

CITY OF HARDEEVILLE  
PUBLIC HEARING & REGULAR  
CITY COUNCIL MEETING  
MAY 18, 2006  
6:00 PM

Present: Mayor Rodney Cannon, Mayor Pro Tem Brooks Willis, Council Members Earl Cooler, Bea Jones, and Bill Horton. City Attorney David Tedder, Assistant City Administrator Kevin Griffin, City Clerk Cindy Thompson, Finance Director Santesia Henderson, Media Director Paul Floeckher, Fire Chief John Ekaitis, Planning Director Brana Snowden, Police Chief Jimmy Hubbard, and Design Review Planner Nolon Edge

**I. CALL TO ORDER**

Mayor Cannon called the meeting to order.

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Willis gave the invocation.

**III. PUBLIC PRESENTATIONS/COMMENTS**

**A. SPECIAL EVENT PERMIT APPLICATION FOR CAR AND BIKE SHOW ON CITY PROPERTY**

Mayor Cannon stated that Ms. Brant has brought everything in and that it is staff's recommendation to grant the special event permit. Council Member Horton inquired about the \$15.00 fee for lighting. ACA Griffin stated that there would be a very minimal time for lighting, so we did not charge. Council Member Horton made a motion to accept the special event permit; his motion received a proper second from Council Member Cooler and passed unanimously.

**Sign Ins- Ms. Joyce Meeks** stated that the police department is being restructured and that Lieutenant Eric Washington is not in that restructuring. He is there when she calls or needs him and takes care of any problems and doesn't have to worry about spreading it around the neighborhood. Ms. Meeks thinks he is and has been doing a wonderful job for years and can't understand why he does not fit in the restructuring. Mayor Cannon stated that they do not and cannot discuss personnel and the restructuring is under the supervision of the Manager and the Chief of the department and that he can come in and speak with Manager Haynes. Ms. Meeks inquired about the restructuring and why he will not be included and he is someone that they can trust. Mayor Cannon stated that we cannot discuss this in open session; it will have to be taken up with the Manager and the Chief and she can make an appointment to speak with them. Ms. Meeks stated that she realizes they can't discuss personnel, but what are they doing that is restructuring and can't understand why you would hire people from out of town that you know nothing about.

**Mr. Jonathon Young** stated that he is also here about the incident at the police department in reference to Lt. Washington. He stated that he also

has questions regarding the restructuring process taking place. He stated that you have an officer that's been on the force for 15 years and how does he not fit in with the restructuring. There was one individual affected by it and what is taking place in the department that causes this hardship. He stated there is something going in the department; there is now 3 officers gone from the department that the community doesn't know about and they would like to know. He would like to know why the city is losing fine officers and why are we losing that when the city is growing. Mayor Cannon stated that he understands and it is handled by the Manager and the Chief. As far as the restructuring; he will ask the Manager to get something on paper for the restructuring.

**IV. RESOLUTION TO CONSIDER EXTENDING THE HEARING PERIOD FOR OBJECTIONS TO THE ASSESSMENT ROLL**

Attorney Tedder stated that as you recall, the city passed an ordinance authorizing the imposition of a municipal improvement district and the process that we had to go through. At the request of our bond council; they determined that we should extend this period to make sure that the assessment roll are absolutely perfect; it does not interfere with the schedule for the applicant; it provides an additional opportunity for citizens to comment on the documents. This will extend the time period to July 5, 2006. At the joint request of the applicant, city staff, and bond council that they ask council to pass this resolution. Mayor Cannon stated that it is never an objection to putting more time out there for citizens to come up. Council Member Horton inquired if there is any particular reason we're doing the cut off the day before the council meeting instead of the day of the council meeting. Attorney Tedder stated this is a period in which written objections can be made; the city has already held three public hearings in front of council; and the will have the written objections in on time. Mayor Pro Tem Willis made a motion to accept this resolution; his motion received a proper second from Council Member Jones and passed unanimously.

**V. OLD BUSINESS (COUNCIL ACTION WILL FOLLOW PUBLIC HEARING)**

**A. SECOND READING OF AN ORDINANCE TO AMEND A SCHEDULE OF BUILDING PERMIT AND DEVELOPMENT/SUBDIVISION FEES FOR THE 2006-2007 CALENDAR YEAR (2006-5-4) SECTION 2-61 OF THE HARDEEVILLE CODE OF ORDINANCES**

ACA Griffin stated that there was one minor change since the first reading by adding that any time construction starts prior to a permit being purchased, that there is a penalty percentage there added for not purchasing the permit during the standard time before construction starts. This penalty was added to the attachment and the ordinance. Council Member Horton inquired about the penalty clause and if they are found to be doing work that they shall pay the 100% penalty in addition to the

permit; with the way the state law is written; does this fall within our court system and can we do this or are we bound by the \$500 limits that is set on municipal courts. ACA Griffin stated this is a standard industry practice with the penalty section; it is also included in the IRC and the IBC code appendixes as well. He also stated that this is not unique to Hardeeville.

**PUBLIC COMMENT-None**

Council Member Jones made a motion to accept the ordinance as written; her motion received a proper second from Council Member Cooler and passed unanimously.

**VI. PRESENTATION & APPROVAL OF MINUTES FROM THE MAY 4, 2006 PUBLIC HEARING & REGULAR CITY COUNCIL MEETING**

Council Member Horton made a motion to accept the minutes as written; his motion received a proper second from Council Member Jones and passed unanimously.

**VII. NEW BUSINESS (COUNCIL ACTION WILL FOLLOW PUBLIC HEARING)**

**A. FIRST READING OF AN ORDINANCE TO RAISE REVENUES AND ESTABLISH A BUDGET FOR THE CITY OF HARDEEVILLE, SOUTH CAROLINA FOR THE FISCAL YEAR 2006-2007: TO SET REVENUES REQUIREMENTS: TO PROVIDE FOR EXPENDITURES (2006-5-18A)**

Finance Director Henderson stated that council has in front of them a copy of the 2006-2007 fiscal year budgets. They are proposing projected revenue of \$5,742,875.00. The projected expenditures are \$5,742,875.00. The percentage change in expenditures and revenues compared to the 2005-2006 fiscal year is 22%. There is no proposed increase in the millage rate. The millage rate will stay the same at .147. Mayor Pro Tem Willis inquired about no new taxes. Director Henderson stated no sir, it will stay the same. She also stated that it would be on the website.

**PUBLIC COMMENT-None**

Council Member Jones made a motion to accept this as the first reading of the ordinance; her motion received a proper second from Mayor Pro Tem Willis. Mayor Cannon called for any discussion. Council Member Horton stated that he would like to bring up some items that were discussed in the budget workshops and that he has some concerns with the budget. He is concerned with the amount that the city is expected to receive in fines, fees, and forfeitures being that last year the city had trouble meeting that goal. As it is showing in the projected budget, there is no increase in the number of officers to be available; but they are showing an increase in the traffic team and that will take away the officers that are patrolling the streets and neighborhoods and do not agree. He also stated the city is also looking at an 11% increase across the board in employee's salaries; which is astronomical while our lower level employees are somewhat below the median income averages for this area. The higher level staff is above what

state averages are. He stated that the city was also cautioned at the last audit that the city needed to be careful about our spending; and also advised that the city should have a reserve fund approximately two months worth of income; and there is no increase in the reserve fund. It sounds good on the surface; we are not going to meet the figures that we have in place now; there is no way to cut the cost in spending and sees no way that it can go down. Council Member Horton would like to caution council on good spending practices; and is not satisfied where the city stands. Mayor Pro Tem Willis inquired about the auditor's advice. Finance Director Henderson stated that Mr. Mellen stated there should be a reserve; which is a percentage of the total revenues. Mayor Cannon stated that our employees have been working 150% over the past three years and has not had a raise and does not think that an 11% raise is not too much to give. Mayor Pro Tem Willis stated that standard procedure throughout the state, but the way he sees it is he doesn't feel like we are the standard with so much going on here and it's being handled and being managed; we are ahead of the game and have learned a lot of lessons with the growth situation and have people on board that have the quality of education and experience and look at where we are and expected to be in five years; you don't have standard people and a standard salary. Council Member Jones stated that this July everyone at this table will be going to Hilton Head to accept an award from the MASC for this community center; Administrator Haynes and ACA Griffin will be sharing the podium with County Administrator Andy Fulghum & Ridgeland Town Administrator Jason Taylor teaching everyone in this state how to do it right and the reason we are going to be there is because the employees for the past three years have believed in council and believed in the promise that they would benefit as soon as the city accomplished everything they wanted they will be there with us and an 11% raise over 3 years is not too much at all. They have worked for no raises to give council the opportunity to take credit for the staff's work. She also stated that it breaks the promise that council made to staff. Council Member Cooler agrees with Mayor Pro Tem Willis and Council Member Jones; he stated that the staff is well qualified and educated and has earned the raises they are receiving and stated that he is in favor of the budget as it stands. Mayor Pro Tem Willis stated this was done without raising taxes and that shows real management ability above the average. Council Member Horton stated when he made his comparison of salaries; he compared with cities our size and also much bigger cities. He stated he does realize that our hourly level employees are below the average for the area and they do need to be adjusted. The administrative employees are well over and above averages from larger regions. Council Member Horton agrees that the employees are doing an excellent job and should be rewarded; but are already being rewarded and doesn't think that they need to push it over the top. Mayor Cannon stated that there will be a salary budget placement for us up into slots where they should be provided what their job function is. He also stated that next

year, everything will be brought in line like they feel as a council it should be. The first reading of this ordinance passed with a four to one vote with Council Member Horton voted nay.

