



**SPECIAL MEETING/WORKSHOP OF CITY COUNCIL
MAY 31, 2018 – 4:00 PM
MUNICIPAL COURTROOM
GEORGETOWN, SOUTH CAROLINA**

1. CALL TO ORDER

Notice of this meeting has been made in accordance with the South Carolina Code of Laws as amended.

MEMBERS PRESENT

Mayor Brendon M. Barber, Sr.
Mayor Pro Tempore Rudolph A. Bradley
Council Member Sheldon A. Butts
Council Member Tupelo Humes
Council Member Carol R. Jayroe
Council Member Al Joseph
Council Member Clarence C. Smalls

ALSO PRESENT

Mr. Carey F. Smith, Interim City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann U. Mercer, City Clerk
Mrs. Suzanne Anderson, HR Manager
Mr. Orlando Arteaga, Engineer
Mrs. Debra Bivens, Director of Finance
Mr. Will Cook, Water Utilities Director
Chief Charlie Cribb, Georgetown Fire Department
Mr. Alan Loveless, Director of Electric Utilities
Mr. Rick Martin, Building Official/Zoning Administrator
Chief Kelvin Waites, Georgetown Police Department
Mr. Isaac Williams, Fleet Superintendent

ABSENT

Mr. Tim Chatman, Streets and Sanitation Manager

MEDIA

Georgetown Times - Mr. David Purtell
GAB News - Mr. Scott Harper

2. ANNOUNCEMENT CONCERNING ELECTRONIC DEVICES

Mayor Brendon M. Barber, Sr. called the Special Meeting/Workshop of City Council to order at 4:00 pm and requested all cell phones or electronic devices be turned off or placed on mute, with the exception of first responders, so as to not interrupt the meeting.

3. PRESENTATION-WALKER MORGAN ATTORNEYS AT LAW - OPIOID LITIGATION

Mr. Carey Smith stated initially Council Member Joseph had spoken with him concerning this issue. After talking with Chief Waites, Mr. Smith and the Chief met with the attorneys concerning their proposal and felt it would be beneficial to pursue. Attorney Billy Walker, with Walker Morgan Attorneys of Lexington, South Carolina addressed City Council on opioid abuse and its effect on cities, counties and states. He presented an overview of the epidemic as it deals with Georgetown. Opioid related deaths in South Carolina increased 27.3% from 2015 to 2016; 27 deaths in Georgetown County. Health care costs attributed to opioid abuse are estimated to have totaled over \$323 million in South Carolina in a single year. These and other costs associated with the opioid epidemic are incurred at all levels of government, including city governments. Opioids are narcotic pain relievers and highly addictive. Appropriate use should be limited to acute or breakthrough cancer related pain. The opioid companies decided they would create a market for the pills; societies to advocate for the use of opioids, sponsoring scientific articles and medical conferences. Overstated benefits for chronic, long-term use, promoted widespread use of opioids to treat common chronic pain conditions. The manufacturers' conduct was designed to maximize profits. Council Member Humes arrived at 4:16 pm. Wholesale distributors of opioids are statutorily obligated to develop and maintain procedures to investigate and report drug diversion, which they have consistently failed to do. The distributors neglected their obligations to notify the U. S. Drug Enforcement Administration, as well as parallel state entities, regarding suspicious opioid purchases, including orders of usual size, frequency and/or pattern. The distributors' conduct was designed to maximize profits. When those addicted run out of the pills, they turn to street drugs. Attorney Doug Treasurer, a former DEA agent, told Council 75% of heroin users started out using painkillers. He said it is a crisis, nothing to this point has been done except a lot of people dying. Mr. Peter Phillips, a member of the Applicant Team, served as an Assistant United States Attorney in the District of South Carolina, stated a standard of care was created. The Team has very personal knowledge of the problem at all levels. This is an issue everywhere in South Carolina. Referencing statistics, Mr. Walker pointed out there has been a significant drop in the number of retail opioid prescriptions dispensed; however, the deaths have increased because of the street drugs, heroin and fentanyl. Of those who began abusing opioids in the 2000's, 75% reported that their first opioid was a prescription drug. If Mayor and Council decide to move forward with the proposal, the Team at Walker Morgan will identify individual prescribers subjected to and influenced by opioid manufacturers' deceptive marketing, identify local marketing, calculate the City expenditures on opioids by manufacturer, and determine recoverable elements of City expenditures attributable to opioid crises. The process would involve filing a lawsuit against a local entity such as a pharmacist or physician subjected to influence by a large pharmaceutical company or distributor of opioid based painkillers. The manufacturer or distributor would be drawn into the lawsuit with the goal of reaching a settlement. Georgetown would be the first municipality the Applicant Team at Walker Morgan partners with. The fee structure is 20% of any recovery, if settled. Mr. Walker, a native of Georgetown, said he has a vested interest in the City.

The goal is to make certain that Georgetown is adequately compensated for any and all losses related to the opioid epidemic. Through litigation it is the intent to equip the City with the necessary resources to continue fighting the war on opioid addiction. Chief Waites told Council there is an opioid epidemic in Georgetown. Law enforcement spends most of their time trying to combat it at the street level. There is a national trend where groups such as Walker Morgan are going after the distributors. Mayor Barber and Council Member Butts agreed we have to address the addiction issues as well. Mr. Smith told Council if they wish to enter an agreement with Walker Morgan the document would be included on the June 21st Regular Meeting for approval. The consensus was to move forward.

