

Walterboro City Council
Public Hearing & Regular Meeting
April 12, 2011

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, April 12, 2011 at 6:15 P.M. with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Dwayne Buckner, Randy Peters, Charles Lucas, Ted Parker, Franklin Smalls and Tom Lohr. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 25 persons in attendance at the meeting.

Mayor Young called the meeting to order. The invocation was led by Council Member Smalls, followed by the Pledge of Allegiance led by Council Member Peters.

Mayor Young presented Council Member Tom Lohr with a certificate of graduation from the Municipal Association of South Carolina Elected Officials Institute, followed by comments from Council Member Lohr.

PUBLIC INPUT ON AGENDA ITEMS:

There were no comments given on agenda items.

PUBLIC HEARING:

1. CDBG Grant Application for Jackson Street Pump Station Upgrade Project - Chris Bickley, Lowcountry Council of Governments (LCOG).

Mr. Chris Bickley opened the hearing by stating that the Lowcountry Council of Governments is assisting the City in a Community Development Block Grant application for approximately \$340,000 to upgrade the existing pump station located at the corner of Jackson Street and Sheldon Street. There have been several sewer overflows there and there is a need for this. This project will benefit a total of about 342 persons, of which more than 260 persons are qualified as low-to-moderate income. He stated this is a public hearing on this project. Assuming after the public hearing, if the city decides to proceed with this project, this will be submitted to the State Department of Commerce on the 18th. We expect to hear something back on whether or not it is approved in early July. He then asked if there were any questions or comments.

No questions or comments were made and the public hearing was closed.

APPROVAL OF THE MINUTES:

The Minutes of the March 8, 2011 Public Hearing and Regular Meeting and the Minutes of the March 22, 2011 Regular Meeting were approved as submitted on the motion of Council Member Parker, seconded by Council Member Smalls and passed with all members voting in favor.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Ordinance # 2011-04 (First Reading)

A motion was made by Council Member Peters, seconded by Council Member Lucas giving First Reading Approval to Ordinance # 2011-04, being:

An Ordinance Allowing the City of Walterboro to Join the County of Colleton in Abolishing Walterboro-Colleton City-County Recreation Commission AKA the

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"Walterboro-Colleton County Recreation Commission" AKA the "Walterboro-Colleton County Recreation and Parks Commission"; and Abolishing Said Commission.

In discussing the motion, Council Member Lucas asked is this just taking the city out the Recreation Commission. Will there still be a commission? Attorney Cone explained that as a result of the MOU (Memorandum of Understanding) with the County, this is just one of the steps to formalize the agreement. The motion then passed with all members voting in favor.

2. **Ordinance # 2011-05 (First Reading)**

A motion was made by Council Member Lucas, seconded by Council Member Smalls, giving First Reading Approval to Ordinance # 2011-05, being:

An Ordinance Authorizing the Conveyance of a Twenty-One (21) Acres, More or Less, Tract of Land, to the County of Colleton, a Body Corporate and Politic. The Mayor explained that this ordinance is also part of the conveyance of the Recreation property to the County.

In discussing the motion, Council Member Buckner asked the City Manager what the City of Walterboro would receive in exchange for the 21 acres of land to be conveyed to the county? City Manager Lord responded, they are giving us Sankee Maree Park and the Mayfield Park. On further questioning by Council Member Buckner, Mr. Lord explained that the transaction had been assigned a value of \$1.00. Mayor Young reminded Council that this is part of the agreement the city reached with the county and agreed to some time ago. We are just now getting around to all the paperwork.

The motion passed with a vote of 6/1 with Mayor Young, Council Members Peters, Lucas, Parker, Smalls and Lohr voting in favor, and Council Member Buckner voting against the motion for adoption.

3. **Resolution # 2011-R-07**, A Resolution in Support of the Jackson Street Pump Station Upgrade Project and Authorizing the City Manager to Apply and Commit Program Income Funds for the 10% Local Match (approximately \$34,100), was before Council. A copy of said resolution is attached as part of these minutes.

A motion to approve Resolution No. 2011-R-07 was made by Council Member Peters, seconded by Council Member Smalls and passed with all Council Members voting in favor.

4. **Consideration of Bids Received for Mayfield Park Playground Equipment.**

Mr. Lord reported that the City had received three different estimates and drawings for park equipment for Mayfield Park. We told the bidders that we have a grant, and how much was available for the grant match and asked them to give us the best equipment price for that amount of money. So, that is why the three proposals are so close together. The difference between the high bid and the low bid is \$378.66. The bids received were as follows:

1. General Recreation Inc., Camden, SC \$28,265.63.
2. Pegg's Recreation & Architectural Products, Inc., Mooresville, NC \$28,476.73.
3. Churchich Recreation & Design, Bluffton, SC \$28,644.29.

