



CITY OF WALHALLA

Main Street to the Mountains

AGENDA

WALHALLA CITY COUNCIL MEETING

January 16, 2024

5:30 PM

City Hall | 206 N Church St, Walhalla, SC

Tim Hall
Mayor

Josh Holliday
Councilman

Kenny Johns
Councilman

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Keith Pace
Councilman

Josh Thomas
Councilman

Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

I. **Call to Order and Welcome**

Mayor Hall

II. **Moment of Silence**

III. **Pledge of Allegiance**

IV. **Approval of Agenda**

V. **Approval of Minutes**

December 19, 2023

January 9, 2024

VI. **Public Comment** (*Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2022-8*)

VII. **Mayoral Proclamations:**

- A. Proclamation 2024-01: A Proclamation to recognize February as Black History Month

VIII. **Administrator's Report**

- A. Monthly Reports

IX. **Second, Final Reading and Public Review of Ordinances:**

- A. Ordinance 2023-18: An ordinance to amend Section 13-18 through Section 13-21, related to standing committees, of the Walhalla Municipal Code of Ordinances, and other matters related thereto.
- B. Ordinance 2024-01: An ordinance to amend section 13-1, related to council meetings, of the Walhalla Municipal Code of Ordinances, and other matters related thereto.

X. **First Reading of Ordinances:** None



CITY OF WALHALLA

Main Street to the Mountains

XI. **First and Final Reading of Resolutions:**

- A. Resolution 2024-01: A resolution to set the 2024 calendar of Council meeting dates

XII. **Discussion and/or Action Items** *(to include Vote and/or Action on matters brought up for discussion, if required)*

- A. Merger of the Citizens Beautification Committee and Tree Committee
B. Committee Appointment
C. Council Retreat and Budget Schedule

Tim Hall
Mayor

Josh Holliday
Councilman

Kenny Johns
Councilman

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Keith Pace
Councilman

Josh Thomas
Councilman

XIII. **Executive Session** *(to include Vote and/or Action on matters discussed, if required)*

- A. Contractual Matter: Fire Contract

XIV. **Mayor Comments**

Mayor Hall

XV. **Adjournment**

Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

**City of Walhalla
City Council
Tuesday, December 19, 2023 • 5:30 PM
Council Chambers • City Hall
Walhalla, South Carolina
Minutes**

In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.

Councilmembers Present: Mayor Danny Edwards, Mayor Pro Tem Danny Woodward, Grant Keehn, Sarai Melendez, Keith Pace, Kenny Johns and David Underwood

Councilmembers Absent: None

Staff Present: Celia Myers, John Galbreath, Kaylee Osbon, Tim Rice, and Catie Fisher

Call to Order: Mayor Edwards called the meeting to order at 5:30 PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

Moment of Silence: Mayor Edwards called for a moment of silence.

Pledge of Allegiance: Mayor Edwards asked Councilmember Underwood to lead the Pledge of Allegiance.

Approval of Agenda: Mayor Edwards called for a motion to approve the agenda. Mr. Pace moved to approve the agenda; Mr. Johns seconded. The agenda was unanimously approved.

Approval of Minutes: Mayor Edwards called for any changes to the November 21, 2023 minutes. Hearing none, Mr. Pace moved to approve the minutes and reports provided; Mr. Woodward seconded. The minutes were unanimously approved.

Public Comments: Mayor Edwards called for any public comments. Mr. Kelvin Bryant approached and expressed thanks to Mayor Edwards, Mr. Woodward, and Mr. Underwood for their service to the city.

Presentations

Mrs. Celia Myers, on behalf of the city, presented Mayor Edwards, Mr. Woodward, and Mr. Underwood a plaque to thank them each for their many years of service to the city.

Ms. Jocelyn Bybee presented an informative report on the Nola Network. She explained this organization focuses on providing affordable heart care to those who need it.

Mayoral Proclamations: None

Administrator's Comments: Mrs. Myers gave an informative report on the previous month departments. Ms. Melendez asked for a timeline of the Comprehensive Plan and Mrs. Myers explained that the city is on track where we need to be. Mr. Pace thanked the merchants on Main St. for decorating their windows and participating in the Holiday Season.

First and Final Reading of Resolution 2023-18

Mayor Edwards read and presentation Resolution 2023-18 honoring Dennis Pearson upon his retirement from the City of Walhalla. Mr. Pace moved to approve Resolution 2023-15; Mr. Woodward seconded. The motion to approve was unanimous.

First Reading of Ordinances:

An ordinance to amend Chapter 13, Article 2: Standing Committees of the Walhalla Municipal Code. Mr. Pace moved to enter into discussion; Mr. Johns seconded. Mr. Pace stated that he believed this should be discussed with new council coming in. Mr. Keehn why to separate finance. Mr. Keehn moved to amend the ordinance; Mr. Pace seconded. It was unanimous. Mr. Keehn wanted to know how the Police Department and Fire Department felt about combining the two committees. He asked Chief Tim Rice and Chief Will Bates for their opinions. Chief Rice explained that he would require more time to think about the proposal at hand. Chief Bates expressed that both departments were similar but not the same job and would like to have more conversation. Mr. Keehn moved to defer to January; Mr. Underwood second. The motion approved 5-2, with Mr. Pace and Ms. Melendez opposing.

Fire Committee Report by Ms. Melendez

Ms. Melendez gave the report from the December 5th Fire Committee. Mr. Johns explained that he recommends to accept the terms and negotiate at a later time. Ms. Melendez stated that City Staff gave a great presentation.

Utilities Committee Report by Mr. Keehn

Mr. Keehn explained they meet to discuss a customers concern over sewer lines accessibility. The committee came to the conclusion that the property did not have reasonable accessibility to place the sewer lines. Mr. Keehn moved to allow for the customer to place a septic tank on their property; Mr. Pace seconded. The motion was unanimously approved.

SCIIP Engineer RFQ Award

Mrs. Myers explained the RFQ proposal was sent out and that we received a proposal with no prices just the qualifications. Mr. Scott Parris recommends that Council award the bid. Mr. Keehn moved to accept; Mr. Pace seconded. The motion was unanimously approved.

Grant Funding Opportunities

Mrs. Myers presented Council with two grant opportunities that the city would like to pursue. She explained that the city would not be required to put any money up for it. Mr. Pace moved to go forward with the grants; Mr. Johns seconded. The motion was unanimously approved.

