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City of Walterboro

242 Hampton Street

Walterboro, South Carolina 29488

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Walterboro, South Carolina 29488-0008

**Walterboro City Council
Public Hearing and Regular Meeting
May 13, 2014
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 # 2014-02, to Amend the Unified Development Ordinance of the City of Walterboro, So As to Clarify and Strengthen Portions of the Ordinance.

IV. Approval of Minutes:

1. Minutes of the April 22, 2014 Public Hearing and Regular Meeting (Minutes attached).

V. Proclamations and Resolutions:

1. **Proclamation No. 2014-05**, to Recognize National Police Week, May 11-17, 2014 (Proclamation attached).
2. **Proclamation No. 2014-06**, to recognize the Colleton County High School Band of Blue Varsity Winter Guard (Proclamation attached).
3. **Resolution No. 2014-R-04**, Recognizing and Commending Thomas Finigan Jr. upon the Occasion of Receiving U.S. Army All-American Marching Band Status for 2014 (Resolution Attached).

VI. Old Business:

1. **Ordinance # 2014-02**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, So As to Clarify and Strengthen Portions of the Ordinance, **Second Reading and Adoption** (Ordinance attached).

VII. New Business:

VIII. Committee Reports:

IX. City Manager's Report:

X. Executive Session:

1. Discussion of Negotiations Incident to Proposed Contractual Arrangements.
2. Receipt of Legal Advice.
3. Discussion of Boards and Commissions Appointments.

XI. 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 Tuesday and Friday 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 April 24, 2014, and ending on April 24, 2014.

SWORN to before me

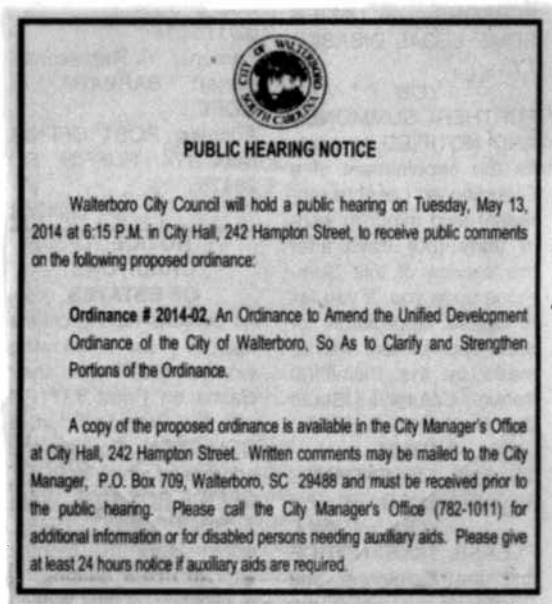
this 24 day of APR, 2014
Ratnam McCaul (L.S.)

Notary Public for South Carolina

Commission expires 6-4-22



William B. Moore



DRAFT

Walterboro City Council
Public Hearing and Regular Meeting
April 22, 2014

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, April 8, 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. Twenty-one (21) persons were present in the audience.

There being a quorum present, Mayor Young called the meeting to order, and called on Council Member Syfrett for the invocation and Council Member Bridge to lead the pledge of allegiance to our flag.

PUBLIC INPUT ON AGENDA ITEMS:

There were no comments or questions on agenda items.

PUBLIC HEARING:

Next, the Mayor opened a public hearing, duly advertised, to receive public comments on proposed Ordinance # 2014-01, being: An Ordinance to Amend the FY2013-2014 Budget, So As to Provide for Supplemental Appropriation from the City's General Fund Balance in the Amount of \$470,000.

City Manager Molinari told Council that the City had two significant unbudgeted expenditures: a 420,000 settlement with the County and a \$50,000 expenditure for an interim City Manager. Because our actual expenditures will be significantly more than our budgeted expenditures, to satisfy the auditors, we will need to do a budget amendment.

No comments or questions were received. The public hearing was closed, and the regular meeting began.

APPROVAL OF THE MINUTES:

The Minutes of the April 8, 2014 Public Hearing and Regular Meeting were approved as submitted upon the motion of Council Member Bridge, seconded by Council Member Broderick with all members voting in favor.

OLD BUSINESS:

1. Ordinance # 2014-01, An Ordinance to Amend the FY2013-2014 City of Walterboro, South Carolina Ordinance # 2013-04, So As to Provide for Supplemental Appropriation from the City's General Fund Balance in the Amount of \$470,000, **Second Reading and Adoption**

A motion was made by Council Member Lohr, seconded by Council Member Siegel, giving Second Reading and Adoption to Ordinance # 2014-01 as submitted. The motion passed unanimously.

NEW BUSINESS:

1. Ordinance # 2014-02, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, So As to Clarify and Strengthen Portions of the Ordinance, **First Reading**

MINUTES/Page II

A motion was made by Council Member Broderick, seconded by Council Member Syfrett to adopt Ordinance # 2014-02 as submitted. The motion passed with all members voting in favor.

2. **Proclamation No. 2014-04, to Recognize April, 2014 as Child Abuse Prevention Month**

A motion was made by Council Member Bridge, seconded by Council Member Siegel to adopt Proclamation No. 2014-04 as submitted. The Mayor then read the proclamation in its entirety into the records. The motion passed unanimously. A copy of said proclamation is attached as part of the minutes.

3. **Request for Use of Downtown Plaza and to Close Street for Annual Memorial Day Ceremony on May 26, 2014, by Colleton County Veterans Council**

A motion was made by Council Member Lohr, seconded by Council Member Broderick to approve this request as submitted. The motion passed with all members voting in favor.

Mr. James White, present on behalf of the Veterans Council, thanked Council for its support of the veterans. He said, this year there will be a wonderful program planned. He invited everyone to attend.

4. **Request to Renew Membership in Lowcountry Regional HOME Consortium**

City Manager Molinari explained that Council received a letter from Mr. Chris Bickley of the Lowcountry Council of Governments. Eight years ago, over 20 local governments in the four-county region came together to qualify for direct affordable housing funding assistance from the federal government, and the HOME Consortium was formed. Each year, the Consortium receives between \$600,000 to \$700,000. To participate in the Consortium, it has to be renewed every three years. The City of Walterboro has benefitted from this program. We've had a number of older homes inside the City limits that have been rehabilitated through funds from this program. Mr. Molinari then recommended that the City continue its participation in the Consortium.

A motion was made by Council Member Bonds to approve the City's continued membership in the Lowcountry Regional HOME Consortium program. Council Member Siegel seconded the motion that passed unanimously.

COMMITTEE REPORTS:

There were no Committee Reports given.

CITY MANAGER'S REPORT:

No Manager's Report was presented.

Before adjourning the meeting, Mayor Young reminded everyone that the Rice Festival would be held this week. He invited everyone to attend.

There being no further business, a motion to adjourn the meeting was made by Council Member Lohr, seconded by Council Member Broderick and passed unanimously. The Mayor adjourned the meeting at 6:23 P.M. Notice of this meeting was distributed

DRAFT

Walterboro City Council
Public Hearing and Regular Meeting
April 22, 2014

MINUTES/Page III

to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk



TRI-COUNTY LODGE - 3
FRATERNAL ORDER OF POLICE®

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April 14, 2014

Mayor Bill Young
City of Walterboro
PO Box 709
Walterboro, South Carolina 29488

Dear Mayor Young,

In 1962, President John F. Kennedy signed a proclamation which designated May 15th as Peace Officers Memorial Day and the week in which that date falls as *Police Week*.

As a Nation, we rely on law enforcement officers to keep our neighborhoods safe, enforce our laws, and respond in times of crisis. These men and women sustain peace and order in our communities, and we look to them as models of courage and integrity.

Every day, peace officers face the threat of violence and danger. They routinely put their lives on the line to defend ours, and the price of that bravery may result in injury, disability, or death. The steadfast dedication of our law enforcement officers warrants more than praise.

Thanks to law enforcement officers, our communities are more secure. They work with vigilance and dedication to identify and arrest those who seek to do us harm. From combating terror and staking out criminals to patrolling our highways, peace officers with the strong support of their families maintain stability in our communities as we go about our daily lives. During the week of May 11-17, 2014, we recognize their invaluable contributions to upholding justice, enforcing the rule of law, and protecting the innocent.

I would like to take the opportunity to ask you to issue an official proclamation honoring the week of May 11-17, 2014, as *Police Week* in the City of Walterboro.

Again, thank you for your support of our local heroes.

Sincerely,

John C. Blackmon
President

PROCLAMATION NO. 2014-05

To Recognize National Police Week 2014 and to Honor the Service and Sacrifice of Those Law Enforcement Officers Killed in the Line of Duty While Protecting our Communities and Safeguarding our Democracy

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of Walterboro Public Safety; and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

WHEREAS, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Walterboro Public Safety Department (William Dawson Breland, III); and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, 286 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 100 officers killed in 2013 and 186 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 26th Annual Candlelight Vigil, on the evening of May 13, 2014; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 11-17; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Walterboro, in Council Assembled, formally designates May 11-17, 2014 as Police Week in the City of Walterboro, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

DONE, this thirteenth day of May, 2014.

