



CITY OF COLUMBIA
CITY COUNCIL MEETING &
ZONING PUBLIC HEARING MINUTES
WEDNESDAY, NOVEMBER 19, 2008
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Wednesday, November 19, 2008 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:02 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Belinda F. Gergel arrived at approximately 9:30 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

**Mayor Coble announced that he would be leaving at noon and there are a few items that he would like to discuss prior to his departure: New Market Tax Credits; an update on the Washington Stimulus / State Infrastructure Bank; and a request for information.

** Mr. Charles P. Austin, Sr., City Manager respectfully requested that the City Manager's report be deferred until December 3, 2008 at which time he will have a more in-depth report on some pending items.

APPROVAL OF MINUTES

1. Minutes of July 9, 16 and 30, 2008

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to approve the Minutes of July 9, 16 and 30, 2008 with a single motion and as presented. Mr. Davis stepped out of the room and was not present for the vote.

PRESENTATIONS

- 1a. **Introduction of the November 2008 Employee of the Month (*Mr. Stephan M. Curry, Battalion Chief*) – Mr. Bradley Anderson, Fire Chief

Mr. Bradley Anderson, Fire Chief introduced Mr. Stephan Curry, Chief of the Training Bureau as the November 2008 Employee of the Month. He stated that Chief Curry and his staff are responsible for all of the training for the department. They have 450 career firefighter positions and 140 volunteer positions that receive their training directly from our training staff. Mr. Curry could be employee of the month in any of the positions he has been in during his seventeen (17) years in the department; he has done a superb job all the way through. Captain Neal wrote that Chief Curry works countless hours and extremely hard to ensure that the Columbia Fire Department's Training Bureau operates smoothly; his drive and determination for perfection for all personnel in the department is impeccable; and his passion for training is second to none; Chief Curry instructs employees with varying knowledge bases all while managing to engage each student from the new recruit to the most senior firefighters; he is the employee of the month every month for this Fire Department. Mr. Rick Dunn, Assistant Chief for Professional Services wrote that Chief Curry has devoted his life to this department through his actions and deeds and his dedication is second to none. I think that sums up Chief Curry very well!

Mayor Coble and Mr. Charles P. Austin, Sr., City Manager presented Mr. Stephen M. Curry, Battalion Chief with a plaque and tokens of appreciation for being selected as the November 2008 Employee of the Month.

2. November 2008 Monthly Business Spotlight Program Honoree (*The Acupuncture Clinic*) – Mr. Angelo McBride, Administrator for the Office of Business Opportunities

Mr. Angelo McBride, Administrator for the Office of Business Opportunities introduced The Acupuncture Clinic as the November 2008 Monthly Business Spotlight Program Honoree. Mr. McBride stated that the Acupuncture Clinic was established in 1979 and they are a leader in providing acupuncture for multiple types of settings. Dr. William Skelton, founder of The Acupuncture Clinic developed the initial legislation that enabled acupuncture to be practiced in the State of South Carolina. In 2004, he received the Outstanding Community Partners in Practitioner's Award from the Honors School of Public Health of the University of South Carolina.

Mayor Coble and the members of Council presented Dr. William Skelton with a proclamation declaring the Acupuncture Clinic as the November 2008 Business Spotlight Program Honoree.

Mr. Angelo McBride, Administrator for the Office of Business Opportunities presented Mr. Skelton with a Certificate to the Business Fast Trac Program at Midlands Technical College.

3. 4th Annual Project Homeless Connect Day – Ms. Ebony Woods, Community Development Compliance Officer / HOPWA Program Coordinator

Ms. Ebony Woods, Community Development Compliance Officer / HOPWA Program Coordinator announced the 4th Annual Project Homeless Connect Day scheduled for Saturday, November 22, 2008 from 6:00 a.m. until 2:00 p.m. at the State Fairgrounds in partnership with Midtown Fellowship and many other service providers. Ms. Woods stated that they have a total of thirty-two providers that will participate in the event. They will offer services in the areas of health, housing, and disability. They will also have agencies conducting job training sessions and the South Carolina HIV Counsel will be screening for HIV/Aids on that day.

Mr. Allan Tipping, Community Missions Pastor for Midtown Fellowship briefed the Council on the Homeless for the Homeless awareness and fundraising initiative. Mr. Tipping stated that last year they had 700 people sleeping at the Salvation Army. Through that, they raised about \$12,000. The majority of that went to the winter shelters this year. They also have been able to do a lot with the homeless in their church. Mr. Tipping invited Council to join them at the State Fair Grounds on Friday to bring more people together to communicate on the issues.

4. Update on the Family Shelter – Mr. Jonathan Artz, Executive Director of the Family Shelter

Mr. Jonathan Artz, Executive Director of the Family Shelter announced the upcoming Homeless for the Homeless Event and film premiere of "Where God Left His Shoes" scheduled for Sunday, November 23, 2008 at 3:00 p.m. and 6:00 p.m. at the Nickelodeon Theater, 937 Main Street. This is a fundraising event for the Family Shelter, which is one (1) of two (2) organizations in Columbia that provides emergency shelter for families. The Family Shelter has been around since 1979 and they are well-established in the community, but not necessary well known. The Family Shelter received over six hundred (600) requests for shelter last year and was only able to serve one hundred (100) families due to a lack of resources. The need is great, our resources are few, but we will continue to do what we can. Our two (2) main goals are to run the shelter smoothly and to advocate for homeless families.

Councilor Devine stated that our staff is in communication with Mr. Artz and what his needs are. One of the things she finds astounding is that Mr. Artz has received over six hundred (600) requests and has only been able to fill one hundred (100) of them. We as a city and as a community cannot forget that we have a huge problem with homeless families. Mr. Artz has great demands on him and until he has some support, she is not sure he is going to be able to do everything he needs to do. She has received emails from people who feel like the city is not addressing the homeless problem. We need to not talk about one project or one issue but we as a community need to look at all the components of it: the service providers, the shelters for single men and women, the emergency shelter, the food providers and the family shelter. I thank him for everything he is doing and I hope we can encourage others to participate. She suggested that Public Relations post the fundraiser event information on the City's website.

Councilor Rickenmann asked Mr. Artz to provide more information on the background of the services provided to families.

Mr. Jonathan Artz, Executive Director of the Family Shelter stated that family homelessness is handled differently from the other homeless population. It stems from sub-standard housing conditions, which would be a house with no electricity and you also have people living in double or triple situations. Richland School District One has reported 1,200 homeless children within the school district. The Family Shelter is the only shelter in Columbia that takes families inclusive of mom, dad, and children; the Hannah House only takes women and children; and Sister Care takes women who have an issue of violence.

Councilor Finlay stated that a very small percentage of homeless providers focus on families. He thinks that it is critical that we help children first. If we can't get the children back in school, we are contributing to a continuing cycle of problems.

Councilor Davis agreed that the focus on children has to come first. Unless you do that, it increases their likelihood of separation. We know that school is a challenge in terms of the ability to focus and learn.

Councilor Cromartie suggested they get together with some of the major churches in the area and get them involved the process to assist Mr. Artz in what he is trying to do.

Councilor Gergel asked Mr. Artz to outline the funding that he receives for the Family Shelter.

Mr. Jonathan Artz, Executive Director of the Family Shelter said that they are partners with the United Way, they received a Housing and Urban Development grant and they receive various contributions from individuals, churches and civic groups.

Councilor Devine asked what the total budget was.

Mr. Jonathan Artz, Executive Director of the Family Shelter said the total budget is roughly \$400,000.

There was a consensus of Council to meet with Mr. Jonathan Artz, Executive Director of the Family Shelter and local churches to determine how we can all come together to assist the Family Shelter.

5. Update on the Columbia Museum of Art – Ms. Karen Brosius, Executive Director

Ms. Karen Brosius, Executive Director of the Museum of Art provided an update on the Museum's economic and educational impact on the City of Columbia. Ms. Brosius recognized Councilor Devine for joining the Museum of Art Advisory Board. Ms. Brosius also recognized her Board Members and staff. Ms. Brosius stated that the two areas of impact for the Museum are economic and educational. In regards to the economic impact, the attendance at the Museum for fiscal year 2008 was 128,000 people; that's 18% over the year before; and 120% over the trend for the last five (5) years. In fiscal year 2008, 38% of our audience came from outside the City of Columbia; 17% came from outside South Carolina; and 1% came from outside the United States. The community makes up 62% of our audience. There are a couple of reasons for our success. We are putting an emphasis on getting an under thirty-five (35) year old audience. We have free Saturdays every week of the year thanks to Blue Cross Blue Shield. We are doing much more marketing to families and outreach in schools. We have a continued commitment to outreach to underserved youth and we create all of our marketing and media coverage. We have cultural partnerships with Allen University, Columbia Housing Authority, the Boys and Girls Club, SC ETV and City Center Partnership. We're doing another economic impact study. In order to get the kinds of exhibitions that she feels Columbia desires and to be able to excel in planning and marketing and in our educational outreach we must plan years in advance. In fact, we are already working on fiscal year 2011. Thanks to your continued stable and solid funding, we can leverage that support and improve the quality of our exhibitions and our educational programs. The reason we plan so far in advance is because there is a great perplexity in putting these exhibitions together. For the Turner to Cézanne exhibition, we have an aggressive public relations marketing plan and thanks to private support that we raised, we took twelve (12) people to Wales last month who are going to lay the ground work. To bring the exhibition to the attention of many more people, we have formed a partnership with the Conventions and Visitors Bureau.

Mr. Ric Luber, President and Chief Executive Officer of the Columbia Metropolitan Conventions and Visitors Bureau said that this is important for the community, because it is going to raise the level of pride by having something that is world class. The visitor outreach and nationwide press coverage will have a tremendous impact on this community.

Ms. Kelly Barbrey, Vice President of Sales and Marketing / Columbia Metropolitan Conventions and Visitors Bureau explained that they are partnering with the Columbia Museum of Art to market the exhibit. They placed an advertisement in the in-flight magazine for AirTran Airways for flights in October; meeting planners were sent the information; they are running ads in leisure publications; they created a meeting website through our website with all of this information. She announced that during the Turner to Cézanne exhibition, local restaurants will feature dishes with a European twist.

Ms. Karen Brosius, Executive Director of the Museum of Art stated that their educational impact has increased Saturday attendance by 25% from last year to this year. Total attendance was nearly 18,000 people on Saturdays. In fiscal year 2007, we served 23,000 school aged children and in fiscal year 2008, we served 31,000 children, which is an increase of 36%. In addition to serving Richland District One and Two schools, the Museum welcomed school group tour visits from as far away as Greenville, SC, Anderson, SC, Hilton Head, SC, Rock Hill, SC, Summerville, SC, Walterboro, SC, and Clemson, SC. It shows how Columbia is a destination for not only school-aged children, but we know that they will bring back their parents and have an evening and meal here. Other than that I would like to tell you about the Columbia Housing Authority partnership. The Museum has a very deep and abiding commitment to community outreach and education.

Mr. Darien McLeod, Manager of Outreach / Columbia Museum of Art explained that their main focus is to educate by paralleling what the City of Columbia is doing while making our community work better and bringing the pieces together to work better. We talk about culture, geography, history and civic pride and a lot of the students that we work with had never been to the Columbia Museum of Art before now. We are ambassadors for the cultural community and the whole city; we walk downtown and look at art and architecture; we have partnerships with Trustus Theatre, Riverbanks Zoo and the Columbia Housing Authority. The students make art and donate it to the Festival of Trees wherein donations go to the Children's Hospital. He noted that St. Lawrence Place is a partner as well. We serve a lot of housing communities.

Ms. Donna Gilbert, Director of Governmental Affairs and Resident Programs / Columbia Housing Authority said that the Housing Authority is very excited to be partnering with the Museum and so are the youth. Through Mr. McLeod's efforts, we will be participating in the Festival of Trees again this year.

An unidentified female explained that seventy (70) of the Columbia Housing Authority youth participated in the program and twenty-five (25) youth are participating this year. She said that students in both Richland School District One and Two are participating in the after school programs and the Columbia Housing Authority provides transportation. The kids are excited about the program.

Councilor Cromartie said that a lot of times the Columbia Housing Authority youth don't have access to this kind of environment. You would be surprised when you talk to these young people and find out that they have never been to a museum; they have never had the opportunity to understand the beauty of a museum. I want to thank the Columbia Museum of Art for really making a difference. I will challenge you even further to go into the Colony Apartments and Bethel Bishop where we really have some concerns. I want to give you a round of applause for your efforts to expose people to the museum that would have never been exposed; we really appreciate that.

Ms. Karen Brosius, Executive Director of the Museum of Art thanked the City of Columbia for their investment and for fixing the curb on Hampton Street, which was a difficult thing for the elderly and children. She mentioned that over the past three (3) years the City's stable investment has gone up 3% and we have been able to leverage and attract private support that has gone up 53% within the same three (3) years. As a gesture of our thanks, we are offering City of Columbia employees a 10% discount at the Columbia Museum of Art Gift Shop from December 3, 2008 until Christmas.

Councilor Gergel said wow. This is a real testament to the use of Hospitality Tax Funds that has enabled this organization and others that we are funding to do strategic long-term planning that develops cultural tourism, an important enterprise in this city. I am carefully watching the discussions about the use of Hospitality Taxes. I want to be sure that we safeguard it for the best possible leverage we can make.

6. Update from the Safety and Security Advisory Committee – The Honorable Mayor Robert D. Coble

Mayor Coble explained that they talked about the problems we are having with crime at some of the large apartment complexes, many of those apartments are under Section 8 and the problems are unfair to the residents there. He reported that members of City Council went to Washington, DC and met with other officials to see what could be done. They looked at enacting a mandatory ordinance and when they brought that before Council they all suggested a voluntary program with the Police Department, apartment managers and owners and residents. We appointed a committee of owners, managers, industry representatives, residents and others. He thanked the Columbia Police Department, because they have been meeting with folks. The proposal would be to have four (4) regional meetings to coincide with the Police Department regions on a monthly basis wherein the Police Officers will convene the meetings.

The issues to be discussed are police enforcement, because police enforcement on the front end eliminates problems and the need for security guards on the back end; everyone agrees with that. He explained that tenant information to the extent allowed by law, is something that would be helpful. Programs for our youth such as PAL in the Parks, Harmony, KOBAN, City Year and other programs that already exist will help to make sure young people are engaged. There should be tips and efforts on preventing crime, domestic violence, gangs and the best practices for apartments. The advisory committee would continue to meet on a quarterly basis to look at the overall effort and determine if there are apartments with a high level of crime that are not voluntarily participating. The committee would attempt to contact them and encourage them to come into the fold and a non-responsive apartment that is experiencing a lot of problems would be an area of high concentration. We would like to review this process in a year to see if there are things that are not working and to come back with any changes.

Ms. Mary Myers, Gable Oaks Apartments said that they are now one of the safest communities in South Carolina; they are enforcing the leases and trying to get the bad guys out; they have satellites and digital cameras all throughout the property that will be connected with the Columbia Police Department; crime is down; and they are working toward making other communities just as safe as Gable Oaks and the Belmont Community. We will not let our guards down.

Ms. Elizabeth Whitener, Manager of Riverside Apartments and Ames Manor said that communication is key along with monthly meetings with management and tenants. She is pondering the problem of non-responsive owners and management of troubled properties with repeated crimes. She said that they are usually subsidized and must be in compliance and this may be the way to get them to participate.

Councilor Finlay asked the City Attorney if there are several violations on the property wouldn't that be a violation of the City's nuisance ordinance. This may be the way to get non-compliant owners to the table. He suggested that someone from the Legal Department be a liaison to this committee, because it may take a couple of summons to get that moving, but then you have a mechanism to force people to communicate.

Ms. Elizabeth Whitener, Manager of Riverside Apartments and Ames Manor said that HUD can always cut off funding for complexes under Section 8 and those earning tax credits.

Councilor Davis said that they are looking at the systematic approach to documenting the offenses and the number of times we've had to go the extra mile to get these owners and managers to cooperate. From this point on, we should do whatever it takes to keep the system from being so cumbersome. If they don't comply then we need to start the process to have them declared a neighborhood nuisance.

Councilor Cromartie said that he appointed the manager for the Colony Apartments to the committee, because they are still having concerns. He reported that he receives real-time information from the residents when shootings occur. He asked if the manager for the Colony Apartments has been attending the meetings and cooperating.

Ms. Elizabeth Whitener, Manager of Riverside Apartments and Ames Manor said yes.

Councilor Cromartie said that he would like for West Avenue Apartments to be involved also.

Councilor Davis asked if Columbiana Ridge Apartments is on there.

Mayor Coble said that everybody has a great role and we found that managers and owners sharing information and ideas is a tremendous thing.

Councilor Devine said that one (1) unit has been foreclosed in Ames Manor and we need to know who the foreclosing attorney is, because Ms. Whitener is not getting responses.

Mr. Wayne LeGrant, Omni Property Management Services said that it is wise and proactive for the City of Columbia to take this step. He has been a property manager for fifteen (15) years and believes that lease enforcement is the best tool that property managers have at their disposal. Having the support of the local State and City government is the most effective and efficient way of addressing these issues.

Corporal Ron Felder, Columbia Police Department said that they have already started meeting; the next meeting is tomorrow at 2:00 p.m. He reported that Officers rode around the City and asked property managers to participate in these voluntary meetings. We will let them know exactly what the City is doing and what the Police Department can offer the apartment complexes. We set up a database for reporting systems with every address for current members and if reports are made on their property we will provide real time information gathering.

Councilor Cromartie said that there is a new manager at the Colony Apartments. Has she been giving you real time reports?

Corporal Ron Felder reported that he met her on her first day and she is providing that information.

Councilor Cromartie told Corporal Felder there are causes for a lot of concern, because there is a lot of shooting in that area. I would like to meet with you to look at other areas also.

Mr. Henry Hopkins, Eau Claire Community Council said that it is wonderful at last that we see the importance of the security of our residents who are in apartment complexes. He reported that on March 4, 2008, we called a meeting in our area and everyone was upset because I packed them into that small Resource Center where they did not have elbow room to get out until we got a commitment that something would be done to address security in the complexes. I am happy that we have the initial thrust; I commend the City Manager for taking back the City, which is a wonderful addition to make this successful. I don't want my area to be known as a crisis, because we are in revitalization. He cited a story wherein his nephew's apartment was shot up; his ear drum was burst; and his wife is under psychiatric treatment and can't work. The important thing that got to me was that the rent still went on regardless of the situation that they were in. They weren't protected and I am concerned that they are both out of work, but the apartment complex still wants their rent money. We have this on a volunteer basis, but in a capitalistic society, when it gets down to the bottom line I hope that you will understand that we have the lives of these people in these apartment complexes and lets not sacrifice their security for a few dollars that's going to help someone who has no interest whatsoever in our neighborhoods.

Councilor Davis reported that as a carry over from this safety initiative, on Friday at 11:30 a.m. we will have the heavy equipment out at the corner of Winton and Ashley where we have committed to closing off that cut through area that is known for harboring drugs and prostitution. The funding provides for clearing out the area and fencing the area that cuts through Winton Avenue to the back side of the market. We will fulfill that commitment, which provides safety and relief for the residents and property owners whose backyards are contiguous to that street; it's going to be closed off permanently. If anybody cuts through there they will be subject to arrest and conviction.

Upon motion by Mayor Coble, seconded by Mr. Davis, Council voted unanimously to:

- Endorse the Safety and Security Plan as outlined below:
 - Conduct four (4) regional meetings on a monthly basis with the Columbia Police Department, Apartment Owners, Property Managers and residents. (The regions are established by the Police Department's regions.)
 - Discuss issues related to lease enforcement; the release of tenant information to the extent allowed by federal law; implementation of existing youth programs; education on crime prevention, domestic violence and gangs; and the best practices for apartment complexes.
 - The Safety and Security Advisory Committee will continue to meet on a quarterly basis and contact apartment complexes with high levels of crime that have not voluntarily joined the taskforce.
 - This Safety and Security Plan will be reviewed within one (1) year and any necessary changes will be implemented at that time.

- Ask Corporal Felder to brief the members of Council on a regular basis.

- Ask Mr. Henry Hopkins to serve as Chair of the Safety and Security Advisory Committee.

**Mayor Coble stated that he wanted to discuss the possibility of rehiring the City's fulltime Solicitor at a future meeting.

6a. State Infrastructure Bank Application – The Honorable Mayor Robert D. Coble

Councilor Cromartie made a motion to move forward with the Request for Qualifications for the State Infrastructure Bank Application and to put it out on the streets today. He said that he doesn't want the money to come and we don't get our share of it for North Main and Harden Street. We have been told by too many sources that this is going to happen.

