

**REGULAR MEETING  
OF THE  
MANNING CITY COUNCIL**

Monday, May 15, 2006  
6:30 p.m.

Breedin Assembly Room  
City Hall

**Members Present:**

Mayor Johnson  
Mayor Pro-Tem Gordon  
Councilmember Davis  
Councilmember Evans  
Councilmember Georgia  
Councilmember Pack  
Councilmember Witherspoon

**PUBLIC HEARING**

*Budget for Fiscal Year 2006-2007*

Mayor Johnson welcomed all present to the Public Hearing of the Fiscal Year Budget Ending 2007 and stated that the purpose of the Public Hearing is to entertain any concerns or comments on the budget from the citizens of Manning.

Following, Mayor Johnson announced that the public hearing would be conducted from 6:30 pm to 7:00 pm.

The following items were discussed:

1. Tax and fee increases. *There will be no tax and fee increase, except a small millage to support the increasing cost of fuel.*
2. Local Option Sales Tax.
3. Business License Fees
4. Franchise Fees
5. Transfers. End of year budget adjustments (no adjustments have been made as approved.)
6. Judicial. Raise for clerk and judge (Does not reflect increases.)
7. Farmers Market. Funds budgeted.
8. WEB-site. Funds to keep active.
9. Street Department. Funds budgeted, should be more. Additional employee(s) (Street/Utility Department), need to show salary adjustments.
10. Meeting Expense (Legislative)

Next, Mayor Johnson asked if anyone was present to speak.

No one expressed a desire to speak concerning the budget.

Following, Mayor Johnson stated that there was still time allotted for the hearing to remain open and that he wanted to take a moment to congratulate the newly elected member of Council, Ms. Diane Georgia and present her with a 10kt gold lapel pin. In addition, Mayor Johnson congratulated the other members reelected to Council.

Next, Mayor Johnson mentioned that shirts would be ordered for Council and asked each member to notify the Clerk of their shirt sizes.

Then, Mayor Johnson talked about the room reservations for the Municipal Association of South Carolina (MASC) Annual Meeting stating that the reservations did not go well with getting into the host hotel, noting that when the Clerk called the hotel prior to the allotted time and she was told all the rooms were sold out at 12:00 pm.

Following the Mayor's request to state the hotel reservations that were made, the Clerk stated that four rooms were booked at the Hilton Hotel and four rooms were booked at the Crown Plaza Hotel.

Then, Mayor Johnson asked Council to contact the Clerk for room assignment and to contact the Clerk prior to the deadline/cancellation times in order that cancellations could be made in a timely manner.

In addition, Mayor Johnson asked Council to notify the Clerk prior to the deadline registration for the MASC conference to register and to do the same for cancellations.

Following, Mr. Bjorkman stated that the Hometown Connection would be held Tuesday, May 30<sup>th</sup> and that the classes for local government and planning officials orientation training was sponsored by Santee Lynches, but a list of people and dates planning to attend were needed.

In response, members of Council committed themselves to attendance and notified the clerk of their intent.

Mayor Johnson asked the Clerk to send out information on the training along with Council's Weekly Report.

In other business, Mayor Johnson notified Council of his intent to select new shirts on the behalf of Council due to the late date to submit the order and asked members to notify the Clerk of their shirt sizes.

In addition, Council discussed invitations for an array of activities during MASC Annual Meeting received from various agencies.

Mayor Johnson asked each Councilmember to personally respond to their invitations, considering that the Clerk did not receive any of the information.

\*\*\*\*\*

Monday, May 15, 2006  
7:00 p.m.

Breedin Assembly Room  
City Hall

**Members Present:**

Mayor Johnson  
Mayor Pro-Tem Gordon  
Councilmember Davis  
Councilmember Evans  
Councilmember Georgia  
Councilmember Pack  
Councilmember Witherspoon

- I. Welcome/Introductory Remarks:** Mayor Johnson welcomed all present and stated that the media was notified and acknowledged the following:

News Media: Mike Gellatly, Manning Times  
Sharon Haley, The Item

Others: Larry Williamson, Board of Appeals  
Doug Clary, Engineer, ERC  
William Blair, Vice-Chair, Planning Commission  
Dean Richardson, McGregor & Company

- II. Invocation:** Councilmember Ervin Davis.

- III. Pledge:** Councilmember Gregory Witherspoon.

- IV. Approval of Agenda:** A **motion** was made by Councilmember Evans and was seconded by Councilmember Pack to approve the agenda. There was no discussion. All favored the motion.

- V. Minutes:**

**Minutes of the Regular Meeting of City Council, April 17, 2006.** A **motion** was made by Councilmember Evans and was seconded by Mayor Pro-tem Gordon to approve the minutes. There was no discussion. All favored the motion.

- VI. Citizen Comments:** None.

- VII. Committee Reports:** None.

- VIII. Mayor's Report:** Included in Council's packets as information.

**Presentation:**

**Vickie Williams, Santee Lynches.....HUD Homes Consortium**

Mrs. Williams was not present.

**Proclamation.....Mental Health Month.....SC Dept. Mental Health**

Mayor Johnson stated that at the request of the South Carolina Department of Mental Health the month of May is being declared Mental Health Month in the City of Manning.

**Hearing:**

Mayor Johnson opened the public hearing and explained all the formalities.

**Discussion of a Zoning Text amendment to Article 6 District Regulations Section 611 to define the purpose of a PUD - Planned Unit Development District.**

Mayor Johnson stated that the purpose of the amendment is to define a Planned Unit Development (PUD) and asked if there was any proponents and/or opponents to speak regarding the proposed amendment.

**Mr. Geddings, Property Owner**

Mr. Geddings wanted to know what was a Planned Unit of Development (PUD).

Mayor Johnson stated the City had passed an ordinance to outline the details for a Planned Unit Development; however, the amendment was to state the purpose of, to define a PUD.

**Terry Land**

Mrs. Land inquired of Council if the City had a subdivision ordinance and how were plans approved from builders.

In response, Mayor Johnson stated that the City did not have a subdivision ordinance, but had regulations to follow for divisions.

Following, Mr. Bjorkman, Administrator, stated that there is a process and builders have to present plans to the City for approval.

There were no other participants for this part of the public hearing and Council moved to the next item.

**Discussion of a proposed amendment to the City of Manning Zoning Ordinance to re-zone property located on Old Georgetown Road, Tax Map# 170B13-04-012-00, from Residential 10 (RS-10) to Planned Unit Development (PUD).**

Mayor Johnson stated that the proposed map amendment was to zone the property located on the Old Georgetown Road from a Residential-10 District to a PUD District and asked if there were any proponents and/or opponents to speak regarding the proposed amendment.

***Opponent***

**Mrs. Terry Land**

Mrs. Land made the following points:

- Three members were present at the Planning Commission meeting and the public asked that their objections be listed and submitted to Council.
- Thirteen acres with 16 2 units (duplexes) - Problem: Ten families will live in 1 2 acre. Where will the children play? Where is the green space?
- Exit/Entrance on Old Georgetown Road. No barriers (safety is a concern).
- Who will clean up trees? Does City have Tree Ordinance?

Mayor Johnson stated that the Planning Commission's role was to study the matter and make a recommendation. The time for the public hearing was at hand to hear the community's concerns.

***Proponent***

**Mr. Timmons and Mr. Morris**

Mr. Timmons stated that since Council did not have a complete packet of the information presented to the Administrator that they would provide the additional information prior to the meeting. Mr. Timmons further stated that they would be prepared to increase the setback requirements (letter presented) even though the City did not have subdivision regulations, but that the subdivision would be built according to Manning's specifications.

***Mr. Geddings***

Mr. Geddings inquired what process was in place and asked Council to provide another opportunity for the public to come back to speak again on the changes being made if the plan does not get approval.

Mayor Johnson replied that a public hearing would be held, 1<sup>st</sup> Reading and then 2<sup>nd</sup> and Final Reading next month if all goes well.

***Sonya Elmore***

Mrs. Elmore made the following comments:

- During the Planning Commission meeting, it was stated that items in the PUD could change such as the restrictive covenants and architectural changes by a review board. Can items in the PUD change?
- Does the PUD provide for maintenance of fencing?
- The rear setback requirement of the PUD on Manchester Drive posed a problem for a very low density area. Need a bridge between zoning.

Mayor Johnson reiterated that the City did not have a subdivision ordinance and that it did not have such growth until the Pine Knoll Subdivision came along which was not a part of the City, but had been annexed into it. As a result, the City ended up with a nice addition and growth to its tax base. Then the Mayor reminded the citizens that the PUD came about because the City was trying to come up with something that was comparable for the majority.

***Mrs. Betty Johnson, Manchester Drive (43 yrs.)***

Mrs. Johnson stated that same types of home were built in Sumter by Mr. Morris at Land Mark Point and presented a scrapbook of pictures of similar homes to be built.

***Mr. Dee Evans, Old Georgetown Road***

Mr. Evans stated that he has small children and wanted to know if a turning lane would be put in with the increase in traffic that would be generated. He wanted to know if the South Carolina Department of Transportation had been contacted to see if there was a need?

***Mr. Morris / Mr. Timmons***

Mr. Morris stated that he bought the land and planned to build houses on it: Sixteen duplexes and 29 small houses on about 10,000 sq. ft or build on property as zoned.

Mr. Timmons stated that all the lots were similar to Pine Knoll. Looking at green space, there are three and one half to five acres and the City could have it. There is not a whole lot of density: Ten thousand square feet, 3/5 per acre and 4.6 density (patio/duplex type homes). As many as 33 duplexes could be built or as many as 80 units, but instead cut back to 33 units.

There has been preliminary discussion to evaluate the demand on the utility structures to adequately supply the area and there was found no problem.

***Hugh McFadden***

Mr. McFadden stated that he did not object to a man buying land and putting a nice house on it, but he disagreed with what Mr. Morris wanted to do. First he started out with 80 houses then dropped to 61, why?

After much discussion from Council and the public, Mayor Johnson brought the hearing to a close.

