REGULAR MEETING OF CITY COUNCIL
FEBRUARY 20, 2014 – 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.
Council Member Brendon M. Barber, Sr.
Council Member Rudolph A. Bradley
Council Member Carol R. Jayroe
Council Member Edward S. Kimbrough, Jr.
Council Member Clarence C. Smalls
Mayor Pro Tempore Peggy P. Wayne

ALSO PRESENT
Mr. Chris Carter, City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann U. Mercer, City Clerk
Chief Paul Gardner, Georgetown Police Department
Mr. Jonathan Heald, Public Services Director
Mr. Alan Loveless, Electric Utility Manager
Mr. Rick Martin, Building Official/Zoning Administrator
Mr. Tee Miller, Economic Development Director
Chief Joey Tanner, Georgetown Fire Department

MEDIA
Georgetown Times - Mr. Scott Harper
WGTN/WLMC - Mr. Rod Stalvey

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. INVOCATION & PLEDGE OF ALLEGIANCE

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

4. PUBLIC COMMENTS

On behalf of City Council and the citizens, Mayor Scoville extended a heartfelt thank you to the Electric Department, Public Works Department, Fire Department, Police Department and tree crew for their hard work during the storm. He also thanked city clerical staff, who worked overtime answering phones. Crews worked at great risk until 3:00 and 4:00 AM restoring power.

He also stated, "We are not going to take down the street lights on Front Street. We are only talking about changing the type of bulbs from the high pressure sodium to LED lights." This would save money.

Mayor Scoville recognized Mr. Walter Gibson, 2108 Duke Street, who addressed City Council and voiced his complaint against the City for issuing a stop work order at 2310 Prince Street and requiring him to obtain a building permit.

Mayor Scoville recognized Mr. Brett Phillips, 1201 Prince Street, who addressed City Council with his concerns about oxides from the steel mill. On February 19th he waxed his car; by the next morning he could not tell it had been waxed. He showed Council a rag covered in a substance he said came from his vehicle. He said the oxides have destroyed a $40,000 roof on his house, he has to paint his house every other year to keep it presentable and (he continued) it is impossible to have outdoor furniture. He wants to know why this problem is allowed to continue without any repercussion to the steel mill. Mr. Phillips requested the City contact the Environmental Protection Agency and ask them to send a team to Georgetown to inspect the steel mill, take samples of the emissions and determine whether the plant is operating consistent with the Clean Air Act and other regulations.

Mayor Scoville recognized Mr. Dan Stacy. Mr. Stacy informed City Council he is present for agenda item 8A and will be available to answer any questions.

5. INTRODUCTION OF NEW EMPLOYEES

There were no new employees.

Chief Paul Gardner recognized Officer Shaun Lindquist, a recipient of the J. P. Strom Award. This was the first time in the archives of the Georgetown Police Department this has been achieved. He graduated from the Police Academy with the highest GPA average.

6. HOUSING AND COMMUNITY DEVELOPMENT

A. Motion to approve first reading of an ordinance to amend the City of Georgetown Flood Damage Prevention and Control Ordinance in its entirety and replace said ordinance with a newly revised ordinance.

Mr. Rick Martin reviewed the request to amend the City of Georgetown Flood Damage Prevention and Control Ordinance. After the September 25th fire on Front Street, he contacted the State Floodplain Coordinator who came to Georgetown to inspect the area because of the issues with this location being historic and in a regulated flood zone. In reviewing the City's Flood Ordinance, it was discovered there were multiple differences between the local ordinance and the State flood ordinance model. Staff prepared the revisions to the Flood Ordinance for Council approval, most of which were wording and citation corrections. Mr. Martin asked Council to consider a change in the variance procedure. He and Matthew Millwood, both being Floodplain Managers for the City, are concerned the flood maps are going to change in the near future, possibly raising the flood zone elevations up two feet. Currently, the City has a two-foot freeboard in addition to the elevation standards of the State regulations. There are 690 properties located in the City that are in the regulated floodplain, not including any additional properties that may come with a possible two foot increase in the flood levels later this year. Staff is requesting that the City Board of Zoning Appeals (BZA) be allowed to hear the appeal first, rather than it going straight to the local circuit court. Charleston and Horry Counties as well as Surfside Beach currently use this type of appeals process. The seven buildings that were destroyed by the September 25th fire have a minimum land elevation of approximately 5 ½ feet above sea level. These buildings were located in an AE 9 flood zone as it pertains to the Flood Insurance Rate Map (FIRM) dated March 16, 1989. After adding the City's two-foot freeboard to the 9 feet regulation, the minimum height requirement that these buildings must be rebuilt would be 11 feet. This means that they must be raised nearly 6 feet above the existing sidewalk to be rebuilt. If Council approves the proposed changes to the flood ordinance, variance procedures would be in place for the BZA to remove the two-foot freeboard requirement. Mr. Martin stated his concern in some cases is that this current two-foot freeboard will place costly burdens on some owners and that they may not be able to rebuild at all. The State Coordinator said the City may want to use this process in emergency situations. Discussions continued.

Mayor Scoville asked for comments or questions. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS] Next: 3/20/2014 5:30 PM**
MOVER:	Rudolph A. Bradley, Council Member
SECONDER:	Brendon M. Barber Sr., Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

B. Motion to approve first reading of an ordinance amending Section 419 of the Zoning Ordinance regarding manufactured homes.

Mr. Martin said the State Code has a section addressing minimal, habitable standards for mobile homes. The proposed amendment incorporates this Section into the City's Zoning Ordinance which gives the City authority to examine the condition of a manufactured home prior to issuing a permit. This would only affect the R-3 District with the stipulation that replacement must occur within six months; after that time it cannot be replaced.

Mayor Pro Tem Wayne referenced the West End Comprehensive Redevelopment Plan for the City of Georgetown approved by City Council in 2002. She would like for City Council to meet and review the Plan and discuss implementation. Council Member Barber stated input was received by various citizens within the different communities in the West End which led to the creation of the Plan. He said heirs' property held up a lot of the development. Mayor Scoville stated this should be included on the next workshop for discussion. Council Member Smalls said he is concerned with the trailer that was dumped in the area. Mr. Martin stated the owner of this mobile home has until February 28th before a citation is issued. Council Member Kimbrough asked about nonconforming lots. Mr. Martin said in the case of a nonconforming lot, staff works with the owner to request a variance from the BZA. Council Member Jayroe questioned why R-5 requires a new structure and R-3 does not require a new structure. Mr. Martin said this was in place when he became employed by the City. Council Member Barber said one council member was pushing for total elimination of all mobile homes in the West End. Council came to a concession and decided to improve the West End in one area and form a special District. R-5 was created to encourage stick build homes. If the people who owned their land and ever needed to replace their mobile home, it would have to be replaced within six months and the home must be new, not titled. There were concerns among Council about the word 'new.' After discussions, Mayor Scoville asked Council to approve first reading and said staff can address the issues and answer questions before second reading. Discussions continued.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS] Next: 3/20/2014 5:30 PM**
MOVER:	Carol R. Jayroe, Council Member
SECONDER:	Clarence C. Smalls, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

7. FIRE

A. Motion to approve purchase order to Myrtle Beach Communications in the amount of $24,268.85, to relocate antennas and equipment from the City Hall water tank.

Fire Chief Joey Tanner informed Council the Fire Department and the Public Services Department both have an antenna on the water tank at City Hall and equipment for the systems are located in the building under the tank. The tank is scheduled to be taken down within the next few weeks and the communications equipment will need to be relocated. Myrtle Beach Communications performs all of the City's communication work. Relocating these systems to the SCANA tower will provide a location where we will not have to move the equipment in the foreseeable future. The tower is located on City property. SCANA will provide the tower space at no charge to the City. Mr. Carter said this would be as consideration for an extension to their 15 year lease agreement. They would allow us to locate our antennas on their tower. Removal of the water tank will not be covered under the City's insurance; however, they have agreed to relocate the tank for public safety interest only. Expenses incurred by the City will be part of the sinkhole litigation. Council Member Barber noted when the tower was first constructed, First Calvary signed a release due to the fall zone. He said they should be contacted before an extension of the lease agreement is approved. Discussions continued.

Mayor Scoville asked for comments or questions. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Peggy P. Wayne, Mayor Pro Tempore
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

8. PUBLIC SERVICES

A. Motion to approve first reading of an ordinance to vacate rights-of-way to the Georgetown Hospital System as outlined in the agreement between the City and the Hospital System.

Mr. Jonathan Heald stated there are still finer details being worked out before second reading. Staff has been working on this agreement between Georgetown Memorial Hospital and the City for a number of months. As the hospital system wishes to carry out expansion improvements on that lot, they would like to have the roads within their campus vacated and turned over to them. From the City side, other than maintaining access for police and fire and easements for public utilities, we don't see a problem with this request. The roads belong to DOT and they only turn over rights-of-way to the city or county. The City is being asked to act as an intermediary between DOT and the hospital to allow DOT to vacate the rights-of-way to the City and in turn the City would vacate the rights-of-way to the hospital system. The agreement ensures that once the City asks DOT to vacate the rights-of-way, the hospital system doesn't renig, leaving the City stuck with the rights-of-way. Council Member Bradley wanted to know the City's first responders stance. Mr. Heald stated the hospital system is working on their overall plan for the new flowing system. Before we vacate, we need to know how the vehicles will access emergencies now and for the future plan. Before we turn over any rights-of-way, he will contact first responders and all public utilities.

Mayor Scoville asked for comments or questions. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS] Next: 2/27/2014 4:00 PM**
MOVER:	Carol R. Jayroe, Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

B. Motion to approve the purchase of a John Deere 035GX Compact Excavator, from Flint Equipment Company for the amount of forty-one thousand and six hundred dollars ($41,600.00).

Mr. Heald stated this equipment will replace an existing backhoe which has reached the end of its useful life and can no longer safely perform the work necessary to maintain the underground utility system. This is a budgeted item.

Mayor Scoville asked for comments or questions. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brendon M. Barber Sr., Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

C. Motion to approve additional work by Jacobs Engineering, in the amount of seventy-three thousand dollars ($73,000.00) to submit a Supplemental Preliminary Engineering Report to SC DHEC that will address options to improve the function of the City's Wastewater Treatment Plant and to address the current Consent Order.

Mr. Heald presented a slide show about the Wastewater Treatment Plant. He gave an overview of the plant, its history, the initial proposed improvements, the supplemental Preliminary Engineering Report and new projects. The City operates a 12 million gallon per day wastewater treatment facility. He explained the process in detail. In 2003 the plant was upgraded from a 4 million gallon per day aerated lagoon to a 12 million gallon per day SBR. This decision was made as a community in the most expeditious and money-saving manner. He stated we did not invest the money we should have and now we are paying the price. In 2007 we were under our first Consent Order for entrococcus, pH, DO. In 2008 we received a Consent Order for TS and in 2011 a Consent Order for pH. In 2013 we received the current Consent Order for fecal coliform, entrococcus, pH and DO. In order to address that Consent Order, DHEC presented the City with a list of initial improvements. In May 2013 the Preliminary Engineering Report was submitted agreeing to construct the acid fee system and segregate the 22-acre holding lagoon. In August 2013 DHEC changed the rules and came up with a new NPDES permit (1) eliminating the treatment of coliform and (2) moving the sampling point for entrococcus from the current discharge point at the end of the pond to the end of the chlorine contact chamber at the beginning of the pond. Mr. Heald met with DHEC in October and December and expressed his concern that the City is preparing to spend a lot of money segregating a pond that doesn't have a problem because of their new NPDES permit. He asked them to take a step back and take another look. In February 2014 they agreed and instructed the City to submit a supplemental Preliminary Engineering Report. Mr. Heald reviewed the seven improvement projects he believes are necessary to improve the function of the plant and address the current Consent Order. These were presented at the capital retreat in January. The influent pump station needs to be modified, headworks modifications, equalization basin, SBR modifications, disinfection conversion, acid feed system and SCADA upgrades. These projects are proposed over the next six years. These costly requirements need to be refined underneath the supplemental Preliminary Engineering Report and submitted to DHEC. If they agree to our proposal, they will modify the terms of our Consent Order and we will be under a timeline to complete. Discussions followed.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Rudolph A. Bradley, Council Member
SECONDER:	Edward S Kimbrough, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

9. ELECTRIC UTILITIES

A. Discussion of Peak Shaving Generation

Mr. Alan Loveless noted this was discussed at the Capital Improvements Plan retreat in January. He recapped the project stating the City's new wholesale power contract with Santee Cooper allows us to install up to 3.6 MWs of peak shaving generation on our system which would serve to reduce our peak on Santee Cooper's system. This generation, when properly applied, has the potential to reduce the City's demand costs by approximately $54,000 monthly (up to $648,000 annually). The savings we will realize from this generation is on top of the projected overall savings of $11 million (under the new contract) over ten years. With more construction involved, a permanent installation will take about 18 months. A Scope of Services for a feasibility study was provided to Council. We can bring in a couple of generators on trailers and have them running within a few months; however, the Feasibility Study needs to be performed first to make sure everyone is completely comfortable with the numbers and that the project will do what we think it will do. Staff is proposing to run the feasibility analysis on the permanent installation. Assuming the numbers are favorable, the City will proceed under the same study for a temporary installation. It is estimated the Study will cost between $25,000 and $35,000 and will take two months to complete. Mr. Loveless anticipates bringing the results of the Study to Council the end of April or first of May. If the results are positive, staff will seek direction from Council to proceed with engineering for the temporary installation. The Feasibility Study along with some of the engineering work for the temporary installation is estimated at $60,000 between now and the end of the year. A proposed budget amendment will be presented to Council next month which will cover this funding. He asked Council for the green light to proceed with the Feasibility Study. Discussions followed. Mayor Scoville instructed Mr. Loveless to proceed.

10. ADMINISTRATION

A. Motion to Approve the Annual Budget Preparation Calendar

Mr. Chris Carter presented the proposed Budget Calendar and noted the meeting dates requiring Council participation. Council Member Bradley asked that agenda items for Regular Meetings be held to a minimum if the budget was going to be discussed. Mayor Scoville said perhaps the budget workshop could be held at 4:00 PM before the Regular Meeting at 5:30 PM.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Edward S Kimbrough, Council Member
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

B. Motion to approve first reading of a Capital Project Ordinance for the repair of the Kaminski House Museum.

Mr. Carter called attention to the addendum to item 10B which includes the actual numbers. He stated the Friends of the Kaminski House are preparing to undertake a project to refurbish the north façade of the Kaminski House. Donations and grants from three different sources have been secured; however, the donations come in over a three year period. The City's agreement with the Friends was to serve as an intermediary, collect and disburse grants on their behalf for projects such as this. Budget Ordinances run from year to year. A Capital Project Ordinance runs for the term of the project. Discussions followed.

Mayor Scoville asked for comments or questions. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS] Next: 3/20/2014 5:30 PM**
MOVER:	Carol R. Jayroe, Council Member
SECONDER:	Clarence C. Smalls, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

C. Motion to amend the June 24, 2011 agreement with Georgetown County as it relates to the County's responsibility to perform certain debris removal and disposal services with the City of Georgetown.

Mr. Carter stated, as a result of Storm Pax, the City has been working with the County to develop a massive debris removal effort that would qualify, in the event, that South Carolina and Georgetown met the threshold for reimbursement from FEMA. A mutual aid agreement was signed in 2011 which engaged two contractors; a monitoring contractor and an actual firm which would collect the debris. During a meeting this week, the debris monitoring contractor noted a phrase in the agreement with the County that *won't pass muster*. It states, *the County agrees to assume responsibility for debris removal and disposal services within the corporate boundaries of the municipality following a state of disaster or state of emergency supported by Presidential declaration that allows for federal reimbursement of storm generated debris removal and disposal*. The County expeditiously rewrote the agreement deleting the above phrase and added, *The County will assume responsibility for debris removal from right-of-ways and assume responsibility for associated disposal services within the corporate boundaries of the City only after the City, in writing, requests assistance for the same.* In essence this agreement is the same as the agreement approved in 2011 except for one paragraph. If FEMA declares a disaster area the reimbursement is 85 percent for the first 30 days. The agreement would help the City receive reimbursement for the non-system streets.

Last night a new development occurred. The State of South Carolina Department of Transportation has decided to take on debris removal in both Horry and Georgetown counties. There is some advantage to joining their effort and approving their agreement. This agreement is not on the agenda; however, Mr. Carter asked Council for a consensual 'yes, it's a good idea'. DOT is going to contract for all roadside debris removal and the reimbursement is 100 percent. Mr. Carter said there are financial incentives for the City to sign the DOT contract. Discussion followed. There was no objection to the DOT agreement.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Rudolph A. Bradley, Council Member
SECONDER:	Jack M. Scoville Jr., Mayor
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

11. CITY ADMINISTRATOR REPORT

Mr. Carter reported a contract was let on November 13, 2013 for repair to Rainey Park. The contractor discovered poor soil underneath the brick pavers and 100 cubic yards of material was removed and replaced with gravel. The fountain has been secured and the retaining wall and fence are to be repaired. The project is to be complete by March 20^{th}. Inclement weather and poor soil have delayed progress.

Mr. Carter and Chief Tanner are working on design build Request for Proposals for the fire station in Maryville. Council Member Barber expressed concerns with design build.

Mr. Carter referred Council to the draft agenda for the February workshop. Council Member Jayroe asked about discussion of the strategic plan. Mayor Scoville said Council has discussed (in the past) hiring someone to guide them in preparing a strategic plan. This will be a lengthy process. Council needs to decide on the process.

Mayor Pro Tem Wayne said the City was to present a plan for East Bay Park to the County by the end of February. Mr. Carter stated at the December 5^{th} Council workshop the consensus of Council was to fund a professional design of East Bay Park. He said a program design for that plan will be proposed in the upcoming budget.

12. APPROVAL OF MINUTES

Motion to approve minutes of Special Meeting/Workshop dated December 5, 2013; Regular Meetings dated December 19, 2013 and January 16, 2014.

Mayor Scoville asked for any amendments to the minutes. Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

13. OLD BUSINESS

There was no old business.

14. NEW BUSINESS

Council Member Bradley asked that staff study the option of (1) installing underground utility lines or (2) examining the trees affecting the power lines, have them removed and replaced with a different type of tree. Mayor Scoville said a tree crew contractor recently was in town and trimmed the rights-of-way which prevented a tremendous problem. Mr. Bradley said there are some running oaks that need to be cut down and replaced. Mr. Loveless noted many of the trees that iced up and limbs fell causing damage were on private property. Mayor Scoville said residents need to be encouraged to have their lines from the transformer to their house installed underground whenever possible. Also, when the City has new lines they need to be installed underground.

Council Member Smalls asked Police Chief Gardner about the number of accidents (51) reported in the City in January. Chief Gardner said over the past year traffic enforcement has been greatly increased, which actually reduced accidents. There are peaks and valleys and he did not know what caused the spike. He noted Georgetown has a lot of traffic. Five-year old data shows entering town from the south side there were over 10,000 cars a day.

15. DEPARTMENT MONTHLY REPORTS

A. Finance and IT Monthly Reports - January 2014

B. Georgetown PD - Monthly letter - Jan 2014

C. January 2014 Fire Report

D. Electric Utility Department Monthly Report

E. Housing & Community Development January Monthly Report

16. EXECUTIVE SESSION

Motion to Enter Executive Session to discuss appointments to the Board of Zoning Appeals and Georgetown Housing Authority Board and receive legal advice.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Rudolph A. Bradley, Council Member
SECONDER:	Brendon M. Barber Sr., Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

The Regular Meeting was adjourned at 7:43 PM.

Motion to adjourn Executive Session and return to Regular Session.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

Executive Session was adjourned and the Regular Meeting was reopened at 7:51 PM. Mayor Scoville announced no formal action was taken in Executive Session.

17. APPOINTMENTS

Motion to appoint Rhonda Green to Board of Zoning Appeals and reappoint Kalib Moyer to Georgetown Housing Authority Board of Commissioners.

Mayor Scoville called for the question.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jack M. Scoville Jr., Mayor
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

18. ADJOURNMENT

Motion to Adjourn the Regular Meeting of City Council

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Peggy P. Wayne, Mayor Pro Tempore
SECONDER:	Rudolph A. Bradley, Council Member
AYES:	Jayroe, Kimbrough, Scoville Jr., Barber Sr., Bradley, Smalls, Wayne

The Regular Meeting was adjourned at 7:52 PM.

Ann U. Mercer
City Clerk

Date Approved: 03/20/14