policy rather than an actual ordinance. He said over the years he has ended up in the area of a crime and his policy is that you don't go across the lines. He said sometimes folks want to know that you care. He said that he supports public safety in the performance of their duties and sometimes there are opportunities or requests to help a family out. He said a responsible council person and key staff are expected to understand that there are limits in terms of involvement and location at incidents. He said we can get there if you are willing to take another look at it.

Councilor Newman said he is fine with the policy as written, but adding a definition of a crime scene would be helpful. He said passing this doesn't interfere with a councilperson. He said incidents have happened in his district, but he responds to the homes of citizens and not the crime scenes. He said that Mr. Davis does a great job with his due diligence, but we don't know how our sheer presence may influence an officer's conduct. He said this doesn't create a problem, it prevents one.

Ms. Teresa Wilson, City Manager said the intention of the policy hasn't been addressed, but if the way that it is written had something to do with impropriety or undue influence then she would certainly support it. She said it isn't comprehensive. She asked if undue influence is when you make a phone call or talk to an attorney or a judge and you're never even on the scene. She supports whatever policy Council approves and will make sure that it is followed. She said if this has anything to do with the incident involving Dr. Randolph, she wouldn't do anything differently, because her judgment as a Manager tells her how to use her values and how to ensure there is proper customer care for everybody concerned. She said nothing from an undue influence happened that evening. She said going forward if this is meant to be about undue influence, then we need to ask ourselves what all are we are doing; what questions are we asking of individuals; to law enforcement; to staff that would also beg the question of undue influence. She asked that the policy be made fully comprehensive.

Councilor Devine stated that the policy as written would have had Mr. Davis and her in violation; this policy is something extra that is not needed; and we are all clear on what is needed.

Councilor Davis said there is another way to get there with a policy versus an outright ordinance prohibiting the presence of a council person or staff person. He said sometimes you get these calls and people want to feel that staff and elected officials have their community's best interest at heart.

Mayor Benjamin read the policy as it is written. He said that we don't need to define a crime scene, because we all know what it is. He said this is meant to be prospective and not to address any indication of wrongdoing, but to make sure the perception of wrongdoing or impropriety and that which is an important condition of public trust is not in any way impaired in the future.

Ms. Teresa Wilson, City Manager said she agreed with the policy and suggested that they add undue influence that might occur beyond the scene, because it seems a bit un-comprehensive as it stands.

Council voted five (5) to one (1) to deny a motion made by Mayor Benjamin and seconded by Devine to give approval to Resolution No.: R-2013-081 – Establishing a Policy Prohibiting Non-Law Enforcement Officials or Employees from Appearing at Crime Scenes. Voting aye was Mayor Benjamin. Voting nay were Mr. Baddourah, Ms. Plough, Mr. Newman, Ms. Devine, and Mr. Davis.

Mayor Benjamin announced that he will be sending a written request to Council to hold a special called meeting on August 20, 2013 to discuss changing our form of government; to bring the issue before the people of Columbia for a vote on a referendum.

Councilor Devine stated she has a conflict on August 20th.

Councilor Plough said this is an important discussion; all of Council should discuss this issue.

Mayor Benjamin stated that the meeting can be held on August 13, 2013.

EXECUTIVE SESSION

13. Receipt of legal advice which relates to a matter covered by the attorney-client privilege - *Discussion of this item was deferred.*
14. Discussion of negotiations incident to the proposed sale of property - *Discussion of this item was deferred.*
15. Receipt of legal advice regarding pending, threatened or potential claim - *Discussion of this item was deferred.*
16. Discussion of negotiations incident to proposed contractual arrangements - *Discussion of this item was deferred.*

Upon a motion made by Ms. Plough and seconded by Mr. Baddourah, Council voted unanimously to adjourn the meeting at 5:21 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk