



UPTOWN

a publication of the municipal association of south carolina

2023 – 2024 Advocacy Initiatives for Cities and Towns



The 125th General Assembly convenes in January to begin a new two-year session in Columbia. With 27 new members in the House of Representatives, legislators have until their mid-May 2023 adjournment date to tackle important issues that are critical to South Carolinians. Since this is the beginning of a two-year session, bills that are not passed by May will still be active for the 2024 legislative session.

During September and October 2022, mayors, councilmembers and city staff met with the Municipal Association’s legislative team in ten Regional Advocacy Meetings around the state to discuss important legislative solutions related to the effective and efficient operation of cities and towns. From issues like annexation

that have been around since the inception of the Association, to regulation of short-term rentals, which is a fairly new topic for local leaders, colleagues shared problems and solutions to help municipal officials govern better.

The Association’s legislative committee met in October and adopted 11 advocacy initiatives for 2023 – 2024. The chairman of the legislative committee, City of Conway Mayor Barbara Blain-Bellamy, presented the advocacy initiatives to the Association’s board of directors in December where they were unanimously adopted. Cities and towns have the opportunity to show support for the advocacy initiatives by adopting the proclamation found on the Association’s website at www.masc.sc (keyword: Advocacy Initiatives).

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Advocacy, from page 1

The Municipal Association's 2023 – 2024 advocacy initiatives include these items:

- Protect the authority of cities and towns to regulate short-term rentals within municipal boundaries.
Local leaders, working with residents, neighborhoods and businesses, know best how to regulate and manage the challenges presented by short-term rentals. A one-size-fits-all statewide approach to managing short-term rentals in diverse South Carolina cities and towns is not the solution.
- Expand local economic development incentives to cities and towns to allow municipal officials to increase the number of small businesses in downtowns.
Broader local economic development incentives would allow cities and towns to attract more small businesses to downtown hubs and expand opportunities for business owners and residents.
- Support traffic safety measures including a ban on “squat trucks” and other local safety ordinances.
Local police departments need to maintain and enhance the tools necessary to protect residents and visitors.
- Support statewide hate crimes legislation.
Because South Carolina is one of only two states that have not enacted statewide hate crimes legislation, companies are choosing not to locate in the state or host events at municipal venues, causing cities and towns to lose valuable economic development opportunities.
- Allow cities and towns under a certain revenue threshold to complete a compilation of financial statements instead of a full audit.
Applying mostly to small towns with limited budgets, this initiative would require a town under a certain size to complete a less than a traditional audit.



Apply for a 2023 Achievement Award

Each year in mid-December, the Municipal Association opens applications for the Achievement Awards.

These awards provide a way to showcase the hard-to-see projects that local governments undertake to make their operations run smoothly and that enhance their communities. The awards recognize excellence in local government programs and help share ideas among municipal officials and staff.

Choosing a category

The Association accepts award submissions each year in either a population category or one of five subject categories: communications, economic development, public safety, public service or public works.

NEWS BRIEFS

The **SC Association of Stormwater Managers** elected its new board of directors. Its members are President **Mark Johnson**, Town of James Island; Vice President **Angela Jordan**, City of Rock Hill; Secretary/Treasurer **Chris Wannamaker**, Charleston County; Member at Large **Brandon Wagner**, Horry County; and Immediate Past President **Bonnie Miley**, Town of Summerville.

The **SC Municipal Finance Officers, Clerks and Treasurers Association** elected its new board of directors. They are President **Amanda Childers**, Town of Harleyville; Vice President **Patricia Brown**, City of Marion; and Directors **Amber Barnes**, Town of Pendleton; **Erika Hammond**, City of Columbia; **Bert O'Rear**, Town of Olar; **Paula Payton**, Town of West Pelzer; and **Laura Snelling**, City of Abbeville.

The **SC Business Licensing Officials Association** elected its new board of directors. They are President **Alten Driggers**, Horry County; Vice President **Joy Krutek**, Dorchester County; Secretary/Treasurer **Jarrett Epperson**, City of Cayce; Members at Large **Cynthia Oliver**, City of Hardeeville; **Rita Bruce**, City of Landrum; and **Kathy Teague**, City of Union; and Past President **Amyee Rogers Crawford**, Town of Pendleton.

Condé Nast Traveler again named the **Charleston** and **Greenville** among its best small cities in the U.S. for 2022, and **Hilton Head Island** and **Kiawah Island** to its list of top islands in the U.S. for 2022. Trips to Discover, placed **Beaufort** on its list of the most beautiful small towns in the nation; while Fortune 25 included **Mauldin** among the best places for families to live.

- Allow cities and towns to close doughnut holes, or enclaves, in their municipal limits through a local annexation process.
This would give cities and towns another tool in the toolbox to increase efficiency in service delivery and public safety.
- Require code enforcement liens to be billed and collected by cities, towns and counties in a method similar to what is used for property taxes.
Abandoned and derelict buildings are a problem for cities and towns. This would require code enforcement liens to be collected similar to property taxes.
- Allow cities and towns with no property tax millage to impose a millage with certain limitations.
This legislation would clarify that cities and towns without an operating millage may impose a millage within certain limitations.
- Create an option for municipal residents to approve a Municipal Option Sales Tax penny tax for capital projects within the city limits.

Allow city and town councils to place a referendum on the ballot for a capital penny for improvement projects within the municipal limits.

- Support stronger penalties for illegal fentanyl trafficking and possession.
Cities and towns are seeing increased cases of fentanyl overdoses and need additional penalties for trafficking and possession.
- Clarify how state U.S. Census population estimates for cities and towns are determined, and create an appeals process for resolving potential differences in the estimates between the state and municipalities.
This legislation would create an appeals process for cities and towns whose population estimates differ dramatically from their decennial U.S. Census number.

