

City Council Minutes
May 17, 2022

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 17, 2022, at 6:00 PM with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Dr. Kalu Kalu, Mayor Pro Tem
Bernard Haire
Jerry Hannah
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu to approve the May 3, 2022, City Council minutes. The motion was unanimously approved.

Department of Public Safety (DPS) Interim Chief Charles Austin addressed Council concerning an update on the Forensics Lab. He stated, "We are happy to update you on our Forensics Lab which is a collaboration with Claflin University. Here tonight with me are Lt. Colonel Ed Conner, Sargeant Danny Dantzler, and lab professionals Ms. Amanda Webb and Ms. Jennifer Clayton. We want to present to Council the accreditation certificate stating the City of Orangeburg Department of Public Safety Forensics Laboratory is approved through the Federal Bureau of Investigations (FBI) for forensics testing. We hope to offer these services on a regional basis to other municipalities and organizations. This is quite an accomplishment that began some years ago."

City Administrator Sidney Evering addressed Council concerning appointments of two expiring Employee Grievance Committee terms. He stated, "There are two terms expiring on June 4, 2022, on the Employee Grievance Committee. The following nominations have been made by the respective Division Managers to fill the expiring terms. The following employees have agreed to serve for the three-year terms. Ms. Anna Bloome Brunson, Parks and Recreation, as a re-appointment and Mr. Leandra Felder, Service Department, as a new appointment."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to approve the appointments of Ms. Anna Bloome Brunson and Mr. Leandre Felder to the Employee Grievance Committee for three-year terms ending 06-04-2025. The motion was unanimously approved.

Assistant City Administrator John Singh addressed Council concerning a Resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. He stated, "The City of Orangeburg has been part of the Housing Consortium since its inception, and we have watched it grow. There is no charge to the City for this and every three years it comes up for renewal. The City of Orangeburg is not an entitlement community. In entitlement communities, there are certain federal funds that are distributed automatically for housing needs. By being a member of the Housing Consortium, HUD recognizes an area and funding can help with housing. Habitat for Humanity and New America are organizations in the City that receive funding through the Consortium."

Councilmember Haire asked, "Is the City of Columbia involved in this type of project?"

Assistant City Administrator Singh stated, "The larger populated cities like Columbia, Charleston and Greenville automatically receive direct funding from HUD. Otherwise, it must come through an organization such as a housing consortium. This Consortium was developed by the County of Orangeburg with the Lower Savannah Council of Government (LSCOG). Barnwell, Orangeburg, and Calhoun Counties are in our region to receive funding."

Mayor Butler stated, "I have talked with the City Administrator and Council about the City of Orangeburg establishing our own housing program with an executive director so we can better meet the needs of our citizens."

Councilmember Haire asked, "What do we need to do to start a program and how long would it take?"

City Administrator Evering stated, "Council allocated \$1,000,000 for affordable housing. In recent market analysis, lack of affordable housing in the City was recognized. But also, market rate housing is a need. We are looking to engage a consultant that could help take us through the process. It could take six months to a year to get the program up and going."

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu to approve the Resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. The motion was unanimously approved.

DPU Manager Warren Harley addressed Council concerning First Reading of an Ordinance Amending the City of Orangeburg Department of Public Utilities (DPU) Operating Budget for Fiscal Year Ending September 30, 2022 (DPU AMI Water Project). He stated, "Due to escalating cost, we need to amend the budget to allocate more funds to complete the project. The AMI Water Project allows us to put automated meters at every resident and business in our community to enable customers to track online usage. Sometimes there are leaks that customers may not know about until we notify them. This would help resolve some of that. We budgeted \$6.5 million, and the bids came back a lot higher. This is a previously approved project, and we are asking Council to add an additional \$1.1 million to this project. The bulk, almost half, will go to contingencies which are issues that may come up during the process. We are hoping we will not see a lot of those, and we will save that funding. The other portion are the water meters, the endpoints and the AMI infrastructure and taxes. We worked with consultants to shave \$500,000 off the price and ask that Council allow DPU to allocate the extra \$1.1 million to complete the project. The money is available in our reserves."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Knotts to approve the First Reading of an Ordinance Amending the City of Orangeburg Department of Public Utilities (DPU) Operating Budget for Fiscal Year Ending September 30, 2022 (DPU AMI Water Project). The motion was unanimously approved.

DPU Manager Warren Harley addressed Council concerning First Reading of an Ordinance Amending the City of Orangeburg Department of Public Utilities Operating Budget for Fiscal Year Ending September 30, 2022 (DPU Hampton Street Sewer Project). He stated, "The DPU Hampton Street Sewer Project was another preapproved project. We have \$500,000 in grant funds and DPU allocated funding for the project. The bids came in much higher than what we expected. The low bid being GH Smith Construction, Inc. I would ask that you approve the allocation of extra funds of \$234,884. The extra funding would be taken from our reserve funds."

Councilmember Stroman asked, "I think we should go with the number two bid, Porth Contracting Company, Inc., instead of the lowest bid. Porth is local and the money will be spent here in Orangeburg and the other company is from out of town. The other company did the work on Joe Jeffords about 15 years ago and planted the kind of grass that I have been fighting for 15 years. Also, about a year after the job was completed, we had to dig about a six-by-six hole in front of my property because it was leaking. I think we should go with Porth. I think he does better work, and the low bid is not always the best."

Mayor Butler stated, "We, as Council, cannot get in the bidding process as there have been guidelines set."

DPU Manager Harley stated, "DPU has done work with several of these contractors. At this point, we would recommend going with GH Smith Construction, Inc. The question before Council was not on the contractor, it was on allocating extra funds of \$234,884."

Mayor Butler stated, "This is a DPU pre-approved project and now DPU is requesting to allocate extra funds to complete the project."

Mayor Pro Tem Kalu asked, "If DPU uses GH Smith Construction, Inc. for this project, will you require them to use something local?"

DPU Manager Harley stated, "When we put a bid package together, we build a criterion for the bid. Excluding them based on local was not a part of our rating criteria. I think if we were to

disqualify the low bid in this instance, and not have a reason based on the criteria that was in the bid package would be problematic for DPU and Council.”

Councilmember Haire asked, “Do we have records of GH Smith Construction, Inc. and Porth Contracting Company, Inc. performance with DPU?”

DPU Manager Harley stated, “Yes, both of these contractors have done work for DPU, and both do excellent work.”

Councilmember Haire stated, “Based on what Mr. Harley said, they met the criteria. In future projects, if Council decides, additional criteria can be put in for local preference.”

DPU Manager Harley stated, “Council has the right to set your procurement ordinance. We can add the process to give local preference if Council wishes. That is not currently a part of our process. We look at quality of work, price, and the capability of the contractor to do the job. At this point, we have gone through the process, and it would be unfair for us to change the rules at this juncture. I also want to add this could jeopardize the grant funding as well.”

Councilmember Keitt stated, “Council must remember that we are not the day-to-day operation. This ordinance before us tonight is amending the DPU budget. We do not, at this point, have the right to change the bid process.”

Councilmember Stroman stated, “I cannot agree with his quality of work. If he did quality work, why did DPU have to fix the leak six months to a year later? Also, it looks like he would have come back and fixed a small thing like grass.”

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts to approve the First Reading of an Ordinance Amending the City of Orangeburg Department of Public Utilities Operating Budget for Fiscal Year Ending September 30, 2022 (DPU Hampton Street Sewer Project). The motion was approved 6-1. Councilmember Stroman voted no.

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to go into Executive Session for Contractual Matter a) Discussion of Hillcrest Lease Agreement S.C. Code Sec. 30-4-70 (a) (2). The motion was unanimously approved.

Council did not return to open session. There being no further business the meeting was adjourned.

Respectfully submitted,

Linda McDaniel

Linda McDaniel
City Clerk



VOID

VOID

VOID



RESOLUTION

A RESOLUTION ESTABLISHING AND AGREEING TO PARTICIPATE IN THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM

- WHEREAS,** the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the HOME Investment Partnerships Program (hereinafter the "HOME Program") to provide funds to states and local governments for affordable housing assistance with the flexibility to decide what kind of housing assistance or mix of housing assistance is most appropriate for local needs; and,
- WHEREAS,** the City of Orangeburg has affordable housing needs; and,
- WHEREAS,** the City of Orangeburg desires to increase affordable housing opportunities for its present and future residents, particularly for very low-income persons; and,
- WHEREAS,** the City of Orangeburg desires to enter into affordable housing development activities which are directed toward the above general purposes, and for those reasons, wishes to seek such Federal funding as may be available to it pursuant to the Act; and,
- WHEREAS,** the City of Orangeburg desires to enter into the affordable housing activities and has determined that joint action with other units of local governments that choose to participate in accordance with the "Inter-Governmental Agreement Establishing the Lower Savannah Regional HOME Consortium" the terms of which are incorporated by reference and such relevant HUD regulations and requirements as may now or hereafter be in effect would benefit the City of Orangeburg.

BE IT FURTHER RESOLVED, that the Mayor and City Council, in Council duly assembled, authorize Sidney Evering, II, City Administrator of the City of Orangeburg to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional HOME Consortium FY 2022-2025" on behalf of the City of Orangeburg, as well as all other documents necessary to form the Consortium and to carry out and fulfill its purposes for FY 2022-2025.

ADOPTED BY the City Council of the City of Orangeburg, State of South Carolina, this 17th day of May 2022.



ATTEST:

Linda McDaniel
City Clerk

Michael C. Butler
Mayor

Glenn Hare

Sandra P. Roberts

Kelvin A. Howard

D. Zimmerman

Keith

Richard L. Starn
Members of Council