

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, April 10, 2012 at 6:15 P.M. with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Paul Siegel, Dwayne Buckner, Charles Lucas, Randy Peters, Tom Lohr and Bobby Bonds. City Manager Jeff Lord and City Attorney George Cone were also present. City Clerk Betty Hudson was absent and Finance Director Dennis Averkin acted as recording secretary. There were approximately 100 persons present in the audience.

There being a quorum present, the Mayor called the meeting to order. Former Mayor Charlie Sweat gave the invocation and Council Member Buckner led the Pledge of Allegiance to our flag.

Mayor Young then announced that City Manager Lord's son, Barrett Matthew Lord, was born on March 20. The Mayor also thanked the Police Department for the good job done at Shoney's during a fund-raiser event for Special Olympics.

PUBLIC INPUT ON AGENDA ITEMS:

The Mayor then opened the floor to receive public input on agenda items. He added, if you want to speak during the public hearing, then you can hold your comments until the public hearing time, but if you have comments or questions on the rest of the agenda, then this would be the time for Council to hear those questions.

No comments or questions were received on the agenda items.

PUBLIC HEARING:

The Mayor then opened a public hearing duly advertised to receive public comments on proposed **Ordinance # 2012-04**, being:

An Ordinance to Amend the City Zoning Ordinance to Rezone Certain Property, Tax Map # 147-05-00-013 (property located on Mt. Carmel Road, owned by Eurakulon LLC/E.R. Carmichael, Jr.).

The proposed ordinance is to change the zoning on property on Mt. Carmel Road, adjacent to Bells Highway near I-95 from Interstate Interchange Commercial District to Highway Commercial District. This change would allow developers to construct low-income tax credit housing for seniors who are 55 and older at that location.

Before starting the hearing, Mayor Young told the audience that four such projects are under consideration within the City limits. He said, these projects and the one applied for on Mt. Carmel Road are low-income tax credit projects that are applied for through the State Housing Authority. There has been eighty-three (83) applications statewide for these projects. Fourteen (14) will be approved statewide. They tell me that no more than two will be approved for Colleton County and that it's unlikely that two will be approved. In late June or July, they will post point scores based on the developer's application, and at the time, developers who have applied for these projects can appeal if they don't think that their points were justified. We have received notice of four sites in the City that have made application for development of these projects: One is the Mt. Camel Road site, one is on Smith Street and Robertson Boulevard, and two others (one on each side of the Belks Shopping Center). Overhead computer maps showing the proposed four sites were then displayed by the City Manager.

The Mayor then said, I will tell you that while I have not received notification from other people, there are other developers who have contacted the City over the past few

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weeks about similar projects, but they are not on the list that I have looked at from the State Housing Authority. So, we are not talking about those right now.

The Mayor then opened the floor to receive comments from the public on the proposed Ordinance # 2012-04. He said, if you speak, first we would like for you to give us your name and address. The following comments were received by Council:

Ms. Elaine Maxwell, a property owner on Mt. Carmel Road, had previously submitted a letter to Council dated March 22, 2012 in opposition to rezoning the property on Mt. Carmel Road, tax map # 147-05-00-013. A copy of said letter is attached as part of these minutes.

Ms. Anissa Jennings, a City resident on Mt. Carmel Road, contested the rezoning of the property on Mt. Carmel Road. She noted that traffic on Mt. Carmel Road is heavy now, and people tend to walk along the side of the road. She said that with the addition of more housing, the problem would be amplified. She said that she also worries about emergency service vehicles having to get through the area. She told Council that she had collected a list of names of people living in her area who are opposed to the zoning change.

A question was then raised by Ms. Judy Bridge, a citizen, asking if City Council would be dealing with all four sites or just the site on Mt. Carmel Road?

Mayor Young responded that the only action that Council is going to take tonight is going to be on the rezoning of the Mt. Carmel property. However, the rezoning of that property has a potential impact on the other properties. For example, if the Mt. Carmel Road property is not rezoned, then it reduces the number of sites available in the City to 3 sites, which means the likelihood that it goes to one of the other 3 sites increases. The only thing that Council is going to address is the rezoning tonight, but if you have a comment about one of those other sites, this might be your only opportunity to present it to Council because nothing will come before Council to address those things. Mayor Young further explained that the other three properties are already zoned to allow those kinds of developments. So, we would not be considering that, but we did want the public to have the information on what the developers are proposing. Mayor Young stated that City Manager Lord has the name and address of the people at the State Housing Authority who will be approving these applications. Anyone is welcome to stop by and get this information from him. The Mayor also stated that the Housing Authority has indicated that they would welcome any comments or petitions or anything else from citizens that would apply toward the application process.

