



The Columbia City Council conducted a Regular Meeting at 9:03 a.m. on Wednesday, October 7, 2009 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina.

**INVOCATION** – *Chaplain Darrell Croft, Columbia Fire Department*

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

No one appeared at this time.

**PRESENTATIONS**

1. [Domestic Violence Awareness Month](#) – The Honorable Tameika Isaac Devine  
**ACTION:** Councilor Devine presented a Proclamation to Mayor Coble declaring October 2009 as Domestic Violence Awareness Month in the City of Columbia. The 3<sup>rd</sup> Annual Mayor's Walk Against Domestic Violence is scheduled for Saturday, October 10, 2009 at 9:00 a.m. at Finlay Park.
  2. Medal of Valor Award ([MPO Jason Whittle](#)) – Mr. Tandy Carter, Chief of Columbia Police Department  
**ACTION:** Council presented a Proclamation to Mr. Michael Samuel and a Medal of Valor to Master Police Officer Jason Whittle for their heroism in saving the life of Ms. Marylin Luther on June 29, 2009.
  3. [Recognition of the Richland County Bar Association](#) – Judge Steedley Bogan, Municipal Court and Ms. Beth Bernstein, President of the Richland County Bar Association  
**ACTION:** Council recognized the Richland County Bar Association for purchasing a fax machine for the City of Columbia Municipal Court.
- Mayor Coble left the meeting at 9:25 a.m. and Mayor Pro-Tempore Kirkman Finlay III is now presiding.
4. Columbia Metropolitan Conventions and Visitors Bureau – Mr. Ric Luber, President & CEO / Columbia Metropolitan Conventions and Visitors Bureau  
**ACTION:** Ms. Kelly Barbery, Vice President of Sales and Marketing for the Midlands Authority for Conventions, Sports and Tourism presented a 30-second television commercial on attractions in Columbia, SC, which aired in the Charlotte and Asheville markets.

Mr. Ric Luber, President & CEO for the Columbia Metropolitan Conventions and Visitors Bureau announced that the Convention Center is approaching its 5<sup>th</sup> year of operations and the Board is considering a feasibility study to determine where they are and what they need to do to ensure that the building is meeting the needs of the community as well as bringing in the business needed in the community.

5. [Public Safety Appreciation Day](#) – Reverend Doctor Edward Moultrie, Sr., Pastor of Sidney Park Christian Methodist Episcopal Church  
**ACTION:** **Mr. Kenneth Brown, Chairman of the Ministry to Men for the Sidney Park Christian Methodist Episcopal Church invited the members of Council to join them for a Public Safety Appreciation Day on October 18, 2009 at 10:30 a.m.**
6. Green is Good for Business Conference Report – Ms. Mary Pat Baldauf, Sustainability Facilitator  
**ACTION:** **Ms. Mary Pat Baldauf, Sustainability Facilitator reported that the 2009 Green is Good for Business Conference was a great success with 325 attendees, 40% increase in sponsorships including five (5) new sponsors, forty-eight (48) green expo vendors, a new partnership with DHEC and great food.**
- **Mayor Coble returned to the meeting at 9:40 a.m. and is now presiding.**
7. The Big Read Program – Dr. Charlene Spearen, Program Director for the Arts Institute  
**ACTION:** **Dr. Charlene Spearen, Program Director for the Arts Institute announced that October is National Big Read Month and the University of South Carolina Arts Institute is celebrating Edgar Allan Poe with nearly 30 events to include readings, screenings of classic horror films, lectures by scholars and performances by the Columbia Marionette Theatre and the Actor's Theatre of South Carolina.**
8. Huger Street Project – Mr. Bob Apple, SCANA Remediation Project Manager  
**ACTION:** **Mr. Bob Apple, SCANA Remediation Project Manager briefed the Council on the former Huger Street Manufactured Gas Plant environmental assessment and remediation project during this upcoming winter and lasting 6-months.**
9. [Joint Land Use Study \(JLUS\)](#) – Ms. Liz Drake, Associate Principal of EDAW AECOM  
**ACTION:** **This item was deferred.**
10. \*\*Columbia Classical Ballet Update – Ms. Lee Lumpkin, Chair of the Columbia Classical Ballet  
**ACTION:** **Ms. Lee Lumpkin, Chair of the Columbia Classical Ballet announced the opening of this season with the Hunchback of Notre Dame on October 16, 2009.**

