Prior to entering the meeting please turn all electronic communication devices to a silent, vibrate or off position. All presenters are asked to speak directly into the microphone for recording purposes.

The Columbia City Council will conduct a Regular Council Meeting and Public Hearing at 6:00 p.m. on Tuesday, February 5, 2013 at the Eau Claire Print Building located at 3907 Ensor Avenue, Columbia, South Carolina.

ROLL CALL

PLEDGE OF ALLEGIANCE

INVOCATION – Chaplain Byron Powers, Columbia Police Department

PET OF THE WEEK

ADOPTION OF THE AGENDA

PUBLIC INPUT RELATED TO AGENDA ITEMS

APPROVAL OF MINUTES

1. Work Session Minutes of January 8, 2013


PRESENTATIONS

3. 2012 National Night Out Award – Police Chief Randy Scott, Columbia Police Department

4. Congenital Heart Defect Awareness Week – The Honorable Moe Baddourah

5. The Big Read Proclamation – The Honorable Tameika Isaac Devine

PUBLIC HEARING

ORDINANCES – FIRST READING

7. **Ordinance No.: 2013-017** – Amending Section 9 of the Franchise Agreement between South Carolina Electric & Gas Company (“SCE&G”) and the City of Columbia dated February 20, 2002 and amended February 15, 2011

MAP AMENDMENT – FIRST READING

8. **S/S 5100 block Forest Drive**, TMS# 16701-05-01 and 16701-05-02; request to rezone from RS-1 to C-2. – **Note:** The Map Amendment is a continuation from the January 15, 2013 Zoning Public Hearing.

Council District: 4
Proposal: Rezone property from RS-1 to C-2
Applicant: Private Properties, LLC
PC Recommendation: Approve (4-2) 12/03/12
Staff Recommendation: Approve

OTHER MATTERS

9. **Neighborhood Street Lighting Requests** – Mr. Dave Brewer, Traffic Engineer

<table>
<thead>
<tr>
<th>Neighborhoods Listed by Priority</th>
<th>Existing Lights</th>
<th>Requested Lights</th>
<th>Current Lease Cost / Annually</th>
<th>Increased Amount</th>
<th>Total Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>816 S. Woodrow Street</td>
<td>3</td>
<td>1</td>
<td>$356.76</td>
<td>$118.92</td>
<td>$17,349.96</td>
</tr>
</tbody>
</table>

CONSENT AGENDA

Council is asked to approve the Consent Agenda Items 10. through 25.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

10. Council is asked to approve the Purchase of Two (2) Chevrolet Tahoe Pursuit Vehicles, as requested by the Police Department. Award to Love Chevrolet Company, using the SC State Contract in the amount of $57,140.00. This vendor is located in Columbia, SC. Funding Source: Confiscated Funds-DEA/Auto, Trucks, Heavy Equipment-Capital, 2042412-658500 – **Note:** Light siren package has been added to the vehicle.

11. Council is asked to approve the remaining balance of $145,815.00 as requested by the Solicitor’s Office for the two (2) Special City Prosecutors and one (1) CDV Prosecutor in the total amount of $215,817.00. Funding Source: FY 2012 / 2013 General Fund Budget – **Note:** In December 2012, Council approved $70,000.00 for the continuation of the Special City Prosecutor position.
ORDINANCE – SECOND READING

12. **Ordinance No.: 2012-103** – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V. Water and Sewer Rates, Sec. 23-146 Fire hydrant, fire protection and sprinkler system charges (g) – *First reading approval was given on January 15, 2013.*

13. **Ordinance No.: 2013-015** – Granting a Franchise to Regina Doster and Kylin Doster d/b/a Carolina Dawgs for operation of a stationary sidewalk vending cart within the mid-block pad near 1333 Main Street – *First reading approval was given on January 15, 2013.*

ANNEXATION WITH MAP AMENDMENT – SECOND READING

14. **100 Sparkleberry Crossing Road**, TMS# 25705-07-32; request to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on January 15, 2013.*

Council District: 4
Proposal: Annex and zone property C-3. Primary Area
Applicant: SC Federal Credit Union
PC Recommendation: Approve C-3 zoning (7-0) 11/05/12
Staff Recommendation: Approve

**Ordinance No.: 2013-006** – Annexing 100 Sparkleberry Crossing Road Richland County TMS #25705-07-32 – *First reading approval was given on January 15, 2013.*

