



CITY OF COLUMBIA
CITY COUNCIL MEETING AGENDA
WEDNESDAY, DECEMBER 2, 2009
9:00 A.M.
CITY COUNCIL CHAMBERS
1737 MAIN STREET

Prior to entering the meeting please turn all electronic devices (cell phones, pagers, etc.) to a silent, vibrate or off position. All presenters are asked to speak directly into the microphone for recording purposes.

The Columbia City Council will conduct a Regular Meeting at 9:00 a.m. on Wednesday, December 2, 2009 in the City Hall Council Chambers located at 1737 Main Street, Columbia, South Carolina.

ROLL CALL

INVOCATION

APPEARANCE OF PUBLIC HAVING BUSINESS RELATED TO THE AGENDA ITEMS

MINUTES

1. Minutes of [May 20, 2009](#)

PRESENTATIONS

2. Recognition of Green Business Members – Ms. Mary Pat Baldauf, Sustainability Facilitator
3. Columbia Green Check Presentation – Mr. Arthur Strudwick, Assistant Superintendent of Forestry & Beautification
4. Restaurant Week Columbia – Mr. Tom Sponseller, President/CEO of South Carolina Hospitality Association
5. EdVenture Children’s Museum Update – Ms. Katherine Horne, Executive Director

CONSENT AGENDA

Council is asked to approve the **Consent Agenda Items 6. through 24. as amended.**

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

6. Council is asked to approve a [Contract for Vending Machines at the Charles R. Drew Wellness Center](#), as requested by Parks & Recreation Department. Award to South Carolina Commission for the Blind as the assigned vendor. *Note: The assigned vendor will be responsible to remit ten percent (10%) of gross vending sales to the City of Columbia for a 90 day period in which this amount will be paid to the Charles R. Drew Scholarship and Program Fund. After the 90 day trial period, the assigned vendor will evaluate the profitability of the facility and notify the City of Columbia within 15 days of any change in the monthly remittance in which the percentage will increase from ten percent (10%) to fifteen (15%).*

7. Council is asked to approve an [Annual Permit Fee for Stormwater National Pollutant Discharge Elimination System \(NPDES\)](#), as requested by Utilities and Engineering. Award to South Carolina Department of Health and Environmental Control (SCDHEC) in the amount of \$15,000.00. *Funding Source: Stormwater Operating Budget 5534201-638500*
8. Council is asked to approve a [Task Order to provide Geotechnical Engineering Services for the proposed Downtown Parking Deck located at the northwest corner of Taylor and Sumter Streets](#), as requested by the Parking Services Division. Award to Terracon in the amount of \$15,200.00. This vendor is located in Columbia, SC. *Funding Source: 2005 Parking Facilities Revenue Bond Issue PG001101/PG001102*
9. Council is asked to approve the [Purchase of MSA Supplies](#), as requested by the Fire Department. Award to Newton's Fire and Safety, the lowest bidder in the amount of \$16,585.00. This vendor is located in Swepsonville, NC. *Funding Source: 2549999-657400 9608000108-657400 Midland Search and Rescue Grant*
10. Council is asked to approve the [Purchase of AssetTRAX System](#), as requested by the Homeland Security Department/EMOC. Award to Bridgeway Solutions, as a Sole Source in the amount of \$19,960.85. This vendor is located in Morganton, NC. *Funding Source: MMRS 2008 Homeland Security Grant 2549999-627100 JL 9601000208-62710*
11. Council is asked to approve [Project #SS7099\(9\): Repair of Mechanical Aerators at the Metro Wastewater Treatment Plant](#), as requested by Utilities and Engineering. Award to Siemens Water Technologies, Inc., as a Sole Source in the amount of \$24,315.00. This vendor is located Waukesha, WI. *Funding Source: Sewer Improvement Fund 5529999-SS809909-851200*
12. Council is asked to approve the [Purchase of eight \(8\) Mobile Radios and Accessories](#), as requested by the Fire Department. Award to Motorola C&E, Inc., using the SC State Contract in the amount of \$24,785.91. This vendor is located in Sumter, SC. *Funding Source: (2549999-657400/JL 9608000108-657400 \$22,084.80) and (2549999-627100/JL 9608000108-627100 \$2,701.11)*
13. Council is asked to approve the [Purchase of the Annual Tree Bid](#), as requested by Forestry and Beautification. Award to the lowest bidders of each lot in the amount of \$29,424.49. *Funding Source: 1011216-627300*

