

Walterboro City Council  
Public Hearing and Regular Meeting  
May 9, 2006

**MINUTES**

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, May 9, 2006 at 6:15 P.M., with Mayor Charles H. Sweat, Jr. presiding.

**PRESENT WERE:** Mayor Charles H. Sweat, Jr., Council Members: Charles Lucas, Bill Young, Johnnie Thompson, Franklin Smalls, Ted Parker and Mary Anne Cannady. City Manager Tuck McConnell, City Clerk Betty Hudson and City Attorney George Cone were also present.

There being a quorum present, Mayor Sweat called the meeting to order and gave the invocation. Council Member Young led the pledge of allegiance to our flag.

The Mayor then announced a public hearing, duly advertised, to receive public comments on proposed Ordinance # 2006-10, to amend the Wrecker Rotation Program to provide for a change in the rate structure, changes to the Wrecker Rotation Program and Business License requirements.

Mr. Gerald Bailey, owner of Gerald's Wrecker Service, suggested using a flat rate of \$125.00 for wrecker service. He said he believed this to be a fair price due to the gas rates and insurance costs. He said the \$125.00 should be the same across the board for responding to a wreck, traffic offenses, etc. He also stated that he charges a \$25.00 per day storage charge, while others are charging \$35.00 per day. He suggested adding a \$25.00 charge for response to night calls. He proposed that regular time for calls would run from 8:00 A.M. to 8 P.M.. After that time, the after hours' charge would then apply.

No further comments were given and the public hearing was closed. The regular meeting then began.

The Minutes of the April 25, 2006 Regular Meeting were approved as submitted upon motion by Council Member Thompson, seconded by Council Member Cannady, with all members voting in favor.

Ms. Marilyn Peters and Mr. Shawn Jadrnicek were present on behalf of Clemson Extension with a request to use the City Parking Lot for the Farmer's Market as they have in the past. Ms. Peters informed Council that the Advisory Committee had recommended that the Farmer's Market be held 3 days per week - Tuesday and Saturday mornings from 8:00 A.M. to 1:00 P.M. and on Thursday evenings.

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Mayor Sweat commented that the City Parking Lot was in the process of changing hands. He told Ms. Peters that he felt the Methodist Church would have no problem with their using the Parking Lot, at least for the rest of this year.

Ms. Peters requested that signs be allowed up during the hours of the Farmer's Market. The sign would be the sandwich board type, announcing that the Farmer's Market is open. She requested permission to place signs at the corner of Washington and Jefferies, Lucas and Wichman and Lucas and Hampton Streets. When questioned by Council Member Parker, Ms. Peters affirmed that the signs would be put up during market hours and taken down when the market closes.

Attorney Cone reminded Ms. Peters that she will also need permission from the private property owners, on which property the signs will be located.

Council Member Cannady then moved to grant permission to Clemson Extension to use a portion of the City Parking Lot for the Farmers Market for the days requested and to allow use of the sandwich type signs as requested. Council Member Lucas seconded the motion. Council Member Thompson asked what day would the market begin? Ms. Peters responded that the market would open May 25<sup>th</sup>. The motion then passed with all members voting in favor.

Ordinance # 2006-10, to amend the Wrecker Rotation Program, was deferred by Council to its next meeting. Council Member Young asked if the ordinance would be revised based on the comments heard by Council. The City Manager indicated that he would confer with Council on this matter.

Under New Business, Resolution No. 2006-R-07, AUTHORIZING THE CITY'S PROGRAM INCOME FUNDS TO ADDRESS THE ADDITIONAL LEVERAGING NEEDED FOR THE WATER LINE BYPASS LOOPING PROJECT WHICH TOTALS \$295,000 AND THEN TO UTILIZE THE CITY FUNDS IN AN AMOUNT NOT TO EXCEED \$163,654, was before Council. City Manager McConnell informed Council that this is the water line that would be installed in the bypass. As before, it's paid in cooperation with the South Carolina Highway Department as a bypass loop through. He stated the line would make a loop all the way down the bypass and tie into the water line on Highway 303. Mr. McConnell stated this would be a 12-inch line. He affirmed that some of the cost would be taken care of with grant monies. He stated that nothing has

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changed since the last time Council looked at this project some months back. A motion to adopt the resolution as submitted was made by Council Member Thompson, seconded by Council Member Lucas and passed unanimously.

City Manager McConnell stated he wanted to publicly thank Lowcountry Council of Governments staff, who went out door-to-door to conduct an income survey in that entire area.

Next, a motion was made by Council Member Parker, seconded by Council Member Smalls, giving First Reading Approval to Ordinance # 2006-01, being: AN ORDINANCE TO AMEND THE WALTERBORO ZONING ORDINANCE AND LAND DEVELOPMENT REGULATIONS FOR THE PURPOSE OF REGULATING THE OPERATION OF ELECTRONIC MESSAGE DISPLAY SIGNS. In discussing the motion, Council Member Lucas asked if the hotel owners had been involved, since the matter was referred to the Planning Commission. City Manager McConnell responded that a public hearing had been scheduled for all of the Planning Commission recommendations on the proposed ordinances, so everyone would have another opportunity to comment. The motion then passed unanimously.

Next, Council considered First Reading of # 2006-13, being: AN ORDINANCE TO CHANGE THE ZONING ON A PARCEL OF LAND FRONTING ON JEFFERIES BOULEVARD, TAX MAP # 163-14-00-011. The Mayor stated this was a parcel of property used for the old drive-in. The City Manager reported that the Planning Commission had put in a requirement for rezoning the property, which is a requirement for a residential buffer to separate any residential properties. A motion was then made by Council Member Cannady, seconded by Council Member Young, giving First Reading Approval to Ordinance # 2006-13. The motion passed unanimously.

Next, Ordinance # 2006-14 was given First Reading Approval on a motion by Council Member Parker and seconded by Council Member Thompson, being: AN ORDINANCE TO AMEND THE ZONING ORDINANCE, SECTION 6.1.8. SPECIAL STIPULATIONS, (A) FACADE STANDARDS, PART 8, SO AS TO REQUIRE AWNINGS IN THE CENTRAL BUSINESS DISTRICT. In discussing the motion, Council Member Cannady stated that she thought awnings were optional. Council Member Lucas asked staff to provide a list of those businesses on Washington Street which are exempt. The City Manager stated that the exemptions are listed in the ordinance. Council Member Cannady asked the City Manager to explain why we are changing this requirement. She said, we did not

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have this requirement before, now we are putting the requirement back in. Mr. McConnell explained this was a recommendation of the Planning Commission. He stated he believed the Planning Commission thought this was also the desire of Council. Mr. McConnell explained that there was a lot of confusion on whether or not the awnings were required, so Council asked the Planning Commission to review this matter and make recommendations. The Planning Commission felt it would be nice if all the businesses had awnings, but they wanted to ease up on the requirements. In studying the current ordinance, it allows stripped and multicolored awnings, as opposed to the earth tones used by the original owners. After the Radio Movie, it was suggested that the ordinance be changed to where one could have any color but fluorescent colors. Mr. McConnell stated that the Commission thought strips and different colors would be appropriate and to require all the businesses to have awnings.

There was a brief discussion on whether or not Council had asked the Planning Commission to review the matter of awnings. Council Member Young asked if it was possible for Council to receive information back from the Planning Commission before Council considers it in the form of an ordinance. He said, it would be nice to get the information, then if we had comments to send back to the Commission, then we could do so. Attorney Cone pointed out that if Council so desired, it could table the ordinance and resubmit it to the Planning Commission. Further discussion was held. Council Member Lucas stated he preferred to keep the awnings as an option. Council Member Cannady also pointed out that there was a maintenance problem with the awnings in the past. Council Member Young stated that the awnings do look good. He said, we are trying to get all the buildings filled up on Washington Street, and I don't know whether this requirement would help us do that or hurt us.

Ms. Linda Davis, a downtown business owner, stated that her building has old stained glass, but if they are forced to put the awnings back up, then the glass would be covered up. She stated that the awnings are very expensive and asked if the city had a way to help pay for the awnings. Council Member Cannady asked if the businesses on Washington Street were in the historical area. Mayor Sweat stated he believed that Council Member Cannady's business building was historic, but is not in the Historic District.

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No further discussion was held, after which the motion passed on a vote of 5/2 with Mayor Sweat, Council Members Young, Smalls, Thompson and Parker voting in favor, and Council Members Cannady and Lucas opposing the motion.

Next, proposed Ordinance # 2006-15, An Ordinance to Amend the Zoning Ordinance of the City of Walterboro, So As to Restrict the Placement of Off-Premise, Free Standing Signs, was before Council. City Manager McConnell briefed Council on legislation that has passed which has made it fiscally impossible to require billboards to be removed once they are installed. The Planning Commission felt there has never been a problem with billboards in this city and they do not want it to be a problem. Except in the Interstate Interchange Zone, the Commission is recommending that billboards not be allowed in the corporate limits. He stated that the present billboards would be grand fathered in. Mr. McConnell stated that if the city wanted to take down a billboard now, it would have to pay for the cost of the billboard, plus the earning potential for that billboard for a long way into the future.

A motion was made by Council Member Cannady, seconded by Council Member Young, giving First Reading Approval to Ordinance # 2006-15. The motion passed unanimously.

As an ad-on agenda item, Mayor Sweat reported that a request had been received from Mr. James White of the Veterans Office to close Washington Street on May 29, 2006 for the Memorial Day Ceremony at the downtown plaza. A motion approving the request was made by Council Member Thompson, seconded by Council Member Smalls and passed unanimously.

Council Member Young reported on a meeting held at Lowcountry Council of Governments. He stated that funding for the highway projects are severely limited from what it has been. There is a project in Beaufort, between St. Helena and Hunting Island, which had a \$6.9 million overrun. In order to complete that project, STIP money would have to be used into the next period. Council Member Young stated he expressed concern going into this meeting, that the City would not get left out for funding for the Loop Project. SCDOT was also present at this meeting. He stated that they managed to get up to an additional \$2 million dollars attached to what had already been approved for the Loop Project, in case there is an overrun on our project.

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A motion was then made by Council Member Cannady, seconded by Council Member Smalls to enter an Executive Session for a personnel matter. The motion passed unanimously.

The meeting returned to Open Session and there being no further business to consider, a motion to adjourn the meeting was made by Council Member Parker, seconded by Council Member Cannady and passed unanimously. The Mayor adjourned the meeting at 8:00 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 May 23, 2006**