



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
TUESDAY, SEPTEMBER 17, 2013
6:00 P.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE

The Columbia City Council conducted a Council Meeting / Public Hearing and a Zoning Public Hearing on Tuesday, September 17, 2013 at the Eau Claire Print Building, 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:14 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. *The items were renumbered to coincide with the order of the meeting.*

PLEDGE OF ALLEGIANCE

INVOCATION

Chaplain Byron Powers, Columbia Police Department offered the invocation.

ADOPTION OF THE AGENDA

Mayor Benjamin stated for the record that he will not be participating in discussions on **Item 22** (*Ordinance No.: 2013-087 – salaries of mayor and councilmembers*).

Councilor Baddourah stated that he would recuse himself from the discussion of **Item 22**.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the agenda with the following amendments:

- Defer consideration of **Items 1** (*Minutes*) and **36** (*Ordinance No.: 2013-107*)
- Consider **Items 22** (*Ordinance No.: 2013-087: Salaries of mayor and councilmembers*) and **38** (*Resolution No.: R-2013-088 – Service Agreement with Christ Central*) immediately after the presentations.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Meeting Minutes of April [23](#), April [30](#), May [7](#), May [21](#), June [4](#) and June [18](#), 2013
– *Consideration of this item was deferred.*

PRESENTATIONS

2. Recognition of the Skills and Drills Program Volunteers – The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin stated that there are very few, if any investments that are more significant than investing in our young people. He recalled that for the last several years, we've had volunteers who have stepped up to coach our young people in basketball, tennis and golf during the week before school starts. He reported that almost 500 young people have determined that they want to learn more about these sports. He said each volunteer received certificates for their service, but we wanted to come here and give them a warm City of Columbia thank you. He thanked Reid Chapel for opening their center for the girls to play basketball. He asked the volunteers to stand and be recognized.

3. Recognition of the NxLevel Graduates – Mr. Angelo McBride / Office of Business Opportunities

Mr. Angelo McBride, Business Assistance for the Office of Business Opportunities acknowledged twenty-four (24) students that graduated from the NX Level Class. He said after 10-weeks, the graduates learned how to develop business plans, marketing plans, a market analysis and other skills on how to become entrepreneurs. He recognized the following graduates that were in attendance:

- Kimberly Richardson, Widows of Opportunity
- Reshieka Bell, Fashion Forward Mobile Boutique, LLC (*Awarded \$20,000 from True Dreams Showcase*)
- Gwendolyn Murray & Tonza Thomas, Mobile Food Truck
- Ira Span, Grids Security Services, LLC
- Rosie Hampton-Quiller, Roses of Elegance Event Planning
- Frances Richardson, Make Me Beautiful Accessories and More
- Sharon Cornelius, SC Realty of Columbia
- Tameika D. Bennett, Divine ManiFEASTations Catering

4. [Business Spotlight Honoree](#) – Mr. Ryan Hyler / Office of Business Opportunities

Mr. Ryan Hyler, Office of Business Opportunities recognized Vital Connections of the Midlands / The Children's Garden Child Development Center as the third quarter 2013 Business Spotlight Honoree. The mission of Vital Connections is to collaborate with community partners in order to provide high quality early education; to strengthen families; and to provide support to help children succeed in school and life. Vital Connections operates an umbrella of services and programs designed to improve the lives of low income families and their communities.

Ms. Robin McCants, Executive Director of Vital Connections of the Midlands said it takes a village to raise children and their mission is to serve families that are at 100% poverty and homeless. She said they are currently serving 99 children and families that have varying needs. She said the children they serve raise their cognitive scores by 12%. She recognized Ms. Tamara Canzater as the Director of the Children's Garden Child Development Center.

5. [Tree City USA](#) – Mr. Lowe Sharpe, Urban Forestry Program Coordinator / South Carolina Forestry Commission

Mr. Lowe Sharpe, Urban Forestry Program Coordinator / South Carolina Forestry Commission recognized the City of Columbia for having the longest continuing Tree City USA Program of 34 years. He said it is a national program that provides the framework for community forestry management decisions in towns across America. He said cities achieve this status by meeting four core standards set by the Arbor Day Foundation: maintaining a tree board or department; having a community tree ordinance; spending at least \$2 per capita on urban forestry; and celebrating Arbor Day. He said the City of Columbia has a great Forestry and Beautification Division, which is led by Sara Hollar.

ORDINANCES – FIRST READING

6. [Ordinance No.: 2013-087](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Mayor and Council, Division 1, Generally, Sec. 2-31 Salaries of mayor and councilmembers – *Mayor Benjamin and Councilman Baddourah abstained from discussions. Consideration of this item was deferred.*

Mr. Kenneth E. Gaines, Esq., City Attorney explained that we are going down two tracks with a petition and an ordinance to change the form of government; whatever track we go down, we need to set the compensation for the mayor. He said the ordinance includes contingencies that if there is no change to the form of government, the salary remains the same and the word annually was added. He said under state law in order to change the compensation of council members, the statute provides that it has to be changed prior to the next general election at which two or more persons are up for election and the change in salary cannot go into effect until those new members take their elected offices. He added that this ordinance shall also not become effective prior to January 1, 2015, which is the date the new elected officials or the re-elected officials will take office; we are only changing the salary of the mayor in the event we go to a mayor-council form of government. If the mayor-council form of government does not pass and we remain under the council-manager form of government, the mayor's salary would remain at \$17,500.

There was an in-depth discussion amongst City Council members and the City Attorney regarding the following:

- Effective date of the salary for the mayor only
- Effective date of the new form of government, if approved
- Terms of the mayor and councilmembers
- Job responsibilities/job description for the mayor
- Comparison of salaries in other municipalities
- Changes in the organizational structure
- The possible prohibition of outside employment for the mayor

Council opened the meeting for public comment at 7:08 p.m.

The following individuals appeared before the members of Council:

Mr. Howard Duvall, 4103 MacGregor Drive
Ms. Katie Riley, 4120 North Main Street
Mr. Joseph Azar, Upstairs Audio

- **Council closed the public comment period at 7:24 p.m.**

The members of Council continued the in-depth discussion with the City Attorney regarding the following:

- State statute
- Financial reporting
- Administrative duties and agenda preparation
- Employee grievance process under the mayor-council form of government
- Ability to remove the mayor/councilmembers for misconduct
- Salaries of the assistants to the mayor
- The city manager's position
- Budgetary implications

RESOLUTIONS

7. [Resolution No.: R-2013-088](#) – Authorizing the City Manager to execute a Services Agreement between the City of Columbia and Christ Central Ministries - *Approved*

Ms. Jeanne Brooker, Assistant City Attorney explained that there have been minor changes to the contract. She asked that the shelter open no later than September 30, 2013 for a period of seven (7) months and closing on April 30, 2013. She explained that the current intake center will be at Christ Central/Hope Plaza in hopes of finding another location at a later date.

There was an in-depth discussion with Reverend Jimmy Jones of Christ Central Ministries regarding the following:

- Assistance from service providers
- Transportation along a 17-mile route
- Not having the Induction Center at Hope Plaza
- Request for Proposals
- Mobile registration unit and the registration process
- Concerns about holding individuals against his or her will

Council opened the public comment period at 8:14 p.m.

The following individuals appeared before the members of Council:

Ms. Elaine Cooper, 3105 Dalloz Road
Rev. Jimmy Jones, Christ Central Ministries
Ms. Kathy Brown
Mr. Gadsden Bennett, 911 Beaufort Street
Mr. Jaja Akair, 617-A Center Street
Mr. Brandon Lazarus, 3401 Trenolm Road
Mr. William Sweat
Ms. Ellen Cooper

Council closed the public comment period at 8:40 p.m.

Upon a motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to approve Resolution No.: R-2013-088 – Authorizing the City Manager to execute a Services Agreement between the City of Columbia and Christ Central Ministries.

APPEARANCE OF THE PUBLIC

Ms. Agnes Perez

PUBLIC HEARING

8. [2012 Consolidated Annual Performance and Evaluation Report](#) – Ms. Deborah Livingston, Director of Community Development

Ms. Deborah Livingston, Director of Community Development presented the 2012 Consolidated Annual Performance and Evaluation Report. She said the final report will be delivered to the Department of Housing and Urban Development by next Wednesday, but it's not due until September 30, 2013. She reported that the city was awarded \$3.3 million in entitlement funds; we received \$2.6 million in program income; we have \$6 million in total federal funds; we expended \$4,254,095; and carried over \$1.7 million. She noted that some of the goals and objectives from the Housing Taskforce recommendations were included in the consolidated plan along with other measurements.

- **Council opened the Public Hearing at 9:08 p.m.**

No one appeared at this time.

- **Council closed the Public Hearing at 9:08 p.m.**

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to accept this report as information and to indicate Council's happiness with the progress being made. Mr. Davis was not present for the vote.

OTHER MATTERS

9. [Speed Hump Request](#) - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to approve the installation of two (2) speed humps adjacent to Greenview Elementary School on Easter Street. Mr. Davis was not present for the vote.

