PUBLIC HEARING & REGULAR MEETING
OF CITY COUNCIL
APRIL 21, 2016 – 5:30 PM
COUNCIL CHAMBERS
GEORGETOWN, SOUTH CAROLINA

1. CALL TO ORDER

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

MEMBERS PRESENT
Mayor Jack M. Scoville, Jr.
Mayor Pro Tempore Brendon M. Barber, Sr.
Council Member Sheldon A. Butts
Council Member Carol R. Jayroe
Council Member Al Joseph
Council Member Edward S. Kimbrough, Jr.
Council Member Clarence C. Smalls

ALSO PRESENT
Mr. Chris Carter, City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann U. Mercer, City Clerk
Miss Suzanne Abed-El-Latif, HR Manager
Mr. Orlando Arteaga, Engineer
Mrs. Debra Bivens, Director of Finance
Mr. Will Cook, Water Utilities Director
Chief Charlie Cribb, Georgetown Fire Department
Chief Paul Gardner, Georgetown Police Department
Mr. Sterling Geathers, Public Works Director
Mr. Alan Loveless, Director of Electric Utilities
Mr. Rick Martin, Building Official/Zoning Administrator
Mr. Tee Miller, Assistant to the City Administrator for Economic Development

ABSENT
Mr. Glen Dixon, Fleet Superintendent

MEDIA
Georgetown Times - Mr. Clayton Stairs

2. ANNOUNCEMENT CONCERNING ELECTRONIC DEVICES

Mayor Jack M. Scoville, Jr. called the Regular Meeting of City Council to order at 5:30 PM and requested all cell phones or electronic devices be turned off or placed on mute so as to not interrupt the meeting.

3. PUBLIC HEARING

A. The purpose of the Public Hearing is to receive citizen input concerning an ordinance to amend the Miscellaneous Utility Fees and Charges contained in the City Clerk's Official Record to add a restore fee of $30 to delinquent utility accounts and change Waste Hauler Fee to $20/500gals.

Mayor Scoville opened the Public Hearing. No one appeared in support of or in opposition to the proposed ordinances, the Public Hearing was concluded.

4. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Barber rendered the invocation. The Georgetown Chapter of Students Against Violence Everywhere led the Pledge of Allegiance. Mayor Scoville announced their local program is associated with Optimism Preventative Services. They recently won the Chapter of the Year from the National Students Against Violence Everywhere Organization.

5. PUBLIC COMMENTS

Mayor Scoville opened the Public Comments portion of the meeting and recognized Mr. Fredrick D. Williams who addressed City Council concerning Confederate venue allocations. Representing the West End Civic Citizens Council, he said it is their opinion allocating monies toward such a venue would be somewhat distasteful because any venue that earmarks the Confederacy, especially among black people, causes concern and consternation. At the time when the Confederacy as we know it existed, black people were slaves. That flag means nothing but hatred to us. The organization is against any public monies being allocated toward such a venue. They would understand if it were monies allocated for war veterans.

Mayor Scoville recognized Brother Willie who addressed City Council concerning hospitality taxes and the veteran's memorial. Mr. Singleton stated he represents the Nation of Islam. He was asked to speak about Confederate soldiers' names on the memorial. Because of his belief, he said it would be incorrect for him to talk about the memorial being erected and not including certain soldiers.

6. INTRODUCTION OF NEW EMPLOYEES

Fire Chief Charlie Cribb introduced Firefighter Billy Howard. He has been a volunteer with the Department for two years and received extensive training.

7. FINANCE

A. Motion to Approve Second Reading of An Ordinance to Amend the Miscellaneous Utility Fees and Charges Contained in the City Clerk's Official Record to: 1) Add a Restore Fee of $30 to Delinquent Accounts 2) Change Wastehauler Fee to $20/500gals.

Council Member Joseph moved, seconded by Council Member Kimbrough. This was presented to Council in February and received first reading at the March meeting. Mrs. Debra Bivens stated this will become effective July 1, 2016 and delinquent notices will be sent out.

Mayor Scoville called for the question.

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Al Joseph, Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

B. Motion to Approve Second Reading on 2015/2016 Budget Amendments in the Water and Wastewater Funds in the amounts of $67,197 and $74,566 respectively for the change orders to the Highway 17/701 Project.

Mayor Pro Tempore Barber moved, seconded by Council Member Butts. Mrs. Bivens stated this completes a portion of the project. Another portion for the Electric Department is scheduled for the next budget year. Chris Carter said there could be some costs associated with easement acquisitions. Council Member Smalls eluded to the 'predicament we are in with no way out,' and stated that being the only reason he is voting in favor.

Mr. Scoville called for the question.

RESULT:	**ADOPTED AS AMENDED [UNANIMOUS]**
MOVER:	Brendon M. Barber Sr., Mayor Pro Tempore
SECONDER:	Sheldon A. Butts, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

C. Motion to Approve Financial Audit Services Extension for One (1) Year with Greene Finney & Horton CPA Firm (with an option for a one year renewal).

Council Member Smalls moved, seconded by Mayor Pro Tempore Barber. In 2011 the services of Greene, Finney and Horton were secured to complete the City's audit services. This was a three contract with a two year extension. Because the Firm is so familiar with our financial services, Mrs. Bivens is requesting a one year extension to allow time to advertise for request for services next year.

Mr. Scoville called for the question.

RESULT:	**APPROVED AS AMENDED [UNANIMOUS]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Brendon M. Barber Sr., Mayor Pro Tempore
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

8. POLICE

A. Motion to Approve Request To Apply For Financial Support From Body Worn Camera Fund.

Council Member Butts moved, seconded by Council Member Jayroe. Chief Paul Gardner said the body worn cameras are in the current CIP request for July 1. When the State established the $3.5 million Body Worn Camera Fund they indicated entities could apply for a portion of the funds. The department is requesting

$37,000.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sheldon A. Butts, Council Member
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

9. FIRE

A. Motion to Approve Purchase and Payment to NAFECO for Purchase of 9 sets of Firefighter Turnout Gear in the Amount of $18,362.59.

Council Member Joseph moved, seconded by Council Member Kimbrough. During the October 2015 flood, turnout gear was contaminated when firefighters were responding in chest deep water. Fire Chief Charlie Cribb noted this is a portion of insurance proceeds received to purchase new gear. There is a $1,000 deductible.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Al Joseph, Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

10. PUBLIC WORKS

A. Motion to approve repairs and upgrades to Morgan and Ben Cooper Parks and payment to Greenwall Construction Service in the amount of $66,731.00.

Council Member Smalls moved, seconded by Council Member Butts. Mr. Sterling Geathers said these projects have been planned for a while and bids have been received. The existing roof at Ben Cooper Park is over 10 years old. The roof structure along with the vents and plywood at the gable ends are worn, deteriorated and are a safety hazard. He referenced pictures included in the agenda and said some of the damage was caused by vandalism. Plans for Morgan Park include installation of new roof shelter over the existing historic sign, replacement of 20 year old picnic shelter roof and upgrade of deck floors which are a safety hazard. The plan is to replace with metal roofing in Ben Cooper Park and Morgan Park. Hospitality Tax funds will be used to cover the cost of repairs and upgrades.

In November 2012 Keep Georgetown Beautiful submitted a grant to International Paper Company proposing an Education Observation Deck in Morgan Park. A $15,000 grant was approved in December 2012. Staff has maintained contact with IPCo throughout the process and engineering plans for the observation deck in the amount of $900 were expended, leaving a balance of $14,100 for deck installations. Work in Morgan Park is scheduled to begin after Memorial Day.

Council Member Jayroe expressed objection to replace the asphalt shingles with metal. Mr. Rick Martin said the specifications were written by Cindi Howard in 2010. Mayor Pro Tempore Barber explained the decision to use metal roofs was to have continuity in parks throughout the City.

Council Member Jayroe moved to amend the motion to delete the metal roof and use asphalt shingles. The motion failed for a lack of a second.

