

**PUBLIC HEARING AND
REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
DECEMBER 13, 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	
Mayor Pro Tem 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
Ms. Ann U. Mercer, City Clerk

DEPARTMENT HEADS:

Mr. Glen Dixon, Fleet Maintenance Superintendent
Mr. Paul A. Gardner, Chief of Police
Mrs. Katrina Lawrimore, Director of Kaminski House Museum
Mr. Alan Loveless, Electric Utility Director
Mr. Lane Mixon, Manager of Water/Wastewater/Stormwater
Mrs. Sabrina Morris, Director of Development
Mr. Joey Tanner, Fire Chief
Mr. Keith Wilson, Keep Georgetown Beautiful Executive Director

NEWS MEDIA

Georgetown Times - Scott Harper

Mayor Wilson opened the Public Hearing at 5:00 PM.

Open Public Hearing

Mayor stated the purpose of the Public Hearing is to receive citizen input regarding proposed fees for Special Event Permits contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous Fees and Charges of the City of Georgetown, South Carolina.

Call to Order

There was no one present who wished to speak.

Mayor Wilson closed the Public Hearing and opened the Regular Meeting of City Council at 5:01 PM.

Opened Regular Meeting

Mayor Pro Tem Barber rendered the invocation and 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.

Mayor Wilson opened the Public Comment Section at 5:02 PM.

Public Comments

Ms. Mary Prince with Southern Coastal Cable addressed Council with concerns of a third cable service operating in Georgetown. Southern Coastal Cable has been offering services to citizens of the Georgetown as well as the unincorporated area surrounding the City since 2003. Due to their growth and being able to effectively keep their pricing down, customers have had only one rate increase. She said there is effective competition in Georgetown. There are presently two operators within the City, with the pie being divided. By adding a third operator, revenues will be cut, the bottom line will go down, and the overhead goes up. Ms. Prince asked Council to carefully consider this matter and realize there is effective competition in the Georgetown community.

Ms. Mary Prince

Mr. Kenneth L. Mitchum, representing Southern Coastal Cable, addressed City Council on the same issue. He submitted that recent statutes passed by the S.C. Legislature as well as recent rules and regulations of the FCC do not make it contrary to law for a municipality to refuse to give its consent to same. The FCC, Congress, and the State of South Carolina have indicated that their respective purposes and intent in recent enactments was to increase effective competition in the CATV industry. The City has two cable operators, which have overbuilt each other. In addition,

Mr. Kenneth L. Mitchum

there are at least three dish satellite TV operators available for customers. While it may appear that a third CATV operator will increase competition, when in fact the practical affect may be to lessen competition. He said when there is effective competition, consent to franchise can be denied. He noted there are approximately 6,000 possible subscribers within the City. If there are three operators, then each will have 2,000 customers. This will cause at least two of the operators to cease doing business, because of the huge capital cost per subscriber. Then the City will be at its mercy. Prices will rise dramatically. In addition, Horry Telephone is a co-op, which does not have the profit motive behind its operations. It does have to be concerned with a reasonable return on its investment. The potential for unfair competition exists from this factor alone.

The Public Comment Section closed at 5:11 PM.

**Public Comments
Closed**

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

**Character Trait
Video**

Mayor Wilson if there was any objection to moving Item 12A up on the agenda. There being none, Mayor Wilson recognized Chief Joey Tanner.

Chief Tanner requested permission to commit to purchase a 2002 model Class A pumper from Myrtle Beach Fire Department in the amount of \$200,000. The purchase would occur in FY 2008/09; however, they require a commitment to purchase in January 2008. Significant maintenance issues are beginning to occur with Engine 12, which is 17 years old. A new replacement would cost between \$350,00 and \$400,000. The Myrtle Beach Fire Department is planning to replace their entire fleet in July and has six 2002 model Pierce pumpers available for sale at \$200,000 each. Engine 12 may have a resale value of up to \$50,000. After lengthy discussions among Council, Mayor Wilson asked Chief Tanner to get with Finance and bring this back to Council. Council agreed.

