



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, APRIL 17, 2018

WORK SESSION - 2:00 P.M.

The Columbia City Council met for a Work Session on Tuesday, March 20, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:06 p.m. and the following members of Council were present: the Honorable Sam Davis, the Honorable Tameika Isaac Devine, the Honorable Howard E. Duvall, Jr., the Honorable Edward H. McDowell, Jr., and the Honorable Daniel J. Rickenmann. The Honorable Moe Baddourah was absent. Also present were Mr. Jeff Palen, Acting City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act. *The minutes are numbered to coincide with the order of the meeting.*

INVOCATION

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

FINANCIAL REPORT

1. Ms. Jan Alonso, Finance Director will be present to answer questions regarding the February 2018 Financial Report.

Ms. Jan Alonso, Finance Director introduced Ms. Lakisha Shannon as the new business license administrator. Ms. Shannon previously served as the business license administrator and town clerk in Marion, SC. She also introduced Mr. Greg Williams as the deputy administrator who has been with the City for six months.

CITY COUNCIL DISCUSSION

2. Water and Sewer Rate Study Update - Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch explained how we are looking at this from an integrated and holistic business perspective. The drivers include an increased demand for utility services; a diverse and informed customer base; implementing sustainable operating and capital plans; and achieving revenue stability and meeting the financial metrics. He commended Council for being willing to take action. Last year, we presented a revenue increase for fiscal year 2019 that was forecasted at 13%. There were a few adjustments and we will be presenting a proposed revenue increase that will be less than 13%.



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Councilor Rickenmann asked if the the 2.0 debt ratio coverage is a requirement or can it be 1.5.

Mr. Jeff Palen, Acting City Manager / Chief Financial Officer explained that our target has been 2.0. This is the average of comparable utilities. Rating agencies seem to be very comfortable with our ratio and our cash.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch added that when measuring your credit worthiness, rating agencies look at the financial plan you have in place, how your metrics have done over time; and your willingness to take action. As much as you can maintain the metrics and stability that you have, the better it will be as you go forward with regard to your credit worthiness and demonstrating your ability to meet your obligations.

Councilor Davis asked how our progress on infrastructure repairs impacts that number.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch said it demonstrates your ability to put your CIP in the ground, execute and implement the CIP; and service the debt related to the CIP. Your level of service, the number of breaks, and the manner by which you replace your infrastructure plays into the rating agency's decision.

Mr. Jeff Palen, Acting City Manager / Chief Financial Officer added that Clint and Joey usually provide an update on the various projects and how they affect the system.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch said we are starting with FY 2018 revenues at \$137 million and we are forecasting a 1% growth in customers. Historically, the customers have grown by 1% to 1.5%.

Councilor Rickenmann asked if we should have a business development person whose sole job is to create water customers. We need to actively work with partners so we can grow our system.

Mr. Clint Shealy, P.E., Assistant City Manager for Columbia Water said we are putting together a kit that shows our available capacity and we can make that readily available to developers.

Councilor Rickenmann said we need to create customers in corridors where we already have infrastructure development.

Mr. Jeff Palen, Acting City Manager / Chief Financial Officer said we can look at how to formalize that process.



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Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch continued to report that other revenue sources are estimated at \$11.1 million in fiscal year 2018. The total revenues are at \$148 million in 2018 and \$161.9 million in 2019.

Councilor Rickenmann said we have a lot of issues with billing adjustments. He asked about the acceptable billing adjustment ratio for a system our size.

Mr. Clint Shealy, P.E., Assistant City Manager for Columbia Water said we are trying to restore customer confidence and AMI will help with that. The availability of information on customer usage and water leaks will reduce our billing adjustments.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch said typically any adjustment is specific to the utility. In three to four years the adjustment should reduce by 50% to 60%. He continued to report that we are looking at a \$91.7 million O&M to include debt service payments at \$32.1 million.

Councilor Rickenmann asked what the O&M will be once we get through the Clean Water 2020 Program.

Mr. Clint Shealy, P.E., Assistant City Manager for Columbia Water said we are changing how we operate and investing in our system as we go. We will level off the capital investment and the O&M budget over time. You may see an increase in staffing costs in the O&M budget as we take over the project management activities. The investment of \$120 million per year over the next several years is a good level of necessary investment. We have a five year forecast. We can look at those numbers and have a more detailed discussion about the forecast.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch reported that the increase in the typical residential water and sewer bill from fiscal years 2008 to 2018 reflect an annual average increase of 3.9% compounded annual growth. Steady increases over the life of the system help to sustain financial health and operational resilience. We will take a balanced approach to meet the utility system obligations by maintaining the target debt service ratio coverage rate of 2.0; combining debt and rate revenue financing; and proposing a 9.76% increase across the board. We've highlighted the 9.76% revenue increase and the 1% customer growth. It's a \$120 million CIP of which 28.6% will be funded by cash; 70.7% will be funded by revenue bonds; and 0.7% will be funded by West Columbia. We maintain our financial metrics. We've incorporated the necessary billing adjustment and the quantitative risk management (QRM) requirement for special customers that plan to come online. He outlined the anticipated bond issuances for fiscal years 2018-2023. He presented the financial plan for fiscal years 2019-2023.



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Ultimately, we are able to fund our capital obligations and meet our debt service requirement with the proposed increases on an annual basis.

Councilor Duvall asked if the figures can be adjusted annually.

Mr. Robert Chambers, MBA, Principal Consultant at Black and Veatch said yes sir. This is part of an integrated financial plan, which is a part of your annual budget cycle. He reviewed the capital financing plan and the fiscal year 2019 financial plan components. The typical residential customer will see an increase of \$5.36. Columbia is in the middle in comparison to other utilities. He asked if there were any questions at this time.

Mayor Benjamin said it is good to see the proposed increase come down. The increases in future years are modest.

3. Fiscal Year 2018 / 2019 Budget Workshop - Ms. Melisa Caughman, Budget and Program Management Director

Ms. Melisa Caughman, Budget and Program Management Director reported that we are continuing the fiscal year 2018/2019 budget workshops. We project \$160 million in water and sewer revenue with 60% of the revenue coming from water sales. These revenues include the proposed 9.76% rate increase. She reviewed the water and sewer fund expenditures with operations and departments making up 58% of expenditures. The proposed water and sewer operating budget is \$161.9 million, which is a 6% increase over the current year's budget. Our annual consideration of the CIP is \$120 million. The water and sewer improvement program continues to focus on CleanWater 2020 efforts with \$40 million for water projects and \$80 million for sewer system projects. There is \$15 million for the AMI/AMR program through a phased-in approach. The Storm Water Fund's primary source of revenue is the storm water fee. Several departments are in the Storm Water Fund with Public Works making up 30%. There is a 20% reference to debt service, because we will be issuing debt to fund the comprehensive storm water improvement program. There is an indirect cost transfer for the general fund and a reserve as part of the funding requirement. The storm water budget is \$13.4 million, which is a 6.6% increase over the current year's budget. Council is required to adopt the rate adjustment again this year. The stormwater fee increase is \$.74 per equivalent residential unit (ERU) per month for a total of \$12.54 per month. The capital improvement program is \$10 million and the total projected CIP is \$93 million over the next three to five years. The storm water program manager contract was awarded in March 2018. The first bond issuance of \$50 million is on Council's evening meeting agenda. The operating and capital improvement program focuses on projects that alleviate flooding and promote our water quality program. Construction is underway for the



