

Walterboro City Council  
Regular Meeting  
October 3, 2017

**MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 3, 2017 at 6:15 P.M. with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Jimmy Syfrett, Paul Siegel, Bobby Bonds, James Broderick and Judy Bridge. City Manager Jeff Molinari, City Clerk Betty Hudson and City Attorney George Cone were also present. Approximately 17 persons were present in the audience. Council Member Tom Lohr was absent.

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

**PUBLIC INPUT ON AGENDA ITEMS:**

There were no comments or questions 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 # 2017-08**, An Ordinance to Approve and Carry into Effect an Intergovernmental Agreement Between the City of Walterboro and Colleton County to Provide for the Sale and Transfer of Rights in Real Property Owned by Colleton County, South Carolina and Other Property Owned by the City of Walterboro and Matters Related Thereto.

City Manager Molinari briefed Council on this agenda item. He said, as you are aware the City and County have been discussing for the past couple of months an agreement whereby the City would purchase the County parking lot in the amount of \$100,000 for use for the Discovery Center. Also, as part of this agreement, there is a rail line right-of-way that was conveyed to both the City and County in 1991, and this agreement would transfer the portion of the right-of-way that is inside of the County to the County and the portion that's inside the City to the City.

The Mayor then opened the floor to receive any public comments or questions. No comments or questions were raised.

2. **Ordinance # 2017-09**, An Ordinance Authorizing the City of Walterboro to Grant an Easement/Right of Way to the South Carolina Department of Transportation Over Property Adjacent to the Present Right-of-Way of South Jefferies Boulevard (US Hwy. 17A/SC Hwy. 63).

City Manager Molinari told Council that part of the next phase of the I-95 Business Loop Project at the intersection of Hampton Street and South Jefferies Boulevard will be the installation of some decorative mast arms. The original placement of this mast arm is to be right in front of the Discovery Center. Over the past months, we have communicated with both the architects for the Discovery Center project and with our engineers for the streetscaping project, and what we are going to do is shift the mast arm base southwards by 30 feet. Using an overhead screen, the City Manager explained what that intersection near the Discovery Center would look like with the new traffic control mast arm using a sketch.

No comments or questions were raised by the public on the granting of this easement.

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**APPROVAL OF THE MINUTES:**

Upon the motion of Council Member Bridge, the following minutes were unanimously approved by Council as submitted. Council Member Broderick seconded the motion. Council Member Lohr was absent and did not vote.

1. Minutes of the June 6, 2017 Regular City Council Meeting.
2. Minutes of the August 1, 2017 Regular City Council Meeting.
3. Minutes of the August 30, 2017 Joint Luncheon Meeting with County Council.

**OLD BUSINESS:**

1. **Ordinance # 2017-08**, An Ordinance to Approve and Carry into Effect an Intergovernmental Agreement Between the City of Walterboro and Colleton County to Provide for the Sale and Transfer of Rights in Real Property Owned by Colleton County, South Carolina and Other Property Owned by the City of Walterboro and Matters Related Thereto, **Second Reading and Adoption.**

Mayor Young said, this is the ordinance that we just had the public hearing on regarding the parking lot and railroad right-of-way.

A motion was then made by Council Member Bonds giving Second Reading and Adoption to Ordinance # 2017-08; being: An Ordinance to Approve and Carry into Effect an Intergovernmental Agreement Between the City of Walterboro and Colleton County to Provide for the Sale and Transfer of Rights in Real Property Owned by Colleton County, South Carolina and Other Property Owned by the City of Walterboro and Matters Related Thereto. Council Member Broderick seconded the motion. All in favor. None Opposed. Motion carried. Council Member Lohr was absent and did not vote.

2. **Ordinance # 2017-09**, An Ordinance Authorizing the City of Walterboro to Grant an Easement/Right of Way to the South Carolina Department of Transportation Over Property Adjacent to the Present Right-of-Way of South Jefferies Boulevard (US Hwy. 17A/SC Hwy. 63, **Second Reading and Adoption.**

The Mayor said, this is the same ordinance we had the public hearing on just a few minutes ago.

At this point, City Attorney Cone said, as you notice, they have relocated the mast arm as the City Manager said. So, the description has changed slightly and I have added the following language: "The location of the mast arm will generally and approximately appear by reference to the sketch of said location hereto as Exhibit "A" and incorporated as part of this description by reference, and the easement area will surround the mast arm, all of which will be shown on the SCDOT final drawing of the project." The sketch for Exhibit A is the one that the City Manager sent me yesterday.

Mayor Young then asked for a motion to include the language just given by the City Attorney. Council Member Siegel so moved. Council Member Broderick seconded the motion.

In discussing the motion, Council Member Siegel said, it is my understanding that what we are doing is attaching the exhibit which wasn't attached to the one we have here, is that right? City Attorney Cone said, it's a different exhibit. Mayor Young added, this just reflects what Jeff just showed us. It just makes it clearer where it is.

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Council Member Bridge then asked, when you talk about an easement, does that limit what you can do in that easement area of the mast arm in terms of our property? City Manager Molinari responded, it's a very small area. Essentially, it is roughly eight square feet and it's really only to accommodate the base of the mast arm.

Mayor Young then clarified that the motion would be as follows: to give Second Reading and Adoption to Ordinance # 2017-09 as in the agenda with the language changed where necessary as presented by the City Attorney. Are we correct on that? Council agreed.

The motion then passed with all members voting in favor. None opposed. Motion carried. Council Member Lohr was absent and did not vote.

**NEW BUSINESS:**

1. **Ordinance # 2017-10**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 6, Section 6.5, Flood Damage Control, of the Unified Development Ordinance of the City of Walterboro, **First Reading.**

City Manager Molinari stated that the City was contacted by the South Carolina Department of Natural Resources over the summer, and was informed that we needed to update our Flood Ordinance. The new flood maps have been issued for Colleton County. These maps would go into effect on December 21, 2017, and essentially the Department of Natural Resources said that if we don't update our flood ordinance, the City would be automatically suspended from the National Flood Insurance Program. So, what that means for property owners who live in flood areas is that this could compromise their ability to get affordable flood insurance. The Planning Commission looked at this ordinance last month at their meeting and unanimously recommended adoption. This is a very technical document when you look at it compared to the existing flood ordinance that we have in the Unified Development Ordinance. It is a lot more involved. Staff sent our current flood ordinance to DNR for review. They came back with comments and they also sent the City a model flood ordinance. We used their model ordinance as the basis for the ordinance that's before you this evening. What we will do is get First Reading tonight, and then at Second and Final Reading in November, we will send this ordinance to the Department of Natural Resources and they, in turn, will send it to FEMA for final approval. We would be happy to answer any questions you may have. No comments or questions were asked.

A motion was made by Council Member Syfrett giving First Reading Approval to Ordinance # 2017-10 as submitted. Council Member Siegel seconded the motion.

In discussing the motion, Council Member Bonds asked the City Manager if there were a boundary map that is attached to this ordinance as an exhibit. City Manager Molinari responded affirmatively. Mr. Bonds said, I don't see that in our package. The City Manager responded that the maps are in his office, and there are about ten (10) different ones that the City received from FEMA a few weeks ago. What they do with the flood maps is that they divide the County up into different panels, and every panel that contains a section of the City, we will get a map for it. So, unfortunately, I wish I had a nice clean map that contained everything that's inside the City. I would be happy before we do Second and Final Reading to share all of these with you, but in very general terms, the flood way has not changed much at all since the last flood maps were done in the year 2000, and as you can imagine, the primary flood way runs right through the City at Ireland Creek.

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Council Member Bonds said, well that was my concern. Are there areas now they say are in the flood zone that were not previously? Are there things which have changed that would affect property owners once we adopt this?

City Manager Molinari responded, in looking at the maps that we had before and comparing them with what we have now, I did not see any significant changes, but I would definitely recommend to you when you have the time to come by and look at it. Like I said, unfortunately they were not given to us in a format that's very friendly in putting everything into a map.

Mr. Bonds said, so where it says, like on page 5, about a flood hazard boundary map, is that the map we are talking about? Is it an official map, commonly issued by FEMA, where the boundary areas and flood areas are? Is that what you are talking about? City Manager Molinari responded affirmatively.

Council Member Siegel then said, you may not know this, but there is language in here, and I am sure this language was mimicked earlier, regarding issues of a substantial improvement and measuring substantial improvement. Is that essentially the same as it was before, and the only things that changed were the maps? Mr. Molinari responded, it is. It says 50%.