Mr. Scoville called for the question on the main motion.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Sheldon A. Butts, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Joseph, Kimbrough, Smalls
NAYS:	Jayroe

11. WATER UTILITIES

A. Motion to Authorize Staff to Enter Into a Contract and Approve Payment to Southeast Pipe Survey, Inc. For the Cherry Street Sewer Rehabilitation in the Amount of $78,728.25.

Mayor Scoville moved, seconded by Mayor Pro Tempore Barber. As discussed at the Council Retreat, the sewer main on Cherry Street was televised and a determination was made it could be slip lined. Bids were received. Three point repairs must be made before the main is lined. An additive is included in the approval for rehabilitation of existing manholes. Mr. Will Cook estimated mid-May as a start date with completion in 30-45 days.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Brendon M. Barber Sr., Mayor Pro Tempore
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

12. ELECTRIC UTILITIES

A. Motion to Pass a Resolution Authorizing the City Administrator to Terminate the Pole Attachment Agreement Between the City and Time Warner Cable Effective June 20, 2016.

Council Member Smalls moved, seconded by Council Member Butts. Mr. Alan Loveless stated in 2010 the City executed a pole attachment agreement with Time Warner and Southern Coastal Cable for a five year term at a specified annual attachment rate which escalated each year. The original term of the agreement expired last year and the City intended to review and renegotiate annual attachment rates for both entities. At the end of the term the City negotiated a new agreement with Southern Coastal Cable at their request to accommodate a loan that they were in the process of obtaining. The City now needs to change TWC's rates to match SCC's, and notice was provided to Time Warner Cable in December that this was about to happen. TWC has refused to pay the new rates, which are market-based rates comparable to other attachment fees in the region. The existing agreement states that it will remain in effect after the 5-year term until either party issues a 60 day notice that they intend to terminate. When the agreement was renegotiated in 2010, the process took over a year to accomplish because of delays, tactical and otherwise. If we do not issue the requested 60 day notice to terminate the agreement, the same thing will happen again. By issuing the notice, we will force the issue to be resolved during the specified time limit.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Sheldon A. Butts, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

13. ADMINISTRATION

A. Motion to approve first reading of an ordinance granting consent for application for State Franchise for Video Service on behalf of Frontier Communications of the Carolinas LLC.

Council Member Joseph moved, seconded by Council Member Jayroe. Mr. Chris Carter stated the process requires local governments to respond to the applications within 65 days by granting consent.

Mayor Scoville called for the question.

RESULT:	**FIRST READING [UNANIMOUS] Next: 4/28/2016 4:00 PM**
MOVER:	Al Joseph, Council Member
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

B. Motion to Approve Tych & Walker Architect, LLP and Coastal Structures Corporation as the selected Design-Build Firm for the Fire Station #2 Project.

Council Member Kimbrough moved, seconded by Council Member Jayroe. Mr. Michael Walker previously met with Council and presented the Architectural Program for the Maryville Fire Station. In October 2015 he provided them with a copy of the Architectural Program setting the scope and scale of the proposed construction of Fire Station #2. At the November 2015 Council Meeting, Council unanimously approved a Resolution to adopt the City of Georgetown Fire Station #2 Architectural Program as the basis for solicitation of a design-build proposal.

Chris Carter reported RFPs for design-build services for Fire Station #2 were issued January 9, 2016. Deadline for questions to be posed was January 20 and deadline for answers to the questions was January 22. Proposals were due February 29.

Proposals were received from Welch Construction/PMH Architects, BEC Construction/Graham Group Architecture and Coastal Structures Corp./Tych & Walker Architects. A committee composed of Council Members Jayroe and Kimbrough, former Council Member Rudolph Bradley, Fire Chief Charlie Cribb and Chris Caster were previously appointed to help in the evaluation of the proposals. They first met March 10 and there was a strong preference for the proposal of Coastal Structures and Tych & Walker. On March 15 they met and additional information was presented by Michael Walker and Coastal Structures. The Design-Builder team of Tych & Walker/Coastal Structures was deemed to be the best qualified due to the number of public safety buildings, including fire stations built in the area with positive results during the last ten year time frame. In addition to Fire Station #1 renovations, this team has constructed at least four other stations in the Horry and Georgetown County area and 10 substations for Georgetown County. Chris Carter stated the recommendation is to engage Tych & Walker and Coastal Structures. The local experience was a determining factor in the decision.

Mayor Pro Tempore Barber stated when the City has a project of this size the Finance Director and City Attorney are involved from the beginning. He asked both if they had reviewed the proposals from the three firms. Mrs. Crosby said she reviewed the proposed contract from this firm, not the bid documents. Mrs. Debra Bivens said she sat in on the committee meeting and qualifications were reviewed for all three firms. No cost proposals were reviewed from the two firms that were not selected. Mr. Carter stated the selection of the design-build team is based on the qualifications. The price proposal for the most qualified firm was opened and reviewed by the committee. He added this is the manner in which it is undertaken with design-build. Mayor Scoville said this is the first time we have used the design-build method for a big project. It is faster and cheaper in the long run and gives Council more control of the final design. Discussions continued.

Mr. Scoville called for the question.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Edward S Kimbrough, Council Member
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Jayroe, Joseph, Kimbrough
NAYS:	Barber Sr., Butts, Smalls

C. Motion to approve an Agreement between the City of Georgetown and Coastal Structures Inc. For The Design And Build Of Fire Station #2.

Mayor Scoville moved, seconded by Council Member Kimbrough. Chris Carter said this is the agreement that will allow the design builder to be engaged to the City to begin the first phase of the project which is the developmental design of Fire Station #2. The requested amount is $39,000. Once the preliminary design is approved, the amendment will be for the actual construction cost.

Mayor Scoville called for the question.

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Jayroe, Joseph, Kimbrough
NAYS:	Barber Sr., Butts, Smalls

D. R-5 Zoning and Manufactured Housing

Chris Carter stated this presentation was requested at the last budget workshop and will entail discussion of the present Zoning Ordinance as well as analysis of the R-5 zoning district and allowable uses. Rick Martin noted manufactured homes are currently allowed in two districts, R-3 and R-5. The primary difference in R-5 being, if someone has a manufactured home on their property they have six months if they want to replace it, and it must be replaced with a new or untitled manufactured home. R-3 allows older manufactured homes if approved by the Housing and Community Development Department. Currently no more than one manufactured home shall be located on a given lot. Such uses shall be occupied as permanent dwellings, all towing devices, wheels, axles and hitches must be removed. Structures must be placed on a foundation consisting of footings and piers, which meet the requirements of the Manufacturers Installation Manual or Section 19-425.39 of the South Carolina Manufactured Housing Board. Permanent landing and steps with handrails are required at all exterior doorways. Skirting or curtain wall, not pierced except for required ventilation and access doors, must be installed and must consist of brick masonry, vinyl or similar permanent materials designed and manufactured for permanent outdoor installation. Matt Millwood reviewed a power point presentation of the R-5 zoning district in the West End, bordered on the east by Merriman Road, on the north by the railroad tracks and south and west by International Paper Company. There are 223 vacant lots in the R-5 zoning district. He highlighted the dimensions on some of the lots and said at least 40 lots could not accommodate a double wide mobile home. If the ordinance is amended to allow used mobile homes, 209 lots could fit a single-wide and 177 could fit a double-wide mobile home. Mayor Pro Tempore Barber said the residents who own a vacant lot want permission to place an untitled mobile home on the lot. They are not interested in used mobile homes. Banks will not finance stick built homes on irregular size lots; however, they will finance mobile homes on these lots. Council Member Butts said he read the petition and spoke with individuals and gathered it is a new versus used issue. Many residents who have property in that area cannot afford to place a new trailer on their lot. It is his understanding they want to change the current R-5 to R-3 which would allow more residents to have certain housing. The consensus was that more discussion needs to take place on this matter. Mayor Scoville stated this has to go before the Planning Commission. Council can asked them to conduct a Public Hearing on this issue.

Mr. Millwood noted there is also a R-5 district near the Hampton Inn and Coast Guard Station. This area, 5.5 acres, was rezoned in 2008 for a project.

14. CITY ADMINISTRATOR REPORT

Chris Carter reported the City has received a partial settlement from a FEMA claim.

15. MINUTES

Motion to approve minutes of Regular Meeting of City Council dated March 17, 2016 and Special Meeting/Workshops dated March 24, 2016 and April 7, 2016.

Council Member Jayroe moved, seconded by Council Member Kimbrough.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Carol R. Jayroe, Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

16. OLD BUSINESS

None

17. NEW BUSINESS

Mayor Scoville asked Council to give serious consideration to funding the Risk Manager position. He suggested the expense of the Workers' Comp increase in premiums alone might justify adding the position. The City needs someone on staff who is fully dedicated to risk management and he would like to have a staff member attend every deposition, hearing and report back to Council. Mayor Pro Tempore Barber agreed and said it is a huge responsibility. By dividing the duties out to staff, it is too much.

Council Member Smalls said there needs to be discussion about the bull dogs in the West End.

Council Member Joseph complimented staff (Police, Fire, Public Works, Sanitation) on their efforts working with the huge crowds at Music in the Park this past weekend and the BassMaster Series at Carroll Campbell Marina. Early estimates are approximately 28,000 people were in attendance.

18. DEPARTMENT MONTHLY REPORTS

A. March 2016 Georgetown PD

B. March 2016 Fire Report

C. March 2016 Public Works Department Report

D. March 2016 Fleet Services Report

E. March 2016 Electric Utility Department Report

F. March 2016 Water Utilities Report

G. March 2016 Engineering Report

H. March 2016 Housing and Community Development Report

I. March 2016 Finance and IT Departments Report

19. EXECUTIVE SESSION

Motion to enter Executive Session pursuant to Section 30-4-70(a)(1) to discuss appointments to the Architectural Review Board and Georgetown Housing Authority and Section 30-4-70(a)(2) to receive legal update as it relates to 08-CP-22-1490 (re: agreement) and 2:16-cv: 157-PMD (order of remand).

Council Member Joseph moved, seconded by Mayor Scoville.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Al Joseph, Council Member
SECONDER:	Jack M. Scoville Jr., Mayor
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

The Regular Meeting was adjourned at 6:48 PM.

Motion to adjourn Executive Session and return to Regular Session.

Mayor Pro Tempore Barber moved, seconded by Council Member Jayroe.

Mr. Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brendon M. Barber Sr., Mayor Pro Tempore
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

Executive Session was adjourned and the Regular Meeting was reconvened at 7:13 PM.

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

20. APPOINTMENTS

Motion to reappoint Jerry Miller to serve as Member At Large on the Architectural Review Board.

Mayor Scoville moved, seconded by Council Member Joseph.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Al Joseph, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

Motion to appoint Deborah Smith to fill an unexpired term ending August 2016, as Resident of the Historic District on the Architectural Review Board.

Mayor Scoville moved, seconded by Council Member Joseph.

Mayor Scoville called for the question.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Al Joseph, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Joseph, Kimbrough, Smalls
NAYS:	Jayroe

Motion to reappoint Tomas Langley to the Georgetown Housing Authority Board for a four-year term.

Mayor Scoville moved, seconded by Mayor Pro Tempore Barber.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Brendon M. Barber Sr., Mayor Pro Tempore
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

21. ADJOURNMENT

Motion to adjourn the Regular Meeting of City Council

Mayor Scoville moved, seconded by Council Member Smalls.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Clarence C. Smalls, Council Member
AYES:	Scoville Jr., Barber Sr., Butts, Jayroe, Joseph, Kimbrough, Smalls

The Regular Meeting of City Council was adjourned at 7:14 PM.

Ann U. Mercer
City Clerk

Date Approved: 05/19/16