

City of Walterboro

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Walterboro, SC 29488-0008

Walterboro City Council
Regular Meeting
March 9, 2010
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. Approval of Minutes:

1. Minutes of the February 23, 2010 Regular Meeting (Minutes attached).

IV. Proclamations and Resolutions:

1. A Proclamation Recognizing Katie R. Gilliard on her 100th Birthday (Proclamation attached).

V. Old Business:

VI. New Business:

1. Ordinance # 2010-03, An Ordinance to Amend Chapter 2 of the Code of Ordinances of the City of Walterboro, "Administration," to Add Article V, "Procurement," So As to Set Forth the City of Walterboro Purchasing Procedures; to Set Forth the Purchasing Authority of Department Heads, the City Manager, and City Council; to Set Forth Procedures That Are to Be Followed for Purchases of Certain Types and Dollar Amounts, **First Reading** (Ordinance attached).
2. Funding Recommendations from the Accommodations Tax Advisory Committee (Attached).

VII. Committee Reports:

VIII. Executive Session:

IX. ADJOURNMENT.

Birthday Proclamation
for
Katie R. Gilliard

WHEREAS, our community will celebrate the 100th Birthday of Katie R. Gilliard on May 22, 2010; and,

WHEREAS, Ms. Gilliard was born on May 22, 1910 in Green Pond, SC to Sammie and Charlotte Richard, one of four children; and,

WHEREAS, Ms. Katie Gilliard, affectionately known as "Mother Katie" was wife to Richmond Gilliard, and is the mother of three children; and,

WHEREAS, "Mother Katie" has been a life long resident of Colleton County, a faithful member of St. Mary A.M.E. Church where she served on the Senior Choir and Trustee Board for many years; and,

WHEREAS, Ms. Gilliard has had many different jobs in her lifetime, from a farm laborer to a seamstress, and has taught the trade of seamstress to members of her family; and,

WHEREAS, she is the grandmother of a host of grandchildren, great grandchildren and great-great grandchildren; and,

WHEREAS, "Mother Katie" is dearly loved by her family for her unending devotion to teaching life skills and life lessons and her family wish to thank her for her loyalty to them and the community over the years.

NOW, THEREFORE BE IT RESOLVED, that William T. Young, Jr., Mayor of the City of Walterboro, on behalf of the entire City Council, hereby honor Katie R. Gilliard and proclaim May 22, 2010 as: **KATIE R. GILLIARD "Mother Katie" DAY** in the City of Walterboro.

BE IT FURTHER RESOLVED, that the City of Walterboro does hereby extend congratulations to Ms. Gilliard in recognition of her 100th birthday.

DONE, this ninth day of March, 2010.

William T. Young, Jr., Mayor
City of Walterboro, South Carolina

ATTEST:

Betty J. Hudson
Municipal Clerk

ORDINANCE # 2010-03

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WALTERBORO, "ADMINISTRATION," TO ADD ARTICLE V, "PROCUREMENT," SO AS TO SET FORTH THE CITY OF WALTERBORO PURCHASING PROCEDURES; TO SET FORTH THE PURCHASING AUTHORITY OF DEPARTMENT HEADS, THE CITY MANAGER, AND CITY COUNCIL; TO SET FORTH PROCEDURES THAT ARE TO BE FOLLOWED FOR PURCHASES OF CERTAIN TYPES AND DOLLAR AMOUNTS.

WHEREAS, City Council recently re-codified the Code of Ordinances for the City of Walterboro; and

WHEREAS, Chapter 2, Article V, (Procurement Code) was included in the 2003 Code; and

WHEREAS, State law requires that the City adopt procurement laws;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Walterboro, in Council Assembled, that the following amendments to the Code of Ordinances will become effective upon passing of this ordinance:

Chapter 2, Article X of the Code of Ordinances is hereby created as follows:

ARTICLE X. PROCUREMENT*

*State law reference—Political subdivisions required to adopt procurement laws, S.C. Code Ann. § 11-35-50; procurement and intergovernmental relations, S.C. Code Reg. 19-445.2155.

Sec. 2-232. Title.

This article shall be referred to as the City of Walterboro Purchasing Procedures.

(Code 2003, § 6.401)

Sec. 2-233. Purpose.

The purpose of this article is to establish procedures which ensure a standardized system resulting in the fair and impartial selection of vendors offering the most competitive prices for quality materials, supplies, equipment, vehicles and contractual services purchased by the City.

(Code 2003, § 6.402)

Sec. 2-234. Applicability.

The purchasing procedures contained in this article shall apply to all purchases made by the City. Each department head shall be responsible for all purchasing within his department. The term "purchasing" means the purchase, storage, distribution and inventory control of all required supplies, materials, equipment, vehicles and contractual services. The department head may delegate certain purchasing functions, but this in no way diminishes the department head's responsibility for purchasing within his department.

(Code 2003, § 6.403)

Sec. 2-235. Authority of City Manager.

(a) The City Manager shall have authority to award contracts pursuant to this article for all purchases less than \$25,000.00; provided that:

- (1) The item to be purchased is appropriated in the current fiscal year budget;
- (2) The price does not exceed the budget estimate by more than ten percent; and
- (3) The award is to the lowest responsible bidder.

(b) All other purchases shall be approved by the City Council.

(Code 2003, § 6.404)

Sec. 2-236. Competitive procurement requirements.

(a) Department heads, or their authorized representatives, are allowed to purchase items under \$1,000.00, including sales tax and freight charges; provided sufficient funds are available for purchase within their operating budget. The award shall be made to a qualified vendor who has submitted a competitive price. Verbal price quotes from three vendors are encouraged. No purchases or contracts shall be subdivided into separate purchases to avoid the \$1,000.00 limit.

(b) For purchases between \$1,000.00 and \$5,000.00, department heads are required to obtain either verbal or written price quotes from a minimum of three vendors. Verbal quotes are acceptable, but must be documented. The documentation shall consist of the name of the vendor, price quote, name of vendor's representative providing the quote and the date of quote. No purchases or contracts shall be subdivided to avoid the purchase level thresholds established by this policy. Purchases at this level may be authorized by the department head without the City

Manager's approval; provided the item is budgeted and does not exceed the budgeted allocation. Competitive procurement documents must be retained for a period of one year.

(c) For all purchases between \$5,000.00 and \$25,000.00, department heads must obtain written competitive bids from a minimum of three vendors pursuant to Section 2-241. Written bids shall be provided in response to a written invitation for bids and must be submitted in a sealed envelope. Bidders shall be provided a minimum of three working days from the City's written invitation for bids to submit bids. The department head shall prepare a recommendation of award for the City Manager. The recommendation of the lowest responsible bidder shall be approved by the City Manager prior to placing any order with a vendor. No purchases or contracts shall be subdivided to avoid the purchase level threshold established by this policy. No City Council action shall be required for purchases in this category; provided the purchase is authorized in the current fiscal year budget, prices do not exceed the budget estimate by more than ten percent and award is to the lowest responsible bidder.

(d) For purchases in excess of \$25,000.00, the department head must obtain written competitive bids from a minimum of three vendors pursuant to Section 2-241. If less than three qualified vendors exist, the City shall issue an invitation for bids to such qualified sources as are available. Competitive bids shall be in response to a written invitation to bid issued by the City. Bidders shall be provided a minimum of five working days to submit bids. The bid request shall provide specifications for the item being purchased, a clearly stated bid submittal deadline with specific language stating that once a sealed bid is submitted, no opportunity shall exist to withdraw and submit an alternate bid. Selection of a vendor under this category shall be approved by City Council action.

(Code 2003, § 6.405)

Sec. 2-237. Professional service procedures.

(a) *Definition.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Professional services means the furnishing of labor, time or effort by a contractor to provide engineering, surveying, architectural, appraisal or other services in which plans, specifications or other reports are prepared by a consultant who possesses the requisite training, education or professional certification to be qualified to offer the requested services.

(b) *Qualifications.* The contractors to perform professional services shall be selected based on qualifications.

(c) *Publication of qualifications.* A request for qualifications (RFQ) shall be advertised at least once in a paper of general circulation in the state. The RFQ shall describe the project and invite the submission of qualification statements from interested contractors. The RFQ shall specify the requested information which at a minimum shall include:

- (1) The professional training, expertise and qualifications of the specific individuals to be assigned to the project for which the RFQ has been issued.
- (2) Past performances of the firm submitting the RFQ.
- (3) Location of the firm.
- (4) Recent, current and projected workload of the firm.
- (5) Creativity, insight and approach to the project.
- (6) Related experience on similar projects.
- (7) Other factors deemed relevant to the project.
- (8) Willingness to meet time and budget requirements.

Prospective professional service contractors shall be given a minimum of 15 days to submit qualification statements in response to the RFQ.

(d) *Selection of interviewees.* Based on the evaluation of RFQ submittals, the department head in consultation with the City Manager shall select a short list of firms to be interviewed.

(e) *Award of contract.* Upon completion of the interviews, the firms shall be ranked. A final scope of services and a fee shall be negotiated with the highest ranked firm capable of meeting City budget and time limitations.

(f) *Final selection.* The final selection of the firm shall be made by the City Manager or City Council pursuant to the authority threshold limits established under Section 2-235.

(g) *Alternate awards.* The City may elect to engage professional service contractors for a specified time period as a general consultant in a specific area of expertise, rather than on a project basis.

(h) *Small professional service contracts.* The provisions of this section shall not apply to professional services with an estimated fee of less than \$2,500.00. Small professional service contracts shall be awarded to contractors or consultants who have

performed in a satisfactory manner with regard to past projects or other relevant criteria. The fee for small professional service contracts shall be negotiated with one or more firms.

(Code 2003, § 6.406)

Sec. 2-238. Bids and quotations; state sales and excise taxes; freight charges.

The City is not exempt from state sales tax. Sales tax should be included on all bids and quotations. If vendors from states other than South Carolina exclude taxes and freight charges from quotations, the department head shall be responsible for including applicable sales tax and freight charges on the bid tabulation. The City is, however, exempt from federal excise taxes. Upon the request of any vendor, the City shall provide the appropriate certificate of exemption form for excise taxes.

(Code 2003, § 6.407)

Sec. 2-239. Emergency purchases.

In the event of an emergency affecting the public welfare, health or safety of individuals or property, department heads shall verbally request and obtain approval of an emergency purchase from the City Manager. In the event the City Manager is not available, the department head may elect to waive competitive bidding; however, in each case the department head shall submit a written report stating the nature and circumstances of the emergency to the City Manager within two working days of such purchase. The term "emergency" means an existing condition that could not have been foreseen or anticipated and a purchase of supplies, equipment, etc., was necessary to bring the condition under control. Emergency purchasing should only be performed in extreme cases.

(Code 2003, § 6.408)

Sec. 2-240. Sole-source procurement.

A bid or contract may be awarded for a supply, service, vehicle or equipment without competition when it is determined that there is only one source available for the purchase. Sole-source purchases should be documented by the department heads and submitted to the City Manager for approval or referral to the City Council for action pursuant to the limits established by Section 2-236 prior to the purchase.

(Code 2003, § 6.409)

Sec. 2-241. Formal bids.

All purchases of \$5,000.00 or more require formal bids. Valid formal bids shall meet the following conditions:

- (1) The bid shall be in writing in response to a written request for bids from the City.
- (2) All bids shall be sealed. Bids shall be submitted to the appropriate department head, securely sealed in an envelope and shall be identified on the envelope in accordance with bid instructions.
- (3) Bids shall be opened in public in the presence of one or more witnesses at the time and place stated in the written invitation for bids. A tabulation of all bids received shall be available for public inspection.
- (4) A bid of any vendor or contractor who was delinquent in payment of taxes, licenses or other moneys due to the City shall not be accepted until all City claims are satisfied. It shall be the responsibility of each department head to verify that the bidder is not in default with the City prior to recommending the award.

(Code 2003, § 6.410)

Sec. 2-242. Bid deposits and bid bonds.

The City may at its discretion require deposits or bid bonds prior to entering into any contract for services. Bid deposits are forfeited by the successful bidder upon failure to enter into a contract within ten days after notification of the award by the City; provided that the City in its sole discretion may waive this forfeiture. Bid deposits of unsuccessful bidders will be returned within three business days after the contract is awarded.

(Code 2003, § 6.411)

Sec. 2-243. Material testing.

The City shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries if it is determined to be necessary to ensure the quality and conformance with bid specifications.

(Code 2003, § 6.412)

Sec. 2-244. City's right to reject bids.

The City shall have the authority to reject any and all bids or parts of bids when it is determined to be in the City's best interest. All requests for written bids shall clearly state that the City reserves the right to reject any and all bids or parts of bids and to waive informalities.

(Code 2003, § 6.413)

Sec. 2-245. Bid award.

