

Walterboro City Council
Regular Meeting
January 7, 2020

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, January 7, 2020 at 6:15 P.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Member Carl Brown, Council Member Re-Elect Judy Bridge, Council Member Re-Elect Paul Siegel, Council Member James Broderick, Council Member Greg Pryor and Council Member-Elect Ladson Fishburne. City Manager Jeff Molinari, Assistant City Manager Hank Amundson, City Clerk Betty Hudson, and City Attorney George Cone were also present. There were approximately 25 persons present in the audience.

There being a quorum present, Mayor Young called the meeting to order and welcomed everyone to the meeting. He said, I especially want to welcome all of the family members of our Council Members who will be sworn-in tonight. We are glad to have you with us.

The Mayor then invited everyone to join in the invocation and the Pledge of Allegiance to our flag. Mayor Young gave the invocation and Council Member-Elect Ladson Fishburne led the pledge of allegiance to our flag.

SWEARING-IN OF NEWLY ELECTED COUNCIL MEMBERS:

Council Member Re-Elect Judy Bridge was officially sworn into office by the City Attorney George Cone. Her granddaughter Madeline Griffin and her son, Scott Bridge were also present during the swearing-in.

Next, Council Member Re-Elect Paul Siegel was officially sworn into office by the City Attorney George Cone. His wife, Jayne Siegel and son Joseph Siegel were also present during the swearing-in.

Next, Council Member-Elect Ladson Fishburne was officially sworn into office by the City Attorney George Cone. His fiancé Maggie, his step sister Sarah Burns, stepmother Jennifer and his father Barnwell Fishburne were also present during the swearing-in.

Council Members Bridge, Siegel and Fishburne were seated on Council.

City Attorney Cone reminded all sworn-in officials to sign the Oath of Office form before leaving tonight.

Mayor Young stated that the election process is a stressful time for the candidates and for their families, and they will need your support going forward over the next four years. Again, congratulations.

PUBLIC INPUT ON AGENDA ITEMS:

No public comments on agenda items were given.

PUBLIC HEARING:

1. CDBG Needs Assessment Hearing - Michelle Knight, LCOG

Ms. Knight of Lowcountry Council of Governments (LCOG) said, we are holding our public hearing tonight for our annual needs assessment public hearing for 2020. It has been advertised in accordance with the City's participation plan, which allows for comments at certain three points during the grant process. The three points are:

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(1) Once a year for the needs assessment, which is this public hearing, where I will go through and tell you something about the program - the things you can and cannot do with CDBG funds, and basically what you prioritized last year as important for the City. Then, you (City Council) will come back probably at the next meeting and rank those priorities for this coming year.

(2) The other two times that you hold public hearings will be typically before we go and apply for a specific project, so that we can hear comments pro and con about the project.

(3) And lastly, when we close a project that you have funded so that we can report back to the public what we did with the grant funds, how much money we spent, and whom it benefitted.

Ms. Knight then gave the following public service announcement as a part of public record: "That the City of Walterboro does not discriminate in the practices of fair housing against those protected classes of race, color, religion, sex, familiar status or national origin in any sale or rental of housing in the City and residential real estate transactions or in the provision of brokerage services."

She further said, if someone comes to you as a Council Member or to staff and indicates that they believe they have been discriminated against in any of these housing practices, have them contact us at Lowcountry Council of Governments and we can go ahead and get their information and potentially forward that information on to the groups that investigate those things.

Ms. Knight then gave the following highlights of the CDBG program for 2020.

1. For this year, in the State of South Carolina, South Carolina Department of Commerce has estimated that they will receive approximately \$20.1 million in CDBG funds. These funds basically have to address a national objective, which is one of three things:
 - a. We either have to benefit low-to-moderate income people.
 - b. Eliminate slum or blight in an area.
 - c. Address something that is considered an urgent health threat. An urgent health threat would be if there were something of a hurricane event, and this area was declared a national disaster.

Ms. Knight stated that slum or blight projects probably make up 10% of the allocations that the state receives. The vast majority of projects that are funded under the CDBG program are funded based on low-to-moderate income benefit. Low-to-moderate income in Colleton County for this year is currently for a 4-person family, their annual income would have to be less than \$41,850 a year. This qualifies for low-to-moderate income. So, any projects that we would be doing in the City, would have to benefit a majority of people that would fall under that 80% range of LMI.

