

City of West Columbia, SC

Council Work Session Minutes

August 17, 2015 at 6 p.m.

Members Present:

Joe Owens, Mayor
Boyd Jones,
Eric L. Fowler
L. Dale Harley
Temus C. "Tem" Miles, Jr.
Tommy Parler
B.J. Unthank, Chairperson
Teddy Wingard

Members Absent:

Casey Jordan Hallman, Mayor Pro-Tem
(previous engagement)

Others Present:

Jenny Cunningham, City Administrator
Brain Carter, Deputy City Administrator
Justin Black, City Treasurer
Jamie Hook, Sanitation/Streets/Parks Superintendent
Donna Smith, Director of Economic Development
Mark Waller, Director of Planning and Engineering
Mardi Valentino, Director of Human Resources
Members of the Public and Press

Wayne Shuler, Director of Planning and Zoning
Scott Morrison, PIO/West Columbia PD
Kenneth Ebener, Municipal Judge
Kelli Ricard, City Clerk
Wyatt Coleman, Fire Chief

Agenda Item I – Call to Order

Chairperson BJ Unthank called the work session to order at 6:00 p.m. and noted a quorum was present. *The State, Free Times, Lexington County Chronicle, Cayce-West Columbia News, The Columbia Star, COLADaily.com* and radio and television stations were notified of the work session by e-mail on August 14, 2015.

Agenda Item II – Invocation

Council Member Miles gave the invocation and led everyone in the Pledge of Allegiance.

Agenda Item III – Discussion of Fireworks Ordinance

Chairperson Unthank recognized Council Member Tommy Parler who stated that since July 4th, he has had quite a few constituents approach him about minimizing the fireworks inside the city limits. While state law prohibits the city from doing away with fireworks completely, Council Member Parler recommends limiting the times that fireworks can be discharged in the city. He recommends an ordinance, similar to the city of Cayce, which limits the discharge of fireworks to:

- 9 a.m. until 11 p.m. on July 4th
- 9 a.m. until 1:30 a.m. on December 31st
- 9 a.m. until 1:30 a.m. on January 1st

The penalty for violating the ordinance would be a \$100.00 fine or 30 days in jail. Council Member Parler recommended adding the new ordinance to the September 1st agenda for a first reading. Chairperson Unthank recognized Mr. Archie Ard from 634 August Street, who requested a provision for sponsored events to be exempt from the ordinance. Council Member Parler informed Mr. Ard that Council would have the authority to suspend the ordinance for specific days.

Agenda Item IV – Discussion of Process, Procedures and Timeline for Annexing the Area Near Springdale

Chairperson Unthank recognized Ms. Donna Smith, Director of Economic Development, to provide information to Council regarding the process, procedures and timeline for annexing the area west of the city, and north of Springdale. Ms. Smith stated that there are: 639 parcels of land within the proposed area, of which, 572 are residential parcels (including undeveloped properties), and contains 558 residential housing units, 81% of which are owner occupied; 51 commercial parcels; and, 16 non-taxable parcels (cemeteries, churches and governmental). The total assessed value of these properties is over \$93.5 million (residential: \$59.5 million; commercial: \$31.5 million; and non-taxable: \$2.3 million).

Ms. Smith reviewed the three methods of annexation. Since the 100% Petition-Ordinance method would be unrealistic to achieve, she suggested that Council consider the other two methods: the 75%/75% Petition-Ordinance method; or the 25% Petition-Election method. Ms. Smith explained that in the 75%/75% method, 75% of the property owners of the proposed area (including commercial property owners), whose property values equal or exceed 75% of the assessed value of the properties must sign a petition for annexation. Since the commercial properties in this area represents 34% of the total assessed values, this means that if the majority of the commercial property owners did not sign the petition (which is highly likely), there would be no way to achieve the 75%/75% goal. On the other hand, in the 25% Petition-Election method, it would take only 25% of the area's electors (residents who live in the proposed area who are registered to vote) to sign a petition to hold an election. Once an election was scheduled, it would take a simple majority vote (51%) to pass. For these reasons, Ms. Smith recommended that Council pursue the 25% Petition –Election Method.

Due to the steps involved, the earliest the city could expect to hold an election would be 2016. Since the city would not receive property taxes on anything annexed in 2016 until the end of 2017, the recommendation is to begin the election process around February - March of 2016 so that the annexation could take place toward the end of the year (August – September), thereby shortening the gap between when the city would provide full services, and receiving taxes. This timeframe would also avoid having the election during the general election in November 2016.

The first step would be for the city to obtain a list of qualified electors in the proposed annexation area from the Lexington County Office of Voter Registration. With this list, the city can target obtaining signatures of qualified electors on a petition requesting to call for a vote to annex (would suggest sending it to all qualified voters, thereby increasing the chances of exceeding the 25% minimum). Once the city receives and certifies a petition signed by at least 25% of the qualified electors, the city would contact the Lexington County Election Commission to set an election day that would allow time to prepare and send out a public notification of the election (minimum of 60 days). While the Election Commission is preparing for the election, the city may want to prepare a flyer to be sent out to all registered voters in the area to inform them of the impending election, and why it would be beneficial to vote YES. The city may also want to hold one or two public forums prior to the election to outline benefits of annexation into West Columbia and to answer any questions.

If the majority of electors vote “NO” – then no further action is taken. If the majority of electors vote “YES” – then the city must publish the results of the election along with an Intent to Annex, which states that Council will approve the annexation unless a petition signed by 5% or more of the qualified electors within the City of West Columbia is presented to Council within 30 days from the date of the notice, requesting an election within the city be held on the matter.

Council Member Miles suggested that the city may want to consider redrawing the proposed boundaries and not necessarily go by what Springdale had proposed. Ms. Smith stated that she had used Springdale's proposed boundaries as that is the area where the city reduced water rates and that the residents were already aware of the potential annexation; however she would be happy to review including other areas. A question was asked as to why Rainbow Circle was not included, and Ms. Smith explained that Springdale had tried to annex that area by the election method several years ago, but it had been defeated. She also stated that just because the area did not want

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to be annexed into Springdale did not necessarily mean that they wouldn't want to be annexed into West Columbia – a full-service city. Chairperson Unthank suggested that the city contact the residents on Rainbow Circle to see if they would like to be included. It was further requested that staff review the surrounding areas to see if any other areas should be included and report back to Council.

Agenda Item IV – Adjourn

Chairperson Unthank asked if there were any other questions and received no response. The Council Work Session adjourned at 6:36 p.m.

Respectfully submitted,

Kelli Ricard, City Clerk