

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
November 20, 2007
6:00 PM**

Call to Order: McEachern

Invocation: Scott

Pledge of Allegiance: Scott

Presentation: Dr. Caroline Whitson, Chair, Transportation Study Commission Update

Citizens' Input: No one spoke.

Adoption of the Agenda: The agenda was adopted as amended. Project Y and the Farmers' Market project were added to Executive Session.

Approval of Minutes

Regular Session: November 6, 2007

The minutes were approved as corrected to include Mr. Malinowski's amendments.

Special Called Meeting: November 12, 2007

The minutes were approved as corrected to include Mr. Malinowski's amendments.

Report of the County Attorney for Executive Session Items

- a. **Columbia Venture vs. FEMA**
- b. **Northeast Sanitary Landfill Settlement Negotiations**
- c. **Legal Advice: Tourism Development**
- d. **Project Y**
- e. **Farmers' Market**
- f. **TIF Update**
- g. **Riverside Contract**

Report of the County Administrator

- a. **TIF Update:** Discussed during Executive Session.
- b. **Riverside Property Contract:** Discussed during Executive Session.
- c. **C Funds Update:** Mr. Pope requested that Ms. Smith (Director, Public Works) update Council on correspondence received from the DOT regarding a shortage of CTC funds, which impacts numerous Richland County projects. Funding for Richland County projects may not be available for two years. Mr. Pope is to follow up with Mr. James Brown regarding this item. **ACTION: ADMINISTRATION, PUBLIC WORKS**

Report of the Clerk of Council: None.

Report of the Chairman

- a. **Joint Planning Commission:** Mr. McEachern stated that this meeting is being planned. **ACTION: CLERK OF COUNCIL**
- b. **Legislative Delegation Meeting:** Mr. McEachern stated that this meeting is being planned. **ACTION: CLERK OF COUNCIL**
- c. **Business Summit:** Mr. McEachern stated that this meeting is being planned. **ACTION: CLERK OF COUNCIL**
- d. **Sistercare Fundraiser:** Mr. McEachern is hosting a fundraiser luncheon for Sistercare on December 5, 2007.

Open / Close Public Hearings: No public hearing items.

Approval of Consent Items: The following consent items were approved: 1b, 1c, and 1d. Item 1a was removed from the consent agenda.

1. Third Reading Items

- a. **07-43MA; Oak Hills; PDD to Amended PDD; Golf Course with Mixed Use Development; 09600-02-13 & 09600-03-01, 02, 03; U.S. Highway 321 & Oak Hills Drive [CONSENT]:** Council deferred the item while staff reviews the revised development agreement. **ACTION: PLANNING, LEGAL**
- b. **07-44MA; Garden Valley Subdivision; M-1 to PDD (7.33 acres); Single Family Residential; 22906-03-48 & 49; North Springs Road [CONSENT]:** Council gave third reading approval to the zoning map amendment changing the zoning designations from M-1 to PDD. **ACTION: PLANNING, LEGAL**

- c. **07-53MA; Church Properties, LLC; Viji Sashikant; NC to GC (.46 acres); Home Cleaning Service; 16415-07-03; 1518 Leesburg Road [CONSENT]:** Council gave third reading approval to the zoning map amendment changing the zoning designations from NC to GC. **ACTION: PLANNING, LEGAL**
- d. **07-56MA; Saluda Dam, LLC; Mark Richardson; HI to GC (20.68 acres); Residential Multi-Family Use; 07315-01-01 & 02; 4120 River Drive [CONSENT]:** Council gave third reading approval to the zoning map amendment changing the zoning designations from HI to GC. **ACTION: PLANNING, LEGAL**
- e. **Ordinance amending Floodplain Overlay District; Subsection (d), Standards in the Floodplain; Paragraph (2), Specific Standards; Subparagraph (j) Fill; so as to allow the use of fill in the floodplain:** Council deferred the item until after a work session is held in January 2008. **ACTION: ADMINISTRATION, PLANNING, LEGAL, CLERK OF COUNCIL**

2. Second Reading Items

- a. **07-52MA; Ashley Oaks Development; Mike Shelley (29.30 acres); M-1 to RS-LD; Single Family Residential; 17700-01-13; Wilson Boulevard & Farrow Road:** Council gave second reading approval to the zoning map amendment changing the zoning designations from M-1 to RS-LD. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **Ordinance Authorizing Sale of Lot 10 in the Richland Northeast Industrial Park to “The Taylored Window LLC”:** Council gave second reading to the ordinance authorizing the sale. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**
- c. **Ordinance Authorizing Fee Agreement, Including Payment of a Fee-in-Lieu of Taxes:** Council gave second reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR’S OFFICE, BUDGET, FINANCE**
- d. **An ordinance amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; and Section 23-71:** Council gave second reading to the ordinance as amended. With regards to Section 23 – 69, Council struck Mr. Malinowski’s previous amendment which read (d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be considered for an increased based on the revenue growth

rate as determined by trend analysis of the past three years, but in any event not more than 3%, which restored the section to its original form to read as follows: (d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be increased based on the revenue growth rate as determined by trend analysis of the past three years, but in any event not more than 3%, Mr. Malinowski recommended an amendment as follows: **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**

3. Report of the Economic Development Committee

a. International Truck and Engine Corporation and Siemens Diesel Systems Technology, LLC

