

## **MINUTES**

A Phone/Video Conference Virtual Meeting using Zoom was held by Walterboro City Council on Tuesday, June 2, 2020 at 6:00 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, presiding from Council Chambers at City Hall. Joined in the meeting were Council Members: Carl Brown, Judy Bridge, Paul Siegel, James Broderick, Greg Pryor, and Ladson Fishburne. City Manager Jeff Molinari, Assistant City Manager Hank Amundson, City Attorney George Cone and Ms. Carol Black (citizen), were also joined in the meeting. Also, viewing the meeting were: City Clerk Betty Hudson, Parks Director Ryan McLeod and Attorney Brown McLeod.

### **CALL TO ORDER:**

With all Council Members present, the Mayor called the meeting to order, and invited everyone to join in as he gave the invocation. Council Member Brown led the pledge of allegiance to our flag.

### **PUBLIC INPUT ON AGENDA ITEMS:**

At this point, the Mayor stated that no public input on agenda items had been received. He then proceeded to the next agenda item.

### **PUBLIC HEARING:**

1. **Ordinance # 2020-03, An Ordinance to Amend the Code of Ordinances of the City of Walterboro, Chapter 6, Buildings and Building Regulations, Article I, Section 6-1, Codes Adopted, Enforcing Officials, So as to Update References to the Building Code Editions**

The Mayor opened the public hearing, duly advertised, and recognized City Manager Molinari for remarks.

Mr. Molinari stated that at the March City Council Meeting, City Council gave first reading to an Ordinance to update the building codes. The South Carolina Building Codes Council has approved and adopted new codes, and all cities and counties in the state are required to adopt the most recent versions of the building codes, residential code, fire code, plumbing code, mechanical code, etc.

Mr. Molinari then said, I will be happy to answer any questions Council may have.

The Mayor then asked if there were any public comments on Ordinance # 2020-03. No public comments were given. Mr. Molinari also affirmed that staff had not received any public comments on this ordinance, and the public hearing was closed.

### **PRESENTATION:**

1. **Carol Black - Setback Requirements for Accessory Buildings**

Next, Ms. Carol Black addressed Council. She asked if everyone had received a copy of the one page attachment she sent to Jeff. Council affirmed that they had received the attachment. She then gave the following highlights of the letter she provided for Council's review:

- Ms. Black said, the basic thing, I am just trying to build a small storage building behind the house I brought at 406 Church Street. It's just a 50

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by 150-square foot lot, and the 5-foot setback required for an accessory building will require me to bring the building out a pretty good bit into my yard.

- My property backs-up to both David Harris' garage and to the carriage house that was formally Harry's and George Cone's parents house - the yellow house that faces Wichman Street.
- I don't have a problem with trying to get a variance, but I think that the \$100 fee seems to me to be erroneous for what I am trying to get done. There is no sliding scale for this type of project. The City is trying to get the approval for a setback variance for my small storage shed.
- So, I am asking Council to waive the fee or drastically reduce it. As you can see, I have gone through all the code, and I am not going to bore you with going through that again. But you have the right to set the fee, and so I am just asking you to waive it or drastically reduce it.
- I don't have a problem with going through the process. I think ultimately, down the road, I would like Council to look at minor issues like this which could actually fall under the per view of the Administrator's approval and also exempt it out of Historic Preservation Commission approval. This is minor work rather than major work. I don't think that was probably the intention for new construction to cover such a small project. But, if it does, I would like for that to be considered down the road, to allow someone to opt out of the actual full Historic Preservation Commission approval, and instead just have the Administrator to approve, which I think usually Mr. Amundson has approved.

Mayor Young then said, we will take that under advisement and see what we can legally do and what we can't legally do, and we will let you know.

Ms. Black agreed and asked if anyone had any questions. No questions were received from Council. Attorney Cone then added, I will say to Carol, that Council has asked me to look into it and I am doing so, and we will report back to them so that they can make a final determination on what they want to do.

**APPROVAL OF THE MINUTES:**

A motion was made by Council Member Pryor to approve as submitted the Minutes of the May 5, 2020 Regular Meeting Via Telephone/Video Conference Zoom. Council Member Bridge seconded the motion that passed with all members voting in favor.

