

City of West Columbia, SC

Regular Council Meeting

July 6, 2010 at 6 p.m.

Members Present:

Bobby E. Horton, Mayor
Jack L. Harmon, Mayor Pro-Tem
Eric L. Fowler
L. Dale Harley
Boyd Jones
Marsha Moore
Tommy Parler
Cathy Shannon
B.J. Unthank

Members Absent:

None

Others Present:

Jenny Cunningham, City Administrator
Mardi Valentino, City Clerk
Myron Corley, Deputy City Administrator
Donna Smith, Economic Development Director
Brian Carter, Planning and Zoning Director
Wyatt Coleman, Fire Chief
Members of the Public and Press

Rick Hodge, City Treasurer
Charles Garren, Public Works Director
Stuart Jones, Building Official
Dennis Tyndall, Police Chief
Sid Varn, Planning & Engineering Director
Joe Owens, Utilities Director

Agenda Item I – Call to Order

Mayor Horton 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 public hearing by e-mail on July 2, 2010.

Agenda Item II – Invocation and Pledge of Allegiance

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

Agenda Item III – Requests for Appearance

Mayor Horton stated there were no requests for appearance.

Agenda Item IV – Announcements by Mayor

Mayor Horton announced there would be no work session or Mayor's Round Table meeting for the month of July. He explained the council members would be attending the Municipal Association of South Carolina (MASC) annual meeting later in the month and agreed not to hold a work session unless a need arose. He stated the Planning Commission would meet at 6 p.m. on July 26, 2010 in Council Chambers.

Agenda Item V – Approval of Minutes

- A. Mayor Horton entertained a motion to approve minutes for the public hearing on the budget for FY 2010-2011 held June 1, 2010. Council Member Parler so moved and Council Member Unthank seconded. The motion passed unanimously.

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Agenda Item V – Approval of Minutes (continued)

- B. Mayor Horton entertained a motion to approve minutes for the public hearing on the increase in water and sewer rates. Council Member Moore so moved and Council Member Unthank seconded. The motion passed unanimously.
- C. Mayor Horton entertained a motion to approve minutes for the regular council meeting held June 1, 2010. Council Member Unthank so moved and Council Member Fowler seconded. The motion passed unanimously.
- D. Mayor Horton entertained a motion to approve the minutes for the special council meeting held June 21, 2010. Council Member Moore so moved and Council Member Harley seconded. The motion passed unanimously.

Agenda Item VI – Old Business

- A. Mayor Horton entertained a motion for second reading consideration of an ordinance to annex .24 acres of property located at 315 Derrick Street (TMS # 004636-04-002). Council Member Harley so moved and Council Member Moore seconded. The motion passed unanimously.

Agenda Item VII – New Business

- A. Mayor Horton entertained a motion for first reading consideration of an ordinance to annex .22 acres of property located at 319 Derrick Street (TMS # 004636-04-002). Council Member Moore so moved and Council Member Unthank seconded. The motion passed unanimously.
- B. Mayor Horton entertained a motion for first reading consideration of the Planning Commission's recommendation to approve a map amendment to change the zoning classification of undeveloped properties located between Klapman Road and Morningside Drive in the 900 block of Hook Avenue, described as 7.61 acres on the western side of Hook Avenue and 6.886 acres on the eastern side of Hook Avenue (TMS #s 004666-05-010, 004666-05-014 and 004666-06-001) from R-4 (low-density residential) to R-2 (medium-density residential). Council Member Moore so moved and Council Member Harley seconded.

Mayor Horton recognized Mayor Pro-Tem Harmon was stated he would like to ask for council members to consider changing the motion to leave the current zoning as R-4 instead of changing the zoning classification to R-2.

Mayor Horton asked if there was any other discussion of the motion on the floor. Mayor Horton recognized Council Member Harley who said based upon information that he had obtained, he wanted to ask Mayor Pro-Tem Harmon to not vote on the issue because of signing a petition against the rezoning 12 days before the rezoning case came before the Planning Commission. He said in his opinion that tainted Mr. Harmon's vote because he made his mind up before the facts of the case were heard at the public hearing held by the Planning Commission.

Mayor Horton recognized Council Member Unthank who asked if there was a state law that says a person cannot make up his/her mind until a vote.

Mayor Horton recognized Mayor Pro-Tem Harmon who stated that the residents on Hook Avenue are his constituents and he signed the petition to support them. He said he was not ashamed that he signed the petition. His said every council member has a vote and he was going to vote.

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Agenda Item VII – New Business (continued)

Mayor Horton repeated the motion for first reading consideration of the Planning Commission's recommendation to approve a map amendment to change the zoning classification of undeveloped properties located between Klapman Road and Morningside Drive in the 900 block of Hook Avenue. Mayor Horton explained that Council was voting to either accept or deny the Planning Commission's recommendation to change the zoning classification from R-4 to R-2.

Mayor Horton asked if there were any further discussion and recognized Council Member Shannon who stated she could not vote on the motion because she had a conflict due to financial gain. She explained that her family's business, Shannon Heating and Air-Conditioning, was a major supplier for The Mungo Company, who planned to develop the property.

Mayor Horton asked each council member to raise his/her right hand to cast a vote. Mayor Horton and Council Members Harley, Moore, Fowler, Parler and Jones voted in favor of the motion. Mayor Pro-Tem Harmon and Council Member Unthank voted in opposition to the motion. The motion passed six votes to two votes with Council Member Shannon abstaining from the vote.

- C. Mayor Horton entertained a motion for first reading consideration of the Planning Commission's recommendation to establish the zoning classification of approximately 1.87 acres of recently annexed property located on 9th Street between E Avenue and G Avenue at the SC Episcopal Home at Still Hopes (TMS # 004675-01-001) as R-1 (High Density Residential). Council Member Moore so moved and Council Member Fowler seconded. The motion passed unanimously.
- D. Mayor Horton entertained a motion for consideration of a proposal for engineering services for the reconstruction of a section of gravity sewer line at Leaphart Street. Council Member Harley so moved and Council Member Moore seconded. Mayor Horton recognized Mr. Tom Bowles with AECOM who stated that approximately two years ago Congressman Joe Wilson enabled the city to receive \$262,000 in a special appropriation for sewer improvements. Mr. Bowles said he asked Water Distribution/Sewer Collection Superintendent Rex Adkins to identify areas in the city experiencing the most problems with sewer lines. He said Mr. Adkins identified four areas as follows: sections of Augusta Street, Jackson Street, Crapps Street and a portion of Leaphart Street from 12th Street to Hall Street. Mr. Bowles said the decision was made to repair the sewer line on Leaphart Street. He explained that AECOM would engineer the repair by recommending that a new liner be inserted into the old sewer pipe to avoid having to dig up the sewer line.

Mayor Horton recognized City Administrator Jenny Cunningham who explained that the city would be required to match \$117,900.00 or 45 percent of the special appropriation and the federal grant portion would be \$144,100.00, for a total of \$262,000.00. Mayor Horton called for a vote and the motion passed unanimously.

Agenda Item VIII – Adjourn to Executive Session for a Legal Matter

Mayor Horton entertained a motion to adjourn to executive session to discuss a legal matter. Council Member Unthank so moved and Council Member Parler seconded. The motion passed unanimously. Council adjourned to executive session at 6:20 p.m.

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Agenda Item IX – Reconvene to Regular Session

Mayor Horton entertained a motion to adjourn executive session and reconvene to regular session. Council Member Fowler so moved and Council Member Parler seconded. The motion passed unanimously. Council adjourned executive session and reconvened at 6:48 p.m. Mayor Horton stated that no action had been taken in executive session.

Agenda Item X – Adjourn

Mayor Horton entertained a motion to adjourn. Mayor Pro-Tem Harmon so moved and Council Member Parler seconded. The motion passed unanimously. Council adjourned at 6:49 p.m.

Respectfully submitted,

Marta M. Valentino, CMC
City Clerk