**B. FIRST READING OF AN ORDINANCE TO IMPLEMENT THE CHANGE OF GOVERNMENT FROM COUNCIL TO COUNCIL MANAGER FORM OF GOVERNMENT (2006-5-18B)**

Attorney Tedder stated that May 9<sup>th</sup> at the referendum, the citizens voted to change the form of government from council to council manager; this ordinance begins the implementation process of that as the implementation ordinance; the referendum called for the change to take effect on June 1. This ordinance addresses that at any time in the Hardeeville codes references the City Administrator means City Manager. Whenever our codes of ordinances are adopted is at odds with the statutory requirements of the state statute that say these are the manager's responsibilities' and these are the council's responsibilities; there are some places in our code that he will be searching for and reworking in the coming short period of time to change those, it speaks to deeming those references to be in accordance with state statute. This is an ordinance that clarifies the differences between the current code and what it will be in the new form of government.

**PUBLIC COMMENT-None**

Mayor Pro Tem Willis made a motion to accept this ordinance as written; his motion received a proper second from Council Member Horton; This ordinance passed with a four to one vote with Council Member Jones abstaining.

**VIII. COMMITTEE REPORTS**

**Public Works-**Mayor Pro Tem Willis stated that they have removed the rocks on Hwy 17 from the dump truck debris. The public works committee had a demonstration a vacuum machine to vacuum out the culverts; did a fair job but determined not quite strong enough to do what we needed. He stated that Mr. Graham handed out the schedule for the CDBG grant for McTeer; which is for the purpose of getting other drainage work done. Council Member Horton stated that they looked at the CDBG funding and were given the indication to look at the development of our next project and to start looking for funding; do have a five year drainage plan worked out and will see which one is next on the list. They are still working with the state on Keller Place; they have restaked the culvert on the left hand side is pitched backwards which is causing a lot of water retention. Discussed at length the streetscape project and the fact that because of the state's regulations; they were unable to do anything with the sharp banks at exit 5. They will start working with the state on that for the types of planting materials that will be low growing and low maintenance. They are also working on having the roads repaired and to have citizens call if they have any problems with pot holes. Mayor Pro Tem Willis stated that the banks look bad, but met with Wallace Milling from J.K.

Tiller Associates concerning that and in the discussion it came out that there is a type of ground cover that may work. Council Member Horton stated that the state highway department is very particular with that type of work and material.

**Recreation-**Council Member Jones stated that we are trying to get someone on board and are doing the best with what we've got. She stated that she has spoken with Vane Brown in reference to the recreation department and that ACA Griffin received a call from Joe Bonaparte also. She also shares Mayor Pro Tem Willis concern with the streetscape; because the irrigation was not set properly and it was killing some of the plants and turning them yellow. She stated that there are some plants planted that we had not ordered; she had ordered specific planting but that is being looked at also. The flowers that were supposed to planted bloom year round; not just once a year.

## **IX. ADMINISTRATOR'S REPORT**

ACA Griffin stated that in the past two weeks, they have met with Eric Dell; the Congressman Wilson's Chief of Staff. He stated that Mr. Dell's primary concern was emergency management in the event of a hurricane with the traffic flow. They had a chance to pull out the regional transportation plan that was prepared by Clough Harbour and go through the peak hour traffic model that shows possible Exits 3 and/or 13. He stated Mr. Dell was also able to give us some pointers and places we need to be on the federal level for funding and will be asking for assistance from council. One piece of legislation that is passing through the House now is where Senate approved a property tax bill last week. This item will be moving back to the House and then to Conference with a few changes. The Senate version of the property tax reform is looking at a county by county referendum for a sales tax versus property tax. The House side is looking at more of a tax swap towards sales tax and we will be following closely. There is also a rezoning bill that had been added on to an imminent domain bill considering rezoning and considering that of takings; that has been taken out of that bill. He spoke with Joe Bonaparte and will be bringing before the Recreation Committee; he stated that West Hardeeville had inquired about playing on our fields next year prior to the new Hardeeville High School being built. Following up on the Recreation Director position, they've had 31 applications and they are all well qualified. He stated they should have someone in shortly. ACA Griffin introduced Nolon Edge; the city's new Design Review Planner.

## **X. ADJOURNMENT**

Council Member Horton made a motion to adjourn; motion received a proper second from Council Member Jones and passed unanimously.