Additional Comments

Mr. Woodward, Mr. Underwood, and Mayor Edwards all made comments thanking everyone for their support and expressed that they were honored to have served as long as they did.

Executive Session

Mr. Woodward moved to enter executive session in order to discuss a real estate matter for a city owned property access easement agreement, contractual matter for the Oconee County Fire Agreement, funding request opportunity, and a real estate matter for community center land. Mr. Underwood seconded. The motion to enter executive session was unanimous. Council entered executive session at 6:26 PM.

Mr. Woodward moved to exit executive session; Mr. Pace seconded. The motion to exit executive session was unanimous. Council exited executive session at 7:21 PM.

Mr. Pace moved to conduct a continuing resolution at \$550,000; Mr. Johns seconded. The motion was unanimously approved.

Mr. Pace moved to go with the access easement with VOTGA; Mr. Johns seconded. The motion was unanimously approved.

Mr. Pace move to authorize the City Administrator to pursue the funding opportunities; Mr. Woodward seconded. The motion was unanimously approved.

Mr. Pace moved to continue negotiations on the Community Center Land; Mr. Woodward seconded. The motion was unanimously approved.

Mayor Comments

None were provided.

Hearing no further business, the meeting adjourned at 7:25 PM, with a motion by Mr. Johns and a second by Mr. Underwood.

Respectfully Submitted,

Kaylee Osbon, MBA

City of Walhalla
City Council- Called Meeting
Tuesday, January 9, 2024 • 5:30 PM
Council Chambers • City Hall
Walhalla, South Carolina
Minutes

In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.

Councilmembers Present: Mayor Tim Hall, Josh Holliday, Grant Keehn, Sarai Melendez, Keith Pace, Kenny Johns, and Josh Thomas

Councilmembers Absent: None

Staff Present: Celia Myers, Tim Rice, Will Bates, Scott Parris, and Kaylee Osbon

Call to Order: Mayor Hall called the meeting to order at 5:36 PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

Moment of Silence: Mayor Hall called for a moment of silence.

Pledge of Allegiance: Mayor Hall asked Councilmember Melendez to lead the Pledge of Allegiance.

Approval of Agenda: Mayor Hall called for a motion to approve the agenda. Mr. Keehn moved to amend the agenda to watch a video provided by Mr. Scott Parris; Mr. Holliday seconded. The amended agenda was unanimously approved.

Public Comments: Mayor Hall called for any public comments. None were given.

First Reading of Ordinance 2023-18

An ordinance to amend Sections 13-1 through 13-21, related to Standing Committees, of Walhalla Municipal Code of Ordinances; and other matter related thereto. Mr. Pace moved to open for discussion; Mr. Holliday seconded. Mr. Keehn asked Chief Tim Rice and Chief Will Bates on their opinions on combining the two committees. Mr. Pace agreed that he would like to hear from them. Chief Bates expressed that he was okay with the change moving forward but would like to request an option for it to be allowed to go back to how it is currently. Chief Rice stated he agreed with Chief Bates and that his only reservation was when issues of funding are brought up. He wants to make sure that each department is treated fairly. However, he discussed his concerns previously and is okay with they stand currently. Chief also mentioned that the Emergency Management Ordinance would need to be addressed. Mr. Keehn asked for this to be put on the next agenda. Mr. Pace asked Mayor Hall for his thoughts on combining the meetings. Mayor Hall stated he believes it is smart to do because they work out more detailed budget issues within the committee. He also stated it would be a one-year commitment to the change of the committees.

Mr. Pace motioned to move Ordinance 2023-18 into Second, Final Reading and Public Review; Mr. Holliday seconded. The motion was unanimously approved.

First Reading of Ordinance 2024-01

An ordinance to amend Section 13-1, related to Council Meetings, of Walhalla Municipal Code of Ordinances; and other matter related thereto. Mr. Keehn moved to open for discussion; Mr. Pace second. Mr. Pace asked if we would need a new ordinance to change the meetings date. Mr. Keehn stated that since it was an ordinance then it would need to stay one. Mrs. Myers confirmed that it would need to be an ordinance. Mr. Keehn made a motion to adopt the motion. Mayor Hall explained it was a motion to change council meeting from third Tuesdays to fourth Tuesdays. Mr. Pace stated this would allow for two council

meeting a month like how it was previously. Mr. Keehn stated he wanted to change and Mr. Holliday and Mr. Thomas said all was fine as long as we had a set schedule.

The Ordinance 2024-01 was moved into Second, Final Reading and Public Review with a 5-1 vote; Mr. Pace opposed.

Utilities Video

Mr. Parris showed council a video demonstrating what his department goes through daily.

Hearing no further business, the meeting adjourned at 6:35 PM, with a motion by Mayor Hall and a second by Ms. Melendez.

Respectfully Submitted,

Kaylee Osbon, MBA

**A PROCLAMATION
TO RECOGNIZE BLACK HISTORY MONTH AND CONTRIBUTIONS OF BLACK
CITIZENS TO WALHALLA**

WHEREAS, a week was chosen in February of 1926 to celebrate Black History as it acknowledged the birthdays of Abraham Lincoln on Feb. 12 and of Frederick Douglass on Feb. 20, both of whom were recognized as champions of freedom and equality for all men; and

WHEREAS, in 1976 Black History Month was formally adopted to honor and affirm the importance of Black History throughout our American experience, which goes back thousands of years; and

WHEREAS, African Americans have been pivotal in the creation of a massive number of inventions and are recognized for achievements in agriculture, education, social services, public safety, health, business, fine arts, entertainment, science, politics, law, engineering, and technology; and

WHEREAS, Black history is not only a part of American history but also has an important place in Walhalla's history;

WHEREAS, Black Walhallans have owned and operated barber shops, beauty shops, butcher shops, cleaning services, childcare, teachers, tv repair, and served on Walhalla City Council; and

WHEREAS, during Black History Month all Walhallans are encouraged to reflect on past successes and challenged of African Americans and look to the future to continue to improve society so that we live up to the ideals of freedom, equality and justice

NOW, THEREFORE, I, Mayor Tim Hall, proclaim February 2024 as Black History Month and encourage all citizens to learn about, support, and appreciate the successes and accomplishments made by Black Americans in Walhalla and abroad.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Walhalla, South Carolina to be affixed this Sixteenth Day of January, in the year of our Lord Two Thousand Twenty-Four.

