

City of West Columbia, SC

Attachment V.A

Regular Council Meeting

April 15, 2013 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
Tommy 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
Brian Carter, Director of Planning and Zoning
Sid Varn, Director of Planning and Engineering
Donna Smith, Director of Economic Development
Rick Hodge, City Treasurer

Wyatt Coleman, Fire Chief
Stuart Jones, Building Official
Dennis Tyndall, Police Chief
Justin Black, Staff Accountant
Matt Edwards, Police Major
Charles Garren, Public Works Director
Members of the Public and Press

Agenda Item I – Call to Order

Mayor Owens called the meeting to order at 6:05 p.m. and noted a quorum was present. *The State, Free Times, Lexington County Chronicle, Cayce-West Columbia News, and The Columbia Star* and radio and television stations were notified of the meeting by e-mail on April 12, 2013.

Agenda Item II – Invocation and Pledge of Allegiance

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

Agenda Item III – Requests for Appearance

- A. Mayor Owens asked if Mr. Andrew Lewis was present at the meeting to speak before city council, but received no response.
- B. Mayor Owens recognized Mr. Ed Taylor, who requested approval to sell fair foods from a tent on city property located at Main, Court, and State streets. Mr. Taylor said he wanted to offer food items on Saturdays and Sundays during the spring and summer. Mayor Owens responded that even though the property is undeveloped the city uses it for parking when events are held in the Riverwalk Amphitheater. He said the city would take his request under advisement.

Agenda Item IV – Announcements by Mayor

Mayor Owens stated that the Riverwalk Music Festival would be held on Saturday, April 27, 2013 from 2 p.m. to 9 p.m. in the Riverwalk Amphitheater. He said Lee Roy Parnell and Rob Crosby would be headlining the event. Both artists are from Nashville.

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Agenda Item V – Approval of Minutes

- A. Mayor Owens entertained a motion to approve the minutes for the following meetings: the Regular Council Meeting held March 5, 2013 and the Special Council Meeting held March 18, 2013. Council Member Parler so moved and Council Member Bray seconded. The motion passed unanimously.

Agenda Item VI – New Business

- A. Mayor Owens stated that first reading consideration of an ordinance to annex .43 acres of property located at 2331 and 2333 Thornton Avenue (TMS # 004627-05-006). Council Member Parler so moved and Council Member Fowler seconded. The motion passed unanimously.
- B. Mayor Owens recognized Mr. Tom Bowles with AECOM Engineering, who stated that the city received nine bids for improvements to the Quail Hollow Pump Station No. 1, Part A, on March 7, 2013. Based upon review of the bids, he recommended that city council award the contract to TNT of Chapin with a low bid amount of \$189,450.00. Council Member Fowler so moved and Council Member Unthank seconded. The motion passed unanimously. Mr. Bowles noted that work on the project may not begin for up to three months.
- C. Mayor Owens recognized Mr. Bowles who presented Change Order 2 for the Quail Hollow Pump Station No. 1 improvements, Part B. He said at the City's request the work would be constructed by McClam and Associates, Inc. as a change order to its current contract. The scope of the work would be installing approximately 839 linear feet of ten-inch gravity sewer pipe along Feather Run Trail using a pipe bursting method. The work also includes rehabilitating manholes, connecting service laterals, post-installation TV inspections, surface restoration and cleanup and testing. Mr. Bowles said the cost of the project would be \$174,126.35. Mr. Bowles explained that the work was added to the existing contract due to a larger pump being installed in the pump station which necessitated a larger sewer line than the present eight-inch line. City Administrator Jenny Cunningham noted the cost for the project is included in the existing contract with McClam and Associates, Inc. and the city would still be within the \$1 million budget for the SRF loan.

Mayor Owens recognized Council Member Fowler who moved to approve Change Order 2 in the amount of \$174,126.35. Council Member Bray seconded the motion, which passed unanimously.

- D. Mayor Owens recognized City Engineer Sid Varn, who briefed council members on the project to replace the pumps, valves and electrical control panels for the Greenhill Tank Pump Station. Mr. Varn explained that the pumps needed to be upgraded to meet SC Department of Health and Environmental Control (DHEC) standards, which require a water booster pump at the station. He said booster pump would be a backup to the primary pump when needed. Mr. Varn stated that the majority of the work would be done by city employees. He said the city received three bids for the project materials on March 18, 2013 with Heyward Inc., of Charlotte, NC submitting the low bid of \$28,881.00. He said after reviewing the bids he recommended that the council members accept the low bid from Heyward, Inc. Mayor Owens recognized Council Member Harley who asked if the Greenhill Water Tank has a backup generator. Mr. Varn responded that the Greenhill Tank does not have a backup generator on site and if an emergency occurred a spare generator would need to be brought to the facility. He added that the Greenhill Tank pump has never had a problem in its 25 years of service. Mr. Varn noted that there should be enough money left after the pump upgrade is finished to purchase a generator for the pump station.

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Agenda Item VI – New Business (continued)

Mr. Varn said that after the electrical work is completed for the booster pumps then a transfer switch could be installed to transfer electrical power from the generator to the pump if an electrical outage occurs.

Mayor Owens recognized Council Member Bray who asked if there is a significant water pressure problem at the Greenhill Tank. Mr. Varn responded that the area has low water pressure, but keeping the tank full helps to alleviate the problem.

Mayor Owens entertained a motion to approve the low bid of \$28,881.00 submitted by Heyward, inc. of Charlotte, NC. Council Member Harley so moved and Council member Fowler seconded. The motion passed unanimously.

- E. Mayor Owens entertained a motion to approve the purchase of a 2013 CAT Model 303.5 LO Mini Hydraulic Excavator for \$62,846.00 and a 2013 Tow Master C-12 Trailer with 18-foot ramps for \$5,700.00 to be used by the Water Distribution and Sewer Collection Departments. Council Member Bray so moved and Council Member Hallman seconded. The motion passed unanimously.
- F. Mayor Owens recognized Brian Carter, director of Planning and Zoning, who gave a presentation on urban chicken farming. He explained a West Columbia resident came to the council meeting on January 8, 2013 and asked the city to consider allowing citizens to keep chickens in residential backyards. Mr. Carter said he researched what other towns and cities had done and found that seven municipalities, including the cities of Columbia and Cayce and the town and Lexington passed ordinances to allow urban chicken farming. He said the town of Irmo had considered the idea, but decided not to pass an ordinance. Mr. Carter stated that participation by residents was minimal with Lexington receiving five applications, Cayce a half dozen applications and Columbia only seven to eight applications. He said so far the experiences reported were positive.

Mr. Carter listed elements to consider for an ordinance including:

- Chickens may be kept only on single-family residential property and only as an accessory use.
- Commercial use is prohibited.
- No more than four chickens may be kept at any time.
- Roosters are prohibited.
- Coops and runs must be fully enclosed and meet minimum size requirements.
- Unpleasant odors and unsightliness are prohibited.
- Coops and runs must be located in the back yard and screened from roadways.
- Additional screening is required if the coop and run are within 30 feet of the property line.
- Approval must be obtained from the homeowners' association if applicable.
- There would be a \$20.00 inspection fee.

Mr. Carter stated there are approximately 4,576 parcels that could meet a minimum 25-foot setback requirement for coops and runs and 432 of those parcels are located in neighborhoods that specifically prohibit keeping fowl. He said the remaining 4,144 parcels might potentially be eligible to participate in an urban chicken farming program. He noted that actual location of the coops and runs may be further limited by the location of existing structures and other conditions.

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Agenda Item VI – New Business (continued)

Mr. Carter explained that elements of a draft ordinance would require a two-step approval process before a resident could keep chickens. An applicant would need to submit a zoning application and site plan depicting the location of a coop and run and submit an application to animal services to demonstrate that all requirements of the ordinance could be met. He said an important component of the proposed ordinance would be for the applicant to provide written approval from a homeowners' association (HOA) to keep chickens on the property or sign a statement that an HOA does not regulate the residential property. Mr. Carter noted that of the 66 neighborhood developments identified, 18 specifically prohibit keeping fowl.

Mayor Owens recognized Council Member Unthank who asked what would be the next step for council to take. Mr. Carter suggested that council hold a public meeting to allow city residents to provide input on urban chicken farming. Council discussed the merits of a proposed ordinance to allow urban chicken farming and by consensus agreed to hold a public meeting to gather comments from the citizens.

- G. Mayor Owens entertained a motion to approve a contract with AOS Specialty Contractors, inc. to design and construct the Riverwalk Park & Amphitheater sign honoring former mayor Wyman M. "Mac" Rish in the amount of \$9,625.00. Council Member Unthank so moved and Council Member Bray seconded. The motion passed unanimously.

Agenda Item VII – Adjourn to Executive Session for a Legal Matter to Discuss a Settlement

Mayor Owens entertained a motion to adjourn to executive session to discuss a legal matter. Council Member Unthank so moved and Council Member Fowler seconded. The motion passed unanimously. Council adjourned to Executive Session at 6:44 p.m.

Agenda Item VIII – Reconvene to Regular Session

Mayor Owens entertained a motion to adjourn executive session and reconvene to regular session. Council Member Unthank so moved and Council Member Fowler seconded. The motion passed unanimously. Council reconvened to regular session at 7:14 p.m. Mayor Owens stated that council discussed matters of a legal concerning a settlement, but no action was taken in executive session.

Mayor Owens recognized Council Member Unthank who made a motion to approve a settlement with the US Department of Justice for Project Civic Access. Mayor Pro-Tem Jones seconded the motion. Mayor Owens, Mayor Pro-Tem Jones and Council Members Bray, Fowler, Hallman, Parler, Unthank and Wingard voted in favor of the motion. Council Member Harley voted in opposition. The motion passed eight votes to one vote.

Agenda Item IX – Adjourn

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

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk