



**SPECIAL MEETING OF CITY COUNCIL
JANUARY 22, 2018 – 4:00 PM
MUNICIPAL COURTROOM
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 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 Clarence C. Smalls

ABSENT

Council Member Al Joseph

ALSO PRESENT

Mr. Paul A. Gardner, City Administrator
Mrs. Elise Crosby, City Attorney
Ms. Ann U. Mercer, City Clerk
Mrs. Debra Bivens, Director of Finance
Mr. Rick Martin, Building Official/Zoning Administrator

ABSENT

Mrs. Suzanne Anderson, HR Manager
Mr. Orlando Arteaga, Engineer
Mr. Tim Chatman, Streets and Sanitation Manager
Mr. Will Cook, Water Utilities Director
Chief Charlie Cribb, Georgetown Fire Department
Mr. Alan Loveless, Director of Electric Utilities
Mrs. Gloria Bromell-Tinubu, Economic Development Director
Chief Kelvin Waites, Georgetown Police Department
Mr. Isaac Williams, Fleet Superintendent

MEDIA

Georgetown Times - Mr. David Purtell

2. ANNOUNCEMENT CONCERNING ELECTRONIC DEVICES

Mayor Brendon M. Barber, Sr. called the Special Meeting of City Council to order at 4:00 PM and requested all cell phones or electronic devices be turned off or placed

on mute so as to not interrupt the meeting.

Mayor Barber received a request from a citizen present attending the meeting to make a public comment. There was no objection from Council.

Motion to amend agenda to add public comments.

Council Member Butts moved, seconded by Council Member Jayroe.

Mayor Barber called for the vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sheldon A. Butts, Council Member
SECONDER:	Carol R. Jayroe, Council Member
AYES:	Barber Sr., Bradley, Butts, Jayroe, Humes, Smalls
ABSENT:	Joseph

3. PUBLIC COMMENTS

Mayor Barber recognized Mr. Willie Singleton. Mr. Singleton addressed City Council concerning the action item on the agenda. He said State Law does not allow Ricky to take police with him when he does an inspection unless he has proof he is threatened. Council Member Butts asked Mr. Singleton for the title and section of the State Law. Mr. Singleton said he would email Mr. Butts the sections.

4. PRESENTATION BY BUILDING AND ZONING ADMINISTRATOR

MOTION TO APPROVE DRAFT COMPLAINT PETITION UNDER THE UNFIT DWELLINGS ORDINANCE FOR TWO DWELLINGS.

Council Member Butts moved, seconded by Mayor Pro Tempore Bradley. Mr. Rick Martin said a police report was filed over the weekend and sent to him the following Monday. He said Reverend Jenkins came to his office Monday morning, having filed a police report in regards to two apartments, and requested Mr. Martin go on site. It was explained to Reverend Jenkins a complaint would have to be signed and the tenant would have to sign a consent form before the City could go on site. Following the Ordinance, after the City has inspected the property and determined it to be unfit for human habitation the findings must be presented to City Council, after which the same findings will be presented to the Construction Board of Appeals. Pictures taken by staff of the two apartments located at 2106 Duke Street were presented. The following was observed where tenant 1 lives: roof leak in the kitchen area; floor was soft and some areas were completely unable to support any weight; no heat, tenant is using a stove top to heat the entire habitable area (only one element is working on the stove); no smoke detectors or GFI's, not all wall outlets are working, extensive use of extension cords; very little water to kitchen sink, no hot water was detected in the apartment; tenant is using a bedside commode as a form of bathroom facility (bathroom is not usable) and the tub and the toilet are full of contaminated water; and tenant is 64 years old and has lived there for three years and pays \$500 per month. The following was observed where tenant 2 lives: floor is covered with plywood to allow foot traffic and it is very

compromised; toilet not working; using the oven and small plug in heaters to heat the entire habitable area; tenant has 2 grandchildren living with her, 9 years old and 14 years old and the tenant is 61 years old and moved in this apartment August 2017 and pays \$600 per month.

Mr. Paul Gardner asked Mr. Martin to tell Council what is required by the State and by City ordinances to have a fit dwelling. Mr. Martin stated the Code requires a habitable dwelling to have a kitchen, a working sink, somewhere to cook food, a working toilet facility, with a sink, shower, an adequate water supply with hot and cold water and some way to heat, a minimum of 68 degrees in each room, cannot be a plug in type appliance. In the apartment that tenant 2 lives in with the grandchildren, the bedroom with the baby has no heat.

Council Member Butts said the pictures and information Mr. Martin presented are sufficient. Council Member Jayroe agreed with Council Member Butts. She added...to know our citizens are living in deplorable circumstances and know someone is taking their money at a high rate for a small place is disgusting. Council Member Smalls said the City needs to hire an employee to take care of these types of situations. Mayor Pro Tempore Bradley asked the City Attorney and City Administrator what section of the State Law justifies action and asked why Council did not have a copy of same. Mrs. Elise Crosby said the City unfit dwelling ordinance tracks the State Law, Title 31-15-30. The Building and Planning Department has used this ordinance for demolition. The City's Code is Article 6, the checklist for unfit dwellings is in Article 6 Section 5-109. Mr. Bradley asked what the next step is if Council approves the draft complaint petition. Mayor Barber said Mr. Martin could provide Council with options. Mr. Martin said one option would be to work with the owner of the property to have the issues corrected. If Council approves the complaint petition, the next step is to present to the Construction Board of Appeals. If the Board agrees with the findings, the apartments would be placard as an unsafe structure, not commended, and once repairs are made it can be occupied. The timeline for repairs is up to the owner of the building. Mr. Martin said the hardest part of this job is not being able to help the occupants find a place to live. Council Member Humes asked if 2106 Duke is one building with two apartments. Mr. Martin said 2106 has a house in front that caught on fire several years ago, there is an apartment behind it and two apartments to the left. It was built before zoning went into effect, nothing was permitted, and it was preexisting. Mr. Gardner said if Council approves the petition tonight, the landlord will be served and the hearing before the Construction Board of Appeals must take place no sooner than 10 days and no longer than 30 days. He said if the sanitation is not working and there is no heat, he believes in the interim we have an obligation to use Social Services to relocate the people until the appropriate repairs can be made. He has been in touch with St. Cyprians, Helping Hands, Social Services and other State agencies. He said the landlord has acknowledged repairs will be needed and they are in the process of making the repairs.

Mayor Barber said he, the City Administrator and the building administrator met

with the landlord and his representative. Corrective action will be taken without any modification. It was agreed the building administrator and fire marshal should have been the only City personnel to investigate the complaint at the location. The Mayor said as stewards of the City, we have to proceed from hereon and enforce the Codes. He stated there are other landlords throughout the City who will have to adhere to the Building Code and City policies. Mr. Gardner said at the retreat Mr. Martin talked about becoming more progressive with code enforcement and rental property inspections. This is part of the budget discussions going forward and will require more manpower in Building and Planning. Mayor Pro Tempore Bradley asked the Mayor if the ordinance could be revisited, especially as it pertains to the 50-51%. He said it seems to be somewhat incomplete. Discussions followed.

Mayor Barber called for the vote.

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

Mayor Barber stated from this day forward, as a governing body we will move forward in the proper manner. If there is a complaint the building director and fire inspector are the only personnel to investigate the complaint; we don't have to have force.

5. ADJOURNMENT

Motion to adjourn Special Meeting of City Council.

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

Mayor Barber called for the vote.

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

The Special Meeting was adjourned at 4:54 pm.

Ann U. Mercer
City Clerk

Date Approved: 05/17/18