Mayor Tim Hall



CITY OF WALHALLA

Main Street to the Mountains

TO: Mayor Hall and City Council

RE: December Monthly Report

DATE: January 10, 2023

Tim Hall
Mayor

Josh Holliday
Councilman

Kenny Johns
Councilman

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Keith Pace
Councilman

Josh Thomas
Councilman

Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

Please find enclosed an update on the City's recent activities for the month of November 2023, along with departmental monthly reports.



City of Walhalla

Development Services Department

206 N Church St. • P.O. Box 1099 • Walhalla, SC 29691 • (864)-723-4141 • Fax (864) 638-4357 • www.CityofWalhalla.com

January 4, 2024

December 2023 Monthly Report

1. Worked with two (2) potential new businesses
2. Permit administration (see totals below)
3. Fielded additional calls/emails/walk-ins regarding façade and sign grants, building permits, signs, new business process, special events, land use allowances, food trucks, code violations, business licenses, Downtown Design Guidelines and variances.
4. Applications/Violations Processed, December 2023 Request Monthly Totals
 - Zoning Permits 11
 - Building Permits 5
 - Violations (IPMC, Sign, Zoning, etc.) 1
 - Variances 1
 - Subdivision Permits (Preliminary/Final) 1
 - Special Exceptions 1
 - Sign Permits 1
 - Rezoning Requests 0
 - Land Disturbance Permits 1
 - Food Truck Permits 0
 - Fence Permits 0
 - Demolition Permits 2
 - Appeals 0

Submitted by: Planning and Zoning Administrator Mark Bloomer



Main Street Walhalla

1.16.24

Director, Catie Fisher

*Main Street Walhalla (MSW) is working to become a fully accredited Main Street program by January 2025. The following are the six steps MSW is required to meet by January 2025.

1. Broad-Based Community Commitment to Revitalization
 - a. Partnership & Collaboration
 - b. District & Community Outreach
 - c. Communication & Public Relations
2. Inclusive Leadership and Organizational Capacity
 - a. Inclusive Organizational Culture & Diverse Volunteer Engagement
 - b. Active Board Leadership & Supporting Volunteer Base
 - c. Professional Staff Management
 - d. Effective Operational Structure
3. Diversified Funding and Sustainable Program Operations
 - a. Balanced Funding Structure
 - b. Strategic Revenue Development & Fundraising
 - c. Budget & Work Plan Alignment
 - d. Financial Management & Best Practices
4. Strategy- Driven Programing
 - a. Planning Guided by Inclusive Community & Market-Informed Inputs
 - b. Defining Direction Through Transformation Strategy Identification & Development
 - c. Strategy-Aligned Comprehensive Work Planning & Implementation Across All Four Points (Organization, Design, Promotion and Economic Vitality)
5. Preservation-Based Economic Development
 - a. Preservation Ethics & Education on Historic & Cultural Assets
 - b. Standards & Best Practices for Place-Based, People-Focused Design
 - c. Promotion of Historic, Heritage and Cultural Assets
6. Demonstrated Impact and Results
 - a. Demonstrating the Value of Main Street
 - b. Measuring and Packaging Quantitative & Qualitative Outcomes
 - c. Promoting Progress & Demonstrating Impact & Results

*Please see attached pdf for MSW Implementation Plan.

Main Street Walhalla – Implementation Plan 2023-2026				
Economic Positioning/Vision Statement: <i>Sitting at the doorstep of the Blue Ridge Mountains, downtown Walhalla is the destination for culturally unique historic assets. Home to the “Garden of the Gods”, Main Street Walhalla is the lead economic development organization to downtown Walhalla.</i>				
Implementation Strategy: <i>Walhalla is a designated Main Street SC community. The City of Walhalla has charged the Main Street Walhalla Program with the administration of the Main Street Four-Point Approach® to establish economic development strategies for downtown revitalization (Organization, Promotion, Design and Economic Vitality) to implement a plan that achieves measurable results.</i>				
ECONOMIC DEVELOPMENT STRATEGIES	ORGANIZATION <i>Work in a collaborative fashion to make Walhalla a great place to live, work and visit.</i>	PROMOTION <i>Market downtown & create activities to build retail opportunity, community pride and economic vitality.</i>	DESIGN <i>Create an attractive downtown while preserving Walhalla’s unique architectural features.</i>	ECONOMIC VITALITY <i>Create a vibrant retail climate downtown that meets the needs of locals and offers economic sustainability.</i>
Strategy #1 Main Street Walhalla is the lead economic development organization with a complete downtown inventory management tool and process. Goal: <i>Main Street Walhalla is the hub for downtown district investment.</i> Objectives: <ul style="list-style-type: none">Curate ready access to downtown opportunities (development, investment, maintenance, preservation, etc…)Increase knowledge and understanding of the downtown district (public, board, city, county, investors, etc…)	Initiatives: <ul style="list-style-type: none">Schedule and coordinate the collection of data for annual investment statistics.	Initiatives: <ul style="list-style-type: none">Filnd interns to assist with data collecting.	Initiatives: <ul style="list-style-type: none">Document and track downtown assets (parking spaces, lodging, commercial space, landscaping & historic properties).	Initiatives: <ul style="list-style-type: none">Continue open communication methods with downtown businesses.<ul style="list-style-type: none">Identify methods like email, Facebook groups, flyers, meetings, etc
Strategy #2 Walhalla has culturally unique historic assets that drive local and visitor learning and engagement. Goal: <i>Active, enthusiastic Walhalla champions- locals and visitors alike.</i> Objectives: <ul style="list-style-type: none">Create interactive downtown pathways and tours that are accessible to all physical abilities and interests.Enhance partnerships with the local schools, museums and library.	Initiatives: <ul style="list-style-type: none">Identify existing historic markers.	Initiatives: <ul style="list-style-type: none">Create a mobile and physical map utilizing partners.	Initiatives: <ul style="list-style-type: none">Create tour/pathway themes (cultural institutions, quilt trail, scenic route, botanical native landscaping, etc)Explore ADA accessible approaches	Initiatives: <ul style="list-style-type: none">Signage for Markers.Explore ADA accessible approaches
Strategy #3 Walhalla, Garden of the Gods, curates beautification projects. Goal: <i>Strategic upgrades and maintenance processes for established beautification projects.</i> Objectives: <ul style="list-style-type: none">Create safe and welcoming outdoor spaces.Assist City with downtown beautification projects.	Initiatives: <ul style="list-style-type: none">Create a maintenance plan for Main Street Tree Lights.	Initiatives: <ul style="list-style-type: none">Encourage businesses engagement with sidewalk treatments.Develop kiosk signage.	Initiatives: <ul style="list-style-type: none">Identify opportunities for additional seating areas downtown.Develop “Adopt a Main Street Garden Bed”<ul style="list-style-type: none">Coordinate with John Bodiford.Develop kiosk signage.Assess upgrades for depot pavilion<ul style="list-style-type: none">Depot Park night time lights.	Initiatives: <ul style="list-style-type: none">Coordinate closure of S. Catherine Street next to the Walhalla Depot.Assess upgrades for depot pavilion<ul style="list-style-type: none">Depot Park night time lights.
The mission of Main Street Walhalla is to support and enhance the continuing economic development of downtown Walhalla while protecting and promoting its historic heritage.				

City of Walhalla Fire Department

Home of the Mountaineer Engine Co. Est. 1871

Fire Chiefs Monthly Report

December 2023

FIRE-EMS

Incident Response-

We responded to 106 calls for service. 46 were fire calls and 60 were medical/rescue calls. During the month we were on multiple calls 27% of the time. We provided 17 instances of mutual aid. 38 calls were inside the City and 68 calls were either in the unincorporated area or another district. The average on-scene time was 41 minutes. Both career and volunteer staff spent 196 hours on incidents.

<u>Incident Type</u>	<u># Incidents</u>	<u>% of Total</u>
Fires	8	7.55%
Overpressure rupture, explosion- no fire	0	0.00%
Rescue & EMS	60	56.60%
Hazardous Conditions	8	7.55%
Service Call	17	16.04%
Good Intent Call	9	8.49%
False Alarm and False Call	4	3.77%
Severe Weather & Natural Disaster	0	0.00%
Special Incident	0	0.00%
Total	106	100.00%

Operations/Training-

Staff, both career and volunteer, trained for a total of 68 hours during the month.

The department has 2 full time firefighter openings. These positions are posted on the City webpage and the department's Facebook page.

COMMUNITY RISK REDUCTION

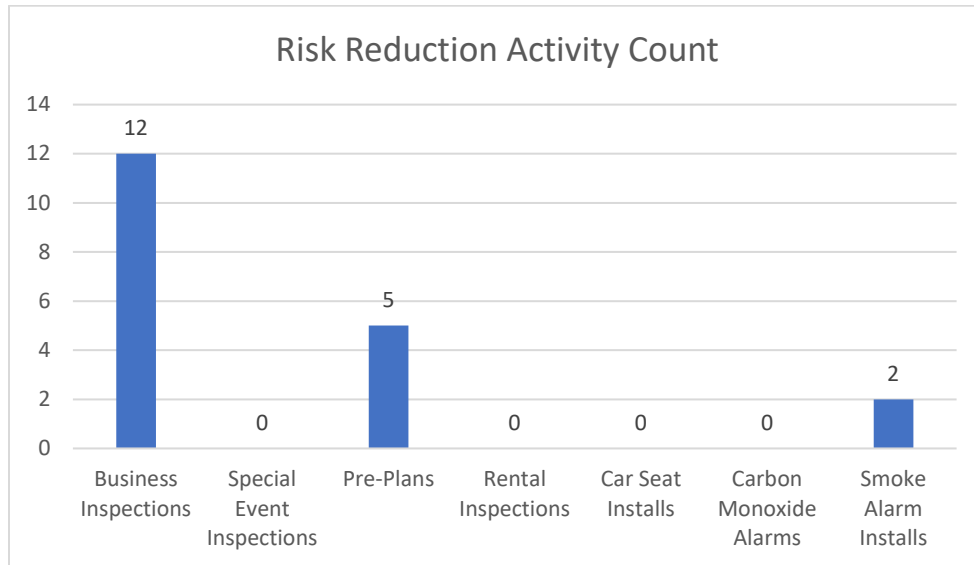
Fire Marshal-

Continuing to complete pre-fire plans and business inspections. Completing re-inspections as needed.

City of Walhalla Fire Department

Home of the Mountaineer Engine Co. Est. 1871

Fire Prevention/Life Safety-



EMERGENCY MANAGEMENT

Staff have responded to 8 reported fires this month. If you have a fire or emergency in a structure remember to evacuate all persons inside first, then call 911.

Please contact me should you have any questions.

Respectfully Submitted,

/s/ Will Bates

Will Bates, Fire Chief



Walhalla Police Department
101 E. Main St.
Walhalla, SC 29691

Chief of Police Timothy J. Rice

Monthly Police Report- December 2023

December Events and Completed Training: Employees

Department Christmas Party with spouses

Participated in Shop with a Hero

Employees enjoyed the City Christmas Luncheon

Officer Asa Thompson named Officer of the Year

Officers conducted a Traffic Check Point on New Years Eve

TOTAL CALLS FOR SERVICE	1365
TRAINING HOURS	75 HOURS
Total Arrests	21 (Adult) 0 (Juvenile)
Extra Patrol / Business Checks	647

BREAKDOWN OF OVERTIME BY TYPE:

Shift Coverage	61.4
Court	
Special Event Coverage	13
TOTAL OVERTIME	74.4 HOURS (previous month -86.4 hours)

Upcoming Events and Training and News:

Cpl McCall and Officer Price will be attending ARIDE training.



Walhalla Police Department
101 E. Main St.
Walhalla, SC 29691

Chief of Police Timothy J. Rice

Monthly Reference Material

Dec 2023 – Month End Stats

Total Calls for Service: 1365

Total Traffic Stops: 361

Total Traffic Collisions: 10

Reports Filed:

Collision Reports: 4

Pursuit After-Action: 0

Incident Reports: 58

Response to Resistance: 0

TOTAL: 62

Citations/Warnings Issued:

Warnings: 218

Traffic Related: 80

Non-Traffic Related: 11

TOTAL: 309

Arrests:

Adults: 21

Juvenile Referrals: 2

TOTAL: 23

Extra Patrols: **TOTAL: 647**

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Walhalla Rec

Baseball, Softball, Tee Ball, Flag Football Sign Ups: January 29th-February 9th
City Tournament January 25th-27th

Gathering our sponsorship packages for our spring sports

Working with uniform bids for spring sports

Working on solutions to better the old middle school gym floor (It gets slippery easy)

Our office phones are down. Everyone is contacting the rec through the work phone/email until this problem is resolved

WALHALLA PUBLIC WORKS 1-2-2024

The Public Works Department

December 1 thru 31, 2023 the City of Walhalla picked up:

234 -ton of residential garbage

115 -ton of commercial garbage

15 -ton of recyclable brush

14 -ton C&D Waste

1 -ton mattresses

2 –ton tires

Roll Carts for December

Delivered 22

Picked up 6

Repair/Replace 8

During the month of December our department continued picking up brush, leaves, trash, cleaning storm drains, trimming trees, cutting grass and other routine maintenance tasks. Repaired leaks in Depot pond. Installed additional One Way signs on North Catherine Street.

