

**REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
SEPTEMBER 20, 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
Mrs. Ann U. Mercer, City Clerk

DEPARTMENT HEADS:

Mr. Glen Dixon, Fleet Maintenance Superintendent
Major Johnnie Deas, Georgetown Police Department
Mrs. Katrina Lawrimore, Director of Kaminski House Museum
Mr. Alan Loveless, Electric Utility Director
Mrs. Jessica Miller, Director of Finance
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
Sun News – Zane Wilson

Mayor Wilson opened the Regular Meeting of City Council at 5:37 PM.

Call to Order

Fire Chief Joey Tanner 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 5:41 PM.

Public Comments

Ms. Helen Coakley of 229 South Congdon Street addressed City Council with a complaint she has with her neighbors, 221 South Congdon Street, who have six dogs, one in the house and five in the yard. She said the odor from the dogs is very high and the owners will not clean up after them. Mrs. Coakley asked what the limit is on the number of dogs you can have in the City. She said there are old, wrecked cars and trucks at this same house and asked if these are allowed. Mayor Wilson told Mrs. Coakley Mr. Thomas would be in touch with her and address these problems.

Mr. Jay Patidar of the Harbor Inn addressed City Council concerning Mr. Stewart Richardson's request to rezone property located at 600 Church Street from Planned Development to General Commercial. He is against this and asked Council if they do approve the change, before any licenses are approve to make sure there is enough parking for the business.

On behalf of Georgetown Housing Partnership, Ms. Jessie Walker from Waccamaw Regional COG, requested the City Council provide services to demolish a substandard house which will be replaced with a cottage from the Housing Partnership. Ms. Sarah Brown of 409 Dekalb Street resides in a unit that was condemned by the City. She was awarded an Elderly Transportable Replacement Cottage to replace her substandard house; however, her existing home needs to be demolished and removed in order for the replacement to be placed on her property. Ms. Walker has spoken with the county and they have agreed if the city provides the demolition they will waive the tipping fees. Mayor Wilson asked Ms. Walker to put her request in writing and send to Mr. Thomas.

The Public Comment Section closed at 5:46 PM.

Public Comments Closed

Major Johnnie Deas introduced two new employees, Mackey Hoffer has been hired as a Police Officer and will go to the academy on October 8, 2007 and Negeo Parreno has been hired as a front desk Office Assistant.

New Employees

Chief Joey Tanner presented a proclamation for Fire Prevention Week. The theme is 'Practice Your Escape Plan.' The Fire Department will be going to the schools, having an open house on October 9th and a multi-county fire expo at Wal Mart on October 13th.

MAYOR PRO TEM BARBER MOVED TO APPROVE A PROCLAMATION PROCLAIMING OCTOBER 7-13, 2007 AS FIRE PREVENTION WEEK IN THE CITY OF GEORGETOWN, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0**

**Proclamation –
Fire Prevention
Week**

Mr. Keith Wilson, Director of Keep Georgetown Beautiful recognized Ms. Lois Edwards from the South Carolina Forestry Commission. On behalf of the South Carolina Forestry Commission and the National Arbor Day Foundation, Ms. Edwards presented the City of Georgetown with a Tree City USA plaque for the fifteenth year.

**Tree City USA
Plaque**

Mrs. Sabrina Morris presented an ordinance for second reading to amend the Land Development Regulations to include Section 409: Traffic Impact Study Requirements.

COUNCILMEMBER WAYNE MOVED TO APPROVE SECOND READING TO AMEND THE LAND DEVELOPMENT REGULATIONS TO INCLUDE SECTION 409: TRAFFIC IMPACT STUDY REQUIREMENTS, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

**2ND Reading –
Amend Land
Development
Regs re. Traffic
Impact Study
Requirements**

Mrs. Morris presented an ordinance for first reading to amend the approved Planned Development District "The Plantation at Winyah Bay" to allow for a marina (having not more than 56 slips) as an allowed use.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING TO AMEND THE APPROVED PLANNED DEVELOPMENT DISTRICT “THE PLANTATION AT WINYAH BAY” TO ALLOW FOR A MARINA (HAVING NOT MORE THAN 56 SLIPS) AS AN ALLOWED USE, SECONDED BY COUNCILMEMBER Smalls. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

1st Reading – Amend PD District Plantation at Winyah Bay to Allow for a Marina (no more than 56 slips)

Mrs. Morris presented an ordinance for first reading to rezone approximately .41 acres owned by Stewart Richardson located at 600 Church Street from Planned Development (PD) to General Commercial (GC).

COUNCILMEMBER WAYNE MOVED TO APPROVE FIRST READING TO REZONE APPROXIMATELY .41 ACRES OWNED BY STEWART RICHARDSON LOCATED AT 600 CHURCH STREET FROM PLANNED DEVELOPMENT (PD) TO GENERAL COMMERCIAL (GC), SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Councilmember Sawyer recused himself. Mayor Wilson asked Steve Thomas to touch on discussions concerning this item. Mr. Thomas stated because of the nature of this issue, the City received some additional legal advice as recently as today, regarding the nature of this voting situation. He said there is a reversion clause in the Code that requires a zoned piece of property where construction does not begin within six months, that property be reverted back to its original zoning. From the advise we received, this would have to go back through the original process to the Planning Commission and then to City Council to make it official. Mayor Pro Tem Barber said until he can get some other legal advice on this particular piece of property, due to pending situations with this property and surrounding, he is not in a situation to vote on it right now. Councilmember Bradley said this was his sentiment also. Mrs. Morris said staff talked with an attorney this afternoon and asked for a legal opinion, who could vote and who could not. The attorney stated to make it very clear that if this does not affect the lawsuit then he felt you could all vote. Councilmember Bradley asked if this is the property that pertains to Jeremy Blackburn. Mrs. Morris answered...a portion of the Planned Development. Mr. Bradley said because of the legal issues surrounding this, notwithstanding the ordinance, he would rather not vote, it's just too cloudy. Mr. Thomas said in this particular case the original property owner of one of the tracts, has requested that it be rezoned. Mrs. Morris said JASDIP

Stewart Richardson Rezoning Request

owns the larger tract and Mr. Stewart Richardson is requesting his smaller portion be rezoned back to General Commercial. Mr. Thomas reminded Council of the automatic reversion clause that is enacted within six months. The advice we received is that Council look at this as a piece of property with some extra baggage associated with it. He said this is a formality because of the requirements of the ordinance where the reversion is supposed to take place anyway. No permits have been issued on the property. Councilmember Scoville asked if staff has heard from JASDIP or Mr. Blackburn about the rezoning. Mrs. Morris said they were notified; everyone within 200 feet of the property was been notified and there were no objections from anyone. Councilmember Bradley asked for the City Attorney's opinion on Council voting on this situation. Mrs. Crosby said she reviewed the ordinance as to form; she has not been asked as to the propriety of individual members voting. She said Council should be mindful not only for the potential for any litigation involving JASDIP but also potential for litigation involving this particular property owner who is asking to have his property rezoned. Councilmember Smalls felt Council should vote and let their own conscious be their guide. Councilmember Wayne asked what would happen if Council did vote and find out that it was an illegal vote. Mayor Wilson said he did not have an answer. He said this is a formality, in six months it reverts back to General Commercial. Part of the formality is that this go back through Planning and that's why we are here now. Councilmember Scoville asked wasn't the rezoning request the primary reason and Mrs. Morris answered yes, the rezoning request started this entire process. Councilmember Bradley suggested making a motion pending any legal ramifications. He feels the City could be liable to some degree, even though we have the ordinance. Mayor Wilson said Mr. Battle, the attorney the City uses in zoning matters, has told Council it would be OK to vote on this issue. He asked Mrs. Morris if his understanding was correct. Mrs. Morris said it was his opinion that if the property had no effect on the lawsuit everyone, he felt, could vote. Mr. Bradley pointed out Mr. Battle is not here for Council to question. Mayor Wilson asked if this has to be decided tonight. Councilmember Scoville said we could give it first reading. Mayor Wilson said, if Council will, let's go ahead and give it first reading because the property owner has a business out there and he wants to do something with it, then we will do all the additional due diligence before second reading. Mayor Wilson called for the question. Mayor Wilson and Councilmembers Scoville and Wayne voted in favor, Mayor Pro Tem Barber and Councilmembers Bradley and Smalls voted against and Councilmember Sawyer was

