

**MINUTES OF THE
FOREST ACRES CITY COUNCIL MEETING
MARCH 13, 2012**

Mayor Frank Brunson and Council members, Ginger Dukes, Curt Rye, Jr. and Shell Suber, Jr. were present, as were City Administrator Mark Williams, Assistant City Administrator Jake Broom, Police Chief Gene Sealy, Finance Director Bob Massa, and City Attorney Lee Holloway. Council member Charlie Fetner was absent.

Mayor Brunson called the meeting to order at 5:17 p.m.

1. Invocation and Pledge of Allegiance

Ms. Dukes gave the Invocation and led the Pledge of Allegiance.

2. Approval of Minutes:

a. City Council Meeting Minutes of February 21, 2012

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously approved the minutes of the City Council meeting of February 21, 2012 as presented.

3. Mayor's Issues & City Projects:

a. Citadel, Idalia Parks

Administrator Williams stated that the advertisement will be published in the State Newspaper on Saturday, March 17th and the bid would have a 30-day window.

b. Responses to Community Forum Items-Gills Creek Walking Trail

Administrator Williams recounted that at the last Council meeting Carol Kososki had spoken in favor of Council reconsidering going forward with developing the Gills Creek Walking Trail. Mr. Williams said that the continuation of the project hinges on the City's relationship with Yancey McLeod and the National Resource Education Foundation's willingness to convey the land to the city or dedicate an easement for the walking trail. There has been no further communication with Mr. McCleod since the last Council meeting.

4. New Business:

a. Norree Boyd-Wicks; Richland/Lexington Cultural Council

Ms. Boyd-Wicks gave an update on FAMFEST—Forest Acres Music Festival. The festival has been confirmed for March 24, 2012. The advertisements and information has all been distributed. Ms. Boyd-Wicks stated that Backstage Pass was also going to be held this year and the Gala Performance would be on June 4th. More information will be available at a later date.

b. Request for a streetlight at 2 Peachtree Circle

Administrator Williams stated that the FAPD had gone to the area and recommended that a street light be installed.

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously agreed that the street light be installed.

c. Holdover HTAX Applications from January 2012

1. Edventure Museum \$75,000—Approved for \$60,000

2. Columbia City Ballet \$15,000—Approved for \$7,500

3. Jordan Anderson Racing \$55,000—Approved for \$40,000

4. Friends of Our Forces/Greater Columbia Chamber of Commerce \$30,000—Approved for \$25,000

On a motion by Ms. Dukes and seconded by Mr. Suber, Council unanimously approved Hospitality Tax funds as listed above and under the condition that the Hospitality funds would be pledged and not transferred to recipients until submittal of project documentation indicating completion.

d. Amendment to HTAX application policies

Effective immediately, the City of Forest Acres will not be accepting any grant applications for Hospitality Tax funding until after July 1, 2013. The purpose of this moratorium is to reset the grant process so the City Council's future consideration of allocations of funds are based on previously received Hospitality Tax income rather than granting based on anticipated revenue. This change in policy is intended to improve the efficiency of administration of the annual Hospitality Tax budget. In the meantime, the City of Forest Acres may continue to invest in city initiated projects.

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously agreed to approve the amendment effective immediately.

PUBLIC HEARING: Request to rezone 3400 Forest Drive., also known as Richland Mall with the following parcels under a common roof (TMS# R13908-04-35; R13908-04-36; R13908-04-37 and R14005-08-02) from Planned Development District (PDD) to Commercial Enterprise/Redevelopment Zone C-5. The following parcels adjacent to Richland Mall retain Commercial C-3 zoning: TMS R14001-11-03; R14005-08-01, and R13908-04-38.

Attorney Holloway called the Public Hearing to Order at 5:38 p.m.

Attorney Holloway stated that the purpose of the hearing was to entertain public comments regarding a new C-5 public zoning district in the City of Forest Acres. On December 17, 2011 a public notice was published in The State Newspaper regarding this C-5 proposal. The proposed zoning is approximately 90-95% similar to the C-3 general commercial zoning present in the city. Most retail stores are currently located in the existing C-3 zoned areas. This new zoning creates a distinct situation that only applies to shopping center areas that have a minimum of 5 acres and to a building that is a minimum of 250,000 square feet. Regulations in the proposed zoning would be somewhat different due to being only in high density areas. This proposal is to create a concentrated business district in a very limited sense. Allowed in the new proposed C-5 zoning that are not allowed in the C-3 zoning are single-family residences, drive-in restaurants, barber/beauty shops, post offices, public schools, private schools, charter schools and several other types of establishments that are listed in entirety in the proposed ordinance. He then recapped the permitted uses in the C-5 zoning district. Mr. Holloway said that there are special sign provisions in the C-5 classification that would not be allowed in any other areas. The height provision originally proposed by the Forest Acres Planning Commission was 75 feet or 6 stories and was changed at the ordinance's first reading to be 65 feet or 5 stories and the current standard is 35 feet or 3 stories in other zones. Ms. Dukes interjected asking if the maximum height will be 65 feet and not 65 feet/5 stories. Mr. Holloway said that could be changed in the ordinance. Twenty-seven public notices were posted ever 100 feet around the vicinity of the mall in February 2012. Mr. Holloway said that if anyone in the audience or who are not present have additional comments or questions subsequent to the public hearing they should submit them to City Administrator Mark Williams.

This ordinance is now in effect. The question is whether a major part of Richland Mall and a series of numbers of tax maps should be rezoned to C-5. The excluded area would be the gas station on the corner of Beltline and Forest Drive, Bank of America Plaza on Beltline, and the strip center that includes Doctor's Express.

No parties spoke in favor or opposition to the C-5 zoning district. A resident of Chateau DeVille asked if the new C-5 zoning applies to all of the owners of the Richland Mall area affected. Mr. Holloway stated that it did apply to all of the owners. The resident asked who would be involved in decided what businesses would be allowed. Mr. Holloway said the mall owners are aware of what is allowable according to the ordinance and that the City would not be involved. There were no further questions or comments.

No further questions or comments were forthcoming and Holloway closed the public hearing.

4. New Business continued:

- a. Proposed purchase of property adjacent to Quinine Hill Park
This topic will be discussed in Executive Session.
- b. Purchase of promotional ad in June 2012 US Airways Magazine profiling Columbia \$7,500
Administrator Williams informed Council that Chamber of Commerce alerted us about an article that was coming up in the June issue of US Airways magazine profiling Columbia, SC. The opportunity was given to reach approximately 3.5-6.5 million people for a cost of \$7,500 for a full page advertisement reflecting some of our fine restaurants.

On a motion by Ms. Dukes and seconded by Mr. Suber, Council unanimously agreed to approve funds for the advertisement.

- c. Authorization to continue FAPD AED program with acquisition of new AED's HTAX \$30,000
Chief Sealy informed Council that the 23 AED's purchased in 2006 have become obsolete. Parts/supplies for the equipment are no longer supported by manufacturer Medtronics. Activation and downloading of information from the AED's to be read by medical professionals is also no longer available on the 23 AED's. In addition, Richland County EMS has ceased using these AED's in favor of an updated model by Phillips Electronics. The 23 units bought in 2006 cost the City of Forest Acres \$46,000. The replacement units made by Phillips and are considered to be more user friendly and will cost the City \$30,000. The new units are also equipped with a pediatric setting and the current units do not have this setting.

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously agreed to approve funds for new Phillip's AED's.

- d. First Reading, AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF FOREST ACRES BE AMENDED BY REVISING SECTION 8-5 OF THE GARBAGE AND TRASH ORDINANCE, PROVIDING FOR COMMERCIAL PROPERTIES

On a motion by Mr. Rye and seconded by Ms. Dukes, the ordinance was approved unanimously.

5. Old Business:

- a. Second Reading, An Ordinance to Annex 6423 Bridgewood Road into the City of Forest Acres

On a motion by Mr. Suber and seconded by Mr. Rye, the ordinance was approved unanimously.

- b. Second Reading, An Ordinance to Annex 6141 Lakeshore Drive into the City of Forest Acres

On a motion by Mr. Suber and seconded by Mr. Rye, the ordinance was approved unanimously.

6. City Administrator Report:

Discussion of amending bonding requirements for contractors and extending vacation and sick leave to part-time positions topics were both carried over to next Council meeting.

Complaint regarding Troy Rd at Valley Rd.

Administrator Williams stated that FAPD received a letter from a residents regarding non-compliance at the 4-way stop at Troy Rd. at Valley Road. The letter suggested that the City of Forest Acres take over the road and close off the cut-through that is formed by the intersection. Mayor Brunson stated that if we did that then we would also be responsible for the road maintenance.

Sergeant Lori Tumlin met with the Home Owners Group and they were satisfied with Sgt. Tumlin informing them that FAPD would more closely monitor the area.

7. **Police Chief's Report:**

Chief Sealy had nothing to report.

8. **Community Forum:**

Bert Moore of the Forest Acres Neighborhood Association stated that the next meeting was scheduled for March 27, 2012 at 7 p.m. at St. Michael and All Angels Episcopal Church on North Trenholm Road.

Carol Kososki wanted to follow up with Council about the Gills Creek Walking Trail and Yancey McLeod. Administrator Williams stated that Yancey McLeod has not responded to the city's entreaties. Attorney Holloway said that a proposal is already drawn up and ready to go to Mr. McLeod when he responds. Ms. Kososki volunteered to act as an intermediary between the two parties.

A resident from 3420 Hanson Avenue asked about a tree that near her home on the roadway and she wanted to find out who was responsible for removing it. Administrator Williams said that the City would look into the matter.

9. **Council Items:**

10. **Executive Session- Legal Briefing by City Attorney re: contracts**

11. **Adjourn:**

There being no further business, on a motion by Mr. Rye, seconded by Mayor Brunson, the meeting ended at 6:12 p.m.

Respectfully submitted,

Maria Queen
Administrative Assistant
City of Forest Acres