

Walterboro City Council

City Hall

February 14, 2023

Minutes

A rescheduled meeting of Walterboro City Council was held at City Hall on Tuesday February 14, 2023, at 6:15 P.M., with Mayor Bill Young presiding.

Present: Joined in the meeting were: Mayor Bill Young, Councilmembers: Carl Brown, Judy Bridge, Paul Siegel, James Broderick, and Ladson Fishburne. City Manager Jeff Molinari, Assistant City Manager Ryan McLeod, City Clerk Adrienne Nettles, City Attorney Brown McLeod, Director of Tourism and Downtown Development, Scott Grooms, and Police Chief Wade Marvin. Councilmember Greg Pryor was not in attendance.

Call To Order:

With the above-mentioned Councilmembers present, Mayor Young called the meeting to order, and invited everyone to join in as he gave the invocation. Councilmember Brown led the Pledge of Allegiance to our flag.

Public Input on Agenda Items:

There was no public input on agenda items.

Approval of Minutes:

Upon motion of Councilmember Broderick, Seconded by Councilmember Bridge, the following minutes were unanimously approved.

1. Regular Meeting - January 3, 2023.

New Business:

1. **Ordinance #2023-01**, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR AN ADDITION TO CHAPTER 2, SECTION 4.2, PERMITTED USES TABLE, OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO (Introduction and First Reading).
2. **Ordinance #2023-02**, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR AN ADDITION TO CHAPTER 3, SECTION 3.5.6, MOBILE FOOD COURTS, OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO (Introduction and First Reading).

City Manager Jeff Molinari asked Mr. Mayor and members of City Council if it is okay, we would like to discuss both Ordinance #2023-01 and Ordinance #2023-02, as both deal with mobile food trucks parks. As City Council is aware the Planning Commission has been looking at this and working on this very issue for the past year. They have made some recommendations to amend the Unified Development Ordinance. Assistant City Manager Ryan McLeod provides the staff support for the Planning Commission. He is going to brief City Council on both ordinances. I would like to add one thing, for Ordinance #2023-02 there was a section that was left out, item G. In front of City Council, you have the updated ordinance showing item G.

Assistant City Manager Ryan McLeod stated good evening, Mayor, and members of City Council. As Mr. Molinari stated the Planning Commission has been working on this for about a year. A resident and property owner came to us in February of 2022 and asked if this was something the City would consider. Currently food trucks parks are not an allowable use in the UDO. We have diligently worked on this for over a year. We have got some information from other cities, Maryville Tennessee, and a small town in Florida and took some ideas to try and apply to our city. City Manager Molinari and I have made some site visits to other local food trucks parks. We saw things that we liked and some things that we did not like. We brought those ideas back to the Planning Commission and I feel like we put an ordinance in front of you that portrays the quality that the City of Waltherboro is looking for. As you see the item that was added refers to power hookups. If you frequent the food trucks at the Wildlife Center parking lot, you can hear the generators running. We dove into this pretty deep and feel like we put a quality ordinance in front of you.

Councilmember Broderick asked was there any discussion about any retail vendor trucks?

Assistant City Manager McLeod answered no, we are going to stick to food trucks. The only real change we had was more for alcohol purchases. That is if they have the required SLED background and licensing.

Councilmember Broderick asked when it says provide restrooms facilities, are you talking about free standing permanent restrooms?

Assistant City Manager McLeod answered yes that is correct.

Councilmember Bridge asked if this is dealing with a permanent section?

Assistant City Manager McLeod answered so in essence if an investor wanted to come to the city and purchase a piece of property, they could apply for this as permanent use. With that we would have landscaping requirements.

Councilmember Bridge I am just thinking about the food trucks in a permanent area, not like we have in the city parking lot.

Assistant City Manager McLeod answered exactly, the mindset here we would have a permanent location set up as a food truck park, it would act as a gathering place. There is some required green space where you can picture a family coming to get dinner, or a father and son throwing a football around. We are trying to get that gathering feeling where there is energy, versus just coming to grab food and leaving. That is the ultimate idea behind this food truck park.

City Manager Molinari stated to Councilmember Bridge the big difference right now is food trucks are a secondary use and under this proposed ordinance the food trucks would be the primary use.

Mayor Young stated this would be like someone establishing a food truck food court.

Councilmember Bridge stated yes, do we have something in place that addresses where someone wants to come in and put a food truck? Would they have to ask for permission to put a food truck on Main Street for an event?

Assistant City Manager McLeod stated this will not be event based, this is for permanent use. This will be like a business that can operate Monday through Sunday if they wish to do so. They can also lease out their spots to other food trucks.

Councilmember Bridge asked will the ordinance state where they can locate this as conditional use?

Assistant City Manager McLeod stated it will be a conditional use and it will follow under the zoning as food trucks do currently. We referenced the conditional use so within that it will show your zoning requirements. There will be certain zoning districts that food trucks will not be allowed.

City Manager Molinari stated it is neighborhoods, general commercial, highway commercial, and interstate interchange which is consistent with the ordinance that City Council currently has on the books that allows food trucks as a secondary use.

Mayor Young stated this does not change anything as far as food trucks for events.

Assistant City Manager McLeod stated yes, everything will stay the same and this will provide a permanent area.

Mayor Young stated under item D, where it says each food court should have an agent or manager. Is that what it needs to say, or does it need to say something different?

Assistant City Manager McLeod stated it does need to say agent or manager.

Councilmember Broderick stated I would like to say I visited a food park truck when I was in Connecticut. It was a good environment. This place actually built a bigger building on the lot, so they have an indoor restaurant with food trucks around. I think this is a good move for the city.

Councilmember Bridger asked with all the areas mentioned will plans with development change?

Assistant City Manager McLeod stated it will go under Planning and Zoning. Everything will go through Planning and Zoning. If it is in the allowed district, and it is going to be able to meet the requirements of water, sewer, and landscaping, it will be treated like a business.

Councilmember Bridge asked can this be stopped if something has already been developed in this area?

Assistant City Manager McLeod stated no it cannot. If there is a brick and mortar building 300 feet that will not affect it. The Planning Commission agreed that competition is a good thing. For example, there is a resident next door to a potential property that is being looked at. We held a public hearing and 95% of the feedback was positive and supportive. The one person who was not in favor and spoke against it was the neighbor. I have assured him that our landscape requirements require a buffer. They will operate under normal business hours.

City Manager Molinari stated Mayor and City Council members if that is a concern, instead of making the food truck park a conditional use you can make it a special exception in addition to a conditional use where all applications have to go before the Board of Zoning Appeals and it would take into account various factors. How it is set up now is if they meet all the conditional use requirements specified in the UDO then they have a use by right. If Council wanted to go in that direction that would provide another level that would be more site specific as opposed to a use by right.

Councilmember Bridge stated I would support that.

Councilmember Broderick stated I would support that as well.

City Manager Molinari stated whatever Council pleases we can do. We can still give first reading tonight. Ryan has a Planning Commission meeting next week and we can bring it back to Council in March for a second and final reading with those changes included if council so desires.

Mayor Young asked do we need to handle these separate as far as voting on them?

City Manager Molinari stated yes.

Ordinance #2023-01, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR AN ADDITION TO CHAPTER 2, SECTION 4.2, PERMITTED USES TABLE, OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO (Introduction and First Reading).

Motion: Councilmember Broderick; Seconded by: Councilmember Brown

Discussion: None

Carried: All ayes

Ordinance #2023-02, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO, SOUTH CAROLINA, TO PROVIDE FOR AN ADDITION TO CHAPTER 3, SECTION 3.5.6, MOBILE FOOD COURTS, OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF WALTERBORO (Introduction and First Reading).

Motion: Councilmember Brown; Seconded by: Councilmember Broderick

Discussion: None

Carries: All ayes

3. Appointment to Walterboro-Colleton County Airport Commission - Mayor Bill Young

Mayor Young stated just to make it official I am appointing Kenny Blakeney who will replace Sabrina Johnson to the Airport Commission. Ms. Johnson resigned, and we appointed Mr. Blakeney to replace her.

4. Consideration of 2023 Rice Festival Request for April 28-29, 2023, Scott Grooms, Chairman, Colleton County Rice Festival.

Scott Grooms stated we are requesting the closure of the streets, parade route, and the Rice Run route. None of these routes have changed.

Councilmember Broderick asked did the Walterboro Criterium cancel this year.

Scott Grooms stated yes, the Criterium did cancel for this year.

Councilmember Brown asked where did the money go for that? We did allocate some money for that.

Mayor Young stated I do not know if they have received the money for this year yet.

City Manager Molinari stated I will have to check with Amy.

Scott Grooms stated they did get \$19,000 A-Tax funds that they are talking about refunding.

Mayor Young asked have the funds gone to the Criterium Committee for this year?

Scott Grooms stated no, those funds are still in the bank.

Councilmember Bridge asked have the funds been used for advertisement?

Scott Grooms stated no they have not.

Councilmember Brown asked if money that is refunded back, do we save it for next year?

City Manager Molinari stated any A-Tax funds that are not allocated by City Council go back to the A-Tax fund for future marketing and promotion.

Motion: Councilmember Bridge; Seconded by: Councilmember brown

Discussion: None

Carried: All ayes

5. Consideration of 2023 Juneteenth Festival and Parade June 16-18, 2023, Latosia Simmons, Chairman, Juneteenth Headquarters.