recused because he is a plaintiff in a lawsuit that involves this piece of property. The motion failed 3 in favor, 3 against and 1 recused. Councilmember Bradley wanted to know if there is an ongoing legal issue with Jeremy Blackburn and this property. Councilmember Scoville stated the last time he was aware of anything, Mr. Blackburn has some very competent attorneys representing him and if he had a problem with this he would have been here making that point very clear to Council.

COUNCILMEMBER BRADLEY MOVED TO RECONSIDER, SECONDED BY COUNCILMEMBER SCOVILLE. Mayor Wilson called for the question. **MAYOR WILSON AND COUNCILMEMBERS BRADLEY, SCOVILLE AND WAYNE VOTED IN FAVOR. MAYOR PRO TEM BARBER AND COUNCILMEMBER SMALLS RECUSED DUE TO PENDING LAWSUITS AGAINST THE CITY AND COUNCILMEMBER SAWYER RECUSED BECAUSE HE IS A PLAINTIFF IN A LAWSUIT THAT INVOLVES THIS PIECE OF PROPERTY. THE MOTION PASSED 4-0-3.**

COUNCILMEMBER WAYNE MOVED TO APPROVE FIRST READING TO REZONE APPROXIMATELY .41 ACRES OWNED BY STEWART RICHARDSON LOCATED AT 600 CHURCH STREET FROM PLANNED DEVELOPMENT (PD) TO GENERAL COMMERCIAL (GC), SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **MAYOR WILSON AND COUNCILMEMBERS BRADLEY, SCOVILLE AND WAYNE VOTED IN FAVOR. MAYOR PRO TEM BARBER AND COUNCILMEMBER SMALLS RECUSED DUE TO PENDING LAWSUITS AGAINST THE CITY AND COUNCILMEMBER SAWYER RECUSED BECAUSE HE IS A PLAINTIFF IN A LAWSUIT THAT INVOLVES THIS PIECE OF PROPERTY. THE MOTION PASSED 4-0-3.**

Mrs. Morris presented an ordinance for first reading to amend City of Georgetown Zoning Ordinance Article IX, Section 904: Exceptions to Heights and Modifications to allow for language that allows for all appurtenances required for HVAC or elevator equipment and architectural elements above the roof line be exempt from height requirements.

Motion Failed on Stewart Richardson Rezoning Request

Reconsider Motion

Messrs. Barber, Sawyer & Smalls Recused

1st Reading – Stewart Richardson Rezoning Request

Messrs. Barber, Sawyer & Smalls Recused

COUNCILMEMBER WAYNE MOVED TO NOT ACCEPT (APPROVE) FIRST READING TO AMEND CITY OF GEORGETOWN ZONING ORDINANCE ARTICLE IX, SECTION 904: EXCEPTIONS TO HEIGHTS AND MODIFICATIONS TO ALLOW FOR LANGUAGE THAT ALLOWS FOR ALL APPURTENANCES REQUIRED FOR HVAC OR ELEVATOR EQUIPMENT AND ARCHITECTURAL ELEMENTS ABOVE THE ROOF LINE BE EXEMPT FROM HEIGHT REQUIREMENTS, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Councilmember Sawyer asked if this concerned commercial and residential property. Mrs. Morris answered as it is written, would include both. He asked could the façade of the building, on commercial property, be built up high enough to hide anything behind it on the roof. Mrs. Morris said with the next motion it could certainly do that and more. She said elevator shafts normally, if they are two or three stories, have to be higher than the building. The request is for the shaft to be allowed to be higher than the required height. Also the facades in the historic district, those now have to meet the 35 foot height requirement. The request is that those be exempt. The entire downtown area is in a flood zone. Staff certainly recommends elevating any HVAC unit or any kind of mechanical unit. This is required by state law. The request is that the unit(s) be placed on the roofline and if it goes above the height requirement that it be exempt. The Architectural Review Board would look at that when the plans are reviewed. Discussions followed. Mayor Wilson stated the motion on the floor is to not approve first reading. He called for the question. Councilmembers Bradley and Wayne voted in favor. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Sawyer, Scoville and Smalls voted against. The motion failed 2-5.

