



CITY OF COLUMBIA  
CITY COUNCIL MEETING &  
ZONING PUBLIC HEARING **ACTION REPORT**  
WEDNESDAY, JULY 15, 2009  
9:00 A.M.  
COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR  
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting at 9:01 a.m. and a Zoning Public Hearing at 10:02 a.m. on Wednesday, July 15, 2009 at City Hall, 1737 Main Street, Columbia, South Carolina.

**INVOCATION**

- Reverend Preston Winkler offered the Invocation.

**APPEARANCE OF PUBLIC RELATED TO AGENDA ITEMS**

- No one appeared at this time.

**PRESENTATIONS**

1. Introduction of the [July 2009 Employee of the Month \(Mr. Sherwood Toatley, 911 Communications\)](#) – Mr. Michael King, Assistant City Manager of Public Safety

**ACTION: This was a presentation. No action was taken.**

2. [July 2009 Monthly Business Spotlight Program Honoree \(Mr. Leon Finklin, Finklin Pharmacy\)](#) – Mr. Angelo McBride, Business Administrator for the Office of Business Opportunities

**ACTION: This was a presentation. No action was taken.**

3. Smoking Cessation Program – Ms. Ray Borders Gray, Wellness Campaign Coordinator and Mr. Phil Michels, PhD, Developer of the Smoking Cessation Program / Facilitator

**ACTION: This was a presentation. No action was taken.**

**CITY COUNCIL DISCUSSION / ACTION**

4. [Business License Appeal \(Angelica Corporation\)](#) – Ms. Brenda Kyzer, Business License Administrator

**ACTION: The members of Council heard an appeal of business license fees and penalties from Mr. Russell Coffee, Tax Manager for the Angelica Corporation. No action was taken.**

5. Closing of Finlay Park Parking Lot – Mr. S. Allison Baker, Assistant City Manager for Public Services and Mr. Michael King, Assistant City Manager for Public Safety

**ACTION: The Columbia City Council and members of the public spoke in support of and in opposition to the closing of the parking lot at Finlay Park. The discussion was deferred until later in the meeting. *Please refer to Item 1.***

## ZONING PUBLIC HEARING

- Council opened the Zoning Public Hearing at 10:02 a.m.

### ZONING CONFIRMATIONS –FIRST READING

6. [5432 Farrow Road](#), TMS# 11612-07-18; confirm C-3 (General Commercial) zoning for property annexed 02/18/2009.  
**ACTION: APPROVED ON FIRST READING.**
7. [2629 Percival Road](#), TMS# 19716-01-06; confirm C-3 (General Commercial) zoning for property annexed 02/18/2009.  
**ACTION: APPROVED ON FIRST READING.**
8. [1313 Rosewood Drive](#), TMS# 11208-01-02; confirm M-1 (Light Industrial) zoning for property annexed 01/07/2009.  
**ACTION: APPROVED ON FIRST READING.**
9. [11.24 acres, N/S Clemson Road](#), TMS# 25700-04-05; confirm M-1 (Light Industrial) zoning for property annexed 02/18/2009.  
**ACTION: APPROVED ON FIRST READING.**
10. [0.76 acres, SE/S Wildewood Centre Drive](#), TMS# 25608-10-11; confirm C-3 (General Commercial) zoning for property annexed 03/25/2009.  
**ACTION: APPROVED ON FIRST READING.**
11. [1019 and 1023 Darlington Street](#), TMS# 09106-03-10; confirm RG-2 (General Residential) zoning for property annexed 03/25/2009.  
**ACTION: APPROVED ON FIRST READING.**
12. [121 Shop Road Extension](#), TMS# 16200-04-18; establish City of Columbia M-1 (Light Industrial) zoning for property annexed 06/24/2009.  
**ACTION: APPROVED ON FIRST READING.**

### MAP AMENDMENTS – FIRST READING

13. [USC Athletics Village – Area generally bound by Heyward Street, S. Marion Street, Norfolk Southern R.R., and Rosewood Drive](#), TMS# 11305-01-01, -02; 11305-02-01; 11305-14-19; rezone from C-1 (Office and Institutional) to PUD-C (Commercial Planned Unit Development).  
**ACTION: APPROVED ON FIRST READING.**
14. [6810 N. Main Street](#), TMS# 11813-05-23; rezone City of Columbia Fire Station #12 from D-1 (Development District) to C-1 (Office and Institutional).  
**ACTION: APPROVED ON FIRST READING.**
15. [1215 and 1225 Confederate Avenue](#), TMS# 9113-01-03, -04; rezone to remove –CC (Community Character) overlay from C-3 (General Commercial) base district zoning.  
**ACTION: APPROVED ON FIRST READING.**
16. [1000 Catawba Street](#), TMS# 11301-02-01; rezone from M-2 (Heavy Industrial) PD (Planned Development) To PUD-C (Commercial Planned Unit).  
**ACTION: APPROVED ON FIRST READING.**

17. [Rosewood Community](#), TMS# Multiple - please refer to case summary; add –CC (Community Character) overlay to all identified residential parcels on the map.

