

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, May 7, 2019 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 Attorney George Cone, and Attorney Lawrence Flynn, the City's bond counsel were also present. Council Member Greg Pryor and City Clerk Betty Hudson were absent. There were approximately 20 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. Mayor Young gave the invocation and Council Member Bridge led the pledge of allegiance to our flag.

The Mayor welcomed everyone to the meeting and thanked City staff, our Public Safety Officers, and everybody for doing such a great job with the Rice Festival. Getting ready for it, during the festival and then the clean up after it, was amazing. The day afterwards you can't even tell that anything was going on, they do a good job there.

PUBLIC INPUT ON AGENDA ITEMS:

There were no comments or questions on agenda items.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. **Ordinance # 2019-03, An Ordinance Adopting the City General Fund Budget for Fiscal Year 2019-2020, and Matters Relating Thereto, (First Reading)**

and

2. **Ordinance # 2019-04, An Ordinance Adopting the City Enterprise Fund Budget for Fiscal Year 2019-2020, and Matters Relating Thereto (First Reading)**

The Mayor then called on Council Member Bridge, Chair of the Finance Committee, to address these two ordinances:

In her opening remarks, Council Member Bridge thanked all the department heads for their energy and diligence in working on their individual budgets and meeting the specified number of times that were necessary to get the budget where it needed to be. Special thanks to Jeff Molinari, our City Manager, to Amy Risher, our Finance Director and Hank Amundson, our Assistant City Manager for the extra time they gave. It was a challenging year, and they had to go back numerous times. It wasn't a matter of cutting out so much as delaying or finding other spots to get things that were necessary. We certainly do appreciate the work that went into that. She then recognized the City Manager who would give an overview of the budget.

City Manager Molinari then gave a brief summary of the Fiscal Year 2019-2020 budget as follows:

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FY 2019-2020 BUDGET SUMMARY

- \$11,570,710 total City budget.
- \$7,208,360 General Fund budget.
- \$4,362,350 Enterprise Fund budget, which comprises our water, sewer and sanitation operations.
- We are proposing no ad valorem property tax increase.
- No business license increase.
- No water rate increase.
- No health insurance rate increase.
- The City is absorbing a 1.0% increase in South Carolina State Retirement contributions.
- Also, included is a proposed 1.0% cost of living adjustment for all city employees.

MAYOR AND CITY COUNCIL

- 2019 Municipal Election.

CITY MANAGER

- Status quo.

FINANCE

- 300 Hampton Street Improvements – a handicap lift, handicap restroom, install a generator and replace roof.

PUBLIC WORKS

- Status quo.

PLANNING AND DEVELOPMENT

- Planning to allocate \$25,000 for demolition of substandard properties.

POLICE

- Proposing to purchase two (2) new patrol vehicles and one (1) new administrative vehicle.

JUDICIAL

- Status quo.

FIRE

- Improvements to the drainage at Station 3 on Robertson Blvd.

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SANITATION

- Purchase a new Residential Sanitation Truck.
- Purchase a new Commercial Sanitation Truck.

PARKS

- We have included operational costs associated with the Discovery Center that will open this fall.

TOURISM

- Status quo.

WATER

- Purchase a new pickup truck.
- Engineering for the Mable T. Willis Blvd. Well.
- Engineering for Eastside Waterline Project (CDBG match).
- Purchase new radio read meters.

UTILITY SUPPORT

- Status quo.

SEWER

- Purchase a Service Truck with a crane body.

SEWER SUPPORT

- Status quo.

Concluding, City Manager Molinari said that he would like to commend Ms. Amy Risher, Finance Director, and all the department managers for all their assistance in putting together a balanced budget for 2019-2020.

A **MOTION** was made by Council Member Bridge giving First Reading Approval to Ordinances # 2019-03 and 2019-04, Ordinances Adopting the City's General Fund Budget and the Enterprise Fund Budget for the Fiscal Year 2019-2020. Council Member Brown seconded the motion that passed unanimously, except Council Member Pryor was absent and did not vote. The Mayor announced that this was First Reading Approval on those two ordinances, and we will have a public hearing and Second Reading at a later date.

