

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, DECEMBER 13, 2005 6:00 p.m.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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### MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Damon Jeter
Member	Doris Corley
Member	Kit Smith
Member	Paul Livingston

**OTHERS PRESENT** - Michelle Cannon-Finch, Milton Pope, Tony McDonald, Ashley Jacobs, Monique Walters, Joe Cronin, Michael Criss, Chief Harrell, Kendall Johnson, Anna Almeida, Stephany Snowden, Jennifer Dowden, Michelle Onley, Donny Phipps, Larry Smith, Susan Britt, John Newman, Amelia Linder, Daniel Driggers

### CALL TO ORDER

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

### INVOCATION

The Invocation was given by the Honorable Anthony G. Mizzell

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Anthony G. Mizzell

## PRESENTATION OF RESOLUTION

**Dr. Barry Russell of Midlands Technical College** – Mr. Pearce and Mr. Livingston presented Dr. Barry Russell a resolution for his outstanding service during his presidency at Midlands Technical College.

## ADOPTION OF AGENDA

Ms. Scott moved, seconded by Mr. Livingston, to move the Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance and the Report of Economic Development Committee to after Approval of Consent Items. The vote in favor was unanimous.

Ms. Scott moved, seconded by Ms. Dickerson, to make the Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance a public hearing item, to remove the Ordinance to Incorporate the “Southeast Richland Neighborhood Master Plan” into the Lower Richland Area Plan of the Imagine Richland 2020 Comprehensive Plan from the agenda and add the Clerk’s Contract. The vote in favor was unanimous.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to adopt the agenda as amended. The vote in favor was unanimous

## CITIZEN’S INPUT

Vi Hendley spoke in favor of the Ordinance Prohibiting Through Traffic on Olympia Avenue.

## APPROVAL OF MINUTES

**Regular Session: December 6, 2005** – Ms. Dickerson moved, seconded by Ms. Scott, to adopt the minutes as submitted. The vote in favor was unanimous.

## REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Ms. Scott moved, seconded by Ms. Dickerson, to move these items to after Citizen’s Input. The vote in favor was unanimous.

- a. **Personnel Matter—Clerk of Council’s Contract**
- b. **Contractual Matter—Innovista Garage**

## REPORT OF THE COUNTY ADMINISTRATOR

**Council Retreat** – Mr. Pope stated that he and Ms. Finch had notified Council of the proposed dates for Council’s Retreat. Mr. Pope stated that there were a few council members that had concerns regarding the proposed dates and requested direction from Council regarding this issue.

A discussion took place. Mr. Mizzell suggested that he work with staff to look at other options to accommodate the council members’ schedules and finalize the matter at the next council meeting.

### REPORT OF THE CLERK OF COUNCIL

Ms. Finch stated the schedule for the December 20<sup>th</sup> meetings will be:

5:00	D&S Committee
Immediately Following	A&F Committee
6:00	Special Called Meeting
7:00	Zoning Public Hearing

Ms. Finch stated that everyone should plan to be present at 5:00 on December 20.

### REPORT OF THE CHAIRMAN

Mr. Mizzell stated that Council was awarded the Gold Sponsor for their generous support of diabetes research.

Mr. Mizzell stated that the Central Midlands Transit Authority Board needed someone to serve in Ms. Corley's place. Mr. Pearce volunteered to take Ms. Corley's seat.

Mr. Jeter was appointed to Ms. Corley's seat on the Lake Murray Tourism Committee.

### PUBLIC HEARING ITEMS

- **Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance** [Second Reading]

Ms. Vi Hendley, Mr. Larry Gates, and Mr. Bob Guild spoke in favor of this item.

### APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Scott, to approve the following consent items:

- **05-55MA, Randy Mullis, RU to CG (2.2 acres), Office Bldg. & Warehouse, 12003-03-01/03 & 12007-02-01, Fairfield Road & Hwy. 321** [Third Reading]
- **05-87MA, Cliff Kinder, RU to RS-MD (42 acres), Single family detached residences, 21800-01-05, Rabbit Run Road** [Third Reading]
- **05-92MA, Ramona Hatcher, RS-LD to NC, Boutique/Consignment Shop, 16415-07-04/03, 1526 & 1518 Leesburg Road** [Third Reading]
- **05-95MA, Stadium Village Lofts [Phase 2], HI to GC (2.4 acres), Condominiums Residences, 11206-04-01/02, Berea Road near Stadium** [Third Reading]
- **05-96MA, Kirkman Finlay, HI to GC (5.8 acres), Restaurant in existing structure, 11213-05-02, 1601 Shop Road (across from DMV)** [Third Reading]
- **Sale of Property in Richland Northeast Industrial Park to Midlands Fire Protection** [Second Reading]
- **Sale of Property in Richland Northeast Industrial Park to Forum Development II, LLC** [Third Reading]
- **Sale of Property in Richland Northeast Industrial Park from Atlas Foods to Travis Motley** [Third Reading]

The vote in favor was unanimous.

**Redevelopment Plan for the Olympia, Whaley, Granby Tax Increment Financing District Ordinance** – Ms. Scott moved, seconded by Ms. Smith, to table this item and direct staff to bring back numbers for the special revenue bond or other financing. The vote in favor was unanimous.

**REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

**Consolidated Properties, LLC** – Mr. Livingston stated the committee’s recommendation was to approve this item. The vote in favor was unanimous.

**Project Fish Fry** – Mr. Livingston moved, seconded by Ms. Scott, to direct staff to meet with the group interested in this public partnership, draft a MOU to be presented to Council at Council’s Retreat.

Mr. Montgomery offered a friendly amendment to the motion. Mr. Livingston did not accept the amendment. A discussion took place.

**POINT OF ORDER** – Mr. McEachern stated Council could take a vote on Mr. Montgomery’s amendment.

Mr. Jeter disclosed that he had a business relationship with someone that may be working on behalf of the development team. At present this person has not been hired, but Mr. Jeter wanted to disclose this relationship for the record.

Ms. Smith moved, seconded by Ms. Hutchinson, to authorize staff to engage the services of a financial advisor and/or someone to conduct an economic and physical impact analysis at any stage when the proposal may deem necessary to garner the full impact before bringing it to Council.

<u>In favor</u>	<u>Oppose</u>	<u>Abstain</u>
Montgomery	Corley	Jeter
McEachern	Dickerson	
Smith	Scott	
Pearce		
Mizzell		
Livingston		
Hutchinson		

The vote was in favor.

Mr. Livingston called for questions, seconded by Ms. Scott. The vote in favor was unanimous.

The vote in favor was unanimous.

Mr. Pope inquired as to what funding resources are to be utilized to financial analysis services requested by Council. Mr. Livingston recommended that if there is additional funding that staff bring it back to Council.

### THIRD READING ITEMS

**Ordinance Prohibiting Through Traffic on Olympia Avenue** –Ms. Scott moved, seconded by Mr. McEachern, to defer this item until the first meeting in January. The vote in favor was unanimous.

**05-98MA, Development Services, Inc., Greg Lehman, RU to RS-LD (206 acres), Single Family Residences, 24700-02-08 & 21800-04-04/09/10** – Mr. Mizzell requested the status on an agreement to protect the Carolina Bay before he approves the minutes at the next meeting.

Mr. McEachern moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

### SECOND READING ITEMS

**Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VIII, Personnel Regulations; Division 8, Grievance Proceedings; Section 2-476, Definitions (deferred from mtg. of 12/06/05)** – Mr. McEachern moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

**Land Development Code, Wholesale Trade Uses (deferred from mtg. of 12/06/05)** – Mr. Pearce moved, seconded by Ms. Scott, to approve this item as amended . The vote in favor was unanimous.

### REPORT OF RULES AND APPOINTMENTS COMMITTEE

#### I. Notification of Vacancies on Boards, Commissions and Committees

**Historic Columbia Foundation-1** – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.

**Performing Arts Center Board-1** – Mr. McEachern stated the committee recommended for staff to advertise the vacancy. The vote in favor was unanimous.

#### II. Notification of Appointments to Boards, Commissions and Committees

**Lexington/Richland Alcohol and Drug Abuse Council-2** – Mr. McEachern stated there are two vacancies to this board with three applications received.

No one vote in favor of Mr. Henry Counts.