Mr. Lord recommended the acceptance of the highest proposal from Churchich Recreation & Design of Bluffton, SC in the amount of \$28,644.29. This estimate is

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the higher of the three, but their equipment is more substantial than the other two. This is better equipment.

A motion was made by Council Member Lucas, seconded by Council Member Parker, to accept the recommendation from staff to award the bid for the Mayfield Park equipment to Churchich Recreation & Design of Bluffton, SC in the amount of \$28,644.29.

In discussing the motion, Council Member Smalls asked if the amount was within the budget. City Manager Lord explained that the total grant received plus the city's match is \$28,450, so it is about \$200 more than what we have between the two. Council Member Buckner asked what would happen to the old park equipment. Mr. Lord responded that the old park equipment would be thrown away, trashed.

The motion then passed with all members voting in favor.

5. **Request to Place Banner Across Jefferies Boulevard on May 1-7, 2011 Announcing Community Youth Fair, by Yolanda Polite**

Ms. Yolanda Polite was not present at the meeting. A motion was made by Council Member Buckner to grant the request by Ms. Polite as submitted. Council Member Smalls seconded the motion that passed with all members voting in favor.

6. **Consideration of Requests by SC Artisans Center for the 2011 Walterboro Antiques, History and Arts Festival May 13-14, 2011**

The Mayor then entertained a motion to accept the requests as submitted by the SC Artisans Center for the Antiques, History and Arts Festival. Council Member Parker so Moved, and Council Member Lucas seconded the motion. In discussing the motion, Council Member Buckner asked Ms. Doggette how many years have the Antiques, History and Arts Festival been held? Ms. Doggette responded that this was their 5th annual festival.

Council Member Buckner then said, the reason I am asking the question is that I see there is a conflict with another organization on the agenda who has requested to use the waterfall on May 14th. He further stated, I was hoping we could resolve this conflict so that there are no issues with their utilizing the waterfall. He then asked if in prior times with the antique festival, how many times that you had the festival that you used the waterfall? Ms. Doggette responded, we have used it, but not every time. Ms. Doggette then explained the plans for set up for the antiques festival.

Council Member Buckner then stated, I am trying to see if there is any way that both organizations can work out some kind of deal, because apparently the Lowcountry International Society is requesting to use the waterfall on the same day that you are requesting it. Is there any possibly way that both organizations could work together or is there any space that you might have available? Ms. Doggette responded, I don't know if their people would be interested in renting a space from them. I doubt it, and the reason I am saying this is, we have had requests in the past from vendors, street vendors, souvenir vendors, etc. and they have turned them down. The idea of this festival is that eventually we would like to become self-sufficient and quit using A-Tax dollars. So, the idea of the fact is that Lowcountry Community Caters is also asking to do something this year and we are turning them down. One of the reasons is that they are in it for a profit for themselves, much like this Lowcountry International group. We have spent the better part of five years developing this program. If a nonprofit sets up in the middle of our festival to make money for themselves, they are just drawing our customers. Getting back to the purpose of the festival was that it could afford the

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downtown merchants extra visitors. To take away from them is not fair. I don't know where you draw the line. It doesn't have anything to do with antiques, it doesn't have anything to do with history or the arts.

Council Member Buckner then stated, I am a member of the Lowcountry International Society, so I will recuse myself from voting when this comes up. But I do want to make the point that I believe that we should all try to work together. I don't think there is a competition going on, because I believe the International Society would be bringing folks who are not coming to the antiques festival, but coming to the Lowcountry International Society and vice versa. I don't see that there is any competition. My hope would be that we could somehow, with all the spaces that are available, whether it be the parking lot or waterfall, to try and work together to bring people downtown.

Attorney Cone, then asked the Mayor, did you want to hear from the representative from the Lowcountry International Society, because if you vote on this, then you would dispose of his request. The Mayor noted that this would fall under the next agenda item.

The Mayor then held the vote on the motion. The motion then passed with a vote of 6/1 with Mayor Young, Council Members Peters, Lucas, Parker, Smalls and Lohr voting in favor and Council Member Buckner voting against the motion.

7. **Request to Use the Waterfall for Fund-Raising Event on May 14, 2011 by the Lowcountry International Society by Mr. Leddy Smith**

Mr. Leddy Smith stated that his request is now a mute point. I will say this, our letter was sent to you on the 21st of March and their letter was sent on the 28th of March, and you decided just then, not to even give us a voice before a vote was taken. So, I think that speaks for itself.

Mayor Young then stated, I think that anytime when we have an ongoing festival, like the Rice Festival, the Antiques, History and Arts Festival that's really something that should be worked out through the people who are putting on the festival. Mr. Leddy Smith pointed out that he tried to reach Ms. Doggette on Friday, but she was out of town until Monday, so he didn't get to talk to her.