3. **Ordinance # 2019-05 (First Reading)**

A **MOTION** was made by Council Member Brown, seconded by Council Member Siegel giving First Reading Approval to Ordinance # 2019-05, being:

An Ordinance to Amend the Dominion Energy, Inc. (Formerly South Carolina Electric & Gas Company) Electric and Gas Franchise Ordinance (Ordinance # 2000-01 & Ordinance # 2000-06). Council Member Siegel seconded the motion.

No discussion was held and the motion passed with all members voting in favor, except Council Member Pryor was absent and did not vote.

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4. **Ordinance # 2019-06 (First Reading)**

Assistant City Manager Hank Amundson briefed Council on this agenda item. He said, this is our first ordinance proposal under the Bailey Bill. As you will remember, we passed the Bailey Bill last year, the City and the County, to adopt what was allowed for us to be done by the state years before that. This is a proposal, just to take you through how this process works. Each time somebody proposes to utilize the benefits under the Bailey Bill, they have to first make application, which is attached to the original ordinance, that shows the purchase price and market value. They also have to show that they are going to spend the correct amount of money to meet the threshold to fix their property value for twenty (20) years. They also have to actually detail all of the improvements that will be made and show what makes their property historic, whether it's in the district or on the Register, etc. That first goes to Historic Preservation Commission. They met in April and recommended it to you for your blessings for preliminary certification. So, each of these first has to go to the Historic Preservation Commission to say okay, all these improvements are good and it is historic. The price is what it is and then we say, okay they've met this threshold.

That's just the first step. The second step is you (City Council) will give them preliminary certification, so that they can begin the work. The monitoring is done by staff and the Historic Preservation Commission throughout the process, and then we will come back for another ordinance at the end, after it goes through the Historic Preservation certification again, so that you (City Council) can then pass an ordinance to fix their property value and then it's sent to the Assessor's Office. So, this is for the other half of the Albert House Hotel that was not recently done by the Salkehatchie Dorm Project, but it's the same purchaser, and they are proposing to buy that and renovate the apartments, and preserve the historic commercial spaces downstairs. So, this is just for your preliminary approval, so that they can begin their work.

A **MOTION** was made by Council Member Siegel to give First Reading Approval to Ordinance # **2019-06**, being:

An Ordinance Approving an Application for Preliminary Certification for Historic Rehabilitation; and Other Matters Related Thereto. Council Member Broderick seconded the motion.

In discussing the motion, Council Member Bonds asked, what if the committee doesn't decide that it meets the criteria or they don't like the project, is there an appeal process at that point? Mr. Amundson responded that there would be a Certificate of Appropriateness issued and he would have to read to see how the appeal process works. He said, the only thing that they are going to regulate through Certificates of Appropriateness is the exterior of that building. So, they are going to make sure that the color is right, and that proper windows are installed. But the other party has to prove that they are going to do the work and make sure that the proper amount of funding is expended to meet the threshold value.

Council Member Bonds then asked, does this only apply within the Historic District? Mr. Amundson responded yes. He further stated, in the Bailey Bill Ordinance it draws lines that it has to be within the Historic Overlay and it must be a commercial property. Mr. Bonds then said, so commercial property that's seventy-years old that falls outside of the Historic District, is not going to be eligible; whereas a commercial property that's fifty-years old within the (Historic) District would be eligible? Mr. Amundson responded, if it's in the Historic District Overlay, it will qualify.

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Council Member Bridge, then asked if Council would need to go through this same process every time somebody applies?

Mr. Amundson responded, yes, we will need to do this every time someone applies. He noted that County Council is doing the same thing tonight because they would need to fix the County portion of taxes. Ms. Bridge then asked is there any oversight that they are using the materials that they need to use. Assistant City Manager Amundson responded, yes, they are going to have to submit proof of expenditure. They are going to have to submit to the Historic Preservation Commission all the things that they need.

