

Walterboro City Council
Regular Meeting
November 24, 2009

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, November 24, 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, City Attorney George Cone and Attorney Ashley Amundson were also present. City Clerk Betty Hudson was absent. Meeting recorders were: City Manager Jeff Lord and Tourism Director Donna Laird. There were approximately 25 persons present in the audience at the meeting.

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

The Mayor welcomed everyone to the meeting and announced that City Council will hold a public forum on next Tuesday, December 1, 2009 at 6:15 P.M. at City Hall to discuss the recent tragic events in the community.

The Mayor then asked for public input regarding the agenda. The following comments were received:

Mr. Robert Mixon, city resident, asked to comment on the establishment of a Youth Advisory Commission. He also commented on the "ratification of the \$5,000 reward to be provided through Crime Stoppers for information on the recent shootings resulting in three deaths. He said the \$5,000 reward is a good idea and that it would help secure information that the community needs. Regarding the Youth Advisory Commission, he felt this was also a good initiative. He stated that this will provide things for the young people to do. If you think about it, we don't have anything for them to do after school. We need to look into programs to give them something to do. Mr. Mixon also stated that our leaders need to get to Columbia to have the gun law appealed on allowing an 18-year-old to buy a gun. That law is ludicrous. I wish there was some way to give a reward for turning in people who have illegal guns, if it were possible.

Mr. Donnell Daniels, a city resident, also spoke to Council. He said it will just take more than the elders to make a difference in the situation that's going on. He said, if the youth does not step in and try to make a difference, then it won't be done. He also believed it was not a good thing for 18 year olds to carry guns. He said, we have to have God in our life in everything we do. Being a resident of the community where the shooting occurred, Mr. Daniels said he is willing to do whatever it takes to help. He said it would be great if everyone could work together to solve the problems.

Ms. Nichol Holmes, a city resident, speaking as a parent said, I have three daughters. It's very hard right now to find activities for them and being able to afford the activities. Just trying to keep them active is very hard. Just ask around to see if anybody would volunteer and help with the Youth Advisory Commission to bring in some sort of activity even during summer and after schools - tutoring or something. We really have to do something for the youth.

Mayor Young then stated he had a list of the activities available to young people in Walterboro and Colleton County. If anyone would like a copy, I will be glad to make it available to you - what's offered by the Recreation Commission, the library and the schools. Ms. Holmes asked if the list included transportation, because we have a lot of youth in the rural areas. Maybe, seeing about some type of transportation will also be a good idea.

Ms. Karen Boyd, a city resident, said her daughter participates in a lot of activities. She pointed out that there are tons of activities for the youth to participate in. We are talking about children who are not afforded the opportunity. They don't have the academic skills to participate in some of these activities. We need some type of activity that would go into the areas where we have troubled children, and that's what being forgotten. No one is addressing these children who are challenged, and I don't mean mentally challenged, I mean life challenged. What we need are activities for the kids to go to. It is something for them to do outside of school and outside of church.

Mr. Stevie Smith, a painting contractor, told Council he is willing to be a volunteer to help out these kids. Some of these kids need someone to stand up as a role model. They need somebody to care for them. A lot of these kids come to me for jobs and sometimes if I have something for them to do, I give them something to do because it helps them out.

Mr. Robert Mixon then added, we need to give them something to do from the community that is "free." We've got to give them something to do and a lot of them cannot afford it.

Mr. Horace Simmons, of Community Action Line Against Violence stated we should have had these inputs yesterday. Don't wait until somebody has died before you get up and say something. My organization has tried to prevent violence and we have done this for the past 9 or 10 years. Our group has taken kids to Columbia to the State House many times and we have never spent tax payer dollars. We have saved almost 400 kids already. Next year, we will see one of our top kids who will be coming out of the Citadel. We have kids out of Atlanta, Spartanburg, Columbia and all over South Carolina that came through the Action Line Against Violence Program.

