

**MINUTES**

A rescheduled Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, November 18, 2008 at 6:15 P.M. with Mayor Charlie Sweat presiding.

**PRESENT WERE:** Mayor Charlie Sweat, Council Members: Randy Peters, Charles Lucas, Bill Young, Ted Parker, Franklin Smalls and Mary Anne Cannady. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 25 persons present at the meeting.

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

**PRESENTATIONS:**

Competitive Grant Award Presented by Senator Clementa Pinckney. Senator Pinckney stated that it's always good to come bearing gifts, especially during this time of the year. He then presented the City of Walterboro with a competitive grant award of \$50,000 in the form of a "big check" from the SC Department of Commerce. He stated the award would be used toward a wonderful local project. He said I know that you will put it to good use. Mayor Sweat accepted the big check award on behalf of the city and Senator Pinckney was thanked by Mayor Sweat, as well of the rest of the Council.

Introduction of New Police Officers and Public Safety Officers. Chief Rhodes then introduced two new police officers and two new Public Safety Offices as follows: Mark Kinsey (new police officer); Jean Reid (new officer) from the Columbia Police Department; Kelvin Murray, who has been with the Department since March 07 and has completed the Public Safety Program and also Robert Cook, hired on April 30, 07, who has also completed the Public Safety Program. Chief Rhodes then presented new badges to Public Safety Officers Murray and Cook.

2007-2008 Audit Report was given by Mr. Butch Whiddon of Baird and Company, CPAs, LLC. Mr. Whiddon gave the following highlights of their audit report: Firstly, he thanked Council for selecting his company as the auditors. He stated, it is a pleasure to come down and work with your staff. I would like to thank Bill Floyd, Amy Risher and Jeff Lord. They are a pleasure to work with, without their help we could not get it done. Mr. Whiddon then gave the following highlights.

1) In our opinion, the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information for the City of Walterboro for June 30, 2008. This is considered an "unqualified opinion." That's the best opinion that you can get.

2) One new schedule that you have this year is the Schedule of Federal Expenditures. That makes it a single audit under OMB Circular A-133. That's new this year and that refers to the Federal Grants that you have received. The City has received over a half million dollars in federal grants this year. That required us to do some additional procedures on those grants.

3) The City experienced a 6.4% increase in net assets from \$23.8 million at June 30, 2007 to \$25.4 million at June 30, 2008. This change in Net Assets is due primarily to an increase in net capital assets of \$1.6 million.

4) Revenue from water and sewer charges increased by \$153,957 or around 6%.

5) Your Governmental Activities have \$6.2 million in cash, and that increased by \$106,000 from last year. Your Business-type activities have \$2.5 million in cash.

6) If you look at your liabilities in Governmental Activities, you have \$4,172,000 in liabilities and that is a decrease of \$242,000. So, your cash increased and your liabilities decreased. This is certainly a good situation.

7) Under Net Assets, Unrestricted Fund, you have \$3,400,000 and that's a good financial position. The City increased its financial position there by \$650,000 from year to the year. I can only say, I think that is an indication that the City is in a strong financial position.

8) Your three major sources of revenue were property taxes, sales taxes and business licenses.

9) Things are going very good in the area of your proprietary funds.

10) In the general fund, the City has \$4 million in cash, and that was up by \$775,000. That can also be interpreted as 159 days of operating cash.

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11) The undesignated fund balance is \$3.8 million and this is a good indication that the City is in sound financial position. He stated, it's also an indication that you have been good stewards to the taxpayers and the citizens of the City.

12) Again, the City's major sources of revenue are taxes, fines, fees and licenses and they make up about 87% of your revenues.

13) Your largest expenditure is in public safety and it makes up about 42% of your expenditures.

14) Earnings in the general fund were around \$63,000 for the year and your fund balance is \$3.8 million. Once again, this is a good indication that you are in sound financial position.

15) In business type activities, Enterprise Funds for Water and Sewer, you have a cash position of \$2.5 million, and you have unrestricted net assets of \$2.9 million. Once again, that's a good sound financial position for your water and sewer system.

16) Total earnings for the Enterprise Fund, Water and Sewer, were \$263,000.

Concluding the presentation, Mr. Whiddon stated that his firm did not identify any deficiencies in internal control over financial reporting that we consider to be material weakness. Under compliance, Mr. Whiddon stated that the results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. He said, that is as good as you can do it.

Under Federal Funds, Mr. Whiddon also reported that the City received over \$500,000 in federal grants. He said the more federal monies you get, the better off you are. Again, he stated that the results of our auditing procedures disclosed no instances of noncompliance with the requirements that are required to be reported in accordance with OMB Circular A-133. He also stated, we did not identify any deficiencies in internal control over compliance that we consider to be a material weakness. So, it seems you are handling your federal funds in an appropriate manner.

In conclusion, he stated, there were no findings noted for the year June 30, 2008 which are required to be reported under OMB Circular A-133 criteria, and there were no findings noted for the year ending June 30, 2008 which are required to be reported in accordance with Government Auditing Standards.

City Manager Jeff Lord thanked Mr. Whiddon and told Council that this firm does a very thorough job of auditing. They come in and spend a couple of weeks going through our books and asking for things. They have always been good to work with. This is our second year with this firm and we have had a similarly good experience with them.

There were no Minutes before Council for consideration.

There was no Old Business before Council.

**NEW BUSINESS:**

**Ordinance # 2008-14**, An Ordinance to Amend the Code of Ordinances, So as to Improve the Procedures for Tree Protection as They Relate to Pine and Non-native Invasive Trees, was before Council. A motion giving **First Reading Approval** to said ordinance was made by Council Member Cannady, seconded by Council Member Smalls, and passed unanimously.

**As an Add-On Agenda, Ordinance # 2008-15**, An Ordinance Authorizing the City of Walterboro to Convey Ten and Seven Tenths (10.7) Acres of Land Located at the Intersection of Trinity Street and Jefferies Blvd. in the City of Walterboro to Henry Belk Cook, Jr. and W. Harry Cone, Jr., was given **First Reading Approval By Title Only** on the motion of Council Members Cannady, seconded by Council Member Parker, and passed unanimously.

**Resolution # 2008-R-07**, to certify the Walterboro Municipal Referendum held on November 4, 2008, which asked voters whether to change the municipal election method from Partisan to the Non-Partisan Run-Off Election Method, was before Council. The results of the ballots cast were 1145 Yes, and 877 No. The votes of 1145 in the affirmative won, and the question was answered "yes" by the voters to change the municipal election method to the Non-Partisan Run-off Election Method. A motion to adopt Resolution # 2008-R-07, confirming and ratifying the results of the Municipal Referendum held on November 4, 2008, was made by Council Member Peters, seconded by Council Member Lucas and passed unanimously. A copy of said Resolution is attached as part of these minutes.

**Request for Street Closing for Martin Luther King, Jr. Day Parade on 1/18/09**

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Next, a motion was made by Council Member Peters, seconded by Council Member Cannady to approve the street closing request as submitted by Mr. Herman Bright, Parade Chairman, for the Martin Luther King Day Parade on Sunday, January 18, 2009 at 2:30 P.M. The motion passed unanimously. The Parade route would start on Jefferies Boulevard (at the Silhouette Café) to Forest Hills Road, turn left and end at Ivanhoe Road.

Next, **Consideration of Temporary Assistance for the South Carolina Artisans Center** was deferred by Council to be considered after the executive session.

**Consideration of Proposals for the Expansion of the Carn Street Fire Station**

Next, Council reviewed a summary sheet showing the bids received by the City to expand the truck bay area for the current Fire Station located on Carn Street. The bids received were as follows:

Mitchell Construction Co.	\$56,500.00
Brightwell Engr., & Construction	\$43,589.00
IP Builders	\$39,491.23

Public Works Director Charlie Chewning stated that staff received the above bids for a design/build project to extend the rear truck bay area of the main Fire Station (on Carn Street) behind City Hall. This is necessary in order to house a proposed ladder truck in the future. On the recommendation of Mr. Chewning, a motion was made by Council Member Parker to accept the low bid of \$39,491.23 from IP Builders for the Fire Station Expansion Project. Council Member Peters seconded the motion that passed with all members voting in favor.

