



**We Are Columbia**

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## **COLUMBIA CITY COUNCIL MEETING MINUTES WEDNESDAY, SEPTEMBER 8, 2021**

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The Columbia City Council conducted an Emergency Meeting on Wednesday, September 8, 2021 using video conferencing technology. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 5:14 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 Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore Hammond, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

Mayor Benjamin said we are here for the very serious topic at hand and excited about the possibility of joining a truly regional effort with discussions being had in cities and towns in both Richland and Lexington counties. We know that South Carolina is leading the country in cases per capita. Across South Carolina, 90% of the individuals who are in hospital beds at Lexington Medical, MUSC and other hospitals are citizens who have chosen not to receive the vaccine. This is causing a strain on healthcare assets. It's imperative that we act in accordance with thoughtful public health policy and the spirit of consensus to try and do everything we can to push for the deceleration of infections across the Midlands. This effort is being viewed as a regional effort and I expect that we will continue to see leadership like we have seen in Cayce and in West Columbia. As a matter of course we will ask staff to briefly describe the ordinance, which is not substantively different than the ordinance we passed. We know that as we deal with the delta variant, it is a much more contagious version of the virus and if in fact we don't do something meaningful now and get vaccinated, engage in social distancing, and wear masks, we are going to continue dealing with this going forward. This is a 30-day ordinance. We are going to continue to monitor the data and evaluate it as we go forward. We have paid close attention to the final word that the Supreme Court had as it relates to schools. This has been modified significantly to make sure again that all public and private buildings in the city are addressed in accordance with the proviso passed by the legislature. We are doing this in the spirit of our one true north; keeping people alive and healthy in the City of Columbia. This is our opportunity to work together. This is an all hands on deck moment that requires all of us to sacrifice something. We need to give our small businesses an opportunity to stop trying to enforce rules on their own; that is our responsibility as a municipal government. This is a plea from all of us on Council, who also have different ideas and different political backgrounds, to work together so we can save lives.



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Mr. Patrick Wright, Senior Assistant City Attorney/ Senior Advisor said this ordinance is essentially the same as the general face covering requirements that were in effect a few months ago. The one difference is the age. In the previous ordinance, the minimum age was ten. The draft that was published to the public says a minimum age of two. One of you will have to amend the change to have the minimum age set at five instead of two. There are three sections to this ordinance. One is the suspension of normal operating procedures for the city. This gives the city the option to meet virtually as we are now. The second section is the general citywide requirements that say in all commercial or establishments that are open to the public this ordinance is in effect. There are certain exceptions: when in your personal vehicle, when a person is alone in an enclosed space, doing outdoor physical activity or six feet away from other people, when a person is alone with household members, while drinking, eating, or smoking, when wearing a mask would cause or aggravate a health condition, when receiving personal services such as getting a haircut, and when a person is five years of age or younger, instead of two. The infraction would be a civil infraction with a fine of \$100. The third section requires facial coverings by all faculty, staff, children over the age of five, and visitors in all buildings at public and private schools or daycares. Because of the decision of the Supreme Court this past week and the proviso 1.108, enforcement of this ordinance will be by the City of Columbia Fire Chief and Fire Marshals, who will periodically visit affected establishments. No school or school district staff is required by this ordinance to help with enforcement. Enforcement is solely the responsibility of the Fire Chief and Fire Marshals. It makes it clear that no school district or public school within the City shall create, announce, or enforce any policy requiring face masks be worn by students and/or employees relating to this ordinance in any way. It does also say that parents or guardians of children, where the children knowingly and deliberately refuse to comply with the ordinance, may be warned and or cited with the civil infraction fine. The initial phase is an educational phase. The fire department will give education regarding masks, the importance of it, and why we are requiring this.

### **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 as presented.



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### **EMERGENCY ORDINANCE**

1. Ordinance No.: 2021-078 - Enactment of Certain Emergency Ordinances Related to COVID-19 - *Approved*

Mayor Benjamin said it is effective immediately. We will spend some time on education. This is meant to help each and every one of us move forward, especially our small businesses, educators, and everyday citizens. This is again part of a regional effort. This helps us emphasize the fact that if we move forward and accept the vaccines we can be out of this much sooner than anticipated. Over 90% of all the people in the hospitals currently breaking records in South Carolina are those who choose not to accept the vaccine. We can do better and this is going to require sacrifice from each and every one of us.

Upon a motion made by Mr. McDowell and seconded by Ms. Devine, Council voted unanimously to approve Ordinance No.: 2021-078 Enactment of Certain Emergency Ordinances Related to COVID-19 as amended to exempt children five years of age or younger.

### **ADJOURNMENT**

**The meeting was adjourned at 5:32 p.m.**

Respectfully submitted:

Erika D. Moore Hammond, CMC  
City Clerk