Mayor Coble said that we have the RFQ, but the City Manager was working to identify a funding source.

Mr. Charles P. Austin, Sr., City Manager reminded the Council that they indicated that they wanted control over the process and our role is to identify the money and we have done that. It is your process, so you tell us what direction you want to go in.

A motion by Mayor Coble, seconded by Mr. Davis, to put the Request for Proposals out using an expedited process was not voted upon.

Councilor Rickenmann said that he is concerned that we are going to change the process when we made it clear that all Requests for Qualifications and all Requests for Proposals would have the same timeframe. We need to revisit that. I don't think that you can go out and give somebody a shorter period of time. He recalled that the Five Points Parking Advisory Committee wanted a shorter time period, but we denied that. We need to consider and discuss with the City Attorney if this could fall under professional services. It's not fair to put this out for two (2) weeks when our standard is 60-days. You are shortcoming the process.

Councilor Cromartie said that reality is that we won't get the money if we take 60-days. We have had North Main Street and Harden Street on the table for several years and you want to let process stop you from getting millions of dollars. I don't have a problem with changing it to a professional services contract; whatever it takes to get it done.

Councilor Finlay said that process is process and on plenty of things when it's something that E.W. wants we have to follow the process exactly. I understand the money, but I think that Daniel has made a valid point. He suggested that they put the motion out there for a vote or go into Executive Session to come up with a solution.

Councilor Gergel said that she wanted to advertise her Request for Qualifications for two (2) weeks and it was extended to three (3) weeks.

Mayor Coble further suggested that a professional services contract solves the problem.

Councilor Davis recommended that they put it on the street. There are some preliminary figures that would give us an estimate of what it would take to put a proposal on the street and at the same time is in the ballpark of a bid; however, I think the professional services approach is agreeable given the extraordinary nature of where we are in terms of economic needs and for stimulus purposes.

There was a consensus of Council to receive legal advice in Executive Session on whether or not consulting services for the State Infrastructure Bank application process can be procured through a professional services agreement.

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 10:43 a.m.**

No one appeared in support of or in opposition to **Items 7.** through **10.** and **12.**

Mr. Bennie Sulton appeared before the members of Council with a question related to **Item 11.** He said that the zoning has changed for all of the property except for three (3) parcels and he wants to make sure that the zoning on his property will not change. He asked this of the Planning Commission and they said that it would not. I want to ask that same question of you.

Councilor Finlay answered that it will not.

Mayor Coble said that it will not; that's the official answer.

Councilor Devine said that she is curious about what Mr. Ben Arnold is doing with **Item 11.** She asked that he call her later.

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to give first reading approval to **Items 7.** through **12.** on a single motion.

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTIES – FIRST READING

7. **211 Redbay Road**, TMS# 28901-03-31; confirm PUD-R zoning. – *Approved on first reading.*
8. **4033 West Beltline Boulevard**, TMS 11613-01-01, -02, -03; confirm C-3 zoning. – *Approved on first reading.*
9. **741 Greenlawn Drive**, TMS 16409-05-21; confirm C-3 zoning. – *Approved on first reading.*

MAP AMENDMENTS (REZONINGS) – FIRST READING

10. **1102 Huger Street**, TMS# 8912-10-09 through -19, rezone from M-2, -DD and M-2, -DD, -DP to M-1, -DD and M-1, -DD, -DP. – *Approved on first reading.*

11. **Block Bounded by Hampton, Taylor, Gregg, and Laurens Streets**, TMS# 11407-11-03 through -08, -10 through -12, -14 through -17, -19 and -21 through -23; rezone from C-3 and M-1 to PUD-C. – *Approved on first reading.*
12. **Rezone to add –CC overlay district to all parcels to implement Interim Measures for Community Character Protection to Heathwood Neighborhood**, generally bounded by Devereaux Road on the North, Kilbourne Road on the east, Devine Street on the south, and Adger Road to the west; **TMS# 13804-04-01, -02, -03, -05; 13804-05-01, -02, -03, -04, -06; 13808-01-01, -02, -03, -04; 13808-02-01, -03, -04, -05, -06; 13808-03-01, -02, -03, -04, -05, -07, -08, -09, -10, -11, -12, -13, -14, -15, -16; 13808-04-01, -02, -03, -04, -05, -06; 13808-05-01, -05, -03, -04, -05; 13808-12-01, -02, -03, -04, -05, -06, -07; 13808-13-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11, -13; 13808-14-01, -02, -03, -04, -05, -06, -07, -08; 13905-12-01, -02, -03, -04, -05, -06, -07; 13905-13-01, -02, -04, -05, -06, -07, -08, -09; 13905-14-02, -04, -05, -06, -07, -08, -09, -10, -12; 13905-15-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11**: rezone to add –CC overlay to all zoning districts. – *Approved on first reading.*
 - **Council closed the Zoning Public Hearing at 10:46 a.m.**
 - **Council recessed at 10:46 a.m.**
 - **Council reconvened at 10:53 a.m.**

CITY COUNCIL DISCUSSION / ACTION

13. **New Market Tax Credits for Economic Development – The Honorable Mayor Robert D. Coble**

Mayor Coble explained that he requested a public presentation on the New Market Tax Credit, because we have seen what it will do. We know that Carolina First has some and that Mr. Tony Grant has been working with them. I asked how do we take advantage of this and how do we look under every stone and every rock to stimulate our economy through this very good program.

Mr. Tony Grant, Grant Business Strategies reported that he worked with the Columbia Housing Authority, Mr. Cromartie, Mr. Davis, the Columbia Empowerment Zone and the Office of Business Opportunities to make this project work.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank explained that the New Market Tax Credit Program was originated by the United States Department of Treasury and administered to the community development institutions through the Community Development Financial Institutions (CDFI) Fund in Washington. The program has been around for seven (7) or eight (8) years and we made application through our Carolina First Community Development Corporation for four (4) years in a row. Finally, in 2007 we received an allocation in the amount of \$100 million. Our service area was strictly for the State of South Carolina so we will focus all of our efforts on the State of South Carolina. The New Market Tax Credit is a powerful tool for economic development. It is location drive; you have to be in a highly stressed, low-income census tract in order to apply for the New Market Tax Credit Program. He presented a map of the City of Columbia noting that the areas in purple are highly distressed areas and qualifying areas for the New Market Tax Credits. The bank received a reduction in its income taxes for the investments made within qualifying census tracts. In our case, we are able to use the tax credits and pass along the benefit of those tax credits to the project; making a 25% benefit to the project of the total amount allocated. At the end of the seven (7) years, 25% of the loan is basically forgiven and it becomes equity of the project. We were very fortunate to work with the Columbia Housing Authority on the Celia Saxon Center; we are working on projects in Charleston; we have done projects in Greenville and Moncks Corner. We received a second

allocation of \$100 million earlier this month for a total of \$200 million to be used in the State of South Carolina. We are trying to use that wisely across the state and we want to use it where we can get the most bang for the buck.