Mr. McEachern, Ms. Smith, Mr. Montgomery, Mr. Pearce, Mr. Mizzell, Mr. Livingston, Ms. Dickerson, Ms. Hutchinson, Ms. Scott, Mr. Jeter voted in favor of Ms. Margaret Gregory.

Mr. McEachern, Ms. Smith, Mr. Montgomery, Mr. Pearce, Mr. Mizzell, Mr. Livingston, Ms. Dickerson, Ms. Hutchinson, Ms. Scott, Mr. Jeter voted in favor of Ms. Victoria B. Kelley.

Ms. Margaret Gregory and Ms. Victoria B. Kelley were appointed.

**Music Festival Commission-1**

Mr. McEachern stated that there are no applicants at this time.\

**Performing Arts Center Board-2**

Mr. McEachern stated that there are no applicants at this time.

**Richland Memorial Hospital Board-3**

Mr. McEachern stated there are three vacancies to this board with five applications received.

Mr. Montgomery, Mr. Pearce, Mr. Mizzell, Mr. Livingston, Ms. Hutchinson, Ms. Dickerson, Ms. Scott, Mr. Jeter voted in favor of Mr. Bill Bradshaw.

Ms. Smith voted in favor of Ms. Holly P. Carlisle.

Mr. Montgomery, Mr. McEachern, Ms. Smith, Mr. Pearce, Mr. Mizzell, and Ms. Hutchinson voted in favor of Dr. Jerry Odom.

Mr. McEachern, Mr. Livingston, Ms. Dickerson, Ms. Scott, Mr. Jeter voted in favor of Dr. Nowamagbe A. Omoigui.

Mr. Montgomery, Mr. McEachern, Ms. Smith, Mr. Pearce, Mr. Mizzell, Mr. Livingston, Ms. Hutchinson, Ms. Dickerson, Ms. Scott, and Mr. Jeter voted in favor of Ms. Ann Pringle Washington.

Mr. Bill Bradshaw, Dr. Jerry Odom and Ms. Ann Pringle Washington were appointed.

**III. Amendment to Grievance Ordinance**

This item was discussed during the Second Reading items.

**IV. Guidelines for Council Retreat Discussions**

Mr. McEachern requested a meeting with for Council and staff to discuss several issues regarding the upcoming Council Retreat.

Mr. Mizzell asked Ms. Finch to set a meeting.

**Ordinance Authorizing General Obligation Bond Anticipation Notes for Innovista Garage –**

This item was taken up in Executive Session.

**CITIZEN'S INPUT**

No one signed up to speak.

**EXECUTIVE SESSION ITEMS**

Mr. Jeter moved, seconded by Mr. Pearce, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 7:15 p.m. and came out at approximately 7:37 p.m.**  
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Mr. McEachern moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

- a. **Personnel Matter: Clerk's Contract** – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve the format of the Clerk's contract as submitted by the committee. The vote in favor was unanimous.
- b. **Contractual: Innovista Garage** – Mr. Montgomery moved, seconded by Ms. Dickerson, to accept as information the legal advice received. The vote in favor was unanimous.

**MOTION PERIOD**

**Cancellation of December 20<sup>th</sup> Meetings** -- Ms. Scott moved, seconded by Mr. Montgomery, to not hold the December 20 meetings. The motion failed.

**Southland Waste Collection Complaints** – Mr. McEachern moved, seconded by Mr. Montgomery, to forward to the D&S Committee the review of complaints regarding Southland waste collection services.

**Resolutions for Mr. James H. Suddeth, Jr. and Mr. Richard T. Laughridge** – Mr. Pearce moved, seconded by Ms. Scott, to adopt resolutions for Mr. James H. Suddeth, Jr. and Mr. Richard T. Laughridge. The vote in favor was unanimous.

**Resolution for Ms. Tucker** – Ms. Scott moved, seconded by Mr. Jeter, to adopt a resolution for Ms. Tucker. The vote in favor was unanimous.

**ADJOURNMENT**

Mr. Montgomery moved, seconded by Ms. Scott, to adjourn. The vote in favor was unanimous.

The meeting adjourned at approximately 7:49 p.m.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

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Joyce Dickerson

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Valerie Hutchinson

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Damon Jeter

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Paul Livingston

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Joseph McEachern

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley