

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 2, 2018 at 6:15 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Carl Brown, Judy Bridge, Paul Siegel, Bobby Bonds and James Broderick. City Manager Jeff Molinari, Assistant City Manager Hank Amundson, City Clerk Betty Hudson, and City Attorney George Cone were also present. Council Member Greg Pryor was absent. There were approximately 9 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and invited everyone to join in the invocation and the pledge of allegiance to our flag. Council Member Bridge gave the invocation and Council Member Brown led the pledge of allegiance to our flag.

At this point, the Mayor stated that at the last Council Meeting, he omitted reading Proclamation No. 2018-02, which designates October 27, 2018 - November 4, 2018 as "Brag About Walterboro Week." The Mayor then read this proclamation in its entirety into the record. He then gave a copy to Ms. Christan Spires, Tourism Director.

PUBLIC INPUT ON AGENDA ITEMS:

There were no comments or questions on agenda items.

PUBLIC HEARING:

The Mayor opened a public hearing, duly advertised, to receive public comments on the following proposed four (4) ordinances:

1. **Ordinance # 2018-11**, An Ordinance Authorizing the City of Walterboro to Join with the Walterboro - Colleton County Airport Commission and the County of Colleton in Waiving a Right of First Refusal to Purchase Eight (8) Acres, More or Less, of Land in Connection with the Sale of the Land by Universal Distributors, LLC to Coastal Land Holdings LLC.

City Manager Molinari told Council that this property is located at 360 Anderson Road, which was previously owned jointly by the City, the County and the Airport Commission and has changed hands a couple of times since 2009. There is another interested buyer, Jaxco, who is looking at expansion. There were a couple of deed restrictions put on this property:

- 1) There is a reservation of the right of first refusal for both the City and the County for a period of 60 years. The purchaser is asking, to be able to close on the property, that both the City and the County pass ordinances, to acknowledge that refusal.
- 2) Also, the purchaser is requesting action on a deed restriction that says that the property shall not be subdivided. The purchaser is interested potentially in subdividing the property in the future.

No public comments or questions raised on this ordinance.

2. **Ordinance # 2018-12**, An Ordinance Granting Easement No. 897128 to South Carolina Electric and Gas Across a Portion of Property Owned by the City of Walterboro Located Along Robertson Boulevard and Aviation Way in or Near the City of Walterboro, Colleton County, SC; Such Easement is to Be Used for the

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Installation, Operation and Maintenance of Electrical and Gas Facilities Within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto.

City Manager Molinari reminded Council that a colored map of this easement was in front of each Council Member, which shows the easement area. He said, this proposed easement for SCE&G is to provide power to Lowcountry Aviation, which is up and running at the airport. Again, this is property that is jointly owned by the City and the County. SCE&G is requesting an easement to be able to provide power to that industry.

No comments or questions were raised on this ordinance.

3. **Ordinance # 2018-13**, An Ordinance Relating to the Recovery of Collection Costs as a Part of Delinquent Debts Collected Pursuant to the Setoff Debt Collection Act.

City Manager Molinari told Council that in August of this year, the City received a memo from the Municipal Association. As you are aware, the City is an active participant in the Setoff Debt Collection Program. Annually, we typically receive about \$13,000 through this program. The Municipal Association studied the Setoff Debt Collection Act and the model ordinance and are requiring all of the cities that participate in the program to pass a revised ordinance, which is before you. There is also a resolution later on the agenda that will accomplish the same thing.

No comments or questions were received on this ordinance.

4. **Ordinance # 2018-14**, An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 2, Section 2.4, Permitted Uses Table and Chapter 3, Section 3.5 Retail and Wholesale Uses, and an Addition to the Definitions Section of the Unified Development Ordinance of the City of Walterboro.

The City Manager then asked Assistant City Manager Hank Amundson to brief Council on this proposed ordinance, which deals with food trucks.

Mr. Amundson said, as we spoke during First Reading of this ordinance last month, this is something that was initiated more than six (6) months ago by the Commercial Kitchen. There were some businesses being incubated there and we realized that our ordinances did not properly address food trucks. We only had peddlers addressed, which is the ice man and the transient merchants, which is typically the out-of-town person who drops in and sells some encyclopedias in the old days. So, the Planning Commission worked through this ordinance for about six months. We gave a posted public hearing and worked through language of how to do this. We analyzed ordinances from all over the state and beyond on how to do this without detrimentally affecting other businesses of allowing them to operate.