Mayor Coble said that he would like to see if Mr. Grant could help us identify any area or project that would qualify for the City of Columbia. We have the North Main Street and Harden Street projects. I would see how we can move forward as quickly as possible without cutting corners.

Councilor Davis asked if it was a competitive application process.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank said that the applications to Washington are extremely competitive. He reported that fifty (50) banks made applications this round, but only fifteen (15) banks received allocations.

Councilor Davis asked if Mr. Chamberlin is open to multiple projects within a given area or packaged projects.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank said that they could look at it either way, but the program is geared more towards commercial and industrial development and tends to exclude residential.

Councilor Davis said that he is referring to commercial projects not residential.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank said that you have to pass a credit test. If you can make sense out of it from a credit standpoint and it falls within a qualifying census tract, then you could spread it out.

Mr. Tony Grant, Grant Business Strategies explained that one thing that has to occur is the fact that the project has to be underwritten and you have to view it from a credit perspective. If it is a newly formed organization you have to look at pro-forma projections. We had to do eight (8) years of projections for Celia Saxon and those projections must be approved by the lender. We served as a Financial Advisor to the Columbia Housing Authority working alongside Carolina First Bank to put together what we believe to be the first New Market Tax Credit project in the City of Columbia. He said that the CDFI has approved two hundred ninety four (294) awards totaling \$16 billion. He commended the City of Columbia for their lead role in this process. He outlined the financial structure of the Celia Saxon project to include a subordinated debt feature, which allows the borrower to borrow below market rate; seven (7) years of interest only terms; and a reduced loan-to-value ratio. He added that Bank of America and Wachovia have also received New Market Tax Credits, but Carolina First is the only bank to do a project in the City of Columbia.

Mayor Coble thanked Carolina First Bank for being innovative.

Councilor Cromartie publicly thanked Carolina First Bank for making it possible for the project to be a success. He also commended Mr. Tony Lawton for the work he did.

Mr. Tony Grant, Grant Business Strategies further reported that other entities were awarded the New Market Tax Credit to do business in South Carolina for a total of \$340 million. The City of Greenville established a Certified Development Entity (CDE) and applied for New Market Tax Credits directly from the US Department of Treasury.

Councilor Rickenmann asked how they did that. Were the projects lined up? What were those projects?

Mr. Tony Grant, Grant Business Strategies explained that they made application in 2006 and received \$89 million. You form a CDE; make application; and compete for the grants. They made an announcement in August about a \$17 million project for a 135-bed hotel in downtown Greenville and they constructed a children's museum.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank stated that the City of Greenville formed the Greenville New Markets Opportunity, LLC (GNMO) and they enlisted the Tax Advantage Group to oversee the process and complete their application. The CDE has to find the investors to buy the tax credits whereas a bank has its own capital and can use the tax credits. We are getting ready to close one with Greenville and we will basically buy the tax credits as part of that allocation for that particular project.

Councilor Rickenmann asked if the application was for the CDE only and then they identified the projects or did they already have the projects planned.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank said that they had an inventory of projects laid out in their allocation of where they would use the funds. Sometimes those projects come to fruition and sometimes they don't so you have to show the need for it, but you are not bound to go into those specific projects.

Councilor Davis asked if that one (1) entity distributed funding to different entities for the project or does that entity have those projects. Use the Empowerment Zone for example.

Mr. Charles Chamberlin, Executive Vice President of Carolina First Bank explained that you can create a CDE through the Empowerment Zone and that CDE could apply for it and if it received an allocation then it would use that allocation for various projects, but they would not be the developer; someone else would come in and develop that project, but it would use that allocation towards that project within a qualifying census tract. There is a fairly elaborate business structure that comes along with this that allows you to transfer the tax credits.

Mr. Tony Grant, Grant Business Strategies said that the Celia Saxon project is a \$5 million transaction with three (3) pieces; The A piece was \$2,750,000 and the B piece was \$1 million that was provided by the City of Columbia. Had that \$1 million not been provided, you would have a \$4 million cost; 25% of the \$4 million is \$1 million, but because the City stepped up through the OBO and the Empowerment Zone, that took the project to a \$5 million cost and 25% of that is \$1,250,000 of subordinated debt. All of the project is interest only for seven (7) years; at the end of seven (7) years there is a put/call option on the subordinated debt piece of \$1,250,000 at 1%. There is an opportunity to buy that \$1,750,000 loan, because the investment

Councilor Devine said that this is important for all of them to know. Our staff is very aware of the tax credits and we have charged them with looking at the Redevelopment District we were discussing; come up with some projects; and we will discuss recommended projects in December along with financing options. In the meantime, she asked that the City Manager meet with Mr. Lawton and Mr. Grant to make the New Market Tax Credits apart of that presentation.

Mr. Charles P. Austin, Sr., City Manager said that they had some conversations and is planning subsequent meetings to include both Mr. Grant and Mr. Lawton.

Councilor Finlay said that \$1 million in seed money was provided by the Empowerment Zone and that in essence provided the 20% equity on a \$5 million deal.

Mr. Tony Grant, Grant Business Strategies clarified that the \$1 million fee was done in order to get the city loan closed before the Carolina First deal closed. The only way we could get that money into the project was to use the proceeds from the loan, which was approved by HUD in order to buy a CD and put that into the project.

There was a consensus of Council to direct staff to meet with Mr. Tony Grant of Grant Business Strategies to determine projects within the City of Columbia's commercial and industrial areas that might qualify for an application for Economic Development and New Market Tax Credits.

14. Three-Way Stop Request – Mr. Dave Brewer, Traffic Engineer

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to approve the installation of a three-way stop at Chimney Hill Road and Sundowne Place.

15. Ordinance No.: 2008-099 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article II, Business and Professional Licenses, Section 11-32, Definitions, to add Responsible local agent; Section 11-35, Registration of businesses; application for license to add (b) and Section 11-49 Classification rate schedules to add Code H77

Mr. Marc Mylott, Director of Planning and Development Services explained that this ordinance requires anyone who rents real property in the City of Columbia to obtain a business license at \$11 for those making less than \$250,000 per year and to designate a local agent unless you live within Richland County.

Councilor Cromartie asked how many people this would encompass.

Mr. Marc Mylott, Director of Planning and Development Services stated that through tax records and land use classifications we estimate that roughly 7,200 single family and two-family units are rental units.

Councilor Cromartie asked how this will be disseminated to the public.

Mr. Marc Mylott, Director of Planning and Development Services stated that the effective date is July 1, 2009 to allow for extensive outreach and mailings.

Councilor Cromartie asked if the notice can be placed in the existing business license renewal package.

Mr. Marc Mylott, Director of Planning and Development Services said that they will do a filter on the 6% tax rates and they can include it in the water bills.

Councilor Finlay reminded staff that sometimes the tenant receives the water bill.

Councilor Cromartie asked what happens if you own the rental property and you live in it also.

Mr. Marc Mylott, Director of Planning and Development Services said that the individual is still renting a residential unit.

