

## **MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, September 23, 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 22 persons present in the audience.

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

At this point, the Mayor announced that there would be one change on the agenda. Under New Business, Item 1, Appeal of Tree Protection Committee Ruling, 718 Hampton Street, Danny Riddle, would be deferred to a later date. The Mayor stated that Mr. Riddle was unable to attend the meeting, and had asked that this item be moved to the October 14 meeting. So, we will not be considering that tonight.

### **PUBLIC INPUT ON AGENDA ITEMS:**

There were no public comments or questions on agenda items.

### **APPROVAL OF MINUTES:**

There were no Minutes before Council.

### **OLD BUSINESS:**

There was no Old Business before Council.

### **NEW BUSINESS:**

1. Appeal of Tree Protection Committee Ruling, 718 Hampton Street, Danny Riddle.

This agenda item was deferred to the October 14, 2014 City Council Meeting.

2. Consideration of Memorandum of Understanding (MOU) Between U.S. Marine Corps. Forces, Special Operations Command (MARSOC) and the City of Walterboro

City Manager Molinari stated that Council has in its agenda packet a Memorandum of Understanding between the Marine Corps and the City of Walterboro to conduct training. They will be doing their training in both the City and the County from October 16 through November 7, 2014. Mr. Molinari said, in talking to their representative, it was my understanding that this would be a low impact training exercise and that this is just standard procedure that they follow when they are conducting training exercises inside a jurisdiction. They wanted not only the leadership to be aware of it, but also law enforcement. Mr. Molinari then said, I would be happy to answer any questions.

A motion was then made by Council Member Bridge to approve the Memorandum of Understanding between the Special Ops and the City of Walterboro as submitted. Council Member Broderick second the motion.

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In discussing the motion, Council Member Bonds asked, what is this all about. I mean, we are voting on a memorandum that is going to allow Special Ops running around. I mean, I want to support the military, but I have never heard of anything like this, and of course, the agreement they want us to sign says that it's for three years. Also, if we have a disagreement with them, we would have to go through the Marine Corp. at Camp LaJune. What is this? City Manager Molinari stated that it was his understanding that this is the first time that the City has ever had this type of agreement from the Marine Corps. The impression that I got was that this is their standard operating procedure. I just think they wanted to make sure that we are aware of their presence in the community.

Council Member Bonds then asked, do we have any other cities that have signed this? For instance, has the county signed an agreement. I am just concerned about a six page agreement that was written up by a lawyer. Mayor Young agreed that this was vague. City Manager Molinari responded, it is my understanding that the Marine Corps has also been in contact with the County Sheriff's Office. Now, as far as the county signing a similar agreement, that has not been done. But we do know that they have been in contact with the County Sheriff's Office.

Mayor Young then asked, is there a deadline on this Memorandum of Understanding or is there time to get more information? Mr. Molinari said, they are going to begin on October 16. If Council would feel more comfortable getting some more information, we can certainly formally approve this on October 14, if you so desire.

Council Member Siegel then said, Parris Island is in Beaufort County. Does Beaufort County have a standing agreement with the Marine Corps that they can come off their reservation and train in their City? Have you looked into that? City Manager Molinari responded that he had not. Council Member Siegel then said, I think we need to look into it a little more. This is like an invitation in a sense, and I would like to know the nature of this training and more specifics than they are giving us.

Council Member Broderick pointed out in the last paragraph of the agreement, it says that (the MOU) can be terminated within 90 days by either party with a written notice.

Attorney Cone pointed out that the "termination" refers to paragraph 7 (b), it but should be paragraph 8 (b). It has a lot of protections in it of what to do, and there is no information.

Mayor Young then asked Council if it wanted to amend the motion to make that correction in this Memorandum of Understanding?

Mayor Young further explained, I think that what Attorney Cone is saying is that the last paragraph under 2 (a) stating "termination under the provisions of paragraph 7(b) should be 8 (b). In other words, the amendment should state that 2 (a) should be corrected to refer to 8 (b) instead of 7 (b).

The Mayor then explained to Council Member Bridge that she would move to approve the Memorandum of Understanding with the correction that in paragraph 2 (a) the reference to paragraph 7 (b) should actually be paragraph 8 (b).