Thanks,

Russ Price



UTILITIES COMMITTEE REPORT

January 2024

- The Greenway project is nearing the completion of the concrete work. The irrigation is 80% complete. The water line relocation has been completed, and the grading for the sidewalk will begin within the next week. The landscaping will begin once the concrete work is complete.
- The highway 11 water project construction will start within the next 2 weeks.
- We are working on an upgrade to the phone system for City Hall to improve reliability and customer service.
- Recent heavy rains and flooding have compromised several areas of the creek banks along sewer rights of way. These areas will be evaluated within the next couple of weeks, and a cost to repair estimated.

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

ORDINANCE 2023-18

CITY OF WALHALLA)

AN ORDINANCE TO AMEND SECTION 13-18 THROUGH SECTION 13-21, RELATED TO STANDING COMMITTEES, OF THE WALHALLA MUNICIPAL CODE OF ORDINANCES, AND OTHER MATTERS RELATED THERETO.

Whereas, the Walhalla City Council shall adopt or amend an administrative act, in accordance with S.C. Code Ann. § 5-7-260; and

Whereas, the Walhalla City Council deems it beneficial to establish committees to focus on specific services provided by the City; and

Whereas, standing committees shall function as oversight and advisory committees, partnering with City departments to study and formulate solutions to specific issues; and

Whereas, standing committees offer recommendations to full City Council, as appropriate; and

Whereas, Walhalla City Council wishes to revise standing committees and clarify committee functions;

Now Therefore: it is ordained and enacted by the Mayor and Council members of the City of Walhalla, in meeting duly assembled, that:

1. Sections 13-18 through Sections 13-21 of the Walhalla Municipal Code of Ordinances are hereby amended to read as follows:

§ 13-18 List of standing committees.

The City shall maintain the following standing committees:

- A. Utilities Committee, functioning as a review, oversight and advisory body on water and sewer programs, utility rates and matters related thereto;
- B. Public Safety Committee, functioning as a review, oversight and advisory body on matters relating to police, fire, emergency services, public safety and matters related hereto.;
- C. Parks, Recreation and Tourism Committee, functioning as a review, oversight and advisory body on matters relating to recreation, community center, parks and playgrounds, historic sites, cultural affairs and matters related hereto;

- D. Public Works Committee, functioning as a review, oversight and advisory body on transportation, rights-of-way, building and grounds, recycling and sanitation programs and matters related thereto.;
- E. Finance Committee, functioning as a ways and means committee to which should be referred only matters dealing with the budget, capital improvements, bond issues, taxation, bids and purchasing;
- F. Planning and Community Development Committee, functioning as a review, oversight and advisory body on subdivision regulations, building and other regulatory codes, the zoning ordinance, licenses and business regulations, community development and matters related thereto; and
- G. General Government Committee, functioning as a review, oversight and advisory body on the rules of city council, appointments by city council, legislative and governmental liaison, city personnel policies, compensation and other administrative matters.

§ 13-19 Committee membership.

- A. The Mayor shall appoint members to standing committees annually Prior to the appointment, the Mayor shall request input from Council members regarding committee assignments.
- B. Each committee, except the General Government Committee, shall have three members. One of the members shall be appointed to serve as Chair, and preside over each committee meeting. The Mayor shall serve as an ex officio member on all committees.
- C. The General Government Committee shall consist of City Council, as a whole. The Mayor shall serve as Chair.

§ 13-20 Committee meetings.

- A. All matters of significance, excluding emergency matters, shall first be referred to a standing committee, if deemed necessary by the Chair, for consideration, before Council may take any action or vote thereon. Any member, or the city administrator, shall have the right to place a matter on the agenda of a standing committee for discussion and possible action with notification to the Committee Chair.
- B. Committee meetings may be held, as needed, at the call by the Committee Chair or a majority of the Committee.
- C. No meeting of any committee shall be called by the Committee Chair or by a majority of the members without 24 hours' notice to all members and the news media and required compliance with the South Carolina Freedom of Information Act.

§ 13-21 Ad-hoc committees.

The Mayor may appoint an ad hoc committee at any time. Members of an ad hoc committee shall serve for the duration of the subject matter for which they were appointed.

2. All other terms, provisions, sections and contents of the Walhalla Municipal Code of Ordinances not specifically affected hereby remain in full force and effect.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.
4. This Ordinance shall take effect from and after the public hearing and second reading in accordance with the Walhalla Municipal Code of Ordinances.

DONE AND RATIFIED in meeting duly assembled this _____ day of _____ 2024.

FOR CITY OF WALHALLA:

Tim O. Hall, Mayor

(seal)

ATTEST:

Celia Boyd Myers
City Administrator

Introduced By:

First Reading:

Second Reading:

Public Hearing:

Red-line Version for Comparison

Article II Standing Committees

§ 13-18 List of standing committees.

The City shall maintain the following standing committees:

A. Utilities Committee, functioning as a review, oversight and advisory body on water and sewer programs, utility rates and matters related thereto;

~~B. Fire Committee;~~

~~C. Police Committee;~~

B. Public Safety Committee, functioning as a review, oversight and advisory body on matters relating to police, fire, emergency services, public safety and matters related hereto.;

~~DC.~~ Parks, and Recreation and Tourism Committee, functioning as a review, oversight and advisory body on matters relating to recreation, community center, parks and playgrounds, historic sites, cultural affairs and matters related hereto;

~~ED.~~ Street and Sanitation-Public Works Committee, functioning as a review, oversight and advisory body on transportation, rights-of-way, building and grounds, recycling and sanitation programs and matters related thereto.;

~~FE.~~ General Government and Finance Committee, functioning as a ways and means committee to which should be referred only matters dealing with the budget, capital improvements, bond issues, taxation, bids and purchasing; and

~~GF.~~ Planning and Community Development Committee, functioning as a review, oversight and advisory body on subdivision regulations, building and other regulatory codes, the zoning ordinance, licenses and business regulations, community development and matters related thereto; and-

G. General Government Committee, functioning as a review, oversight and advisory body on the rules of city council, appointments by city council, legislative and governmental liaison, city personnel policies, compensation and other administrative matters.

