

Walterboro City Council  
Regular Meeting  
August 23, 2011

## **MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, August 23, 2011 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Paul Siegel, Dwayne Buckner, Charles Lucas, Randy Peters, Tom Lohr and Bobby Bonds. City Manager Jeff Lord and City Clerk Betty Hudson were also present. City Attorney George Cone was absent. There were approximately 17 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 Siegel gave the invocation and Council Member Buckner led the pledge of allegiance to our flag.

The Mayor announced that Public Works Director Charlie Chewning had some unexpected surgery Monday and is recovering at Trident Hospital. We hope he will be back home on Thursday or Friday. The Mayor also announced that the Colleton County Cougars will be playing James Island in a football game to be aired on television in James Island on Thursday night, September 8<sup>th</sup>. He hoped that as many people as possible would be able to travel to James Island to support the Cougars and represent Walterboro.

The Mayor reminded the citizens that city staff is making preparations in the event Hurricane Irene makes landfall near us. He reminded everyone to continue to watch the weather reports. He stated, it is my understanding that if a shelter is needed here, that it will be in the old Walterboro High School, which is now the middle school.

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

The Mayor then asked for any input on agenda items. He explained that this is the time to make comments. He emphasized that when Council begins discussing agenda items, that will not be an appropriate time for comments. So, if you want to comment, you need to do it now on anything that is on the agenda, and we will be glad to listen to you.

Former Mayor Charlie Sweat, a city resident, commented on the proposed new Ordinance # 2011-13, An Ordinance Making it a Duty of the Mayor to Provide to the City Council and Citizens of Walterboro Information Regarding the State of the City.

Mr. Sweat stated, I know that Councilman Buckner had this placed on the agenda several times in the past two years, trying to get your attention. I want you to remember that more than 30 years ago, when Mayor Dean was Mayor of the City of Walterboro, we changed the form of government. We went from the strong Mayor form of government to the Council-Manager form of government. After that, we as citizens elect you seven people - one mayor and six City Council Members, to do our bidding and you are responsible to us. The form of government says that we have a Council that you (the mayor) sit on and we have a City Manager. The City Manager is hired by you, the Council. The City Manager runs the departments. The City Manager, as a department head, so to speak, hires the other city individuals. So, when you are talking about a Report to the Citizens about the City of Walterboro, you are really talking about you, as a Council, and he, as the City Manager. Over the past twenty years, the City of Walterboro has reported on an annual basis to the citizens, after the city has its retreat, which is usually held the end of January or the first of February of each year. Therefore, they give to us that report and to the press at that particular time. I am just trying to say, this might not be an item that needs to be a priority on your agenda for making it a law. There are a lot of things about making laws that you don't need, this might happen to be one of those laws.

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Ms. Marsha Johnson, a city resident, also agreed with Mr. Sweat. She said, under the form of government that we have, the Mayor is really only responsible for running the meetings. He is not really any more elevated than any of the rest of you. Therefore, it is the City Manager, who does that. As long as the City Manager continues to make a report then you really are disclosing what you're doing for the state of the City efficiently in that manner.

Ms. Johnson also commented on making Walter Street a two-way street. She stated, coming from Massachusetts, we went through problems with our cities dying. In the 70's we did a lot of studies, and we found that anything that decreases the amount of parking spaces tends to also decrease the amount of time people may spend shopping. That's one of the reasons that malls became so popular; they could go and park and did not need to worry about it. I don't know what percentage of parking spaces those parking spaces represent, but anything you do that decreases the accessibility of people, they'll just go somewhere else, if it is easier to do. She pointed out that the City Parking Lot was not more conveniently located than those spaces on the side streets. You really don't want to decrease people's accessibility to shop.

Mr. Mack Thomas agreed with Ms. Marsha Johnson that the City should not change Walter Street to a two-way street. He stated, I agree, I don't think that making it a two-way street is a benefit to the City. I think with the additional cost of making it a two-way street and losing the parking would not be a win situation for any of us, especially when the consultant said that their first two cost-effective options were unsafe. I don't think we could do anything that would be unsafe for the citizens.

No further comments were received.

**APPROVAL OF THE MINUTES:**

Upon motion by Council Member Lucas, seconded by Council Member Bonds, the Minutes of the August 9, 2011 Public Hearing and Regular Meeting were approved as submitted with all members voting in favor.

**OLD BUSINESS:**

There was no Old Business before Council.

