

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.

COMMITTEE REPORTS:

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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

APPROVED: January 13, 2015