That \$20.1 million is basically directed against three board grant program categories:

- A. Regional Planning**
- B. Community Development**
- C. Business Development**

Ms. Knight then gave a description of each of the funding program categories listed above:

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A. Regional Planning - \$500,000 set aside

Regional Planning is a \$500,000 set aside with funds for each of the 10 COGs in our state, of which Lowcountry Council of Governments is one. This category provides funding to the COGs to assist localities in developing projects that can potentially be funded through the other programs, to meet with your staff and hold these public hearings, etc. Those funds are awarded through one county that serves as our lead grantee for the four county region every year, in order for us to be able to perform these duties.

B. Community Development - \$15.4 million set aside

Within Community Development, there is around \$15 million set aside. This is divided into four (4) separate subgroups of grant programs:

1. Community Infrastructure - \$11.2 million set-aside

This is our spring round of funding. Application requests are due in the middle of March. The application deadlines are the middle of April. This is where we do water projects, sewer projects, road projects and drainage projects.

The maximum amount of funding that you can apply for a project is \$750,00, although they will look at waivers if the project is large in impact and benefit. The priorities here are to address upgrades to systems. To address new service in densely populated areas and then to address new service in less populated areas in that order.

2. Community Enrichment – 3M set aside

This is a fall deadline project. The request is made in the middle of August, and the application deadline is in the middle of September. This is what we typically call our facilities' program, where we can do things like clearance of white elephant buildings that are owned by the City, downtown streetscape improvements, libraries, handicap accessibility and efficiency improvements to publicly-owned facilities that benefit a low-to-moderate income group. So, we couldn't necessarily do things like energy upgrades to City Hall, but we could do things like energy upgrades to a health department or something of that nature.

We can also demolish privately-owned vacant and dilapidated structures to eliminate slum or blight under this set-aside. We can do fire stations, fire substations or fire trucks that benefit a low-to-moderate income area. We can construct health clinics and buy health clinic equipment under this set-aside. The maximum that we can apply for in this set aside for a project is \$500,000 unless we looking at a streetscape project, we can ask for a waiver of up to \$750,000 for that.

3. Special Projects - \$600K set aside

This is something that had started as a pilot program a few years ago to address small projects that don't really fit in other areas. These projects are supposed to be innovative and address things such as economic development, address public health and safety, historic preservation, and we can also look at parks, trails and green ways. The maximum that we can apply for here is \$200,000, and the minimum is \$50,000.

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4. **Neighborhood Revitalization** (Must have a plan)

This is also a fall deadline project. This is like what the City did with the Lemacks Street Revitalization. You have to have a plan already in place where you have gone out and assessed the neighborhood and determined what the needs are in that area. Then, you go in and do multiple activities, which can include water, sewer and drainage. It can include demolition of vacant, dilapidated structures. It can include buying material to use for limited exterior housing rehab. It can include things like video cameras or call boxes to help with crime prevention or lighting. It can also include trails and things of that nature that are needed within the neighborhood. With this project, you can apply for up to \$500,000. You do have to have a plan in place at the time of application. They will let us request waivers of the maximum up to \$750K if we are addressing significant water and sewer issues as part of our neighborhood plan. For example, if you were doing that project now and you have water and sewer work that were done in that neighborhood or needed to be done in that neighborhood, they would let us ask for up to \$750,000, instead of just doing a \$500,000 project, because typically your water and sewer activities will be more expensive than some of the other activities that you are doing in the neighborhood under this project.

5. **Ready To-Go Projects**

This is a noncompetitive set aside. You basically apply whenever you have a project that is ready to go, meaning that it is shovel ready. You have done all of your background work that has to be done, including your engineering, design and permitting, your environmental review work and any acquisitions, if there are any acquisitions that are needed. You can do any of the activities that we have discussed related to community infrastructure or community enrichment. You can apply for up to \$500,000 under this set aside. There is no deadline for a request. If you had something that was ready to go tomorrow, we can put in an application request and then inside of 30 days, we would have to put the application in itself, and then if you are funded on it, you have to be turning dirt within 60 days of the grant award.

C. Business Development Program - \$2 million set aside

This is basically for us to be able to provide publicly-owned infrastructures to companies that are looking to locate or expand in this area, where there is a need. So, if you had a prospect that needed sewer or water service at their site, then you could do something with this. The amount of money received here is contingent upon the kind of commitments that the company is making in terms of creating jobs, because that's where your low-to-moderate income benefit is, and how much they are investing in an area. Typically, the maximum that will be funded for projects under this project equates to \$10,000 per job. It typically maxes around \$500,000 as well. The reality is, in South Carolina, the projects that are funded under this program probably average about \$5,000 per job in most places, but they can go up to \$10,000 per job.

Ms. Knight stated, just in general, match requirements are set up for all of these programs. There is a 10% match requirement that can be either cash or a waiver of fees that's required for any grants applied for under these programs. There are also performance thresholds. Right now, Walterboro has one open project, that I think is

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a Colleton project, because it is outside of the City limits, so you have no open projects under your name. So, you have up to three shots this year to do something.

