



CITY OF COLUMBIA
CITY COUNCIL MEETING &
ZONING PUBLIC HEARING **ACTION REPORT**
TUESDAY, NOVEMBER 16, 2010
6:00 P.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Tuesday, November 16, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Stephen K. Benjamin called the meeting to order at 6:06 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann, The Honorable Leona K. Plaugh and The Honorable Brian DeQuincey Newman. The Honorable Belinda F. Gergel was absent. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Benjamin, the members of City Council and all attendees paused for a moment of silence in honor of Firefighter Chance Zobel who died and Firefighter Larry Irvin who was critically injured in the line of duty on Saturday, November 13, 2010.

INVOCATION

Chaplain Michael Letts, Columbia Police Department offered the Invocation.

APPROVAL OF MINUTES

1. Minutes of August [4](#) and [18](#), 2010 - *Approved*

Upon a single motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the Minutes of August 4 and 18, 2010.

PRESENTATIONS

2. Special Recognition – The Honorable Stephen K. Benjamin and The Honorable Tameika Isaac Devine

The Honorable Stephen K. Benjamin and The Honorable Tameika Isaac Devine proclaimed Tuesday, November 16, 2010 as Dr. Jasper Salmond Day in the City of Columbia. They also presented Dr. Salmond with a Key to the City for his extensive service to our community to include his commitment to the Richland One Board of School Commissioners.

3. [Green Business Members Recognition](#) – Ms. Mary Pat Baldauf, Sustainability Facilitator

Ms. Mary Pat Baldauf, Sustainability Facilitator and Council Daniel J. Rickenmann, Chair of the Climate Protection Action Committee recognized the following new Green Business Members:

Homeowners Mortgage Enterprises
Holiday Inn & Suites (Columbia Airport)
The Wall Group
Glenforest School

Just Wanna Melt
Energy Remediation of SC
First Sun Solutions

4. ****[Columbia Council of Neighborhoods Fall Training](#)** - Ms. Bessie Watson, President of the Columbia Council of Neighborhoods

Ms. Bessie Watson, President of the Columbia Council of Neighborhoods invited the members of Council and the community to attend their Fall Training entitled "Strategies for Getting Your Neighborhood a Grant" on Saturday, November 20, 2010 at the Cecil Tillis Center, 2111 Simpkins Lane from 9:30 a.m. until 1:00 p.m. She also invited everyone to participate in the Holiday Social on December 18, 2010 at the Cecil Tillis Center from 6:30 p.m. until 8:00 p.m.

CONSENT AGENDA

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 5. through 12.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

5. Council is asked to approve the [Purchase of Hazardous Tree Removal Services](#), as requested by Forestry and Beautification. Award to Leggett Professional Tree Services, the lowest bidder in the amount of \$16,500.00. This vendor is located in Gaston, SC. *Funding Source: ARRA Grants-Professional Services/Hazardous Tree Replacement Professional Services; 2609999-636600 RA12160100-636600 - Approved*
6. ******Council is asked to approve the [Demolition of a Structure at 2126 Devine Street](#), as requested by the Parking Services Division. Award to Carolina Wrecking, the lowest, responsive and responsible bidder in the amount of \$27,300.00. This vendor is located in Columbia, SC. *Funding Source: PG 0014107 - Approved*
7. Council is asked to approve the [Purchase of a Bucket Truck](#), as requested by the Fleet Services Division. Award to Lee Transport Equipment, Inc., the lowest bidder meeting specifications in the amount of \$84,195.00. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment>\$5,000; 6308972-658500 - Approved*
8. Council is asked to approve the [Purchase of a Tandem Dump Truck](#), as requested by the Fleet Services Division. Award to Advantage Truck Center, the lowest bidder meeting specifications in the amount of \$126,037.30. This vendor is located in Charlotte, NC. *Funding Source: Capital Replacement/Auto, Truck, Heavy Equipment >\$5,000; 6308972-658500 – Consideration of this item was deferred on November 9, 2010. - Approved*
9. Council is asked to approve Change Order #1 to [Project SS7073](#); Rehabilitation of Existing 48", 54" and 60" Gravity Sewer, as requested by Engineering Administration. Award to McClam and Associates in the amount of \$460,891.78. This firm is located in Little Mountain, SC. *Funding Source: Owner's Contingency Allowance – **Note:** This change order is for additional work requested by the City to monitor bypass pumping, construct a lift station, install a new vault and relocate a bypass line. - Approved*
10. Council is asked to approve [Project SS707602](#); An Agreement for Design and Construction Related Services of a 30" Gravity Sewer Line for the Intersection of Interstate 77 and Bluff Road to the City's Existing Burnside #1 Sewage Pumping Station, as requested by Utilities and Engineering. Award to Power Engineering Company, Inc., in the amount of \$505,400.00. This vendor is located in Columbia, SC. *Funding Source: Sewer Improvements Fund 5529999-SS707602-636600 - Approved*

11. Council is asked to approve [Project CM1002](#); Columbia Canal Front Site Work (Terrace Building), as requested by Utilities and Engineering. Award to Cherokee, Inc., in the amount of \$4,731,726.00. This vendor is located in Columbia, SC. *Funding Source: CP002311 – This is a Sub-contracting Outreach Program Project - Approved*

ORDINANCES – SECOND READING

12. [Ordinance No.: 2010-152](#) – Authorizing the City Manager to execute Agreements of Purchase and Sale between the City of Columbia and Columbia Venture, LLC for the purchase of approximately 312 acres (being portions of Richland County TMS #R11000-01-02 and R11000-01-06 and between the City of Columbia and Sunday School, LLC for the purchase of approximately 33 acres (Richland County TMS #R11000-01-04) and authorizing the City Manager to execute an access easement to Columbia Venture, LLC for access across a portion of the 312 acre parcel – *First reading approval was given on November 9, 2010. – Approved on second reading.*

ANNEXATION WITH MAP AMENDMENT – SECOND READING

13. [E/S Spears Creek Church Road, \(Verizon\)](#) TMS# 25700-05-01; annex and zone property PUD-C. The property is zoned PDD in Richland County.

[Ordinance No.: 2010-104](#) – Annexing 29.79 acres E/S Spears Creek Church Road, Richland County TMS #25700-05-01 – *First reading approval was given on July 21, 2010. – Approved on second reading.*

Councilor Plough reported that the taskforce, which was appointed by City Council met five (5) times to discuss a variety of issues and a written report has been submitted. Many of the items have been addressed through discussions with the developer and Verizon Wireless. The taskforce has asked City Council to consider changing the color of the zoning signs being used when the property is only being brought into the City under the City's zoning classification and the use of the property is not changing.

Mr. Steven A. Gantt, City Manager stated that the Director of Planning and Development Services has agreed to do so.

Upon a motion made by Ms. Plough and seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to the Map Amendment for E/S Spears Creek Church Road, (Verizon) TMS# 25700-05-01; annex and zone property PUD-C. The property is zoned PDD in Richland County **and** Ordinance No.: 2010-104 – Annexing 29.79 acres E/S Spears Creek Church Road, Richland County TMS #25700-05-01.

ORDINANCES – SECOND READING

14. [Ordinance No.: 2010-132](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99 Possession or consumption of alcoholic beverages on public property – *Consideration of this matter was referred to the Public Safety Committee.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted unanimously to refer this ordinance to the Public Safety Committee for a comprehensive review while giving full consideration to the Hospitality Taskforce recommendations. The Public Safety Committee is asked to provide recommendations to the full Council that specifically addresses the penalties for violating this ordinance.

RESOLUTIONS

15. [Resolution No.: R-2010-096](#) – Authorizing consumption of beer and wine at the River Rocks at the Columbia Canal Park – *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-096 – Authorizing consumption of beer and wine at the River Rocks at the Columbia Canal Park.

16. [Resolution No.: R-2010-097](#) – Authorizing the City Manager to execute an Agreement of Purchase and Sale between the City of Columbia and 1620 Main, LLC for purchase of 1620-4 Main Street, Richland County TMS #09014-04-17 and the adjacent alleyway - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2010-097 – Authorizing the City Manager to execute an Agreement of Purchase and Sale between the City of Columbia and 1620 Main, LLC for purchase of 1620-4 Main Street, Richland County TMS #09014-04-17 and the adjacent alleyway.

17. ****[Resolution No.: R-2010-098](#)** - Authorizing the filing of an action against Debra E. Roberts in the Richland County Court of Common Pleas seeking a mandatory injunction requiring compliance with City ordinances, to include but not be limited to the following: abatement of common nuisance, clean up of premises, abatement of unsanitary conditions per the International Property Maintenance and City Codes, and to authorize the City to immediately remove and destroy materials placed or to be placed on the premises located at 3103 Clark Street, Columbia, SC (Richland County TMS No. 09106-09-21) found to be in violation of the City's ordinances – [Photos of Property](#) - *Approved*

The following individuals spoke in favor of **Item 17**:

Ms. Michelle Affronte
Ms. Claire Taylor

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2010-098 - Authorizing the filing of an action against Debra E. Roberts in the Richland County Court of Common Pleas seeking a mandatory injunction requiring compliance with City ordinances, to include but not be limited to the following: abatement of common nuisance, clean up of premises, abatement of unsanitary conditions per the International Property Maintenance and City Codes, and to authorize the City to immediately remove and destroy materials placed or to be placed on the premises located at 3103 Clark Street, Columbia, SC (Richland County TMS No. 09106-09-21) found to be in violation of the City's ordinances. The City's Building Inspectors were directed to verify that there is running water and plumbing at the residence in order to determine what options are available to help Ms. Roberts.

CITY COUNCIL COMMITTEE REPORTS

18. Council is asked to provide committee reports and/or present motions to refer specific matters to a particular Council Committee at this time.

Councilor Plough reported that the Administrative Policy Committee conducted its first meeting today to discuss the City Manager's Contract. She explained that the current contract is perpetual; therefore, the consensus of the committee was to keep the current contract in place and the committee will reconsider the matter in July 2011. The committee has decided to obtain information from various city manager associations in terms of performance indicators that can be used. We also want to look at evaluation models. The committee is recommending that we conduct more research, bring that information back to the full Council and ask that you identify your top five (5) priority or benchmark items for the City Manager as we go forward. The committee will pull those together and bring back recommendations related to evaluation models and benchmarks.

There were no other committee reports.

Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted unanimously to refer the creation of the Midlands Housing Trust Fund to address the challenges of workforce housing and affordable housing to the Economic and Community Development Committee.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted unanimously to refer the consideration of the public arts initiative to the Arts and Historic Preservation Committee.

Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted unanimously to refer concerns about the consistency of taxi cab services to the Economic and Community Development Committee.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to go into Executive Session at 6:52 p.m. for the discussion of **Items 19.** through **21.**

19. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
20. Discussion of negotiations incident to the proposed sale of property – *Items were discussed in Executive Session. No action was taken.*
21. ****Receipt of legal advice, which relates to a pending, threatened or potential claim – *This item was discussed in Executive Session. No action was taken.***

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to adjourn the Executive Session at 7:08 p.m.

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 7:08 p.m.**

MAP AMENDMENT – FIRST READING

22. [1320 Buckner Road](#), TMS# 11704-03-07; request recommendation to rezone D-1 (Development District) to M-1 (Light Industrial). – *Approved on first reading.*

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

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to give first reading approval to the *Map Amendment* for 1320 Buckner Road, TMS# 11704-03-07; request recommendation to rezone D-1 (Development District) to M-1 (Light Industrial).

CASES WITH MAP AND TEXT AMENDMENTS – FIRST READING

23. [TEXT AMENDMENT- Amend §17-691\(c\) to add 1614 Main Street as a Group II Landmark](#)

[Ordinance No.: 2010-151](#) – 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 4, Landmarks, Sec. 17-691 Buildings and sites list, (c) to add 1614 Main Street, TMS #09014-04-16 – *Approved on first reading.*

MAP AMENDMENT- 1614 Main Street- TMS# 09014-04-16; rezone to add –DP (Design Preservation Overlay) to C-5 zoning. – *Approved on first reading.*

No one appeared in support of or in opposition to **Item 23.**

Upon a single motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2010-151 – 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 4, Landmarks, Sec. 17-691 Buildings and sites list, (c) to add 1614 Main Street, TMS #09014-04-16 **and** the *Map Amendment* for 1614 Main Street - TMS# 09014-04-16; rezone to add –DP (Design Preservation Overlay) to C-5 zoning.

ANNEXATION WITH MAP AMENDMENT – FIRST READING

No one appeared in support of or in opposition to **Items 24.** through **27.**

Upon a single motion made by Ms. Plaugh and seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to the *Annexation with Map Amendment* for **Items 24.** through **27.**

24. [W/S Club Ridge Road, 209, 213, 217, 219 Club Ridge Road](#), TMS# 28900-01-33, 28906-08-02, 28906-08-03, 28906-08-04, and 28906-08-05; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. – *Approved on first reading.*

[Ordinance No.: 2010-148](#) – Annexing W/S Club Ridge Road, 209 Club Ridge Road, 213 Club Ridge Road, 217 Club Ridge Road and 219 Club Ridge Road, Richland County TMS #28900-01-33, #28906-08-02, #28906-08-03, #28906-08-04 and 28906-08-05 – *Approved on first reading.*

25. [167 Island View Circle](#), TMS# 28908-02-10; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. – *Approved on first reading.*

[Ordinance No.: 2010-149](#) – Annexing 167 Island View Circle, Richland County TMS #28908-02-10 – *Approved on first reading.*

26. [1 Old Landing Court](#), TMS# 28901-03-06; annex and zone property PUD-R (Residential Planned Unit Development). The property is zoned PDD (Planned Development District) in Richland County. – *Approved on first reading.*

[Ordinance No.: 2010-150](#) – Annexing 1 Old Landing Court, Richland County TMS #28907-03-06 – *Approved on first reading.*

27. [405, 407 and 409 S. Assembly Street](#), TMS# 11204-04-01, 11204-04-02, 11204-04-03, and 11204-04-05; annex and zone property M-1 (Light Industrial). The property is zoned M-1 (Light Industrial) in Richland County. – *Approved on first reading.*

[Ordinance No.: 2010-147](#) – Annexing 405 South Assembly Street, 407 South Assembly Street and 409 South Assembly Street, Richland County TMS #11204-04-01, #11204-04-02, #11204-04-03 and 11204-04-05 – *Approved on first reading.*

TEXT AMENDMENT – FIRST READING

28. [§17-258 Table of Permitted Uses, SIC# 7381 Detective agencies and protective services.](#)

[Ordinance No.: 2010 -143](#) – 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.17-258 Table of permitted uses, SIC 738 Miscellaneous business services – *Approved on first reading.*

Upon a motion made by Ms. Plough and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2010 -143 – 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.17-258 Table of permitted uses, SIC 738 Miscellaneous business services.

- **Council adjourned the Zoning Public Hearing at 7:11 p.m.**

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to reconvene the Executive Session at 7:12 p.m. for the continued discussion of **Items 19., 20. and 21.**

- **Council adjourned the meeting at 7:50 p.m.**