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City of Walterboro

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Walterboro, South Carolina 29488

Mailing Address:

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Walterboro, South Carolina 29488-0008

Walterboro City Council

Regular Meeting

January 13, 2015

City Hall

6:15 P.M.

A G E N D A

I. Call to Order:

1. Invocation.
2. Pledge of Allegiance.

II. Public Input on Agenda Items:

III. Public Hearing:

1. Ordinance # 2014-10, to Change Section 12-9 and Section 12-13 of the Code of Ordinances of the City of Walterboro to Change the Date for Holding Municipal Elections.

IV. Approval of Minutes:

1. Minutes of the November 25, 2014 Regular Meeting (Minutes attached).
2. Minutes of the December 9, 2014 Regular Meeting (Minutes attached).

V. Old Business:

VI. New Business:

1. Ordinance # 2014-10, An Ordinance to Change Section 12-9 and Section 12-13 of the Code of Ordinances of the City of Walterboro to Change the Date for Holding Municipal Elections, **Second Reading and Adoption** (Ordinance Attached).
2. Resolution # 2015-R-01, a Resolution Approving the Municipal State Highway Project Agreement with SCDOT for Mt. Carmel Intersection Improvement Project at Bells Highway (Resolution attached).
3. Request to Place Purple Ribbons Downtown April 13, 2015 to May 15, 2015 for Relay for Life 20th Year Celebration Event (Letter attached).
4. Notice of 2015 City Council Retreat, Location and Time (Notice attached).

VII. Committee Reports:

VIII. City Manager's Report:

1. Introduction of Anthony Harrison as New Fire Captain.

IX. Executive Session:

1. Discussion of Proposed Purchase of Property.
2. Personnel Matter - Tourism Director Search Update.

X. ADJOURNMENT.

AFFIDAVIT OF PUBLICATION
IN

The Press and Standard

PERSONALLY appeared before me, William B. Moore, who being duly sworn, says that he is the publisher of The Press and Standard, published on Thursday of each week in Walterboro, County of Colleton, State of South Carolina; that the notice, of which a printed copy is hereby attached, was published in The Press and Standard for One(1) issues, said publication commencing on December 25, 2014, and ending on December 25, 2014.

SWORN to before me

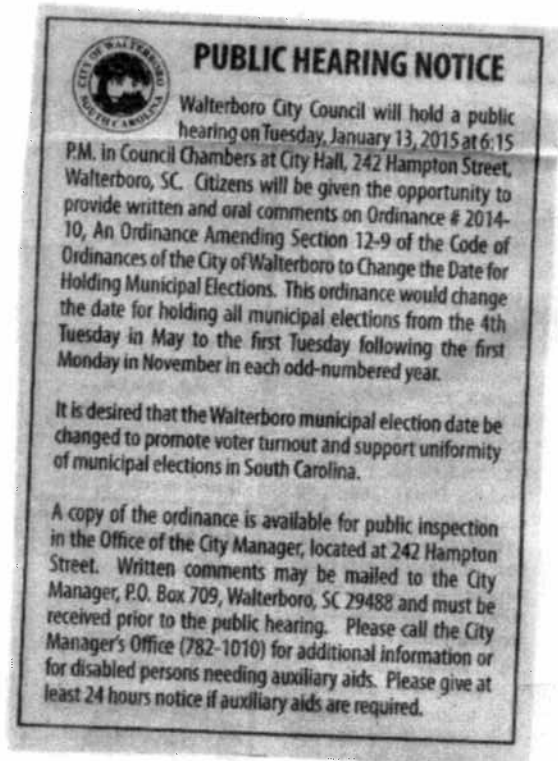
this 2 day of Jan, 2015
Barbara McCaul (S.)

Notary Public for South Carolina

Commission expires 6-4-22



William B. Moore



DRAFT

Walterboro City Council
Regular Meeting
November 25, 2014

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, November 25, 2014, at 6:15 P.M. with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, Bonnie Ross, Recording Secretary, and City Attorney George Cone were also present. City Clerk Betty Hudson was absent. There were approximately 18 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and welcomed everyone to the meeting. He also recognized that Ms. Nickie Toomes was present tonight from USDA. We appreciate your coming tonight in this bad weather.

Council Member Syfrett gave the invocation and Council Member Lohr led the pledge of allegiance to our flag.

PUBLIC INPUT ON AGENDA ITEMS:

No public comments were made on agenda items.

APPROVAL OF THE MINUTES:

The Minutes of the October 28, 2014 Regular Meeting and the Minutes of the November 11, 2014 Regular Meeting were approved with the following corrections upon motion of Council Member Bridge, seconded by Council Member Broderick, with all members voting in favor.

Mayor Young explained that he had given two corrections to the Minutes to the City Manager, which were as follows:

October 28, 2014 Regular Meeting Minutes - Page III, in the discussion of the bids on the police vehicles, paragraph 5- correct sentence to read "Mayor Young then asked why Butler Dodge bid 2014 Chargers instead of 2015 Chargers."

November 11, 2014 Regular Meeting Minutes - Page IV- correct the sentence to read after the motion by Council Member Syfrett to appoint Mr. J. D. Bryan as Associate Municipal Judge: "Council Member Broderick seconded the motion that passed with a vote of 4/0 with Mayor Young, Council Members Syfrett, Broderick and Bridge voting in favor. Council Member Lohr was absent and did not vote, and Council Members Bonds and Siegel recused themselves from voting since they will practice law before municipal court from time to time."

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Ordinance # 2014-10, An Ordinance to Change Section 12-9 and Section 12-13 of the Code of Ordinances of the City of Walterboro to Change the Date for Holding Municipal Elections, First Reading

Mayor Young explained that he asked for this item to be placed on the agenda. He said, for some time now, I felt like our City elections were not being held at the most opportune time in terms of encouraging citizens' participation and in terms of efficiency for our Council and City staff. I have expressed these feelings in the past

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and now I feel it is time for us to take action to correct this. In 2009 and 2013, the City elections were held the day after the Memorial Day Holiday and this year's election in 2015 will also fall on the day after Memorial Day. In the 20-year period from 2001 to 2019, the City elections fall the day after Memorial Day half of the time. The day after Memorial Day is a tough time to have an election. It is tough for the candidates and the voters. We all know what it feels like after Memorial Day, when you get up on Tuesday and you still think it is Monday, so that's a tough time for an election.

Mayor Young further stated, when you ask a citizen when is the City's election, most of them would tell you November. People associate elections with November and they are more engaged in November than in May. A majority of the cities in our state hold their elections in November. Only 8 cities and towns hold their elections in May in the odd-numbered years, and only 9 in May in even-numbered years. 129 cities and towns in South Carolina hold their elections in November on the first Tuesday after the first Monday in odd-numbered years and 38 hold their elections in even-numbered years. He said, an additional reason to approve this change is that there has been some movement in the Legislature toward consolidating municipal elections statewide in November. It is to our advantage to act on this now, so that we can control when the change will take place and not have change thrust upon us at a time that might negatively impact our citizens, our Council and City staff. Should the Legislature go forward with this change, we will already be there. If they don't, we still will have made an improvement to our electoral process.

Mayor Young also said, there are a number of other practical reasons why we should consider this change, but the overriding reason is that moving the election to November will increase citizen awareness and participation in City elections. I think this outweighs any negatives that I can think of that might present themselves. I know that this may be a difficult question for our Council. Moving the election to November extends the terms of Council Members by several months. And I know that none of us want to be perceived wrongly for doing that. The truth is, that as things are now, the May elections probably favor us, the incumbents. And it will take some political courage for this Council to do what I am asking them to do and to vote for this change.

The Mayor further said, I have talked to many persons, whose opinions I respect, and all have agreed that this is a change worth making. I believe that there is no downside to increasing citizen participation across all parts of our City. If we never have a Council with the strength to make a change like this that benefits all the citizens of our community, then when could it ever happen?

The Mayor then said he would go into more details after there is a motion and a second on this item, but said he just wanted to set the stage for this for why this is coming up.

Mayor Young then made a motion to give First Reading Approval to Ordinance # 2014-10, An Ordinance to Change Section 12-9 and Section 12-13 of the Code of Ordinances of the City of Walterboro to Change the Date for Holding Municipal Elections. Council Member Lohr seconded the motion, and said, I will give the second because I would like to hear what my colleagues have to say.

The Mayor then opened the discussion. He said, as I have said, November is the month that people associate with elections and moving the (City) elections to November will encourage and increase citizen participation. Under our present cycle, our staff has to prepare a budget and run an election at the same time every two years. While they are running an election, they have to be preparing a budget. Changing to November will separate those tasks. Also, under our present cycle,

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Council prepares and adopts the budget in the spring. In an election year, a newly elected Council might have to administer the previous Council's budget. If we change the election to November, the Council that prepared the budget, had input into and adopted the budget, would also oversee the administration of the budget.

He further stated, under our current system, new Council Members don't attend a planning retreat for 7 to 8 months after an election and must implement the goals of the previous Council. If we change the election to November, new Council Members will attend a retreat within a month or two of being sworn in and would establish and implement its own goals. Having our elections on the same day as the majority of other cities and towns, help to create interest and awareness for municipal elections statewide and encourages voter turnout.

Council Member Bonds then said, as far as having courage to make this vote, in my opinion, has nothing to do with courage. I was elected by the citizens of Walterboro to serve a four-year term, not a four and a half year term. And I think to approve this or vote in favor of this, the first thing I am doing is voting myself an additional 6 months in office. I have not had one person come up to me and say, "hey, we need to change the elections." In fact, when I asked around, and I have asked several people, and in my opinion and from what they've said, I think that is something we ought to put up to our voters. If our voters want to move it, they can move it. As far as increasing voter turnout, I don't think that many people think of November of odd-years as an election time. They think of November of even-numbered years. If we truly want to increase voter turnout, I don't know why we don't consider changing our elections to even years. If we run our elections in even years, there is going to be a tremendous turnout. We will double, perhaps triple our turnout. So, if we are really interested in voter turnout, I think we need to consider moving our elections to an even year. When we have a presidential election, we will have many people to turnout to vote. That's how we are going to get people voting if that's what we are truly interested in. And I think that's what we can do - we should go and have a referendum and let the citizens decide this issue. If the citizens want to decide that issue, then it may be that our terms may get extended perhaps as much as a year. But let the citizens decide that through some type of referendum that what we end up doing is maybe we would have a short election for just a year. I am not just sold on changing this, and voting myself a six-month extension. I am just not comfortable doing that. Another benefit, if we move to an even year, I am looking at a fellow right now, who is doing a fabulous job serving on our City Election Commission, but if we move to an even year, we don't have to worry about a City Election Commission. We don't have to worry about the cost associated with an election. We don't have to pay poll workers to sit there. Of course, it's not a lot of money, but maybe it's a \$1,000 or \$2,000, I don't know. But if you put that out over a number of years, it adds up. So, those are the things I am thinking about. That's the concern I have. Mayor, you are right, I went and looked through the Municipal Handbook today, that lists all the cities and there are tons of cities in South Carolina - some very small and some large, but I will agree to this extent that a vast majority of those cities do have their elections now on odd years in November. In terms of other dates, I will say that there is almost just as many that have their elections in August, May, April, or whatever. There is probably about 25 that have them on even years. That's not a big number. That's my concern. I am not ready. If I had to vote tonight on this, I would not vote for it.

