

**REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
FEBRUARY 15, 2007**

Notices of this meeting have been made in accordance with the 1976 Code of Laws of South Carolina Freedom of Information Act.

The Regular Meeting of City Council was held this date in the Council Chambers at City Hall with Mayor Lynn Wood Wilson presiding.

MEMBERS PRESENT:

	Mayor Lynn Wood Wilson	
Councilmember Brendon M. Barber, Sr.		Councilmember Jack M. Scoville, Jr.
Councilmember Rudolph A. Bradley		Councilmember Clarence C. Smalls
Councilmember Paige B. Sawyer, III		Councilmember Peggy P. Wayne

ALSO PRESENT:

Mr. Steven E. Thomas, City Administrator
Mrs. Elise Crosby, City Attorney
Mrs. Ann U. Mercer, City Clerk

DEPARTMENT HEADS:

Captain Jim Arnold, Georgetown Police Department
Mr. Glenn Dixon, Fleet Maintenance Superintendent
Mrs. Lynn Griffith, Information Technology Director
Mrs. Katrina Lawrimore, Director of Kaminski House Museum
Mr. Alan Loveless, Electric Utility Director
Mrs. Jessica Miller, Finance Director
Mr. Lane Mixon, Manager of Water/Wastewater/Stormwater
Mrs. Sabrina Morris, Director of Development
Chief Joey Tanner, Georgetown Fire Department

NEWS MEDIA

Georgetown Times – Scott Harper

Mayor Wilson opened the Regular Meeting of City Council at 5:30 PM.

Call to Order

Councilmember Bradley rendered the invocation and Mayor Wilson led the Pledge of Allegiance.

Invocation and Pledge

Mayor Wilson asked that all non-emergency electronic devices and cell phones be turned off during the Council Meeting.

There were no citizens present for the Public Comment Section.

City Council viewed the character trait of the month video on Flexibility.

Character Trait Video

Captain Jim Arnold presented a commendation for exceptional duty to Sergeant Blair Cribb. Sergeant Cribb thanked City Council for their leadership.

Mr. Robert Quinn reported to Council that Keep Georgetown Beautiful is an organization in good standing with Keep South Carolina Beautiful as well as Keep America Beautiful. One requirement to remain in good standing and apply for the grant which helps fund KGB is to complete an annual litter index. He referred Council to the results of this report included in their agenda. The results will assist KGB in determining the types of litter prevention and community improvement programs in need of implementation in the City. Mr. Thomas said the numbers compared to 2006 were not headed in the right direction; however staff has met several times with KGB and committed to enhance the litter enforcement. He said Janet Grant has been promoted to Code Enforcement Officer and will work very closely with Sammy Green to help in the litter enforcement efforts. Mr. Thomas thanked Robert Quinn and Ernie Nance for serving on the search committee for the new director, Mr. Keith Wilson who will begin work February 26th.

2007 KGB Litter Index

Mrs. Sabrina Morris presented a request to move a house from 240 Myrtle Road in Pawleys Island to the corner of Congdon Street and Levy Alley. All approvals have been received from the City, Time Warner and Verizon.

COUNCILMEMBER WAYNE MOVED TO APPROVE A HOUSE FROM 240 MYRTLE ROAD IN PAWLEYS ISLAND TO THE CORNER OF CONGDON STREET AND LEVY ALLEY, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson

Approve House Move

asked for discussion. Mrs. Morris answered Councilmember Smalls' inquiry about the location of Levy Alley. Councilmember Scoville said he did not know why Council would vote on approval of a house move. He would like to have staff develop proposed regulations. In the future when there is a request, the person could apply and staff would be committed to issue a permit or license when all requirements are met. Mayor Wilson agreed. Councilmember Wayne asked if there are any requirements now. Mrs. Morris said approval has to be received from Verizon, Time Warner and the City of Georgetown Election Department. After City Council has approved the move, the route is given to the Police Department and the movers notify them prior to the move. If any trees needed to be cut prior notification is required and staff basis their decision on the Tree Ordinance. Before a house move request is presented to City Council it is approved at staff level. Mayor Pro Tem Barber added that all the procedures are in place. Councilmember Scoville said this would avoid applicants waiting for the Council Meeting. Mayor Pro Tem Barber stated that Mrs. Morris just needs to make Council aware of any house moves and staff can handle all the procedures. Captain Arnold added before the Police Department will approve a moving permit, the South Carolina Department of Transportation has to sign off on the route. After discussion, Mayor Wilson said he understood the consensus from Council was; these items, with proper permitting, will not be brought before Council for approval. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

COUNCILMEMBER SMALLS MOVED, PROVIDING ALL PROPER PROCEDURES ARE IN PLACE, HOUSE MOVES WILL NOT BE BROUGHT BEFORE CITY COUNCIL FOR APPROVAL, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Councilmember Scoville recused himself from any discussion or vote on Item 9B, requested structure move, due to the fact he has an attorney client relationship with Georgetown County and left the Council Chamber at 5:58 PM.

Mrs. Morris requested that the motion just approved apply to the structure move from 732 Prince Street to Georgetown County Detention Center located on Highway 51. All approvals have not been received but are anticipated and she does not want to delay this for another month. There was no objection.

House Moves, with all Proper Procedures in Place, will be Approve by Staff

Councilmember Scoville Recused

Structure Move

Mr. Lane Mixon informed Council that bids were received last week on the US17/City Hall Drainage Improvement Project; however they were over budget. Thalle Construction Company submitted a scaled down version in the amount of \$12,116,200; the total project bid was \$14,143,350. Funding available for this project is \$10,013,699. The City has applied for a \$3,000,000 Pre-Disaster Mitigation Grant from FEMA and expects to hear within the next two months if we have been approved. The bid from Thalle is good until May 7, 2007. Councilmember Bradley asked Mrs. Miller if the City has any means of coming up with \$2,000,000 if the grant is not approved. Mrs. Miller said in the past, shortfalls were taken from the Electric Fund. She reiterated her stance from last year that "there's not much there to get" and she does not suggest that approach. The projected cash balance for that fund at the end this year is around \$3,000,000. Councilmember Scoville said he did not want this to appear in the paper...he is not calling for a tax increase...at the next meeting, if possible, he would like to know what it would cost an average house of \$100,000 in Georgetown, if we had to have a one-time tax increase to pay the shortfall. He is curious to see if that would be a feasible route. He stated that this is an extremely important issue, every time there is a delay the cost rises and he is convinced this is a disaster waiting to happen. He just wants to know if this is viable, "it may be totally overburdening." Mayor Pro Tem Barber stated over the next two months the cost may increase 10 to 15 percent and suggested exploring utility rates rather than a property tax increase. Councilmember Sawyer stated that this is a badly needed project and reminded Council the City has already put up \$2,800,000 and \$3,000,000 from the State Revolving Fund. He is concerned about raising any taxes or rates. Councilmember Wayne stated "since 2002 we have had all kinds of votes on this project" and wanted to know if we are "obligated in any way to anybody else, is all that null and void and this is starting brand new?" Mr. Mixon stated a lot of the expenses with Davis and Floyd have been paid from the original funds. Councilmember Wayne said we need to pressure our senators and everyone to help us get the money to cover this. She suggested talking with the county grant writer and Waccamaw Regional as well. She was not in favor of raising taxes from the local people to have an evacuation route through Georgetown. Mayor Wilson said Senator Cleary is working hard with the General Assembly this year to get some money and Congressman Brown is also working diligently on this. He also does not think the burden of this should be placed on the backs of the city taxpayers; it is a federal highway. Councilmember Smalls asked if he understood correctly that the highway department wants to abandon this project.

**Discuss bid for
City Hall Drainage
Project**

Mr. Mixon said five months after the bids were opened in October 2005 they (SCDOT) approached the City and stated they were pretty much done with it. Mayor Wilson reminded Council in the beginning the City was going to handle the project, then the highway department said they wanted to get in it and now they want back out of it because the cost is so high. Councilmember Smalls asked about funds the City was to receive on Frontage Road. Mr. Mixon said GSATS contributed about \$750,000. Mr. Thomas added a request for funds has been made to Senator Graham's office. The bids received are good for 90 days and the City is in hopes of receiving the grant from FEMA. If this happens, it will allow us to go somewhat above the base project. Councilmember Bradley asked about the United States legal obligation to the City of Georgetown in regards to US17. He asked the City Attorney to look into this matter. Mayor Wilson instructed Mrs. Crosby to talk with Mr. Thomas about the issue first. Councilmember Scoville suggested contacting Representative Clyburn, the majority whip.

