



CITY OF COLUMBIA
CITY COUNCIL MEETING **ACTION REPORT**
WEDNESDAY, FEBRUARY 3, 2010
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Wednesday, February 3, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:07 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Tameika Isaac Devine, The Honorable Kirkman Finlay III and The Honorable Belinda F. Gergel. The Honorable Sam Davis arrived at 9:08 a.m. The Honorable Daniel J. Rickenmann was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

INVOCATION

The Honorable Tameika Isaac Devine offered the invocation.

MINUTES

1. Minutes of [August 5, 2009](#)

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve the Minutes of August 5, 2009 as presented.

PRESENTATIONS

2. Special Presentation to Mayor Coble – Mr. J.T. McLawhorn, Columbia Urban League

Mr. J.T. McLawhorn, CEO of the Columbia Urban League said that Mayor Coble loves Columbia and the people of Columbia. His decisions and advocacy have made the people a priority. He presented Mayor Coble with the Columbia Urban League Martin Luther King, Jr. Legacy Award.

3. 20 under 40 Recognition – Mr. Steven A. Gantt, City Manager

Mr. Steven A. Gantt, City Manager recognized Ms. Melissa Gentry, P.E., Public Works Director for being selected as part of The State Newspaper's 7th Annual Class of young Midland's professionals on the path to success.

4. Rev. Dr. Martin Luther King Day Celebration – The Honorable E.W. Cromartie, II

The Honorable E.W. Cromartie, II said that hundreds of people gathered in Five Points for the historic unveiling of a bronze marker to note the honorary designation of Harden Street as the Reverend Dr. Martin Luther King, Jr. Boulevard. He recognized the sponsors who paid for the maker; the sponsors of the E.W. Cromartie Dream Keeper Scholarships; and the E.W. Cromartie Dream Keeper Scholarship recipients.

5. Air Quality Update – Ms. Myra Reece, Department of Health and Environmental Control (DHEC) Bureau of Air Quality

Ms. Anne M. Sinclair, Chair of the Climate Protection Action Committee explained that they felt it was important for Ms. Reece to provide this update, because time is running out.

Ms. Myra Reece, Department of Health and Environmental Control (DHEC) Bureau of Air Quality reported that air quality is not getting worse, but the health based standards are becoming more stringent. Everyday we learn something new about air quality and the health of our communities. The EPA is playing catch up and will be making significant decisions every few months. The consequences of violating the NAAQS will impact public health, economic development and transportation conformity.

6. Metro Wastewater Treatment Plant Upgrades – Mr. John Dooley, Director of Utilities & Engineering

Mr. John Dooley, Director of Utilities & Engineering reported that the project at the Metro Wastewater Treatment Plant is the largest single project they've ever undertaken at that site with an estimated cost of \$40 million. It will be a major overhaul of the pumping facilities. The enhancement provided by this project will provide additional pumping capacity for the future expansion of the plant; the latest technology for the removal of trash and debris; it will enable us to better distribute the flow among the three treatment (3) trains; and during wet weather flows it will enhance our ability to divert flow to the equalization basin, which is a 24 acre pond on the north side of the plant.

APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS

Mr. Temple Ligon, The Columbia Star announced three occasions for an illustrated lecture on the history of the streets of Rome on Friday, February 12, 2010: noon at the Nickelodeon Theater; 1:30 p.m. at Still Hopes; and 6:00 p.m. at 1502 Main Street.

Ms. Catherine Luchow appeared before the members of Council in reference to Items 53 and 54. As a public health employee she asked that the Council not weaken the smoking ordinance.

Mr. Darryl Smalls, Esq. appeared before the members of Council in reference to Items 53 and 54 and as a Representative of The Tobacco Merchant. He said that they are supportive of the amended smoking ordinance; it does not weaken the existing ordinance; it simply clarifies things. This establishment has 93% tobacco sales and we are fine with the proposal to increase the required percentage. The Tobacco Merchant has been open for thirteen (13) years. It is now under new ownership and everything that has been done was done with the approval of the City of Columbia. My client has invested a lot of money in improvements and it is clearly a tobacco and cigar retail store.

Mr. Bill Manley, Eau Claire Community Resident appeared before the members of Council in reference to Items 53 and 54. He urged the Council to stop the loopholes. He said that the City of Columbia has said no smoking and if this is a way of getting smoking started then no. How do we stop all opportunities to allow smoking in the City of Columbia?

Ms. Hellen Dekle, M.Ed. Secondhand Smoke Prevention Policy Coordinator for the Division of Tobacco and Control / Department of Health and Environmental Control (DHEC) appeared before the members of Council in reference to Items 53 and 54. She said that when Columbia passed its smoke-free ordinance, it was clear that the intent was to protect all workers in all work places. What you decide not only impacts those in the City of Columbia; it impacts all of

the other smoke-free ordinances in this state and those that are pending. She said that people are alarmed and upset over the issue with The Tobacco Merchant and the small loophole needs to be addressed.

There was a consensus of Council to defer voting on Items 53 and 54, because Mr. Rickenmann as the sponsor of the amendment is absent. Items 53 and 54 will be discussed in Executive Session.

7. Audit Update – Mr. Bud Addison, Audit Senior Manager / Webster Rogers, LLP

Mr. Bud Addison, Audit Senior Manager / Webster Rogers, LLP reported that the City of Columbia's financial statements will be substantially completed by the end of this week. Another firm is looking at transactions made by the Columbia Empowerment Zone, Inc., which is a component unit of the City of Columbia. It is anticipated that the audit will be completed in four (4) weeks.

CONSENT AGENDA

Upon motion by Mr. Finlay, seconded by Dr. Gergel, Council voted unanimously to approve the **Consent Agenda Items 8. through 47.** as presented.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

8. Council is asked to approve [Project SS7056\(30\)](#); Increase in Project Amount for Emergency Rental of Bypass Pump at Long Creek #3 Pump Station, as requested by Engineering Administration. Award to Godwin Pumps in the amount of \$13,048.65. This vendor is located in Bridgeport, NJ. *Funding Source: 5529999-SS705630-851600 - Approved*
9. Council is asked to approve the [Purchase of Replay Digital Voice Recording System](#), as requested by the Police Department. Award to Replay Systems, Inc., as a Sole Source in the amount of \$15,037.08. This vendor is located in Fort Lauderdale, FL. *Funding Source: 2659999-658800 9211000101-658800 – Approved*
10. Council is asked to approve the [Purchase of Two \(2\) Self Propelled Concrete Saws](#), as requested by the Water Distribution Division. Award to Goodlett Equipment Inc. in the amount of \$18,506.72. This vendor is located in Cayce, SC. *Funding Source: 5516203-658400 - Approved*
11. Council is asked to approve the [Annual Safety Inspections](#), as requested by Fleet Services. Award to Structural Technology, Inc. in the amount of \$18,623.35. This firm is located in Searcy, AR. *Funding Source: 6308970-627200 - Approved*
12. Council is asked to approve [Change Order #2; Project SS6966; Annual Sewer Rehabilitation](#), as requested by Utilities and Engineering. Award to Southeast Pipe Survey, Inc., in the amount of \$24,032.00. This vendor is located in Patterson, GA. *Funding Source: Sewer Improvement Fund SS696601-851600 – **Note:** The additional cost associated with this change order is to compensate the contractor for additional work to remove roots that are obstructing the existing lines. – Approved*
13. Council is asked to approve a [6-Month Renewal License for the Unisys Mainframe Software](#), as requested by the Information Technology Department. Award to Potomac Business Systems, Ltd. in the amount of \$25,622.22. This vendor is located in Richmond, VA. *Funding Source: 1011120-638200 - Approved*

14. Council is asked to approve the [Purchase of a Flex-Fuel Chevrolet Tahoe](#), as requested by the Police Department. Award to Love Chevrolet in the amount of \$27,180.00. This vendor is located in Columbia, SC. *Funding Source: 2042412-658500 - Approved*
15. Council is asked to approve [Project SS7099 \(16\): Purchase of Two \(2\) 2' Jones Gear Reducers for Basins #15 & 18](#) at the Metro Wastewater Treatment Plant, as requested by Engineering Administration. Award to Bear Distributors in the amount of \$44,561.92. This vendor is located in Columbia, SC. *Funding Source: 5529999-SS709916-851200 Sewer Improvement Fund - Approved*
16. Council is asked to approve the [Purchase of Mufflers](#), as requested by the Fleet Services Division. Award to W.W. Williams Co. in the amount of \$112,533.42. This vendor is located in Columbia, SC. *Funding Source: 6308970-672700 - Approved*
17. Council is asked to approve the [Renovation of Three \(3\) Elevators at 1136 Washington Square](#), as requested by the Support Services Division. Award to Thyssen Krupp Elevator in the amount of \$365,000.00. This firm is located in Columbia, SC. *Funding Source: 4039999-658660 CP 105903-658660 - Approved*

TEXT AMENDMENTS – SECOND READING

18. [Amend Sec. 17-258. Table of permitted uses](#) - SIC 182 (Food grown within an enclosure) and 19 (General farms, primarily crop) to modify permissions.

[Ordinance No.: 2009-117](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 7, General Regulations, Sec 17-258 Table of permitted uses, Division A, Agricultural, Forestry and Fishing, 1 Agricultural production – Crops, 18 Horticultural Specialties, SIC 182 Food crops grown within an enclosure – *First reading approval was given on January 20, 2010. – Approved on second reading.*

19. [Amend Sec. 17-277. Projections into required yards and Sec. 17-406. Permitted signs](#) to clarify provisions regarding awnings, canopies, and marquees projecting into public rights-of-way.

[Ordinance No.: 2009-118](#) – Amending the 1998 Code of Ordinances of the City of Columbia, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions, Use and Dimensional Regulations, Sec. 17-277 Projections into required yards to add (11); and Division 12, Signs, Sec. 17-406 Permitted signs (4) Location, (d) Projecting signs (2) and (e) Signs on marquees or canopies – *First reading approval was given on January 20, 2010. – Approved on second reading.*

20. [Amend §17-258](#) to modify use classification permissions for Employment Agency (SIC 7361).

[Ordinance No.: 2009-132](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-258 Table of permitted uses, Division I, Services, SIC 7361 Employment Agencies – *First reading approval was given on January 20, 2010. – Approved on second reading.*

CASES WITH MAP AND TEXT AMENDMENTS – SECOND READING

21. [2205 Park Street](#) TMS# 9012-12-11 rezone from RG-2 (General Residential) to PUD-R (Residential Planned Unit Development) –DP (Design Preservation) and **1001 Bryan Street**, TMS# 9012-10-16 rezone from RS-3 (Single-Family Residential) to PUD-R (Residential Planned Unit Development) – DP (Design Preservation). – *First reading approval was given on January 20, 2010. – Approved on second reading.*

Amend §17-681(b) (2) to add 2008 TMS# 9012-12-11 and 9012-10-16 to the Elmwood Park Architectural Conservation District.

[Ordinance No.: 2009-130](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 identified (b) Architectural conservation district (2) to add 1001 Bryan Street, Richland County TMS #09012-10-16 and 2205 Park Street, Richland County TMS #09012-12-11 – *First reading approval was given on January 20, 2010. – Approved on second reading.*

ANNEXATIONS WITH MAP AMENDMENTS – SECOND READING

Residential Annexations – Section 5 of the Voting Rights Act requires pre-clearance for the City’s April 6, 2010 election. The timeframes for pre-clearance and compliance with the election laws do not permit the City to annex any additional residential properties after September 30, 2009 through April 30, 2010.

22. [135 John Harmon Road](#), TMS# 05000-04-13; annex and rezone property from RU (Rural) in Richland County to PUD-LS (Large Scale Planned Unit Development).

[Ordinance No.: 2010-010](#) – Annexing 135 John Harmon Road, Richland County TMS #05000-04-13 – *First reading approval was given on January 20, 2010. – Approved on second reading.*

23. [2400 High Street](#), TMS# 11605-13-01; annex and rezone property RG-2 (General Residential). The property is split zoned RS-3 in the City of Columbia and RM-MD (General Residential) in Richland County.

[Ordinance No.: 2010-011](#) – Annexing 2400 High Street, Richland County TMS #11605-13-01 – *First reading approval was given on January 20, 2010. – Approved on second reading.*

24. [3942 Farrow Road](#) TMS# 11606-05-24; annex and rezone property from RS-HD (Single-Family Residential) in Richland County to C-3 (General Commercial).

[Ordinance No.: 2010-012](#) – Annexing 3942 Farrow Road, Richland County TMS #11606-05-24 – *First reading approval was given on January 20, 2010. – Approved on second reading.*

25. [2432 Chappelle Street](#), TMS# 11605-15-05; annex and zone property RG-1 (General Residential). The property is zoned RM-MD (General Residential) in Richland County.

- [Ordinance No.: 2010-013](#) – Annexing 2432 Chappelle Street, Richland County TMS #11605-15-05 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
26. [2403 High Street](#), TMS# 11605-14-06; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.
- [Ordinance No.: 2010-014](#) – Annexing 2403 High Street, Richland County TMS #11605-14-06 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
27. [1848 Columbia College Drive](#), TMS# 11606-07-23; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.
- [Ordinance No.: 2010-015](#) – Annexing 1848 Columbia College Drive, Richland County TMS #11606-07-23 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
28. [42 Bethune Court](#), TMS# 11606-05-10; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.
- [Ordinance No.: 2010-016](#) – Annexing 42 Bethune Court, Richland County TMS #11606-05-10 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
29. [3033 & 3035 Farrow Road](#), TMS# 11503-05-03, 04 & 05; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.
- [Ordinance No.: 2010-017](#) – Annexing 3033 Farrow Road and 3035 Farrow Road, Richland County TMS #11503-05-03, 11503-05-04 and 11503-05-05 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
30. [27 Bethune Court](#), TMS# 11606-05-13; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.
- [Ordinance No.: 2010-018](#) – Annexing 27 Bethune Court, Richland County TMS #11606-05-13 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
31. [5763 Farrow Road](#), TMS# 11713-08-01; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.
- [Ordinance No.: 2010-001](#) – Annexing 5763 Farrow Road, Richland County TMS #11713-08-01 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
32. [2428 McKinley Street](#), TMS# 11504-30-26; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.

- [Ordinance No.: 2010-002](#) – Annexing 2428 McKinley Street, Richland County TMS #11504-30-26 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
33. [2409 High Street](#), TMS# 11605-14-05; annex and zone property RG-1 (General Residential). The property is zoned RM-MD (General Residential) in Richland County.
- [Ordinance No.: 2010-003](#) – Annexing 2409 High Street, Richland County TMS #11605-14-05 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
34. [3527 Farrow Road](#), TMS# 11605-14-02; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County. –
- [Ordinance No.: 2010-004](#) – Annexing 3527 Farrow Road, Richland County TMS #11605-14-02 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
35. [1800 Gary Street](#), TMS# 11612-02-03; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.
- [Ordinance No.: 2010-005](#) – Annexing 1800 Gary Street, Richland County TMS #11612-02-03 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
36. [0.89 acres, E/S of Farrow Road](#), TMS# 11612-07-17; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.
- [Ordinance No.: 2010-006](#) – Annexing 0.89 acres E/S Farrow Road, Richland County TMS #11612-07-17 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
37. [5350 Farrow Road](#), TMS# 11612-07-01; annex and zone property C-3 (General Commercial). The property is zoned GC (General Commercial) in Richland County.
- [Ordinance No.: 2010-007](#) – Annexing 5350 Farrow Road, Richland County TMS #11612-07-01 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
38. [SW/S of Gary Street, 5551 Farrow Road, and R2607 Varn Street](#), TMS# 11612-02-02, -05 and 11612-05-02; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.
- [Ordinance No.: 2010-008](#) – Annexing SW/S Gary Street, 5551 Farrow Road and R2607 Varn Street, Richland County TMS #11612-02-02, 11612-02-05 and 11612-05-02 – *First reading approval was given on January 20, 2010. – Approved on second reading.*
39. [Bethune Court](#); TMS# 11606-05-17, -18; annex and zone property RS-3 (Single-Family Residential). The property is zoned RS-HD (Single-Family Residential) in Richland County.