Mayor Young then said, I would agree with Councilman Bonds on that as far as voter turnout, but I would not be in favor of putting it on even years, because I wouldn't want the City elections to get lost in all of the other big elections and the issues that face the City. But that is true, and I think that there are 38 cities that have their elections on even years. I thought I told Council I was thinking about this several weeks ago and I have thought about it for some time and one of the concerns was if

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we moved from May to November, would we move it to a time where there are a bunch of other elections and where we would get lost in the shuffle? But, as it turns out, you can move it to November and there aren't other elections going on in the odd years. So, you still have that ability to have that election to yourself. Otherwise, we get lost in everything else. That might work and might not, but I would be in favor of going to the odd years.

Council Member Siegel then said, I think in essence, it's a good idea. But I have a real problem voting myself an extension of my office, and I think I would have to recuse myself. I don't know that I can vote to extend my office by 6 months and feel good about it. I mean, the referendum is an idea or putting it out into the future, I would be much more open-minded about it. But as far as with my election being an imminent reelection, I feel very uncomfortable.

Council Member Bridge then said, my thought listening to Councilman Bonds and your explanation was, maybe it is not a good idea to impose this on this upcoming election, but for the good and the reason that you entertained about putting it in November, my only consideration would be for a date of the next election in two years, not this election. Mayor Young asked, is that 2017. She responded, yes, that's correct.

Mayor Young then said, well that is a compromise. Council Member Bonds then said, of course, the problem with that is we would still be extending those members' term six months. What I have a problem with is that the citizens are electing us to a specific term. I don't doubt that we can do it, but I just don't know that it means we should extend our terms. I am not comfortable with that.

Mayor Young responded, and I knew that would be uncomfortable for Council and especially for those who are up for election this time, but my belief was that it so benefitted the City, that it was worth making the change. The Mayor then asked City Attorney Cone, are there any other way prescribed for municipalities to change elections other than the way we are doing it? Attorney Cone responded, you can do it whichever way you want, but it requires an ordinance to do it. If you wanted to submit a referendum to the people, you can submit it instead of worrying about extending offices. We could work around that and do it in even years or do some other way.

Mayor Young then said, people need to know that when you move the elections from May to November, I do think that May benefits the incumbents because of where it falls. Should Council adopt this, they are doing something that actually is probably not in their own personal interest, but might be in the best interest of the community. But I would ask Council to consider voting for First Reading tonight and then we could maybe look before Second Reading, look at either a referendum or a date change to 2017. The odds are that the Legislature may tell us when it's going to be before then. If that happens, you may get a shortened term or longer term, two elections in one year. There are a lot of things that could happen. I would ask that you pass First Reading and then we would look at it for two more weeks. Then if we are not happy with it, then so be it.

Council Member Lohr then made the following comments. He said, what I like about what we have and I don't think I would have run in any other conditions is I was glad to see in 2005, that it was decided by a Council that they would go to nonpartisan elections. I made that point to make this one, and Councilman Bonds made a good point. And this may strike you as facetious, but it's one of the most serious things I would say, "I have no desire to go over into any election where it is by party." I think George Washington gave us some advice years ago, when he said, when we started parties, it would end up being the most ridiculous thing you have ever seen. I think the current situation statewide and nationally is about as ridiculous as I have seen in

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my long life and I really just don't want anything to do with that. I think each of you when you ran, enough people knew you and supported you. You tried to let them know enough about you. When you get at the state and national level, it takes more money, and I know the purpose of the parties. But I still have a really bad taste and it's getting worse every day about our party situation.

The motion to adopt First Reading of Ordinance # 2014-10, An Ordinance to Change Section 12-9 and Section 12-13 of the Code of Ordinances of the City of Walterboro to Change the Date for Holding Municipal Elections, then passed with a vote of 4/3 with Mayor Young, Council Members Bridge, Broderick and Syfrett voting in favor, and Council Members Lohr, Siegel and Bonds Opposing the motion.