Motion Failed to Deny 1st Reading for HVACs, Elevators, Architectural Elements above Roofline

COUNCILMEMBER SCOVILLE MOVED TO APPROVE FIRST READING TO AMEND CITY OF GEORGETOWN ZONING ORDINANCE ARTICLE IX, SECTION 904: EXCEPTIONS TO HEIGHTS AND MODIFICATIONS TO ALLOW FOR LANGUAGE THAT ALLOWS FOR ALL APPURTENANCES REQUIRED FOR HVAC OR ELEVATOR EQUIPMENT AND ARCHITECTURAL ELEMENTS ABOVE THE ROOF LINE BE EXEMPT FROM HEIGHT REQUIREMENTS WITH THE CONDITION STAFF REFINE THE LANGUAGE SOMEWHAT TO CLARIFY THE MEANING OF ARCHITECTURAL ELEMENTS, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson called for the question. MAYOR WILSON, MAYOR PRO TEM BARBER AND COUNCILMEMBERS SAWYER, SCOVILLE AND SMALLS

1st Reading – HVACs, Elevators, Architectural Elements above Roofline

VOTED IN FAVOR. COUNCILMEMBERS BRADLEY AND WAYNE VOTED AGAINST. THE MOTION CARRIED 5-2.

Mrs. Morris presented an ordinance for first reading to amend City of Georgetown Zoning Ordinance Article III, Section 310.0: Building Heights to allow for language that measures from the height at the required flood elevation at the building line to mid-point on the roof between the eave and the ridge for structures located in required elevated flood zones.

COUNCILMEMBER WAYNE MOVED TO DENY FIRST READING TO AMEND CITY OF GEORGETOWN ZONING ORDINANCE ARTICLE III, SECTION 310.0: BUILDING HEIGHTS TO ALLOW FOR LANGUAGE THAT MEASURES FROM THE HEIGHT AT THE REQUIRED FLOOD ELEVATION AT THE BUILDING LINE TO MID-POINT ON THE ROOF BETWEEN THE EAVE AND THE RIDGE FOR STRUCTURES LOCATED IN REQUIRED ELEVATED FLOOD ZONES, SECONDED BY COUNCILMEMBER SMALLS.

Mayor Wilson asked for discussion. Mrs. Morris provided information to Council that she gave to the Planning Commission. She explained that FEMA requires that all homes or commercial structures located in flood zones be elevated to meet the flood. There are several flood zones in the city and they vary as far as the elevations. Height is currently measured from grade to peak of roof, with a maximum height limit of 35 feet, (excluding PD's) this height limit includes those parcels located in flood zones. The proposed changes would allow for heights exceeding 35 feet in flood zones, as it would measure from the required flood elevation at the building line to the midpoint on the roof, between the eave and the ridge. This change would affect all areas of the city currently located in a required elevated flood zone. The Board of Appeals hears several requests per year regarding height. Discussions followed. The Planning Commission unanimously recommended this based on the needs of the flood areas. Mayor Pro Tem Barber asked if this is not approved, what impact will it have on homeowners trying to build on lots in the flood zones. Mrs. Morris said more and more people would be going to the Board of Appeals. If this is not approved tonight Council will be addressing it again. Staff agrees there should be some kind of consideration made to look at the homes and structures in flood zones. Mayor Wilson stated the motion on the floor is to deny first reading of Item 11E. He called for the question. **COUNCILMEMBERS BRADLEY, SCOVILLE, SMALLS AND WAYNE VOTED YES. MAYOR WILSON, MAYOR PRO TEM BARBER AND COUNCILMEMBER SAWYER VOTED NO. THE**

**1st Reading Deny
Language that
Measures Building
Heights at
Required Flood
Elevation**

MOTION CARRIED 4-3. Councilmember Scoville said he would like to come back at the next meeting and revisit this with some tweaking. Mrs. Morris said she would have information on other municipalities and areas on what they are doing.