CONSENT AGENDA

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council unanimously approved the **Consent Agenda Items 10 through 18**. Mr. Davis was not present for the vote.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

10. Council is asked to enter into contract negotiations for the [Busby Street Resource and Training Complex Needs Assessment and Master Planning](#), as requested by Utilities and Engineering in partnership with the Columbia Police Department and General Services. Award to Architects Design Group, an OBE firm located in Winter Park, FL. *Funding Source: 4039999-CP106002 – **Note:** Per the commitment to HUD, the City is proceeding with the design. – Approved*
11. Council is asked to approve the [Purchase of 1,500 ninety-six Gallon Roll Carts](#), as requested by the Solid Waste Division. Award to Toter Inc., using the National Intergovernmental Purchasing Alliance Contract in the amount of \$78,408.00. This vendor is located in Statesville, NC. *Funding Source: Solid Waste Roll Carts-Roll Carts and Recycle Bins, 1014401-627600 – Approved*
12. Council is asked to approve the [Purchase of One \(1\) Backhoe Loader](#), as requested by the Wastewater Maintenance Plant. Award to Hills Machinery Company, using the SC State Contract in the amount of \$82,828.00. This vendor is located in Columbia, SC. *Funding Source: Utilities Water Distribution & Maintenance/Auto, Truck, Heavy Equipment-Capital; 5516205-658500– Approved*

13. Council is asked to approve [Capital Improvement Project SD8373](#); Storm Drainage Improvements at the Reserve at Riverwalk, as requested by Utilities and Engineering. Award to Lake Murray Utility Company, Inc., the lowest, responsive and responsible bidder in the amount of \$109,343.00. This vendor is located in Chapin, SC. *Funding Source: Special Contracts; 5534210-638300 – **Note:** This task will include: removal of debris within a detention pond; re-establishment of bank slopes; placement of rip-rap along the streamline and pavement restoration. The original budgeted amount for this project is \$150,000.00 – Approved*

14. Council is asked to approve [Mentor Protégé Program Projects SD8337 and SD8388](#); Drainage Improvements at the Public Works Department, as requested by Utilities and Engineering. Award to Trussell Bros. Construction, the lowest responsive and responsible bidder in the amount of \$124,537.00 with a project contingency of \$14,100.00 for the total amount of \$138,637.00. This vendor is located in Columbia, SC. *Funding Source: CIP Improvement Fund; 5529999-658650 – **Note:** The project is located in City Council District II. Corley Construction (Protégé) located in Irmo, SC is implementing 20.8% (\$26,011.56) of the project contract value. The original budgeted amount for this task is \$154,600.00 – Approved*

15. Council is asked to approve the [Purchase of One \(1\) Crane Truck](#), as requested by the Water Distribution Division. Award to H&E Equipment Services, using the National Joint Powers Alliance Contract in the amount of \$175,399.80. This vendor is located in Columbia, SC. *Funding Source: Utilities Water Distribution & Maintenance/Auto, Truck, Heavy Equipment-Capital; 5516203-658500 - Approved*

16. Council is asked to approve [Capital Improvement Project SS7246](#); Consulting Services Agreement for Odor Control Remediation at Gervais/Gist Street, as requested by Utilities and Engineering. Award to URS Corporation in an amount not to exceed \$255,780.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvement Fund; 5529999-SS246-636600. – **Note:** Sub-consultants will be utilized for this task in the following capacities at 29.26% of the contract value. The original budgeted amount for this project is \$250,000.00 – Approved*

Sub-consultants	Firms / Locations	Services	Contract Value
4D Engineering (FBE/SBE)	Lexington, SC	Civil Engineering and Flood Permitting	11.73%
DESA, Inc. (F/F/SBE); Serve as Protégé	Columbia, SC	Construction Administration and Observation	7.43%
Bowker and Associates, Inc. (SBE)	Portland, ME	Odor Control, Technical Expertise and Quality Control	8.1%
Terracon (M/F/SBE)	Columbia, SC	Geotechnical Services	2%

17. Council is asked to approve [Mentor Protégé Program Project SS7231-12](#); An Annual Maintenance Contract for Sanitary Sewer Easement Mechanical Clearing, as requested by Utilities and Engineering. Award to Cherokee, Inc., (Mentor) the lowest responsive and responsible bidder in the amount of \$518,775.00. This vendor is located in Columbia, SC. *Funding Source: Special Contracts; 5516212-638300 – **Note:** TNT, Inc. (Protégé) located in Chapin, SC is implementing 9 % (\$49,500.00) of the contract value. The original budgeted amount for this project is \$750,000.00 – Approved*

ORDINANCES – SECOND READING

18. [Ordinance No.: 2013-102](#) – Authorizing the City Manager to execute a Corrective Limited Warranty Deed for the transfer of Parcel B-2, Columbia Industrial Park, 1.29 acre portion of Richland County TMS #13511-02-02 from the City of Columbia to Blue Rock Investments, LLC – **Note:** *This deed is to correct the plat reference. – First reading approval was given on September 3, 2013. - Approved on second reading.*

ZONING PUBLIC HEARING

Council opened the Zoning Public Hearing at 9:11 p.m.

