

City of West Columbia, SC

Attachment V.A

Regular Council Meeting

November 13, 2012 at 6 p.m.

Members Present:

Joe Owens, Mayor
Boyd Jones, Mayor Pro-Tem
Abbott L. Bray, Jr.
Eric L. Fowler
Casey Jordan Hallman
L. Dale Harley
Teddy Wingard

Members Absent:

Tommy Parler, out of town
B.J. Unthank, out of town

Others Present:

Jenny Cunningham, City Administrator
Myron Corley, Deputy City Administrator
Brian Carter, Director of Planning and Zoning
Charles Garren, Public Works Director
Sid Varn, Director of Planning and Engineering
Donna Smith Director of Economic Development
Members of the Public and Press

Rick Hodge, City Treasurer
Wyatt Coleman, Fire Chief
Dennis Tyndall, Police Chief
Stuart Jones, Building Official
Matt Edwards, Police Major
Shane Phillips, Police Captain

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, and The Columbia Star* were notified of the meeting by e-mail on September 28, 2012 and a revised agenda was e-mailed on November 6, 2012.

Agenda Item II – Invocation and Pledge of Allegiance

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

Agenda Item III – Requests for Appearance

- A. Mayor Owens recognized Mrs. Cathy Novinger and Mr. Grant Jackson. Mr. Jackson said *Columbia Regional Business Report* magazine honors Health Care Heroes who live and work in the Midlands. The Health Care Heroes Awards cover seven categories including First Responder, Health Care Professional, Nurse, Physician, Volunteer, Health Care Researcher, and Community Outreach.

Mayor Owens recognized Police Captain Shane Phillips, who explained that Corporal Brian McDowell was presented the First Responder Award by *Columbia Regional Business Report* for an incident where he responded to an overturned vehicle in the woods with trapped victims. Corporal McDowell was so focused on assisting the trapped victims from being stung by fire ants that he did not realize he was bitten too. The numerous ant bites caused Corporal McDowell to go into anaphylactic shock and he was transported by ambulance to the hospital. Captain Phillips noted that throughout Corporal McDowell's treatment at the hospital he continually asked about the car accident victims. Captain Phillips said this was an example of Corporal McDowell's dedication to his profession.

According to an article in the *Columbia Regional Business Report* regarding the award, "The nominations for Health Care Heroes were judged on the overall impact each individual or team had on the individuals, the community and beyond. Judges also rated the nominations based on difficulty and challenges beyond the call of duty. The judges were Bob Bouyea, publisher, *Columbia Regional Business Report*; C. Grant Jackson, senior vice president of community development, Greater Columbia Chamber of Commerce; and Cathy Novinger, executive director, Palmetto AgriBusiness Council, and president and CEO of Novinger QTR, Inc."

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Agenda Item III – Requests for Appearance (continued)

- B. Mayor Owens recognized Mr. Anthony Wright, Managing Partner, Shermone Vermelle, LLC who stated that on October 26, 2012, the Lakeview High School Legacy Awards program was held at the Airport – BC High School football game. Prior to that, West Columbia Mayor Joe Owens and Mayor Pro-Tem Boyd Jones hosted a proclamation ceremony acknowledging the Lakeview Legacy with a number of Lakeview players and fans in attendance. Mr. Wright offered the mayor, mayor pro-tem, and the council members his appreciation of the city’s significant recognition of the Lakeview players. The event was viewed as an indication the City of West Columbia supports the efforts of community residents and more aggressively developing programs that would truly enhance the lives of children and the community as a whole. Mr. Wright said the Shermone Vermelle agenda has received rave reviews from many different elected officials, educational officials, law enforcement officials, and community residents. He stated that obviously it is time the boldest, most aggressive, and better thinking minds are organized in a manner to effectively impact local initiatives involving education, politics and law enforcement.

Mr. Wright announced the formation of the Lakeview Legacy Association. He said not all Lakeview football players and students share the Association’s concerns or motivations, that in the words of Mahatma Ghandi, “A small body of determined spirits, fired by an unquenchable faith in their mission, can change the course of history.” Mr. Wright noted that from a large group a small body of capable and experienced individuals is being chosen to independently develop, promote, negotiate, and implement vehicles of community benefits with benchmark criteria. There may also be a need to involve some committee members who live outside the district, county, or state in order to acquire the most effective level of input and influence. He concluded by saying on behalf on the participants of the 2012 Lakeview High School Legacy Awards program, sincere appreciation is expressed for the higher level of support and recognition shown by the City of West Columbia and in return, the members of the Lakeview Legacy Association pledge support to the City of West Columbia.