Mrs. Jessica Miller presented a request for approval of quote and scope of work from Coastal Structures in an amount not to exceed \$25,000 for the Front Street restroom renovations. She pointed out Items 12A and 12B go hand-in-hand and noted we tend to get better pricing when we combine these projects in this kind of work. Staff felt there were good grounds for sole source procurement. Mrs. Miller researched this and there was criteria we had to and did meet. She offered to review this for Council.

Addressing Item 12B, Mayor Wilson suggested that Council consider putting vinyl siding on the exterior fascia boards that are rotting rather than repainting the wood. Mrs. Miller said the boards are to be replaced with a no maintenance type product, not wood, that lasts forever. Councilmember Wayne asked about replacing all the boards with the new product, not vinyl. Mayor Wilson said he knew the cost would go up but asked Mrs. Miller to go back to the drawing board on this.

Back to Item 12A, there is some much needed work required in the Front Street restrooms. There are structural, safety and operational issues that have to be addressed. The quote is to remove and replace the countertops, the doors, the plumbing fixtures, the flooring, lighting and painting.

COUNCILMEMBER SAWYER MOVED TO APPROVE QUOTE AND SCOPE OF WORK FROM COASTAL STRUCTURES IN AN AMOUNT NOT TO EXCEED \$25,000 FOR THE FRONT STREET RESTROOM RENOVATIONS, SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY APPROVED 7-0.**

Councilmember Bradley requested when Mrs. Miller brings Item 12B back to Council there be an itemized list that is more visible. Councilmember Sawyer commented that he would hate to see City Hall have vinyl siding when it is denied by the ARB in the Historic District. Mrs. Miller said the solution is not vinyl. Councilmember Wayne said it looks just like a board. Mrs. Wayne did not see the need for \$3,000 for kitchen appliances.

Approve Quote and Scope of Work from Coastal Structures not to Exceed \$25,000 for Renovations of Front St. Restrooms

Major Johnnie Deas requested approval to purchase video conferencing equipment for Municipal Court in the amount of \$46,843.70 from Systems and Services, LLC. This is a budgeted item.

COUNCILMEMBER SCOVILLE MOVED TO APPROVE PURCHASE OF VIDEO CONFERENCING EQUIPMENT FOR MUNICIPAL COURT IN THE AMOUNT OF \$46,843.70 FROM SYSTEMS AND SERVICES, LLC, 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 Purchase of Video Conferencing Equipment

Mr. Alan Loveless requested approval of purchase order to Townsend, Inc. for contracted electric line crew assistance for Cravens Grant and an overhead line upgrade on South Island Road. This is a budgeted item.

COUNCILMEMBER SMALLS MOVED TO APPROVE PURCHASE ORDER TO TOWNSEND, INC. FOR CONTRACTED ELECTRIC LINE CREW ASSISTANCE, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Approve Purchase Order to Townsend, Inc. for Contracted Electric Line Crew

Mr. Lane Mixon requested approval to purchase a John Deere 310J backhoe in the amount of \$72,438.26, tax included, from Industrial Tractor Company. This is under state contract and is a budgeted item.

COUNCILMEMBER SAWYER MOVED TO APPROVE PURCHASE OF A JOHN DEERE 310J BACKHOE IN THE AMOUNT OF \$72,438.26, TAX INCLUDED, FROM INDUSTRIAL TRACTOR COMPANY, SECONDED BY COUNCILMEMBER SMALLS. Mayor Wilson asked for discussion. Councilmember Smalls questioned Mr. Glen Dixon about the need for a tilt steering wheel and AM/FM/Weather Band Radio. Mr. Dixon said the driver would need the tilt steering wheel when maneuvering turns. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Approve Purchase of John Deere 310J Backhoe

Mr. Lane Mixon requested approval to purchase a 2007 Sterling LT 9511 roll-off container truck from Columbia Freightliner in the amount of \$119,942.00. This vehicle will be used to haul sludge at

the wastewater plant and is a budgeted item.