Attorney Lawrence Flynn, the City's bond counsel also present at the meeting, stated that he would like to answer Mr. Bonds question. He said, sorry to just jump in and interrupting, but the Certificate of Appropriateness process would be something they will have to do as a support facility regardless of whether or not they were under the Bailey Bill consideration. So, it is seen as an independent kind of authorizing process to make sure that the improvements are done. So, both of those are going to have to happen. If they can't get the Certificate of Appropriateness, they can't move forward with the business of rehabilitation to begin with. So, it kind of acts as a counter balance.

Mr. Hank Amundson added, and if they don't perform what is promised on the Certificate of Appropriateness application, it gets revoked, and then, of course, the permit gets revoked.

Mr. Flynn added, so it's not a fallback authorization. So, there is actually not a followup ordinance to discipline anyone tonight, but giving the process authorization to move forward, you've gotten the first check from the Historic Preservation Commission, then it comes down to Council for you to consider it for approval. Then, the next step is that staff and Council along with the Historic Preservation Committee will make sure that they are up to the terms of their application process. And then once it gets finalized, we go and do a punch list for a review, and they would then submit a request for final certification and then they would file with the auditor's office to bring special assessment to the life of special assessment to see if they qualify.

Council Member Bridge then said, when you say "we" do a punch list, who are you talking about? Mr. Lawrence Flynn responded, so the "city" would make sure that the improvements were developed and finalized within the terms of the historic definition.

Council Member Brown then said, one thing that I wish that you guys would look at would be parking for all these apartments. I see some businesses have moved down downstairs - a couple of businesses. Is that right?

Assistant City Manager Amundson responded, that's in the first half of the area block. Mr. Brown then said, so if you start filling that place up, you need to consider where you are going to park all those people. How many college students are going to be living there? Mr. Amundson then said, well currently there are 15. Mr. Brown responded, so there are 15 cars and then you have the Farmer's Market right across the street. That could be an issue. Mr. Amundson then said, well they have parking on their site currently. With this one, they have discussed acquiring parking. They are within the Central Business District which by zoning doesn't require minimum parking. But they have their own thought on this, because they have seen the overflow, even from the Farmer's Market coming over into their parking as well.

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Council Member Brown asked if there was a requirement to have a certain amount of parking spaces per square feet? Mr. Amundson responded that this is not a requirement in the Central Business District.

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

5. **Resolution # 2019-R-03**, A Resolution Authorizing the Mayor and Finance Director to Executive Forms Pursuant to USDA Rural Development Community Facilities Grant in the amount of \$50,000 for the Purchase of Police Vehicles for the City of Walterboro

Ms. Nickie Toomes from USDA Rural Development was present to address Council regarding the USDA grants. Starting, Ms. Toomes said, my name is Nickie Toomes, Area Specialist for USDA Rural Development. I am proud to be here on behalf of the Trump Administration, our State Director Ms. Debbie Turbeville, our Community Facilities Program Director, Ms. Michelle Cardwell and Mr. George Hicks, our Area Director.

You have been awarded three (3) grants that Amy worked very hard with me on for the City of Walterboro. The first one is for \$13,700 for a roof project. The total project cost is \$25,000, Rural Development has awarded a \$13,700 grant and the City's contribution is \$11,300.

The second grant is for \$23,300 for equipment. The total project cost is \$42,500, with the applicant contribution of \$19,200 and Rural Development contribution of \$23,300.

The third grant is for \$50,000 for police car replacement. The total project cost was \$93,400, with a community facilities grant of \$50,000, and the City contributing \$43,400 on the project. And we have grant resolutions for each of these.

Ms. Toomes concluding said we are glad to be here again. Council Member Bridge said, we just appreciate your help. Ms. Toomes responded, we appreciate your participation in our program.

Before proceeding with the motions on the Resolutions, the Mayor said, all of these motions are to allow the Mayor and the Finance Director to sign these forms with USDA. So, that's what the resolutions are for - authorizing us to do so.