## **SIDEWALK VENDING PUBLIC HEARING**

### **RESOLUTIONS**

11. [Resolution No.: R-2009-066](#) – Amending Sidewalk Vending Locations and Authorized Merchandise  
**ACTION:** **Council voted unanimously to defer consideration of this item as requested by the applicant.**

ORDINANCES – FIRST READING

12. Mid-Block Pad near 1426 Main Street

Ordinance No.: 2009-101 – Granting a Franchise to Dale Nunn d/b/a Dale's Hot Dogs and Gyros for operation of a stationary sidewalk vending cart in the mid-block pad near 1426 Main Street

**ACTION:** Council voted unanimously to defer consideration of this item as requested by the applicant.

CITY COUNCIL DISCUSSION / ACTION

13. **\*\*Bull Street Historic Overlay – The Honorable Robert D. Coble**

**ACTION:** Council voted unanimously to withdraw the proposed City Architectural Conservation District for the State Hospital site (hereafter referred to as the “Overlay”) and move that we accept an agreement between the City of Columbia and the South Carolina Department of Mental Health set forth in the letter of September 16, 2009 from Allison Y. Evans, Chair of the South Carolina Mental Health Commission to Mayor Coble, which includes the following:

1. None of the structures identified in the proposed City overlay will be demolished by the South Carolina Department of Mental Health pending the sale of the State Hospital property that includes in whole or in part land or structures which fall within the proposed Overlay;
2. Any contract of sale of any portion of the State Hospital site that includes the proposed Overlay will include a binding provision that the purchase of the property cannot be completed until the Seller has reached a mutually satisfactory development agreement with the City that addresses the preservation of the structures which lay within the parameters of the proposed Overlay; and
3. The Department of Mental Health further pledges that the City will be provided a minimum of 90-days written notice prior to the conveyance of any property to a purchaser which includes in whole or in part any land which falls within the proposed City Overlay.

Council voted unanimously to direct the City Manager to establish a process to formulate City priorities for the development agreement. We have two important documents to guide the City's portion of the agreement; the Duany Plan and the historic overlay application endorsed by the Planning Commission and the Design Development Review Commission (DDRC). Once this process has been approved by Council, City staff will develop a document for Council approval that outlines the important provisions for the City in any proposed development agreement. I would urge that we establish an advisory committee to work with our staff in this process.

14. Selection of Equa Terra, Inc to Conduct an Operational Audit – The Honorable Tameika Isaac Devine

**ACTION:** Council voted unanimously to direct the Interim City Manager and Assistant City Managers to identify a specific source(s) of funding for the audit and the City Attorney to bring forth a contract with Equa Terra, Inc. in an amount not to exceed \$150,000.

## STAFF REPORTS

15. [Commercial Fire Inspection Plan Report](#) – Mr. Michael King, Assistant City Manager for Public Safety  
**ACTION: Mr. Michael King, Assistant City Manager for Public Safety presented four (4) goals for increasing fire inspection productivity.**

## RESOLUTIONS

16. [Resolution No.:2009-081](#) - A Resolution establishing the Mayor's Campaign against Breast Cancer Isabel Law Breakfast as an annual City of Columbia event and designating the first Friday of October as the date the event is to be held.  
**ACTION: APPROVED**

## STAFF REPORTS

17. [Procedures for Historic Designation Process](#) – Ms. Amy Moore, Historic Preservation Planner  
**ACTION: There was a consensus of Council to direct staff to draft procedures for the Historic Designation process that includes a vote that can be communicated to Council and the parameters for voting.**
18. [Neighborhood Street Lighting Requests](#) – Mr. Robert Anderson, Deputy Director of Public Works – **Note:** *Funding for the request has not been identified*