Having said that, just to keep everybody thinking about this. You can only put one project in each set aside. So, when I say you have 3 projects and 3 shots this year, if you do something in the Spring, you can only do one project in the Spring, because there is 1 set-aside, but in the fall there are basically 3 different side asides we can look at, so you could theoretically have two, possibly three if you don't do something in the Spring in your fall round, that would be in different set asides, like Neighborhood Revitalization, Community Enrichment and Special Projects. So, you do meet your performance thresholds.

Concluding, Ms. Knight pointed out that the City ranked its community priority needs last year as follows:

1. Public Infrastructure. Looking at water and sewer line improvements where needed, improvements to the Wastewater Treatment Plant, and other projects as identified.
2. Community Enrichment. To look at the I-95 Looping Project, looking at adaptive reuses of existing structures and demolition of properties that are attractive nuisances.
3. Neighborhood Projects.
4. Special Projects as identified.
5. Economic Development Projects.

Ms. Knight then said, over the next 12 months, you would be looking at your top 3 priorities, whatever they are.

The Mayor then asked if there were any questions or comments from the public on this public hearing.

No comments or questions were received.

Mayor Young thanked Ms. Knight for the presentation. He stated that Ms. Knight has been instrumental in helping us do an awful lot of things here over the years. On a question from Mayor Young, Ms. Knight stated that she has been with LCOG for 24 years. Mayor Young added, there is a long list of projects that have benefitted our citizens that Michelle has been responsible for helping us get those projects done. So, we really appreciate her.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. **Ordinance # 2020-01, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the City of Walterboro by Changing the Zoning Classification of Four Parcels of Land on Benson Street and Klein Street Designated as TMS Numbers: #163-11-00-227, 163-11-00-228, #163-11-00-229, and #163-11-00-230 from Highway Commercial District(HCD) to Central Business District (CBD), First Reading**

Assistant City Manager Hank Amundson briefed Council on this agenda item.

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Mr. Amundson stated that this ordinance is a proposed rezoning for the four County properties that are located on the west side of Jefferies Boulevard, between Washington and Benson Street, and actually extends north of Benson Street where the new County Citizen Service is proposed to be built, as well as the redevelopment of those private parcels that fronts Jefferies and accessed by Benson Street.

Mr. Amundson stated that the City had gone through a master planning process with the County as far as what to do with the entire site that goes with the building of the Citizen Service Center, (which is part of the penny sales tax project), but also, to make it a part of a greater grand plan for the long run. In discussing this plan, it was evident that the best option was to rezone the properties to the Central Business District. It is adjacent to the Central Business District. We've discussed this with the Planning Commission, Johnny Stieglitz on behalf of the County was visited and in the December meeting of the Planning Commission. It allows the County to make their existing buildings compliant. It allows them to share parking. They are going to have a large centralized parking area on the current green space where the previous building was demolished a couple of years ago.

Mr. Amundson also stated that this would allow them to save some major trees in the new Citizen Service Center by building a little closer to the street, but that also helps them create a campus. That's their long term goal - to make kind of a campus for central shared parking, but each individual building will also have that.

Mr. Amundson explained that this rezoning request is to rezone it Central Business District, because of eliminating deeper repeated variances, saving trees, shared parking, and there are also opportunities for development down Washington Street, because it makes Central Business District grow that way, if that is what we want to do in the future. It's just another added benefit.

Council Member Broderick made a motion giving First Reading Approval to Ordinance # 2020-01, An Ordinance to Amend the Zoning Map of the City of Walterboro, South Carolina, to Provide for Changes in the Zoning Districts of the City of Walterboro by Changing the Zoning Classification of Four Parcels of Land on Benson Street and Klein Street, Designated as TMS Numbers: #163-11-00-227, 163-11-00-228, #163-11-00-229, and #163-11-00-230 from Highway Commercial District(HCD) to Central Business District (CBD). Council Member Bridge seconded the motion that passed unanimously.

2. **Ordinance # 2020-02, 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 # 146-00-00-079 into the City of Walterboro, a South Carolina Municipal Corporation, First Reading**

City Manager Molinari told Council, you have an ordinance and petition before you to annex 53.9 acres of property, which is located on Bells Highway across from Walmart. The property owner has requested a zoning district classification of Interstate Interchange Commercial District (IICD). The Planning Commission will be considering the zoning at their meeting in January and will make a recommendation to City Council for Second and Final Reading in February. Staff asks for Council's favorable consideration of this ordinance.