Resolution # 2019-R-03

A **MOTION** was made by Council Member Bonds to adopt Resolution #2019-R-03, authorizing the Mayor and Finance Director to execute forms pursuant to USDA Rural Development Community Facilities Grant in the amount of \$50,000 for the purchase of police vehicles for the City of Walterboro. Council Member Broderick seconded the motion that passed with all members voting in favor. Council Member Pryor was absent and did not vote. A copy of said Resolution is attached as part of these minutes.

6. **Resolution # 2019-R-04**

A second **MOTION** was made by Council Member Siegel to adopt Resolution #

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2019-R-04, authorizing the Mayor and Finance Director to executive forms pursuant to USDA Rural Development Community Facilities Grant in the amount of \$13,700 for the replacement of the roof at the Citizen Services Center at 300 Hampton Street for the City of Walterboro. Council Member Bridge seconded the motion that passed with all members voting in favor, except Council Member Pryor was absent and did not vote on the motion for adoption. A copy of said Resolution is attached as part of these minutes.

7. **Resolution # 2019-R-05**

A third **MOTION** was made by Council Member Bridge to adopt Resolution # 2019-R-05, A Resolution Authorizing the Mayor and Finance Director to execute forms pursuant to USDA Rural Development Community Facilities Grant in the amount of \$23,300 for the purchase of a generator and transfer switch for City Hall for the City of Walterboro. Council Member Siegel seconded the motion that passed unanimously, except Council Member Pryor was absent and did not vote. A copy of said Resolution is attached as part of these minutes.

At this point, the Mayor and several Council Members thanked Ms. Toomes for attending the meeting and presenting the grant awards to the City.

8. **Resolution # 2019-R-06, A Resolution Authorizing the City of Walterboro to Apply for Community Development Block Grant (CDBG) Funds as a Subrecipient to Colleton County for the East Side Water Upgrade Project and to Provide Matching Funds in the Amount of \$56,351**

City Manager Jeff Molinari told Council that the matching funds (\$56,351) are in the proposed 2019-2020 budget. This is a CDBG project which would upgrade 7,000 linear feet of waterline just outside the City to the east of the City. The waterlines in that area currently range anywhere from 3/4 of an inch to 2 inches and the proposed project would increase the size of that line to 6 inches. It would also include the installation of new fire hydrants and new radio read meters. The project would impact Barracada Road, Live Oak Street, Sixth Street, Hickory Street and would impact 52 homes and 127 people who reside in that area. As you are aware, it has been a little while since we applied for any CDBG funds, because we still had not closed out North Lemacks Street. This project became available to us as the County had an open slot, we were able to work it in as the Subrecipient. I would be happy to answer any questions about the project that you may have.

Council Member Bridge asked if the waterlines would be new lines, or just replacing what's there? City Manager Molinari said this project would be "replacing old lines with the new lines." So, the lines that are currently in that area range anywhere from 3/4" to 2", and everything that will be installed in that area will be 6". Ms. Bridge then asked, is that the size all our lines should be? Utilities Director Wayne Crosby responded that the 6" line is the minimum requirement for fire protection, and in order to qualify for CDBG funds, we needed to make an improvement, and it's helpful to have fire protection access in that area.

A **MOTION** was then made by Council Member Broderick to adopt Resolution # 2019-R-06, a Resolution Authorizing the City of Walterboro to apply for Community Development Block Grant (CDBG) Funds as a Subrecipient to Colleton County for the Eastside Water Upgrade Project and to Provide Matching Funds in the Amount of \$56,351. Council Member Brown seconded the motion. All in favor. None opposed. Motion Carried. Council Member Pryor was absent and did not vote. A copy of said Resolution is attached as part of these minutes.

COMMITTEE REPORTS:

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There were no Committee Reports.