MAP AMENDMENT – FIRST READING

19. [1531 Senate Street](#), TMS# 11401-10-01(p); request to rezone a portion of from C-1, -DD (Office and Institutional, Design/Development Overlay District) to C-4,-DD (Central Area Commercial District, Design/Development Overlay District) – *Approved on first reading.*

Council District:	3
Proposal:	Rezone a portion of parcel from C-1, -DD zoning to C-4,-DD
Applicant:	Heather A. Mitchell, AIA, the Boudreaux Group, Inc. for the University of South Carolina
PC Recommendation:	Approve (5-0), 08/05/13
Staff Recommendation:	Approve

No one appeared in support of or in opposition to Item 19.

Councilor Baddourah noted that three (3) individuals wanted to speak on this item, but they left the meeting already.

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to the **Map Amendment** for **1531 Senate Street**, TMS# 11401-10-01(p); request to rezone a portion of from C-1, -DD (Office and Institutional, Design/Development Overlay District) to C-4,-DD (Central Area Commercial District, Design/Development Overlay District) – *Approved on first reading.*

20. [Rosewood Community](#), TMS# 11211-01-01, 02, 11211-02-02 thru 12, 11211-03-01 thru 05, 11211-04-01 thru 17, 11211-05-01 thru 09, 11211-06-01 thru 14, 11212-03-02 thru 05, 11212-04-01 thru 03, 11212-05-01, 02, 06, 07, 11212-08-01 thru 10, 12, 18 thru 20, 11212-09-01 thru 16, 11212-10-01 thru 11, 11212-11-01 thru 08, 11212-12-01 thru 11, 11212-13-01 thru 06, 11212-14-01 thru 06, 11212-15-01 thru 04, 05 (p), 06 thru 14, 11212-16-01 thru 03, 10 thru 14, 11212-17-01, 02, 08 thru 13, 15, 11212-18-01 thru 04, 06 thru 08, 11212-19-05 thru 07, 11215-01-01 thru 16, 11215-02-01 thru 22, 11215-03-01 thru 06, 11215-04-01 thru 24, 11215-05-01 thru 06, 11215-06-01 thru 14, 27 thru 42, 11215-09-01 thru 20, 32 thru 34, 36 thru 42, 11216-01-01 thru 07, 11216-02-01 thru 18, 11216-03-01 thru 11, 13 thru 17, 11216-04-01 thru 18, 11216-05-01 thru 24, 11216-06-01 thru 05, 07 thru 12, 11216-07-01 thru 10, 11216-08-01 thru 10, 11216-09-01 thru 19, 11216-10-01 thru 12, 11216-11-01 thru 12, 11216-12-01 thru 10, 11216-13-01 thru 05, 07 thru 14, 11216-14-01 thru 16, 11216-15-01, 02, 04 thru 11, 13 thru 15, 11216-16-01 thru 14, 11216-17-02, 04 thru 07, 09 thru 11, 13 thru 21, 11216-18-01 thru 09, 11 thru 15, 11216-19-01 thru 08, 11216-20-01 thru 08, 11216-21-01 thru 13, 11216-22-01 thru 04, 07 thru 12, 11216-23-01 thru 07, 09 thru 30, 11216-24-01 thru 06, 08 thru 17, 11309-11-06 thru 16, 11309-12-01 thru 07, 11309-13-04 thru 16, 11309-14-05 thru 11, 13, 16, 17, 11309-15-06 thru 09, 11309-16-03, 04, 11313-05-02, 11313-06-10 thru 12, 14, 15, 17 thru 21, 23, 25, 26, 11313-07-01 thru 05, 07 thru 16, 18, 20, 11313-08-01 thru 16, 11313-09-01 thru 07, 09 thru 15, 11313-10-01 thru 24, 11313-11-01 thru 11, 13 thru 27, 11313-12-01 thru 25, 11313-13-01 thru 16, 18, 11313-14-01 thru 13, 15 thru 19, 11313-15-01 thru 13, 15, 16, 11313-16-01 thru 06, 08, 10, 11, 11313-17-06 thru 15, 11313-18-05 thru 15, 11313-19-07 thru 16, 11313-20-08 thru 20, 13701-02-01 thru 07, 10, 13702-01-02 thru 29, 13702-02-01 thru 11, 13702-03-01 thru 26, 13702-04-01 thru 15, 18 thru 21, 13702-05-01 thru 07, 13702-06-01 thru 06, 13702-07-01 thru 16, 13702-08-01 thru 21, 13703-01-03, 04, 06 thru 09, 13703-02-01 thru 16, 13703-03-01 thru 09, 13703-04-01, 02, 09, 13704-01-01 thru 10, 15, 13704-02-01, 03 thru 10, 12 thru 28, 13704-03-01 thru 15, 13704-04-01, 03 thru 14, 16 thru 18, 13704-05-01 thru 15, 13704-06-01 thru 08, 13704-07-01, 02, 13704-08-01 thru 10, 13704-09-01 thru 11, 13704-10-01 thru 10, 13704-11-01 thru 38, 13704-12-01 thru 28, 13704-13-01 thru 28, 13704-14-01, 13704-15-01 thru 15, 13704-16-01 thru 09, 11 thru 14, 13705-01-01 thru 10, 13705-02-01 thru 06, 13705-03-01 thru 19, 13705-04-01 thru 18, 13705-05-01 thru 07, 13705-06-01, 09 thru 14, 13705-14-01, 02, 16, 13705-15-01 thru 03, 08, 10 thru 15, 13706-01-01, 13706-02-03 thru 09, 13706-03-01 thru 08, 10 thru 13, 13706-04-01 thru 09, 11, 13706-05-01 thru 14, 13706-06-01 thru 16, 13706-07-01 thru 09, 13706-08-01, 03 thru 07, 13706-09-01 thru 03, 06 thru 10, 13706-11-01 thru 08, 13706-12-01 thru 18, 13706-13-01 thru 09, 16 thru 21, 13706-14-01 thru 16, 13706-15-01 thru 09, 13706-16-01 thru 05, 13706-17-01 thru 21, 13706-18-01 thru 07, 13706-19-01 thru 23, 13707-01-01 thru 06, 13707-02-01 thru 27, 13707-03-01 thru 15, 13707-04-01, 13707-05-01 thru 20, 13707-06-02 thru 05, 07, 08, 10, 12 thru 18, 13707-07-02 thru 08, 13707-08-01 thru 08, 13707-09-01 thru 08, 13707-10-01 thru 22, 13707-11-01 thru 05, 07 thru 09, 11 thru 13, 13707-12-02 thru 05, 07 thru 11, 13 thru 18, 13707-13-01 thru 13, 15, 16, 13707-14-01 thru 12, 13707-15-01 thru 05,

