

Walterboro City Council
Public Hearing and Regular Meeting
Tuesday, June 14, 2005

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 14, 2005 at 6:15 P.M. with Mayor Harry Cone presiding.

PRESENT WERE: Mayor Cone, Council Members: Franklin Smalls, 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. Council Member Bill Young was absent.

There being a quorum present, Mayor Cone called the meeting to order and called on Council Member Smalls for the invocation and Council Member Parker to lead the pledge of allegiance to our flag.

A Public Hearing on the proposed City Budget for Fiscal Year 2005-2006 and annexation of certain properties along SC Hwy. 64 was announced by the Mayor. No comments were received on the proposed budget. Mr. Norris Rearden, county resident, was present and asked for a clearer description of the properties to be annexed. City Manager McConnell explained these were properties located at the intersection of Robertson Boulevard and Charleston Highway. They are the properties on the four corners. No further comments were received and the public hearing was closed. The Regular Meeting then began.

The Minutes of the May 25, 2005 Public Hearing and Rescheduled Meeting were approved as submitted upon motion of Council Member Cannady, seconded by Council Member Sweat, with all members voting in favor.

The Minutes of the May 31, 2005 Special Called Meeting were approved as submitted on the motion of Council Member Parker, seconded by Council Member Smalls, and carried unanimously.

Under Old Business, the adoption of the City Budget was before Council. On behalf of Council Member Young, who could not attend the meeting tonight, Council Member Sweat moved to adopt Ordinance 2005-02, An Ordinance Adopting the City Budget for Fiscal Year 2005-2006 and Matters Relating Thereto. Council Member Sweat then gave the following highlights of the 2005-2006 budget.

1. The 2005-06 budget is being adopted in the amount of \$6,958,957.00 with revenues and expenditures as set out in the budget document dated June 14, 2005.
2. There will be no property tax increase and the millage is set at 95 mills.
3. There will be a slight increase in utility rates for water and sewer (as shown on the attached rate sheet).
4. The local option sales tax credit factor shall be set at .002153.
5. One of Council's priorities for this year was to reduce the turn over in several departments, one of which is the police function. Also, Council has been working for two years to reduce our fire rating to a Class 3. To help accomplish these goals, the budget includes an opportunity for the employees of our Police and Fire Departments to cross-train

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on a voluntary basis. This will make our employees more valuable and their jobs more challenging and rewarding. It will also help with our fire rating by having more full-time, qualified personnel available.

6. We are awaiting the delivery of a new fire truck, and have already purchased a site for a fire/police substation.
7. This budget contains funds to establish an Equipment Replacement Fund for all capital items which depreciate. Rather than leasing equipment or borrowing money from lending institutions for capital purchases, Council has founded an account which will purchase capital equipment. The fund will be repaid from departmental line items. Over time, this revolving fund will assure that funds will be available to replace aging equipment and vehicles when necessary.

Council Member Thompson then seconded the motion which passed with a vote of 5/0 with Mayor Cone abstaining. Council Member Young was ABSENT and did not vote. Mayor Cone stated for the record, he is opposing the combining of the Police and Fire Departments. In the 15 years he was Fire Chief for the City of Walterboro, he fought hard to keep both the fire department and the police department separate.

Next, a motion was made by Council Member Cannady giving Second Reading and Adoption to Ordinance # 2005-03, being: AN ORDINANCE TO ANNEX PROPERTY TO THE CITY OF WALTERBORO, AS PROVIDED IN SECTION 5-3-150 OF THE CODES OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED. (Properties on Sniders Highway, SC 63/I95). Council Member Parker seconded the motion that passed unanimously. Council Member Young was ABSENT and did not vote.

Next, Council considered Resolution # 2005-05, a resolution to establish a policy for Council to approve all street closings, with the exception of street closings for maintenance, public utilities, public works, public safety or any other essential closing for an emergency reason. The resolution requires a request for a street closing be submitted to the City at least 45 days before the event. A public notice will then be published by the City at least 30 days before the event and written notification given to all affected persons. Council Member Parker emphasized that a receipt for the notification should be secured as part of the notification process. Council Member Thompson moved to adopt the resolution as submitted. Council Member Parker seconded the motion that passed unanimously. (Copy of said resolution is attached as part of these minutes).

Next, a motion was made by Council Member Sweat giving First Reading to Ordinance # 2005-04, being: AN ORDINANCE TO ANNEX PROPERTY TO THE CITY OF WALTERBORO, AS PROVIDED IN SECTION 5-3-150 OF THE CODES OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED. The properties to be annexed are located on SC Highway 64, Charleston Highway, at the intersection of Robertson Boulevard. Council Member Cannady seconded the motion that passed unanimously. Council Member Young was ABSENT and did not vote.

Next, under New Business, Resolution #2005-07 accepting, ratifying and confirming the results of the May 24, 2005 City General Election was adopted unanimously on the motion of Council Member Sweat, seconded by Council Member Smalls with all members voting in favor. A copy of said resolution is attached as part of these minutes.

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Next, Council recognized the irrevocable resignation of Council Member Sweat from his seat after winning the mayoral election May 24. Council approved his irrevocable resignation. A Special Election will be held to fill his vacant seat. City Attorney Cone read into the records the schedule for the Special Election as recommended by the Municipal Election Commission as follows:

Party Primary Filing Opens 12:00 Noon	- June 20, 2005
Party Primary Filing Closes 12:00 Noon	- June 27, 2005
Primary to be held	- August 16, 2005
Primary Run-off (If needed)	- August 30, 2005
Special Election to be held	- October 4, 2005

A motion to approve the dates set for the Special Election as recommended by the Election Commission was made by Council Member Parker, seconded by Council Member Cannady with all Members voting in favor. Council Member Young was ABSENT and did not vote.

Next, on a motion by Council Member Parker, seconded by Council Member Cannady, and passed unanimously, Council accepted the following resignations:

-Charles Lucas from Planning Commission. Mr. Lucas will take the seat of Councilman Franklin Smalls as the new City Council Member Elect beginning July 12, 2005.

-Ben Mitchell from the Recreation Commission.

-and Jeremy Ware from the Board of Zoning Appeals, who has moved outside of the city limits.

Council Member Young was ABSENT and did not vote.

Next, on the recommendation of Councilman Sweat, Council agreed to defer the Appointment of the City Judge, Associate Judge and City Attorney to its next meeting when all Council Members are present.

Last under New Business, Ms. Dorothy Ferrette was present along with several residents of Country Estates with a petition request for the City to install fire hydrants in the Country Estate Subdivision for fire protection. She stated the subdivision has only one fire hydrant installed off the Green Pond Highway. She told of a resident's home that was lost by fire and all personal belongings because the subdivision had only one fire hydrant.

Ms. Ferrette stated she spoke with Mr. Barry McRoy of the rural fire department, who said the City installed the pipes there a long time ago. At one time in the past, we had a referendum which did not pass. The water is controlled by the City, not the county. She asked Council what steps to take to get fire hydrants in the subdivision?

Ms. Ferrette stated there are 45 homes in this subdivision with 4 more homes going up right now.

Rev. Ernest Reece, pastor of New Life United Methodist Church and President of the Country Estates Residents Association, addressed Council. He stated the group is interested in getting guidance from Council so that we can get the necessary number of fire hydrants installed to protect the homes in that subdivision. He said, we came here for direction, we don't know the steps to take in order to get the fire hydrants into the subdivision.

A brief discussion was held on the pipelines installed in that area. Council Member Thompson asked the City Manager to explain the policy of the City for installing fire hydrants.

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Mr. McConnell stated it is a long-standing policy of the City that the fire hydrants installed outside of the corporate limits are done for two reasons.

1) If we need a valve there. Sometimes, we'll put a hydrant in as opposed to a valve.

2) Many years ago, the City came to an agreement that we would put hydrants at different locations for the purpose of allowing the county fire departments to fill up their tanker trucks. Out in the country where there is no water system, you may see a pond with a pipe coming out. They use that to fill their tanks. The county pays an annual fee of \$2,000 to use all of the water they need per year. He stated this agreement has been in effect since the early 80's.

Mr. McConnell stated that hydrant fire protection is extended only to the residents of the City of Walterboro. Outside the City, we provide drinking water service, but not fire fighting service.

Mr. McConnell explained that when a subdivision is developed, such as yours, the developer and the Department of Health and Environmental Control determine the size line that needs to go there to serve the area with drinking water. Then the developer gets a permit based on what they agree to, and then the developer installs those lines.

Mr. McConnell explained that a fire hydrant has to be on a minimum 6" line. In the Country Estates area, there is one 6" line that goes into Country Estate that has a hydrant on it. The rest of the lines in the estate are 2" and 4" lines that were installed by the developer. They are much too small to handle fire service.

City Manager McConnell pointed out that in the event the subdivision annexed into the city, at that time it would be eligible for fire service. The city would then have to take out the small lines and put in large lines that would be sufficient to put a fire hydrant within 500 ft. of every house.

He stated that has been a long standing policy of the City.

Mr. Norris Rearden, also present, told Council that fire hydrants and sewer are needed for his property, which is between Hwy. 303 and Rivers Street. He stated they asked for sewer to come up his street, but was told it could not go under the railroad. The lines were installed right below his subdivision, and were directed to the Dale Rae Acres area.

Council Member Thompson pointed out that it is the policy of the City that a property must be contiguous before a petition for annexation can be effected. Further discussion was held on how a property is contiguous to the city and how a petition for annexation could be effected.

Council directed the residents to meet with the City Manager to get further information concerning annexation.

Mr. Robert Ferrette said he could not understand why there was sewer installed in the DelRae area and Rearden Avenue was left out.

Mr. McConnell explained that at the time that was done, the city had funding for the project. The King Street and Black Street area had a terrible sewerage problem. The area had developed on septic

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tanks and there were shallow ditches behind the houses. There was no place for the water to go. It was a terrible mess. Council decided to spend money on drainage and sewage for that area. It was a large project. The City let a contract to put sewage in a good portion of that area. We were asked to serve Mr. Rearden's area, but we would have had to use a very large jack hammer to go under the railroad tracks. Mr. McConnell explained that it would have been very expensive to serve one house and a proposed subdivision. The City spent its money serving places that were already developed. We did not spend any monies serving undeveloped areas.

Mr. Andrew Cooper, a potential homeowner at County Estates, stated the City Manager infers there is a memorandum of agreement between the county and the city for using the fire hydrants. He stated it was pointed out that the lines are too small to service the area. Since annexing the area will probably be long and difficult, he asked what could be done to put in a line that would be suitable to supply the necessary water without any additional hydrants at this time. He stated the basic problem of supplying water needed to put out fires is not sufficient at this time.

City Attorney Cone pointed out that the City's commitment to the county is just to provide fire hydrants solely for the purpose of filling county tankers. County tankers carry water to fires. He explained that the fire hydrants scattered throughout the county are not fire flow hydrants and are not intended to fight fires but to fill tankers.

Mr. Cooper asked if a larger line could be placed out there to alleviate the current problem without redoing a memorandum of agreement. He asked if there could be an upgrade of the equipment, since there has been an increase in the number of homes located there now.

Mr. McConnell responded that the fire hydrant there now is on a 6" line, and from there are smaller lines that serve the houses with drinking water. The fire hydrant is on a 6" line which is sufficient to fill a tanker truck.

A motion was made by Council Member Sweat to enter an Executive Session for discussion of a property matter.

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 Sweat, seconded by Council Member Parker, and passed unanimously. The Mayor adjourned the meeting at 7:30 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: June 28, 2005