§ 13-19 Committee membership.

A. The Mayor shall appoint members to standing ~~and temporary~~ committees annually. Prior to the appointment, the Mayor shall request input from Council members regarding committee assignments.

B. Each committee, except the General Government Committee, shall have three members. One of the members shall be appointed to serve as Chairman, and preside over each committee meeting. The Mayor shall serve as an ex officio member on all committees.

~~C. The membership of the committee shall rotate off every two years.~~

C. The General Government ~~and Finance~~ Committee shall consist of City Council, as a whole. The Mayor shall serve as Chair.

§ 13-20 Committee meetings.

~~A. A. All matters of significance, excluding emergency matters, shall first be referred to a standing committee, if deemed necessary by the Chair, for consideration, before Council may take any action or vote thereon. Any member, or the city administrator, shall have the right to place a matter on the agenda of a standing committee for discussion and possible action with notification to the Committee Chair.~~

~~B. Committee meetings may be held, as needed, at the call of the Committee Chair, or a majority of the Committee.~~

~~C. No meeting of any committee shall be called by the Committee Chair or by a majority of the members without 24 hours' notice to all members and the news media and required compliance with the South Carolina Freedom of Information Act.~~

~~Each committee shall meet as needed at the call of a majority of the committee or the Chairman, who shall preside over each meeting.~~

~~B. Each committee shall be responsible for setting the conduct of its meetings, provided that it does not conflict with state law.~~

~~§ 13-21 Duties of committees.~~

~~The standing committees shall formulate policies, investigate departments and make recommendations to Council concerning the operation of each department. Temporary committees shall make recommendations to Council.~~

13-21 Ad-hoc committees.

The Mayor may appoint an ad hoc committee at any time. Members of an ad hoc committee shall serve for the duration of the subject matter for which they were appointed.

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE) ORDINANCE 2024-01
CITY OF WALHALLA)

AN ORDINANCE TO AMEND SECTION 13-1, RELATED TO COUNCIL MEETINGS, OF THE WALHALLA MUNICIPAL CODE OF ORDINANCES, AND OTHER MATTERS RELATED THERETO.

Whereas, the Walhalla City Council shall adopt or amend an administrative act, in accordance with S.C. Code Ann. § 5-7-260; and

Whereas, Walhalla City Council wishes to amend the Walhalla Municipal Code of Ordinances; and

Whereas, Walhalla City Council wishes to revise the regular meeting date of Council;

Now Therefore: it is ordained and enacted by the Mayor and Council members of the City of Walhalla, in meeting duly assembled, that:

- 1. Section 13-1 of the Walhalla Municipal Code of Ordinances is hereby amended to read as follows:

§ 13-18 Meetings.

- A. Regular meetings of Council shall be held on the ~~third~~fourth Tuesday in each month unless changed by a majority vote of members present at any regular or special meeting.
- B. Special meetings of Council may be held on the call of the Mayor or of a majority of the Council members. Notice of a special meeting shall be given to all available members and the news media by City Clerk or City Administrator.
- C. All regular and special meetings of Council shall be open to the public.

- 2. All other terms, provisions, sections and contents of the Walhalla Municipal Code of Ordinances not specifically affected hereby remain in full force and effect.
- 3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. This Ordinance shall take effect from and after the public hearing and second reading in accordance with the Walhalla Municipal Code of Ordinances.

DONE AND RATIFIED in meeting duly assembled this _____ day of _____ 2024.

FOR CITY OF WALHALLA:

Tim O. Hall, Mayor

(seal)

ATTEST:

Celia Boyd Myers
City Administrator

Introduced By:

First Reading:

Second Reading:

Public Hearing:

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

CITY OF WALHALLA)

RESOLUTION 2024-01

**A RESOLUTION TO ESTABLISH REGULAR CITY COMMITTEE AND COUNCIL MEETING DATES FOR THE
2024 CALENDAR YEAR**

WHEREAS, pursuant to South Carolina State Statue 5-7-250 city council shall meet regularly at least once in every month at such times and places as the council may prescribe by rule; and

WHEREAS, pursuant to South Carolina State Statue 30-4-80, all public bodies must give written public notice of their regular meetings at the beginning of each calendar year; and

WHEREAS, notices must include the dates, times, and places of such meetings.

WHEREAS, the Walhalla City Council Committees has previously established its regularly scheduled meetings for the first Tuesday of each month; and

WHEREAS, the Walhalla City Council has previously established its regularly scheduled meetings for the third Tuesday of each month; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Walhalla, South Carolina, in regular meeting duly assembled, a quorum being present that following is authorized:

1. The Walhalla City Council Committee and City Council will hold its meetings at 5:30 PM in council chambers located at 206 N. Church Street Walhalla, SC 29697.
2. The Walhalla City Council Committee meeting will be held the first Tuesday of each month.
3. The Walhalla City Council meeting will be held the third Tuesday of each month.
4. The Walhalla City Council may adjust its schedule for November to avoid conflict with Election Day.
5. The meeting dates are fixed by “**EXHIBIT A**” and attached hereto, hereby incorporated herein by reference as if set forth in full in the body of this resolution.

AND IT IS SO RESOLVED this 16th day of January 2024.

