

**MINUTES OF THE LYMAN TOWN COUNCIL MEETING  
LYMAN MUNICIPAL COMPLEX  
November 10, 2014**

**1. CALL TO ORDER:**

Presiding Officer, Mayor Pro Tem Wyatt announced that have 6:00 PM and called the regularly scheduled meeting of the Lyman Town Council to order. Councilperson Owens volunteered to conduct the invocation, and pledge of allegiance.

**2. FOIA:**

Wyatt asked Dennis P. Drozdak, Clerk/Treasurer, if written notice of this meeting with an agenda was publicly posted, published and forwarded to the local newspapers no less than 24 hours prior to adjournment and he responded yes.

**ROLL CALL:**

Conducted by Dennis P. Drozdak.

Present: Tony Wyatt, Presiding Officer, Mayor Pro tem  
Larry Chappell  
Rita M. Owens  
Donnie Wetzel

Not present: Daisy Carter  
Teresa Shuler  
Rodney D. Turner, Mayor

**3. READING AND APPROVAL OF MINUTES:**

Approval of the October 6, 2014 regularly scheduled called meeting minutes, motion by Owens, seconded by Wetzel. There was no discussion, hearing no other additions, corrections or deletions, with all present in favor said aye, none against, the minutes were accepted. Approval of the October 16, 2014 specially unscheduled called meeting minutes, motion by Owens, seconded by Wetzel. There was no discussion, hearing no other additions, corrections or deletions, with all present in favor said aye, none against, the minutes were accepted.

**4. TREASURERS REPORT:**

Drozdak's treasurers' report is attached in the permanent file. Motion by Chappell, seconded by Owens, with all present in favor said aye, none against, the report was accepted.

**5. APPEARING BEFORE COUNCIL:**

- a. Wyatt announced that had 2 individuals, begin with the Bryant Center. Jennie Thomas attended, but Wesley Stokes spoke and stated for 16 years began plans to service individuals with disabilities. Had phase 1 and 4 ½ years ago opened here to help locally 200 people a year. Now looking to complete and went through State approval and approved to fulfill the initial goal. He showed an artist's drawings of the 2<sup>nd</sup> phase approved by the State engineer, but is predicated on a road by Town. Delgado continued that the Town had employed Blackwood to ask for 500 feet of the road, be like a request of a right of way. Wyatt asked Delgado to show the drawing to the audience. Wyatt summarized that the thought was to keep at left and just asking us of the legal easement, ask to approach the Town attorney with no commitment to fund. Wetzel added personally think something to pursue and any idea of how much easement. Delgado did not know, Wyatt for any other questions, and Delgado thanked Council for the time.
- b. Ryan McCarty, of 260 North Church Street said that Karen Thompson was a client of ours and specifically had two points, to establish rates and bring to attention the power of the State. He brought up the case of King and Chapel Hill, North Carolina, where in that case the City set to

regulate the towing. Gentlemen brought suit, it went all the way to the State Supreme Court on what a Town can set to regulate what is charged. The Court determined the charge not a rational value and what can charge is through the State legislature and that this threatens a business to make profits. He continued that the Highway Patrol has codified deals with rates that shall be reasonable and the State legislature cannot say what is reasonable and Highway Patrol cannot set a fee. His understanding that to also increase the insurance liability limits would increase fees to her business and added with this he anticipated 6, 7, 8 wrecker services can be added. Wyatt stated that you now starting to argue ordinances and added appreciated you take the time and will share with our attorney your thoughts.

## 6. **DEPARTMENTAL REPORTS:**

### **Police Department –**

Chief Hayes said should have my monthly report before you, Wyatt noted that a busy month and on the community policing event the planning of breaking into sectors to know one officer. Wyatt also asked if 5 occurrences of drug paraphernalia high, Hayes replied that normally 3, but no alarm. Owens expressed thanks for coming to family night, Hayes said will be there and that have hired Brian Teal. Wetzel said notable of a lot of training, Hayes responded a goal of 3 years.

### **Fire –**

Wyatt noted that Chief Redd had another board meeting but you have his report, and had a busy month of structures and one included a fatality.

### **Streets –**

Marty Farrar, second in command substituted for Maurice Hawkins mentioned that you have my report before you. Wyatt said thank the department for Laurens Street and the storm water covers are sturdy. Wetzel said he met with SCDOT and will help us cut the road. Owens asked about Mountainview Circle, did know of the problem, Farrar said was Holiday week and hopefully by Friday.

### **Waste Water & Pre-treatment**

Brian Smith announced that you have my report and glad to answer any questions. Wyatt said noticed 2 satisfactory inspection. Smith noted that on REI grant, not successful, Wyatt adding that kind of knew it was a long shot and if de-watering not started. Smith answered that have mobilized. Wetzel said that back in July talked of PUPS Company, and on digging need to be a member and had a recent incident at Inglesby where someone drilled conduit through our line and will have information soon with all of our lines in the ground. Smith responded that to add PUPS a map we would have 1,200 calls of near misses. Wetzel said that is less than \$1,000 a year and found company to do it.

### **Economic Development**

Wyatt said that Shuler could not be here, read her report see attached.

### **Citizens Outreach**

Wyatt said that Carter could not be here, but Town officially a part of the Spartanburg Academic Movement with D.R. Hill and Lyman Elementary.

### **Event Planning**

Owens said doing a lot of things, getting bids on bathroom and commercial kitchen. Real excited to get outside looking nice will want to come inside, landscaping in the front and get the yellow building painted and spread the word to rent.

## 7. **PROJECTS:**

- a. Streetscape & Trails enhancement=Drozdak said SCDOT to visit this month.
- b. Lyman Event Center=

8. **EXECUTIVE SESSION:** None

9. **OLD BUSINESS:**

- a. Wyatt asked for a motion on 2<sup>nd</sup> reading of Ordinance amending Town Code 2-29(a) to change date of regularly scheduled meeting to 6:00PM, the second Monday of each month. Wyatt stated that have in packet a list of exceptions of 6PM with Mrs. Carter. Motion by Chappell, seconded by Owens, and Wyatt asked for discussion. Owens asked if this could be put on the website. Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the ordinance passes on 2<sup>nd</sup> reading with the modifications of start date.

10. **NEW BUSINESS:**

- a. Wyatt asked for a motion to confirm that the Chief of Police has the operational management control of reserve officer positions. Motion by Chappell, seconded by Owens, and Wyatt asked for discussion. Wyatt said that the background of this was they are not employees so not clear on management of reserve officers, Chappell added that absolutely Chief should have control and in charge of them. Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the resolution passes on 1<sup>st</sup> reading.
- b. Wyatt asked for a motion on 1<sup>st</sup> reading of Ordinance amending Portions of Chapter 7 to the Rotation list on wrecker service. Wyatt opened that already had some discussion, there were some typo errors, the insurance limits not high enough and Council setting rates by resolution. Wyatt asked for a motion, motion by Chappell, seconded by Wetzel, and Wyatt asked for discussion. Owens asked if we were in line with other Towns, Wyatt answered yes have modeled after other Towns. Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the ordinance passes on 1<sup>st</sup> reading.
- c. Wyatt asked for a motion on a resolution for the establishment of wrecker service rates. Wyatt started that this is subject to change. Wyatt asked for a motion, motion by Chappell, seconded by Wetzel, and Wyatt asked for discussion. Wyatt asked to make a motion to amend to add \$100 annual fee. Chappell confirmed that now the resolution reads to set annual fee at \$100 to cover the expenses of the Town to carry out inspections. Wyatt said now ask for motion to amend this version, motion by Chappell, seconded by Owens, Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the resolution passes on 1<sup>st</sup> reading as amended.
- d. Wyatt asked for a motion on a resolution to sell the General Fund Ford silver van. Wyatt asked for a motion, motion by Chappell, seconded by Wetzel, and Wyatt asked for discussion. Chappell said that it was about time to get rid of it, Wetzel said he seconded that was wasting Town money. Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the resolution passes on 1<sup>st</sup> reading.
- e. Wyatt asked for a motion on a resolution using \$1,000 of Hospitality Funds for the Middle Tyger Area Council. Wyatt asked for a motion, motion by Wetzel, seconded by Owens, and Wyatt asked for discussion. Owens said that do this every year, support it annually and that Superintendent Dr. Turner asked her for her help. Wyatt said that hearing no more discussion asked all in favor say aye, all ayes, any opposed, none, hearing none, the resolution passes on 1<sup>st</sup> reading.
- f. Wyatt states that had first meeting last week of the Town of Lyman/SJWD Coordination Committee. Will meet quarterly and that Carter Smith is the 5<sup>th</sup> member.
- g. Wyatt asked for a discussion on the Council packets, and that Shuler asked to have a prospective agenda by Monday, with packets on Wednesday. Chappell said that sounds good to me, do not like getting a different agenda.

h. Wyatt asked for a discussion of the December 1<sup>st</sup> meeting date that is the Monday following Thanksgiving. Owens added that was difficult, Chappell said make a motion to the following Monday, Owens seconded. Wyatt asked to change the time to 5:30, Owens said that moved meeting so much keep it at 6:00PM. Wetzel said that my vacation week, may or may not be here. Wyatt said that hearing no more discussion asked all in favor of the motion to move to December 8<sup>th</sup> say aye, all ayes, any opposed, none, hearing none, the motion passes on 1st reading.

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**12. ANNOUNCEMENTS: Wyatt said**

- a. Next regularly scheduled meeting, Monday, December 8, 2014
- b. Employee lunch on December 18<sup>th</sup>, Wyatt adding that do not have a time.
- c. Wetzel added that one other item, date for the breakfast is the 16<sup>th</sup>, Christmas Parade in Duncan. Owens adding that going back to the Duncan, Lyman and Wellford rotation, one high school is happy and that are mindful of the kids. Wetzel also said that just as general information the Bryant Center I have 2 companies on thinning out the trees, not clear cutting, just their thoughts just to look at, a lot of timber there. Wyatt noted that Chief Jim Redd showed up and asked if he wanted to speak, he declined. Wyatt said that as public acknowledgement of Veterans Day, humbled by their sacrifices who have served.

**12. ADJOURNMENT: Presiding Officer Wyatt asked for a motion to adjourn:**

- a. At 7:04 PM Owens made a motion to adjourn, with all in favor.

Submitted by, \_\_\_\_\_  
Dennis P. Drozdak, Clerk / Treasurer

Approved by, Tony Wyatt  
Tony Wyatt, Presiding Officer, Mayor Pro-tem

Date: 11/10/14