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Wallace Street and Martin Luther King Park improvements. We are acquiring easements for the Harlem Heights project. And the fiscal year 2018/2019 projects include Penn Branch, Gills Creek, Rocky Branch at Whaley Street, and Randall Avenue at North Main. She noted that health care and retirement system rate increases are impacting all departments across the City. She continued to report that 39% of revenue for the parking fund comes from garages and lots. The proposed budget is \$8.6 million, which is 9% over the current year. The operating budget totals \$4.9 million, which is a 16% increase over the current year. On April 24, 2018, we will review employee healthcare, the hospitality tax fund, proposed changes in the funding process, and part one of the general fund. She noted that May 15, 2018 is the last Council meeting before we advertise the budget.

Council recessed at 3:20 p.m.

PUBLIC HEARING AT 3:30 P.M. IN COUNCIL CHAMBERS

4. Ordinance No.: 2018-001 - 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. 14-106, Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine - *Approved on first reading. Please refer to Item 43.*

Mayor Benjamin said we planned two public hearings today in an effort to accommodate everyone's challenging schedules. This is the first of two hearings on Ordinance No.: 2018-001 as presented by the Public Safety Committee.

Council opened the Public Hearing at 3:38 p.m.

Mr. Dick Harpootlian, Esq. said the Rickenmann ordinance is the same ordinance with some minor tweaks. Why wasn't the old ordinance enforced? Why would you enforce this when you didn't enforce the last one? There were 280 kids who went to the emergency room last year with alcohol poisoning and 80% said they had their last drink in Five Points. Five Points is out of control. The ordinance should be easily done. They don't need to serve alcohol after 2 a.m. We are going to shut down every bar in Five Points without your help. The City doesn't have the will to enforce its own laws.



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Ms. April Lucas, Coalition of Five Points Neighborhoods said the record presented at the committee meetings supports outright repeal of the all night permit program. Perhaps we can limit the number of all-night bars. You should consider an outright repeal, because there is an over saturation of bars in Five Points. She presented a map of Five Points. There are 42 businesses that have alcohol beverage licensing (ABL) to serve beer, wine, and/or liquor on premise: 23 are bars and 18 of those bars have all night permits. There are 23 all night bars citywide. There are single-family residential and historic neighborhoods surrounding Five Points. Historically, we used Five Points as our shopping district and we are concerned about the loss of mixed retail. Five Points is central to three university campuses. It's a nuisance and a danger. Two dozen restaurants and retail outlets have left Five Points, because the bars created the wrong kind of atmosphere and they are impeding traffic and parking. We don't oppose shifting enforcement to the CPD, but that is not sufficient. Without limiting the number of bars, we won't feel secure. Other major cities do not stay open as late as we do. She asked those in support of the repeal to stand.

Mr. Michael Drennen said we have an issue with a high density of bars routinely operating without regard for local and state laws. This has led to adverse impacts on the security and peace of the surrounding residents and to poor health outcomes in our state. This has been documented by the testimony of neighbors, academic research, SLED inspections, social media posts, press coverage and the under burden of proof in the court of law. Neighbors are seeking relief from these adverse effects and have endorsed repeal of the extended hours permit. Shandon voted nine to one in favor of the repeal. The repeal is a better public policy solution because it provides immediate relief to the residents; it doesn't require additional public resources; and the existing ordinance isn't enforced. If Council decides to amend the ordinance, there needs to be an understanding that it will be repealed after a period of time if relief is not provided to the neighbors. He asked Council to support Councilman Duvall's proposal to repeal the ordinance.

Mr. Tom Gottshall, University Hill Neighborhood President said there is nothing in the proposed ordinance that relieves the neighborhoods. It places a greater burden on the police. The neighbors want to repeal the right for bars to remain open between 2 a.m. and dawn. This status quo is not acceptable to neighborhoods around five Points. No City that hosts a SEC university stays open as long as Columbia, South Carolina; it is an outlier. What business hospitality model are we supporting in Columbia? The Five Points business model is based on illegal activity. It serves underage students who have fake IDs. The model has changed students into the perpetrators of crimes and the victims of crime. He read a portion of [Judge Deborah Brooks Durden's opinion](#) that was filed earlier this month. He insisted that more work is needed. We would like to meet with you, but we are also going to pursue our rights with the courts.



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Mr. Sean McManus said he supports the resolution. The repeal of permits will not stop crime, vandalism, and the overcrowding of bars. All of these things will continue to occur, just at a slightly earlier time. Repealing the permits doesn't close down bars. It doesn't put extra police on the streets and it doesn't make college students want to drink too much. I work until 2 a.m. and like to go out and have a beer after work. The issues are legitimate and relief needs to be given to the people who have these issues. If you pursue repeal you will be punishing me as a customer and the business owners. He agreed that college kids drink too much and they vandalize when they drink too much. The resolution sets out stricter guidelines.

Mr. Will Green, co-owner of The Whig said he is disappointed to be here defending his business against people who don't have an understanding of or respect for the industry. This industry has given so much to this town. We served the artists, musicians, and film makers who participated in Indie Grits until well past 2 a.m. We also had a successful Food and Wine Festival. He applauded the community members for their passion and urged them to apply pressure on USC. Bars are not the problem. Children are the problem and should be punished for their off campus behavior. The chaos in Five Points significantly reduces during the summer. The changes made by the committee can be effective if enforced. As written, we would have to keep the kitchen open during the extended hours. It is difficult to ask us to keep kitchen staff and the equipment up and running when food may not be sold. He asked Council to change the language to a total percentage of food sales rather than when the food sales end.

Ms. Lynn Shirley, Hollywood Rosehill Neighborhood resident read a quote from Martin Niemöller's "First they came..." poem. I am marginally affected by the things in Five Points. It is a density problem. There are too many bars that attract too many kids and stay open too late. If business is so good then why do so many drink specials have to be given out. That tells me that the market is saturated in Five Points. As ownership changes, you do need to look at how many bars stay open regardless of the hours. The hours may not be the problem. The problem is consumption of alcohol and the type of clientele who consume it. I'm afraid that a lot of these good people live too close to Five Points.

Mr. Douglas Carlisle said as a professional economist I see that there are hidden costs to be paid for the current situation. There is a hidden cost for the USC lease enforcement action. There is a hidden cost in Columbia police enforcement action and ambulance costs. There is wider damage because of businesses foregone. There is a cost to be paid for people who will not be patronizing those businesses, for civil suits, and for individuals who suffer violence. There is a cost for Columbia. There is a cost for real estate. There is a cost being paid by the people defending it. Many of them have a bad business model that involves a core group of students competing for them and there isn't enough business to go around. I urge you to repeal it if you can.