Councilor Cromartie argued that that is very different.

Mr. Marc Mylott, Director of Planning and Development Services said yes it is but the benefits are greater. We are looking for the folks that are not local. The corollary of this that requires a local registered agent will save on the code enforcement side.

Councilor Rickenmann said that he thought we agreed to a flat fee.

Mr. Marc Mylott, Director of Planning and Development Services said that it has to be based on revenue; it can't be a flat fee. The cap is set at \$250,000.

Councilor Rickenmann said that you can't use that criterion. He said that homes are rented at high monthly rates.

Mr. Marc Mylott, Director of Planning and Development Services said that there won't be too many instances where revenue will be beyond \$450,000.

Councilor Rickenmann insisted that we need to revisit this.

Councilor Gergel said that she doesn't understand the difference. I attended a neighborhood meeting and understood that we had to send a housing inspector to Hardeeville to chase down an owner.

Mr. Marc Mylott, Director of Planning and Development Services said that we found this person where he frequents.

Councilor Finlay insisted that this licensing won't change the difficulty of serving somebody.

Mr. Marc Mylott, Director of Planning and Development Services reiterated that the person will be local.

Councilor Finlay said that he is fine with it, but this might not help it to flow much quicker.

Mr. Marc Mylott, Director of Planning and Development Services stated that there is not a magic bullet in code enforcement.

Councilor Finlay said that 70%-80% of owners will obey this law and the others will continue to disobey it.

Mayor Coble suggested that we schedule a public hearing.

Councilor Devine asked that the Code Enforcement Taskforce look at things within State Law that are impediments. We must be proactive in talking with Legislators and we should talk with legal aid. She added that she did not realize that letters were sent requiring business owners to purchase a "no smoking" sign and display it.

Mayor Coble announced that he had to give a speech. For the record we have had a productive and very effective meeting so you all keep up the good work. I apologize, but after the speech I must go out of town.

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to direct staff to schedule a Public Hearing on this matter as soon as possible.

- **Mayor Coble left at 11:39 a.m. and Mayor Pro-Tempore Daniel Rickenmann is now presiding.**

Mr. Ken Gaines, City Attorney said that an organization has provided free placards and will make those available to business owners.

Councilor Rickenmann asked if we are requiring people to post the sign out front. How will this look? So many people are saying that it will tacky up their businesses.

Mr. Ken Gaines, City Attorney offered to repeal the language in the Ordinance. He noted that there are 200 free signs.

16. Fiscal Year 2008 / 2009 Budget Reductions – Ms. Melisa Caughman, Interim Finance Director

Mr. Charles P. Austin, Sr., City Manager noted that the Council was provided with a listing of fiscal year 2008/2009 budget reductions and the monthly financial statement. He asked the members of Council to review the information and provide feedback. He stated that there is no need to implement the budget reductions, because we have taken steps to include a hiring freeze, travel freeze, furniture procurement freeze, capital projects are subject to executive review; \$35 gift cards will only be provided to employees making \$35,000 or less; we canceled the employee holiday drop-in; and there will no toys for employees' children.

Councilor Rickenmann suggested that they create a subcommittee of Council to work with the City Manager and staff or that they convene a Work Session to discuss the next six (6) months. We should send questions and inquiries to the City Manager so he can respond as soon as possible. He asked the City Manager to set a date for a Work Session for further discussion.

REPORTS AND UPDATES

17. City Manager's Report – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager reported that they have been in consultation with Mr. Franklin Lee, Esquire and the go live date for Bid Online and the online payment process will be December 3, 2008. We will consult with him again to ensure that we can move forward. He further reported that a team of Police recruits and Community Safety Officers will hit the streets in Southeast Columbia today in regards to the auto break-ins.

Councilor Devine said that Mr. Watts asked if we looked at the numbers to determine where we are regionally. She asked that Chief Carter help us understand the numbers and the way the regions are broken out in terms of population.

Mr. Charles P. Austin, Sr., City Manager said that there is an opportunity to sit down with the Sheriff to look at areas where we have abutting jurisdictions. It may be more effective to have joint operations where we can utilize the resources from both departments to create a wider net in addressing problems.

Councilor Finlay asked if we should reduce the Police Regions to three (3). We should take the time to evaluate that and our annexation policy needs to come into place, because there are so many jagged boundaries. At some point I would like a bus tour of District IV with the City Manager and several members of staff on one (1) weekday afternoon. We can spend two (2) hours looking at some problem areas.

There was a consensus of Council to schedule a Work Session on Wednesday, December 10, 2008 to discuss the financial projections for the next 6-months. All questions and inquiries that are to be discussed on this date should be sent to the City Manager prior to the meeting.

18. Staff Reports

- Neighborhood Stabilization Program – Mr. Tony Lawton, Director of Community Development

Mr. Tony Lawton, Director of Community Development briefed the members of Council on the Neighborhood Stabilization Program, which was created by the Housing and Economic Recovery Act of 2008 to acquire, rehabilitate, demolish and redevelop foreclosed and abandoned residential properties. I met with Ms. Teresa Wilson Florence as the Director of Governmental Affairs, the lobbyists and the Department of Housing and Urban Development. There is \$2.2 million in funding for counties and we should get a direct allocation. We are in the process of updating the Annual Action Plan for HUD and it is open for a comment period. He noted that comments should be submitted to State Housing by November 24, 2008. He reported

that Richland County has the highest number of foreclosures in the state. There are three (3) tiers in this program and the maximum amount we could get is \$6.2 million, but we don't foresee getting that amount. We will submit our proposal by mid January 2009 and we are engaged in a holistic approach.

Councilor Cromartie said that when they were at the National League of Cities (NLC) they met with Ms. Barbara McCall, our Federal Lobbyist to ensure that she briefed us fully on this matter. We asked a lot of questions and she wanted to make sure we were doing our due diligence.

Mr. Tony Lawton, Director of Community Development added that he and Ms. Teresa Wilson Florence as the Director of Governmental Affairs had already met with the State Lobbyist to further expand on what we needed to do. We have been proactive in talking, communicating and putting our plan together.

Councilor Devine reiterated that Richland County received a direct allocation. Is that for Richland County or can they use it within city limits.

Mr. Tony Lawton, Director of Community Development said that Richland County voted to allocate \$144,000 for areas within the City of Columbia. He reported that the second component is that 25% of that allocation will be used for those households that are 50% or below median income. We have to submit our proposal to them as well to secure their funds. The areas are not so bad in the City of Columbia. The focus will be on foreclosed properties that will create blight in the communities. We don't know if this will change, but we are positioning ourselves.

Councilor Gergel asked if we are preparing our own grant application.

Mr. Tony Lawton, Director of Community Development said yes we will respond to the Request for Proposals.

Councilor Gergel asked if the deadline was extended from December 1, 2008.

Mr. Tony Lawton, Director of Community Development said that December 1, 2008 was the deadline for the update of the Action Plan and we must submit concerns by November 24, 2008, then HUD will lay out the RFP from the State in December.