[Ordinance No.: 2010-009](#) – Annexing two parcels on Bethune Court, Richland County TMS #11606-05-17 and 11606-05-18 – *First reading approval was given on January 20, 2010. – Approved on second reading.*

SIDEWALK VENDING LOCATIONS – SECOND READING

40. **SW Corner of Assembly and Laurel Streets**

[Ordinance No.: 2010-019](#) – Granting a Franchise to Mary Smalls d/b/a Harris Charette for operation of a stationary sidewalk vending cart on the southwest corner of Assembly Street and Laurel Street adjacent to Finlay Park – *First reading approval was given on January 20, 2010. - Approved on second reading.*

41. **NE Corner of Main and Lady Streets**

[Ordinance No.: 2010-020](#) – Granting a Franchise to Krista Anderson d/b/a Krista's Hot Dogs for operation of a stationary sidewalk vending cart on the northeast corner of Main Street and Lady Street – *First reading approval was given on January 20, 2010.- Approved on second reading.*

42. **Mid-Block Pad near 1333 Main Street**

[Ordinance No.: 2010-021](#) – 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 20, 2010. - Approved on second reading.*

43. **Mid-Block Pad near 1701 Main Street**

[Ordinance No.: 2010-022](#) – Granting a Franchise to Robert Spencer of operation of a stationary vending cart on the west side of the 1700 block of Main Street – *First reading approval was given on January 20, 2010. - Approved on second reading.*

44. **NW Corner Main and Washington Streets**

[Ordinance No.: 2010-023](#) – Granting a Franchise to Chris Hinely d/b/a The Peanut Man for operation of a stationary sidewalk vending cart on the northwest corner of Main Street and Washington Street – *First reading approval was given on January 20, 2010. - Approved on second reading.*

ORDINANCES – SECOND READING

45. [Ordinance No.: 2009-126](#) – Authorizing the transfer of an unopened portion of Catawba Street approximately 0.09 acre (3,981.07 square feet) adjacent to Richland County TMS #08913-18-01 and 08913-02-02 to Chase Company – *First reading approval was given on January 20, 2010. - Approved on second reading.*

46. [Ordinance No.: 2009-129](#) – Authorizing the transfer of a 0.48 acre (20,948.14 square feet) portion of the Senate Street Right of Way adjacent to 1043 Huger Street, Richland County TMS #08911-01-05 to VistaBank – *First reading approval was given on January 20, 2010. - Approved on second reading.*

47. [Ordinance No.: 2010-024](#) – Authorizing land swap with Columbia Development Corporation of 1900 Wiley Street, Richland County TMS #11212-16-01 in exchange for 1917 Wiley Street, Richland County TMS #11212-17-07 – *First reading approval was given on January 20, 2010. - Approved on second reading.*

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

48. Council is asked to Enter into [Contract Negotiations for Composting Services](#), as requested by the Solid Waste Division. Award to Waste2Energy, LLC for a five (5) year term at no cost to the City of Columbia. - *Consideration of this item was deferred. This item was discussed in Executive Session.*

ORDINANCES – FIRST READING

49. [Ordinance No.: 2010-026](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article IV, Departments, Sec. 12-151, Department created; department heads; administration regulations and procedures, (a) to repeal (20) Homeland security – *Approved on first reading.*

Upon motion by Mr. Finlay, seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2010-026 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article IV, Departments, Sec. 12-151, Department created; department heads; administration regulations and procedures, (a) to repeal (20) Homeland security.

50. [Ordinance No.: 2009-106](#) – Amending the 1998 Code of Ordinance of the city of Columbia, South Carolina, Chapter 4, Animals, Article II, Livestock – *A Public Hearing was conducted on November 18, 2009. No action was taken. – First reading consideration of this item was deferred.*

Upon motion by Ms. Devine, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to **Items 51.** and **52.** with a single motion.