COUNCILMEMBER SMALLS MOVED TO APPROVE PURCHASE OF A 2007 STERLING LT 9511 ROLL-OFF CONTAINER TRUCK FROM COLUMBIA FREIGHTLINER IN THE AMOUNT OF \$119,942.00, SECONDED BY COUNCILMEMBER BRADLEY. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Mr. Thomas reiterated the Town of Andrews owes the City of Georgetown as well as the Georgetown County Water and Sewer District between \$600,000 - \$650,000 due to falling behind on their share of the cost associated with the regional wastewater treatment plant. They have decided to pay these debts off by selling back to the two partners, 590,000 gallons per day to the City and 410,000 to the District. Much time has been spent working with Andrews, the District and the City Attorney and other attorneys to try to work through this. Staff feels this would be mutually beneficial to consider. Council has been provided with a sales agreement between the Town of Andrews and Georgetown County Water and Sewer District and a calculation of allocated capacity prepared by the Georgetown's Finance Department. This will not be a cash transaction. The City will retain the difference to apply towards future debt incurred by the Town of Andrews. Staff recommends that Council authorize the City Administrator to enter into an agreement with the Town of Andrews to purchase 590,000 gallons per day of wastewater treatment capacity reserve by the Town. There was no objection from Council.

Mrs. Katrina Lawrimore presented a request from the Harbor Historical Association to place three signs announcing the upcoming Georgetown Wooden Boat Show on October 20, 2007. One 3'x4' sign at corner of Broad and Hwy 17 facing southbound traffic, one 3'x4' sign on Hwy 17 south across from Food Lion facing northbound traffic and one 4'x8' sign on Hwy 17 at south end of Rosen Bridge to be placed in green area to the right of southbound lane facing northbound traffic.

COUNCILMEMBER BRADLEY MOVED TO APPROVE REQUEST FROM THE HARBOR HISTORICAL ASSOCIATION TO PLACE THREE SIGNS ANNOUNCING THE UPCOMING GEORGETOWN WOODEN BOAT SHOW ON OCTOBER 20, 2007. ONE 3'X4' SIGN AT CORNER OF BROAD AND HWY 17 FACING SOUTHBOUND TRAFFIC, ONE 3'X4' SIGN ON HWY 17 SOUTH

Approve Purchase of 2007 Sterling LT 9511 Roll-Off Container Truck

Authorize City Administrator to Enter into an Agreement with the Town of Andrews to Purchase 590,000 Gallons per day of Wastewater Treatment Capacity Reserve by the Town

ACROSS FROM FOOD LION FACING NORTHBOUND TRAFFIC AND ONE 4'X8' SIGN ON HWY 17 AT SOUTH END OF ROSEN BRIDGE TO BE PLACED IN GREEN AREA TO THE RIGHT OF SOUTHBOUND LANE FACING NORTHBOUND TRAFFIC, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Approve request to Place Signs Re. Wooden Boat Show

Mr. Thomas presented an ordinance for first reading to amend Chapter 2, Article II, Division 2, Meetings, Section 2-48 (f), Enactment of Ordinances of the Code of Ordinances of the City of Georgetown, South Carolina. Currently, to enact an ordinance upon final adoption, it must be signed by the Mayor or presiding member of Council and attested by the Municipal Clerk. By practice, other councilmembers voting in the affirmative have been added to the signature page. The amendment would match up the ordinance with the practice.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING TO AMEND CHAPTER 2, ARTICLE II, DIVISION 2, MEETINGS, SECTION 2-48 (F), ENACTMENT OF ORDINANCES OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER WAYNE. Mayor Wilson asked for discussion. Councilmember Scoville asked why Council does not conform their practice to the present ordinance instead of changing the ordinance. He said everybody doesn't need to sign and stated all the senators and representatives don't sign Bills, the minutes reflect the vote. Councilmember Wayne said this is the way we have done it and it's good. Mayor Wilson called for the question. Councilmembers Bradley, Smalls and Wayne voted in favor. Mayor Wilson, Mayor Pro Tem Barber and Councilmembers Sawyer and Scoville voted against. The motion failed 3-4.

