

Walterboro City Council  
Regular Meeting  
August 14, 2007

**MINUTES**

A Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, August 14, 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. City Manager Tuck McConnell, City Clerk Betty Hudson and City Attorney George Cone were also present.

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

The Minutes of the July 10, 2007 Public Hearing and Regular Meeting and the July 24, 2007 Regular Meeting were approved as submitted on the motion of Council Member Cannady, seconded by Council Member Smalls, with all members voting in favor.

Next, the Mayor announced a public hearing to hear comments from businesses that are delinquent on remittance of their Hospitality Taxes to the city. The Mayor asked if any business owners present at the meeting wished to participate in the hearing. No comments were made and the hearing was closed.

There was no Old Business before Council.

Under New Business, Council reviewed a summary of bids received from engineering services for the Highway 63/I-95 Water Line Extension project. The bids received were as follows:

Alliance Consulting, Columbia, SC	\$ 65,000
Andrews & Burgess, Inc., Beaufort, SC	\$180,593
BP Barber & Associates, N. Charleston, SC	\$107,500
Clark Patterson Associates, Greenville, SC	\$ 94,500
GEL Engineering LLC, Charleston, SC	\$ 65,340
Genesis Consulting Group, Columbia, SC	\$ 62,000
Thomas & Hutton Engineering, Mt. Pleasant, SC	\$102,800
WK Dickson, Bluffton, SC	\$ 66,700
CRG Engineering, Inc., N. Charleston, SC	No bid

Wayne Crosby Utilities Director reported that nine (9) proposals from engineering firms were received. This project consists of the design, survey and certification of extending approximately 10,500 ft. of 12 inch water main. The bids ranged from \$62,000 to \$180,593 and the low bidder was Genesis Consulting Group. Mr. Crosby recommended that staff be allowed to negotiate with Genesis on this project with the \$62,000 proposal. Mr. Crosby informed Council that the new water line will be constructed to increase water flow and fire protection in the southern section of our system. Currently, we have fire hydrant flow in the neighborhood of 500 gallons per minute. This project will actually increase that flow to around 1,300 gallons per minute.

On a question by Council Member Peters on whether this project had been previously discussed by Council, City Manager McConnell explained that there was a project to run a water line down Robertson Boulevard to tie into Green Pond Road and there is a sewer line improvement project that ties into the Exit 53 Interchange and improves both those pump stations, but this project is a water main project that goes out the right side of Highway 63, and crosses under the I-95 road (out by Cracker Barrel), that will provide sufficient flow and pressure to the businesses and developing businesses in the area.

Council Member Peters pointed that there were four bids above \$80,000, and four companies bid below \$80,000. He then asked about the difference between the \$62,000 bidder and high bidder at \$180,000. Utilities Director Wayne Crosby responded that it was his opinion the \$180,000 bidder probably did not want the job or had more to do than he could stand, so he was the higher bidder. In the

\$60,000 bid range, those engineering firms did not specify how much observation hours they would provide onsite. The ones in the \$100,000 range did - they gave us a specific number of hours of manpower they would provide onsite. That's why we are asking if we could negotiate and if they will accept what we require for observation on the job to certify the water line, then we recommend they be given the job.

A motion was then made by Council Member Cannady to accept the low bid from Genesis, at \$62,000. Council Member Young seconded the motion. In discussing the motion, Council Member Peters asked if this was just to negotiate with them, and not actually give them the business. Utilities Director Wayne Crosby responded that this is to negotiate with them and to actually offer them the job. He added that the permitting for this particularly job will actually take several months. If we do not begin it fairly quickly, we will be behind. The motion then passed with all members voting in favor.

Next, a request by the Band of Blue Booster Club to place an information banner across Jefferies Boulevard announcing the 2007 Band Classic, to be held on September 29, was approved on the motion of Council Member Peters, seconded by Council Member Smalls, and passed unanimously. The banner would be put up on September 20<sup>th</sup> and removed on October 1<sup>st</sup>.

A motion to accept the resignation of John H. Rodgers, Jr. from the City Appearance Board was made by Council Member Lucas, seconded by Council Member Young and passed unanimously.

Next, Council considered recommendations from the Tree Protection Committee to amend the City's current Tree Ordinance. Mr. Michael Ferrari, Chairman of the Tree Protection Committee, along with Dr. Martha McKevlin, appeared before Council, and briefly discussed the recommendations. Council reviewed a copy of the ordinance with the suggested amendments highlighted in red print.

Mr. Ferrari briefly discussed the major changes as follows:

- 1) 19.104(a) A list of flowering trees has been added. This list has always been in existence. Thomas Angell originally drew it up, and this basically limits the cutting of trees of the smaller diameter size.
- 2) In terms of mitigation, the Committee tried to allow single family owner-occupied dwellings to be exempt from mitigation on a case-by-case basis depending on the number of trees in the lot, whether or not they could afford the mitigation and other various considerations.
- 3) Another change of significance is that funds generated from mitigation or fines where people put in money instead of mitigating will go to a tree fund. The sole purpose of the fund will be to maintain and plant public trees along the streets in the city.
- 4) The Committee put back in the ordinance its ability to review or recommend disposition of permit requests that are not specifically authorized under § 19.105.b. This was in the old ordinance, it was taken out, and now it's recommended that it be put in again.