15. **931 Spears Creek Court**, TMS# 28802-02-05; request to annex and zone the property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. – *First reading approval was given on January 15, 2013.*

Council District: 4
Proposal: Annex and zone property M-1. Primary Area
Applicant: Columbia Valued Partners, LLC
PC Recommendation: Approve M-1 zoning (7-0) 11/05/12
Staff Recommendation: Approve

**Ordinance No.: 2013-008** – Annexing 931 Spears Creek Court Richland County TMS #28802-02-05 – *First reading approval was given on January 15, 2013.*
16. **7008 Eugene Street**, TMS# 16414-03-17; request to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on January 15, 2013.*

Council District: 3
Proposal: Annex and zone property C-3. Primary Area
Applicant: The Toy Box One, LLC
PC Recommendation: Approve C-3 zoning, (7-0) 11/05/12
Staff Recommendation: Approve

*Ordinance No. 2013-003* – Annexing 7008 Eugene Street, Richland County TMS # 16414-03-17 – *First reading approval was given on January 15, 2013.*

17. **841 Sparkleberry Crossing Road**, TMS# 25705-07-31; request to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on January 15, 2013.*

Council District: 4
Proposal: Annex and zone property C-3. Contiguous, Primary Area
Applicant: Sparkleberry Lot 4, LLC
PC Recommendation: Approve M-1 zoning (6-0) 12/03/12
Staff Recommendation: Approve

*Ordinance No.: 2013-007* – Annexing 841 Sparkleberry Crossing Road Richland County TMS #25705-07-31 – *First reading approval was given on January 15, 2013.*

18. **1001 Clemson Frontage Road**, TMS# 25608-01-39; request to annex and zone the property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. – *First reading approval was given on January 15, 2013.*

Council District: 4
Proposal: Annex and zone property C-3. Contiguous, Primary Area
Applicant: Waffle House, Inc.
PC Recommendation: Approve C-3 zoning (6-0) 12/03/12
Staff Recommendation: Approve

*Ordinance No.: 2013-005* – Annexing 1001 Clemson Frontage Road Richland County TMS #25608-01-39 – *First reading approval was given on January 15, 2013.*
19. 3819 Prentice Avenue, 3817 Prentice Avenue, 3815 Prentice Avenue, and 322 South Kilbourne Road, TMS# 13805-08-02; request to annex and zone the property RS-3 (Single Family-Residential). The property is zoned RS-HD (Single Family Residential – High Density) in Richland County – First reading approval was given on January 15, 2013.

Council District: 3
Applicant: Floyd T. Deary, III & Danielle C. Readeery
PC Recommendation: Approve RS-HD zoning (6-0) 12/03/12
Staff Recommendation: Approve

Ordinance No.: 2013-002 – Annexing 3819 Prentice Avenue, 3817 Prentice Avenue, 3815 Prentice Avenue and 322 South Kilbourne Road, Richland County TMS #13805-08-02 – First reading approval was given on January 15, 2013.

CASES WITH MAP AND TEXT AMENDMENTS – SECOND READING

20. (Map Amendment): Seminary Ridge Architectural Conservation District, TMS#09210-05-01 through 05, 09210-05-07, 09210-05-12, 09210-05-18, 09210-05-19, 09211-07-02, 09211-07-04, 09211-08-01, 09211-08-02, 09211-09-01, 09211-10-01 through 09211-10-12, 09212-07-08 through 09212-07-12, 09214-01-01 through 09214-01-10, 09214-02-01 through 09214-02-05, 09214-02-07 through 09214-02-12, 09215-01-01 through 09215-01-12, 09215-02-01 through 09215-02-05, 09215-03-01 through 09215-03-06, 09215-04-01 through 09215-04-08, 09215-05-01 through 09215-05-14, 09215-06-01, 09215-06-02, 09215-06-06, 09215-06-09, 09215-07-01 through 09215-07-04, 09215-17-01, 09215-18-01 through 09215-18-11, 09215-19-01 through 09215-19-05, 09215-19-07, 09215-20-01, 09215-21-01 (partial), 09215-22-01 through 09215-22-06, 09216-08-48 through 09216-08-54, 09216-08-56 through 09216-08-60, 09216-08-63 through 09216-08-66, 09216-09-01 through 09216-09-04, 09216-10-01 through 09216-10-04, 09216-10-06 through 09216-10-10, 09216-11-01 through 09216-11-04, 09216-12-01 through 09216-12-07; request to add –DP (Design Preservation) overlay to existing. – First reading approval was given on January 15, 2013.