Lot 1	Stockhaven Nursery	Springfield, SC	\$3,698.00
Lot 2	Bold Spring Nursery	Hawkinsville, GA	\$7,329.00
Lot 3	John Deere Landscapes	Cleveland, OH	\$4,175.67
Lot 4	Moon's Tree Farm	Loganville, GA	\$5,397.00
Lot 5	GreenSource Direct, Inc	Taylors, SC	\$8,824.82
		Total	\$29,424.49

14. Council is asked to approve [Project #SS7111; Wastewater SCADA Improvements at Bible College Elevated Tank](#), as requested by Utilities and Engineering. Award to Lord & Company, Inc., in the amount of \$50,000.00. This vendor is located in Fort Mill, SC. *Funding Source: Sewer Improvement Fund 5529999-SS711101-851600*
15. Council is asked to approve [Project #WM4169; Change Order #4; 16" Water Main along Taylor Street](#), as requested by Utilities and Engineering. Award to D.S. Utilities, Inc., in the amount of \$51,442.05. This vendor is located at Little Mountain, SC. *Funding Source: Water Improvement Fund 5529999-WM416901-851500 – This change order is necessary to adjust the entire over runs and under runs in the project final closeout*

16. Council is asked to approve the [Agreement for the Five Points Parking Project located at the southwest corner of Devine and Hilton Streets](#), as requested by the Parking Services Division. Award to Cox & Dinkins, Inc., in the amount of \$66,450.00. This vendor is located in Columbia, SC. *Funding Source: 2005 Parking Facilities Revenue Bond Issue PG001107 – This is a Mentor Protégé Program Project*
17. Council is asked to approve the [Agreement to provide various Economic Development and related services](#), as requested by the Economic Development Department. Award to the Central SC Alliance (CSCA) in the amount of \$72,000. *Funding Source: Economic Development 5511301 – 636600*
18. Council is asked to approve [Project #SS7099\(8\); Repair of #2, 15 and 18 Primary Basins at the Metro Wasterwater Treatment Plant](#), as requested by Utilities and Engineering. Award to Siemens Water Technologies, Inc., as a Sole Source in the amount of \$88,811.00. This vendor is located in Waukesha, WI. *Funding Source: Sewer Improvement Fund 5529999-SS709908-851200*
19. Council is asked to approve [Project #SD826401; Agreement for Stabilization of Portions of an Unnamed Tributary that Floods Area Adjacent to Greenview Park](#), as requested by Utilities and Engineering. Award to Brown and Caldwell in the amount of \$182,038. This vendor is located in Columbia, SC. *Funding Source: Stormwater Utility Fund SD5549999-SD826401-636600*
20. Council is asked to approve [Project #WM379104; Pine Branch, Pine Valley, Oak Hill, Satchel Ford 8" and 6" Water Construction](#), as requested by Utilities and Engineering. Award to Shady Grove Construction, the lowest bidder in the amount of \$627,018.50. This vendor is located in Irmo, SC. *Funding Source: WM379104 – This is a Mentor Protégé Program Project*

MAP AMENDMENT – SECOND READING

21. [2300 Haskell Avenue](#), TMS# 11408-10-01; rezone from RG-2 (General Residential) to PUD-C (Commercial Planned Unit Development) – *First reading approval was given on November 18, 2009.*