City Manager Molinari stated Mr. Mayor and members of City Council you have in your agenda packet a letter and a parade permit request from Ms. Latosia Simmons for the Juneteenth Festival. What they are requesting is use of the city parking lot. That is the parking lot off East Washington and Hampton Street. They would like to use the parking lot on Friday June 16, 2023 and Saturday June 17, 2023 at 10 A.M. They would also like permission to conduct a parade on Saturday, June 17, 2023. Chief Marvin and I have met a few times with Ms. Simmons and we are comfortable with her request and ask Council for their favorable consideration.

Motion: Councilmember Fishburne; Seconded by: Councilmember Broderick

Discussion: None

Carries: All ayes

6. Consideration of a request from downtown merchants for approval to block streets for First Thursday events through the end of December 2023. Provision of restroom facilities from the city and funding for advertisements, decorations, and entertainment.

Rilee Westbury stated I would like to first thank you all for letting us do this. This has been trial and error for us. The month of February was not good due to the weather and the trial going on. One thing that we need to figure out a resolution to is the restroom situation. Ladson was able to get S&S to donate a porta potty to us for the month of December. For the month of January, they were not willing to do that, which we do not expect them to. To get one porta potty it cost around \$325. It is hard for the merchants to do this because a lot of us do so much for the First Thursday such as advertising and decorations. I am not sure what type of grants and funding are available. Also, when it comes to entertainment that is all voluntary and have stressed that. It is great if you want to come out and give us your entertainment because it is getting that person's name out there, but not everyone thinks that way. So, with that we are going to run out of people who want to volunteer. We are not an LLC, or a nonprofit organization and the merchants do not have the desire to form anything like that. The bigger it gets some things are going to have to change. Ryan, Jeff, and I can eventually meet to figure out the next steps. I do believe the restrooms are the most important thing. I know we have the Wildlife Center, and we hope to bring it to the center one day but until then we need at least one porta potty.

Mayor Young asked do we know the cost of the porta potties?

Rilee Westbury stated I think they are around \$325. S&S was the only company we reached out to; we did not call around.

Councilmember Brown asked, "have you tried to find sponsors?"

Rilee Westbury stated yes, we have people that will sponsor but I do not want to be responsible for the cash flow. I even thought about charging the vendors \$5.00 each month then we may have enough money for a porta potty. I personally do not want to handle that and neither do the other merchants.

Mayor Young stated we are probably the responsible entity right now since it is taking place downtown. Would the First Thursday be eligible for A-Tax money?

City Manager Molinari stated I can talk with Amy about that. I think the tough part about that is First Thursday the type of event that is going to bring people from the outside into our community and stay in our hotels. I will certainly look into it and see if it is an eligible expenditure.

Mayor Young asked what about the Hospitality tax?

City Manager Molinari stated you have a little more flexibility with that. If City Council wants to assist Ryan and I can coordinate with Rilee and see what we can come up with.

Mayor Young asked could we look at putting it in the budget for the next fiscal year.

Councilmember Broderick asked is this something that we could wrap up with the Main Street Program. We have a committee getting ready to form, would we be able to put some money into that budget?

City Manager Molinari stated that you could potentially do that and one of the real drivers of the Main Street process is we are going to need volunteers to work with specific things.

Councilmember Brown stated if we were to budget anything we would have to know where that money is going. This is going to take some thought.

Rilee Westbury stated I do not expect anything to be done right now. I do not think March is going to be that big. I can go around and ask if someone would want to donate a porta potty and I can list their name on the bottom of the flyer. I just do not want to collect funds from people.

Mayor Young stated I think you all have done a really well job advertising through social media. Also, if Council would like to make a motion to provide porta potties for the next few months until we get this figured out, we can do that.

Councilmember Brown stated you can put down for 2 months of porta potties, but you all really need to come up with a plan.

Councilmember Broderick asked could we do a motion to approve it through the end of the budget year, and then discuss it for the next budget year.

City Manager Molinari stated I would have it as a non-budget item for the fiscal year.

Mayor Young stated we are only talking about May and June. Carl is going to donate 2 months.

Motion: Councilmember Brown; Seconded by: Councilmember Fishburne

Discussion: None

Carries: All ayes

City Manager's Report:

1. 2023 Goals and Objectives.

City Manager Molinari stated Mr. Mayor and members of City Council in your agenda packet you have a summary from City Council's retreat that was held January 13, 2023. I am going to run through the different goals and objectives that Council identified at the retreat. If Council is comfortable with these goals and objectives, staff asks for Council to formally adopt them.

Expand Water and Sewer:

1. Secure funding for Exit 57 trunk line by June 30, 2023.
2. Begin construction of the WWTP expansion by July 1, 2023.
3. Identify existing sewer lines without recorded easements by December 31, 2023.