There were no further comments on the agenda.

APPROVAL OF MINUTES:

The following minutes were approved on the motion of Council Member Lucas, seconded by Council Member Peters and passed with all members voting in favor.

1. Minutes of the October 27, 2009 Public Hearing and Regular Meeting.
2. Minutes of the November 9, 2009 Special Called Meeting.
3. Minutes of the November 12, 2009 Emergency Called Meeting.
4. Minutes of the November 16, 2009 Emergency Called Meeting.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

First Reading Approval of Ordinance # 2009-08

Ordinance # 2009-08 was given **First Reading Approval** on the motion of Council Member Parker, seconded by Council Member Smalls and passed unanimously

being: An Ordinance to Repeal Chapter 21, the Walterboro Zoning Ordinance and Land Development Regulations; Article IV, Establishment of Zoning Districts and Development Standards; Section 4.7, General Development Standards and Measurements; Subsection 4.7.11, Fences, and to Replace Said Subsection with a Revised Subsection, Setting Forth Expanded and Clarified Requirements Relating to Fences.

Council Member Buckner asked for background information on the ordinance. City Manager Lord stated that a few years ago, the city adopted an ordinance that regulated fences. It was a very simple written paragraph that said if a fence was in the front setback, then it could not be more than 4 feet tall and could not be solid in nature. There were some other restrictions. It was very simple, but also very restrictive. The Planning Commission was approached with a specific request in regard to Live Oak Cemetery. The improvement plan for Live Oak Cemetery has to do with a fence that would be in the setback, but still off the road. The Planning Commission agreed that the old ordinance was too restrictive, so they revised the ordinance, which is reflected by Ordinance # 2009-08.

Council Member Buckner asked what does this ordinance means to the regular person who wants to build a house and put up a fence. City Manager Lord responded that the ordinance still restricts the height of the fence in the front of the building and it clarifies where the fence is to be placed. Before the amendment, it was not clear as to whether the fence goes to the front end of the front setback or the current face of the house. It clarifies that the placement is the greater distance, so that gives more leeway. It also allows if you have an adjoining house, and they are allowed to go further, so you can also go further with a taller fence. The amendment just clarifies that boundary. It also allows, (where the previous ordinance did not), for having a 6-foot fence down a side or corner lot, in a side setback only so far as that interferes with the intersection view triangle. This amendment also allows an 8-foot fence in the commercial district.

The motion then passed with all members voting in favor.

First Reading Approval of Ordinance # 2009-09

Ordinance # 2009-09 was given **First Reading Approval** on the motion of Council Member Lucas, seconded by Council Member Parker and passed unanimously; being: An Ordinance to Amend Chapter 13, Postings, Soliciting, Advertising; Article II, Political Signs, Banners, Placards, etc., of the Code of Ordinances of the City of Walterboro, So As to Revise the Provisions for and Set New Procedures for the Handling of Citizen Requests to Place Signs Within the Public Right-of-Way; to Set Forth Criteria by Which the City Will Determine What Types of Signs Are Allowed; to Authorize the City Manager to Receive and Review Such Requests; to Provide Penalties for Violation of this Ordinance; and to Provide a Time Period for Temporary Signs Within the Right-of-Way, First Reading.

Mayor Young explained that in the past Council asked the City Manager to come back with an ordinance that would allow people to make a request directly to the City Manager for some of these signs that come to Council on a regular basis. This ordinance is the result of that request.

In discussing the motion, Council Member Buckner asked if this ordinance would allow the City Manager to be able to make decisions concerning sign requests. He asked

whether the criteria for the City Manager to make a decision was in the ordinance. Mr. Lord affirmed that the criteria is specified in the ordinance.