**OLD BUSINESS:**

1. **Ordinance # 2020-03, An Ordinance to Amend the Code of Ordinances of the City of Walterboro, Chapter 6, Buildings and Building Regulations, Article I, Section 6-1, Codes Adopted, Enforcing Officials, So As to Update References to the Building Code Editions, Second Reading and Adoption**

A motion was made by Council Member Broderick giving Second Reading and Adoption to Ordinance # 2020-03, An Ordinance to Amend the Code of Ordinances of the City of Walterboro, Chapter 6, Buildings and Building Regulations, Article I, Section 6-1, Codes Adopted, Enforcing Officials, So As to Update References to the Building Code Editions. Council Member Pryor seconded the motion. All in favor. None opposed. Motion carried.

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**NEW BUSINESS:**

1. **Ordinance # 2020-04, An Ordinance to Adopt the City of Walterboro, South Carolina General Fund Budget for Fiscal Year 2020-2021, and Matters Related Thereto, First Reading**

City Manager Molinari stated that this has been an especially challenging budget year. The COVID-19 pandemic has resulted in a lot of uncertainty with our revenue streams, especially those that are most impacted by the condition of the economy - business license, local option sales tax, accommodations tax, and hospitality tax. Municipalities in South Carolina are required to adopt a budget every year, so what we have done is essentially carried over a status quo budget from the current 2019-2020 budget that will take us into the new fiscal year. And what I am envisioning is probably in mid-August, the Budget Committee will reconvene, and once we have a bit more history and some more reliable revenue data, we can make more accurate revenue projections. Based on that information, I'll look at amending the budget sometime in the fall, probably in September. But we have to adopt a budget, and this will keep us running, keep us operational into the new fiscal year. It's very bare bone. This only covers our basic operations. There are no capital expenditures in there, but we will go through all of that in detail when we look at amending the budget in a couple of months.

A motion was then made by Council Member Bridge (Budget Chairperson) giving First Reading Approval to Ordinance # 2020-04, An Ordinance to Adopt the City of Walterboro, South Carolina General Fund Budget for Fiscal Year 2020-2021, and Matters Related Thereto. Council Member Pryor seconded the motion that passed unanimously.

2. **Ordinance # 2020-05, An Ordinance to Adopt the City of Walterboro, South Carolina Enterprise Fund Budget for Fiscal Year 2020-2021, and Matters Related Thereto, First Reading**

The Mayor asked City Manager Molinari if he had any comments regarding this budget.

City Manager Molinari said, again with the COVID-19 pandemic, we could see an impact on the City's collection rate for water, sewer and garbage service. Again, this is a very bare bone status quo budget that will keep us operational past July 1<sup>st</sup>. There are no capital expenditures, and again, we will go into all of the details in the Enterprise Fund Budget in a couple of months.

A motion was made by Council Member Bridge giving First Reading Approval to Ordinance # 2020-05, An Ordinance to Adopt the City of Walterboro, South Carolina Enterprise Fund Budget for Fiscal Year 2020-2021, and Matters Related Thereto. Council Member Brown seconded the motion. All in favor. None opposed. Motion carried.

3. **Resolution No. 2020-05, Authorizing the City Manager to Submit a Community Development Block Grant (CDBG) Infrastructure Application for the Black Street I/I Project in the Amount of \$1,352,803, Commit \$135,280 (10%) in Local Match Funds and \$15,031 in Additional Funds to meet the Budget Needs of the Project**

City Manager Molinari told Council that earlier this year based on the goals and objectives that City Council put forth from its Strategic Planning Retreat, Council identified a list of priorities for CDBG applications, and infrastructure was one of those priorities.

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I am very happy to report that when we apply for infrastructure projects, the cap is typically \$750,000, but for this particular project, the Black Street Sewer Substation 12 Rehab Project, we requested from the State Department of Commerce a waiver to be able to apply for the full amount of the project, which is \$1,352,000, which they granted to the City.

So, in order for the City to apply for the project, City Council has to pass a resolution. Also, we are going to conduct a virtual public hearing next Monday, June 8, with the assistance of the Lowcountry Council of Governments.

This project includes the Black Street area and would benefit approximately 450 people and would include over 15,000 linear feet of cured in-place piping, raising a manhole, point repair of sections of line in over 13 areas, open cut pipe bursting, as well as televising and cleaning of lines.

The proposed resolution before Council tonight represents the City's commitment to the project. I would recommend approval and as you are aware, CDBG does not pay for design and engineering costs and that typically represents the City's match, but if we are funded from CDBG, we will include those expenditures in the Enterprise Fund Budget when we take a look at it in a couple of months. I will be happy to answer any questions.

