



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, JUNE 15, 2021

The Columbia City Council conducted a virtual meeting on Tuesday, June 15, 2021 using video conferencing technology. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:12 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 Mayor Pro-Tempore Edward H. McDowell, Jr., The Honorable Daniel J. Rickenmann, and The Honorable William Brennan. Also present were Mr. Jeffery Palen, Assistant City Manager for Financial Services / Chief Financial Officer and Ms. Erika D. Moore Hammond, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

INVOCATION

The Honorable Mayor Pro Tempore Edward H. McDowell, Jr. offered the invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to adopt the agenda, subject to adding an Executive Session discussion of the employment of an employee pursuant to S.C. Code §30-4-70(a)(2) - Fire Department and the discussion of City Holidays and Booker Washington Heights to **Item 26**.

APPROVAL OF MINUTES

1. Council is asked to approve the June 1, 2021 City Council Meeting Minutes.

Upon a motion made by Mr. McDowell and seconded by Mr. Davis, Council voted unanimously to approve the June 1, 2021 City Council Meeting Minutes.

CITY COUNCIL DISCUSSION / ACTION

2. COVID-19 Update - The Honorable Mayor Stephen K. Benjamin

- COVID-19 Situational Report - Mr. Harry Tinsley, Emergency Management Director

Mayor Benjamin said some of you might have seen the media campaign that staff has helped us push out. We have to keep encouraging people to be vaccinated. South Carolina lags behind in vaccinations compared to the rest of the country. This means we have a lot of room for improvement. I encourage you to amplify the message around vaccinations.



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Mr. Harry Tinsley, Emergency Management Director said according to the CDC, the vaccination utilization rate is 81.8%, with an average of over 1.1 million doses administered each day. The June 12th report shows all 46 counties in South Carolina with a low burden and minimal community activity. The City of Columbia and DHEC will host a vaccine clinic on June 17th from 1:00 p.m. to 4:00 p.m. at the Drew Wellness Center. DHEC will be administering the vaccines. No appointment, insurance, or ID is required. In the U.S., we have over 33.4 million confirmed cases and over 600,000 deaths due to COVID-19. In South Carolina, the confirmed case count stands at 492,985. The state case count for today is 53 with a positivity rate of 2.1%. There were no new confirmed deaths in today's report, bringing the state total of confirmed deaths to 8,623. In Richland County, the case count stands at over 39,729 with 3 new cases as of today and a total death count of 508. From May 31st to June 13th, Richland County had 298 cases, averaging about 21 new cases per day. As of June 9th, the Richland County recent disease activity incidence rate continues to remain low with a 2.0% positivity rate. Statewide hospitalizations continue to decline. As of today, there are 163 patients currently hospitalized due to COVID-19. Over 5 million doses have been received in the state and over 3.7 million have been administered. As of June 12th, approximately 39.5% of South Carolina's population greater than 12 years of age are fully vaccinated and 46.3% have received at least one dose. In Richland County, 171,933 residents have received at least one dose. According to the CDC, 43.7% of the U.S. population have been fully vaccinated and 76.4% of those 65 and older have been fully vaccinated.

3. Resolution No.: R-2021-069 Supporting Statewide Legislation Prohibiting the Use of Conversion Therapy on Minors – *Approved*

PUBLIC INPUT ON ITEMS 3 AND 4:

Dr. Elizabeth Ems said I strongly urge you all not to pass the ordinance regarding conversion therapy for minors. As a mom and a faith leader in the community I appreciate that you are so committed to protecting the physical and psychological wellbeing of our minors, but this ordinance is not in the best interest of our children. This ordinance limits the rights and freedoms and opens the door for prejudice and the strangulation of freedom of speech and freedom of religion. The freedoms and rights of our licensed providers need to be defended. They have worked diligently to obtain their title and practice in their field and should be trusted within their profession. Each person is a complex individual that requires unique care. What is helpful to one child might be disastrous to another. I have personally witnessed both sides of this. Licensed providers should have the right to speak according to their convictions, just as parents should continue to have the right to take their minors to someone else for care.



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Pastor Terrell Roberts said I don't see the word "coercive" in the ordinance. Does this ordinance simply prohibit the application of "conversion therapy" against a minor's will or does it also regulate the conversation a counselor can have with their client? I know two licensed professional counselors who practice in the City of Columbia, both of whom approach counseling from a biblical worldview, and both of whom say they would never apply conversion therapy against a minor's will. What if those counselors see the need to discuss with the client the biblical perspective on gender and sexual orientation? Will this ordinance restrict what a counselor can discuss with the client? As written, this ordinance is ambiguous, leaving it open to misinterpretation and misapplication. My concern is that it will muzzle the helping professionals or at least intimidate them to the point that they are afraid to help young people who sincerely want help. How many children in Columbia have been harmed by conversion therapy? Do we know of actual cases, and if so, who determined what caused the harm? Are we addressing a problem that might be more imaginary than real, or at best, a problem that is merely potential? As a pastor, I am concerned that this ordinance could be a slippery slope that could lead to a more widespread repression of free speech to the point of prohibiting pastors from teaching biblical perspectives on these issues. I strongly urge the Council to vote no on Ordinance 2021-021.

Dr. Mark Smith said I have met with all my counselors at Columbia International University and asked if they use a specific version of therapy counseling. No one does here. It is not a common practice, which made me wonder if there is a real need for this proposed resolution. Has the Council considered the potential impact on the clergy in America? In a number of states where this has been passed there are now lawsuits from citizens or even those who have an activist mindset to take on the clergy and put the clergy at a specific disadvantage. This is requiring additional legal counsel for the clergy and it will have a huge effect on the clergy as we go forward. I would ask that you look at what is meant by conversion therapy. Both counselors and patients could be damaged by this resolution. I know there will be court cases that may end up at the Supreme Court. There is no scientific proof as to either side of this issue. I would ask for your help in unifying us and not dividing us.

Mr. Brad Lindsey, Sunday School Teacher at First Presbyterian Church said I want to encourage you not to forget about those of us who are persons of strong faith. I'm speaking up for counselors who can't turn their faith off as well as the ones commanded to be ambassadors for Christ by the scripture. I would encourage you to vote against this resolution and don't forget the faith community.



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Minister Renee Mills, Graduate of Columbia International University said the first amendment states that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof in our society. Freedom of religion has been twisted to mean freedom from a religious influence, which is something that the framers of our constitution never intended. We are asking you to protect the very rights stated in the Declaration of Independence and endowed by our creator. Consider that any law that prohibits the free exercise of religion is unconstitutional and should be excluded. We are asking you to vote no to this bill. Education always includes all perspectives, but indoctrination is simply one sided. Prohibiting parents who are Christian, Jewish, or any other faith from exercising their religious freedom and seeking counselors with the same values is unconstitutional. The responsibility for training children belongs to the parents and as parents let us choose what is best for our children in accordance with our own convictions, values, and beliefs as long as it is legal and moral.

Dr. Carl Brogue, said many follow Columbia as an example. Either the Bible is true or it's not but it does speak against transgender behavior and homosexual behavior. I know in the culture we live in people want to make this a minority issue. This is not a minority status issue; this is an issue of morality. The scripture is clear and I would be afraid as a councilmember to vote against God and his word and prevent Christian counselors, psychiatrists, and pastors to counsel people. When you call a boy, a girl or a girl, a boy, you are going against the clear teaching of scripture. Our mandate is to tell people the truth. I hope you all consider this because you're not really opposing pastors and the people that you represent; you are opposing the living God.

Pastor Debbie Cloninger said our founding fathers were very wise men. When they pinned the Declaration of Independence they did that with all of us created equal and with available rights: life, liberty, and the pursuit of happiness. If our children are unhappy and you are taking away our liberty as parents to get them qualified Christian counseling, this is something that is a clear violation of the Declaration of Independence, our knowledge of the Bible, and who God is and how he created us. This ordinance takes away parents ability and freedom to get help for their children. I ask that you vote against this ordinance.

Mr. Mitch Prosser said I have some concerns in regards to this ordinance and resolution at hand. The first has been articulated by the previous callers in regards to religious freedom and the rights of parents and children. I think it's important for us to understand that faith is something that cannot be separated from who we are as individuals. We should be concerned about the rights of the parents and the children when it comes to free speech and the exercise thereof, but also in regards to those medical professionals and licensed medical professionals. We would be restricting their right to speech protected by the Constitution. Would the City essentially be closed to businesses or counseling practices that are licensed by the state? I strongly urge you to reconsider the passage of this resolution and ordinance.



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An unidentified caller, Retired High School Biology Teacher said America is a unique nation. It's a melting pot of people from different countries, cultures, religions, and races, who come here in the pursuit of freedom and a better life. The first amendment guarantees freedom concerning religion, expression, assembly, and the right to petition. It prevents Congress from both promoting one religion over others and also restricting an individual's religious practices. We also have the freedom and responsibility to raise our children to become responsible adults. We are given the liberty to teach them our belief system and raise them with our values. The brain and its functions do not fully develop until a child is in his or her mid-twenties. Therefore, their ability to think, reason, and make responsible decisions is not fully developed until early adulthood. The parent's obligation is to help them mature and learn how to make responsible decisions, but often the parents have to make decisions for them. If their child is struggling with identity issues and the parents feel they need some help in that area, they have the freedom to get them the help they feel is appropriate for their child. They know their children better than anyone else. I urge the Council to vote against this bill.

Pastor Trivian Capers, Benevolent Baptist Church in Hopkins, South Carolina and Associate Dean of Spiritual Formation at Columbia International University said I echo very similar sentiments of those that spoke before me and our concerns are nearly unanimous in the scope of this ordinance. We urge City Council to oppose this measure. One of the many things that we do in our discipline and exercise of our faith is counsel. We feel that this ordinance might leave the door wide open for escalation and other matters pertinent to the cause might prohibit us from exercising our faith in a manner in which the Constitution allows.