07 thru 16, 13707-16-01 thru 07, 09, 11 thru 16, 13707-17-02, 03, 05, 07 thru 19, 13707-18-02 thru 08, 10 thru 12, 13707-19-01 thru 12, 15, 13707-20-02 thru 06, 13707-23-01 thru 09, 13707-24-07 thru 10, 20, 13708-04-02 thru 05, 13708-06-02, 13708-07-10, 18, 13708-08-03, 05, 10, 11, 15, 17 thru 21, 13708-09-01, 15, 18, 19, 23, 13708-10-01 thru 08, 13708-11-01 thru 08, 13708-12-01 thru 07, 13708-13-01 thru 07, 10 thru 16, 13708-14-01 thru 06, 13708-15-01 thru 06, 13708-16-01 thru 15, 13708-17-01 thru 12, 13708-18-01 thru 09, 12, 14, 13708-19-01 thru 12, 13708-20-01 thru 09, 13708-21-01 thru 09, 13708-22-01 thru 06, 13711-01-01 thru 12, 13711-03-01 thru 05, 07, 09 thru 12, 13712-01-03, 11 thru 22, 26, 35, 13784-01-01, 03 thru 08, 13784-02-01 thru 08, 13801-01-12 thru 16, 18 thru 20, 22 thru 29, 13801-02-01, 04, 06 thru 08, 10, 13801-03-01 thru 13, 15 thru 29, 13801-04-01 thru 18, 13801-05-02 thru 11, 13801-06-01 thru 09, 11 thru 16, 13801-07-01 thru 17, 13801-08-01, 02, 04 thru 09, 11 thru 16, 13801-09-01 thru 06, 08 thru 13, 13801-10-01 thru 13, 13801-11-01 thru 12, 13801-12-01 thru 14, 13801-13-01, 13801-14-01 thru 14, 13801-15-01 thru 06, 08 thru 17, 13801-16-01 thru 15, 13801-17-01 thru 10, 13801-18-01 thru 26, 13801-19-01 thru 09, 13801-20-01 thru 09, 13801-21-01 thru 21, 13805-01-06 thru 10, 13805-02-05, 07 thru 09, 13805-07-18, 13805-08-01, 02, 13805-09-01 thru 12, 13805-10-01 thru 10, 13805-11-01 thru 06, 13805-12-01 thru 08, 13805-13-01 thru 15, 13805-14-01 thru 12, 13805-15-01 thru 08, 13805-16-01 thru 10; rezone to extend -CC overlay (Community Character – Interim) to all zoning classifications – *First reading consideration was deferred at the request of the Rosewood Community Council.*