No further discussion was held and the motion giving First Reading Approval to Ordinance # 2017-10 passed with all members voting in favor, except Council Member Lohr was absent and did not vote.

2. **Ordinance # 2017-11**, An Ordinance to Update the Elements of the City of Walterboro Comprehensive Plan, **First Reading.**

City Manager Molinari then announced that Assistant City Manager Hank Amundson will brief Council on this ordinance.

Mr. Amundson then appeared before Council. He noted that the Municipal Planning Guide tells us how to do our Comprehensive Plan. Every ten (10) years, we have to do the Comprehensive Plan. The last time this was done was in 2010. It also says that every five (5) years, we are to at least visit and look at updating the elements of the plan. The elements are basically the chapters of the plan, and those are listed in the new ordinance. So, over the last several months, the Planning Commission has gone through, chapter by chapter, looking to see if there were any major changes that needed to be included. This is not rewriting the plan, and this is not resetting goals - that will be done in 2020. Specified in this ordinance, it was noted that the nine (9) elements of the Comprehensive Plan are population, economic development, natural resources, cultural resources, community facilities, housing, land use, transportation and priority investment.

Mr. Amundson told Council that the Planning Commission only recommended changing obvious things such as uses of buildings or activities in the Industrial Area. The major data that was changed were the employment numbers on the chart because that has drastically changed since this plan was adopted in 2005.

A motion was made by Council Member Broderick giving First Reading Approval to Ordinance # 2017-11; being: An Ordinance to Update the Elements of the City of Walterboro Comprehensive Plan. Council Member Syfrett seconded the motion that passed unanimously. Council Member Lohr was absent and did not vote.

3. **Ordinance # 2017-12**, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the

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City of Walterboro by Changing the Zoning Classification of Two Parcels of Land on Wichman Street Designated as TMS #'s 163-11-00-135 and 163-11-00-136 from General Commercial District (GCD) to Central Business District (CBD), **First Reading.**

Assistant City Manager Hank Amundson then briefed Council on the rezoning request. He showed Council overhead maps which displayed the property to be rezoned. He noted that two weeks prior to the last Planning Commission meeting, a request was received from the Artisans Center to rezone their properties on Wichman Street from General Commercial District (GCD) to Central Business District (CBD). He said, we are required to place a 15-day public notice before we had our Planning Commission Meeting. The request is to rezone parcels # 163-11-00-135 and 163-11-00-136. They are adjacent to the Central Business District on two sides. Mr. Amundson said, it is confusing why this property was originally zoned GCD in the first place, because it is an existing non-conforming property as General Commercial. Mr. Amundson pointed out that the front corners of their building are already inside the setback. So, therefore, they could never do any growth or expansion and they are part of our downtown. They want to be able to treat their land as if they are downtown. He then showed Council a map of the area in question and the surrounding area of the Central Business District. He noted that the re-zoning request fits with Central Business District Zoning, and it's not a spot zoning issue.

Mr. Amundson stated that the plan for which they want to rezone is going to encroach about 8 more feet on the front, which faces Wichman Street. As you know, they don't treat that as the front of their building. The idea is to wrap this side porch around and use it as part of their entrance, to have more of an announced business on Wichman Street. Also, to the left side you will see an event lawn that's visible from Wichman Street as well, for presentation. Mr. Amundson showed Council a sketch of the planned addition to the building. He noted that this request will also have to go through the Historic Preservation Commission for approval if the rezoning is approved. He pointed out that he had a sketch of the basic plan, and it is in keeping with the area historically. He said that the Planning Commission met on the November 20, 2018, and they unanimously approved this request and sent it to City Council for approval for rezoning.

A motion was made by Council Member Bridge to give First Reading Approval to Ordinance # 2017-12 as submitted. Council Member Broderick seconded the motion. At this point Council Member Bonds recused himself from voting on this agenda item due to the fact that his daughter is employed with the Artisans Center. The motion then passed with a vote of 5/0 with Mayor Young, Council Members Syfrett, Siegel, Broderick and Bridge voting in favor, and Council Member Bonds abstaining. Council Member Lohr was absent and did not vote.

4. Proclamation No. 2017-02, A Proclamation Designating October 28 - November 5, 2017 as "Brag a Little About Walterboro Week"

The Mayor then read this proclamation in its entirety into the record.