Ms. Tiffany James, said I will be reading a letter sent from the South Carolina Chapter of the American Academy of Pediatrics: Columbia City Council members, the South Carolina Chapter of the American Academy of Pediatrics is in support of the proposed conversion therapy ban. Policies and position statements from reputable medical associations opposing conversion therapy include the American Academy of Pediatrics, the American Medical Association, and the American Psychiatric Association. The concept of conversion therapy is based on misconceptions that homosexuality is a mental disorder and that sexual orientation or gender identity can be changed. The Trevor Project released its national survey on LGBTQ youth mental health on May 20, 2021. The survey found that 30% of LGBTQ youth reported being subjected to conversion therapy with 83% reporting this occurring when they were under 18 years old. Conversion therapy is based on false premises and in fact is known to be harmful. We have seen the effects of this in our practice. Dr. James Stallworth: "As a long standing board certified academic pediatrician in Columbia, I will join with the American Academy of Pediatrics in opposing conversion therapy for one of our most vulnerable patient populations. This issue should not be a political hot potato, but rather it is a medical issue fundamental to the doctor-patient relationship". Dr. Duncan Norton: "I am an academic board certified pediatrician



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who practices evidence-based medicine to provide the absolute best care to children in the Midlands. Conversion therapy has been found to be scientifically unbeneficial and to cause longer term mental adverse effects such as suicide. The use of conversion therapy is also found to be against the ethical principles of medicine. I applaud the members of Columbia City Council for moving forward to ban this harmful practice”. Dr. Heather Staples: “As a board certified academic pediatrics, preliminary physician, and parent of an LGBTQ+ teenager, I stand in support of the AAP position on conversion therapy. We know this to be a harmful practice, which is not based on any medical evidence and is opposed by numerous medical societies”. Past president of SCAAP Dr. Debbie Greenhouse: “As a board certified Columbia pediatrician with 25 plus years of experience, I have cared for many LGBTQ+ patients. These patients face numerous barriers in our community daily. They need support from their physicians and from mental health professionals who will care for them. Conversion therapy has been shown not to be helpful for LGBTQ youth and has been shown to do harm. It has no place in Columbia, South Carolina”. SCAAP secretary and treasurer Dr. Martha Edwards, board certified pediatrician and a member of the SC American Academy of Pediatrics Executive Committee: “I seek to advise families about best practices surrounding children’s mental and physical health. We know that conversion therapy is ineffective for LGBTQ youth and results in long-term harm to children who are exposed to it. Conversion therapy should be banned as a treatment option in order to protect our most precious resources, our children. The pandemic had laid bare the inequities in our society. Our LGBTQ youth have struggled disproportionately during this time as well. We are grateful for all you do for our children”.

Mr. Dylan Gunnels, Founder and Equity Designer at the Agape Table said the religious right has yet again hijacked this conversation. This ordinance is about licensed practicing officials. It is not about religious institutions nor is it about pastors. If those individuals are licensed and practicing, then certainly it would apply but nine times out of ten those who are still committing conversion therapy are not licensed and practicing. I went through it when I was 15 years old and I am still dealing with the ramifications of that trauma. The practice of conversion therapy continued when I went to college to a Baptist college to study theology. Even though I was wrestling with my sexuality I still knew that I was deeply loved by my God and I still knew that I was called to some form of ministry. I just want to urge the Council today to look at the facts, to look at the way that this ordinance was written, and what this ordinance has actually set to accomplish. This ordinance is about protecting our LGBTQ youth from dangerous practices that have been proven time and time again by scientists, doctors, pediatricians, psychiatrists, and beyond to be a harmful practice. I'd be happy to have any of you at the Agape Table to learn how the push for religious rights kept me away from my loving God and kept me away from the church for a very long time. I am very proud to say that I am in a loving, monogamous relationship with my partner and I am deeply loved by my Jesus and I deeply love Jesus too. I



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urge you to remember what this ordinance is really about, what this ordinance really does, and what this conversation really is.

An unidentified caller said there are some who may embrace this concept and want to stay in that concept, but then there are also those that want to be out and want to find a way out. How can the law take such a request away from that person seeking help and guidance and where are their constitutional rights to pursue their life, liberty and happiness if they have expressed a desire for help exiting the LGBTQ community? If conversion therapy is wrong for Christians and other counselors to help those wanting to obtain more truth and guidance out of the LGBTQ community, is it also equally wrong for the LGBTQ community to try their form of therapy on young impressionable minds sometimes even against their parents' wishes or without their parents' knowledge? If we are going to limit what one perspective wants to try to do to influence young minds, shouldn't your position be to limit all of it? I empathize with them and I pray that they find the help and the guidance they need. We all want what is best in terms of healing.

Ms. Jasmine McCray said I am calling to support the ban on conversion therapy. I believe that we do have a freedom of religion, but that also means we have freedom from religion, freedom from the ideas of others, and the practices from which they believe in. My right to choose should not infringe on the rights of others to choose. We should not allow our religion into our laws or policies because there is a separate church and state. Conversion therapy has been proven not to work. Multiple scientific studies and organizations have come out against this for years, including the American Academy of Child Adolescent Psychiatry and the American College of Physicians. It kills our children. Conversion therapy victims are nine times more likely to report having attempted suicide. Our children deserve to flourish fully as whoever they are, whoever they choose to be, and live to be. Our beliefs should not impede on someone's ability to be who they are, including our children. I encourage our City, Mayor and the City Council to be bold, to be leaders in our state, defend our LGBTQ community and pass this ban.

Mayor Benjamin said I asked for this resolution to be drafted. I have been very transparent about some of my concerns around the ordinance but I have not wavered one bit in the sentiment against conversation therapy. I felt it was more appropriate to address it as a resolution expressing our concern clearly as a Council. The language mirrors much of what is in the ordinance, but also calls on the state to take action.

Councilor Rickenmann said after a great deal of time talking to folks on both sides and families who have been affected, I believe this is a family choice and we need to allow the families to make those decisions. There are case studies on both sides and we can go back and forth, but the reality is that this should only be a family decision and I will be voting no on both the resolution and ordinance.



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Councilor Devine said I support the resolution. There are things that we can do in Columbia but certainly we need our state to do some things, as well. It is important to ask our legislature to take this up and I will support this resolution.

Councilor Davis said I entertained discussions with individuals on both sides of the issue. I was trying to position myself while taking into account the teachings of my father who was also a minister. I am surprised at some of the comments and how they were brought forward. I am in favor of the resolution which is most appropriate given the separation of local ordinances versus state legislation.

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted six (6) to one (1) to approve Resolution No.: R-2021-069 Supporting Statewide Legislation Prohibiting the Use of Conversion Therapy on Minors. Mr. Brennan, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin voted aye. Mr. Rickenmann voted nay.

4. Second Reading of Ordinance No.: 2021-021 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article V, Offenses Involving Minors to add Division 4, Conversion Therapy for Minors Prohibited - *First reading approval was given on May 4, 2021 – Approved on second reading.*

Councilor Duvall said we are amending the language in the ordinance as follows:

- Under the prohibited practices definition add “who is licensed by the City to engage in business” after the word “provider” and deleting “if the provider receives compensation in exchange for such services” after the words “city limits”.
- Under sexual orientation definition, we are deleting “the preference or practice of”.
- In Sec. 14-172. Intent, we are adding “by providers who are licensed by the City to engage in business and the manner in which provider deliver” after the word “conduct”, deleting “is delivered” after the word “treatment”, and adding “conversion” after the words “other than”.

These were minor word changes that were suggested to the committee that will clarify the intent of the ordinance. The majority of the people that called in this afternoon and who I have had discussions with over the last six weeks do not understand what is in this ordinance. There is no word in this ordinance that deals with religion. It does nothing to restrict pastoral duties. It is clearly aimed at licensed practitioners. Most of the pastors in the state of SC are not licensed practitioners. Conversation therapy has shown to be a terrible practice on young adults. Major



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organizations of licensed practitioners have shown that conversion therapy does not work and has lasting impacts on individuals who go through it. I know we are in uncharted territory. We have talked about *Williams v. Hilton Head*. This is a home rule state and we have the authority to do what the state legislature has not told us not to do. The state legislature has left this area of regulation on this specific topic up to the City Council. I vote yes to the resolution because it stands as a statement of our preference but we need both the resolution and the ordinance to support our beliefs that conversion therapy is a terrible practice on young adults in the City of Columbia.

Councilor Devine said I agree that most people have not read the ordinance and have used talking points that someone sent to them to contact us. I would encourage anyone whether you support it or not to read the ordinance and understand what you are commenting on. Some of the issues that were raised are not part of the ordinance. As an attorney who does mental health work in Richland County, I had my own questions and reached out to the folks at MIRCI and some of the mental health psychiatrists and professionals that I deal with on a daily basis. People can take an oath to do no harm and also have a strong faith but know that the harm that has been done by conversion therapy methods have been documented and nothing has proved that this therapy does what it purports to say it does. I heard people talk about parental freedom, the law also prohibits parents from using corporal punishment on children. There are areas where the law does step in to protect our citizenry. There is nothing prohibiting any individual from talking to their pastor about what your family is doing. I support the ordinance because we have been leaders in many issues and we will continue to lead, especially in this area to make sure our young people are not being harmed. We have received support letters from MIRCI, the South Carolina Chapter of American Academy of Pediatrics, Dr. Deborah Greenhouse, and other mental health professionals.

Councilor McDowell said I cannot in good faith support this item.

Mayor Benjamin said this is a tough issue and one of the reasons I authored the resolution is because I think it is important that we strongly express the sentiments of Council on the issue of conversion therapy. I am not afraid of a fight to lead the way in the state. I do believe that it is important that we pass laws and policies to protect everyone's dignity. I disagree with some of the comments made but I do appreciate the way the different views have been articulated. I believe that a resolution is the more appropriate way for the City to advocate. Columbia has led on justice, equality, and equity. We have been strong supporters of the LGBTQ+ community. I am not convinced this ordinance is the right step to take right now, the resolution aggressively expresses the desires of Council and I would lobby for state action.



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Upon a motion made by Mr. Duvall and seconded by Ms. Devine, Council voted four (4) to (3) to give second reading approval to Ordinance No.: 2021-021 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article V, Offenses Involving Minors to add Division 4, Conversion Therapy for Minors Prohibited as amended. Mr. Brennan, Mr. Duvall, Ms. Devine, and Mr. Davis voted aye. Mr. Rickenmann, Mr. McDowell, and Mayor Benjamin voted nay.