Councilor Cromartie asked how many foreclosures are in the City of Columbia.

Mr. Tony Lawton, Director of Community Development said that we are compiling that information now.

Councilor Cromartie stated that Pennsylvania worked with local banks to keep properties from foreclosing. We may need to look at what other cities have done in this regard. He suggested that we bring the banks together to see what can be done along with HUD representatives.

Councilor Davis directed staff to ensure that as we put together a strategy that we might be able to look at pockets as well. He stated that areas of low income with infrastructure challenges need help as well. We may be able to save substandard housing that can be converted or renovated.

- State Housing Tour – Mr. Tony Lawton, Director of Community Development

Mr. Tony Lawton, Director of Community Development informed the members of Council about the upcoming Midlands Regional Housing Forum and Tour of Affordable Housing on Tuesday, December 2, 2008 from 11:30 a.m. – 3:00 p.m. at EdVenture Children's Museum. This event is sponsored by the SC Office of the Lt. Governor and Representative Harold Mitchell.

CONSENT AGENDA

Councilor Devine inquired about **Items 19.** and **20.** She asked if the consulting services were put out for a bid or did we issue a Request for Qualifications. Will we have an opportunity to know about other firms once we implement the Centralized Bidder Registration?

Mr. Steve Gantt, Senior Assistant City Manager for Operations said that we did a Request for Qualifications and compiled a listing of various consulting firms and as services are needed we select firms from that list. We went back six (6) weeks ago and added the Mentor Protégé Program. We will release a RFQ annually in hopes of growing the protégés.

Councilor Gergel said that her questions on **Item 20.** were addressed earlier by the City Manager. She stated for the record that this project will have no impact on Gills Creek.

Mr. Steve Gantt, Senior Assistant City Manager for Operations said that is correct, it's a problem from 1989 with numerous properties we acquired.

Councilor Davis requested to see a list of the consulting firms.

Councilor Cromartie inquired about **Items 29., 30.** and **31.** Why did we select a firm out of Georgia?

Mr. Steve Gantt, Senior Assistant City Manager for Operations explained that there are three (3) water tank companies in the country; there is a limited pool of resources; it is a sole source situation where they do it all; and this is an annual bid

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve **Items 19.** through **A.** with a single motion.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

19. Council is asked to approve Project SS7076; Agreement for Consulting Services with Environmental Permitting Consultants for Providing Jurisdictional Wetland Delineation and US Army Corps of Engineering's Section 404 Permitting Services for the City's Burnside Sanitary Sewer, as requested by the Utilities and Engineering Department in the amount of \$11,000.00. *Funding Source: Sewer Improvements Fund - Approved*
20. Council is asked to approve Project SD823302; Agreement for Design and Construction Services in Connection with Flood Proofing the Jersey Mike's Building located at 4717 Devine Street, as requested by Engineering Operations. Award to Chao and Associates in the amount of \$11,460.00. This vendor is located in Columbia, SC. *Funding Source: Stormwater Utility Fund - Approved*
21. Council is asked to approve the Purchase of Hand Held Thermovision Infrared Camera, as requested by the Police Department. Award to DT Communications, Inc., as a sole source in the amount of \$13,390.00. This vendor is located in Nashua, NH. *Funding Source: Police-US Justice Grants 2659999-658600 JL9208000106-658600 - Approved*
22. Council is asked to approve Project SS7056 (9); Purchase of One (1) Scott Dominator Crusher for the Metro Wastewater Treatment Plant, as requested by Engineering Administration. Award to Scott Equipment Company, as a sole source in the amount of \$13,918.56. This vendor is located in New Prague, MN. *Funding Source: Sewer Improvement Fund 5529999-SS705609-851200 - Approved*

23. Council is asked to approve Project SS7056 (10); Purchase of One (1) Yeoman Impeller with Wear Ring and Shaft Sleeve for Broad River Pump #2 for the Metro Wastewater Treatment Plant, as requested by Engineering Administration. Award to Charles Underwood, Inc., the lowest bidder in the amount of \$15,583.09. This vendor is located in Sanford, NC. *Funding Source: Sewer Improvement Fund 5529999-SS705610-851200 - Approved*
24. Council is asked to approve the Purchase of Hydraulic Fluid, as requested by the Fleet Services Division. Award to Taylor Enterprise, Inc., the lowest bidder in the amount of \$17,719.20. This vendor is located in Columbia, SC. *Funding Source: 6308970-672300 - Approved*
25. Council is asked to approve Project SS7056 (11); Purchase of One (1) Set Each Moyno Rotors and Stators for the Mixed Sludge Pump and Recirculation Pump at the Metro Wastewater Treatment Plant, as requested by Engineering Administration. Award to Daparak, Inc., as a sole source in the amount of \$23,635.45. This vendor is located in Charlotte, NC. *Funding Source: Sewer Improvement Fund 5529999-SS705611-851200 - Approved*
26. Council is asked approve the Project SS7056 (8); Purchase of Two (2) Hansen P4 Gear Boxes for the Metro Wastewater Treatment Plant, as requested by Engineering Administration. Award to Darby Electric CO., the lowest bidder in the amount of \$48,887.02. This vendor is located in Anderson, SC. *Funding Source: Sewer Improvement Fund 5529999-SS705608-851200 - Approved*
27. Council is asked to approve Project SD827902; Agreement for Consulting Services with Environmental Permitting Consultants for Completion of Design and Construction Documents, Procurement of Construction Contractor, Construction Oversight, and US Army Corps of Engineering Monitoring Requirements for Storm Drainage Improvements along the portion of Rocky Branch through the City's Martin Luther King Park, as requested by Engineering Operations. Award to Environmental Permitting Consultants in the amount of \$53,780.00. This vendor is located in Greenville, SC. *Funding Source: Stormwater Utility Budget - Approved*
28. Council is asked to approve the Purchase of Vehicles, as requested by Various Departments using the SC State Contract in the total amount of \$120,171.00 from Love Chevrolet of Columbia, SC; Vic Bailey Ford, Inc. of Spartanburg, SC; and Butler Chrysler Dodge Jeep of Beaufort, SC. (*See Chart Below*) - *Approved*

Vendor	Qty.	Type	Department	Account	Amount
Love Chevrolet	1	Chevrolet Tahoe (Flex-Fuel)	Fire Department Training	1012304-658500	\$23,510.00
Vic Bailey Ford, Inc.	1	Ford Escape	Police: <i>Confiscated Funds DEA</i>	2042412-658500	\$17,064.00
Love Chevrolet	1	Chevrolet Impala	Police: <i>Confiscated Funds DEA</i>	2042412-658500	\$19,133.00
Butler Chrysler Dodge Jeep	2	Dodge Charger	Police: <i>Enhance Traffic Safety Grant</i>	9210006003-658500	\$44,948.00
Vic Bailey Ford, Inc.	1	Ford F-150 (Flex-Fuel)	Public Works: Street – W&S Repairs	5513202-658500	\$15,516.00