CITY MANAGER'S REPORT:

1. Introduction of New Police Captain, Theron Grant - By Chief Wade Marvin

Chief Wade Marvin then introduced our new Police Captain, Theron Grant. Chief Marvin said, it is an honor for me to do this. I have known Ron Grant for 20 years, I have worked along side of him and with him. We were on special divisions and teams together. He has been a member of this department since I first arrived here as Chief. He came by just to say hello and I convinced him to join us. So, he has been with this department for about 4 ½ years. He will be third in command, and as Captain, he will be overseeing all roads, operations and investigations operations. He is very familiar. He has lived in this community his whole entire life. He lives right outside of Islandton. His family is raised here. He has the same feelings that I do about wanting to better the town, the City, and the community that he is raising his children in. It was an extremely easy decision. A lot of times you have a promotion this important, you want to make sure. Kevin Martin and I knew immediately who the next Captain would be. His work ethic - you don't have to manage him, he manages himself. The community contacts he has are irreplaceable. So, he is going to be an extremely important member of our department and leader.

Mayor and Council congratulated Theron Grant on his promotion to Captain.

2. Recommendation to Award Contract to Carolina Tap & Bore, Inc. to Relocate a 6" Waterline for the Highway 15/Academy Road Intersection Improvement Project - Engineering and Construction Funded by SCDOT

City Manager Molinari briefed Council on this agenda item. He stated, as you are aware, the CTC has been looking at making improvements to the intersection of Highway 15 and Academy Road for sometime. It is a \$2.5 million project, and they are looking at installing left turn arrow phases at all turning points of the intersection. We have a 6" water line that will need to be relocated as part of the project. We have received a commitment from SCDOT that they will cover the cost of all of our engineering, which is a little over \$22,000, as well as the construction cost of relocating the waterlines. The project was bid in early April. Last week we received two bids and one non-responsive bid. The low responsible bidder is Carolina Tap and Bore, based out of West Columbia, SC. The total cost of the project is \$206,148, including engineering. As I have indicated, SCDOT will be reimbursing the City for all of the costs. Staff recommends awarding the contact to Carolina Tap and Bore. We will be moving quickly pursuant to the terms with SCDOT. We have to have the project closed out by June 30th. So, if awarded by Council tonight, we plan to have the preconstruction conference on Friday and move forward as quickly as we can.

A **MOTION** was made by Council Member Brown to award the contact to Carolina Tap and Bore, Inc. to Relocate a 6" water line at Highway15 and Academy Road Intersection Improvement Project. Engineering and construction to be funded by SCDOT. Council Member Broderick seconded the motion.

In discussing the motion, Council Member Bridge said, SCDOT does not pay for this up-front. So, do we pay and get reimbursed. Mr. Molinari responded, that is correct. Ms. Bridge then asked, what kind of waiting period is that?

Mr. Molinari responded, that's a good question. I can assure you that we will submit for reimbursement as soon as we are invoiced and pay those invoices, but we were in communication with the Secretary of Transportation, just a few minutes before this meeting, and verified the full commitment by SCDOT, which she did. So, that part

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of it wasn't discussed, but certainly we will submit for reimbursement as soon as we possibly can.

Mayor Young then asked, under the terms of this, does that just cover the utility's relocation as far as the project being complete or does it mean the entire project? Mr. Molinari responded, just the relocation part of the project, because all the utility relocation has to be done before they can start construction, and from talking to the Colleton County Engineer, which she had indicated to me is that they are looking to bid the project out in August. Mayor Young then said, so we are not going to be held responsible if someone else in the project does not complete the work by June 30, or are we just talking about our part of it?

City Manager Molinari responded, we are just talking about our section of it, which is to remove that waterline.

No further discussion. **The motion then passed with all members voting in favor.** Council Member Pryor was absent and did not vote.

3. Consideration of Agreement between Dominion Energy South Carolina, Inc. and the City of Walterboro to Provide Underground Electric Facilities for the Installation of Decorative Lighting in Phase 1B/1E of the I-95 Business Loop Project

City Manager Molinari said, as you are aware, lighting is going to factor heavily into the next phase of the Loop Project. Pursuant to the franchise agreement between the City and is what is now Dominion Energy, there is a provision in there called the Non Standard Service Fund, which would pick up exactly one-half of the cost of all of the underground infrastructure for the decorative lighting. The total cost is \$320,068. The City's share is \$160,034 which will be paid entirely from the Capital Projects Sales Tax Fund. Dominion Energy will be matching that amount dollar for dollar from the Non Standard Service Fund. Staff asks for Council's favorable consideration of the agreement.