2. Resolution # 2014-R-11, A Resolution Authorizing the City Manager and City Clerk to Execute Forms Pursuant to USDA Rural Development Community Facilities Grant Application in An Amount Not to Exceed \$25,500 for the Purchase of Two New Pickup Trucks for the City of Walterboro

City Manager Molinari stated that Ms. Nickie Toomes was present tonight from USDA and she has been assisting us with not only this grant, but has helped us administer several USDA grants in the past. In November of last year, the City submitted a Community Facilities Grant to USDA for the purchase of two pickup trucks. Because of urgent needs of the City, we had to go ahead and purchase those trucks, but we are working with USDA to be reimbursed for what amounts to 55% of the cost of the new vehicles. City staff incorporated this appropriation into the current year fiscal 2014-2015 budget. Staff respectfully requests City Council favorable consideration to approve the resolution for the grant award in the amount of \$25,500.

A motion was then made by Council Member Bridge, seconded by Council Member Bonds, to approve Resolution # 2014-R-11, A Resolution Authorizing the City Manager and City Clerk to Execute Forms Pursuant to USDA Rural Development Community Facilities Grant Application in the Amount Not to Exceed \$25,500 for the Purchase of Two New Pickup Trucks for the City of Walterboro. The motion passed unanimously. A copy of said resolution is attached as part of these minutes.

Mayor Young then told Ms. Toomes, we appreciate all your help on all that you do for the City. Thank you very much. Ms. Toomes told Council that she was very grateful that the City participates in their program. The City did put in another grant application for \$50,000 for police cars. It hasn't been funded yet, it went up to the national office for funding, but they didn't have enough money, but could only do the \$25,500. But that is in line and hopefully, that will be funded shortly out of this year's funds. I urge you to keep putting in applications.

3. Request to Host the Annual Santa Sprint Run in the Downtown Area on December 6, 2014 by the Colleton County Arts Council

A motion approving the request as submitted for the Santa Sprint Run on December 6 by the Colleton County Arts Council was made by Council Member Siegel, seconded by Council Member Syfrett and passed with all members voting in favor, except Council Member Broderick recused himself from voting on this agenda item due to his association with the Arts Council.

4. Consideration of Cancelling the December 23, 2014 Regular City Council Meeting

The Mayor announced that Council generally does not meet on that Tuesday. A motion to cancel the December 23, 2014 Regular Meeting was made by Council Member Broderick, seconded by Council Member Bridge and passed with all members voting in favor.

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COMMITTEE REPORTS:

There were no Committee Reports before Council.

CITY MANAGER'S REPORT:

City Manager Jeff Molinari then recognized Police Chief Wade Marvin to introduce Mr. Kevin Martin as the City's new Assistant Police Chief.

Chief Marvin then said, I think most of you know Deputy Chief Kevin Martin. He is a Walterboro native. He went to high school here, and has an Associate Degree in Criminal Justice. He has a little more than 29 years employment with the Highway Patrol. He was First Sergeant over Colleton and Dorchester County. He supervised more than 30 people at one time and different times more than that. He has a lot to offer. I have all the confidence in him to help us out and lead us in the right direction.

Mr. Kevin Martin told the Mayor and Council, I just want to let you know I appreciate this opportunity. I look forward to working in the Police Department. There are a lot of good people here.

Mayor Young then said, Kevin, all I have heard from people all over town is what a good hire that Wade has made in hiring you. You should feel real good to know that so many people have come up to me, without any insistence on my part, just to tell me what a good job Wade did in hiring you, and what a good asset you will be for the City.

EXECUTIVE SESSION:

The Mayor then entertained a motion to enter into an Executive Session. Council Member Bonds So Moved and Council Member Lohr seconded the motion. The motion passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for:

- 1) A discussion of negotiations incident to proposed contractual arrangements:
 - a) Engineering
 - b) Wrecker Rotation
- 2) Receipt of Legal Advice.

The meeting then convened into Executive Session.

At approximately 7:41 P.M., a motion was made by Council Member Lohr to exit Executive Session and return to Open Session. Council Member Bonds seconded the motion. All in favor. None opposed, Motion carried.

The meeting returned to Open Session, and there being no further business to consider, a motion to adjourn the meeting was made by Council Member Broderick, seconded by Council Member Bridge and passed unanimously. The meeting adjourned at 7:42 P.M. Notice of this meeting was distributed to all local media and posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk

DRAFT

Walterboro City Council
Regular Meeting
December 9, 2014

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, December 9, 2014 at 6:15 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, City Clerk Betty Hudson, and City Attorney George Cone were also present. There were approximately 16 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and welcomed everyone to the meeting. Council Member Syfrett gave the invocation and Council Member Siegel led the Pledge of Allegiance to our flag.

PUBLIC INPUT ON AGENDA ITEMS:

There were no public comments or questions on agenda items.

PRESENTATION:

1. 2013-2014 Comprehensive Annual Financial Report - Baird & Company, CPAs, LLC - Mr. Rep E. Whiddon

Mr. Whiddon thanked the City for selecting his firm to do the audit and thanked Amy Risher and Bill Floyd for their help during the audit.

Mr. Whiddon then gave a brief overview of the Comprehensive Annual Financial Report to Council. He reported that there were no findings and that everything went really well. Before going over the financial statements, Mayor Young asked Mr. Whiddon to explain the difference between the CAFR and other audits, just for the public's information. Mr. Whiddon explained that the CAFR is a more inclusive item than just your basic financial statements. Your basic financial statements are included within the CAFR. The CAFR includes an introductory letter from management and it also contains a lot of statistical information that is not part of the audit, but is general information that is useful. In relation to the CAFR, Mr. Whiddon announced that the City received the GFOA Certificate of Excellence. You are one of the few cities and counties in the state that do that. It is a real honor that you have been able to get that - a pat on the back to your financial department.

Mr. Whiddon then gave brief highlights of the CAFR Report for the City of Walterboro. He stated that the City received an "unmodified opinion," and that is the opinion that you want, a good clean opinion. He then briefly summarized the report with City Council.

As part of the City's financial highlights from management, Mr. Whiddon stated that:

- . The assets of the City exceed its liabilities at the close of the most recent fiscal year by \$30,030,801 (net position). Of this amount, \$5,206,531 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors.
- . The City's total net position increased by \$848,356.
- . As of the close of the current fiscal year the City's governmental funds reported combined ending fund balance of \$5,317,607, a decrease of \$432,705.

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At the end of the current fiscal year, unassigned fund balance for the general fund was \$4,178,285 or 55.0 percent of the total fund expenditures.

The City had \$7,780,564 in notes and leases outstanding versus \$8,197,652 last year, a decrease of 5.1 percent. A capital lease for \$312,000 was issued during the year.

Mr. Whiddon went over key portions of the audit report with Council. Copies of the City of Walterboro Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2014 were distributed to Council at the beginning of the meeting.

Mr. Whiddon stated that the City has \$1,000,000 in cash and has total assets of \$23,000,000 and its liabilities are \$4,000,000. So, the net position is around \$23,000,000. That once again, is a strong financial position.

Mr. Whiddon also pointed out some information regarding the City's retirement fund that is going to affect future fund balance, and future net position. He stated that GASB Generally Accepted Accounting Principles is requiring that the City record your net pension benefit obligation in the future, so you are going to have a big liability that hits in the future that's going to take up a fair amount of fund balance. You may want to discuss this with your Finance Department. Bill is pretty well aware of it. He knows it's there. If my memory is correct, it is going to be around \$7,000,000. So, it's going to be a pretty good pop. So, what will happen is the current year's expenses will go through and then there will be a prior period adjustment. So, all won't hit you in one year, but it's going to hit your fund balance.

In conclusion, Mr. Whiddon noted that everything seems to be in order with the City's financial position. He stated that there were no internal control issues that turned up, and there were no compliance issues that turned.

NEW BUSINESS:**1. Consideration of the 2015-2016 Budget Calendar**

City Manager Molinari told Council that the 2015-2016 Budget Calendar was essentially the same calendar that was used in previous years. The only difference is that this gives staff about a month's head start in getting the budget process started.

A motion was then made by Council Member Lohr, seconded by Council Member Syfrett, to approve the 2015-2016 Budget Calendar as submitted. The motion passed unanimously.

2. Permission to Set Up a Trial Wi-Fi Network in the Downtown Area for 60 Days by Palmetto Rural Telephone Cooperative, Inc.

City Manager Molinari informed Council that a couple of weeks ago, he met with PRTC about a project they were looking at implementing in the downtown area. PRTC is looking at a 60-day Wi-Fi trial period. Essentially what it will consist of is: installing two antennas on either side of East Washington Street, which either will be on the top of the building or attached to a light pole. They are currently working with property owners right now to get permission. Mr. Molinari then said, in the event that they have to use a light pole, I can tell you they are very inconspicuous applications. They are about only 5 or 6 inches. You would really not notice them unless you are looking for them. What they plan to do is to monitor usage during the 60-day period and depending on the results, they may look at continuing on with the project, potentially expanding outward from downtown. They may look to the City as a partner, but at this

DRAFT

Walterboro City Council
Regular Meeting
December 9, 2014

MINUTES/Page III

time, they just want to get this project stated. They are looking at putting infrastructure in place by the end of January or beginning of February.

A motion was made by Council Member Broderick, seconded by Council Member Syfrett, granting permission to PRTC to set up the 60-day trial Wi-Fi network in the downtown area as requested. The motion passed with all members voting in favor.

3. Request for Street Closing for the Martin Luther King, Jr. Day Parade, January 18, 2015

A motion was made by Council Member Bridge, seconded by Council Member Broderick to approve the street closing request for the Martin Luther King, Jr. Day Parade on January 18, 2015 as submitted. The motion passed.

4. Request to Close the Streets for the Missions 5K Run/Walk, February 14, 2015, from 9:00 A.M. - 11:30 A.M. by First Baptist Church

A motion granting this request as submitted was made by Council Member Broderick, seconded by Council Member Bonds and passed unanimously.

COMMITTEE REPORTS:

There were no Committee Reports given.

EXECUTIVE SESSION:

The Mayor entertained a motion to enter into an Executive Session. Council member Bonds So Moved and Council Member Broderick seconded the motion. The motion passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for receipt of legal advice related to a construction project - proposed resolution of Beaufort Engineering Services, Inc. lawsuit.

At approximately 7:05 P.M., a motion was made by Council Member Broderick, seconded by Council Member Lohr, to exit Executive Session and return to Open Session. All in favor. None opposed, Motion carried.

A motion was then made by Mayor Young to approve \$23,450 to settle the lawsuit with Beaufort Engineering Services, Inc., which is in addition to the \$48,600 the City was holding in the contract for a total of \$72,050.00. Council Member Lohr seconded the motion that passed with all members voting in favor.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Bridge and passed unanimously. The meeting adjourned at 7:06 P.M. Notice of this meeting was distributed to all local media and posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk

ORDINANCE # 2014-10

AN ORDINANCE AMENDING SECTION 12-9 AND SECTION 12.13 OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO TO CHANGE THE DATE FOR HOLDING MUNICIPAL ELECTIONS.

WHEREAS, S.C. Code §5-15-50 provides that the time for holding general elections shall be set by ordinance; and

WHEREAS, the City of Walterboro currently holds general elections on the fourth Tuesday in May in odd-numbered years; and

WHEREAS, it is desired that the nonpartisan election date be changed to promote voter turnout and support uniformity of municipal elections in South Carolina;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Walterboro, South Carolina, in council assembled:

SECTION I

That Section 12-9 and Section 12-13 (c) of the Code of Ordinances be amended to read as follows:

Sec. 12-9. Date.

All regular City Council elections for Mayor and Councilmembers shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

Sec. 12-13. Electors to be qualified; assuming office.

(c) Newly elected officers shall assume office at the first City Council meeting in January, unless the office is contested.

SECTION II

The terms of office of the Mayor and City Council Members elected prior to the adoption of this ordinance shall continue until their successors are elected and take office under the new election schedule.

ADOPTED, this 13th day of January, 2015.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
Municipal Clerk

First Reading: November 25, 2014
Public Hearing: January 13, 2015
Second Reading:



South Carolina
Department of Transportation

December 19, 2014

RECEIVED

DEC 30 2014

The Honorable William T. Young, Jr.
Mayor, City of Walterboro
Post Office Box 709
Walterboro, South Carolina 29488

CITY MANAGER

RE: Mt. Carmel Intersection Improvement at Bells Highway
Pin P041626 - Colleton County

Dear Mayor Young:

The South Carolina Department of Transportation (SCDOT) is developing an intersection project within the City of Walterboro. The project scope consists of realignment, an added turn lane, and mast arms at the intersection of Mt. Carmel Road (S-24) and Bells Highway (SC 64).

Since the project is within the City's limits, a Municipal State Highway Project Agreement is necessary before SCDOT can construct the project. The project is currently scheduled for a spring 2015 construction bid opening.

Attached is a copy of an agreement along with the latest set of construction plans for this project. Please review the agreement and, if acceptable, complete it (by having it dated and then signed by yourself and council if necessary) and return the original to me at the following address by January 31, 2015:

SCDOT
Attention: Roger Sears, Room 402
Post Office Box 191
Columbia, SC 29202-0191

Thank you for your assistance with the agreement. If you have any questions or concerns with this project, my direct telephone number is (803) 737-1142.

Sincerely,

Roger D. Sears, P.E.
Program Manager

RDS:gg
Enclosures (2)
File: PC/RDS



MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA

)

COUNTY OF COLLETON

)

RESOLUTION NO. 2015-R-01

Road/Route **SC 64 (Bells Hwy.) at S-24 (Mt. Carmel Road) Intersection**
File **0041626**
Item
Project **0041626**
PIN

WHEREAS, the South Carolina Department of Transportation ("SCDOT") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the City of Walterboro (hereinafter, "the City").

WHEREAS, the CITY wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT ("the Project Plans").

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the City for SCDOT to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the City's limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the City will assist SCDOT in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company's expense, except where the utility can demonstrate a prior right of occupancy. To the extent that City-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall not be liable for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way."

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this thirteenth day of January, 2015, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated:

City of Walterboro, South Carolina
Municipality

Attest:

By:

Betty J. Hudson, City Clerk

William T. Young, Jr., Mayor

Dear Mayor:

This is the 20th year for our local Relay for Life. We have done “paint the town purple” in the past, but not the last 4 years. We decided to bring it back this year and we ask downtown businesses to donate \$5.00 for their Bow. Then we hang them on their front door. We already have the purple ribbon donated and a volunteer to make our Bows. We are asking permission to do this project downtown beginning Monday, April 13, 2015 thru Friday, May 15, 2015 -the night of the event! Individuals may also purchase Bows; there will be a supply at Griffin Jewelers on Bells Hwy.

Our theme this year is “Racing to Beat Cancer”.

Thank you,

Marilyn Bazzle, 2015 Event Leader
843-562-7502

**NOTICE OF
ANNUAL RETREAT**

Walterboro City Council

Walterboro City Council will conduct its 2015 City Council Planning Retreat beginning Friday, January 30, 2015 and running through Saturday, January 31, 2015 to be held at: Palmetto Rural Telephone Cooperative, Inc., 2471 Jefferies Highway, Walterboro, SC. No formal action will be taken on any item at this retreat. Any action items will be brought back to a regular Council meeting for Council's consideration.