

Walterboro City Council
Regular Meeting
February 13, 2007

MINUTES

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, February 13, 2007 at 6:15 P.M., with Mayor Charles H. Sweat, Jr. presiding.

PRESENT WERE: Mayor Charles H. Sweat, Jr., Council Members: Charles Lucas, Bill Young, Johnnie Thompson, Ted Parker, Franklin Smalls and Mary Anne Cannady. City Attorney George Cone was also present. City Manager Tuck McConnell and City Clerk Betty Hudson were absent. Public Works Charlie Chewing and Finance Director Jeff Lord served as acting City Manager and recording City Clerk respectively.

There being a quorum present, the Mayor called the meeting to order and called on Council Member Smalls for the invocation and Council Member Thompson to lead the pledge of allegiance to our flag.

The Minutes of the January 23, 2007 Regular Meeting were approved as submitted on the motion of Council Member Thompson, seconded by Council Member Parker, with all members voting in favor.

The Mayor then announced that the City Manager Tuck McConnell was hospitalized due to illness and that City Clerk Betty Hudson was also absent due to illness.

Under Old Business, Ordinance # 2007-01 was before Council for Second and Final Reading Approval, being: AN ORDINANCE AUTHORIZING THE CITY OF WALTERBORO TO CONVEY ITS REVERSIONARY INTEREST IN TWO (2) PARCELS OF LAND LOCATED ON MOORE STREET IN THE CITY OF WALTERBORO TO SUSAN STREET. A motion to adopt the ordinance was made by Council Member Cannady, and seconded by Council Member Thompson.

In discussing the motion, Council Member Lucas asked Attorney Cone to explain what this meant. Attorney Cone explained that the City had a reversionary interest in the property if she (Ms. Street) did not clean it up. He believed there was some brush cutting work that needed to be done. It appears that some work had been done, so the City is giving up its reversionary interest. However, the restrictions (two or three) which were put on this property will remain in place. The only thing the City is giving up is that it agrees that she had done the work she stated she would do in the first two years. A concern was raised on whether the property taxes were paid by Ms. Street. Council Member Lucas noted that this property was still listed under the City at the courthouse. He also stated that this does not seem like a good way to do business by delaying taxes when the City gave her a good deal on the purchase. The purpose was to increase the tax roll for the City to make that area better. Attorney Cone noted that the deed to the property was recorded on February 8, 2007. More discussion was held, after which Attorney Cone suggested that Council may wish to defer this matter to a later day in order to get answers to their questions.

A motion was then made by Council Member Lucas to table the motion to approve Ordinance # 2007-01 to the March 27th Council Meeting, and that Ms. Street or her representative would be asked to attend the meeting if they have anything to say. Council Member Cannady seconded the motion that passed unanimously.

Under New Business, a motion was made by Council Member Young, seconded by Council Member Smalls, giving First Reading Approval to Ordinance # 2007-02, being; AN ORDINANCE TO AMEND THREE SECTIONS OF THE ZONING ORDINANCE. The motion passed unanimously.

Next, Ordinance # 2007-03 was before Council. A motion was made by Council Member Cannady, seconded by Council Member Parker, giving First Reading Approval by Title Only to Ordinance # 2007-03, being: AN ORDINANCE GRANTING A FRANCHISE

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AGREEMENT WITH THE CITY OF WALTERBORO AND WICAROLINA COMMUNICATIONS, LLC. The motion passed with all members voting in favor.

Next, Council considered the slate of vacancies on the City's Boards and Commissions including a list of those incumbent members who wished to be reappointed. A motion was made by Council Member Cannady that all the incumbent Commission Members who wished to be reappointed that they be reappointed. Council Member Parker seconded the motion. Council Member Young asked if the members of the Great Swamp Sanctuary wished to be reappointed. There was no indication on the summary sheet whether these members wished to be reappointed. With the approval of the first and second, the motion was amended to include "with the exception of the Great Swamp Sanctuary Commission." The motion passed unanimously. It was also requested that staff verify that all Commission Members up for reappointment (except the Great Swamp Sanctuary), live in the city limits. Also, staff is to contact Ms. Patricia McIlwain to see which committee she wished to serve on. Council Member Cannady suggested that a discussion of the Economic Development Commission be placed on the next meeting agenda.

The listing of the 2007 Boards and Commissions appointments were as follows:

Accommodations Tax Board

Alta Mae Marvin, reappointed for another 3-year term.

Susan McConnell, reappointed for another 3-year term.

Building Board

Thomas Berry, reappointed for another 4-year term.

