

**MINUTES OF A  
A REGULAR MEETING  
OF THE  
MANNING CITY COUNCIL**

**Tuesday, July 11, 2023  
6:00 p.m.**

**Council Chambers  
Manning City Hall**

**Members Present:**

Mayor Nelson  
Mayor Pro-tem Davis  
Councilmember Georgia  
Councilmember Gordon  
Councilmember Dukes  
Councilmember Pack

**Excused-E/Unexcused - U**

Councilmember Welle- E

**I. Welcome/Introductory Remarks.....Mayor Julia A. Nelson**

Mayor Nelson welcomed all in attendance to the July 2023 meeting.

**II. Invocation..... Mr. Scott Tanner, City Administrator**

**III. Pledge.....Councilmember Diane D. Georgia**

**IV. Approval of Agenda:**

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Dukes to approve the agenda as presented. There was no discussion. All favored the motion.

**V. Minutes:**

**Minutes of a Regular Meeting of City Council, June 13, 2023.**

A **motion** was made by Mayor Pro-tem Davis and was seconded by Councilmember Gordon to approve the minutes of a Regular Meeting of City Council, June 13, 2023. There was no discussion. All favored the motion.

**Minutes of a Special Called Meeting of City Council, June 26, 2023.**

A **motion** was made by Councilmember Gordon and was seconded by Councilmember Pack to approve the minutes of a Special Called Meeting of City Council, June 26, 2023. There was no discussion. All favored the motion.

**VI. Finance Director’s Report:**

**Report for the month ending May, 2023**

**REVENUES**

<b>Type of Fund</b>	<b>Percent Collected</b>
General Fund	114 %
Utility Fund	103 %

**EXPENDITURES**

<b>Type of Fund</b>	<b>Percent Spent</b>
General Fund	106 %
Utility Fund	70%

**Bank Balances and Notes Payables Balances**

<b>General Fund Unrestricted</b>	<b>Balances</b>
Checking (A/R, A/P, Payroll, Cemetery)	\$ 6.5 million
Interest	\$ 11,000
GENERAL FUND RESERVE- Police, Juror, Drug, Equitable, Fire Farmers Market, Reserve	\$ 191,000
Fire Department Extension CD	\$ 52,000
Retiree Insurance Reserve CD	\$ 203,000
Park CD	\$ 700,000
<b>General Fund Notes Payable Balance</b>	\$784,000
<b>UTILITY FUND UNRESTRICTED</b>	\$ 5.6 million
Checking (A/R & A/P)	
Interest	\$ 9,200
<b>UTILITY FUND RESTRICTED</b>	\$ 1.6 million
ACCOUNTS CD’s	
Utility Fund Notes Payable Balance	\$ 16.3 million
Special Fund Reserve (Victim’s Rights,	\$ 84,000

**VII. Mayor's Report:**

Mayor Nelson stated that the attendance at the Summer Fun Days at the various city parks has been good. Mayor Nelson thanked the Councilmembers for their attendance. The next Summer Fun Day will be held this week at the Manning Gardens Apartment complex. Next, Mayor Nelson thanked Ms. Carrie Trebil and the Public Safety employees for their attendance at all of the events.

Mayor Nelson stated that the Red, White and Blue Celebration was a success and that she has received positive comments. Mayor Nelson thanked the entire Team Manning, all volunteers, Ms. Jennie Lee, Executive Director of the Chamber of Commerce, for their help and Councilmember Pack for his fund raising efforts. In addition, Mayor Nelson thanked Mr. Scott Tanner for tracking the fund raising records. Thank you notes will be sent out shortly.

**VIII. Administrator's Report:**

- 1) Mr. Tanner stated that he appreciated all those who worked hard to make the Red, White and Blue Celebration a success. He received a lot of positive feedback about the event.
- 2) Mr. Tanner stated that he is working to close the tank renovation project. Final payment to the contractor will be made soon.
- 3) The Hwy. 301 Well is being repaired now. They are replacing the casing within the well. The well should be back in service soon.
- 4) Paperwork has been finalized on the sewer replacement project. Mr. Tanner stated that he is awaiting a Notice to Proceed from the state. The project is estimated to begin in the first quarter of next year. This is a \$10 million project being funded by the Rural Infrastructure Authority which is Federal American Recovery Money.
- 5) Mr. Tanner stated that he has submitted the paperwork to Duke Energy on the downtown camera project. Duke Energy will set new poles at the various locations. Once the poles are in place our contractors can proceed with installing the cameras.
- 6) Wi-Fi installation in the city parks should begin in August. Spectrum will be doing the installation. This project should begin in August.
- 7) We have been having several sewer problems recently. There have been lines collapsing. They are being repaired.
- 8) The Municipal Association's Annual Meeting will be held July 26<sup>th</sup> through July 30<sup>th</sup>, in Greenville, SC.
- 9) Ms. Davis will be off next week.

- 10) Mr. Tanner introduced to Council a new employee: Ms. Madison Nelson who has been hired as a Police Officer. Mayor Nelson welcomed Ms. Nelson to Team Manning.

Departmental Reports: Included in Council's Packet.

## IX. Old Business:

### **A. Zoning Ordinance No. 2023-01M. (Second Reading). An Ordinance to re-zone property located at 421 W. Huggins St., Tax Map Number 169-11-03-009-00, owned by Melvin & Vermell Walters, from Residential-20 (RS-20) to Residential-6.(RS-6).**

Mayor Nelson asked Mr. Tanner for an update.