City Attorney Cone asked if the list of flowering trees was inclusive. Mr. Ferrari responded that all trees are flowering, the ordinance has always said flowering trees, but the intent here is to make it specific to those on the list. Attorney Cone suggested that he may need to meet with someone from the Committee on the recommended changes.

Council Member Young asked if at some point he wanted to add to his home, and a dogwood tree needed to be cut, would he have to mitigate. Mr. Ferrari affirmed that this was correct. He stated the city has control over your trees. Mr. Ferrari pointed out that the committee did discuss ornamental trees which are not native and it's obvious that someone paid for it, as to whether or not it should be exempt from the ordinance. Attorney Cone pointed out that the ordinance specifies in section 19.106(c) an owner is exempted from mitigation if there is a financial hardship on an owner-occupied single family residence lot.

Mr. Ferrari stated that people needed to think before they plant trees, because once they plant, it gets to the point where the city basically controls what they do with it. Council Member Cannady asked if this was good. Mr. Ferrari responded that he did not think so. Ms. Cannady asked why not do something about it? Mr. Ferrari stated he assumed that the proposed changes came about because the city wants to

make sure that trees do not get cut haphazardly and it basically puts restrictions on the average citizen. Council Member Cannady then asked if there was any other way to address the matter. Mr. Ferrari responded that there are no benefits or tax breaks for having trees, nor do citizens get free trees if they want a tree. There is nothing positive, there is only the negative whip of "you can't cut it down," or if you do, you will pay. Attorney Cone pointed out that the positive side of this is that neighborhoods with consistent tree growth that looks like developed neighborhoods, carry a higher retail market value for the property. Everybody is working together to keep neighborhoods from looking bad.

On the question raised by Council Member Young, City Manager McConnell said he believed no mitigation would be required under the following two exemptions; 1)"footprint of a building," and 2) the exemption of financial hardship for an "owner-occupied single family house."

Dr. Martha McKevlin added that another positive benefit of mitigation is that it helps with storm water runoff, which is an environmental issue. Trees can also help lower the temperature of your home.

Concluding the discussion, Mayor Sweat suggested and Council agreed by consensus to send the recommended amendments to the Tree Ordinance to the City Attorney for legal counsel to make sure everything is appropriate and then set a public hearing on the proposed changes. Attorney Cone agreed to meet with anyone on the Tree Committee concerning the recommendations. Mayor Sweat thanked the Tree Committee for their work on the ordinance.

The Mayor then made the following internal/external committees appointments for a two-year term.

Finance Committee	-	Mary Anne Cannady - Chairman
	-	Charlie Sweat
	-	Randy Peters
Budget Committee	-	Bill Young - Chairman
	-	Charlie Sweat
	-	Franklin Smalls
	-	Charles Lucas
Fireman Insurance Fund Board of Trustees	-	Ted Parker
Airport Commission	-	Charlie Sweat
	-	Mary Anne Cannady
Great Swamp Sanctuary Commission	-	Bill Young
Colleton Center Project	-	Bill Young
LCOG	-	Bill Young
Joint Railroad Right-of-Way Committee	-	Ted Parker
	-	Randy Peters
Economic Development Commission	-	Franklin Smalls
City Appearance Board	-	Charles Lucas

The Mayor then opened the floor to receive comments from the public.

Mr. Travis Godley recognized Ms. Sheila Peirce, the Children's Librarian at the Colleton Library and announced that she works with children age 9-17 to help illustrate books. Because the children have been kept busy working on this project, it has helped to build their self-esteem, kept them off the streets committing crimes and being in gangs. This project does not cost the county or city anything; it's all done with private donations for all the drawing materials, etc. This year, there is a new book, which will come out on August 30 at 5:00 P.M. at the Library. We are inviting the elected officials from the city, county, Cottageville and anyone else to attend an awards night recognizing the author and illustrations of this new book.

Ms. Linda Davis, a downtown business owner, informed Council of a problem with the city's cleanup crew blowing dirt on cars parked on Washington Street near her restaurant during the evening hours when they are still open. She asked that Council instruct staff to use the blowers to clean Washington Street after 11:00 P.M.

A motion to enter an executive session to hear a personnel matter was then made by Council Member Lucas, seconded by Council Member Smalls and passed unanimously.

The meeting returned to Open Session with no action taken as a result of the executive session. There being no further business to consider a motion to adjourn was made by Council Member Cannady, seconded by Council Member Smalls and passed unanimously. The Mayor adjourned the meeting at 7:06 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 28, 2007**