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Ms. Anna Edwards, University of South Carolina Associate Vice President of Student Life said USC is committed to being a part of the solution by educating our students and holding them accountable off campus. We need to work together to create healthier and safer environments for those who choose to enjoy our entertainment districts. The majority of permits have been granted in Five Points. It's an environment where inexperienced, under aged students can walk into most bars and drink until the wee hours of the morning. We are opposed to the current draft of the ordinance because we don't believe it substantially impacts the current practice of targeting under age and overly intoxicated students. In 2015, we implemented an off campus incident reporting system which allows neighbors to report nuisance, property, or behavior concerns. To date, we've received 263 reports. Upon receipt, we meet with the student, neighbors, and others to find a resolution. We have a mechanism for receiving off campus reports from law enforcement in the entertainment districts. So far this year, there have been 345 reports related to alcohol and drug citations that were given off campus. Student fines have increased from \$25 to \$350 per sanction. Conduct probation can lead to suspension. We provide parental notification and educational workshops and programs. The University initiated a three-strike policy several years ago and recidivism has declined. Five Points is a wonderful attraction to the greater Columbia community. We are committed to working with City leaders, business owners, and community members to find practical solutions to impact the problems associated with underage and high risk drinking in our community. Allowing bars and clubs to continue to promote late night and early morning drinking as a primary activity with little regard to identity, enforcement, and existing ordinances places undue burden on law enforcement and diminishes the quality of life for nearby residents. She submitted a letter for each member of Council asking for additional meetings. She noted that the letter is endorsed by the University president and administration.

Councilor McDowell asked why it has taken so long for us to get to this point.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said she has been involved in this conversation for seven years. We're driving a large ship, but we are committed to making sure that our students represent the University, their families, and this community to the best of their ability. We provide education and a structure that encourages positive decision-making and holds them accountable when that doesn't happen.

Councilor McDowell said the community has taken on the University's responsibility in terms of managing what has taken place in Five Points. I'm not sensing a real collaboration.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said there is a town and gown type relationship with the coalition of neighborhoods. We work alongside our community members and City officials.



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Mayor Benjamin inquired about the hours of the shuttle.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said the hours of the shuttle are 10:00 p.m. until 3:00 a.m. The goal is to get students into Five Points for entertainment activities, regardless of age. The shuttle has reduced crime in the area.

Councilor Devine asked about the University's response to instances where students have gone to the hospital.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said when students are hospitalized, they go through a process where they meet with a trained coach three times to go through the decision-making factors that led up to hospitalization. These students are drinking liquor and many times there are underlying issues that lead to a student's excessive use of alcohol. We work with students to develop a plan to get them back on track.

Councilor Devine asked how many students are underage and are there stiffer penalties.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said law enforcement issues a citation for underage drinking. We don't publicize the number or name of students that have come through this program. The three-strike rule has been impactful.

Councilor Rickenmann said the University has made a clear stance about the bars. He asked the University to step up enforcement at its own venues. We encourage tailgating at football games. It's the only place in Columbia where you can walk around and drink and the enforcement is not there. It is hypocritical to put the pressure on one group when your own venues don't do the same thing. Everybody has to be on board. This didn't start seven years ago when there were no permits. When do we hold the individuals committing the crimes accountable? What about the pregame events? What about the grocery stores and convenience stores? A lot of these drinking issues and hospitalizations occur before 2:00 a.m. I heard that students who are caught drinking at the University have the choice of being arrested or going to the hospital. Let's have better dialog. The lack of campus activities push kids to off-campus entertainment. We want to do whatever we can to work together.

Councilor Devine asked Anna to verify whether or not students are given the option of going to the hospital or jail because that would play into the numbers of students going to the hospital. She asked Anna to provide information on where underage students are drinking. There is a bigger conversation that we need to have regarding underage drinking, enforcement, and ensuring that the students are safe.



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Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said an overview of USC's prevention and education measures is provided in the letter.

Councilor Davis said the students are the focal point in terms of wanting the best for them, protecting them, and wanting them to enjoy the atmosphere around campus. There has been some education. What kind of feedback are you receiving from the students?

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said we require all incoming students to take an online alcohol education assessment. They take another assessment after being on campus for 45-days. We do educational outreach in special populations like fraternity and sorority life. We educate them on laws and expectations.

Mayor Benjamin said he has questions about some of the policies. If we are concerned about underage drinking then I am not sure why we would transport underage students to Five Points. Do we look at the connectivity of these issues? Do we check students for sobriety before they get on the bus? When we track the data in terms of who has been in the hospital, are those some of the same students we took down there and brought back? Some of the challenges are not unique to Five Points. We've seen explosive growth at the University, but the spillover affects the neighborhood. If you transport them what is the responsibility of the University attached to that. I would like to dig deeper into that. If the permits were repealed would the shuttles then stop? We are indeed interdependent.

Ms. Anna Edwards, Associate Vice President of Student Life / University of South Carolina said the shuttles started after Martha Childress was shot in 2011. This safety initiative was implemented due to the crowds.

Ms. Beth Richardson, University Hill Neighborhood resident said there are going to be many approaches to resolving this and it is going to take time. We enjoy Five Points, but it is embarrassing how Five Points is kept during the weekend. I am also embarrassed that my taxpayer dollars are going towards someone having to pick up the trash early in the morning. I don't know what we gain by this new middle ground. What research has been done? We have examples of cities that have passed this ordinance with no ado. I encourage you not to make a big deal about the 2 a.m. repeal. It is one necessary step to a complex problem. USC needs to have a deep conversation with the City, but they have been very involved in the neighborhood association's efforts and responsive to our complaints.



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Ms. Sue Dorn said this reminds me of when we were trying to ban smoking in bars. There was fear that bars would lose business. It became a matter of public health. This has also become a matter of public health and public safety. I hope we can do better.

Mr. Martin Dreesen, Owner of Bar None said some of us have good business models. Bar None has been in business for 23-years. As a late night bar serving food until 4:30 a.m. we've done an excellent job. We are an asset to the City. I hope you give me the chance to continue running my business the way I have been.

Councilor Devine asked what percentage of your revenue comes from drinks and what percentage comes from food between 2:00 a.m. and 4:30 a.m.

Mr. Martin Dreesen, Owner of Bar None said it's 50/50. We don't cater to college students. People forget about the employees who are working. Not all bars are created equal.

Mr. Walter Marks, Wales Garden Neighborhood Association said USC has been very committed to helping the neighborhood. He said this is a bureaucratic attempt to change something that hasn't been given enough thought. There are a few questionable bars that are not following state law. There is nothing in this new ordinance that takes care of the neighborhoods or me as a citizen. Council needs to slow down.

Councilor Rickenmann asked Mr. Marks to read the ordinance. The same person who helped with the landlord ordinance, helped put this together. It does have teeth and it addresses a lot of the issues. It's not perfect, but we are not done yet. Ms. Lucas has tried to work towards a solution. This ordinance makes a difference and we are willing to listen.

