

Walterboro City Council
Public Hearing and Regular Meeting
July 10, 2007

MINUTES

A Public Hearing and Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, July 10, 2007 at 6:15 P.M., with Mayor Charles H. Sweat, Jr. presiding.

PRESENT WERE: Mayor Charles H. Sweat, Jr., Council Members: Randy Peters, Charles Lucas, Bill Young, Ted Parker, Franklin Smalls and Mary Anne Cannady. Public Works Director Charlie Chewning representing City Manager Tuck McConnell, City Attorney George Cone and City Clerk Betty Hudson were also present. City Manager Tuck McConnell was absent.

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

Next, reelected Council Members Ted Parker, Franklin Smalls and newly elected Council Member Randy Peters were sworn into office by the City Attorney George Cone. Mrs. Randy Peters also stood by as the Councilmen were sworn in.

Council Members Parker, Smalls and Peters were then seated at Council and congratulated by the Mayor and Council.

Next, the Mayor announced a public hearing, duly advertised, to receive public comments on proposed Ordinance # 2007-10, An Ordinance to Amend Ordinance # 2001-06, Business License, Section 15, Suspension or Revocation of License. No comments were received and the hearing was closed. The regular meeting then began.

The Minutes of the June 12, 2007 Public Hearing and Regular Meeting were approved as submitted upon motion by Council Member Cannady, seconded by Council Member Lucas, with all members voting in favor.

Under Old Business, Ordinance # 2007-10, An Ordinance to Amend Ordinance # 2001-06, Business License, Section 15, Suspension or Revocation of License, was before Council for Second and Final Reading. A suggestion to amend the ordinance was made by City Attorney Cone as follows:

Amend the end of the first sentence, reading as follows:

"A licensee has failed to remit either the Hospitality Tax, the Accommodations Tax, any associated penalties or collection costs for more than three months" - **ADD** "after their due date."

Attorney Cone stated that some businesses submit monthly and some submit taxes quarterly and there is another 30 days allowed before the taxes are due. This would clarify the intent of the ordinance.

A motion was made by Council Member Cannady giving Second Reading an Adoption to Ordinance # 2007-10, AN ORDINANCE TO AMEND ORDINANCE # 2001-06, BUSINESS

Walterboro City Council
Public Hearing and Regular Meeting
July 10, 2007

MINUTES/Page 2

LICENSE, SECTION 15, SUSPENSION OR REVOCATION OF LICENSE, as amended with the following wording to the end of the first sentence (item F) to read "after their due date." Council Member Lucas seconded the motion that passed unanimously.

Under New Business, a letter request to use a portion of the City Parking Lot on Saturday, July 28, 2007 by Pastor Mary B. Memminger for a "Love Feast Crusade" was approved on the motion of Council Member Smalls, seconded by Council Member Parker and passed with members voting in favor.

Next, Finance Director Jeff Lord informed Council that the Walterboro-Colleton Chamber of Commerce had anticipated an increase in its memberships due to the implementation of the Welcome Center. As the full implementation of this program is still underway, approximately \$9,000 of budgeted membership revenue had not yet been realized. He requested that \$9,000 be approved for disbursement from the City's Local Accommodations Tax Fund to the Walterboro-Colleton Chamber of Commerce/Welcome Center. A motion approving said request was made by Council Member Cannady, seconded by Council Member Young and passed unanimously.

Next Council reviewed a slate of bids received for the purchase of a new residential garbage collection truck as follows:

| | | |
|---------------------------|--------------|--------------|
| Amick Equipment | | |
| Lexington, SC | \$166,664.00 | |
| Add: Live Floor Automizer | 6,000.00 | \$172,664.00 |
| LSI Equipment Co., Inc. | | |
| Rockingham, NC | | \$185,986.00 |
| Heil, Co. | | |
| Ladson, SC | | \$205,000.00 |

Public Works Director Charlie Chewning reported that the lowest bidder was Amick Equipment at \$172,664.00 for a Lebrie Model Automated Truck. He recommended the acceptance of the lowest bidder, Amick Equipment, for the Lebrie Model Truck at \$166,664.00 without the Live Floor Automizer. A motion to accept the low bid in the amount of \$166,664 from Amick Equipment for the purchase of a new residential garbage truck was made by Councilman Young. Council Member Parker seconded the motion.

In a discussion of the motion, Council Member Peters asked if the truck were a 2008 model. Mr. Chewning answered that the truck is a new 2006 model. On a question by Council Member Cannady, Mr. Chewning stated that the Lodal-South truck by LSI Equipment Co. was a 2008 model. He also noted that the Lebrie truck had a 25 cubic yard capacity with a loading hopper. Council Member Peters asked if there were a warranty or maintenance agreement? Mr. Chewning responded that all the warranties are about comparable, they all give about one year on the truck chassis and the dump body. The trucks themselves carry the normal truck dealer's warranty. He further noted that the city does not purchase an extended warranty, and normally repairs its own trucks.

MINUTES/Page 3

The motion then passed with all members voting in favor.

Next, Police Chief Otis Rhodes reported on the quotes received to purchase 21 new in-car computers, software and printers to run automated tickets, police central database, NCIC and email for the Police Department, as follows:

| | |
|--------------------|--------------|
| Insight | \$147,932.38 |
| Mooring Tech, Inc. | \$148,467.88 |
| Group Mobile | \$155,357.88 |
| Data 911 | \$149,817.18 |

This will allow officers to swipe the drivers' license, use drop down fields for offense, and pre-populate tickets (with driver info, officer info, bond amounts and appropriate court dates), check for warrants, print the ticket, and instantly download data to the court system.

Chief Rhodes recommended the acceptance of the quote by Data 911 at \$149,817.18. He pointed out that the difference in this quote and the other lower bidders had been justified in that the computers would not need to be sent back to the manufacturer for necessary repairs and/or upgrade. Chief Rhodes noted that this system was currently being used by Police Departments in Yemassee, Goose Creek and Mt. Pleasant.

After a brief question and answer session, a motion was made by Council Member Young, seconded by Council Member Parker to accept the quote received from Data 911 as recommended in the amount of \$149,817.18 to purchase 21 Police in-car computers and software. The motion passed unanimously.

At this point, Councilman Lucas noted that complaints had been received concerning bicycles on main street on sidewalks. He asked if more effort is made to check those bikes up and down the sidewalks. Council Member Peters asked Chief Rhodes if it were feasible to register the bicycles. Chief Rhodes responded that this matter was discussed several years ago. The only problem with this is that someone has to command that system, as far as getting the information from the bicycle owners and keeping a data base. However, if the bike owner lost his information or gets rid of his bike, we have no way of keeping up with this. Councilman Peters added that there are a lot of bicycles stolen, etc. and he was just wondering if registering the bicycles would help. Chief Rhodes responded that this was a possibility, the department does not mind trying.

Next, with the permission of the Mayor, Ms. Carol Black addressed Council. Ms. Black stated that she had grown increasingly concerned about the number of payday lenders in Walterboro. She stated that a number of people had talked with her about this matter. Ms. Black told Council that in a recent State newspaper article, the interest charged by payday lenders is 300%. She also informed Council that someone in Walterboro told her there were about 25 payday lenders within a 3-mile radius of downtown. I thought that was an exaggeration, so I called the City's Business License office and was informed this number was correct.

MINUTES/Page 4

Ms. Black stated she was concerned about the growing number of payday lenders in Walterboro for two reasons:

- 1) The effect of preying on people of lower socioeconomic background in Walterboro, because none of us can pay back loans with 300% interest. Our state legislature did not pass a law on this during the year.
- 2) Ms. Black pointed out that the number of payday lenders does not have a good effect on the "look" of Walterboro, with all the large signs displayed.

Ms. Black said she had spoken with the Municipal Association and was informed that they would be supportive of cities who wanted to try and do something about regulating these type businesses, since our state legislation had not done so. She then informed Council that she believed that the City of Rock Hill had done something on this and would be happy to pass on any information she receives from them to Council.

Council Member Young then responded to Ms. Black's concern. He stated that this item was one of the agenda items discussed by Council at its last retreat in January. Council did review a good bit of material on the matter. At that time, Council did not go further with it because there were laws in the General Assembly that could have been passed which would regulate those businesses. So, we waited to see what would happen with the General Assembly because we can't make any laws that are in conflict with state laws, so there was no point in pursuing it. But, I guess this is something we'll look at again, because it is of concern to Council for the reasons you have said. Council Member Young noted that Walterboro has just about as many of those businesses in the City of Walterboro as other municipalities. This is something we will continue to look at.

In further discussion of the matter, Council Member Young said he believed there had been a cap placed on the amount of interest that could be charged on those loans. Ms. Black responded that there are so many loans at one time, and so many loans per year. It was proposed to cap at 36% instead of 300%, but it did not pass the legislature. Ms. Black suggested waiting to see what Rock Hill does. In concluding, Mayor Sweat indicated that Council had been concerned about this matter, and it would continue to be of concern to Council.

With the approval of the Mayor, Ms. Kathlene Williams of 112 Carver Street addressed Council regarding her medical problems and the fact that she has been out of town a lot in hospitals. She asked Council for assistance to get her water turned back on at her residence. Finance Director Jeff Lord briefed Council on the circumstances concerning Ms. Williams water bill and the subsequent turnoff of water. He noted that staff had received one check payment, her water bill continued for another cycle, there were two cycles outstanding, plus a turnoff fee, plus a return check fee. This amount to around \$240.00.

Afer further discussion, Mayor Sweat proposed and Ms. Williams agreed to pay the Water Department \$100 on her bill tomorrow (July 11th). Council would waive the penalties and fees on her account, and Ms. Williams would pay the balance of her bill in 30 days. Council agreed by consensus.

Walterboro City Council
Public Hearing and Regular Meeting
July 10, 2007

MINUTES/Page 5

There were no Committee Reports before Council.

A motion was then made by Council Member Cannady, seconded by Council Member Smalls to hear comments on a personnel matter regarding Council Committee Appointments. City Attorney Cone pointed out that any Council Committee Appointments will be made in Open Session after the Executive Session. The motion then passed unanimously.

The meeting returned to Open Session and there being no further business to consider, a motion to adjourn the meeting was made by Council Member Cannady, seconded by Council Member Young, and passed unanimously. The Mayor adjourned the meeting at approximately 7:00 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.

Respectfully,

Betty J. Hudson
City Clerk

APPROVED August 14, 2007