

CITY COUNCIL MINUTES

JANUARY 5, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 5, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Miller.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the December 15, 1998, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Doris Green, Partnership Specialist for the U.S. Census Bureau, presented information to Council on the Year 2000 Census. She stated the Census is conducted every ten (10) years, which is essential in determining state and Federal funding and apportionment. "It concerns us that in 1990 the Census was an undercount. We need to get your support and everyone in the community to help us ensure in our state there is a complete count." She asked for Council's help in forming a Census 2000 Complete Count Committee of local representatives from all segments of the community. The committee will be made up of volunteers who will develop a plan of action to promote awareness and support. Also, she asked that Council issue a Proclamation in support of Census 2000 and that this be well publicized. Mayor Cheatham stated that he was concerned that citizens are tired of telephone and letter inquiries and he's afraid the census will have the same negative effect. He stated, "We need to emphasize this is a once in every ten year project. The revenue we receive back from the state and Federal governments depends on this." Councilmember Rheney stated that the 1980 Census was done door to door and why couldn't that be done again. City Administrator Yow asked if County Council had also been approached about this.

A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance establishing attendance requirements of members of Board and Commissions. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to annex City property formerly owned by Orangeburg County, into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to annex City property formerly owned by Syphrett, Smoak, Fogle, Rambler's Enterprise and Etal., into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to annex City property formerly owned by Adele Bates Bailey, into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to annex City property formerly owned by Orangeburg County, now known as the City Garage, Sanitation and Service Department, into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

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A motion was made by Councilmember Miller, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance to amend FY 1998-99 City of Orangeburg Budget regarding the millage rate, rolling it back from 75 mills to 72 mills. This motion was unanimously approved.

City Administrator Yow stated that he had provided bid documents for Council's review for improvements to Riverside/Russell Street Intersection. The entire project will consist of two and one-half (2-1/2) blocks of improvements. The project calls for the redesign of the entire intersection for both traffic and beautification. Included are brick crosswalks, underground wiring and islands in the middle of each lane to allow landscaping. He stated, "Our recommendation is to accept the lowest responsive bidder, which is Cherokee Construction Company of South Carolina. Cherokee Construction Company of South Carolina submitted a total base bid of \$298,725.00 and a bid of \$124,090.00 for alternative #1. Alternative #1 is brick pavers in place of asphalt (textured pavement). Cherokee's total bid is \$422,815.00. The actual lowest bidder did not have an adequate license to bid a project this size, therefore, their bid is not responsive and could not be accepted." He stated that the City has already entered into an agreement with the SC Department of Transportation in which they will provide \$67,000 toward signalization and other improvements at the intersection. He thanked the Department of Public Utilities, who is participating by providing the decorative lamp posts and lamps as well as electrical wiring for these lamps. This project will be paid for from the Hospitality and Accommodations Tax Fund.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to give City Administrator Yow authority to enter into an agreement with Cherokee Construction Company of South Carolina in the amount of \$422,815.00 for the Riverside/Russell Street Intersection Construction. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution accepting the low bid of \$284,440 from Mainlining Service Corporation of Elma, New York, for the cleaning/lining of old cast iron water mains within the City limits. This motion was unanimously approved. DPU Manager Boatwright stated that prices are going down each year for the ongoing project and that the bid is 5% less than budgeted.

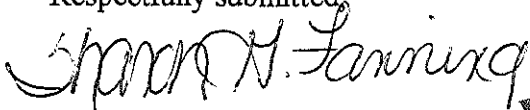
Mayor Cheatham announced that DPU's Bio-solids Facility has been selected as winner of the 1999 Keep America Beautiful of South Carolina Reduce, Reuse, Recycle Award in the City Government Category.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter concerning BellSouth Litigation. This motion was unanimously approved.

Council returned to open session. A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to amend Chapter XII of the Code of Ordinances of the City of Orangeburg for the purpose of amending Business License Fee Schedule for telephone communication services from 5% to 3%. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



RESOLUTION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on December 17, 1998 for cleaning and cement mortar lining 16,645 linear feet of non-lined cast iron water distribution piping in the city limits; and

WHEREAS, the low responsible bid for this work was submitted by Mainlining Service, Inc. of Elma, New York in the amount of \$284,440.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED THAT Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

PASSED by City Council, in Council assembled, at Orangeburg, South Carolina this 5th day of January, 1999.



Martin E. Cheatham
Mayor

Sam Haire
Danika P. Knotts

Paul Miller

L. J. Zimmerman

Joseph W. Kheneff

D. H. Smith
Members of Council

ATTEST:
Sharon M. Lanning
City Clerk

CITY COUNCIL MINUTES

JANUARY 19, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 19, 1999, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. An invocation was given by Reverend Lawrence Braddy.

PRESENT:

Bernard Haire
L. Zimmerman Keitt
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Martin C. Cheatham
Sandra P. Knotts

City Council proclaimed November 18, 1998, as "Dr. Randolph Smoak Day" in the City of Orangeburg. Mayor Pro Tem Keitt presented Dr. Smoak with the Proclamation.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the January 5, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend Fiscal Year 1998-99 City of Orangeburg Budget regarding the millage rate, rolling it back from 75 mills to 72 mills. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to amend Chapter XII of the Code of Ordinances of the City of Orangeburg for the purpose of amending Business License Fee Schedule for telephone communication services from 5% to 3%. This motion was unanimously approved.

City Administrator Yow told Council that he had received a letter from County Administrator Hilliard requesting building permit fees to be waived for renovations to the Department of Juvenile Justice building and modifications to the Circuit Court Judge's office suite. The total fees are \$348.00 and have already been paid by the contractors. A motion was made by Councilmember Haire, seconded by Councilmember Miller, to waive building permit fees in the amount of \$348.00 as requested by the County of Orangeburg. This motion was unanimously approved.

City Administrator Yow told Council that Ferland, Inc., has requested that the City enter into a new one year lease agreement for the use of Hangar 1 at the Orangeburg Municipal Airport. He stated that Ferland, Inc., intends to use Hangar 1 for a period of one additional year to continue providing aircraft maintenance services including the painting of aircraft. He stated that the Orangeburg Aviation Commission has reviewed this request and recommended that the City lease Hangar 1 to Ferland, Inc. The rental of the hangar has been increased from \$250.00 per month plus 3% of gross income to a flat lease amount of \$550.00 per month. It will still be necessary to pass an Ordinance authoring this lease.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve a lease contract with Ferland, Inc. to lease Hangar 1 at the Orangeburg Municipal Airport for a period of one year. This motion was unanimously approved.

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The Department of Public Utilities brought no utility matters before Council.

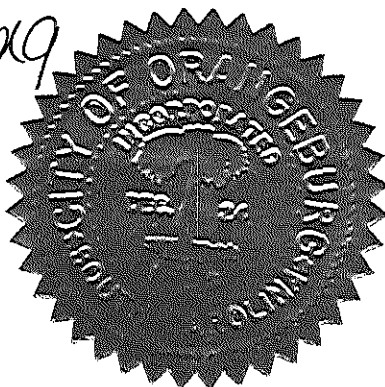
There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

FEBRUARY 2, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 2, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Knotts.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the January 19, 1999, City Council Minutes as distributed. This was a 6-0 vote. Mayor Cheatham abstained from voting as he was not at this meeting.

Mr. Joe Binnicker CPA, of C. C. McGregor and Company presented the Fiscal Year 1997-98 audit result report to Council. He stated that they issued an unqualified opinion again and that there were no matters involving internal control weaknesses. "Overall, the City and Department of Public Utilities are in excellent financial health." He stated, "That revenues exceeded expenditures for the City's General Fund operations by \$272,000.00. The Department of Public Utilities revenues are down from the previous year which is due to decrease in the rate structure, coupled with an increase in power costs. Hillcrest Golf Facility, combined with the Pro Shop, had a profit of \$8,000 and is well on its way. The Orangeburg Municipal Airport had an operating loss of \$85,000 including over \$40,000 in depreciation. Hopefully, it will be up and running shortly." Mayor Cheatham stated that, "We're familiar with the airport situation. We've got to get through the airport expansion and see what to do to offset the losses. Hopefully, the runway will be completed this year or by the year 2000."

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to amend Chapter XII of the Code of Ordinances of the City of Orangeburg for the purpose of amending Business License Fee Schedule for telephone communication services from 5% to 3%. This motion was unanimously approved.

City Administrator Yow told Council that Mr. D.D. Salley's term on the Election Commission is about to expire. He asked that if Councilmembers have a nomination please give it to him prior to the next Council meeting so a ballot may be prepared.

City Administrator Yow asked Council to pass a Reimbursement Resolution for the capital projects to be funded by the 2% Hospitality and Accommodations Tax Fund. He stated that the City will be borrowing approximately \$4.3 million to fund a variety of projects and this Resolution allows the City to start some projects and once the money is borrowed to reimburse itself. This Resolution is required by the IRS before the City can reimburse itself. Some of the projects are on the list for both the City's 2% Tax and the County's 1% Capital Sales Tax for partial funding from both taxes. He stated that the City does not anticipate spending the \$4.3 million on all of the projects before the money is borrowed. Councilmember Miller asked about a timetable for starting the projects. City Administrator Yow stated that the Russell/Riverside Intersection project has been started, the Gardens parking lot is half completed, the cart paths project should be started in early summer and the Stevenson Auditorium project is ongoing and work is expected to begin on the Broughton Street parking lot soon. Other projects should be started by late 1999 or early 2000.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve a Reimbursement Resolution for capital projects to be funded by 2% Hospitality and Accommodations Tax Fund. This motion was unanimously approved.

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A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the First Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Orangeburg County to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, known as the City Garage to Municipal Council District #2. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Adele Bates Bailey to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Syphrett, Smoak, Fogle, Rambler's Enterprise, Etal., to Municipal Council District #6. This motion was unanimously approved.

There were no utility matters brought before Council.

Councilmember Haire asked Mayor Cheatham for a personal privilege. He stated, "There, as I was told was a drive or a move that is being spearheaded to bring the races here in Orangeburg together. I would like to say I believe that the races in Orangeburg need to be brought together and I hope that what I am about to say will not be taken out of context or misinterpreted. I think to bring the races together both sides are going to have to move toward each other. I was disappointed this past week by lack of participation or support from this body as it relates to leadership. What I am referencing is, Miss South Carolina State, Jennifer Mazyck, sent out letters to members of Council and other governmental entities here in the City of Orangeburg for a project that she was putting together that involved a Soup Bowl. She invited the community to come by and have soup with her, in a very lovely set up that was prepared in the Student Center. She asked that donations be made of clothing so she could then contribute it to the Salvation Army. I thought it was a worthwhile project. In checking with her advisor, as well as with Ms. Mazyck, I was informed that she did not have that kind of support from Council as I thought she might have. I raised an issue some time ago as it relates to getting support for the two (2) institutions, South Carolina State as well as Claflin College, and I still have not seen any kind of support that has come from the leadership from this Council where in there seems to be an attempt to get closer together. As I stated before, there are programs that are out there at these institutions, athletic programs and other programs that the community has been involved in over and over again and there seems not to be that kind of movement that would bring us together. Now, spending five minutes with Miss South Carolina State on this particular project, I think, would have done much to help students see that the white community in Orangeburg is reaching out and I don't see that. I just want to say I was greatly disturbed because I did not see not one majority Councilmember present at this particular gathering and it troubles me. Thank you Mr. Mayor."

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Councilmember Miller stated, "I don't know what you're talking about. I never received anything on it. I will say that I feel I have been supportive of South Carolina State University with purchasing football tickets and supportive of the Athletic Department and I try to participate in a lot of things that are in Orangeburg, but I did not receive anything from that young lady or otherwise I would have responded."

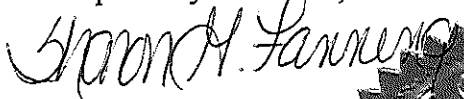
Councilmember Haire stated, "In talking to her advisor all the Councilmembers had been sent letters, but I do apologize if you did not get one, I do apologize." Mayor Cheatham stated, "I received my invitation and I responded to it and because of my illness, I could not attend, but I responded and let them know that I couldn't. But I spend a great deal of time at Claflin and at South Carolina State University, meeting with a lot of people, attending functions. Your points are well taken, Mr. Haire, but I'm over there at times when a lot of people don't know about it. In fact, I tell a lot of people I spend a great deal of time at both Claflin and South Carolina State as I do at other institutions in Orangeburg. Your point is well taken and I appreciate your concerns and we just need to continue to work towards a better understanding between all of us and someday we can overcome a lot of these deficiencies that we have in life."

Councilmember Salley stated, "On last Thursday there was a concert at South Carolina State that was well attended. The auditorium was not full but it was almost full. It was one of the best concerts we've ever had out there. I've missed one concert since it started. I was not able to be at the Stevenson Auditorium Friday night, but according to the picture in the paper it looked like it was well attended and it was not a single event, it was a mixture of both races at both places. I think we are making an effort and I think we are beginning to come together some. Certainly the concerts are being better received than they have been and if they continue in the way they have been doing, they're getting better each time. One of these days, you're not going to be able to get into that auditorium."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for discussion of a contractual matter concerning the Orangeburg Municipal Airport and discussion of purchase of real property concerning the Administrative Department. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



RESOLUTION
CITY OF ORANGEBURG
FOR DECLARATION OF OFFICIAL INTENT TO REIMBURSE OR
REFINANCE COSTS OF MUNICIPAL PROJECTS
WITH TAX-EXEMPT FINANCING

WHEREAS, the City of Orangeburg plans to acquire, construct and/or equip several municipal projects listed below; and

Children's Spray Fountain
Cart Paths
Downtown Parking Lot
Russell/Riverside Intersection
Hillcrest Parking Lot
Stevenson Auditorium
Broughton Street Parking Lot
Gardens Parking Lot
Downtown Streetscape
Gardens Entrance/Improvements
Issuance Costs

WHEREAS, the City Council of Orangeburg, South Carolina, desires to declare its official intent to reimburse and refinance certain costs of the project through the use of its bonds, a lease or other obligations to provide such reimbursement.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby declares, pursuant to Treasury Regulations Section 1.150-2, its official intent to reimburse and finance the costs for the Project through the use of tax-exempt bonds, a lease or other obligations for the purpose of reimbursing costs of the Project up to \$4,350,000.

BE IT FURTHER RESOLVED, that a copy of this Resolution be placed in the official records of actions of the Governing Body and be made available for inspection by the public in accordance with the provisions of law.

ADOPTED, this 2nd day of February, 1999.

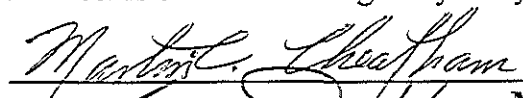
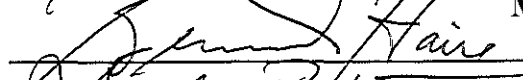
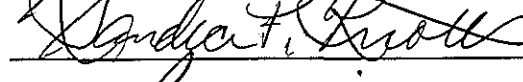
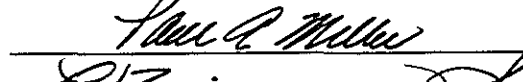



CERTIFICATE OF ADOPTION

The undersigned hereby certifies that the foregoing Resolution was duly adopted at a meeting called and held by the Governing Body on the date set forth in the foregoing, at which a quorum was present and acting throughout, and that said Resolution has not been repealed and is in full force and effect, and a copy of which is contained in the official records of the Governing Body in my control.



ATTEST:


CITY CLERK


MAYOR






MEMBERS OF COUNCIL

CITY COUNCIL MINUTES

FEBRUARY 16, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 16, 1999, at 7:00 P.M., in Council Chambers with mayor Cheatham presiding. An invocation was given by Associate Pastor Samuel Williams, Jr., of Mount Calvary Baptist Church.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the February 2, 1999, City Council Minutes as distributed. This motion was unanimously approved.

Mrs. Anne Sutcliffe Lyerly addressed Council about rental property she owns in the City. She stated, "I am very concerned as a citizen and taxpayer because I have had remarks made to me that they want these poor people out of this town. I have written all of you a letter. They don't want these people in the town and that is not fair to them. They've got to have a place to live and I'm very concerned about that. They think I don't care because I don't live here. I am very, very concerned about some of these employees and the remarks they have made about these people. They cannot help being poor and there's nothing wrong with being poor. I would like Council to look into this." Mayor Cheatham asked, "Who made the remark to you?" Mrs. Lyerly responded--One of our employees, Mr. Durwood." City Administrator Yow asked to respond to that.

"Mayor, we've never heard of anyone making a remark of not wanting poor people in our town. The remarks made are that we want landlords to keep properties suitable, safe and healthy for the persons to live in them and I don't know how we jumped into poor persons not living in this community when its apparent that we've done everything to promote safe, affordable housing for them. Mrs. Lyerly has been written letters to clean up and fix up properties and we're going to stand by that. Not just with her but with other property owners in the City." Mayor Cheatham stated that, "One of my goals in the City of Orangeburg is to remove all the unhealthy, unsafe, dilapidated, rundown homes in Orangeburg. We have eliminated close to 80 to 100. We have Community Development Block Grant programs where we have made improvements to a lot of the homes. Jointly with the County we received a federal grant, and we built about eight (8) homes in the City and thirty-four (34) in the County. Our aim and our goal is to bring a good quality of living facilities to these people. We've worked with Habitat for Humanity and we're thinking about down the road to hire a Housing Administrator to help us eliminate some of these homes that are unfit to live in. I can't believe Mr. Bowden would make such a statement knowing of his real concern to ensure that we provide good housing for our citizens." City Administrator Yow stated, "I will go on record saying Mr. Bowden did not make that statement." Mrs. Lyerly responded, "You were not there and I was in his office and he made that statement. I would also like to state I donated land for Habitat. Mayor Cheatham stated, "Mr. Yow knows Mr. Bowden and he's worked for him for about two and one-half years and has a very commendable record and has done a tremendous job in the capacity in which he serves." City Administrator Yow asked to make one other point. "The alleged and maybe misunderstood conversation really didn't need to take place after we have contacted individuals to clean up the properties and to eliminate unhealthy, unsafe conditions and it would be my wish to work together in the future and it not be necessary to contact the property owners and issue them citations."

Mrs. Lyerly stated, "I think a lot of these conversations go on at the Golf Course with the police." She showed Council pictures of surrounding properties. She stated, "They sent the police to the door to make the tenants leave. City Administrator Yow showed Council pictures of Mrs. Lyerly's property after some cleaning up had already been done, but the properties were still in deplorable

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shape. She stated, "It seems to be in their way, they want a clear shot to see through, that's what they told me." Mayor Cheatham asked, "Who wants a clear shot". Mrs. Lyerly stated, "Mr. Durwood said that the police want a clear shot to see through. They still won't have a clear shot even if its torn down." Mayor Cheatham asked how long has the plywood been there. She stated, "About ten days. I did board it up." City Administrator Yow stated for the record, "Mrs. Lyerly was first contacted on this particular piece of property in May of 1998, but there have been other properties." She stated, "But then we came to an agreement to board it up. Then they wanted it down." Councilmember Rheney asked DPS Director Davis, "Is this an area where you have trouble? He responded, "It is. We have people who move into the empty homes and we have neighborhood meetings and they complain about these empty houses. We have to address them." Councilmember Rheney asked, "For the record how many homes have we fixed up in the City of Orangeburg for the low income?" City Administrator Yow responded, "Forty-five (45) and we were party to a grant that resulted in almost forty (40) more new homes being built. We to have assisted Habitat for Humanity and initiated over one-hundred (100) dilapidated structures being removed from these neighborhoods We're quite proud of our record in the past four or five years in assisting these people in these neighborhoods." Mrs. Lyerly asked, "How many houses have you sent the police to ask the people to move out so you can condemn them." Mr. Yow stated, "I don't know that we have done that." She stated, "I was told none." He responded, "This is completely lawful. If a landlord is providing unsafe inhabital conditions for a person and charging rent its quite lawful to go to that person and tell them that the landlords property is going to be condemned."

Mayor Cheatham stated, "Mr. Yow tells me that the City sent you a notice in 1998, to remove that property that had been condemned and here it is February of 1999 and it still hadn't been cleaned up." She stated, "It is all pushed in a pile ready to be hauled off." He stated, "That's all Mr. Bowden is trying to do is get it cleaned up." If you tell him you are going to do something, he expects you to do it. If you don't do it he's got to take other measures. That's his job. That's his responsibility. He works for Mr. Yow and he has to answer to him. We are going to remove these dilapidated homes in Orangeburg and I don't care who owns them, who's in them or what as long as we have places to relocate these people. We're not going to put anybody out on the street. We're going to get rid of these houses that have deteriorated to the point they are uninhabitable." City Administrator Yow stated, "She has been given another extension. She had been given three extensions by City staff before a citation was issued. She has already been to Municipal Court on it. She was found guilty with a suspended fine and given thirty (30) days to clean up." She stated, "When police go down there, if they would go down there to correct a problem and not to put renters out." Mayor Cheatham stated, "I'm going to defend Mr. Bowden and I consider him a very honorable employee who does a tremendous job and I don't know whether you're right or not but he is very highly regarded. I don't believe he has any animosity toward any citizens. He doesn't want to put anybody out on the street. He's just trying to do a good job."

City Administrator Yow stated, "I would just ask Mrs. Sutcliffe if there are any properties in her name and neighborhoods that she knows of these types of situations going on that she contact us next time prior to getting a citation for her property."

Councilmember Haire stated, "I am somewhat troubled by the statements that were made and evidently somebody's lying. There was a statement to the fact that certain things were said and at this point they are being denied. I would hope that we would take this issue serious to the extend that we hope to get to the bottom of this. I don't, as a Councilperson, appreciate either the complainant coming to me and giving me a statement that is false or an employee that is giving a statement that is false. At this point there is a false statement that is being made. I'm not accusing anyone. I would hope that we could get to the bottom of this." Mayor Cheatham repoded, "And we will."

City Administrator Yow stated that he had received two nominees, Mr. D. D. Salley and Ms. Evelyn Hubbard for appointment to the Election Commission. Mayor Cheatham called for the vote for Mr. D. D. Salley. Mayor Cheatham, Councilmembers Rheney, Salley and Miller voted for Mr. Salley.

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The vote was called for Ms. Evelyn Hubbard. Councilmembers Haire, Knotts and Mayor Pro Tem Keitt voted for Ms. Hubbard. Mr. D. D. Salley was re-elected by a 4-3 vote to the Election Commission.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Orangeburg County to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, known as the City Garage to Municipal Council District #2. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Adele Bates Bailey to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Syphrett, Smoak, Fogle, Rambler's Enterprise, Etal., to Municipal Council District #6. This motion was unanimously approved.

Reverend Cecil Diggs asked Council for their support and help to construct a Nature Fitness Trail Project at Marshall Elementary School. He presented sketches of the trail project and asked for Council's help in granting the City and DPU's help with the construction to outline the trail by using the City's backhoe and labor. City Administrator Yow asked about the time frame of the project. Reverend Diggs responded that they would like this done the second week of March.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to instruct City Administrator Yow and DPU Manager Boatwright to get together and develop a time frame to help with the project at Marshall elementary School with the use of two backhoes. This motion was unanimously approved.

City Administrator Yow told Council that he had not received any information on the Census Count that Ms. Green had presented at an earlier meeting. He recommended that appointments be made to a Census Count Committee. Councilmember Haire stated that he thought each Councilmember should appoint one person to serve on the committee. All Councilmembers agreed. Appointments should be turned in to the City Administrator Yow before the next meeting.

First Reading of an Ordinance to lease a hangar to Ferland, Inc., was deferred until a later meeting.

City Administrator Yow told Council that he had received a request from Orangeburg County Administrator Donnie Hilliard to waive a building permit fee for the remodeling and repair to the Tri-County CASA/Family Center building which is owned by the County of Orangeburg. The building permit fee is \$286.00. A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the request from Orangeburg County.. This motion was unanimously approved.

There were no utility matters brought before Council.

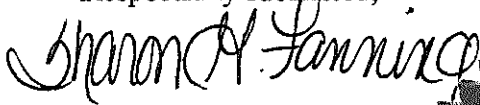
**CITY COUNCIL MINUTES
FEBRUARY 16, 1999
PAGE 4**

City Administrator Yow presented to Council as information, that the Russell Street and Riverside Drive Streetscape Project at the entrance of Edisto Gardens will require a detour around the project during the construction period and until its completion. He stated that it would be necessary to close off Riverside Drive but you may still visit the Gardens by entering and exiting from the same route. There will be no detour during the Rose Festival.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter concerning the City of Orangeburg vs. Southern Vista, Inc. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

MARCH 2, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 2, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

W. Everette Salley

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the February 16, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Orangeburg County to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, known as the City Garage to Municipal Council District #2. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Adele Bates Bailey to Municipal Council District #6. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Syphrett, Smoak, Fogle, Rambler's Enterprise, Etal., to Municipal Council District #6. This motion was unanimously approved.

Each Councilmember gave City Administrator Yow an appointment to the 2000 Census Count Committee. The appointments were Robert Ford, Leroy Morant, Carolyn Riley, Andrew Louise Jordan, Joe Bonnette and Faye Keller. Councilmember Salley will turn in his appointment to City Administrator Yow as he was not present at this meeting.

Parks and Recreation Director, Buster Smith announced that his Department's bid for Orangeburg to play host to the 1999 Dixie Pre-Majors Baseball tournament at Mirmow Field has been accepted. He stated that this is the second consecutive year the tournament will be played in Orangeburg. Eight teams of 15 and 16 year olds from across the state, including one from Orangeburg will participate in the event. It will be held July 17-22, 1999. The winner will represent the State in the World Series in Texas. He stated that his department is soliciting bids to replace the roof area over the grandstand at Mirmow Field and will hopefully be completed by the time the state tournament comes to

CITY COUNCIL MINUTES

March 2, 1999

Page 2

Orangeburg. Councilmember Haire asked, "What is the bid criteria to host this tournament?" Director Smith stated that, "The City has a playing facility that's head and shoulders above others. Also, in addition to recreation facilities, housing, restaurants and the general atmosphere of the community are key ingredients."

Mayor Cheatham announced that the P&R Department has received an award for the outstanding Rose Garden maintenance for the eighth time.

City Administrator Yow asked Council to approve a Resolution to purchase property at the corner of Amelia and Broughton Streets for \$50,000. He stated the lot will be used to create additional parking and to enhance the downtown area. The lot has recently been used as a produce market. He stated, "We'll develop a parking lot, a nice landscaped parking lot to tie into the parking lot behind it. The property will be purchased for the appraised value of \$50,000."

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve a Resolution to purchase property at the corner of Amelia and Broughton Streets for a purchase price of \$50,000. This was a 5-1 vote. Councilmember Haire opposed this motion.

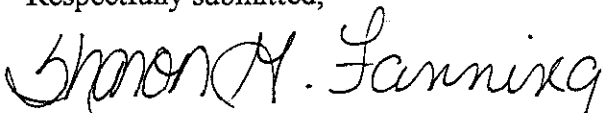
A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve a Resolution to authorize the Mayor to sign a rural Business Enterprise Grant in the amount of \$26,000 to extend sanitary sewer lines to serve an area on Highway 601. There is no local grant match. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve a Resolution to award low bid in the amount of \$269,000 to M. B. Kahn for the emergency Chlorine Gas Scrubber at the Water Treatment Plant. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for contractual matters concerning purchase of real property and the Orangeburg Municipal Airport and a legal matter concerning Horne Wetland Park Litigation.

There being no further business the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG TO APPROVE THE PURCHASE OF A LOT LOCATED AT THE CORNER OF BROUGHTON AND AMELIA STREETS IN THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA, FOR THE TOTAL PURCHASE PRICE OF \$50,000

WHEREAS, the City of Orangeburg deems it necessary to purchase the below described property for the purpose of creating additional parking and enhancing the downtown area.

NOW, THEREFORE, BE IT RESOLVED by City Council duly assembled that the City of Orangeburg purchase from Agnes D. Morris, Estate, the below described property for the total purchase price of fifty thousand and 0/100 dollars (\$50,000) and the City Administrator is hereby authorized to execute and deliver any and all documents necessary to complete said sale in accordance with this Resolution.

BE IT FURTHER RESOLVED, that the Seller of said property shall be responsible for the delivery of a general warranty deed to the City of Orangeburg conveying said property in fee simple, free of encumbrances.

BE IT FURTHER RESOLVED, that the City of Orangeburg shall pay all costs of closing and real estate taxes for the 1999 calendar year and shall be paid on a pro rata basis by Seller and Buyer.

DESCRIPTION OF PROPERTY:

On the northeast property of the City of Orangeburg measuring one-hundred and seventy (170) feet, more or less; on the southeast by property of William P. Wise measuring one-hundred and twenty (120) feet, more or less; on the southwest by Broughton Street measuring one-hundred and seventy (170) feet, more or less and on the northwest by Amelia Street measuring one-hundred and twenty (120) feet, more or less.

RESOLVED BY City Council duly assembled this 2nd day of march, 1999.



Martin L. Sheafham
MAYOR

Dendra P. Knott

Paul Miller

L. Zimmerman

James K. Kene

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK

RESOLUTION

BE IT RESOLVED By Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled, and by authority of the same:

That the Mayor and Members of Council of the City of Orangeburg, in regular session, having considered and found acceptable a Rural Business Enterprise Grant (RBEG) in the amount of \$26,000 to be used for extending sewer lines to serve an existing business (Carolina Oil Company), hereby authorizes and directs Mayor Martin C. Cheatham to execute said Grant with the United States Department of Agriculture on behalf of the Department of Public Utilities, City of Orangeburg.

PASSED by City Council, in Council assembled, at Orangeburg, South Carolina this 2nd day of March, 1999.



Martin C. Cheatham
Mayor

James Haire
Darrel P. Lott
Lang Miller
Timothy Kest
Gregory L. Hines

Members of Council

ATTEST:

Sharon M. Lanning
City Clerk

RESOLUTION

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on February 24, 1999 for modifications at the Water Plant that include the installation of a chlorine gas scrubber and the enclosure of the existing chlorine storage building.

WHEREAS, the low responsible bid for this work was submitted by M.B. Kahn – G.E. Moore Division of Greenwood, South Carolina in the amount of \$269,000.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED THAT Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

PASSED by City Council, in Council assembled, at Orangeburg, South Carolina this 2nd day of March, 1999.



Martin C. Heathorn
Mayor

James H. Hairy

Sandra P. Lott

Paul G. Miller

L. Zimmerman Keitt

James W. Phene

Members of Council

ATTEST:

Sharon H. Lanning
City Clerk

CITY COUNCIL MINUTES

March 16, 1999

Orangeburg City Council held a Public Hearing on March 16, 1999, at 7:00 P.M., in Council Chambers for the purpose of discussion on the Comprehensive Plan, Land Use Plan Map, Zoning Ordinance and Zoning Plan Map. Mayor Cheatham opened the Public Hearing for comments. Mr. Reddick Bowman, property owner at the corner of Chestnut and Columbia Road (2000 Block) asked that Council consider making a change to the Comprehensive and Zoning Plan for his piece of property. He stated that the other corners around this property are currently zoned for business and that this particular property is better suited for business property than residential. He stated that if he sold the property he would have the buyer of the two pieces agree to be annexed into the City and the zoning change would create an opportunity for the creation of more jobs. He also stated that he was willing to build a ten-foot buffer zone within reason between the property and residents of Loblolly Lane. Councilmember Haire asked if he was willing to go on and annex the property in the City. Mr. Bowman responded that he would like to keep it the way it is until it sells. Councilmember Miller asked how the neighbors felt about changing the zoning to commercial. Mr. Bowman stated that the residents of Loblolly Lane have opposed this on other occasions. Ms. Norma Cone asked Council to change the zoning on her property also, which is next to Mr. Bowman's on Columbia Road. She stated, "I feel like I'm being the whole buffer zone for the area behind me." She also asked if it was permissible for a member of the Planning Commission to solicit names for a petition against the zoning change. Mayor Cheatham stated he would check into the issue. Attorney Bob Horger representing Mr. Leonard Sanford, asked Council to support the Planning Commission's recommendation that property on St. Matthews Road across from Burger King, be zoned commercial property. He recommended the change be made as the character of the intersection has changed from residential to commercial.

Council entered into regular session immediately following the Public Hearing with Mayor Cheatham presiding. An invocation was given by Councilmember Haire.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the March 2, 1999, City Council Minutes as distributed. This was a 6-0 vote. Councilmember Salley abstained from voting as he was not present at that meeting.

Mr. Jessie Kinard asked Council for their consideration on waiving a fire contract penalty of \$1,000 plus the cost of a fire contract and issue a fire report on a fire that totally destroyed a mobile home in which he owns. The fire contract policy states that the penalty fee must be paid before a fire report is issued. This is to recoup the costs of responding to a fire scene. Mr. Kinard stated that the mobile home was not being occupied when the fire occurred and did not have a fire contract on the mobile home. He stated the reason he needed the fire report was not for insurance purposes because he did not have insurance on the mobile home, but he did not want the mobile home to remain on the tax roll and be sold at the Delinquent Tax Auction when the mobile home no longer exists.

Mayor Cheatham asked if he had contacted the County in order for them to remove it from the tax roll. He stated yes and that they must have a fire report before it will be removed. Councilmember Salley asked, "Why wouldn't the Sheriff's report be sufficient?" Mayor Cheatham stated that they would take this under advisement and would call him back.

CITY COUNCIL MINUTES
MARCH 16, 1999
PAGE 2

Assistant City Administrator Bushyager told Council that the City has been approved for a Community Development Block Grant in the amount of \$188,500 to rehabilitate eight (8) houses and (3) alternates in the Salley, Lindale and Riggs Street area. Councilmember Rheney asked if this grant required any matching funds. Assistant City Administrator Bushyager stated that this grant does require a \$5,000 match.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to authorize City Administrator Yow to enter into and execute a Community Development Block Grant agreement for Housing Rehabilitation in the amount of \$188,500 to rehabilitate eight (8) houses and three (3) alternates in the Salley, Lindale and Riggs Street area with \$5,000 being committed by the City. This motion was unanimously approved.

Mr. Dan Vismor, Planning and Zoning Consultant for the City told Council that the Planning Commission has recommended the Revised Comprehensive Plan and Land Use Map dated March 8, 1999, be adopted by Council.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to send the Land Use Plan back to the Planning Commission asking for a change to be made to designate the area in the 2000 block of Columbia Road referencing two lots, one at the corner of Chestnut and Columbia Road and the other at Columbia Road and Pinebrook be changed to commercial business.

Councilmember Rheney asked if any residents of Loblolly Lane had come to the Planning Commission meeting. Mr. Bowman stated that a member of the Planning Commission had passed around a petition at this meeting opposing this property being zoned commercial.

Councilmember Miller stated that, "I have a problem with going commercial next to single-family housing, when you have opposition from citizens living there." Mayor Cheatham stated that in his opinion, he didn't see where the property could be used for anything but commercial use and the jobs are needed. "This property could sit for an eternity and never be used as residential property." Councilmember Salley stated that he felt like Councilmember Miller but would perhaps view more favorably if all the property was in the City.

A motion was made by Councilmember Rheney, seconded by Councilmember Salley, to table the issue and study it one more time. This failed by a 3-4 vote. Mayor Cheatham, Mayor Pro Tem Keitt and Councilmembers Knotts and Haire opposed this motion. As this motion failed, Council then went back to the original motion. This was a 4-3 vote. Councilmembers Rheney, Salley and Miller opposed this motion.

Assistant City Administrator Bushyager lead Council in a review of the draft Zoning Ordinance. He asked for no action but told Council that first reading would be considered at the next meeting. He stated many changes have been made to comply with the 1994 Act updating code dates, chapter dates, etc. Legislation changed areas such as the Planning Commission was able to hear conditions and uses but now they go before the Zoning Administrator. The general broader criteria now goes before the Zoning Board of Appeals. Some changes and/or additions and deletions area listed as follows:

- Mini warehouses are not allowed in the core commercial district of the City.
- Towers and antennas were not addressed in previous Ordinance.
- Manufactured Home Dealers were made a special exception.
- Truck Stops were made a special exception.

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY CLECKLEY & McGEE, INC. OF ORANGEBURG, SOUTH CAROLINA IN THE AMOUNT OF \$485,000 FOR IMPROVEMENTS TO THE WAREHOUSE AND MAINTENANCE SHOP.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on March 10, 1999 for improvements to the Warehouse and Maintenance Shop; and

WHEREAS, the low responsible bid for this work was submitted by Cleckley & McGee, Inc. of Orangeburg, South Carolina in the amount of \$485,000; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 16th day of March, 1999.



Martin Sheehan
MAYOR

James Haire
Sandra P. Knott

Paul Miller

L. Zimmerman Kent

James Sheehan

Paul Miller
MEMBERS OF COUNCIL

ATTEST:

Spencer A. Lanning
CITY CLERK

CITY COUNCIL MINUTES
MARCH 16, 1999
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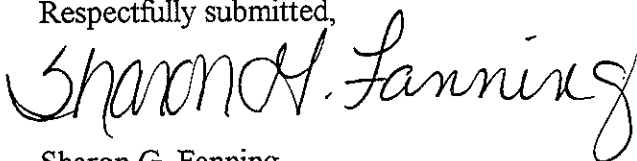
Drinking places are defined and listed as conditional.
Added sexually oriented businesses.
New cemeteries are not allowed in an A-1 District.
Rooming and Boarding Houses are special exceptions in A-3, B-1 and B-2.
(There are conditions on these also)
Crematoriums in B-1 commercial used to be a conditional criteria and now it is not permitted in a B-1 area.
Automotive parking is now permitted.
Self service car wash is now conditional.
Mobile Homes (manufactured before code changes went into effect in 1976) are not permitted in the City. Existing mobile homes would be allowed to remain in manufactured home parks.
Townhouses and patio houses are conditional uses along with apartment dwellings, etc.
Satellite dishes can not be discriminated against
City Council approves plan development districts
The Ordinance is set up with provisions for a Architectural Review Committee.
Trees are required to be retained by developers after construction.
A Resident may park a commercial vehicle provided it does not exceed two tons and is stored in an enclosed building
Fees for land use and zoning combined will be \$450.
New definition for "family"--evaluated on the use of the structure and not the occupants of the property.
New responsibilities of Board of Zoning Appeals.

City Administrator Yow presented to Council the Fiscal Year 1999-2000 Budget Calendar and asked them to check for conflicts for either June 12 or 19, 1999.

A motion was made by Councilmember Haire, seconded by Councilmember Salley, to approve a Resolution to accept the low bid of \$485,000 from Cleckley and McGee, Inc., of Orangeburg, South Carolina, for improvements to DPU's warehouse and maintenance shop. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

APRIL 6, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 6, 1999, at 7:00 P.M., in Stevenson Auditorium with Mayor Cheatham presiding. An invocation was given by Councilmember Rheney.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the March 16, 1999, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Gene Marlow, Orangeburg Special Needs and Disability Board Director, told Council that the City's proposed land use and zoning plan's criteria for A-1 Residential status is discriminatory against handicap citizens. He stated, "The recommended changes would prohibit group occupied homes from A-1 Residential or single family neighborhoods. The concern here is that by now permitting individuals with disabilities and special needs to have homes in single-family zoned districts, they are denied the right to live in City neighborhoods in a single-family environment. If approved, this restriction could be viewed as having a discriminatory impact on people with disabilities. Assuming that Council still agrees with a 1997 legal opinion from the City Attorney that classified disability and special needs group homes as dwellings, group occupied, these conditions could be challenged under the Fair Housing Amendments of 1988. Such mandates are requiring agreements to maintain property, ensure noise and litter control and ensure single lease agreements may be construed as discriminatory. We are concerned that the Planning Commission has recommended deletion of all reference to mentally and physically handicap persons. That deletion, coupled with the prohibition of group occupied homes in an A-1 Residential areas, sends a message that the City of Orangeburg may have become insensitive to the needs of its citizens with disabilities."

Mayor Cheatham stated that the Land Use Plan concerns a wide range of classifications, not just special needs and disabilities. "The City, I'm sure would waive any request from citizens with disabilities but we also have to protect single family residents, people who are not disabled." He stated that Mr. Marlow's concerns would be taken under advisement for further study.

Councilmember Rheney nominated Mr. Bob L. Garrick to serve on the Planning Commission to fill an unexpired term. She put this nomination in the form of a motion and it was seconded by Councilmember Miller. This was a 5-0 vote. Councilmembers Haire and Knotts abstained from voting.

City Administrator Yow asked Council to hold a special City Council meeting in order to hold Second Reading on the Comprehensive Plan. It was decided by Council to hold this special meeting on April 28, 1999 at 1:00 P.M.

City Administrator Yow presented again to Council the Fiscal Year 1999-2000 Budget Calendar. He highlighted dates for the full day Budget Retreat with Council on June 12, 1999 and Budget Workshops on July 12 and 13, 1999.

DPS Director Davis told Council that the Department of Public Safety has recently been awarded funding under the Victims of Crime Act Grant Program by the South Carolina Department of Public Safety in the amount of \$27,800. He stated acceptance of this grant would require a 20% match

CITY COUNCIL MINUTES

APRIL 6, 1999

PAGE 2

from the City of Orangeburg in the amount of \$6,950. This amount will be met with approved funds in the Fiscal Year 1998-99 Budget. He stated the Victims of Crime Act Grant was requested to fund the third year of our Victim's Assistance Advocate Program providing crisis intervention, referral and information follow-up services to victims of crime in the Orangeburg area. The acceptance of this funding will continue our partnership with the South Carolina Department of Public Safety in the furtherance of this important criminal justice program.

DPS Director Davis told Council that the Department of Public Safety has recently been awarded funding under the Victims Advocate Reverted Funds Grant Program by the South Carolina Department of Public Safety in the amount of \$5,720. The acceptance of this grant would require a 20% match from the City of Orangeburg in the amount of \$1,430. This amount will be met with approved funds in the Fiscal Year 1998-99 budget. He stated the Victims of Crime Act Grant was requested to fund the purchase of equipment to be utilized to establish a City-wide information delivery network that will inform victims of elderly abuse of their constitutional rights. Acceptance of this funding will continue our partnership with the South Carolina Department of Public Safety in the furtherance of this important criminal justice program.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to accept the Victims of Crime Act Grant in the amount of \$27,800 and accept the Victims Advocate Reverted Funds Grant in the amount of \$5,720.00. This motion was unanimously approved.

Public Works Director Bowden reviewed the proposed Solid Waste Ordinance with Council. He stated that the most significant change is that it would be mandatory that all citizens in the City to participate in the residential garbage collection program. "Too many citizens, under the current voluntary collection program, stockpile garbage on their property or dump garbage in other people's roll carts or leave it on the street." He stated that under the current Ordinance, all professional lawn care contractors are required to dispose of their own yard debris and not put it on the street at all. In the proposed Ordinance the contractors may bag the debris and put it on the street for pickup. Councilmember Miller stated, "I have a problem with that. I don't see the difference between a citizen cutting the grass himself or paying someone to cut it and put the debris on the street. This could result in a contractor charging people more, particularly the elderly."

Mayor Cheatham stated that the Ordinance change could be added to the cost of yard maintenance, which would be especially difficult for the elderly. "We need to look at it." Public Works Director Bowden stated that the proposed Ordinance is more lenient than the current Ordinance relating to this. "We felt this was a fair compromise because they've got to haul it to the road anyway." City Administrator Yow asked for Council to give some feedback as to what direction staff needed to move in. Mayor Pro Tem Keitt stated that, "Everyone should be treated the same way. Be consistent." Councilmember Salley stated that, "Bagging the yard debris would help with solid waste costs." City Administrator Yow added that it would help keep debris from the storm drains. Mayor Chatham stated, "Let's think about it a little bit. We can give direction in the next two weeks. It's too quick to make a decision for me." Council agreed to this.

Mayor Cheatham reported to Council that the City is still trying to work out a Resolution with Orangeburg County in reference to the request made by Mr. Jesse Kinard at the last Council meeting concerning a fire penalty. Mr. Kinard asked Council to waive the \$1,000 penalty and for DPS to issue him a fire report after a mobile home he owned burned and he did not have a fire contract on the home. He stated he needed the fire report to be able to remove the mobile home from the County tax roll. City Administrator Yow stated he has also contacted the County on this issue. Mayor Cheatham stated that they would report back to Council as soon as he gets an answer from the County.

Mr. Mike Hucks, Program Director for Rural Utilities and Business Services, outlined for Council the requirements of a \$26,000 Rural Development Grant from the United States Department of Agriculture that the Department of Public Utilities has been awarded. This grant was for wastewater extension to Carolina Oil Company on Highway 601 and St. Matthews Road.

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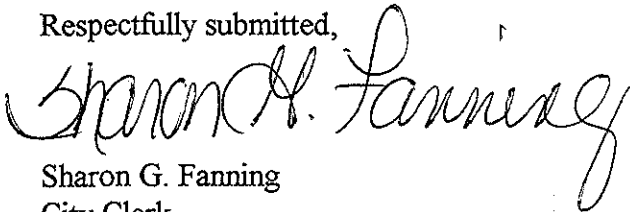
A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to pass a Resolution to accept a grant from the United States Department of Agriculture Rural Development for a Wastewater Extension in the amount of \$26,000 and authorize the Mayor to sign this agreement. This was a 6-1 vote. Councilmember Haire opposed this motion.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to pass a Resolution to accept a bid for the construction of a ten inch natural gas main to and within the I-26 City/County Industrial Park in the amount of \$1,435,506.31 by Visions Pipeline, Inc., of Lamar, South Carolina. This motion was unanimously approved.

A motion was made Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for the purchase of real property and a legal matter concerning the Orangeburg Special Needs and Disabilities Board.

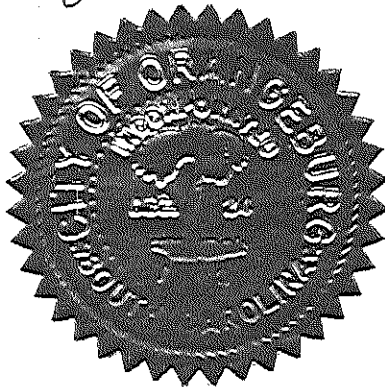
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY VISIONS PIPELINE, INC. OF LAMAR, SOUTH CAROLINA IN THE AMOUNT OF \$1,435,506.31 FOR THE CONSTRUCTION OF A 10" (INCH) NATURAL GAS MAIN TO AND WITHIN THE I-26 CITY/COUNTY INDUSTRIAL PARK.

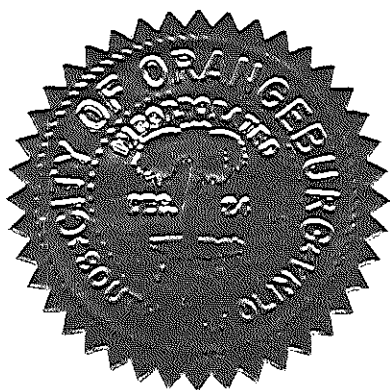
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on March 10, 1999 for the construction of a 10" (inch) Natural Gas Main to and within the I-26 City/County Industrial Park; and

WHEREAS, the low responsible bid for this work was submitted by Visions Pipeline, Inc. of Lamar, South Carolina in the amount of \$1,435,506.31; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 6th day of April, 1999.



Martin C. Thompson
MAYOR

James Haire
Danica P. Smith
Paul G. Miller
L. Zimmerman
James H. Haire
W. H. Smith
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG TO ACCEPT A LETTER OF CONDITIONS FROM THE RURAL BUSINESS ENTERPRISE AND A GRANT IN THE AMOUNT OF \$26,000 TO BE USED FOR EXTENDING SEWER LINES TO SERVE AN EXISTING BUSINESS - CAROLINA OIL COMPANY

WHEREAS, the Mayor and Members of Council of the City of Orangeburg, having considered a Letter of Conditions from the Rural Business Enterprise and a Rural Business Enterprise Grant in the amount of \$26,000 to be used for extending sewer lines to serve an existing business (Carolina Oil Company); and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the Letter of Conditions from the Rural Business Enterprise and a Rural Business Enterprise Grant be accepted; and

BE IT FURTHER RESOLVED, that Martin C. Cheatham, Mayor of the City of Orangeburg, be authorized and he is hereby directed to execute said Grant with the United States Department of Agriculture on behalf of the Department of Public Utilities, City of Orangeburg.

RESOLVED BY City Council duly assembled this 6th day of April, 1999.



Martin C. Cheatham
MAYOR

Sandra P. Krotz

Paul A. Miller

Jeanelle K. Hargis

L. Zimmerman

Robert H. Sledge
MEMBERS OF COUNCIL

ATTEST:

Sharon M. Lanning
CITY CLERK

CITY COUNCIL MINUTES

APRIL 20, 1999

Orangeburg City Council held a Public Hearing on April 20, 1999, at 7:00 P.M., in Stevenson Auditorium for the purpose of discussion on the Comprehensive Plan, Land Use Plan Map, Zoning Ordinance and Zoning Map. Mayor Cheatham opened the Public Hearing for comments and set a time limit of ten minutes for each person to speak for both proponents and opponents of the Land Use Plan. Mayor Cheatham also stated that time could not be traded and asked that anyone wishing to speak should raise their hand to be recognized, state their name and address.

Mr. Reddick Bowman of 2035 Columbia Road addressed City Council in favor of the proposal to change the land use plan that would allow commercial development of the property at the corner of Columbia Road and Chestnut Street. Mr. Bowman stated that the only parcel of land that they are asking to change is the corner lot and stated that Mrs. Cone is the owner of the property on the other corner of Columbia Road and Pinebrook. Mr. Bowman stated that the domino effect has been brought up that if one piece of property is changed to commercial status that another piece next to it would fall commercial, etc., but there is not domino effect because the Planning Commission and City Council is the guarantee that this would not happen. Mr. Bowman also stated that the proposed change would not affect those living down Hillsboro Road and Columbia Road to Brewton Street any more than the Kentucky Fried Chicken does now. "The people who would be affected are my neighbors that live behind me on Loblolly Lane and we are concerned about the affect this would have on them and we are prepared to create a buffer." Mr. Bowman reiterated that his proposal is to allow the development of the entire 2000 block of Columbia Road as a unit that would prevent a hodgepodge development.

Mr. Abe Salama of 495 Hillsboro Road stated that he represented a citizen group called NPR (Neighborhood Preservation Residents) and referred to the last page of a handout that he passed out earlier. Mr. Salama contradicted what Mr. Bowman stated about the domino effect because Mr. Salama stated that a consultant hired by the City made the remark that if Orangeburg does not have a defensible line and defines it as Columbia Road and commercial development continues toward the Prince of Orange Mall we will experience the domino effect. Mr. Salama made reference to maps in the handout. Mr. Salama stated that the consultant questioned if the Comprehensive Plan should be amended to permit more business development on Chestnut and Columbia Road. Mr. Salama stated that the people who would benefit most from rezoning are the land owners, people involved in selling the property and the person who will construct the building. Mr. Salama told of a business that moved to Orangeburg, but the manager, assistant manager was brought in from out of town and the only benefits were the minimum wage jobs. Mr. Salama told City Council that in their vote tonight they would protect the residents of Loblolly Lane by not allowing commercial property in their backyard. Mr. Salama also asked for the residents from that Subdivision to stand. Mr. Salama closed by stating that City Council has a very important decision to make and the consensus of the citizens of this town is in their hands.

Mr. Charles B. Barnwell, Jr., a resident of 727 Brewton Street and a local attorney gave copies of land deeds to City Council. Mr. Barnwell stated that Mrs. Cone has requested that her property be changed for commercial land use along with Mr. Bowman's property, however, the deed reads that this property is restricted by easements and restrictions of record that City Council has no authorization to override. The whole subdivision of Loblolly Lane was initially known as Meadowwoods. All the houses around Loblolly and all the houses on Pinebrook are restricted to residential use only so every piece of property in that block is restricted as residential use. No commercial use. "Most of Mr. Bowman's property is out of the city limits and we have what is called restrictions by necessity or implication when property borders another piece of property and acts as detriment to property that the people have been restricted for residential use only the courts upheld that by negative imposition or restrictions you can not or it is left up to the courts to determine whether it can be changed. This property has been before the Planning Commission three times and been voted to stay residential, why do we have a Planning Commission if City Council is going to overrule the decision". Mr. Barnwell asked Council if they have ever overruled a zoning issue brought by the Planning Commission before to which Mayor Cheatham stated that he has not been on Council that long, therefore, he couldn't answer that question, but he was not aware of any. In closing, Mr. Barnwell stated that too many residents and people that put their most important

investment they have in their homes. "I know I live on Brewton Street, but the domino effect will affect me. City Council is elected officials by the voters and you have an obligation to protect their interest and not let commercial and the greed for money override the individual lives of these people."

Mr. Paul Dunnivant, a resident of 2155 Hydrick Avenue, asked that City Council oppose the rezoning proposal for the following reasons. "Any intrusion of business into residential area will certainly devalue the residential property because no wants to live beside a business because of increase traffic, noise, and lights. Orangeburg does not have so many fine residential areas that we can sacrifice one to provide a large profit to a few individuals. The Mayor and Council are elected to represent people such as this crowd gathered here not a particular business or one or two individuals who wish to profit. There are plenty of unused retail locations presently available in Orangeburg for any kind of business without infringing upon our resident's homes. Please listen to your citizens and Planning Commission and vote against this proposal."

Mrs. Marion Stone, a resident of 2010 Loblolly Lane which is on the corner of Loblolly and Chestnut, stated that this probably affects her more than anyone else and tonight she is giving a personal plea. Mrs. Stone stated that her backyard joins the lot on the corner of Mr. Bowman's and that they bought this land in 1959 which was a subdivision called Meadowland when it was just a cornfield with a few pine trees and no street. Mrs. Stone also stated that she has been a widow the past 10 years and now is retired and this location is convenient for her. Mrs. Stone stated that her home is paid for and does not see how she could relocate at this time with her Social Security and retirement she is able to care for herself now and her remaining years if she continues to live at this location and will not have to put a financial burden on her children. "Forty years ago her land and Mr. Bowman, Sr.'s land was feasible enough for residential and Mrs. Stone asked why after thirty five years can this land come up to go business. The elder Mr. & Mrs. Bowman believed this was a great buffer zone for their house that was just outside the city. If a commercial business joins my backyard, it would degrade the value of my property which I stated that I have worked to obtain. The traffic, trash and noise are bad, but I am worried about the foot traffic that will be walking beside my bedroom every night. Crime, like robberies, they come around the corner they don't jump over a buffer. If this property is zoned commercial this would connect seven homes on Loblolly Lane and all are privately owned homes, not a one is a rental home. Everyone who is in support of this proposal say that it will benefit our neighborhood and the City, however within two blocks of this intersection we have everything we need, 3 pharmacies, 4 grocery stores, gas station, restaurants, banks, department store, laundry and a lot of small businesses. Do we really need any more? I have talked with several Council members expressing my concern and some responded favorably and understood my concern, however, some of you seem more interested in new businesses than my concern and that of my neighbors. Some responses I received was the City needs to grow and you have to adjust to it. That a man should be able to do with his property what he wants to like it didn't matter who is affected. I was asked would you rather have a drug store behind your house or a drug house and my answer was give me a drug house because I can call the police to clean it out. There are six Council members here tonight each one of you picture yourself, elderly parent, or other relative in one of these seven houses that the backyard will join this property. With your heart and your conscious vote on this land use and remember it not just land being affected but it is the people's lives."

Mr. Merle Goin, a resident at 2028 Loblolly Lane stated his property is directly affected by this proposal. "I have invested over thirty five years into my home I am close to retirement and I can't afford to sell or relocate. I would like to ask each of you on Council, would you want to see your home go from one in a good neighborhood that has beauty, is quiet and safe to one that is in an area that is unsightly with buffers in your backyard that doesn't add beauty or keep invaders out. One where noise volumes, traffic and crime will most probably increase and property value will decrease. Would you?" Mr. Goin asked, "Why the buildings that are already empty could be filled realizing that you can't tell people where to put their businesses, but you (Council) can tell them." Mr. Goin also hopes that since the majority present tonight are against the proposal that Council recognize this and support these people in their vote.

Mr. Norma Cone, who lives on the corner of Columbia Road and Pinebrook, stated that she has lived there for forty years. "Mr. Bowman's unzoned property comes within 25 feet of my home, the Piggly Wiggly and Old K-Mart are directly across Columbia Road from my house and the people sit there and talk about what they have to put up with and what they would like to have in their backyard.

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How would you like to have what I have in my front yard? There are only two houses in my block, one is Reddick Bowman's and the other is mine. Mr. Bowman's is already unzoned. I am the goat for all you people sitting here tonight. I alone. How would you like your property devalued and a gas station in your front yard? None of this makes sense. I have lights in bedroom window all night long. I am the only buffer between you and me. I am bearing the brunt of this whole situation. I would like to know what the difference is in this situation and the one on St. Matthews Road. It appears to me that property owners behind my block do not realize that the largest part of Mr. Bowman's property is completely unzoned except on spot on the corner." Mrs. Cone referenced several articles of the Times and Democrat concerning the disagreement of the residents to zoning change and the devalue to their homes. "My home has already been devalued \$20,000 to \$25,000 because of where it is. When we built our home there were only five or six house and the mall across the street was a field so I am more of a victim than anyone. Progress takes it toll." Mrs. Cone mentioned the 9 plus acres of property for sale on Chestnut that is partially zoned commercial stating that eventually it will be sold and go commercial. "All I ask is that you put yourself in my place because I am the one who will suffer the most from all of this."

Mr. Wayne Till, resident at 410 Hillsboro and also owns additional properties on Hillsboro stated, "I have a petition signed by 264 residents in the vicinity of this property. I don't want to throw sticks and stones, but I have a few questions that need to be answered. Mr. Mayor maybe you can help me. Why did Mr. Harness resign from the City Planning Commission. Was it because his wife works for you for your real estate company therefore being a conflict of interest? I am asking for myself only." Mayor Cheatham stated, "You will have to ask Mr. Harness." Mr. Till also asked the Mayor if he or anyone in his company is involved with the selling or transaction of this property that we are discussing tonight as you were with the Muffler company. Mayor Cheatham stated that he was not involved with this property. Mr. Till continued stating that he feels that it is disgrace to treat the senior citizens and the people living on Loblolly and the vicinity in the manner if this property is zoned commercial. A lot of these people will want to relocate, but unlike himself they can't. Mr. Till stated that he knows his property is only residential, he would like his zoned commercial also. Mr. Till asked everyone that opposed this zoning or planning plan to stand.

Mr. Barry Cone, spoke on behalf of his mother and stated that there are businesses that have closed such as the old Kmart, Food Max and if his mother's and Mr. Bowman's property were developed commercially, it could possibly insure that the businesses across the street will be more successful. "As for all of these other people's property being residential, my mother is 80 years old and has lived here for forty years and has all of this in front of her and she does not have the luxury of relocating. She is the only one who is being penalized, Mr. Bowman can develop his property as he wants and we are behind him 100 %. I don't see where anyone is being penalized other than Mr. Bowman and my mother and I am sure that if Mr. Bowman, Sr. were alive today, he would agree with them 100%."

Mrs. Lisa Rucker, a resident of 1796 Pinebrook, stated that she can see Mrs. Cone's property from her property. Mrs. Rucker stated that they bought their house five months ago and if they had known about this situation they would not have bought in this area. They chose this area because they have three small children and it is a nice quiet neighborhood. "Mrs. Cone stated that she has lights that bother her from the area across the street and if you develop this area, then it is going to be shining in my face and I don't want that either." Mrs. Rucker mentioned the statement that Mr. Barnwell made about Mrs. Cone's property being restricted so why are we discussing this land if by law she can't do anything with it. Mrs. Rucker asked Council to oppose this proposal because of the children and that both she and her husband work hard and are putting everything in this house and they don't want to have to move. They moved from Columbia Road because of traffic.

Mr. Chet Stone, son of Mrs. Marion Stone, asked the Council that on her behalf that they not let happen to her property what has happened to Mrs. Cone's property. "I am very moved by the situation that she is in and this is what my mother is trying to avoid for her property. Don't let one person's tragedy turn into a tragedy for an entire neighborhood."

Mr. Gary Foley, a resident of 1730 Pinebrook, about the third house from Columbia Road, which is close to Mrs. Cone's property. Mr. Foley stated that he heard the word victimized and stated that he didn't want to be a victim and that is why he is here he does not want to see the area go

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commercial. Mr. Foley stated that he has been going to meetings with his neighbors and hearing arguments about the proposal. Mr. Foley stated that he has a five year old who plays close to the street and is not interested in more traffic and feels that it is an excellent neighborhood and would like to keep it that way. He stated that he would probably be forced to move out if over the years properties at the edge of the neighborhood go commercial. "I am in favor again of not commercializing properties near mine."

Mr. Ronnie Rucker, a resident of 1796 Pinebrook, made reference to statements made by Mr. Bowman and Mrs. Cone. "It sounds like they have a problem with their land, but don't make the rest of the neighborhood suffer for their situation. It is their problem, not ours. We have a nice neighborhood and we intend to keep it that way if at all possible."

Mr. Phillip Rand, a 5303 North Road resident, a small developer and businessman in the City and County stated, "I would like to let council know that the property in question can sit there 100 years and there won't be residences built on it, it is a commercial piece of property and should be zoned commercial. Mr. Vismor recommended that it be commercial and stated that in Lexington County zoning all properties adjoining major arteries coming into and out of the City and County would be zoned commercial a certain distance from the road." Mr. Rand asked Council to consider this because in his opinion he doesn't feel that a residence will be built there any time soon.

Mrs. Oscarola Pitt, a resident of 1729 Pinebrook Drive, stated that her home is located two houses from Mrs. Cone. Mrs. Pitt stated that she sympathizes with Mrs. Cone, but would also like for Council to consider the rest of them also because already they see the lights at night and hear the noise already and they envision once all the trees are cleared from Pinebrook to Chestnut there will be more lights and more noise. Mrs. Pitt stated that she and her husband moved to this neighborhood in 1985 and this was their third home in Orangeburg and thought that this would be the last home. They have enjoyed the neighborhood and her husband is in very poor health at this time and it would be a hardship for them to move again and be close to doctors and hospitals because most of the homes that are available now are outside of the city limits. Mrs. Pitt asked that the Council please consider leaving the area residential and not rezone to commercial.

Mr. Charles Owen, a resident of 2047 Hydrick Street, stated that three years ago they bought their home. Mr. Owen stated, "His backyard is on Chestnut and the first time there was an attempt to rezone the property behind his house because they were going to rezone all the way from Columbia Road to the Mall and that was defeated. We the people on Hydrick and Woodland area we see a domino effect especially if the property on Columbia Road is rezoned and we are sitting on a time bomb because we have two or three other large pieces of property, one is the property on Wells and Columbia Road and the other piece of property is 9 plus acres on Chestnut that is outside of the City." Mr. Owen further stated that people have a right to sell their property but not always commercial. "He does not want the back of my yard to go commercial with a gas station in my backyard and would strongly suggest that you will vote against this plan. Hopefully some plan can be developed and these people can sell their properties and have other uses other than drug stores and gas stations." Mayor Cheatham told Mr. Owen that it has never been considered that the Council would rezone any property from Columbia Road to the Mall. Mr. Owen stated he had a document to that affect. After a brief discussion it was determined that this came before the Zoning Board, not City Council.

Mrs. Tara Williamson, of 667 Wells Drive, addressed the Mayor and City Council and stated that she didn't want to be here, she doesn't like this, and doesn't think that they should have to come down here. "I feel that the public elects the Council to do this job for them, to take care of us and we shouldn't have to come down here to take care of these situations, but unfortunately we are here." Mrs. Williamson mentioned that this would be a domino effect and will carry over to the Wells Drive area. Mrs. Williamson wondered why the Planning Commission was appointed to a position, given the job to make a decision and then was overruled on that decision by the people who appointed them. Mrs. Williamson stated that she would like to see some of the empty building filled and applauded Mr. Leonard Sanford for his efforts in renovating the Old Mall that has been an eyesore for a number of years. "Concentrate on some of the empty buildings; we don't want to become a ghost town but to fill these building first before emptying more." Mrs. Williamson stated that every decision made by City Council affects the entire city and affects people who don't live in the city but

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comes to the city. Mrs. Williamson questioned if the Council has been to some of the other neighborhoods that this has affected like the Winn Dixie and the people who live on Sims Street, how has it affected them. She further stated that the Winn Dixie put up a chain link fence, but that did not help. "That was no barrier, people can cross it, trash and dirt can cross it, and it didn't stop any noise. These people are awoken at 4:00 a.m. when the sweeper for the Winn Dixie cleans their lot and goods are being brought in all during the night. They could put up a solid block wall and maybe these people would be better satisfied." Mrs. Williamson also made reference to the buffer fence at the corner of Park Street and Broughton Street that borders Park Place Apartments. Most of the time part of this fence is down and does nothing to keep noise and trash from these people's homes. "Mrs. Williamson said, "It is very easy to say yes when people ask you to do something, but the very hard thing is to say no and I am asking as a citizen and city taxpayer and a person who will be affected by this, to please say no."

Mayor Cheatham stated that since there was no one else to speak, he closed the public hearing.

Council entered into regular session immediately following the Public Hearing with Mayor Cheatham presiding. An invocation was given by Dr. J. R. Robinson of Olive Grove Baptist Church.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Paul Miller
Joyce W. Rheney
W. Everette Salley

ABSENT:

Sandra P. Knotts

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the April 6, 1999, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham proclaimed April 26th through May 2nd, 1999, as Soil and Water Stewardship Week.

Councilmember Rheney nominated Harris Davis from District 1 to fill an unexpired term on the Planning Commission. A motion was made by Councilmember Rheney, seconded by Councilmember Salley, to appoint Harris Davis from District 1 to the Planning Commission. This motion was unanimously approved. Mayor Pro Tem Keitt, if necessary, will bring a nomination to Council at the next City Council meeting for District #5's appointment.

A motion was made by Mayor Cheatham, seconded by Councilmember Haire, to approve First Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999 and Land Use Plan Map dated March 16, 1999. Councilmember Salley stated, "The City is made up of many small neighborhoods and communities and when a community stands up, we as a Council should abide by its wishes unless there's an overwhelming reason that affects the entire City. They've stood up almost 100% and to ignore that is to ignore our responsibility." Mayor Cheatham stated, "The strip of land cannot be used for anything else but commercial property and with the proposed buffer there will be some protection. Although, I feel for the people the same thing could be said for citizens who live in similar buffer areas as on St. Matthews Road." Mayor Cheatham called for the count. This was a 3-3 vote with Councilmember's Rheney, Salley and Miller opposing this motion. This motion did not carry.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to accept the recommendation of the Planning Commission to keep the neighborhood zoned residential. This was

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a 3-3 vote. Mayor Cheatham, Mayor Pro Tem Keitt and Councilmember Haire opposed this motion. This motion did not carry.

The scheduled First Reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999 and Zoning Map dated March 16, 1999 could not be voted on. Therefore, First Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999 and Land Use Plan Map dated 16, 1999 will be carried over until the next meeting.

City Administrator Yow told Council that Claflin College Community Development Corporation (CCCCDC) is preparing to apply for a grant in the amount of \$200,000 from the SC State Housing Finance and Development Authority. They are applying for Home Ownership Housing. They have identified three (3) properties to include in the application, one for new construction and two for acquisition/rehabilitation. These are located in the City. In an effort to strengthen their chances of being funded, they are requesting financial support from the City. They are requesting a \$5,000 grant match from the City.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the request of \$5,000 grant match allocation for housing rehabilitation activity by Claflin College Community Development Corporation (CCCCDC). This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve a Resolution to designate April as Fair Housing Month. This motion was unanimously approved.

City Attorney Walsh briefed Council on Orangeburg County Disabilities and Special Needs Board Housing and Urban Development (HUD) Complaint pertaining to the City Zoning Ordinances application to group homes on Columbia Road and George Pickett Street. Attorney Walsh told Council the Orangeburg County Disabilities and Special Needs Board filed a Complaint with the U.S. Department of Housing and Urban Development in 1998, alleging that the City had discriminatory housing practices under the Federal Fair Housing Law, 42 U.S.C., Sections 3601-3619. The Complaints were that a building permit was withheld and the Board was forced to sign an "Accommodations and Compliance Agreement" containing a "conditional use" provision. Also, stated in the Complaint was that other residential facilities are not subjected to the same treatment. He stated that the Orangeburg County Disabilities and Special Needs Board had four conditions in a Proposal for resolving the OCDSNB Complaint for Council to consider. One was that the new Zoning Ordinance was to classify group homes for the disabled and those with special needs as single-family residences. "The courts only require reasonable accommodations to equal opportunity housing." He recommended to reject proposals from the Board.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to reject the proposals offered by the Orangeburg County Disabilities and Special Needs Board in reference to the Complaint about the City Zoning Ordinance. This motion was unanimously approved.

City Administrator Yow told Council that the South Carolina Department of Transportation (SCDOT) has plans to widen SC-94 (St. Matthews Road) from Chestnut Street to U.S. 601. He stated, "This will have some impact on Hillcrest Recreational Facilities. The Department of Public Utilities has worked out details concerning power lines being relocated and we have agreed to allow DPU to move lines toward the golf course driving range but do not feel that this will adversely affect the golf course. The SCDOT has agreed to pay for relocating the concrete block (Hillcrest Golf Course Sign) at their expense. Also, the red tip shrubbery and the fence along St. Matthews Road will be replaced or relocated at SCDOT's expense. SCDOT has indicated that they intend to install a traffic signal at the corner of St. Matthews Road and A&M Road during the construction phase. The other major issue was drainage across Hillcrest Golf Course, specifically the end of the driving range to a low lying area along holes #'s 11 and 12." It is necessary that an attractive retention pond be constructed but final specifications have not been worked out.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to authorize City Administrator Yow to negotiate and enter into an agreement with SCDOT to allow Road SC-94 (St. Matthews Road) storm water drainage across Hillcrest Golf Course. This motion was unanimously approved.

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City Administrator Yow told Council that Downtown Orangeburg Revitalization Association (DORA) has requested permission to hold a public Farmer's Market on the Courthouse Square each Saturday morning beginning May 15 and continuing through the growing season. The hours of operation would be 8:00 a.m. to 10:00 a.m. Rhude Cherry will be this year's Market Master and he will be on duty from 7:00 a.m. until 10:30 a.m. to enforce market rules and regulations. The market will be known as "DORA's Fresh Market". Churches and organizations will be offered the opportunity to rent spaces for bake sales, etc.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to grant the request from DORA to hold a public farmer's market downtown. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve a Resolution to purchase property on St. John Street from John Townsend Sifly and Jean P. Sifly for \$14,500. This motion was unanimously approved. The property is adjacent to the City parking lot, which will be used to improve downtown and provide additional parking.

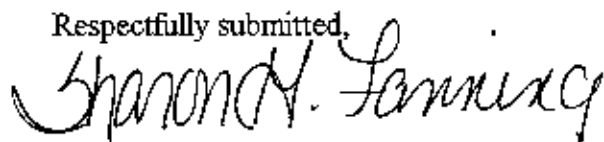
There were no Department of Public Utilities matters brought before Council.

Mr. Abe Salama suggested that Council buy the Columbia Road/Chestnut property for a City park and/or museum.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a personnel matter concerning the Department of Public Safety and a legal matter concerning BellSouth Litigation.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

MAY 4, 1999

A Public Hearing was held on May 4, 1999, in Stevenson Auditorium. Mayor Cheatham recognized and introduced the members and leaders of Boy Scout Troop #45 that is sponsored by the Rotary Club of Orangeburg. They were attending the City Council meeting for their Citizenship in the Community Merit Badge. Mayor Cheatham commended them for the outstanding work that they do and the many projects in which they participate. Councilmember Salley congratulated Councilmember Miller being recognized by the District Rotary Organization, which has approximately seventy clubs throughout the lower part of South Carolina, as "Outstanding Rotarian of the District." Mayor Cheatham stated that Councilmember Miller has been involved with scouting for some time and does a tremendous job.

Mayor Cheatham opened the public hearing for the Comprehensive Plan, Land Use Plan, Zoning Ordinance and Zoning Map for the City of Orangeburg, South Carolina and set a time limit of ten minutes for each person to speak as either proponents or opponents of the Land Use Plan. Mayor Cheatham also stated that anyone wishing to speak should raise their hand and be recognized, state their name and address.

Mrs. Marion Stone, a resident of 2010 Loblolly Lane, stated, "I find myself here again in front of you to ask you to help me and my neighbors preserve our home. I live on the corner of Loblolly and Chestnut, do you know where my home is?" All Councilmembers indicated that they knew where her home was. Mrs. Stone stated that, based on some recent votes and the statements made in Sunday's paper, most of them had already made up their mind. Mrs. Stone asked Council if they cared more for the value of Mr. Bowman's and Mrs. Cone's property than hers. Mrs. Stone asked, "Mayor Cheatham, you said that this property ties in with three corners that are commercial business; I can not agree with your reasoning. One corner has a church. This is not called a business commercial as a church is allowed in a residential A-1 zone. The office is institutional zoned; it is a O-1 Zone which was grandfathered in years ago. There are very little patrons there, mostly employees and closes around six at night. Yes, we do have a KFC on the other business corner, we do not want the same thing on the corner behind my lot." Mrs. Stone stated that Mayor Cheatham seems to have exactly the same arguments that Mr. Bowman uses in why he wants this property commercial and would like to know if he has have talked or met with Mr. Bowman or his representatives on this issue. Mayor Cheatham stated that Mr. Bowman had come to him and talked to him about the issue. Mrs. Stone asked, "Have you come down my street, stopped and talked to any of us about how we felt about this?" Mayor Cheatham stated that he had not and that Mr. Bowman came to him; he did not go to Mr. Bowman. Mrs. Stone asked, "Mr. Mayor, you are a professional Realtor, will the value of my property go up or down with the stores in my back yard?" Mayor Cheatham stated, "In my opinion it will not go down." Mrs. Stone asked, "Will it go up?" Mayor Cheatham stated that he could not make that statement. Mrs. Stone addressed Councilmember Keitt stating that the paper quoted her saying she didn't want to hurt the residents, we must all work together; yet she is not willing to work for them and stated that she is not here for one segment of the City, but all of Orangeburg. Mrs. Stone asked, "Who besides Mrs. Cone and Mr. Bowman and a few supporters have come forward to demand that this go commercial?" Mrs. Keitt stated, "They are not demanding, they are asking." Mrs. Stone stated that at each presentation there has been a crowd in opposition to this proposal and wondered where the supporters were. Mrs. Stone addressed Councilmember Knotts, "You voiced this will provide and create new jobs. What guarantee do we have on new jobs?" Is it more important for 5 or 6 jobs than our homes. Mrs. Knotts you did come down our street, you did come and look over our land. I'm asking you to help us protect it. We worked hard for our homes." Mrs. Stone then addressed Councilmember Haire stating that he had not spoken out much about this issue and would he like to give his reason for supporting this issue. Councilmember Haire said, "No, I do not care to." Mrs. Stone thanked the Councilmembers that are in support of Loblolly Lane.

Mr. Reddick Bowman of 2035 Columbia Road addressed City Council stating that he is again before them tonight to ask that you change the zoning classification and the underlying comprehensive plan classification to the property at the corner of Columbia Road and Chestnut Street. We wish to develop commercially the part of our property that is out of the city and would like for the city to join

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with us as partners in this development by changing the classification of the comp plan and zoning plan for the corner part so that it could be a part of the commercial development that we would like to have on the 2000 block of Columbia Road. We believe that this can be a very positive thing for the City of Orangeburg. We are committed with working with a developer that this out of the city parcel will come into the city and also committed that in addition to the 15-foot buffer zone that the city requires to be existing between the commercial development and the lots that back up on Loblolly Lane that I am committed to an adequate fence to keep people from having easy access from any commercial development to the residential area. We feel that this is a very positive, this parcel would come into the city increasing the revenue to the city from business licenses and taxes because the businesses would be in the city, not to mention the jobs that would be created. I feel that the creation of jobs and the commerce would have an impact on the City of Orangeburg but it would be a positive impact. The Planning Commission and the City Council have stopped any more businesses from being built on Chestnut Street, therefore preventing a domino effect.

Mr. Frances Dorsey, of 2090 Loblolly Street, addressed City Council stating that he and his wife recently located in Orangeburg. Mr. Dorsey stated that they have spent quite a bit of money in the purchase of the home and improvements not knowing that someone was going to ask for a commercial development directly behind his home. Mr. Dorsey stated that his home is directly behind Mrs. Cone's home. Mr. Dorsey stated that there have been several house sold in this area in the last six months and none of them knew about the possibly commercial development.

Mrs. Norma Cone, a resident of Columbia Road for forty years, stated, "I feel sure I'm beginning to sound like a broken record after three or four readings. I feel I am being made the scapegoat in this entire situation." Mrs. Cone stated that Mr. Bowman can and probably will use his property for commercial purposes and that leaves me stranded with lowered property values and also all the problems that all the opponents don't want, between a rock and a hard place. Many stated that they would not have bought their property had they known of the zoning situation, they express sorrow for my situation and my plight. Mrs. Cone stated that in reference to her property being restricted to residential use only, she failed to see a ruling made forty years ago could hold true today in extenuating circumstances such as these.

Mr. Eddie Mosley, stated that he bought the house at 1695 Pinebrook about two months ago. Mr. Mosley stated that about a year ago Mr. Bowman approached the Planning and Zoning Commission to have his property changed to commercial and it was unanimously rejected and then it came before City Council and they sent it to the Planning Commission where once again it was rejected unanimously. Mr. Mosley asked, "If that be the case and the City council is going to override the zoning committee, why have the zoning committee? If you all are going to handle all of it, why have them?" Mr. Mosley stated that with all the talk of pollution, we need to consider lighting pollution because if a drug store is put on that corner they will probably have lights on all night to protect the property and Mr. Bowman would have to construct a fifty foot fence to keep the light out of the homes.

Mr. Paul Dunnivant of 2155 Hydrick Avenue, addressed the City Council asking them to listen to two brief points, "Other localities, cities, counties, etc. throughout America and as close as Richland County, are engaged in major efforts to keep people in the cities. Should Orangeburg rezone and drive people out of the City by making them miserable in their homes? Rezoning this property will not create a single new job. This is a red herring to create potential for profit for a few individuals." Mr. Dunnivant asked City Council to honor the principles of democracy. "The rules of democracy are to respect the will of the people which is what you are elected to do. The people are gathered here and have clearly expressed their will. Please do not permit this rezoning. Show us that you value our homes more than a profit of a few. Listen to the citizens and the Zoning Commission."

Mr. Jay Bender of Baker, Ravenell & Bender in Columbia, addressed City Council. Mr. Bender suggested to City Council that where you are in this process under the Comprehensive Planning and Zoning Act passed by the General Assembly is the adoption of a comprehensive land use plan not really talking about rezoning in the technical sense. Once the comprehensive land use plan is adopted then you have the authority to adopt a zoning ordinance and a zoning map and deal with specific

pieces of property after adopting the ordinance and map. "I suggest that under state law you do not have the authority to amend the comprehensive plan land use plan presented to you by the Planning Commission. When the General Assembly addressed land use planning and zoning, it delineated specific powers to a Planning Commission if adopted by you and specific powers to you as the governing body of Orangeburg. The Planning Commission is charged with the responsibility to prepare and revise periodically plans and programs for the development and redevelopment of its area as provided in this chapter. In the planning process the Planning Commission is to take into account the actual use of property and the proposed use of property which it has done and which is reflected on the map." Mr. Bender stated that there is already a buffer zone between commercial and residential property; it is Columbia Road and the Planning Commission has recognized this buffer. Mr. Bender also stated that it appears that what you are being asked to do is to throw out the work of the Planning Commission and insert in the middle of a single family residential area, your most intensive commercial use. Mr. Bender said, "Section 6-29-530 of the South Carolina Code says that the local Planning Commission may recommend to the appropriate governing body and the body may adopt the comprehensive plan as a whole or by a single ordinance or elements of the plan by successive ordinances. It is my belief that the structure envisioned by the General Assembly is that you have delegated to the Planning Commission the responsibility to develop a comprehensive land use plan and a map and present this to you and you have two choices; you can adopt it or you can reject it. Apparently you have a view similar to that because at your last meeting you remanded this question to the Planning Commission for reconsideration and the Planning Commission has come back with a comprehensive land use plan that protects the integrity of this single family residential area and say no we don't think and intensive commercial activity is appropriate in this single family residential area either for existing use because it is not an existing use or for a proposed use." Mr. Bender stated that by making commercial intrusion in this area you are going against the specific wishes of your Planning Commission who has the authority under state law and under the delegation of authority you have given them to come up with a plan and they have done that. Mr. Bender stated that he didn't believe that the City Council has the authority to amend this plan, only to accept or reject the plan. Mr. Bender stated that the deed restriction of being for residential use only on Mrs. Cone's property is still in affect today and unless she reconveys the property to Reddick Bowman and the restriction is removed, that piece of property can not be used for commercial purposes.

Mayor Cheatham stated that they would let legal council work out the details that Mr. Bender brought out.

Father Dow Sanderson, Rector of the Episcopal Church of the Redeemer and a resident of 2297 Dekoven Lane, stated that he is in the reconciliation business and doesn't like conflict. He has resided in Orangeburg for the past seven years and one of his goals is to make what little of the city he has influence over a more inclusive place. Episcopal Church of the Redeemer has been in Orangeburg since 1750 and are one of the few churches that are integrated for which he is very grateful. Pinebrook on which seven black families reside is one of the most stable and happily integrated streets in Orangeburg, a model for what our city hopes to be, is being threatened by the land use change. Father Sanderson further stated that the house they live in is owned by the church, however they were able to pick out the location. Father Sanderson read a letter sent to Mayor Cheatham from Bishop Edward L. Sammon, opposing the rezoning of the corner of Columbia Road and Chestnut Street.

Ms. Cindy Evans, stated that she does not live in the area, but is representing her family. Ms. Evans stated, "The Zoning Commission has voted no and I just don't realize how can you not know what no means. The people do not want this. What really bothers me is that a lot of you are sitting up there with total disinterest on your face. This is effecting all of these people. I urge you to consider what the people want and what the Zoning Commission has said."

Mr. Abe Salama, a resident of Hillsboro Road close to the area that is being asked for rezoning. Mr. Salama stated, "In the previous meeting we covered many topics. Tonight I am going to bring to your attention a new

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this 4.7 acres of land would remain zoned as residential property. An economic development representative sited job creation as the main reason for rezoning. The owner of the Mall cited a list of deed restrictions the company promised to add to the land deed if they could develop and make it mandatory that a buffer of trees remain between the property and the residential area. Councilmember Haire questioned whether the deed restriction would be binding on the next property owner should Appleby's sell the property later. I remind the Council that the local attorney representing the Mall owners at the time said that the deed restrictions would continue to stand and that it would be difficult to remove the zoning restrictions. Mr. Salama stated that the local attorney that the owner of the Mall agreed to restrict the use of the remaining portion of the 4.7 acres parcel in addition to what normally is required under zoning regulation stating that the restriction would be put in the deed. I submit to you, promises, promises, where are they now. We know what happened and instead of one business, we have two more businesses, Jameson Inn and Monroe Muffler Brake so we might kiss the restrictive covenant and the buffer zone goodbye because people in power, like you, have short memories and they never go back and reassess their decision. Councilmember Haire cast the only vote against the ordinance because he must have seen what was going to happen in 1994, why don't you see what is going to happen in 1999. Mayor Cheatham had the property listed with his real estate firm and Councilmember Moore who also had a real estate firm did not participate in the hearing or in the voting. We as the citizens of this City are asking the Mayor three questions, "why do you want to participate and vote in this rezoning issue while your colleague Mr. Moore did not when he realized that being a real estate broker is a sound reason to abstain from voting? Since the 4.7 acres was listed with your real estate firm how were you able to disregard the covenant restriction and the buffer zone and get two additional businesses? Again, since the 4.7 acres was listed with your real estate firm these three businesses were so close to \$1,000,000 according to court records. Can you share with us the benefits that you or your agency realized from these restrictions?" Mr. Salama asked that those people in attendance tonight who live in the City of Orangeburg and are in opposition to stand and requested that an official count be entered into the minutes which was 58. Mr. Salama stated that the information that his presentation was based on is public record and he has copies for anyone interested.

Mr. Chet Stone, a resident of 673 Mulberry Drive and is here to support his mother, asked, "Mayor and Council to deeply consider in this situation that there are plans on the drawing board for annexation in areas around the City. I don't know what your timetable is, but I know there is talk about going out Riverbank Road and North Road bringing those areas into the City. That is the area I live in. I will stand in the way, every bit of the way, and fight the City Council for trying to annex that area because you do not care about property values of the citizens of your town. Why would I or any person that lives out there ever, ever want to be a citizen of Orangeburg, South Carolina? If I lived in the City of Orangeburg, I would be packing my bags, putting my house on the market, getting as much as I could and high-tailing out of this City as quick as possible because there is a City Council here that totally hates its citizens because it refuses to protect its weakest citizens, widow ladies, retirees and people who put their investment into a home; you ought to be ashamed. I don't know what you have going on up there in private but you ought to be ashamed of it; it is a disgrace and somebody has to do something about it." Mr. Stone stated that this is an emotional issue and it hurts him to see his mother struggle over what to do and asked City Council not to take a three minute break stating that you made your mind up like last time because that tells me that you made up your mind before you got here.

Mr. Wayne Till, a resident of Hillsboro and also owner of additional property on Hillsboro, asked City Council if he needed to resubmit the petition from last meeting to which Council stated that they had copies. Mr. Till stated, "In reference to Mr. & Mrs. Bowman erecting a fence around that property, I hope the fence looks a lot better than they maintain their yard and as far as lower taxes, let's all be real."

Councilmember Miller stated that in view of the critical nature of this issue, Council should stay till midnight to let everybody have their piece. Mayor Cheatham stated that he feels they have heard all that needs to be heard and he would not stay until midnight.

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Mr. Charles Barnwell, a local attorney and resident of 727 Brewton Street, stated that he feels like Mrs. Cone, sounding like a broken record having appeared before City Council and the Zoning Commission on this same property. Mr. Barnwell stated that the last time he stood before City Council was the issue to rezone all the property from Highway 21 Bypass all the way down Columbia Road passed the Malibu Apartments which are on the left coming into town. If you take notice of this city which we all and we are spending and I commend the Council for doing what you are doing. You are making beautiful renovations to the Edisto Gardens which will benefit this city and has benefited this city in the past and the years to come, but any other entrance or exit into the City of Orangeburg is eaten up with commercial property that is distasteful to people coming to visit our own city and we ought to have more pride in our city itself that when visitors come to this city to Memorial Gardens coming down Columbia Road you have a partially vacant building. Mr. Barnwell brought up the domino effect. "Why don't we rezone the whole City of Orangeburg commercial and run the residents out because you don't give a hoot about them. I am not here because I am being directly affected right now, I'm looking at what is going to happen down the road, what kind of promises are you going to make to me today?" Mr. Barnwell stated that a man or a woman's home if their castle and now you want to tear the castle down and destroy it and every member of that nice residential section has come before you and has been before you in the past and said to please look after our interest. Don't destroy our neighborhood. Mr. Barnwell stated that he did not get a clear answer on the at the last meeting and on behalf of the people I would like to ask, "Do you or any member of your real estate company organization have any interest, financial or otherwise, in this particular property that Mr. Bowman and Mrs. Cone are attempting to have rezoned." Mayor Cheatham responded, "No sir." Mr. Barnwell asked, "Have you every had any interest?" Mayor Cheatham stated that at one time he did have an interest about a year ago. Mr. Barnwell asked Mayor Cheatham if the contract had expired to which Mr. Mayor stated it had. Mr. Barnwell also asked if there was a write-in clause that covers for a certain period of time as far as commission and Mayor Cheatham stated that it was for six months but that time has expired. Mr. Barnwell asked Mayor Cheatham, "Do you have an oral listing?" Mayor Cheatham stated, "No sir". Mr. Barnwell asked, "You have no, you are certifying to this body, that you have no interest and will not have any interest the year after if it rezoned?" Mayor Cheatham replied, "That is correct, Mr. Barnwell." Mr. Barnwell apologized to Council for having to ask these questions, but felt that they needed to be asked to which Mayor Cheatham responded that he got honest and sincere answers and Mr. Barnwell said that he took him at his word. Mr. Barnwell asked Council to treat these people the same as they would want to be treated.

There being no one else to speak, Mayor Cheatham closed the public hearing.

Council entered into regular session immediately following the Public Hearing with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the April 20, 1999, City Council Minutes as distributed. This was a 6-0 vote. Councilmember Knotts abstained from voting as she was not present at that meeting.

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A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to approve the Comprehensive Plan dated March 16, 1999, and the Land Use Plan Map dated March 16, 1999, with the amendment of reclassifying the lots between Chestnut Street and Pinebrook along Columbia Road from Residential to Commercial Land Use. This was a 4-3 vote. Councilmembers Rheney, Salley and Miller opposed this motion.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999, and Zoning Map dated March 16, 1999. This was a 4-3 vote. Councilmembers Rheney, Salley and Miller opposed this motion.

Mayor Cheatham stated that he would like to cover a particular item that was not on the agenda. "A lot of our citizens received a notice in the paper box from the SC Taxpayer's Association. It's information concerning the Telecommunications Act that is presently before the State Senate. The House of Representatives has already passed it, but it is being delayed by the Senate and we're fighting to try to kill this Bill so it will not affect the cities of South Carolina." He stated he wanted to respond to some of the things that were misleading and false. "They say a group of City Mayors are seeking to hide one of the largest Tax Act hikes in history inside our telephone bill. They have quietly passed a Municipal Ordinance that would require every single customer service to pay a new fee of 3% to the government. First, there has never been any Municipal Ordinance that has quietly passed. All have been passed in open session at City Council meetings and all ordinances require three readings before the Ordinances are enacted. In addition, all are reported in local newspapers and to say municipal governments quietly passed a Municipal Ordinance is a falsehood and intentionally misleading the public. It goes on to say statewide that amounts to a whopping tax increase of \$36 million the first year alone and \$470 million over the next nine years, and the mayors who backed this tax scheme are not telling us the truth. They say the fee will be collected from the telephone companies, not from phone customers. Our City Council has never said that franchise fees are paid by telephone companies. We know its passed on to telephone subscribers and we also feel this is not right or proper. We have repeatedly told our citizens that the Cable Franchise Fee is a pass through to the cable subscribers and this is another falsehood by the Taxpayer's Association. At the present time we do not have a franchise fee with BellSouth, but one was enacted in 1993 at 5% and Southern Bell took us to court. The City of Orangeburg won in the lower court and the case is now pending before the South Carolina Supreme Court. Franchises are not only for collecting fees, but they also allow local governments to regulate telecommunications to ensure better service for our citizens. What the communications industry will be paying for through telephone subscribers in the franchise fee is for the use of public owned right-of-ways which are maintained by the City. We cut grass around medians where they have poles. Traffic is delayed when they perform work in manholes. Since the breakup of the Bell System, in some cases they have been slow in completing work that should have been done. For example, at the corner of Henley and Broughton Street a pole was hit by a motorist in November 1998, and a new pole was set to replace it. Today, May 4, 1999, transfers have not been made to the new pole and the old unsightly pole that was hit and damaged remains. Why does it take some five to six months to remove an old pole from its location? It's because the Bell System has deserted all entities in South Carolina. They no longer have business offices, their forces have been reduced, operators are no longer in a lot of communities in South Carolina. Before you vote on anything, and they ask you to vote on this and send it back in and also ask that you send a contribution with it, your City is here to serve you and serve you, we will. Just look around and see what we have accomplished. Over the last five years, we've only raised taxes four mills and it was to purchase a \$600,000 aerial platform truck for the protection of our citizens. We passed it in open session, not quietly. The addition of the 2% motel and food accommodations tax is being used for specific improvements, a new parking lot at the Gardens, improve the entrance to the Edisto Memorial Gardens, renovations of Stevenson Auditorium, downtown streetscape, a new parking lot at the corner of Amelia and Broughton Streets, expansion of the parking lot adjacent to the First Baptist Church and many other improvements. It also includes the improvements we're making to the Orangeburg Cemetery on Bull Street. Look at the number of new trees we've planted in Orangeburg, over \$3,000 new trees. We're concerned about the beauty of Orangeburg also. All we're asking our Senators in Columbia to do is to delay any decision on this matter for one year and let Clemson University or the University of South Carolina Institute of Public Affairs make a study

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to determine which is the right way to go. What is really disturbing about all of this is that the Public Service Commission is looking into excessive earnings by BellSouth for around \$100 million and also, excessive fees charged for access charges to long distance carriers. They could probably pay the franchise fees with these overcharges they've made and not pass it to the subscribers. The cities of South Carolina would welcome the study. We would hope the communications industry would do the same. You can't always believe what you read and I hope our citizens will not be confused or misled by what they have received in the mail and I hope we can stop this and let them do an unbiased study from these institutions and come up with the proper information."

City Administrator Yow told Council that he received a request from South Carolina State University to waive a Business License Fee in the amount of \$1,994.00 for Martin Engineering, Inc., for the construction of the Recital Hall portion of the new Fine Arts Facility. The Recital Hall was added to the contract with Martin Engineering, Inc., prior to the City's annexation of that portion of the campus. City Administrator Yow recommended that the license fee be waived.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to waive the Business License Fee for Martin Engineering, Inc., in the amount of \$1,994.00 for the Recital Hall on South Carolina State University Campus. This motion was unanimously approved.

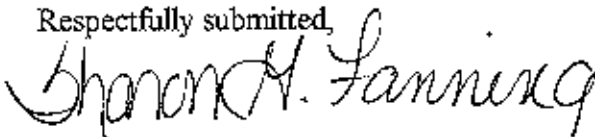
A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve a Resolution to enter into a Lease Purchase Agreement with First National Bank of Orangeburg for \$100,000 at a rate of 4.1% for a three year period to purchase Y2K software and training and authorize City Administrator Yow to execute the agreement. This motion was unanimously approved.

There was no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a personnel matter concerning the Municipal Court and a legal matter concerning the Department of Public Safety.

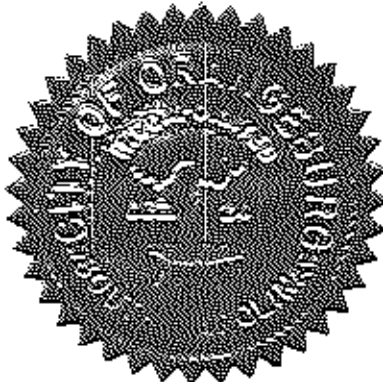
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



A RESOLUTION TO PURCHASE PROPERTY OWNED BY JOHN TOWNSEND SIFLY AND JEAN P. SIFLY AND LOCATED ON ST. JOHN STREET IN THE CITY OF ORANGEBURG.

WHEREAS, John Townsend Sifly and Jean P. Sifly are the owners of property located on St. John Street in the City of Orangeburg, State of South Carolina; and

WHEREAS, the City of Orangeburg finds that it would be in the best interest of the City to purchase said property for the purpose of improving its downtown and to provide additional parking;

NOW, THEREFORE, BE IT RESOLVED by Council duly assembled that the City of Orangeburg purchase the below described property from John Townsend Sifly and Jean P. Sifly, for the consideration of Fourteen Thousand Five Hundred and 00/100 (\$14,500.00) Dollars.

BE IT FURTHER RESOLVED that the City of Orangeburg does hereby agree to incur all costs incurred in purchasing said property, with the exception of deed preparation. All real property taxes to be prorated as of date of closing.

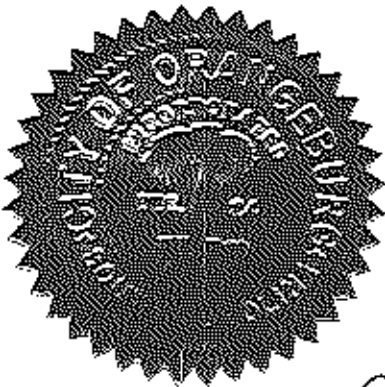
BE IT FURTHER RESOLVED that the owners shall retain a license on, over, and across the property for the purpose of installation, maintenance, removal and replacement of three (3) heating and air conditioning units serving the building of owners adjacent to subject property.

BE IT FURTHER RESOLVED that the City Administrator is authorized to execute any and all documents necessary to complete said sale and purchase.

Description of property:

All that certain parcel of land lying and being in the City of Orangeburg, South Carolina and being bounded as follows: On the northeast by other property of Norman G. Sifly measuring one hundred (100) feet, more or less; on the southeast by St. John St. measuring forty five (45) feet, more or less; on the southwest by property of the City of Orangeburg measuring one hundred (100) feet, more or less; and on the northwest by property of the City of Orangeburg measuring thirty six (36) feet, more or less.

DONE AND RATIFIED by City Council for the City of Orangeburg, State of South Carolina, in council duly assembled this 20th day of April, 1999.



ATTEST

City Clerk

Mayor

Members of Council



Fair Housing Resolution

WHEREAS, the City of Orangeburg recognizes the importance of fair housing and its obligation to affirmatively promote the concept of fair housing opportunities; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, commonly referred to as the Fair Housing Act, prohibits discrimination in the sale of housing on the basis of race, color, religion, sex, marital status, national origin, familial status or disability; and

WHEREAS, all recipients of Community Development Block Grant Funds, in accepting said funds, certify that the local government will administer its housing and community development programs in a manner which will actively promote equal access to housing opportunities and maintain a non-discriminatory environment.

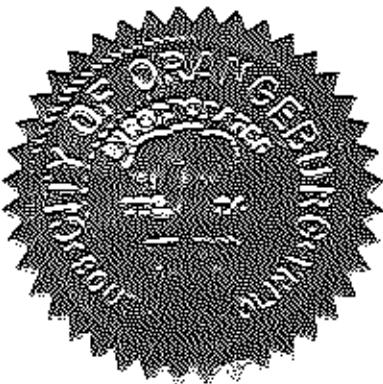
NOW, THEREFORE, Be It Resolved by the Mayor and Council duly assembled, that the City of Orangeburg shall implement the following action to affirmatively promote fair housing:

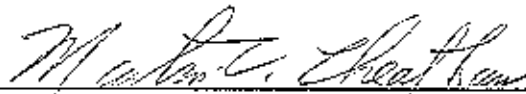
By proclaiming April as Fair Housing Month to broaden public awareness of the importance and legal requirement to sell and rent housing in compliance with the Fair Housing Act.

By presenting for public display in the lobby of City Hall during the month of April, an announcement concerning the City of Orangeburg's Housing Fair to be held in April and by providing other information and access for the public to pamphlets, posters, describing the legal obligations under the act.

By publishing this Resolution in the local newspaper as a means of communicating the importance of fair housing and the City's efforts to affirmatively promote the concept.

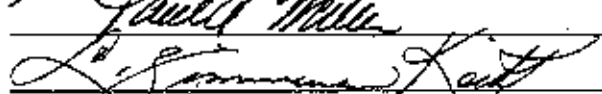
Passed by the City Council of The City of Orangeburg, State of South Carolina, this 20th day of April, 1999





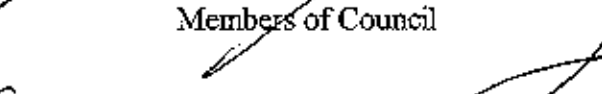
Martin C. Cheatham, Mayor





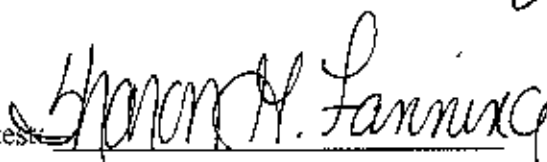






Members of Council

Attest



City Clerk

**A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER A
LEASE PURCHASE AGREEMENT FOR \$100,000 TO PURCHASE Y2K
COMPLIANCE SOFTWARE**

WHEREAS, the governing body of Lessee has determined that a true and very real need exists for the acquisition of Y2K Software (the "Equipment"), the Lessee desires to finance the Equipment by entering into an Equipment Lease Purchase Agreement with First National Bank as Lessor and City of Orangeburg as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from the First National Bank dated April 16, 1999, presented at the board meeting; and

WHEREAS, the Equipment will be used by the Lessee for the purpose of accomplishing Year 2000 (Y2K) computer upgrades; and

WHEREAS, the governing body of Lessee has taken the necessary steps, including any legal bidding requirement, under applicable law to arrange for the acquisition of such equipment; and

WHEREAS, the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose; and

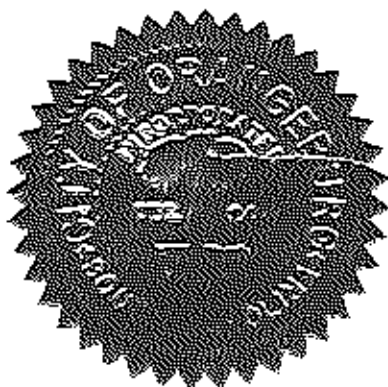
WHEREAS, the terms of said Agreement are in the best interests of Lessee for the acquisition of such Equipment and the governing body of Lessee designates and confirms John H. Yow, City Administrator to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement; and

WHEREAS, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Rental Payments coming due under the Agreement will at times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended; and

WHEREAS, the Lessee hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars (\$10,000,000.00) of tax-exempt obligations during the 1999 calendar year, and hereby designates the Agreement as a "qualified tax exempt obligation", as defined by Section 265 (b)(3) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of Lessee.

NOW, THEREFORE , BE IT RESOLVED, by the Mayor and City Council of the City of Orangeburg duly assembled on May 4, 1999.



Marion C. Chapman
Mayor

James Haire

Sydney P. Hottel

Paul A. Miller

James J. Lister

James J. Lister

James J. Lister
Members of City Council

ATTEST:
Sharon M. Lanning
City Clerk

CITY COUNCIL MINUTES

MAY 18, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 18, 1999, at 7:00 A.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Salley.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the May 4, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999, and Land Use Plan Map dated March 16, 1999, as presented by the Planning Commission. This was a 3-4 vote. Mayor Cheatham, Mayor Pro Tem Keitt, Councilmembers Knotts and Haire opposed this motion. This motion did not carry.

Councilmember Salley stated that this involved the District he represented. "This is the beginning of deterioration of that District by encroachment of business and regardless of how you feel about that particular corner, which is in the City, it is the beginning of deterioration of that area. By changing it to business the next little section of properties will be adversely affected very severely. That's my reasoning for wanting to accept the recommendation of the Planning Commission."

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, to approve an amendment to reclassifying properties between Chestnut Street and Pinebrook along Columbia Road from residential to commercial land use and adopt the Comprehensive Plan and Land Use Plan with this amendment dated March 16, 1999. This was a 4-3 vote. Councilmembers Rheney, Salley and Miller opposed this motion.

Councilmember Miller asked Attorney Walsh if he had any information for Council that was presented last Council meeting by Mr. Bender. "He indicated he didn't think we had the right to revise the Comprehensive Plan as presented by the Planning Commission. Have we found out anything about this." Attorney Walsh stated that, "We have addressed this before he appeared and we had a telephone conversation with Roy Bates who is one of the authors of that Bill. He advised us that Council would have the final say-so and they can make amendments."

City Administrator Yow clarified the next item on the agenda. The Second Reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999, and Zoning Map dated March 16, 1999. He stated that the zoning map that is presented in this item does not include any land use changes. The zoning map would still reflect the properties that are in question as residential.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999, and Zoning Map dated March 16, 1999. This motion was unanimously approved.

Mayor Cheatham recognized citizens that wanted to speak.

Mr. Abe Salama stated that, "Many of us came here with the pretext that everything is a done deal but I hope that you will consider two comments I'm going to make tonight. I have the law that the City Attorney says that you have the right. Mr. Jay Bender last time said if we have two lawyers in

CITY COUNCIL MINUTES
MAY 18, 1999
PAGE 2

the same building we'll have three opinions. I would invite anybody after you leave here to have a copy of the law as of May 4, 1999, with the statement that you have. I would like for you to consider the fact that this matter might end up being considered in the court. I would like for you to consider because the question was asked to the Mayor by Mrs. Stone if her property will go up or down. I have made an unscientific survey by Realtors in this town, twenty-five local Realtors have insisted that her property and others will go down. As I said it's not scientific. My question to you and your attorney will help you to determine that if these people's properties will go down as a result of your actions, are you willing to compensate them for the loss of their property? This is a legal matter that your lawyer has to answer. The irony of the matter is that Mr. Bowman who has two houses in this area. He can come and ask for compensation for the devaluation of his property if that process will come. I think that the Mayor has asked several people locally here, we can disagree and we can be friends. I have to tell you this is the democracy and we're all going to be friends even after disagreement but the issue is are we listening to the people of this town. We are elected representatives. There is a message that we want to do because somebody could be here representing the company or the developer that when they purchased this land that individual is here or we'll read about it in the paper tomorrow. Let me give him a message. A message by the local residents should be loud and clear. You are not welcome here but if you came to our neighborhood we promise that we will not vigorously or deny a boycott campaign to your business that will force you to close your doors and go home where you came from. Your building will join other buildings currently vacant where City Council is traveling to find new tenants. Please listen to our cry and take us seriously."

Mr. Ronnie Rucker of 1796 Pinebrook addressed Council. He stated he had two questions to ask the Mayor. "What was the reason for you going to the preachers office (Reverend Sanderson) and asking if you'll still be friends?" Mayor Cheatham stated he took some Prayer Breakfast tickets to Rev. Sanderson." Mr. Rucker stated that you also called another member of the church and talked to him. Mayor stated, "You'll have to refresh me. I don't know." Mr. Rucker stated, "I can't remember the man's name but I was told you called somebody else." Mayor Cheatham stated, "I received a letter from a member of his church and I responded to his letter. As I always respond to letters from citizens." Mr. Rucker stated, "I'm not too familiar with City Council, this is my first experience but it kind of baffled me at what you all are trying to do. At least four of you on this Council. You know who you are. It seems to me like there's something going on here. The reason you're trying to get this thing pushed through so fast. The people in the neighborhood are not going to stand for what you're trying to do. We're going to fight you until the last breath. I don't think what you're doing is right and the Planning Commission has already opposed this thing twice. The citizens of Orangeburg don't know exactly what's going on. If they are like me they have a lot to learn. I've seen a lot the couple of times I've been here. I don't have anything against you all because I don't know any of you that well but I'm just asking you to do the right thing for our neighborhood. Thank you."

Mrs. Marian Stone of 2010 Loblolly addressed Council. She stated, "I had to come up here because I didn't want to disappoint any of you by not speaking. You've heard from me plenty of times and you know where I stand. There is one thing I'd like to say. That on the March 16, 1999, meeting you voted 4-3 to send this back to the Planning Commission to accept it or reject it. They accepted it the second time, the Comprehensive Plan as is. You four then really wanted them to vote in y'all's favor. If they would have did that then they would have been the scapegoats. Thank goodness they didn't be your scapegoats. It didn't work that way. Now you still have to look us in the face and deal with the problem. Thank you."

City Administrator Yow told Council that they had in their agenda packet a Resolution regarding the State Highway Department Agreement. He stated, "This pertains to route S-94 which we refer to as St. Matthews Road. It's the project you've been briefed on several times. It is an agreement that the Highway Department requires when they are constructing or altering the roadways in the City. Nothing has changed since our last meeting. We have a set of plans for you to sign but we still have not gotten back the final specifications on the pond at Hillcrest Golf Course. We will not give them a notice to proceed on our property until that happens. I would recommend that you also let Mr. Boatwright address this Resolution before you vote on it."

DPU Manager Boatwright stated that, "The Department of Public Utilities has no primary objections to the Resolution as written, however, we would like to specify that our concurrences is based on current construction plans that we have seen. We can't know what kind of construction changes may be made in the future. We concur with the present set of plans."

