



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, DECEMBER 4, 2018

The Columbia City Council met for a Work Session on Tuesday, December 4, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina, 29201. The Honorable Mayor Pro-Tempore Tameika Isaac Devine called the meeting to order at 2:08 p.m. and the following members of City Council were present: The Honorable Howard E. Duvall, Jr., The Honorable Edward H. McDowell, Jr., and The Honorable Daniel J. Rickenmann. The Honorable Sam Davis arrived at 2:17 p.m. The Honorable Moe Baddourah arrived at 2:31 p.m. The Honorable Mayor Stephen K. Benjamin arrived at 2:40 p.m. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

INVOCATION

The Honorable Edward H. McDowell, Jr. offered the Invocation.

CITY COUNCIL DISCUSSION

1. 2018/2019 Federal Legislative Report - Mr. Ralph Garboushian, Federal Lobbyist

Mr. Ralph Garboushian, Federal Lobbyist presented the 2018 federal legislative report, which includes preserving tax exemption for municipal bonds; increasing the sub-allocation of highway and transit funding; preempting of local government regulations of drones; securing \$18.5 million in direct disaster assistance; increasing funding for core local government programs including CDBG and HOME recovering funding; a ruling from the Supreme Court allowing the collection of sales tax from all retailers; and increasing infrastructure funding. He reported the 2018 setbacks for the FCC actions regarding telecommunication infrastructure and eliminating franchise fees from cable companies; tax exemption losses for advanced refunding of municipal bonds; SALT deductions capping at \$10,000; and the 2020 Census challenges.

Councilor Devine asked staff to provide an update regarding the 2020 Census at the 2019 City Council Retreat.

Councilor Duvall said the 2020 Census is a sensitive subject. We need these annexations to be complete in the City. He agreed with Ms. Devine; we need more time to discuss this at the retreat.

Councilor Davis asked about local and federal funding for municipalities.



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Mr. Ralph Garboushian, Federal Lobbyist said it's a combination of local government and local philanthropy. He reported on the 2018 election results for the Senate and House. He presented the 2019 schedule and outlined key issues regarding the fiscal year 2019/2020 budget, infrastructure, local control, public safety, and regulations.

Councilor Devine encouraged the members of Council to attend the 2019 National League Cities conference.

Ms. Teresa Wilson, City Manager agreed with Ms. Devine; it's effective when we all attend the meeting as a group.

Mr. Ralph Garboushian, Federal Lobbyist presented a funding chart for the following federal assistance programs: agriculture, commerce, education and related agencies, energy and water resources, Environmental Protection Agency, Health and Human Services, Homeland Security, Housing and Urban Development, interior and related agencies, justice, labor, and the Department of Transportation

2. 2018/2019 State Legislative Report - Mr. Kyle Michel, State Lobbyist

Mr. Kyle Michel, State Lobbyist reported the 2018 adopted legislative priorities. The 2018/2019 local government fund budget included the state budget providing \$222.6 million in recurring funds and the City receiving \$2,920,123 of its portion. Under the 2018/2019 pension plan budget reimbursement, the Legislature agreed to pay 1% towards the pension contributions; this will allow the employer contributions to only increase annually by 1% instead of 2%. We will continue to advocate on behalf of the State so that pension increases are reduced. He reported the 2018 enacted laws for the abandoned buildings tax credit; relocation of utility lines within SCDOT right of way for construction projects; performing national background checks and fingerprinting City employees who have access to federal tax information; checking the immigration status of people applying for various services; and providing a Dam Safety Program. He gave an update on the following bills that didn't pass in 2018: business licensing, piping materials procurement, and property tax liens for blighted properties.

Mayor Benjamin asked about the property tax lien applying to the City.

Mr. Kyle Michel, State Lobbyist said it does not apply to cities. The county needs clear authority to put a lien on tax bills. This will also give them the discretion to accept recommendations from the City.



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Councilor Davis said the county should automatically accept complaints and referrals from the City.

Mr. Kyle Michel, State Lobbyist said the language from this bill raised concerns regarding local government identifying unhealthy properties.

Councilor Davis said this is what the City needs accomplished, because we are forced to be landscapers to these properties.

Mr. Kyle Michel, State Lobbyist said the state doesn't have a problem with spending the money. However, we don't want every property owner getting tagged with a tax bill because their property needs to be tidy. Now, if it's a health and safety issue, then that's a different concern.

Mayor Benjamin clarified that we are all property rights supporters. We will support the bill whichever way it is drafted.

Ms. Teresa Wilson, City Manager said as the bill continues to be drafted, I will encourage you to work with our staff regarding the definition of quality of life and what are the consequences for repeated offenders in these surrounding neighborhoods.

Councilor Baddourah asked about liens on income taxes for property owners.

Mr. Kyle Michel, State Lobbyist said I will check into this program and bring back a report. He reported on the following bills that didn't pass in 2018: accommodations and hospitality tax revenue; property tax exemptions for property devoted to housing low income residents; community development tax credits; municipal tax relief act; annexations; animal control and shelters; municipal court reporting; community charge on nonprofit hospitals and institutions of higher learning; and alcohol licenses. He gave an update on the 2019 MASC advocacy initiatives and presented the 2019 proposed City of Columbia priorities.

Mayor Benjamin said we need some additional initiatives for municipalities. Let's push more policy changes for cities that host a lot of public entities. Let's put some ideas on the table, think creatively, and bring back a different philosophy regarding urban development.

Mr. Kyle Michel, State Lobbyist agreed with the Mayor. He suggested looking at different streams of funding for deduction purposes.



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Mayor Benjamin said we will leave funding for the City to be at the discretion of the City Manager. I'm only encouraging us to put out some additional ideas, because our citizens need to see what makes up the DNA of our City.

3. Amplify / Columbia Compass Update to Council - Ms. Margie Reese - MJR Partners, Principal

Ms. Margie Reese, MJR Partners, Principal provided an update on cultural planning in connection with the City's Comprehensive Plan for the Columbia area. Cultural planning is defined as Amplify Columbia and the primary goal is to identify the most effective and efficient role of the City of Columbia in cultural development. She said we started by looking at the City's vision statement and to-date, we had over 1,000 citizens engaged in the planning process. We held about 90 town hall meetings, participated in conversations with various stakeholders, and recorded 423 responses from the online survey. She reported the top emerging themes from citizens regarding leadership, traditional venue spaces for performing arts, valuing artists, learning and mastering arts for our children, identifying tangible and intangible history heritage, and investment.

Councilor Rickenmann said for all of this to be successful, there has to be a partnership and commitment from all parties in the cultural arts.

Ms. Margie Reese, MJR Partners, Principal said we need a better understanding of the services the public and City are looking for, to help Columbia be stronger.

Councilor Baddourah expressed concerns about USC not being a part of the investment group.

Ms. Margie Reese, MJR Partners, Principal said we have met with the fine arts directors. There are specific roles for USC because the business and art departments are already partners.

Councilor Devine said the work put into this presentation is helpful. I look forward to the final recommendations. She inquired about the City and Richland County connections with moving the plan forward.

Ms. Margie Reese, MJR Partners, Principal said we have met with Richland County, Lexington County, and other elected officials for connecting opportunities. Although, the City of Columbia has been our ultimate focus, we know that it still requires a collaborative effort from other entities.



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Mayor Benjamin thanked Ms. Reese for the presentation. I am looking forward to the strategic direction of changing the nature of the arts by providing a comprehensive cultural plan to help bring the 2036 vision to a reality in the Midlands.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. Baddourah, Council voted unanimously to enter into Executive Session at 4:25 p.m. for the discussion of **Items 4** through **7** as presented.

4. Receipt of legal advice relating to a pending, threatened or potential claim – S.C. Code §30-4-70(a)
 - *Kirby Bishop, et al. v. City of Columbia*
 - *Claim of Clarence Hall*
5. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to §30-4-70(a)(2)
 - *Dockless transportation (stand-up scooters)*
 - *Metro Wastewater Treatment Plant*
6. Discussion of matters relating to proposed location or expansion of services to encourage location or expansion of industries or other businesses pursuant to S.C. Code §30-4-70(a)(2)
 - *Project Kline*
 - *Project Bull Street residential and mixed-use*
 - *Project 604 Huger*
 - *Gregg Park - Gills Creek*
7. Discussion of negotiations incident to proposed contractual arrangements pursuant to S.C. Code §30-4-70(a)(2)
 - *AMI*
 - *Finlay Park*



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COUNCIL MEETING - 6:00 P.M.

The Columbia City Council conducted a Meeting on Tuesday, December 4, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina, 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:11 p.m. and the following members of City Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Moe Baddourah, The Honorable Howard E. Duvall, Jr., The Honorable Edward H. McDowell, Jr., and The Honorable Daniel J. Rickenmann. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

INVOCATION

The Honorable Edward H. McDowell, Jr. offered the Invocation.

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Mr. Duvall, Council voted unanimously to adopt the agenda as presented.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

CONSENT AGENDA ITEMS 8 THROUGH 10

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Baddourah, Council voted unanimously to approve Consent Agenda Items **8 through 10**.

8. Council is asked to approve the Purchase of Sodium Bisulfite for the Metro Wastewater Treatment Plant, as requested by Columbia Water. Award to Southern Ionics in an amount not to exceed \$134,750.00. This vendor is located in West Point, MS. – *Approved*

Funding Source: Utilities Metro Wastewater Plant - Chemicals; 5516208-624800 - The original budgeted amount is \$300,000.00.



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9. Ordinance No.: 2018-066 - Acknowledging the Amended and Restated Master Agreement Governing the I-77 Corridor Regional Industrial Park; Ratifying and Consenting to the Property Located in the I-77 Corridor Regional Industrial Park; and Other Related Matters - *First reading approval was given on November 20, 2018 – Approved on second reading.*
 10. Ordinance No.: 2018-070 - Authorizing the City Manager to execute a Lease between the City of Columbia and the State of South Carolina Department of Administration, Real Property Services for the lease of 2221 Devine Street - *First reading approval was given on November 20, 2018. – Approved on second reading.*

ZONING / PLANNING MATTERS - SECOND READING

11. MAJOR AMENDMENT to a PUD - 3319 Millwood Drive, TMS# 13804-03-09 – *First reading approval was given on November 20, 2018 - Approved on second reading as amended.*

Council District: 3 & 4

Proposal: Request to make a Major Amendment to a PUD-C

Applicant: Raymond A. Perkins, Jr., Richland School District One

Staff Recommendation: Approval

PC Recommendation: 09/05/18; Deferred; 10/01/18; Approval (5-4)

Upon a motion made by Mr. Rickenmann and seconded by Mr. Baddourah, Council voted unanimously to give second reading approval to a Major Amendment to the Planned Unit Development for 3319 Millwood Drive, TMS# 13804-03-09 subject to the following amendments:

- I. Band practice will be conducted in the parking lot on the west (Daly Street) side of the school building. The band may also use the green space (Adger Road), but electronic sound amplification and metronomes may not be used after 5:00 p.m. in the green space.
- II. The band will have reasonable access to the Multi-Purpose Field (MPF) for competition rehearsal. However, no use of electronic sound amplifiers, including megaphone and metronomes, will be allowed on the MPF. Any rehearsal on the MPF will face the school.



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- III. Initially, quarterly meetings between the liaison and neighborhoods must be conducted to assure clarity of policies and to address concerns. At an appropriate time later, upon mutual agreement, regular meetings will be semi-annually. The foregoing parties may call special meetings at any time.
- IV. The liaison will maintain records of the meetings and communications in conjunction with the presidents of Historic Heathwood and the Melrose neighborhood associations.
- V. Application limits events to middle school junior varsity, but eliminates varsity football. The Historic Heathwood and Melrose neighborhoods have sought to limit events to junior varsity. Varsity lacrosse was accepted under limited circumstances that may involve economic efficiencies due to the anticipated low crowd or scheduling conflicts to the use of Memorial Stadium by the District schools, varsity soccer matches would be allowed at the MPF.
- VI. In terms of landscaping, the District is making strides to create more of a buffer and to recapture the trees that are shifted or destroyed. The District has made a commitment to use those undefined number of trees to enclose the buffer throughout the adjacent neighborhoods. The District has also agreed to replace the crepe myrtles with more evergreens to help reduce noise and visibility. This will also improve the buffer.

PRESENTATIONS

- 12. National Wear Your Pearls Day Proclamation - The Honorable Stephen K. Benjamin

Mayor Benjamin and the members of City Council proclaimed December 15, 2018 as National Wear Your Pearls Day in the City of Columbia.

RESOLUTIONS

- 13. Resolution No.: R-2018-108 - Amending Resolution No.: R-2018-094 - Adopting a Policy and Criteria to Consider the Inclusion of Real Property in a Multi-County Industrial Park to Apply Richland County's Limits of the City of Columbia developed with the inclusion of structured public parking within project – *Approved*



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Upon a motion made by Mayor Benjamin and seconded by Mr. Rickenmann, Council voted six (6) to one (1) to approve Resolution No.: R-2018-108 - Amending Resolution No.: R-2018-094 - Adopting a Policy and Criteria to Consider the Inclusion of Real Property in a Multi-County Industrial Park to Apply Richland County's Special Source Revenue Credit incentive to Real Property within the Corporate Limits of the City of Columbia developed with the inclusion of structured public parking within project. Voting aye were Mr. Rickenmann, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin. Mr. Baddourah voted nay.

ORDINANCES - FIRST READING

14. Ordinance No.: 2018-069 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Kline City Center, portion of Richland County TMS #08912-13-02) – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2018-069 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Kline City Center, portion of Richland County TMS #08912-13-02). Voting aye were Mr. Rickenmann, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin. Mr. Baddourah voted nay.