Councilor Devine added that Mr. Duvall presented an ordinance for Council approval that no one had seen. This process has slowed down, because the committee had an opportunity to go through this and bring forward a recommendation. It is our job to have public hearings so that we can ask the right questions. That is part of the process. It is unfair to present an ordinance that may affect someone's business without going through our due diligence.

Councilor Duvall clarified that he proposed an ordinance with help from Mike Hemlepp, Esq. I asked that it be referred to the Public Safety Committee for review and to report back to Council. I did not ask Council to vote on it without hearing about it. That's how public policy is made. They studied this thing. Now they are reporting back and we are going to study it more. I would like to offer corrective amendments at the proper time. I have not rushed this. I want it studied and repealed. I handled it properly.



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Councilor Davis asked Mr. Marks what he would do.

Mr. Walter Marks said we are looking at a few individuals operating businesses outside of state and local law. Council needs to work with the Chief to identify the things that can be enforced to protect citizens against people who want to break the law.

Mr. Jim Daniel, President of the Wheeler Hill Neighborhood Association said in January, the association voted to support the coalition's request to terminate the after-hours permits. We learned during a recent case that a particular bar generated as much as \$20,000 per week in revenue during its peak season. You may want to look at a different way of establishing fees for these businesses. There should be a sliding scale based on the amount of business they have. The little guy would pay less and the big guy would pay more.

Council closed the Public Hearing at 5:11 p.m.

Councilor McDowell said this is not Daniel Rickenmann's ordinance. Sam Davis and I worked on this; we worked on this together. There have been tremendous hits on both sides. It is our fiduciary responsibility. We wanted to have a public hearing to gather the information and put that in written form. I've had a very ravenous ear; I've heard everything. It's necessary that we not slam each other; that we speak our passion; and allow us to get all of the information; and then determine collaboratively where the road is going to lead.

Mayor Benjamin said the second public hearing is today at 6:00 p.m.

Council closed the Public Hearing at 5:11 p.m.

EXECUTIVE SESSION

Upon a motion made by Ms. Devine and seconded by Mr. Duvall, Council voted unanimously to enter into Executive Session at 5:16 p.m. for the discussion of **Items 5** through **7** as outlined.

5. Receipt of legal advice relating to a pending, threatened or potential claim – S.C. Code §30-4-70(a)
 - *Amanda Creel Godfrey v. City of Columbia, et al.*
 - *Wynter Odom, et al. v. City of Columbia*
 - *Frank J. Cumberland, Jr., Individually and as Class Representatives v. City of Columbia*
 - *Cricket Store 17 v. City of Columbia (Taboo)*



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- *Resolution No.: R-2018-032 Authorizing the City Attorney's Office to institute a civil action against Dominion Carolina Gas Transmission, LLC, with South Carolina Electric and Gas, Santee Cooper Power Cooperative and New Heights Church as interested parties seeking a Declaratory Judgment and Injunctive Relief regarding a prescriptive easement for an Access Road to the Harbison 2 Pump Station located at 5501 Broad River Road, Richland County TMS #06200-01-24*
 - *City of Columbia, et al. v. Hotelguides.com, Inc., et al.*
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)
- *Reign Living*
7. Discussion of negotiations incident to the proposed purchase of property pursuant to S.C. Code §30-4-70(a)(2)
- *Edisto Court*

Council adjourned the Executive Session at 6:10 p.m.

COUNCIL MEETING - 6:00 P.M.

The Columbia City Council conducted a meeting on Tuesday, March 20, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:15 p.m. and the following members of Council were present: the Honorable Sam Davis, the Honorable Tameika Isaac Devine, the Honorable Howard E. Duvall, Jr., the Honorable Edward H. McDowell, Jr., and the Honorable Daniel J. Rickenmann. The Honorable Moe Baddourah was absent. Also present were Mr. Jeff Palen, Acting City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act. *The minutes are numbered to coincide with the order of the meeting.*

PLEDGE OF ALLEGIANCE

INVOCATION

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



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ADOPTION OF THE AGENDA

Upon a motion made by Mr. McDowell and seconded by Ms. Devine, Council voted unanimously to adopt the agenda as amended to include presentation of the Sikh Awareness and Appreciation Month Proclamation.

PUBLIC INPUT RELATED TO AGENDA ITEMS

No one appeared at this time.

APPROVAL OF MINUTES

8. Council is asked to approve the March 6, 2018 City Council Meeting Minutes.

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve the March 6, 2018 City Council Meeting Minutes.

CONSENT AGENDA ITEMS 9 THROUGH 30

Upon a single motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to approve the **Consent Agenda Items 9 through 30**.

9. Council is asked to approve the Target Solutions Annual Maintenance and Membership Fees, as requested by the Fire Department. Award to Municipal Emergency Services, in the amount of \$67,311.00. This firm is located in Charlotte, NC. *Funding Source: Fire Suppression- Computer License 1012303-627510. - Approved*
10. Council is asked to approve a Professional Services Agreement for Armed Security Guard Services, as requested by the Police Department. Award to Security Management of SC, LLC using South Carolina State Contract in an amount not to exceed \$207,817.96. The firm is located in Columbia, SC. *Funding Source: Community Safety Officers - Professional Services; 5512703-636600 and Police Administrative Services - Professional Services; 1012402-636600. - Approved*



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11. Council is asked to approve the Purchase of two Morris Pumps, as requested by Columbia Water. Award to Heyward, as a Sole Source in the amount of \$51,804.86. This firm is located in Charlotte, NC. *Funding Source: Utilities Metro Wastewater Plt-Machinery and Equipment Capital: 5516208-658300. The original budgeted amount is \$55,000.00. – Approved*
12. Council is asked to approve the Canal Level Control System Monitoring for Fiscal Year 2017-2018, as requested by Columbia Water. Award to MR Systems in the amount of \$61,560.00. This firm is located in Norcross, GA. *Funding Source: 5516206 – 638300 - Approved*
13. Council is asked to approve the Purchase of one (1) Medium Duty Backhoe for the Lake Murray Water Treatment Plant, as requested by the Fleet Services Division. Award to Blanchard Machinery, using the SC State Contract in the amount of \$78,606.00. This vendor is located in West Columbia, SC. *Funding Source: Utilities Lake Murray Wastewater Plt - Auto, Trucks, Heavy Equipment Capital: 5516207-658500. The original budgeted amount is \$80,000.00. - Approved*
14. Council is asked to approve Contract Amendment #3 for Project SS7280; Sewer System Evaluation Study and Sewer Rehabilitation Implementation for Rocky Branch 01, as requested by Columbia Water. Award to Brown and Caldwell, Incorporated, in the amount of \$86,275.00. This firm is headquartered in Walnut Creek, CA and has a local office in Columbia, SC. *Funding Source: 55299999-SS7280-658650. The original budgeted amount is \$86,275.00. – Approved*

This is a Clean Water 2020 Program Project and a Mentor Protégé Program Project.

4D Engineering, (Protégé) a Woman-Owned Business Enterprise located in Lexington, SC, will provide sewer assessment, field data QA/QC assessment, ratings, and recommendation permitting, and construction administration services at \$37,555.00 (43.53%) of the contract amendment amount.