A motion was made by Council Member Brown to adopt Resolution # 2020-05, Authorizing the City Manager to Submit a Community Development Block Grant (CDBG) Infrastructure Application for the Black Street I/I Project in the Amount of \$1,352,803, Commit \$135,280 (10%) in Local Match Funds and \$15,031 in Additional Funds to meet the Budget Needs of the Project. Council Member Broderick seconded the motion that passed with all members voting in favor. A copy of said resolution is attached as part of these minutes.

4. Consideration of Extending the City Manager's Contract through June 6, 2023

The Mayor stated that Council had received information on this agenda item and had a chance to review it. This is a personnel issue here, so at this time, it would be appropriate for us to have a motion to approve.

Council Member Brown made a motion to approve the City Manager's contract as presented to Council. Council Member Broderick seconded the motion. All in favor. None opposed. Motion carried.

The Mayor congratulated the City Manager and said, I hope you will be with us for a lot longer than just three more years.

5. Board and Commission Reappointments

At this point, the Mayor asked the City Manager to read out the names of those Board and Commission Members whose terms were up for reappointment and had asked to remain on their respective board or commission. After the names were read by the City Manager, a motion was made by Council Member Siegel to accept the applicants for all the positions that the City Manager just listed. Council Member Pryor seconded the motion that passed with all members voting in favor. The reappointments were as follows:

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**Building Board**

James Beach was reappointed for a 4-year term expiring January 1, 2024.  
Joe Webster was reappointed for a 4-year term expiring January 1, 2024.

**Board of Zoning Appeals**

Y.S. "Bud" Linder was reappointed for a 3-year term expiring January 1, 2023.

**Historic Preservation Commission**

Sherry Cawley was reappointed for a 2-year term expiring January 1, 2022.  
Lucille Powers was reappointed for a 2-year term expiring January 1, 2022.

**Municipal Planning Commission**

Earle E. Jackson was reappointed for a 4-year term expiring January 1, 2024.

**Municipal Election Commission**

Monroe Rhodes, Jr. was reappointed for a 6-year term expiring January 1, 2026.

**Tree Protection Committee**

Calvin Bailey was reappointed for a 2-year term expiring January 1, 2022.  
Mitzi Carter was reappointed for a 2-year term expiring January 1, 2022.  
Sue Tilden was reappointed for a 2-year term expiring January 1, 2022.

6. Reappointment of Associate Municipal Judge and City Prosecutor

City Manager Molinari informed Council that the term for Associate Municipal Judge Deborah Kane O'Quinn will expire on June 30, 2020, and that Judge Kane O'Quinn would like to continue to serve as Associate Municipal Judge. If appointed, her term would run for two years and would expire on June 30, 2022.

Mr. Molinari also stated that the term for City Prosecutor Mary Ann Blake will also expire on June 30, and that Ms. Blake would also like to continue to serve as City Prosecutor, and if reappointed her term will run for one year and will expire on June 30, 2021. Staff asks for Council's favorable consideration of these reappointments.

At this point, Council Member Siegel recused himself from voting on the Municipal Judge and City Prosecutor positions, since he does practice law in city court.

A motion was made by Council Member Bridge to reappoint the Associate Municipal Judge Deborah Kane O-Quinn and Prosecutor Mary Ann Blake for the terms as described. Council Member Broderick seconded the motion. All in favor, except Council Member Siegel recused himself from voting on this item. None opposed. Motion carried. (As described, Associate Judge O'Quinn's term will be a two-year term expiring on June 30, 2022, and City Prosecutor Blake's term will be a one year term expiring on June 30, 2021).

7. Request to Use Walterboro Wildlife Center Parking Lot and Building for the 7<sup>th</sup> Annual Walk & Wag Fundraiser on September 19, 2020, 8:00 A.M. to 2:00 P.M. by the Friends of Colleton County Animal Shelter

A motion was made by Council Member Fishburne to approve the request to use the Walterboro Wildlife Center Parking Lot and Building for the 7<sup>th</sup> Annual Walk & Wag Fundraiser on September 19, 2020 from 8:00 A.M. to 2:00 P.M. by the Friends of Colleton County Animal Shelter. Council Member Brown seconded the motion. All in favor. None opposed. Motion carried.

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**COMMITTEE REPORTS:**

There were no Committee Reports given.

**CITY MANAGER'S REPORT:**

1. Recognition of Certificate of Achievement for Excellence in Financial Reporting Received by the City of Walterboro

City Manager Molinari stated that he was pleased to report that the City and our Finance Department were awarded the Certificate of Achievement for Excellence in Financial Reporting from GFOA, Government Finance Officers Association, for the eighth consecutive year. This is a testament to the excellent work that Amy Risher and her staff do in the Finance Department, and I would like to recognize her for this distinction.

