

City of West Columbia, SC

Special Council Meeting

June 16, 2014 at 6 p.m.

Members Present:

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

Members Absent:

None

Others Present:

Jenny Cunningham, City Administrator
Myron Corley, Deputy City Administrator
Mardi Valentino, City Clerk/PIO
Wyatt Coleman, Fire Chief
Justin Black, Staff Accountant
Members of the Public and Press

Brian Carter, Assistant City Administrator
Stuart Jones, Building Official
Rick Hodge, City Treasurer
Shane Phillips, Police Captain

Agenda Item I – Call to Order

Council Chairperson BJ Unthank called the meeting to order at 6 p.m. *The State, Free Times, Lexington County Chronicle, Cayce-West Columbia News, The Columbia Star, COLADaily.com* and radio and television stations were notified of the meeting by e-mail on June 13, 2014.

Agenda Item II – Determination of Quorum

Council Chairperson BJ Unthank determined that a quorum of council members was present to conduct business. Police Captain Shane Phillips gave the invocation followed by the Pledge of Allegiance.

Agenda Item III. – Announcements by the Mayor

Chairperson Unthank recognized Mayor Owens who reported that he met with Mr. John Hardee, a commissioner with the SC Department of Transportation (DOT), to discuss additional highway funds for city infrastructure projects. Mayor Owens also noted that over 1,500 signatures have been obtained on the petition for a referendum for the city to change to the mayor-council form of government. He said he plans to present the petition to the Lexington County Registration and Election Commission on Friday.

Chairperson Unthank recognized Council Member Parler who gave a brief update on the West Columbia Clean Up Day held Saturday, April 26, 2014. Council Member Parler said crews from the Sanitation Department collected 291 tons of yard trash, 2.37 tons of tires and 214 pieces of electronics. He said the clean up was the largest one to date and thanked the sanitation employees for their outstanding efforts. The next scheduled clean up day is October 25, 2014.

Agenda Item IV – Citizens' Requests for Appearance

Chairperson Unthank recognized Mr. Phil Wilson who stated that he represented Jehovah's Witnesses, an international religious organization that is active in 239 countries and the church's Watch Tower magazine is published in 195 languages. Mr. Wilson stated that Jehovah's Witnesses is known for door to door witnessing and now wants to augment that ministry with mobile displays in public areas. He explained that his church is requesting to place a multi-language mobile display at the West Columbia Riverwalk Park to distribute ministry materials.

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Agenda Item IV – Citizens’ Requests for Appearance

- A. Two members of the church would attend the display to offer information to park visitors and to resupply the cart. Mr. Wilson said a mobile display is currently at the Horseshoe on the campus of the University of South Carolina. Chairperson Unthank said that the city council would take the request under advisement and get back in touch with Mr. Wilson when a decision was made.

Agenda Item V – Unfinished Business

- A. Chairperson Unthank entertained a motion for second reading consideration of an ordinance to adopt a budget for the fiscal year beginning July 1, 2014 and levying a tax to meet such a budget for the fiscal year, with General Fund \$12,878,000.00 and Water/Sewer Fund \$12,122,000.00. Council Member Miles so moved and Council Member Parler seconded. Council Members Harley, Jones, Fowler, Unthank and Parler voted in favor of the motion. Mayor Owens, Mayor Pro-Tem Hallman, and Council Members Miles and Wingard voted in opposition. The motion passed five votes to four votes.
- B. Chairperson Unthank entertained a motion for second reading consideration of an ordinance establishing amended water and sewer service charges for the City of West Columbia water and sewer customers. Council Member Harley so moved and Council Member Jones seconded. Council Members Harley, Jones, Fowler, Unthank, Parler and Miles voted in favor of the motion. Mayor Owens, Mayor Pro-Tem Hallman and Council Member Wingard voted in opposition. The motion passed six votes to three votes.
- C. Chairperson Unthank entertained a motion for second reading consideration of an ordinance establishing amended hydrant fees for out-of-city fire protection. Council Member Harley so moved and Council Member Parler seconded. The motion passed unanimously.
- D. Chairperson Unthank entertained a motion for second reading consideration of an ordinance to adopt Section 1-3-9 of the City of West Columbia Code of Ordinances relating to the inclusion of public invocations at council meetings. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.
- E. Chairperson Unthank entertained a motion for second reading consideration of an ordinance to amend Section 1-3-2 of the City of West Columbia Code of Ordinances relating to the order of proceedings for regular council meetings. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.
- F. Chairperson Unthank entertained a motion for second reading consideration of the Planning Commission’s recommendation to change the zoning classification of property located 706 12th Street (TMS# 004633-02-006) as C-1 (Intensive Commercial) to C-2 (General Commercial). Mayor Owens so moved and Council Member Harley seconded.

Agenda Item V – Unfinished Business

Chairperson Unthank recognized Mr. Brian Carter, Assistant City Administrator, who explained that the property is the site of the old Good Year Auto Center, which is a non-conforming use in the C-1 zoning classification. He said the property has been vacant for a number of years and the new owner wants to continue using the location for auto repair. The tenant also wants to sell used autos. He said the Planning Commission voted unanimously to recommend changing the zoning to a C-2 classification which would allow auto repair and auto sales at the location.

Chairperson Unthank recognized Council Member Miles who said the people who live adjacent to D Avenue and 12th Street are tired of the area looking like a car lot. Mr. Carter stated that he would be presenting a text amendment to the Planning Commission that would deal with the appearances of car sales and auto repair lots.

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Agenda Item V – Unfinished Business

Council Member Miles asked if council voted to change the zoning on the property tonight and restrictions were later adopted would the owner be required to implement the changes. Mr. Carter responded that the text amendment could offer a six-month window to comply with the required changes. Mr. Carter stated that the prospective tenant wants to sell cars on a limited scale and that he understood the concern for the appearance of the property. Council Member Miles stated that he would have to oppose the change in the zoning classification due to the past abuses of auto repair lot even if it is the highest and best use of the property. Mayor Owens stated that it was totally unfair to judge the new tenant by the actions of others.

Chairperson Unthank recognized Council Member Parler who said if the city did not have anything in place now then the tenant could repair cars without an ordinance to restrict the number of cars and the tenant could have as many as he wanted on the lot. Mr. Carter responded that the property currently has a C-1 zoning classification which does not allow auto repair or sales lots. He said that he could present a text amendment to the Planning Commission for recommendation in July and then council could take readings in August and September. A period of time could be provided to allow the owners to come into compliance. Mayor Owens stated the he did not think council could arbitrarily tell someone who has had a business five or six years that he will have to start limiting the number of cars on his lot. Mr. Carter noted that if the ordinance for the text amendment fails to pass then it could not be presented again for 12 months.

Chairperson Unthank recognized Mr. Henry Adkins who stated that he represented Mr. Keenan, the property owner. Mr. Adkins said the tenant has been cleaning out the shop for the past two months. He said there is no other use for a building with eight bays. The property has 25 parking spaces and it would be used for auto repair.

Chairperson Unthank called for the question. Mayor Owens, Mayor Pro-Tem Hallman and Council Members Harley, Jones, Fowler, Unthank and Wingard voted in favor. Council Members Parler and Miles voted in opposition. The motion passed seven votes to two votes.

Agenda Item VI – Adjournment

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

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk/Public Information Officer