

City of West Columbia, SC

Regular Council Meeting
May 5, 2015

Members Present:

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

Members Absent:

None

Others Present:

Jenny Cunningham, City Administrator
Brian Carter, Assistant City Administrator
Stuart Jones, Building Official
Donna Smith, Director of Economic Development
Sid Varn, Director of Planning and Engineering
Mardi Valentino, Director of Human Resources
Jamie Hook, Sanitation/Streets/Parks Superintendent
Kenneth Ebener, Municipal Judge
Members of the Public and Press

Wyatt Coleman, Fire Chief
Anna Huffman, IT Systems Administrator
Dennis Tyndall, Police Chief
Scott Morrison, PIO/West Columbia PD
Justin Black, Treasurer
Rick Hodge, Financial Consultant
Kelli Brazell, City Clerk

Agenda Item I – Call to Order

Chairperson Unthank called the meeting to order at 6:12 p.m. and noted a quorum was present. *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 May 1, 2015.

Agenda Item II – Determination of Quorum

Chairperson Unthank noted a quorum was present to conduct business.

Agenda Item III – Invocation

Mayor Owens 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 requested the city continue to donate \$2500.00 to the American Legion because it is a worthy cause.

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Agenda Item VI – Requests for Appearances/Citizen Comment Period

- A. Chairperson Unthank stated Mr. Crowe was not at the meeting, so he moved on to item B.
- B. Chairperson Unthank recognized Mr. David Rish of 1504 Robin Crest Drive. Mr. Rish addressed financial speculation by Council. Mr. Rish discussed the city properties recently sold on Sunset Boulevard and Meeting and State Streets. He stated the city lost approximately two million dollars when the properties sold in 2015. His concern is the taxpayers lost \$133 per person. In his opinion, government should not be in the business of financial speculation. The control of the development could have fallen on the zoning department. The second item he wished to discuss was in regards to the legal fees of Council Member Tem Miles. He opposes the reimbursement of legal fees. He stated Council Member Miles' length of time in office, and events since the election, in his opinion, do not justify the support of council. Chairperson Unthank recognized Council Member Miles. Council Member Miles informed Mr. Rish that the city did not sell all of the property purchased originally, which would account for some of the loss in the sale. A large portion of the land was used for the Riverwalk. He assured Mr. Rish the investment the city made in the land, had great long term benefits for the future of West Columbia. As to the second item, Council Member Miles stated that the Office of Disciplinary Council returned an opinion clearing him from any wrongdoing.
- C. Chairperson Unthank recognized Mr. Greg Dahl of 1517 Whipporwill Drive. Mr. Dahl is opposed to allowing fireworks inside the city limits. His concerns were for his animals and possible fire hazards. He asked council to consider confining fireworks to certain times and places.
Mayor Owens left the room at 6:22 p.m.
Chairperson Unthank recognized Council Member Tem Miles. Council Member Miles informed Mr. Dahl there was not a specific ordinance to ban fireworks. The noise and nuisance ordinances applied.
Mayor Owens returned to the dais at 6:27 p.m.
Mr. Dahl asked for a response time. Chairperson Unthank informed Mr. Dahl staff would research his concerns and Chairperson Unthank would get back to him in two or three weeks.
- D. Chairperson Unthank recognized Mr. Brian Carter, Assistant Administrator. Mr. Carter introduced Mr. Wayne Shuler, the new Director of Planning and Zoning for the city of West Columbia. Mr. Shuler was previously with Central Midlands Council of Government (COG), and the city of Cayce. He has 21 years of experience in planning and zoning, and a Master's Degree in Public Administration from the University of South Carolina. Chairperson Unthank welcomed Mr. Shuler on behalf of the city.

Agenda Item VII – Approval of Minutes

Chairperson Unthank entertained a motion to approve the minutes for the Public Meeting on chicken farming, held April 7, 2015, the Regular Council Meeting held April 7, 2015, and the Special Council Meetings held April 9 and 20, 2015. Council Member Jones so moved and Council Member Parler seconded. The motion passed unanimously.