5. Update from Dominion Energy on Tree Trimming Practices - Mr. Royce Shannon, Manager of Electric Operations and Mr. Brett Wilkins, Vegetation Management Supervisor for Dominion Energy

Councilor Devine said I was in a neighborhood meeting on Sunday and it was discussed that some kind of pesticide was sprayed on limbs in people's backyard. I would like to address that.

Mr. Royce Shannon, Manager of Electric Operations said our number one priority is safety: the safety of our customers, our employers, employees, and the public. Our maintenance programs, including our vegetative management, is part of what helps us run a safe electric distribution system. Another priority is the reliability and resiliency of our system. Reliability is directly affected by our maintenance program. We have state requirements and laws that requires us to run our system in a way that provides safe, adequate, and sufficient service. Part of what we have to do in order to provide that safe reliable electricity is to perform various maintenance activities, including vegetative management and line clearing of our system. The general terms and conditions that all of our customers agree to when they accept service from the utility provides us the right to maintain our system, provide safe and adequate service to our customers, and on state and municipal right of ways. We are mandated to provide reliable electric service. You can see over the past 20 years the SAIDI number metrics have improved. That is the average number of minutes that your average customer has been out during a year. We have improved from 146 minutes to 91 minutes. We meet with City staff at the end of each year and review all upcoming tree trimming, line clearing programs, which neighborhoods we will be going to perform those activities, and if we are going to be performing any major construction. We also attend tree trimming workshops at the beginning of the year and review with residents where trimming is planned. We send postcards and emails to property owners several weeks prior to the beginning of work and we stay in communication with City officials regarding work as projects progress. We safeguard through vegetation management because it is critical to resiliency and reliability, allows for faster restoration during storms, increases safety for employees and the general public, and to follow industry standards for the health of the trees. We have standards that we utilize for tree trimming that we are trying to achieve to make sure we are providing adequate clearances from our power lines. There was a question about undergrounding lines and that is certainly an option. The City has taken a very proactive approach to undergrounding power lines within the



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City limits. The City has done much more undergrounding of power lines than any other municipality in our service territory and we certainly would consider continuing to partner with the City on that. The question came up about utilizing herbicides in backyards. We do utilize those to spray low-lying vegetation with the intent of not having to come back and perform line clearing activities in the future to limit the amount of time and impact to our customers.

Councilor Brennan said we have been a Tree City USA for about 42 years, number one in South Carolina. There are high expectations to keep a healthy tree canopy. The City's Forestry Department can only do so much if we don't have a good partner that goes the extra mile. I hope Dominion will go that extra mile for us. We have some very old trees in many of our old neighborhoods throughout the City and we are very lucky to have that. I would like to ask City staff to take into account, as we draft a new agreement, the wonderful points the residents all over the City made on how we can do a better job in maintaining our tree canopy.

Councilor McDowell said in the area that I serve I see trees that have been butchered. I had a staff person visit those sites with safety concerns. There is a tree with branches on Forest Drive that can become hazardous and trees in the Lyon Street Community that were cut where limbs are hanging over the street and it looks dangerous.

Mr. Royce Shannon, Manager of Electric Operations said I can't speak to those particular trees but we will certainly be happy to meet with City staff to address any tree issues. If there is something that we can do to help ameliorate any safety issue, we'll take that into consideration and see what we can do to help.

Mayor Benjamin said I think everyone understands the importance of having an efficient and safe system. A reliable system is paramount. Is so important to ensure a beautiful, robust, and safe environment that allows us to cool these famously hot streets in the summer and maintain the integrity of our neighborhoods. Let us hear as much as we can from the public and the private side. We can definitely put information on our website and social media channels so that people are aware. Let us make sure we also have some serious synchronicity in the dialogue with our forestry and beautification staff to make sure that we are doing everything we can to avoid the situations that can be avoided when they can.

CONSENT AGENDA ITEMS 6 THROUGH 13

Upon a single motion made by Mr. Duvall and seconded by Mr. Rickenmann, Council voted unanimously to approve Consent Agenda **Items 6** through **13**.



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6. Council is asked to approve a Service Agreement v for the Administration of a Self-Insured Workers' Compensation Program, as requested by the Legal Department. Award to Planned Administrators, Inc. in the amount of \$238,636.00. This firm is located in Columbia, SC. – *Approved*

Funding Source: Workers' Compensation (6098939-638300 & 6098939-645300).

7. Council is asked to approve an Agreement for the City of Columbia's Self-Insured Tort Liability Program, as requested by the Legal Department. Award to Planned Administrators, Inc., as a Third Party Administrator in the amount of \$362,580. This firm is located in Columbia, SC. – *Approved*

Funding Source: Claims - Automobile (6088938-645100), Claims - General Tort (6038932-645100), and Claims - Sewer (6068936-645100).

8. Council is asked to approve the Purchase of Automated Metering Infrastructure (AMI) Meters for New Water Accounts, as requested by Columbia Water. Award to Badger Meters, Inc., in the amount of \$236,811.60. This vendor is located in Milwaukee, WI. – *Approved*

Funding Source: Utilities Water Distribution & Maintenance - Meters, Parts, and Supplies (5516203-625600). The original budget amount is \$246,271.00.

9. Council is asked to approve Security Camera Subscription Services, as requested by the Columbia Police Department. Award to Motorola Solutions, Inc., for an initial term of five (5) years with the option to extend for five (5) one-year periods in an amount not to exceed \$2,442,385.00 for fiscal year 2021/2022. This vendor is located in Lexington, SC. We also request authorization for the City Manager to execute the final agreement in a form approved by the City Attorney's Office. – *Approved*

Funding Source: Citywide Video Security Upgrade (4039999-CP106506). The original budgeted amount is \$2,442,385.00.

10. Council is asked to Rescind the approval of a Contract for Project SS6786 (Item #6515); Sanitary Sewer Manhole Rehabilitation, as requested by Columbia Water. Council awarded this project to Vortex Services, LLC on April 20, 2021 in an amount not to exceed \$2,105,725.00. The firm is located in Greenville, SC. – *Approved*

Funding Source: Engineering - Water & Sewer Improvements (5529999-SS678620-658650). The original budget amount is \$2,105,725.68.



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11. Council is asked to approve a contract for Project SS6786; Sanitary Sewer Manhole Rehabilitation, as requested by Columbia Water. Award to Vortex Services, LLC in an amount not to exceed \$2,105,725.00 and expiring on June 30, 2022. This firm is located in Greenville, SC. This contract was originally approved on April 20, 2021 to be awarded to Vortex Services, LLC in an amount not to exceed \$2,105,725.00 for the initial period expiring on June 30, 2021. Item #6748 asks Council to rescind that contract. This contract also provides for up to three (3) annual renewals, each renewal at the City's discretion, at the same prices provided in the bid by Vortex Services, LLC. This contractor is located in Greenville, SC. – *Approved*

Funding Source: Engineering - Water & Sewer Improvements (5529999-SS678620-658650). The original budget amount is \$2,105,725.68.

This is a Columbia Disadvantaged Business Enterprise program project with a 25% CDBE goal. The CDBE goal for this project was met at 25%. Vortex Services, LLC is the prime contractor and will provide manhole rehabilitation services at 58% (\$1,221,320.50) of the total contract amount.

The following subcontractors will provide additional services:

Florence Ogburu Enterprises, LLC dba FNO Construction & Associates, a Minority Business Enterprise and a CDBE of Columbia, SC, will provide digging services at 25% (\$526,431.25) of the total contract amount.

CCF of Elizabethton, TN will provide digging services at 17% (\$357,973.25) of the total contract amount.

12. Ordinance No.: 2021-047 Authorizing conveyance of approximately 1,542 SF (0.035 Acre) portion of City Property identified as Lexington County TMS#00700-05-033 for Traffic Circle Improvements at the intersection of Old Lexington Highway (SC Hwy. 83) and Murray Lindler Road (SC Hwy. 82); CF#250-400 - *First reading approval was given on June 1, 2021 – Approved on second reading.*
13. Ordinance No.: 2021-048 Authorizing an appropriation or the issuance by the City of a Tax Anticipation Note for the fiscal year 2021-2022 payments due under the Intergovernmental Agreement between the South Carolina Jobs-Economic Development Authority and the City of Columbia, South Carolina, under the RecoverSC Local Government Liquidity Program; and other matters relating thereto - *First reading approval was given on June 1, 2021 – Approved on second reading.*
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ZONING / PLANNING ORDINANCE - SECOND READING

14. UNIFIED DEVELOPMENT ORDINANCE - Adoption of New City of Columbia Zoning Map

Ordinance No.: 2021-001 Adopting the Official Zoning Map for the City of Columbia, Chapter 17, Unified Development Ordinance of the 1998 Code of Ordinances of the City of Columbia, South Carolina - First reading approval was given on April 20, 2021 – Approved on second reading.

Council Districts: 1,2,3,4

Proposal: Repeal current City of Columbia Zoning Map and adopt new City of Columbia Zoning Map to take effect on August 30, 2021 in conjunction with the newly adopted Unified Development Ordinance.

Applicant: Rachel Bailey, Zoning Administrator

Staff Recommendation: Approval

PC Recommendation: 11/02/2020; Approval (8-0)

Upon a motion made by Mr. Duvall and seconded by Mayor Benjamin, Council voted unanimously to give second reading approval to Ordinance No.: 2021-001 Adopting the Official Zoning Map for the City of Columbia, Chapter 17, Unified Development Ordinance of the 1998 Code of Ordinances of the City of Columbia, South Carolina.

ORDINANCE - FIRST READING

15. Ordinance No.: 2021-051 Approving the use of certain funds of the City of Columbia, South Carolina, in order to Acquire, Construct, Equip and Develop Land and Improvements within the Bull Street Development to Provide One or more Parking Facilities and Pay Certain Costs Associated with the Development Thereof; and Other Matters Related Thereto (Bull Street Parking Facility 2/Construction and Development – Approved on first reading.

Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to give first reading approval to Ordinance No.: 2021-051 Approving the use of certain funds of the City of Columbia, South Carolina, in order to Acquire, Construct, Equip and Develop Land and Improvements within the Bull Street Development to Provide one or more Parking Facilities and Pay Certain Costs Associated with the Development Thereof; and Other Matters Related Thereto (Bull Street Parking Facility 2/Construction and Development).



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RESOLUTIONS

16. Resolution No.: R-2021-052 Authorizing the City Manager to execute a Parking Facility 2 Development Agreement between the City of Columbia and BullStreet Development, LLC – *Approved*

Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2021-052 Authorizing the City Manager to execute a Parking Facility 2 Development Agreement between the City of Columbia and BullStreet Development, LLC.

17. Resolution No.: R-2021-060 Authorizing the acceptance of a Quit-Claim Deed from the South Carolina Department of Transportation for approximately 0.63 acre (Parcel A containing approximately 0.28 acre and Parcel B containing approximately 0.35 acre) near Hartford Street and SC Route 277 and Identified as Richland County TMS#14201-04-12 and TMS#14201-01-09; CIP Project #WM4039; CF#220-425 (Alternate access to the Horseshoe Water Pump Station Site) – *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2021-060 Authorizing the acceptance of a Quit-Claim Deed from the South Carolina Department of Transportation for approximately 0.63 acre (Parcel A containing approximately 0.28 acre and Parcel B containing approximately 0.35 acre) near Hartford Street and SC Route 277 and Identified as Richland County TMS#14201-04-12 and TMS#14201-01-09; CIP Project #WM4039; CF#220-425 (Alternate access to the Horseshoe Water Pump Station Site).

18. Resolution No.: R-2021-063 Amending Resolution No.: R-2020-058 Certifying Building Sites as an Abandoned Building Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding property located at 1310 Lady Street, Richland County TMS #11401-03-01 (This is the old Keenan Building at Sumter Street and Lady Street.) – *Approved*



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Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2021-063 Amending Resolution No.: R-2020-058 Certifying Building Sites as an Abandoned Building Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding property located at 1310 Lady Street, Richland County TMS #11401-03-01 (*This is the old Keenan Building at Sumter Street and Lady Street*).

19. Resolution No.: R-2021-072 Authorizing Notice of 2021 Election for Mayor and Councilmembers from Districts 1, District 4 and one At-Large Seat – *Approved*

Upon a motion made by Mr. McDowell and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2021-072 Authorizing Notice of 2021 Election for Mayor and Councilmembers from Districts 1, District 4, and one At-Large Seat.

20. Resolution No.: R-2021-073 Launch and Implementation of CLIMB Guaranteed Income Pilot Project – *Approved*

Mayor Benjamin said this is a national effort as part of Mayor's for a Guaranteed Income that started with the Stockton Economic Empowerment Demonstration (SEED) Program. The program uses cities across the country and private sector money to show that when folks who are living below 80% AMI and sometimes below 60% AMI are given an income flow, they will use those resources very effectively. We are using a significant sum of money north of \$600,000, which has all been given philanthropically; most of it from Jack Dorsey, the founder of Twitter. We have engaged the Central Carolina Community Foundation as the custodian of those resources. We are also working closely with the Midlands Fatherhood Initiative as an opportunity to work side-by-side with 100 fathers to see if we can help these men stabilize their lives and improve their relationships with their children. We have engaged a data-driven approach to include a debit card that reloads every single month. We will also be able to do some anonymized tracking of how those funds are used. This is a wonderful public private philanthropic partnership. Artificial intelligence, automation, and advanced machine learning has destabilized a number of families who live in the two bottom quintiles of American economic society. These are people who work hard, who sometimes work multiple jobs and still can't make ends meet. In a civilized society, our role is to make sure that people can live with dignity and we play a role in helping them improve family relationships.



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Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2021-073 Launch and Implementation of CLIMB Guaranteed Income Pilot Project.

EVENT RESOLUTION

21. Resolution No.: R-2021-034 Authorizing consumption of beer and wine beverages only at the Lifting as We Climb Fundraiser on Main Street on Saturday, September 18, 2021 – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2021-034 Authorizing consumption of beer and wine beverages only at the Lifting as We Climb Fundraiser on Main Street on Saturday, September 18, 2021.

22. Resolution No.: R-2021-065 Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for CMA Underground on Thursday, July 29, 2021 – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2021-065 Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for CMA Underground on Thursday, July 29, 2021.

APPOINTMENTS

23. Climate Protection Action Committee – *Deferred*
24. Columbia Tree and Appearance Commission – *Deferred*

PUBLIC HEARING

25. Reauthorization of the City Center Improvement District - Mr. Matt Kennell, President and CEO / City Center Partnership

Mr. Matt Kennell, President and CEO / City Center Partnership said we are moving along with the reauthorization for the continuation of the City Center Business Improvement District. On May 18, 2021, City Council approved the resolution of intent to renew or to continue the Business Improvement District. We ran advertisements for the public hearing on both May 27th



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and June 3rd in the *State Newspaper*. We are simply asking the public, the property owners downtown, and City Council to allow us to continue what we have been doing for about 20 years, to provide services and recruit and retain businesses to the downtown business improvement district area. We do have a 10-year plan, which is on our website. Today we are asking that we have a public hearing and receive public comments.

