

REGULAR MEETING OF CITY COUNCIL ON MONDAY, JUNE 9, 2003 at 5:30 P.M. AT CITY HALL. MEMBERS PRESENT: Mayor Alton McCollum.

COUNCILPERSONS: Buddy Sandifer, Frances Johnson, David Walker, Betty Wells, Betty Mack, and Nancy Foster. CLERK: Bruce Watson. VISITORS: Wyndell Peay, Jeannette Driggers, Bill Henegar, Diane Henegar, Fire Chief Timmie Taylor, Sarah Snell, Bob McCully, Cindy Nichols and Phyllis Overstreet.

Mayor McCollum called the meeting to order and Mrs. Mack gave the invocation.

Clerk Watson took the roll with everyone being present.

Mr. Walker made the motion to approve the agenda as presented. Mrs. Mack made the second. All approved. The motion carried.

Mayor McCollum recognized Bill and Diane Henegar. The Henegars asked to be placed on the July agenda to discuss safety issues within Bamberg since they said they were not given enough time to discuss the issues tonight.

Mrs. Henegar told Council that they and the Mayor for years had been promoting beautification and growth within Bamberg. She informed Council that they had planted the crepe myrtle trees in front of their house fifteen months ago and that they had complied with the first letter to prune the trees according to the Zoning Ordinance. They explained that since that time they had been discriminated against and harassed by the City to have the trees removed. She said they did not understand the Street Ordinance. Mrs. Henegar went on to say that Dean Campbell of the Highway Department agreed to allow them to keep the trees pruned. She asked Council to allow them to keep the trees trimmed to assure a safe sight zone.

Mr. Bill Henegar voiced to Council that they were being harassed and that as citizens they deserved equal treatment. He presented Council with a petition of 143 signatures of people who wished to see the trees remain. Mr. Henegar informed Council that Denmark Council refused to have the mayor and his subordinates answer to Council which lead to their problems. He went on to say that they were supervisors of Council and that they would hold Council accountable. Mr. Henegar asked why Council was wasting their time with such trivial issues.

Mr. Bob McCully explained that the Henegars planted the trees on State property. He urged Council to enforce the Street Ordinance now and also in other areas of town. He said the trees should be removed during their dormant season but still told Council that the ordinance needed to be enforced.

Mr. Sandifer voiced that the trees would definitely become a hazard when they grew larger. He told Council that everyone now knows it is a hazard area and that the City would be held liable if an accident occurred. Mr. Sandifer voiced that Council and the Mayor were responsible to their constituents and that if they did not like their decision then in four years they could replace them.

Clerk Watson explained the Zoning Ordinance and the Street Ordinance. He also explained how the City's right-of ways are viewed. He informed Council that Dean Campbell and Gene Cooner of the SCDOT have agreed that the City has control over the right-of- ways within the City that they would back any decision made by Council and the Mayor. Clerk Watson informed Council that the City and themselves could become liable for any accidents that occurred at the intersection.

Cindy Nichols asked Council if the fence at the First Baptist Church was in compliance.

Mayor McCollum said that issue would be addressed if the fence was out of compliance.

Mayor McCollum informed the group that the City was taking down trees everywhere. He voiced that the citizens elected them to look after the best interest of the citizens. He said the area must be kept clear. Mayor McCollum voiced that he had rather see a dead tree instead of a dead person.

Mrs. Wells told Council that she had four palms in front of her house which were in the right-of-way and would remove them if they presented a hazard.

Mr. Sandifer voiced that the issue was covered. He said Council knows it is a hazard and that Council will be held liable for any accidents. He said Council took an oath to uphold the ordinances of the City.

Mrs. Foster said she appreciated the job the Henegars had done with their house and the trees but agreed that the law must be obeyed. She voiced that other areas in town also needed to be looked at. She mentioned the parking of cars on Highway 78 in front of the three churches and also the sign at Kentucky Fried Chicken. Mrs. Foster said the Henegars should be given until January in which to move their trees.

Mr. Sandifer voiced again that if an accident occurred tomorrow that Council had been made aware of the problem and that the City would be held liable. He asked Council if they were familiar with the term negligent. He told Council that we are responsible. He informed Council that Dean Campbell and Gene Cooner would back the City on their decision.

Mr. Walker voiced that the trees would be a hazard and that the City would be held liable.

Mr. Sandifer after more discussion asked the Mayor to call for the question. Mayor McCollum informed Council that the decision was his call and he then ordered the trees moved by 11:00 a.m. on Wednesday or said the City would remove the trees.

Mrs. Johnson asked that Society Street by Mount Carmel Church be closed during services to prevent citizens from being involved in an accident.

Mayor McCollum asked her to have a letter addressed to Council from the church requesting the street be closed temporarily. He said Council would then write the SCDOT requesting the same.