**Finance/Administrator's Report.** The Administrator gave the following report:

**A. Financial Report to Council.** The Administrator gave the following finance report:

***General Fund***

Accts. Rec. \$1,379,287.00

Total Checking Accounts \$1,488,739.00

***Utility Fund***

Accts. Rec. \$1,072,764.00

Total Checking Accounts \$1,101,645.00

*Total Unrestricted Funds \$1.2 Million*

*Total Restricted Funds \$1,140 Million*

**B. Administrator Report.** The Administrator gave the following report:

1. ***USDA Grant/Loan.*** Expand Fire Department.
2. ***Office Space / Commerce Street.*** Renting - Judge Dingle stated that he could wait until the Fire Department's building is constructed.
3. ***Administrative Building.*** Windows need replacing; however, upon examination of windows for re-caulking after hail damage revealed dry rot.

**C. Departmental Reports:** In packet as information.

**Old Business:**

**A. Ordinance No. 2006-04. (Second Reading) An Ordinance to amend the Ordinance to raise revenue and levy taxes for the City of Manning, South Carolina for the Fiscal Year Ending June 30, 2007.**

A **motion** was made by Councilmember Davis and was seconded by Councilmember Pack to approve final reading of the ordinance. All favored.

Following, Mayor Johnson stated that the budget included an increase in fees and

a small millage increase to support fuel cost.

**B. Zoning Ordinance No. 2006-2T. (Second Reading) Discussion of a Zoning Text amendment to Article 6 District Regulations Section 611 to define the purpose of a PUD - Planned Unit Development District.**

A **motion** was made by Councilmember Pack and was seconded by Mayor Pro-tem Gordon to approve final reading of the zoning text amendment. All favored.

**C. Discussion of Santee-Lynches CDC's request to waive tap fee.**

Mr. Bjorkman stated that there were six low income houses to be constructed in the Bellewood Subdivision that a one-time waiver of tap fees was requested for. In addition the CDC donated one lot (#218 on Lawson Street) to the City.

Next Mr. Bjorkman recommended that Council do away with tap fees, but not impact fees.

Following, Councilmember Pack made a motion and was seconded by Councilmember Witherspoon to waive impact fees, but not tap fees. There was no discussion. All favored the motion.

**XIII. New Business:**

**A. Zoning Ordinance No. 2006-2M. (First Reading) An Ordinance Zoning property located on Old Georgetown Road, owned by Donald Morris, Tax Map #170B13-04-012-00, from Residential 10 (RS-10) to Planned Unit Development (PUD).**

Following much discussion, a motion by Councilmember Evans died to table the the ordinance because of inadequate information to make a decision:

**For**  
Mayor Johnson  
Mayor Pro-tem Gordon  
Councilmember Georgia  
Councilmember Witherspoon

**Against**  
Councilmember Evans  
Councilmember Davis  
Councilmember Pack

Next, a **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Witherspoon to approve first reading in title only the zoning text amendment

**For**  
Mayor Johnson  
Mayor Pro-tem Gordon  
Councilmember Georgia  
Councilmember Pack  
Councilmember Witherspoon

**Against**  
Councilmember Evans  
Councilmember Davis

**B. Request to overspend building demolition line item to demolish the Smiling house.**

Mayor Johnson stated that in an effort to clean up another house, Mr. Bjorkman had gone through the necessary process and it requires \$4,000.00 to demolish and clean the property.

Following, a **motion** was made by Councilmember Witherspoon and was seconded by Councilmember Pack to spend \$4,000.00 to demolish and to clean property. All favored the motion.

**Councilmember's' Comments:**

**Councilmember Clayton Pack**

Councilmember Pack stated that the park in his district had a problem with snakes and inquired what steps would be taken to address the problem.

Mr. Bjorkman responded that the Public Works Director (Rubin Hardy) had grass mowed and that dirt would be put down to supply a good growth of grass and then maintained.

**Mayor Kevin Johnson**

Mayor Johnson stated that he has received a number of positive comments on how clean and beautiful Manning is; however, he stated that the area continues to be littered and that one business owner had hired someone to blow off trash/garbage into the streets.

Mayor Johnson stated that the police should be called to address such problems. Then, the Mayor Johnson stated that the City needed to do a better job in making litter and noise cases and asked Chief Garrett to follow up on the matter.

Chief Garrett responded that cases are being made; however, it is the same violators over and over again.

**Executive Session:**

- 1. Contractual Matter: Public Works Department - Advice from Engineer**
- 2. Personnel Matter: Finance Department**
- 3. Contractual Matter: Administration Department**

A **motion** was made by Councilmember Davis and was seconded by Councilmember Pack to enter into an executive session to discuss a contractual matter in the Public Works and Administration Departments and a personnel matter in the Finance Department. All favored the motion.

Following executive session, the following action was taken:

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Pack to offer the Town of Summerton a contract to handle wastewater treatment after the City gets the final report from our engineer. All favored the motion.

**XVI. Adjournment:**

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Witherspoon to adjourn. All favored.

**Time:** 10:34 pm

**Respectfully submitted,**

**Mary G. Adger, Clerk**