Council District: 1
Proposal: Rezone to add –DP overlay to all existing zoning classifications.
Applicant: Krista M. Hampton, Director of Planning and Development Services
PC Recommendation: Approve (5-3) 11/05/12
DDRC Recommendation: Approve (6-0) 10/11/12
Staff Recommendation: Approve
B. (Text Amendment) Amend §17-681(b) Districts identified to add Seminary Ridge as an Architectural Conservation District.

Proposal: Amend §17-681(b) Districts identified, to add Seminary Ridge as an Architectural Conservation District

Applicant: Krista M. Hampton, Director of Planning and Development Services

PC Recommendation: Approve (5-3) 11/05/12

DDRC Recommendation: Approve (6-0) 10/11/12

Staff Recommendation: Approve

Ordinance No.: 2013-001 – 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 Districts identified (b) Architectural conservation district to add (8) – First reading approval was given on January 15, 2013.

MAP AMENDMENT – SECOND READING

21. 2005 Heidt Street and 2012 Henry Street, TMS# 11505-13-05 and -10; request to rezone from RG-2 to RG-1 – First reading approval was given on January 15, 2013.

Council District: 2

Proposal: Rezone property from RG-2 to RG-1

Applicant: Second Nazareth Baptist Church

PC Recommendation: Approve (6-0) 12/03/12

Staff Recommendation: Approve

22. 3504 and 3512 Devine Street, TMS# 13808-15-02 and 13808-15-04; request to rezone from PUD-R with CC-1 overlay to C-1 without CC-1 overlay—First reading approval was given on January 15, 2013.

Council District: 3

Proposal: Rezone property from PUD-R with CC-2 overlay to C-1 without CC-1 overlay

Applicant: ISC Architects for Bishop of Charleston

PC Recommendation: Approve (6-0) 12/03/12

Staff Recommendation: Approve
TEXT AMENDMENTS – SECOND READING

23. **Amend §17-290 Microbrewery** to modify conditions under which a microbrewery is permitted within C-3, MX-1, and MX-2 districts.

Proposal: **Amend §17-290 Microbrewery** conditional use standards

Applicant: Krista M. Hampton, Director of Planning and Development Services

PC Recommendation: Approve (8-0) 11/05/12

Staff Recommendation: Approve

*Ordinance No.: 2013-010* – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-290 Microbrewery – *First reading approval was given on January 15, 2013.*

24. **Amend §17-305 Planned Unit Development** – to clarify private dormitory permissibility within the Bull Street PUD.

Proposal: **Amend §17-305 Planned Unit Development** to amend language within the PUD section of the ordinance.

Applicant: Krista M. Hampton, Director of Planning and Development Services

PC Recommendation: Approve (8-0) 11/05/12

Staff Recommendation: Approve

*Ordinance No.: 2013-011* – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplementary District Regulations, Sec. 17-305 Planned unit developments (a) Generally – *First reading approval was given on January 15, 2013.*

25. **Amend §17-258 Table of Permitted Uses Division J. Public Administration, 921** to permit courts in the M-1 zoning district.

Proposal: **Amend §17-258 Table of Permitted Uses Division J. Public Administration, 921** to permit courts in the M-1 zoning district.

Applicant: K. Brian Cook, Zoning Administrator

PC Recommendation: Approve (8-0) 11/05/12

Staff Recommendation: Approve
*Ordinance No.: 2013-009* – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions, Use and Dimensional Regulations, Sec. 17-258 Table or permitted uses, SIC 921 Courts – *First reading approval was given on January 15, 2013.*

**END CONSENT AGENDA**

**MAP AMENDMENT – SECOND READING**

25a. **3504 and 3512 Devine Street**, TMS# 13808-15-02 and 13808-15-04; request to rezone from PUD-R with CC-1 overlay to C-1 without CC-1 overlay. – *First reading approval was given on January 15, 2013.*

Council District: 3  
Proposal: Rezone property from PUD-R with CC-2 overlay to C-1 without CC-1 overlay  
Applicant: JSC Architects for Bishop of Charleston  
PC Recommendation: Approve (6-0) 12/03/12  
Staff Recommendation: Approve