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Increased Amount
Wheeler Hill	18	5	\$2,140.56	\$2,304.60
Cottage Lake Way	7	0	\$0.00	\$175.00
Kingswood Drive	0	1	\$118.92	\$118.92

- ACTION: APPROVED**

## MAP AMENDMENTS – FIRST READING

19. [Percival Road NE of Antler Way](#), TMS# 22713-01-01; rezone 1.3-acre portion from C-3-A (General Commercial) to RG-2 (General Residential) and rezone 1.16-acre portion from RG-1 (General Residential) to RG-2 (General Residential); TMS# 22713-01-20, -21: rezone from RG-1 (General Residential) to RG-2 (General Residential). – *This item was deferred on May 20, 2009*  
**ACTION: APPROVED on first reading subject to the applicant and engineer meeting with staff to consider alternatives for the detention pond prior to second reading consideration on November 4, 2009.**

## CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

20. Council is asked for authorization to enter into [Contract Negotiations](#) with Watson Tate Savory to house the Water Distribution and Wastewater Maintenance Division Offices and Associated Supplies, as requested by Utilities and Engineering. This firm is located in Columbia, SC. *Funding Source: Water and Sewer Fund Project WM4191*  
**ACTION: APPROVED**

21. Council is asked to approve [Project #WM4185](#); 8" Water Main along Blue Bird Lane, as requested by Utilities and Engineering. Award to Mainline Supply Company, the lowest bidder in the amount of \$11,516.09. This vendor is located in Columbia, SC. *Funding Source: Water Improvement Fund 5529999-WM418501-658670*

**ACTION: APPROVED**

22. Council is asked to approve the [Purchase of Repair Parts for two \(2\) Hydra-Stop Units](#), as requested by Water Distribution. Award to Hydra-Stop, as a Sole Source in the amount of \$12,706.98. This vendor is located in Alsip, IL. *Funding Source: GL 5516203-625700*

**ACTION: APPROVED**

23. Council is asked to approve the [Purchase of Sig Sauer Hand Guns and Extra Magazines](#), as requested by the Police Department. Award to Lawmen's Safety Supply, Inc., the lowest bidder in the amount of \$13,653.20. This vendor is located in Columbia, SC. *Funding Source: Police Department – Administrative Services 1012402-627100*

**ACTION: APPROVED**

24. Council is asked to approve a [Professional Services Contract for a GASB 45 Evaluation](#), as requested by the Finance Department. Award to Aon Consulting in the amount of \$19,000.00. This vendor is located in Winston-Salem, NC. *Funding Source: 6048701-636600*

**ACTION: APPROVED**

25. Council is asked to approve [Project #WM4168](#); 8" Water Main on Spring Bank and Jeanette Drive, as requested by Utilities and Engineering. Award to New Independent Waterworks, the lowest bidder in the amount of \$22,906.13. This vendor is located in Lexington, SC. *Funding Source: Water Improvement Fund 5529999-WM416801-658670*

**ACTION: APPROVED**

26. Council is asked to approve the [Purchase of Recycling Bids](#), as requested by Public Works. Award to ATO LTD, the lowest bidder in the amount of \$23,447.55. This vendor is located in West Columbia, SC. *Funding Source: Colonial Center Grant 2529999-627600 9410000101-627600 – The bids responses for the Recycling Bins are as follow:*

Item #	Product Code	Product Description	Quantity	Unit Price	Extended
1	1005601	Recycled Bins, for Plastic	52.00	121.60	6,765.82
2	1005602	Recycled Bins, for Aluminum	52.00	121.60	6,765.82
3	1005603	Recycled Bins, for Brown Glass	49.00	121.60	6,375.49
4	1005604	Recycled Bins, for Paper	4.00	121.60	520.45
5	1005605	Recycled Bins, for Commercial Zone	15.00	188.16	3,019.97
			<b>Total</b>		<b>\$23,447.55</b>