Mr. Young then said, even though the letter came in, this is an ongoing event. It has been publicized widely and promoted by the City of Walterboro Tourism Commission. I wish you could work something out together. I think, when you have something established, a festival going on, and other events want to take a part, then they should work through that established festival. Mr. Leddy Smith then stated, we wouldn't have any problem working with them, but we certainly are not going to pay rent to them for a space that's owned by the City and we have used it before and we didn't have to pay rental.

Council Member Smalls asked Mr. Smith if he could select another date for his event. Mr. Smith responded, we could select another date, sure. Everybody can change plans.

Council Member Buckner then gave further remarks in support of the International Society's request to use the waterfall. He said, my goal is that I hope both organizations can work something out in good faith.

Council Member Lucas then said, I feel regardless if the waterfall is available or not, if it's not going through the established organization's event, then I feel that they should be running the event that they place in the city for their weekend. It's not so much that the waterfall is being used, but when we have a Rice Festival, we

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don't let people set up who do not go through the Rice Festival. That's been pretty much the policy.

Mayor Young then asked the City Attorney if we need to deny this request. Attorney Cone responded, you can deny it for the record, but what you have done is made it mute, as he has said, because if it is not available, it is not available.

The Mayor then asked for a motion to grant the request of the Lowcountry International Society. At this point, Council Member Buckner recused himself from voting due to the fact that he is a member of the organization.

No motion was made on this request. The request died for lack of a motion.

COMMITTEE REPORTS:

1. City Appearance Board - Council Member Dwayne Buckner.

Council Member Buckner reported that the City Appearance Board met and identified two projects it wished to work on this year.

1. We currently do the "Yard of the Month" and "Business of the Month" in Walterboro. The City Appearance Board has decided it would like to expand that to the neighborhood. This would get neighborhoods involved in cleaning up their neighborhood streets to get the best looking street in Walterboro. We are looking at securing a sign with a rocking chair on it saying "The Street of the Month." The hope is to make our streets and our neighborhoods in Walterboro look better. Not only will there be a "Business of the Month," but we would also have a "Street of the Month."
2. The next project the group identified that they wanted to work on is the entrances to the City of Walterboro, beautifying them and making them look as esthetically pleasing as possible. Highway 64, which is Charleston Highway coming into Walterboro, is the entrance way they want to work on. So, Thomas Angell donated some architectural work. He took of his time to design a potential plan for beautification of the Highway 64 corridor coming into Walterboro, by planting some azaleas, crepe myrtles, and live oaks. Mr. Buckner presented each Council Member with a copy of the proposed plans designed by Mr. Angell. Mr. Buckner pointed out that there are currently crepe myrtles and live oaks on the corridor, so the goal is to create a uniform landscape plan coming into the City of Walterboro, working with the property owners, getting permission from them to plant azaleas coming in from Highway 64. The group is very excited about this project and plans to do it in phases. We also want to get some donations from different nurseries.

Council Member Parker moved to receive this report as information, and Council Member Smalls seconded the motion. Council Member Smalls asked if the committee planned to totally finance the project themselves? Council Member Buckner responded, yes, we plan to totally finance it ourselves through donations of not only plants, but also whatever they need in order to make this happen. So, it's strictly going to the business community and the property owners asking for their help on this project.

Mayor Young asked if the Parks Department had been contacted regarding maintenance on this project. Council Member Buckner responded, at this point "no," it's just for information. If it's something the Council would like to do, I am sure Mr. Lord would meet with the Parks Department, if he desires.

Council Member Peters then raised a concern on whether this beautification project was located outside the city limits. Mr. Buckner felt that the portion starting

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from the BP Station on up would be in the city limits. Council Member Peters thought the city limits stated at a different location. A brief discussion was held on whether or not the project would be located in the city limits. City Manager Lord explained that the city limits starts at Robertson Boulevard and coming in on the right-hand side. Public Works Director pointed out that the city limits go down to the bypass on both sides. City Manager Lord stated that from Robertson Boulevard in is all in the city, both sides of the street. Public Works Director Charlie Chewing pointed out that the properties around the intersection of Robertson Boulevard on the city side of Walterboro are all in the city limits, but it does not go pass the station. The discussion concluded.

The motion to accept the report as information then passed with all Council Members voting in favor.

The Mayor then entertained a motion to enter into an Executive Session. A motion was made by Council Member Lucas to enter an Executive Session. Council Member Smalls seconded the motion. The motion passed unanimously.

The Mayor announced that the meeting would enter an Executive Session for a discussion of negotiations incident to proposed contractual arrangements and a discussion regarding the development of security personnel or devices. The meeting then convened into Executive Session.

The meeting returned to Open Session with no action taken as a result of the Executive Session.

There being no further business, a motion to adjourn was made by Council Member Parker, seconded by Council Member Lucas and passed unanimously. The Mayor adjourned the meeting at 7:31 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: May 10, 2011