Fire Department

Chief Paul Gardner introduced Kristin Strickland, the City's Animal Control Officer.

New Employees

Mayor Wilson recognized Mr. Myers Rollins, Jr., General Manager and CEO of Coast RTA. Mr. Rollins addressed Council concerning the number of people who do not own a vehicle or have access to private transportation. He said they receive calls from residents in Georgetown and the surrounding area asking for help with transportation. They need access to jobs. Residents 60 years and over represent 36 percent of the total population in this region. For their own personal safety or due to some physical disability, they simply are not in a position to operate a car. Most of the individuals that Coast RTA talks with are property owners, pay property taxes but they don't have mass transportation to access the community. They are looking for help to get to medical appointments, dialysis treatment, grocery stores and other vital and necessary community services. This is a core quality of life issue. Mr. Rollins appealed to Council to speak to the needs of that segment of the population and consider some financial support to Coast RTA to provide the transportation service needed.

**Mr. Myers Rollins,
Coast RTA**

Mrs. Morris presented an ordinance for second reading to rezone approximately 38 acres owned by Richmond Realty Company, LLC located on Anthuan Maybank Drive from High Density Residential (R-4) to General Commercial (GC) and further amend the Future Land Use Map of the Comprehensive Plan to reflect the change.

COUNCILMEMBER BRADLEY MOVED TO APPROVE SECOND READING TO REZONE APPROXIMATELY 38 ACRES OWNED BY RICHMOND REALTY COMPANY, LLC LOCATED ON ANTHUAN MAYBANK DRIVE FROM HIGH DENSITY RESIDENTIAL (R-4) TO GENERAL COMMERCIAL (GC) AND FURTHER AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO REFLECT THE CHANGE, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. THE MOTION WAS UNANIMOUSLY APPROVED 7-0.

**2nd Reading –
Rezone 38 Acres
Owned by
Richmond Realty
Company, LLC**

Mrs. Morris presented an ordinance for second reading to rezone approximately 15.29 acres owned by Abundant Harvest Family Fellowship located on Charleston Highway from Low Density Residential (R-1) to General Commercial (GC) TMP# 5-50-1.3 and further amend the Future Land Use Map of the Comprehensive Plan to reflect the change.

COUNCILMEMBER BRADLEY MOVED TO APPROVE SECOND READING TO REZONE APPROXIMATELY 15.29 ACRES OWNED BY ABUNDANT HARVEST FAMILY FELLOWSHIP LOCATED ON CHARLESTON HIGHWAY FROM LOW DENSITY RESIDENTIAL (R-1) TO GENERAL COMMERCIAL (GC) TMP# 5-50-1.3 AND FURTHER AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO REFLECT THE CHANGE, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. THE MOTION WAS UNANIMOUSLY APPROVED 7-0.

**2ND Reading –
Rezone 15.29
Acres Owned by
Abundant Harvest
Family Fellowship**

Mrs. Morris presented an ordinance for first reading to amend the City of Georgetown Zoning Ordinance Article V; Application of Regulations, Section 511 Accessory Use, Building, Structure.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING ON AN ORDINANCE TO AMEND THE CITY OF GEORGETOWN ZONING ORDINANCE ARTICLE V; APPLICATION OF REGULATIONS, SECTION 511 ACCESSORY USE, BUILDING, STRUCTURE, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. THE MOTION WAS UNANIMOUSLY APPROVED 7-0.

**1st Reading –
Amend Zoning
Ordinance Article
V, Section 511
Accessory Use,
Bldg., Structure**

Mrs. Morris presented a Resolution to invoke Pending Ordinance Doctrine on an Ordinance to amend the City of Georgetown Zoning Ordinance, Article V, Section 511 to allow for accessory use, building, structure in the rear and side yards and establish a size and height requirement for said structures, uses.

MAYOR PRO TEM BARBER MOVED TO APPROVE A RESOLUTION TO INVOKE PENDING ORDINANCE DOCTRINE ON AN ORDINANCE TO AMEND THE CITY OF GEORGETOWN ZONING ORDINANCE, ARTICLE V, SECTION 511 TO ALLOW FOR ACCESSORY USE, BUILDING, STRUCTURE IN THE REAR AND SIDE YARDS AND ESTABLISH A SIZE AND HEIGHT REQUIREMENT FOR SAID STRUCTURES, USES, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. THE MOTION WAS UNANIMOUSLY APPROVED 7-0.

**Resolution –
Invoke Pending
Ordinance
Doctrine -
Amend Zoning
Ordinance Article
V, Section 511
Accessory Use,
Bldg., Structure**

Councilmember Sawyer recused himself from the following item because his son works for one of the proposed contractors.

**Mr. Sawyer
recused**

Mr. Lane Mixon presented a construction contract in the amount of \$406,578.30 with Seaside Utilities for south service area booster pump station. The budgeted amount for this project is \$216,800. Mr. Mixon recommended moving \$200,000 from the water line replacement project in Maryville to cover the shortfall. Both projects are related to the water pressure and fire protection in Maryville. This project will also include the bulk of the cost for the water to be installed to the developments on Venture Drive. He does not recommend phasing this project.

COUNCILMEMBER BRADLEY MOVED TO APPROVE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$406,578.30 WITH SEASIDE UTILITIES FOR SOUTH SERVICE AREA BOOSTER PUMP STATION, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Councilmember Scoville asked if the booster pump station is a necessary element of the upgrade for Maryville. Mr. Mixon said it is critical. Councilmember Bradley reminded Council he has had first hand experienced with low water pressure in Maryville when his residence burned. Mayor Pro Tem Barber said increasing the water pressure in Maryville has been talked about for years and the pump station needs to be installed now. Mayor Wilson called for the question. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Bradley, Scoville, Smalls and Wayne voted in favor; Councilmember Sawyer was recused. **THE MOTION WAS APPROVED 6-0-1.**

Approve Contract with Seaside Utilities for South Service Area Booster Pump Station

Mr. Mixon requested approval to award a contract to Carolina Ground Works in the amount of \$27,221.70 to repair asphalt on Front Street.

COUNCILMEMBER SAWYER MOVED TO AWARD CONTRACT TO CAROLINA GROUND WORKS IN THE AMOUNT OF \$27,221.70 TO REPAIR ASPHALT ON FRONT STREET DUE TO THE STREETScape PROJECT, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY APPROVED 7-0.**

Contract with Carolina Ground Works to Repair Asphalt on Front Street

Mr. Thomas requested approval of two quotes for additional work needed at City Hall. Staff had previously informed Council once the renovations began, other repairs may surface. Currently the front porch is in need to hand rails (included in the original bid) and repairs to the porch floor in the amount of \$5,000 (not included in

the original bid). The floor is actually separating and the individual tiles are coming up. The repairs need to be done to the porch floor before we try to attach new hand rails. In the course of the project we have discovered more damaged and rotten wood than originally expected. Labor and materials to repair and paint the exterior amount to \$16,440. Due to some savings on the interior renovations we have been able to replace a lot of the damaged wood. However, this creates an even greater need to painting the building.

COUNCILMEMBER SMALLS MOVED TO APPROVE TWO QUOTES FOR ADDITIONAL WORK NEEDED AT CITY HALL, REPAIRS TO THE PORCH FLOOR IN THE AMOUNT OF \$5,000 AND LABOR AND MATERIALS TO REPAIR AND PAINT THE EXTERIOR AMOUNT TO \$16,440, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Council expressed their concerns with wood versus vinyl siding. Mr. Thomas said staff will balance the aesthetics with the practicality and find the most appropriate answer. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY APPROVED 7-0.**

**Approve
Additional Work
Needed at City
Hall**

Mr. Keith Wilson informed Council we received the PARD grant to repair the bridge at Morgan Park and bring it up to ADA standards. He requested permission to apply for a \$50,000 grant from South Carolina Recreation, Planning and Engineering Office under the Recreational Trails Program to fund Phase I trails within Morgan Park, as part of the Morgan Park Master Plan. The application deadline is March 21, 2008 and funds will be awarded in July 2008.