**ACTION: APPROVED**

27. Council is asked to approve [Project #SS7099\(7\)](#); Purchase of one (1) Evaporator for the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Chlorinator Sales & Services, Inc., as a Sole Source in the amount of \$25,676.79. This vendor is located in Matthews, NC. *Funding Source: Sewer Improvement Fund 5529999-SS709907-851200*

**ACTION: APPROVED**

28. Council is asked to approve the [Purchase of Rotork Actuators](#) for the Lake Murray Water Plant. Award to Heyward Services, Inc., as a Sole Source in the amount of \$31,217.50. This vendor is located in Charlotte, N.C. *Funding Source: GL 5529999-851100 JL WM 419401-851100*

**ACTION: APPROVED**

29. Council is asked to approve the [Purchase of HeartStart FRx Defibrillator and Accessories](#), as requested by Homeland Security. Award to Southeastern Emergency Equipment in the amount of \$37,648.17. This vendor is located in Wake Forest, NC. *Funding Source: MMRS Grant 2549999-627100 9301000207-627100*

**ACTION: APPROVED**

30. Council is asked to approve [Project #SS7106](#); Reimbursement of Two-Thirds Cost for a Portable Generator Required for Upgrades at the Existing Andrews Yard Pump Station, as requested by Utilities and Engineering. Award to The Dovetail Companies in the amount of \$42,755.55. This vendor is located in Athens, GA. *Funding Source: Sewer Improvement Fund SS710601851600 – Note: On September 2, 2009, Council approved this item for the incorrect amount.*

**ACTION: APPROVED**

31. Council is asked to approve the [Purchase of Bearings and Stainless Steel Squeegees to repair Circular Sludge Collector for Basins one \(1\) through four \(4\)](#), as requested by the Lake Murray Water Plant. Award to Siemens Water Technologies, as a Sole Source in the amount of \$44,028.00. This vendor is located in Waukesha, WI. *Funding Source: GL 5529999-851100 JLWM419401-851100*

**ACTION: APPROVED**

- A. Council is asked to approve the [Purchase of DuoDote Auto Injectors](#), as requested by Homeland Security/EOC. Award to Meridian Medical Technologies, Inc., the lowest bidder in the amount of \$69,260.57. This vendor is located in Columbia, MD. *Funding Source: MMRS Dept Homeland Security 2007 Grant 2549999-624900 JL9601000207-624900*

**ACTION: APPROVED**

- B. Council is asked to approve [Project # WM3873 and WM3964](#); Change Order #3 Agreement for Design and Construction of Two (2) Million Gallon Water Storage Tanks, as requested by Utilities and Engineering. Award to Monarch Technical Services, located in Durham, NC in the amount of \$5,110.00 and Quinn Consulting Services, located in Chantilly, VA in the amount of \$68,785.00 for a total amount of \$73,895.00. *Funding Source: Water and Sewer Fund WM3873; 5529999-WM387301-636600 – Note: This change order will fund the actual painting period of the proposed tank which required more time to complete project.*

**ACTION: APPROVED**

- C. Council is asked to approve [Project #WM4145](#); Two Notch Road Water Main Construction, as requested by Utilities and Engineering. Award to LAD Corporation, the lowest bidder in the amount of \$1,210,418.94. *This vendor is located in Swansea, SC. Funding Source: WM414501- This is a Mentor Protégé Program Project*

**ACTION: APPROVED**

- D. Council is asked to approve [Project #WM3871](#); Wilson Boulevard Water Line Extension Construction, as requested by Utilities and Engineering. Award to McClam & Associates, the lowest bidder in the amount of \$1,302,388.75. This vendor is located in Little Mountain, SC. *Funding Source: WM387102 – This is a Mentor Protégé Program Project.*