**ACTION: APPROVED ON FIRST READING.**

#### TEXT AMENDMENTS – FIRST READING

18. [Amend §17-258](#) to permit Computer and Data Processing Services as a permitted use in M-2 (Heavy Industrial) zoning districts.

Ordinance No.: 2009-064 – 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 737 computer and data processing services

**ACTION: APPROVED ON FIRST READING.**

- **Council closed the Zoning Public Hearing at 10:32 a.m.**

#### STAFF REPORTS

19. Redevelopment District Plan – Mr. Tony Lawton, Director of Community Development and Mr. Norman Whitaker, Executive Director of Central Midlands Council of Governments

**ACTION: This item was deferred.**

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

20. Council is asked to approve [Project #SS7056 \(31\)](#); Purchase of Two (2) Crown Pumps for the Spring Valley Pump Station, as requested by Utilities and Engineering. Award to Pumps, Parts & Service Inc., as a Sole Source in the amount of \$11,083.06. This vendor is located in Charlotte, NC. *Funding Source: Sewer Improvement Fund 5529999-SS705631-851200*

**ACTION: APPROVED**

21. Council is asked to approve [Project #SS6790 \(3\)](#); North Columbia Lift Station By-Pass Pumping and Pump Repair and Replacement, as requested by Utilities and Engineering. Award to McClam and Associates in the amount of \$435,000. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Improvement Fund 5529999-SS679003-851200*

**ACTION: APPROVED**

22. Council is asked to approve [Fiscal Year 2009/2010 Testing by Independent Laboratories](#) for Environmental Monitoring Programs Required by the City's Code of Ordinances and State and Federal Regulations, as requested by Utilities and Engineering. Award to the following Testing Services in the amount of \$168,483.00. *Funding Source: Metro Wastewater Treatment Plant (5516208638300); Columbia Canal Water Treatment Plant (5516206638300); Lake Murray Water Treatment Plant (5516207638300); Operations (5516218638300 and 5516219638300)*

**ACTION: APPROVED**

23. Council is asked to approve an [Agreement for Design of Streetscape Improvements along Harden Street](#) from Read Street North to the Railroad Trestle North of Calhoun Street (Harden Street Phase II Project) and for Construction Administration Services for both the Harden Street Phase II Project and the Read Street Drainage Project Designed by Wilbur Smith Associates, as requested by Utilities and Engineering. Award to LPA Group in the amount of \$1,149,002.00. This vendor is located in Columbia, SC. *Fund Source: 2005 SAFETEA-LU Act Earmark and 2006 TCSP Grant Earmark (2529999-9801000104-432815)* **Note:** *This is a Mentor-Protégé Program Project. The following Subconsultants will be used on the Project:*

**ACTION: APPROVED**

24. \*\*Council is asked to approve [Project CM1007; Owens Field Skate Park](#), as requested by the Parks and Recreation Department. Award to AOS Specialty Contractors, Inc. as the lowest bidder in the amount of \$450,185.00. This firm is located in Columbia, SC. *Funding Source: GL4039999-659300 / JL PK004501-659300*

**ACTION: APPROVED**

### **ORDINANCES – SECOND READING**

25. [Ordinance No.: 2009-034](#) – Granting an encroachment to Richland County for installation and maintenance of a walkway within the right of way area of the 1700 block of Taylor Street and 1600 block of Henderson Street adjacent to The Township Auditorium at 1703 Taylor Street – [Map](#) - *(Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval)* – *First reading approval was given on July 8, 2009.*

**ACTION: APPROVED ON SECOND READING.**

26. [Ordinance No.: 2009-060](#) – Granting encroachment to the University of South Carolina Development Foundation for installation and maintenance of an irrigation system, seventeen trees and fifty-one concrete car stops within the right of way areas of the 700 blocks of Greene Street, Gadsden Street and Devine Street adjacent to Richland County TMS No. 08915-12-01 *(Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval)* – *First Reading approval was given on July 8, 2009.*

**ACTION: APPROVED ON SECOND READING.**

27. [Ordinance No.: 2009-063](#) – Annexing 5809 Indian Mound Road, Richland County TMS #13715-01-05 *(Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval)* – *This property site is located within a Donut Hole.* – *First reading approval was given on July 8, 2009.*

**ACTION: APPROVED ON SECOND READING.**

28. [Ordinance No.: 2009-077](#) – Authorizing the Interim City Manager to execute a Lease Agreement between the City of Columbia and Humane Society for the Prevention of Cruelty to Animals for lease of approximately 1.38 acres (59,970.92 square feet) of property on Humane Lane

**ACTION: APPROVED ON SECOND READING.**

## **ORDINANCES- FIRST READING**

29. [Ordinance No.: 2009-051](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 24, Vehicles for Hire Division 2, Driver's Permit, Sec. 24-81, Appeals

**ACTION: APPROVED ON FIRST READING.**

30. [Ordinance No.: 2009-081](#) – A Sixth Supplemental Ordinance Supplementing Fifth Supplemental Ordinance No. 2007-072 and Providing for the Issuance and Sale of City Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, Series 2009, in the principal amount of not exceeding \$105,000,000; delegating the authority to the Mayor and Interim City Manager to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; making certain amendments to general bond ordinance No.94-43; and other matters relating thereto.

**ACTION: APPROVED ON FIRST READING.**

## **RESOLUTIONS**

31. [Resolution No.: R-2009-019](#) – Authorizing participation in the South Carolina Local Government Investment Pool

**ACTION: APPROVED**

- A. [Resolution No.: R-2009-041](#) – Authorizing consumption of beer and wine at the River Jam in the Amphitheater Area of Riverfront Park

**ACTION: APPROVED**

- B. [Resolution No.: R-2009-044](#) – Authorizing consumption of beer and wine at Main Street Latin Festival

**ACTION: APPROVED**

- C. [Resolution No.: R-2009-052](#) – Authorizing the City Manager to transfer two front-end loaders to the Columbia Housing Authority

**ACTION: APPROVED**

- D. [Resolution No.: R-2009-054](#) – Authorizing the City Manager to execute a Lease between the City of Columbia and Stevens & Wilkinson of South Carolina for the First Floor of 1644 Main Street

**ACTION: This item was deferred.**

- E. **\*\***[Resolution No.: R-2009-056](#) – Adopting City of Columbia Use of Force Policy

**ACTION: This item was deferred.**

## **APPOINTMENTS**

- F. [Animal Services Advisory Committee](#)  
Council is asked to approve the appointment of Mr. Jim Sonefeld and Ms. Mary Denis Cauthen to the Animal Services Advisory Committee.

**ACTION: APPROVED**

- G. [Climate Protection Action Committee](#)  
Council is asked to approve the appointment of Ms. Ryan Nevius to the Climate Protection Action Committee.

**ACTION: This item was deferred.**

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

H. Main Street Latin Festival – Mr. Genaro Padilla

**ACTION:** Council voted unanimously to authorize the City Manager to consider a request from Mr. Genaro Padilla to extend the hours for the Latin Festival from 10 p.m. to 12:00 a.m. *Please refer to Item B.*

Mr. Temple Ligon

**CITY COUNCIL DISCUSSION / ACTION**

I. Closing of Finlay Park Parking Lot – Mr. S. Allison Baker, Assistant City Manager for Public Services and Mr. Michael King, Assistant City Manager for Public Safety

**ACTION:** Council voted four (4) to one (1) to authorize the closing of the upper parking lot at Finlay Park from 6:00 p.m. until 6:00 a.m. The parking lot is to remain open while security is patrolling the area during the Summer Concert Series. A Public Hearing for input on the closing of the parking lot is scheduled for August 5, 2009 at 9:00 a.m.

**ORDINANCES- FIRST READING**

J. [Ordinance No.: 2009-078](#) – Amending Ordinance 2007-048 to Adopt the Budget for the City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2008

**ACTION:** APPROVED ON FIRST READING. Second reading consideration will be given on Wednesday, July 22, 2009.

**STAFF REPORTS**

K. [Performance Assessment](#) – Mr. S. Allison Baker, Assistant City Manager for Public Services

**ACTION:** Council voted unanimously to schedule presentations from the four (4) respondents rating the highest on Wednesday, August 12, 2009 during the Work Session / Budget Committee Meeting.

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

Mr. Henry Hopkins

Mr. Bill Manley

Mr. Michael Simmons

**EXECUTIVE SESSION**

▪ Council voted unanimously to go into Executive Session at 11:55 a.m. for the discussion of Items L. and M. as amended.

L. Discussion of negotiations incident to proposed contractual arrangements

▪ Lobbyist

**ACTION:** This item was discussed in Executive Session. No action was taken.

M. Receipt of legal advice which relates to a matter covered by attorney-client privilege

▪ Conflict Waiver

**ACTION:** This item was discussed in Executive Session. No action was taken.

- **Mr. Finlay returned to the meeting at 1:53 p.m.**
- **Council adjourned the Executive Session at 2:14 p.m. to convene the Audit Committee Meeting.**
- **Ms. Devine left the meeting at 2:14 p.m.**

#### **AUDIT COMMITTEE**

N. **\*\*Fiscal Year 2007/2008 Audit – The Honorable Kirkman Finlay III**

**ACTION: The members of Council discussed the completion of the fiscal year 2007/2008 audit. There was a consensus of Council to direct staff to immediately notify them of any issues that may delay the completion of the audit by July 27, 2009.**

- **Council adjourned the meeting at 2:30 p.m.**