

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, June 6, 2017 at 6:15 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Tom Lohr, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, Assistant City Manager Hank Amundson, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 13 persons present in the audience.

There being a quorum present, the Mayor called the meeting to order and invited everyone to join in the invocation and the Pledge of Allegiance to our flag. Council Member Syfrett gave the invocation and Council Member Siegel led the Pledge of Allegiance to our flag.

PUBLIC INPUT ON AGENDA ITEMS:

No public comments or questions were raised on agenda items.

PUBLIC HEARING:

The Mayor then opened a public hearing, duly advertised, to receive public comments on the following proposed ordinances:

- 1) **ORDINANCE # 2017-04**, An Ordinance Adopting the City General Fund Budget for Fiscal Year 2017-2018 and Matters Relating Thereto.
2. **ORDINANCE # 2017-05**, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2017-2018 and Matters Relating Thereto.

No public comments or questions were received on Ordinances # 2017-04 or Ordinance #2017-05. The public hearing was closed.

PRESENTATION:

1. Seeking Volunteers in Colleton County - Ms. Carly Fountain - American Red Cross, Lowcountry SC Chapter

Ms. Carly Fountain, Volunteer Services Manager for the Lowcountry Chapter of Red Cross, then addressed Council. She reminded Council that the Red Cross helps with blood selection efforts, military members and their families and also disaster response efforts. Ms. Fountain said that 90% of their workforce at American Red Cross is made up of volunteers. We also have, unfortunately, many disasters to respond to across South Carolina. As we need to respond to those home fires, we need volunteers to help with that. I am here to ask you to help us find volunteers in this area to help people that live in their community to recover from home fires or other major disasters like tornadoes or hurricanes.

Our disaster action team is our team of volunteers who respond to home fires. Also, with smoke alarms, we have an effort to combat home fires. We need volunteers to help us with opening shelters, maintaining and running shelters that help us keep our residents out of harms way, and any special events that may come up. There is definitely a need here for us to have help and it is great for us to help local folks. So, if you are aware of any community events that we could help with, or if you have any ideas for a presentation, we are very open to suggestions on how we may achieve that.

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She then passed out materials explaining how to sign up to be a volunteer.

The Mayor stated, we appreciate all that you do. This is so important to us in times of need, and to those that need your help. Hopefully, we can help by your being here tonight, we can help get the word out and maybe we can get some help.

Council Member Bridge asked Ms. Fountain, where is your office located? Ms. Fountain responded, we actually have three offices within our nine counties. Our major office is in Charleston, and we also have an office in Bluffton.

This presentation was accepted by Council as information.

APPROVAL OF MINUTES:

Upon the motion of Council Member Broderick, seconded by Council Member Bridge, the following minutes were unanimously approved as submitted:

1. Minutes of the April 4, 2017 Work Session, 2017-2018 Budget.
2. Minutes of the April 4, 2017 Regular Meeting.
3. Minutes of the May 2, 2017 Public Hearing and Regular Meeting.
4. Minutes of the May 9, 2017 Special Called Meeting.

OLD BUSINESS:

1. **Ordinance # 2017-04**, An Ordinance Adopting the City General Fund Budget for Fiscal Year 2017-2018 and Matters Relating Thereto, **Second Reading and Adoption.**

A motion was made by Council Member Siegel giving Second Reading and Adoption to Ordinance # 2017-04 as submitted. Council Member Broderick seconded the motion that passed with all members voting in favor.

2. **Ordinance # 2017-05**, An Ordinance Adopting the City Enterprise Budget for Fiscal Year 2017-2018 and Matters Relating Thereto, **Second Reading and Adoption.**

A motion was made by Council Member Bonds giving Second Reading and Adoption to Ordinance # 2017-05 as submitted. Council Member Broderick seconded the motion that passed unanimously.

NEW BUSINESS:

1. Consideration of Canceling the July 4, 2017 Regular City Council Meeting

Since July 4, 2017 is a scheduled City holiday, a motion was made by Council Member Siegel, seconded by Council Member Lohr to cancel the July 4, 2017 Regular City Council Meeting. The motion passed unanimously.

The Mayor announced that we can always have a special called meeting if the need arises.

2. Consideration of Contract with SAFEbuilt to Provide Building Inspection Services for the City of Walterboro

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At this point, City Manager Molinari stated that Assistant City Manager Hank Amundson would brief Council on the proposed contract for inspection services for the City.

Assistant City Manager Hank Amundson told Council that staff submitted an RFQ for inspection services back in April, and in May considered two bids that were received. Since then, staff has been working through the contract process with SAFEbuilt. A copy of the "Professional Services Agreement Between the City of Walterboro, South Carolina and SAFEbuilt Carolinas, LLC" had been provided to Council.

Mr. Amundson told Council to feel free to ask any questions regarding the proposed contract. He then gave a brief summary of the proposed contract with SAFEbuilt:

1. First, we will do intensive catching up on unsafe structures - the in depth things that we have not been able to do recently, and do some code enforcement for the first couple of weeks before July 1.
2. Phase 2 will be happening concurrently, which is also more intensive than phase 3, which will be working through the processes with this company prior to July 1, so that we all know the expectations, processes, communication and how to uniformly and nicely answer questions of our citizens.
3. On July 1, we will start phase 3, which will be the actual implementation of the operation, which will be done on an ongoing basis. As you can see in the contract, we have good response times and it is done on a percent of permit fee basis going forward.

The Mayor then entertained a motion to approve the contract with SAFEbuilt for building inspection services. Council Member Broderick so moved and Council Member Syfrett seconded the motion.

In discussing the motion, Council Member Siegel asked the City Manager about the percentage of the fees. He asked, is this percentage that we will be paying consistent with others - those other persons or entities contracting with us? Mr. Amundson responded, yes, and in fact you can opt for a percent of each permit or some entities just pay straight hourly rates. We know that based on numbers, that this is a better deal for the City. Additionally, we know that a percent of permit is a protection, because never has our permit fee structure covered inspections, and through this contract, it is covered. And it is in line with others.

Council Member Bonds then raised the following questions. He brought attention to phase 1, which will be some intensive examining of unsafe structures. He asked, can you tell me more about what you mean by that? Mr. Amundson responded, I will tell you a couple of specific examples. We have had some homes burn recently, and we have to have a certified building official to begin the process of taking down unsafe burned buildings. We have had some houses that had the process started in the past, but have remained unsafe. There are certain things that a building official has to do that I can't do. So, those things have to be caught up, because we want to get into the fee for percentage of permit phase, that's based on more building permits. This phase is more intensive, because it has not been done.

Council Member Bonds then stated, the term of the contact is a year and 18 days, is that right? Mr. Amundson responded, right. Mr. Bonds then directed a question to City Manager Molinari. He said, Jeff didn't you say that this is an outfit that you and/or Hank have checked out as far as dealing with other municipalities? Mr.

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Molinari responded, that is correct. I have talked to other managers and administrators around the state who have used SAFEbuilt and they all have been very pleased with their work.

Council Member Syfrett then asked if this would change the way the City has been doing its code enforcement? Assistant City Manager Amundson responded, no. This is for building inspection services. Code Enforcement will still be the same.

Council Member Bonds then said, if you have for example a \$300,000 house and an \$800,000 house, are the inspection fees different based on the dollar value of the house? Mr. Amundson responded yes. Mr. Bonds then asked if it has always been that way? City Manager Molinari noted that the fee is based on the value of the house. Assistant City Manager Amundson added, it's all based on our codes.

Council Member Bonds said, and that's the way it was before. In other words, nothing has changed as it relates to what our citizens are going to be having to pay for these services? City Manager Molinari responded, that would have to be done by ordinance. Council Member Bonds responded, that's fine.

Mayor Young then asked, how do we make sure that you don't have repeat inspections unnecessarily?

Assistant City Manager Hank Amundson stated that in setting up the process, we made clear from the beginning what our goals were, and if we don't like them, there is severability, if there is something that's not working. Mayor Young then said, what prevents them if they go into a construction site from going back two or three times for something they can do in one trip? Mr. Amundson responded, because they don't get paid for the second and third visits. Mr. Amundson added, and that's why it is dangerous to do the hourly rate as opposed to the percent of permit fee.

Council Member Bridge asked if the percentage rate includes the travel cost? Mr. Amundson responded that the hourly services are only for this period where it is not covered by any permit revenue. That's for this ramping up period, so we can get everything going. We need to make sure that Bonnie, Bill, Gloria and myself, all speak the same language, have the same expectations and make clear to them our expectations of how we deal with the citizens.

