

Walterboro City Council
Regular Meeting
Tuesday, July 26, 2005

MINUTES

A Regular City Council Meeting was held at Walterboro City Hall on Tuesday, July 26, 2005 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, 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, followed by the pledge of allegiance to our flag led by Council Member Charles Lucas.

Mayor Sweat welcomed everyone and thanked them for coming. He stated we have a nice crowd tonight.

The Minutes of the June 28, 2005 Regular Meeting were approved as submitted on the motion of Council Member Cannady, seconded by Council Member Parker, with all members voting in favor.

The Minutes of the July 12, 2005 Regular Meeting were approved as submitted on the motion of Council Member Thompson, seconded by Council Member Cannady with all members in favor.

There was no Old Business before Council.

Under New Business, the Nomination of Mayor Pro-Tem and Council Committee Appointments were before Council. Mayor Sweat stated that most of the Council committee appointments were made at the last meeting. He then asked for nominations for Mayor Pro-Tem.

Council Member Parker then nominated Council Member Bill Young as Mayor Pro-Tem. Council Member Cannady seconded the motion. There were no other nominations or motions. The motion passed and Council Member Bill Young was elected Mayor Pro-Tem. All members voted in favor except Council Member Young did not vote on the motion.

Mayor Sweat noted that any other committee appointments would be moved to another meeting.

Next, on the agenda was a request by the Peggie Hammonds Campaign for City Council to close Park Avenue on August 13, to hold a block party for the residents to celebrate the work done in the upcoming primary election on August 16th. Mayor Sweat stated that this request did not come under our regular street closing policy adopted by Council. He said, as a general rule, we do not close streets for individuals. We close them for nonprofit affairs or organizations.

Council Member Cannady expressed concern about the ethics of permitting street closings for political purposes. Council Member Young stated, as far as the ethics law goes, if we do that for a candidate, then we will always have to do it for candidates until we change the ordinance. There were no motions made by Council on this request. The Mayor announced that the request died for lack of a motion.

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Next, on the agenda was consideration of a motion to carry over the purchase of a garbage truck and the work on the Annex building from the fiscal year 2003-04 budget to the fiscal year 2004-05 budget.

Finance Director Jeff Lord explained that these were items that were budgeted in 2003-04. Work started or a truck was ordered and delivery did not happen until the next fiscal year. He explained this is for auditing purposes and no money or anything actually changes.

Council Member Cannady so moved to carry over the purchase of a garbage truck and the work on the Annex building from the fiscal year 2003-04 budget to the fiscal year 2004-05 budget. The motion was seconded by Council Member Parker and passed unanimously.

Next, Council reviewed the slate of bids submitted to purchase a new commercial front load garbage truck. The bids received were as follows:

McNeilus-Villa Rica, GA.	Front Load on Chassis of 2005 Mack-Model MR688S	\$162,300
Heil-Columbia, SC	Front Load on Chassis of 2005 Mack-Model MR688S	\$159,748
Heil-Columbia, SC	Front Load on Chassis of 2005 Autocar WX64	\$160,748
Amick Equipment Co.	Front Load on Chassis of 2005 Mack-Model MR688S	\$164,609
Amick Equipment Co.	Front Load on a Autocar WX64	\$161,846

Public Works Director Charlie Chewing recommended the purchase of the truck from the lowest bidder Heil-Columbia, SC at the price of \$159,748. He stated that the city is presently operating similar equipment and has had very good success. He also commented that the company has a good service record.

A motion was then made by Council Member Parker to accept the lowest bid of \$159,748 from the Heil-Columbia Co. to purchase the Heil Front Load Chassis 2005 Mack Truck as recommended. Council Member Young seconded the motion that passed unanimously. Mr. Chewing commended that this item came in around \$10,000 under budget. So, we did very well with this item.

Next, a motion was made by Council Member Young giving First Reading to Ordinance # 2005-05, being: AN ORDINANCE TO ANNEX CERTAIN PROPERTY TO THE CITY OF WALTERBORO, Tax Map # 164-00-00-091. This property currently houses the City Maintenance Shop and a water tank. Council Member Thompson seconded the motion that passed unanimously.

Next, Ordinance # 2005-06 was given First Reading Approval on the motion of Council Member Parker, seconded by Council Member Cannady and passed unanimously, being: AN ORDINANCE TO AMEND CHAPTER 19, WEEDS. TREES. VEGETATION. ARTICLE I. TREE PROTECTION, SECTION 19.105 (b), TREE REMOVAL, OF THE CODE OF ORDINANCES. In discussing the motion, City Manager McConnell explained that the current ordinance, in his opinion, leaves too many subjective decisions for the city employees. He stated that we have a Tree Committee which is better equipped to make subjective decisions. The wording of the ordinance was changed so that when the building inspector is asked to approve or give a permit for the removal of a tree, that the tree be "dead" and not "diseased or dying," which are subjective decisions. After the tree is removed, you can have considerable discussion as to whether the tree was diseased or dying or to what degree. All trees are diseased or dying to some degree. He further explained that the building inspector would then only issue a permit for a tree that is "dead" or in the "footprint of a building or driveway." The rest of the circumstances are subjective decisions, and would be left for handling by our Tree Committee.

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Council Member Young cited the current ordinance's restrictions on commercial timber cutting in the city limits, which are: a lot of 2 acres or larger, a 50-foot buffer, no cutting of trees larger than 10" in diameter at chest height and no flowering or native trees. He asked if the same trees that were protected before would still be protected. City Attorney Cone clarified that no changes would be made to those restrictions, the only changes to be made are those written changes on Page 340 and the renumbering. The rest of the tree ordinance would remain the same as last adopted.

Further discussion was had on when a tree is diseased or dying. On a question raised by Council Member Young, City Manager McConnell explained that if a tree is in imminent danger of falling on a house, it could be removed right away. The person would not have to wait for the Tree Committee to meet.

Council Member Young asked if pine trees could be cut. Mr. McConnell responded that the ordinance covers all trees equally. A discussion was then held on whether the ordinance was changed to allow the cutting of pine trees. Council Member Young felt the ordinance was changed to allow the cutting of pine trees because of their danger during a hurricane. City Attorney Cone stated he would research the old code book to see if this provision was contained in the old code.

Next, Council considered Resolution # 2005-09, A Resolution Regarding the Proposed Re-routing of Truck Traffic Through Walterboro. For information, Mayor Sweat stated he and other representatives from Colleton County attended the meeting yesterday which was set up by the Charleston County delegation on this matter. He stated he was called on for a comment during the meeting and stated that Walterboro was not interested in over 2,000 trucks a day coming through our streets, endangering our citizens and tearing up our roads in its present condition. They need to come and sit down and talk with us. Mr. McConnell has been talking with the county and other entities over the past weeks, and has drafted a resolution stating our opinion. This is basically a resolution from City Council for them to act on.

Council Member Parker stated he read the resolution and it is right on track. Council Member Thompson also agreed with the resolution, however, he was not contacted about the widening of Highway 17 or rerouting of trucks through Walterboro. He raised concern with the large container trucks coming from Charleston through Walterboro. These trucks are the least checked out trucks, and it's just a matter of time before someone puts a bomb on one of those trucks. It's not to say that Walterboro would be the target, but they might not have control over that truck. He pointed out that these trucks would be traveling around our schools, children and citizens. From a safety standpoint, a statement should have been made about the container trucks. Only about 3 percent of these trucks are checked. If all of those trucks come through this town, where would it put us safety wise?

Council Member Young stated if we have trucks coming through Walterboro and they travel Hwy. 64 through Jacksonboro, that's the road our residents use in traveling back and forth to Charleston. We would be competing with all that traffic. He felt this would not be a safe thing for our citizens. However, if they want to come in and make Highway 64 a four-lane and construct a bypass all the way around, that would help. This would be a way to evacuate those islands on that side of Charleston during a hurricane. He pointed out that a four-lane road from Jacksonboro to Walterboro would open up a lot of options.

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Mr. Arden Lommen, present at the meeting, stated that no diagonal freeway exists from Savannah to Charleston. We got left out years ago on that, and we need to have such a freeway.

A motion was made by Council Member Parker, seconded by Council Member Young and passed unanimously to adopt Resolution # 2005-09, a resolution by Walterboro City Council regarding the proposed re-routing of truck traffic from Charleston through Walterboro. A copy of said resolution is attached as part of these minutes.

Next, a motion was made by Council Member Cannady, seconded by Council Member Lucas to approve a request by the Technical College of the Lowcountry to extend an additional hour for instructional programing on the City's Government Channel 9. The Mayor explained that currently, the TCL program runs from 5 P.M. to 8:00 P.M. This would allow a one-hour extension to 9:00 P.M. The motion passed unanimously.

As an add-on agenda item, Mayor Sweat stated that a request had been received from the Colleton County High School Band of Blue Booster Club asking permission to put up a banner across Jefferies Boulevard on September 19, announcing the annual Band Classic event to be held on September 24. The banner would be removed on September 26th. A motion approving the request as submitted was made by Council Member Young, seconded by Council Member Parker, with all members voting in favor.

Next, the Mayor recognized that Mr. Franklin Smalls, former Council Member, was present at the meeting. He thanked Mr. Smalls for his help at the last Council meeting and his help with the sound system.

The meeting then entered an executive session to discuss a contractual matter on the motion of Council Member Cannady, seconded by Council Member Young and passed unanimously. The meeting returned to Open Session with no action taken.

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 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 August 9, 2005