

Walterboro City Council
Regular Meeting
August 25, 2009

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, August 25, 2009 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 and City Attorney George Cone were also present. City Clerk Betty Hudson was absent due to illness. Finance Director Bill Floyd acted as the meeting recorder.

There being a quorum present, Mayor Young called the meeting to order and called on Council Member Smalls for the invocation and Council Member Peters to lead the Pledge of Allegiance to the flag.

There were no Minutes before Council for approval.

The Mayor then announced that agenda item No. 7 - Recommendation to Purchase a Compact Pickup Truck - would be removed from the agenda until we receive more bids.

Mayor Young then opened the floor to receive public comments on any of the agenda items. No comments were made.

Presentation - Mr. John Barnes and Wayne Lake were present on behalf of the World Changers/Nails in Hand organization to thank the city for its support with their 2009 World Changers/Nails in Hand Project. Mr. John Barnes, Project Coordinator for World Changers, then read a letter of thanks to Council. A certificate of appreciation was given to the Mayor. Mr. Barnes gave special thanks to the Fire Department, as well as the Police Department for their service during the project.

Request for Appearance - Mr. Horace Simmons, Community Action Line Against Violence appeared before Council.

In a written letter to Council, Mr. Simmons expressed disappointment that the city has not made progress with concerns he had identified at previous council meetings. In his appearance to Council, he pointed out the following problems:

- 1) Building on the corner of Henderson and Harper Street, owned by William Smoak, which is an old warehouse. He asked if this building could be closed up, maintained, or torn down. He stated that someone could go into this building and smoke and start a fire. It is also located near other residential homes.

City Manager Lord stated that since this has come to his attention he has asked the Code Enforcement and Planning Departments to look at this problem to see what we can do. He said, I have looked at it and there are some things that can be done. What we can do will be determined by further investigation.

Mayor Young asked if the owner of that property had been notified of any problems with that property in the past. The City Manager agreed that the City still has that process to go through.

- 2) Above ground tanks located on Henderson Street. Mr. Simmons expressed a safety concern with those tanks, since they once contained gasoline and flammable fluid. He asked the City to check out these tanks. He noted that the tanks had been there for many years even before he moved in the area 10 years ago. Council Member Lucas noted that a man from Edisto had supposedly purchased those tanks to do some kind of biofuel, but there has been no activity since he purchased those tanks.

Mr. Buckner then said, as a resident of that area, would you say that these particular properties are attracting children to play on the property, and do you foresee that there is a possibility that these children may hurt themselves: Mr. Simmons agreed that this is certainly possible. Even if they just walk on the property, they could hurt themselves. That door on the building is wide open.

Mr. Smalls asked if the gate to the property containing the tanks is locked or open. Mr. Simmons responded that the gate is locked. Mr. Simmons also pointed out that there has been instances where children play in the area around those tanks, which is a safety concern.

In conclusion, Mayor Young stated that the city will work on these problems.

OLD BUSINESS:

Proclamation No 2009-06. The Mayor read the proclamation in its entirety into the records.

A motion was made by Council Member Lucas, seconded by Council Member Smalls to adopt Proclamation No. 2009-06, designating October as Domestic Violence Awareness Month and Setting October 17, 2009 as Annual Mayor's Walk Against Domestic Violence. The motion passed unanimously. A copy of said resolution is attached as part of these minutes.

Temporary Use Licenses to Cross Railroad Property on Green Pond Highway Jointly Owned with Colleton County for Robbie Hooker and W. R. Richards. A motion was made by Council Member Parker, seconded by Council Member Lucas to approve both temporary use licenses for Robbie Hooker and W. R. Richards to cross railroad property on Green Pond Highway, as submitted. The motion passed with all members voting in favor.

NEW BUSINESS:

Discussion of the Creation of a Youth Commission. City Manager Lord reported that he was asked to complete research on youth commissions, i.e. how they are formed and how they are used in different municipalities. After a search, he located two groups - one in Greenville and one in Charleston.

The Greenville model was loosely organized. They have 4 categories that they matched 15 adults with 15 youths and they meet periodically just to discuss issues. Mr. Lord noted that the Charleston Model works with the National League of Cities. They have an Institute for Youth and Families. With the guidance of NLC, a youth master plan was produced, which is a fairly comprehensive document as to how the community of Charleston could address the needs of the youth over time. Mr. Lord then suggested that the Council might want to go down the road of looking at the Charleston Youth Commission as a sample because there is a lot of good material there that we can use. Mr. Lord also reported that

he had spoken with the lady in charge in Charleston and she spoke very highly of the process.

Council Member Buckner then thanked Mr. Lord for getting the information on Creating a Youth Master Plan. He said, I have read this information on what they are doing in the City of Charleston. I am very excited about this Charleston Area Youth Master Plan, where they gathered all the stakeholders, whether it be the city, government, or education. They all came together and made a plan for the youth in the City of Charleston, and I was very impressed by it. I believe that we in the City of Walterboro could learn a lot from how the City of Charleston through Mayor Joe Riley came together and developed a Youth Master Plan. I would encourage Council to greatly consider how Charleston created their plan. Of course, we are different, we are Walterboro, so we will do ours differently, but this could be a guide to create a youth master plan for the City of Walterboro.

Council Member Buckner then made a motion to begin the process of creating a Walterboro Youth Master Plan. Council Member Peters seconded the motion.

In discussing the motion, Council Member Lucas asked, are we voting just to look into the plan, because before I would approve it, I would want to see the layout, who's going to be on it, what it's going to do, its goals, etc. Council Member Buckner responded, this is just to begin the process of creating a youth master plan.

Council Member Lohr stated that he had no objections. He said, in fact, I think we can learn from others. He suggested that the plan should involve proper local organizations such as the Recreation Commission, Mr. Joe Williams who is looking into starting a YMCA, and the library, which has a youth group and a youth director. He stated, we really ought to involve these groups to make sure we have covered all our bases. Mayor Young added that the library has a Teen Advisory Board.

The motion then passed with all members voting in favor.

Consideration of Intergovernmental Agreement Between the City and County Regarding the Restructure of Recreation Activities with the City and County

Mayor Young advised Council that a revised copy of this agreement was before each Council Member.

On the Sankey Maree Park, Council Member Smalls asked who is the present owner - the county or the school district. City Manager Lord responded that the Sankey Maree Park right now is owned by the School District.

Mayor Young stated, at some point we will have to work out something with the school district on this. Council Member Smalls stated that he believed that the school district would deed the city that property. So, when we make the request for the tennis courts in Forest Hills, maybe, we can also make the request at that time to have that property located on Gruber Street. Mr. Lord believed that part of the property is owned by the school district and part is owned by the county.

A motion was made by Council Member Lucas to adopt the Intergovernmental Agreement Between the City and County Regarding the Restructure of Recreation Activities with the City and County as submitted. Council Member Smalls seconded the motion.

The discussion on this agenda item then continued. Council Member Peters stated if the city signed this agreement as it is, and the property belongs to the school district, then

that means we will be maintaining the school district's property. That's not what this is all about.

Further discussion was held on the ownership of the Sankey Maree Park and whether or not the city should take responsibility for maintenance of this property.

City Attorney George Cone noted that according to the records in the assessor's office, the county owns it and they have conveyed part of it to the Colleton Training School/Colleton High School Alumni Association.

Council Member Buckner stated that this whole contract agreement should be contingent upon the school district allowing the county to be able to transfer the lease over to us. Also, according to this agreement, we are giving up 21 acres of land back to the county for \$1. We are relinquishing any interest in the recreational facilities that are outside the city limits. I believe for those facilities which are in close proximity to the city, that we should have a say in how those facilities are run. If we relinquish all of our interest to the county, then we virtually have no say on how these recreational facilities are run. Secondly, I think that we are moving too fast on this without making sure that we have all the details. I think this is a bad deal for the city, and I can't support this joint intergovernmental agreement as it stands.

Mayor Young then stated that the city has already agreed in principle to this agreement in a previous meeting, and the reason we are doing it is for the benefit of all the children of the county, so that the county can move forward with an expanded recreation plan and more facilities. They cannot do that without us getting these properties switched over. They can't do the things for financing that they need to be able to do without this agreement. So, the 21 acres are already occupied by ball fields that are in use and have been in use for years out at the recreation center. I think it was the thought in discussions that this would be beneficial to our community and allow things to move forward on the recreation issue.

City Manager Lord said, one point of note is that we discovered in the process of negotiating this, that the 21 acres at one time was jointly owned by the city and county. They gave it to us for \$1, so we would have sole ownership to qualify for grants.

Council Member Smalls stated, another point we need to consider. By turning the parks over to the county, we'll save some dollars. We will support our own. Everything in the city will be supported by the city and everything in the county will be supported by the county.

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

Consideration of Engineering Contract for the Sewer System Rehabilitation

City Manager Lord pointed out that this item is for the Sewer Rehab Project that Council approved the application, the loan, the construction and the engineer to design the preliminary designs, so that we could get the funding.

This is to approve our present engineer, B. P. Barber, to oversee the rehab work. This is for televising the lines. They (B. P. Barber) would review the tapes and identify those areas that have to be fixed, the best way to fix them and to work with the contractor

to implement. They would then go back and review it to make sure it was done correctly. So, this is for the engineering of the actual rehab project.

A motion was made by Council Member Peters, seconded by Council Member Parker to approve the engineering contract with B. P. Barber and Associates for the Sewer System Rehabilitation as submitted.

In discussing the motion, Council Member Buckner said he had one issue with this. On the second page, where it talks about advertising projects for bidding. It lays the burden of the cost of advertising on the city. He then asked the City Manager if this is something that the city negotiated. Is this also for the subcontractors? City Manager Lord responded that this is not for the subcontractors. This is for the advertising of the bid to choose the contractor to do the project.

The motion then passed with all members voting in favor.