**ACTION: APPROVED**

- E. Council is asked to approve the [Agreement for In-Contract Utility Relocation for Bridge Replacement at Broad River and US 176 \(Broad River Road\)](#), as requested by Utilities and Engineering. Award to South Carolina Department of Transportation in the amount of \$1,570,836.52. *Funding Source: Water Improvement Fund 5529999-WM409001-851500 and Sewer Improvement Fund 5529999-SS698901-851600*

**ACTION: APPROVED**

### **ZONING CONFIRMATIONS – SECOND READING**

- F. [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. – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- G. [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. – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- H. [101 Pontiac Business Center Drive](#), Richland County TMS# 25715-02-04; confirm M-1 zoning for property annexed 06/17/2009. – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- I. [5809 Indian Mound Road](#), Richland County TMS# 13715-01-05; confirm RS-1 zoning for property annexed 02/18/2009. – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

### **TEXT AMENDMENTS – SECOND READING**

- J. [Amend §17-258](#) to modify district permissions related to electrical substations and utility services. – *First reading approval was given on September 16, 2009*

[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 second reading.**

- K. [Amend §17-401 and §17-404](#) to clarify provisions concerning off-premise signs. – *First reading approval was given on September 16, 2009*

[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 second reading.**

- L. [Amend §17-206](#) to modify the process for the designation of zoning district classification for annexed land. – *First reading approval was given on September 16, 2009*

[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 second reading.**

#### **ORDINANCES – SECOND READING**

- M. [Ordinance No.: 2009-048](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 12, Motor Vehicles and Traffic, Article I, General, Sec. 12-13 through trucks prohibited on certain streets – *This item was deferred on May 6, 2009 and May 20, 2009. First reading approval was given on September 2, 2009.*

**ACTION: Consideration of this item was deferred.**

- N. [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 – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- O. [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 – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- P. [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*) – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- Q. [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*) – *First reading approval was given on September 16, 2009*

**ACTION: APPROVED on second reading.**

- R. [Ordinance No.: 2009-110](#) - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 6, Elections, Sec. 6-2, Method of election; election districts, (b) – *First reading approval was given on September 30, 2009*

**ACTION: APPROVED on second reading.**

## **ORDINANCES – FIRST READING**

- S. [Ordinance No.: 2009-108](#) – Authorizing the Interim City Manager to execute a Lease Agreement between the City of Columbia and SCANA Communications, Inc. for lease of a 6,400 square foot portion of the Lake Murray Water Treatment Plant known as Lexington County TMS #001-800-07-002 for a cell tower

**ACTION: APPROVED on first reading.**

## **RESOLUTIONS**

- T. [Resolution No.: R-2009-073](#) – Authorizing consumption of beer and wine and Columbia's Annual Blues Festival in Martin Luther King, Jr. Memorial Park

**ACTION: APPROVED**

## **APPOINTMENTS**

- U. [Columbia Tree and Appearance Commission](#)

**ACTION: Consideration of this item was deferred.**

- V. [Historic Columbia Foundation](#)

**ACTION: APPROVED the appointment of Ms. Eleanor Pope and Mr. Frank Houston to the Historic Columbia Foundation Board of Directors.**

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

*No one appeared at this time.*

- **Council voted unanimously to recess at 12:38 p.m. and to reconvene at 2:00 p.m. for an Executive Session discussion of negotiations incident to proposed contractual arrangements.**

## **CITY COUNCIL DISCUSSION / ACTION**

- W. \*\*Veterans Day Parade

**ACTION: Council voted unanimously to approve funding in an amount not to exceed \$20,000 from the Hospitality Tax Contingency Fund for the Veterans Day Parade.**

## **EXECUTIVE SESSION**

- **Council reconvened the Executive Session at 2:25 p.m.**

- X. Discussion of negotiations incident to proposed contractual arrangements
- Retail Prospect for Main Street

**ACTION: Items were discussed in Executive Session. No action was taken.**

- **Council adjourned the meeting at 3:00 p.m.**