Mrs. Foster made the motion to approve the minutes of the May 12, 2003 meeting as received. Mrs. Johnson made the second. All approved. The motion carried.

Mrs. Foster made the motion to approve the minutes of the meeting of June 3, 2003 as received. Mr. Walker made the second. All approved. The motion carried.

Mr. Johnson made the motion to approve the Budget and Finance Report as presented. Mrs. Mack made the necessary second. All approved. The motion carried.

Under Commission Reports.

Mr. Sandifer informed Council that a problem now existed at the Ness Complex with not having enough parking for the large crowds. He said this was a good problem. Mr. Sandifer told Council he would have plans for alternate parking by next year and that he plans to build another ball field next year. Mr. Sandifer praised the Police Department for being seen at the ballpark during the games.

Mayor McCollum informed Council that he was seeking grant funds through the LSCOG to possibly help with additional parking areas for the Ness Park.

Mr. Sandifer reported that the grand opening for the Piggly Wiggly will be held on Wednesday, July 2nd at 9:00 a.m. He also reported that groundbreaking for the Cross Rhodes Park took place the other week. He said improvements to the park will take place during the next six to nine months.

Mrs. Johnson informed Council that Mr. Shipley had reported to her that his blood pressure was up due to the loud noise from the boom boxes in his neighborhood again. She also reported that he said people were traveling on Bamberg Street at 55 mph.

Mrs. Wells said she would look into this problem since he lived in her district.

Mayor McCollum informed Council that the noise ordinance was being enforced and could carry fines up to \$200.00.

Mr. Walker informed Council that the Fire Department would be asking permission to sell the old tanker truck and to then be allowed to use the money to buy equipment for the new fire truck.

Mrs. Wells informed Council that three summer youth workers had been hired.

Mrs. Foster asked Clerk Watson when business license renewals would be mailed.

Clerk Watson informed Council that the renewals would go out the first of July once June had been closed.

Under Old Business.

Mr. Sandifer made the motion to approve the second reading of Ordinance 03-04 to rezone property of Ann McAlhaney from R-2 to HC. All approved. The motion carried.

Under New Business.

Mr. Sandifer, chairman of the Budget Committee, thanked Mrs. Wells and Mrs. Mack for serving on the committee. He explained that the Budget Committee felt it wasn't fair for the employees to receive a 3% cost of living raise that would be surpassed by an increase in insurance premiums. He said a 3 mill increase was added to give the employees a boost in pay. Mr. Sandifer said a 3 mill increase would mean an \$18.00 tax increase to a homeowner who owned a \$100,000.00 home.

Mayor McCollum informed the audience that the Budget Committee had met three times and that Council met one time to discuss the proposed 2003-2004 budget.

Mrs. Johnson made the motion to approve the first reading of Ordinance 03-05 to adopt the 2003-2004 Budget of \$1,595,108.00 and to set the millage rate at 102.75 mills. Mr. Sandifer made the second. All approved. The motion carried.

After Clerk Watson explained the need for an increase in dumpster fees, Mrs. Wells made the motion to approve the first reading of Ordinance 03-06 which increased the user fees for dumpsters to \$114.00 per month. Mrs. Mack made the second. All approved. The motion carried.

Mrs. Foster made the motion to approve the first reading of Ordinance 03-07 to annex property of National Renal Alliance into the City of Bamberg. All approved. The motion carried.

After Mr. Walker informed Council that the Fire Department wished to sell the old tanker truck and for the money to be placed in the Brush Truck fund to be used to purchase equipment for the new fire truck, Mrs. Foster made the motion to sell the old tanker truck for a minimum of \$2,000 with the money going to the Brush Truck Fund. Mrs. Mack made the second. All approved. The motion carried.

Mayor McCollum informed Council that plans for the July 4th Celebration were coming together. He asked Mr. Sandifer and Clerk Watson to help with providing power to the stage and he asked Mrs. Foster to see that the stage was decorated.

During the announcements, Mrs. Foster informed Council that Good Eats was leaving Bamberg and that the Hooten Black House had been picked as a Discovery Stop for the Heritage Corridor.

Mayor McCollum thanked Sarah Snell who was a representative from Congressman Lindsey Graham's office for being present at the meeting.

Mr. Bob McCully asked Council if an ordinance existed to be sure new businesses had enough parking spaces before they were allowed to build.

Clerk Watson explained that the Zoning Ordinance covers the number of parking spaces that are required and that it was being enforced since he took over as Zoning Administrator.

Mr. McCully said the new mall that Mr. Hiott built did not have enough parking spaces. He also mentioned that parking at the hospital was limited.

With no further business, Mrs. Johnson made the motion to adjourn. Mrs. Mack made the second. All approved. The motion carried.

The meeting was adjourned at 6:42 p.m.

ATTEST:

Clerk

Mayor of Bamberg