

**MINUTES
CHERAW TOWN COUNCIL MEETING
DECEMBER 9, 2019
5:30 P.M.**

MEMBERS PRESENT: Mayor Andy Ingram, Councilmembers: Robby Bennett, Jim Crawford, Jacqueline Ellerbe-Shannon, Cheryl Melton, and Richard White.

MEMBER ABSENT: **Billy Wallace, Jr.**

OTHERS PRESENT: Mike Smith, Town Administrator; Clementine Ellis, Clerk, Treasurer, Rob Wolfe, Charlie Barrineau of MASC, Melvin Wilkerson, Marty Martin, Harvey Cole, Helen Palmer, George Martin, Laura Greene, Mr. and Mrs. Johnson, Rep. Richie Yow, J. D. Wentz, Barbara Bullard, Jackie Gilcrest, Steevenson Pierre, Delphenia Rollins, Karen Wilkerson, Susan Robertson, Brenda Ratliff and John Melton.

1. The invocation was offered by **Rep. Richie Yow of Northside Baptist Church** and the pledge was made to the American flag.
2. Mayor Ingram introduced for council's consideration the minutes of the **November 12, 2019** council meeting. A motion was made by **Councilwoman Melton** to approve the minutes. The motion was seconded by **Councilman White** and passed by unanimous vote.
3. The November 2019 Financial Report was submitted for council's consideration. A motion was made by **Councilwoman Melton** to approve the November Financial Report. The motion was seconded by **Councilman Crawford** and passed by unanimous vote. **Councilman Crawford** asked when the 2018-2019 Audit would be presented. Smith and Ellis stated due to a single audit that had to be prepared and would be presented at January meeting.
4. Mayor Ingram recognized **Charlie Barrineau, Field Services Manager with the Municipal Association of South Carolina** regarding Municipal Elected Officials Institute Honor Roll Designation. Mr. Barrineau stated on behalf of MASC he is here to recognize The Town of Cheraw for honor roll designation. This designation is given to cities when all council members have completed the Municipal Association Elected Officials Institute. Mr. Barrineau stated only 23 of 271 cities have been given this honor roll designation. The institutes provide a city official with the tools to lead the city. Mayor Ingram stated he would like to add this is an honor for the council. He also stated council attends municipal training and go through hours of classes to graduate from the MASC Institute and the Town does benefit from this. Mayor Ingram stated the Town appreciates all the MASC does.

5. **Second Reading of Ordinances:**

2020-18 Mayor Ingram introduced for council's consideration second and final reading of **Ordinance 2020-18: An Ordinance to Deny the Amendment to the Town of Cheraw's Official Zoning Map to Rezone Property from C-1 to General Commercial (GC) to the Effective Date of this Ordinance.** Mayor Ingram noted to keep in mind council voted to overturn the Planning Commission's recommendation and instead allow property to be rezoned to General Commercial. A motion was made by **Councilman White** to approve second and final reading of **Ordinance 2020-18.** The motion was seconded by **Councilman Crawford.** **Councilwoman Ellerbe-Shannon** stated on this issue her vote is due to not understanding what the statute is. She needs more clarification of what the statute says when rezoning individual property for financial gain for one individual. **Councilwoman Ellerbe-Shannon** stated she wanted to make it clear that she has to do a little bit more research on understanding what the statute says. The motion passed by a vote of 5 -1 with **Councilwoman Ellerbe-Shannon** voting No.

2020-19 Mayor Ingram introduced for council's consideration second and final reading of **Ordinance 2020-19: An Ordinance Approving the Execution and Delivery of an SSRC and Incentive Agreement by and Among the Town of Cheraw, Chesterfield County, and a Company Identified as "Project Seasons" Providing for Certain Incentives Relating to the Establishment of a New Hotel in Downtown Cheraw, Subject to the Terms and Conditions of the SSSRC and Incentive Agreement, and Other Matters Relating Thereto.** A motion was made by **Councilman Melton** to accept second and final reading of **Ordinance 2020-19.** The motion was seconded by **Councilman White.** The motion passed by a vote 4-0 with **Councilmen Bennett and Crawford** recusing themselves.

2020-20 Mayor Ingram introduced for council's consideration second and final reading of **Ordinance 2020-20: An Ordinance to Repeal and Amend Section 8-5 of the Town of Cheraw Zoning Code Dealing with Notice of Public Hearing.** A motion was made by **Councilman Bennett** to accept second and final reading of **Ordinance 2020-20.** The motion was seconded by **Councilman White** and passed by unanimous vote.

2020-21 Mayor Ingram introduced for council's consideration second and final reading of **Ordinance 2020-21: An Ordinance to Repeal and Amend Section 6-6 of the Town of Cheraw Zoning Code Dealing with Regulation of Signs.** A Motion was made by **Councilwoman Melton** to accept second and final reading of **Ordinance 2020-21.** The motion was seconded by **Councilman White** and passed by unanimous vote.

6. **First Reading of Ordinances:**

2020-22 Mayor Ingram introduced for council's consideration first reading of **Ordinance 2020-22. An Ordinance to Amend the Town of Cheraw's Zoning Code, Article, 4 General Provisions Specifically Adding a Section to Address Multi-Family Mixed-Use Development.** Rob Wolfe stated this is an amendment that requires any multi-family development in General Commercial districts which is essentially the Highway 9 corridor and road frontage must be commercial space. It cannot be residential space. This is for multifamily which would be apartment complexes. Wolfe stated this is a recommendation from the Planning Commission. A motion was made by **Councilman Crawford** to accept **Ordinance 2020-22**. The motion was seconded by **Councilman Bennett**. **Councilman Crawford** asked if this was a multi-story development could the residential still be on the front. Wolfe stated it would have to be on the second floor or higher. The motion passed by unanimous vote.

