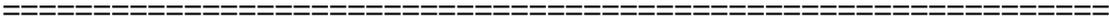


**MINUTES OF**



**RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
TUESDAY, SEPTEMBER 11, 2012  
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.*



**MEMBERS PRESENT:**

- Chair                      Kelvin E. Washington, Sr.
- Vice Chair                L. Gregory Pearce, Jr.
- Member                  Joyce Dickerson
- Member                  Valerie Hutchinson
- Member                  Norman Jackson
- Member                  Damon Jeter
- Member                  Gwendolyn Davis Kennedy
- Member                  Bill Malinowski
- Member                  Jim Manning
- Member                  Paul Livingston
- Member                  Seth Rose

**OTHERS PRESENT** – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Brad Farrar, Nelson Lindsay, Yanisse Adrian-Silva, Pam Davis, Sara Salley, Andy Metts, Kecia Lara, Dan Cole, Daniel Driggers, Geo Price, John Hixon, Anna Lange, Tracy Hegler, Monique Walters, Michelle Onley

**CALL TO ORDER**

The meeting was called to order at approximately 6:07 p.m.

**INVOCATION**

The Invocation was given by the Honorable Kelvin E. Washington, Sr.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Kelvin E. Washington, Sr.

### ADOPTION OF THE AGENDA

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt the agenda as distributed.

### REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following were potential Executive Session Items:

- a. **Richland County vs. Power Engineering**
- b. **Darrell's Update** -- Deferred
- c. **Northwest Sewer Associates** – Deferred
- d. **Potential Township Property Purchase**
- e. **Project Resolve**

### EXECUTIVE SESSION

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**Council went into Executive Session at approximately 6:09 p.m. and came out at approximately 6:38 p.m.**  
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**Richland County vs. Power Engineering** – Ms. Hutchinson moved, seconded by Mr. Malinowski, to direct staff to proceed with negotiations as discussed in Executive Session.

**Project Resolve** – This item was taken up under the Report of Economic Development Committee.

### CITIZENS' INPUT

No one signed up to speak.

### REPORT OF THE COUNTY ADMINISTRATOR

**Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session**  
– This item was taken up in the motion period.

**Neighborhood Planning Conference Update** – Ms. Hegler gave a brief update regarding the upcoming Neighborhood Planning Conference. The conference will be held on October 13<sup>th</sup>, 8:00 a.m.-2:30 p.m. at the Convention Center.

**Introduction of Interim Solid Waste Director** – Mr. McDonald introduced Mr. Rudy Curtis as the Interim Solid Waste Director.

**Penny Sales Tax Educational Forum** – Mr. McDonald stated that the first of several penny sales tax educational forums was held at the Parklane Adult Activity Center.

#### REPORT OF THE CLERK OF COUNCIL

No report was given.

#### REPORT OF THE CHAIRMAN

No report was given.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce recognized AFLAC for their \$400,000 gift to the Palmetto Richland Children’s Hospital.

#### APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Residential Uses” of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to permit “Group Homes (10 to 15)” in the RU (Rural District), with Special Requirements [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (C), Processes; Paragraph (2), Minor Subdivision Review; so as to remove the requirement of sketch plan submittal [THIRD READING]**
- **12-24MA, Martin Fridy, Grands Investment Company, LLC, M-1/MH to GC (9.9 Acres), 108 Fore Ave., 22914-06-01(p)/03/04/05/06/07/08/16/17 [SECOND READING]**
- **Franchise Fee**

Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the consent items. The vote in favor was unanimous.

#### THIRD READING ITEM

**12-22MA, Jonathan Giles, Robert Giles, RM-HD to NC (.33 Acres), 1157 & 1159 Olympia Ave., 11203-01-03 & 04** – Ms. Dickerson moved, seconded by Mr. Rose, to defer this item until the October 2<sup>nd</sup> Council meeting. The vote in favor was unanimous.

## SECOND READING ITEMS

**An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$44,500 of General Fund Undesignated Fund Balance for Sheriff's Department Grant Position Pick-Up** – Ms. Hutchinson moved, seconded by Ms. Kennedy, to approve this item. A discussion took place.

The vote was in favor.

**An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$289,000 of General Fund Undesignated Fund Balance for Sheriff's Department Salary Fringe Funds** – Mr. Pearce moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$34,004 of General Fund Undesignated Fund Balance for additional personnel for Blythewood Magistrate** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item. The vote was in favor.

**An Ordinance Amending the Fiscal Year 2012-2013 Neighborhood Improvement and Community Development Fund Annual Budgets to appropriate \$53,665 of Neighborhood Improvement Undesignated Fund Balance for transfer to the Community Development Fund for the CDBG and HOME administrative shortfall** – Ms. Dickerson moved, seconded by Mr. Jackson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Amending Exhibit A to Ordinance No. 048-08HR Authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County, South Carolina, to issue General Obligation Bonds in the principal amount of not exceeding \$50,000,000; and other matters relating thereto enacted by the County Council of Richland County, South Carolina on September 9, 2008** – Ms. Hutchinson moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

## REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

**Curfew for Community Safety** – Mr. Jeter moved, seconded by Mr. Malinowski, to form a task force to include: the Sheriff's Department, restaurant/bar owners, and community/neighborhood leaders. A discussion took place.

Mr. Manning requested a friendly amendment to receive a report from the task force by December 31, 2012. Mr. Jeter and Mr. Malinowski accepted the amendment.

The vote in favor was unanimous.

## REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

**Changes to Employee Handbook** – Mr. Malinowski moved, seconded by Mr. Jackson, to refer this item back to the A&F Committee and direct the Human Resources Department to determine if there is a probationary period and if there is to be a probationary period what the probationary period should be. The vote was in favor of this item.