Motion Failed 1st Reading to Amend Chapter 2, Article II, Division 2, Meetings, Section 2-48 (f), Enactment of Ordinances

Mr. Thomas presented an ordinance for first reading to amend Chapter 6, Elections, Section 6-1 by deleting in its entirety and replacing with Section 6-1 through Section 6-5 of the Code of Ordinances of the City of Georgetown, South Carolina. This will conform to what most municipalities have in place which is a General Election Ordinance that will apply each and every year. Mr. Thomas pointed out a provision in Sec. 6-4 that states the mayor and members of the city council so elected shall take office and assume the duties of their respective offices at the next regular meeting of city council after the expiration of the time for protest of

the election has passed. Traditionally in Georgetown, newly elected officials come on board as of January 1st followed by a swearing in ceremony. He suggested if Council wants to keep it like it is, to approve first reading and amend that section to January 1st, otherwise it would be at the next regular meeting after the election has been certified.

COUNCILMEMBER BRADLEY MOVED TO APPROVE FIRST READING, AS IS, TO AMEND CHAPTER 6, ELECTIONS, SECTION 6-1 BY DELETING IN ITS ENTIRELY AND REPLACING WITH SECTION 6-1 THROUGH SECTION 6-5 OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN, SOUTH CAROLINA, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Pro Tem Barber expressed his concern about the loss of time in the retirement system if elected officials in the future were unseated and they were part of the Retirement System, this would mean they would lose two months off their retirement. It was decided this will be addressed in the ordinance before second reading. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Mr. Thomas said the next four items are all connected. He thanked members of the Special Events Policy Committee, including three Councilmembers, for all of their hard work, Elise Crosby for her input and Cindi Howard for her coordination and putting all the ordinances together. Mayor Wilson said this is a lot of information and suggested having a workshop on these items. He asked if this would be agreeable with Council. There was no objection. Councilmember Scoville said he would like to have public input at the workshop and Mayor Wilson agreed.

Mr. Thomas said that recently several local vendors have questioned the use of outside vendors to provide services. The City Code requires the City to select the "lowest responsive and responsible vendor" regardless of location. It states that to award a contract to a local vendor when that vendor is not the lowest responsive and responsible vendor or where price, quality and service are not equal, is to give preference to one minute segment of the citizenry against the best interest of the community as a whole. The Municipal Association's model purchasing ordinance simply suggests local preference on bids with all factors, including price, being equal. The City's Code mirrors the model ordinance. Some cities and towns provide an allowance for local vendors in their procurement policies. Mr. Thomas listed several options for

1st Reading – Amend Chapter 6, Elections, Section 6-1 by Deleting in its Entirely and Replacing with Section 6-1 through Section 6-5 of the Code

Special Events - Council asked for a Workshop on Items 17C-17F Before Taking any Action

Discussion of Purchasing Regulations

Council to consider; a local allowance with a monetary cap, to keep the ordinance as is, to allow staff to review the entire purchasing ordinance for additional amendments. He said the City is trying to move towards a more centralized purchasing process in order to get more bang for our bucks but to leave as much of the decision making, as it should be, with the Department Heads. Mayor Pro Tem Barber said due to procurement requirements, staff needs to provide Council with more adequate information in order to make a decision and present future guidelines for purchasing at a workshop. Councilmember Wayne was concerned that departments are being told they can no longer purchase from a particular local vendor and must purchase from another company out of town. She said the local businesses pay taxes, purchase business licenses and permits, use and pay for City services and she believes the City should support local businesses. Councilmember Bradley agreed with Mrs. Wayne. Discussions continued.