Council District: 3
 Proposal: Add –CC (Community Character) overlay to all parcels to implement Interim Measures for Community Character Protection
 Applicant: Councilman Moe Baddourah
 PC Recommendation: Approve (5-0), 08/05/13
 Staff Recommendation: Approve

*No one appeared in support of or in opposition to **Item 20.***

TEXT AMENDMENT – FIRST READING

21. [Amend §17-112](#) to add/delete special exception criteria for the Board of Zoning Appeals
 Council District: 1, 2, 3, and 4
 Proposal: Amend Chapter 17 – 112 (2)
 Applicant: K. Brian Cook, Zoning Administrator
 PC Recommendation: Approve (5-0), 08/05/13
 Staff Recommendation: Approve

[Ordinance No.: 2013-110](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Division 3, Board of Zoning Appeals, Sec. 17-112 Powers and duties, (2) Special exceptions (a) Duties; (b) Procedures in consideration of special exception applications; and (c) Criteria for special exceptions – *Approved on first reading.*

*No one appeared in support of or in opposition to **Item 21.***

Councilor Plaugh asked staff to monitor this to see if it will have the desired effect.

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-110 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Division 3, Board of Zoning Appeals, Sec. 17-112 Powers and duties, (2) Special exceptions (a) Duties; (b) Procedures in consideration of special exception applications; and (c) Criteria for special exceptions.

CASES WITH MAP AMENDMENT AND TEXT AMENDMENT (Landmark Designation) – FIRST READING

22. **(A. Map Amendment)**

[1600 Main Street](#), TMS# R09014-04-13; request to rezone from C-5 (Central Business District) to C-5, -DP (Central Business District, Design Preservation Overlay District) – *Approved on first reading.*

(B. Text Amendment)

Amend §17-691 (d) to designate structure located at **1600 Main Street** (TMS# R09014-04-13) as a Group III Landmark

District:	2
Proposal:	Rezone from C-5 to C-5,-DP and Amend Chapter 17 - Article V, Division 3 - §17-691 (c) to designate structure as a Group III Landmark.
Applicant:	Krista M. Hampton, Director of Planning and Development Services
DDRC Recommendation:	Approve (6-0) 06/13/13
PC Recommendation:	A. Approve (5-0), 08/05/13 B. Approve (5-0), 08/05/13
Staff Recommendation:	Approve

[Ordinance No.: 2013-085](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 District identified (c) (3) – *Approved on first reading.*

*No one appeared in support of or in opposition to **Item 22**.*

Upon a single motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to give first reading approval to the **Map Amendment for 1600 Main Street**, TMS# R09014-04-13; request to rezone from C-5 (Central Business District) to C-5, -DP (Central Business District, Design Preservation Overlay District) **and Ordinance No.: 2013-085** – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 District identified (c) (3).

Council closed the Zoning Public Hearing at 9:17 p.m.

ORDINANCES – FIRST READING

23. [Ordinance No.: 2013-083](#) – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia, Bright-Meyers 2001 LLC and Shanahan and Company, LLC for lease of the property known as Capital City Stadium – *Approved on first reading.*

Ms. Teresa Wilson, City Manager said the deal is to allow Mr. Shanahan to lease office space through January 2014; Mr. Sasser will determine where he is with the development at that time and then determine how to proceed. She said they will also decide if the league can play another season at that time as well.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2013-083 – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia, Bright-Meyers 2001 LLC and Shanahan and Company, LLC for lease of the property known as Capital City Stadium.

Councilor Plaugh requested a memo highlighting the significant changes being made to **Items 24 through 31**.

Upon a single motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to approve **Items 24 through 31**.

24. [Ordinance No.: 2013-088](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 5, Electric Code, Sec. 5-111, Adoption; conflicting provisions– *Approved on first reading.*
25. [Ordinance No.: 2013-089](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 6, Mechanical Code, Sec. 5-131, Adoption; conflicting provisions– *Approved on first reading.*