- C. Mayor Owens recognized Ms. Tara Heil, Executive Director of the Muscular Dystrophy Association of the Midlands. Ms. Heil introduced David and Grayson Parler, representing families contending with muscular dystrophy. She said the West Columbia Fire Department held a boot drive for three days at the West Columbia Wal-Mart on behalf of the MDA. She said firefighters did an outstanding job raising money for local families struggling with muscular dystrophy. Fire Inspector Rodney Howell, on behalf of the West Columbia Fire Department, presented a check to the MDA in the amount of \$2,940.27. David and Grayson Parler accepted the check on behalf of all the families served by the MDA of the Midlands. Ms. Heil said money raised from the boot drive stays in the area to help provide assistance with the MDA summer camp, repairs to equipment, access to clinics, support groups, and therapy sessions, as well as other vital services that enhance the quality of life for people with muscular dystrophy.
- D. Mayor Owens recognized Reverend Scooter Scott with Christ Central Ministries and the director of the Nehemiah Project, a mission of Christ Central Ministries to assist people with earning the General Equivalent Diploma (GED). He explained the Nehemiah project is a fast track GED program that is a totally free, voluntary ministry that has positively impacted the lives of over 500 families since its inception in July 2012. He said of the 101 adults who earned their GED, 21 found jobs and 12 received promotions. 29 program participants are now attending or are in the process of enrolling in college. Rev. Scott said since the City of West Columbia entered into a partnership with the Nehemiah Project that other local businesses and agencies have come on board including Wal-Mart, United Parcel Service (UPS), Lexington School District 2 and Midlands Technical College. He also expressed appreciation for support received from Reverend Kenneth Taylor and the Turner Memorial AME Church congregation.

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Agenda Item III – Requests for Appearance (continued)

Rev. Scott introduced Ms. Sandy Oliver with Midlands Technical College (MTC), who explained that over the past several months the college has been working with 40 individuals from the community and about half of those people have been admitted to MTC. She said there are thousands of jobs in the business community that employers are searching to fill and thousands of individuals who are unemployed. She said MTC is attempting to assist with the problem by working with the Nehemiah Project. After individuals in the fast track GED program earn their diploma, they can transition to MTC where they are provided with the skills necessary to attain viable employment. She said the program improves the quality of life for the individuals and their families because the education levels of the children improve as well. She said the workforce is improved because employers have more qualified individuals, which in turn helps the economic development of the local community. She described the Nehemiah Project as a real win-win situation for the West Columbia community.

Rev. Scott explained that Nehemiah Project is a totally volunteer, Christ-centered and relationship-based ministry. The program ministers to more than 3,000 students and their families in Lexington County, with the primary targets areas in Cayce and West Columbia. The volunteers work with the ministry on a weekly basis and demonstrate considerable flexibility through the giving of their time and considerable talents. He said volunteers work with 150 students in an after school program that includes home visits to help sustain the students working toward their GEDS.

Rev. Scott recognized Mayor Pro-Tem Boyd Jones and Rev. Kenneth Taylor of Turner Memorial AME Church, both of whom have been pivotal in the inception of the fast track GED program. Rev. Taylor said the fast track GED program is changing the face of the community by changing lives from infants to adults. He explained that many individuals in the community are uneducated and therefore are unempowered. He said the program prepares these people to achieve goals, make advancements in life, provide for their families, and to become eligible to eventually become leaders in their community. He thanked the City of West Columbia for supporting the Nehemiah Project and the efforts that will impact the community for many years to come as the blessings come to fruition. He said the community will experience an improvement and an empowerment of the people who have been down for so long. He again thanked the city for its support.

Rev. Scott noted that there are about 600 volunteer individuals, businesses, and churches who partner with the ministries provided by the Nehemiah Project. Rev. Scott also recognized young four ladies who participated in the fast track GED and now have their GEDs. Rev. Scott also unveiled The Giving Table event on December 22, 2012 from 12 to 4 p.m. at the Airport High School cafeteria, which will be a celebratory time of food and fellowship for people to receive a meal, a box of groceries, and the opportunity to win \$100 Wal-Mart gift certificates. He said the purpose of the event is to share God's love with neighbors in Lexington County who find themselves in very difficult circumstances.

- E. Mayor Owens recognized Ms. Sioux Taylor, a resident of Bridgepointe Condominiums located at 100 Sunset Boulevard. Ms. Taylor said condo residents want to erect a dog walk to exercise their pets in a free and uncluttered place and where residents could bring their pets for relaxation and socialization while providing an area for their dogs to play. She said the Bridgepointe Condominiums Board met the previous evening and approved the concept of the dog walk, but due to its proposed location, approval needs to be obtained from the city of West Columbia. Ms. Taylor explained that due to the excessive slope of the proposed area the fence around the park needs to extend to the Riverwalk Park and thus would require permission from the city to attach to the current park fence.

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Agenda Item III – Requests for Appearance (continued)

Ms. Taylor introduced Ms. Becky Richardson, a Bridgepointe Condominiums Association board member who explained that the proposed dog walk would be located adjacent to the West Columbia Riverwalk Park, but wire would need to be erected on the bottom side of the park fence to prevent dogs from entering the park path. Ms. Richardson stated the Bridgepointe Board would be willing to pay for the cost of placing wire on the bottom portion of the trellis fence to assist with enclosing the area for a dog walk. Mayor Owens said that The River Alliance would also need to part of any decision. He suggested that the Bridgepointe Condominium Association present the concept at the next River Alliance Board meeting. He also suggested that Brian Carter, Director of Planning and Zoning, be contacted to ensure that the dog park would meet zoning requirements.

Mayor Owens recognized Mr. Warner Wells, a resident of Bridgepointe Condominiums, who said he had several questions about the proposed dog walk. He said he did not oppose the dog park, but in the past the Bridgepointe Condominium Association has wanted to wire in the bottom of the trellis fence and was prohibited from doing so because the area is in the federal flood plain. He stated he would be thrilled if the city will allow Bridgepointe to close in the whole trellis area. He noted the proposed dog park would be only for Bridgepointe residents and not for all citizens of West Columbia. Mr. Wells said it is his understanding that the area proposed for the private dog walk for Bridgepointe residents would be on property that Bridgepointe deeded to the City to construct the Riverwalk Park and therefore on land owned by the City of West Columbia. He agreed The River Alliance would need to be involved, but said he was confused as to how the city would allow a private dog park on its public land and enclose an area that previously was not allowed to be enclosed because of being in a flood plain.

Ms. Taylor said the dog walk would be financed by the condo owners and would be available for only the residents of Bridgepointe Condos. Mayor Owens said that the next River Alliance Board meeting would be held at West Columbia so the dog walk concept could be presented at that time. Mayor Owens said there were legal issues involved, especially whether or not the city could provide land for a project only available to a certain number of people and not be available for all city residents to take their dogs there too. Mr. Wells said that the property behind the old New Orleans Restaurant along the Riverwalk Park is a large area and higher ground where a dog park could be erected and open to all the citizens of West Columbia and Lexington County. Mayor Owens stated that the property behind the old New Orleans Restaurant is private property and he doubted the owners would be interested in constructing a dog park in a flood plain. Mayor Owens said there are a lot of questions that remain unanswered as well as the dynamics of how the park would be constructed. He encouraged the Bridgepointe Condominium Association Board to pursue the concept with The River Alliance Board.

- F. Mayor Owens recognized Mr. Roman Taylor who stated that he lives at 418 Lexington Street and wanted to follow up on the paving of Lexington and Arlington Streets. Mr. Taylor said he was told that Lexington and Arlington Streets would be paved out of the \$92,000 given to Sloan Construction Company for street repair. On May 5, 2012, Sloan Construction came out and paved only the intersection of the two streets and then stopped because of settlement due to water damage. Mr. Taylor said on May 9, 2012, the city came out and repaired the water damage to the road, but Sloan Construction has not been back to continue the paving. Mr. Taylor stated he is still concerned about Lexington and Arlington Streets not being paved.

Mayor Owens stated Mr. Corley is the city official that deals with the SC Department of Transportation (SCDOT), the state agency that handles road paving and had discussed the road paving with SCDOT.

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Agenda Item III – Requests for Appearance (continued)

Mayor Owens recognized Mr. Corley who said Mr. Taylor had come before Council some time ago requesting the resurfacing of Lexington Street, a state-owned and state-maintained roadway. Mr. Taylor's request was forwarded to SCDOT to be added to the resurfacing list, which the agency did. He said the resurfacing of Lexington Street is a low priority because of the present condition of the road and the limited volume of traffic. Mr. Corley said unrelated to Mr. Taylor's request, a water main broke at the intersection of Lexington and Arlington Streets causing damage to the road. SCDOT ordered the city to make a repair so the city bid out the work to Sloan Construction. However, the repair work caused another leak in the water line, which the city's water and sewer department repaired with a small patch. Mr. Corley explained that from the city's perspective the work done to the intersection to repair the damage from the water leaks has been completed. The remainder of the paving work for Lexington and Arlington Streets has been added to SCDOT's paving list, but the city does not know when the work will be done. Mayor Owens explained the city does not own any the streets. They are owned by the state or Lexington County and those agencies determine when and where streets will be paved. Mayor Owens said the city would request again for Lexington and Arlington Streets to be paved in an effort to accelerate the process.

- G. Mayor Owens recognized Rev. Kenneth C. Taylor, pastor of Turner Memorial AME Church, who expressed the church's appreciation of Mayor Pro-Tem Boyd Jones, the West Columbia Police Department and the West Columbia Fire Department. He commended the city for its outstanding support of the many community endeavors undertaken by the church. Rev. Taylor said the professionalism of the police and fire department employees reflects great credit on the city and is in keeping with the highest traditions of community service. The energy and enthusiasm created by city should be a model for every neighborhood in South Carolina.

Rev. Taylor said the city has sponsored numerous Community Senior Luncheons and awards events, furnished meals feeding the less fortunate and homeless persons, provided pizza for 70 children attending summer camp, and donated and delivered stuffed animals to children at the Turner Child Development Center (TCDC). Law enforcement officers have met with children to talk about safety and good behavior which is so crucial to prevent juvenile delinquency and to build positive self-esteem in inner city youth in the West Columbia community. The city's plan to meet with seniors in the community to talk about safety and ways to avoid "white collar" crime will help them to be more careful and alert. It is exciting to see the City of West Columbia, Turner Memorial and the community rally together to meet the needs of their own citizens.

Rev. Taylor noted that God Himself sees and rewards those who diligently work for Him with little or no regard for earthly recognition. He said the work performed by the city employees is most often behind the scenes, but Turner Memorial wanted to assure the city employees that not only does the church recognize the city's work, but God Himself sees the hours of labor. Rev. Taylor again expressed Turner Memorial's appreciation for the city providing efficient community service and for renewing faith in the kindness and character of the people of West Columbia. On the behalf of the church officers and the congregation of Turner Memorial AME Church, Rev. Taylor presented a plaque in appreciation of all the dedicated service given to Turner Memorial AME and to the West Columbia community. Rev. Taylor particularly expressed thanks to Major Matt Edwards, Captain Mark Jones, Captain Shane Phillips, Detectives Leah Smith, Bruce Wade, Stacy Turner, Scott Neel, and Phillip Morrell, and the West Columbia Police Department in its entirety for excellent work and undying service in the West Columbia community. Mayor Owens thanked Rev. Taylor and Turner Memorial AME church.

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Agenda Item IV – Announcements by Mayor

Mayor Owens made the following announcements: There will be no council work session in November. The next council meeting will be December 4, 2012. The Zoning Board of Appeals and Planning Commission will not meet in November. Mayor Owens announced the West Columbia Christmas Tree Lighting will take place at 6:30 p.m. on Friday, November 30, 2012. The West Metro Christmas Parade will be held on Sunday, December 2, 2012 beginning at 6 p.m. at the intersection of 12th Street and Augusta Road.

Agenda Item V – Approval of Minutes

Mayor Owens entertained a motion to approve the minutes for the Regular Council Meeting held October 2, 2012 and the Council Work Session held October 15, 2012. Council Member Fowler so moved and Mayor Pro-Tem Jones seconded. The motion passed unanimously.

Agenda Item VI – Old Business

- A. Mayor Owens entertained a motion for second reading consideration of an amendment to the wrecking and towing section of the West Columbia Code of Ordinances to revise the rotation requirements for towing companies. Council Member Hallman so moved and Council Member Bray seconded. The motion passed unanimously.
- B. Mayor Owens entertained a motion for second reading consideration of the Planning Commission's recommendation for a map amendment to establish a zoning classification for .55 Acres of Property located at 2207 Thornton Avenue (TMS# 004627-01-002) as R2 (Medium Density Residential). Council Member Hallman so moved and Council Member Bray seconded. The motion passed unanimously.

Agenda Item VII – New Business

- A. Mayor Owens entertained a motion for first reading consideration of an ordinance amending the business license ordinance provisions for insurance companies. Council Member Fowler so moved and Mayor Pro-Tem Jones seconded. Mayor Owens recognized City Administrator Jenny Cunningham who explained that, due to a recent change in federal law know as the *Dodd-Frank Act*, all municipalities must amend their business license ordinances for insurance companies and non-admitted insurance brokers. Cities must also renew their agreement with the Municipal Association of South Carolina (MASC) to collect the taxes on behalf of the municipalities. She stated that a new state law requires the SC Department of Insurance to collect the brokers' premium tax and deposit all revenue collected into a special fund. The law also authorizes MASC to serve as the municipal agent to receive the funds from the SC Department of Insurance and to distribute the funds to municipalities. Mrs. Cunningham recommended that council consider passing the amendment to the business license ordinance and approving the agreement between the city and MASC to collect the taxes. Mayor Owens called for a vote and the motion for first reading consideration on the amendment to the business license ordinance provisions for insurance companies passed unanimously.
- B. Mayor Owens entertained a motion for consideration of an agreement with the Municipal Association of South Carolina (MASC) for collection of all business license taxes from insurance companies and administration as municipal agent of the municipal brokers' premiums. Mayor Pro-Tem Jones so moved and Council Member Wingard seconded. The motion passed unanimously.

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Agenda Item VII – New Business (continued)

- C. Mayor Owens entertained a motion for first reading consideration of an ordinance to annex .35 acres of property located at 1528 Double Branch Road (TMS # 004644-04-004). Council Member Hallman so moved and Council Member Bray seconded. The motion passed unanimously.
- D. Mayor Owens entertained a motion for consideration of a resolution to adopt the Gateway Overlay District Redevelopment Plan. Council Member Fowler so moved and Council Member Hallman seconded. Mayor Owens recognized Brian Carter, Director of Planning and Zoning, who thanked the mayor and council for their participation during the planning process. He explained the Gateway Overlay District Redevelopment Plan was initiated in August of 2011. Since then the city has held numerous public meetings, planning charrettes, and meetings with council and staff members. The plan reflects values and ideas that came out of the meetings. URS was the firm that did a study of the Gateway Overlay District and Mr. Ernie Baughman presented the plan to council members at the council meeting in August 2012. He said comments were solicited after the council meeting and a public meeting was held. Those final comments were entered into the plan. He said the plan provides recommendations for the Gateway Overlay District in three categories, which include planning and regulatory actions, capital improvements, and catalyst case studies that are hypothetical “what if” projects that would demonstrate what something may look like if the principles of the Gateway Overlay District Redevelopment were put into action. Council is being asked to approve a resolution accepting the non-binding plan that provides a vision and guideline for staff as the city moves forward with development in the Gateway Overlay District. Mayor Owens called for a vote which passed unanimously.
- E. Mayor Owens entertained a motion to designate the month of November 2012 as Pulmonary Hypertension Awareness Month. Council Member Fowler so moved and Council Member Wingard seconded. The motion passed unanimously.
- F. Mayor Owens said the bids for the Laurel Road water tank booster pump station would be carried over to a later meeting.
- G. Mayor Owens entertained a motion for consideration of the West Columbia Beautification Foundation’s recommendation to appoint Mr. Steve Cohen to the foundation board. Council Member Hallman so moved and Council Member Bray seconded. The motion passed unanimously.

Agenda Item VIII – Adjourn

Mayor Owens entertained a motion to adjourn. Council Member Fowler so moved and Council Member Bray seconded. The motion passed unanimously. Council adjourned at 7:07 p.m.

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk