

**REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
NOVEMBER 16, 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 Paige B. Sawyer, III		Councilmember Clarence C. Smalls
Councilmember Jack M. Scoville, Jr.		Councilmember Peggy P. Wayne

Mayor Pro Tem Brendon M. Barber, Sr. and Councilmember Rudolph A. Bradley were absent from the meeting.

ALSO PRESENT:

Mr. Steven E. Thomas, City Administrator
Mrs. Ann U. Mercer, City Clerk
Mrs. Elise Crosby, City Attorney
Mr. Glenn Dixon, Fleet Maintenance Superintendent
Chief Dan Furr, Georgetown Police Department
Mr. Sterling Geathers, Public Works Director
Mrs. Lynn Griffith, Director of Information Technology
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

REGULAR MEETING OF CITY COUNCIL (2) NOVEMBER 16, 2006

Mayor Lynn Wood Wilson opened the Regular Meeting of City Council at 5:35 PM.

Call to Order

Mr. Steve Thomas rendered the invocation and led the Pledge of Allegiance.

Invocation and Pledge

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

Open Public Comment Section

Mayor Wilson opened the Public Comment Section at 5:37 PM and recognized Mr. Willis Lee who spoke in favor of the development on Ron Charlton's property.

Mr. Willis Lee

Mrs. Vikky Gentry told Council some residents of Maryville have met with Mr. Charlton and Landquest and expressed concerns they had with the Plantation at Winyah Bay development. As a result, commitments have been made and the residents feel much better and are requesting City Council approve second reading.

Ms. Vikky Gentry

Ms. Jeanette Ard informed Council there are problems downtown with young adults stealing bicycles off the decks of businesses on Front Street. She said one police officer is needed at all times of the day downtown, especially during the holidays.

Ms. Jeanette Ard

Mr. Chris Lawrimore presented a petition to create posted speed limits in the Willowbank neighborhood. Although 25 MPH is the legal speed limit, this is often exceeded by drivers attempting to find a faster route from congested Church Street to Black River Road during rush hour. For the safety of residents, children, pets and property City Council is being urged to post 15 MPH maximum speed limit signs throughout the Willowbank subdivision.

Mr. Chris Lawrimore

Chief Furr said he realizes the speed limit, which 30 is MPH, needs to be lowered. The State has to make that decision and he said he will be glad to forward the petition to them with his recommendation that the speed limit be reduced.

Chief Dan Furr

Ms. Caren Haas expressed her objections to the Plantation at Winyah Bay and read a prepared statement that she requested be made a part of the minutes, along with pictures previously taken. 'There are many irregularities surrounding the proposed Charlton development and for the following reasons I would like to strongly request that you vote against approval this evening. The property is the subject of an ongoing investigation for potential wetlands

Ms. Caren Haas

violations of the Coastal Zone Management Act and it does not make sense to approve property where potential illegal activity may be occurring. The lower portion of the development is low ground and the water table is high. It would be a foolhardy place to build. The more fill which is placed on site to build this land up, the greater the risk of flooding of the adjacent properties. There is no letter of certification from the Army Corps of Engineers in the file that Ms. Morris has on this property indicating that an Army Corps of Engineers verified consultant has delineated the wetlands in the past five years. There should be a letter from the Corps of Engineers to this effect, in the file, if in fact the proper wetlands delineation has been made. If this certification has not been done, the map upon which the conceptual plan has been cast would be fictitious. It would be ridiculous to approve a conceptual plan based upon an invalid map. There have been a number of promises made by the developers, the staff and Mr. Charlton, about what will be done to make the development more neighborhood friendly. Also there have been assurances about what will be done in the project itself which are neither in the planned development ordinances nor in the conceptual plan. Unless and until all these promises are in writing in a proper contract, there is no assurance that they will be carried out. In the past Landquest has sold properties it has bought, to other home builders, who have been (and in this case would be) bound only by what is strictly legally binding. All the good intentions of staff and former owners will have no legal influence on whomever Landquest might sell the property to. It would be unwise to approve this or any development, even in concept, without everything in writing. The fact that the conceptual plan is to be build in "one phase" I imagine alludes to the fact that a builder, uninvolved in these negotiations, will be coming in and building it. There is no build-out specified. Very conceivably the neighborhood would be subjected to pile driving, hammering and truck rumbling for the next ten to twenty years. The height of houses being allowed in these conceptual plans (50 feet above the finished grade) is higher than almost every tree around. (That's a real eyesore and in no way fits in with the neighborhood). The council sets the standards and passes the ordinances which govern development. It is spurious reasoning to argue: "It could have been worse" when it is you who set the standards and devise the ordinances. The Mayor's company, Mr. Charlton told us last weekend, once again, will be selling the lots here. This clearly has the appearance, as in the case of several of the other recently approved developments, of conflict of interest. It is your job as City Council to act upon this issue of conflict of interest in an expedient manner.'