(a) Bid purchases shall generally be awarded to the lowest responsible bidder. The lowest bidder for purchases or materials, supplies or miscellaneous items bid as a package shall be determined based on the aggregate bid for the package, not individual line items. When determining the lowest responsible bidder, in addition to price, consideration shall be given to the following factors:

- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service or equipment requested.
- (2) The bidder's ability to perform the contract or provide the service promptly or within the time specified without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- (4) The quality of performance of previous contracts or services.
- (5) The previous and existing compliance of the bidder with the laws and ordinances related to the contract or services.
- (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
- (7) The quality, availability and adaptability of the supplier or contractual services to the particular use required.
- (8) The ability of the bidder to provide future maintenance and services for the use of the subject on the contract.
- (9) The number and scope of conditions attached to the bid.

(b) For purposes of this article, the term "quality" means suitability. It does not imply the highest or best quality

available, but the most suitable product for the purpose intended. The determination of suitability shall be made at the sole discretion of the City or its consultant.

(c) In the case of tie bids, where the application of the factors to determine the responsible bidder do not apply or differentiate the suitability of the product or bidder, the following method shall be used to select the lowest responsible bidder. Preference shall be given in the following order:

- (1) Bidders maintaining an office or production facility in the City corporate limits.
- (2) Bidders maintaining an office or production facility in the County.
- (3) Bidders maintaining an office or production facility in the State.
- (4) If a tie remains after applying Subsections (c)(1) through (c)(3) of this subsection, a coin shall be flipped in the office of the City Manager witnessed by all parties.

(Code 2003, § 6.414)

Sec. 2-246. Award to other than lowest bidder.

If the lowest responsible bidder is not the low bidder, the department head shall prepare a full and complete statement of the reasons for placing the order elsewhere and the City shall retain the statement for a period of not less than 12 months.

(Code 2003, § 6.415)

Sec. 2-247. Financial interest of City officials and employees prohibited; exception.

No member of the City Council or any officer or employee of the City shall have a financial interest in any City contract or sale to the City or to a contractor supplying the City of any land or rights or interest in any land, materials, supplies or services exceeding \$500.00; except when the interest is publicly disclosed and a majority of the City Council determines such exception is in the City's best interest and the procurement procedures established by this article have been properly applied. No Councilmember whose interest is involved shall vote on the question. The only exception to this provision shall be the purchase of materials, equipment, vehicles or supplies purchased under a state contract.

(Code 2003, § 6.416)

Sec. 2-248. Gifts and rebates.

(a) All officers and employees of the City are expressly prohibited from accepting, directly or indirectly, from any person to which any purchase order or contract is, or might be awarded, any rebate, gift, money or anything of value to influence any official action and for personal benefit, except where given for the City's use and benefit.

(b) For purposes of this section, the term "anything of value" does not include the following:

- (1) Information or promotional materials less than \$10.00 in value.
- (2) A personalized plaque or trophy less than \$150.00 in value.
- (3) Educational material of nominal value.
- (4) An honorary degree.
- (5) Promotional or marketing items offered to the general public on the same terms.
- (6) A properly received and reported campaign contribution.
- (7) Meals less than \$25.00 in value accepted while performing official business and approved by the City Manager.

(Code 2003, § 6.417)

Sec. 2-249. Payment request vouchers payable only after competitive procurement documentation ordered.

All documentation related to the purchase shall be turned in to the finance department along with the payment request voucher. The finance department shall not process the voucher and pay for any purchase until such documentation is in order.

(Code 2003, § 6.418)

Sec. 2-250. State contract purchases.

(a) Purchases on a state contract shall meet the requirements of these regulations; provided, however, that whenever a local vendor is available to provide a similar material, product, equipment, vehicle or contractual service, a bid shall be obtained from the local vendor.

(b) When an item is equivalent or superior to a state contract item, at a price equal to or less than the state contract price, it shall meet the requirements of these regulations.

(Code 2003, § 6.419)

Sec. 2-251. Local purchases preferred.

Purchasing shall be done with local vendors whenever possible and consistent with this article.

(Code 2003, § 6.420)

DONE, this ____ day of _____, 2010.

William T Young, Jr.

ATTEST:

Betty J. Hudson
City Clerk

First Reading: _____
Second Reading: _____
Public Hearing: _____

City of Walterboro

Accommodations Tax Advisory Committee

Telephone:
(843) 549-2548

248 Hampton Street
Walterboro, South Carolina, 29488-3525

Fax:
(843) 549-7725

To: Betty Hudson

From: Bill Floyd, Finance Director

CC: Jeff Lord, City Manager

Date: February 19, 2010

Re: Next Committee Meeting

The Accommodations Tax Advisory Committee at its scheduled meeting on Thursday, February 18, 2010 approved the following requests:

	Description of Request	Approved	Requested
	Lowcountry Sertoma's Historic Walterboro		
A.	Shag Dance	\$6,400	\$8,000
	SC Artisans Center – Multi-state Marketing	\$6,000	\$6,000
B.	City of Walterboro request for Multi- State		
C.	Marketing	\$8,000	\$8,000
	Colleton County Historical & Preservation Society	\$6,000	\$7,500
D.	(Walterboro Antiques, History & Arts Festival)		
	TOTALS	\$26,400	\$29,500

Walterboro City Council
Regular Meeting
February 23, 2010

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, February 23, 2010 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, City Attorney George Cone and Attorney Ashley Amundson were also present. There were approximately 14 persons present in the audience at the meeting.

There being a quorum present, the Mayor called the meeting to order and announced that Dr. Eddie Hiott, a former Council Member, lost his wife. He asked that everyone keep Dr. Hiott and his family in prayer. The Mayor also announced that former Council Member Sonny Miller, who served on City Council from 1966 to 1970, passed away. His daughter, Kim Miller, is our City Prosecutor. He asked everyone to keep Kim and her family in their thoughts and prayers.

The Mayor also announced that Council Member Lucas was sick and unable to attend the meeting tonight.

Council Member Smalls gave the invocation and Council Member Peters led the Pledge of Allegiance to our flag.

The Mayor thanked all the city employees and the Public Works Department for the good job cleaning up after the snow storm.

PUBLIC INPUT ON AGENDA ITEMS:

There were no questions or comments made on agenda items.

PRESENTATION:

2010 Projects/Priorities - City Manager, Jeff Lord

Mr. Lord opened by stating this is just a quick update of the project priorities as a result of the annual retreat at the end of last month. This is part two of the series. At the last Council Meeting, we did a summary of last year's projects. These are all new additional things added to the task list. The highlights of Mr. Lord's presentation were as follows:

Mr. Lord reported that Council has established four priorities, which is different from what was done in the past. These priorities are:

1. Crime and Public Safety
2. City Image
3. Infrastructure
4. Jobs and Economic Development.

In line with the four priorities by Council, City Manager Lord identified the following action items to be taken:

- 1) Street Lighting Improvements - Expand the use of dense street lighting in targeted areas to promote safe neighborhoods. Mr. Lord reported that this has been very successful in the Gerideau and McDaniel Street area. A priority of Council is to expand that into other areas.
- 2) Promote Annexation - we can:
-Expand additional public safety coverage into areas near municipal boundaries.

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- Improve corridors and gateways into the City.
 - Promote commercial and residential development
 - Improve opportunities to upgrade or expand existing infrastructures
- 3) Prepare for Infrastructure Enhancements at the Airport.
 - The airport offers our area's best opportunity to attract industry.
 - Construction plans for water and sewer will allow the City to seek funding for construction costs. There is an item on the agenda tonight forwarding this project.
 - 4) Underground Wiring - Council reviewed the cost estimates from SCE&G. They were far exceeding the resources that are available. The funding that is available through SCE&G for this is also available for lighting. So that funding is to be considered for future lighting projects.
 - 5) Spray Field Acquisition - This will allow for an additional discharge method from our plant and it will allow us to expand to meet future growth.
 - 6) Create and Operate a Development Corporation - By having a Development Corporation, we will be able to provide additional opportunities for commercial redevelopment. It will also qualify the City for several grant programs for commercial development and job creation.
 - 7) Create and Operate a Housing Authority - This will provide additional opportunities for residential redevelopment and will also qualify the City for several grant programs for neighborhood revitalization.
 - 8) Create an Abatement Fund - This, too, is on the agenda for tonight. This will provide a revolving source of financing for property abatement cost incurred by the City. There are a lot of properties that need abatement, they need to be cleaned-up or if there is an unsafe structure, it needs to be repaired or removed. For some reason, we have been unable to get the property owner to do it. They are absent or otherwise. The City can do this, but this allows for a way to finance the cost, and have the money that is spent doing this, put back into the fund. So, it is a revolving source of money to help clean things up.
 - 9) Residency Incentives for Public Safety Officers - Encourage officers to live in at-risk neighborhoods through low rent or stipend or other method.
 - 10) Truancy Ordinance - Staff is to research and adapt a Truancy Ordinance used in other jurisdictions.
 - 11) Consider a Gun Buyback Program - This is a program where we can work with local businesses and community groups to reduce the accessibility of guns to those who may possess them illegally.
 - 12) Predatory Lending Ordinance - Under the Zoning Ordinance, we are to consider options for payday, check cashing and title loan businesses - ways they can be zoned.

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- 13) Review and Update the Zoning Ordinance to Match the Comprehensive Plan - The Zoning Ordinance is to be updated to current best practices and reflective of the City as articulated in the Comprehensive Plan.

Also, there was consideration of updating the sign ordinance, but this is to be done concurrently with the Zoning Ordinance.

Mr. Lord then concluded his presentation.

APPROVAL OF THE MINUTES:

The Minutes of the February 9, 2010 Regular Meeting were approved as submitted on the motion of Council Member Buckner, seconded by Council Member Peters and passed with all members voting in favor.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Resolution # 2010-R-02

Resolution # 2010-R-02, A Resolution establishing an Abatement Fund; Providing for the Funding Thereof; Providing for the Administration Thereof; and Related Matters, was before Council. Mayor Young clarified that City Manager Lord just covered this item in his presentation. It has to do with the City having a fund that will allow us to go in and clean up derelict properties where we have absentee property owners. As I understand it, he said, as we collect money from property owners for that, it would go back into the fund. So, it would be a self perpetuating fund as the goal.

City Manager Lord added that the City can go in and clean up the property, for example by doing weeds and vegetation clean up, or repair or even if it is bad enough, to tear down an unsafe structure. We can then apply a lien on the property for that. Those measures are already available. What's not available is the funding to be able to do that. This action will apply that funding. It sets it aside so that we can do it, and when those liens come due, that money will go back into the fund. So, it will be a self-perpetuating financing so we can cleanup some of these properties.

A motion to adopt Resolution # 2010-R-02 was made by Council Member Buckner and seconded by Council Member Parker. In discussing the motion, Council Member Buckner asked the City Manager if there would be an increase in the amount of workers needed to do the yard cleanup and the other things this fund will allow. City Manager Lord responded that he does not see City staff doing any of this work. This is so we can bid out the work to be done. Of course, when we bid it out, it will come back to Council for consideration. Mayor Young asked if there was a possibility for the city judge assigning people to do small cleanup projects, such as cleaning up brush, etc. Mr. Lord responded, for a lot of these properties you are talking about needing to use equipment. Some of the equipment needed is bigger than what we have. You're talking about maybe some trees that are growing up to be 2 inches in diameter or larger. What you are suggesting is better suited under the litter program.

Council Member Peters asked if the \$100,000 had been budgeted for this program. City Manager Lord responded that this money was not budgeted. This is

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transferring from one reserve account to another one. You are creating a fund; it is a revolving, non-budgeted fund. City Manager Lord further stated, you are just taking the reserve from one area and you are designating its reserve purpose for another.

Council Member Smalls asked when would the program get started? Mr. Lord responded, fairly quickly. We have already identified several properties. We have already given the proper notices. I would think 60 to 90 days.

Council Member Peters asked if this program would cost the taxpayers any additional monies or would this cost need to be included in the budget this year? Mr. Lord responded, this will not be a budgeted item. You are taking money that's in fund balance and setting it aside and designating it to be used for this one particular purpose. In that purpose, there are means for us to make people pay us back. When they do pay us back, the money goes back into the fund.

The motion then passed with all members voting in favor.

2. Consideration of Request for Proposals for Influent Control Panel Replacement.

Utilities Director Wayne Crosby reported that the Utilities Department accepted three proposals for the Influent Control Panel Upgrade on January 28, 2010 as follows:

Electric Supply Company of North Carolina	\$74,295.00
ITT Flygt Corporation of Charlotte, NC	\$88,389.58
Beach Electric of Walterboro	\$99,849.00

Mr. Crosby recommended the acceptance of the high bid by Beach Electric of Walterboro in the amount of \$99,849.00. He stated that while the total price given by Beach Electric is higher than the others, the motor control components are comparable in both price and function. He pointed out that the difference in the Beach Electric proposal and the other two proposals involved the SCADA operating system. The advantages of Beach Electric's proposal were as follows:

- 1) Their system establishes the initial SCADA system which has the capability to be expanded in order to monitor and/or control the remaining plant process equipment as well as remote lift stations with the addition of input cards and hard wiring.
- 2) The supplier has more than two decades of successful documented history of operation.
- 3) This software offers centrally stored data that can be used for reporting, determining trends of flows during seasonal or peak periods to produce flow projections and determine maintenance schedules based on run time instead of calendar days.
- 4) This system provides 24/7 monitoring capabilities, alarm reporting/management and text paging.
- 5) In addition to monitoring the motor control panel, this system acts as the pump controller and brings each of the three influent pumps up based on the wet well level. This method of operation allows each pump to operate at lower rpms and therefore prolongs the life of the pump while saving energy.
- 6) The Beach proposal also provides for a building to house the system.

The Mayor then entertained a motion to accept the recommendation of staff to award the bid to Beach Electric. Council Member Parker so moved. Council Member Lohr seconded the motion.

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In discussing the motion, Council Member Buckner asked Mr. Lord if Beach Electric had a business license for the City of Walterboro. The City Manager affirmed that Beach Electric has a city business license. Council Member Buckner then told Utilities Director Wayne Crosby he had difficulty trying to rationalize the additional \$25,000, because the Beach Electric bid is \$25,000 higher than the lowest bid. He asked, is there anything else you could tell us on why we should choose them over the low bid of \$74,000, because the difference is quite a substantial amount of money?

Mr. Crosby responded, if you look at the motor control center and you take a breakdown on the different proposals, all of them are almost identical. They are providing the same function. \$33,000+ dollars are actually for the SCADA System. Beach Electric is proposing to give us the instrumentation and the electrical components that we need to operate the influent control panel at \$67,000. If it were not for the SCADA System, (Beach Electric) would be the low bidder. However, they have given us the opportunity to organize our things on the internet and to have important data that's in a final daily basis so that we can manage it from locations, if the alarm goes off, for example. It is an opportunity for us to move into the next century. City Manager Lord added that this amount is within the budget.

Mayor Young then reminded everyone to direct their comments/questions to the Chair.

The motion to approve the high bid of Beach Electric in the amount of \$99,849 for the Influent Control Panel Upgrade 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 for approval.

3. Approval of General Agreement for Professional Engineering Services with B. P. Barber for Water and Wastewater Improvements

The Mayor explained that this item was to look at getting a beginning plan on what it would take to get water and sewer to the airport area, so that we can encourage economic development out there.

City Manager Lord further stated that B. P. Barber was the firm Council chose to be the City's water and sewer engineering firm. They are to present a proposal or work order whenever we have work to be done. Council has an interest to have a plan in place so that should something need to go out at the airport, we can be ready. This \$25,200 covers the survey work and a preliminary route design and cost estimates.

A motion was then made by Council Member Peters, seconded by Council Member Smalls, to approve the General Agreement for Professional Engineering Services with B. P. Barber for Water and Wastewater Improvements as submitted. In discussing the motion Council Member Smalls asked if B. P. Barber had a set hourly rate. City Manager Lord affirmed that there is a set hourly rate. He said, per our agreement with them, this is just a work order that is referring back to our original agreement. They will provide us the work that we asked for at the hourly rate, but this work order sets a not-to-exceed amount.

The motion then passed with all members voting in favor.

4 Request to Use City Parking Lot and Waterfall for Business and Community Expo on March 17, 2010

Walterboro City Council
Regular Meeting
February 23, 2010

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Mr. David Smalls of the Walterboro-Colleton Chamber of Commerce told Council that last fall, he conducted a community expo in 1/3 of the Parking Lot. We are looking at doing a Spring Expo. He said, we did not use the waterfall last fall. The reason we are asking for the waterfall is to try and bring people downtown and then kick off activities that will be starting in the Spring, like the Criterium, the Rice Festival and the Antique Festival. We will be trying to promote activities that will be going on downtown. It will be a smaller version of what was done in the fall.

A motion was then made by Council Member Peters, seconded by Council Member Buckner, to approve the request as submitted by the Walterboro-Colleton Chamber of Commerce.

There were no Committee Reports given.

There being no further business, a motion to adjourn was made by Council Member Parker, seconded by Council Member Smalls and passed unanimously. The Mayor adjourned the meeting at 6:45 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