COUNCILMEMBER BRADLEY MOVED TO APPROVE REQUEST TO APPLY FOR \$50,000 GRANT FROM SOUTH CAROLINA RECREATION, PLANNING AND ENGINEERING OFFICE – RECREATIONAL TRAILS PROGRAM, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. The City's match would be in the 2008/09 budget from hospitality fees. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY APPROVED 7-0.**

**Approve KGB
Request to Apply
for \$50,000 Grant**

Mrs. Howard presented an ordinance for second reading to amend Chapter 20, Streets, Sidewalks and Public Places of the Code of Ordinances of the City of Georgetown.

COUNCILMEMBER SMALLS MOVED TO APPROVE SECOND READING TO AMEND CHAPTER 20, STREETS, SIDEWALKS AND PUBLIC PLACES OF THE CODE OF ORDINANCES OF 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 APPROVED 7-0.**

**2nd Reading –
Amend Chapter 20
of Code of
Ordinances**

Mrs. Howard presented an ordinance for second reading to remove from Chapter 16, Article X in its entirety, that which includes Section 16-191 through Section 16-200, Parades and Processions and reserve Article X, Section 16-191 through Section 16-200 of the Code of Ordinances of the City of Georgetown.

COUNCILMEMBER BRADLEY MOVED TO APPROVE SECOND READING TO REMOVE FROM CHAPTER 16, ARTICLE X IN ITS ENTIRETY, THAT WHICH INCLUDES SECTION 16-191 THROUGH SECTION 16-200, PARADES AND PROCESSIONS AND RESERVE ARTICLE X, SECTION 16-191 THROUGH SECTION 16-200 OF THE CODE OF ORDINANCES OF 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 APPROVED 7-0.**

**2nd Reading –
Amend Chapter 16
of Code of
Ordinances**

Mrs. Howard presented an ordinance for second reading to establish fees for Special Event Permits contained in the City Clerk's Official Record of Utility Rates, Deposits and Miscellaneous fees and Charges of the City of Georgetown, South Carolina.

COUNCILMEMBER SAWYER MOVED TO APPROVE SECOND READING TO ESTABLISH FEES FOR SPECIAL EVENT PERMITS CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS AND MISCELLANEOUS FEES AND CHARGES OF THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY APPROVED 7-0.**

**2nd Reading –
Establish Fees for
Special Event
Permits**

Mr. Thomas presented an ordinance for second reading granting consent to Horry Telephone Cooperative, Inc. for franchise for cable service and setting franchise fee.

COUNCILMEMBER BRADLEY MOVED TO DENY SECOND READING ON ORDINANCE GRANTING CONSENT TO HORRY TELEPHONE COOPERATIVE, INC. FOR FRANCHISE FOR CABLE SERVICE AND SETTING FRANCHISE FEE, SECONDED BY COUNCILMEMBER SAWYER.

Mayor Wilson asked for discussion. Councilmember Sawyer asked if this HTC request is for cable television access alone or are they going to provide telephone access also. Mr. Thomas said he understands it is for cable service and probably internet related to that. They are currently serving telephone access the Harmony subdivision outside the City. Mr. Thomas referred Council to information included in their agenda packets which included the proposed ordinance, application for State-Issued Certificate of Franchise Authority, State Code 58-12-300 and State Issued Certificate List. After first reading, he spoke with the Municipal Association of South Carolina and the consensus response was that the state has removed much of the municipal authority to regulate cable franchises. If HTC was renewing a franchise with Georgetown and the City's experience with the franchisee was not good, the City would certainly have move leverage to deny consent. Neither MASC or the Secretary of State's office were aware of any denials that had been legally challenged to date but most of the denials result from poor service by an existing provider. It is our understanding that HTC initially intends to seek business from the City's new subdivisions; however, the company would have rights throughout the City as the certificate is approved unconditionally. Mr. Thomas told Council they can (1) give unconditional consent for HTC to work throughout the City, (2) deny with a reason or (3) do not respond at all which results in an automatic denial. He also stated for some time now the City has had an arrangement with HTC to handle our marketing agreement to provide fiber services. We have just recently developed a monthly fiber lease agreement with HTC. Councilmember Wayne wants to know, if we have people doing business in our City already, why would we sign a contract with someone that is not in the City. Mayor Pro Tem Barber stated to be fair he would like to hear from the other parties involved. Mr. Thomas said if the City does not respond by December 20, 2007 the Secretary of State's office denies consent. Councilmember Scoville said the reason to deny would be there is already existing competition in town that is sufficient. He agreed with Mr. Mitchum's points. Mayor Wilson called for the question. Councilmembers Bradley, Sawyer, Scoville, Smalls and Wayne voted in favor; Mayor Wilson and Mayor Pro Tem Barber voted against. **THE MOTION WAS APPROVED 5-2.** Mr. Thomas asked Council if they want him to respond with a

**Deny HTC, Inc.
Franchise for
Cable Service**

reason or not respond at all. The consensus was to respond with the reason. Mayor Wilson stated he is a customer of one of the existing companies and he will still be that way, his concern is if we start restricting businesses from coming into Georgetown...where does it stop.

Mr. Thomas said each full time city employee currently receives an annual Christmas bonus of \$150.00 and each part time employee receives \$75.00; this has not been adjusted in years. After reading an article about what the City of Loris had done for their employees at the end of the year, Mr. Thomas is asking Council to consider the City adjusting the Christmas bonus from \$150 to \$200 for full time employees, \$75 to \$100 for part time employees effective immediately and consider awarding each employee a \$50 safety incentive bonus, for calendar year 2007 experience. The employees have responded very well to our efforts to improve our safety records and we have already begun to realize positive results. This would cost approximately \$20,000. The City has saved \$18,000 in insurance premiums and funds in the safety and wellness budget where it could be adsorbed.

COUNCILMEMBER BRADLEY MOVED TO APPROVE ADDITIONAL EMPLOYEE CHRISTMAS BONUS IN THE AMOUNT OF \$50.00 FOR FULL TIME, \$25 FOR PART TIME AND A SAFETY INCENTIVE BONUS IN THE AMOUNT OF \$50.00, 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, Smalls and Wayne voted in favor; Councilmember Sawyer voted against. **THE MOTION WAS APPROVED 6-1.**

Under the City Administrator report, Mr. Thomas (1) handed out the latest SCAMPS report to Council, said (2) staff will be negotiating with Mittal Steel regarding the raw water agreement, (3) have received Articles of Incorporation on Winyah Auditorium Corporation and are reviewing and making minor changes, (4) have received bylaws for Winyah Auditorium Corporation, (5) some emergency improvements will be made to the Harborwalk, (6) beginning in January, prior to the Regular City Council Meeting, from 4:30 PM to 5:30 PM there will be an 'Ask the Administrator' session in order to answer questions from our citizens, (7) holiday drop in tomorrow night at the Stewart Parker House beginning at 6:00 PM, and (8) Fire Department Christmas Party tonight after the meeting.

Approve (1) Additional Employee Christmas Bonus and (2) Safety Incentive Bonus

City Administrator Report

COUNCILMEMBER BRADLEY MOVED TO APPROVE MINUTES OF REGULAR MEETING DATED NOVEMBER 15, 2007, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

**Approve Minutes –
11/15/07**

COUNCILMEMBER BRADLEY MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL AND GO INTO EXECUTIVE SESSION PURSUANT TO 30-4-70 (a)(1) TO DISCUSS APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS AND 30-4-70 (a)(2) TO DISCUSS A LEGAL MATTER CONCERNING CAROLINA TRANSFORMER SITE, SECONDED, BY COUNCILMEMBER SAWYER. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

**Adjourn Regular
Meeting and Enter
Executive Session**

The Regular Meeting adjourned at 6:35 PM.

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

**Reopen Regular
Meeting**

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

MAYOR PRO TEM BARBER MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL SECONDED, BY COUNCILMEMBER SAWYER. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 6-0.**

**Adjourn Regular
Meeting**

The Regular Meeting was adjourned at 6:56 PM.

Ann U. Mercer
City Clerk

DATE APPROVED: 01/17/08
VERIFYING INITIALS: _____