Council Member Broderick asked if the SAFEbuilt inspector would report to the Assistant City Manager, and how often? Mr. Amundson responded that the inspector would be in a couple times a week at a minimum, but they have also committed to turnaround times on inspection requests. So, again the way they described their services is you can dial up and dial down, so if you have a more intensive project, like I just did the zoning, final check at the new Hampton Inn today. That requires more permits than housing starts. Because it is a percent of permit fee, they can be here more frequently because they are required to and it is worth their while.

Council Member Bridge then asked if Council could receive a report in 3 months as to the cost for this and how it is working, because it is new and different from what we have been doing?

Mr. Amundson responded that one of the things we have negotiated down was the term, because just on principle, we will do one-year terms with clear notice periods.

Council Member Bonds then said, as far as contractors and getting notice in, and having it by x time the day before, are we going to make sure they know about that? Assistant City Manager Amundson, responded yes, I agree. That's one of the things that helped their proposal rise above, is that they want to have outreach events even

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in the beginning to be clear, to meet the contractors and be involved. Our goal as a department is to help you build your house and help you build your building safely, not to penalize you and not to try and catch you doing it.

The motion then passed with all members voting in favor.

3. Consideration of a Memorandum of Agreement Between the City of Walterboro and the Marine Corps Air Station (MCAS) Beaufort, SC for Mutual Aid Support

City Manager Molinari then recognized Fire Chief Wayne Lake, who was present to brief Council on the proposed mutual aid agreement.

Fire Chief Wayne Lake then addressed Council. He said an important part of the Fire Department's planning process includes Mutual Aid Support Agreements with other fire departments for emergency situations, mainly structure fires. Some of the examples that we may need some help with are: the Colleton Center, Salkehatchie, several structures on East Washington Street and churches within our communities. He told Council that weather conditions also play a part in needing mutual aid support. For example, last August we had a structure fire at 474 Hampton Street and we called in mutual aid support for that.

Fire Chief Lake said he was recently approached by Fire Chief Darren Vaughn from the Marine Corps Air Station in Beaufort, and Chief Vaughn offered to enter into a Mutual Aid Support Agreement with the Walterboro Fire Department. We visited his fire station on Friday, June 2, and received a tour of the fire station, as well as the equipment, so we would know what's available to us, as well as personnel.

Concluding, Chief Lake said, I believe it would be in our best interest to enter into this agreement, so I would like Council to accept the agreement. He asked if Council had any questions. No questions were raised.

A motion was then made by Council Member Syfrett to approve the Mutual Aid Agreement with the City of Walterboro and the Marine Corps Air Station, Beaufort, SC as submitted. Council Member Lohr seconded the motion.

In discussing the motion, Council Member Bonds asked if this was substantially the same agreement we have with others, like St. Paul's, Edisto Beach or the County. Chief Lake responded, it's not the same. I like this agreement because it gives us a lot of freedom to not send in help if I don't have enough to send in. I can simply call them and tell them I can't send help because I don't have enough personnel to send to you. This agreement is a really easy read. It's really simple. One of the things I like about this agreement is that they are not going to charge us anything for coming to assist us. Also, if anything happens to any of their people, they are responsible for it. The Mayor added, and if anything happens to our people, we are responsible.

The motion then passed unanimously.

4. Consideration of Extending the City Manager's Contract through June 6, 2020

The Mayor stated that all Council Members have received copies of this contract. He then entertained a motion to approve the City Manager's contract.

A motion was made by Council Member Bridge to approve extending the City Manager's contract until June 6, 2020. Council Member Siegel seconded the motion that passed unanimously.

City Attorney Cone pointed out that there are a number of blanks in the contract. He asked that Council fill in the blanks on the one that you have adopted. Mayor Young said, we will fill them in tonight. He stated that Jeff has them for us. The

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City Attorney then asked, what date will the contract run through? The Mayor responded 2020. This is a three-year contract. Attorney Cone asked if the contract date would start from tonight or from June 30. The Mayor stated it would start from June 6.

COMMITTEE REPORTS:

There were no Committee Reports given.

CITY MANAGER'S REPORT:

1. Carolinas Cycling Association Regional Criterium Championship, June 17, 2017

City Manager Molinari then introduced Assistant City Manager Amundson to give a planning report on the Regional Criterium Championship to be held here on Saturday, June 17.

Mr. Amundson then addressed Council and stated that Michelle Strickland, Tourism Director, has been working hard on this. She presented it the last time to Council when it was approved. She is grateful and we are all grateful for this to happen.