**NEW BUSINESS:**

1. Ordinance # 2011-13, An Ordinance Making it a Duty of the Mayor to Provide Annually to the City Council and Citizens of Walterboro Information Regarding the State of the City, First Reading

Council Member Buckner moved to adopt Ordinance # 2011-13 on First Reading as submitted and asked that the ordinance be read. Mayor Young read the ordinance in its entirety. No second was received. **The motion died for lack of a second.**

2. Consideration of Contract with Wood + Partners for Design Development, Contractual Document Services, Bidding, Construction, Design Services, Permitting and Submittal Services for Implementation of the Parks Master Plan (\$189,500)

A motion was made by Council Member Peters, seconded by Council Member Lucas, to award the contract to Wood+ Partners as submitted for implementation of the Parks Master Plan for \$189,500. No discussion was held. **The motion passed unanimously.**

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3. Consideration of Recommendations from Wood + Partners on Converting Walter Street from One-Way to Two-Way Traffic

A motion was made by Council Member Bonds to accept the recommendations of Wood + Partners that was attached to the agenda. Council Member Lucas seconded the motion.

In discussing the motion, Council Member Buckner asked which recommendation are we talking about – the first one or Plan B? Mayor Young said, I believe the motion is to accept the original recommendation of Wood + Partners on the original design.

Mr. Bonds then clarified by stating, my motion relates to the recommendation received from Wood + Partners on page 2. Basically, their recommendation is to “leave it one-way.”

Mayor Young then asked, so the motion is to adopt the original design plan, which is a one-way street. Mr. Bonds agreed.

Council Member Buckner then stated, I have had an opportunity to look at the different proposals by Wood + Partners regarding changing Walter Street to a two-way street. I am in favor of that, because I think that the increased traffic will help to revitalize that side of downtown, which historically has not gotten as much traffic as the other parts of downtown. I think by having a two-way street, it would increase the number of cars going through that area and hopefully revitalize that area and increase more business to that particular area of downtown. So, for a \$75,000 - \$100,000 investment, which is the cost for the first plan recommended, - to do that project and to have that kind of investment for that side of Walter Street, I think would be beneficial for the business owners in that area. I think that the pedestrian issue where safety might be a concern, I think we could get by that, by making sure that there was a speed limit on that side to make sure that pedestrians would not be hurt. So, my support of this is based on the fact that we need to do something on that side of town to increase visibility, and this would be a first step in our overall plan of revitalization for that side of Walter Street. So, I would be in favor of changing it to a two-way street.

Mr. Lohr then asked for clarification. The way it’s worded on the front page, it says from one-way to two-way, and I heard what Mr. Bonds has said. All I want to know is whether or not we are voting on changing it from one-way to two-way or leaving it one-way.

Mr. Bonds responded, it’s one-way. My motion would be that we accept their recommendation, which is to keep Walter Street one-way. I understand Mr. Buckner’s concerns, and he makes good points. For the record, I want to say, I went to every business that had a door open on the 2 days that I walked down there and spoke with different businesses. I will tell you that, as far as going back and forth and the operators who were there - I know I met Mr. Hodges - they were not exactly thrilled or overjoyed with making it two-way. Their primary concern was safety, and I think that what Wood + Partners have told us as it relates to either Option 1, Option 2, or Option 2B, is that they do not recommend any of them from a safety perspective, and if we are going to do anything, the best of the unsafe proposals is 2B, which involves widening the sidewalk. Ripping up the infrastructure is going to cost about one quarter of \$1 million. Most of those businesses are occupied right now. There is more occupied than unoccupied, and my personal opinion is that I think that we’ve got unfortunately what amounts to an “unattractive street.” Because of the safety issues that’s why I am voting the way I am voting.

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Council Member Lucas then asked, aren't we redoing the landscape on Walter Street under the Master Plan? City Manager Lord responded affirmatively, adding that this would be included under the landscaping.

Mayor Young pointed out to Mr. Buckner, who was not present at the workshop held by Wood + Partners, that the \$75,000 for Option 1 is in addition to what the City had already budgeted to redo Walter Street. All of the assessments and recommendations are additional costs to making it a two-way street above what is done in the original landscaping project.

Council Member Siegel then said, it's really an underestimation of the real expense, because to replace 12 to 15 on-street parking to another location, the cost would be very substantial. The least of which is acquisition of the land, it would be the building of the infrastructure of a parking lot and the maintenance. So, it's a very expensive option. I will disclose that my wife and I own property in that vicinity and we want to see businesses as strong as possible and land values be as strong as possible, but this is not the time nor the manner to do that, in my opinion.

**The motion to accept the original recommendation by Wood + Partners to keep Walter Street one-way then passed with a vote of 5/2 with Mayor Young, Council Members Siegel, Lucas, Lohr and Bonds voting in favor, and Council Members Buckner and Peters voting against the motion.**

4. Consideration of Bids for 1500 yds. of Mulch at Exits 53 and 57

City Manager Lord said the City budgeted to put mulch out at the interchanges. We are taking over the interchanges from the contractors this year, so we need to maintain them. They originally put down pine straw, which did not last very long. The cypress mulch should last 16 months, and we put it in the budget to do that. These bids are to acquire the mulch, and the next one is to apply it. Both of these items are under the threshold for what comes to Council. Typically, you don't get anything below \$25,000, but the first one, we had a tie bid on the price. On the second one, the small difference between the first and second bid is only \$750.00. In order for us to give it to the not lowest bid, we had to bring it to you, and that contractor is a local contractor.