Improve Overall Appearance of City:

1. Direct Planning Commission to develop a plan for an overlay district for the South Jefferies corridor by December 31, 2023.
2. I-95 Business Loop Project Phase 2, completed by April 2023; begin design and engineering for Phase III by July 1, 2023.
3. Develop a plan for the use of the Ford property by December 31, 2023.
4. Pursue funding to demolish the old middle school building by June 30, 2023.
5. Finalize the timeline for the Ireland Creek project by June 30, 2023.
6. Work with legislative delegation to establish representation on CTC by December 31, 2023.
7. Identify City facilities in the downtown area and identify needs by December 31, 2023.

Flooding and Stormwater Management:

1. Mitigate Washington St. flooding by December 31, 2023.

Growth Management:

1. Annex properties in two "donut holes" by December 31, 2023.

Recreation/Tourism:

1. Develop a construction plan for Water Tower Park by December 31, 2023.
2. Replace the Hartzog Trail Boardwalk and identify next steps by December 31, 2023.

Recreation/Tourism Cont'd

1. Develop sidewalk connectivity/recreation spaces map; identify funding sources to address needs by April 30, 2023.
2. Fund improvements for tennis courts by December 31, 2023.
3. Establish three options and funding sources for a park on the south side of the City by June 30, 2023.
4. Establish EV charging stations in the City by June 30, 2023.

Councilmember Fishburne asked do we still need number 1 under Flooding and Stormwater damage?

City Manager Molinari stated last week SCDOT completed the slip line on that pipe.

Mayor Young asked did they replace that before we got all of the rain?

City Manager Molinari said yes, they did.

Motion: Councilmember Broderick; Seconded by: Councilmember Bridge

Discussion: None

Carried: All ayes

2. Board and Commission Reappointment

City Manager Molinari stated Mr. Mayor and members of City Council you have in your agenda packet an updated memorandum for reappointments to boards & commissions. The following have been reappointed and staff ask for Council's favorable consideration.

Accommodations Tax Committee:

1. Casey Shoupe (3-year term expiring January 1 ,2026)
2. Tal Glover (3-year term expiring January 1, 2026)

Historic Preservation Commission:

1. Lucille Powers (2-year term expiring January 1, 2025)
2. Scott Cook (2-year term expiring January 1, 2025)

Tree protection Committee:

1. Mike Ferrari (2-year term expiring January 1, 2025)

Board and Zoning Appeals:

1. Bud Linder (3-year term expiring January 1, 2026)

Councilmember Broderick asked does everyone want to be reappointed again?

City Manager Molinari stated yes.

Mayor Young asked do we have any cross over from the Main Street Committee?

City Manager Molinari stated yes, we have one.

Mayor Young asked is that allowable?

City Manager Molinari states yes, the Main Street Committee is an add hock committee as opposed to a statutory board or commission.

Motion: Councilmember Siegel; Seconded by Councilmember Fishburne

Discussion: None

Carried: All ayes

A motion was made to go into Executive Session by Councilmember Bridge, seconded by Councilmember Siegel. Mayor Young explained that City Council would be going into Executive Session to discuss Receipt of Legal Advice - Nuisance Properties, Provision of water and sewer service to Newsome tract, Potential purchase of property, Personnel Matters: Appointment to Main Street SC Steering Committee, Appointment to Building Board, and Appointment to Keep Walterboro Beautiful Board.

Executive Session:

1. Receipt of Legal Advice - Nuisance Properties.
2. Provision of water and sewer service to Newsome tract.
3. Potential purchase of property.
4. Personnel Matters:
 - a. Appointment to Main Street SC Steering Committee.
 - b. Appointment to Building Board.
 - c. Appointment to Keep Walterboro Beautiful Board.

A motion to appoint Matt Mardell, Scott Cook, Rilee Westbury, David Smalls, Jean Harrigal, Kara Wrice, and Faith Clementson to the Main Street SC Steering Committee was made Councilmember Broderick, seconded by Councilmember Fishburne, all in favor motion carries.

A motion to appoint John Givens to the Building Board was made by Councilmember Broderick, seconded by Councilmember Brown, all in favor motion carries.

A motion to appoint Timothy Karls to the Keep Walterboro Beautiful Board was made by Councilmember Broderick, seconded by Councilmember Fishburne, all in favor motion carries.

A motion to come out of Executive Session was made by Councilmember Broderick, seconded by Councilmember Fishburne, all in favor motion carries.

There being no further business to consider, a motion to adjourn was made by Councilmember Brown, seconded by Councilmember Fishburne, and passed unanimously. Mayor Young adjourned the meeting at 8:02 P.M. Notice of the meeting was distributed with the agenda packets, to all local media, posted on City Hall bulletin board and posted on the City's Website at least twenty-four hours prior to meeting time.

Respectfully,

Adrienne Nettles
City Clerk