After discussing the assignment agreements from SCDOT, Councilmember Bradley said he agrees with severing the ties, but he does not see how the City can move forward freely without this agreement. Mr. Thomas said Mrs. Crosby and Mr. Mixon have reviewed the agreements and built in more safety from the City standpoint: this addresses Councilmember Bradley's concerns.

COUNCILMEMBER BRADLEY MOVED TO APPROVE ASSIGNMENT AGREEMENTS FROM SCDOT RELATING TO CITY HALL DRAINAGE PROJECT, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Approve
Assignment
Agreements from
SCDOT Re City
Hall Drainage
Project

In anticipation of each municipal election, City Council has historically approved an election ordinance with provisions specific to that particular election. Councilmember Scoville has suggested that this is probably not necessary and he has requested City Council discuss a codified election ordinance that could be used for all future elections. He also has several other proposals for Council consideration with respect to the City election process.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING ON THE PROPOSED ELECTION ORDINANCE, AS IS, AND PURSUE THE DISCUSSION SECONDED BY COUNCILMEMBER SCOVILLE. Mayor Wilson asked for

1st Reading on
Election
Ordinance

discussion. Councilmember Scoville said every time there is an ordinance prepared like this (bi-annual) that affects voting rights it must be submitted to the Justice Department for approval. After the ordinance is prepared it is reviewed by the City Attorney which is an additional expense. He would like to pass one ordinance, one time for all elections and send that to the Justice Department for approval. Mr. Scoville said he had talked with his colleagues on City Council about Saturday but they were not as enthusiastic as he is. Councilmember Bradley does not have a problem with the ordinance but does think Council should not set dates and times for elections. Mayor Wilson asked that this be placed on the agenda for the Council Retreat. Mrs. Crosby told Council the ordinance before them tonight is in compliance with the State law; however, a generic ordinance can be adopted that would also be in compliance with the state law. She said of the seven partisan municipalities in South Carolina, Georgetown is the only one that has a separate new ordinance for every election. The others use a form ordinance that is in complete compliance with state law. She pointed out Georgetown no longer has a Municipal Election Commission. In 1997 the City transferred the duties of holding elections to the County Election Commission. Mayor Wilson called for the question. She urged Council to consider giving first reading to the ordinance and allow staff to amend it before second reading. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Mr. Thomas presented a Resolution introduced by Councilmember Scoville to consider only Georgetown County residents as candidates for the seat being vacated by Judge Paula H. Thomas. Councilmember Scoville said Georgetown has had a resident circuit judge since 1960.

COUNCILMEMBER SMALLS MOVED TO APPROVE A RESOLUTION TO CONSIDER ONLY GEORGETOWN COUNTY RESIDENTS AS CANDIDATES FOR THE SEAT BEING VACATED BY JUDGE PAULA H. THOMAS, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

COUNCILMEMBER WAYNE MOVED TO APPROVE MINUTES OF REGULAR MEETING DATED JANUARY 18, 2007, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Resolution –
Appointment of
Circuit Judge

Minutes – Regular
Mtg. 01/18/07

MAYOR PRO TEM BARBER MOVED TO ADJOURN THE REGULAR MEETING OF CITY COUNCIL AND GO INTO EXECUTIVE SESSION PURSUANT TO FOIA 30-4-70(A)(2) TO DISCUSS POSSIBLE PROPERTY ACQUISITION, PROPOSED CONTRACTUAL MATTER REGARDING IP CANAL AND RECEIVE LEGAL ADVICE ON LAWSUIT, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Adjourn Regular Meeting and Go into Executive Session

The Regular Meeting of City Council adjourned at 6:43 PM.

COUNCILMEMBER BRADLEY MOVED TO REOPEN REGULAR MEETING OF CITY COUNCIL, SECONDED BY MAYOR PRO TEM BARBER AND UNANIMOUSLY CARRIED 7-0.

Reopen Regular Meeting

The Regular Meeting of City Council was reopened at 7:39 PM.

Mayor Wilson announced that no formal action was taken in Executive Session.

COUNCILMEMBER BRADLEY MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL, SECONDED BY MAYOR PRO TEM BARBER AND UNANIMOUSLY CARRIED 7-0.

Adjourn Regular Meeting

The Regular Meeting of City Council was adjourned at 7:40 PM.

Ann U. Mercer
City Clerk

DATE APPROVED: 03-15-07
VERIFYING INITIALS: _____