A **MOTION** was made by Council Member Siegel to approve the agreement between Dominion Energy and the City of Walterboro to provide underground electric facilities for the installation of decorative lighting in Phase 1B/1E of the I-95 Business Loop Project. Council Member Bridge seconded the motion. All in favor. None opposed. Motion Carried. Council Member Pryor was absent and did not vote.

4. Consideration of Recommendation to Purchase a New Patrol Vehicle for the Police Department

Next, Mr. Molinari said, when we had our budget workshop last week, we discussed a couple of items that we would like to put into this year's budget, because our revenue stream allows for that. I have a request and supporting documentation from the Chief of Police to purchase a new patrol vehicle. He solicited bids from 3 vendors. The bids received were as follows:

Walterboro Ford (Walterboro, SC)	Ford Interceptor	\$47,129.03
Butler Dodge (Beaufort, SC)	Dodge Charger	\$45,023.03
Rizer Chevrolet (Walterboro, SC)	Chevrolet Caprice	No Bid

Mr. Molinari reported that the low bidder was Butler Dodge (Beaufort, SC) for the purchase of a Dodge Charger in the amount of \$45,023.03. We did receive a bid from one local vendor, and in applying the Local Preference Option as outlined in the City's Code of Ordinances, the local vendor (Walterboro Ford) did not qualify for the opportunity to match the price submitted by Butler Dodge. Staff recommends

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purchasing the vehicle from Butler Dodge in the amount of \$45,023.03.

A **MOTION** was made by Council Member Bridge that the City purchase a new patrol vehicle for the Police Department and award the bid to Butler Dodge. Council Member Broderick seconded the motion that passed with all members voting in favor. Council Member Pryor was absent and did not vote.

5. Consideration of Recommendation to Purchase a Ventrac Tractor, Tough Cut Mowing Deck and Boom Mower for the Parks Department

Next, City Manager Molinari reported that at the budget workshop last week, Parks Director Ryan McLeod gave City Council a brief presentation on the new mower he is proposing to purchase. The mower effectively cut Ireland Creek, the slopes on the I-95 interchanges and also trimmed our hedges more efficiently. The price of the Ventrac and all the accessories is \$43,068.94. There is a capacity in the current budget to purchase the Ventrac and all associated equipment. Because there is no difference in price among dealers, staff recommends purchasing the Ventrac from Revels Turf and Tractor (Fuquay-Varina, NC) as it is the closest authorized dealer of Ventrac.

A **MOTION** was made by Council Member Brown to award the contract for the purchase of a Ventrac Tractor to Revels Turf and Tractor in the amount of \$43,068.94 for the Parks Department. Council Member Bridge seconded the motion that passed unanimously. Council Member Pryor was absent and did not vote.

EXECUTIVE SESSION:

The Mayor then entertained a motion to enter an Executive Session. Council Member Broderick So Moved and Council Member Bridge seconded the motion that passed 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. Receipt of Legal Advice:
 - A. Economic Development Incentives.
 - B. Provision of Water/Sewer Services to Unincorporated Areas.
2. Personnel Matters:
 - A. Appointment of Municipal Judges.
 - B. City Manager Compensation

The meeting then convened into an Executive Session.

At approximately 8:14 p.m., a motion was made by Council Member Brown to exit Executive Session and return to Open Session. Council Member Siegel seconded the motion. All in favor. None opposed. Motion carried. Council Member Pryor was absent and did not vote on the motion.

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

There being no further business to consider, a motion to adjourn was made by Council Member Bonds, seconded by Council Member Broderick and passed unanimously. The Mayor adjourned the meeting at 8:14 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.

Walterboro City Council
Regular Meeting
May 7, 2019

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Respectfully,

Betty J. Hudson
City Clerk

APPROVED: October 1, 2019