4. ELECTRIC UTILITY DEPARTMENT

A. Motion to approve purchase and payment for 900 LED street lights to Wesco Distribution of Columbia in the amount of \$273,455.

Mayor Pro Tempore Bradley moved, seconded by Council Member Butts. Earlier this year Council approved the purchase of 700 LED street lights. Mr. Alan Loveless said the plan was to use the remaining funds in this year's budget to begin the replacement of lights by a contractor. There has been difficulty getting contractors to bid on labor and equipment to assist with replacement. Staff is in the process of rebidding; however, it will not be accomplished in time to have the work performed prior to June 30. He is requesting approval to purchase additional lights out of this year's budget. The contractor's cost will be included in next year's budget.

Mayor Barber called for the vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rudolph A. Bradley, Mayor Pro Tempore
SECONDER:	Sheldon A. Butts, Council Member
AYES:	Barber Sr., Bradley, Butts, Jayroe, Joseph, Humes, Smalls

5. WATER UTILITIES

A. Motion to approve purchase and payment to Rodders & Jets Supply Co. for the CCTV Truck rebuild in an amount not to exceed \$75,000.00.

Council Member Smalls moved, seconded by Council Member Joseph. Mr. Will Cook explained the existing equipment in the truck is not operational and staff does not have the capability to CCTV sewer or storm pipes. The truck is a 2000 year model with low mileage. The old CCTV equipment will be removed and replaced with new equipment in the same truck. Three quotes were received and the low bid of \$73,658.80 was submitted by Rodders & Jets Supply Company.

Mayor Barber called for the vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clarence C. Smalls, Council Member
SECONDER:	Al Joseph, Council Member
AYES:	Barber Sr., Bradley, Butts, Jayroe, Joseph, Humes, Smalls

6. ENGINEERING

A. Motion to engage and make payment to WK Dickson to develop a Stormwater Management Plan in an amount not to exceed \$60,000.

Council Member Joseph moved, seconded by Council Member Humes. Mr. Orlando Arteaga stated seven proposals were submitted. A panel of five key staff members evaluated the proposals and WK Dickson and Woolpert Inc. were at the top of the list. WK Dickson's fee proposal was more in line with the City's budget. This will be a 9-12 month process.

Mayor Barber called for the vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Al Joseph, Council Member
SECONDER:	Tupelo Humes, Council Member
AYES:	Barber Sr., Bradley, Butts, Jayroe, Joseph, Humes, Smalls

At the request of Council Member Smalls, Mr. Arteaga updated Council on the Phase I and Phase II drainage project. It is about 50% complete, the contractor is finalizing the curb and gutter and sidewalk construction on the south side of Highmarket Street. Concerns were expressed about the number of hours the contractor is working during the week. Residents and businesses in that area are greatly inconvenienced. Mr. Smith said legally there is nothing the City can do; however, staff will talk with the contractor and convey Council's sentiments.

7. ADMINISTRATION

A. Motion to approve Amendment to Agreement with National Development Council regarding community and economic development advisement extending term to December 31, 2018.

Council Member Joseph moved, seconded by Mayor Pro Tempore Bradley. Mr. Smith explained the Agreement ended January 31, 2018 and this amendment extends the term to December 31, 2018. All other provisions in the original agreement remain unchanged.

Mayor Barber called for the vote.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Al Joseph, Council Member

SECONDER: Rudolph A. Bradley, Mayor Pro Tempore

AYES: Barber Sr., Bradley, Butts, Jayroe, Joseph, Humes, Smalls

8. DISCUSS CITY HALL REBUILDING OPTIONS

Mr. Smith noted the City has received one settlement for \$2.25 million related to the damages. His desire is to use that money for the new building to avoid doing into debt. A mediation concerning different issues is scheduled in June which may result in potential legal settlements. At the City's request, Mr. Ashleigh Weatherly, Structural Engineer with Weatherly Structural Engineers reviewed the cost information that pertains to the City Hall building and settlement related to the sink hole issue. Three options were presented: (1) repairing the new building, (2) demolishing the existing City Hall building and building a new building or (3) construct a new building on a new site. Repairing the new building would cost more than \$4 million. The second option to demolish and rebuild on the current site would cost \$3.5 million. The cost to locate a new site and construct a New City Hall building is unknown. Whatever decision Council makes, safety must be paramount. In his May 22, 2018 letter outlining option 2, Mr. Weatherly stated the building will be totally safe with no concerns of sink holes causing future problems. The plan would be to use the current parking to eliminate the expense of any extensive site work. Council Member Jayroe left the meeting at 5:39 pm. Discussions continued. When questioned about the new foundation described for option 2, Mr. Weatherly stated he can guarantee there will be no structural problems due to sink holes. Mr. Smith said the design build process would give the opportunity to keep the cost within budget. The consensus of Council was for staff to move forward with developing a plan for demolishing the City Hall building located at 120 North Fraser Street and rebuilding at the same location.

9. ADJOURNMENT

Motion to adjourn the Special Meeting/Workshop of City Council.

Council Member Joseph moved, seconded by Mayor Pro Tempore Bradley.

Mayor Barber called for the vote.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Al Joseph, Council Member

SECONDER: Rudolph A. Bradley, Mayor Pro Tempore

AYES: Barber Sr., Bradley, Butts, Joseph, Humes, Smalls

EXCUSED: Jayroe

The Special Meeting/Workshop adjourned at 5:46 pm.

Ann U. Mercer

City Clerk

Date Approved: 08/16/18