

Walterboro City Council  
Rescheduled Regular Meeting  
September 10, 2019

**MINUTES**

A Rescheduled Regular Meeting of Walterboro City Council was held at City Hall on Tuesday, September 10, 2019 at 6:15 P.M., with Mayor Bill Young presiding.

**PRESENT WERE:** Mayor Bill Young, Council Members: Carl Brown, Judy Bridge, Paul Siegel, Bobby Bonds and Greg Pryor. City Manager Jeff Molinari, Assistant City Manager Hank Amundson, Attorney Brown McLeod, present on behalf of City Attorney George Cone, and City Clerk Betty Hudson were also present. There were approximately 11 persons present in the audience. Councilman Broderick was not present at the beginning of the meeting, but came in later in the meeting.

There being a quorum present, Mayor Young called the meeting to order and invited everyone to join in the invocation and the pledge of allegiance. The Mayor then gave the invocation and Council Member Bridge led the pledge of allegiance to our flag.

**PUBLIC INPUT ON AGENDA ITEMS:**

There were no public comments or questions on agenda items.

**PUBLIC HEARING:**

1. **Ordinance # 2019-08, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for the Police Department**

City Manager Molinari told Council that this proposed ordinance would amend the Comprehensive Fee Schedule for the Police Department, and would increase the fee for security services from \$25.00 per hour to \$40.00 per hour. The reason for this is that this would cover all of the costs associated with the officer providing security services to include social security, medicare and other fringe benefits.

There were no comments or questions from the public.

2. **Ordinance # 2019-09, An Ordinance to Amend Ordinance # 2019-03, So As to Set the Local Option Sales Tax Credit Factor in the Fiscal Year 2019-2020 Budget**

Mr. Molinari stated that the City needs to set the Local Option Sales Tax Credit Factor. This is something we do every fall. The formula is very simple. You take anticipated collections and divide that by the total appraised value of all property in the City, and that gives you the Local Option Sales Tax Credit Factor. For 2019-2020, this figure would be .001664. If approved by City Council tonight, we will send that figure over to the County to be reflected on the tax bills.

There were no comments or questions on this ordinance from the public.

**OLD BUSINESS:**

1. **Ordinance # 2019-08, An Ordinance of the City of Walterboro, South Carolina, Amending the Comprehensive Fee Schedule for the Police Department, **Second Reading and Adoption****

Mayor Young stated that this is the ordinance that we just presented in the public hearing. This is for Second Reading and Adoption.

A motion was then made by Council Member Bridge giving Second Reading and Adoption to adopt Ordinance # 2019-08, An Ordinance of the City of Walterboro, South

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Carolina, Amending the Comprehensive Fee Schedule for the Police Department. Council Member Pryor seconded the motion that passed unanimously. Councilman Broderick was absent and did not vote.

2. **Ordinance # 2019-09, An Ordinance to Amend Ordinance # 2019-03, So As to Set the Local Option Sales Tax Credit Factor in the Fiscal Year 2019-2020 Budget, Second Reading and Adoption**

The Mayor announced that this is the second ordinance that was just presented in the public hearing.

A motion was made by Council Member Siegel giving Second Reading and Adoption to Ordinance # 2019-09, So as to Set the Local Option Sales Tax Credit Factor in the Fiscal Year 2019-2020 Budget. Council Member Bonds seconded the motion that passed with all members voting in favor. Councilman Broderick was absent and did not vote.

**NEW BUSINESS:**

1. **Ordinance # 2019-10, An Ordinance to Add Article XII (Loitering) to Chapter 20 of the Code of Ordinances of the City of Walterboro, South Carolina, First Reading**

City Manager Molinari recognized Police Chief Wade Marvin to brief Council on the proposed Ordinance to add Article XII to Chapter 20 of the Code of Ordinances.

Chief Marvin said, I would like to comment on Loitering and basically what I feel like and the City feels like we need, and we have been asking the business owners that have locations in the City to help with the small bit of crime that we have.

Chief Marvin further stated that in the United States, the crime of loitering is most commonly an ordinance of most cities and towns, rather than state law. The purpose of the loitering ordinance and statutes is to enable law enforcement to take action and aim to reduce such activities as disturbing the peace, solicitation, prostitution, aggressive vagrant, panhandling, public drunkenness and drug dealing in front or near public places. Early ordinances and statutes sought to punish people caught loitering more seriously than today. This is because there were legal challenges brought over the years causing changes in the way loitering is handled. Walterboro law enforcement officers should be allowed to make the distinction between loitering with no intent to do harm and loitering with the intent to commit a crime or cause a threat to public safety. So, this will be a clear distinction in when and how we deal with loitering. It's going to be something that we are going to be very careful in how we enforce. We had a loitering statute on the books and the new one has better terminology which is something that the City can use as a tool to help enforce some of these types of crime that I have mentioned.