A motion was made by Council Member Siegel to give First Reading Approval to Ordinance # 2020-02, 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

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Area Known as TMS # 146-00-00-079 into the City of Walterboro, a South Carolina Municipal Corporation. Council Member Pryor seconded the motion. All in favor. None Opposed. Motion carried.

In discussing the motion, Council Member Siegel asked, is this the property which was the old Coast Lumber Company property? Mayor Young answered affirmatively. Council Member Siegel then added, I think we should identify what that property is. Mayor Young said, this is the property across from the Walmart Shopping Center area, on the other side of Bells Highway. The City Manager added that this is 53.9 acres.

Mayor Young said, I hope this means some good things are going to happen.

No further discussion was held, and the **motion passed unanimously.**

3. **Resolution No. 2020-R-01, A Resolution in Opposition to H4431**

City Manager Molinari said, as you are aware there was some legislation that was introduced in the General Assembly last year - House Bill 4431 that would have a devastating effect on the way that we collect business license revenue. The Municipal Association reached out to all cities across the state asking for Councils to adopt this resolution to communicate to the General Assembly how this proposed legislation would have an adverse impact on our revenue streams, and ability to provide service to our citizens. I ask for your favorable consideration of this resolution.

A motion was made by Council Member Pryor to adopt Resolution # 2020-R-01, in opposition to Bill H4431. Council Member Broderick seconded the motion. All in favor. None opposed. Motion carried. A copy of said resolution is attached as part of these minutes.

4. **Nomination of Mayor Pro-Tem**

Council Member Brown nominated Council Member Paul Siegel to serve as Mayor Pro-Tem. Council Member Broderick seconded the motion. No further nominations were made, and Council Member Siegel was approved unanimously to serve as Mayor Pro-Tem.

5. **Council Internal/External Committee Appointments by the Mayor**

Before beginning, Mayor Young said, I will make the following appointments and I have tried to consider all of this carefully and also consider Council members' interest and have tried to give everybody a share in carrying the load, so that we are all taking part in this.

The Mayor then made the following Council Internal/External Committee appointments for 2-year terms:

Airport and Finance - James Broderick

Airport - Sabrina Johnson and Mayor Bill Young

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Budget Committee - Judy Bridge (Chairman)
Carl Brown
Paul Siegel

Fire Insurance Fund Board of Trustees - Carl Brown

Lowcountry Council of Governments (LCOG) - Greg Pryor

City Appearance Board - Ladson Fishburne

North Lemacks Street Revitalization Committee - Paul Siegel

Tourism Commission - Mayor Bill Young (Chairman)

6. Notice of 2020 City Council Retreat, Location and Time

Next, the City Manager announced for information only that the 2020 Annual City Council Planning Retreat will be held beginning Friday, January 17, 2020 and running through Saturday, January 18, 2020 at the Wampee Conference Center in Pinopolis, SC. No formal action will be taken on any item at the retreat. Any action items will be brought back to a regular City Council meeting for Council's consideration.

7. Acceptance of Resignation of Andrew McConnell from the City Appearance Board

A motion was made by Council Member Siegel to accept the resignation of Andrew McConnell from the City Appearance with regret and to forward a letter to him thanking him for his service. Council Member Brown seconded the motion. All in favor. None opposed. Motion carried.

8. Consideration of Rescheduling the February 4, 2020 Regular City Council Meeting to February 11, 2020

Mayor Young pointed out that on February 4, 2020 Council will be attending the MASC Hometown Legislative Action Day Meeting in Columbia.

A motion was made by Council Member Bridge to reschedule the February meeting from February 4 to February 11, 2020. Council Member Pryor seconded the motion that passed with all members voting in favor.

COMMITTEE REPORTS:

There were no Committee Reports given.

CITY MANAGER'S REPORT:

No City Manager's Report was given.

EXECUTIVE SESSION:

The Mayor announced that in a moment, he would be asking for a motion to go into Executive Session. And, when I do that, we will be going into Executive Session for:

1. Receipt of Legal Advice: Small Wireless Facility Ordinance.

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2. Contractual Matters:
 - a. Walterboro Wildlife Center.
 - b. Project Swan.

The Mayor then entertained a motion to enter into an Executive Session. Council Member Carl Brown So Moved and Council Member Pryor seconded the motion that passed unanimously.

The meeting then convened into an Executive Session.

At approximately 7:40 P.M., a motion was made by Council Member Brown to exit Executive Session and return to Open Session. Council Member Bridge seconded the motion. All in favor. None opposed. Motion carried.

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

There being no further business to consider a motion to adjourn was made by Council Member Bridge, seconded by Council Member Brown and passed unanimously. The Mayor adjourned the meeting at 7:40 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: May 5, 2020