No comments or questions were raised on this proposed ordinance.

OLD BUSINESS:

1. **Ordinance # 2018-11, Second Reading**

Under Old Business, a motion was made by Council Member Broderick, seconded by Council Member Bridge, giving **Second Reading and Adoption to Ordinance # 2018-11**, being: An Ordinance Authorizing the City of Walterboro to Join with the Walterboro - Colleton County Airport Commission and the County of Colleton in Waiving a Right of First Refusal to Purchase Eight (8) Acres, More or Less, of Land in

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Connection with the Sale of the Land by Universal Distributors, LLC to Coastal Land Holdings LLC. The motion passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

2. **Ordinance # 2018-12, Second Reading**

City Manager Molinari then stated that he'd like to make a correction to this ordinance before action is taken by Council. This correction was brought to his attention by the City Attorney, which is as follows:

In the ordinance, under the paragraph marked no. 1, which says, "The documents attached and included herein by reference grant Easement No. 897128 to South Carolina Electric and Gas across a portion of property owned by **Colleton County**... This should be corrected to say Owned by "**Colleton County and the City of Walterboro.**"

Mr. Molinari stated that this change would be made on the official copy to be signed if this ordinance is passed by City Council tonight.

A second motion under Old Business was made by Council Member Siegel, seconded by Council Member Broderick, giving **Second Reading and Adoption to Ordinance # 2018-12**, being: An Ordinance Granting Easement No. 897128 to South Carolina Electric and Gas Across a Portion of Property Owned by the **County of Colleton, the City of Walterboro and the Airport Commission** Located Along Robertson Boulevard and Aviation Way in or Near the City of Walterboro, Colleton County, SC; Such Easement is to Be Used for the Installation, Operation and Maintenance of Electrical and Gas Facilities Within Colleton County, SC; to Authorize Execution and Recording of the Easement Documents; and Other Matters Related Thereto. The motion passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

3. **Ordinance # 2018-13, Second Reading**

A third motion under Old Business was made by Council Member Bridge, seconded by Council Member Siegel giving **Second Reading and Adoption to Ordinance # 2018-13**, being: An Ordinance Relating to the Recovery of Collection Costs as a Part of Delinquent Debts Collected Pursuant to the Setoff Debt Collection Act. The motion passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

4. **Ordinance # 2018-14, Second Reading**

A fourth motion under Old Business was made by Council Member Bonds, seconded by Council Member Bridge, giving **Second Reading and Adoption to Ordinance # 2018-14**, being: An Ordinance to Amend the Unified Development Ordinance of the City of Walterboro, South Carolina, to Provide for Changes to Chapter 2, Section 2.4, Permitted Uses Table and Chapter 3, Section 3.5 Retail and Wholesale Uses, and an Addition to the Definitions Section of the Unified Development Ordinance of the City of Walterboro. The motion passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

At this point, the Mayor announced that Council Member Greg Pryor is away on business and unable to attend the meeting tonight.

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NEW BUSINESS:

1. **Ordinance # 2018-15, An Ordinance Pursuant to Title 5, Chapter 3, Section 5-3-150, Subsection 3, of the Code of Laws of South Carolina, 1976, as Amended, to Annex an Area, Known as TMS # 146-00-00-082 into the City of Walterboro, a South Carolina Municipal Corporation, First Reading**

City Manager Molinari said, you have before you an ordinance, an annexation petition and supporting documents to bring a parcel of property into the City, which is located across from Walmart. This is an old service station, located at 1897 Bells Highway. The Planning Commission will be meeting this month to make a recommendation on the Zoning Classification. Staff is recommending Interstate Interchange Commercial District, which is consistent with everything in the surrounding area.

A motion was made by Council Member Broderick, giving **First Reading Approval to Ordinance # 2018-15, An Ordinance Pursuant to Title 5, Chapter 3, Section 5-3-150, Subsection 3, of the Code of Laws of South Carolina, 1976, as Amended, to Annex an Area, Known as TMS # 146-00-00-082 into the City of Walterboro, a South Carolina Municipal Corporation.** Council Member Bridge seconded the motion.