Mayor Tim Hall

Attest:

Celia Myers, City Administrator

EXHIBIT A

<u>Date</u>	<u>Meeting</u>
Tuesday, February 6, 2024	Committee
Tuesday, February 20, 2024	Council
Tuesday, March 5, 2024	Committee
Tuesday, March 19, 2024	Council
Tuesday, April 2, 2024	Committee
Tuesday, April 16, 2024	Council
Tuesday, May 7, 2024	Committee
Tuesday, May 21, 2024	Council
Tuesday, June 4, 2024	Committee
Tuesday, June 18, 2024	Council
Tuesday, July 2, 2024	Committee
Tuesday, July 16, 2024	Council
Tuesday, August 6, 2024	Committee
Tuesday, August 20, 2024	Council
Tuesday, September 3, 2024	Committee
Tuesday, September 17, 2024	Council
Tuesday, October 1, 2024	Committee
Tuesday, October 15, 2024	Council
Tuesday, November 19, 2024	Committee/Council
Tuesday, December 3, 2024	Committee
Tuesday, December 17, 2024	Council

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

RESOLUTION 2024-01

CITY OF WALHALLA)

**A RESOLUTION TO ESTABLISH REGULAR CITY COMMITTEE AND COUNCIL MEETING DATES FOR THE
2024 CALENDAR YEAR**

WHEREAS, pursuant to South Carolina State Statute 5-7-250 city council shall meet regularly at least once in every month at such times and places as the council may prescribe by rule; and

WHEREAS, pursuant to South Carolina State Statute 30-4-80, all public bodies must give written public notice of their regular meetings at the beginning of each calendar year; and

WHEREAS, notices must include the dates, times, and places of such meetings.

WHEREAS, the Walhalla City Council Committees will establish its regularly scheduled meetings for the second Tuesday of each month; and

WHEREAS, the Walhalla City Council will establish its regularly scheduled meetings for the fourth Tuesday of each month; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Walhalla, South Carolina, in regular meeting duly assembled, a quorum being present that following is authorized:

1. The Walhalla City Council Committee and City Council will hold its meetings at 5:30 PM in council chambers located at 206 N. Church Street Walhalla, SC 29697.
2. The Walhalla City Council Committee meeting will be held the second Tuesday of each month.
3. The Walhalla City Council meeting will be held the fourth Tuesday of each month.
4. The Walhalla City Council may adjust its schedule for December to avoid conflict with Christmas Eve.
5. The meeting dates are fixed by “**EXHIBIT A**” and attached hereto, hereby incorporated herein by reference as if set forth in full in the body of this resolution.

AND IT IS SO RESOLVED this 16th day of January 2024.

Mayor Tim Hall

Attest:

Celia Myers, City Administrator

EXHIBIT A

<u>Date</u>	<u>Meeting</u>
Tuesday, February 13, 2024	Committee
Tuesday, February 27, 2024	Council
Tuesday, March 12, 2024	Committee
Tuesday, March 26, 2024	Council
Tuesday, April 9, 2024	Committee
Tuesday, April 23, 2024	Council
Tuesday, May 14, 2024	Committee
Tuesday, May 28, 2024	Council
Tuesday, June 11, 2024	Committee
Tuesday, June 25, 2024	Council
Tuesday, July 9, 2024	Committee
Tuesday, July 23, 2024	Council
Tuesday, August 13, 2024	Committee
Tuesday, August 27, 2024	Council
Tuesday, September 10, 2024	Committee
Tuesday, September 24, 2024	Council
Tuesday, October 8, 2024	Committee
Tuesday, October 22, 2024	Council
Wednesday, November 12, 2024	Committee
Tuesday, November 26, 2024	Council
Tuesday, December 10, 2024	Committee
Thursday, December 19, 2024	Council

§ 7-5. Establishment; membership.

- A. A Citizens Beautification Commission is hereby created, to consist of five public-spirited citizens residing within the corporate limits of the City of Walhalla, South Carolina, to be appointed by the Mayor and Council, who shall serve the same term as the Mayor and Council. Each member will be entitled to one vote on issues that affect beautification and shall serve without compensation.
- B. In addition, any other individuals who desire to work with the Beautification Commission shall serve in a volunteer capacity only and will not be entitled to vote on beautification issues and shall work under the direction of the Chairperson.

§ 7-6. Terms of office. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

The terms of office of members appointed to the Commission shall be for two-year overlapping terms, so that the terms of three members shall expire each year.

§ 7-7. City employees ineligible.

No regular, full-time salaried employee of the City shall be eligible for appointments to the Commission.

§ 7-8. Supervision.

The Beautification Commission shall work directly under the supervision of the General Government Committee.

§ 7-9. Limits on authority.

The Beautification Commission, or any member thereof, shall have no power or authority to create any financial obligation or any other commitment for or against the City of Walhalla or any of its departments for any reason whatsoever.

§ 7-10. Powers and duties.

The duties of the Commission shall be to study, investigate, develop and recommend plans for the improvement by beautification of the City of Walhalla, to encourage the placing and planting and preservation of trees, flowers, plants and shrubbery and other objects of ornamentation on City-owned property in said City, and to protect song birds and other wild fowl; provided that nothing herein shall be construed to abridge or change the powers and duties of any other commission, department, board or like agency of the City of Walhalla.

§ 7-11. Advisory duties.

The Commission shall act in an advisory capacity to the Mayor and City Council to the end that these City officials may have the benefit of the Commission's advice, recommendations and assistance in all beautification matters, and to the end that the parkways of the City may be beautified and the City as a whole be made as attractive as possible, in keeping with good business

judgment and within the bounds of reasonable expense for this purpose.

§ 7-12. Finances.

All monies received from donations and fund-raisers and money expended shall comply with Chapter 75, Purchasing, of the City Code and shall be dispersed and approved by the City Administrator.

§ 7-13. Officers.

The Commission shall elect a Chairperson, Vice-Chairperson, Recording Secretary, Public Relations Chairperson and Fund Raising Chairperson, who shall serve for one-year terms. All officers shall be elected from the five members appointed by the Walhalla City Council.

§ 287-1. Tree Committee [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- A. There is hereby created and established a City Tree Committee for the City of Walhalla, South Carolina, which shall consist of five members, citizens and resident of this City, who shall be appointed by the Mayor with the approval of the City Council. Members of this Committee shall serve without compensation.
- B. The term of the five persons of the Tree Committee to be appointed by the Mayor shall be two years. In the event that a vacancy should occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

§ 287-2. Scope of authority.

This chapter provides full power and authority over all trees, plants and shrubs located within street rights-of-way, parks and public places of the City.

§ 287-3. Definitions.

For the purpose of this chapter, the following terms, phrases and words, and their derivations shall have the meanings given herein. The word "shall" is mandatory and not merely directory.

CITY — The City of Walhalla, Oconee County, South Carolina.

LARGE TREES — Trees attaining a height of 45 feet or more.

MEDIUM TREES — Trees attaining a height of 30 feet to 45 feet.