**Agreement with Phoenix University [DENIAL]** – Mr. Manning moved, seconded by Ms. Kennedy, to defer this item. The vote in favor was unanimous.

**Kingville Historical Society Funding Request [DENIAL]** – Mr. Pearce moved, seconded by Mr. Jeter, to table this item. The vote in favor was unanimous.

**Lower Richland PSTA/Diamond Day Festival Funding Request [DENIAL]** – Mr. Jeter stated that the committee recommended denial of this item. The vote was in favor.

**Regional Sustainability Plan** – Mr. Malinowski moved, seconded by Mr. Jackson, to adopt the plan. A discussion took place.

The vote in favor was unanimous.

## REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

**A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding by and among Richland County, South Carolina, the State of South Carolina, and a company known as Project Resolve and other matters related thereto** – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects [FIRST READING]** – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

**Economic Development Office Space Lease** – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

## REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF VACANCIES

- a. **Board of Zoning Appeals—1** – Mr. Malinowski stated that the committee recommended advertising this position. The vote in favor was unanimous.

- b. **Building Codes Board of Adjustment—3** – Mr. Malinowski stated that the committee recommended advertising these positions. The vote in favor was unanimous.
- c. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended advertising this position. The vote in favor was unanimous.
- d. **Planning Commission—1** – Mr. Malinowski stated that the committee recommended advertising this position. The vote in favor was unanimous.

## II. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—4** – Mr. Malinowski stated that the committee recommended appointing Mr. Bill McCracken. The vote in favor was unanimous.
- b. **Airport Commission—3** – The appointments will be made at the September 18<sup>th</sup> Council meeting.
- c. **Richland County/City of Columbia Animal Care Advisory Committee—2** – The appointments will be made at the September 18<sup>th</sup> Council meeting.
- d. **Appearance Commission—2** – Mr. Malinowski stated that Mr. Alan Roblee was appointed by Mr. Pearce to represent District 6 on the Appearance Commission.  
  
The appointments will be made at the September 18<sup>th</sup> Council meeting.
- e. **Building Codes Board of Appeals—2** – Mr. Malinowski stated that the committee recommended appointing Mr. E. Ralph Walden to the Architect position and re-advertising for the remaining position. The vote in favor was unanimous.
- f. **Business Service Center Appeals Board—3** – Mr. Malinowski stated that the committee recommended appointing Mr. Jake Cello to the non-CPA position and the remaining appointments will be made at the September 18<sup>th</sup> Council meeting.
- g. **Community Relations Council—2** – The appointments will be made at the September 18<sup>th</sup> Council meeting.
- h. **East Richland Public Service Commission—1** – This item was held in committee.
- i. **Employee Grievance Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.

## OTHER ITEMS

### REPORT OF THE REGIONAL RECREATION COMPLEX AD HOC COMMITTEE

**An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex [FIRST READING]** – Ms. Kennedy stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

**TAX INCREMENT FINANCING (TIF):** – Mr. Pearce moved, seconded by Mr. Malinowski, to defer this item until the November 20<sup>th</sup> Council meeting.

| <u>For</u> | <u>Against</u> |
|------------|----------------|
| Rose       | Livingston     |
| Malinowski | Dickerson      |
| Jackson    | Kennedy        |
| Hutchinson | Manning        |
| Pearce     |                |
| Washington |                |
| Jeter      |                |

The vote was in favor of deferral until the November 20<sup>th</sup> meeting.

- a. **TIF Chronology**
- b. **Authorizing pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Columbia Renaissance Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto [FIRST READING]**
- c. **Columbia Renaissance Redevelopment Plan IGA**
- d. **Authorizing pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Innovista Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto [FIRST READING]**
- e. **Innovista Redevelopment Plan IGA**

### CITIZEN'S INPUT

No one signed up to speak.

### EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:42 p.m. and came out at approximately 8:02 p.m.  
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**Potential Township Property Purchase** – No action was taken.

### MOTION PERIOD

**To develop a master plan for the Olympia Neighborhood that takes into account the community's residential character and revitalization [ROSE and WASHINGTON]** – This item was referred to the D&S Committee.

**Palmetto Health "Women at Heart" Resolution [WASHINGTON]** – Mr. Pearce moved, seconded by Ms. Hutchinson, to adopt the resolution. The vote in favor was unanimous.

**Motion that we remove the parking meters in the County's satellite parking lot. The parking lot will be for those doing business at 2020 Hampton Street only and legal notice will stipulate violators of this policy will be towed. In addition, there will be a 2-hour time limit enforced by having those that enter the lot receive a time-stamped ticket [ROSE and MANNING]** – This item was referred to the A&F Committee.

**Green Code Text Amendments, Development Roundtable's Recommendations and Ordinance for Fostering more Environmentally-Sensitive Site Development Work Session [WASHINGTON]** – The Clerk's Office is to review Council's calendar.

**Resolution honoring Joanne Martin for outstanding service at Columbia High School and the St. Andrews Community [DICKERSON]** – Ms. Dickerson moved, seconded by Mr. Malinowski, to adopt the resolution honoring Ms. Martin. The vote in favor was unanimous.

### ADJOURNMENT

The meeting adjourned at approximately 8:06 p.m.

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Kelvin E. Washington, Sr., Chair

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L. Gregory Pearce, Jr., Vice-Chair

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Gwendolyn Davis Kennedy

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Joyce Dickerson

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Valerie Hutchinson

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Norman Jackson

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Damon Jeter

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Bill Malinowski

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Jim Manning

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Paul Livingston

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Seth Rose

The minutes were transcribed by Michelle M. Onley