

City of West Columbia, SC

Regular Council Meeting

November 17, 2014 at 6 p.m.

<u>Members Present:</u>	Mem	<u>bers Absent:</u>
Joe Owens, Mayor	None	
Casey Jordan Hallman, Mayor Pro-Tem		
Eric L. Fowler		
L. Dale Harley		
Boyd J. Jones		
Temus C. Miles, Jr.		
Tommy Parler		
Teddy Wingard		
B.J. Unthank		

Others Present:

Jenny Cunningham, City Administrator	Wyatt	Coleman, Fire Chief
Brian Carter, Assistant City Administrator		Ken Ebener, Municipal Judge
Dennis Tyndall, Police Chief		Donna Smith, Economic Development
Rick Hodge, Financial Consultant		Justin Black, City Treasurer
Jamie Hook, Sanitation/Streets/Parks Superintendent		Stuart Jones, Building Official
Mardi Valentino, Human Resources Director		Shane Phillips, Police Department
Anna Huffman, IT Systems Administrator		Scott Morrison, Police Department/PIO
Kelli Brazell, City Clerk		Margaret Pope, Esq., Bond Attorney
<u>Sid Varn, Director of Planning & Engineering</u>		<u>Members of the Public and Press</u>

Agenda Item I – Call to Order

Chairperson Unthank 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 November 14, 2014.

Agenda Item II – Determination of Quorum

Chairperson Unthank noted a quorum was present to conduct business.

Agenda Item III – Invocation

Council Member Fowler gave the invocation followed by the Pledge of Allegiance.

Agenda Item IV – Pledge of Allegiance

All attendees at the meeting recited the Pledge of Allegiance before the flag of the United States of America.

Agenda Item V – Announcements/Communications by Mayor

Chairperson Unthank recognized Mayor Owens who informed all in attendance of the date of the Lexington County Municipal Association December meeting. Mayor Owens stated the meeting would be hosted by the City of West Columbia at Grecian Gardens restaurant on December 18, 2014 at 6:30 p.m.

Chairperson Unthank recognized Council Member Tem Miles who apologized publicly to Ms. Karen Hoover for a statement he made at a council meeting earlier in the year.

Regular Council Meeting Minutes

November 17, 2014

Page Two

Agenda Item VI – Presentations and Recognitions

- A. Chairperson Unthank recognized Mayor Joe Owens who said the Safe Cats Coalition asked him to present a plaque to the family of deceased Council Member Abby Bray. Lynn Summer, a close family friend, accepted the plaque for the Bray Family.

Agenda Item VII – Citizens' Requests for Appearance

- A. Chairperson Unthank recognized Council Member Tommy Parler to discuss the City of West Columbia's Fall Clean-up Day. Council Member Parler stated the clean-up day on October 18, 2014 resulted in a collection of the following: 154 tons of yard trash, 74 tires and 12 pallets of electronic equipment shipped to Tennessee. The City was charged \$300 but in the future it would cost fourteen cents a pound. Electronic equipment with glass, i.e. monitors and televisions will no longer be accepted. Council Member Parler recognized Jamie Hook, Sanitation/Streets/Parks Superintendent, and Keep the Midlands Beautiful for all of their hard work in making the day a success. The next city-wide clean-up day will be April 18, 2015.
- B. Chairperson Unthank recognized Ms. Paris Cobb of [REDACTED] Ms. Cobb appeared before Council a year ago to discuss raising domestic chickens. She reiterated the positive reasons to have chickens inside the city limits including: healthier food, better soil and to provide an opportunity to teach children responsibility. Ms. Cobb asked that the City revisit its ordinance on domestic chickens. She stated that Cayce, Lexington and Columbia have already adjusted their ordinances. Council Member Unthank informed Ms. Cobb that Brian Carter, Assistant City Administrator, previously had presented an amended ordinance but that Council may revisit it.
- C. Chairperson Unthank recognized Mr. Anthony Wright of 283 Long Point Lane in Columbia who stated he is the managing general partner of Shermone Vermelle, LLC. Mr. Wright proposed the development of a West Columbia Community Center. He stated that a technologically advanced facility would assist in elevating the social, economic and educational climate of West Columbia. Funding would come from grants, churches, and fortune 500 companies. Council Member Unthank thanked Mr. Wright and asked if there were any questions from Council. Council Member Miles asked what would go inside the building. Mr. Wright replied that it would be used as an auditorium and offices. He stated that the 53,000 square foot building is designed to be more technologically advanced than anything in South Carolina. Council Member Unthank requested a proposal listing each room and the purpose of the room. Mr. Wright stated that each city would be responsible for a feasibility plan. Council Member Miles asked who would use the building and for what purpose. Mr. Wright stated that Amazon recently used a private space to hold a job fair, so it would be used for social development. Mr. Wright projected that the West Columbia Community Center would even bring Richland County functions to West Columbia. Council Member Jones asked if Mr. Wright already had people backing this project. Mr. Wright stated that Nikki Setzler, Kenny Bingham and Dennis Tyndall were just a few of the people backing this project. Council Member Fowler asked where was the proposed location. Mr. Wright stated it would be up to the City. Council Member Unthank thanked Mr. Wright and moved on to the approval of minutes.

Council Member Jones stepped out of the room at 6:31 p.m.

Regular Council Meeting Minutes
November 17, 2014
Page Three

Agenda Item VIII – Approval of Minutes for Previous Meetings

Chairperson Unthank entertained a motion to approve minutes for the regular council meeting held October 7, 2014, the special council meeting held October 20, 2014 and the special council meeting held November 10, 2014. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously. Council Member Jones was absent for the vote.

Agenda Item IX – Unfinished Business

Chairperson Unthank entertained a motion for second reading consideration of an ordinance to amend Title 1, Chapter 4, Section 2, creation of Specific Departments, to create the department of Human Resources. Council Member Miles so moved and Mayor Owens seconded. The motion passed unanimously. Council Member Jones was absent for the vote.

Agenda Item X – New Business

- A. Chairperson Unthank entertained a motion for first reading consideration of an amendment to the Water/Sewer rate ordinance to include Appendix A of the schedule for South Carolina Department of Health & Environmental Control (SCDHEC) unit contributory loadings. Council Member Miles so moved and Mayor Owens seconded. Chairperson Unthank asked for discussion. Mayor Owens stated that this DHEC recommendation had been out for eight years and stated previous business owners may have recourse for a refund. He recommended Council get an opinion from city attorney Nikki Setzler. Chairperson Unthank stated the attorney has not sent his final opinion.

Council Member Jones returned to the dais at 6:35p.m.

Mayor Owens stated that he has a problem lowering the per chair volume by half when Council recently increased water/sewer rates by 15 percent. Council Member Miles stated tap fees were not retroactive. Previous business owners would not be expected to come back and pay the higher fee if prices were raised. Council Member Miles stated that council agreed it was unfair for Fire House Subs to be charged extra per seat. He recommended going forward with the first reading. Mayor Owens stated there were non-profit schools that could not get help with tap fees. Council Member Miles stated the DHEC recommendation had a section for schools. Chairperson Unthank agreed Council needed to make an adjustment to the current ordinance and asked for a vote. Council Members Miles, Parler, Unthank, Fowler, Jones, Harley and Mayor Pro-Tem Hallman voted in favor. Council Member Wingard and Mayor Owens voted in opposition. The motion passed seven votes to two votes.

- B. Chairperson Unthank entertained a motion for consideration of a memorandum of understanding (MOU) between the city of West Columbia and Estates, Inc. Council Member Miles so moved and Mayor Pro-Tem Hallman seconded. Chairperson Unthank asked for discussion. Chairman Unthank stated the ability to defray some costs of a public parking structure, removal of above ground utility lines, a proposed public park on Alexander Road and the potential purchase of a parcel of property (Tax Map# 004647-31-005) located on the corner of State and Meeting Street, were a lot to take into consideration. Council Member Harley relayed his reservations on what he considered to be an open ended letter saying the city would be responsible for paying unlimited funds. Council Member Miles indicated there was no obligation or commitment to prices. The MOU was simply laying out

Regular Council Meeting Minutes

November 17, 2014

Page Four

- C. possibilities. The city is not required to proceed with the sale if the vote proceeds. He also indicated his serious reservations that this process should have been discussed in executive session. Mr. Ben Kelly with NAI Avant, LLC., stated that Pope Zeigler, LLC. had made minor changes in the MOU. If the seller and purchaser agree and the document is signed by December 1, 2014, the purchaser would present the seller with a purchase agreement within 60 days. MOU's are not binding agreements. They show the commitment to a project outline and provide the framework. MOU's make a statement to the public and each other about the direction of the project. It is a good faith communication since a city council must have a quorum present to make a decision. Attorney Margaret Pope stated it shows clear intent to the purchaser. She also recommended Council not to do anything individually. Chairperson Unthank entertained a motion to vote. Mayor Owens so moved and Council Member Jones seconded. Mayor Owens, Mayor Pro-Tem Hallman, Council Member Unthank, Council Members Fowler, Parler, Miles, Jones and Wingard voted in favor. Council Member Harley voted in opposition. The motion passed eight votes to one vote.
- D. Chairperson Unthank entered a motion for first reading consideration of the Planning Commission's recommendation to approve a text amendment to establish an ordinance regulating vehicle sales, vehicle service, tire sales, and tire service businesses. Mr. Carter stated that the Goodyear building in Triangle City added a sales department and needed to be rezoned. After revisions, the Planning Commission unanimously approved recommending the text amendment and fifteen conditions to Council. Chairperson Unthank entertained a motion to vote. Council Member Jones so moved and Council Member Fowler seconded. The motion passed unanimously.
- E. Chairperson Unthank entered a motion for first reading consideration of the Planning Commission's recommendation to approve a text amendment to change the maximum height of structures in R3 and R4 (low-density residential) zoning districts. Brian Carter stated that the amendments are designed to provide an allowance for larger homes with greater roof pitches such as Gates of Quail Hollow, Quail Ridge and Reserve on the Saluda. Chairperson Unthank entertained a motion. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.
- Council Member Jones left the room at 7:11 p.m. and returned at 7:14 p.m. and was present for the vote.

Agenda Item XI – Adjournment

Chairperson Unthank entertained a motion to adjourn. Council Member Jones so moved and Mayor Owens seconded. The motion passed unanimously. Council adjourned at 7:16 p.m.

Respectfully submitted,

Kelli Brazell
City Clerk