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Agenda Item VIII – Unfinished Business

- A. Chairperson Unthank entertained second reading consideration of an ordinance amending, Title 4, Chapter 2, of the code of ordinances of the city of West Columbia, South Carolina, to add a new Section 4-2-14 establishing a procedure for City Council by resolution to extend in-city water rates to designated out-of-city customers for an initial period not to exceed 24 months when the Council determines that doing so will be in the best interest of the city and the customers of its utility system in order to encourage the annexation of specific areas into the city; authorizing the extension of such rates to designated customers in certain areas adjacent to the city; and other matters related thereto. Mayor Owens so moved and Council Member Miles seconded. The motion passed unanimously.
- B. Chairperson Unthank entertained second reading consideration of an ordinance to annex 16.38 acres of property (TMS # 004599-09-015) on Leaphart Road for Mungo Homes, Inc. Council Member Miles so moved and Mayor Owens seconded. The motion passed unanimously.

Agenda Item IX – Adjourn to Executive Session to Discuss a Personnel Matter Relating to Appointments to the Planning Commission and Zoning Board of Appeals and an Employee Grievance

Chairperson Unthank entertained a motion to adjourn to executive session. Council Member Miles so moved and Mayor Owens seconded. The motion passed unanimously. Council adjourned to executive session at 6:34 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 Miles so moved and Council Member Wingard seconded. The motion passed unanimously. Council reconvened to regular session at 7:00 p.m. Chairperson Unthank stated no action was taken in executive session.

Agenda Item XI – New Business

- A. Chairperson Unthank entertained a motion for first reading consideration of an ordinance amending Title 6, Section 3, entitled, “Animal Control,” of the West Columbia Code of Ordinances to allow the keeping of domestic chickens under certain conditions. Chairperson Unthank stated the pilot program would be for one year. Council Member Miles so moved and Council Member Wingard seconded. Mayor Owens, Mayor Pro-Tem Hallman, Chairperson Unthank and Council Members Jones, Wingard and Miles voted in favor. Council Members Harley, Parler and Fowler voted in opposition. The motion passed six votes to three votes. Council Member Parler stated he had received a number of letters opposing allowing chickens inside the city. He felt his vote in opposition fulfilled the wishes of his constituents.
- B. Chairperson Unthank entertained a motion for consideration of the Planning Commission’s recommendation to establish the zoning classification of 3500 Henbet Drive, West Columbia, SC (TMS# 003698-01-004) as R4 (low density residential). Mr. Brian Carter, Assistant Administrator, informed Council the property at 3500 Henbet was annexed on March 16, 2015. The Planning Commission voted unanimously to establish its first zoning classification with the city of West Columbia as R4 (low density residential.) R4 is a single family residential district. It does allow for institutional use as a special exception. Lexington School District Two plans to use the property for a new elementary school. The school will need to apply for a special exception with the Zoning Board

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Agenda Item XI – New Business - Continued

of Appeals and present a site and traffic plan to obtain that special exception. There were quite a few citizens present at the meeting, and they expressed concern about the traffic. Traffic, noise, lighting, and after school activities would all be considered by the Zoning Board of Appeals. The city would have an opportunity to impose any type of conditions upon the special exception at that time. The Planning Commission did vote to establish the zoning as R4. Chairperson Unthank recognized Council Member Miles who stated some citizens in that area expressed interested in having a restricted access gate installed. He asked if the roads were public roads. Mr. Carter stated the roads were owned by either the county or the state, and are maintained by the county or state. Council Member Miles asked if a public road could be gated. Mr. Carter stated that the South Carolina Department of Transportation (SCDOT) would have to approve the request to gate the community. Chairperson Unthank called for a motion. Council Member Miles so moved and Mayor Pro-Tem Hallman seconded. Chairperson Unthank asked if there was any further discussion, and recognized Mayor Pro-Tem Hallman who stated she was on the leadership team for the new school. She informed Council, at the recent leadership meeting, there was discussion about the traffic, outdoor classrooms and being good neighbors. Many citizens from the neighborhood were at the meeting. They seemed to be excited about the school and are interested in working together to be good neighbors. Chairperson Unthank called for the vote. The motion passed unanimously.

- C. Chairperson Unthank entertained a motion to consider a grading agreement to acknowledge and consent to construction activities for FLOW Riverfront Townhomes on city property located at 406 Sunset Boulevard. Council Member Miles so moved and Mayor Owens seconded for discussion. Chairperson Unthank recognized Council Member Miles who stated the city engineer is retiring and is out of the office. He does not wish to see a delay in the progress of the construction team at the FLOW property. Council Member Miles requested to amend the motion to include, having the city council authorize the city administrator to send this matter out for review by a project engineer and to come back to council with a recommendation, and council hold a special council meeting to make a decision. Council Member Jones moved to amend the motion as stated and Mayor Owens seconded. Mayor Owens made a motion to amend the amendment by adding American Engineering as the consulting firm. Council Member Miles so moved to pass the original motion as finally amended and Council Member Parler seconded. The motion passed unanimously to have city council authorize the city administrator to send this matter out for review by American Engineering, and to come back to council with a recommendation, and council hold a special council meeting to make a decision.
- D. Chairperson Unthank entertained a motion to consider proclamation to designate May 15, 2015 as Peace Officers' Memorial Day. Council Member Parler so moved and Council Member Fowler seconded. The motion passed unanimously.
- E. Chairperson Unthank entertained a motion to consider a proclamation to designate the week of May 17 – 23, 2015 as National Public Works Week. Mayor Owens so moved and Council Member Fowler seconded. The motion passed unanimously.

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Agenda Item XI – New Business - Continued

- F. Chairperson Unthank entertained a motion to consider the Accommodations Tax Committee recommendations for 2015-2016. Ms. Donna Smith, Director of Economic Development, informed Council of the tourism fund. The city is required to give back to non-profit organizations that promote bringing tourist into the city of West Columbia, and to stay in our hotels. This year the committee received \$55,000.00 in requests with only \$36,140.00 in money. The committee has recommended as follows:
- \$10,140.00 to Riverbanks Zoo and Gardens, to promote the West Columbia Botanical Gardens side and promote the new children's area
 - \$10,000.00 to West Metro Visitor's Center
 - \$8,000.00 to River Alliance, sponsor of Tartan Day South which brought 11,000 people from 24 states and three foreign countries, into the area this year
 - \$4,000.00 to Edventure Children's Museum
 - \$4,000.00 to Columbia Metro Visitor's Bureau
- Ms. Smith stated all of the projects meet the intent of the law. Each organization is doing a lot to bring tourism into West Columbia, so the committee asks Council to approve the recommendations. Council Member Miles so moved and Mayor Owens seconded for discussion. Chairperson Unthank recognized Council Member Miles. Council Member Miles asked if other organizations went unfunded. Ms. Smith informed Council that the West Vista Guild did not receive funding. They are a non-profit organization, but they cannot use funding to promote only the members of the West Vista Guild. Their projects did not appear to generate overnight stay into West Columbia, so the committee agreed the limited funding should be used in other areas. Chairperson Unthank asked if there was any additional discussion, hearing none, he asked for the vote. The motion passed unanimously.
- G. Chairperson Unthank entertained a motion to consider appointing Ms. Lainie Lewis to the West Columbia Beautification Foundation. Chairperson Unthank nominated Ms. Lewis to join the West Columbia Beautification Foundation and Mayor Owens seconded. The motion passed unanimously.
- H. Chairperson Unthank entertained a motion to consider an appointment to the West Columbia Planning Commission to fill a vacancy for a term ending May 2018. Mr. Brian Carter, Assistant City Administrator, explained the appointment is to fill an unexpired term for someone who resigned his commission. Council Member Miles nominated Ms. Ann Thornley. Mayor Pro-Tem Hallman asked Council to consider Mr. George Crowe. Council Members Harley, Jones, Fowler, Parler, Wingard, Miles and Chairperson Unthank voted in favor of Ann Thornley. Mayor Owens and Mayor Pro-Tem Hallman voted in favor of Mr. George Crowe. Council appointed Ms. Ann Thornley to the West Columbia Planning Commission seven votes to two votes.
- I. Chairperson Unthank entertained a motion to consider two appointments to the West Columbia Zoning Board of Appeals for terms ending May 2018. Mr. Brian Carter, Assistant City Administrator, explained the appointment to fill two positions is due to terms expiring in May. Mr. Joel Price and Mr. Jerry Hill are nominated to fill the positions. Council Member Parler so moved and Council Member Wingard seconded. Mayor Owens stated the removal of Mr. George Crowe was a disservice to the city. Chairperson Unthank stated the city is very fortunate to have our two new members. The motion passed unanimously.

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Agenda Item XI – New Business – Continued

- J. Chairperson Unthank entertained a motion to consider a recommendation from the Employee Grievance Committee for grievance number 2015-GO1. Council Member Miles moved to accept the recommendation as written and Mayor Pro-Tem Hallman seconded. The motion passed unanimously.

Agenda Item XII – Adjournment

Chairperson Unthank entertained a motion to adjourn. Council Member Jones so moved and Council Member Parler seconded. The motion passed unanimously. Council adjourned at 7:24 p.m.

Respectfully submitted,

Kelli Brazell
City Clerk