Consideration of Purchase of Vacant Land in the Great Swamp Sanctuary for \$70,000

A motion was made by Council Member Lucas to approve the purchase of the vacant land (Tax Map No. 163-10-00-033) in the Great Swamp Sanctuary for \$70,000. Council Member Smalls seconded the motion. In discussing the motion, Council Member Buckner stated that the appraisal came in at \$80,000 on this property. He said, I think this is a good piece of land for the city in terms of a long term range for the Great Swamp Sanctuary. However, spending \$70,000 right now in this economy, I don't think is in the best interest of the City of Walterboro. I think the Great Swamp Sanctuary is a project that we need to complete. We need to move forward on that project and this land purchase is something down the line. I think it is something we ought to do, but I don't think we need to do it right now. So, at this time I would not be able to support an expenditure of \$70,000, and we could use that money to invest in our parks, put in new equipment and make sure our parks are more beautiful.

The motion then passed with a vote of 5/2 with Mayor Young, Council Members Lucas, Parker, Smalls and Lohr voting in favor, and Council Members Peters and Buckner voting against the motion.

Consideration of Recommendation to Purchase a Residential Side Load Garbage Truck

Public Works Director Charlie Chewning reported that this is one of the City's replacement type trucks that is recycled every five to six years. Three bids were received and Amick Equipment had the lowest bid at \$161,502. The bid received from Carolina Environmental Systems was \$164,684 and the bid received from Lodal-South, Inc. was \$166,260. The trucks have basically the same chassis. Mr. Chewning then recommended acceptance of the low bid of \$161,502 from Amick Equipment Co. This price is well within the approved budget amount of \$177,000.

A motion was made by Council Member Parker to accept the low bid of \$161,502 from Amick Equipment Co. for the purchase of a Residential Side Load Garbage Truck. Council Member Lucas seconded the motion. In discussing the motion, Council Member Peters asked if there was any difference between the 2009 truck and the 2010 truck. He asked if the city would still get the full warranty on this truck. Public Works Director Charlie Chewning felt there was not much difference.

The motion then passed with all members voting in favor.

Consideration of Recommendation to Purchase a Front Loader with Tink Claw

Public Works Director Charlie Chewing stated that this is basically our machine for yard trash pickup. We are looking at replacing this type machine. Right now we do not have any backup machine whatsoever.

Mr. Chewing recommended the purchase of a New Holland Model W110B Front Loader equipped with a "Tink Claw" through the State Contract for the cost of \$108,970.73 to be purchased from Altman Tractor Company. The New Holland is \$6,500 lower than all other machines of comparable size on the State Contract list and offers a 30% discount on options. Mr. Chewing reported that the City presently have three other New Holland pieces of equipment and are very satisfied with their operation and maintenance. He noted that the State Contract price was within the approved budgeted amount of \$109,000 to replace this truck.

A motion was made by Council Member Peters, seconded by Council Member Smalls, to purchase the Front Loader with the Tink Claw as recommended for the bid price of \$108,970.73. In discussing the motion, Council Member Parker asked where is Altman Tractor Company located. Mr. Chewing noted that this company is basically located in Florence, but they have a big department in North Charleston, which is easily accessible to us for parts.

The motion passed with all members voting in favor.

Next, Council reviewed two requests to hang informational banners across Jefferies Boulevard:

1) A request by Walterboro-Colleton Chamber of Commerce to hang a banner on September 18-25 announcing the Tenth Business Expo.

2) A request by the Band of Blue Booster Club to hang a banner on September 21-28 announcing the 2009 Band Classic.

A motion was made by Council Member Buckner to allow the hanging of this Business Expo Banner as requested. Council Member Smalls seconded the motion. In discussing the motion, City Manager Lord pointed out that there was a date conflict with the hanging of the banner for the Expo and the Band Classic banner.

Further discussion was held. Mayor Young suggested that the Expo banner could probably go up a little earlier and removed earlier and then the Band Classic Banner could be put up a little later to be fair to both groups.

Council Member Buckner then withdrew his motion with the approval of the second.

A new motion was then made by Council Member Parker, seconded by Council Member Smalls to have the City Manager work with the Chamber of Commerce and the Band of Blue Booster Club to come up with dates for each group to hang their banners. The motion passed unanimously. Council Member Lucas pointed out that both banners must meet the requirements of SCE&G.

With the approval of the Mayor, Ms. Marsha Johnson told Council that the Mayor of St. George has done a lot of work getting grants for youth type groups and that the City might want to talk to them about what they have done.

A motion to enter an executive session was made by Council Member Lohr seconded by Council Member Buckner and passed unanimously. The Mayor then announced that Council will convene into an executive session for a discussion of appointments and a personnel matter and a discussion of negotiations incident to proposed contractual arrangements. The meeting then entered into an executive session.

The meeting returned to Open Session and there being no further business to consider, a motion to adjourn was made by Council Member Parker, seconded by Council Member Lucas and passed unanimously. The Mayor adjourned the meeting at 7:43 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 22, 2009