

Walterboro City Council
Public Hearing and Regular Meeting
October 27, 2009

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, October 27, 2009 at 6:15 P.M. with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Dwayne Buckner, Randy Peters, Charles Lucas, Ted Parker, Franklin Smalls and Tom Lohr. City Manager Jeff Lord, City Clerk Betty Hudson, City Attorney George Cone and Attorney Ashley Amundson were also present. There were approximately 30 persons present in the audience at the meeting.

There being a quorum present, the Mayor called the meeting to order and called on Council Member Smalls for the invocation. Cub Scout Troop #686, also present at the meeting, led the Pledge of Allegiance to our Flag.

The Mayor welcomed everyone to the meeting and recognized City Manager Jeff Lord who announced that survey forms were available to the public for the Downtown Arborscape Project. He noted that the forms are available to anyone who wished and to take them, fill it out and return to the city. The survey is to get public opinion on what people would like to see in the downtown area. This form will also be available on the City's website, and staff will also try to find ways to distribute it to the general public.

Mayor Young then thanked everyone responsible for the "Mayor's Walk Against Domestic Violence. He gave special thanks to Chief Otis Rhodes, Victims Advocate Denise Pinckney, Principal Cliff Warren, Coach Tew and his basketball players for their help with the event.

The Mayor then opened the floor to receive public comments on the agenda items.

Ms. Marsha Johnson, a city resident, asked why Mr. Beach will not be on the public part of the agenda. Mayor Young responded that he is scheduled to be in executive session. Ms. Johnson then asked what basis is this. The Mayor responded that this is for a contractual matter. Ms. Johnson then asked if this contract had been advertised or put out to bid. Mayor Young stated, it's not for a specific contract. Ms. Johnson said, then this is not appropriate for an executive session.

Mr. Howell Beach pointed out that this was based on his request for executive session.

The Mayor then recognized City Attorney Cone. Attorney Cone stated, what I suggest we do — I don't know the exact nature of what he (Howell Beach) is going to say - I have only seen the brief confirmatory letter that was in the packet — is go into executive session for a contractual matter. But if we get into executive session and find out that it (the contractual matter) is something that should be in open session, we can go back into Open Session and handle it. But from what I know at this time, it is proper for an executive session.

Ms. Johnson then asked City Attorney Cone, if it's for a contractual matter and it was not put out to bid and was not part of a public process, then is it your legal opinion that it is appropriate for an executive session?

Attorney Cone responded, I don't accept the facts you have stated, but based on my understanding, as I explained, it is an appropriate matter for executive session. If we determine otherwise, Council will come back to Open Session and discuss it.

Mayor Young then said, we can't really answer your questions without getting into the things that need to be in executive session.

Attorney Cone then requested that a legal matter be added to the executive session agenda. Mayor Young suggested, if there is no objection, we will add a legal matter to the executive session agenda, then if we need to talk about it we can, if not, we won't. Mayor Young then asked Council if there were any objections to adding a legal matter to the executive session. No objections were made and Council agreed by consensus to add a legal matter for discussion in executive session.

PUBLIC HEARING:

The Mayor then announced a public hearing, duly advertised, to receive public comments on the Walterboro Distribution Upgrade and Pump Station Upgrade. A copy of the sign-in sheet is attached as part of these minutes. The Mayor then recognized Utilities Director Wayne Crosby.

Mr. Crosby announced that this public hearing was being held to allow city residents to know that the City has applied for a State Revolving Fund Loan, to upgrade or do away with the concrete water tank downtown. That elevated water tank currently serves two purposes. It provides a minimal flow during peak demand hours and fire protection to the downtown area. The City was required to come up with alternatives. We did, based on the cost estimates and the continually long term maintenance that relates to maintaining the concrete tank downtown, and the fact that it is more than 94 years old. We chose the second of the two alternatives considered. This is what we are proposing to pursue, and that is a water distribution system improvement and booster pump station upgrade. This alternative actually comes out to be relatively close in expense. It actually serves a double function. Not only does it provide fire protection at peak loads during peak demand hour's downtown, but it also incorporates more areas including the Francis Street area, Bailey Street and those adjoining streets as well.

Mr. Crosby then opened the floor to receive any comments or questions.

City Manager Lord clarified that Mr. Crosby is not talking about actually removing the downtown water tank. He is just talking about taking it out of operation from our system. Utilities Director Crosby then stated that the tank will still remain there. It will just be isolated and out of service, so that there is no further damage to the interior of the tank.

Ms. Marsha Johnson, a city resident, asked if the tank presented any danger, like falling or something like that. Utilities Director Crosby said that the tank could potentially become a liability in the near future. He noted that staff had contracted in March of this year with Crome Engineering, which is a reputable contractor nation-wide, and they have determined that there are significant reasons to believe that in the near future, it (the tank) could become a liability.

Ms. Johnson then asked if the tank would have to be removed or repaired. Utilities Director Crosby responded that once there is no reciprocal loading inside of the tank, in other words water coming and going, then it won't be an issue that is if we don't provide any more stress to the tank.

Ms. Johnson then asked if the drying out of the tank would increase the pressure or a deterioration of the joints. Mr. Crosby felt this should not have any effect, but it is a question that the City can address much cheaper in the future.

Council Member Buckner then asked how much was the total grant proposal? City Manager Lord responded that the grant application was for \$856,900. Mr. Buckner then asked whether the water department had received any complaints from the Bailey and Francis Street area with regard to water flow problems in those areas. Mr. Crosby responded that the city is meeting the minimum requirements of 500 gallons per minute, but this upgrade would increase the fire protection flow in those areas to 750 gallons per minute or more.

Mr. Lord noted that this project goes back to the city's ongoing effort to improve its ISO rating. To get a higher ISO rating, we are going for that higher flow rate.

Council Member Peters then asked Mr. Crosby if there was ever a problem could the water tank be used as a backup. Mr. Crosby responded that the tank could be used as a backup, but one of the concerns from Crome Engineering is that once you start to make repairs and once you start to bring the tank into today's standards, you are required to bring it fully into today's standards. So, that requires taking care of those things that are not structurally sound on the tank, such as the exterior of the concrete, or to go back and rebolt the ladder for example. Those things would have to be brought fully into compliance. It could be used in case of an emergency, but it would be something that will take several days, it's not something that happens over night.

There were no further questions or comments and the Public Hearing was closed. The regular meeting began.

The Minutes of the October 13, 2009 Regular Meeting were approved as submitted on the motion of Council Member Lucas, seconded by Council Member Smalls and passed unanimously.

There was no OLD BUSINESS before Council.

NEW BUSINESS:

Street Closing Request by Boy Scouts Troop 678 for Annual Cubmobile Race on November 21, 2009

A street closing request by the Boy Scouts Troop #678 for the Annual Cubmobile Race on November 21, 2009 was next on the agenda. Mr. Chris Cook, one of the troop leaders, asked if the road could be closed on Forest Hills Road from Jefferies Blvd. to Ireland Creek. The race will start at the top of the Hill (from Rizer Chevrolet) and go to the bottom of the hill at Jones & Jones or Foodland. This is the 7th year that we have had this race. At the most, there will be 42 cars in the race. This is something for the younger groups and their parents to work on together. Mr. Cook then introduced Mrs. Connie Carland, who is the new Cubmaster for Troop No. 686.

A motion was made by Council Member Lucas to approve the street closing request for the Cubmobile Race on November 21, 2009 as submitted. Council Member Parker seconded the motion that passed unanimously. The Mayor asked that Chief Rhodes and Mr. Cook coordinate together to work out the arrangements for the race.

Request to Place Temporary Signs for 5K Run/Walk November 14, 2009, Band of Blue Booster Club

A motion was made by Council Member Smalls, seconded by Council Member Peters to approve the request as submitted by the Band of Blue Booster Club to place temporary signs announcing the 5K Run/Walk on November 14, 2009. The motion passed unanimously.

Funding Recommendations from the Accommodations Tax Board

City Manager Jeff Lord introduced the recommendations for funding by the A-Tax Board. Mr. Lord stated that this board met on October 15, 2009. This is the second of three meetings for this board for the year. At this meeting they reviewed three requests as follows:

	Amount Requested	Amount Approved
Rice Festival -Rice Run/Walk	\$ 8,300	\$ 5,000
City of Walterboro Billboards	\$20,000	\$20,000 (fund exiting billboard program)
City of Walterboro Welcome Center/Walterboro Area Tourism Center	\$55,000	\$36,500 (funded all except 2 new billboards near Florence and Savannah)

With regard to the two requests by the City, Mr. Lord explained that one of the requests was to secure funding to pay for billboards, which was paid from A-Tax funds last year. Three of the billboards are on the interstate and one is on Highway 17. The second request by the City was to act as a match for the 30% money which is budgeted for Tourism purposes. The original intent was to have that match money come from PRT, but with their cutbacks, the City did not make the match round. So, this is basically taking the recommendation money from the Advisory Board and using that to match the 30% allocation instead. The committee approved all except \$18,000 for the billboards in Florence and Savannah.

The Mayor then entertained a motion to approve the funding recommendations submitted by the A-Tax Board. Council Member Peters so moved. Council Member Parker seconded the motion.

In discussing the motion, Council Member Buckner asked for clarification regarding the part that lists the amounts for Comcast Cable, radio, and newspapers. He asked if this is part of the \$8,300 requested by the Rice Festival. Finance Director Bill Floyd pointed out that this is part of \$8,300 requested by the Rice Festival Committee and is part of the advertisement for the annual Rice Festival. The A-Tax Committee cut this request to \$5,000 instead of \$8,300. Mr. Buckner then asked if there were monies available in the funding to pay for advertising with the local media for the Rice Festival Run/Walk. Finance Director Bill Floyd explained that this is not allowed. He stated that A-tax money has to be spent to bring people in, who do not normally come to Walterboro.

Mayor Young asked about the billboards which were not approved. He asked, what were the plans for those billboards? City Manager Lord pointed out that this is one billboard at Savannah and one billboard at Florence. Those markets were targeted because of their distance. To qualify for the PRT grant, which was the original intent, the billboards would have to be that certain distance away. Now, in the 30% allocation budget, half of that is allocated. This request is to pay for the other half of those billboards.

Council Member Lucas asked how much money would be left in the account after everything is approved. City Manager Lord stated that there would be \$37,331. Finance Director Bill Floyd added, it looks like we will have between \$36,000 and \$37,000 left, and there is another round of applications in February.

Mayor Young noted that he would like to see the city do the billboards for Florence and Savannah.

Council Member Buckner asked how many billboards does the City have currently for the \$20,000 funding.

City Manager Lord responded that there are four billboards. There are three on the interstate and one on Highway 17, coming right before the 64 turnoff.

Council Member Parker agreed it was best to use those billboards. He said, the further out we go, the better off we are. Florence and Savannah does not seem to be that far away from Walterboro.

Mayor Young then asked, what funding requests can the City expect to receive in February? He asked if the City would still have \$19,000 available for other funding.

Ms. Alta Mae Marvin, Chairman of the A-Tax Committee, told Council that the committee funded existing billboards. She pointed out that there will be some other funding requests expected in February. The committee also had some concerns about the amount of the cost for those particular billboards. The cost seemed to be particularly high. She pointed out that some of the cost for those billboards could be funded through the Chamber of Commerce.

City Manager Lord corrected Ms. Marvin by stating that the Chamber of Commerce has funding for half of the cost for those billboards, because they were supposed to get a grant for the rest.

Ms. Donna Laird, Tourism Director, reported that she had talked to Adams Outdoors to get a better picture of what we might be able to do. They told us because of the competition in billboards right now, as it stands that if we have the funding, we might be able to package a deal between the two markets, which will give us a little bit more reasonable rate.

Ms. Marvin added that the A-Tax Committee reviewed all three funding requests to be sure we would have money for the 3rd round and to be sure that we did not run out of money. Last year, we (the Committee) funded everything so early in the year that when we came to the end of the year, there was no accommodations tax funding really left for programs that went on in the spring.

Mayor Young stated that since the City took over the Welcome Center, there is a lot more money available this time than there would have been. He asked the City Manager if the City could reapply in February to fund those two billboards. City Manager Lord answered affirmatively.

Council Member Buckner then asked if the City is paying for the Artisans Center's billboard. Finance Director Bill Floyd responded that this is part of their budget and that they were funded with A-Tax funds in the June round.

Council Member Lucas asked if we could coordinate the billboards for the city, the Artisans Center and the antiques businesses. He asked, can we get some kind of understanding as to where all those billboards are going to go. As one entity, we might get better spacing, better signs and better results. Ms. Laird responded that the A-Tax Committee has requested David Smalls of the Chamber of Commerce Office to get together with one of the members of the A-Tax Commission on this.

Ms. Alta Mae Marvin noted that the A-Tax Committee has suggested that the Chamber of Commerce act as a pivot point and actually track I-95 to try and pinpoint where we can begin to look at clustering the billboards, up and down I-95. She noted that Mr. David Smalls could work with people in the motel industry to get the word out, so that he can be a central point for people beginning to look for billboards.

No further discussion was held. The motion then passed to approve the funding recommendations from the A-Tax Board as submitted. The motion passed with all members voting in favor.

The Mayor then entertained a motion to enter an Executive Session. Council Member Lucas so moved. Council Member Smalls seconded the motion that passed unanimously.

The Mayor announced that the meeting will convene into an Executive Session for a discussion of negotiations incident to contractual arrangements and a legal matter. The meeting then entered into Executive Session.

The Meeting returned to Open Session and the Mayor announced that in Executive Session, the City Attorney questioned Mr. Beach about what he would like to speak to Council on, and Counsel (Attorney Cone) has determined that the matter is "properly an open session topic". He (Mayor Young) then told Mr. Beach, you can certainly speak to us now, if you'd like to, or it would be up to you.

Mr. Beach declined to speak on the matter. He said, I will save that for later.

The Mayor then entertained a motion to adjourn. There being no further business to consider, a motion to adjourn was made by Council Member Buckner, seconded by Council Member Parker and passed unanimously. The Mayor adjourned the meeting at 7:10 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.

Respectfully,
Betty J. Hudson
Betty J. Hudson
City Clerk

APPROVED: November 24, 2009