**Consideration of Bids Received for the Purchase of a New Yard Trash Truck**

Next, Council reviewed the following bids received by staff for the purchase of a new Yard Trash Truck:

- 1) Burns Automotive  
Columbia SC  
2009 Ford F-750 (GVWR - 33000) with Lee dump body  
(State Contract) \$60,010
- 2) Amick Equipment Co.  
Columbia, SC  
2009 Ford F-750 (GVWR - 33000) with Ace dump body \$67,300
- 3) Nu-Life Environmental - No bid  
Easley, SC

Public Works Director Charlie Chewning stated that staff tried to secure three (3) bids for a new yard trash truck that we use along with the tink claw and the front loader. Only two bids were received. Mr. Chewning recommended the acceptance of the low bidder, Burns Automotive, at the state contract price of \$60,010.

A motion was made by Council Member Cannady to accept the low bid of \$60,010 from Burns Automotive for the purchase of a new yard trash truck. Council Member Lucas seconded the motion. In discussing the motion, Council Member Cannady asked what was the difference between the Lee dump body truck and the Ace dump body truck. Mr. Chewning responded very little difference. All the specs are about the same, with the same gage of steel. The Lee body has a very good reputation. **The motion then passed with all members voting in favor.**

**Request to Perform at the Waterfall on Washington Street on December 22, 2008 by Cathy Risher, Family Christian Academy**

A motion was made by Council Member Lucas to approve the request submitted by Ms. Cathy Risher from the Family Christian Academy to use the Waterfall on Washington Street, December 22, 2008 at 6:00 P.M. Council Member Peters seconded the motion that passed unanimously. The school's students will offer hot chocolate and cookies to people passing by while their choir sings Christmas songs.

**Consideration of Bids Received for the Purchase of Three (3) New Police Vehicles**

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Next, Police Chief Otis Rhodes presented a summary sheet listing the bids received to purchase 3 new police vehicles. Chief Rhodes informed Council that the department sent out bid packets soliciting bids for 2 Crown Victorias and 1 Ford Escape to several vendors. The bids received ranged from a high of \$60,550.00 and a low price of \$54,778.64 for the two Crown Victorias, and a high of \$20,420.00 and a low of \$19,520.60 for a new Ford Escape. He then recommended the acceptance of low bid from Bobby Jones Ford in the amount of \$54,778.64 for 2 new Crown Victorias and the low bid from Walterboro Motor Sales in the amount of \$19,520.60 for 1 Ford Escape.

A motion was made by Council Member Cannady to accept the low bids as recommended by Chief Rhodes to purchase the new police vehicles. Council Member Smalls seconded the motion. In discussing the motion, Council Member Cannady asked how many vehicles were being purchased. Chief Rhodes responded 2 Crown Victorias and 1 Ford Escape. He further explained that all vehicles purchased will be 2009. The City is paying roughly \$27,000 for each Crown Victoria fully equipped. Council Member Young asked why there was an in-stock quote received from a local vendor. He asked why did a vendor provide us a quote for one 2008 and one 2009 vehicle instead of a quote for two 2009 vehicles. Why aren't they quoting apples and apples? Chief Rhodes responded that the vendor had the 2008 vehicle in stock. We will have to order the 2009 for that particular vendor. The 2008 vehicle would still cost more than the 2009. Council Member Peters then stated that the point we are trying to make is we would like to keep the money local if we could, if we are going to get the same warranty for a 2008. Chief Rhodes explained that the warranty would not be the same, because the vehicle is already a year older. After more brief discussion, the **motion passed with all members voting in favor.**

Council Member Cannady then stated that she had passed out information from the National League of Cities Meeting as the voting delegate on showing what took place at the meeting. The copy was given to all Council Members to review.

The Mayor invited the public to attend a plaque hanging ceremony at the Great Swamp Sanctuary on Detreville Street on Friday, November 25, 2008 at 10:30 A.M. He also invited the public to attend the Christmas Tree Lighting Ceremony at City Hall on Sunday, December 7, 2008 at 5:00 P.M. immediately following the Christmas Parade.

The Mayor then opened the floor for public comments. Mr. Ricky Lyons then asked what will the City do about settling the matter on the car wash. Mayor Sweat stated that as far as he knows, this matter is not on City Council's agenda as yet.

With the approval of Mayor Sweat, Ms. Carol Black then addressed Council. She stated, I'm here to ask for my due process rights on behalf of people in Mayfield Terrace, which seems is not being honored by the city, and that City Council direct Mr. Lord to allow me my due process rights. She explained that she brought an appeal before the Zoning Board of Appeals. That meeting was scheduled for Monday November 10<sup>th</sup>, but I did not receive any notice that this meeting was cancelled. I checked with 4 of the members of the Zoning Board of Appeals and they did not cancel the meeting. They did not get an agenda and they did not know what was on the agenda. Mr. Lord, as I understand it, is the person who cancelled this meeting and I was told that they were waiting on legal advice. Ms. Black then said, it's not the scope of the City Manager's duties to step into the shoes of the Board of Zoning Appeals and to make that determination for them. In addition to that, I filed four additional appeals last Friday. At 5:04 P.M. today, I received a phone call from Mr. David Dodd saying that the attorney, who was originally looking at the car wash appeal, has now had to recuse himself because of a conflict of interest. Now, I have checked the Code, and no where does it say that the City Manager has the right to ask the City Attorney or any other attorney for advice. It's up to the Board of Zoning Appeals to ask for advice if they need it. If the members of the Board of Zoning Appeals did not have any idea of even what was on the agenda, how could they have asked for advice from an attorney about this? It is not the position of the City Attorney to give advice unless he is asked by either a municipal officer or member of Council. Now, since the people on the Zoning Board of Appeals did not even know of my appeal, how could they have asked for advice from Mr. Cone? I am asking that my appeal be heard at the next convenient meeting, which is their normally scheduled meeting, on Monday, December 8<sup>th</sup>.

Ms. Black also stated, I am moving out of the state, but I can assure you just because I am moving, the people here are going to continue to pursue this. My due process rights and consequently their due process rights are being violated by this meeting being put off. I filed the appeal for the Zoning Board of Appeals on October 13<sup>th</sup>. The law requires a 15-day prior notice be published in a newspaper. There was plenty of time between October 13<sup>th</sup> and November 10<sup>th</sup> for this to be filed, but it wasn't. The sign was left up on the property, but no one on the Zoning Board of Appeals was advised that it had to be sent to an attorney, because

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they didn't ask for this. So, I would like you, under your powers as Council, to direct Mr. Lord that this is not in the scope of his duties as City Manager to step into the shoes of the Board of Zoning Appeals. If it should come before the Zoning Board of Appeals, and if they want to listen to my information, and determine whether or not they have jurisdiction here or not, and then ask for advice from counsel if they feel that's necessary. I would like my due process rights to be honored.

Mayor Sweat then thanked Ms. Black and stated that Mr. Lord is the City's liaison to that Board and therefore all action from that Board goes through Mr. Lord. Ms. Black rebutted by stating, that's not what the law says.

City Manager Lord then responded. He said, the only thing I would say is that there are two sides to due process, and we will not rush this because you are in a hurry. He further stated, I am taking a reasonable time. That car wash has been there for a year, and another month is not going to hurt. It's a matter that has been referred to an attorney, and we are waiting for a response.

In response to a question raised by Ms. Black on who made the request, City Manager Lord told Ms. Black that it was at his request and that he would not debate this matter. We are waiting on a response. Ms. Black then asked if the City were willing to have this matter tried in court and have to pay an attorney to defend this. Mayor Sweat responded that if it comes to be that way, that's the way, it has to be, but that has to be decided by the Zoning Board of Appeals. They can make a decision once they get the full story behind the whole thing.

Next, Ms. Marsha Johnson addressed Council. She informed Council that she once worked with the City Attorney's firm years ago and accompanied Mr. McLeod to these meetings. She said, I came back to Walterboro to retire, thinking that I could lead a quiet life. I am deeply disturbed. I was reading over some of the ordinances and I see that it says in Ordinance # 2003-09 that you have said as the City Council of Walterboro (that you) find it necessary "to provide for the abatement of conditions which are offensive to public order, detrimental to property values and community appearance, an obstruction to or interference with enjoyment of adjacent property or premises, . . ."etc. Therefore the Council, as stewards of the public trust declares that the purposes of this ordinance . . . etc., etc.

She stated that the interesting part is that you are the stewards of the public trust. I am deeply concerned about the fact that information is not freely available, and that people have to put in a Freedom of Information Action Request in order to get copies of the ordinance. That no one helps the ordinary citizen. Carol may be moving to Washington, but the rest of us are not. We are voting members of the public. It behooves us to look after our own interest, but we feel like we are being stoned walled all the way along. I don't understand why you are not getting it - anything about what truly appears to be a run-around. There should be a reasonable amount of time when things are filed. It should be handled by the appropriate people and they should make an effort to handle it in a timely manner. It shouldn't go on and on and on. It troubles me, and a lot of people in the neighborhood feel that you are not receptive. They are afraid of standing up and speaking because there is uncivil action toward us. I have seen a lot of City Council Meetings, and I am just as disturbed at the way it is now. I came here since I returned and have watched meetings and things get voted on without much discussion, and the new members of Council who want to bring up the questions and there is browbeating. I am very disturbed about it. What this is doing is making people want to not come and participate. There have been some very serious problems with the zoning and the code enforcements. There are uneven code enforcements. Certain people are told they need a variance to park trucks and others are not. What does it take to get even treatment and to get our code and our zoning laws enforced? We have a reasonable expectation that you who are in charge of the public trust will do that. We voted you in, and you stood for office. You stood up and said you wanted to be there and we really do need to see that you are looking out for all of us, not just some of us.

Attorney Cone then pointed out to Ms. Johnson that this is not a crisis. He said, I will not be the person making the decision on this. The Bank of Walterboro has a mortgage on the property, so I have stepped aside so that no one thinks I am influencing the City. But, this is not a crisis and we don't need to rush things like we did for the bailout plan for the mortgages. We need to do this with deliberate consideration, and do it appropriately. It's not a crisis. This car wash has been opened since last November. This matter came up in October, some eleven months after that.

After some citizens voiced that the statement was incorrect, City Attorney Cone clarified by stating, " as far as the Zoning Board, the matter came up in October and that's when it

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came up for legal review as to her (Carol Black's) document, entitled "Appeal" which was filed on October 13<sup>th</sup>." I am not the person considering this, but it is absolutely not a crisis. Everything will be handled deliberately and with consideration of all parties' interest, including the people in Mayfield Terrace, the owners of the property and all the citizens of Walterboro. We just don't need to rush to judgment, until they have heard all sides of the story.

With the Mayor's approval, Ms. Sandy McCall of 402 Thompson Street then addressed Council. She stated, I live directly behind the car wash. I have lived there since 1992 and enjoyed every day until this car wash came into our lives. First of all, it lowered our property values. When it first opened up, I went over and spoke with Thurston Hiers about the bright light, because the first night the light shined so brightly in my front door. It has a blinding effect on my front door, and I cannot see who is standing on my porch at night. With or without my front light on, it has an imaging effect that's different. I have to stand there and keep my storm door locked to look out and see who is on my porch at night because of this blinding light from the car wash. So, the second day the car wash was opened, I did address this. I went over and asked that they keep some sort of noise barrier up. I feel that he needs to put up some kind of sound barrier type material, and it will only take a couple of a hundred feet of it to put back there. This could be done so it could keep the noise out of our front doors. Ms. McCall also stated, we watch them come back behind the fence to use the bathroom, to do their drugs and to do their deals, right behind the fence. We sit on our porch and we watch the whole thing. She further stated, the noise is horrendous. I have spoken to the people who own the car wash, and they have done nothing with the light or the noise, besides the fact that the property values have gone down. If the car wash is there illegally, we want something done about it.

Ms. Marsha Johnson then said that there was a complaint filed in January 2007 about this and we found it also came to Council at that time. Ms. Black explained that she filed a complaint about the Building Inspector. She said, in January 2007 I came to Tuck McConnell and complained about Mr. Hickman not doing his job. I came to Council and asked Council to direct Mr. McConnell to investigate it. Nothing was done, and I filed a complaint with the State Department of Labor, Licensing and Regulations. They acted on the complaint. I also filed in conjunction with the SC Artisans Center. This was done part in July. He was suspended and put on probation after that. So, Mr. Cone says there is not a crisis about the car wash. It is a crisis in our town about the Building Inspector and that has to be corrected. From January 2007 to November 2008, that's a long time.

Ms. Marsha Johnson then spoke again. She stated, there are more problems going on every day about the zoning and the code enforcement. At this point, Mayor Sweat then stated, we do know that there is a problem with the zoning codes, when they were transposed a year ago. There are definitely some bad mistakes in those zoning codes that have to be changed, and they have been working through those on a monthly basis.

Ms. Marsha Johnson then asked if she could respond. She stated, we are not just asking about the safety and the compliance in Mayfield Terrace. Since I have started to look at what's going on, I am deeply concerned about the scope of this, and it is a crisis if a city fails to take action and the same kinds of violations go on - different violations but they are still unresolved and you are not following your code. You can run through an awful lot of money if you try to gather together to correct fiscal policy if you get sued every where. That is a very serious consideration. If you refuse to take action - that is action, and continuing to drag your feet. I mean it shouldn't have taken a month to determine that there was a conflict of interest and then give it away. The last time we talked to someone they said the City attorney was handling it. You should have been able to look at that and know right away that it is a conflict of interest and should have gone to somebody, and then we would not be sitting here having it delayed even more.

Ms. McCall added that the traffic down our street now is extreme. They leave the car wash and fly by our house at all times of day and night.

Mr. Perry Ramsey at 413 Thompson Street then addressed Council to speak on the point made by the City Attorney that the matter was not a crisis. Mr. Ramsey stated that he lives right behind the radio station. I have a 4 ft. cyclone fence where I fenced in my back yard. When the car wash was built, they built it on a mound. So, their privacy fence is below that mound. I invited the Zoning Board and I invite you to come to my house day or night. When you go outside, you can hear everything that's said. I have a 15-year-old daughter and a 9-year-old son and they get cussed at and holler at. They get to see the drugs, and they get to see the urination. They come back inside and ask 'what's going on'. I said, there is nothing I can do - I don't call the law. I have no reason to call the law. I've called the law about loiters before and that's a different situation. I have been there several years and had my old

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stone house rebuilt from the inside out. We went through all the codes on it and I got it signed off on. I had to go by the rules. So, if you don't follow the rules, then how can you have a set of rules? My house is for sale, and I promise you if I sale it, I will never live in the city again. I definitely recommend don't live in the city. He then asked the Council Members to come to his house and come in his back yard and you can see everything that's going on. If you would like me to, I would like to set up a camera, but I am waiting to see what you will do. Like I said I have 2 children, and we don't use the back yard. I don't even cut the grass in the back yard. I do not use my back yard. I am urging you to look beyond money and connections and the "good ole boys." I followed your rules, why can't everybody else follow your rules.

City Manager Lord then stated that almost a year ago, we identified that we needed to make improvements in code enforcements. Since then, this Council has doubled the staff in that department and allocated additional resources to help that effort. It is an ongoing effort and it will take time to complete the improvements. I am disheartened that you don't think that you can talk to us and get a proper response, and I invite you to come and see me, and let us know of anything that's going on that we need know about. I do ask if you see anything illegal, please contact our police department. We are truly concerned about what's going on out there. The only way I can demonstrate that to you is for us to be included in the process.

An unidentified citizen then stated that the illegality of the situation is that it was stated in the code that the land parcel was not set up to house a car wash. It said gas station and maintenance of cars, but not a car wash. The car wash is just a formality of convenience for washing cars. That's not maintaining your car. Every day that goes by is another day that we live a life in peril and also not by the law.

Ms. Bonnie McGinnis then asked that Council Members drive by the corner of McTeer and Klein Street in Mayfield Terrace. She said, that is the biggest rats' nest you have ever seen in your life. I am going to especially ask Mr. Peters to go over there and look at that truck that's backed up in that yard. He (the owner) has all his furniture, his mother' furniture, every piece of can, every refrigerator - everything you have ever seen in that front yard. My next door neighbor is scared of the man that lives there, so she won't say anything about it. We are having problems with rats and I think they are coming from there (the corner of McTeer & Klein St). Ms. Carol Black added that this is one of the appeals that I have filed and I complained to Mr. Dodd about four months ago.

Ms. Carol Black further stated that Mr. Jimmy Parler came down and asked for a variance and we opposed him, because we said if we didn't oppose Mr. Parler being able to park his tractor trailer truck, how can we complain when Mr. Marion Caldwell, who has the back of a tractor trailer truck in his back yard. That is one of my appeals. I filed that complaint in July and I have asked Mr. David Dodd repeatedly about that and nothing has happened. Why should Mr. Jimmy Parler be discriminated against because he has to follow the law, but Mr. Caldwell can do what he wants to do. That is one of my four appeals that I filed last Friday.

Ms. Sandy McCall then told Council that she had a load of dirt delivered to her yard a couple of years ago. She stated, shortly thereafter, I had to have rotator cup surgery, so I was incapacitated for several months and could not shovel dirt. The dirt set there for several months, probably a year, and the city put a note on my door to get that dirt pile down out of my front yard. So, I abided by the ordinance, and they (the car wash owners) have to also.

Next, Mr. Ricky Lyons, who lives at the corner of Thompson and May Street, told Council that the car wash has a lot of noise with people with loud stereos, especially on the weekends. There is a stop sign there, and so many new people come through there and run that stop sign because they don't even know it's there. The traffic has increased in our neighborhood during the week about 10% and on the weekends, it has increased 30%-40%. It is people who do not live in the neighborhood who fly in and out, going in the car wash. People who look like they could be drug dealers, but you don't know if they are or not. We have people with those boom stereos that go through the car wash and spend most of their day there, just killing time; probably selling dope or something. I have called the police probably a dozen times since the car wash has been there, and they do a good job of getting there. I know they have written some tickets. Other times they (the police) don't get there until the noise has ceased. As soon as the police leave, they crank it back up again. It's been an ongoing problem, and it's been that way ever since they opened up.

Mr. Rick Parler of 402 Thompson stated that there is a change coming. He stated that society here in the next 15 years will be totally different. The good ole boy system is going to be a thing of the past.

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Before entering an Executive Session, Ms. Marsha Johnson again addressed Council. She said, we have only touched the tip of the iceberg on the things that are going on. There are also dogs out there that smell so bad that when you walk around the neighborhood, it is awful. So, it's really necessary to take a look. It's not a tiny thing. It's not a problem that's going to go away. It's just going to get bigger and bigger and more and more of us are going to show up.

Ms. Carol Black added that the person (owner of the car wash) is not complying with the law about having their entire property rezoned commercial . . . etc. This is the same person who is a member of the group that owns the car wash. A requirement of that rezoning was that a vegetative buffer be planted. That was May 2006, and that's a \$500 a day fine, and that would be over \$400,000 in fines. That same company is formed of members who own the car wash. This is not a coincident.

A motion was then made by Council Member Cannady, seconded by Council Member Smalls, to enter an Executive Session to discuss negotiations incident to proposed contractual arrangements. The motion passed unanimously.

Before adjourning to Executive Session, Mayor Sweat thanked all the citizens for coming today, and he stated, I know some of you quite well. He said; please understand that we will be looking at that section of town more and more. That's not to say that we don't have other sections of town which give us just as much problems, but we are going to be over there. The meeting then entered into an executive session.

The meeting returned to Open Session, and a motion was made by Council Member Cannady that the City provide \$65,534.42 in funds to the SC Artisans Center from the local Accommodations Tax Fund, and to collateralize the funds jointly with County Council. Council Member Smalls seconded the motion. The motion passed unanimously.

A motion was then made by Council Member Lucas, seconded by Council Member Cannady authorizing the City Manager to use \$5,000 in funds to purchase Christmas decorations. The motion passed with all members voting in favor.

There being no further business to consider, a motion to adjourn was made by Council Member Cannady, seconded by Council Member Parker and passed unanimously. The Mayor adjourned the meeting at 7:55 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: January 13, 2009**