Council opened the public hearing at 4:39 p.m.

Mr. Tommy Lavender, via email said I would like to note my support of continuing the efforts of the CCP and what it does for downtown. While I am no longer a Main Street property owner I continue to work downtown in our Main Street office every day and observe the tireless efforts of the dedicated "Yellow Shirts." They are always busy but also always friendly. I urge extension of the BID.

Ms. Jennifer Harding, via email said I work in downtown Columbia and would like to express my support of continuing the efforts of the Center City Partnership. This program has certainly contributed to the success of our revitalized downtown area.

Mr. Jerry Whitley, via email said I am a resident of Columbia but do not currently work downtown. However, I've been a member of the Capital City Club since its inception over 30 years ago and have seen the vast improvement of Main Street's appearance. I have walked and jogged Main Street for the last several years and it's evident that Matt Kennel and his team are partially responsible for helping to turn an eyesore into a downtown vibrant city. The Yellow Shirt team members are friendly and efficient and I highly recommend City Council reauthorize the City Center District.

Mr. Jeremy Becraft, via web portal comment said I am the General Manager of the Mast General Store located at 1601 Main Street. I am speaking by proxy for Lisa Cooper and the Cooper Family, who are the founders of the company. Back in 2009/2010 when Mast General Store was looking at opening up its ninth store location, the Coopers were trying to narrow down the potential locations from the 190 communities that had reached out to the company wanting Mast to come to their towns. Through all of that, Mast decided on Columbia. One of the driving factors that had the company decide on Columbia as its next location was the fact that the downtown area was a Business Improvement District and that it was managed by such a well-run organization. The clean and safe program, focused on business development, and the potential growth of residential living made downtown Columbia an exciting place to open our doors. Over the past 10 years, we have seen Main Street transform from a place that people avoided to a place that is thriving with businesses, restaurants, and culture. This would not have happened without the leadership of Matt Kennel and his team at the CCP. Over the past 15 months, the



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country has faced one of the most challenging economic crisis in our Nation's history. As we began to rise out of that uncertainty it is even more important that the CCP's request to renew the BID for another 10 years is approved. The Mast General Store strongly supports the renewal of the BID for another 10 years.

Mr. Chad Elsey, via web portal comment said Cantina 76 on Main Street cannot emphasize enough how important Matt Kennell and his team at CCP have been to the success of our restaurant. The development of Main Street including the streetscaping, business recruitment, support, cleanliness, and security has led to an amazing new district in the heart of Columbia. The Yellow Shirts have been critical to the safety and security of Main Street. I am not sure we would be in business without their presence. We would certainly need to hire private security to protect our staff and customers. Cantina 76 fully supports the renewal of the BID for another 10 years.

Council closed the public hearing at 4:45 p.m.

Councilor Devine said I want to thank Matt and the CCP team. I am fully supportive of the reauthorization. The BID has really done tremendous work; not just on Main Street, but in Columbia. When people visit our town, the hospitality of the Yellow Shirts and the safety that they give is beyond measure. Matt and the Yellow Shirts are a lot of times our front line to noticing issues and being able to work with the requisite agencies to get help. There is a lot that the CCP is doing that people don't see on a regular basis, but I want to thank Matt for what you guys do and I think it's just probably one of the best things we have done for downtown.

Councilor Rickenmann said I met with Matt and his chairman of the board and other members about restructuring as part of moving forward to get more of the property owners involved to continue to grow. I hope the next 10 years are even better than the first 10 years.

CITY COUNCIL COMMITTEE REPORTS AND REFERRALS

No reports or referrals were made at this time.

PUBLIC INPUT

Mr. Hal Stevenson, Vista Guild Board Member said I was recruited by my colleagues in the Vista to come and speak briefly about our trees. We have had some issue with trees not being cut. We have some folks that feel like there are some places where there are trees that actually need to be trimmed because there are safety concerns. We have dealt with these issues before but now with Dominion in charge, we are hopeful that there will be better communication. I just



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want to make sure you guys know that we are going to get engaged more on this and want to see it through for safety reasons, aesthetics, and to be able to take advantage of the lights.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to enter into Executive Session at 4:53 p.m. for the discussion of **Items 26** through **28** as amended. Mr. Rickenmann was not present at this time.

26. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to S.C. Code §30-4-70(a)(2)

COVID-19

27. Receipt of legal advice relating to a pending, threatened or potential claim pursuant to S.C. Code §30-4-70(a)(2)

John Richard Palyok, as conservator for Jeanne Palyok vs. City of Columbia

28. Discussion of matters relating to proposed location, expansion, or provision of services encouraging location or expansion of industries or other businesses in the area served by the public body pursuant to S.C. Code §30-4-70(a)(2)

Van Robotics

ADJOURNMENT

The meeting was adjourned at 5:56 p.m.

Respectfully submitted:

Erika D. Moore Hammond, CMC
City Clerk