Mayor Wilson closed the Public Comment Section at 5:57 PM.

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

Ms. Nancy Campos with the Saint Frances Humane Society requested their staff and volunteers be allowed to bring adoptable dogs and a holiday wishing well to Francis Marion Park on December 2nd, 9th and 16th to raise money for, and awareness of, the homeless pets available for adoption at the shelter. If they receive approval to use a donated store front they request to place a wishing well at the entrance of that building. The time would be 9:00 AM until 2:00 PM.

COUNCILMEMBER SMALLS MOVED TO APPROVE REQUEST FROM ST. FRANCES HUMANE SOCIETY THAT THEIR STAFF AND VOLUNTEERS BE ALLOWED TO BRING ADOPTABLE DOGS AND A HOLIDAY WISHING WELL TO FRANCIS MARION PARK ON DECEMBER 2, 9 & 16, 2006 BETWEEN THE HOURS OF 9:00 AM AND 2:00 PM, TO RAISE MONEY FOR HOMELESS PETS AND IF ALLOWED TO USE A DONATED STORE FRONT ON FRONT STREET, APPROVAL FOR THE WISHING WELL TO BE PLACED AT THE ENTRANCE, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Mr. Harry Hoffman addressed City Council and told them Georgetown Yacht Club has purchased a 38-acre tract which is permitted for 40 wet slips and 400 dry stack slips for boats. They have contracted to purchase Mr. Bobby Roberts' 20-acre site which encompasses the new Carroll Campbell Boat Landing. In his letter to Council, Mr. Hoffman said in meetings with government officials serious mutual concerns with ingress and egress issues have been discovered. He presented a proposed intersection improvement plan for relocating Venture Drive. This relocation and the addition of a traffic signal, deceleration and acceleration lanes will result in additional costs for all parties. He requested feedback from Council as to the direction he should move. Mayor Wilson said they were not in a position to provide feedback at this time. He suggested Mr. Hoffman meet with the Planning Department and bring the recommendations back to Council. Councilmember Sawyer would like to have the County in on discussions because it is their boat

**Close Public
Comment Section**

**Character Trait of
the Month Video**

**Approve Request
From St. Frances
Humane Society
re: Use of Francis
Marion Park**

**Georgetown Yacht
Club Presentation**

landing. Councilmember Wayne asked what approval would need to come from the State. Mr. Steve Thomas told Council there was a commitment through a memorandum of understanding a few years ago for the City to obtain funding to resurface the current Venture Drive. The cost then was around \$75,000, now it is closer to \$115,000, if the current Venture Drive was resurfaced. If the road is reconfigured, the expenses could be closer to \$300,000. There are no funds in the current budget for this particular road project. There are monies for extension of water and sewer lines to the boat landing.

Mrs. Jessica Miller asked if Council would consider amending the agenda to discuss and possibly make a decision on a revised millage rate in reference to reassessment. There was no objection from Council.

Mr. Thomas stated City Council passed an ordinance October 30, 2006 setting the millage rate at 84.4 mills. This week staff received information from Mrs. Mock's office that indicates we may have more assessed value which may result in consideration of a slight decrease in the millage rate. Mrs. Miller referred Council to the worksheet and said with the revised numbers we have greater assessed value than on October 30, 2006 and recommended lowering the millage rate to 82 mills. The positive variance expected at this assessed value is \$137,554.

COUNCILMEMBER SMALLS MOVED TO GIVE FIRST READINGS TO ORDINANCES TO (1) OVERRIDE THE MILLAGE RATE LIMITATION CONTAINED IN SECTION 6-1-320 OF THE SOUTH CAROLINA CODE OF LAWS 1976 IN ORDER TO INCREASE THE MILLAGE RATE ABOVE THE PRECEDING YEAR PLUS CPI AS A RESULT OF NEWLY ESTABLISHED ASSESSED VALUES FOR PROPERTY TAXATION BASED UPON REASSESSMENT FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, (2) TO AMEND THE TAX MILLAGE FOR THE FISCAL YEAR ENDING JUNE 30, 2007 FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA AND (3) TO AMEND AN ORDINANCE TO ADOPT A BUDGET AND RAISE REVENUE FOR THE CITY OF GEORGETOWN FOR THE FISCAL YEAR ENDING JUNE 30, 2007 DUE TO NEWLY ESTABLISHED ASSESSED VALUES FOR PROPERTY TAXATION BASED UPON REASSESSMENT FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for

1st Reading –
Three Ordinances
Dealing with
Reassessment

discussion. Councilmember Sawyer asked if the millage has to be raised next year, will taxes be raised. Mrs. Miller answered yes and said we have no assurances. Mayor Wilson called for the question.

THE MOTION WAS UNANIMOUSLY CARRIED 5-0.

County Auditor, Mrs. Linda Mock approached City Council and told them the County's IT Department will go ahead and plug in the new figures so tax notices can be mailed out.

Mrs. Miller presented two ordinances to (1) establish and impose water and wastewater impact fees as directed in the South Carolina Code of Laws Title 6, Article 9, Chapter 1, South Carolina Development Impact Fee Act, for the City of Georgetown, South Carolina and (2) amend the water and wastewater tap fees contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous Fees and Charges for the City of Georgetown, South Carolina. The ordinances are presented together because they are all encompassing in the report that has been prepared by Jordan, Jones and Goulding. Mr. Ben Williams with JJ&G reviewed a summary of the report with Council. He stated most importantly impact fees are implemented to recover capital cost, not operation and maintenance cost. They are growth and capacity driven and apply to new customers during the development phase or at time of connection, not for existing customers. Impact fees need to be supported by other fees and charges such as tap fees. Councilmember Wayne asked if these fees would apply to every apartment, every house, every retail business or anything that is new, that would be tapped in to our system, would. Mr. Williams answered yes. Councilmember Wayne wanted this to go on record. It was also pointed out if an existing customer wants to add an irrigation system or upgrade due to building size, this would apply to them as well.

COUNCILMEMBER SAWYER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO ESTABLISH AND IMPOSE WATER AND WASTEWATER IMPACT FEES AS DIRECTED IN THE SOUTH CAROLINA CODE OF LAWS TITLE 6, ARTICLE 9, CHAPTER 1 SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, , SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Councilmember Smalls asked for clarification. Mr. Williams said Council is adding an impact fee and increasing existing fees for water and sewer. Mr. Mixon said the current tap fees are not covering the cost of installation. Mr. Williams answered

1st Reading –
Water &
Wastewater
Impact Fees

Councilmember Wayne's question stating the fees can be used to pay debt service for improvements and any capital expansion project. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

COUNCILMEMBER WAYNE MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO AMEND THE WATER AND WASTEWATER TAP FEES AND METER FEES 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 SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

1st Reading –
Increase Water
and Wastewater
Tap & Meter Fees

Mrs. Sabrina Morris presented an ordinance for second reading to rezone approximately 78.09 acres owned by Ronald L. Charlton, Bonnie N. Charlton, James R. Charlton and Bayside Property, Inc. located on South Bay Street and South Island Road from low density residential to planned development. She said the Planning Commission reviewed the request in August 2006 and recommended the rezoning and the Plan as presented with no amendments. At that time the narrative included a variance request for the Stormwater requirement and 163 lots on the property. Staff did not recommend a proposed Stormwater variance and has met with the developer and engineer of the project who agreed to meet the requirements, resulting in the loss of two lots. The proposed development map and narrative have been revised to show the changes. Section XIII states the requirements from the City regarding Stormwater will be met. The developer has provided a new plan showing the enlargement of the pond and a new hydrology report for staff review. Mr. Mixon has reviewed the new report and stated it will meet the Stormwater requirements. Rezoning is being requested at this time. After this process, it will go to technical review where the entire technical review staff will look at wetlands, stormwater, wastewater, water and sewer lines, etc. after which it will go back to the Planning Commission for preliminary plat approval. Once everyone has signed off, including OCRM, there will be a final plat approval which will again be presented to the Planning Commission. Mrs. Morris said the developer is present and would like to read a letter into the minutes and have it added to the narrative if Council chooses. She said Council has three options; approve or deny the request or send the request back to the Planning Commission for further review.

Mr. Kyle Corkum, President of Landquest, applicants in the rezoning matter addressed Council. He said at their request (1) a fiscal impact analysis was completed by staff, (2) a traffic study was completed and (3) a request for a Stormwater variance has been withdrawn. He commended City staff as being highly professional and looking out for the best interest of the community.

Mr. Corkum read a letter dated November 14, 2006 addressed to Georgetown City Council regarding agreements with Maryville neighbors. 'On Tuesday, November 14, Landquest was asked to participate in a conference call between the City of Georgetown Administrative and Planning staff and some Maryville residents within the vicinity of our project. The call was at the request of these residents. We had a very productive call and Landquest was able to answer many questions and allay some of their concerns. As part of the discussion, Landquest made several commitments to the neighbors. We have elected to put these commitments in writing and we respectfully request that these promises be included as conditions of our approval. There will be no vehicular traffic from the development onto the local streets. All traffic will enter and exit from South Island Road. The 2 gates for the roads in front of Olive Street and Rosemary Street will remain locked at all times with the exception of police, fire or natural (hurricanes) emergencies. The gate at the end of South Bay Street will remain closed except for emergencies. Construction vehicles will not travel on Birch, Rosemary, South Bay or Olive Streets. They will enter on South Island Road at the 2 main entrances. A privacy fence with dense trees and bushes will be erected as part of the initial construction. The possibility of using sound proof fencing will be explored. Water, sewer and electrical infrastructure will be paid for by the developers. Water quality best management practices and systems will be installed as part of the storm water management plan for the development. We sincerely enjoyed working with the neighborhood and the City to create a project that everyone will be proud of while trying to limit the disruption to our neighbors. Sincerely, Jeff Milligan, Senior Vice President.' Councilmember Wayne said she met with the residents Monday night and this letters seems to have answered most of the questions brought up at that time.

COUNCILMEMBER SAWYER MOVED TO APPROVE SECOND READING TO AN ORDINANCE TO REZONE APPROXIMATELY 78.09 ACRES OWNED BY RONALD L. CHARLTON, BONNIE N. CHARLTON, JAMES R. CHARLTON AND BAYSIDE PROPERTY, INC. LOCATED ON SOUTH BAY STREET AND SOUTH ISLAND

**2nd Reading –
Rezone Charlton
Property 78.09
Acres**

ROAD FROM LOW DENSITY RESIDENTIAL (R-1) TO PLANNED DEVELOPMENT (PD), SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Councilmember Smalls left the Council Chamber.

Mrs. Morris presented an ordinance to rezone approximately 12 acres of land on Charleston Highway owned by C2G2, LLC from General Commercial to Low Density Residential for a proposed single family subdivision requiring 10,000 square feet per lot. This would go to the Planning Commission for approval.

COUNCILMEMBER SAWYER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO REZONE APPROXIMATELY 12 ACRES OF LAND ON CHARLESTON HIGHWAY FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1), SOUTH CAROLINA, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS CARRIED 4-0.**

**1st Reading –
Rezone C2G2, LLC
Property 12 Acres**

Mrs. Morris presented an ordinance to establish policy and direction regarding fair housing within the City of Georgetown, South Carolina.

COUNCILMEMBER SAWYER MOVED TO APPROVE FIRST READING TO AN ORDINANCE TO ESTABLISH POLICY AND DIRECTION REGARDING FAIR HOUSING WITHIN THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS CARRIED 4-0.**

**1ST Reading – Fair
Housing**

Councilmember Smalls returned to the Council Chamber.

Mrs. Morris presented a request to move a house from Pawleys Island to the corner of Alex Alford Drive and West Prince Street. Time Warner, Verizon and the City Building and Planning and Electric Departments have approved the proposed route.

COUNCILMEMBER SAWYER MOVED TO APPROVE HOUSE MOVE FROM 12717 OCEAN HIGHWAY TO THE CORNER OF ALEX ALFORD DRIVE AND WEST PRINCE STREET, SECONDED

**House Move from
Pawleys Island to
Corner of Alex
Alford Drive &
West Prince Street**

BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Mr. Alan Loveless requested Council approval on bid from Danna, Inc. for line construction services. This is primarily due to the growth in the Maryville area. This is included in the estimates for infrastructure and expansions in the Electric Department capital budget.

COUNCILMEMBER SAWYER MOVED TO APPROVE BID FOR LINE CONSTRUCTION SERVICES WITH DANNA, INC. OF LEXINGTON, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER SCOVILLE. This is included in the Electric Department capital budget. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Approve Bid from Danna, Inc. for Line Construction Services

Mr. Loveless requested Council approval on bid from Jenkinson Tree Service of Pinewood, SC for electric line clearance tree trimming. This is a budgeted item.

COUNCILMEMBER WAYNE MOVED TO APPROVE BID FOR ELECTRIC LINE CLEARANCE TREE TRIMMING SERVICES WITH JENKINSON TREE SERVICE OF PINWOOD, SOUTH CAROLINA IN THE AMOUNT OF \$140,000, SECONDED BY COUNCILMEMBER SMALLS. This is a budgeted item. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Approve Bid from Jenkinson Tree Service for Tree Trimming

COUNCILMEMBER WAYNE MOVED TO APPROVE MINUTES OF PUBLIC HEARING AND REGULAR MEETING OF CITY COUNCIL DATED OCTOBER 12, 2006 AND PUBLIC HEARING AND SPECIAL MEETING DATED OCTOBER 30, 2006, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 5-0.**

Minutes – Public Hearing & Regular Mtg. 10/12/05 & Public Hearing & Special Mtg. 10/30/06

COUNCILMEMBER WAYNE MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL AND GO INTO EXECUTIVE SESSION PURSUANT TO FOIA 30-4-70(a)(2) TO DISCUSS CONTRACTUAL MATTERS CONCERNING GEORGETOWN COUNTY REGIONAL WASTEWATER TREAT PLANT AND

Adjourn Regular Meeting and Go into Executive Session

INTERNATIONAL PAPER COMPANY, SECONDED BY COUNCILMEMBER SAWYER AND UNANIMOUSLY CARRIED 5-0.

The Regular Meeting of City Council adjourned at 6:55 PM.

COUNCILMEMBER WAYNE MOVED TO REOPEN REGULAR MEETING OF CITY COUNCIL, SECONDED BY COUNCILMEMBER SMALLS AND UNANIMOUSLY CARRIED 5-0.

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 WAYNE MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL, SECONDED BY COUNCILMEMBER SAWYER AND UNANIMOUSLY CARRIED 5-0.

Adjourn Regular Meeting

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

Ann U. Mercer
Certified Municipal Clerk

DATE APPROVED: 12-14-06

VERIFYING INITIALS: _____