26. [Ordinance No.: 2013-090](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 5, Article II Building and Technical Codes, to add Division 9, International Residential Code for One- and Two- Family Dwellings, Sec. 5-191, Adoption; conflicting provisions – *Approved on first reading.*
27. [Ordinance No.: 2013-091](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 2, Building Code, Sec. 5-51, Adoption; conflicting provisions – *Approved on first reading.*
28. [Ordinance No.: 2013-092](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 4, Plumbing Code, Sec. 5-91, Adoption; conflicting provisions – *Approved on first reading.*
29. [Ordinance No.: 2013-093](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 9, Fire Prevention and Protection, Article IV, Fire Prevention Code, Sec. 9-61, Adoption – *Approved on first reading.*
30. [Ordinance No.: 2013-094](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Article II, Building and Technical Codes, Division 3, Gas Code, Sec. 5-71, Adoption; conflicting provisions – *Approved on first reading.*
31. [Ordinance No.: 2013-095](#) – Amending Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article II, Building and Technical Codes, Division 7, Property Maintenance Code, Sec. 5-151, Adoption; conflicting provisions – *Approved on first reading.*
32. [Ordinance No.: 2013-098](#) – Authorizing the City Manager to execute a Limited Warranty Deed conveying the improvements (an approximate 300 space parking garage) known as the Bell South Parking Garage constructed on property located between Williams Street, Taylor Street and Huger Street from the City of Columbia to The Taylor Street Company, L.L.C.; a Memorandum of Understanding between the City of Columbia and The Taylor Street Company, L.L.C.; and an Amendment No. 1 to Option, Lease and Parking Agreement to Convey between the City of Columbia and The Taylor Street Company, L.L.C. – *Approved on first reading by a vote of five (5) to two (2).*

Mr. Kenneth E. Gaines, Esq., City Attorney explained that the city owns the structure, but the Taylor Street Company owns the dirt that the garage sits on. He explained that this ordinance leaves the city with the ability to convey the lot to them. He said that the parking garage is underutilized; in need of repairs; and the income received from the garage is less than the expenses to operate it.

Councilor Plough requested a memo outlining how we assess the conveyance of this asset and why it's being done in this fashion.

Mr. Kenneth E. Gaines, Esq., City Attorney said they had an option on the property and could have bought it. He agreed to provide the documents for the record.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted five (5) to two (2) to give first reading approval to Ordinance No.: 2013-098 – Authorizing the City Manager to execute a Limited Warranty Deed conveying the improvements (an approximate 300 space parking garage) known as the Bell South Parking Garage constructed on property located between Williams Street, Taylor Street and Huger Street from the City of Columbia to The Taylor Street Company, L.L.C.; a Memorandum of Understanding between the City of Columbia and The Taylor Street Company, L.L.C.; and an Amendment No. 1 to Option, Lease and Parking Agreement to Convey between the City of Columbia and The Taylor Street Company, L.L.C. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plough, Ms. Devine and Mr. Davis. Voting nay were Mr. Baddourah and Mayor Benjamin.

33. [Ordinance No.: 2013-100](#) – Granting an encroachment to 925 G, LLC for installation and maintenance of two (2) doors and four (4) planters within the right of way area adjacent to 923 Gervais Street and 925 Gervais Street, Richland County TMS #09013-11-17 – *Approved on first reading.*

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-100 – Granting an encroachment to 925 G, LLC for installation and maintenance of two (2) doors and four (4) planters within the right of way area adjacent to 923 Gervais Street and 925 Gervais Street, Richland County TMS #09013-11-17.

34. [Ordinance No.: 2013-104](#) – Granting encroachment to Holy Trinity Greek Church for installation and maintenance of a new driveway, sidewalk, storm drainage, landscaping and an irrigation system within the right of way area of the 1200 block of Calhoun Street and 1900 block of Main Street adjacent to its building at 1910 Main Street, Richland County TMS #09015-12-19A – *Approved on first reading.*

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-104 – Granting encroachment to Holy Trinity Greek Church for installation and maintenance of a new driveway, sidewalk, storm drainage, landscaping and an irrigation system within the right of way area of the 1200 block of Calhoun Street and 1900 block of Main Street adjacent to its building at 1910 Main Street, Richland County TMS #09015-12-19A.

35. [Ordinance No.: 2013-105](#) – Granting an encroachment to Cantina 76 - Main LLC for placement and maintenance of seven (7) tables and twenty-eight (28) chairs for use by its patrons for outdoor dining during normal business hours within the sidewalk right of way immediately adjacent to its business at 1301 Main Street and 1100 block of Lady Street – *Approved on first reading.*

Upon a motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2013-105 – Granting an encroachment to Cantina 76 - Main LLC for placement and maintenance of seven (7) tables and twenty-eight (28) chairs for use by its patrons for outdoor dining during normal business hours within the sidewalk right of way immediately adjacent to its business at 1301 Main Street and 1100 block of Lady Street.

36. [Ordinance No.: 2013-106](#) – Granting encroachment to Roger B. Whaley, James F. Williams, Jr. and Assembly Restaurant, LLC for installation and maintenance of a driveway in the right of way area of the 1000 block of Assembly Street and a driveway with brick pavers in the 1000 block of Senate Street adjacent to 1031 Assembly Street, Richland County TMS #08916-09-04 and 08916-09-05 – *Approved on first reading.*

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2013-106 – Granting encroachment to Roger B. Whaley, James F. Williams, Jr. and Assembly Restaurant, LLC for installation and maintenance of a driveway in the right of way area of the 1000 block of Assembly Street and a driveway with brick pavers in the 1000 block of Senate Street adjacent to 1031 Assembly Street, Richland County TMS #08916-09-04 and 08916-09-05.

37. [Ordinance No.: 2013-107](#) – Granting encroachment to John M. Herr and Lucrecia L. Herr for installation and maintenance of a parking pad within the right of way area adjacent to 3611 Foxhall Road, Richland County TMS# 14109-02-14– *Consideration of this item was deferred.*

38. [Ordinance No.: 2013-113](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Division I, Generally, Sec. 2-56 Appearance of citizens – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. Runyan, Council voted unanimously to give first reading approval to Ordinance No.: 2013-113 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article II, Division I, Generally, Sec. 2-56 Appearance of citizens.

RESOLUTIONS

39. [Resolution No.: R-2013-090](#) – Approving the renaming of the City Center Parking Garage the "Peter John Cannon Garage" - *Approved*

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2013-090 – Approving the renaming of the City Center Parking Garage the "Peter John Cannon Garage".

40. Resolution No.: R-2013-086 – Amending Resolution R-2005-012 and Resolution R-2013-086 Provisions for Council Agenda Items – *This item was not approved.*

Ms. Plough made a motion to approve the Resolution subject to it only referencing special called meetings, not emergency meetings. It was seconded by Ms. Devine.

Mayor Benjamin said this removes Council's ability to act quickly in an emergency situation.

Councilor Plough said you can present an ordinance or collateral things associated with it. She said that the ordinance can be amended prior to voting on it. She said the objective is to provide the meeting materials to the public.

The motion was withdrawn and there was a consensus of Council to review the policy and make the necessary changes.

APPOINTMENTS

41. Council is asked to approve the appointment of Mayor Pro-Tempore for Fiscal Year 2013/2014.

Councilor Newman suggested that it is appropriate for the Mayor Pro-Tempore's term to coincide with the new City Council term of January 1st to December 31st. He also suggested that they discuss the role of the Mayor Pro-Tem at a later time.

Upon a motion made by Ms. Devine and seconded by Mr. Baddourah, Council voted unanimously to approve the appointment of The Honorable Brian DeQuincey Newman as Mayor Pro-Tempore until December 31, 2014.

42. [Bicycle Pedestrian Advisory Committee](#) – *Consideration of this item was deferred.*

43. [Bull Street Commission](#)

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted six (6) to one (1) to approve the appointment of The Honorable Brian DeQuincey Newman as Chairman and Mr. Lyle Darnall, Dr. John Dozier, Ms. Rebecca Haynes, Ms. Sabrina Odom, Mr. Robert Lewis and Mr. Jason Stern as members of the Bull Street Commission. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plough, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

44. [Climate Protection Action Committee](#)

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to approve the appointment of Ms. Susan Lambert to the Climate Protection Action Committee.

45. [Greater Columbia Community Relations Council](#)

Upon a motion made by Mr. Runyan and seconded by Mr. Davis, Council voted unanimously to approve the appointment of Ms. Beth Inman, Ms. Jessica Lovelace and Ms. Jennifer Reed to the Greater Columbia Community Relations Council.

46. [Planning Commission](#)

Upon a motion made by Mayor Benjamin and seconded by Newman, Council voted unanimously to approve the reappointment of Mr. Gene Dinkins, Jr. to a second and final term and the appointment of Mr. Brian Stern to the Planning Commission.

47. [Riverbanks Park Commission](#)

Upon a motion made by Mr. Newman and seconded by Mr. Runyan, Council voted unanimously to approve the reappointment of Mr. Earl Brown to serve a second and final term on the Riverbanks Park Commission.

CITY COUNCIL COMMITTEE REPORTS

48. Arts & Historic Preservation Committee September 10, 2013 [Report](#)

Councilor Runyan reported that the Arts and Historic Preservation Committee met on September 10, 2013. The committee received an update from One Columbia about the great work they are doing. Staff brought back an extensive list on the demolition delay ordinance and we are ready to bring that to a Work Session for consideration by the full Council.

49. Committee Referral

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to refer a review of the proposed Olympia-Granby Mill Village Museum and recognition of the significance of Ward One to the Arts and Historic Preservation Committee.

- **Mr. Baddourah left the meeting at 9:57 p.m.**

APPEARANCE OF THE PUBLIC

Dr. Germon Miller, RICH Program
Dr. Dean Slade, Eau Claire Cooperative Health Centers

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to adjourn the meeting at 10:03 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk