

**REGULAR MEETING OF CITY COUNCIL
CITY OF GEORGETOWN, SC
APRIL 15, 2010**

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

The Regular monthly Meeting of City Council was held this date in the Council Chambers at City Hall with Mayor Jack M. Scoville, Jr. presiding.

MEMBERS PRESENT:

Mayor Jack M. Scoville, Jr.
Council Member Jeanette Ard
Council Member Brendon M. Barber, Sr.
Mayor Pro Tem Rudolph A. Bradley
Council Member Paige B. Sawyer, III
Council Member Clarence C. Smalls
Council Member Peggy P. Wayne

ALSO PRESENT:

Mr. Chris Eldridge, City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann Mercer, City Clerk
Mr. Paul A. Gardner, Chief of Police
Mr. Sterling Geathers, Public Works Director
Mrs. Cindy Kinder, Kaminski House Director
Mr. Alan Loveless, Electric Utility Manager
Mrs. Jessica Miller, Finance Director
Mr. Lane Mixon, Public Water Utilities Director
Mr. Joey Tanner, Fire Chief
Mr. Keith Wilson, Keep Georgetown Beautiful Executive Director

NEWS MEDIA

Georgetown Times – Mr. Scott Harper
WGTN/WLMC – Mr. Rod Stalvey

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

Call to Order

Council Member Barber rendered the invocation and Mayor Scoville led the Pledge of Allegiance.

Invocation and Pledge

Mayor Scoville requested all cell phones be turned off or placed on silent/vibrate with the exception of emergency responders.

Mayor Scoville opened the Public Comment Section at 5:33 PM and recognized Mrs. Annette Fisher from the Chamber of Commerce. Mrs. Fisher announced that Saturday is the 2nd George Goes Green. Last year was a huge success and they are looking forward to the same this year. She thanked Keith Wilson and Keep Georgetown Beautiful for all their help. Mrs. Fisher also expressed the Chamber's support for Myers Rollins and his team and the Coast RTA proposal.

The Public Comment Section concluded at 5:37 PM.

Mayor Scoville announced the character trait of the month is creativity. Approaching a need, a task or an idea from a new perspective.

Mayor Scoville recognized Ms. Foy Ford, Theater Manager at Swamp Fox Players. On behalf of the Swamp Fox Players, Ms. Ford addressed City Council and requested \$7,000 in Hospitality Funds for advertising to supplement the shortcoming on A-Tax funding. Ads are run in six newspapers throughout South Carolina one week prior to the play opening and for the following two weeks. They also have brochures, a website which promotes the theater and the City and radio ads, all are used to attract tourists to Georgetown.

MAYOR PRO TEM BRADLEY MOVED TO APPROVE REQUEST FROM SWAMP FOX PLAYERS FOR \$7,000 IN HOSPITALITY FUNDS FOR ADVERTISING, SECONDED BY COUNCIL MEMBER ARD. Mayor Scoville asked for discussion. Mayor Pro Tem Bradley stated he does not see a problem in allocating the funds, rather a question of how much, and he needs information to study to make a sound financial decision. Ms. Ford said she would email Mr. Bradley a budget. Council Member Barber said if Council is going to continue to address funding requests, they need to establish a limit on the funds awarded and have a set of guidelines in place for those requesting funds. Council Member Wayne said she would like for Council to consider budgeting a certain amount to the A-Tax Fund. In the event the State A-Tax money is cut or not received, the A-Tax Committee could possibly allocate funds to the different groups requesting assistance and requests such as this would not come before City Council. Council Member Sawyer reiterated his position that Council opened a can of worms by granting the first \$7,000

**Open Public
Comment Section**

**Mrs. Annette
Fisher**

**Public Comment
Section
Concluded**

**Character Trait of
the Month**

**Swamp Fox
Players Request
for Funding**

request. He does not believe hospitality funds are set up to help fund events and festivals. He said we have an A-Tax Committee where applicants go to request funding, recommendations are made and City Council has the final approval. We do not have a Hospitality Committee and for the past two months Council has been generous enough to allocate funds to the groups who are asking for the money. Council Member Ard suggested that going into the new budget year, Council should develop some criteria for use of the hospitality tax funds and set aside a proportion of these funds for the use of organizations that are doing great work in bringing lots of tourists to our area. Mayor Scoville's thoughts are we should go ahead and approve the \$7,000 tonight because Council has approved it for the other groups. This group is just as worthy as any of the others and it is for a specific designated purpose as provided for in the ordinance. He does agree that criteria needs to be developed. One problem this year is the State Accommodations Tax has come in so low that all the groups that have been dependent upon those funds are now high and dry. Mayor Scoville called for the question. MAYOR SCOVILLE AND COUNCIL MEMBERS ARD AND WAYNE VOTED IN FAVOR. MAYOR PRO TEM BRADLEY AND COUNCIL MEMBERS BARBER, SMALLS AND SAWYER VOTED AGAINST. The motion failed 3-4.

MAYOR PRO TEM BRADLEY MADE A MOTION TO RECONSIDER REQUEST FROM SWAMP FOX PLAYERS FOR \$7,000 IN HOSPITALITY FUNDS FOR ADVERTISING PENDING SWAMP FOX PLAYERS PROVIDING DOCUMENTATION AND SHOWING COUNCIL THE NEEDS ASSESSMENT, SECONDED BY COUNCIL MEMBER ARD. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

**Reconsider
Swamp Fox
Players Request
for Funding
Pending Receipt
of Documentation
For Need**

Mayor Scoville recognized Mr. Myers Rollins, Jr. of Coast RTA. Mr. Rollins said Coast RTA was established to improve the quality of life for Horry and Georgetown County residents and to support the growth of tourism. During the past two years he has placed a great deal more emphasis in Georgetown County. He stated on December 8, 2008 two new routes were introduced in Georgetown, thanks to funding support of Georgetown County and those routes have exceeded their expectations. He asked City Council if they would consider a proposal from Coast RTA based on input from stakeholders who live, work and do business in Georgetown, such as Georgetown County Chamber of Commerce, League of Women Voters and other business leaders who have an interest in improving

Coast RTA

mobility for residents and tourists. The formal proposal would detail the service that would be offered to the community and the cost to the dollar. In the absence of detailed information, Mr. Rollins said he is not asking for funding at this meeting. He's requesting Council to allow him to return and make the presentation after they have received input from members of the community who would be impacted by the service.

MAYOR PRO TEM BRADLEY MOVED FOR THE ALLOCATION PENDING AVAILABILITY OF FUNDS AND THE DOCUMENTATION TO BE PROVIDED AS A NEEDS ASSESSMENT, SECONDED BY COUNCIL MEMBER ARD. Council Member Barber said it would be high insight if we obtain the proposals first so we can look at the assessment, the budget narrative, the budget itself and the project design. Council Member Sawyer stated the County has funded the RTA the last several years and is in the 2011 budget, \$220,000 per year. City residents are also County residents and when we pay our taxes every year to the County, 12.6% goes to the County for county purposes and for this reason he is opposed to funding this request. Council Member Ard said she understands this request would establish some bus stops within the City that would help the residents get around. Mayor Scoville encouraged Council to deny the motion and we would place them on the next meeting. MAYOR PRO TEM BRADLEY WITHDREW HIS MOTION AND LOOKS FOR IT TO BE ON NEXT MONTH'S AGENDA. COUNCIL MEMBER ARD WITHDREW HER SECOND. Mayor Scoville told Mr. Rollins his presentation will be on the agenda for next month's meeting.

Mrs. Jessica Miller introduced Mrs. Chaconas Parson, a new cashier in the Finance Department. Mrs. Parson thanked her coworkers for helping her transition into her new position.

**Introduction of
New Employees**

Chief Paul Gardner introduced two new Police Officers, Officer James Lee-Wood who came from Georgetown County Sheriff's Department and Officer Mark Girard who came from the Columbia Police Department.

Chief Gardner requested second reading on an ordinance to amend the 2009/2010 budget, Seized and Forfeited Fund, in the amount of \$10,000 for purchase of an undercover vehicle.

COUNCIL MEMBER SAWYER MOVED TO APPROVE SECOND READING ON AN ORDINANCE TO AMEND THE 2009/2010

BUDGET, SEIZED AND FORFEITED FUND, IN THE AMOUNT OF \$10,000 FOR PURCHASE OF AN UNDERCOVER VEHICLE, SECONDED BY MAYOR PRO TEM BRADLEY. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

Approve 09/10 Budget Amendment, Seized & Forfeited Fund

Mr. Alan Loveless presented a request to approve a bid award with Aubrey Silvey Enterprises in the amount of \$107,000 for construction services to install protective equipment in the Georgetown and Maryville substations. This is a budgeted item.

COUNCIL MEMBER SAWYER MOVED TO APPROVE REQUEST TO GRANT A BID AWARD TO AUBREY SILVEY ENTERPRISES IN THE AMOUNT OF \$107,000 FOR CONSTRUCTION SERVICES TO INSTALL PROTECTIVE EQUIPMENT IN THE GEORGETOWN AND MARYVILLE SUBSTATIONS, SECONDED BY COUNCIL MEMBER BARBER. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

Approve Bid Award with Aubrey Silvey Enterprises in the Amount of \$107,000

Because he serves on their Citizen Advisory Committee, Council Member Sawyer recused himself from voting on the Resolution in support of International Paper Company.

COUNCIL MEMBER WAYNE MOVED TO APPROVE A RESOLUTION IN SUPPORT OF INTERNATIONAL PAPER COMPANY, SECONDED BY MAYOR PRO TEM BRADLEY. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **MAYOR SCOVILLE, MAYOR PRO TEM BRADLEY AND COUNCIL MEMBERS ARD, BARBER, SMALLS AND WAYNE VOTED IN FAVOR. COUNCIL MEMBER SAWYER WAS RECUSED. THE MOTION CARRIED 6-1.**

Approve Resolution in Support of International Paper Company

COUNCIL MEMBER BARBER MOVED TO APPROVE BID FROM LOWLAND CONSTRUCTION TO CONSTRUCT TWO HARD TENNIS COURTS ON FRONT STREET IN THE AMOUNT OF \$86,980, FINANCED BY HOSPITALITY TAX FUNDS, SECONDED BY MAYOR PRO TEM BRADLEY. Mayor Scoville asked for discussion. Council Member Wayne wanted to know why Georgetown County received the bids on this project. Mr. Eldridge said the City piggybacked on with the County to receive a volume discount from the contractor because he was building courts for the County. The City's purchasing agent worked with the County's

Approve Bid from Lowland Construction to Construct Two Hard Tennis Courts on Front Street in the Amount of \$86,980

purchasing agent during this process. Mr. Eldridge stated the contract is between the City and the contractor. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

Mr. Eldridge proposed removing the item addressing the Harborwalk renovations until a later date. He has learned there may be some permitting issues and is not sure how long this may take. Discussions followed. There was no objection from Council.

Council Member Smalls stated he would like to amend the purchasing ordinance and reduce the amount the administrator is allowed to approve for any purchase from \$25,000 to \$5,000. Discussions followed. Mayor Scoville asked the City Attorney to prepare an amendment in accordance with Mr. Small's desires for the next meeting.

Council Member Sawyer stated he would like the sign ordinance changed to allow all businesses the opportunity to have a sandwich board sign as long as it is in compliance with some regulations. He also would like to see the City suspend enforcement on the ordinance at this time until it is amended. Council Member Ard agreed. Mayor Pro Tem Bradley asked for a legal opinion from the City Attorney on suspending enforcement. Mrs. Crosby stated her opinion is the City can suspend enforcement but said it would not be advisable. Mayor Scoville respectfully disagreed and asked Mrs. Crosby to research this matter. He said he will not suspend the ordinance until receiving a written opinion. If it is suspended he thinks it should be under Pending Ordinance Doctrine, not under some general suspension. Discussions followed.