For more information on the Advocacy Initiatives, visit www.masc.sc (keyword: advocacy). During the session, subscribe to From the Dome to Your Home (keyword: Dome) and listen to the City Quick Connect podcast (keyword: podcast) for more updates.

Municipalities with a population of 20,000 or less, as counted in the 2020 census data, can compete in either a population or subject category. Municipalities with a population greater than 20,000 can compete only in one of the five subject categories. Each city or town can only submit one entry and select one category.

Projects need to be substantially complete to be eligible and can be submitted only one additional time if they do not win.

Application process

Taking a look at past award winners can help with brainstorming projects to submit. Find past winners and the award application at www.masc.sc (keyword: Achievement Awards).

The 2023 submission deadline is February 8. Cities submitting in the subject categories must make an oral presentation at an assigned time on February 27 or 28. The Association will recognize award winners at the Annual Meeting in July.

For more information on the Achievement Awards, contact Meredith Houck at 803.933.1215 or mhouck@masc.sc.



Legislature Should Take A Big Bite Out Of SC Doughnut Holes

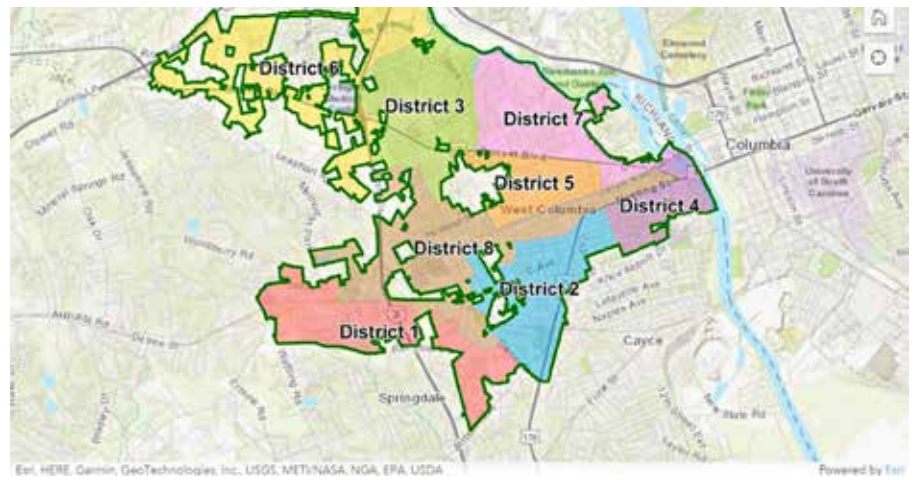
This editorial was originally published by The Post & Courier on August 31, 2022, and is reprinted with permission.

File this under a picture is worth a thousand words, with a hearty thanks to a couple of Columbia reporters for a great illustration of what's wrong with South Carolina's annexation laws.

After *The State's* Bristow Marchant tweeted out a picture of West Columbia's new election districts, The Associated Press' Jeffrey Collins crystallized what we were actually seeing: "South Carolina with its high hurdle for annexation and donut holes."

If you look smack dab in the middle of the map, where it says District 5, you'll see the clearest example of what Mr. Collins was referring to. That's not a separate district. That's what we call a doughnut hole: a tract of land surrounded by a city that is not itself part of the city. Look closer, and you'll see four other doughnut holes below it and, depending on how you define a doughnut hole and how you define just bizarre city boundaries, three or four more in District 6 in the upper left.

Doughnut holes are a logistical nightmare for city and county officials, who have to backtrack around them to pick up garbage, fill in potholes and provide other local services. They're a danger to public safety because police and firefighters have to figure out who's supposed to respond when there's an emergency inside of them. And of course, by burdening officials and endangering lives, they drive up the cost of government.



The reason we have so many of them throughout the state is completely political: South Carolinians don't like authority, and being part of a town or city means one more government gets to tell you what you can't do: You can't open a 24/7 convenience store in the middle of a quiet residential street. Or a strip club. Your band can't blare its music at ear-splitting levels all night in that same neighborhood. And of course, you often have to pay higher taxes for the extra services. So legislators don't want to risk angering people by making it easier for cities and towns to grow naturally as population growth turns rural and suburban areas into urban sprawl.

The Legislature created special-purpose districts to provide specific urban services back when counties had no power, and these districts don't want to lose their business to more efficient municipalities, so they have amassed significant political power to fight annexation reforms.

And of course there are the legislators themselves, many of whom don't like the idea of anybody except legislators having any power, so they're just fine with limiting the jurisdiction of city officials.

Doughnut holes are only the most obvious example of why our state needs to give cities and towns greater leeway to annex land that is adjacent to the city and has a high enough population density that it needs municipal services. Many residents just outside municipal boundaries still take advantage of municipal services, such as parks; they just don't pay for them. That disparity places an

extra burden on city residents to pick up the tab for their neighbors, through property taxes and business license fees.

It also makes government for everyone a little more expensive, because people who live near cities still want their own city services. So counties end up providing services that county governments weren't designed to provide, even to residents who live in remote areas.

Many states allow cities to annex adjacent property once it reaches a certain "urban density." But South Carolina invites people to remain outside the taxation and zoning jurisdiction of a city while taking advantage of its benefits: Property owners or residents must agree to be annexed, even when they're encircled by a city. Either three-quarters of property owners have to sign a petition requesting annexation or else a quarter of the residents can request an annexation referendum, which voters must approve, and large landowners can opt out.

We'd like to see the Legislature adopt the urban density approach, so city boundaries reflect the reality of city life. But lawmakers at least should give cities an easier option for closing up the doughnut holes. A 2020 proposal that never got off the ground would let a city annex tracts of up to 25 acres — about half the size of the College of Charleston campus — that have been completely surrounded by the city for at least five years. It's a fair approach that's unlikely to get any traction next year either.

But now maybe you understand a little better why it's needed.

40 Years of Guiding South Carolina's 'Heart and Soul'



SC Downtown Development Director Ben Boozer, center, presents at a SCDDA meeting in the 1980s.

Jenny Boulware, the manager of Main Street South Carolina, began working as an intern for the program when she was a graduate student in 1999. She also later served as the executive director of Main Street Laurens for six years.

“I was enchanted by the Main Street magic,” she said. “And I continue to be completely immersed in it.”

That belief in the mission are part of what has helped the statewide Main Street program continue to thrive in the 40 years since it began. Main Street SC is the successor to the SC Downtown Development Association, established in 1983 as part of a national movement to reinvest in downtowns. Growing from that core vision of a statewide network, Main Street SC has continued the work under its current name since 2005. It provides technical assistance and professional guidance to cities and towns looking to revitalize their central business districts through grassroots community-driven economic development and historic preservation.

The organization has gone through name changes, and has seen both its size and scope evolve over four decades, as priorities and

economic circumstances have fluctuated. But the work — and the belief in the importance of healthy downtown districts — continues.

That work is happening in towns and cities around the state, where during the past four decades, dozens of communities have paid attention to two principles that guide the Main Street program: what’s good for downtown is good for the greater community; and the downtown improvement effort is about more than events, beautification and historic preservation — it must be tied to economic development.

“I was enchanted by the Main Street magic,” she said. “And I continue to be completely immersed in it.”

*—Jenny Boulware,
Main Street SC Manager*

“The Main Street Approach holistically assesses a community’s bigger picture,” Boulware said. “It’s not a targeted, one-size-fits-all program. Just as the state is geographically rich with mountains and

beaches and everything in between, our state’s historic downtowns are home to vastly different assets. The Main Street Approach embraces and celebrates each community’s unique assets.”

There are currently five accredited Main Street programs in South Carolina: Aiken, Florence, Greenwood, Hartsville and Laurens. They are joined by cities and towns in other categories: Aspiring, Classic and Friends of Main Street — a total of 30 participating communities. Main Street South Carolina is a program of the Municipal Association of SC, making it the only program in the nation that is part of a municipal league.

Beppie LeGrand worked as a program assistant and later led the state’s Main Street program. She also served on the boards of the National Trust for Historic Preservation and Main Street America. She credited state program founder Ben Boozer with building a foundation for a successful program.

“Ben started the Main Street program with several other visionaries who recognized that the principles of the national Main Street program could be effective in our state,” LeGrand said. “We continued to slowly build the state program, adding a few new local programs each year. We realized that we needed to practice what we preached — growing any program, state or local, is a process that needs careful nurturing and a watchful eye. ‘Hurry’ was not in our vocabulary. Many of the communities who joined us in the early years remain with the program today. The fact that Main Street South Carolina has only had four managing leaders in 40 years says it all. There has been consistency in leadership, and that speaks volumes to the attention paid to the communities and the quality of the program.”

Liz Parham was an early recruit to the South Carolina Main Street program, working as a director in Sumter soon after graduating from college. Now serving as the director of the North Carolina Main Street and Rural Planning Center, she spent nearly 35 years working with Main Street programs in the Carolinas.



Staff from Main Street programs around South Carolina joined in a group art project in downtown Anderson in the early 2000s. The programs represented included Anderson, Conway, Laurens, Bennettsville, Aiken and Summerville, appear alongside SCDDA staff Bill Steiner and Randy Wilson.

What she learned at the start — and continues to preach today — is that a downtown is truly a community’s heart and soul.

“From an economic development standpoint, if you’re not taking care of the heart and soul of your community, you’re not going to grow in any other way,” Parham said. “If industries are looking at your community and the downtown district doesn’t look good and doesn’t feel vibrant, those industries aren’t going to come. Economic development really is at the center of what you do.”

While the state Main Street programs started under the arm of the National Trust for Historic Preservation, they differ from the National Trust in an important way: economic development, within the context of historic preservation, is a driving factor.

“We’re not pure preservationists. We believe in preservation, certainly, but we look at the economic development aspects as well. That’s what’s made such a difference in the longevity of the program,” Parham said.

Those thoughts are echoed by Randy Wilson, who spent six years as the staff architect for Main Street South Carolina before leaving in 2005 to start his private firm, Community Design Solutions. He continues to serve as a consultant for the organization.

As part of his work for Main Street, he helps cities and towns with historic buildings and anything else that’s visual — from roadways to landscaping, lighting to signage. He understands the importance of safeguarding the physical structures that give a downtown its uniqueness.

“Preservation sometimes gets a bad rap for being anti-business and all about what’s ‘old,’ and it’s not that way at all. If I had to self-title myself, I would consider myself a practical preservationist,” he said. “It’s important that I give in on certain battles to win the war. And to me, winning the war means we save historic structures, but we adapt them so they can accommodate modern business and retail uses. The mantra we try to live by in Main Street circles is, ‘We aren’t striving for uniformity; we are striving for compatibility.’”

Wilson said he believes the present just might be the “golden age” of downtown revival, pointing to the bustling Soda City Market held each Saturday on Columbia’s Main Street and the total transformation of downtown Greenville, along with the downtown resurgence in smaller cities and towns like Greer, Hartsville and Lexington.

“Enough people have been persuaded that downtown matters,” he said. “Downtown has a cool vibe to it, especially in the age of a pandemic. I can live and walk and get what I need.”

He also said that leaders can’t lose sight of the fact that downtown revitalization is all about economic development.

“The day we think that preserving, maintaining and enhancing our downtowns is just about beautification is the day that we fail. What’s good for downtown is good for business everywhere in the city,” Wilson said. “I guarantee you there has yet to be a major industry that’s located anywhere near a major metro area in South Carolina that did not request to see the downtown.”

LeGrand believes Main Street South Carolina is important to the state because it enables residents to have a voice in the future of their communities while working with local leaders to implement planning goals.

“The preservation of local heritage, maintenance of historic structures, support and recruitment of local entrepreneurs, and nurturing community involvement and pride with a focus on the future is a delicate balance,” LeGrand said. “The Main Street program brings the expertise to encourage this balance.”

Boulevard always reminds communities of the need for a slow and steady approach to guiding downtown revitalization initiatives.

“It’s natural to want immediate results, but Main Street is focused on incremental and purposeful downtown transformation. Take Downtown Camden and its alley improvements. Each year new elements are added — from pinwheels in the

planter boxes to a large butterfly mural and miniature bronze Boykin spaniels. While each of these components do not draw thousands of crowds to downtown, they do create a unique sense of whimsy and fun. They establish downtown as a destination for everyone.”

Since 1983, more than 70 communities have directly benefitted from South Carolina’s Main Street program, bringing economic strength to the state’s downtown commercial districts. South Carolina’s Main Street communities have tracked over \$609 million in new investment, more than 5,000 new jobs and over 1,400 historic buildings rehabilitated.

These communities are part of a national movement with a proven track record for celebrating community character, preserving local history, and generating impressive economic returns. Nationwide, over \$95 billion has been invested in historic downtown districts.



From left: Main Street Laurens Executive Director Jonathan Irick, Uptown Greenwood Events & Marketing Coordinator Gibson Hill and Main Street SC Manager Jenny Boulware represent the state at the 2022 Main Street America conference in Richmond, Va.



QUIZ

TRUE OR FALSE:

Act 388, passed in 2006, placed a “hard cap” on how much city and town councils can raise millage rates each year.

TRUE: When the SC General Assembly passed Act 388 in 2006, the law limited how much a council can increase its millage rate each year. Millage rate increases cannot exceed the prior year’s inflation rate plus the percentage increase in the city’s population according to U.S. Census Bureau estimates. Cities that have a decrease in population count it as zero in calculating its millage rate.

Under certain circumstances, there are limited exceptions to the millage cap councils may consider.

The SC Revenue and Fiscal Affairs Office released the FY 2022-2023 Municipal Millage Caps calculation in May. This calculation is the growth in the consumer price index plus the growth in the population. The CPI for the FY 2023 Municipal Millage Cap calculation is 4.7%. Municipal officials can find the millage cap rate increase limitations for their municipality on the Municipal Association’s website, www.masc.sc (keyword: millage).

The Municipal Elected Officials Institute of Government offers in-person and online courses. Elected officials who complete all of the required coursework graduate from the institute and are eligible to participate in the Advanced Institute. The next MEO sessions will take place the day after Hometown Legislative Day on February 8 at the Columbia Marriott. Learn more at www.masc.sc (keyword: MEO).

Cities Need Short-Term Rental Flexibility



by Scott Slatton, Director of Advocacy and Communications, Municipal Association of SC

As tourism in South Carolina grows, so does the use of short-term rentals. Visitors and residents alike use short-term rentals all over the state when they travel to visit friends and family, attend major events or just to get away. Short-term rentals make positive contributions to a local economy, but they sometimes present challenges to local governments and their residents.

State law defines short-term rentals a little differently depending on how long a property is rented, but envision a short-term rental as a property listed for rent by a local property management company or an online marketplace facilitator like AirBnB. In most cases, short-term rental owners and operators must, and do, comply with state and local laws including collecting state and local accommodations taxes, zoning ordinances and obtaining a business license.

Many short-term rental businesses, like hotels and condos in tourist destinations like the City of Myrtle Beach, have long operated in commercial areas, which serves to reduce the need for them in residential neighborhoods.

However, in places where short-term rentals have spread into residential neighborhoods, local elected officials have begun to adopt specific ordinances

to address the concerns that permanent residents bring to them about the effects these businesses are having on their neighborhoods.

Parking issues, disruptive behavior, property damage and an erosion of the character of residential neighborhoods are among the concerns residents are bringing to local elected officials across the state. Of course, the nature of the challenges presented by short-term rentals varies from city to city. Residents' concerns about short-term rentals in coastal communities are quite different from those of residents in upstate cities. Because of this, local municipal elected officials have responded to their residents in different ways.

As a growing, year-round tourist destination, the City of Beaufort has seen a rise in demand for short-term rentals. Property owners have responded by listing their residential homes for rent. In response and after working closely with rental property owners and residents, the city council adopted a short-term rental ordinance that balances business' interests with residents' interests. Beaufort's ordinance allows short-term rental businesses to operate in many of the city's residential neighborhoods, which gives visitors options without concentrating them in large numbers.

In the City of Clemson, the challenges are different. Clemson's population explodes each weekend during football season. To accommodate the many thousands of temporary residents, the city's short-term rental ordinance adjusts a home's occupancy limits depending on where it's located and whether or not the property is owner-occupied. This solution has helped preserve the character of many of Clemson's single-family neighborhoods while accommodating visitors.

Local elected officials' authority to work with their businesses and residents has allowed them to find solutions to the unique challenges presented by short-term rentals, particularly in residential neighborhoods. "One-size-fits-all" policies, like statewide legislation, fail to recognize the uniqueness of South Carolina's cities and towns and therefore should be rejected. City and town council members and their residents should speak with their legislators and make sure they understand why it's important that local decisions be left to local officials.

Join several mayors at the Municipal Association's Hometown Legislative Action Day in Columbia on February 7 for a panel discussion about how their cities found solutions to short-term rental challenges. Learn more about all HLAD sessions and register at www.masc.sc (keyword: HLAD).

Act 237 Makes Locating Short-Term Rentals Easier

A recent addition to state law may help solve one of the most frustrating problems presented to cities and towns by short-term rentals: finding them.

The proliferation of short-term rentals across South Carolina has happened so quickly that many cities and towns aren't aware these businesses have located within their boundaries, let alone where they're located. Similarly, short-term rental businesses aren't aware of their obligations under state and local laws. However, Act 237, enacted in 2022, should make it easier for the state and cities to ensure these businesses are following the law.

The new law requires a filer of a state accommodations tax return for multiple locations to disclose each rental's location with the SC Department of Revenue. So, if a

local rental property management company files a state accommodations tax return for the five properties it manages, it must also tell SCDOR where those properties are located. The same would apply to online marketplace facilitators who collect and remit state accommodations taxes for multiple locations.

In addition, the tax filer must tell SCDOR how much of the tax paid is attributable to each property.

Cities and towns have previously had limited tools available to them to locate all of the short-term rental businesses located in their jurisdictions. Sophisticated, expensive software that scours online listings and old-fashioned, labor-intensive audits have been the few options for finding short-term rentals.

With the enactment of Act 237, however, cities and towns will be able request the location listings from SCDOR and better account for the state accommodations tax that agency remits to them. The location information will also help cities and towns ensure that each short-term rental business is also remitting the local accommodations tax and business license tax like their hotel and motel competitors.

Join several mayors at the Municipal Association's Hometown Legislative Action Day on February 7 for a panel discussion about how their cities found solutions to short-term rental challenges. Find all session information at www.masc.sc (keyword: HLAD).



Forms of Government FAQs

South Carolina state law allows municipalities to choose their governance model by referendum from one of three forms of government authorized in SC Code Section 5-5-10.

In all three forms, every power granted by the state to municipalities rests with the council, except as otherwise provided for specifically by law. State law vests the full power of the municipality in the council, which as a legislative body is the only entity in the municipality that may enact ordinances, adopt resolutions and establish rules that apply to the public. The council cannot delegate these legislative powers to anyone else.

“Ultimately, and regardless of the form of government, the council is in charge,” said Jeff Shacker, field services manager for the Municipal Association of SC. “The key is working together — the mayor, all other councilmembers — with everyone staying in the lane established by law, because accidents usually happen when you swerve from your lane into another.”

A summary of the differences between the three forms can be found in the *Forms and Powers of Municipal Government* handbook, available at www.masc.sc (keyword: forms of government).

Here's an overview of some of the key differences:

| Council form | Mayor-Council Form | Council-Manager Form |
|---|---|---|
| Powers of Mayor | | |
| Presides over meetings by tradition, council can name another presiding officer. | Presides over meetings by law. | Presides over meetings by tradition, council can name another presiding officer. |
| Votes as member of council, performs administrative duties only if authorized by council. The mayor has no further authority beyond other councilmembers. | Votes as member of council. Acts as chief administrative officer, appointing and removing employees subject to personnel rules adopted by council, supervising departments, preparing budgets and capital programs for council, makes annual financial report to public and council, and reports on department operations to council. | Votes as member of council. The mayor has no further authority beyond other councilmembers. |
| <i>All three forms: May call special meetings, designates temporary judge.</i> | | |
| Powers of Council | | |
| Has all legislative, policy and administrative power. | Has all powers not otherwise provided for by law. | Has all legislative and policy powers. |
| May hire administrator to assist council, may appoint officer to administer departments subject to council direction. | May employ administrator to assist mayor. | Employs manager, appoints temporary manager. |
| Appoints municipal clerk, attorney and judge. | Appoints municipal clerk, attorney and judge. | Appoints attorney and judge. |
| Prepares and adopts a balanced budget. | Adopts a balanced budget. | Adopts a balanced budget. |
| <i>All three forms: Establishes departments and functions, investigates departments, elects mayor pro tempore, may call special meetings.</i> | | |
| Powers of Administrator or Manager | | |
| If appointed, has only the authority delegated by council. | If appointed, has only the authority delegated by council. | Is chief executive and head of the administrative branch. Appoints, sets salaries and removes employees, including municipal clerk. Prepares and administers the budget, advises council on departments and appointments. |

Here are some common questions about municipal operations under each of the forms:

Q. Who sets a meeting agenda under each form?

In most municipalities, the municipal clerk compiles the agenda and supporting materials for distribution to council and under the SC Freedom of Information Act. In all forms of government, the municipality should designate an officer or elected official — for example, the mayor in the mayor-council form, or the manager or administrator in the other forms of government — to review and approve the agenda before it is made final.

Sometimes, disagreements among elected officials about the content of an agenda can raise difficult questions for the clerk. To address this, the council should adopt rules of procedure to define the process for placing items on the agenda. Many mayor-council municipalities have ordinances stating that the mayor controls the agenda. In council and council-manager municipalities, the executive officer often controls the agenda. Some councils also provide that two or more councilmembers can authorize placing an item on the agenda before the 24-hour notice period expires.

Q. Is the mayor-council form the “strong mayor” form and the council form the “weak mayor” form?

These forms are sometimes described in this way, but the terms are best to be avoided to prevent confusion and difficulties. In the mayor-council form, the mayor needs to work with and communicate with all councilmembers. In the council form, the mayor may not have administrative power, but is nonetheless perceived as a leader of the council and community.

Q. Who has responsibility for adopting and administering the budget?

The first step in the annual budgeting process is preparation of a proposed budget. State law delegates this power to the mayor in the mayor-council form and to the manager in the council-manager form. State law is silent on this question in the council form, but council may delegate it by ordinance to the Administrator.

In all three forms of government, the council retains responsibility for approving the final budget. Once a budget is adopted, only the council can approve amendments to the adopted budget. Many municipalities include some executive flexibility in their budget ordinances, for example by allowing

the mayor, the manager, or the administrator to transfer funds within or between budget categories, subject to dollar or percentage limitations.

