



CITY OF COLUMBIA
CITY COUNCIL MEETING &
ZONING PUBLIC HEARING **ACTION REPORT**
WEDNESDAY, SEPTEMBER 16, 2009
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting and a Zoning Public Hearing on Wednesday, September 16, 2009 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:17 a.m. and the following members of Council were present: The Honorable E. W. Cromartie, II, The Honorable Tameika Isaac Devine, The Honorable Sam Davis, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Belinda F. Gergel arrived at 9:20 a.m. Also present were Mr. Steve Gantt, Interim City Manager and Ms. Erika D. Salley, City Clerk.

INVOCATION

Chaplain Michael Bingham offered the Invocation.

APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

1. Minutes of [February 25, 2009](#)
ACTION: APPROVED as presented.

PRESENTATIONS

2. Business Improvement District Update – Mr. Matt Kennell, Executive Director of the City Center Partnership
ACTION: This was a presentation. No action was taken.
3. [Novel H1N1 Precautionary Procedures for Employees](#) – Mr. Harold Reaves, Director of Homeland Security
ACTION: This was a presentation. No action was taken.
4. Request to Purchase Property – Mr. Robert Lewis, Esquire
ACTION: Council voted unanimously to authorize the City Manager to execute a contract of sale between the City of Columbia and Vista Bank for 50' of right-of-way at the corner of Senate Street and Huger Street in the amount of \$100,000. Once the Vista Bank is constructed the City of Columbia will have access to seven (7) public parking spaces.
5. Safety & Security Committee Update – Mr. Henry Hopkins, Chairman of the Safety & Security Advisory Committee
ACTION: This matter was deferred.

PUBLIC HEARING

- **Council opened the Public Hearing at 10:24 a.m.**

No one appeared in support of or in opposition to **Item 6.**

- **Council closed the Public Hearing at 10:24 a.m.**

6. [Ordinance No.: 2009-103](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 15, Parks and Recreation, Sec. 15-5 User fees (h) Athletics (3) Tennis and to add (j) Drew Wellness Center

ACTION: APPROVED on first reading.

- **Council opened the Public Hearing at 10:25 a.m.**

No one appeared in support of or in opposition to **Item 7.**

- **Council closed the Public Hearing at 10:27 a.m.**

- 6a. **Fiscal Year 2008/2009 Community Development Annual Performance and Evaluation Report ([CAPER](#)) – Mr. Tony Lawton, Director of Community Development and Ms. Dollie Bristow,

ACTION: Council voted unanimously to endorse the fiscal year 2008/2009 Community Development Annual Performance and Evaluation Report.

ZONING PUBLIC HEARING

- **Council opened the Zoning Public Hearing at 10:28 a.m.**

DP (DESIGN PRESERVATION) DESIGNATION MAP AND TEXT AMENDMENT – FIRST READING

7. **MAP AMENDMENT: [2150 Harden Street \(Department of Mental Health Bull Street Campus\) Map](#), TMS# 11501-01-01(portion); rezone portion to add DP (Design Preservation) to add the following area as an architectural conservation district: from the northeast corner of the intersection of Bull and Calhoun Street north to Williams Drive; east on Williams, north on Chapel Drive east along Williams Circle past and including the Ensor Building and south down Thompson Street to the Babcock Building and curving east along the perimeter road to include the Mattress Factory building and then immediately south to Mills Drive; west along Mills Drive and then south on Barnwell Street to Calhoun Street returning to the starting point intersection.**

ACTION: Council voted unanimously to continue discussions with all interested parties for 45-days; to continue to endorse the Duany Plan in principle; and to reconvene the Public Hearing on October 28, 2009 at 9:00 a.m.

8. **TEXT AMENDMENT: Amend §17-681 (b)** to add Bull Street Mental Health Campus as an Architectural Conservation District.

Ordinance No.: 2009-100 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article 5, Historic Preservation and Architectural Review, Division 3, Landmarks and Design Protection Districts, Sec. 17-681 Districts identified (b) Architectural conservation district to add (7) 2150 Harden Street, Richland County TMS #11501-01-01 (portion)

ACTION: Council voted unanimously to continue discussions with all interested parties for 45-days; to continue to endorse the Duany Plan in principle; and to reconvene the Public Hearing on October 28, 2009 at 9:00 a.m.