PARK TREES — Trees, shrubs, bushes and all other woody vegetation in public parks and areas owned by the City, or to which the public has free access as a park.

SMALL TREES — Woody vegetation attaining a height of less than 30 feet.

STREET TREES — Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the City.

§ 287-4. Licensing. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

It shall be unlawful for any person to engage in the business of planting, cutting, trimming, pruning, removing, spraying or otherwise treating trees, shrubs or vines on City-owned property without first notifying the Tree Committee.

§ 287-5. Tree planting, maintenance and removal.

- A. Tree species. The City Tree Committee shall develop and maintain a list of desirable trees for planting along streets in three size classes: small, medium and large. A list of trees not suitable for planting will also be created and enforced by the Tree Committee. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Spacing. The spacing of street trees will be in accordance with the three species size classes listed in this chapter, and no trees may be planted closer together than the following, except

in special plantings designed or approved by the City's landscape designee:

- (1) Small trees: 30 feet.
- (2) Medium trees: 40 feet.
- (3) Large trees: 50 feet.

C. Utilities.

- (1) No street trees other than those defined herein as "small trees" may be planted four feet from curbs or curblines and sidewalks; planting will be in accordance with the three species size classes defined in § 287-3 of this chapter, and no trees may be planted closer to any curb or sidewalk than the following: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
 - (a) Small trees: two feet.
 - (b) Medium trees: three feet.
 - (c) Large trees: four feet.
- (2) Distance from street corners, driveways and fire hydrants. No street tree shall be planted closer than 25 feet to any street corner, measured from the point of intersecting right-of-way lines. No tree shall be planted any closer than 10 feet to any driveway accessing public lands or lands containing multiple use. Single-family homes are exempt from the driveway provision. No tree shall be planted any closer than 10 feet to any fire hydrant.

D. Topping. It shall be unlawful as a normal practice of any person, firm or City department to top any street tree, park tree or other tree on public property. "Topping" is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes may be exempted from this subsection at the determination of the Tree Committee. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

E. Removal.

- (1) Permission must be obtained from the Tree Committee prior to the cutting of any tree(s) greater than six inches in diameter or 36 inches from the ground. The saving of all native trees is encouraged. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (2) Permission may be waived if the tree removal is in conjunction with an application for a building permit and a site plan approval.
- (3) Permission is exempted in the following instances:
 - (a) Dead trees.
 - (b) Government construction of utilities or other infrastructure.
 - (c) Jeopardizing the health, safety and welfare of the general public, as designated in

Committees*

1. Utilities: Chair: Grant Keehn; Keith Pace; Josh Thomas
2. Public Safety (Police and Fire): Chair: Kenny Johns; Sarai Menendez; Grant Keehn
3. Parks, Recreation, and Tourism: Chair Josh Thomas; Josh Holiday; Sarai Menendez
4. Public Works (Street, Sanitation, and Facilities): Chair: Josh Holiday; Keith Pace; Grant Keehn
5. Finance Committee: Chair: Keith Pace; Kenny Johns; Josh Holiday
6. Planning and Community Development: Chair: Sarai Menendez; Josh Thomas; Kenny Johns
7. General Government: Chair: Mayor; all council members

*Mayor is ex-officio member of all committees

Members/Committees

Josh Holiday: 1. Public Works (Chair); 2. Finance; 3. Parks, Recreation, and Tourism

Kenny Johns: 1. Emergency Services (Chair); 2. Finance; 3. Planning and Community Development

Grant Keehn: 1. Utilities (Chair); 2. Public Works; 3. Emergency Services

Sarai Menendez: 1. Planning and Community Development (Chair); 2. Emergency Services; 3. Parks, Recreation and Tourism

Keith Pace: 1. Finance (Chair); 2. Utilities; 3. Public Works

Josh Thomas: 1. Parks, Recreation; and Tourism (Chair); 2. Planning and Community Development; 3. Utilities

this chapter.

- F. Replacement of trees. As a condition of approval for the removal of certain trees, the Tree Committee and/or the Planning Commission may require that suitable replacement trees be planted elsewhere on the site. In determining if replacement trees are required, the following will be considered: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- (1) The intended use of the property.
 - (2) Existing (pre-development) tree coverage, sizes and types.
 - (3) The general character of the site and its environs.
 - (4) Grading, road, parking and drainage requirements of the project.
- G. Clear-cutting and erosion control. No development shall be undertaken that directly or indirectly increases the erosion of soil or its potential for erosion. The developer shall take all reasonable measures to reduce soil loss due to rain or wind and contain sediment during construction. Exposed soil shall be stabilized within 30 days with sod, grass, mulch or by other effective methods. Clear-cutting of property for the sole purpose of clearing land or offering land for sale shall be prohibited without the written recommendation of a professional forester. Eradication of kudzu and other noxious vegetation shall not result in damage or destruction to trees either on- or off-site. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

§ 287-6. Adjacent landowner responsibility. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

No person shall plant, remove, cut above the ground or disturb any tree on any street, park or other public place without first obtaining permission from the Tree Committee. The person receiving permission shall abide by the standards set forth in this chapter.

§ 287-7. Tree protection; landmark trees. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- A. The City Tree Committee may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners.
- B. Every owner, either public or private, of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection. Owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the visibility of any traffic control device or sign. The City shall have the right to cause the removal of any dead or diseased trees on private property within the City when such trees constitute a hazard to life and/or property or harbor insects

or disease which constitutes a potential threat to other trees within the City. The City Tree Committee will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal of any public tree.

- C. The City Tree Committee shall locate, select and identify trees which qualify as "landmark trees." A tree may qualify as a landmark tree if it meets one or more of the following criteria: species rarity, old age, association with an historical event or person, abnormality or scenic enhancement.

§ 287-8. Enforcement; violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- A. The City Tree Committee shall have the power to promulgate and enforce rules, regulations and specifications concerning the trimming, spraying, removal, planting, pruning and protection of trees, shrubs, vines, hedges and other plants upon the right-of-way of any street, alley, sidewalk or other public place in the City.
- B. The City Council shall have the right to review the conduct, acts and decisions of the City Tree Committee. Any person may appeal from any ruling or order of the City Tree Committee to the City Council, which may hear the matter and make final decisions.
- C. Any person, firm or corporation violating or failing to comply with any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense a sum no less than \$1 nor more than \$500, or may be imprisoned for a term not exceeding 30 days.