

City of West Columbia, SC

Special Council Meeting

January 13, 2014 at 6 p.m.

Members Present:

Joe Owens, Mayor
Casey Jordan Hallman, Mayor Pro-Tem
Eric L. Fowler
L. Dale Harley
Boyd Jones
Temus C. "Tem" Miles, Jr.
Tommy G. 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
Donna Smith Director of Economic Development
Matt Edwards, Police Major
Sid Varn, Director of Planning and Engineering
Dennis Tyndall, Police Chief
Members of the Press and Public

Anna Huffman, IT Systems Administrator
Wyatt Coleman, Fire Chief
Brian Carter, Assistant City Administrator
Stuart Jones, Building Official
Justin Black, Staff Accountant
Rick Hodge, City Treasurer
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, The Columbia Star, COLADaily.com* and radio and television stations were notified of the meeting by e-mail on January 10, 2014.

Agenda Item II – Invocation and Pledge of Allegiance

Police Captain Shane Phillips gave the invocation followed by the Pledge of Allegiance.

Agenda Item III – New Business

- A. Mayor Owens entertained a motion for consideration of a resolution to support the Penny for Progress Sales Tax Program for infrastructure needs in Lexington County. Council Member Harley so moved and Council Member Fowler seconded. Mayor Owens recognized Mr. Sid Varn, director of Planning and Engineering, who presented nine proposed projects to submit to Lexington County for the Penny for Progress Sales Tax Program and listed as follows:
1. Replace existing 6-inch asbestos cement water main in Decatur Street from Platt Springs Road to Cayce city limits and make repairs to the existing street.
 2. Replace the existing 6-inch asbestos cement water main in Rainbow Drive from Wilton Road to Dalewood Drive.
 3. Replace existing four-inch and two-inch water main in Shampy Street from Rainbow Drive to the end of the street.

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Agenda Item III – New Business (continued)

4. Provide a Greenway Capital Repair fund for the existing Three Rivers Greenway.
5. Construct a river walk from Lexington Medical Center to the proposed I-26 Saluda River Crossing Project.
6. Install a reservoir water mixing system in the Laurel Road Ground Storage Tank.
7. Construct a northwestern river walk connection to the proposed I-26 Saluda River Crossing Project.
8. Paint the interior and exterior of the Laurel Road Ground Storage Tank.
9. Eliminate the backwash water at the Lake Murray Water Treatment Plant.

Mr. Varn stated the Penny for Progress Sales Tax will be on the ballot as a referendum in the upcoming November election. He explained that West Columbia must submit its list of proposed projects to Lexington County by the end of January to be included in the referendum. He said Council needed to approve a resolution officially supporting the proposed project list.

Mayor Owens recognized Mayor Pro-Tem Hallman who asked if replacing the water meters could be added to the project list. Mr. Varn responded that he would check to see if replacing the water meters met the Penny for Progress criteria and if it did he would add it to the project list. Mayor Owens called for a vote and the motion to approve the resolution passed unanimously.

- B. Mayor Owens recognized Ms. Ashley Smith Hunter, Senior Vice President with McKay Public Affairs. Ms. Hunter gave a presentation on public relations services that she could provide to the city.
- C. Mayor Owens recognized Ms. Mardi Valentino, Public Information Officer, who briefed council members on recent upgrades to the city's website utilizing Geographical Information Systems (GIS) technology. Ms. Valentino stated that the city now incorporates a variety of ways to impart official information such as boil water advisories, Riverwalk Park closings and street and bridge closings as well as general information about city events and city-supported outreach programs. She said traditional methods would still be employed, such as news releases and stories to the newsprint, broadcast and on-line medias, but the city now has the capacity to provide information to citizens utilizing smart phones, I-Pads and Kindles who access on-line news for their information sources.
- D. Ms. Valentino introduced Mrs. Anna Huffman, IT Administrator, who manages the city's website and social media. Mrs. Huffman stated that she created a Twitter which now has 301 followers and a Facebook page with 136 likes, building the city's social community to nearly 500 people. She tweets and posts to Facebook at least twice a day, including weekends and holidays with real time updates on issues and information to residents and businesses. Mrs. Huffman said she created a Constant Contact database to send out news releases and newsletters via e-mail to citizens who sign up for the e-mail list through the city's website. She said the number of people following Twitter and Facebook and signing up for Constant Contact continues to grow on a daily basis.

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Agenda Item III – New Business (continued)

Mrs. Huffman noted that she made some structural changes to the city's website due to the implementation of new servers and domains for the police department. She is in the process of redesigning the city's current website to increase the city's overall online presence, make page navigation more user friendly and have more eye appealing content with rotating banners and emergency news tickers. She plans to request money in the next year's budget to redo the city's website. She stated editing and updating the website in house would allow the city to get its messages out to the public in a cohesive and immediate manner.

Ms. Valentino spoke on how GIS has impacted the way the city disseminates information to the public. She said the addition of GIS maps allows more information to be imbedded into the website and visually enhances the city's messages. She explained she is working with Ms. Emily Pires, GIS Supervisor, who created an online map of the eight council districts with pop-up information on each council member. Ms. Valentino stated that boil water advisories are sent out with a map to indicate the exact location of the area affected by the water line break. She said the GIS map also allows her to count the number of affected customers and provide that information to the media. Ms. Valentino concluded that with the explosive growth worldwide in websites and social media the city does not have a choice of whether or not to engage in the technology, but rather how well the city will use it to disseminate real time information and the city's corporate message to the public.

- E. Mayor Owens stated that Ms. Karen Hoover requested to speak before council about her progress to purchase the property at 351 Meeting Street. Even though Ms. Hoover was not on the agenda Council members agreed to hear her speak. Ms. Hoover stated that she lives at 1027 Rutland Avenue in West Columbia. She said she spoke to council members in July 2013 about purchasing the property at 351 Meeting Street to establish an upscale consignment store and received permission from the city council on October 23, 2013 to purchase the property. She said she was funding the purchase through a loan from the Small Business Administration (SBA), but the federal government shutdown in October 2013 put her loan application approval on hold. Ms. Hoover said when the 30-day deadline to purchase the property neared she called both Mayor Owens and City Administrator Jenny Cunningham to ask about extending the deadline. She said she was assured there were no other interested purchasers and that city council knew she wanted to buy the property. Ms. Hoover said she called again over the holidays about the contract to advise Mrs. Cunningham that she was pursuing another lender since the SBA seemed to be a slow process. She said she fully intended to go forward with the contract. She has spent over \$14,000 for inventory, building inspections, hiring a structural engineer, paying a loan fee to the SBA and purchasing supplies and fixtures. She also has registered the name of her business with the state government, bought a website and built a Facebook page.

Mayor Owens said the vote to sell the property at 351 Meeting Street was unanimous. He noted that all the previous renderings from developers interested in the four acres of property at State and Meeting Streets did not include developing the parcel at 351 Meeting Street. He stated that although the 30-day contract to purchase the property had expired, Ms. Hoover did receive assurances that the city was still interested in selling the property to her.

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Agenda Item III – New Business (continued)

Mayor Owens recognized Council Member Unthank who stated to Ms. Hoover, “I would like to make a comment. I think it is a little unseemly to be sort of talking about the “he said, she said” in a public forum. Now we can do that. We were going to discuss it and I certainly have some information I want to share with Council. I think that it is great that you want to open a business in West Columbia and I encourage you to do that absolutely. You’ve already got your funds arranged and so forth, but I am opposed to selling this particular piece of property at a \$50,000 loss to the city that belongs to a larger four-acre plot of land that we cobbled together so that we could put a great development on it. Now we can discuss it out here in the council chambers. I don’t know you personally and I want you to know that I would support you in opening a business and in whatever the city can do to aid you. I know that Donna Smith is our grants writer and there are certain small business programs that you can look into to aid you in getting a location as well that is right in that same area. But that small piece of property takes up one third of the State Street frontage of the overall four-acre piece of property and I’ve got a presentation that is visual for council in a meeting in executive session that I am going to share with them that really highlights the importance of that key corner piece of property for a developer that’s going to buy the four million dollar property as one piece and develop it as a whole. I appreciate your desire to open a business in West Columbia and that’s great. But I think that it is best if council discusses this in executive session. That’s my opinion. Does anybody have any comments?”

Council Member Miles stated to Ms. Hoover, “Before we go into executive session, I would like to say this: This is my district and I will be upfront with you. I would not have supported this had I been the representative at that time. We were unrepresented and if we are not bound to it I intend to try to get out of it. But having said that, after we discussed this last it was brought to my attention in particular that the city has given you some assurances requiring a time. There is legally right and there is morally right. If we have given you assurances that you relied on I’ll go forth based on that. I would ask that you put together some time line and documentation regarding who you spoke with, when you spoke with them and also when you incurred the expenses for \$14,000 that you laid out, just so I can see the time of when those assurance were given and when you occurred the expenses, and exactly where we are in our obligation to you.”

Ms. Hoover responded, “I’ve got all that. I’ve got everything on a spreadsheet. I can give you most of that information tonight. I talked with [City Administrator] Jenny [Cunningham] two days before the contract expired.”

Council Member Miles stated, “I was unaware of that in our previous discussions and I would just like to have all the information.”

Ms. Hoover stated, “I’m ready to go at this point. I’ve brought my contractor with me. We’ve already done the renderings. I’m going to make it a great, great location. It is not going to look like the same building. It is going to be such an enhancement to the area. You won’t even recognize it. I plan on doing it. We’ll make the city proud when you come across the river and see that [building].”

Mayor Owens stated, “I want to remind people that the vote on that was unanimous. So that people who have reservations now, I wish they’d had those reservations then. We have never had a rendering from [developers] that included that piece in the process.”

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Agenda Item III – New Business (continued)

Ms. Hoover stated, “I couldn’t do what I needed to do on the back end until I got approval from city council that I would have a contract on that property. Now there was no sense in me paying a structural engineer for talking with my contractor and going over the plans, and talking with Stuart [Jones, Building Official] from the city to see what it would cost and if it were possible for a second story without doing all my homework before I even knew that it would be approved. That once it was approved that’s when I put everything into motion and I was given 30 days to close this deal. That’s when I said I need a little bit more time than 30 days. The SBA just can’t move that fast. I’m getting it. I have everything in order. I’m ready. I’m really disappointed. I had my heart set on this location. I have looked at locations all over West Columbia. I have met with three business owners on Meeting Street on different properties. I love this location. This is where I want to be.”

Council Member Unthank stated, “I just wanted to point out, Mayor, that I think anyone who was in that meeting, the initial meeting, I was opposed to this. So the vote shows unanimous, but I want to go on record as pointing out that in the executive session I was opposed to it and you invited Ms. Hoover into the executive session. Then I had to speak in front of her, saying that this is not in keeping with our vision to develop the property as a whole. It occupies the entire corner of State and Meeting, which is a key visual part of that whole property and I opposed it. We came out and voted on it. I was so breathless that we have done what we had done that I just didn’t say anything. But I do want to go on public record here tonight that I opposed it and I oppose it still. And I’ve got some very interesting information to share with you all.” Mayor Owens stated, “Yet you voted for it.” Council Member Unthank responded, “I voted for it because I couldn’t believe we would do it. I didn’t vote for it verbally, but I know it counted as a vote. Last week we had agreed in principle and we had potentials to terminate the contract.”

Agenda Item IV – Adjourn to Executive Session to Discuss a Contractual Matter

Mayor Owens entertained a motion to adjourn to executive session. Council Member Unthank so moved and Council Member Parler seconded. Council adjourned to executive session at 7 p.m.

Agenda Item V – 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 Wingard seconded. The motion passed unanimously. Council reconvened to regular session at 7:40 p.m. Mayor Owens stated that no action was taken in executive session.

Mayor Owens stated to Ms. Hoover, “Previously we voted unanimously at eight [council members] since Council Member Miles was not elected yet, to sell Ms. Hoover the property on Meeting Street. It went past the expired time. However, she was given assurances that things were okay. Based on that, after a very civil and orderly meeting, we believe that the time having run out, is going to be waived because you did talk to the chief administrative officer of the city and as well as the mayor. We’re going to give you five working days to close. Are you good with that?”

Ms. Hoover responded, “Yes.”

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Agenda Item V – Reconvene to Regular Session (continued)

Mayor Owens asked if anyone else had anything [to say]. Council Member Unthank stated, “I still insist on going on record as opposing this sale. I think it’s a mistake. So I just want that known to my constituents that I oppose this sale because it’s not good for the city. It’s not good for the value of the development of that property. And I deeply regret that we’re for this. It’s not because I didn’t try to convince council otherwise, but the mayor is in your corner and very much so. So you owe a debt of gratitude to the mayor because I did everything I could to convince my fellow council members and I stand defeated on that. So I yield the floor.”

Mayor Owens stated, “I don’t count this as a victory. I count this as good and what we said we would do. If you’re not good to your word then you’re no good. The only thing you have in politics is your word. You break that you’ve got nothing.”

Agenda Item VI – Adjourn

Mayor Owens entertained a motion to adjourn. Council Member Jones so moved and Council Member Miles seconded. The motion passed unanimously. Council adjourned at 7:45 p.m.

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk/Public Information Officer