

City of West Columbia, SC

Special Council Meeting

March 16, 2015 at 6 p.m.

Members Present:

Joe Owens, Mayor
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

Members Absent:

None

Others Present:

Jenny Cunningham, City Administrator
Brian Carter, Assistant City Administrator
Rick Hodge, Financial Consultant
Anna Huffman, IT Systems Administrator
Kelli Brazell, City Clerk
Stuart Jones, Building Official
Donna Smith, Director of Economic Development
Jamie Hook, Sanitation/Streets/Parks Superintendent

Myron Corley, Deputy City Administrator
Scott Morrison, PIO/West Columbia PD
Wyatt Coleman, Fire Chief
Sid Varn, Director of Planning and Engineering
Mardi Valentino, Director of Human Resources

Members of the Public and Press

Agenda Item I – Call to Order

Chairperson Unthank called the meeting to order at 4 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 March 13, 2015 and revised on March 16, 2015.

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.

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 the Mayor

Chairperson Unthank recognized Mayor Owens. Mayor Owens informed Council that one of the founders of PETSinc, Mrs. Jane Brundage, had passed away, and that the organization has struggled to remain in business since her passing. The city pays \$20,000 annually to PETSinc, to house and provide adoption

Special Council Meeting Minutes

March 16, 2015

Page Two

Agenda Item V – Announcements/Communications by the Mayor - continued

services for West Columbia's strays. PETSinc allows the city to maintain the designation of a "no animal kill" city. Mayor Owens expressed his concern about maintaining the designation if PETSinc closes.

Agenda Item VI – Request for Appearances/Citizen Comment Period

- A. Chairperson Unthank recognized Brian Carter and Anna Huffman to present information regarding a community engagement grant application. Brian Carter informed Council of the Central Carolina Community Foundation challenge grant. Out of 90 non-profit entries, the city of West Columbia was one of eleven asked to submit a complete grant application. The West Columbia Beautification Foundation has developed a plan of action to utilize the funds. The project contains four components: 1) Sidewalk planters and Palmetto trees installed on State and Meeting Streets, 2) Hanging baskets along the already established light fixtures on State and Meeting Streets, 3) Adding large trees on Sunset Boulevard to soften the industrial appearance of Columbia Farms, and 4) An interactive public art garden behind Terra on the 100 block of State Street. The art garden would include a landscaped area, along with a corral to hide the sanitation dumpsters in that area. The art display would engage the community and would be promoted using social media. The total project cost would be \$78,125. The Central Carolina Community grant would represent \$50,000. The West Columbia Beautification Foundation is in the process of raising the balance of \$28,125. The Beautification Foundation will participate in Midlands Gives – an online day of giving, on May 5, 2015, as well as, having a tree party in August.
- B. Chairperson Unthank recognized Brian Carter. Mr. Carter revisited information on a 2013 draft ordinance, the keeping of domestic chickens. The original draft ordinance did not pass on the first reading. It proposed a two-step process: requiring zoning approval for a chicken coop, and a permit from Animal Services. The ordinance would require a 25 foot set-back for coops and runs. The maximum number of chickens would be four. Roosters would be prohibited. The chickens could only be kept at single family homes, and the eggs could not be sold. The chicken coops would be subject to construction requirements, and must be placed in the backyard, 30 feet from neighboring property and away from public view. Mr. Carter informed Council that the cities of Columbia and Cayce have both adopted ordinances for keeping domestic chickens. The participation for each city was minimal. Mr. Carter asked Council if they would like to proceed with a public hearing. Chairperson Unthank stated he would like to go forward with a pilot program for a year. Mayor Owens motioned to hold a public hearing. Council Member Miles seconded the motion. Mayor Pro-Tem Hallman, Council Members Jones, Fowler, Unthank, Parler, Wingard and Miles voted in favor of holding a Public Hearing. Council Member Harley voted in opposition. The vote passed eight to one.

Agenda Item VII – Approval of Minutes for Previous Meetings

Chairperson Unthank entertained a motion to approve the minutes for the Regular Council meeting held March 3, 2015. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.

Special Council Meeting Minutes

March 16, 2015

Page Three

Agenda Item VIII – Unfinished Business

Chairperson Unthank entertained a motion for second reading consideration of an ordinance to annex 38.6 acres of property (a portion of TMS# 3698-01-004) off of Henbet Drive. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.

Agenda Item IX – Adjourn to Executive Session to Discuss a Utility Contract Matter, a City Property Contract Matter and Personnel Matters, Including a Pending Regulatory Proceeding

Chairperson Unthank entertained a motion to adjourn to executive session. Council Member Parler so moved and Council Member Wingard seconded. The motion passed unanimously. Council adjourned to executive session at 6:22 p.m.

Agenda Item X – Reconvene to Regular Session

Chairperson Unthank entertained a motion to adjourn executive session and reconvene to regular session. Council Member Harley so moved and Council Member Jones seconded. The motion passed unanimously. Council reconvened to regular session at 8:21 p.m. Chairperson Unthank stated that no action was taken in executive session.

Agenda Item XI – New Business

- A. Chairperson Unthank entertained consideration for a proposed water and sewer system financial feasibility report and rate study from American Engineering Consultants, Inc. Council Member Jones so moved and Council Member Parler seconded. The motion passed unanimously.
- B. Chairperson Unthank entertained consideration of a second amendment to the Memorandum of Understanding between the city of West Columbia and Estates Properties, LLC. Council Member Miles so moved and Council Member Jones seconded. The motion passed unanimously.
- C. Chairperson Unthank entertained a discussion of reimbursement of legal fees for a city official in connection with a pending regulatory proceeding. Council Member Miles recused himself from the discussion and vote. Council Member Harley made a motion to approve the reimbursement of legal fees for Council Member Tem Miles with a pending regulatory proceeding and Council Member Jones seconded. Chairperson Unthank asked for discussion. Mayor Owens stated that the request for legal fees should be vetted by the city attorney; and let the attorney make a recommendation. Council Member Fowler requested the city attorney appear before Council to make sure the action was permissible. Council Member Parler asked if the total fees had been determined. Council Member Miles stated the fees are still being charged. Chairperson Unthank stated Council had the authority to make the decision. Mayor Pro-Tem Hallman stated she does understand the charges affect Council Member Miles's livelihood. She did not disagree with the request for reimbursement of legal fees; however, she would like the city attorney to voice his opinion. Chairperson Unthank stated he did not think it was fair to request the city attorney, who represents the entire Council, to voice an opinion. As an aside, Council Member Miles stated the law office of Pope, Zeigler refused to take the case, due to ongoing business representing the city.

Special Council Meeting Minutes
March 16, 2015
Page Four

Agenda Item XI – New Business - continued

Chairperson Unthank requested Council Member Harley restate the question. Council Member Harley restated the question and Chairperson Unthank called for a vote. Council Members Harley, Jones, Unthank, and Parler voted in favor of the motion. Mayor Owens, Mayor Pro-Tem Hallman, and Council Member Fowler voted in opposition. Council Member Wingard did not vote, which counts as a vote in the affirmative. The motion passed five votes to three votes.

Agenda Item XII – Adjournment

Chairperson Unthank entertained a motion to adjourn. Council Member Harley so moved and Council Member Miles seconded. Council Members Harley, Jones, Fowler, Parler, Wingard, Miles, Chairperson Unthank and Mayor Owens voted in favor. Council adjourned at 8:32 p.m.

Respectfully submitted,

Kelli Brazell
City Clerk