

Walterboro City Council
Regular Meeting
Tuesday, May 10, 2005

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, May 10, 2005 at 6:15 P.M. with Mayor Harry Cone presiding.

PRESENT WERE: Mayor Cone, Council Members: Franklin Smalls, Bill Young, Johnnie Thompson, Charlie Sweat, 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 Cone called the meeting to order and called on Council Member Smalls for the invocation and Council Member Cannady to lead the pledge of allegiance to our flag.

The Mayor welcomed everyone to the meeting and announced that the City had tried to obtain State funds for the Great Swamp Sanctuary but was unsuccessful. However, he thanked Senator Larry Grooms and Mr. Bubba Unger for their efforts to secure the funds. He also thanked City Manager Tuck McConnell for all his work and efforts for the Great Swamp Sanctuary.

The Minutes of the April 26, 2005 Regular Meeting were approved as submitted on a motion by Council Member Parker, seconded by Council Member Sweat, with all members voting in favor.

Under Old Business, the City Manager announced that one letter of interest was received from Mr. Anthony Washington of 1111 Wichman Street to serve on the Economic Development Commission. A motion was made by Council Member Sweat, seconded by Council Member Cannady, to appoint Anthony Washington to the Economic Development Commission for a 4 year term. The motion passed with a vote of 6/0, with Council Member Parker abstaining.

Next, a motion was made by Council Member Thompson to accept with regret the resignation of Mr. Palmer Hudson from the City Appearance Board. Council Member Parked seconded the motion that passed unanimously.

Last under Old Business, City Manager McConnell introduced Resolution # 2005-05. He stated that staff was asked by Council to prepare this resolution to establish a policy whereby Council would approve street closings at least 2 weeks in advance.

A motion to adopt Resolution # 2005-05 was made by Council Member Thompson and seconded by Council Member Sweat. A brief discussion was held in which the following questions were raised. Council Member Young was concerned whether two weeks notice was adequate time to allow Council to act on a request. He asked if the resolution could be worded so that if a street request is received there is adequate public notice in case someone wanted to speak on the request before the street is actually closed. He said if we could minimize the impact on the merchant when the street is closed, then we would have no problem. Council Member Cannady suggested a thirty day public notice. Council Member Young stated there should be at least one Council Meeting before the street is actually closed. Council Member Parker suggested door-to-door notification for the downtown merchants.

Mr. Bill Smoak, a downtown merchant, made comments concerning closing the streets downtown. As a business owner downtown, he stated

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we do like to see those activities, and certainly I am not opposed to them. However, on the recent bike race, the merchants were notified at 11:00 A.M., the date before it was closed. The letter stated the street would close at 2:00 p.m. but this did not give the merchants an opportunity to respond to it. This happened to be one of his busiest days and this caused a problem for his business. He suggested that a request be made in writing 30 days in advance to request a street closing. He stated he lost 3 days in one month due to recent street closings, without the opportunity to come before Council to address the matter.

Further discussion was held. Council Member Parker stated that the reopening time of the street, as well as the closing time of the street was equally important.

Council Member Young expressed concern that the merchants would need to be notified once a request for a street closing has been made to allow them the opportunity to speak on the request at a Council meeting.

Chief Rhodes stated that this year alone, there were only 4 events held downtown. He stated there was a lack of communication several times, but the Police Department did notify the merchants downtown and the area residents who were affected. It might have been a last minute notification, but downtown was never really closed to all traffic. It was closed to vehicle traffic, but not to pedestrian traffic. People were still allowed to go in and out of the stores to shop as they normally would. He stated the department is willing to work with the merchants and the residents to make it happen anyway possible. He stated that this month of April, is the most that anything happened downtown as far as street closings.

Further discussion was held on the recent bike race event held downtown.

Council Member Thompson stated there are a number of annual events held each year downtown. He suggested that these events be taken in consideration when rewriting the resolution, such as the Rice Festival, Veterans Memorial etc. Since there would not be another meeting before the Veterans Day Memorial ceremony to be held this month, he suggested that this event be grand fathered in when writing the resolution.

City Manager McConnell stated that a form to request a street closing would be developed and available for pick up at the Police Department.

Council Member Sweat suggested that this matter be referred back to the City Manager and then resubmitted for Council consideration. Council Member Thompson then withdrew his motion, with the approval of the second.

Next under New Business, Council considered Ordinance # 2005-01, an amendment to prohibit soliciting in public right-of-ways. City Manager McConnell stated that this ordinance is a restatement of the old ordinance, which did not get carried forward to the new ordinance. It prohibits soliciting in public roads and at intersections. Attorney Cone stated that the ordinance shows 2 paragraphs verbatim from the old code.

A motion was then made by Council Member Sweat, seconded by Council Member Thompson to adopt Ordinance # 2005-01, An Ordinance to Amend Chapter 13, Postings, Soliciting, Advertising. Article I.

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Soliciting, Section 13.101, Types Prohibited. Generally, of the Code of Ordinances of the City of Walterboro. In discussing the motion, Council Member Sweat asked if there were a state law that prohibited soliciting at intersections.

Chief Rhodes responded for certain things like accidents, you cannot solicit.

Council Member Sweat stated he thought there was a state law prohibiting organizations such as the shriners, etc. from soliciting at intersections. Chief Rhodes said in an accident, a wrecker company would be prohibited from soliciting, but we don't have anything that prohibits someone from collecting money in the middle of the streets, except if it impedes the flow of traffic.

Council Member Sweat requested that this matter be researched to see if there is a state law covering soliciting in the streets.

The motion then passed with all members voting in favor.

Next, a motion was made by Council Member Thompson to approve the Veterans Day Ceremony Street Closing request as submitted. Council Member Sweat seconded the motion that passed unanimously.

In discussing the motion, Council Member Parker asked why the request was made to turn off the waterfall on Friday. Council Member Smalls stated that one of the reasons was that after the stage/platform is installed and the water runs that night, the stage would be wet. City Manager McConnell stated that we have an employee on call 24 hours and the waterfall could be turned off on Saturday. He would check with Mr. James White on this matter. Council Member Young questioned if the street would be closed from Walter to Lucas Street, this would allow some parking. Council Member Cannady suggested that the merchants be notified about the street closing.

Next on the agenda was Acceptance of a Petition to Annex Certain Properties on Highway 64 at Robertson Boulevard. City Manager McConnell reported that 99% of the assessed property and 90% of the property owners had signed the petition. There is one piece of heir property, where we have not been able to find the heir, but will notify them by mail. He then presented the petition for Council consideration and acceptance and suggested a public hearing be held on June 14. A motion was made by Council Member Young to accept the petition to Annex Certain Properties on Highway 64 at Robertson Boulevard. Council Member Cannady seconded the motion that passed unanimously.

Before closing, the Mayor congratulated Council Member Young on his retirement, stating that he has done a fine job with our band. He also thanked him for all he's done for Walterboro. Council Member Smalls also congratulated him for a job well done with the band.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Sweat, seconded by Council Member Cannady and passed unanimously. The Mayor adjourned the meeting at 7:00 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 25, 2005