Proclamation No. 2017-02, designating October 28-November 5, 2017 as "Brag a Little About Walterboro Week," was then approved on the motion of Council Member Bonds, seconded by Council Member Broderick, with all members voting in favor, except Council Member Lohr was absent and did not vote. A copy of said proclamation is attached as part of these minutes.

5. Request to Hang Banner Announcing Brag a Little About Walterboro Week to Display October 28 - November 5, 2017, Michelle Strickland, Tourism Director

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A motion was made by Council Member Syfrett to approve the request from Michelle Strickland to hang a banner across Jefferies Boulevard announcing the "Brag a Little About Walterboro Week October 28 - November 5, 2017. Council Member Bridge seconded the motion that passed with all members voting in favor. Council Member Lohr was absent and did not vote.

6. Consideration of Veterans Day Parade Permit Request, November 12, 2017, Colleton County Veterans Council

Next, Council reviewed a parade permit request from the Colleton County Veterans Council to close the streets for the Annual Colleton County Veterans Day Parade on November 12, 2017. A motion was made by Council Member Siegel, seconded by Council Member Broderick, to approve the parade permit request as submitted. The motion passed with all members voting in favor. Council Member Lohr was absent and did not vote.

7. Request for Street Closings for Annual Christmas Parade on Dec. 3, 2017 by Michelle Strickland, Tourism Director

Ms. Michelle Strickland announced that she and the City will be taking over the Annual Christmas Parade from this point on. The parade route will be the same as in the past. Council Member Bridge made a motion to approve the request for street closings for the Annual Christmas Parade on December 3, 2017. Council Member Syfrett seconded the motion that passed unanimously. Council Member Lohr was absent and did not vote.

**COMMITTEE REPORTS:**

Under Committee Reports, a report on the City Appearance Board was given by Council Member Broderick. Mr. Broderick started his report by reading the "Purpose of the City Appearance Board." He said this information comes from the City's website, if anyone wanted to go back and look at it.

He reported that the City's Appearance Board has been very busy. He informed Council that Ms. Summer Nay, who is on this board, wrote a grant, a trash can mini-grant proposal to Palmetto Pride. The City was awarded this grant and has purchased six (6) decorative trash cans, which just came in today by federal express. The award was for \$4,920. At the next Council Meeting, we are going to ask a Palmetto Pride representative to come and speak with us about some other programs.

Mr. Broderick stated that he is also happy to announce that the Appearance Board will submit another application in the next couple of days for a \$10,000 grant to help with enforcement of littering in the City. This will help our police department enforce the elimination of litter that we see around the City. Another program, we have talked about in the past is we have developed an "Adopt a Street Program," where you can adopt a street in your neighborhood and commit to cleaning it up once a month, and submitting pictures to the City, so we can see what's going on and how people are cleaning up their neighborhoods in the area. I have an application if anyone would like to pick up one for their neighborhood. I am going to share this with the Council Members and the Mayor.

Mr. Broderick then conveyed his thanks to the members of the City Appearance Board, which includes Mr. Dana Cheney - Chairman; Mr. Horace Simmons who is present tonight and been on this board for many years, Ms. Helen Bodison, Ms. Tolika Mock, and Ms. Summer Nay. I appreciate what they do for the City. They do a great job.

**CORRECTED**

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**CITY MANAGER'S REPORT**

No City Manager's Report was given.

**EXECUTIVE SESSION:**

A motion to enter an Executive Session was then made by Council Member Bridge, seconded by Council Member Broderick and passed unanimously. The Mayor then announced that the meeting would enter into an Executive Session for:

1. Receipt of Legal Advice - Offences and Miscellaneous Provisions, Article XI.
2. Discussion of Matters Encouraging Location and Expansion of Businesses - Bailey Bill.
3. Contractual Matter - Public Defender.

The meeting convened into an Executive Session.

A motion was made by Council Member Bonds to exit executive session and return to Open Session. Council Member Bridge seconded the motion. All in favor. None opposed. Motion carried. Council Member Lohr was absent and did not vote.

The meeting returned to Open Session and there being no further business to consider, a motion to adjourn was made by Council Member Broderick, seconded by Council Member Bridge. All in favor. None opposed. Motion carried. The Mayor adjourned the meeting at 7:35 P.M. Notice of this meeting was 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: February 13, 2018**