- 1. Assignment and Assumption of Fee Agreement and Inducement Agreement and Millage Rate Agreement:** Council approved the agreement. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, AUDITOR'S OFFICE**
- 2. Ordinance Authorizing Assignment and Assumption of Fee Agreement and Inducement Agreement and Millage Rate Agreement** Council gave first reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, AUDITOR'S OFFICE**

b. KIRCO

- 1. Ordinance to Include KIRCO Property in the I-77 Corridor Regional Industrial Park:** Council gave first reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR'S OFFICE, BUDGET, FINANCE**
- 2. Infrastructure Credit Agreement:** Council approved the agreement. Mr. Montgomery requested that a policy be developed to handle future transactions resembling this project. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, AUDITOR'S OFFICE**

c. Project Y

- 1. Inducement Resolution:** This item was discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, AUDITOR'S OFFICE**

2. **FILOT Ordinance:** This item was discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR'S OFFICE, BUDGET, FINANCE**
4. **Report of the Rules and Appointments Committee**
 - a. **Notification of Vacancies on Boards, Commissions, and Committees**
 1. **Employee Grievance Committee – 1:** This vacancy is to be advertised. **ACTION: CLERK OF COUNCIL**
 2. **Lexington / Richland Alcohol and Drug Abuse Council – 2:** These vacancies are to be advertised. **ACTION: CLERK OF COUNCIL**
 3. **Richland Memorial Hospital Board – 4:** These vacancies are to be advertised. **ACTION: CLERK OF COUNCIL**
 - b. **Notification of Appointments to Boards, Commissions, and Committees**
 1. **Accommodations Tax Advisory Committee – 2:** These vacancies are to be re-advertised. **ACTION: CLERK OF COUNCIL**
 2. **Board of Assessment Appeals – 1:** This vacancy is to be re-advertised. **ACTION: CLERK OF COUNCIL**
 3. **Building Codes Board of Adjustments and Appeals – 1:** Cook was appointed. **ACTION: CLERK OF COUNCIL**
 4. **Business Service Center Appeals Board – 5:** These vacancies are to be re-advertised. Mr. McEachern requested that there be an evaluation regarding the makeup / requirements of the board. **ACTION: CLERK OF COUNCIL**
 5. **Employee Grievance Committee – 1:** This vacancy is to be re-advertised. **ACTION: CLERK OF COUNCIL**
 6. **Township Auditorium Board – 1:** Theodore was appointed. **ACTION: CLERK OF COUNCIL**
5. **Citizens' Input:** No one spoke.

6. Executive Session:

- a. **Columbia Venture vs. FEMA:** Council gave first reading by title only to the following ordinance: To establish a temporary moratorium on approval of floodplain management permits for development or construction within a portion of the Congaree Flood Plain. **ACTION: LEGAL, PLANNING**
- b. **Northeast Sanitary Landfill Settlement Negotiations:** Council approved the ad hoc committee's recommendations. **ACTION: ADMINISTRATION**
- c. **Legal Advice: Tourism Development:** Received as information.
- d. **Project Y:** Council approved the Inducement Resolution and gave first reading by title only to the FILOT Ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR'S OFFICE, BUDGET, FINANCE**
- e. **Farmers' Market:** Mr. Pope is to proceed as discussed during Executive Session. **ACTION: ADMINISTRATION**
- f. **TIF Update:** Received as information. Staff is also to schedule a meeting with the School District as soon as possible to discuss the TIF mediation outcome. **ACTION: ADMINISTRATION, LEGAL**
- g. **Riverside Contract:** Council authorized Mr. Pope to make a counter offer accepting the current terms for the land and billboard, but to only pay the appraised value on the equipment. **ACTION: ADMINISTRATION**

7. Motion Period

- a. **Clean Air and Clean Water Committee:** Ms. Hutchinson requested that the Chairman appoint a committee of Council members to meet with Lexington County and City of Columbia Councils to discuss the issues of clean air, clean water, and planning as soon as possible. The ordinances of the respective bodies in relation to these items are to be compared. **ACTION: CLERK OF COUNCIL, PLANNING, ADMINISTRATION**
- b. **Bluff Road Enhancement Resolution:** Ms. Scott requested the approval of a resolution for the enhancement of Bluff Road. This item will appear on the December 4, 2007 Council agenda for action. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, GRANTS**
- c. **Holiday Drop-in for Elected Officials:** Ms. Smith suggested that the holiday drop-in with Lexington County Council, Columbia City Council,

and other municipalities be held on Monday, December 17th from 7:00 to 9:00 p.m. at her home. Ms. Smith stated that the cost per person to host the event should be \$25.00. **ACTION: CLERK OF COUNCIL**

- d. **Franchise Fees:** Mr. Malinowski requested an update on his motion regarding utility franchise fees. Mr. Pope stated that it is on the November D&S Committee agenda. **ACTION: LEGAL, ADMINISTRATION**
 - e. **Multi-Family House in General Commercial:** Mr. Malinowski referred to the Planning Commission a proposal that a six month moratorium be enacted on housing within the General Commercial zoning for all upcoming zoning changes that would change the zoning to General Commercial. This change would allow the flexibility and applicability of quality housing and commercial development to take place hand in hand. **ACTION: PLANNING, LEGAL**
 - f. **Farmers' Market:** Mr. Jackson referred to the D&S Committee the possibility of a joint partnership with the City of Columbia and private entities for a Richland County Farmers' Market. **ACTION: ADMINISTRATION**
 - g. **Ashley Ridge:** Ms. Dickerson requested an update on her motion regarding the Ashley Ridge Punch List. Mr. Pope informed her that the item is on the November D&S Committee agenda. **ACTION: ADMINISTRATION**
 - h. **Vicious Dogs Ordinance:** Ms. Hutchinson requested a report back to Council regarding the County's vicious animal ordinance, to include breed specific restrictions. **ACTION: ADMINISTRATION, ANIMAL CARE, LEGAL**
8. **Adjournment:** Council adjourned at 9:35 pm.