15. Ordinance No.: 2018-067 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (BullStreet Mixed Use Residential and Retail Development, Richland County TMS #08912-13-02) – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2018-067 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (BullStreet Mixed Use Residential and Retail Development, Richland County TMS #08912-13-02). Voting aye were Mr. Rickenmann, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin. Mr. Baddourah voted nay.

16. Ordinance No.: 2018-072 - Granting an encroachment to the Five Points Association for installation and maintenance of a concrete and brick art sculpture within the sidewalk right of way area of the 700 block of Saluda Avenue adjacent to 710 A Saluda Avenue, Richland County TMS #11308-06-09 – *Approved*



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Upon a motion made by Mr. McDowell and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2018-072 - Granting an encroachment to the Five Points Association for installation and maintenance of a concrete and brick art sculpture within the sidewalk right of way area of the 700 block of Saluda Avenue adjacent to 710 A Saluda Avenue, Richland County TMS #11308-06-09.

17. Ordinance No.: 2018-076 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (604 Huger, LLC, TMS Nos. 08914-01-06, 08914-01-07, 08914-01-08, 08914-01-09 and 08914-01-10) – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted six (6) to one (1) to give first reading approval to Ordinance No.: 2018-076 - Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (604 Huger, LLC, TMS Nos. 08914-01-06, 08914-01-07, 08914-01-08, 08914-01-09 and 08914-01-10). Voting aye were Mr. Rickenmann, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin. Mr. Baddourah voted nay.

OTHER MATTERS

18. Council is asked to approve the installation of one (1) additional street light on S. Waccamaw Street, one (1) additional street light on Cromer Avenue, and one (1) additional street light on Bull Street Property, as requested by the Traffic Engineering Division. – *Approved*

Upon a motion made by Mr. Baddourah and seconded by Mayor Benjamin, Council voted unanimously to approve the installation of one (1) additional street light on S. Waccamaw Street, one (1) additional street light on Cromer Avenue, and one (1) additional street light on Bull Street Property.

APPOINTMENTS

19. Council is asked to approve the appointments to the Greater Columbia Community Relations Council. – *Consideration of this item was deferred.*
20. Council is asked to approve the appointment of one (1) individual to the Columbia Housing Authority. – *Consideration of this item was deferred.*

CONSIDERATION OF MATTERS DISCUSSED DURING THE WORK SESSION

No matters were considered at this time.



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CITY COUNCIL COMMITTEE REPORTS / REFERRALS

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to refer a presentation of CPAC's Action Plan by Mary Pat Baldauf, Sustainability Facilitator to the Environment and Infrastructure Committee.

Upon a motion made by Mr. Rickenmann and seconded by Mr. McDowell, Council voted unanimously to refer a presentation from Allied Energy out of the Environment and Infrastructure Committee to City Council.

Mayor Benjamin requested a presentation on Opportunity Zones and the City's Prospectus by Ryan Coleman, Director of Economic Development to City Council during the next work session.

APPEARANCE OF THE PUBLIC

Minister Allen Browning, Hearts for the Homeless and Living Water International Church clarified that his church helped him in the past to only expand his charitable organization. I came to ask again for assistance. He asked to meet with the District III representative of the Rosewood Community. He encouraged Council to read the book "The House that James Built" as recommended by his granddaughter.

Mr. Regi Solis, Director of Needful Things said I was homeless, but I recently got a mobile home with five individuals. He expressed concerns about not getting the right resources to keep him from being homeless again. He inquired about the proclamation for the worldwide recognition of National Homeless Persons' Memorial Day on December 21, 2018. I am hoping that we are coming to a decision on how we will comply with these rulings as well as having people's property seized. He presented a Christmas card to the members of Council.

Mayor Benjamin asked staff to confirm if the proclamation is being drafted for December 18, 2018.

Ms. Alannah Jackson said I have job and I am still homeless. I have made numerous phone calls to receive help and no one has called me back. She asked the members of Council for assistance.

Mayor Benjamin said when we first spoke, we talked about you going to a shelter for women and children, but you declined assistance. Please tell us how can we help you.

Ms. Alannah Jackson said I just need right now help. She expressed concerns about not receiving the proper housing assistance from the Columbia Housing Authority.



We Are Columbia

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Mayor Benjamin asked staff to provide the correct information to Ms. Jackson regarding receiving assistance from the Columbia Housing Authority. He recognized the University of South Carolina School of Journalism and Mass Communication students who were in attendance.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully submitted by:

Erika D. Moore, CMC
City Clerk