In discussing the motion, Council Member Bonds asked the City Manager if the City needs to work out its arrangement with the County in terms of taking that property out of the County and placing it in the City limits as it relates to fire coverage and things of that nature? Mr. Molinari responded, that's correct. As you are aware, pursuant to an agreement between the City and the County, the fire millage will be paid for the next five years after we annex the property. So, every year the Finance Director sends a report to the County of any properties that the City annexed and are impacted by that agreement for fire service.

Council Member Brown commended and thanked City admin for getting that property cleaned up. He said, it looks a lot better.

The motion then passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

2. **Resolution # 2018-R-14, A Resolution to Authorize the Municipal Association of South Carolina to Act as Claimant Agency for the Collection of Debt on Behalf of the City of Walterboro in Accordance with the Setoff Debt Collection Act**

The City Manager stated that this resolution is related to the Ordinance # 2018-13 that Council just passed. This is a requirement by the Municipal Association, which indicates our willingness to continue to participate in the program, as well as the Municipal Association to act as the claimant agency for the collection of debt on behalf of the City of Walterboro.

A motion was made by Council Member Bonds to approve Resolution No. 2018-R-14, A Resolution to Authorize the Municipal Association of South Carolina to Act as Claimant Agency for the Collection of Debt on Behalf of the City of Walterboro in Accordance with the Setoff Debt Collection Act. Council Member Broderick seconded the motion that passed with all members voting in favor, except Council Member Pryor was absent and did not vote. A copy of said resolution is attached as part of these minutes.

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3. Consideration of Rescheduling the November 6, 2018 City Council Meeting

The Mayor stated that the chair would recommend rescheduling the November 6 meeting to the next week, November 13. He pointed out that November 6 is election day and also the beginning of the NLC Meeting for some Council Members. He then asked what would Council like to do.

A motion was made by Council Member Bridge to reschedule the Nov 6 regular meeting to November 13th. Council Member Broderick seconded the motion that passed unanimously. Council Member Pryor was absent and did not vote.

4. Request to Hang Banner Announcing 2018 Festivelo November 7-11, 2018, Christan Spires, Tourism Director

Ms. Christan Spires, Tourism Director, told Council that the Festivelo Committee is requesting to hang the banner for Festivelo this year in the same place where the Rice Festival banner and the Brag About Walterboro banner are usually hung. SCE&G will hang the banner.

Ms. Spires said, I do have one change to make to the banner to be displayed: Where it says FestiVELO XXI 2018, I would like to delete the part that says "XXI 2018" and just leave the wording "FestiVELO" on the banner. This way we can use the same banner in the future.

A motion was made by Council Member Siegel to approve the request to hang a banner announcing the 2018 FestiVELO November 7-11, 2018, subject to the part that our Tourism Director, Christan Spires, wants to keep off the banner. Council Member Broderick seconded the motion that passed with all members voting in favor. Council Member Pryor was absent and did not vote.

At this point, Council Member Bridge stated that this festival came to Walterboro about 2 years ago and a lot of folks had a great time. She asked Ms. Spires, have they made any indication that they would like for this to be an annual event, because they do at sometimes decide to go to different places?

Assistant City Manager Hank Amundson replied, they did it here for an original three years, and now they want it to be here permanently. They said that the City treats them better than any place they have ever been.

At this point, the Mayor said, we are glad to have our friends from SCE&G with us tonight. Thank you for being here.

COMMITTEE REPORTS:

There were no Committee Reports.

CITY MANAGER'S REPORT:

There was no City Manager's Report.

EXECUTIVE SESSION:

The Mayor then entertained a motion to enter an Executive Session. Council Member Siegel so moved and Council Member Bridge seconded the motion that passed

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unanimously, except Council Member Pryor was absent and did not vote. The Mayor announced that the meeting will convene into an Executive Session for:

1. A discussion of Matters Concerning the Expansion of Services Encouraging the Location or Expansion of Industries and Other Businesses - Wastewater Treatment Plant Preliminary Engineering Report.

The meeting then convened into an Executive Session.

At approximately 7:15 p.m., a motion was made by Council Member Bridge to exit Executive Session and return to Open Session. Council Member Broderick seconded the motion. All in favor. None opposed. Motion carried.

The meeting returned to Open Session with no action taken as a result of the Executive Session.

There being no further business to consider, a motion to adjourn was made by Council Member Brown, seconded by Council Member Bridge and passed unanimously. The Mayor adjourned the meeting at 7:15 P.M. Notice of this meeting was distributed to all local media, 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: November 20, 2018