

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
JULY 17, 2001
6:00 P.M.**

MEMBERS PRESENT: Kit Smith, Chair; L. Gregory Pearce, Jr., Vice-Chair; Joan B. Brady; Susan Brill; Paul Livingston; Joseph McEachern; J.D. "Buddy" Meetze; Anthony G. Mizzell; Bernice G. Scott; Thelma M. Tillis; James Tuten

OTHERS PRESENT: T. Cary McSwain, Darren Gore, Larry Smith, Brady Farrar, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Mullen Taylor, Pam Davis, Ash Miller, Monique Walters, Judy Carter, Rodolfo Callwood, George Wilson, Stephany Snowden, Geo Price, Edith Prioleau, Brenda Carter, John Hicks, Marsheika Martin

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION

The Invocation was given by the Honorable James Tuten.

PRESENTATION

- a. **Keep America Beautiful – Ms. Mary Pat Baldauf
(Equipment presented to the Special Services
Department, George Wilson)**

Ms. Mary Pat Baldauf, Director of the Keep America Beautiful of the Midlands, presented a donated yard vacuum to George Wilson, Director of the Special Services Department. She stated the agency has worked a lot with Mr. Wilson on the neighborhood cleanups. She thanked Council for all of the support.

POINT OF PERSONAL PRIVILEGE

On behalf of Council, Mr. Pearce recognized that the County would be losing Ms. Mullen Taylor, Assistant to the County Administrator, as she pursues her new endeavor at USC School of Law. He stated her last day would be Friday, July 20, 2001.

ADOPTION OF AGENDA

Ms. Smith stated item 6-a (Alvin P. Swindler, Approval of a Resolution to Appoint and Commission Code Enforcement Officer) need to be considered as a consent item.

Ms. Scott moved, seconded by Ms. Brady, to adopt the agenda as amended. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak at this time.

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APPROVAL OF MINUTES

a. Regular Session – July 10, 2001

Mr. Pearce moved, seconded by Mr. McEachern, to approve the minutes as submitted. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Larry Smith, County Attorney, stated an Update on Cloud Sanitation need to be discussed in Executive Session. He further stated the Employee Grievance matter would need to be discussed in Executive Session as well if Council had any questions or needed more information.

Ms. Smith stated Executive Session would be item-7 and everything else would be reordered.

REPORT OF COUNTY ADMINISTRATOR

b. Employee Grievance

Mr. McEachern moved, seconded by Mr. Tuten, to uphold the County Administrator's recommendation. The vote was in favor. Ms. Scott opposed.

c. FEMA

Mr. McSwain stated there would an update meeting with the municipal and county officials on Wednesday, July 25th at 7:30 a.m. He stated the meeting would take place in the back conference room on the fourth floor.

OPEN/CLOSE PUBLIC HEARINGS

1.d. An Ordinance authorizing a Development Agreement between Richland County, South Carolina and Lake Carolina Development, Inc., and other matters related thereto

Ms. Smith opened the floor to a public hearing. She stated no one signed up to speak at this time.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

Mr. Mizzell requested to remove item 2-b (Ordinance Amendment: Parking Tickets) from the Consent Agenda.

Mr. Mizzell moved, seconded by Mr. Pearce, to adopt the Consent Agenda as amended. The vote in favor was unanimous.

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The following items are Consent Items:

- 1.b - An Ordinance authorizing the issuance and sale of General Obligation Refunding Bonds, Series 2001 (C) – Third Reading approval given to an ordinance authorizing refunding bonds in a principal amount not exceeding \$13,500,000.00.
- 1.c - 01-41MA, Julius Trapp, From RS-3 to C-1, 09310-01-14, 5421 Knightner Street – Third Reading approval given to this rezoning request.
- 1.d - An Ordinance authorizing a Development Agreement between Richland County, South Carolina and Lake Carolina Development Inc., and other matters related thereto – Third Reading approval given to this ordinance authorizing the execution of a development agreement.
- 2.a. - Ordinance: Closing of Bynum Road to Through Truck Traffic – Second Reading approval given to an ordinance closing Bynam Road to through truck traffic.
- 2.c - Business License Ordinance – Amendment for SYSCO – Second Reading approval given to this ordinance adding a new business category and corresponding fee schedule.
- 6.a. - Alvin P. Swindler – Approval of Resolution to Appoint and Commission Code Enforcement Officers

1. THIRD READING ITEMS

a. Outdoor Advertising: Billboard Ordinance

Ms. Brady moved, seconded by Mr. Livingston, to adopt Third Reading approval on the cap and replace ordinance.

Ms. Brill made a substitute motion, seconded by Mr. Mizzell, to give Third Reading approval to a permanent moratorium.

Mr. Meetze and Mr. Pearce raised procedural questions. A discussion took place regarding the language of the first and second readings.

Ms. Smith suggested moving this item to the end of the agenda as item-8 and requested for staff to retrieve the language from previous meetings.

Ms. Brady moved, seconded by Mr. Mizzell, to move this item to the end of the agenda.

The vote was as follows:

<u>In favor</u>	<u>Oppose</u>
Brady	Livingston
Mizzell	Meetze
Pearce	Scott
Smith	Tillis
McEachern	
Brill	
Tuten	

The motion passed.

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2. SECOND READING ITEMS

b. Ordinance Amendment: Parking Tickets

After discussion, Mr. Mizzell moved, seconded by Mr. Tuten, to approve this item for Second Reading. The vote in favor was unanimous.

3. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

**a. Procurement: Contract Renewals
[Deferred from July 10th Meeting]**

After a brief discussion, Mr. Livingston moved, seconded by Mr. Mizzell, to approve the contract renewals. The vote was in favor. Mr. Meetze and Ms. Scott opposed.

4. REPORT OF RULES AND APPOINTMENTS COMMITTEE

**a. Community Relations Council-4
[Deferred from July 10th meeting]**

Mr. Livingston stated there are four vacancies to this board. He stated there are seven applicants. Mr. Livingston stated that Mr. James E. Jackson withdrew his application.

The vote was as follows:

<u>Broome</u>	<u>Carter</u>	<u>Hudson</u>	<u>James</u>	<u>Myers</u>
unanimous	unanimous	Brady	unanimous	Meetze
		Livingston		McEachern
		Mizzell		Brill
		Pearce		Tuten
		Smith		
		Scott		
		Tillis		

<u>Riley</u>	<u>President</u>
0	0

Mr. Lewis Broome, III; Mr. Durham E. Carter; Mr. Thomas F. Hudson; Ms. Gloria James were appointed to the board.

5. REPORT OF LOCAL OPTION TASK FORCE

a. Resolution – Authorization for Referendum

Mr. Mizzell moved, seconded by Mr. Livingston, to adopt the Resolution.

Mr. Meetze wanted the record to reflect that he would not vote for this Resolution unless 100% of the money goes to property tax roll-back.

A discussion took place.

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The vote was in favor. Mr. Meetze opposed approval without proper wording.

b. Ordinance - First Reading, Roll-Back Percentage

Mr. Meetze moved, seconded by Mr. Tuten, to hold a workshop regarding this issue.

Mr. Mizzell made a substitute motion, seconded by Mr. Livingston, to amend Ordinance 2025-90HR with the language that is present.

A discussion took place.

Ms. Brady offered an amendment, seconded by Ms. Brill, to reword the portion of the ordinance stating how 10% of the money will be designated and delete the section which states "disproportionately affect lower socio-economic groups" and add language which specified the money would be used for infrastructure that will benefit all of the residents of Richland County regardless of where they reside.

Ms. Smith stated the "Whereas" sections does not have any binding affect on the county. Ms. Smith suggested adding the following:

"Whereas, 10% of the revenues generated from Richland County's portion of the Local Option Sales Tax will be invested and utilized to strengthen neighborhoods and communities, neighborhood revitalization, infrastructure, etc. throughout the entire County."

Mr. Livingston made an amendment to the main motion, seconded by Ms. Brady, to accept the above language and recommend a task force to reconvene and come back with a recommendation on the issue.

Ms. Brady wanted the record to reflect that her preference would be for 100% of the money go towards property tax roll-back as well because the majority of people in Richland County are property owners.

Ms. Smith suggested a Section III be inserted in the ordinance, which states: 10% of funds shall be expended for neighborhood improvements; such as, water, sewer, sidewalk, roads, and other infrastructure projects that would enhance the quality of neighborhoods in Richland County. Neighborhoods whose health and safety are threatened will receive priority funding.

Mr. Livingston moved, seconded by Mr. Mizzell, to accept Ms. Smith suggestion and Ms. Brady's amendment. The vote was in favor. Mr. Meetze opposed.

7. Outdoor Advertising: Billboard Ordinance

The discussion continued on procedural issues.

Ms. Scott wanted the record to reflect that the motion was not of proper manner.

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The discussion continued.

Mr. Meetze requested for the Legal Department to look into this issue and challenge it.

Mr. Livingston wanted the record to reflect that this motion is not proper before Council.

The vote for the substitute motion to adopt Option #4, Ordinance Amending Richland County Code of Ordinances prohibiting signs as to prohibit outdoor advertising signs and to delete Section 26-105 in its entirety was as follows:

<u>In favor</u>	<u>Oppose</u>
Brady	Livingston
Mizzell	Meetze
Smith	Pearce
McEachern	Scott
Brill	Tillis
Tuten	

The motion passed.

Ms. Brill moved, seconded by Ms. Brady, to reconsider. The motion failed.

POINT OF PERSONAL PRIVILEGE

Mr. McEachern spoke regarding the options of the billboard issue and thanked staff for all of the hard work done.

8. EXECUTIVE SESSION

Mr. Pearce moved, seconded by Ms. Brady to recess the meeting and reconvene in Executive Session. The vote in favor was unanimous.

Council recessed at approximately 7:50 p.m. and reconvened at approximately 7:55 p.m. in Executive Session. Council came out of Executive Session at approximately 8:20 p.m.

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a. Update on Cloud Sanitation

Ms. Brill moved, seconded by Mr. McEachern, to come out of Executive Session. The vote in favor was unanimous.

Ms. Smith stated a report was received from the County Administrator and Attorney. She stated there would be an announcement on July 18th.

9. MOTION PERIOD/ANNOUNCEMENTS

There were no motions or announcements at this time.

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10. CITIZEN'S INPUT

No one signed up to speak at this time.

11. ADJOURNMENT

The meeting adjourned at approximately 8:20 p.m.

Kit Smith, Chair

L. Gregory Pearce, Jr., Vice-Chair

Joan Brady

Susan Brill

Paul Livingston

Joseph McEachern

J.D. "Buddy" Meetze

Anthony G. Mizzell

Bernice G. Scott

Thelma M. Tillis

James Tuten

The minutes were transcribed by Marsheika G. Martin