51. [Ordinance No.: 2009-121](#) – Granting an encroachment to Mark Lovern for installation and maintenance of landscaping; an irrigation system; decorative metal fence; concrete block and stucco columns; and a knee wall within the right of way of the unopened portion of College Street and adjacent to 830 Laurens Street, Richland County TMS #11405-12-01 - *Approved on first reading.*
52. [Ordinance No.: 2009-125](#) – Granting an encroachment to Shelby King for installation and maintenance of a wooden split rail fence within the right of way area adjacent to her property at 3108 Hope Avenue, Richland County TMS #13801-21-21 – *Approved on first reading.*
53. [Ordinance No.: 2010-025\(a\)](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-216, Definitions, to add "Bar", "Cigar Bar" and Cigarette, and to amend "Retail tobacco store"; and Sec. 8-218, Exceptions to amend (4) and to add (8) – *First reading consideration of this item was deferred. This matter will be reconsidered on February 17, 2010.*

54. [Ordinance No.: 2010-025\(b\)](#) - Ordinance 2010-25 (b) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-216, Definitions, Retail tobacco store – *First reading consideration of this item was deferred. This matter will be reconsidered on February 17, 2010.*

RESOLUTIONS

55. [Resolution No.: R-2010-002](#) – Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the “St. Pat’s in Five Points Festival” - *Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve Resolution No.: R-2010-002 – Authorizing the Five Points Association to Conduct Street and Sidewalk Sales for the “St. Pat’s in Five Points Festival”.

56. [Resolution No.: R-2010-005](#) – Permitting the Fire Department to collect money for the Muscular Dystrophy Association - *Approved*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2010-005 – Permitting the Fire Department to collect money for the Muscular Dystrophy Association.

57. [Resolution No.: R-2010-006](#) - A Resolution (1) Affirming the designation of the area located at 1601 Main Street, Columbia, South Carolina (the “City”) as part of a Recovery Zone within the meaning of Section 1400U-1 of the American Recovery and Reinvestment Act of 2009 (the “ARRA”) by virtue of the location of such property within the Columbia/Sumter SC Empowerment Zone; (2) Allocating \$973,000 of Recovery Zone Facility Bond allocation Received by the City pursuant to the ARRA to Mast General Store, Inc., as the ultimate beneficiary of the proposed bond (“Mast”); (3) Authorizing Mast as ultimate beneficiary to make arrangements for the issuance of Recovery Zone facility bonds, as defined in the ARRA, by any eligible issuer within the meaning of the ARRA, including without limitation the State of South Carolina or any agency thereof; and (4) other matters relating thereto – *Approved – Mayor Coble abstained from voting due to a conflict of interest.*

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2010-006 - A Resolution (1) Affirming the designation of the area located at 1601 Main Street, Columbia, South Carolina (the “City”) as part of a Recovery Zone within the meaning of Section 1400U-1 of the American Recovery and Reinvestment Act of 2009 (the “ARRA”) by virtue of the location of such property within the Columbia/Sumter SC Empowerment Zone; (2) Allocating \$973,000 of Recovery Zone Facility Bond allocation Received by the City pursuant to the ARRA to Mast General Store, Inc., as the ultimate beneficiary of the proposed bond (“Mast”); (3) Authorizing Mast as ultimate beneficiary to make arrangements for the issuance of Recovery Zone facility bonds, as defined in the ARRA, by any eligible issuer within the meaning of the ARRA, including without limitation the State of South Carolina or any agency thereof; and (4) other matters relating thereto. Mayor Coble abstained from voting due to a conflict of interest.

CITY COUNCIL DISCUSSION/ACTION

58. Columbia/Richland Unified Fire Service Agreement – Mr. Steven A. Gantt, City Manager

Mr. Steven A. Gantt, City Manager reported that Richland County would like to extend the current Unified Fire Service Agreement until July 1, 2011.

There was a consensus of Council to allow staff to negotiate the Unified Fire Service Contract with Richland County.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to go into Executive Session at 11:10 a.m. for the discussion of **Items 59.** through **61.** as amended.

59. Discussion of negotiations incident to proposed contractual arrangements
- New Light Beulah Baptist Church – *This item will be discussed in Executive Session on February 10, 2010.*
 - Waste2Energy, LLC – *This item was discussed in Executive Session. No action was taken.*
60. Receipt of legal advice which relates to a matter covered by attorney-client privilege
- Smoking Ordinance
 - Emergency Medical Services
- These items were discussed in Executive Session. No action was taken.*
61. Discussion of employment of employee – *This item was discussed in Executive Session. No action was taken.*
- **Council adjourned the meeting at 12:15 p.m.**