**ORDINANCES – FIRST READING**

26. **Ordinance No.: 2013-018** – Repealing encroachment ordinance 2011-042 granted to Mezza Bistro for five (5) tables; ten (10) chairs; two umbrellas and two (2) planters for outdoor dining at 701 Gervais Street, Suite 110

**RESOLUTIONS**

27. **Resolution No.: R-2013-008** – Authorizing consumption of beer and wine at the River Rocks at the Columbia Canal Park

28. **Resolution No.: R-2013-009** – Authorizing consumption of beer and wine beverages only at Mardi Gras Festival at City Roots

29. **Resolution No.: R-2013-012** – Authorizing consumption of beer and wine only at Frame of Mind's First Thursdays on Main in the 1400, 1500 and 1600 blocks of Main Street and Boyd Plaza

30. **Resolution No.: R-2013-010** – Adopting City of Columbia Police Department’s Emergency Vehicle Operation and Motor Vehicle Pursuit Policy

31. **Resolution No.: R-2013-011** – Adopting City of Columbia Response to Resistance Policy
32. **Resolution No.: R-2013-2018** – Authorizing operation of Soda City, an open-air market featuring farmers and food within the parking spaces only of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas, and authorizing the outdoor consumption and possession of beer and wine beverages only at the Soda City Market within the parking spaces only of the 1500 block of Main Street between Hampton Street and Taylor Street, excluding Boyd Plaza and the sidewalk areas, and authorizing the City Manager to execute an Agreement between the City of Columbia and Emile DeFelice for use of the parking spaces only of the 1500 block of Main Street excluding Boyd Plaza and the sidewalk areas for Soda City

**CITY COUNCIL COMMITTEE REPORTS**

Members of Council are asked to provide committee reports and/or present motions to refer specific matters to a Council Committee at this time.

**APPEARANCE OF THE PUBLIC**

<table>
<thead>
<tr>
<th>Meeting Dates</th>
<th>Type of Meeting</th>
<th>Meeting Times</th>
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<tbody>
<tr>
<td>February 5, 2013</td>
<td><strong>Work Session</strong></td>
<td>3:00 p.m.</td>
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<tr>
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<td><em>Eau Claire Town Hall – 3905 Ensor Avenue</em></td>
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<tr>
<td>February 12, 2013</td>
<td><strong>Council Meeting/Public Hearing on Franchise Fee Reduction</strong></td>
<td>6:00 p.m.</td>
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<td><em>Eau Claire Print Building – 3907 Ensor Avenue</em></td>
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<tr>
<td>February 19, 2013</td>
<td><strong>Finance, Audit and Budget Committee Meeting</strong></td>
<td>9:00 a.m.</td>
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<td><em>Lincoln Street Parking Garage – 820 Washington Street</em></td>
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<tr>
<td>February 19, 2013</td>
<td><strong>Work Session</strong></td>
<td>2:00 p.m.</td>
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<td><em>Eau Claire Town Hall – 3905 Ensor Avenue</em></td>
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<tr>
<td>February 26, 2013</td>
<td><strong>Council Meeting</strong></td>
<td>6:00 p.m.</td>
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<td><em>Eau Claire Print Building – 3907 Ensor Avenue</em></td>
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<tr>
<td>March 5, 2013</td>
<td><strong>Work Session</strong></td>
<td>2:00 p.m.</td>
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<td><em>Eau Claire Town Hall – 3905 Ensor Avenue</em></td>
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<tr>
<td>March 19, 2013</td>
<td><strong>Council Meeting</strong></td>
<td>6:00 p.m.</td>
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<tr>
<td></td>
<td><em>Eau Claire Print Building – 3907 Ensor Avenue</em></td>
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</table>
In accordance with Ordinance No.: 2004-094 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, to add VI, Lobbyist, Sec. 2-302. (a) Any person who acts as a lobbyist must within fifteen days of being employed or retained as a lobbyist, register with the city clerk. (b) The registration must be in a form approved by the city council that includes only the name and business address of the lobbyist, the name and business address of the person or entity that compensates the lobbyist and the issue or matter for which the lobbyist has been retained. A separate form shall be submitted for each issue or matter and each person or entity who compensates the lobbyist. (c) Any lobbyist who is employed by the city or has contracts with the city must seek approval by city council to be a lobbyist for other clients so long as he is employed or under contract. To obtain a Lobbyist Registration Form please contact the Office of the City Clerk at (803) 545.3045 or send your request to cityclerk@columbiasc.net.