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15. Council is asked to approve the Purchase of one (1) Townmaster Trailer and (1) Compact Track Loader for the Parks and Recreation Department, as requested by the Fleet Services Division. Award to Blanchard Machinery using the SC State Contract in the amount of \$94,569.00. This vendor is located in West Columbia, SC. *Funding Source: Parks Buildings and Grounds - Auto, Trucks, Heavy Equipment Capital: 1015104-958500. The original budgeted amount is \$100,000.00. - Approved*
16. Council is asked to approve an Engineering Services Agreement for the Metro Wastewater Treatment Plant Gap Analysis Implementation and Plant Operation Services, as requested by Columbia Water. Award to Atlantic South Consulting Services, LLC, a Minority Business Enterprise, in the amount of \$150,000.00. This firm is located in North Charleston, SC. *Funding Source: 5516208-SS7300-638305. The original budgeted amount is \$200,000.00. – Approved*
- EMA, a firm located in Saint Paul, MN, will provide support for the project deliverables at \$63,100.00 (42.1%) of the total contract.*
17. Council is asked to approve the Purchase of Hydraulic Modeling Recalibration Services, as requested by Columbia Water. Award to Hazen and Sawyer, as a Sole Source in an amount of \$260,000.00. This firm is located in Charlotte, NC. *Funding Source: Engineering- Spc Contracts W/S SW; 5511706-638305.SS7485. The original budgeted amount \$300,000.00. - Approved*
18. Council is asked to approve Contract Amendment #1 for Project SS7363; Sewer System Evaluation Study for Smith Branch 03, as requested by Columbia Water. Award to AECOM, in the amount of \$268,934.00. This firm is headquartered in Los Angeles, CA and has a local office in Columbia, SC. *Funding Source: 55299999-SS7363-658650. The original budgeted amount is \$268,934.00. – Approved*

This is a CleanWater 2020 Program Project and a Mentor Protégé Program Project.

The following sub-consultant will provide additional services:

DESA, Inc., (Protégé) a Minority Business Enterprise, located in Columbia, SC, will provide Data Collection and Field Work, Public Relations, Construction Administration and Observation services at \$51,099.00 (19.0%) of the contract amendment amount.



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19. Council is asked to approve Contract Amendment #3 for Project WM4326; Water Tank Repainting and Maintenance Services, as requested by Columbia Water. Award to Utility Service Company, Inc. in the amount of \$359,323.00. This firm is located in Perry, Georgia. *Funding Source: Water Plants Operations Budget 5516206-WM4326-638305. The original budgeted amount is \$365,000.00. – Approved*

The following sub-consultant will provide additional services:

Bullins Painting of Stoneville, GA will provide blast/paint labor services at \$80,000.00 (22.3%) of the contract amendment value.

Semper Fi Steel of La Grange, KY will provide blast/paint labor services at \$80,000.00 (22.3%) of the contract amendment value.

20. Council is asked to approve an Engineering Services Agreement for Project SD8360; Water Quality Monitoring and MS4 Program Support Services, as requested by Columbia Water. Award to Woolpert, Inc., in the amount of \$464,335.00. This firm is located in Columbia, SC. *Funding Source 5534202-SD8360-638305 - Sub-consultant Rogers & Callcott, a Small Business Enterprise of Columbia, SC will provide grapling, laboratory testing, and analysis services for three (3) years at \$106,680.00 (8.0%) of the contract value. - Approved*
21. Council is asked to ratify three (3) Emergency Procurements for the Repair of 8" Waterlines throughout the City, as requested by Columbia Water. Award to Carolina Tap and Bore of West Columbia, SC, a Certified Local Business Enterprise, in the amount of \$75,960.00 and award to North American Pipeline Management, Inc., of Marietta, GA for two (2) repairs in the amount of \$208,594.00 and \$256,839.00 for a total amount of \$541,393.00. *Funding Source: Engineering –Paving and Asphalt Supplies; 5511706-623500 (\$75,960.00); Water and Sewer Capital Projects-Capital Project Costs; 5529999-658650 (\$208,594.00); Water and Sewer Capital Projects-Capital Project Costs; 5529999-658650 (\$256,839.00) – Approved*
22. Council is asked to approve Project SD8413: A Design Build Contract for Saluda Avenue Stream Bank Stabilization Retaining Wall, as requested by Columbia Water. Award to McClam and Associates, Inc., in the amount of \$786,554.75. This firm is located in Little Mountain, SC. *Funding Source: 5549999-SD841301-658650. The original budgeted amount is \$900,000.00. - Approved*
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The following sub-consultants will provide additional services:

Chao & Associates, Inc. a Minority Business Enterprise of Columbia, SC will provide design consulting at \$38,200.00 (35%) of the contract value.

F&ME Consultants, Inc., of Columbia, SC will provide geotechnical investigation services at \$23,300.00 (21%) of the contract value.

Breccia Construction, LLC of Charlotte, NC will provide constructability review and value engineering services at \$8,800.00 (8.0%) of the contract value.

23. Council is asked to approve Contract Amendment #1 for Project SS7253; Design, Construction, and Rehabilitation of the Metro Wastewater Treatment Plant Anaerobic Digester, as requested by Columbia Water. Award to Hazen and Sawyer, P.C. in the amount of \$943,175.00. This firm is located in Columbia, SC. *Funding Source: Water and Sewer Budget; 5529999-SS725301-658650. The original budgeted amount is \$943,175.00. - This is a Clean Water 2020 Program Project and a Mentor Protégé Project. Construction Dynamics, Inc., a Minority Business Enterprise of Columbia, SC is the Protégé and will provide constructible review, cost estimating, and construction observation services at \$273,600.00 (29.01%) of the contract amendment value. - Approved*
 24. Council is asked to approve an Engineering Services Agreement for Project SS7425; Rocky Branch III Sewer System Evaluation Study and Sewer Rehabilitation Services, as requested by Columbia Water. Award to Brown and Caldwell in the amount of \$1,226,800.00. This firm is located in Columbia, SC. *Funding Source: Water & Sewer Capital Projects – Rocky Branch03 Basin SSES- Capital Project Cost-5529999-SS742501-658650. The original budgeted amount is \$1,226,800.00. This is a Clean Water 2020 Program Project and a Mentor Protégé Project. 4D Engineering, LLC, a Minority Business Enterprise (Woman) of Lexington, SC is the Protégé and will provide project administration, data management, sewer assessment, permitting, and construction administration services at \$495,796.00 (40.4%) of the contract value. - Approved*
 25. ANNEXATION, COMPREHENSIVE PLAN MAP AMENDMENT, AND ZONING MAP AMENDMENT - NX 1080 Shop Road; TMS# 11211-07-09 – *First reading approval was given on January 16, 2018. – Approved on second reading.*
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We Are Columbia

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Ordinance No.: 2017-117 - Annexing and Incorporating NX 1080 Shop Road, Richland County TMS#11211-07-09, into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No.: 2015-014 on February 17, 2015 – *First reading approval was given on January 16, 2018. – Approved on second reading.*

Council District: 3

Proposal: Request to annex, assign land use classification of Employment Campus (EC), and assign zoning of Light Industrial (M-1). The property is currently classified as Mixed Residential-High Density and zoned Employment Campus (EC) by Richland County.

Applicant: George McCutchen

Staff Recommendation: Approval

PC Recommendation: 12/04/2017; Approval (8-0)

26. Ordinance No.: 2018-008 - Authorizing the City Manager to execute a Seventh Amendment to Lease between the City of Columbia and Old Boy Properties, LLC for property consisting of 100± acres in Richland County, South Carolina being a portion of the property formerly owned by Columbia Venture, LLC and Sunday School, LLC - *First reading approval was given on March 20, 2018. – Approved on second reading.*
27. Ordinance No.: 2018-009 - Granting encroachment to Central Midlands Transit Authority – The COMET for the use of the right of way areas of the 5500 block of Ring Road for the installation and maintenance of a Bus Shelter, sidewalk, cart coral and landscaping adjacent to 5590 Ring Road, Richland County TMS# 16710-02-04 - *First reading approval was given on March 20, 2018. – Approved on second reading.*
28. Ordinance No.: 2018-011 - Granting an encroachment to Historic Columbia Foundation for the use of the right of way area of the 1700 block of Henderson Street for the installation and maintenance of a wooden utility pole and conduit adjacent to 1615 Blanding Street Richland County TMS# 11403-07-01 - *First reading approval was given on March 20, 2018. – Approved on second reading.*
29. Resolution No.: R-2018-027 - Authorizing consumption of beer and wine beverages only at Outfest Columbia in the 1100 block of Park Street between Gervais Street and Senate Street on Saturday, June 2, 2018 - *Approved*



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30. Resolution No.: R-2018-029 - Amending Resolution No.: R-2017-094 Authorizing consumption of beer and wine beverages only at The Rosewood Crawfish Festival to change the date from Saturday, May 5, 2018 to Saturday, May 12, 2018 - *Approved*

PRESENTATIONS

31. Sikh Awareness and Appreciation Month - The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin said he had the wonderful opportunity to visit a beautiful Sikh Temple outside of Chapin. I was invited to a Vaisakhi Day celebration recognizing the founding of the Sikh Order in 1699. It was a humbling cultural experience. I had the opportunity to recognize a growing Sikh community in the Midlands and we hope to spend more time over the years educating the public on Sikhism and the wonderful things that our Indian Community is doing. The commitment of Sikhs to humanity, religious tolerance, and religious freedom is consistent with the very best values of this country. This City was also founded on those principles.

Dr. Amarjit Singh, Secretary of the Sikh Religious Society and Board Member of the Interfaith Partners of South Carolina thanked Mayor Benjamin for accepting the invitation. He said when people are educated about the Sikh community, there are no problems. We love peace and all communities.

Mayor Benjamin and the members of Council proclaimed April as Sikh Awareness and Appreciation Month in the City of Columbia.

32. Recognition of Delaney Toomer as Miss Richland County Teen - Mayor Stephen K. Benjamin

Miss Delaney Toomer, Miss Richland County Teen 2018 said it is an honor to represent Richland County as I go on my journey to become Miss South Carolina Teen. The Miss America Outstanding Teen organization is the largest scholarship provider for women in the country. My platform is All Rise. My goal is to get parents of children in grades pre-k to third to show up in classrooms throughout the school year. This will excite students about learning. I am excited to continue this initiative with my pledge card. I will continue to speak to Parent Teacher Organizations and Rotary Clubs around Richland County to promote this initiative.



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33. PowerTalk 21® Day Proclamation - The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of Council proclaimed April 21, 2018 as PowerTalk 21® Day in the City of Columbia.

Ms. Ashley Merrick, Program Specialist for Mothers Against Drunk Driving South Carolina said on April 21, 2018, we want to encourage parents to begin having the conversation about alcohol with young people. Parents are the biggest influencers when it comes to their mindset about alcohol. By providing this information to parents, they are able to change students' perspectives about the use of alcohol.

34. Columbia Fair Housing Month and National Community Development Week Proclamation - Ms. Gloria Saeed, Director of Community Development

Ms. Gloria Saeed, Director of Community Development said during April the Community Development Department recognizes National Community Development Week, Fair Housing Month, and Financial Literacy Month. The City of Columbia receives an entitlement award from the U.S. Department of Housing and Urban Development for Community Development Block Grant (CDBG) and HOME Investment Partnership funding. These funds are used to improve physical, economic, and social conditions and to provide decent, safe, and affordable housing in our community. She announced that the City can expect to receive additional CDBG and HOME funds in the coming year. She outlined the many events that are scheduled in celebration of Columbia Fair Housing Month, National Community Development Week, and National Financial Literacy Month. She announced that Community Development will be launching a pilot employee financial wellness program in an effort to help employees reduce financial stress, practice good financial behaviors, and achieve overall financial well-being regardless of the salary earned. The department has partnered with the Consumer Financial Protection Bureau to offer free, one-on-one budget and credit coaching. Our child savings account program will be launched in the fall as a pilot program being offered to Watkins Nance Elementary School kindergarteners. Thanks to corporate donations, we raised \$15,000 and we will be able to support these programs for two years.

Mayor Benjamin and the members of Council proclaimed April as Columbia Fair Housing Month and April 2-6, 2018 as National Community Development Week in the City of Columbia.



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35. National Financial Literacy Proclamation - Ms. Gloria Saeed, Director of Community Development

Ms. Faith Moss, Individual Development Account participant said she is studying retail management at the University of South Carolina in hopes of pursuing a career in retail law. Through the IDA program, I took classes on budgeting and retirement savings. I put \$30 per week into my account and my goal is to save \$500. They will match my savings with \$1,000. It's a great opportunity for college students and it's a blessing for my family. I will use the money for my fall tuition and books.

Mayor Benjamin and the members of City Council proclaimed April 2017 as National Financial Literacy Month and recognized Ms. Faith Moss as a model Individual Development Account participant in the City of Columbia.

RESOLUTIONS

36. Resolution No.: R-2018-025 - Authorizing Condemnation for Easement Acquisition for CIP Project #SS7261 (Lake Katherine Sewer Line Capacity Enhancement) along Property Identified as Richland County TMS#13913-05-12 located at 4628 Pine Grove Court; CF#250-378 - *Approved*

Upon a motion made by Mr. McDowell and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2018-025 - Authorizing Condemnation for Easement Acquisition for CIP Project #SS7261 (Lake Katherine Sewer Line Capacity Enhancement) along Property Identified as Richland County TMS#13913-05-12 located at 4628 Pine Grove Court; CF#250-378.

37. Resolution No.: R-2018-028 - Authorizing the City Manager to execute any documents necessary to purchase certain properties affected by the 2015 flood through the Property Acquisition Program - *Approved*

Mayor Benjamin said we are excited about purchasing these properties that were affected by the 2015 flood. Because of the advocacy of Congressman Clyburn, Senator Graham, Senator Scott, and others, even more resources will be flowing to the Midlands to give relief to our citizens who were affected in 2015 and 2016.



