



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, NOVEMBER 10, 2020

The Columbia City Council conducted a virtual meeting on Tuesday, November 10, 2020 using video conferencing technology. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:07 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.

INVOCATION

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

ADOPTION OF THE AGENDA

Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to adopt the agenda subject to withdrawing **Items 24** and **25** from the agenda.

APPROVAL OF MINUTES

1. Council is asked to approve the July 21, 2020, August 4, 2020, August 18, 2020, August 27, 2020, and September 1, 2020 Council Meeting Minutes. - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Duvall, Council voted unanimously to approve the July 21, 2020, August 4, 2020, August 18, 2020, August 27, 2020, and September 1, 2020 Council Meeting Minutes.

CITY COUNCIL DISCUSSION

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

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

Mr. Harry Tinsley, Emergency Management Director said we are at 50 million cases and 1.2 million deaths worldwide. In the U.S., we are at 10 million cases and 238,000 confirmed deaths. In the state, we had over 400,000 additional tests since our last meeting, which brings the total tests to date to over 2.1 million. Yesterday, we had 1,326 confirmed positive cases with a positivity rate of 13.6%. Unfortunately, there were 18 new deaths reported between October 31st and November 8th. This brings the state's total of confirmed deaths to 3,795. In Richland County, we have tested over 200,000 individuals to date. The total case count is 17,042. As of today's



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reporting, there were 262 confirmed deaths. The 29223 and 29229 zip codes had over 100 cases over the last 14 days. As of November 5th, Richland County's 14-day incident rate activity has been upgraded back to high. The positivity rate is 11.5%. Our surrounding counties remain in high risk as well. South Carolina is seeing a continual upslope in cases. It's not an acute spike as it was back in July due to the mitigations put in place. The statewide bed utilization rate remains at 75%. Health officials continue to monitor all cases and positivity rates.

Councilor Devine asked how the monitoring of sewage is helping with obtaining data before the numbers are reported.

Mr. Clint Shealy, P.E., Assistant City Manager for Columbia Water said we have not seen an uptick in the recent weeks at our Metro Wastewater Treatment Plant. We have had anecdotal discussions with USC on the collection systems monitoring they have been doing around campus. They have not seen an uptick in the concentration within the wastewater collection system. We have not seen an upward trend in our service area in terms of the wastewater concentration.

CONSENT AGENDA ITEMS 3 THROUGH 12

Upon a single motion made by Mr. Rickenmann and seconded by Mr. Duvall, Council voted unanimously to approve **Consent Agenda Items 3 through 12**.

3. Council is asked to approve the purchase of Body Cameras, Bay Docking Stations, and Service Plans, as requested by the Columbia Police Department. Award to COBAN Technologies, Inc., using the H-GAC Law Enforcement Speed Detection & Video Equipment Cooperative Contract in the amount of \$137,646.00. This vendor is located in Houston, TX. - *Approved*

Funding Source: Special Restricted Funds - Computer Equipment/Hardware; GL Account (2119999-627500); 2018 Body - Worn Camera Grant - Computer Equipment/Hardware: JL Account (9226000019-627500). The original budget amount is \$138,000.00.

4. Council is asked to approve the purchase of a Vac Truck for the Street Division, as requested by the Fleet Services Division. Award to Jet-Vac, using the Sourcewell Cooperative Contract, in the total amount of \$415,523.15. This vendor is located in Sumter, SC. - *Approved*

Funding Source: Streets - Storm Drains - Autos Trucks Heavy Equipment (5534203-658500). The original budget amount is \$415,523.15.



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5. Council is asked to approve a Memorandum of Agreement for Project WM4401; US #1 Bridge Replacement over CSX Railroad Water Line Relocations, as requested by the Engineering Department. Award to SCDOT in the amount of \$440,710.30. - *Approved*

Funding Source: Water Improvement funds FY 19/20 CIP (WM335521) – Utility Conflicts. The original budget amount is \$440,710.30.

6. Council is asked to approve the purchase of Pump Parts, Inspections, Service Calls, and Maintenance for the Metro Wastewater Treatment Plant, as requested by Columbia Water. Award to Charles Underwood Inc., as a Sole Source in an amount not to exceed \$50,000.00. This vendor is located in Sanford, NC. - *Approved*

Funding Source: Utilities Metro Wastewater Plant - Maintenance and Service Contract (5516208-658300). The original budget amount is \$50,000.00.

7. Council is asked to approve an Agreement for Project WM4263; Water Quality Consulting for Fiscal Year 2020/2021, as requested by Columbia Water. Award to Black & Veatch Corporation in the amount of \$75,000.00. The firm is located in Columbia, SC. - *Approved*

Funding Source: Utilities Columbia Canal Water Treatment Plant, Consultant Fees (5516206-WM426302-636700) (50%) and (5516207-WM426302-636700) (50%). The original budget amount is \$75,000.00.

This is a Mentor Protégé Program Project. Black & Veatch Corporation is the mentor and will provide water production process optimization evaluation recommendations, operator training for the water treatment process, and additional water quality services on an on-call basis at 80% (\$60,000.00) of the total contract amount. Howard Engineering, Inc., a Minority Business Enterprise (W) of Columbia, SC, is the protégé and will provide electrical vulnerability assessment, on-call inspection service, construction management services, water treatment staff training, water quality data review, and report quality control at 20% (\$15,000.00) of the total contract amount.

8. Council is asked to approve the purchase of Valve, Controls, and Pump Replacement Parts, Services, Maintenance, and Repairs for the Lake Murray and Metro Wastewater Treatment Plants, as requested by Columbia Water. Award to Heyward-Charlotte, as a Sole Source in the amount of \$100,778.54. This vendor is located in Charlotte, NC. - *Approved*

Funding Source: Utilities Metro Wastewater Plant - Maintenance and Service Contract (5516208-638200) \$40,000.00; Utilities Lake Murray Wastewater Plant - Equipment Repair/Service Supply (5516207-631800) \$25,808.54; Utilities Metro Wastewater Plant - Small Hand Tools/Other Equipment (5516208-623100) \$55,000.00. The original budget amount is \$120,808.54.



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9. Council is asked to approve the purchase of Caterpillar Parts, Maintenance, Warranty and Extended Service Coverage for all CAT Branded Generators/Engines for the Metro Wastewater Treatment Plant, as requested by Columbia Water. Award to Blanchard Machinery, as a Sole Source in an amount not to exceed \$125,000.00. This vendor is located in West Columbia, SC. - *Approved*

Funding Source: Utilities Metro Wastewater Plant - Maintenance and Service Contract (5516208-632800); Equipment Repair/Service Supply (5516208-631800). The original budget amount is \$125,000.00.

10. Council is asked to approve an Agreement for Project WM4547; Bitternut Booster Pump Station Improvements, as requested by Columbia Water. Award to AECOM Technical Services, Inc. in the amount of \$136,315.00. The firm is located in Columbia, SC. - *Approved*

Funding Source: Water and Sewer Capital Projects, Capital Project Costs (5529999-WM454702-658650). The original budget amount is \$136,315.00.

This is a Mentor Protégé Program Project. AECOM Technical Services, Inc. is the mentor and will provide design, construction administration, permitting, site survey, geotechnical services, and coordinate sub-consulting services at 75.63% (\$103,095.00) of the total contract amount. Atlantic South Consulting, a Minority Business Enterprise of Charleston, SC, is the protégé and will provide preliminary engineering design, quality reviews of all work, construction administration, and observation services at 24.37% (\$33,220.00) of the total contract amount.

11. Council is asked to approve contract amendments to modify the term of the Indefinite Delivery Contracts for Project DR4241; Water and Wastewater Flood Engineering Services, as requested by Columbia Water. The contract amounts for each firm is \$750,000.00. AECOM Technical Services and Black and Veatch Corporation are located in Columbia, SC. - *Approved*

Funding Source: FEMA Engineering Services/2015 October Flood Recovery (2539999-638400). The original budget amount for both contracts is \$750,000.00.

The original total period of performance for the Indefinite Delivery Contract (IDC) was a base period of two years with an option to extend one additional 12-month period. The request is to modify the term for a base period of three years with the option to extend the contract for two 12-month option periods. The first of the two 12-month option periods in each contract is from September 1, 2020 - August 31, 2021.

12. Resolution No.: R-2020-094 Authorizing consumption of beer and wine only at Soda City Main Street Holiday Market within the Biergarten Area only on Friday, November 27, Saturday, November 28 and Sunday, November 29, 2020 - *Approved*



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ZONING/PLANNING MATTERS - FIRST READING

13. ZONING MAP AMENDMENT for 901, 903, 911, and 919 S. Edisto Avenue, TMS# 11211-06-17, 11211-06-18, 11211-06-19, and 11211-06-20 – *The public hearing was held on September 15, 2020 and first reading was deferred. – Denied*

Council District: 3

Proposal: Request to rezone the parcel from Light Industrial District (M-1) to General Residential District (RG-2)

Applicant: Robert F. Fuller, Attorney/Stratus Property Group

Staff Recommendation: Denial

PC Recommendation: 07/13/2020; Approval (7-0)

Councilor Brennan said I appreciate the conversations had with the community and potential developers, which has put eyes on the South Edisto/Commerce Drive area to show the potential that we are missing out on. The Planning Department put in a lot of time with coming up with a vision for Columbia Compass. The document is a wonderful tool to bring the best to all of our neighborhoods, especially South Edisto, Rosewood, and South Kilbourne. The zoning change that is being discussed is something I have been against. The future potential for this corridor with the Columbia Compass employment campus designation is exactly what we need to follow through. This area is ripe for infrastructure investments, flex spaces, office spaces, institutional, and light industrial. We don't have a lot of light industrial in the City. These zones build jobs. We need to attract small businesses to this employment campus. The Economic Development team and I had a chance to visit Belmont Safety Products on Commerce Drive. It is a wonderful construction technology company that has three employees right now but has a list of potentials. This is the type of business we need to attract to this area. I want to reiterate my support for the South Edisto area and commit to the neighborhood that we will bring that area back to the spotlight.

Councilor Duvall said it is clear by the South Carolina Aeronautics Commission that they feel we should not rezone this property for the future of the airport. I am convinced that the Jim Hamilton – L.B. Owens Airport's future is bright if we can find the resources to extend the runway. We should support the denial that was recommended by our staff. I do want to commend the hard work done on the project and I hope we can come up with a suitable place in the City of Columbia for this project.



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Councilor Rickenmann said this property has been in discussion for a long time and these plans that we have discussed have been there for 20 years. The City has invested 50 feet across the street in housing, which is in the direct flight pattern. Some of the information that has been sent out is not correct. This is a lot larger than one piece of property and it is disappointing we are only looking at it from one angle. This could have opened up some opportunities to change the face of that corridor. I still support the project. It is hard to deny this application when we approved something similar 50 feet down the road.

Councilor Devine said the developer has done a good job in trying to understand what the concerns were and trying to amend his plan to be more in alignment with those concerns. I was leaning in support of this project because of my concerns with the lack of workforce housing. Every opportunity we have to do quality affordable workforce housing, we need to capitalize on it. I would like to see if we can work with the developer and his team on other opportunities. We have a competent staff that looks at all issues and in my experience they are always trying to make something work. Their denial is instructive to me that the Columbia Compass Plan plays an important part in that area.

Councilor Davis said my concern is the location of the property in terms of the pathway of the airport. We should not allow any development to be in the direct flight path. For any residential development we need to pay attention to the previous use of the property. I would like to see a project such as this because it has the two elements that we need: affordable housing and workforce housing. We need to talk to them about other locations in the City.

A motion made by Mr. Rickenmann and seconded by Ms. Devine to give first reading approval to the Zoning Map Amendment for 901, 903, 911, and 919 S. Edisto Avenue, TMS# 11211-06-17, 11211-06-18, 11211-06-19, and 11211-06-20 failed by a vote of [1 to 6]. Mr. Rickenmann voted aye. Mr. Brennan, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis and Mayor Benjamin voted nay.



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ORDINANCES - SECOND READING

14. Ordinance No.: 2020-098 Fourteenth 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 \$315,000,000, in Order to Refinance Certain Outstanding Indebtedness and to Finance Various Capital Projects and Improvements to the System, Any Necessary Debt Service Reserves, Capitalized Interest 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 second reading.*

Councilor Devine asked about the law firms involved.

Mr. Jeff Palen, Assistant City Manager and Chief Financial Officer said for bond counsel it will be McNair and for the underwriters counsel it will be Parker and Poe.

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to give second reading approval to Ordinance No.: 2020-098 Fourteenth 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 \$315,000,000, in Order to Refinance Certain Outstanding Indebtedness and to Finance Various Capital Projects and Improvements to the System, Any Necessary Debt Service Reserves, Capitalized Interest 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. Councilor Devine recused herself due to a potential conflict of interest.

RESOLUTIONS

15. Resolution No.: R-2020-095 Authorizing Construction and Improvements by the South Carolina Department of Transportation (SCDOT) of Interstate 26 and associated Ramps for the Carolina Crossroads, Phase I – Colonial Life Boulevard at I-127 Interchange Design-Build Project - *Approved*



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Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2020-095 Authorizing Construction and Improvements by the South Carolina Department of Transportation (SCDOT) of Interstate 26 and associated Ramps for the Carolina Crossroads, Phase I – Colonial Life Boulevard at I-127 Interchange Design-Build Project.

16. Resolution No.: R-2020-101 Authorizing the City Manager to execute an Incentive Agreement between “Project Sunshine” or “Project Sunshine 2020”, Richland County, South Carolina, the South Carolina Department of Commerce, the South Carolina Coordinating Council for Economic Development, the City of Columbia, and South Carolina Department of Commerce, Division of Public Railways d/b/a Palmetto Railways - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2020-101 Authorizing the City Manager to execute an Incentive Agreement between “Project Sunshine” or “Project Sunshine 2020”, Richland County, South Carolina, the South Carolina Department of Commerce, the South Carolina Coordinating Council for Economic Development, the City of Columbia, and South Carolina Department of Commerce, Division of Public Railways d/b/a Palmetto Railways.

OTHER MATTERS

17. Council is asked to approve the Destruction of 1,362 Narcotics and Paraphernalia, as requested by the Columbia Police Department's Evidence and Property Unit. - *Approved*

Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to approve the Destruction of 1,362 Narcotics and Paraphernalia, as requested by the Columbia Police Department's Evidence and Property Unit.

18. Council is asked to approve the installation of a 4-way stop at Whaley Street and Sumter Street, as requested by the Public Works Department. - *Approved*

This request has been approved by the Columbia Police Department and by the Columbia Fire Department.

Upon a motion made by Mr. Duvall and seconded by Mr. Brennan, Council voted unanimously to approve the installation of a 4-way stop at the intersection of Whaley Street and Sumter Street, as requested by the Public Works Department.



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19. Council is asked to approve a four-way stop at the intersection of West Confederate Avenue and Clark Street, as requested by the Public Works Department. - *Approved*

This request has been approved by the Columbia Police Department and by the Columbia Fire Department.

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve the installation of a four-way stop at the intersection of West Confederate Avenue and Clark Street, as requested by the Public Works Department.

CITY COUNCIL COMMITTEE REPORTS/REFERRALS

20. Council is asked to refer the naming of the park at Bull Street to the Administrative Policy Committee, as requested by Administration. - *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. McDowell, Council voted unanimously to refer the naming of the park at Bull Street to the Administrative Policy Committee, as requested by Administration.

PUBLIC INPUT

No comments were received at this time.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to enter into Executive Session at 2:48 p.m. for the discussion of **Items 21 through 23.**

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

COVID-19

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

Jones v. City of Columbia

Campbell v. The South Carolina Department of Transportation and the City of Columbia

Strom v. City of Columbia



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23. Discussion of negotiations incident to proposed contractual arrangements pursuant to S.C. Code §30-4-70(a)(2)

*Whitewater/Finlay Park
Public Art
Columbia City of Women Art Sculpture
Segra Naming Rights*

24. 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) - *Withdrawn*

Sports Park Feasibility Study

25. Discussion of the employment of an employee pursuant to S.C. Code §30-4-70(a)(1) - *Withdrawn*

Municipal Court

ADJOURNMENT

Council adjourned the meeting at 4:11 p.m.

Respectfully submitted by:

Erika D. Moore Hammond, CMC
City Clerk