The Mayor thanked the City Manager and said, how many years in a row is that? Mr. Molinari responded, 8 years, and the Mayor responded, that's quite an accomplishment. The Council Members congratulated Mr. Molinari and Ms. Amy Risher and staff.

2. Award of RIA Emergency Grant in the Amount of \$483,450 to Upgrade the Country Club Lift Station, Birch Street Lift Station and Foxcroft Lift Station

City Manager Molinari stated that he was pleased to report that the City was awarded from the South Carolina Rural Infrastructure Authority an emergency grant in the amount of \$483,450 for three pump station upgrades. I would like to recognize our Utilities Director, Wayne Crosby, and Michelle Knight with the Lowcountry Council of Governments and our engineer, Hybrid Engineering, for putting this application together in such short order. We were made aware at the end of April that there would be some emergency funding available as a result of the April 13 tornado, and those three people did an outstanding job putting everything together in a short time period, and we are very pleased to be the recipient of that grant award. We have been talking internally about these projects for a number of years and we are very happy that there is a funding source available to where we can move forward with those critical upgrades.

Councilman Brown reminded to thank Wayne Crosby for the good job. The Mayor and other Council Members also agreed that this was a great job.

3. Consideration of Hybrid Engineering Task Order #6 (Lift Station Upgrade Project

The City Manager noted that this item was related to the grant award just announced. He said, we need to begin work on this project (upgrade three pump stations) as soon as possible. We have already begun filling out the required paperwork from SCRIA. We need to complete this project in twelve months, so as a result, IRA only covers the construction cost. The design and engineering are the responsibility of the City. We are looking at rehabilitating three sewer liftstations - the Country Club Lift Station, the Birch Street Lift Station and the Foxcroft Lift Station. This project will replace inefficient pumps, pumping and electrical control panels, as well as provide permanent generators for each lift station. I attached a memo and supporting document from our Utilities Director, Wayne Crosby, for Hybrid Engineering to perform the survey, design and engineering for the project in the amount of \$58,616. Mr. Molinari also stated that the design and engineering fee can be absorbed by the net position in the Enterprise Fund, and staff requests Council's favorable consideration of this request.

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A motion was made by Council Member Brown to approve \$58,616 to be awarded to Hybrid Engineering for Task Order # 6. Council Member Bridge seconded the motion. All in favor. None opposed. Motion carried.

4. Request to Paint Pickleball Courts at Forest Hills Tennis Center

City Manager Molinari stated that he and Parks Director Ryan McLeod had been working on this project for the last couple of months. I have been educating myself on the sport of pickleball, and it's one of the fastest growing sport in the country, and can be co-located on tennis courts. What we are proposing is to paint two pickleball courts on court #6 at the Forest Hills Tennis Center. To that end, our Parks Director, Ryan McLeod, solicited bids from three local surface installers and received two bids as follows:

Carolina Sport Surfaces Inc.	\$350.00 each
Howard B. Jones & Son, Inc.	\$550.00 each

The total cost should not exceed \$1,200. Stripping the two courts would cost \$350.00 each and then we would need to purchase two pickleball nets and a container to store the nets, and that should not exceed \$1,200. Mr. Molinari stated that the Parks Department has sufficient capacity in their 2019-2020 budget to absorb this cost. We ask for Council's favorable consideration of this request.

Council Member Pryor then made a motion to approve the request to paint pickleball courts at Forest Hills Tennis Courts Center in the amount of approximately \$1,200. Council Member Fishburne seconded the motion. In discussing the motion, Mayor Young stated that he had talked with Mr. William Snead, of the local tennis association, sometime back, and he said they had no objection to us doing that. Council Member Pryor then said, Mr. Doug Bullock made this request on behalf of all of the folks there who use the Forest Hills Tennis Courts, and he said it's really a great sport for the older folks. He has made his request a couple of times, and it will be great if we could approve it. No further discussion was held and the motion passed with all members voting in favor.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Brown and seconded by Council Member Broderick. Before adjourning the meeting the Mayor announced that we are sad to hear of the death of Tom McDaniels, who has been a member of our Board of Zoning Appeals for many years. We are sad to lose him and our condolences to his family.

The motion then passed unanimously. The meeting adjourned at 6:34 P.M. The notice of this meeting, call-in phone number, webinar I.D. and link to view the video were distributed with the agenda packets, to all local media, posted on the City Hall bulletin boards and on the City's website at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

**APPROVED: August 4, 2020**