Mr. Thomas said the Winyah Auditorium Committee has requested City Council to authorize the selection of a fundraising consultant to help solicit up to \$1 million in additional donations. It appears the fee would be somewhere between \$25,000 and \$50,000 out of pocket. Within the scope of the City's purchasing regulations, a fundraising consultant would be considered a professional service. Accordingly, the City might opt to publicly advertise for RFQ's or simply identify and contact three or four consultants and select one with the assistance of the Committee. This is City Council's decision. Discussions followed. Councilmember Sawyer wants to proceed. Mayor Wilson said he and the City Administrator would seek proposals from fundraising consultants.

Mr. Thomas reported a lot of good, helpful input was received from the public and businesses at the meeting concerning the sign ordinance. He said a proposed workshop on the sign ordinance is scheduled for October 11, 2007. He informed Council about the change in the County's solid waste user fees. Each resident presently pays \$44.00 a year on their tax bill for tipping fees for the landfill. The new charge will be \$44.00 per rollout for all non single family residential customers. This includes our Front Street businesses that have the rollout cans. Mr. Thomas feels this will discourage recycling. He did say he has not discussed this with the County in detail but wanted to make Council aware. Mr. Gary Wiggins, Administrator for the State Building Codes Council met with staff, contractors and the public to discuss building code enforcement and answer questions. Mr. Thomas thanked Mr.

**Discussion of
Fundraising
Consultant for
Winyah
Auditorium
Renovations**

**City Administrator
Report**

Bradley for attending. Dates and locations for the fall Council retreat were given and Mr. Thomas asked Council to notify staff with their choice. A cleanup for the West End is being planned for late October or early November. This will be a joint effort between the neighborhoods, the KGB, the City and property owners. The Oversight Committee meeting has been rescheduled for October 27, 2007 at 10:00 am. The Police Chief ceremonial swearing in will be Monday, October 8, 2007 at 10:00 AM at City Hall. Cindi Howard passed her Introduction to Risk Management from the Insurance Institute of America. The Water Treatment Plant received two operational awards from DHEC.

COUNCILMEMBER SAWYER MOVED TO APPROVE MINUTES OF REGULAR MEETING OF CITY COUNCIL DATED AUGUST 16, 2007 AND SPECIAL MEETINGS DATED AUGUST 20, 2007 AND AUGUST 30, 2007, SECONDED BY MAYOR PRO TEM BARBER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Minutes – Regular Meeting 8/16/07
Special Meetings 8/20/07 & 8/30/07

MAYOR PRO TEM BARBER MOVED TO ADJOURN REGULAR MEETING OF COUNCIL AND GO INTO EXECUTIVE SESSION PURSUANT TO 30-4-70(a)(1) TO DISCUSS APPOINTMENTS TO A-TAX COMMITTEE AND GEORGETOWN HOUSING AUTHORITY AND 30-4-70(a)(2) RECEIVE LEGAL UPDATE ON DEVELOPMENT ISSUE AND DISCUSS NEGOTIATIONS INCIDENT TO POSSIBLE CONTRACTUAL ARRANGEMENTS CONCERNING FIBER, SECONDED BY COUNCILMEMBER SAWYER. Mayor Wilson asked for discussion. Mayor Wilson called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Enter Executive Session

The Regular Meeting was adjourned at 7:46 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

The Regular Meeting was reopened at 8:15 PM.

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

COUNCILMEMBER WAYNE MOVED TO APPOINT REBECCA MYRICK-SMITH, AMY SPROWLES, MEG TARBOX AND STEELE BREMNER TO THE ACCOMMODATIONS TAX COMMITTEE, SECONDED BY COUNCILMEMBER BRADLEY AND UNANIMOUSLY CARRIED 7-0.

**Appointments to
A-Tax Committee**

COUNCILMEMBER WAYNE MOVED TO APPOINT RICHARD SMITH TO THE GEORGETOWN HOUSING AUTHORITY CONTINGENT UPON RESIDENCY QUESTION, SECONDED BY COUNCILMEMBER SAWYER AND UNANIMOUSLY CARRIED 7-0.

**Appointment to
Georgetown
Housing Authority**

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

**Adjourn Regular
Meeting**

The Regular Meeting of City Council was adjourned at 8:17 PM.

Ann U. Mercer
City Clerk

DATE APPROVED: 11/15/07
VERIFYING INITIALS: _____