Board of Zoning Appeals

Ron Ordell, reappointed for another 4-year term.

City Appearance Board

John Rogers, reappointed to a 4-year term.

Dave Harris, reappointed to another 4-year term.

Helen T. Bodison, reappointed to a 4-year term.

Economic Development Commission

Peden McLeod, reappointed to another 4-year term.

Henry Cook, reappointed to another 4-year term.

Eugene Kaiser, reappointed to another 4-year term.

Historic Preservation Commission

Mary Corbett, reappointed to a two-year term.

Faye Brooks, reappointed to a two-year term.

Municipal Planning Commission

Judge Bridge, reappointed to another 4-year term.

Tree Protection Committee

Shawn Jadrnicek, reappointed to a 2-year term.

Michael Ferrari, reappointed to a 2-year term.

Next on the agenda, the Mayor recognized Ms. Donna Laird, the new director of the Rice Festival Committee. Ms. Laird, on behalf of the Rice Festival Committee, appeared before Council with requests for the 2007 Rice Festival. A letter summarizing the requests was reviewed and discussed (copy attached). A discussion was held on the closing of Washington Street, the minutes of the Rice Festival Board Meeting and other concerns. Council Member Young requested that a copy of the Rice Festival Board Meeting Minutes be made a part of the minutes of this meeting (copy attached). Mr. Bill Smoak, present with several downtown merchants, asked that Council not allow the Rice Festival Committee to come before Council next year to request the closing of Washington Street for its festival.

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Further discussion was held. Mr. Smoak felt that the merchants would agree to the closing of Washington Street for the festival this year, but would not agree to closing it next year for the festival.

A motion was then made by Council Member Lucas to approve the street closings for the Rice Festival as submitted in the document for year 2007 with the agreement that Council will not close the street in the year 2008. Council Member Cannady asked if this would be for only one year or in the future. Council Member Lucas then amended his motion to strike "in the year 2008" and insert "in the future for the Rice Festival." Council Member Parker seconded the motion that passed with a vote of 6/0, with Council Members Lucas, Young, Thompson, Smalls, Parker and Cannady voting in favor. Mayor Sweat abstained due to a conflict of interest.

As an add-on agenda item, Mayor Sweat opened a discussion to cancel the February 27, 2007 City Council Meeting. He reported that some Council Members will be in training at the MASC Meeting in Columbia on that date. A motion to cancel the February 27th Council Meeting was made by Council Member Cannady, seconded by Council Member Lucas and passed unanimously.

Next, the Mayor opened the floor to receive public comments. Ms. Carol Black then addressed Council. She stated that she was concerned with the wording in both the Tree Ordinance, Fence Ordinance and other ordinances. Specific concerns pointed out by Ms. Black were as follows:

1. Ordinance # 2005-06, Section 19.105 Tree Removal. The wording regarding the permitting process is vague and confusing and should be amended.

2. Ordinance # 2006-20, Section, 4.7.11 General Development Standards and Measurements. The wording regarding fences is vague and confusing and should be amended. Ms. Black stated that the ordinances need to have an attorney look at them before they can be passed.

3. Section 10 of the Historic Preservation Ordinance - Certificate of Appropriateness. City properties should not be exempt. Ms. Black stated that her biggest concern tonight was with the Certificate of Appropriateness, which are not being enforced by the Building Inspector and by the City Manager. She stated that the Certificate of Appropriateness is not being enforced fairly or equally.

She asked that Council look into the concerns she has raised tonight. She will come back again, request to be placed on the agenda for longer than 3 minutes, and discuss the matters with Council.

Ms. Black also requested permission to address Council in an executive session concerning a personnel matter regarding the Building Inspector.

A motion to enter into Executive Session to discuss a contractual matter, a personnel matter and a property matter was then made by Council Member Parker, seconded by Council Member Cannady and passed unanimously. The meeting adjourned to an Executive Session.

The meeting returned to Open Session and a motion was made by Council Member Cannady, seconded by Council Member Parker, that the City approve and enter into a proposed lease agreement, leasing from the Trustees of Bethel United Methodist Church the Hampton Street half of the lot referred to as the City Parking Lot. Copy of said lease is attached as part of these minutes. Attorney Cone pointed out that the Church is giving this lot to the City, because they want the City to pick up the liability insurance and maintenance. The motion passed unanimously.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Parker, seconded by Council Member Cannady and passed unanimously. The Mayor adjourned the meeting at approximately 7:38 P.M. Notice of this

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meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk