

Regular Council Meeting

July 2, 2013 at 6 p.m.

Members Present:

Joe Owens, Mayor  
Boyd Jones, Mayor Pro-Tem  
Eric L. Fowler  
Casey Jordan Hallman  
L. Dale Harley  
Tommy Parler  
B.J. Unthank  
Teddy Wingard

Members Absent:

None

Others Present:

Myron Corley, Deputy City Administrator  
Mardi Valentino, City Clerk/PIO  
Donna Smith, Director of Economic Development  
Sid Varn, Director of Planning and Engineering  
Dennis Tyndall, Police Chief  
Ken Ebener, Municipal Judge  
Shane Phillips, Police Captain  
Members of the Public and Press

Wyatt Coleman, Fire Chief  
Brian Carter, Director of Planning and Zoning  
Charles Garren, Public Works Director  
Rick Hodge, City Treasurer  
Matt Edwards, Police Major  
Justin Black, Staff Accountant  
Anna Huffman, IT Systems Administrator

---

Agenda Item I – Call to Order

Mayor Owens called the meeting to order at 6 p.m. and noted a quorum was present. *The State, Free Times, Lexington County Chronicle, Cayce-West Columbia News, The Columbia Star* and radio and television stations were notified of the meeting by e-mail on June 28, 2013. A revised agenda was e-mailed July 1, 2013.

Agenda Item II – Invocation and Pledge of Allegiance

Mayor Pro-Tem Jones gave the invocation followed by the Pledge of Allegiance.

Agenda Item III – Requests for Appearance

- A. Mayor Owens recognized Ms. Karen Hoover, who stated she lives at 1027 Rutland Avenue in West Columbia. Ms. Hoover requested the city council to consider selling the city property located at 351 Meeting Street, formerly known as West Vita Antiques. Ms. Hoover said she wants to recondition the property to open an upscale consignment retail business in the New Brookland Historic District. Ms. Hoover felt her business venture would succeed in that location because the building is one of the first properties that visitors and residents would see when crossing the Gervais Street Bridge into West Columbia. The building has remained vacant since the city purchased it in 2005. Her business would draw a new customer base to the area and the city would benefit from increased business license revenue. She would offer repurposed furniture, modern home furnishings, elegant lighting, rugs, upscale women's clothing, jewelry and eclectic decorating accessories. Her target customers would be women interested in upscale décor, antiques and consignment jewelry who would come from the Midlands area. Ms. Hoover explained that it had been a life-long dream for her to open a consignment business. She noted that after a successful 35-year career in sales, marketing and public relations, she felt she has the necessary tools, knowledge and enthusiasm to make her business a success. Mayor Owens thanks Ms. Hoover for her presentation and stated that the city would need to obtain an appraisal on the property before any decision could be made.

## Regular Council Meeting Minutes

July 2, 2013

Page Two

### Agenda Item III – Requests for Appearance (continued)

B. Mayor Owens recognized Mr. Herbert Ames, who stated he co-chairs the Urban Land Institute (ULI). Mr. Ames introduced Mr. Leighton Lord with Nexsen/Pruet Law Firm and Ms. Meghan Hughes, project chair for Midlands Reality Check. Mr. Ames explained the ULI provides leadership in responsible use of land and in creating and sustaining thriving communities worldwide. The ULI is an independent global nonprofit organization supported by members representing real estate development and land use disciplines. Mr. Ames said the over 100 members in the Midlands area include such businesses as Nexsen/Pruet, Wells Fargo, Nelson Mullins, Lake Carolina, McCrory Construction Company, SC Bank & Trust, Turner Padgett, the Capital City Club and Blue Cross and Blue Shield of South Carolina. Mr. Ames explained that over the next 30 years the Midlands area will grow by 450,000 new residents. By the year 2040, an estimated 93,000 additional school students K-12 will need 14 new high schools, 22 new middle schools and 30 new elementary schools. Infrastructure to support 174,000 new housing units will need 69.5 million gallons of additional water per household per day and the increased population will need 1,700 new hospital beds. Such growth requires a vision for the Midlands to accommodate the population increase, to sustain vibrant, healthy communities and to retain a high quality of life. The ULI promotes Growing by Choice, Not by Chance to address economic development, land planning, infrastructure development, and enhancement of natural, cultural, education and financial resources.

Mr. Ames said the Midland Reality Check Game Day would be held in October 2013 to establish a unified vision for how new jobs, homes and transportation might be distributed across the region and how shared principles can lead to a better future. More than 25 communities nationwide have conducted a Reality Check process to implement their visions. Mr. Ames explained that on Game Day, over 300 community leaders from across the Midlands will convene as teams to envision how the region should develop. Large scale regional maps will be utilized to determine where jobs, housing and transportation should develop in order to sustain prosperity for the Midlands. Mr. Ames asked for city council's support for the regional collaboration. Mayor Owens thanked Mr. Ames for his presentation.

C. Mayor Owens recognized Captain Shane Phillips, who presented a program narrative on a US Department of Justice (DOJ) technology grant for which the Police Department recently applied. Captain Phillips explained a condition of the grant process is that a presentation must be made before the local governing body to delineate how the grant of \$12,359.00 will be used when awarded. He said the Police Department will use the grant funds to purchase in-car video technology. Captain Phillips stated West Columbia is geographically located near two interstates and has major thoroughfares that connect to the City of Columbia, which brings large volumes of traffic through the city multiple times during the day. Traffic counts indicate that over 100,000 vehicles pass through the city each day, giving rise to numerous police traffic stops, especially Driving under the Influence (DUI) stops. Captain Phillips stated that state law currently mandates video cameras to record officers following the law when administering field sobriety tests, advisement of Miranda rights and an arrest. Captain Phillips noted in 2010 there were 315 DUI fatalities in South Carolina. Many of the DUI arrestees are third time offenders, which renders the car video significant evidence for conviction. Moreover, FBI statistics for 2011 show nationwide 54,000 officers were assaulted and 72 were killed in the line of duty. He said each in car video system costs over \$5,000, but the technology is very worthwhile. Mayor Owens polled the council members who gave consensus to accept the DOJ grant and approved the Police Department to go forward with in-car video purchases.

## **Regular Council Meeting Minutes**

**July 2, 2013**

**Page Three**

### Agenda Item IV – Announcements by Mayor

- A. Mayor Owens recognized Mr. Bobby George, president of the Guignard Neighborhood Association, who accepted the Yard of the Month designation on behalf of Mr. Bobby Brown. Mr. George said Mr. Brown was recently ill and could not attend the council meeting to accept the honor. He commended Mr. Brown's efforts to beautify his yard at 1000 E Avenue. Mr. George said Mr. Brown also was recognized by the Guignard Neighborhood Association at its last meeting.

Mayor Owens stated that city hall will be closed July 4 and 5 for the Independence Day holiday. The Zoning Board of Appeals will meet at 6 p.m. on July 16, 2013 and the Planning Commission will meet at 6 p.m. on July 22, 2013. Mayor Owens said no council work session would be held in July due to council members attending the Municipal Association of South Carolina (MASC) annual meeting in Greenville, SC.

### Agenda Item V – Approval of Minutes

- A. Mayor Owens entertained a motion to approve the minutes for the Public Hearing on the Budget for Fiscal Year 2013-2014 held June 4, 2013, the Regular Council Meeting held June 4, 2013, and the Special Council Meeting held June 17, 2013. Council Member Parler so moved and Council Member Fowler seconded. The motion passed unanimously.

### Agenda Item VI – New Business

- A. Mayor Owens entertained a motion for first reading consideration of the Planning Commission's recommendation to establish a zoning classification for recently annexed property located at 2331 and 2333 Thornton Avenue (TMS# 004627-05-006) as C-3 (restricted commercial). Council Member Harley so moved and Council Member Hallman seconded. Mayor Owens recognized Mr. Brian Carter, director of Planning and Zoning, who explained the property was annexed with two non-conforming mobile homes. Mayor Owens called for a vote and the motion passed unanimously.
- B. Mayor Owens entertained a motion for first reading consideration of the Planning Commission's recommendation for a text amendment to Section 601 of the West Columbia Zoning ordinance to clarify portions of the zoning ordinance relating to non-conforming uses and structures. Council Member Fowler so moved and Council Member Wingard seconded. Mayor Owens recognized Mr. Carter, who explained that the amendment clarifies structures designed as accessory dwellings to allow residential use indefinitely, but prohibits the structures from being enlarged. Mayor Owens called for a vote and the motion passed unanimously.
- C. Mayor Owens entertained a motion for first reading consideration of an ordinance to amend Title 6, Section 3, entitled Animal Control, of the West Columbia Code of Ordinances to allow residents to keep domestic chickens under certain conditions. Council Member Unthank so moved and Council Member Hallman seconded. Mayor Owens recognized Mr. Carter who said the ordinance would allow a resident to keep up to four hens to produce eggs for consumption. He outlined the requirements to maintain the chickens in a healthy environment, which included no roosters, no free roaming chickens, prohibition on selling eggs, inspection of the coop and run by the animal control officer and construction of a fully enclosed coop and fenced run as an accessory structure for a single family residence with required side and back yard setbacks. He said a resident would not be allowed to keep chickens in a subdivision with covenants that prohibit fowl. If a subdivision does not have a restriction then a resident would need a letter from the homeowners' association granting permission to maintain chickens.

**Regular Council Meeting Minutes**

**July 2, 2013**

**Page Four**

Agenda Item VI – New Business (continued)

Council members embarked upon a lengthy discussion of the ordinance that culminated in Mayor Owens calling for a vote. Council Members Hallman, Parler, Unthank and Wingard voted in favor of the motion. Mayor Owens, Mayor Pro-Tem Jones and Council Members Fowler and Harley voted in opposition of the motion. The vote was tied with four votes in favor and four votes in opposition. The motion failed to pass by a majority vote.

Agenda Item VII – Adjourn

Mayor Owens entertained a motion to adjourn. Council Member Harley so moved and Council Member Unthank seconded. The motion passed unanimously. Council adjourned at 6:40 p.m.

Respectfully submitted,

Marta M. Valentino, CMC  
City Clerk