Council Member Pryor asked Chief Marvin if the City had an issue with loitering. Chief Marvin responded, yes we have. There are different places where we really try to work with business owners to handle this. But gas stations, Walmart used to be an issue, not anymore so much. All of that used to be an issue, but the new owners have opened it and are kind of aggressive in their policing or keeping people from the front of the stores. But on several occasions, when we roll up, there would be people drinking or hanging out and won't leave and it bothers their business when certain individuals won't leave the parking lot. If you say they are trespassing, then they will go and stand on the curb in front of the business and it deters business. So, it is an ongoing problem, and I think this is just one tool to help us combat that.

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A motion was made by Council Member Carl Brown to approve First Reading of Ordinance # 2019-10, which is An Ordinance to Add Article XII (Loitering) to Chapter 20 of the Code of Ordinances of the City of Walterboro, South Carolina, as described by Chief Marvin. Council Member Pryor seconded the motion. All in favor. None opposed. Motion carried. Councilman Broderick was absent and did not vote.

2. **Resolution # 2019-R-08, to Commit to Partnering with the US. Census Bureau and the State of South Carolina**

City Manager Molinari commented that the 2020 Census is fast-approaching and as part of that process, we need to pass a resolution committing ourselves and resources to getting the best possible count that we can for the census. As you are aware, an accurate census count translates to more dollars. Next month, we will be bringing you a recommendation on appointments to the Complete Count Committee, which will be representative of the entire community to get the most accurate census count that we possibly can.

A motion was made by Council Member Bridge to adopt Resolution # 2019-R-08 to commit to partnering with the U.S. Census Bureau and the State of South Carolina. Council Member Brown seconded the motion that passed with all members voting in favor. Councilman Broderick was absent and did not vote on this agenda item. A copy of said resolution is attached as part of these minutes.

Also, under New Business, the following agenda items were approved by motion as follows:

3. **Consideration of Requests by Walterboro Rotary Club for 7th Annual Ireland Creek Bridge Run on October 24, 2019**

A motion was made by Council Member Pryor to approve the requests by the Walterboro Rotary Club for their 7th Annual Ireland Creek Bridge Run on October 24, 2019. Council Member Brown seconded the motion that passed with a vote of 6/0 with Mayor Young and Council Members Brown, Bridge, Siegel, Broderick and Pryor voting in favor. Council Member Bonds recused himself from voting on this item, since he is a member of the Rotary Club. Councilman Broderick was absent and did not vote.

The requests by the Rotary club included the following:

1. Closing one side of Ireland Creek Road and Ivanhoe Road between Washington Street and Forest Hills Road from 5:00 P.M. to 7:00 P.M.
  2. Reserve picnic area on Ireland Creek from 1:00 P.M. - 9:00 P.M.
  3. Allowing for event directional signs (18" x 24") to be placed where appropriate in the City.
  4. Provide a police escort for runners and walkers.
4. **Request to Close Streets and Use of City Parking Lot on Saturday, October 26, 2019 from 8:00 A.M. to 4:00 P.M. for Fall Festival Activities by Walterboro-Colleton Chamber of Commerce**

City Manager Molinari stated that the Walterboro-Colleton Chamber of Commerce will be hosting their third annual Fall Festival on October 26, from 8:00 A.M. to 4:00 P.M. They are requesting the use of the City Parking Lot, which fronts Hampton Street and East Washington, and they are also requesting street closures of Hampton Street from Jefferies Blvd. to Memorial Avenue. They are also hosting a 5K run from 8:00 A.M. to 9:30 A.M., and there is a map attached. This has been a successful event and the Chamber would like to continue with Council's permission.

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A motion was made by Council Member Siegel to approve the request by the Chamber of Commerce for what they are asking for the Annual Fall Festival on October 26, 2019. Council Member Pryor seconded the motion that passed with all members voting in favor. Council Member Broderick was absent and did not vote.

5. Request to Close Streets, Use of City Parking Lot and Placement of Temporary Signs for Annual Veterans Day Parade, November 10, 2019, by Colleton County Veterans Council

Councilman Broderick entered the meeting.

Mr. Johnny Holmes addressed Council stating the Veterans Parade will be held on November 10<sup>th</sup>, starting at 3:00, and the lineup is at 2:00 p.m. It will last about 45 minutes to an hour, and hopefully we will see more people there. We are trying to do something new by bringing in some vendors to attract more people. Hopefully, that will work. We did that on last year, thanks to you. I thought it was successful and we are looking forward to having a great event for our fellow veterans.

A motion was made by Council Member Brown to approve the request to close the streets, use of the parking lot and temporary signs for the Annual Veterans Day Parade on November 10, 2019. Council Member Bridge seconded the motion. In discussing the motion, Mayor Young told Mr. Holmes he might need to get with Jeff or somebody from the City to make sure that the vendors are in compliance with the peddlers laws and the other laws that we have for vendors. I don't know what kind of vendors you are going to have, but you can talk with Hank or Jeff and make that right. Mr. Holmes agreed, and thanked Council for their approval of this request.

The motion then passed unanimously with Councilman Broderick present and voting in favor of the motion.

6. Request to Close Church Street between Fishburne and Miller Street for a Tailgate and Oyster Roast by Gamecock Club and Clemson Club on November 26, 2019 from 6:00 p.m. to 11:00 p.m. by Historical Preservation Society

The Mayor reported that he had received a text message saying that the group had not secured or clarified that Cocky and the Tiger would be available on November 26<sup>th</sup>. So, if they are not available, then the event would be held on November 25<sup>th</sup>. So, I would ask that the motion include the 25<sup>th</sup> or the 26<sup>th</sup> for the event.

A motion was made by Council Member Pryor, seconded by Council Member Bonds, to approve the request to Close Church Street between Fishburne and Miller Street for the Tailgate and Oyster Roast by the Gamecock Club and Clemson Club on November 25 or 26, 2019 from 6:00 P.M. to 11:00 P.M. by the Historical Preservation Society. In discussing the motion Council Member Bridge raised concern that the letter received showed two different times. It was explained that the extra time was for setup and cleanup.

The motion then passed with all members voting in favor.

7. Consideration of Canceling/Rescheduling the November 5, 2019 City Council Meeting (Election Day)

City Manager Molinari reminded Council that there would be a Municipal Election held on Tuesday, November 5, 2019, and because of that conflict, he wanted to get feedback from City Council on the date they wanted to reschedule the November meeting.

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After a brief discussion, a motion was made by Council Member Bridge to reschedule the November 5, 2019 City Council Meeting to November 12, 2019. Council Member Pryor seconded the motion that passed unanimously.

**COMMITTEE REPORTS:**

There was no Committee Reports given.

**CITY MANAGER'S REPORT:**

There was no City Manager's report given.

**EXECUTIVE SESSION:**

The Mayor then entertained a motion to enter into an Executive Session. Council Member Brown So Moved and Council Member Broderick seconded the motion. The motion passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for a discussion of:

1. Economic Development: Project Global.
2. Contractual Matters:
  - a. Discovery Center.
  - b. I-95 Business Loop Project Phase 2.
  - c. Convenience Station Lease.
  - d. Potential Purchase of Properties.
3. Personnel Matter: Appointment to City Appearance Board.
4. Receipt of Legal Advice: Public Safety/Code Enforcement.

At approximately 8:01 p.m., a motion was made by Council Member Bonds to exit Executive Session and return to Open Session. Council Member Bridge seconded the motion. All in favor. None opposed. Motion carried.

The meeting returned to Open Session, and a motion was made by Council Member Brown to appoint Ms. Deborah Rodriguez to the City Appearance Board. Council Member Broderick seconded the motion. All in favor. None opposed. Motion carried.

Next, a motion was made by Council Member Broderick to approve a Request for Additional Services from McMillan Pazdan Smith in the amount of \$41,200 to cover the extension of the construction schedule for the Walterboro Wildlife Discovery Center. Council Member Pryor seconded the motion. All in favor. None opposed. Motion carried.

There being no further business to consider, a motion to adjourn the meeting was made by Council Member Bridge, seconded by Council Member Broderick and passed unanimously. The meeting adjourned at 8:02 P.M. Notice of this meeting was distributed to all local media, posted on the City's website and the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson  
City Clerk

**APPROVED: October 1, 2019**