



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

The Columbia City Council conducted a Regular Meeting on Wednesday, March 3, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Pro-Tempore Kirkman Finlay III called the meeting to order at 9:01 a.m. and the following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Sam Davis and The Honorable Daniel J. Rickenmann. The Honorable Tameika Isaac Devine arrived at 9:06 a.m.; The Honorable Belinda F. Gergel arrived at 9:15 a.m.; and The Honorable Mayor Robert D. Coble arrived at 10:04 a.m. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

### **INVOCATION**

Mr. S. Allison Baker, Senior Assistant City Manager offered the Invocation.

### **APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS**

No one appeared at this time.

### **MINUTES**

1. Minutes of August 19 and [26](#), 2009

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to approve the Minutes of August 19 and 26, 2009 with a single motion and as presented.

### **PRESENTATIONS**

2. \*\*Introduction of the Columbia Fire Department Command Staff – Mr. Steven A. Gantt, City Manager

Mr. Steven A. Gantt, City Manager introduced Mr. Aubrey Jenkins, Interim Fire Chief; Mr. Harry Tinsley, Interim Deputy Fire Chief; Ms. Carmen Floyd, Assistant Chief; and Mr. James Helms, Interim Assistant Chief as the new command staff at the Columbia Fire Department.

3. \*\*Salvation Army Update – The Honorable E.W. Cromartie, II

The Honorable E.W. Cromartie, II read a statement addressing his concerns related to the relocation of the Salvation Army of the Midlands to Farrow Road. He also read a statement from Mr. Steve Anastaion, Chair of the Salvation Army of the Midlands Advisory Board.

The following individuals appeared before the Council in opposition to the relocation of the Salvation Army to the Easter Seals Building on Farrow Road:

Ms. Katheryn Bellfield, President of the Booker Washington Heights Neighborhood Organization  
Mr. Isaiah Davis, Davis & Dingle Family Dentistry  
Dr. Rev. Jamey O. Graham, Sr., Pastor of St. John Baptist Church  
Mr. Joshua McDuffie, President of the Cottontown Neighborhood Association

Upon motion by Mr. Cromartie, seconded by Dr. Gergel, Council voted unanimously to form a committee of Council members, the appropriate City staff, residents of downtown neighborhoods and Farrow Road, Farrow Road business owners, representatives of the Salvation Army and representatives of all organizations involved with providing services to the homeless. A meeting should be scheduled as early as next week.

4. [Love / Forgive / Please Stop the Violence](#) – Mr. Dentis Shaw, Founder of the Athletes of America Helping Americans, Inc.

Mr. Dentis Shaw, Founder of the Athletes of America Helping Americans, Inc. invited the City Council to participate in the first annual Please Stop the Violence Night on April 10, 2010 at 7 p.m. to see the Charlotte Bobcats play the Detroit Pistons at the Time Warner Arena in Charlotte, North Carolina.

5. [Innovation Center](#) and Knowledge Economy Awards – Mr. Bill Mahoney, CEO / South Carolina Research Authority

Mr. Bill Mahoney, CEO / South Carolina Research Authority presented Mr. Jim Gambrell, Director of Economic Development with a plaque recognizing him as a Knowledge Economist.

Mr. Marvin Davis, Vice President of Property and Asset Management for the South Carolina Research Authority announced that the new Columbia Innovation Center is located at the corner of Catawba Street and Assembly Street and the corporate office of the SCRA will relocate from Lady Street to the Columbia Innovation Center. There is 37,000 sq. ft. of space to be leased and the target tenants are research and light manufacturing firms from USC and the private sector.

6. [EPA's Community Action for a Renewed Environment \(CARE\) Grant](#) – Ms. Teresa Wilson Florence, Director of Governmental Affairs

Ms. Teresa Wilson Florence, Director of Governmental Affairs sought the Council's endorsement of an EPA Community Action for a Renewed Environment Grant. The Central Midlands Council of Governments is applying for the grant to promote and implement an anti-idling and clean air campaign in all public schools within Richland and Lexington Counties.

Upon motion by Dr. Gergel, seconded by Mr. Rickenmann, Council voted unanimously to endorse the City of Columbia partnership with Central Midlands Council of Governments in applying for the Environmental Protection Agency's Community Action for a Renewed Environment (CARE) Grant.

7. Main Street Church Security Taskforce – Mr. Robert M. Stewart, CEO / Stewart Konduros & Associates, LLC

Mr. Robert M. Stewart, Vice President of the Parish Council for the Holy Trinity Greek Orthodox Church appeared before the Council on behalf of the Holy Trinity Greek Orthodox Church, Main Street Methodist Church and Ebenezer Lutheran Church along with the Downtown Neighborhood Association to discuss safety and security issues in the downtown area and to make a proposal that can serve as an aide to business development in the area. They proposed that the City Center Partnership's Clean and Safety Team be expanded by adding ten (10) employees. He also suggested that another officer is needed to patrol Main Street from mid-afternoon through the late evening. We do not object to the Midlands Housing Alliance operations. We hope that the Alliance makes every effort to prevent dangerous fugitives, violent criminals and sex offenders from becoming involved with their programs.

8. Eau Claire Development Corporation – Mr. S. Allison Baker, Senior Assistant City Manager

Mr. S. Allison Baker, Senior Assistant City Manager provided a briefing on the Eau Claire Development Corporation, which was chartered in 1993 as an urban community based 501(c) 3 committed to grass-roots empowerment, residential housing opportunities and commercial development in North Columbia. He outlined the pros and cons of dissolving the corporation; merging the corporation with another existing corporation; or to improve the business model of the existing corporation. Mr. Baker recommended (Option C) that the operations of the Eau Claire Development Corporation be improved by adopting effective risk analysis processes and procedures; re-examining the current source of funding; scheduling quarterly project briefings to the City Council and Senior Management; and presenting projects to City Council and the City Manager that could potentially become a financial liability, whether it involves City funds or not.

The following individuals appeared before the Council in support of the Eau Claire Development Corporation:

Rev. Richard Dozier, Chair of the Eau Claire Development Corporation  
Mr. Henry Hopkins, Eau Claire Community Council

The following individual appeared before the Council in opposition to the Eau Claire Development Corporation:

Mr. Bill Manley, Eau Claire Community Resident

Upon motion by Mr. Davis, seconded by Mr. Cromartie, Council voted unanimously to endorse recommendation C as outlined. Staff is directed to present a plan of action on March 24, 2010 on the Eau Claire Development Corporation's accountability issues, financing of projects and communications with Council.

9. **\*\*Interim Measures / Community Character Protection – The Honorable Mayor Robert D. Coble**

The Honorable Mayor Robert D. Coble reported that the Shandon Neighborhood Council has been considering various options for neighborhood protection and would like to have the Interim Measures / Community Character formalized as a overlay category.

Upon motion by Mayor Coble, seconded by Dr. Gergel, Council voted unanimously to direct staff to provide recommendations for the designation of Interim Measures for Community Character Protection as a design preservation overlay option for neighborhoods.

### **CONSENT AGENDA**

Mr. Aubrey Jenkins, Interim Fire Chief explained that **Item 10.** is to approve the purchase of special gear for the Urban Search and Rescue Team.

Upon motion by Mr. Finlay, seconded by Mr. Davis, Council voted unanimously to approve the **Consent Agenda Items 10.** through **19.** as presented. Dr. Gergel was not present for the vote.

### **CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS**

10. Council is asked to approve the [Purchase of Morning Pride USAR Gear](#), Coats and Pants, as requested by the Fire Department. Award to Newton's Fire & Safety Equipment in the amount of \$18,152.55. This vendor is located in Swepsonville, NC. *Funding Source: 254999-627100 Homeland Security Grant Control - Approved*

11. Council is asked to approve the [Purchase of a Trailer](#), as requested by the Homeland Security Division. Award to Custom Trailer Works in the amount of \$18,622.28. This vendor is located in Wren, GA. *Funding Source: 2549999-658500 / JL 9601000208-658500 MMRS 2008 Grant - Approved*
12. Council is asked to approve the Purchase of a [Ludlum Portable Portal Monitor and Accessories](#), as requested by the Homeland Security Division. Award to Arrow-Tech, Inc. in the amount of \$20,991.26. This vendor is located in Rolla, ND. *Funding Source: 2549999-627100 / JL 9601000208-627100 MMRS Grant - Approved*
13. Council is asked to approve [Project SS7056 \(30\): an Increase in Project Amount for Emergency Rental of Bypass at Longcreek #3 Pump Station](#), as requested by Engineering Administration. Award to Godwin Pumps of America in the amount of \$26,097.30. This vendor is located in Bridgeport, NJ. *Funding Source: 5529999-SS705630-851600 - Approved*
14. Council is asked to approve the Purchase of [Three \(3\) Ford Ranger Vehicles](#), as requested by the Engineering Department. Award to Vic Bailey Ford in the amount of \$39,804.00. This vendor is located in Spartanburg, SC. *Funding Source: 5516218-658500 - Approved*
15. Council is asked to approve Mentor Protégé Program [Project #SS7079; Rehabilitation along Pelham Drive](#), as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction in the amount of \$119,480.90. This firm is located in Columbia, SC. *Funding Source: SS707901 - Approved*
16. Council is asked to approve Mentor Protégé Program [Project #WM4198; 12" DIP along Rimer Pond Road to Serve Coopers Subdivision](#), as requested by the Utilities and Engineering Department. Award to McClam and Associates in the amount of \$138,694.50. This firm is located in Little Mountain, SC. *Funding Source: WM419901-Approved*
17. Council is asked to approve [Project SS6790 \(3\): an Increase in Project Amount for North Columbia Lift Station Bypass Pumping and Pump Repair and Replacement](#), as requested by Engineering Administration. Award to McClam and Associates in the amount of \$435,000.00. This firm is located in Little Mountain, SC. *Funding Source: 5529999-SS679003-851200 Sewer Improvement Fund - Approved*
18. Council is asked to approve Mentor Protégé Program [Project #SS7107; Construct 8"; Rehabilitate 12", 15" & 18"; Abandon 8" along Greene, Pavilion and Cherry Streets](#), as requested by the Utilities and Engineering Department. Award to Trussell Brothers Construction in the amount of \$1,049,903.60. This firm is located in Columbia, SC. *Funding Source: SS710701 - Approved*
19. Council is asked to approve a [Water Main Extension Agreement](#) for the Construction of 5,700 linear feet of 12" Water Main along Amicks Ferry Road and Sandbar Road from Firebridge Drive to the City's side of the Meter at the Intersection of Sandbar Road and Bear Creek Drive in Lexington County in the amount of \$600,000 and as requested by Engineering Operations. *Funding Source: 5529999-WM419701-636600 Water Improvements Fund - Approved*

## **ORDINANCES – FIRST READING**

20. [Ordinance No.:2009–106](#) – Amending the 1998 Code of Ordinances 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. Consideration of this item was deferred on February 17, 2010.*

Upon motion by Mr. Rickenmann, seconded by Mr. Finlay, Council voted unanimously to give first reading approval to Ordinance No.:2009–106 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 4, Animals, Article II, Livestock, subject to staff providing specifications for the construction of the coops to ensure proper security and aesthetics and subject to staff providing recommendations for mandatory training as part of the licensing process. Dr. Gergel was not present for the vote.

21. [Ordinance No.: 2010-046](#) – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and the Columbia Metropolitan Convention and Visitors Bureau for lease of the First Floor Retail Space designated as “Retail 3” in the Pendleton Street Parking Garage

Upon motion by Mr. Rickenmann, seconded by Mr. Cromartie, Council voted unanimously to give first reading approval to Ordinance No.: 2010-046 – Authorizing the City Manager to execute a Lease Agreement between the City of Columbia and the Columbia Metropolitan Convention and Visitors Bureau for lease of the First Floor Retail Space designated as “Retail 3” in the Pendleton Street Parking Garage. Dr. Gergel was not present for the vote.

## **CITY COUNCIL DISCUSSION / ACTION**

22. [Ordinance No: 2010-045](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations to add Article XI, Business License Tax Incentives

Councilor Finlay explained that this incentive would be good for the City, but some are concerned about a constitutional challenge. He suggested that they give the ordinance first reading approval today and then ask the Attorney General for an opinion. He amended the ordinance to abate the taxes at 100% during the first year; 50% during the second year; and the business would pay the full fees in the third year after moving to the City of Columbia.

A motion made by Mr. Finlay to give first reading approval to Ordinance No.: 2010-045, was withdrawn.

There was a consensus of Council to defer first reading approval of the ordinance and to request an opinion from the Attorney General. Council requested the following information from the Business License Division for the past two (2) years: a list of the existing businesses that were annexed into the City of Columbia; a list of new businesses that were annexed into the City of Columbia; the new businesses that have opened in the City of Columbia; what those businesses paid in business license fees; and any businesses that have closed.

## **APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL**

No one appeared at this time.

## **EXECUTIVE SESSION**

Upon motion by Mr. Cromartie, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 12:33 p.m. for the discussion of **Items 23.** through **26.** as amended.

23. Discussion of negotiations incident to proposed contractual arrangements
    - Richland County

*This item was discussed in Executive Session. No action was taken.*
  24. Receipt of legal advice which relates to a matter covered by attorney-client privilege  
*This item was discussed in Executive Session. No action was taken.*
  25. \*\*Receipt of legal advice which relates to a pending, threatened or potential claim
    - Thorn Tree Homeowner's Association
    - HR Developers

*These items were discussed in Executive Session. No action was taken.*
  26. \*\*Discussion of appointment of a person to a public body  
*This item was discussed in Executive Session. Please refer to **Item 27.***
- **Councilor Finlay left the meeting at 1:36 p.m.**
  - **Council adjourned the Executive Session at 1:39 p.m. to reconvene the meeting.**
27. \*\*Municipal Election Commission

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the appointment of Mr. Hamilton Osborne, Jr. and Mr. Byron Gipson to the Municipal Election Commission for a six (6) year term expiring on July 1, 2016.

- **Council adjourned the meeting at 1:40 p.m.**