

**REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
JUNE 15, 2006**

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 was absent from the meeting.

ALSO PRESENT:

Mr. Steven E. Thomas, City Administrator
Mr. Patrick James Doyle, City Attorney
Mrs. Ann U. Mercer, City Clerk

DEPARTMENT HEADS:

Mr. Glenn Dixon, Fleet Maintenance Superintendent
Chief Dan Furr, Georgetown Police Department
Mr. Sterling Geathers, Public Works Director
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
Mrs. Ellen Nespeca, Keep Georgetown Beautiful Executive Director
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

Fire Chief Joey Tanner rendered the invocation and led the Pledge of Allegiance.

Invocation and Pledge

Mayor Wilson waylaid the character trait video of the month.

Mayor Wilson opened the Public Comment Section at 5:34 PM and recognized Mr. Jerry Springs. Mr. Springs told Council on May 15, 2006 his four-wheeler was stolen. Later that week he received a call that it had been found. Mr. Springs's had issues with the responding officer and complained the Police Department did not call an investigator to take finger prints. As he continued, Mayor Wilson asked him to stick to the facts.

Open Public Comment Section

Jerry Springs

Mayor Wilson called on Ms. Mary Lewis. She had left the meeting.

Mayor Wilson recognized Mr. Bruce Yablin who addressed City Council concerning the proposed amendment to the Animal Control Ordinance. He said his concern is Section 3-9, Right of Entry and feels this is less than subordinate to the State Sec. 47-3-750 A and B. Mr. Yablin requested that the ordinance be named Bear's Law after his dog.

Bruce Yablin

Chief Furr stated the ordinance is not in conflict with the State law. He said when there is exigent circumstances, as it was with Mr. Yablin's case, this allows officers to take enforcement action when the circumstances warrant probable cause, allowing them entry into private property. He said the City Attorney has reviewed and concurs with the ordinance.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND CHAPTER 3 ANIMALS AND FOWL, ARTICLE II DOGS AND CATS, SEC. 3-24 FIERCE, DANGEROUS DOGS PROHIBITED AT LARGE; SEIZURE, DESTRUCTION, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

1st Reading – Animal Control Ordinance

Mrs. Miller presented an ordinance for first reading to amend the 2005/2006 budget for the City of Georgetown ending June 30, 2006.

COUNCILMEMBER SAWYER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE 2005/2006 BUDGET FOR THE CITY OF GEORGETOWN ENDING JUNE 30, 2006, SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**1st Reading –
Amend 2005/2006
Budget**

Mrs. Sabrina Morris presented an ordinance for first reading to establish fees for the building functions in the City of Georgetown, South Carolina. Current fees have not been updated in ten to fifteen years. Staff has researched fees in surrounding municipalities and counties and feels the fees are comparable to other cities, yet lower than the County's. New items requested include a permit not posted fee of \$50; a re-inspection fee of \$50; appeal of Building Official's decision to the Construction Board of Appeals, \$100; variance request to Construction Board of Appeals, \$100 and all other appeals \$100. Mr. Thomas said there would be a transition period where the City would work with the contractors not familiar with the new fees. Mrs. Morris said the new fees would be advertised in the newspaper and posted on the City's website.

COUNCILMEMBER SAWYER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO ESTABLISH FEES FOR THE BUILDING FUNCTIONS IN THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**1st Reading –
Establish fees for
Bldg. Functions**

Mrs. Morris presented an ordinance for first reading to establish fees for the planning and zoning functions in the City of Georgetown, South Carolina. She pointed out under (A) it should read preliminary plan/plat approval and (1) subdivision plans/plats. The Building and Planning Department has been receiving quite a few plats. Current fees have not been updated in several years and are outdated. The proposed fees are in comparison to other surrounding municipalities. They are minimal compared to the County's rate scale. Rezoning request to any district except Planned Development District would be \$150. Currently the City charges \$100. The County charges \$250. Minor subdivision (residential/commercial/industrial) reviews for Planned Development fee would be \$150, plus \$10 per acre for every acre over the minimum one (1) acre. Currently the City charges \$100. The County charges a flat rate, base fee of \$1,000 plus a certain amount per acre or lot. Mixed Use Planned

Development reviews, which require more time, would be \$150, plus \$15 per acre for every acre over the required minimum of one (1) acre. Major subdivision reviews would be \$200, plus \$3 per acre for every acre over the required minimum of three (3) acres. Mixed Use for major subdivision reviews would be \$200, plus \$5 per acre for every acre over the required minimum of three (3) acres. Appeals from the Zoning Administrator decision, variance request and all other appeals to the Zoning Board of Appeals would be \$100. Currently the City charges \$25. Surrounding areas charge between \$100 to \$250. Applications made to the Architectural Review Board would be \$20 with a \$10 charge if revisions are required by the Board. Currently the City charges \$15. The County charges \$50. Councilmember Scoville said Pawleys Island charges \$500 for a variance appeal. Councilmember Bradley asked why the proposed rates are so low. Mrs. Morris said she would be happy to revise the fees upon Council's direction. Council agreed to go ahead with first reading and directed Mrs. Morris to make modifications for second reading.

MAYOR PRO TEM BARBER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO ESTABLISH FEES FOR PLANNING AND ZONING FUNCTIONS IN THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

Mr. Thomas presented an ordinance for first reading to amend the water utility rates contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous Fees and Charges for the City of Georgetown, South Carolina effective July 1, 2006. The current rate is \$1.89 per thousand gallons used, the proposed rate would be \$2.08. He reminded Council this is very important as far as meeting the debt obligations. The fund equity will still be supporting the Water Fund.

COUNCILMEMBER SCOVILLE MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE WATER UTILITY RATES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**1st Reading –
Establish fees for
Planning & Zoning
Functions**

**1st Reading –
Amend Water
Utility Rates**

Mr. Thomas presented an ordinance for first reading to amend the wastewater utility rates contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous Fees and Charges for the City of Georgetown, South Carolina effective July 1, 2006. The current rate is \$2.15 per thousand gallons used, the proposed rate would be \$2.58.

COUNCILMEMBER SCOVILLE MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE WASTEWATER UTILITY RATES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley, Scoville and Smalls voted in favor. Councilmember Sawyer voted against. **THE MOTION WAS CARRIED 5-1.**

1st Reading –
Amend
Wastewater Utility
Rates

Mr. Thomas presented an ordinance for first reading to amend the stormwater utility rates contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous Fees and Charges for the City of Georgetown, South Carolina effective July 1, 2006. The current rate is \$3.00 per REU with a 6.3 multiplier for commercial, the proposed rate would be \$4.00 per REU, no change in multiplier. In the past the Stormwater Fund has been supported heavily by the General Fund. This increase is necessary to eliminate the majority of the transfer and enable the fund to be self supporting, as is the purpose of any enterprise fund.

MAYOR PRO TEM BARBER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE STORMWATER UTILITY RATES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley, Scoville and Smalls voted in favor. Councilmember Sawyer voted against. **THE MOTION WAS CARRIED 5-1.**

1st Reading –
Amend
Stormwater Utility
Rates

Mr. Thomas presented an ordinance for first reading to amend the sanitation rate effective July 1, 2006. The current rate is \$17.50 per month for twice a week pick up, the proposed rate would be \$18.00 per month for once a week pick up for garbage, recycling and yard waste. Mr. Bradley said he realizes the financial burdens being placed on the public and trusts they will understand all elected officials will be paying the same charges. 'The government is obligated to serve the public. It takes a certain amount of dollars to do that. If rates are not raised it results in poor service.' He is inclined to \$19.00 per month for twice a week pick up.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND CHAPTER 9, GARBAGE, TRASH AND WEEDS, ARTICLE II, COLLECTION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN, SOUTH CAROLINA INCREASING RATES FROM \$17.50 PER MONTH FOR TWICE A WEEK PICK UP TO \$19.00 PER MONTH FOR TWICE A WEEK GARBAGE PICK UP AND ONCE A WEEK RECYCLING AND TRASH PICK UP, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Pro Tem Barber said this is based on restructuring the debris removal. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley, Scoville and Smalls voted in favor. Councilmember Sawyer voted against. **THE MOTION WAS CARRIED 5-1.**

1st Reading –
Amend Sanitation
Rates

Mrs. Miller presented an ordinance for first reading to amend the business license rates. These rates have not been increased since 1992. Staff is requesting a 10% increase and a change from the SIC Code to the North American Industry Classification System (NAICS). This change is strongly suggested by the Municipal Association. This will generate approximately \$107,350 in additional revenue. Mr. Thomas said businesses not located inside the City of Georgetown pay double the rates of local businesses.

COUNCILMEMBER SCOVILLE MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE II, BUSINESS LICENSES, SECTION 13-21 DEDUCTIONS AND EXEMPTIONS; SECTION 13-36 CLASSIFICATION; RATES OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for

1st Reading –
Amend Business
License Rates

discussion. Councilmember Scoville asked if the City verifies that an out of town contractor who applies for a business license is licensed and his subs are licensed. Mrs. Miller said the Finance Department is working with the Building and Planning Department to implement a checks and balances to make sure this is the case. Councilmember Scoville expressed concern about out-of-town lawyers and doctors not having a business license. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley, Scoville and Smalls voted in favor. Councilmember Sawyer voted against. **THE MOTION WAS CARRIED 5-1.**

Mrs. Miller presented an ordinance for first reading to amend the tax millage rate for FY 2006/2007 to the extent of the increase in the Consumer Price Index for all urban consumers by 3.4 percent. The current millage rate is 90.60, this will increase to 93.68. Mr. Thomas answered a question from Councilmember Bradley stating the \$92,140 generated by the increase would be expended on expenses in the General Fund. Mayor Pro Tem Barber asked if it was actually necessary to have a tax increase with all the proposed rate increases. Mr. Thomas said staff is trying to bolster the General Fund with the increases to balance and keep the Electric Fund transfer at the same level as last year.

COUNCILMEMBER SCOVILLE MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE TAX MILLAGE FOR THE FISCAL YEAR ENDING JUNE 30, 2007 FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley and Scoville voted in favor. Councilmembers Sawyer and Smalls voted against. **THE MOTION WAS UNANIMOUSLY CARRIED 4-2.**

Mrs. Miller answered Councilmember Smalls question concerning vehicles by stating there is a battalion chief vehicle in the Fire Department, two fleet cars in the Police Department, one truck in the Fleet Department, a tree crew pickup truck and a meter reader pickup truck in the Electric Fund, a service truck and a vector truck in the Wastewater Fund and one truck in Stormwater included in the proposed budget. Mr. Thomas said all requests are justified. Staff will work closely with Mr. Dixon to make sure the maintenance would cost more than a new vehicle, if the vehicle is necessary.

1st Reading –
Amend Tax
Millage by CPI –
3.4%

MAYOR PRO TEM BARBER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO ADOPT A BUDGET AND RAISE REVENUE FOR THE CITY OF GEORGETOWN FOR THE FISCAL YEAR ENDING JUNE 30, 2007, TO INCLUDE BUDGET REDUCTIONS PRESENTED (at the 4 PM Budget Workshop on 6/15/06), SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley and Scoville voted in favor. Councilmembers Sawyer and Smalls voted against. **THE MOTION WAS CARRIED 4-2.**

**1st Reading –
Adopt a Budget
and Raise
Revenue for Year
Ending 6/30/07**

Mr. Thomas present an ordinance to approve second reading to an ordinance authorizing two (2) twenty-year lease agreements to Georgetown County for property known as East Bay Park and Front Street Tennis Courts for public recreational use only, subject to the terms and conditions set forth in each agreement. He pointed out the renewal clause for both agreements is one year and will renew annually and any improvements/demolition exceeding \$50,000 will have prior written approval by City Council. The indemnification clause in both lease agreements has also been expanded.

COUNCILMEMBER BRADLEY MOVED TO APPROVE SECOND READING TO AN ORDINANCE AUTHORIZING TWO (2) TWENTY-YEAR LEASE AGREEMENTS TO GEORGETOWN COUNTY FOR PROPERTY KNOWN AS EAST BAY PARK AND FRONT STREET TENNIS COURTS FOR PUBLIC RECREATIONAL USE ONLY, SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN EACH AGREEMENT, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**2nd Reading – Two,
20-Year Lease
Agreements with
G'town County for
East Bay Park &
Front St. Tennis
Courts**

COUNCILMEMBER SAWYER MOVED TO APPROVE MINUTES OF CITY COUNCIL BUDGET WORKSHOP DATED APRIL 27, 2006, PUBLIC HEARING DATED MAY 18, 2006, REGULAR MEETING DATED MAY 18, 2006 AND CITY COUNCIL BUDGET WORKSHOP DATED MAY 25, 2006, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**Minutes – Budget
Workshop 4/27/06;
Public Hearing
5/18/06; Regular
Mtg. 5/18/06;
Budget Workshop
5/25/06**

COUNCILMEMBER BRADLEY MOVED TO ADJOURN THE REGULAR MEETING OF CITY COUNCIL AND GO INTO EXECUTIVE SESSION PURSUANT TO FOIA 30-4-70(A)(1) TO DISCUSS APPOINTMENT/REAPPOINTMENTS TO THE KEEP GEORGETOWN BEAUTIFUL BOARD AND FOIA 30-4-70 (A) TO DISCUSS NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

Adjourn Regular Meeting and Go into Executive Session

The Regular Meeting of City Council adjourned at 6:33 PM.

COUNCILMEMBER BRADLEY MOVED TO REOPEN REGULAR MEETING OF CITY COUNCIL, SECONDED BY MAYOR PRO TEM BARBER AND UNANIMOUSLY CARRIED 6-0.

Reopen Regular Meeting

The Regular Meeting of City Council was reopened at 6:57 PM.

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

COUNCILMEMBER BRADLEY MOVED TO APPOINT BETH THOMAS AND REAPPOINT RON CHARLTON, AMY ARMSTRONG, ERIN ETHRIDGE, LARRY FOX AND PAUL SMITH TO THE KEEP GEORGETOWN BEAUTIFUL BOARD OF DIRECTORS, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

Appointments to KGB

MAYOR PRO TEM BARBER MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL, SECONDED BY COUNCILMEMBER BRADLEY AND UNANIMOUSLY CARRIED 6-0.

Adjourn Regular Meeting

The Regular Meeting of City Council was adjourned at 7:00 PM.

Ann U. Mercer
City Clerk

DATE APPROVED: _____
VERIFYING INITIALS: _____