Council Member Bridge then restated her motion that Council approve the Memorandum of Understanding with the Marine Corp Forces with an amendment to the first page number 2 (a) provisions of paragraph should be 8 (b) instead of 7 (b). Council Member Broderick seconded the motion.

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In discussing the motion, Council Member Siegel said that he was uncomfortable voting on this without a little more information. If the motion could be amended to table this or postponed it until the meeting on the 14<sup>th</sup> of October, our City Manager could certainly make a couple of telephone calls and find out if this means there is going to be 100,000 soldiers coming through Colleton County that we don't know about. We are signing this without any questions.

Mayor Young then asked, is this all we know about their training? They didn't offer any further explanations to you? He said, I guess the thing that I was most concerned about it is if there were going to be any kind of weapons used in this. But it says in the agreement that they are not going to be using weapons. When I first heard about this, that was my first concern that people would hear that and think it was something that it wasn't.

Mr. Molinari then said, I did understand in talking with Ken Dasen that it would involve some helicopters and things of that nature. Mayor Young then asked, so are they using the airport also? He said, I am on the Airport Commission, but I am not aware of anybody coming to us for permission to use it, other than we have some standing use by the National Guard to use the airport for helicopter training. I am not against it, we just don't know what we are agreeing to. I guess we can do what Councilman Siegel suggested, we can table it or we can vote it down.

Mr. Molinari then said, it would be fine if we could table it and then I could go back to them and ask for more information about this.

Council Member Siegel then said, I don't know whether it's proper, but I would like to make a motion that we table this issue til the next meeting, to get a little bit more information. Mayor Young then said, could we table it without putting a specified time, because once we get the information we could hold a quick meeting and approve it. Council Member Siegel agreed that was a good idea. Council Member Bonds said, that's fine with me, but one thing I was hoping for is to have Jeff call around to some different municipalities and counties to see if they have had any experience with this document. City Manager Molinari agreed.

Council Member Lohr then seconded the motion given by Council Member Siegel. The motion to table approval of the Memorandum of Understanding until a future date then passed with all members voting in favor.

**COMMITTEE REPORTS:**

There we no Committee Reports given.

**CITY MANAGER'S REPORT:**

1. Introduction of Mr. Wade Marvin, New Police Chief

Before introducing Mr. Marvin, City Manager Molinari stated that he wanted to say a few remarks about Interim Chief Ken Dasen. For the past 16 months, he has stepped up as the acting Director of Police Safety. He led the department through some difficult months. We would just like to recognize his efforts and I have very much enjoyed working with Ken these past several months, and I hope that he continues to be an integral part of the Police Department.

City Manager Molinari then recognized and introduced Mr. Wade Marvin as the new Chief of Police for the City of Walterboro. He stated that Mr. Marvin comes to us from the Colleton County Sheriff's Office, where he served as a Lieutenant. Mr. Marvin wore several hats at the County, leading their SWAT team as well as leading the K-9 teams, and coordinating all the activities of the school resource officers. As you are

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aware, this was an extensive process selecting a new Police Chief. I am confident that Wade is the right man for the job. I am looking forward to him getting started this coming Monday on September 29<sup>th</sup>.

Mayor Young then welcomed Mr. Marvin aboard. He then told Mr. Ken Dasen, I think everyone on Council would agree with me that we really appreciate all of your efforts and all that you have done for the City in this interim time. Thank you very much.

**EXECUTIVE SESSION:**

The Mayor then entertained a motion to enter into an Executive Session. Council Member Lohr 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:

- 1) A personnel matter on the appointment of the City Prosecutor.
- 2) Receipt of Legal Advice related to a construction project, and
- 3) The School District Lawsuit.

The meeting then convened into Executive Session.

At approximately 7:08 p.m., a motion was made by Council Member Lohr to exit Executive Session and return to Open Session. Council Member Syfrett seconded the motion. All in favor. None opposed. Motion carried.

The meeting returned to Open Session, and a motion was made by Council Member Bonds authorizing the City Manager to employ the services of Clawson and Staubes to represent the City of Walterboro in an ongoing litigation as outlined in the letter presented to Council. Council Member Lohr seconded the motion. All in favor. None opposed. Motion carried.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Broderick, seconded by Council Member Lohr and passed unanimously. The meeting adjourned at 7:10 P.M. Notice of this meeting was distributed 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

**APPROVED: October 14, 2014**