Mr. Tanner stated that the property is currently zoned as Residential-20 (RS-20). He stated that there is not enough space to subdivide the property under the current zoning. The property owner has requested that the property be re-zoned to Residential-6 (RS-6) to allow the property to be subdivided in order to separate the garage from the house. Mr. Tanner stated that the request has been brought before the Planning Commission and their recommendation to Council was to deny the request for re-zoning stating concerns about overcrowding in the neighborhood.

Mayor Nelson stated that last month Council was under the impression if it was re-zoned only residential housing is allowed.

Mr. Tanner stated that if it was not re-zone it would remain as is. If it is re-zoned, and someone bought the smaller portion of the lot a house could be built on that smaller lot.

Mayor Nelson asked what else could be put on the property. Mayor Nelson asked Ms. Davis for input. Ms. Davis stated that if the owner wanted to operate a beauty or barbershop behind their principal residence, they could apply for a Special Exception through the Zoning Board of Appeals. Mr. Tanner stated that this type of land use is allowed in any residential district by way of a Special Exception.

Mayor Nelson stated that she wanted to make it clear to Council and others that whether or not the re-zone request is approved that it is possible for the property owner to apply for a Special Exception to allow a barber or beauty shop in a residential district.

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Pack to deny the request and to leave the zoning classification as it currently stands. In discussion, Mayor Nelson asked Attorney Williamson, who is representing the property owner, Mr. Melvin and Vermell Walters to speak.

Attorney Williamson stated that a question was posed to him after the First Reading of the Zoning Ordinance in May on whether there is a way to present a document to be recorded (ie. Deed) that would ease anybody's concern about whether or not a residence can be placed on the smaller lot once the property is sub-divided. Attorney Williamson stated that

he had an opportunity to speak with a partner within his firm who has been doing real estate for a long time and was assured that something could be done. Attorney Williamson stated that he was advised that a restricted covenant could be recorded in the Register of Deeds office. This restricted covenant would flow with the property and by making it irrevocable. Once Mr. and Mrs. Walters sign that document it would be irrevocable and restricted so that no residence can be placed on the property. The only structure on that lot would be the garage. If the property is sold the restricted covenant would be attached to the property.

Mayor Nelson asked Mr. Curtis Stevens who lives at 429 W. Huggins St. about his concerns on the re-zoning request. Mr. Stevens stated that his concern was that if the property was sold again the property would not automatically go back to RS-20. Mr. Stevens stated that if the property was re-zoned to RS-6 that there may be changes in the value of neighboring properties.

Following, Mayor Nelson stated that the information presented to Council by Attorney Williamson was new information they received tonight and that if Council had received this information earlier the city could have consulted their attorney to review the legalities of a restricted covenant. Following discussion, Mayor Nelson asked for a vote on the motion. Those in favor of the motion were Mayor Pro-tem Davis, Councilmembers Georgia, Gordon, Dukes and Pack. No one opposed the motion. Therefore, the re-zoning request failed. Mr. Tanner stated that the property owner must wait one year before submitting another application to the Planning Commission to re-zone the property.

## **X. Councilmembers' Comments:**

### **Councilmember Dukes**

Councilmember Dukes thanked everyone that attended the Ice Cream Social at 214 E. Huggins Street. The children and adults enjoyed the event. Councilmember Dukes also stated that the community is looking forward to a park being built in the area. Councilmember Dukes stated that his district needs attention, especially the old warehouses on Reardon Street where loose tin is hanging over the warehouses. This is something that needs attention right away.

### **Councilmember Gordon**

Councilmember Gordon stated that attention is needed in his district, especially in the Memorial Street and the Harvin Street areas along public and private properties. There is debris along Robert Street. The old warehouses are deteriorating and grass needs cutting.

### **Councilmember Pack**

Councilmember Pack stated thanked Mayor Nelson for taking pictures of all the events and all that she does for the city.

**Councilmember Georgia**

Councilmember Georgia stated that Paul Smith Drive needs attention, especially the ditch in that area.

**Councilmember Dukes**

Councilmember Dukes stated that the Red, White and Blue Celebration held this year was the most successful one that he can remember. More people attended that ever before. Councilmember Dukes commended everyone for a great job that was done. Mayor Nelson said that is what a good team is about, working together and doing their part.

**XI. Executive Session:**

- 1) **A contractual matter concerning City property pursuant to SC State Code 30-4-70(a)(2).**
- 2) **A contractual matter concerning Water and Sewer Operations pursuant to SC State Code 30-4-70(a)(2).**

A **motion** was made by Mayor Pro-tem Davis and was seconded by Councilmember Georgia to enter into Executive Session to discuss a contractual matter concerning City Property and to discuss a contractual matter concerning Water and Sewer Operations pursuant to SC State Code 30-4-70(a)(2). There was no discussion. All favored the motion.

Time: 6:40 pm

A **motion** was made by Mayor Pro-tem Davis and was seconded by Councilmember Pack to return to Open Session. There was no discussion. All favored the motion.

Time: 7:05 pm

**XII. Possible action following Executive Session for items discussed in Executive Session.**

A **motion** was made by Councilmember Dukes and was seconded by Councilmember Pack to renew a lease agreement with Johnson Durant LLC as presented on city property located at 411 N. Brooks Street. There was no discussion. All favored the motion.

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Gordon to authorize the Administrator to enter into an agreement with Oliver Environmental to provide Operator of Record Services for the Water and Sewer systems of the City of Manning. There was no discussion. All favored the motion.

**XIII. Adjournment:**

A **motion** was made by Mayor Pro-tem Davis and was seconded by Councilmember Gordon to adjourn. There was no discussion. All favored the motion.

**Time: 7:07 pm**

**Respectfully submitted,**

Daun Davis  
Deputy Administrator/Clerk