Mr. Eldridge asked Council to include the following item on the agenda. Approval of an agreement with TRC to conduct an Historic Resources Survey within the City of Georgetown in the amount of \$37,600. There was no objection.

COUNCIL MEMBER SAWYER MOVED TO APPROVE AGREEMENT WITH TRC TO CONDUCT AN HISTORIC RESOURCES SURVEY WITHIN THE CITY OF GEORGETOWN IN THE AMOUNT OF \$37,600, SECONDED BY COUNCIL MEMBER ARD. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

Remove Item 10C Harborwalk Renovations from Agenda

Purchasing Ordinance

Discuss Sign Ordinance Addressing Sandwich Board Signs

Approve Agreement with TRC to Conduct an Historic Resources Survey

Mr. Eldridge reported (1) there should be a **stormwater** meeting soon. 2) Debra Mumford has begun collecting and transmitting data to the City's **insurance** consultant. 3) He referred Council to '**Notes from Budget Meeting**' and stated the next work session is May 6th. 4) The City received a **\$12,000 grant** from the SC Forestry Commission, there is no match required.

City Administrator Report

Council Member Sawyer thanked Chief Gardner for the Crime Watch neighborhood meetings the Police Department is offering.

COUNCIL MEMBER SAWYER MOVED TO APPROVE MINUTES OF SPECIAL MEETING DATED MARCH 4, 2010, AND PUBLIC HEARING/ REGULAR MEETING DATED MARCH 18, 2010, SECONDED BY COUNCIL MEMBER WAYNE. Mayor Scoville asked for discussion. Mayor Scoville called for the question. **THE MOTION UNANIMOUSLY CARRIED 7-0.**

Approve Minutes Special Mtg 3/4/10; Public Hearing & Regular Mtg 3/18/10;

There was no old business.

Old Business

Council Member Sawyer asked for the City to address a policy regarding POD containers that construction companies place in yards. He also asked Council to consider the possibility of a fee at the East Bay Park boating landing. City residents would not have to pay, only those who live outside the City. It could be a nominal fee of \$100 a year or per day usage. He thinks this could generate some income for the maintenance of the boat landing. Mayor Scoville directed Mrs. Crosby to discuss both of these issues with Mr. Sawyer. Council Member Wayne expressed her concern about who would enforce this and collect the money. As new business, she thinks the City should have someone full time on Front Street working with parking and other issues.

New Business

COUNCIL MEMBER SAWYER MOVED TO ADJOURN REGULAR MEETING OF CITY COUNCIL AND ENTER EXECUTIVE SESSION TO RECEIVE A LEGAL UPDATE ON THE SANTEE ELECTRIC ARBITER'S DECISION, THE PIN OAK MEDIATION, THE PROPOSED CONSENT ORDER FROM SCDHEC REGARDING THE CITY'S WASTEWATER TREATMENT PLANT AND DISCUSS A PERSONNEL MATTER, SECONDED BY COUNCIL MEMBER BARBER. Mayor Scoville called for the question. **THE MOTION WAS UNANIMOUSLY CARRIED 7-0.**

Adjourn Regular Mtg. & Enter Executive Session

The Regular Meeting was adjourned at 6:38 PM.

COUNCIL MEMBER WAYNE MOVED TO ADJOURN EXECUTIVE SESSION AND REOPEN REGULAR MEETING OF CITY COUNCIL, SECONDED BY COUNCIL MEMBER SAWYER. Mayor Scoville called for the question. THE MOTION WAS UNANIMOUSLY CARRIED 7-0.

Adjourn Executive Session and Reopen Regular Meeting

The Regular Meeting was reopened at 7:40 PM.

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

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

Adjourn Regular Meeting

The Regular Meeting was adjourned at 7:41 PM.

Ann U. Mercer
City Clerk

DATE APPROVED: 5/20/10
VERIFYING INITIALS: _____