The two tie bids received were as follows:

Sims Bark, Bowman, SC	\$15.50 per yd.
Old Castle Lawn & Garden, Walterboro, SC	\$15.50 per yd.

Council Member Peters moved to award the bid to purchase the mulch for Exits 53 and 57 to the local vendor, Old Castle Lawn and Garden. Mayor Young seconded the motion.

In discussing the motion, Council Member Buckner asked if the Old Castle Lawn and Garden bid was received by e-mail. He asked where they were located. It was noted that the vendor is located in Walterboro right beside WalMart.

**The motion passed with all members voting in favor.**

5. Consideration of Bids Received for Application of Mulch at Exits 53 and 57

At this point, Council Member Lucas and Mayor Young recused from voting on this agenda item due to a potential conflict of interest.

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City Manager Lord noted that the intent was that the mulch would be applied by a "mulch blower." Typically, you would get a better rate on this, because of a lower labor cost. We were able to contact a local contractor who will not be using a blower, but will have a comparable price. So, we are recommending the second lowest bid which is only \$750.00 more than the lowest bid, and is within the budgeted priced.

The bids received were as follows:

Lowcountry Mulch, Mt. Pleasant, SC	\$19,500
Harrison Enterprises, Walterboro, SC	\$20,250

A motion was made by Council Member Peters to award the bid to the local vendor, Harrison Enterprises for \$20,250, even though there is a \$750.00 price difference. We want to keep the money local. Council Member Lohr seconded the motion. The motion passed with a vote of 5/0 with Council Members Siegel, Buckner, Peters, Lohr and Bonds voting in favor. Mayor Young and Council Member Lucas recused from voting due to a conflict of interest.

6. Request to Hang Banner for Life Insurance Awareness Month Sept. 12-16

A motion was made by Council Member Lucas to grant the request to hang the banner as submitted. Council Member Peters seconded the motion. In discussing the motion, Council Member Buckner stated, I think we brought this issue up before about the banners. I see other municipalities may do or not do this, but my concern is that if we allow the insurance companies to put a banner up, than any other industry would have the same opportunity to put their banner up. It just becomes every month of so a possibility that another industry is putting up a banner across Jefferies Boulevard. So, my concern is that we need to come up with some type of policy or something in place that regulates the type of message and what we are going to allow to be put up on the Jefferies Boulevard banners. I just think we may be opening the door, and the next person or next industry that asks to put up a banner, how can we tell them no, and it is just a free-for-all advertising for whatever industry that wants to put up a banner. I will support this, but between now and the next request for a business industry, I think we need to have some kind of guideline in place.

Council Member Lohr then stated, I agree with Mr. Buckner up to an extent, but I will call to his attention that this looks like it says "for life insurance awareness month in September." So, I don't think we would have any reason to be approving this a month of every year. If this is all we are going to deal with, then I don't have any problem. He then asked Mr. Bryan McCollum, who was present on behalf of the insurance group, if this were a joint collective insurance group requesting this item.

Mr. McCollum expressed that the local group making the request is associated with the NAIFA (National Association of Insurance Finance and Advisors). He noted that the group had displayed a banner last year and had adhered to the city code. This is nationwide. Every city in the USA, during the month of September, that has a local chapter, which we do, puts this banner up. We keep it to a professional print and we go by the city code. We want it to be readable. We also go by a code designed by the national chapter. This is to make awareness during the month to the public to carry proper health insurance during times of hardships, because without proper health insurance, the hardship really goes on.

Mayor Young stated, I don't think at this point we have but four or five banners a year going up. If it becomes a problem, then I will agree with Mr. Buckner that we would probably need to look at it. At this point, it's not a problem yet. We are not being overwhelmed with requests to put up banners.

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Council Member Peters stated, last year when we discussed this, we said the policy we would come up with would be on a case-by-case basis, and that is just what we are doing. This same banner did come up last year and we also had a banner for the band and rice festival come up almost back to back, and we had to take those on a case-by-case basis. I agree with Mayor Young that there is not that many banners being used. Believe me, we need to celebrate as much as we can celebrate these days.

**The motion passed with all members voting in favor to grant the banner request as submitted.**

**COMMITTEE REPORTS:**

There were no committee reports given.

There being no further business, a motion to adjourn was made by Council Member Lucas, seconded by Council Member Siegel and passed unanimously. The Mayor adjourned the meeting 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 September 13, 2011**