In any event, the mayor or executive officer should not act alone and make unbudgeted purchases. The council’s control of the budget is one of its most powerful tools to control the legislative priorities of the municipality, and elected officials in all forms of government should be careful when delegating budgetary functions to the executive.

Q. Who makes personnel decisions in each form?

Personnel decisions include the power to hire, and conversely, the power to fire. State law always gives this power to the council for municipal attorneys and judges. In the council-manager form, the manager hires clerks, and in the other two forms, council hires clerks. For other offices, the power resides with the mayor in the mayor-council form, the manager in the council-manager form, and either the council or the administrator, if any, in the council form.

Q. How do committee appointments work under the three forms?

Councils that want to establish standing committees of their members should enact an ordinance to govern the system — how appointments are made, length of terms and so on — because state law does not specify how appointments occur. Unless an ordinance states otherwise, the committee appointment authority should belong to the entire council.

Active Listening and Civility

Any councilmember or municipal staff member who has fielded complaints and concerns from residents for long enough will know that many people who are upset simply need to be heard in full.

Listening carefully to constituents can take many forms. It can be establishing rules for a public comment period during council meetings and consistently following them. When complaints come in through a city's social media channels, it can take the form of explaining what the city has learned about the problem and what steps it is taking in response to it.

For officials to successfully convey that their residents are genuinely being heard, they will often need to use the skill known as "active listening." It involves focusing all attention on speakers, responding to what they are saying and otherwise showing a genuine interest in learning from them, and demonstrating that officials will retain and may act on what they learn.

U.S. Army officer Henry Martyn Robert was the creator of Robert's Rules of Order, which city and town councils can adopt as a supplement to state law and local ordinances governing procedures for how council meetings should run.

Robert published the first edition of his rules in 1876, nearly a century before the term "active listening" gained currency.

Even so, he expressed a belief in the power of sincerely listening for the work of government, writing that the "great lesson from democracies to learn is for the majority to give the minority a full, free opportunity to present their side of the case, and then for the minority, having failed to win a majority to their views, gracefully to submit and to recognize the action as that of the entire organization, and cheerfully to assist in carrying it out, until they can secure its repeal."

Listening with the intent of real understanding has the ability to improve fairness, identify solutions and strengthen trust.

Here are several key points to consider when listening actively:

Pay attention to nonverbal cues.

Even when listening to speakers silently, listeners will inevitably give signals about how closely they are actually listening. For example, a listener who doesn't look at the speaker or who fidgets impatiently is almost certainly just waiting for the conversation to be over, or to make a response they are already formulating and which may not even be responsive to the points raised. Folded arms or angry expressions can also convey that the listener is not receptive to anything being said.

Nonverbal cues that the person really is listening can be as simple as making eye contact, nodding, and giving a pause before responding, to make sure the person really has finished talking.

Seek clarifications.

Active listeners will ask follow-up questions whenever they are unclear on what they hear. Asking open-ended questions, inviting the speaker to expand upon their points, can be more informative than "yes or no" questions that tend to shut conversations down. Listeners can also facilitate understanding by summarizing and restating the points made so that the speaker can confirm that the points carried across.

Avoid judgment.

Active listening requires that listeners be willing to reflect on what is being said, and even to change their minds in response to compelling arguments. Listeners should therefore avoid negative judgments of what they are hearing. They should avoid criticizing or assigning blame to the speaker, and should be careful not to interrupt or argue with the speaker.

Ask questions to
learn. Answer
questions with
respect.

Outreach Helps Explain Water Concerns

In the spring of 2022, customers of Columbia Water reported a sudden change in the taste and smell of their water supply. Many called it undesirably “earthy.”

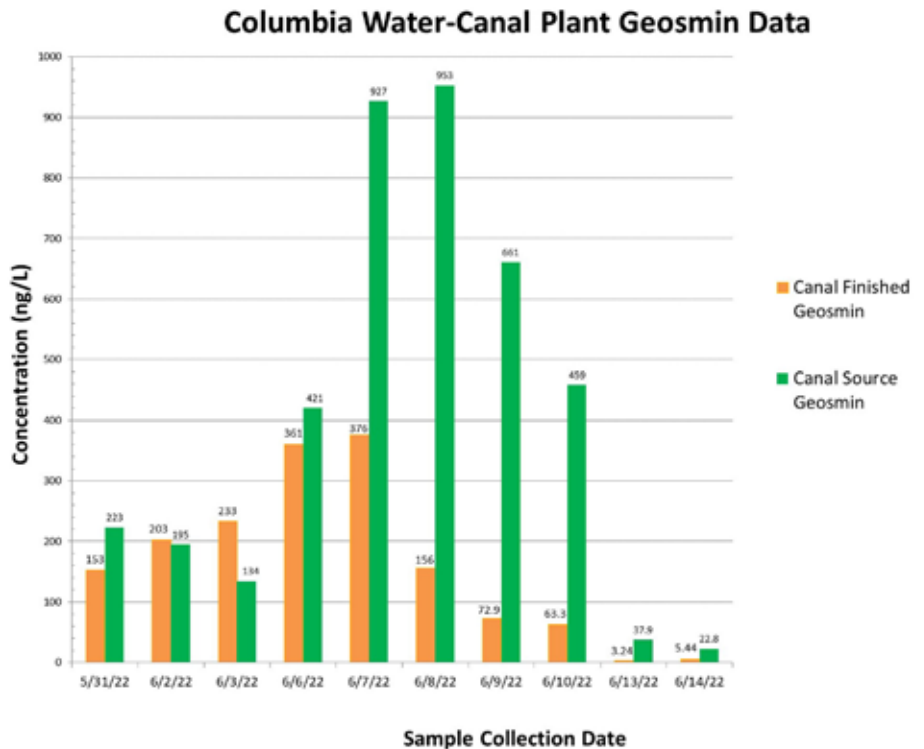
The source of the concern was geosmin, a naturally-occurring compound produced by algae. Although it is harmless and often kept at unnoticeable concentrations of less than 5 parts per trillion, or 5 ppt, conditions along the Columbia Canal, one of the system’s water sources, in May 2022 brought unprecedented changes to the geosmin concentrations. According to testing, the concentration had reached 223 ppt in the Columbia Canal source water by late May. In early June, the amount was above 900 ppt.

“We had never, in the history of the Canal Water Treatment Plant recorded over, I’ll say, 50 parts per trillion of geosmin,” said Columbia Assistant City Manager Clint Shealy.

The ability to notice the taste of geosmin varies person by person, but at these numbers, the taste was a major news event. Maintaining the safety of drinking water is a serious responsibility, Shealy said, but taste is a material concern as well.

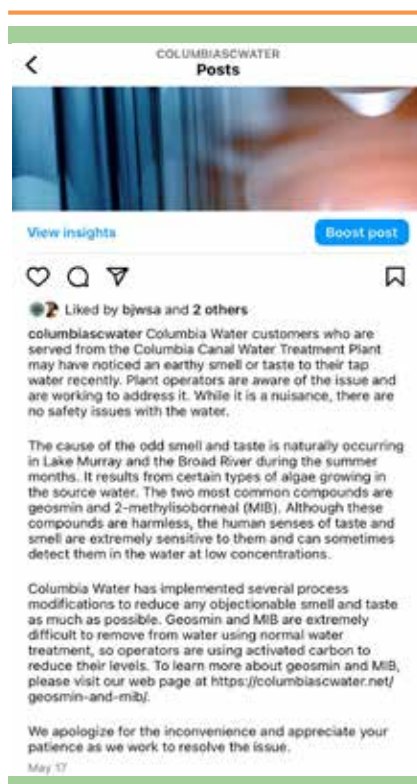
“It’s very, very important that we don’t erode customers’ confidence in what they’re drinking,” he said.

The City of Columbia went to work to communicate as effectively about the situation as it could, and to a very wide audience. Columbia Water provides water



Columbia Water used this bar graph to explain the dramatic rise of geosmin levels, and how it was brought under control. Photo: City of Columbia.

for much more than the City of Columbia alone, serving about 415,000 people across an area of 320 square miles.



This May 17, 2022, Instagram post illustrates Columbia Water’s early communications about the water taste issue. Photo: City of Columbia.

Tiffany Latimer is the customer care administrator of Columbia Water, where the call center was receiving an uptick in calls as a result of the taste issue.

“Our call center averages 20,000 to 22,000 calls every month,” she said. “In May, we handled 20,423 calls,” she said. “In June, that number increased to 24,585 calls.”

As the taste problem emerged, she said, Columbia Water was quick to brief the city’s executive management, its city councilmembers — some of whom amplified the messages on their social media channels — as well as neighboring utility systems that were also affected by the geosmin rise, and city employees. As the city worked on treatment solutions including additions of activated carbon to the water, as well as copper sulfate, which required SC Department of Health and Environmental Control approval, Latimer said they worked to remain transparent about the process.

“We wanted to make sure we provided clear, accurate, precise information, and

just be honest about what was going on,” she said.

The key message emphasized that the water remained safe, she said, but beyond that they also aimed to acknowledge that the taste was objectionable, and to share steps that customers could take to help with the taste for the time being, like chilling the water, or adding lemon.

Beyond the fact sheet used to keep staff, in the call center and otherwise, up to date, Columbia Water also provided a dedicated page on its website explaining the issue, and maintained press releases and social media posts.

A post from May 30 reads, in part, that the taste issue “is related to elevated algae levels in the raw water, and it is harmless. We realize, though, that this is a nuisance for our customers, and we are continuing to employ the treatment processes that have been in place since this taste and odor situation was first noticed a few weeks ago.”

The post also apologized for the inconvenience and offered the Customer Care line number for concerns.

At the same time as all of the communication efforts, the changes made to the treatment process were having an effect. The geosmin levels in the treated

drinking water peaked on June 7 at 376 ppt, and was down below noticeable levels within several days. The Columbia Canal conditions that led to the record amounts of algae bloom shifted, with the source water concentrations peaking at 953 ppt on June 8 and declining quickly.

Shealy pointed to the success of getting information to the news media, and getting the news media to pick up the information and run it, as key to making the communication effort smoother than it could have been.

“If not for the news media,” he said, “we would have been inundated with calls. They helped us get the word out early.”

Keeping Social Media Engaging and Professional

Managing a municipality’s social media presence requires finding a balance between what will be engaging for the audience, and what will read as “professional.” The goal, many times, is to encourage community involvement while avoiding an excessively public political back-and-forth — and it often requires a deft touch.

“Typically, government social media accounts are boring,” said Ryan Johnson, economic development and public relations director for the City of North Charleston. “You have to get people’s eyeballs on what you are doing, because generally civic engagement is tough.”

This includes encouraging residents to participate in their local government, whether it’s attending city council meetings or providing public comment on city initiatives.

“You have to get creative sometimes, have really good, engaging content and invest in the quality of your images and video,”

Johnson said. “And levity helps get eyeballs on what you’re doing.”

For Johnson, this can mean posting content that is not necessarily related to the city’s mission.

“We’ve done silly stuff or off-the-wall stuff just to get people’s eyeballs on our accounts,” he said. “When a hurricane rolls around and you need to get a message out about sandbags and road closures, those 10 followers you might have gotten from that silly ‘Friday’ GIF or unrelated ‘Monday’ image, that’s 10 more people that know about your road closure or hurricane message.”

In a recent example of using humor to inform, Johnson reminded residents ahead of Hurricane Ian’s arrival that floodwaters from storm drains was not safe to wade or kayak in.

“That’s poo water,” his post read, along with a photo showing how sewage rises up from a sewer in a flood.



Forest Acres used the occasion of six property owners annexing in as a chance to highlight its services to enclave property owners. Photo: City of Forest Acres.

“As someone who has managed social media for a long time, you have to have fun in doing what you are doing, and posting about mundane things all the time isn’t very fun,” he said.

Johnson joined the City of North Charleston in 2006 and launched the city’s social media presence in 2009. He has added a content coordinator who specializes in video content that gets the most views and comments. The city does not pay to boost its content, but all its stories and video live on its website or



After Hurricane Ian, North Charleston used social media to spread the word on how city inspectors were handling damage inspections, and how residents could report damage. Photo: City of North Charleston.

YouTube channel, so residents can find the information even if it doesn't pop up in their feeds.

North Charleston has a presence on Facebook, Instagram, Twitter and YouTube. It aggregates its best content for email newsletters and even plays its videos on televisions around city hall.

"You can't just put out your post and be done with it," he said.

Providing essential information in an entertaining way is a longstanding skill for Lynnsey Baker, who joined the City of Forest Acres as the public information officer in 2022 after more than 15 years as a broadcast journalist.

"I basically take a news approach to content for social media, which is taking complex subject matter and trying to break it down to a level the average viewer can understand," Baker said. "I try to do that for our budget — why we are spending your tax dollars on certain things. I essentially write it how I would have written it for news."

She also uses her experience to "break news" on her social channels rather than waiting to repost something local media might cover, especially on the Forest Acres Police Department's social platforms that she also manages.

"I write those posts like mini-news articles," she said. "I don't feel like I have to wait on the news stations to come cover us. I can cover us for our audience."

Baker also uses the city's platforms to promote new businesses or other celebratory events and those posts get some of her best engagement numbers, such as when she made an Instagram reel for a new restaurant opening and got 7,000 views — strong engagement that can keep the city's posts in resident's feeds.

Baker said another way to boost their presence in residents' social media feeds is to respond to questions.

"If someone takes the time to write a question, I try very hard to go find that answer for them," she said.

While that can lead to some negative comments or posts, she said she endeavors to answer those in a positive way. Residents might complain about increased traffic and difficulty parking because of new business, so she reminds them that the new business keeps the city vibrant.

"Nine times out of 10, someone who comes at something in a combative way is really just looking to be heard and wants an answer," she said, adding that some complaints are simply beyond the city control, like potholes on state-owned streets.

She said she uses complaints as an opportunity to gently educate residents and give them ways to voice their concerns with the correct government agency.

"There is an art to taking a comment, validating someone's concern and educating them without sounding preachy," Baker said.

Learning how to answer potentially negative commentary while remaining positive has been part of on-the-job training for Onye Cosom, who has been managing Blythewood's social media channels since May 2022.

"What I realized is when you don't say anything, it can make our social media presence not look reliable or strong," said Cosom, who is also the town's marketing and special projects manager. "I think it's important for us to be that place where people can ask questions and get answers publicly, and see that we are paying attention to what they're saying and that we value their opinion."

The town is primarily active on Facebook and Instagram. Cosom also uses an every-other-week email newsletter to keep residents informed.

Cosom mixes in information about livestreamed council meetings, but her analytics have shown her audience is more interested in event information and in-the-moment images.

"When I first started, I did some analytics and figured out what people want, what are they looking for, what gets engagement and what doesn't," Cosom said, adding that each channel is different even though many of the same people follow the town on multiple channels.

"On Instagram, people love real-time pictures and video, they want to be in the moment with you," she said. "On Facebook, people want to know what's going on in a more formal way, especially events. So one of my tactics is to pin upcoming events to the top of our page."

A big content driver is promotion of local businesses — everything from jewelry stores to nail salons to restaurants — including any specials they might be offering.

"I try to promote pretty much everything I see that is directly tourism-related," she said — "everything that spotlights our businesses and encourages people to visit here."

Calendar

For a complete listing of the Association's training opportunities, visit www.masc.sc to view the calendar.

FEBRUARY

7 Hometown Legislative Action Day. Columbia Marriott. Find more information on page 1.

8 Municipal Elected Officials Institute of Government. Columbia Marriott. Topics for Session A include an overview of local government planning and zoning; conducting public meetings; and strategic planning. Topics for Session B include municipal annexation, business license tax administration, and ethics and public accountability. Courses also include Advanced Continuing Education, as well as the Advanced MEO Institute topics of public safety policy and administration and municipal utility policy and administration.

14 - 15 Municipal Court Administration Association 101 Session C. Municipal Association of SC, Columbia. Topics include court financials.

14 - 17 International Institute of Municipal Clerks Region III/Municipal Finance Officers, Clerks and Treasurers Association Spring Academy. Wild Dunes Resort, Isle of Palms. Topics include redistricting, virtual meetings and preventing municipal fraud.

28 Risk Management Services Verbal De-escalation Training: Surviving Verbal Conflict. Cooperative Conference Center, Columbia.

MARCH

2 SC Association of Stormwater Managers First Quarter Meeting. Cooperative Conference Center, Columbia.

8 SC Business Licensing Officials Association Spring Academy. Cooperative Conference Center, Columbia.

13 - 15 SC Utility Billing Association Annual Meeting. The Beach House, Hilton Head Island.

23 Municipal Technology Association of SC Spring Meeting. Cooperative Conference Center, Columbia.

APRIL

14 Municipal Court Administration Association of SC Spring Meeting. Cooperative Conference Center, Columbia.

18 Risk Management Services Competent Person Trenching and Excavation Training. Municipal Association of SC, Columbia.

19 - 21 Municipal Clerks and Treasurers Institute, Year 1, Session B. Hilton Columbia Center, Columbia.

27 SC Municipal Human Resources Association Spring Meeting. Cooperative Conference Center, Columbia.