2020-23 Mayor Ingram introduced for council's consideration first reading of **Ordinance 2020-23. An Ordinance to Amend the Town of Cheraw's Zoning Code, Article, 4 General Provisions Specifically Adding a section to Address Accessory Dwelling Unit.** Rob Wolfe stated this is a trend in urban planning that is developing. It will add a provision that will allow in every residential district in the town to be able to build what is called an accessory dwelling unit. It can be a garage conversion to what is popularly known as the granny shed, a smaller home that can be built in the back yard, or could be conversion of garages to apartments. This is a recommendation from the Planning Commission. A Motion was made by **Councilwoman Melton** to accept **Ordinance 2020-23**. **Councilman White** asked if there were any restrictions or definition on how large the lot needs to be to accommodate. Rob Wolfe stated the units can only be 1000 sq. ft. and there are lot coverage requirements. He also stated you can build an accessory building but cannot exceed the lot coverage maximum. **Councilman Bennett** asked if units have to be on a foundation and not something that can roll in or out. Rob Wolfe stated it has to be a built structure and that there are requirements for plumbing. The motion was seconded by **Councilman White** and passed by unanimous vote.

2020-24 Mayor Ingram introduced for council's consideration first reading of **Ordinance 2020-24. An Ordinance to Establish the Standards for Placement of Small Wireless Facilities in Covered Areas of Cheraw, South Carolina; and for other purposes.** Rob Wolfe stated this is a regulation that has a lot to do with the unveiling of 5G mobile networks.

These are dispersed cell phone type structures that will attach to light post and power poles. Under SC Telecommunication Act the Town cannot forbid these structures from going up or attaching to light post. However the Town can regulate them and this ordinance is outline the Town's regulations. Mayor Ingram noted these facilities are small in size. Wolfe stated they are about the size of a portfolio. A motion was made by **Councilwoman Melton** to accept **Ordinance 2020-04**. The motion was seconded by **Councilman White**. **Councilman Crawford** if most of the utility poles in the city limits are utility owned and Wolfe stated yes. **Councilman Bennett** asked if the Town has any idea of how many of these towers will be going up. Smith stated no and this has been something going on for the past several years in cities across the state. The motion passed by unanimous vote.

7. **For Council Information:**

8. **Citizen Comments:**

Melvin Wilkerson – Mr. Wilkerson wanted to speak on update of EPA on Nov. 14th. Mr. Wilkerson stated he heard nothing that gives him hope that further removal will occur in that EPA update. They reported they will spend the next year or two studying testing, negotiating, and maybe work would begin. EPA gave no definite point about that. This gives him no hope. He also stated in the meantime on his property and others the remnants of the contamination still exist for them. They have limited use of their property; happy ownership of property does not exist. The nightmare continues. A threat to the health of the citizens of the community and city remains. No one should rest until this blight has been removed and justice prevails. In the meantime he will keep the dialogue going and will look to council for resolution of this issue.

Barbra Bullard – Ms. Bullard stated her yard has four times the Emergency Management Level of cleanup. She stated she has Mercury and some other volatile metal in her yard. Ms. Bullard said her yard is not safe to walk in. She has to change her shoes before entering her car, her house and she has dogs and has to wash their feet. She noted she can't open her windows because it is carried by air. She stated she is sick and has cancer. Ms. Bullard indicated she does not sleep or eat and she worries. She worries that her home is now worth nothing. She worries her family is going to get sick. She also worries about not talking about how sick she is to her family because what is going to change. She still lives there. She stated no one is helping her. She said a few trees have been removed from her yard and she is thankful. Dirt has also been placed. There are still a few down trees and stumps that are still in her yard. Ms. Bullard noted she has five court yards she installed and says she is unable to enjoy them. She stated she is thankful to the Lord for Indian summer and that she had a house that once felt like a home. She stated she was

told not to spend a night in the house. Her house is paid for and her taxes have gone up this year. Ms. Bullard asked how would council feel if they had paid for their home in full and work so hard. She asked does anyone on Town Council know the protocol for cleanup for these people. She stated she can tell council for a fact they put up water barriers knowing it was going to push all that storm water on her property. She also stated it is a federal offense to push storm water drainage onto another person's property. She lost everything. She said EPA came in her house and took her possessions and she had no say so over it. She noted it's really sad you only get two minutes to tell someone your whole life is upside down and it's a result of nothing you have done. It seems to her that none is doing anything amount it except them.

Steevenson Pierre – Mr. Pierre stated this is an ongoing situation and every month he hears Mr. Wilkerson and Ms. Bullard. He stated every time they get up its under citizens comment and you made it clear during citizen comments you don't have to give a response or answer. Mr. Pierre stated he is hoping that if there is any help you all can do or even if you can't help them let them know. Mr. Pierre said they come here every month for the past six months crying out to you and all of you just sit there and look at them like they are crazy. Mr. Stevenson stated please if you can help them out or tell them where to go so they won't keep coming every month.

9. There being no further business a motion was made by **Councilwoman Melton** to adjourn. The motion was seconded by **Councilman Bennett** and passed by unanimous vote. The meeting was adjourned at **5:55 p.m.**

Respectfully submitted,



Clementine A. Ellis
Clerk-Treasurer