29. Council is asked to approve Project WM3789; Change Order #5 to Agreement for Professional Services for Renovation, Painting and Preventive Maintenance Services for the City's Bible College, Lower Richland Hobart, and Woodfield Tanks, as requested by Engineering Operations. Award to Utility Service Company, Inc., in the amount of \$137,793.24. This vendor is located in Perry, GA. *Funding Source: Capital Improvements Program Budget - Approved*

30. Council is asked to approve Project WM3803 (Portion); Change Order #3 to Agreement for Professional Services for Renovation, Painting and Preventive Maintenance Services for the City's St. Andrews, Horseshoe, St. James, Lake Murray Plant Washwater and Columbia Canal Plant Washwater Tanks, as requested by Engineering Operations. Award to Utility Service Company, inc. in the amount of \$261,895.68. This vendor is located in Perry, GA. *Funding Source: Capital Improvements Program Budget - Approved*
31. Council is asked to approve Project WM3779; Change Order #5 to Agreement for Professional Services for Renovation, Painting and Preventive Maintenance Services for the City's Old Chapin, Cushman, Fairfield San Marco and Wales Garden Tanks, as requested by Engineering Operations. Award to Utility Service Company, inc. in the amount of \$323,721.36. This vendor is located in Perry, GA. *Funding Source: Capital Improvement Program Budget - Approved*
- A. Council is asked to approve Project SS6966; Sanitary Sewer Rehabilitation Annual Contract, as requested by Utilities and Engineering. Award to Southeast Pipe Survey, the lowest bidder in the amount of \$2,141,352.50. This vendor is located in Patterson, GA. *Funding Source: SS696601-851600 - Approved*

ORDINANCES – SECOND READING

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to give second reading approval to **Items B.** through **D.** with a single motion.

- B. Ordinance No.: 2008-092 – Granting an encroachment to City Center Partnership for placement and maintenance of six (6) cigarette butt receptacles to be placed in front of 1301, 1320, 1333 and 1441 Main Street – *First reading approval was given on November 5, 2008. – Approved on second reading.*
- C. Ordinance 2008-096 - Annexing 718 Dixie Avenue, Richland County TMS #09309-06-07 - District 1 – *First reading approval was given on November 5, 2008. – Approved on second reading.*
- D. Ordinance No.: 2008-097 – Granting an easement to South Carolina Electric & Gas Company (SCE&G) for the installation of Utilities along a portion of City Property for the Animal Shelter Expansion Project; Richland County TMS #13609-01-01 (Portion); CF #195-06C – *First reading approval was given on November 5, 2008. – Approved on second reading.*

RESOLUTIONS

Upon motion by Ms. Devine, seconded by Mr. Cromartie, Council voted unanimously to approve **Items E.** and **F.** with a single motion.

- E. Resolution R 2008-060 – Authorizing Condemnation to acquire Sanitary Sewer Easement along Lexington County TMS #1925-03-14, CF#269-12A - *Approved*
- F. Resolution R 2008-061 – Authorizing Condemnation to Acquire Water Main Easements for Construction of a 48" Water Main from Monticello Road to US Highway 21; CIP Project #W584-9/0 (WM3584); CF #250-109 - *Approved*

CITY COUNCIL APPOINTMENTS

- G. Central Midlands Regional Transit Authority - *Consideration of this item was deferred until December 3, 2008.*

- H. Columbia Tree and Appearance Commission - *Consideration of this item was deferred until December 3, 2008.*
- I. Design Development Review Commission - *Consideration of this item was deferred until December 3, 2008.*
- J. Planning Commission - *Consideration of this item was deferred until December 3, 2008.*

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

Ms. Tasha Goodwin appeared before the members of Council to express concerns for her son. She stated that her seventeen (17) year old child was told by the school that he could do what he wanted to do because of his age. She said that he doesn't come home anymore. She admitted that it is a touchy situation. What can I do to try and move forward a bill or a petition to change it where the law goes to age 18 or while the kids are under the parent's wing? Another issue is the referendum on Election Day that changed the age of consensual sex to 14 years old. I am in the church and I can't go along with that.

Councilor Devine explained that it was a constitutional amendment; the statute had changed and it applies to statutory rape. We can talk with you about how you can talk to your Legislators.

Councilor Davis inquired about FEMA and some of the other projects that were put on hold. The conduit area at Randall Avenue is an eye sore.

Mr. Steve Gantt, Senior Assistant City Manager for Operations explained that those are Corp of Engineer permits not FEMA permits and we are now making progress on that.

Councilor Davis said that is an area where we want to build houses and it is a concern.

EXECUTIVE SESSION

Upon motion by Mr. Cromartie, seconded by Mr. Davis, Council voted unanimously to go into Executive Session at 12:37 p.m. for the discussion of **Items M.** and **N.** as outlined below.

- K. Receipt of legal advice, which relates to a matter covered by attorney-client privilege
This item was not discussed in Executive Session.
- L. Receipt of legal advice, which relates to a pending, threatened or potential claim
This item was not discussed in Executive Session.
- M. Discussion of negotiations incident to proposed contractual arrangements
 - Salvation Army
This item was not discussed in Executive Session.
 - South Carolina Research Authority
This item was not discussed in Executive Session.
 - Towers Perrin
This item was discussed in Executive Session. Please refer to Item Q.
 - Richland School District One
This item was not discussed in Executive Session.

- Ordinance No.: 2008-100 - Authorizing execution of a Conserfund Loan Agreement between the City of Columbia and South Carolina Energy Office to fund construction of the City of Columbia's hydrogen fueling station

This item was discussed in Executive Session. Please refer to Item P.

- State Infrastructure Bank

This item was discussed in Executive Session. Please refer to Item O.

N. Discussion of Employment of an Employee

This item was discussed in Executive Session. No action was taken.

- **Council adjourned the Council adjourned the Executive Session at 2:30 p.m. to reconvene the meeting. Mr. Davis was not present at this time.**

O. State Infrastructure Bank

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to authorize the City Manager to enter into a Professional Services Contract for infrastructure bank application and stimulus package application. This is being done in light of the dramatic economic changes and the opportunity for a forthcoming stimulus package and it is noted that time is of the essence.

P. Ordinance No.: 2008-100 - Authorizing execution of a Conserfund Loan Agreement between the City of Columbia and South Carolina Energy Office to fund construction of the City of Columbia's hydrogen fueling station – *Approved on first reading.*

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2008-100 - Authorizing execution of a Conserfund Loan Agreement between the City of Columbia and South Carolina Energy Office to fund construction of the City of Columbia's hydrogen fueling station, subject to staff applying for any available grants through the energy stimulus packages to offset the cost incurred by the City of Columbia. This effort should be coordinated with Barbara McCall and Associates.

Q. Towers Perrin

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve a Contract with Towers Perrin for consulting services related to the development of a new health and dental benefits program in the amount of \$62,000.00. This firm is located in Charlotte, NC. *Funding Source: Risk Management Fund*

- **Council adjourned the meeting at 2:38 p.m.**

Respectfully submitted by,

Erika D. Salley
City Clerk