William T. Young, Jr.
Mayor

ATTEST:

Betty J. Hudson
City Clerk

Proclamation No. 2014-06
by the Mayor and City Council
Walterboro, South Carolina

WHEREAS, the Colleton County High School (CCHS) Band of Blue has a tradition of serving as proud representatives of Walterboro and Colleton County; and

WHEREAS, the Colleton County High School Band of Blue "Varsity" Winter Guard competed in the 2014 Class SAA Caroline Winter Ensemble Championships held at Winthrop University, Winthrop, South Carolina on March 29, 2014; and

WHEREAS, the members of the "Varsity" Winter Guard 14-member unit includes: Lauren Arabis, Nadia Bowlin, Jessica Brown, Whitney Bryan, Kyla Davis, Brooke Hudson, Kathryn Hudson, Susan McLauchlin, Megan Mills, Tara Neuroth, Courtney Padgett, Emily Rahn, Makayla Woods and April Wright; and

WHEREAS, the "Varsity" Winter Guard competed against 14 other high school band units from Virginia, North Carolina and South Carolina, and

WHEREAS, the "Varsity" Winter Guard, won the 2014 Class SAA CWEA Regional Championship, and was presented with the CWEA Championship trophy and regional banner, with each member receiving a gold medal; and

WHEREAS, this is the second Carolina Winter Ensemble Regional Championship for Colleton County. The Winter Guard won the Class AAA gold medal in 2011; and

WHEREAS, the "Varsity" Winter Guard's performance is a tribute to the dedication of the members, parents, directors, support staff, students and fans; and

WHEREAS, these performances and competitions contribute greatly to the character and quality of life in our community; and

WHEREAS, the student members of these Varsity Winter Guard have been outstanding ambassadors for our city and county and our city is very proud of the accomplishments of these students; and

WHEREAS, the Mayor and City Council wish to congratulate the "Varsity" and CCMS "Cadet" instructor Stacy Miller and his assistants, Jeff Cobbs and William Thomas, for their outstanding work.

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and Council, in Council Assembled, that we join the entire community in recognizing these tremendous achievements by proclaiming tomorrow, May 14, 2014 as: "**WINTER GUARD DAY**," in the City of Walterboro.

BE IT FURTHER PROCLAIMED, that the Mayor and City Council encourage the community to show its support for these talented young citizens and extends its best wishes to the entire staff of the Band of Blue.

DONE, this 13th day of May, 2014.

William T. Young, Jr., Mayor

ATTEST:

Betty J. Hudson, City Clerk

RESOLUTION # 2014-R-04

RECOGNIZING AND COMMENDING THOMAS FINIGAN JR. UPON THE OCCASION OF RECEIVING U.S. ARMY ALL-AMERICAN MARCHING BAND STATUS FOR 2014.

Whereas, Thomas Finigan, Jr. is a senior at Colleton County High School in Walterboro South Carolina; and

Whereas, Thomas is a trumpeter in the Colleton County high school Band of Blue; and

Whereas, Thomas is the son of Tom and Lori Finigan of Walterboro and the brother of William Finigan; and

Whereas, Thomas was selected as one of 125 high school marching band members to perform during halftime at the nation's premier high school football game, the U.S. Army All-American Bowl, which took place on Saturday, January 5, 2014, at the Alamodome in San Antonio, Texas; and

Whereas, Finigan auditioned against 2,500 other applicants for this outstanding group through the National Association for Music Education; and

Whereas, Finigan was one of two students selected from South Carolina and was one of only 16 trumpet players to make this honor band; and

Whereas, the U.S. Army All-American Band members exhibit exceptional musicianship, marching achievement, character, and leadership; and

Whereas, the U.S. Army All-American Bowl is a unique celebration of American Youth and the American Soldier, and not just anyone can be a U.S. Army All-American. To become either, takes mental, emotional and physical strengths that few persons possess, and even fewer employ; and

Whereas, it is these strengths along with dedication, determination and teamwork that allow them to succeed and excel in school, in training, and in life. It is the embodiment of these strengths that earn All-American Bowl players and marching band members the right to wear the colors of the U.S. Army.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Walterboro City Council:

That the members of the City Council, by this resolution, recognize **Thomas Finigan, Jr.** of Walterboro, South Carolina for this exceptional

accomplishment and honor him for his musicianship, leadership and the shining example he sets for his fellow band members and classmates and for his exemplary representation of his home town of Walterboro, South Carolina and the Colleton County High School and school district.

BE IT FURTHER RESOLVED that all citizens of the City of Walterboro extend their congratulations and appreciation to Thomas Finigan, Jr. on this occasion.

FURTHER, that this act be hereby entered into the official record of the City of Walterboro, South Carolina.

DONE, this 13th day of May, 2014.

William T. Young, Jr., Mayor

Betty J. Hudson, City Clerk

ORDINANCE # 2014-02

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SO AS TO CLARIFY AND STRENGTHEN PORTIONS OF THE ORDINANCE.

WHEREAS, the Municipal Planning Commission has studied improvements that strengthen the Unified Development Ordinance; and,

WHEREAS, the Municipal Planning Commission recommends the following changes to the Unified Development Ordinance in order to clarify portions of the Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Walterboro, in Council Assembled, that the following amendments to the Unified Development Ordinance will become effective upon passage of this ordinance:

Section 2.4 Permitted Uses Table

Correctional Facility in GCD S/C with Conditions 3.9.6

Section 3.4.4 Delete B and correct letters C thru L to become B thru K

Section 3.9.6 Correctional Facility

- A. Minimum lot size two and one half acres**
- B. Cannot be located on any Major Arterial Street**
- C. Cannot front on more than one street**

Section 5.4 Signs That Require a Permit

All of the signs that are permanent in nature enumerated in this section require a Certificate of Zoning Compliance prior to issuance of Sign Permit and subsequent to construction or alteration of a sign.

Section 5.4 C Freestanding Sign (on-premises) change GCD Max Area (square feet) 16 sf + 8 sf per tenant (up to 32 sf) for businesses located on Local Streets 48 sf + 8 sf per tenant (up to 64 sf) for businesses located on 3 lane or wider Arterial Streets and change Shall be monument or arm style for signs under 48 sf

Section 8.6 Parking of Heavy Vehicles

A. It shall be unlawful for any person to park or leave unattended any truck, tractor, trailer unit, or other such vehicle, with over a two-ton load capacity or which weighs more than 10,000 pounds (Tare Weight), on or within any area of the City, including streets or other public right-of-ways, that are zoned as single family residential (SFR), medium density residential (MDR) or high density residential (HDR); provided, however, the Board of Zoning Appeals may grant a resident of such an area a special exception to this prohibition, of up to one year at a time, if in its opinion the hardship to the resident caused by the strict application of this Ordinance outweighs the public

interest served by this prohibition. In making this determination, the Board of Zoning Appeals may consider the following factors:

5. There are no substantive objections from the vehicles owner's neighbors relative to excessive noise, hours of operation or appearance.

Section 10.4.1 Membership

B. All members shall be appointed to four year staggered terms by the City Council, and after that time their successors are appointed.

Section 10.4.3 Powers & Duties

The Planning Commission prepares and periodically makes recommendations of revision to the City of Walterboro Comprehensive Plan, as well as all development plans and programs for the City and all implementation measures required to carry out the goals of the Comprehensive Plan, including:

Section 11.2 Certificates of Zoning Compliance

11.2.1 General Provisions

A. No land shall be developed or building or other structure erected, constructed, moved, added to, or structurally altered without a Certificate of Zoning Compliance issued by the Codes Enforcement Officer. A Certificate of Zoning Compliance is required in advance of the following:

1. The issuance of a building permit.
2. Grading or filling a lot.
3. Changing the use of any part of a structure or lot, including the increase of the number of dwelling units on a lot.
4. Extension of utilities to a given site.
5. Constructing, erecting, moving, adding to, or structurally altering a permanent sign that is required to have Certificate of Zoning Compliance in accordance with Chapter 5.

C. No Certificate of Zoning Compliance shall be issued by the Administrator unless that activity, structure, or permanent sign is in conformity with the provisions of this Ordinance, or until Variance approval is granted from the Board of Zoning Appeals as provided for in Section 10.3.3.

Section 11.5.2 is lettered A, C, D and needs correcting to A, B, C,

Section 13.3 Nonconforming Uses

A. Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses listed in Section 2.4 PERMITTED USES TABLE in the district in which they are located.

Section 13.6 Nonconforming Signs

A. Signs existing at the time of the enactment of this Ordinance and not conforming to the provisions herein, but which were constructed in compliance with previous regulations and ordinances, shall be regarded as nonconforming signs and subject to the following regulations:

1. Nonconforming signs shall not be structurally enhanced or modified so as to prolong the life of the sign.

2. No changes in the existing nonconforming signs shall be allowed except for those repairs which are necessary to keep the sign in good working order and the message current.

3. All nonconforming signs are required to be brought into compliance when there is a change in business use or name, or if the sign becomes damaged to an amount greater than 50 percent of its replacement cost. This does not apply to individual business panel changes on nonconforming multi-tenant sign faces or individual business sign faces in order to keep message current if no changes are being made to cabinet.

B. Nonconforming portable and temporary signs that do not conform with the requirements of Chapter 5 shall be removed within 180 days of the effective date of this Ordinance. Nonconforming electronic message display boards that have any distracting appearance of motion shall be brought into compliance within 180 days and shall meet the provisions of Section 5.2.7 E.

DONE, this 13th day of May, 2014.

William T. Young, Jr.
Mayor

Attest:

Betty J. Hudson
City Clerk

First Reading: April 22, 2014

Public Hearing: May 13, 2014

Second Reading: _____