



Richland County Council
Regular Session
June 15, 2021 – 6:00 PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Paul Livingston Chair, Yvonne McBride, Vice-Chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Joe Walker, Gretchen Barron, Overture Walker, Cheryl English and Chakisse Newton

OTHERS PRESENT: Leonardo Brown, Tamar Black, Angela Weathersby, Ashiya Myers, John Thompson, Lori Thomas, Bill Davis, Dwight Hanna, Michael Niermeier, Randy Pruitt, Kyle Holsclaw, Sandra Haynes, Stacey Hamm, Michael Byrd, Ronaldo Myers, Andrea Mathis, Dale Welch, Brian Crooks, Dante Roberts, Geo Price, Mike King, Michael Maloney, Jennifer Wladischkin, Judy Carter, nd Michelle Onley

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Bill Malinowski
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Bill Malinowski

APPROVAL OF MINUTES

4. a. **Special Called Meeting: June 8, 2021** – Ms. McBride moved, seconded by Mr. O. Walker, to approve the minutes as distributed.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey, English and Newton

Opposed: Terracio

Not Present: J. Walker

The vote was in favor.

5. **ADOPTION OF AGENDA** – Mr. Pugh moved, seconded by Ms. Terracio, to adopt the agenda as published.

Ms. McBride stated Item 15(d): “Economic Development Annual Accountability Report” needs to be deferred until the July 13th Council meeting.

Ms. Newton noted she and Mr. Malinowski submitted a motion after the agenda packets were sent out.

Ms. Newton moved, seconded by Mr. Malinowski, to add the late filed motion to the agenda.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Abstain: J. Walker (unable to hear the amendments to the agenda)

The vote in favor was unanimous.

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REPORT OF THE ACTING COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

6.

- a. Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2)
- b. 911 Call Center Proposal Update: Legal advice; discussion of contractual matters; and discussion of matters relating to the proposed location, expansion, or the provisions of services encouraging location or expansion of industries or other businesses in the area served by the public body: pursuant to Sec. 30-4-70(a)(2) and (a)(5)
- c. SCDOR Proposal Settlement
- d. Contractual Matter/Receipt of Legal Advice: Review of Richland County Recreation Commission MOU

Ms. McBride moved, seconded by Mr. O. Walker, to go into Executive Session.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton.

Opposed: Malinowski and J. Walker

The vote was in favor.

Council went into Executive Session at approximately 6:13 PM and came out at approximately 9:23 PM

Ms. Barron moved, seconded by Ms. Newton, to come out of Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

SCDOR Proposal Settlement – Mr. Livingston stated each Councilmember will cast a vote for Option #1 or Option #2.

Option #1: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Option #2: Malinowski

Not Present: J. Walker

The vote was in favor of Option #1

911 Call Center Proposal Update: Legal advice; discussion of contractual matters; and discussion of matters relating to the proposed location, expansion, or the provisions of services encouraging location or expansion of industries or other businesses in the area served by the public body: pursuant to Sec. 30-4-70(a)(2) and (a)(5)
– Mr. Malinowski moved, seconded by Ms. Barron, to direct staff to immediately move forward, as expeditiously as possible, with the 911 Center, as discussed in Executive Session.

In Favor: Malinowski, Pugh, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: McBride, J. Walker and Newton

The vote was in favor.

7. **CITIZEN'S INPUT**

- a. For Items on the Agenda Not Requiring a Public – No comments were received for this item.

8. **CITIZEN'S INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at time.) – No comments were received for this item.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Coronavirus Update – Mr. Brown stated the County is still in the low tier. We have spent approximately a third of the funds for the Emergency Rental Assistance Program.

10. **REPORT OF THE CLERK OF COUNCIL** – Ms. Mathis provided Council the dates of upcoming meetings.

11. **REPORT OF THE CHAIR**

- a. Personnel Matter: Clerk to Council Office – This item was taken up in Executive Session.