ZONING CONFIRMATIONS – FIRST READING

9. 5212 Farrow Road a/k/a 5206 Busby Street, 1738 Busby Street, 1736 Busby Street, 1734 Busby Street, 1730 Busby Street, 1722 Busby Street, 1722A Busby Street, 1714 Busby Street, 1706 Busby Street, 1705 Busby Street, 1709 Busby Street, 1713 Busby Street, 1721 Busby Street, 1725 Busby Street, 1731 Busby Street, 1733 Busby Street, 1735 Busby Street, and 1745 Busby Street; Richland County TMS# 11607-08-06, 11611-06-13, 11611-06-12, 11611-06-11, 11611-06-10, 11611-06-08, 11611-06-06, 11611-06-05, 11611-06-03, 11611-06-02, 11611-06-01, 11607-08-13, 11607-08-14, 11607-08-12, 11607-08-11, and 11607-08-10; confirm RG-2 zoning for property annexed 03/25/2009.

ACTION: APPROVED on first reading.

10. 7756 Garners Ferry Road and 745 Hazelwood Road, Richland County TMS# 19102-02-05 and 19102-02-04; confirm C-3 zoning for property annexed 05/20/2009.

ACTION: APPROVED on first reading.

11. 101 Pontiac Business Center Drive, Richland County TMS# 25715-02-04; confirm M-1 zoning for property annexed 06/17/2009.

ACTION: APPROVED on first reading.

12. 5809 Indian Mound Road, Richland County TMS# 13715-01-05; confirm RS-1 zoning for property annexed 02/18/2009.

ACTION: APPROVED on first reading.

TEXT AMENDMENTS – FIRST READING

13. Amend §17-258 to modify district permissions related to electrical substations and utility services.

Ordinance No.: 2009-099 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Division 8, Sec. 17-258 Table of permitted uses, SIC 49 Electrical, gas and sanitary services

ACTION: APPROVED on first reading.

14. [Amend §17-406 Permitted Signs](#) to add provisions for the replacement of sign display area in existing sign structures in design review districts.

[Ordinance No.: 2009-098](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Division 12, Signs, Sec. 17-406 Permitted signs

ACTION: First reading consideration of this item was deferred to October 7, 2009.

15. [Amend §17-401 and §17-404](#) to clarify provisions concerning off-premise signs.

[Ordinance No.: 2009-097](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 12, Sec. 17-401 Definitions and Sec. 17-404 Prohibited signs

ACTION: APPROVED on first reading.

16. [Amend §17-206](#) to modify the process for the designation of zoning district classification for annexed land.

[Ordinance No.: 2009-096](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Division 7, General Regulations, Sec 17-206 Designation of district classification for annexed land

ACTION: APPROVED on first reading.

- Council adjourned the Zoning Public Hearing at 1:47 p.m.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

17. Council is asked to approve [Project #SS7099 \(5\)](#); Miscellaneous Repairs to Four (4) Cog Rake Screens and Four (4) Grit Collection Basins at the Metro Wastewater Treatment Plant, as requested by the Utilities and Engineering Department. Award to Premier Water, LLC in the amount of \$15,229.00. This vendor is located in Charlotte, NC. [Funding Source: Sewer Improvement Fund 5529999-SS709905-851200](#)

ACTION: APPROVED

18. Council is asked to approve a [Professional Services Contract for Lobbying Services](#), as requested by the Office of Governmental Affairs. Award to McLeod Butler Communications, LLC in the monthly amount of \$1,491.00 for a total annual amount of \$17,892.00. This firm is located in Columbia, SC. [Funding Source: 1011103-638300](#)

ACTION: Council voted five (5) to (2) to deny approval of Item 18. Mr. Cromartie and Mayor Coble voted no.

19. Council is asked to approve a [Professional Services Contract for Lobbying Services](#), as requested by the Office of Governmental Affairs. Award to The Grant Group, Inc. in the monthly amount of \$1,491.00 for a total annual amount of \$17,892.00. This firm is located in Columbia, SC. [Funding Source: 1011103-638300](#)

ACTION: Council voted five (5) to (2) to deny approval of Item 19. Mr. Cromartie and Mayor Coble voted no.

20. Council is asked to approve a [Professional Services Contract for Lobbying Services](#), as requested by the Office of Governmental Affairs. Award to the State Capitol Group, LLC in the monthly amount of \$2,982.00 for a total annual amount of \$35,784.00. This firm is located in Columbia, SC. *Funding Source: 1011103-638300*

ACTION: Council voted five (5) to (2) to deny approval of Item 20. Mr. Cromartie and Mayor Coble voted no.

21. Council is asked to approve [Project #WM4196](#); Professional Services in Connection with the City of Columbia MBE Program, as requested by the Utilities and Engineering Department. Award to Tydings & Rosenberg, LLP in the amount of \$20,061.67. This vendor is located in Baltimore, MD. *Funding Source: Water Improvement Fund 5529999-WM419601-636600*

ACTION: APPROVED

22. Council is asked to approve the [Final Course of Road Paving on the Martha's Glen Road Project](#), as requested by the Utilities and Engineering Department. Award to Rea Contracting, the lowest bidder in the amount of \$43,412.00. This vendor is located in West, Columbia SC. *Funding Source: 4039999-CP104901-658670*

ACTION: APPROVED

23. Council is asked to approve [Project #WM4165](#); Agreement for Engineering & Construction Phase Services for the Winterwood Pump Station, as requested by the Utilities and Engineering Department. Award to Black & Veatch in the amount of \$195,000.00. This vendor is located in Greenville, SC. *Funding Source: Water Improvements Fund 5529999-WM4165-636600*

ACTION: APPROVED

24. Council is asked to approve [Project #SS7081](#); Increase in the Project Amount for the Broad River Lift Station Repairs, as requested by the Utilities and Engineering Department. Award to McClam & Associates in the amount of \$250,000.00. This vendor is located in Little Mountain, SC. *Funding Source: Sewer Improvement Fund 5529999-SS708101-851200*

ACTION: APPROVED

25. Council is asked to approve [Project #WM3823](#); Agreement for Services Relating to the Canal Waterworks High Service Pump Station Discharge and Transmission Piping Upgrade, as requested by the Utilities and Engineering Department. Award to B. P. Barber & Associates, Inc., in the amount of \$666,700.00. This vendor is located in Columbia SC. *Funding Source: Water Improvements Fund 5529999-WM3823-636600 – Note: There is an Engineering Service Fee of \$473,700.00 and a Construction Management / Observation Services Fee of \$193,000.00.*

ACTION: APPROVED

ORDINANCES – SECOND READING

26. [NE Corner of Main and Lady Streets](#)

[Ordinance No.: 2009-094](#) – 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 September 2, 2009*

ACTION: APPROVED on second reading.

27. [Ordinance No.: 2009-084](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 11, Licenses, Permits and Miscellaneous Business Regulations, Article VII, Peddlers and Solicitors, Division 3, Sidewalk Vending, Sec. 11-254, Franchise and license required; franchise fee; transfer of franchise (b) – *First reading approval was given on September 2, 2009*

ACTION: APPROVED on second reading.

28. [Ordinance No.: 2009-085](#) – Granting an encroachment to Frank Paul Investments, LLC for installation and maintenance of landscaping and an irrigation system within the right of way area of the 1800 block of Barnwell Street and 1700 block of Richland Street adjacent to its property at 1825 Barnwell Street – (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *First reading approval was given on September 2, 2009*

ACTION: APPROVED on second reading.

29. [Ordinance No.: 2009-090](#) – Annexing 4011 West Beltline Boulevard Richland County TMS #11610-05-26 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *First reading approval was given on September 2, 2009*

ACTION: APPROVED on second reading.

30. [Ordinance No.: 2009-091](#) – Annexing N/S 5521 Fairfield Road Richland County TMS # 11703-01-16 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *First reading approval was given on September 2, 2009*

ACTION: APPROVED on second reading.

31. [Ordinance No.: 2009-092](#) – Annexing E/S Cushman Road Richland County TMS #14104-04-25 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *First reading approval was given on September 2, 2009*

ACTION: APPROVED on second reading.

- A. [Ordinance No. : 2009-107](#) - Amending Ordinance No. 2009-030 to adjust millage rate
First reading approval was given on September 9, 2009

ACTION: APPROVED on second reading.

ORDINANCES- FIRST READING

- B. [Ordinance No.: 2009-089](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina Chapter 15, Parks and Recreation, Sec. 15-4, Hours of operation

ACTION: APPROVED on first reading.

- C. [Ordinance No.: 2009-104](#) – Granting an encroachment to City Center Partnership for placement and maintenance of one (1) cigarette butt receptacle in front of the Barringer Building on the eastern side of the 1300 block of Main Street; 1626 Main Street at the bump out; 1604 Main Street; 1901 Main Street on the sidewalk; 2041 Marion Street behind the news racks; 1467 Sumter Street besides the news rack; 1401-A Sumter Street next to the trash receptacles and 1515 Main Street in front of the Columbia Museum of Art (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends Approval*)

ACTION: APPROVED on first reading.

- D. [Ordinance No.: 2009-105](#) – Granting an encroachment to Samer G. Touma for Installation and maintenance of a driveway, landscaping and an irrigation system within the right of way area of the 300 block of Queen Street adjacent to 2501 Duncan Street, Richland County TMS #11311-10-17 (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends Approval*)

ACTION: APPROVED on first reading.

RESOLUTIONS

- E. [Resolution No.: R-2009-067](#) – Authorizing consumption of beer and wine at the Columbia City Ballet's Dancing Under the Stars Gala and Fundraiser

ACTION: APPROVED

- F. [Resolution No.: R-2009-070](#) - Authorizing the Interim City Manager to execute Construction Agreements between the City of Columbia and Prominent Homes, Inc. for rehabilitation of 1501 Manning Avenue, Richland County TMS #11411-06-09; 1525 Manning Avenue, Richland County TMS #11411-06-02 and 1527 Manning Avenue, Richland County TMS #11412-06-06

ACTION: APPROVED

- G. [Resolution No.: R-2009-071](#) – Providing for Notice of a Public Hearing regarding the Columbia Renaissance Redevelopment Plan; Providing for Notice to All Taxing Districts included in the Redevelopment District; and other matters relating thereto

ACTION: Consideration of this item was deferred to September 23, 2009.

- H. [Resolution No.: R-2009-072](#) – Authorizing consumption of beer and wine within Boyd Plaza adjacent to the Columbia Museum of Art for Sita Sings the Blues Film Screening

ACTION: APPROVED

CITY COUNCIL DISCUSSION / ACTION

- I. [GovQA Citizens Response System](#) – Mr. Michael A. King, Assistant City Manager for Public Safety

ACTION: Council voted unanimously to authorize the City Manager to proceed with contract negotiations.

- J. [Nixel Community Notification / Information System](#) – Mr. Michael A. King, Assistant City Manager for Public Safety

ACTION: Council voted unanimously to authorize the use of the Nixel Community Notification System.

- K. Selection of a Firm to Conduct an Efficiency Study

- The Mercer Group
- Equa Terra, Inc.
- MGT of America, Inc.
- Berkshire Advisors

ACTION: There was a consensus of Council to authorize Councilwoman Devine and Assistant City Manager Baker to negotiate the amount for an efficiency study and to explore alternative funding recommendations.

L. [Ordinance No.: 2009-106](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 4, Animals, Article II, Livestock

ACTION: There was a consensus of Council to schedule and advertise a Public Hearing.

M. [Restructuring of the Central Midlands Regional Transit Authority Board](#)

With the restructuring of the CMRTA Board, the City of Columbia's number of Board appointments will be reduced from the current five (5) member slots to only three (3) before September 30, 2009.

ACTION: Council voted unanimously to retain Mr. Tommy Windsor, Councilman E.W. Cromartie, II and Mayor Robert D. Coble as members of the Central Midlands Regional Transit Authority Board.

N. [Columbia Museum of Art](#)

ACTION: Council voted unanimously to approve the reappointment of Mr. C. Carroll Heyward for a second and final term; the reappointment of Ms. Suzan D. Boyd for a first term after completing the unexpired term of Mr. Peter Bristow; and the appointment of Ms. Katherine Davis for a first term to the Columbia Museum of Art Commission.

O. Council is asked to approve an [Application for Certificate of Convenience and Necessity](#), as requested by the Business License Division. Award to Glenn Temples doing business as Lexington County Taxi located at 144 Gravedigger Road, Lexington, SC.

ACTION: APPROVED

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

EXECUTIVE SESSION

▪ **Council voted unanimously to go into Executive Session at 3:45 p.m. for the discussion of Items P. and Q.**

P. Receipt of legal advice which relates to matter covered by the attorney-client privilege

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

Q. Discussion of negotiations incident to proposed contractual arrangements

▪ Jackie Breland & Associates, P.A.

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

▪ **Council adjourned the meeting at 3:55 p.m.**