Council Member Peters stated that his concern with this ordinance is how closely it runs with the county ordinance. It seems like the biggest problem we have had with signs has been the fact that ours is totally different from the counties. The county allows them to put whatever their allowances are. If we could have a sign ordinance that runs a little more parallel with their ordinance, there might not be any confusion. We saw this in our own campaigns and when they had the co-op board elections. I haven't looked at the county's sign ordinance yet, but have we taken into consideration how their ordinance is written?

City Manager Lord responded that this amendment does not change any of the political signs. It specifically excludes political signs from the ordinance. He stated, I believe that the county allows calendar year for political signs, and you have addressed that concern in the proposed draft of the revised Code of Ordinances.

Mr. Peters then asked, all this is saying is that we would grant you permission to approve these exceptional signs that come before Council normally? Mr. Lord responded affirmatively.

The motion then passed with all members voting in favor.

Consideration of Proposal to Establish a Youth Advisory Commission - Council Member Dwayne Buckner

Council Member Buckner briefed Council on this agenda item. He stated in the wake of the recent acts of violence that have taken the lives of three people in Walterboro and the injury of many others, I believe that peace is something that we desperately need in our homes, our community and our city. So tonight, I am going to propose the Walterboro Peace Initiative as a means to help bring about peace, tranquility and prosperity to our city. However, first we need to identify what the issue is. The shootings we have experienced, youth violence, crime and aggression are only what I believe, to be symptoms of the real problem facing the city. The real problem is that many of our youth in Walterboro lack a sense of belonging and purpose. As a result, they find themselves in associations that are not positive, but detrimental, and those associations promote a culture of drugs, violence and in some instance lawlessness. So, we can hire more officers, we can impose a youth curfew, we could try to cut down on illegal guns flowing into the city; however, that will not solve the problem even though it has merit. Our resources need to be spent in addressing the problem, which is simply without having a purpose or sense of belonging you perish. Right now, many of our youth are perishing in the city, so I propose that the majority of our resources be spent in solving the issue, which is helping to create within our youth a sense of belonging and purpose.

Council Member Buckner then stated that he would like to give three proposals he believed would help to solve the problem.

At this point, Mayor Young reminded Councilman Buckner that the matter before Council on the agenda is the "proposal to establish a Youth Advisory Commission." The Mayor then entertained a motion in regard to the establishment of a Youth Advisory Commission.

A motion was then made by Council Member Peters that Council considers the proposal to establish a Youth Advisory Commission. Council Member Lucas seconded the motion that **passed unanimously**.

Mr. Buckner then continued with the proposed three initiatives he felt would help solve the youth's problems. The establishment of:

1. The Walterboro Youth Advisory Commission (which we just passed tonight). This Commission will be charged with the task of addressing youth related issues and looking for after school funding for children, programs and activities.
2. The Walterboro Green City Taskforce. This committee's primary responsibility is to help transform Walterboro into a Green Friendly City through an aggressive recycling program, lead certified buildings, promoting community gardens and green spaces.
3. The Walterboro International Affairs Committee. Because we are in close proximity to several ports and our regional airport, we should have a robust import/export trade in the City of Walterboro, thus creating jobs and foreign investments while promoting multi-culturalism.

In closing, Mr. Buckner asked that the community help in promoting the Walterboro Peace Initiative.

Mayor Young pointed out that the motion was on the proposal for the Walterboro Youth Advisory Commission. He then asked if there were any discussion on the Walterboro Youth Advisory Commission. Mayor Young also said, we can consider the makeup of this commission or if it's Council's pleasure, we can appoint an ad hoc committee to study these suggestions and come back with a recommendation to Council.

Council Member Buckner then moved that Council approve the Walterboro Youth Advisory Commission as submitted with 7 members appointed for 2 year terms, with: 1 member at large appointed by Walterboro City Council, 1 member representing the Colleton County Ministerial Alliance, 1 member representing Law Enforcement, 1 Member representing the Colleton County School District, 1 member (preferably a rising Junior) representing Colleton County High School and 1 member (preferably a rising Junior) representing Colleton Preparatory Academy, and 1 member from Walterboro City Council appointed by the Mayor, and all members shall be residents of the City of Walterboro. Council Member Lucas seconded the motion.

In discussing the motion, Council Member Smalls said he thought that Council just passed the proposal under the previous motion and that the makeup of the committee as read by Councilman Buckner also passed in that motion. He believed that the next step would be to go ahead and get an Ad Hoc committee to start naming these people and set a meeting.

Mayor Young clarified that the first motion was only to consider the proposal and that Council was now in a discussion on the second motion by Mr. Buckner on the makeup of the commission.

City Attorney Cone stated, just for clarification, the membership of the committee would be appointed by City Council. Mayor Young pointed out that there is one exception that one member would be appointed by the Mayor and the rest of the members would be appointed by City Council.

Council Member Peters then asked if Council were considering adding other people to the Commission. Council Member Buckner pointed out that the educators would be the 2 members representing the Colleton County School and then two youth representatives from both high schools. Mayor Young said he would like to see somebody from D.J.J. on the committee and also somebody like Coach Tuo. Mr. Young then stated, we can work this out sitting here or we can appoint a committee to work this out.

Council Member Buckner then stated, Mr. Mayor with all due respect, we have been working on this for 3 months now. The issue is, these last minute changes to this proposal, we could have done that at the last meeting or subsequent meetings when this first proposal was presented. We need to move swiftly on this, because the community is saying they want this Youth Advisory Commission.

Council Member Lucas pointed out that he did not see a problem with establishing the makeup of the committee as outlined, and if next week the committee felt we need two more people from other areas, then I don't see where that would be a problem to add them in the future.

No further discussion was held and the motion passed with all members voting in favor.

Request by Family Christian Academy to Perform at the Waterfall on Washington Street on December 18, 2009

Before Council was a letter from Ms. Cathy Risher of the Family Christian Academy requesting permission for their Christmas Choir to perform at the Waterfall on Washington Street on December 18, 2009 at 6:00 p.m. Hot chocolate and cookies would be offered to people passing by and members of the choir will also walk up and down Washington Street singing Christmas Carols.

A motion granting this request as submitted was made by Council Member Parker, seconded by Council Member Smalls and passed unanimously.

Consideration of Canceling or Rescheduling the December 22, 2009 City Council Meeting

Council Member Lucas moved to cancel the December 22, 2009 City Council Meeting, and have a meeting only if necessary. Council Member Buckner seconded the motion. The motion passed unanimously.

Ratification of \$5,000 Award Through Crime Stoppers for Leads on the Shooting Resulting in Three Deaths on McDaniel Street

Council Member Peter moved to ratify the appropriation of a \$5,000 Reward through Crime Stoppers for leads on the recent shootings. Council Member Lucas seconded the motion. In discussing the motion, City Attorney asked if the City Manager would write the terms of the reward. Mayor Young responded that Crime Stoppers would administer this and this reward was already effective.

Council Member Buckner said he read in the Press and Standard that the Mayor stated that Council had discussed this proposal at a special meeting. Mr. Buckner said, I just want to make mention that I proposed a \$50,000 reward. However, it seems to be the consensus of Council that \$5,000 would be what we should offer. I still think that we should do more; however, I do support the \$5,000.

Mayor Young pointed out that this was not the first time that a discussion of a reward had come up. Council Member Peters added that the amount was discussed with SLED. Mayor Young cautioned that the matter was getting into a discussion of an executive session item. As Council Member Buckner tried to continue to discuss the matter, Mayor Young told him he was out of order.

Council Member Lucas said he felt what Mr. Mixon was trying to say is that we should have a reward for trying to get some of the guns off the streets, but I don't know that the city could really afford that at present. However, that is something that we should consider possibly in the future.

Mr. Buckner then stated that he wished to speak on the issue of a "potential breach of an executive session item." He said that the information was in the Press and Standard with a quote from the Mayor saying that Council discussed the issue of a reward at a special meeting. At that special meeting, we immediately went into executive session. So, for you, to charge me with an executive session breach, I think would not be appropriate. Mayor Young responded, I am not charging you with anything, but what the Press and Standard printed and what is actually said is not always the same thing. I did not tell the Press and Standard what was discussed in an executive session.

The discussion concluded and the Mayor called for a vote on the motion. **The motion then passed unanimously to ratify the \$5,000 reward.**

Next, Council Member Franklin Smalls gave a brief report on the NLC Meeting held on San Antonio, Texas. Councilman Smalls stated that San Antonio is the nation's 7th largest city. The population is expected to pass over 2 million in 2010. The 86th National League of Cities Convention was the 3rd time held in San Antonio, TX. He stated that people are continuously coming to San Antonio, because this city was not hit as badly as other cities during the economic times. The theme of this meeting was "Share in Solutions that Move American Cities Forward." Whatever action is taken from within the community, starts from the bottom and not up. Some of the high points from the general sessions were:

1. Renew and strengthen partnerships with Congress. Keep them informed how we got there.
2. Become known as a community leader, and never bring shame as a Councilman or leader in the community.

3. America is experiencing reverse ways and customs. What should be up is down and what should be down is up. For example, unemployment, crime and youth violence should be down, but it's up.
4. Create more jobs.
5. Decisions have to adjust to the times we are in now. This is the toughest time since 1930.
6. Unemployment is projected to come down in 2010.
7. Hope that the present times in America will dwell on the minds of Americans and have them to save more. Many people were caught with no savings account.
8. People really don't want to know what you know; they only want to know what you're going to do for them.
9. Start with what you can do, and that could be small. It could be as small as thanking people for their support.
10. In one of the breakout sessions, the topic was "Promising Approach to Prevent Youth in Gang Violence." The first thing was that the Mayor, Chief and Council must be on the same page, the same mission, going the same way and fighting for the same thing.
11. Get parents involved in community. I am a firm believer that you have to go back to where it's coming from, and start with the parents and get them involved.
12. Check the background of problem areas. All these problems do not come from the same area.
13. Admit that you have a problem. Arresting people is not going to solve the problem. Arresting every teenager is not going to solve the problem, because the problem will come back up.
14. Some of the things to solve gang violence are: Bring all heads together - school, city, county, etc. Bring all heads together and start talking to come up with ideas to solve the problem, then you have to measure your improvement.
15. By having an after school program - you keep the kids off the streets; prevents kids from being home fewer hours by themselves. It strengthens their weak subject areas. The main thing is to have an after school program, support it and get the parents involved.

Council Member Smalls then concluded his report.

Before adjourning, Mayor Young reiterated that it is time for the community to speak about these violent acts. It can't be solved without all of us joining hands and standing together and saying this is unacceptable. We are not going to have this in our community. We need your help and any information that anyone might have will be appreciated. You can call Crime Stoppers at 554-1111 and you can really be anonymous. They have talked to me about how that system works and they really can protect your identity.

Council Member Tom Lohr then stated, I know during all these problems that we have had, it's easy to start casting blame. I have not heard a lot of that, and I appreciate that, but I don't know anybody who has worked any harder than Chief Rhodes and his crew and all the help we have gotten from outside. I think that basically SLED was here to provide a lot of technological and investigative things that we did not have locally. But I want to commend Chief Rhodes. I want to go on record, which I think Council will agree, and say I appreciate your work so much.

Mayor Young then reminded everyone that the Mayor's Round Table is held on the 3rd Tuesday of each month and that the Public Forum will be held on December 1 at City Hall.

There being no further business to consider, a motion to adjourn was made by Council Member Parker, seconded by Council Member Peters and passed unanimously. The Mayor adjourned the meeting at approximately 7:15 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

Betty J. Hudson
City Clerk

APPROVED: January 12, 2010