Mr. Bret Hughes, of Jefferies Boulevard, told Council that he passes the Mt. Carmel Road site in question two or three times a week, and nothing ever popped out to make him realize what was happening. Somebody said there was a little small sign there, but it never caught my notice. I understand that either the development board or the rezoning committee agreed to pass the rezoning since there was not any public opposition, but I am not sure that anybody knew about it at that time.

I am all for people doing what they want with their property, but at the same time, there are zoning laws in place, so it's something you've got to see whether the use is already there. I go to Grace Advent Church, so I guess I am speaking on behalf of my church that's on the road in question. The Bible says to Love thy Neighbor as Thyself, and it looks like we are fixing to get a whole lot of neighbors all at one time, if this goes through. He told Council to check your hearts and see if you worshiped in that area or lived in that area whether you would consider it the right thing to do to yourself. I can see that this (the housing complex) would drastically change the character of the neighborhood. So, I want you to consider that before you make any decision.

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Mr. Jeremy Ware spoke on behalf of the seller of the property on Mt. Carmel Road. He told Council that he represents the owner (Randy Carmichael) who is selling that parcel of land on Mt. Carmel Road. He said, we have come to rezone this property. We realized that it was zoned interstate interchange when Tractor Supply Corporation came to us to buy a piece of property. Tractor Supply was unable to get that site. This site is a long narrow irregular site. We have had this property on the market for a couple of years now. We have shown it eleven different times to eleven different people. None of these people were able to do anything with this site because of its unique shape. So, when we found out that there was going to be some rezoning by the City of Walterboro, we looked at all the land in front. If you look at all the land around this property, you have the Grace Advent Church, you've got the pool place, you have a duplex, some manufactured homes, and Steedley Monuments. It's the same as highway commercial. It's a mixture of commercial, residential, and multi-family, and all we are trying to do is get that zoning to fit in with that. If you look at the map, this property is zoned Interstate Interchange, however, you have no visibility from the interstate, and you have no access to the interstate. You have no access to a primary road, such as Bells Highway. We have no frontage on any of that as well. The only access that we have is coming off of Mt. Carmel Road. If you are leaving Walterboro, you might see the back end of this property.

Mr. Ware further stated, the problem we are having is we have no visibility, no access to the interstate or primary road. The only entrance we have is off a secondary road. So, that's really our only reason for going Highway Commercial. Whether this project comes to us and if we get funded, I am like Mr. Young, I don't know if we will, it's highly unlikely. If it does, it's great for the tax base. If it doesn't, we still have no other opportunity to sell this property as Interstate Interchange. We brought this before the Planning Commission with the same issue that we have tried to sell this property in accordance with the zoning, but we just can't get it sold. We have exhausted all our means. We just truly and honestly feel that it was zoned Interstate Interchange as an oversight. We have been contacted by the developer and they have expressed to us that they want to do a senior development. There is a letter from the developer saying that he guarantees a 55 and over development if it's approved. Mr. Ware then said, the site plan says, if this project gets funded, and they do come, they will leave a buffer completely around the property. I think that is a 25-foot buffer. It will also have an exterior fence completely surrounding the property. It will also have four security cameras outside the property. So, if it does get passed, it will be a nice development. It will be restricted to 55 and over. The only way that a younger person can get in the development unit, is if the 55-year-old person is married to somebody younger than 55. It is irrelevant if we get the grant or the money to build it, we still want the rezoning. There is a total of 85 applicants for South Carolina, with 4 in Walterboro. As far as I know and I haven't looked at anybody else, we are the only one whose building will be restricted to 55 and older. Our primary concern is not getting this development passed, it is getting the property zoned correctly at it's highest and best use.

Mr. S. Bailey told Council, I live right on the corner on Pinewood Street. It is pretty much a corner street at Hiers Corner Road and Pinewood. I have been to the Forest Pines or the apartment complex located on Forest Circle Road. Those were also built with the intention of being a high-end apartment building in this community, and over the years, they have not been able to fill them. Since they couldn't fill them, they have lowered the price and lowered the price. So, when I purchased my house where I live now, it was still a halfway decent place. The elementary school is directly behind me, and the middle school is right around the corner. It is a nice place to live, I enjoy living there, but for the past three years and the year before that when my son was in the 7th and 8th grade, I had the law at my house four times, because someone in the

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apartment complex came out and chased him home, wanted to beat him up. I had the law at my house three other times because people were stealing things right out of my yard, busting into my car and stealing my GPS unit, and my lap top. If the new apartment complex is put there and when the apartments can't sell or not moving off the market, then it will start to go down. I understand the need for low-income housing, but I don't understand the need for low-income housing in an economy with no jobs. Low income means you are bringing in an income, and when we have apartments already there that are empty and when the police who came to my house about the incident with my kid being chased, said we know that the area is a bad area. There are drugs being peddled outside. When my kid was in middle school there, they had to be sent home from football practice, because gun shots rang out between those apartment buildings. So, if anybody is telling me that only 55 and older will be housed in this kind of place with low income housing, then low-income housing is not needed in the Forest Hills area.

Ms. Judy Bridge, a City resident, raised concerns on the proposed housing development site for Hiers Corner Road in Forest Hills. She stated that the Forest Hills Subdivision is a restrictive community for residential only as far as I know. When you say that it already meets the requirements for the zoning for multi-housing development, I would like to first address that situation and figure out when it was done differently. Mr. Lord responded, none of those properties are in the covenant area. Ms. Bridge disagreed and stated that anything that is on Hiers Corner Road is in the Forest Hills Subdivision. Mayor Young said there is railroad right of way and a lot between that first parcel and I am not sure about the second parcel between Hiers Corner Road. Ms. Bridge said, I have a map of the original subdivision plat, that will show you clearly that the Forest Hills Subdivision includes all of Hiers Corner Road, which was originally Remus Road. It does not begin on Highway 64 and that's where you have an eye care place built which faces Eddie Chasteen Drive, which is not part of the Forest Hills Subdivision, but in the residence of Forest Hills on Hiers Corner Road, it continues until you get to the railroad tracks. Mayor Young and City Manager Lord noted that they did not have an idea when it was zoned Highway Commercial. This is the plat on the right side of Belks as you are facing Belks. The Mayor asked Mr. Dodd, do you have any idea when or how that was zoned Highway Commercial. Mr. Dodd responded, I don't know when, but the front portion is Highway Commercial and the back portion is General Commercial. It's dually zoned, but the uses for multi-family are the same in either General or Highway Commercial.

Ms. Bridge then said, I would need to have some evidence that this property has been rezoned, because it is part of the original Forest Hills Subdivision. I see no reason why it would have been changed. There is nothing but single family residences on Hiers Corner Road.

Council Member Lucas then said, on the right side, on the Bells Highway side of Hiers Corner, I believe, it is medium density - the lots on the right side. Ms. Bridge then said, since when? I have the original plat here and I know, having served on the Planning Commission there was some discussion at our meeting about when we had the new map drawn up, that the coloring did not include the right-hand side of Hiers Corner Road, which means nothing because there were many discrepancies and errors made in the mapping, so that all the designated areas did not show up in the appropriate colors. Ms. Bridge then said, we would like to make an appeal that it is an area that is single family residential. We would be totally opposed to the multi-family complex coming into that area, and that it infringes on homes in the Forest Hills Subdivision.

Mayor Young then said, we will look into it. He then asked Mr. Dodd, do you know if there is medium density zoning along Hiers Corner Road? Mr. Dodd said, I can confirm this, but I think it is medium density on the northern side and single family residential on the southern side. Ms. Bridge then said, then that needs to be clarified

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and if it goes forward as that being a site, then I think we should have the opportunity to check on the zoning and have proof that there was some reason for changing that zoning.

Mayor Young added, I have been here a long time and I don't remember rezoning it since I have been here. Ms. Bridge then said, well, I served for 12 years on the Planning Commission and I have no recollection of anything being changed.

Ms. Bridge then said, and we would like to have you come back to us, if there has been some change. Mayor Young then said, that would probably be something to address to the State Housing Authority. You can address it to us too, but that would also be something that they would be interested in as they go through the application process, but I just don't know the answer to that right now.

Mr. M. Warren, a homeowner on Mt. Carmel Road, addressed Council. He asked, what was the original recommendation by the Planning Commission on Mr. Carmichael's property? Mayor Young responded that there has been some confusion on this. I think what you are confusing is that our staff recommended not rezoning it, because that did not comply with our Comprehensive Plan. Subsequent to that, it went to the Planning Commission and the Planning Commission ruled in favor of rezoning it.

Mr. Warren then said, I was born and raised in Walterboro and I see both sides of this. Mr. Carmichael is a business man and I am a home owner. A few questions - Has anybody researched the development companies that will build this project? I mean, when they come in, who actually will do the development? Is the state going to provide funding, or is it a federal-funded project? Mr. Young responded, these are private developers who are applying for low-income tax credits through the SC State Housing Authority. The funding comes through the South Carolina State Housing Authority. Mr. Warren then asked, who will police the tenants. If the Mt. Carmel site was approved, who will assure that no residents under 55 will live there? Once a development is built, a management company takes over whether it is private or a government firm, I'd like to know that, but who polices that?

Mayor Young responded, I asked that question of the lady that is in charge of this with the state, and if my memory is correct, she said that the tenant on the lease had to be 55. Mr. Warren then asked, who will run the business? Mayor Young responded, I don't know, whoever the development company is for each one of those sites. Mr. Warren then asked, if it goes into Section 8 Housing, will it become a nonprofit organization? Is that a possibility? Because if it does, it's a zero tax base for the City of Walterboro. Mayor Young, I don't know the answer to that, but I don't believe it could become Section 8 Housing.