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Upon a motion made by Mr. Duvall and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2018-028 - Authorizing the City Manager to execute any documents necessary to purchase certain properties affected by the 2015 flood through the Property Acquisition Program.

38. Resolution No.: R-2018-030 - Authorizing the City Manager to execute an Office Lease Agreement between the City of Columbia and MS Joint Venture for the lease of the Mezzanine at 1401 Main Street - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2018-030 - Authorizing the City Manager to execute an Office Lease Agreement between the City of Columbia and MS Joint Venture for the lease of the Mezzanine at 1401 Main Street.

39. Resolution No.: R-2018-031 - Authorizing the City Manager to execute a 7th Lease Amendment Agreement between the City of Columbia and MS Joint Venture for the lease of the 10th floor of 1401 Main Street - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2018-031 - Authorizing the City Manager to execute a 7th Lease Amendment Agreement between the City of Columbia and MS Joint Venture for the lease of the 10th floor of 1401 Main Street.

40. Resolution No.: R-2018-032 - Authorizing the City Attorney's Office to institute a civil action in the Richland County Court of Common Pleas against Dominion Carolina Gas Transmission, LLC, with South Carolina Electric and Gas, Santee Cooper Power Cooperative and New Heights Church as interested parties seeking a Declaratory Judgment and Injunctive Relief regarding a prescriptive easement for an Access Road to the Harbison 2 Pump Station located at 5501 Broad River Road, Richland County TMS #06200-01-24 - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2018-032 - Authorizing the City Attorney's Office to institute a civil action in the Richland County Court of Common Pleas against Dominion Carolina Gas Transmission, LLC, with South Carolina Electric and Gas, Santee Cooper Power Cooperative and New Heights Church as interested parties seeking a Declaratory Judgment and Injunctive Relief regarding a prescriptive easement for an Access Road to the Harbison 2 Pump Station located at 5501 Broad River Road, Richland County TMS #06200-01-24.



**COLUMBIA CITY COUNCIL MEETING MINUTES
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ZONING / PLANNING MATTERS - SECOND READING

41. ANNEXATION, COMPREHENSIVE PLAN MAP AMENDMENT, AND ZONING MAP AMENDMENT - 2050 Woodcreek Farms Road; TMS# 25716-03-04– *First reading approval was given on March 20, 2018. – Approved on second reading.*

Ordinance No.: 2018-006 - Annexing and Incorporating 2050 Woodcreek Farms Road, Richland County TMS# 25716-03-04, into the Plan Columbia Land Use Plan Putting the Pieces Together adopted by Ordinance No.: 2015-014 on February 17, 2015 – *First reading approval was given on March 20, 2018. – Approved on second reading.*

Council District: 4

Proposal: Request to annex, assign land use classification of Urban Edge Multi-Family (UEMF) and assign zoning of Planned Unit Development-Residential District (PUD-R). The property is currently classified as Neighborhood-Medium Density and PDD by Richland County.

Applicant: The Hampton Links, LLC

Staff Recommendation: Approval

PC Recommendation: 01/08/2018; Approval (7-0)

Upon a motion made by Mr. McDowell and seconded by Mr. Davis, Council voted unanimously to give second reading approval to the *Annexation, Comprehensive Plan Map Amendment, and Zoning Map Amendment* for 2050 Woodcreek Farms Road; TMS# 25716-03-04. Mayor Benjamin abstained from voting due to a potential conflict of interest.

42. ZONING MAP AMENDMENT - 3319 Millwood Avenue, TMS# 13804-03-09 – *Withdrawn by the applicant.*

Council District: 3 & 4

Proposal: Request to rezone the parcel from PUD-C to RS-2

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



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Staff Recommendation: Approval

PC Recommendation: 01/08/2018, deferred by applicant to 2/5/2018; 02/05/2018, Denial (9-0)

PUBLIC HEARING - ORDINANCE FIRST READING

43. Ordinance No.: 2018-001 - 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. 14-106. Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine - *Approved on first reading.*

Council opened the Public hearing at 6:51 p.m.

Mr. David Harris, Owner of Nightcaps said he met with Councilman Rickenmann and Ms. Lucas from the neighborhood coalition to discuss the proposal. I believe this has teeth. The old ordinance had a lot of gray areas. The new version is fair to the businesses that are operating responsibly. The irresponsible businesses will weed themselves out. Communication will be important for the businesses and neighborhoods. We serve food until 5:00 a.m.

Mr. Sam Hoy said he has worked at Bar None for over ten years and in Five Points for over eleven years. Bar None has been open for 23 years and it has always been a late night bar. The student body population has ballooned and that is the problem. Students are drinking in the Vista and on Main Street. If we close at 2:00 a.m. they will have house parties in the neighborhood. In response to a statement made earlier today, he said the Five Points Association pays for the trash to be cleaned up. I am curious as to why this is suddenly an issue.

Ms. Carole Cato, Wales Garden Neighborhood Association said it is hard to fight alcohol. Our owner occupied homeownership is up and it is growing. We have an opportunity to do something in our community, but there are some frightening things happening. I am elderly, I am a citizen, and I pay taxes. Many single women live in the community. I recall wanting to move after a highly intoxicated young lady from USC struck my neighbor's SUV. I also recall when a neighbor called the police after seeing four intoxicated young men on my front porch. We don't need to have our citizens violated like this.



We Are Columbia

COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, APRIL 17, 2018

Ms. Lynn Bailey said I am a 30-year resident of Rosewood, but prior to that I lived on Laurens Street around USC for 10-years. I am a professional healthcare economist. I am here to ask City Council to support the recommendation of the Public Safety Committee and proposed modification to the ordinance that will permit bars to remain open after 2 a.m. The repeal of the ordinance would only punish business owners who are behaving. I believe enrollment growth and changes in students' alcohol consumption habits are driving the problem. In 1975, there were less than 23,000 students at USC. In 2000, there were approximately 24,000 students. By 2010, there were 25,000 students. Today, there are slightly less than 30,000 students. That is a 139% increase and this is the driver of the Five Points issue. USC expansions will continue. There needs to be reasonable modifications and adjustments by all parties.

Mr. Robert Brady said I can see a benefit to both sides. It seems to be an issue with the patrons of bars causing disturbances. If the bars close at 2 a.m. they will rush to see how many shots they can take before 2 a.m. Not allowing freshmen to have cars could prevent them from going to Five Points. It could help with hazing issues at USC, add parking for upperclassmen, and give students a year to adjust to their freedom.

Mr. Casey Hamlin, Chair of the Student Government Safety and Transportation Committee at the University of South Carolina said I believe that the majority of students agree with keeping bars open past 2 a.m. I want the community and the City of Columbia to know that students realize that we do have a responsibility. We realize that we need to know what our limit is and we need to look out for each other while we are in Five Points. We are trying to figure out why some students don't follow the rules and how we can mitigate that. We also cannot ignore the responsibility of the bar owner to make sure that underage students aren't entering bars and making sure students aren't being over served. The ordinance does these things well as long as there is enforcement. There are student leaders who are working to mitigate the existing issues.

Ms. Katerina Barrie said as a small business owner she often works at night and late night bars like Bar None offer a safe space for working. If we limit the late night hours, we will be limiting the growth of this community. We will deter young adults who like the freedom of going out late at night. By 2020, 20% of the United States' population will be self-employed. By limiting these freedoms, we will be limiting the influx of entrepreneurs.

Mr. Sean McManus said he spoke earlier in support of the ordinance. I am also supportive because I believe that by the bars remaining open this will keep students safe. College students can drink in unsafe situations where they might die or they can drink at a bar where employees are bound by the law to not let that happen.



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, APRIL 17, 2018

Council closed the Public hearing at 7:17 p.m.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2018-001 - 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. 14-106. Hours of sale restricted for commercial establishments which allow for on-premises consumption of beer, ale, porter and/or wine, with the understanding that Council will be working with folks to see if there is some tweaking that can be done between now and second reading to give them more comfort.

ORDINANCES - FIRST READING

44. Ordinance No.: 2018-003 - Granting and encroachment to CD/Park7 Columbia SC High Rise Owner, LLC for the use of the right of way areas of the 1000 block of Assembly Street, 1000 block of Pendleton Street and 1000 block of Park Street for the installation and maintenance of sidewalks, driveways, retaining walls, landscaping and irrigation adjacent to its building at 1015 Assembly Street, Richland County TMS#08916-09-08 – *Approved on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2018-003 - Granting and encroachment to CD/Park7 Columbia SC High Rise Owner, LLC for the use of the right of way areas of the 1000 block of Assembly Street, 1000 block of Pendleton Street and 1000 block of Park Street for the installation and maintenance of sidewalks, driveways, retaining walls, landscaping and irrigation adjacent to its building at 1015 Assembly Street, Richland County TMS#08916-09-08.

45. Ordinance No.: 2018-012 - A Twelfth Supplemental Ordinance Providing for the issuance and sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, in one or more series, in the aggregate principal amount of not exceeding \$115,000,000, in order to finance various capital projects and improvements to the system, any necessary debt service reserves and issuance costs; authorizing the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto – *Approved on first reading.*



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Upon a motion made by Mr. McDowell and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2018-012 - A Twelfth Supplemental Ordinance Providing for the issuance and sale of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, in one or more series, in the aggregate principal amount of not exceeding \$115,000,000, in order to finance various capital projects and improvements to the system, any necessary debt service reserves and issuance costs; authorizing the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto.

46. Ordinance No.: 2018-013 - Authorizing and providing for the issuance of Stormwater System Revenue Bonds of the City of Columbia, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the revenues derived from the operation of the system and pledging such revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing – *Approved on first reading.*

Upon a motion made by Mr. McDowell and seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2018-013 - Authorizing and providing for the issuance of Stormwater System Revenue Bonds of the City of Columbia, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the revenues derived from the operation of the system and pledging such revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing.

47. Ordinance No.: 2018-014 - A First Supplemental Ordinance Providing for the issuance and sale of City of Columbia, South Carolina, Stormwater System Revenue Bonds, in one or more series in the aggregate principal amount of not exceeding \$50,000,000, in order to finance various capital projects and improvements to the system, any necessary debt service reserves and issuance costs; authorizing the Mayor, the City Manager and the Assistant City Manager or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters related thereto – *Approved on first reading.*

Mayor Benjamin said the top twenty flooding challenges in the City are being addressed by our first storm water bond.



We Are Columbia

COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, APRIL 17, 2018

Mr. Clint Shealy, Assistant City Manager for Columbia Water said this is a monumental moment for us. We already have three projects underway at MLK Park, Wallace Street, and Harlem Heights. This will allow us to design and construct improvements in the Shandon area, Randall Avenue, Penn Branch, Whaley and Main, Five Points, and Gills Creek. We are looking at conveyance and green infrastructure.

Upon a motion made by Mr. Davis and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2018-014 - A First Supplemental Ordinance Providing for the issuance and sale of City of Columbia, South Carolina, Stormwater System Revenue Bonds, in one or more series in the aggregate principal amount of not exceeding \$50,000,000, in order to finance various capital projects and improvements to the system, any necessary debt service reserves and issuance costs; authorizing the Mayor, the City Manager and the Assistant City Manager or any two of them acting together to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters related thereto.

OTHER MATTERS

48. Council is asked to approve the installation of one (1) additional street light on Florence Street and two (2) additional street lights on Preston Street, as requested by the Traffic Engineering Division. - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Ms. Devine, Council voted unanimously to approve the installation of one additional street light on Florence Street and two additional street lights on Preston Street, as requested by the Traffic Engineering Division.

49. Council is asked to approve the Installation of three (3) Speed Humps in the Oakwood Court Neighborhood, as requested by the Public Works Department. - *The Columbia Fire Department and Police Department have reviewed and approved the proposed location. – No action was taken.*

Mayor Benjamin recognized University of South Carolina School of Journalism students who were in attendance.

Councilor Rickenmann asked how we handle requests for speed humps.

Mr. Robert Anderson, Public Works Director said DOT is reviewing their policy. We will never get speed humps on highly traveled roads.



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, APRIL 17, 2018

Councilor McDowell inquired about the City's process after receiving a written request from a community for speed humps.

Mr. Robert Anderson, Public Works Director said we conduct a speed study on the street then we identify where the speed humps will go with the understanding that signs will be put in yards before and after the installation of speed humps. We take that back to the neighborhood for approval. Once Council approves it, we then seek DOT approval if it is their road.

Councilor Davis said it is a safety issue and we have to do what it takes to make the neighborhoods safe.

Mr. Robert Anderson, Public Works Director said we will add this to the agenda for our collaboration meeting with SCDOT.

Councilor Devine asked if there have been discussions about recycling every week instead of every two weeks.

Mr. Robert Anderson, Public Works Director said there have been requests and if it is Council's desire we can determine the additional personnel and maintenance costs for putting the trucks on the road. We should also have a conversation about the recycling markets.

CONSIDERATION OF MATTERS DISCUSSED DURING THE WORK SESSION

No items were considered at this time.

CITY COUNCIL COMMITTEE REPORTS / REFERRALS

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to refer a review of the propriety and efficiency of changing to weekly recycling to the Environment and Infrastructure Committee.

APPEARANCE OF THE PUBLIC

Ms. Malaysia Halley, Creator of Heal With Me invited the members of Council to the Healing and Empowerment Day in Columbia at the State House on Saturday, April 21, 2018. This rally is for survivors of child abuse and will include yoga and meditation sessions. She announced that April is Child Abuse Prevention Month.



We Are Columbia

**COLUMBIA CITY COUNCIL MEETING MINUTES
TUESDAY, APRIL 17, 2018**

Upon a motion made by Mr. McDowell and seconded by M r. Davis, Council voted unanimously to adjourn the meeting at 7:40 p.m.

Respectfully submitted by:

Erika D. Moore, CMC
City Clerk