Council District:	2
Proposal:	Rezone from RG-2 to PUD-C to allow for the construction of a campus bookstore for Benedict College
Applicant:	Charles Gary, Gary Realty Company
PC Recommendation:	Approve, 6-0 (10/05/09)
Staff Recommendation:	Approve
22. [1301 Sunset Drive](#), TMS# 09116-02-07; rezone from M-1 (Light Industrial) to C-3 (General Commercial) – *First reading approval was given on November 18, 2009.*

Council District:	2
Proposal:	Rezone from M-1 to C-3 to facilitate the development of a hotel
Applicant:	Steven A. Gantt, Interim City Manager
PC Recommendation:	Approve, 6-0 (09/14/09)
Staff Recommendation:	Approve

ORDINANCES – SECOND READING

23. [Ordinance No.: 2009-114](#) – Amending Ordinance 2004-100 to Kelly's Deli & Pub to allow for encroachment for installation and maintenance of a concrete patio area within the right of way area adjacent to its property at 1001 Washington Street and to allow placement of six (6) wrought iron table with canvas umbrella and thirty (30) chairs for outdoor dining during normal business hours (*Mr. Marc Mylott, Director of Planning and Development Services: Recommends approval*) – *First reading approval was given on November 18, 2009.*
24. [Ordinance No.: 2009-120](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-204 Competitive sealed bidding required; exceptions – *First reading approval was given on November 18, 2009.*

END CONSENT AGENDA

SIDEWALK VENDING PUBLIC HEARING

RESOLUTIONS

25. [Resolution No.: R-2009-093](#) – Amending Sidewalk Vending Locations and Authorized Merchandise

ORDINANCES – FIRST READING

26. [Mid-Block Pad near 1423 Main Street](#)
Council Districts: 2
Proposal: Operate a sidewalk vending franchise within the public right-of-way.
Applicant: Dale Nunn d/b/a Dale's Hot Dogs and Gyros
Staff Recommendation: Approve
[Ordinance No.: 2009-101](#) – Granting a Franchise to Dale Nunn d/b/a Dale's Hot Dogs and Gyros for operation of a stationary sidewalk vending cart in the mid-block pad near 1423 Main Street

ZONING PUBLIC HEARING

TEXT AMENDMENTS – FIRST READING

27. [§17-258, §17-305 \(a\), and create §17-294 \(new\)](#) to amend regulations concerning non-depository personal credit institutions (payday loan and/or title loan establishments). *This item was deferred on November 18, 2009.*
- Proposal: Amend §17-258 to modify district permissions related to electrical substations and utility services
- Applicant: Marc S. Mylott, AICP, Director of Planning and Development Services/Zoning Administrator
- PC Recommendation: Motion to Recommend Approval Failed 2-5 (09/14/09)
- CETF Recommendation: Approve
- Staff Recommendation: Approve

[Ordinance No.: 2009-109](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, to add Sec. 17-294 Non-depository personal credit institutions (payday loan and/or title loan establishments); and Division 9, Supplementary District Regulations, Sec 17-305 Planned unit developments (a) Generally

CITY COUNCIL DISCUSSION / ACTION

- 28. [November 2009 Community Promotions Funding Recommendation](#) –The Honorable Judge Mildred McDuffie, Chair of the Community Promotions Advisory Committee
- 29. [Historic Designation Procedures Update](#) – Ms. Amy Moore, Preservation Planner
- 30. Update on Finlay Park Parking Lot – Mr. Allison Baker, Assistant City Manager for Public Services and Mr. Michael King, Assistant City Manager for Public Safety
- 31. [Neighborhood Stabilization Program](#) – Mr. Tony Lawton, Director of Community Development
- A. [Neighborhood Street Lighting Requests](#) – Mr. Robert Anderson, Deputy Director of Public Works

Neighborhoods Listed by Priority	Existing Lights	Requested Lights	Current Lease Cost / Annually	Increased Amount
Ashwood Lakes	0	1	\$0.00	\$303.96
Cushman Road	11	15	\$1,308.12	\$2,251.80
Columbia Industrial Park	31	10	\$3,686.52	\$2,125.20
University of South Carolina	6	6	\$1,138.56	\$1,275.12

- B. Council is asked to approve the [2009 Annual Auction](#) which is scheduled for December 12, 2009 at 8:00 a.m., as requested by the Police Department's Evidence and Property Unit.

TEXT AMENDMENTS – SECOND READING

- C. [Amend §17-406 Permitted Signs](#) to add provisions for the replacement of sign display area in existing sign structures in design review districts. – *First reading approval was given on November 18, 2009*

Proposal: Amend §17-406 Permitted Signs to add provisions for the replacement of sign display area in existing sign structures in design review districts

Applicant: Marc S. Mylott, AICP, Director of Planning and Development Services/Zoning Administrator

PC Recommendation: Approve, 9-0 (08/03/09)

Staff Recommendation: Approve

[Ordinance No.: 2009-098](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Development and Zoning, Article III, Division 12, Signs, Sec. 17-406 Permitted signs - *The Zoning Public Hearing was conducted on September 16, 2009; First reading approval was given on December 2, 2009*

ORDINANCES – FIRST READING

- D. [Ordinance No.: 2009-115](#) – Amending the 1998 Code of Ordinance of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal Sec. 19-39 Retail and commercial establishments (a)
- E. [Ordinance No.: 2009-116](#) – Authorizing the Interim City Manager to executed a Third Amendment to Lease Agreement with Branch Banking and Trust Company (BB&T) for 3905 Ensor Avenue (Lutheran Survey Building)
- F. [Ordinance No.: 2009-123](#) – Approval for Granting a Utility Easement to TW Telecom of South Carolina, LLC for the Broad River Road Bridge Replacement Project along a Portion of City Property identified as Richland County TMS #07316-02-14, TMS #07316-02-01A, TMS #07314-02-05, & TMS #09102-01-02 (Portion); CF #315-11A

RESOLUTIONS

- G. [Resolution No.: R-2009-074](#) – Authorizing execution of the Written Decision by Columbia City Council Concerning the Business License Appeal of Matrix Scientific
- H. [Resolution No.: R-2009-092](#) – Approval for Site Acquisition for Killian Road Water Tank Site; CIP Project #WM4113; Richland County TMS #14600-03-59 (Portion); CF #220-313 – **Note: The cost is \$445,500.00**

APPOINTMENTS

- I. [Columbia Tree & Appearance Commission](#)

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

EXECUTIVE SESSION

- J. Discussion of negotiations incident to proposed contractual arrangements
- K. Receipt of legal advice which relates to matter covered by attorney-client privilege.
 - Zoning Appeal (Capitol City Center)

<u>Tentative Meeting Dates</u>	<u>Type of Meeting</u>	<u>Meeting Times</u>
December 2, 2009	Council Meeting	9:00 a.m.
December 9, 2009	Audit and Budget Committee	9:00 a.m.
December 16, 2009	Council Meeting	9:00 a.m.

In accordance with Ordinance No.: 2004-094 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, to add VI, Lobbyist, Sec. 2-302. (a) Any person who acts as a lobbyist must within fifteen days of being employed or retained as a lobbyist, register with the city clerk. (b) The registration must be in a form approved by the city council that includes only the name and business address of the lobbyist, the name and business address of the person or entity that compensates the lobbyist and the issue or matter for which the lobbyist has been retained. A separate form shall be submitted for each issue or matter and each person or entity who compensates the lobbyist. (c) Any lobbyist who is employed by the city or has contracts with the city must seek approval by city council to be a lobbyist for other clients so long as he is employed or under contract. To obtain a Lobbyist Registration Form please contact the Office of the City Clerk at (803) 545.3045 or send your request to cityclerk@columbiasc.net.