12. **APPROVAL OF CONSENT ITEMS**

- a. A1-002MA, John Swistak, PDD to RM-HD (2.6 Acres), S/E Rice Meadow Way, TMS # R20310-07-02 & 03 [THIRD READING]
- b. 21-005MA, James Charles Hester, RU to NC (2.12 Acres), 1220 Dutch Fork Road, TMS # R03303-01-01 [THIRD READING]
- c. 21-012MA, Wyman Shull, RU to RS-MD (0.144 Acres), 1111 A J Amick Road, TMS # R02414-02-32 (portion of) [THIRD READING]
- d. 21-031MA, Ryan Maltba, PDD to GC, 4561 Hardscrabble Rd., TMS # R20300-04-15 [THIRD READING]
- e. Amending the “2015 Richland County Comprehensive Plan – Putting the Pieces in Place”, by incorporating and adopting the “Rediscover Sandhills” Neighborhood Master Plan into the Plan [THIRD READING]

Ms. Newton moved, seconded by Mr. Malinowski, to approve the consent items.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

13. **SECOND READING ITEMS**

- a. An Ordinance Authorizing deed to the City of Columbia for certain parcels on the Three Rivers Greenway/Saluda Riverwalk: Richland TMS # 07208-03-01 and TMS # 07208-03-02 – Ms. Terracio moved, seconded by Ms. English, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

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The vote was in favor.

14. **REPORT OF DEVELOPMENT SERVICES COMMITTEE**

- a. I move to evaluate affordable housing options to include the option of establishing an Affordable Housing Trust Fund for Richland County as a benefit to the public. Housing is considered to be “affordable” when 30% or less of one’s income is spent on housing and utilities. In Richland County, nearly half of renters pay more than a third of their income on rent and utilities [TERRACIO] – Mr. Bryan Grady, SC Housing, gave a brief report from the Columbia Affordable Housing Task Force.

Mr. Malinowski inquired what financing tools the task force has come up with.

Mr. Grady responded there is a list of potential options, but none have been endorsed by the task force yet.

Ms. Terracio requested this item be placed on the June D&S Committee agenda in order to schedule a work session to discuss this matter in more detail.

15. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- a. Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Mo; identifying the project; and other matters related thereto – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and [Project Mo] to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [FIRST READING] – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- c. Approval of a contract with Coogler Construction for clearing, grubbing and grading activities on Parcel 29 at the Blythewood Business Park – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- d. Economic Development Annual Accountability Report – This item was deferred until the July 13th Council meeting.

16. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

I. NOTIFICATION OF APPOINTMENTS

- a. Hospitality Tax – 5 – Mr. Malinowski stated the committee recommended appointing Ms. Terry Davis and Ms. Kitwanda Cyrus.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- b. Board of Assessment Appeals – 1 – Mr. Malinowski stated the committee recommended appointing Ms. Delores Barber.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- c. Board of Zoning Appeals – 1 – Mr. Malinowski stated the committee recommended appointing Mr. Robert Reese.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

17. **OTHER ITEMS**

- a. FY21 – District 4 Hospitality Tax Allocations – Ms. Terracio moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Newton, to reconsider this item.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The motion for reconsideration failed.

18. **EXECUTIVE SESSION**

- a. Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2)
- b. Contractual Matter/Receipt of Legal Advice: Review of Richland County Recreation Commission MOU

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Ms. Barron moved, seconded by Ms. Mackey, to go into Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Council went into Executive Session at approximately 9:58 PM and came out at approximately 11:14 PM

Ms. Barron moved, seconded by Mr. O. Walker, to come out of Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2) – Ms. Barron moved, seconded by Mr. O. Walker, to direct Mr. Livingston, Ms. Newton, Ms. McLean and Mr. Hanna to proceed as discussed in Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey and English

Opposed: Terracio and Newton

Not Present: J. Walker

The vote was in favor.

19. MOTION PERIOD

- a. Move to defer any action on the land development code rewrite until Council has had time to thoroughly review Planning Commission recommendations and Council is satisfied that the public has had sufficient opportunities to review the LDC and provide input. It is recommended that council action be delayed until after the public has had the opportunity to provide input at in-person meetings and any other means provided to the public to provide input. "Action" refers to votes without precluding us having additional meetings and/or work sessions. [NEWTON and MALINOWSKI] – Ms. Newton stated there has been a lot of concern across Richland County, as we dealt with COVID and moved to Zoom meetings, that the constituents would like to have more input into what the County is doing with the Land Development Code. The Code has not been updated since 2005, and has an enormous impact on our quality of life. It is complicated, and we want to ensure we process the recommendations coming to us from the Planning Commission and other stakeholders. We want to take extra effort to reach out to the constituents to ensure they are as knowledgeable as possible and have an opportunity to participate in the process.

Ms. Newton moved, seconded by Mr. Malinowski, to unanimously approve the aforementioned motion.

Mr. Price stated, if it is Council's decision to defer any future readings on the Land Development Code, until you get further input from the citizens, staff would recommend defer the meeting scheduled for Thursday, June 17th. This will allow them to establish a new schedule for the Land Development Code and future map amendments.

In Favor: Malinowski, Pugh, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

20. **ADJOURNMENT** – The meeting adjourned at approximately 10:26 PM.