Mr. Amundson said, we immediately went downtown and starting planning with the businesses. There was a little resistance, so we started to adjust and change and talk to the race organizers. There is a new route that has been established. The race organizers liked the idea of seeing other parts of the City. It will still be based out of the parking lot. We will still have all the activities there. In fact, they are going to utilize local businesses even more than other events throughout the year. Downtown businesses are now happy with that, especially the restaurants. This has been marketed with the newspapers as we have gone through this process, and there have been releases sent out this week. This is a larger event criterium, which is a good selling point for the businesses, in that 300 to 400 people, families that have kids racing in the mornings and professionals racing in the evenings. We have also notified all the entities that will be affected, which includes, Police Department, Fire Department, Sheriff's Office, because the new route goes around the Colleton Center, encasing the Sheriff's Office. We have notified Fire Rescue, and they are also excited, because Hampton Street and the Baptist Church have no events that day. Additionally, I wrote a letter to each one of the residents who are affected by the route, to give them times of the events, so that they are not trapped in all day long. In the case of emergencies, they trump all of the events.

Concluding, Mr. Amundson said, so in the end, the update is the new route, everybody has been notified and the businesses will be involved.

2. Award of Brownfield's Assessment Grant

City Manager Molinari announced that the City was recently awarded a \$300,000 Brownfield Assessment Grant from EPA. If you will remember, this is the second time that the City has applied, and we were one of only three applicants in the State of South Carolina to be funded. These resources can be used toward conducting environmental assessments on properties that are currently underutilized because of potential contamination. This can be a tool and asset for us in trying to facilitate redevelopment of underutilized properties in the City. So, we will be having a conference call to EPA in a couple of weeks to begin the process. The funds won't be released until October 1, and we have three years to administer the grant. We are excited about it, and hopefully this will lead to some future redevelopment and future cleanup grants that we could get from EPA.

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Mayor Young congratulated the City Manager for a good job on the grant.

Council Member Bridge then asked, do you get the money all at one time, or do you get the money as you send in a need for it?

City Manager Molinari said it was his understanding that the money would be funded all up front. The Mayor told Council that the other two recipients of this grant were Anderson College and Honea Path, SC.

Council Member Bonds then asked, do you know how many people in South Carolina applied? Did other people apply and not get this grant? City Manager Molinari explained that the southeast is Region 4 and I ran the numbers and I want to say that the approval rate was about 36%. This was a pretty competitive grant. Mayor Young said, this is the same grant we applied for last year, and we were close, but we didn't get it.

Council Member Broderick then asked if the City had a prioritized list of the properties that the City will be looking at? Mr. Molinari said, what we had to do for the grant application is we had to list, as examples, certain properties, but our application itself was pretty broad. One of the processes that you have to go through is to form a Brownfield's committee, which is made up of different leaders in the community, and they ultimately will make recommendations on which properties they want to prioritize for environmental assessments, and obviously, you have to have the consent of the property owner.

EXECUTIVE SESSION:

The Mayor then entertained a motion to enter an Executive Session. Council Member Broderick SO MOVED and Council Member Lohr seconded the motion that passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for the following:

1. Receipt of Legal Advice:
 - a. Financial Policies.
 - b. Wastewater Treatment Plant Upgrades.
 - c. I-95 Business Loop Project, Phase 1C/1D.
2. Potential Purchase of Property.
3. Personnel Matters:
 - a. Appointment of City Judge.
 - b. Appointment of City Attorney.

The meeting then entered into an Executive Session.

At approximately 8:30 p.m., a motion was made by Council Member Lohr to exit Executive Session and return to Open Session. Council Member Siegel seconded the motion. All in favor. None opposed. Motion carried.

The meeting returned to Open Session and a motion was made by Council Member Syfrett to reappoint Morrison Payne as Municipal Judge and Jay Lemacks as Bond Judge. Council Member Broderick seconded the motion that passed with a vote of 5/0 with Mayor Young, Council Members Syfrett, Lohr, Broderick and Bridge voting in favor. Council Members Siegel and Bonds recused themselves from voting since they will practice law before municipal court from time to time.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Bridge, seconded by Council Member Broderick and passed unanimously. The meeting adjourned at 8:31 P.M. Notice of this meeting was

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distributed to all local media and posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk

APPROVED: October 3, 2017