Mayor Young replied, I am not an expert on this, but there is a difference between low-income assisted housing and applying for low-income tax credit funding. The developers, as I understand it, are applying for low-income tax credits in order to build the property. Whatever the requirements are for the South Carolina State Housing Authority for who lives there, I don't know. In one case you have, it's 55 and over and others you have just family. City Manager Lord stated, the only thing that I know is it's tax credits, they are applying for federal tax credits. It's different from Section 8. Section 8 is a kind of low-income housing.

Mr. Warren then stated, I know we are just voting to rezone the property right now, but when is the City going to come up with this information and let us know what's going on before you vote on it? I mean, we don't know who the management company is going to be, and who is going to police it? Mayor Young said, we don't know if they are going to have an apartment complex there. What we are addressing is the zoning. Mr. Warren then asked, after the zoning, will you address that?

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Mayor Young stated, it would be in the City, so it would have City police and fire protection. City Manager Lord then said, these are federal tax credits, so these are income tax credits, so this is an IRS issue. IRS is the one who is going to make sure that they are living up to the covenant and the deed restrictions. That's not within the authority of the City. So, the City has no authority on that.

Mr. Warren then asked, if it is rezoned and Mr. Carmichael's development company is not approved, and we rezone it for residential, what steps will the City take to assure we will have an adequate residential complex that fits in the City's growth? I am not opposed to trailer parks, but I think we have plenty. Also, I am not opposed to low-income housing, I think we have plenty of vacancies for that. So, I need to know what steps you will take to regulate that?

On a question by Mayor Young, Mr. Warren noted that he lives in the county. Mayor Young then said, the City is much more regulated than the county is. Where you live, you are much more exposed to all sorts of things being in the county, than you would be by living in the City. The City is more restrictive, so your exposure is already there, simply because you don't have the zoning requirements in the county that you have in the City.

Mr. Warren then expressed concern about the intersection at the end of Mt. Carmel Road. He said, that is our busiest intersection. That's our biggest road barrier. I just wanted to know what the City is planning to do, if this does not go residential, what are we going to do to make sure it fits in with our development plan. Council Member Lucas clarified, this is intended for rezoning for Highway Commercial not residential. It's just that apartments are allowed in Highway Commercial. So, it's not being rezoned as a residential tract. City Manager Lord pointed out that there are several commercial uses, it could be a store, a professional business, or any kind of commercial activity.

On a question by Mayor Young as to what uses are allowed in Highway Commercial District, Mr. David Dodd explained that mobile home parks are allowed, if it is 5 acres or larger, a grocery store, a shopping mall, an auto service center, and all kinds of things are allowed in Highway Commercial District. Some of the same things are allowed in the Interstate Interchange. As far as high density residential multi-family dwellings or mobile home parks, either would be allowed in Highway Commercial, but would not be allowed in Interstate Interchange. However, a mobile home park could not be put there, because it is not 5 acres.

Mr. W. Dial, a City resident who lives across from Forest Circle, told Council that about three months ago, a bullet come through his window from the low-income apartments nearly striking his wife. She had to shake the glass out of her hair from the bullets coming from the low-income apartments behind Forest Pointe. I have been burglarized once, and my car has been broken into twice. You have Forest Hills School right there, and what is keeping bullets from going into the school? He said, I lived on Gardenia St., and I left because I was having problems with the apartments right behind me there. I had to literally leave my home. I can't sell it, but I tried to sell it. If you don't think that has an effect on your housing, when you try to sell your home, it has a major impact on trying to sell your home.

Mr. Charles Risher, a resident on Mt. Carmel Road, told Council that he lives almost behind Grace Advent Church. He said, I have about 5 acres of land, and I am kind of opposed to the apartments if it passes, because it will lower property values, especially where I live. I have lived across from the trailer parks. A couple of years ago, it was so bad with people coming in my yard trying to carry off everything that wasn't nailed down. We sound like we are at war some times at night with us trying to run them off, shooting over their heads. They were breaking into everything I had. I would change locks on the shop, but they figured out a way to open the locks. We put

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up security cameras, but they got into my shop. That's the reason I oppose low rent apartments there. Also, the traffic is so backed up on Mt. Carmel Road, until it is unbelievable. I just don't see where there is room for more traffic, unless they have a mighty good plan for traffic control.

With regard to the traffic problem at the intersection of Mt. Carmel Road and Bells Highway, Mayor Young told the audience that the City has worked with SCDOT and that intersection will be straightened up and hopefully put a light in there, because we know that is a dangerous intersection. We are going to get that fixed no matter what else happens.

Mr. David Soard, a life-long resident on Mt. Carmel Road, said that right across the road from his house, there use to be a single family dwelling. Then, it became a duplex and as of right now, it is a quad. When this became a quad, there was a crack house there for a couple of years, but we got it cleaned out. So if four will give you that, then what will the multiplication of this complex end up with? Chances are, we're going to get more of it. 55 or older, that's not going to limit who their visitors might be. You are going to have a lot of traffic coming and going. I am against it.

Mr. Jade Bishop, told Council that his property on Mt. Carmel Road butts up to Mr. Carmichael's property. He said, the property that butts up with my privacy fence will be City, I live in the county. How will the dispatcher know to send them to my house and not to the apartments behind me? There is a lot of traffic on my road all the time. School buses come by letting kids out all the time there. When the school bus stops, the traffic is like Miami. I know the plan is to put a red light there, but unless it is an extremely long red light, I don't see it helping any. Sometimes it takes me 20 minutes to get out of Mt. Carmel Road to get to my job.

I know it hasn't been decided to put apartments in yet, but I would have a problem if it became apartments, being butted up to my property. I know it's 55 years and older, and my grandparents are 60 and they have 17 and 18 year old teens living with them. I know it says the adult has to be 55 on the lease, but it doesn't say your grand kids age 16 can't live with you.

As far as now, I just worry about the traffic, the emergency response team, and if it becomes City and becomes apartments, I worry about them maintaining the age 55. How do we keep 17 and 18 year olds out of there?

Ms. Marsha Johnson, a City resident, said my understanding is this is a 5- acre parcel, and that it looks like it might be a 40 unit building. The only problem is that once you rezone it, you don't really have any control over that. Whoever buys it can do whatever they want with it. It looks like the proposed plan is quite sensible and I guess it would be good if the City Attorney could address for the benefit of the people here, once you rezone, do you have any control over what the use is within the confines of that zoning, because I think there is some misunderstanding on that. It's already part of the City, so that's not an issue. 911 for the county system will direct it to the City if you happen to live in the City. If you happen to live in the City, you cannot get county services.

You guys have a difficult job in this, because certainly it is of benefit to have 55 and older housing especially in this economy and I understand people's concerns. My major concern is that once you rezone it, you don't have control over it. So, although this current development looks good, the people have not bought it. Once they buy it, they would deed restrict what the use was, but the people who are currently buying it, and the reason they are rezoning it, they wouldn't buy the property unless they get this grant. What you do gives an open gate without any restrictions, but you could have the City Attorney address that. This might be helpful for people.

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Mr. James Spell, a City resident, then addressed Council. He said, I live on Pinewood Street, right across from Mr. Bailey and Mrs. Craven. I bought my house in 1974 and been there ever since. I have watched this area get continually worse. They tore down the old Forest Hill School and built a new one. Traffic at the intersections of Hiers Corner Road, Center Street (which goes right by my house to the stop sign) and Forest Circle is absolutely ridiculous. It is enormous. You take your life in your hands when you pull out into the streets. Those people are running wide open trying to get to the school, trying to get to the daycare center and other places and they don't slow down for you.

Mr. Spell further stated, traffic congestion is horrible, and adding a low-income housing complex to it, is going to make it even worse. It's going to be your wildest nightmare with accidents, speeding and everything else. The flow of cars through there on one day is absolutely ridiculous. We are going to have an enormous traffic congestion, which is only going to get worse. Mr. Spell noted that if the multi-housing complex is located in the Forest Hills area, it will lower the property values of homes in Forest Hill and Hiers Corner Rd. He said, there will also be a further increase in crime.

Even though the police department in the City and County keep telling us that the crime rate is going down, it may be going down for murder and rape and things like that, but home burglaries, muggings, stealing properties out of people's cars and everything like that has not gone down. If anything, it is on the increase. I am afraid to leave my home for fear when I return, the back door will be kicked in and everything I have will be gone. I am afraid to sit in my living room or my den and watch television, for fear someone will kick in the back door and come in with a gun on me. Most people don't even like to go out after dark anymore because they are afraid. Like I said, crime is going to increase. Why that intersection at Hiers Corner Road, Center Street and Forest Circle, seems to be a hub of so much development, I don't understand. Right on Hiers Corner Road, you have Forest Hills Elementary. You have school buses, the teachers coming in, you have the parents bringing children in. Across the street from that is a daycare center, which adds more to the traffic. Down on the right you have the beauty salon, which also adds more traffic. Around the corner, you have Forest Pointe Apartments, you have the mentally challenged building, where they load up the handicapped in the mornings to do day jobs. Mr. Spell gave further building locations that add to the traffic problem in the area. He said, we do not need another housing complex there. Mr. Spell said, there is an article in the newspapers saying that they can't even fill up Bay Meadows Apartments, why put in another one in there, if there is such a shortage. Why is so much attention being drawn to that one area there that has more than enough places, like businesses and schools, already. It is absolutely absurd. I know you are telling me it that it backs up to Hiers Corner Road, but it is actually off of Bells Highway. There will be an entrance to it off of Hiers Corner Road, right there at the old railroad tracks bed on a dangerous curve, where you will have people getting killed. Think long and hard before you okay this.

Ms. Donna Sumner spoke to Council on behalf of Grace Advent Christian Church. She said, that church has been on Mt. Carmel Road since 1897, so it's been there a long time, and we plan for it to be there a long time in the future. We have great programs in our church. We have toddlers playing around on the playground, and we have a great youth program. The youth play ball games outside all the time. It just makes me afraid that if you get a housing development within a block or two of such a facility when people are working so hard to nurture children to be right with the Lord, that we would have to eventually in years to come deal with a lot of walking traffic on the road. We will have to worry about our toddlers and our youth's safety. I know there will be buffers around the property, but fences fall down, how about 50 years down the road. Security cameras can become inoperable within a week or two. So, I can see those as definite guarantees that it will not be good for the people in the community. People who are 55 or older have lots of grandchildren who live with them. So, I can foresee lots of teenagers, lots of walking on the road. Some of the other low-

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income developments in the county or City are really just filled with crime. I just worry that we will have to deal with that if it gets to that point. I just wonder if the crime and police problems at Walmart would increase. It may not be a bad thing in the beginning, it's just what it will be down the road. What I'd like to leave you with is, "would you be happy about rezoning an area that adjoins your backyard for such a project, or down the street from your home"? Considering that you probably all have small children at home, how safe would you feel?

In concluding the discussion, Mayor Young reminded everyone that City Council is taking action on the zoning, we won't be addressing anything that has to do with the sites that come into the back side of Forest Hills. We are not taking any action on that, so I would encourage you, if you have strong feelings about that, unless we find out something that Ms. Bridge has brought up, then we would probably become involved in that matter. I would encourage you to get the name and address that we have here of the State Housing Authority, and they would be the appropriate people to talk to. You have all made comments and great arguments, and whether the property is rezoned or not rezoned, they would be the people to address about whether or not the apartments are located there, because the City wouldn't make that decision. We will make the decision on the rezoning, but not on who gets the low-income tax credits to do the projects.

The Public Hearing was then closed and the Regular Meeting began.

APPROVAL OF THE MINUTES:

The Minutes of the February 28, 2012 Regular Meeting and the March 13, 2012 Public Hearing and Regular Meeting were approved on the motion of Council Member Buckner, seconded by Council Member Lucas and passed unanimously.

OLD BUSINESS:

1. **Ordinance # 2012-04**, An Ordinance to Amend the City Zoning Ordinance to Rezone Certain Property, Tax Map # 147-05-00-013, (property located on Mt. Carmel Road, owned by Eurakulon LLC/E. R. Carmichael, Jr.), was before Council for Second Reading and Approval.

A motion was made by Mayor Young to adopt Ordinance # 2012-04. At this point Council Member Bonds stated, I want to bring up an issue that concerns me, could I make a second and then discuss that? Mayor Young responded, we don't get to discuss it, unless we have a motion and a second.

Council Member Bonds then seconded the motion. In discussing the motion, Council Member Bonds said, the concerns I have center around the traffic situation. In order for me to move forward personally and give a vote on this tonight, number one, I would like to investigate the traffic situation. Number two, the question of the highest and best use of the land, whether its Highway Commercial versus Interstate Interchange Commercial. I understand that, it may be that the highest and best use is Highway Commercial versus Interstate Commercial, but one of the things that concern me is the traffic situation. That is a bad interchange, a gentleman talked about the traffic being backed up. Again, if we put retail in there, then retail traffic may back that up. That concerns me, it is a traffic situation perhaps most of all. As I understand it, in the Interstate District, there could be retail space in there now which in theory could cause a traffic nightmare.

City Manager Lord affirmed that retail is currently a use in the Interstate Interchange District.

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Council Member Bonds continued, but that's one thing that concerns me and I would like to have a little more information on that.

Mayor Young then asked, could we get a traffic study done on that prior to voting on it, or do we have to go forward? He directed this question to the City Attorney.

City Attorney Cone responded, you can move to table a motion to a specific time in the future, or just move to table it, until such time that there is a motion to take it off the table. But right now, you've got a motion and you can move to table it, if that's what Council desires to do for further information.

Mayor Young then withdrew his motion with the approval of the second. He said, then we could just have Council look into the traffic concern.

Council Member Buckner then stated, I just want to go on record that I opposed this when it first came before Council, because personally, I don't feel that right now the census numbers substantiate any further high unit apartments, whether it is low-income, it doesn't matter to me. The census numbers don't suggest that we need this type of development. So, I was opposed to it, and I am opposed to it now. In addition to all the things that everyone else has said about the traffic and others, it's not the type of development that we need in Colleton County right now. Personally, I am tired of Colleton County being used to take advantage of the fact that we are a quote "low-income" so to speak County, and it is time out for that. I understand Councilman Bonds' position for wanting a traffic study, but I don't think we need a traffic study. I am against this and any other high unit development in the City of Walterboro, until such time as the census numbers suggest that we have the growth to substantiate these additional apartment units.

Council Member Siegel then MOVED to Table this issue. Council Member Bonds seconded the motion. The motion to table passed with a vote of 5/2 with Mayor Young, Council Members Siegel, Lucas, Peters and Bonds voting in favor, and Council Members Buckner and Lohr opposing the motion.

At this point, the Mayor said, I would like to say that my concern on this, is that by not rezoning that piece of property, it increases the likelihood that this project could be placed in another part of the City, which has a greater impact on more citizens who are City residents, who elected us. That is my concern about not rezoning that. We have tabled it and we are going to look at it, but that is my concern. There are places that will be even more adversely affected by this. So, we have tabled it and we will look at it.

PROCLAMATIONS AND RESOLUTIONS:

1. Proclamation No. 2012-02, designating July 2012 as Colleton Training/Colleton High School Alumni Association Month.

A motion was made by Council Member Buckner to adopt Proclamation No. 2012-02 as submitted. Council Member Lucas seconded the motion.

Mr. Herman Bright, present on behalf of the Alumni Association thanked Council for its support over the years. This has been a continual process down the years. This is an opportunity for their members to walk from the stadium to the CTS Building and blocking the streets so that we will have an opportunity to do this, is a wonderful thing. We also invite you to come join us for the walk. It's a nice time for our people to come from out of town and from all over the country to come here and have that opportunity. So, we appreciate the proclamation and also the blocking of the streets.

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The motion then passed with all members voting in favor. A copy of said proclamation is attached as part of these minutes.

2. Resolution No. 2012-R-04, A Resolution designating April 2012 as Fair Housing Month, and Approval of Nondiscrimination Policy

A motion was made by Council Member Buckner to adopt the Fair Housing Month Resolution No. 2012-R-04 and Nondiscrimination Policy as submitted. Council Member Lucas seconded the motion that passed unanimously. A copy of said resolution and Nondiscrimination Policy are attached as part of these minutes.

NEW BUSINESS:

1. Consideration of Mutual Assistance Agreement Between the City of Walterboro and the Town of Edisto Beach for Fire Services

A motion to approve the Mutual Assistance Agreement between the City of Walterboro and the Town of Edisto Beach for fire services was made by Council Member Lucas, seconded by Council Member Peters.

In discussing the motion, Councilman Buckner asked the City Manager if there were any possible fire rescue implications upon approving this agreement? City Manager Lord said, they will provide us with additional resources if we need them, in return we are promising to help them should they need assistance.

The motion then passed with all members voting in favor.

2. Consideration of Intergovernmental Agreement with South Carolina Department of Juvenile Justice (DJJ), for Use of Grant from the Rural Infrastructure Fund (RIF) in the Amount of Up to \$71,000, in Developing and Implementing the Teen After School Program Center Plus (TASC Plus) Program Within the City Limits of Walterboro

The Mayor explained that this is part of the Community Safety Initiative. They have made another \$70,000 available to us. This is the contract between us and DJJ saying that we will supply them with that amount of money and anything over that amount, they would be responsible for.

The Mayor then entertained a motion to approve the agreement with DJJ for the After School Teen Center funding. Council Member Lohr so MOVED. Council Member Siegel seconded the motion that passed with all members in favor.

3. Consideration of Addendum to the Original Contract Between the South Carolina Coordinating Council for Economic Development and the City of Walterboro for an Additional \$70,000 in Funding for the Community Safety Initiative Grant #RIF10150252

A motion was made by Council Member Peters to approve the addendum to the original contract between the South Carolina Coordinating Council for Economic Development and the City of Walterboro for an additional \$70,000 in funding for the Community Safety Initiative Grant as submitted. Council Member Lohr seconded the motion.

In discussing the motion, Council Member Buckner asked if there were a plan already in place identifying exactly where the Teen Center is going to be? Mayor Young responded that this center is already in operation. This is the same center that was operating under the Community Safety Initiative before, and they will have an additional \$70,000 to continue to operate it further.

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The motion passed unanimously.

4. Consideration of Agreement with South Carolina Department of Transportation (SCDOT) for Assistance in the Design, Right-of-Way and Construction of Intersection Improvements and Streetscape Enhancements of South Jefferies Boulevard, Washington Street, and Improvements at Green Pond Highway Intersection in Colleton County

City Manager Lord said that the City is very pleased with this. It has been a long time coming. This is related to a grant that we received for SCDOT in order to do the intersection improvements for Phase 1B of our Loop Project. That's the \$400,000 from SCDOT to do the intersections of Washington and Jefferies. So, we went through the process, we got the grant, and we were approved to be able to handle the construction on our own, and this is an agreement that allows us to do that. Additionally, this agreement allows us, if we want to, to go ahead and design the entire loop, and then we could use the funds for that as match for this project.

A motion was made by Council Member Peters to approve the agreement with SCDOT as submitted. Council Member Lohr seconded the motion.

In discussing the motion, Council Member Siegel asked City Manager Lord to confirm that this is the agreement with the SCDOT that would allow us, if we chose, to utilize these funds for engineering in the future and get credit for that as matching funds in the future. City Manager affirmed that this is a part of that agreement. The rest of the agreement is that SCDOT agrees to let the City run the project for the intersection improvements.

Mr. Siegel then said, and for the record, was the \$400,000 enough to actually complete that aspect of the intersection improvements, if we decided to go forward and actual implement it? Mr. Lord responded, we received \$400,000 from SCDOT, and \$100,000 from the Colleton Transportation Commission for the project as well. The City is also committed to provide match funds. The estimated cost of the entire intersection improvements is \$700,000. Council Member Siegel then asked, so those funds are allocated or dedicated in some way if we chose to proceed? City Manager Lord responded that Council has already made that decision. What this agreement does, it allow us to pursue the project, not SCDOT.

The motion then passed unanimously.

5. Recommendation to Purchase New Pickup Truck for Planning and Codes Department

A motion was made by Council Member Buckner to approve the new pickup truck for Planning and Codes Department. Council Member Lohr seconded the motion. In discussing the motion, Council Member Lucas asked which one are we picking?

Planning Director David Dodd noted that staff had recommended the low bid which was the state contract which was \$16,842. We had \$17,000 budgeted. The next lowest bid was \$18,042.90 from Rizer Chevrolet locally. Mr. Dodd noted that the difference between the lowest bid and Rizer Chevrolet's bid was about \$1,200. He said, if you wanted to keep the Bucks in the Boro, it will cost about \$1,200 more. At this point Council Member Buckner withdrew his motion with the approval of the second.

A motion was then made by Council Member Peters to "Keep the Bucks in the Boro" and accept the bid of \$18,042.90 from Rizer Chevrolet to purchase a new pickup truck for the Planning and Codes Department. Council Member Lohr seconded the motion. In a discussion of the motion, Council Member Buckner asked if this is to

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replace Angelo's truck? City Manager Lord responded yes. Mr. Buckner then said, he needs a new truck. **The motion passed unanimously.**

6. Street Closing Request for Alumni Community Walk, July 7, 2012, 7:30 A.M. - 8:30 A.M., by Colleton Training School/Colleton County High School Alumni Association, Inc.

A motion was made by Council Member Peters, seconded by Council Member Lohr, to approve the street closing request for the Alumni Community Walk on July 7 by Colleton Training School/Colleton County High School Alumni as submitted. The motion passed unanimously.

7. Consideration of Requests by Lowcountry International Society, Inc. by Leddy Smith

The following requests by Lowcountry International Society, Inc. was before Council for approval.

- a. Use of City Parking Lot on **September 29, 2012** for Annual Lowcountry Foods and Arts Festival from 8:00 A.M. to 10:00 P.M.
- b. Use of Downtown Waterfall Plaza for Annual Christmas Sweets Around the Word Event on **December 1, 2012** from 10:00 A.M. to 4:00 P.M.

A motion granting the above requests by Lowcountry International Society, Inc. as submitted was made by Council Member Lucas and seconded by Council Member Peters. Council Member Buckner recused himself from voting on this matter due to the fact that he is a member of the Lowcountry International Society, Inc. The motion passed with a vote of 6/0 with Mayor Young and Council Members: Siegel, Lucas, Peters, Lucas and Bonds voting in favor. Council Member Buckner recused from voting due to a potential conflict of interest.

8. Request to Use Pinckney Park for Scholarship Award Ceremony on Sunday, April 22, 2012 from 1:30 P.M. to 3:00 P.M. by SC Waterfowl Association-Walterboro Chapter

A motion granting the request to use Pinckney Park as submitted by the SC Waterfowl Association-Walterboro Chapter was made by Council Member Buckner, seconded by Council Member Lucas, and passed unanimously.

COMMITTEE REPORTS:

There were no Committee Reports given.

EXECUTIVE SESSION:

The Mayor then entertained a motion to enter into an Executive Session. Council Member Lucas So Moved. Council Member Lohr seconded the motion, that passed unanimously. The Mayor announced that the meeting would enter into an Executive Session for a discussion of negotiations incident to proposed contractual arrangements. The meeting then convened into an Executive Session.

The Meeting returned to Open Session and there being no further business, a motion to adjourn was made by Council Member Peters, seconded by Council Member Lucas and passed unanimously. The Mayor adjourned the meeting at 9:00 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Walterboro City Council
Public Hearing and Regular Meeting
April 10, 2012

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Respectfully,

Betty J. Hudson
City Clerk

APPROVED: May 22, 2012