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve a Resolution regarding Municipal State Highway Department Agreement. City Administrator Yow will provide the documents to the State Highway Department upon the City's final approval of plans.

Parks and Recreation Director Smith told Council that staff submitted a grant request in the amount of \$20,000 for additional development of athletic facilities at the Hillcrest Recreation Complex. This application was through the South Carolina Department of Parks, Recreation and Tourism's Parks and Recreation Development Fund Grant Program and was submitted to our local County Legislative Delegation for their consideration. The Grant would accomplish work elements as the installation of irrigation systems on three fields, fencing and a scoreboard. Additional spectator seating would also be purchased. The Orangeburg County Legislative Delegation has notified the City that the Grant has been approved in the amount of \$15,000 and P.R.T. has offered a project agreement. He recommended that the City accept the Grant and authorize the City Administrator to sign the Project Agreement on behalf of the City.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, for authorization to enter into an agreement of P.A.R.D. Funds in the amount of \$15,000 and City Administrator Yow sign the Project Agreement. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to appoint Alex Azad (Finance Department), Clatus Griddle (Hillcrest Golf Course) and Jacque Fogle (Parks & Recreation Department) to the City Grievance Committee for three year terms expiring June, 2002. Jacque Fogle will serve as an alternate to the Committee. This motion was unanimously approved.

DPU Manager Boatwright presented for Council's consideration a Resolution which is required for the EDA Grant for the Industrial Park and the other three quadrants. He stated, "We have been awarded a \$1.0 million dollar grant to put wastewater to the park and \$0.5 million for the other three quadrants. The \$1.0 million for the park will be shared with the County as per our development agreement. One of the many hoops we must jump through for this grant is this Joint Resolution stating that we will not provide sewer service funded by this grant to areas which have been declared wetlands. It is illegal to build in the wetlands anyway, so, as is often the case, it seems irrelevant to me, but none the less we have to do it. The \$1.5 million is certainly worth some of this seemingly meaningless work."

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to approve a Resolution to establish a Wetland Policy for EDA Grant No. 104-01-04409. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to enter into an Executive Session for a Personnel Matter concerning Municipal Court and the Department of Public Utilities and a Legal Matter concerning BellSouth Litigation.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

JUNE 1, 1999

Orangeburg City Council held a Public Hearing on June 1, 1999, at 7:00 P.M., in Stevenson Auditorium for the purpose of discussion on a request made by Orangeburg Milling Company to close Fersner Street from Whaley Street to Bayne Street and annexation of City owned properties into the corporate limits of the City of Orangeburg.

Mayor Cheatham opened the Public Hearing for a request made by Orangeburg Milling Company to close Fersner Street from Whaley Street to Bayne Street. Mayor Cheatham asked if there was anyone wishing to address this change.

Mr. John Shuler stated that he represented Orangeburg Milling Company in their petition to close Fersner Street from Whaley Street to Bayne Street. He also stated that this matter had been before the Planning Commission two times and an agreement was worked out as far as the extension of Bayne Street to accommodate the people that live in the Bayne Street area to give them an outlet on the street beyond. Mr. Shuler stated, "We feel that this closing will be in the best interest of the community and also of my client and will allow them to expand their facility, allow them to put in some equipment that will keep noise and dust down in the area, and generally improve the area and at the same time continue to be a viable employer in the City of Orangeburg. This will expand their taxable property for the benefit of the City of Orangeburg. We feel that this is in the best interest not only of our client in their plans to improve and modernize their facility and employ more people, but it also will help the neighborhood in an effort to cut down on the dust and noise as well as other things that are associated with the manufacturing process. At the same time it addresses a question of safety in connection with cars and trucks moving through an area. It will take the car traffic away from the facility and give them an outlet just a little further down and that they will not be involved with the truck traffic that is present in that area."

Mayor Cheatham asked if there were any questions for Mr. Shuler.

Mr. Perry Arant, owner and manager of Orangeburg Milling Company addressed Council. Mr. Arant stated, "We have agreed that we will not close Fersner Street until the extension to Bayne Street is open for traffic and that there should be no disruption of traffic." Mayor Cheatham asked Mr. Arant if he would be willing to put that in writing to which Mr. Arant stated that he would be glad to. Mayor Cheatham stated that it would be appropriate and would be good for the citizens for that area to understand that. Mr. Arant stated that they also have the support of the County Public Works Commission on this project and they are willing to help. Mr. Arant stated that Orangeburg Milling would be responsible for the cost on the project, although they may seek help through some grants, but the long-term maintenance will fall back on Orangeburg Milling. Mayor Cheatham asked if Fersner Street would remain open until the extension of Bayne Street is completed, tied into Granary Street and ready for traffic to which Mr. Arant stated that was correct. Mayor Cheatham also asked Mr. Arant to include this information in his letter.

Mayor Cheatham asked if anyone had any questions for Mr. Arant. Mr. Haire stated, "He thought that he read in the minutes of the Planning Commission that there was some concern on the part of Mr. Nash with the Orangeburg Stockyard as it relates to extending that street and bringing the traffic closer to the stockyard." Mr. Arant stated that he met with Mr. Steve Nash and they have spoken on this matter. Mr. Arant stated, "If we were to extend the street straight as it is there would be, in my view, two disadvantages. It makes a much sharper turn onto Granary Street and Mr. Nash's concern is that he has some animals that are housed for the market on the back side. If we put a slight curve in the street, it will be more expensive and take up more of our property but we are willing to do this to work with him. The traffic would come into Granary past where his traffic backs in and past his animals and I think he is willing to work with us on that."

Mayor Cheatham asked if there was anyone else to speak at the public hearing. Mayor Pro Tem Keitt addressed Council stating that she is a member of the Bayne Street, Duncan area and that they have talked with Mr. Perry Arant and that they have consented to the street extension. They would like to make sure Mr. Arant puts everything in writing for them and they will make sure that everything they asked him for is done before Fersner Street is closed. Mrs. Keitt stated that there were members present from the Bayne Street area. Mr. Brown from the daycare and his concern is the traffic in the

MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)

COUNTY OF Orangeburg)

Road/Route S-94)

File 38.985)

Item 400160)

F.A. Project STP-9301(754))

PIN 12912)

RESOLUTION

WHEREAS, In accordance with Chapter 5, Title 57, Code of Laws of South Carolina, 1976, and amendments thereto, the South Carolina Department of Transportation in cooperation with the Municipality of Orangeburg, proposes to construct, reconstruct, alter, or improve a certain street, or streets, on duly constituted routes in the State Highway System, within the corporate limits of said Municipality, according to plans prepared by the South Carolina Department of Transportation, identified as follows:

Road S-94: Along St. Mathews Road from U. S. Route 21/178 (survey station 34+53.97), northeasterly to the city limits, north of Road S-699, and to include intersection improvements and triangle areas at the intersection of Roads S-94 and Road S-699.

NOW THEREFORE, Be it resolved that the Municipality of Orangeburg does hereby consent to the construction or improvements of the aforesaid Municipal street, or streets, in accordance with the aforesaid plans, thereby evidencing compliance by the South Carolina Department of Transportation with the provisions of Section 57-5-820, Code of Laws of South Carolina, 1976; and further the Municipality, having reviewed the plans for said construction, does hereby approve said plans, as heretofore identified, as provided for in Section 57-5-830, of the 1976 Code. It is expressly agreed that the South Carolina Department of Transportation shall not be held liable for any damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality; further, that the Municipality agrees to indemnify and hold harmless the South Carolina Department of Transportation to the maximum amount allowed by law against any and all claims or actions brought against it arising out of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality.

BE IT FURTHER RESOLVED, That the Municipality will legally protect the rights of way as shown by the plans prepared by the South Carolina Department of Transportation and as established for this street, or streets, from future encroachment along any or all parts of the improvement covered by this agreement, and that all water, sewer and gas pipes, manholes, or fire hydrants and all power, light, telegraph, or telephone poles will be moved, relocated or rearranged, or caused to be moved, relocated or rearranged by the Municipality, in accordance with plans prepared by the South Carolina Department of Transportation and/or by respective utility companies showing their present and proposed location, and made a part hereof, with provision that pole lines and hydrants be located back of the sidewalk, and to conform to the plans for the proposed improvement and that all of the above will be done without any expense or cost to the South Carolina Department of Transportation except for those items which are shown on the construction plans for this project to be adjusted as items in the construction contract or contracts to be awarded by the South Carolina Department of Transportation.

BE IT FURTHER RESOLVED, that no additional utility installations within the limits of the street improvement from the date of the execution of this agreement will be permitted by the Municipality without approval of the South Carolina Department of transportation, and that the relocation activities will be coordinated so as to minimize interference with contractor operations and Municipality will assist the South Carolina Department of Transportation as needed to coordinate these activities..

BE IT FURTHER RESOLVED, That the Municipality hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in Section 56-5-930 of the 1976 Code, nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, This Resolution is hereby adopted and made a part of the Municipal records this day of May 18, 1999 and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Orangeburg, South Carolina
Municipality

ATTEST:

BY

Sharon M. Lanning
Clerk

Martina Thornton
Mayor

Sam Haire
Douglas R. Smith
Joe G. Miller

L. Zimmerman
James R. Lippert
W. L. Smith



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG TO ESTABLISH A WETLAND POLICY FOR EDA GRANT NO. 04-01-04409 TO ASSIST IN FUNDING A SEWER SYSTEM IMPROVEMENT

WHEREAS, the Economic Development Administration has awarded EDA Grant No. 04-01-04409 to the City of Orangeburg and the County of Orangeburg to assist in funding a sewer system improvement, and;

WHEREAS, the Economic Development Administration's grant award requires that the governing Council "permanently restrict tap-on's of sewer services from these EDA funded facilities to any new development within the jurisdictional freshwater wetland(s) or endangered threatened species habitat"; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the sewer service will be restricted from the EDA funded facilities to additional structures located within Jurisdictional Wetlands areas within the project boundaries of EDA Grant No. 04-01-04409.

RESOLVED BY City Council duly assembled this 18th day of May, 1999.



Martin L. Theofanis
MAYOR

Bernard Haire
Linda R. Smith

Paul Miller

L. Zimmerman Kaid

James H. Hargis
W. Keith Sells
MEMBERS OF COUNCIL

ATTEST:

Sharon A. Lanning
CITY CLERK

City Council Minutes

June 1, 1999

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area with the big trucks and the way Mr. Arant is talking about doing the street extension and street closure will help the traffic, but we will not agree to anything else.

Mayor Cheatham asked if there were any questions for Mrs. Keitt. Mayor Cheatham asked if they, the citizens, were satisfied that they were able to work out with Mr. Arant as to how the street will be located and that the only question now is that it is put in writing before it is started and Mr. Arant has agreed to that.

Mayor Cheatham asked if anyone else wanted to address Council on this issue.

Mr. Shuler addressed Council stating that he just wanted to make one point so nobody will be confused. Mr. Shuler stated, "After all this is done and it is approved by the City, we will have to go one step further and bring in an action in circuit court to close the road by state law but certainly we do not anticipate moving forward on that action until we have the approval of the City.

Mr. Bushyager addressed Council stating that the only remaining issue that was addressed at the Planning Commission and not specifically addressed tonight was the cost factor. Two issues addressed tonight were that the Bayne Street extension would be open before through traffic was to be stopped on Fersner Street and the long-term maintenance to the extension would be the responsibility of Orangeburg Milling. Mr. Bushyager also recommended that in the resolution, once it is drafted, the cost associated with the construction be incorporated into that resolution and that the cost will be the responsibility of Orangeburg Milling, all necessary utility easements as per Mr. Boatwright and we would also request that street be made to highway department street specifications for future incorporation in the state highway system.

Mayor Cheatham asked if there was anyone else to address this matter before closing the public hearing. Hearing none, the public hearing of Orangeburg Milling Company to close Fersner Street was closed.

Mayor Cheatham stated that the next public hearing is annexation of City-owned property into the corporate limits of the City of Orangeburg.

Mr. Warren Harley addressed Council and stated that there are four City-owned properties that the City would like to incorporate into the city limits of Orangeburg. The first property, which is located on the Edisto River, is to be zoned A-1, the second property, which is the DPU facility, is to be zoned D-1, the third property, which is located on the Edisto River and the Gardens, is to be zoned B-1, and the fourth property, which is at the City Airport, is to be zoned D-1.

Mayor Cheatham asked if there were any questions for Mr. Harley on this matter. Mayor Cheatham asked if anyone else would like to address this issue on the annexation of these properties presently owned by the City and to be annexed into the City of Orangeburg. Hearing none, Mayor Cheatham closed the public hearing.

Council entered into regular session immediately following the Public Hearings with Mayor Cheatham presiding. An invocation was given by Councilmember Knotts.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

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June 1, 1999
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A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the May 18, 1999, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow stated that he would like to report that he and the City Attorney had consulted on Agenda items #2 and #3, the Third Reading of Ordinances to adopt a Revised Comprehensive Plan dated March 16, 1999, and Land Use Plan Map dated March 16, 1999, and Revised Zoning Ordinance dated March 16, 1999, and Zoning Map dated March 16, 1999 and have removed these items from the agenda for any action tonight.

City Administrator Yow requested that City Council give Attorney Walsh and himself direction on whether or not they would like Attorney Walsh to represent the Mayor on two separate issues. The first being an Ethics Complaint Investigation and the second being a hearing before a judge concerning the Mayor's participation in voting on items #2 and #3.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to have Attorney Walsh represent Mayor Cheatham on the Ethics Complaint Investigation and a hearing concerning his participation in voting on items #2 and #3. This was a 6-0 vote. Mayor Cheatham abstained from voting.

City Administrator Yow recommended that Council defer action on the request for the closure of Fersner Street from Whaley Street to Bayne Street until we can get some of the specific questions and agreements that were raised in the Public Hearing in writing so they can be put in a Resolution form to be brought back to Council for consideration at the next meeting.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept the recommendation of City Administrator Yow to defer action on this item. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to annex City property located on the Edisto River Orangeburg County, into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to annex DPU Facility into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to annex property formerly owned by Labora into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to annex property formerly owned by James B. Smoak into the corporate limits of the City of Orangeburg. This motion was unanimously approved.

These were all voted on and accepted in one motion.

A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt, to award a bid of \$135,704.00 to Query-Pritchard Construction, Inc., for the bay addition to Fire Station #2. This motion was unanimously approved.

Mayor Cheatham gave an update on plans for a Centennial Celebration. He stated a committee has been formed to put together a millennium celebration which will be sponsored by the City and DPU. The committee has put together a budget of \$47,853. The budget includes a \$21,000 for the purchase of a four sided clock to signify the millennium. Tentative plans call for the clock to be placed in front of City Hall. He stated, "It's a beautiful clock and will serve our City for many, many years. The committee felt like with the significance from going from 1999 to 2000, we should go with something of quality." The celebration plans also include wagon and hay rides, an art exhibit,

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ice sculptures, a millennium ball, a fireworks display and a religious ceremony. "This is a tremendous time for the people of Orangeburg to come together to celebrate the millennium. The celebration will be called the Magic of the Millennium and it will be a magic time for all of us."

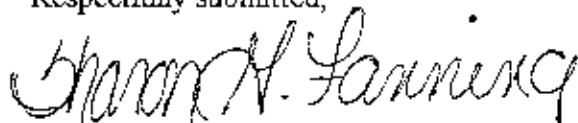
A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to accept the recommendation of the Year 2000 Committee and approve the recommended budget and give the Committee the authority to move forward. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to uphold the recommendation of DPU's Grievance Committee's discharging of an employee. This was a 5-2 vote. Mayor Pro Tem Keitt and Councilmember Knotts opposed this motion.

Mayor Cheatham announced that the Executive Session for a contractual matter concerning the Parks and Recreational Department had been postponed and delayed at this time.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

JUNE 15, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 15, 1999, at 7:00 P.M., in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

Martin C. Cheatham

Bernard Haire

L. Zimmerman Keitt

Sandra P. Knotts

Paul A. Miller

Joyce W. Rheney

W. Everett Salley

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to approve the June 1, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to annex City property located on the Edisto River Orangeburg County, into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to annex DPU Facility into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to annex property formerly owned by Labora into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to annex property formerly owned by James B. Smoak into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

These were all voted on and accepted in one motion.

City Administrator Yow stated, "Council is aware of the history of the request of Mr. Perry Arant (Orangeburg Milling). They were present at the previous Council meeting and indicated their desire to do this project (closing a portion of Fersner Street). Council indicated that they would like some things they had agreed to in writing. Those things have been written in the Resolution and we have a letter from Orangeburg Milling Company agreeing to honor the Resolution that is before Council tonight.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve a Resolution for conditional consent agreement to close a portion of Fersner Street and that the letter become a part of the minutes of the City of Orangeburg. This was a 6-1 vote. Councilmember Haire opposed this motion.

Mr. Mike Hucks of the U.S. Agricultural Department (USDA) presented to Council a review of an agreement of conditions to facilitate the application process in obtaining a \$100,000 Rural Business Enterprise Grant for Stevenson Auditorium. This grant has been earmarked to remove and replace the existing heating and air-conditioning system with a new and efficient system. The grant match requirement is leveraged by the totality of funds being used for the renovation project.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve a Rural Business Enterprise Grant in the amount of \$100,000 from the U. S. Agricultural Department (USDA). This motion was unanimously approved.

CITY COUNCIL MINUTES

JUNE 15, 1999

PAGE 2

Mr. Dan Cherry of Lower Savannah Council of Governments presented to Council a review of the policies and procedures regarding a Housing Rehabilitation Grant in the amount of \$188,500 for the Riggs and Lindale Street area that the City has been awarded. He stated that the houses will be bid out for construction. The house numbers will be brought back for the Housing Advisory Committees' approval. Also, someone designated from the City would need to be present with the homeowner at the signing of the contract.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to reappoint City Council as the City's Housing Advisory Committee. This motion was unanimously approved.

Public Works Director Bowden told Council that a pre-bid meeting had been held with contractors on the construction of cart paths at Hillcrest Golf Course. He stated that the paths are for 18 holes and that this has been divided into nine projects. To cover the 18 holes there will be 23,792 feet of cart paths and \$300,000 has been allotted for this project in the Hospitality and Accommodations Tax Fund. Cart paths will be seven feet wide at 18,645 square yards and will be six inches thick. Bids for this project will be opened Wednesday, June 16, 1999, at 2:00 P.M. Councilmember Salley asked, "Is seven feet wide enough for golf carts to pass?" Public Works Director Bowden answered no. Mayor Cheatham stated that if carts passed they were going too fast. Councilmember Miller stated that the reason for the seven feet is to be able to get your service vehicles out to the golf course without tearing the course up. Councilmember Miller asked Director Bowden, "Explain how this is going to work when you get your bids back in tomorrow." Bowden stated, "The first thing is you talk about different types of contracts. The first type of contract you can have is a lump sum where someone gives you a total price. The contractor takes a risk associated with it, whereas, the risk would be for the unforeseen and if something comes up that we didn't see in the drawings you have a change order the contractor does and we have to pay extra. The negative to that is there is no competition in the change order. You're having to deal with the same contractor and there is no negotiation of price. Another type of contract is a hourly cost where you pay a contractor to supply men and equipment and do your work. He basically doesn't take any risk. We take the risk by having to pay them eight hours if they only work one productive hour. The other type is a units contract. This is where you define units of work by the square units of concrete. You pay them, based on the number of units of concrete they place. You put the risk associated with performance on the contractor to make sure they perform. The quantity risk is back on the City. Whoever has the net low will get the bid."

Mayor Cheatham stated, "We wouldn't be able to be doing this folks if we had not turned Hillcrest around from what it was about seven or eight years ago. We were at one time subsidizing it about \$150,000 and on the average about \$110,000 to \$135,000. We've come a long way to turn it into a profit making venture out there and to make improvements. We added the \$.50 to the green fees to raise these funds plus the fees from the 2% Hospitality and Accommodations Tax has enabled us to do this. The key to it has been the management at Hillcrest over the past four to five years. We are very proud of what we've been able to do out there. I want to thank everybody that's had a part in it. We probably have the lowest green fees and cart fees in the state. We have gone from about 21,000 rounds of golf a year to about 39,000 a year."

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to give authorization to enter into an agreement to construct cart paths at Hillcrest in the budgeted amount of \$300,000. This motion was unanimously approved.

Parks and Recreation Director Smith stated that he had received a request to consider establishing a section in the Sunnyside Cemetery for cremain interments only. A site between Section 9 and the Hebrew Cemetery was deemed as suitable for such a section. Three rows of twelve plots each were designed for a total of thirty-six available plots. Each plot would measure 3' x 3'. An area/cost comparison was completed based on the current area/cost of a single plot. A cost of \$100 was determined as a cost per plot in the cremain section and that the cremain interment fee be \$50.00. We also propose that we approach the Orangeburg Cemetery Committee to survey their feelings on the possibility of creating a cremains section at the Orangeburg Cemetery. Councilmember Salley stated that for maintenance purposes it would be easier to use flat markers instead of the raised

CITY COUNCIL MINUTES

JUNE 15, 1999

PAGE 3

markers. Councilmember Haire stated he would like to see Director Smith meet with the Cemetery Committee and get a feel for it from them and then bring it back. Mayor Pro Tem Keitt suggested that we work with the Committee."

A motion was made by Mayor Cheatham, seconded by Mayor Pro Tem Keitt, that a new addition be established for cremation plots and establish rates at \$100 per plot and \$50 for opening and that the Committee make recommendations as to whether a grave marker will be used. This motion was unanimously approved.

There were no utility matters brought before Council.

Dr. Salley asked to speak. He stated, "To the People of the City of Orangeburg. I am the last Councilman to have been elected at large by the citizens of the City. I have now served for thirty (30) years. When first elected I was elected as commissioner and served as Commissioner of Public Works, I served for a time as Mayor Pro Tem and finally as Council representative for District #2. I have indeed been honored by you the electorate of this great City for allowing me to represent you on the Board of Director's City Council for the City to conduct the business of the City. Generally speaking, Councilmen should be successful businessmen--people who have had to meet a payroll. Those people know how to conduct the business of the City, generally not paying much attention to politics. Unfortunately, in today's world people seem more interested in politics than in good business practices in the conduct of the City's business. After thirty years it is now time for me to step down and let someone else help decide the City's future. I am now announcing that I will not be a candidate in the next election. In this regard, when I was first elected I didn't even know City Council earned a salary. We did. In the past thirty years I have opposed every effort to raising salary. Now I feel it is time that Council's salary should be addressed. If we applied cost of living raises that we have applied to our employees over the years to the salary I earned when I first entered this arena, Council's salary would be \$6,000 a year and the Mayor's salary would be \$9,000. This is the kind of raises that we have given our employees and I don't think we should give ourselves anymore. I would like to move that the City Attorney be instructed to prepare the necessary documents for initiating this step. Council cannot raise its salary until a succeeding election and we have one coming up and enough time, I think, to prepare the necessary documents move that the Council's salary be raised to \$6,000 and the Mayor's be raised to \$9,000. There was no second to the motion therefore the motion failed.

Mayor Pro Tem Keitt stated she wanted to make an amended motion. City Administrator Yow stated that a new motion needed to be made, not an amended motion. Mayor Cheatham stated that he thought she could wait on her motion until budget time.

Mayor Cheatham thanked Councilmember Salley for his years of service. "Some of us had expected this. Throughout the year, we had heard rumors to the effect that you were going to retire. We appreciate very much your service to the City of Orangeburg and the Department of Public Utilities and for what you have contributed. You've got about three and one-half more months to serve and I'd like to see you stay on."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter concerning Municipal Court. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



**RESOLUTION AUTHORIZING THE CONDITIONAL CONSENT TO
THE CLOSING OF A PORTION OF FERSNER STREET IN THE CITY
OF ORANGEBURG, STATE OF SOUTH CAROLINA**

BE IT RESOLVED by Council duly assembled this 15th day of June, 1999 that the City of Orangeburg does hereby consent to the closing of the 800 Block of Fersner Street running from Whaley Street to Bayne Street on the following conditions:

- 1). The within consent is conditional upon Orangeburg Milling Company, Inc executing the standard utility easement agreement of the City's Department of Public Utilities consisting of three (3) typewritten pages and one (1) drawing permitting the existing utilities located within the existing right-of-way of Fersner Street (said easement agreement attached hereto and made a part hereof by reference).
- 2). That prior to the closing of the 800 block of Fersner Street, Orangeburg Milling Company will at its expense, for the purpose of providing permanent and unobstructed public ingress and egress to and from Bayne Street to Whaley Street, dedicate, construct, extend and maintain Bayne Street to Granary Street across its property; said construction and maintenance meeting all South Carolina Department of Transportation (SCDOT) standards and specifications.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized to accept said dedication and sign the closure consent and any and all other necessary documents.

APPROVED by City Council for the City of Orangeburg, State of South Carolina, in Council duly assembled this 15th day of June, 1999.



Martin C. Heath
Mayor

Paula Miller

James R. Phares

Donald R. Foster

L. Zimmerman Keith

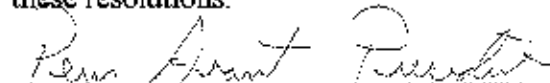
[Signature]
City Council

ATTEST:
Sharon M. Lanning
City Clerk

**ORANGEBURG MILLING CO., INC.
559 WHALEY ST.
ORANGEBURG, S.C. 29115**

ORANGEBURG MILLING COMPANY, INC. does hereby agree and adhere to the following as proposed by Orangeburg City Council concerning the closing of the 800 block of Fersner St. running from Whaley St. to Bayne St.:

- 1). The within consent is conditional upon Orangeburg Milling Company, Inc. executing the standard utility easement agreement of the City's Department of Public Utilities consisting of three (3) typewritten pages and one (1) drawing permitting the existing utilities located within the existing right-of-way for Fersner Street (said easement agreement attached hereto and made a part of hereof by reference).
- 2). That prior to the closing of the 800 block of Fersner Street, Orangeburg Milling Company will at it's expense, for the purpose of providing permanent and unobstructed public ingress and egress to and from Bayne Street to Whaley Street, dedicate, construct, extend and maintain Bayne Street to Granary Street across its property, said construction and maintenance meeting all South Carolina Department of Transportation (SCDOT) standards and specifications.
- 3). Once Council has approved this resolution, Orangeburg Milling Company intends to petition the Circuit Court to get Court approval for the closing. Once that is accomplished Orangeburg Milling Company will go through with meeting the conditions set forth in these resolutions.


PERRY ARANT PRESIDENT

CITY COUNCIL MINUTES

JULY 6, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, July 6, 1999, at 7:00 P.M., in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Joyce Rheney.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the June 15, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to annex City property located on the Edisto River Orangeburg County, into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to annex DPU Facility into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to annex property formerly owned by Labora into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to annex property formerly owned by James B. Smoak into the corporate limits of the City of Orangeburg, SC. This motion was unanimously approved.

These were all voted on and accepted in one motion.

Public Works Director Durwood Bowden stated, "The City of Orangeburg provides voluntary, citywide residential and commercial garbage collection programs for the purposes of sanitation, aesthetics and litter control. Citizens have the option of participating in the City's Residential Garbage Collection Program or hauling their garbage to the solid waste collection sites operated by Orangeburg County. Commercial establishments have the choice of participating in the City's Commercial Garbage Collection Program, contracting with a private garbage collection service or hauling their garbage to the site of the Orangeburg County Landfill. A significant number of our citizens and a small number of commercial establishments have chosen not to participate in the City's garbage collection programs or to utilize the other approved options for disposal of their garbage. They instead dispose of their garbage in ways that are unsanitary and add to the accumulation of litter in our City. The changes we have incorporated into this revision of Chapter 14, 'Solid Waste Management' are intended to correct the unsanitary and unsightly conditions caused by the improper disposal of garbage, within the City of Orangeburg, by our citizens and commercial establishments. These changes, however, will not correct the problems caused by county residents and businesses bringing their garbage and trash into the City of Orangeburg for disposal. It will take aggressive enforcement action by our Public Works Department and the Department of Public Safety to stop these practices."

Director Bowden further stated that about 1,200 residences are not participating in the voluntary collection program. The residential collection fee is \$5.00 per month.

**CITY COUNCIL MINUTES
JULY 6, 1999
PAGE 2**

Mayor Cheatham stated that he would like Council to consider an ordinance amendment at a later time to reduce the charge for a second roll cart from \$5.00 to \$3.00.

Councilmember Rheney stated that she agreed that the garbage problem needs to be addressed but she had already had a phone call from a citizen who said his garbage collection fee would be higher than his taxes. "I don't know how to adjust it, we've got to be fair."

Director Bowden stated, "A lot of renters who don't pay any taxes will also be affected. It's a tough issue and it has to be done."

Councilmember Miller asked when the Department of Public Utilities will start billing for the mandatory service? City Administrator Yow stated, "The public will be given at least 90 days notice. This will give the City the time to obtain the necessary roll carts and put a new garbage truck into service."

A motion was made by Councilmember Miller, seconded by Councilmember Salley, to approve the Second Reading of an Ordinance to establish solid waste management regulations for the City of Orangeburg. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Salley, to appoint John Joseph Smith from District 5 to the Aviation Commission. This motion was unanimously approved.

Service Department Director Brant told Council that he had received bids from three vendors on a vacuum sweeper. After reviewing the bids he found that the low bidder did not meet specifications. He recommended that Council accept the next lowest bid of \$112,519.00 for a 1999 Johnston 605 Vacuum Sweeper from SC Tractor and Equipment Company. Councilmember Miller stated he had a concern. "The lowest bid is \$104,000.00 which is \$7,000.00 less than the \$112,000.00 bid and \$109,000.00 is \$3,000.00 less and you say their bid didn't meet the specs that you put out, but isn't that type of street sweeper being used by other cities? Is it not an adequate product? What's the difference in their bid \$104,000.00 and \$109,000.00?" Director Brant stated, "The low bidder bid on two different types of cabs and chasis. What we spec'd out takes the place of a Ford which is now a Sterling. The \$109,000.00 bid is a Sterling. In the vacuum sweeper like we're using now, with the curb and edging program, we're picking up debris with the vacuum sweeper. Generally, their sweeper is a forced air sweeper. We've had them demonstrate it. In a parking lot where it is totally level, it does a good job, but in areas like we have with valley gutters or indentures or bumps, the head forces air down and blows it through a tube up into the hopper of the sweeper. If you have any indenture the head has to ride about a half inch off of the surface and that forced air will sandblast a car." Mayor Cheatham stated, "We've researched this before."

A motion was made by Councilmember Salley, seconded by Councilmember Rheney, to accept the bid of \$112,519.00 submitted by SC Tractor and Equipment for a 1999 Johnston 605 Vacuum Street Sweeper. This was a 6-1 vote. Councilmember Miller opposed this motion.

City Administrator Yow told Council that the Stevenson Auditorium Renovation Committee met on Tuesday, June 29, 1999. They unanimously recommended that the City proceed with the renovation to the main section of the auditorium as included in the \$227,600.00 bid received by Mr. West Summers. He stated that the low bid of \$227,600.00 was submitted by Amco Construction of Orangeburg. Mayor Cheatham stated that this contract includes a new roof, new strip carpet, interior painting, changing all outside doors and renovating the box sets with polished brass rails. This work is expected to be completed by the 12th of November.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, for authorization to enter into a contract in the amount of \$227,600.00 with Amco Construction for the renovation of Stevenson Auditorium. This motion was unanimously approved.

CITY COUNCIL MINUTES

JULY 6, 1999

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City Administrator Yow told Council that he had received a request from DORA requesting a waiver of the building permit fee for the renovations to their building at 1058 Russell Street. The estimated renovation value is \$250,000.00. The building permit fee on that amount would be \$1,002.00.

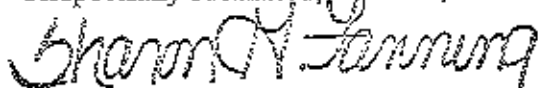
A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to waive the building permit fee for DORA at 1058 Russell Street. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for legal matters concerning the Administration Department and Municipal Court.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES JULY 20, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, July 20, 1999, at 7:00 p.m., in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Councilmember Paul Miller.

Present:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the July 6, 1999, minutes as distributed. This motion was unanimously approved.

Mayor Cheatham presented four citizens with the first Edisto Awards for outstanding service to the community. Mayor Cheatham stated, "City Council got together and decided there were too many good people in our community to go unrecognized and an award has been established to pay tribute to citizens who have contributed culturally, spiritually, and as a group working together to provide a good quality of life in Orangeburg".

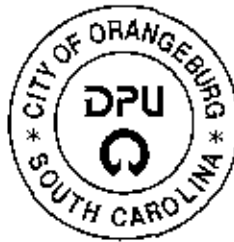
Mrs. Geraldine "Gerry" Zimmerman was presented with the first award. Mayor Cheatham stated, "She has worked with the Red Cross, Girl Scouts, United Way, Cancer Society, Association of Retarded Citizens, NAACP, and is currently working with the Orangeburg Cemetery Committee and was named the Orangeburg Citizen of the Year in 1994."

Mrs. Mary Williams was presented with the second award. Mayor Cheatham stated, "She is very active in the arts, active in the Downtown Orangeburg Revitalization Association, brought the first exchange student to Orangeburg, very active in her church, and has worked to create racial harmony in Orangeburg since the confrontation at South Carolina State in 1968." She also was a former Orangeburg Citizen of the Year.

Sidney Young received the next award. Mayor Cheatham stated, "He taught band at Claflin College since 1964 and is dedicated to scouting as well. He has worked in his church diligently over the years and received the Jefferson Award in 1998 for his years of service in scouting and in recognition of this award, July 21, 1998, was proclaimed Sidney B. Young Day."

Austin Cunningham was the final recipient of the Edisto Award. Mayor Cheatham stated, "He is very active in Crimewatch, Crimestoppers, and People's Assault on Drugs". He also worked nationally for job tax credits and also brought the South Carolina Philharmonic Orchestra to Orangeburg." He was named Orangeburg Citizen of the Year in 1998 and was recently named one of the Outstanding Older South Carolinians of the Year by the Lower Savannah Council of Government Regions."

A Resolution was presented to Stephen L. Forde, an employee from the Department of Public Utilities, who retired on June 30, 1998, for thirty years, two months and two days of service to the City of Orangeburg. A framed Resolution and gift was presented to him from Mayor Cheatham and Department of Public Utilities Manager Boatwright.



RESOLUTION

WHEREAS, Stephen L. Forde, faithfully served the Department of Public Utilities of the City of Orangeburg for thirty years, two months, and two days with a retirement date of June 30, 1999; and

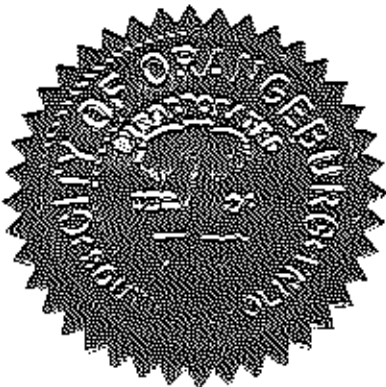
WHEREAS, he, through his long and faithful service contributed greatly to the successful operation of the Department of Public Utilities; and

WHEREAS, the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the Department of Public Utilities in the capacities in which he served the Department and we take pride in commending him for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the Department of Public Utilities, be placed in the Minute Book of the City and a copy furnished to Mr. Forde in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 20th day of July, 1999.



Walter E. Cheatham
Mayor

Sam Haire
Sandra P. Smith
Paul Miller

L. J. Cunningham
James R. Haire
W. R. Smith
Members of Council

ATTEST:

Sharon N. Lanning
City Clerk

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY McCLAM & ASSOCIATES, INC. OF LITTLE MOUNTAIN, SOUTH CAROLINA IN THE AMOUNT OF \$1,686,667 FOR THE CONSTRUCTION OF WASTEWATER FACILITIES FROM THE WASTEWATER PLANT TO THE I-26 CITY/COUNTY INDUSTRIAL PARK.

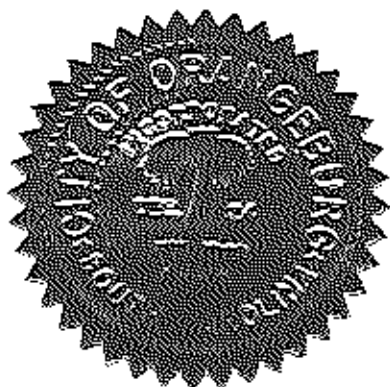
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on July 7, 1999 for the construction of wastewater facilities from the Wastewater Plant to the I-26 City/County Industrial Park; and

WHEREAS, the low responsible bid for this work was submitted by McClam & Associates, Inc. of Little Mountain, South Carolina in the amount of \$1,686,667; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 20th day of July, 1999.



Martin E. Cheatham
MAYOR

L. Zimmerman Keith

Dorinda F. Trotter

David H. Hare

Jaycee R. Hare

Paul A. Minn

MEMBERS OF COUNCIL

ATTEST:

Carrie H. Johnson
CITY CLERK

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY M.B. KAHN CONSTRUCTION, INC. / MOORE DIVISION OF GREENWOOD, SOUTH CAROLINA IN THE AMOUNT OF \$563,744 FOR THE CONSTRUCTION OF A WASTEWATER LIFT STATION ON THE I-26 CITY/COUNTY INDUSTRIAL PARK SITE.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on July 7, 1999 for the construction of a Wastewater Lift Station on the City/County Industrial Park site; and

WHEREAS, the low responsible bid for this work was submitted by M.B. Kahn Construction Company, Inc. / Moore Division of Greenwood, South Carolina in the amount of \$563,744; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 2nd day of July, 1999.



Mark C. Heath
MAYOR

L. Zimmerman Keith
Dorinda P. Krotts

Ben S. Hains
Jorge S. Plener
Paul Miller

MEMBERS OF COUNCIL

ATTEST:

Cassie H. Johnson
CITY CLERK

CITY COUNCIL MINUTES

JULY 19, 1999/Page 2

Council received, as information, the concerns of Sarah and Ernest Moore over the placement of traffic signals hanging over the sidewalk at the 800 block of Chestnut in order to benefit Fire Station No.2. Mrs. Moore stated, "That this is the only example of signals hanging over the sidewalk in the City." Mayor Cheatham said that Council would take this under advisement and City Administrator Yow also noted that it could be a possibility to take one light down.

Council approved the acceptance of a \$25,906.00 supplemental grant to the 1996 COPS MORE Grant for the Department of Public Safety. This grant from the U.S. Department of Justice is the second supplemental grant that funds two civilian employees, one as a dispatcher and one in an administrative position, and it would include a 25% grant match. Director Davis asked Council for City Administrator Yow to be allowed to enter into this agreement for this grant on behalf of the City of Orangeburg. The Mayor asked if this would be in next year's budget and Director Davis said that it would be in next year's budget. A motion was made by Councilmember Miller, seconded by Councilmember Haire, that City Administrator Yow enter into an agreement for the Cops More Grant. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve John Worley and Lee Harter to serve on the Hillcrest Commission for a three year term ending July, 2002. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire to appoint Marion Mack, Edgar McGee and Jake Shuler to the to the Construction Board of Appeals for a four year term ending July, 2003 and for Marion Black and Jimmy Evans to be alternate members for a one year term ending July, 2000. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to appoint Ms. Dale Justice to the Zoning Board of Appeals to fill the unexpired term of Harry McCullohs, who is deceased. This motion was unanimously approved.

Councilmember Miller brought forward a motion to increase the salary for the Mayor to \$10,000.00 and the salary for Councilmembers to \$7,000.00. Councilmember Miller stated, "The only time this can be done is in an election year." The motion was seconded by Mayor Pro Tem Keitt. This was a 6-1 vote in favor of motion. Councilmember Salley opposed the motion.

Council gave First Reading to an Ordinance to amend the Orangeburg County/City Industrial Park Joint Development Agreement to delay the opening of the Park. Department of Public Utilities Manager Fred Boatwright explained to Council that a one million dollar grant was awarded and the completion date will need to be extended until February 28, 2000 from the original date of November 1, 1999. A motion was made by Councilmember Salley, seconded by Councilmember Miller. The vote was unanimous.

A Resolution was passed in order to authorize the low bidder, McClam & Associates, Inc. from Little Mountain, SC, for the construction of the wastewater system at the City/County Industrial Park at a cost of \$1,686,667. A motion was made by Councilmember Salley and seconded by Councilmember Miller. The vote was unanimous.

A Resolution was passed in order to authorize the low bidder, M.B. Khan Construction Company, Inc., for the construction of a lift station at the City/County Industrial Park at a cost of \$563,744. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt. The vote was unanimous.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Carrie W. Johnson
Carrie W. Johnson
Assistant City Clerk



BUDGET WORKSHOP MINUTES

JULY 12, 1999

Orangeburg City Council held a Budget Workshop meeting on July 12, 1999 at 6:00 P.M., in Council Chambers. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
 Bernard Haire
 L. Zimmerman Keitt
 Sandra P. Knotts
 Paul A. Miller
 Joyce W. Rheney
 John H. Yow, City Administrator
 David R. Bushyager, Assistant City Administrator
 Sharon G. Fanning, Finance Director

ABSENT:

W. Everette Salley

The purpose of this meeting was to conduct a budget Workshop for Fiscal Year 1999-2000 Budget. City Administrator Yow gave Council a budget summary overview (see attachments). Some of the topics discussed were:

- (1) City Administrator Yow opened the meeting by highlighting revenues for Council. He stated there was no proposed property tax millage increase or business license tax rate increase in the proposed budget. There is \$100,000 budgeted in franchise fees for BellSouth and telecommunication business licences fees. He stated that building permit fees remain the same at this time but need to be researched for a possible rate change in the future. Fire contracts are budgeted the same as the previous year. Councilmember Miller suggested that a rate increase might be needed. City Administrator Yow stated that a 5% increase would generate approximately \$25,000. Council agreed to a 5% increase on fire contract rates.
- (2) City Administrator Yow told Council that a 7% increase is needed for medical insurance which equals approximately \$50,000. Some of this will be absorbed by employees and/or retirees. The City will continue to pay 100% of employees rates. Some plan improvements have been added. The co-pay on prescription drug card does not increase.
- (3) Mayor Cheatham stated he would like to give employees a 4% cost-of-living increase. Council agreed to this.
- (4) City Administrator Yow stated that many items were eliminated from the General Fund Budget will be transferred to the 2% Hospitality and Accommodations Tax Fund, approximately \$720,000 annually. He stated that we will continue to fund DORA, KAB, SCSU Orchestra and Orangeburg Arts Center through this Fund.
- (5) Three (3) new positions are included in the budget--one in Finance and two in the Department of Public Safety. A COPS Grant will fund the positions at DPS.
- (6) The City's General Fund continues to subsidize the Airport in excess of \$100,000 per year.

Department of Public Works Director Bowden highlighted his budget requests for Council. In the Building Inspection Division, postage, printing and advertising budget requests have increased due to the printing of new maps. Code enforcement is a primary area of focus in this Division and will be made priority. In the Inert Division, the final cover will be completed this year to close the landfill. In the Garage Division, there is one vacant position. He stated that this has been a struggle to fill this position due to the entry level salary. In the Municipal Building Division, a \$70,000 phone system was requested but denied at this time. This will be an item that will be looked at in the future. In the

BUDGET WORKSHOP MINUTES
JULY 12, 1999
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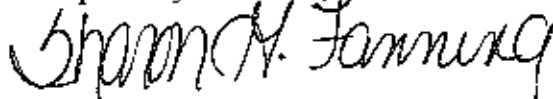
Sanitation Division a self-contained a grapple unit was requested. He stated the county is putting more pressure on the City to separate items. DHEC is becoming more demanding on the County in this area. Also, more commercial customers are coming back to the City for service instead of private haulers. Mayor Cheatham stated that he has had many compliments on the new collection schedule. In the Airport Fund, the runway completion was discussed. He stated the status of the project. REA Construction has paved the north end and tied it in to the old runway and repaved the intersection of the old runway. They are on schedule at this point. The only thing left after that is the taxiway. Security gates were requested but Director Bowden stated that the pilot's Association might possibly pay for this. The new software has been installed and is now tracking inventory.

Service Department Director Brant discussed his budget with Council. There were no substantial changes in his operating budget. He discussed his proposed capital outlay items. A pick-up, edger and weed trimmers were requested for replacement due to worn out equipment through excessive use.

Hillcrest Manager Bryant discussed his requested budget with Council. He stated that he had requested to upgrade two part-time positions to full time. These include a clerk position and Assistant Pro position. He proposed to increase green fees and cart fees \$1.00 per round for eighteen holes. Orangeburg still has the lowest rates around. He stated that he wanted to repaint the club house and the old pro shop building. Also, budgeted was to finish carpeting the club house and paint the silo. Depreciation increased mainly due to cart paths being added in FY 1998-99. The Golf Course and Pro Shop's budget was balanced at this point. Mr. Yow informed Council that an improved parking lot is also being pursued.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



BUDGET WORKSHOP MINUTES

JULY 13, 1999

Orangeburg City Council held a Budget Workshop meeting on July 13, 1999, at 6:00 P.M., in Council Chambers.

PRESENT:

Bernard Haire
Paul A. Miller
Sandra P. Knotts
L. Zimmerman Keitt
Joyce W. Rheney
John H. Yow, City Administrator
David R. Bushyager, Assistant City Administrator
Sharon G. Fanning, Finance Director

ABSENT:

W. Everette Salley
Martin C. Cheatham

The purpose of this meeting was to conduct a Budget Workshop for FY 1999-2000 Budget.

City Administrator Yow presented the Administrative Department's budget. There were no substantial changes and no capital outlay requests.

Assistant City Administrator Bushyager presented the Community Planning Division's budget. There were no substantial changes and no capital outlay requests. The \$10,000 grant match line item will be for the Claflin College CDC match \$5,000 and a CDBG match for \$5,000.

City Administrator Yow presented the Executive's Department's budget. Executive Municipal Court, had two (2) capital outlay requests for upgrading computer software to be Year 2000 Compliant and a laptop to be used in the courtroom. A grant was applied for to purchase the software upgrade.

Finance Director Fanning gave an overview of the Finance Department's proposed budget. One (1) new position was requested for an Accounts Payable Clerk to handle some of the excess workload that has been brought on by the Hospitality and Accommodations Tax Fund (2% Fund). Also, a new copier was requested due to high maintenance costs and repairs on the old machine. In the Data Processing Division there was a substantial increase in computer operations due to a one year maintenance agreement on the new software purchased for Year 2000 compliance. Also, two (2) capital outlay items were approved and include \$3,400 for a Gateway 200 Notebook and Voice Recognition Software and \$5,600 for network upgrade.

City Administrator Yow highlighted the Non-Operating Department's budget. There were no substantial changes. Discussion was held on the General Fund transferring in excess of \$100,000 to the Airport Fund to supplement their operating budget.

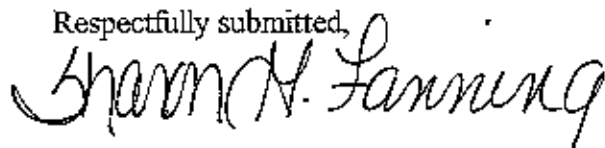
DPS Director Davis presented his proposed budget to Council. He stated that his expenses increased \$14,000 in special expense due to an application fee that comes with the accreditation process for registration in the National Law Enforcement Accreditation. This has been a goal for several years but they now feel they are in a position to achieve this. This is a stamp of professionalism that meets the national criteria. Accreditation requirements are met every three years. Two (2) new positions are included in this budget for communications operators. Three (3) former grant positions were cut from the budget. Six public safety vehicles were requested. He stated that he tries to rotate all vehicles with \$100,000 miles out and replace them. Salary line items increased in the Patrol Division due to three retirements being budgeted.

BUDGET WORKSHOP MINUTES
JULY 13, 1999
PAGE 2

Parks and Recreation Director Smith presented his proposed budget to Council. The requested PARD grant match is to renovate three backstops on the baseball fields. Discussion was held on the Heritage Corridor. Special expense in the Recreation Division was reduced by not having to pay for background checks on coaches' applications. Contractual services were added in the Recreation Division for obtaining services from the Downtown Association and PRT to prepare for bringing visitors into Orangeburg. The first step is doing an inventory of everything. The next step is having a tourism plan developed. Some of Director Smith's requests are ongoing projects paid for from the 2% Fund. Monies were budgeted for painting of the fountain in the Gardens. Contractual services for an electrician to help with Christmas lighting hook-ups is budgeted. Contractual services were also requested for services to maintain the floors monthly at City buildings. The Ellis Street playground was targeted for renovation in this budget. All capital outlay were reviewed.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk
/pfb



CITY COUNCIL MINUTES

AUGUST 3, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, August 3, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

DPS Director Davis told Council that a resident on Chestnut Street had complained about the traffic light in front of her house, which is the traffic signal at Fire Station #2. He stated that he spoke to the resident and told her that he would remove at least one light and he would look at the possibility of installing a smaller light. He stated Ms. Monroe was agreeable to removing one light. Several other questions and observations regarding the light were made.

Mayor Cheatham proclaimed April 1, 2000, as Census Day in the City of Orangeburg.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by James Smoak, to Municipal Council District #6.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed DPU Facility, to Municipal Council District #1.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, formerly owned by Labora , to Municipal Council District #1.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina, for the purpose of adding the newly annexed City property, located on the Edisto River, to Municipal Council District #1.

All of the above Ordinances were approved unanimously in one vote.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance increasing the annual salaries for the office of Mayor and Council. The Mayor's salary will be \$10,000 and Councilmember's salary will be \$7,000. This was a 6-1 vote. Councilmember Salley opposed this motion.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina for Fiscal Year beginning October 1, 1999 and ending September 30, 2000. The total budget for General Fund, Airport Fund, Hillcrest Pro Shop Fund and Hillcrest Golf Course Fund including capital outlay is \$13,494,831. This motion was unanimously approved.

CITY COUNCIL MINUTES
AUGUST 3, 1999
PAGE 2

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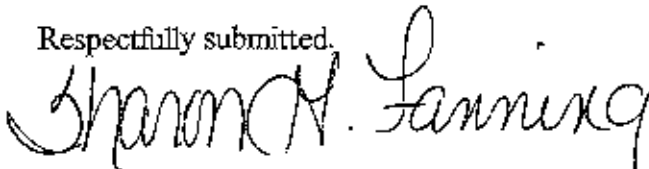
A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg, South Carolina, for fiscal year beginning October 1, 1998 and ending September 30, 1999. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Second Reading of an Ordinance to amend the Orangeburg County/City Industrial Park Joint Development Agreement dated April 9, 1999. This motion was unanimously approved.

A motion was made by Councilmember Rheney, seconded by Councilmember Miller, to enter into an Executive Session for personnel matters concerning the Administration Department and the Department of Public Utilities.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



SPECIAL SESSION
CITY COUNCIL MINUTES
AUGUST 11, 1998

1179

Orangeburg City Council held a Special Session Meeting on Wednesday, August 11, 1999, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Martin C. Cheatham presiding. An invocation was given by Mayor Martin C. Cheatham.

PRESENT: Martin C. Cheatham, Mayor
L. Zimmerman Keitt, Mayor Pro Tem
Bernard Haire
Sandra P. Knotts
Paul A. Miller
W. Everette Salley
Joyce W. Rheney

Mayor Cheatham opened the meeting by thanking everyone for attending the Special Session of City Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for the discussion of a legal matter regarding the Municipal Court. This motion was unanimously approved.

Mayor and Council returned to regular session.

The meeting was then turned over to Fred Boatwright, Manager of the Department of Public Utilities.

Fred Boatwright expressed the purpose of the Special Session Meeting was to present to Mayor and Members of Council for their consideration the proposed 1999-2000 Budget.

Fred Boatwright stated he was happy to announce the DPU continues to enjoy a strong financial position and anticipates, notwithstanding some sort of natural disaster, fiscal year 1999-2000 will be another strong year for the Department and he was also happy to announce no rate increases are anticipated. He also stated that later in the year he may have to ask Council to consider raising some of the fees the Department is presently charging.

Fred Boatwright then proceeded to go over the basis of the proposed budget. He explained the proposed projections for the fiscal year anticipates a reduction in net profits from the current years original projection of \$10.8 million, and a slight decrease from the projected 1997-1998 net profit of \$9.5 million. He stated the Department was projecting a net profit in fiscal year 1999-2000 of only \$9 million.

	<u>1997-1998</u>	<u>1998-1999</u>	<u>1999-2000</u>
Overall Net Profits:	\$9.5 Million	\$10.8 Million	\$9 Million

Fred Boatwright reported the Department expects the electric revenues to fall sharply due to a steadily rising "Net Forecast Peak" and to increased use of the NMST rate. Growth is anticipated, but not enough to offset the decline. The current years numbers will be artificially skewed on the high side due to a refund of \$1.9 million for overcharges arising out of a transmission tariff overpayment by SE&G which was ordered by FERC. This \$1.9 million should have been spread over the past two years, but was received this year.

Fred Boatwright then reported on the Gas Division. He reported gas revenues are again expected to decrease due to 1) decreased use of the turbine generators and 2) lower margins due to much higher gas costs. The Department is however working on adding gas customers and expanding its service territory and reducing the cost of gas by reducing the capacity component and encouraging gas use in the summer months. The big unknown is what will happen when SC Pipeline, our current supplier, will no longer be able to perform the merchant function and we will loose their volume purchasing advantage and the ISPR program ends.

Next, Fred Boatwright reported on the Water Division. He reported water revenues are expected to grow slowly due to customer growth. This is due to the increased costs of

doing business caused by regulatory and capital investment costs quickly counter slight increases.

Fred Boatwright then reported on the Wastewater Division. He stated wastewater revenues are expected to be up significantly. Past capital expenditures have enabled us to both acquire new customers and reduce operating costs which allows us to be optimistic, but we will need significant growth to avoid a rate increase next year.

Fred Boatwright stated the Department anticipates across the board increases in administrative costs. This is due to 1) improving our customer services – internal and external and 2) preparing for deregulation. Both of these are necessary if DPU is to remain competitive. Expenses in the Administrative Division are increasing due to increased services provided by the Administrative Division for all the other divisions. A reorganization of many administrative functions: purchasing, inventory control, physical plant accounting, and a compliance to FERC account codes in the long term will increase our efficiency and allow us to enter new markets and keep our existing ones.

He stated he felt all the Divisions were in good shape and was confident that with hard work, diligence and the continued leadership and support from the Mayor and Council we can meet and exceed our goals.

The meeting was then turned over to the Director of each Division to give a brief summary of their projects.

ELECTRIC DIVISION PROJECTS

Project #1 - Cross Town 115 KV Transmission Tie

<u>Total Project Cost:</u>	<u>\$1,986,000</u>
<u>Estimated 1999-2000 Cost:</u>	<u>\$ 260,000</u>

Continuation of an ongoing project. Originally the sole purpose was to build a 7.7 mile tie line to strengthen and increase the capacity and stability of the Department's Transmission System but now Open Access on the wholesale level will provide the Department with an opportunity for another transmission provider tie.

Project #2 - Installation of Distance Relaying For 115 KV Transmission Grid

<u>Total Project Cost:</u>	<u>\$1,740,000</u>
<u>Estimated 1999-2000 Cost:</u>	<u>\$ 900,000</u>

Continuation of an ongoing project to allow the Department to operate its 115 KV transmission system in a closed loop or grid. This system will improve reliability. If a fault occurs anywhere on the grid, the section affected can be readily isolated allowing the remaining system to continue to function without interruption.

Project #3 - Communication System Expansion

<u>Total Project Cost:</u>	<u>\$766,500</u>
<u>Estimated 1999-2000 Cost:</u>	<u>\$600,000</u>

The City of Orangeburg has in place a backbone of fiber optic cable to provide certain telecommunication services. In order for DPU to compete in the new open access environment it will be necessary to compete in power delivery, remote metering, and two-way communication technology, additional fibers and redundant paths are needed for system reliability, real time load tracking of large customers and to support the real time power purchases that will allow DPU to remain competitive. Expanding the telecommunication services will provide data connectivity, Internet access, security, and other miscellaneous voice and information applications to city agencies, government, and civic organizations.

GAS DIVISION PROJECTS

Project #1 - Natural Gas Service - Kennerly Road and Camp Road

<u>Total Project Cost:</u>	<u>\$402,500</u>
<u>Estimated 1999-2000 Cost:</u>	<u>\$402,500</u>

Continuation of an ongoing project to install a six inch (6") high-pressure natural gas main on Kennerly Road and Camp Road.

Project #2 - Natural Gas Service - U.S. 21 North (Columbia Road)

Total Project Cost:	\$241,500
Estimated 1999-2000 Cost:	\$241,500

Continuation of an ongoing project to install a six inch (6") high pressure natural gas main on U.S. 21 North (Columbia Road) starting at Winningham Road and continuing north to Ginger Lake Drive. This proposed expansion will immediately make gas service available to seven (7) homes. With the future addition of low-pressure piping, natural gas service will be made possible to Dogwood Drive, Countryside and Ginger Lake Drive, with Ginger Lake Drive being outside of our electric service territory. There are approximately sixty (60) potential customers in these three areas. This expansion will also be a "stepping stone" to provide gas service to rapidly growing areas north of our present gas distribution system.

WATER DIVISION PROJECTSProject #1 - 4 Million Gallon Finished Water ReservoirAt The Water Treatment Plant

Total Project Cost:	\$3,705,000
Estimated 1999-2000 Cost:	\$3,248,100

Continuation of an ongoing project to construct a 4,000,000 gallon finished water reservoir at the Water Treatment Plant. It is anticipated that the space required for the new reservoir will be approximately 1.5 acres. The structure itself will be completely below ground and the Department proposes to incorporate a park (including amphitheater seating and a gazebo) on the top of the reservoir which will function as a part of the Edisto Memorial Gardens. The Parks and Recreation Department developed a basic idea of the design and a landscape/park architect produced a drawing. Fred Boatwright then showed a drawing of the proposed park to the Mayor and Council.

Project #2 - Distribution System Cement Lining Rehabilitation

Total Project Cost:	\$415,600
Estimated 1999-2000 Cost:	\$415,600

Continuation of an ongoing project to effectively rehabilitate all existing non-lined water transmission and distribution piping within our system. This can be accomplished through a trenchless, in-place cleaning and cement mortar lining process.

Project #3 - Installation of Microfiltration ResidualsManagement System at the Water Plant

Total Project Cost:	\$1,594,000
Estimated 1999-2000 Cost:	\$ 800,000

A new project to install membrane treatment to provide efficient and cost effective disposal of water treatment plant residuals. Our plan is to install immersed hollow fiber microfiltration membranes into a portion of the existing residual equalization basin. The Water Plant residuals would be routed to the equalization basins and allowed to settle. Water would then be decanted and routed to the membrane treatment system. Two options would be available for the treated water. The water would be either reclaimed and routed to the post chemical mixing unit to be combined with the filtered water and then stored in the clearwell, or the treated water would be recycled and blended into the plant incoming raw water process flow. The concentrated solids would be withdrawn from the bottom of the equalization basins and disposed of into the sanitary sewer system.

WASTEWATER DIVISION PROJECTSProject #1 - Orangeburg County/City Industrial Park Wastewater System

Total Project Cost:	\$2,751,133
EDA Grant	\$1,000,000
Estimated 1999-2000 Cost:	\$1,351,133

Continuation of an on-going project to provide a complete wastewater collection and transport system to service the Orangeburg County/City Industrial Park located at the intersection of I-26 and U.S. Highway 301.

Project #2 - Wastewater System to Serve I-26 and U.S. Highway 301

Total Project Cost:	\$1,067,000
EDA Grant	\$ 800,000
Estimated 1999-2000 Cost:	\$ 227,121

Continuation of an on-going project to provide a complete wastewater collection and transport system to serve the remaining three quadrants of the I-26 and 301 intersection. By providing wastewater service to the remaining three quadrants at this time, the Department will be in a position to maximize economic development of the I-26 / U.S. 301 intersection, provide wastewater service to an existing customer base, and realize cost savings by paying for the incremental upgrade of Project #1 force main to accommodate the additional load from this project; the 18" collection lines provided under Project #1 will accommodate this project without additional expenditure.

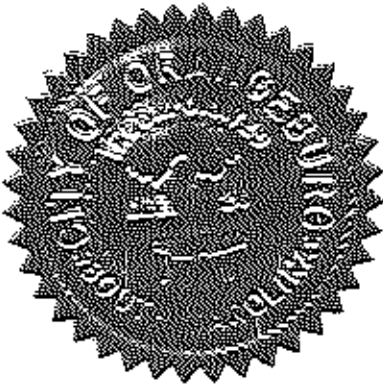
Project #3 - Biosolids Dewatering Facilities

Total Project Cost	\$2,245,000
Estimated 1999-2000 Cost:	\$ 500,000

A new project to replace the existing belt filter presses. The proposed biosolids dewatering facilities will increase the solids content of the biosolids prior to introduction into the existing biosolids dryer and thereby maximize the throughput of the dryer. The biosolids dewatering facilities will be installed in the same building now housing the existing belt filter presses. No structural modifications will be required.

A motion was made by Councilmember Haire seconded by Councilmember Miller, to accept the first reading of and Ordinance to adopt the 1999-2000 Annual Budget for the Department of Public Utilities. Council voted 6-0 to approve the Budget on 1st Reading.

There being no further business, the meeting was adjourned.



Respectfully submitted,

Becky A. Austin

Becky A. Austin
Secretary to Manager
Department of Public Utilities

**CITY COUNCIL MINUTES
AUGUST 17, 1999**

1183

Orangeburg City Council held a Public Hearing on Tuesday, August 17, 1999, at 7:00 P.M., in Council Chambers for the purpose of discussion on the Fiscal Year 1999-2000 City of Orangeburg Budget. Mayor Cheatham opened the Hearing for comments. Hearing no comments the Public Hearing was closed. Council entered into the regularly scheduled meeting immediately following the Public Hearing. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
W. Everette Salley

ABSENT:

Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the August 3, 1999, City Council minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the August 11, 1999, Special City Council minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the July 12, 1999, Budget Workshop minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the July 13, 1999, Budget Workshop minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Salley to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, formerly owned by James Smoak to Municipal Council District #6.

A motion was made by Councilmember Miller, seconded by Councilmember Salley to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, DPU Facility to Municipal Council District #1.

A motion was made by Councilmember Miller, seconded by Councilmember Salley to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, formerly owned by Labora to Municipal Council District #1.

A motion was made by Councilmember Miller, seconded by Councilmember Salley to approve the Second Reading of an Ordinance to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, located on the Edisto River to Municipal Council District #1.

All of the above Ordinances were approved unanimously in one vote.

City Council Minutes
August 17, 1999
Page 2

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance increasing the annual salaries for the Office of Mayor from \$5,700.00 to \$10,000.00 and Council from \$4,500.00 to \$7,000.00. This was a 5-1 vote. Councilmember Salley opposed this motion.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, South Carolina for Fiscal Year beginning October 1, 1999 and ending September 30, 2000. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance amending the budget for the City of Orangeburg, South Carolina, for Fiscal Year beginning October 1, 1998 and ending September 30, 2000. This motion was unanimously approved.

City Administrator Yow told Council that the Department of Public Safety has been notified of receiving a COPS MORE '98 Award through the U.S. Department of Justice. This grant is for technology/equipment and will allow the department to continue to upgrade the current CAD and RMS software purchased with COPS MORE '95 funding. The department's strategy is to make the officer more efficient in the collection and analysis of incident-based data. The amount of this award will be \$51,326.00 with an award end date of March 31, 2000. It will require a 25% match from the City of Orangeburg that will be met with funds in the existing budget request for FY 1999-2000. Acceptance of this funding will continue the effectiveness of redeploying our officers into the community to serve the citizens of Orangeburg.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to accept a COPS More Grant in the amount of \$51,326.00. This motion was unanimously approved.

City Administrator Yow told Council that on Tuesday, August 3, 1999, the City of Orangeburg received two (2) sealed bids for the construction of Russell Street/Church Street Parking Lot. Two bids received. It is recommended that the construction be awarded to the low bidder, Braxton Construction Company, with a low bid of \$180,946.40.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to award a bid of \$180,946.40 to Braxton Construction Company for the construction of a parking lot at Russell/Church Streets. This motion was unanimously approved.

City Administrator Yow asked Council to authorize the financing of real property improvements and the lease of properties to Brancy Banking & Trust Company. The amount financed shall not exceed \$4,500,000.00. The annual interest rate of 4.98% and the financing term shall not exceed twenty years from closing and to be re-priced after ten years. The loan will be paid from the 2% Fund. He stated in order to take advantage of the interest rate quote, we will need to hold two special meetings in order to give second and third readings to the Ordinance.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance to authorize the financing of real property improvements and the lease of properties to Branch Banking and Trust Company. This motion was unanimously approved.

City Council Minutes
August 17, 1999
Page 3

City Administrator Yow told Council that as discussed in the City Budget Workshop, we will need to have a 7% increase in medical insurance rates for FY 1999-2000. The proposed City Budget for this fiscal year includes a sharing of this increase with City employees. The City will continue to pay 100% of employee's medical insurance and dental insurance. A 7% increase will be paid by the City on the portion(s) currently paid by employees and some retirees. This will in effect be an overall increase of 7%. This rate increase is for the City and DPU. A motion was made by Councilmember Haire, seconded by Councilmember Miller, to increase medical insurance rates by 7%. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to amend the Orangeburg County/City Industrial Park Joint Development Agreement dated April 9, 1999. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities for the City of Orangeburg, South Carolina, for Fiscal Year October 1, 1999 through September 30, 2000. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES
AUGUST 25, 1999
12:00 P.M.

Orangeburg City Council held a Special City Council Meeting on Wednesday, August 25, 1999, at 12:00 Noon. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

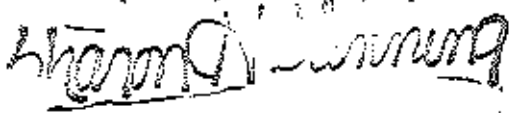
A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to authorize the financing of real property improvements and the lease of properties to Branch Banking and Trust Company. This motion was unanimously approved.

Mayor Cheatham stated that he had a matter he would like to discuss with Council. Ms. Thomasena Benson, the principal at Orangeburg-Wilkinson High School is retiring. He stated she had done a tremendous job at Clark Middle School in restoring discipline, order and in improving the atmosphere. She then moved to Orangeburg-Wilkinson High School and has been there for four years and has done a tremendous job. "She's leaving and I'd like to do something to recognize her on behalf of the City of Orangeburg." Council agreed that they would like to present Ms. Benson with the Edisto Award.

DPS Director Davis updated Council on funeral arrangements for City employee, Sgt. Frank Gass, who died Tuesday, August 24th after a battle with leukemia. He stated he was able to see Sgt. Gass on Monday and was able to convey appreciation on behalf of the Department of Public Safety and the City. Sgt. Gass had worked to make the difference and ultimately he made a difference. He thanked the City for their support.

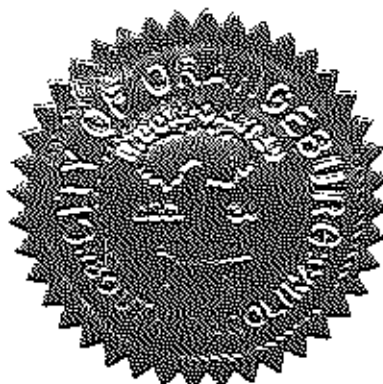
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES
AUGUST 26, 1999
12:00 P.M.

Orangeburg City Council held a Special City Council Meeting on Wednesday, August 26, 1999, at 12:00 Noon. An invocation was given by Councilmember Haire.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Joyce W. Rheney
W. Everette Salley

ABSENT:

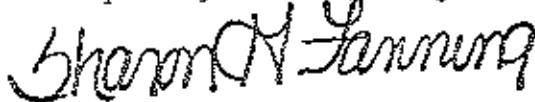
Paul A. Miller

Assistant City Administrator Bushyager stated he would like to comment on an article that was in the Times and Democrat regarding the Hospitality and Accommodations Tax. "Jasper County passed an Ordinance to tax the County at large 1% on prepared foods and 1 1/2% on accommodations. The municipalities of Hardeeville and Ridgeland already have an Ordinance in place taxing prepared foods and accommodations. Jasper County claims a right to half the money generated by the 2% tax on prepared foods and 3% on accommodations." Assistant City Administrator Bushyager stated, "The City of Orangeburg has passed a 2% on each, which left the remaining 1% in terms of the law. The cities of Hardeeville and Ridgeland petitioned the Supreme Court under original jurisdiction to hear their case. The court accepted it two days ago. They are contending that they preempted the County in that the revenue was intended for municipalities. Nothing should interfere with what we're doing today."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to authorize the financing of real property improvements and the lease of properties to Branch Banking and Trust Company. This motion was unanimously approved.

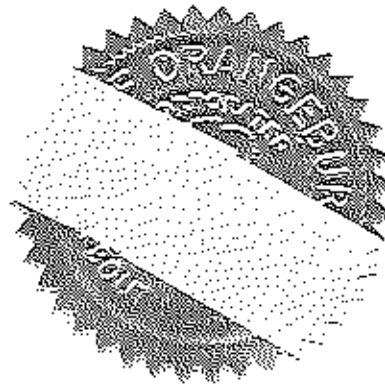
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES SEPTEMBER 7, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 7, 1999, at 7:00 p.m. in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Pro Tem Keitt.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney
W. Everette Salley

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the City Council Minutes for August 17, 1999. The vote was unanimous.

A motion was made by Councilmember Miller, seconded by Councilmember Haire, to approve the Special City Council Minutes for August 25, 1999. The vote was unanimous.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Special City Council Minutes for August 25, 1999. Councilmember Miller abstained. The vote was 6-1.

A motion was made by Council member Haire, seconded by Councilmember Rheney, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, formerly owned by James Smock, to Municipal Council District #6.

A motion was made by Council member Haire, seconded by Councilmember Rheney, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed DPU facility to Municipal Council District #1.

A motion was made by Council member Haire, seconded by Councilmember Rheney, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, formerly owned by Labora to Municipal Council District #1.

A motion was made by Council member Haire, seconded by Councilmember Rheney, to amend Chapter II, Section 2-1.3 of the Code of Ordinances for the City of Orangeburg, State of South Carolina for the purpose of adding the newly annexed City property, located on the Edisto River to Municipal Council District #1.

All of the above Ordinances were approved unanimously in one vote.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to increase the annual salaries for the office of the Mayor and Council. The Mayor's Salary will be \$10,000 and the Councilmember's salary will be \$7,000.00. This was a 6 - 1 vote, Councilmember Salley opposed this motion.

A motion was made by Councilmember Salley, seconded by Councilmember Haire, to adopt a Budget for the City of Orangeburg, South Carolina for Fiscal Year beginning October 1, 1999 and ending September 30, 2000. The vote was unanimous.

RESOLUTION

WHEREAS: the Planning Commission of the City of Orangeburg, South Carolina, conducted a Public Hearing on September 6, 1999 to consider a request for rezoning; and

WHEREAS: § 24-12 of the City Code requires that any amendment to the zoning ordinance, text or map, shall first be reviewed by the Planning Commission, and

WHEREAS: § 24-12.3 of the City Code requires that the Planning Commission recommend to City Council either denial or approval of the request; and

WHEREAS: § 24.12.3 of the City Code requires that the Planning Commission shall make a written recommendation to the Mayor and City Council; and that at minimum the recommendation shall include an evaluation of the proposed zoning amendment relative to the following:

1. How the proposed zoning amendment relates to and affects the city's Comprehensive Plan.
2. The validity of the Comprehensive Plan relative to the area under consideration.
3. The need to correct an error or deficiency in the Zoning Ordinance.
4. Any benefits which would be derived from the proposed amendment.
5. Any cost to the city in terms of expenditures for public improvements, facilities and services.
6. The public interest.

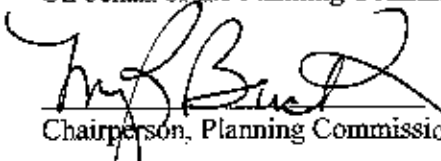
WHEREAS: the Planning Commission has considered a request by Mary Coleman to change Tax Map Number 171-15-08-019 from "O-1 Office Institutional", to "B-1 General Business", all that certain piece, parcel or lot of land, situate, lying and being inside the city limits of Orangeburg, South Carolina and bound as follows:

On the northeast by property of Burley H. & Henry G. Rutland Jr. and BellSouth measuring two hundred and eighty (280) feet, more or less; on the southeast by Amelia Street measuring two hundred (200) feet, more or less; on the southwest by Summer Avenue measuring two hundred and seventy six (276) feet, more or less; and on the northwest property of BellSouth measuring two hundred and three (203) feet, more or less.

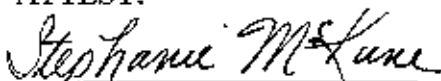
1. As a rezoning in a Multi-Use District, according to the Comprehensive Plan and Land Use Map this request is permissible.
2. The Comprehensive Plan appears valid relative to the area under consideration.
3. We note no errors or deficiencies in the Zoning Ordinance regarding this matter.
4. Benefit is to increase parking.
5. We note no costs to the city in terms of public improvements, facilities and services.
6. The public interest is best served by implementation of the Comprehensive Plan.

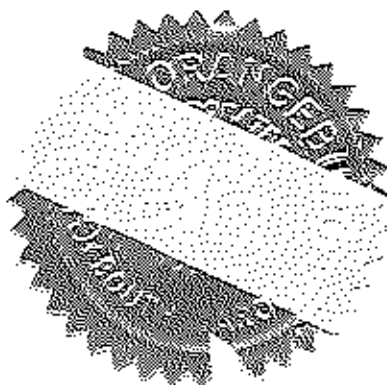
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, this 6th Day of September, 1999, based on its evaluation and findings above, recommend to the Mayor and City Council of the City of Orangeburg, South Carolina, that the aforementioned request be approved.

On behalf of the Planning Commission of the City of Orangeburg, South Carolina;


Chairperson, Planning Commission

ATTEST:





**CITY COUNCIL MINUTES
SEPTEMBER 7, 1999
PAGE 2**

A motion was made by Councilmember Salley, seconded by Mayor Pro Keitt, to amend the Budget for the City of Orangeburg, South Carolina for Fiscal Year October 1, 1998 and ending September 30, 1999. The vote was unanimous.

Assistant City Administrator recommended to Council for the authorization to award a bid for the HVAC renovations in Stevenson Auditorium in the amount of \$128,888 by Courson Mechanical. A USDA Grant has also been obtained in the amount of \$100,000 on this project. A motion was made by Councilmember Salley, seconded by Councilmember Rheney. The vote was unanimous.

Mayor Cheatham asked Council to consider a Resolution against video poker. This Resolution asked City voters to reject video poker on November 2 in the upcoming election. The Resolution condemns video poker as taking hard earned dollars away from family necessities such as food, clothing, housing, and education. It blames video poker for an increase in criminal activity and Mayor Cheatham urged Council to vote for this Resolution saying video poker "takes money out of poor people's pockets". Councilmember Salley moved to pass the Resolution and Councilmember Rheney seconded the motion. Councilmember Miller then spoke out against the Resolution saying he believes the voters should decide the issue during the upcoming referendum. He stated "I don't gamble, I don't do video poker, but I believe this is something we shouldn't stick out necks out on". Mayor Cheatham stated that as leaders of the community, Council should take a stand on this issue. Mayor Pro Tem Keitt also spoke against the Resolution stating that Adults should make their own decision and express their rights in November, and that video poker is like alcohol stating, "We can't take a stand and tell people not to drink". Mayor Pro Tem Keitt, Councilmembers Miller, Haire and Knotts voted against the Resolution. Mayor Cheatham, Councilmembers Salley and Rheney voted for the Resolution. This was a 3-4 vote. The motion was defeated.


A request was made by Orangeburg Consolidated District #5 to waive a building permit fee of \$402.00 for the proposed building on Fair Street. A motion was made by Councilmember Salley, seconded by Mayor Pro Tem Keitt. The vote was unanimous.

A motion was made by Councilmember Miller, seconded by Councilmember Haire to adopt the Budget for the operation of the Department of Public Utilities for the City of Orangeburg, South Carolina, for Fiscal Year beginning October 1, 1999, through September 30, 2000. The vote was unanimous.

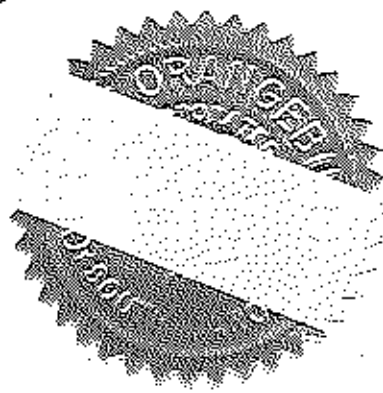
A motion was made by Mayor Pro Keitt, seconded by Councilmember Haire to enter into Executive Session to discuss a legal matter concerning an Ethics Commission Ruling.

There being no further business, the meeting was adjourned.

Respectfully Submitted,



Carrie W. Johnson
Assistant City Clerk



CITY COUNCIL MINUTES

SEPTEMBER 21, 1999

City Council held a Public Hearing for the purpose of a request for rezoning from O-I Institutional-Apartment, to B-1 General Business, property at the corner of Amelia and Summers Streets. Mayor Cheatham turned the Public Hearing over to Mayor Pro Tem Keitt and excused himself from the meeting. Mayor Pro Tem Keitt opened the Public Hearing. Assistant City Administrator Bushyager told Council that the Planning Commission on September 6, 1999, reviewed this request to rezone this property in order to facilitate the construction of a parking lot. He stated, "It is my understanding that BellSouth has an option on that property and they intend to develop that into a parking lot creating spaces to facilitate the addition of 100 employees at that location. Mayor Pro Tem Keitt asked if anyone would like to address Council. Mr. Buddy Johnson, a BellSouth representative told Council, "We are seeking the change to try to provide parking for additional employees that we want to hire in the Orangeburg area. We're interested in not degrading that area. We want to build a lot that would blend in with that office/institutional area and we will landscape the area." Councilmember Haire asked, "Did I hear you are going to hire an additional one-hundred employees at the location." Mr. Johnson responded, "Really there are almost two-hundred employees. We've already hired some."

In the back of the structure at Summers and Henley, we have about seventy-four or seventy-five spaces but installation maintenance crews take up most of that. We do have a small lot on Amelia Street for parking but we've had some difficulty in that they have been parking and blocking some residential and business property. Some of the cars have been towed away. We've had a safety situation where we've had two incidents where some of our employees have been accosted and assaulted there. We want to provide parking but also life safety and security for our employees. We will not be able to hire the additional employees unless we get parking."

Councilmember Haire asked, "Do you foresee any additional requirement as it related to the expansion of the parking lot or any other encroachment that may take place as it relates to those homes over there." Mr. Johnson responded, "I see nothing beyond what we're proposing. We have maxed out our floor space in the building and could not put anymore employees there."

Councilmember Rhency asked if the two houses were going to be torn down. Mr. Johnson responded, "If anyone would like any of the houses, we'd sell them for a nominal amount." Mayor Pro Tem Keitt closed the Public Hearing. Council immediately entered into the regularly scheduled meeting with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rhency
W. Everette Salley

A motion was made by Councilmember Miller, seconded by Councilmember Rhency, to approve the September 7, 1999, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Cheatham presented Dr. W. Everette Salley, City Councilmember with a Resolution of appreciation of his devotion to the City for thirty years of service. Dr. Salley is retiring September 30, 1999. City Administrator Yow and Department of Public Utilities Manager Boatwright also presented Councilmember Salley with gifts for his service. Mrs. Salley was also recognized as being a strong supporter of Dr. Salley and the City during his thirty year tenure as a City Councilmember.

CITY COUNCIL MINUTES
PAGE 2

Mayor Cheatham relinquished the chair and turned the meeting over to Mayor Pro Tem Keitt.

City Administrator Yow presented the Third Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999 and Land Use Plan Map dated March 16, 1999 for Council's consideration. He stated that the Ordinance for consideration for third readings are the versions recommended by the Planning Commission. This means it does not include the rezoning or land use change for Chestnut Street--Columbia Road.

A motion was made by Councilmember Salley, seconded by Councilmember Miller, to approve the Third Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999 and Land Use Plan Map dated March 16, 1999. This was a 3-3 vote. Mayor Pro Tem Keitt, Councilmembers Knotts and Haire opposed this motion. The motion failed to pass.

A motion was made by Councilmember Miller, seconded by Councilmember Salley, to reconsider this motion at a later meeting along with the Ordinance of the revised Zoning Ordinance. This motion was unanimously approved.

Councilmember Miller stated that he felt this needed to be done so that, "We don't lose the first and second reading and we need to have a comprehensive plan in place before the end of the year." This motion also included item #4, Third reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999 and Zoning Map dated March 16, 1999.

A motion was made by Councilmember Miller, seconded by Councilmember Salley, to approve the First Reading of an Ordinance to rezone property at the corner of Amelia and Summers Streets. Councilmember Rheney stated, "I'm not for destroying the only historical part of Orangeburg left and I think that's Amelia Street. I'm certainly against this." This was a 3-3 vote. Councilmembers Haire, Knotts and Rheney opposed this motion, therefore, the motion failed. A motion was made by Councilmember Salley, seconded by Councilmember Miller, to reconsider this issue at a later meeting. Councilmember Miller stated, "What bothers me about this being deadlocked, if I read this thing right, they were on a time line to get this done. We were going to have to have some special sessions to accommodate their needs and if we don't it's not going to go down. So us deadlocking this tonight, it's going to be a bad thing."

City Administrator Yow stated, "To quote Mr. Johnson's letter who addressed Council earlier, BellSouth's ability to acquire the property is contingent upon using funds from a company property sale in Florida under IRS 1031 tax deferred sale and proposed purchase must be completed on or before October 15th." Mayor Pro Tem Keitt stated, "Jobs are very important here. Our citizens need jobs. I really hope you consider this. He said he would sell the houses at a minimum and someone could buy them and put them somewhere else. It's important that our citizens have jobs."

Councilmember Miller asked if this could be reconsidered tonight.

City Administrator Yow stated that he was going to bring up a consideration for a special City Council meeting on September 28th for this and one other purpose." Dr. Salley made the motion to reconsider you might add to your motion to consider that at a special City Council meeting on September 28th." City Attorney Walsh stated, "You can reconsider it tonight." Councilmember Salley amended his motion to read to reconsider this issue tonight instead of at a later meeting. Councilmember Miller seconded this motion. This was a 5-1 vote. Councilmember Rheney opposed this motion.

A motion was made by Councilmember Miller, seconded by Councilmember Salley, to approve the First Reading of an Ordinance to rezone property at the corner of Amelia and Summers Streets. This was a 5-1 vote. Councilmember Rheney opposed this motion. City Administrator Yow addressed Mr. Johnson's request for a special City Council meeting for the Second Reading to accommodate the schedule that we pointed out in his letter. "I would propose to City Council that we meet on September 28th at 12:00 Noon or 7:00 P.M."

CITY COUNCIL MINUTES
PAGE 3

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to hold a special City Council meeting at 12:00 Noon on September 28th for consideration of the Second Reading of an Ordinance to rezone property at the corner of Amelia and Summers Streets. This motion was unanimously approved.

Mayor Pro Tem Keitt relinquished the chair. Mayor Cheatham presided over the rest of the meeting.

Mayor Cheatham stated that, "We had a recommendation during our planning session to add an additional holiday to our schedule for the year 1999-00 to designate Dr. Martin Luther King Jr.'s birthday as a City holiday. A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts to designate Dr. Martin Luther King Jr.'s birthday as a City holiday.

Councilmember Salley stated, "We already have nine (9) holidays and vacation time. I cannot support this unless you give up another one. Nine is enough."

Councilmember Miller stated, "The only comment he would make is rather than have Martin Luther King's birthday as a holiday for all employees is to have an additional holiday as a personal day. That way if an employee wants to take off on Martin Luther King's birthday that's fine or take off on their birthday or any other day of the year, that way it would be the employee's choice. It may not be that everyone would want to take that day off." Mayor Pro Tem Keitt stated, "For a City as large as Orangeburg and the many, many endeavors that has happened on this birthday and the gentlemen of this birthday, Dr. Martin Luther King, Jr., has done so much for so many people not just black but white, blue, green, yellow and red. We need to consider this as a day not to work but for programs and the City of Orangeburg needs to take the lead in closing its doors so that we can have this day for programs and other things that we have here in the City of Orangeburg."

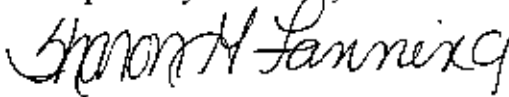
Councilmember Haire stated, "I've heard Councilmember Miller's say that it should be possibly a personal day then let's make all the holidays personal days where individuals then would have an opportunity to choose as to whether or not he or she wish to take off Thanksgiving. If we're talking about honoring someone that who deserves to be honored. I see no greater person to do this for than this particular individual. All across this country other governmental bodies are recognizing this day as a holiday and I would be in favor of voting in favor of this particular day as a holiday in the City of Orangeburg." Mayor Cheatham called for the vote. This was a 5-1 vote. Councilmember Salley opposed this motion. Councilmember Miller abstained from voting.

There were no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to enter into an Executive Session for a personnel matter concerning the Parks and Recreation Department. This motion was unanimously approved.

Council entered back into open session. A motion was made by Councilmember Salley, seconded by Councilmember Miller, to uphold the recommendation of the Grievance Committee in a matter concerning Parks and Recreation Department employee, Rodney Lucas. This was a 4-2 vote. Councilmember's Knotts and Haire opposed this motion. Mayor Pro Tem Keitt was not present for the vote.

Respectfully submitted,



Sharon G. Fanning
 City Clerk





RESOLUTION

WHEREAS,

Dr. W. Everette Salley, faithfully served the City of Orangeburg as a Councilmember for thirty years with a starting date of October 1, 1969 and a retirement date of September 30, 1999; and

WHEREAS,

he, through his long and faithful service, contributed greatly to the policy making and positive direction of the City of Orangeburg; and

WHEREAS,

the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the City of Orangeburg in the capacities in which he served the City and we take pride in commending him for his leadership and trustworthy guidance.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Dr. Salley in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 21st day of September, 1999.



Walter L. Cheatham

MAYOR

Paula Main

James Haire

Sandra P. Little

L. Zimmerman

James Cherry

MEMBERS OF COUNCIL

ATTEST:

Sharon H. Lanning

CITY CLERK

CITY COUNCIL MINUTES SEPTEMBER 28, 1999

Orangeburg City Council held a Special City Council Meeting on Tuesday, September 28, 1999, at 12:00 Noon in City Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

Bernard Haire
W. Everette Salley

Mayor Cheatham relinquished the chair to Mayor Pro Tem Keitt.

A motion was made by Councilmember Miller, seconded by Councilmember Knotts to approve the Second Reading of an Ordinance to rezone property at the corner of Amelia and Summers Streets.

Councilmember Rheney asked for discussion to be held on the plans for the parking lot and house.

Mr. Johnson, a BellSouth representative, stated, "If the change was approved by Council we would hire an architect to design the plan. The project manager has certain ideas to incorporate the off-street parking ordinance, save the trees and to blend in with the neighborhood and have a secure environment for the employees. If we are able to accomplish this then the 911 office will move into the small business office on the right side of that complex of buildings. We would then have the sheriff's deputies and other people there around the clock everyday of the years. It would not only give us a sense of security but we'd have deputies going in and out from time to time. We intend to hire an architect to design the things and also do some upscale landscaping."

Councilmember Rheney stated, "Right now you have a parking lot right next to this house with alot of large equipment on it and it hasn't been beautified in anyway." City Administrator Yow stated, "There is one parcel in between and this rezone request does not include that existing parking lot. I guess Mrs. Rheney's question is, are there any future plans to beautify this existing lot?"

Mr. Johnson stated, "If Council desires to do that. At the time we acquired the lot the County actually bought this building that we sold them in 1986 because we didn't have sufficient parking at that time. We'd be glad to consider landscaping that if you desire."

Councilmember Rheney stated, "To clarify--we're speaking of a house on the corner of Amelia Street and Summers Avenue."

Mr. Johnson responded, "Yes."

Mr. Johnson stated, "Subsequent to our last meeting Mr. Kevin Callahan with the hospital foundation approached us about donating the houses to the foundation. I proposed pending their due diligence structural studies, and he's also contacted a mover, that we would be willing to donate those to the hospital. What I've committed to him is that those funds that we would have expended to dismantle the houses we would actually contribute that to moving the houses."

Councilmember Miller stated, "That sounds like it would be a win for everybody."

CITY COUNCIL MINUTES
PAGE 2

Mr. Kevin Callahan stated, "As a message from Mr. Dandridge, the executive officer, there is a huge amount of due diligence that must be done. We are evaluating the opportunity but we have to make sure it fits within the look of the hospital as to what we're going for in the future. We're moving forward with the evaluation process."

The vote was called for. This was a 3-0 vote. Councilmember Rheney abstained from voting.

There being no further business the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

October 5, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 5, 1999, at 7:00 P.M., with Mayor Cheatham presiding. An invocation as given by Reverend Theron Smith of the St. Andrews United Methodist Church.

PRESENT:

Martin C. Cheatham
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

Bernard Haire

City Attorney Walsh administered the Oath of Office to newly elected Councilmember Charles Jernigan and re-elected Councilmember Sandra Knotts. Mayor Cheatham stated that City Attorney Walsh administered the Oath of Office to Councilmember Bernard Haire on October 4, 1999, because he could not be present at this meeting.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the September 21, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the September 28, 1999, Special City Council Minutes as amended. This motion was unanimously approved. Although Councilmember Jernigan was not a Councilmember at the two above meetings, he was present at the meetings.

Mayor Cheatham excused himself from the meeting. Mayor Pro Tem Keitt presided over the next few issues.

City Administrator Yow stated, "Items 3 & 4 are a matter that you've had before you many times. As each of you know, both of these motions failed to pass on a 3-3 vote at the last meeting, however, a motion to reconsider both of them did pass, therefore, you have it before you tonight for consideration."

Mayor Pro Tem Keitt stated, "Let me congratulate this Council for the position you've taken and the way you've stood the test of time. When I came on this Council I said to the Councilmembers, we are not going to agree all the time but we should go out being agreeable and we've done that. We want to congratulate you on that."

City Administrator Yow wanted to clarify that these Ordinances were the ones that were sent up by the Planning Commission.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the Third Reading of an Ordinance to adopt a Revised Comprehensive Plan dated March 16, 1999 and Land Use Plan map dated March 16, 1999. This was a 5-0 vote and was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Knotts to approve the Third Reading of an Ordinance to adopt a Revised Zoning Ordinance dated March 16, 1999, and Zoning Map dated March 16, 1999. This was a 5-0 vote and was unanimously approved. Councilmember Rheney opposed this motion.

**CITY COUNCIL MINUTES
PAGE 2**

A motion was made by Councilmember Miller, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance to rezone property at the corner of Amelia and Summers Streets. This was a 4-1 vote. Councilmember Rheney opposed this motion.

Mayor Cheatham was not present and did not vote on the last three items. Mayor Cheatham returned and presided over the remainder of the meeting.

A Resolution was presented to Council to give the City Administrator the authority to sign documents pertaining to the \$100,000 USDA grant for the heating and air conditioning system. A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve this Resolution. This motion was unanimously approved.

Mayor Cheatham proclaimed October 24-30, 1999, as American Heart Walk Week.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to authorize City Administrator Yow to purchase a new residential sanitation truck in the amount of \$127,507.00 from Southern Truck Service. This motion was unanimously approved.

City Administrator Yow asked Council to bring a Councilmember Nomination to the next meeting for an appointment to the Firemen's Insurance Inspection Fund Committee to replace Dr. Everette Salley.

DPU Manager Boatwright asked Council to approve a Resolution for acceptance of the low bid of \$3,599,315.00 for improvements to the Water Treatment Plant, Clearwell Addition from M.B. Kahn Construction Company, Inc./ Moore Division of Greenwood, South Carolina.

He stated they had received two bids and both were over budget. "After a lot of searching, looking and comparing prices, a change order was negotiated to delete some \$346,000 from the project. The basic problem was that the project was underestimated. This puts us about 10% over budget. Staff and I have looked at this a long time and I'm convinced this price is in line with the scope of the work."

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the Resolution awarding the project to M. B. Kahn Construction Company, Inc./Moore Division in the amount of \$3,599,315.00 for improvements to the Water Treatment Plan, Clearwell Addition. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan to enter into an Executive Session for a personnel matter concerning the Municipal Court. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sharon G. Fanning

Sharon G. Fanning
City Clerk

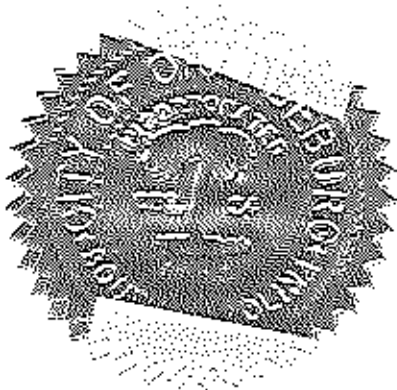
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OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law, the purposes for which I have been elected. So help me God."

"I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the constitution of this State and of the United States. So help me God."



Bernard Haire
COUNCILMEMBER

October 4, 1999
DATE

Sworn before me this 5th Day
of October, 1999.

Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law, the purposes for which I have been elected. So help me God."

"I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the constitution of this State and of the United States. So help me God."



Sandra P. Knots
COUNCILMEMBER

October 5, 1999
DATE

Sworn before me this 5th Day
of October, 1999.

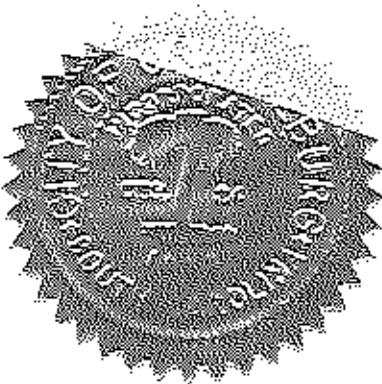
Paulette F. Blackwell
Paulette F. Blackwell
Notary Public

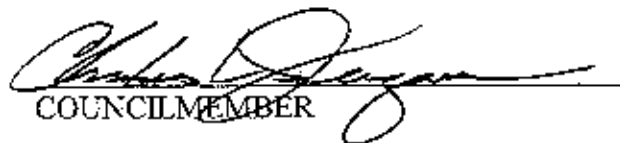
My Commission expires 06-19-07

OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law, the purposes for which I have been elected. So help me God."

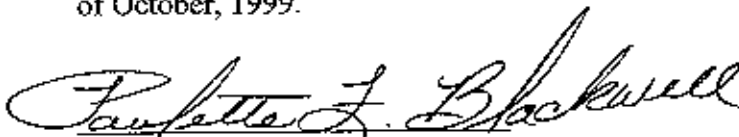
"I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the constitution of this State and of the United States. So help me God."




COUNCILMEMBER

October 5, 1999
DATE

Sworn before me this 5th Day
of October, 1999.


Paulette F. Blackwell
Notary Public

My Commission expires 06-19-07

RESOLUTION AUTHORIZING AND RATIFYING THE CITY ADMINISTRATOR
TO EXECUTE CONTRACTS AND SIGN ANY AND ALL OTHER NECESSARY
DOCUMENTS FOR THE ADMINISTRATION OF A RURAL BUSINESS
ENTERPRISE GRANT AND TO ENGAGE A GENERAL CONTRACTOR TO
REMOVE AND REPLACE THE HVAC SYSTEM IN STEVENSON AUDITORIUM

BE IT RESOLVED by Council duly assembled this 5th day of October, 1999 that the City of Orangeburg does hereby authorize and ratify the authority for its City Administrator to execute contracts and sign any and all other documents to facilitate the administration of a Rural Business Enterprise Grant in the amount of \$100,000 dollars and to engage a general contractor to remove and replace the HVAC system in Stevenson Auditorium.

APPROVED by City Council for the City of Orangeburg, State of South Carolina, in Council duly assembled this 5th day of October, 1999.



Martin L. Cheatham
Mayor

James W. Pless
Charles J. Pless
L. J. Pless
Paul A. Miller
Sandra P. Pless

Member of Council

Attest: *Sharon R. Lanning*
City Clerk

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY M.B. KAHN CONSTRUCTION, INC. / MOORE DIVISION OF GREENWOOD, SOUTH CAROLINA IN THE AMOUNT OF \$3,599,315 FOR THE CONSTRUCTION OF A CLEARWELL/PARK FOR THE WATER TREATMENT PLANT.

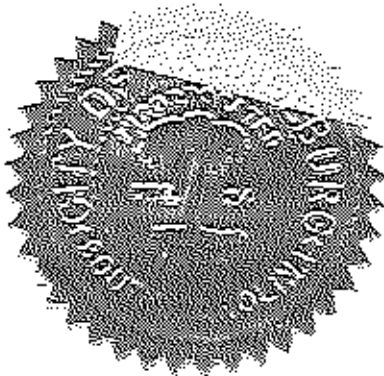
WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on August 18, 1999 for the construction of a Clearwell/Park for the Water Treatment Plant; and

WHEREAS, the low responsible bid for this work was submitted by M.B. Kahn Construction Company, Inc. / Moore Division of Greenwood, South Carolina in the amount of \$3,599,315; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 5th day of October, 1999.



Martin C. Cheatham
MAYOR

James W. Roney

Chuck Ferguson

L. J. Cunningham Keist

Paula Mui

Sandra P. Krutts

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

CITY COUNCIL MINUTES

OCTOBER 19, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 19, 1999, at 7:00 P.M., with Mayor Cheatham presiding. An invocation was given by Reverend Harry Nasmith.

PRESENT:

Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the October 5, 1999, City Council Minutes as distributed. This was a 6-0 vote. Councilmember Haire abstained from voting as he was not present at the October 5th meeting.

Mr. A. J. Hutto, owner of Dukes Harley Funeral Home, told Council that he would like to express his concerns in regards to law and order in the City. "I was not in town during that weekend Saturday before last when we had homecoming, although I've been here other times when we've had homecoming weekend. What I've seen in the past is a lot of partying that maybe got into excess and out of control. That particular Saturday night we had a visitation going on at our place. Thank goodness it was just one family that we happened to be serving that night. At some point and time some of the friends of the deceased went outside and asked the crowd to please be quiet and calm down. They got no response, just laughs. At one point and time, a gentlemen told me, he personally went outside and crossed the street to where a uniformed officer was sitting on the tailgate of a county vehicle pickup truck and he asked him if he could please come over to the funeral home and try to quiet the folks down a little bit. He just laughed and said they're just having fun. Maybe he was very sincere in thinking they were just having fun. We have been in that location for sixty-four years. My uncles were there forty-four years. I've been there twenty years. We've done everything in our power to be a good neighbor. I'm not blaming or pointing the finger at any one individual. I think that the homecoming at the college is a good event. All colleges should have homecoming activities. I have no earthly idea who may have started the fire at our place, but it's my understanding that SLED is convinced it was started and it was an arson fire. At this point and time, I hope that justice will be done. My concern is that we, as a community, cannot allow any gathering regardless of who it is to get out of hand. We cannot tolerate a loss of control or loss of law and order. The majority of people in town that weekend had nothing to do with the college or Orangeburg. They just came in for a party. That's perfectly alright provided they behave themselves. I guess I got real upset when I looked at the paper on Sunday morning and I saw nothing in reference to trouble overnight. Then when I saw Monday morning's paper I still saw nothing to indicate there was any trouble in town Saturday night. I called and talked to the City Editor and he wrote an article and talked about our loss. To me, the problem we're dealing with here is not letting any activity get out of hand and out of control. Because of everything I've heard about that night indicated that we had a near riot scene going on all over town with bumper to bumper traffic, a lot of loud noise, horn blowing, loud music and a lot of drinking. I know we picked up wheelbarrow loads of beer bottles and trash off of our property the next day. We've done that in the past homecoming weekends. The scene that night apparently got into a chaos and it became a mob and to me the mob has no conscience and no color. It's an unruly mob and we happen to be the victim that time. I'm concerned that we don't let our community fall into the hands of an unruly mob at anytime. When I travel over South Carolina, I too frequently anymore, I get the comment off-- you're from Orangeburg, you guys certainly have the problems down there. I do know that we've got to control things in our community. We've got to try our very best to ensure that we're going to have a climate, an activity that can be conducted in a manner to serve the public and the people without fear of vandalism like we had. One thing that is a nightmare is to think that we have another homecoming event that gets out of hand somebody is going to want to burn the funeral home again. I think we've got to ensure that we maintain law and order. We've got ordinances against drinking

CITY COUNCIL MINUTES
OCTOBER 19, 1999
PAGE 2

in public and carrying beer bottles up and down the street and I think we have to enforce them. I'm not going to blame it on the college. I think the college might take a hand in trying to communicate to their alumni and anyone who may come in there to participate in the homecoming weekend that we're not going to tolerate unruly behavior. Let's try to turn this thing into a fun time for the people involved but one that would not infringe on the citizens of our City."

Mayor Cheatham stated, "It's a horrible situation and I'll admit that to you. You and I have talked since the fire, we all regret what happened. We've had this situation now for about four years and we've tried to strengthen our law enforcement each year. We meet every year prior to homecoming with Dr. Davis and his staff, not only before, but also after homecoming to analyze. We try to make improvements to what we've already done. This year we've beefed up our forces. We had help from Aiken, and Myrtle Beach. We didn't get as much help and assistance from one law enforcement agency that we really needed help from. We're going to work on that for next year. South Carolina State University is eager as we are to prevent this type of situation from happening. Folks, let me tell you here tonight, it's not South Carolina State University. I don't want our citizens blaming them. They're working to try to help us prevent this situation. It's the outsiders that come from Charleston, Augusta, Charlotte, Florence, Greenville, Spartanburg, Anderson, Bennettsville, Blackville and anywhere you want to mention. They come to Orangeburg to party. That's generally where we have our problem. They never attend the football game. One of the problems we try to work on is to prevent riots and violence erupting and we don't have the personnel in Orangeburg so we have to try to depend on other agencies to assist us. The incident with the loud noise and cars in front of the funeral home is very unfortunate and I apologize for that. That was not handled like it should have been and the fire was a disaster for our community. Let me assure you folks here tonight we work on this thing every year. I spend untold hours working with Mr. Yow and Mr. Davis and we have a small force and it's very difficult for us to control it unless we get additional help in here. We've checked with other communities about the problems they have. I've talked with about four Mayors and Chief Davis has talked to other sheriff's in other towns and we're finding out what they do. Let me assure you, I think we're trying to do everything possible."

Mr. Hutto stated, "Without law and order, no business or industry will want to come to our industrial park."

Mr. Donald Alexander asked, "How many arrests were made that weekend?"

DPS Director Davis responded, "Probably about 10 to 15."

Ms. Loretta Scott Walker stated, "I was caught for the first time in the middle. I was visiting a handicapped friend on Highland Avenue and it got dark a little earlier than I thought. It was the lack, I think, of our good people from the Department of Public Safety and the total environment. I've seen homecoming before in the last three years, but what caught me was the open wholesale organized prostitution nobody talked about. The young ladies in short skirts, all in the same uniform, all with mobile phones and the base of operation was over on Trinity parking lot, Trinity United Methodist. The money would change hands all the way down John C. Calhoun. I used to be Chief of Staff of Crisis Intervention in Philadelphia and I'm pretty good at crowd estimation. There were at least 550 people parked in the parking lot. I had just come down and cut over at Wendy's. There was another 150 to 170 I'd estimate. There were three officers coming towards me because at that point, I was a little panicky and was going to ask them for a ride down to Bayne Street. These three people were without bulletproof vests. One of which was a very competent female policewoman and I said, did you observe what I did on the hill? She said, I know. But it seems it was a two way thing the people of Orangeburg were unprotected and it was like wholesale Sodom & Gomorrah. I just said hi to some of them from DPS before they took off towards Edisto Gardens on the bike patrol. I had noticed earlier in the day when I enjoyably watched the parade that there were visible bulletproof vests but I didn't see any when those three officers had to approach that crowd. I wouldn't have made anymore arrests either. There's just got to be something that we can do not only educationally and getting our citizens ready for next year but in protecting our Public Safety and in enforcing the laws. I don't want to ever see that wholesale prostitution, open container drinking, not in my Orangeburg, not in my hometown. Thank you."

CITY COUNCIL MINUTES
OCTOBER 19, 1999
PAGE 3

Mrs. Betty Tyson asked DPS Director Davis, "How can the Department of Public Safety write tickets to its local citizens for littering and open containers when only ten to twelve tickets were written and how many tons of trash and open containers and bottles busted against our building but how many tickets can be written to us that we would have to go to court or we would have to pay a fine for throwing a chewing gum wrapper out? I want you to look at what the City had to pick up. How can you write us a ticket and let them have no tickets?"

DPS Directors Davis stated, "We try to enforce the law equally. It's obvious we have our minds set about how homecoming was and I don't know whether you want me to respond in detail but that is an awful big crowd. We have a lot of officers out. It is very difficult to be able to enforce those kind of violations with the number of people we have."

Mayor Cheatham stated, "I am not supporting what went on, I'm criticizing what went on. It's horrible. It's dangerous for our public safety officers. If we incite a riot that's more horrible than anything except the burning of Dukes Harley Funeral Home. And that's one thing our public safety officers have worked to try to keep down is the inciting a riot. We know what riots have done to Orangeburg in the past. We don't want that to happen again. We have got to stop the influx of outsiders into our community. How we're going to do it is a tough, tough question, folks. We just need more people, we need more law officers. We only had seven highway patrolmen and what we could get from Aiken and Myrtle Beach. Whether we can get more highway patrolmen next year and more officers maybe from Charleston, maybe Greenville and Spartanburg. We'll just have to see. We weren't able to get them this year. When you've got 750 to 800 people out here and you got forty officers trying to control them, you all come out there and help us. It's tough and people are scared to go down there and I don't blame them. I tell everybody to stay away. Stay away because you put your life in danger when you go down there. They are not from Orangeburg. They don't care about you. They are here to have a good time and party. That's the only reason they are here."

Mr. Roger Horne stated, "He had to close his business down early. If we're having this kind of problem why can't we and SCSU get together and bring the National Guard in. These guys now are realizing that they can come to Orangeburg and party. It's getting bigger every year. They're going back and spreading the word and bringing more in. I agree, I don't think its the local people or the SCSU people. As long as we let it go they are going to continue to do it. When you instruct police officers not to write tickets, not to arrest them, why not go to Orangeburg and party."

Mayor Cheatham stated, "They will not send the National Guard down here, they will not send them to Myrtle Beach. Their problem is worse than ours, folks. We think we've got problems. You go to Myrtle Beach when the motorcycles are down there. They can't handle it and Governor Hodges won't send the National Guard down there. I know he won't send it down here."

Mayor Pro Tem Keitt stated, "I know we're all little dismayed about what has happened. It has happened. From this point, we must come together to work out some solutions. There are solutions to these problems but its going to take a little time for businesses, ministers, councils, SCSU and anyone else that would like to join us to come together to work out these solutions. There are solutions to any problem. God is bigger than all of us. I am sure He will allow us to come together, join forces with the law enforcement and work out some solution. That's what we have to do. Do not get totally upset yet. I'm very sorry about what happened to Mr. Hutto's place or anything else that happened during the time but we must not lose our self control because of what has happened. We must come together, join forces and we can work it out. I do believe that. We started this morning and I'm sure we'll continue through this year and 2000 to work it out. The 2000 homecoming will not be like year 1999."

Jay Pearson stated, "One thing you said Mr. Mayor that's frightening to me is that your life's in danger. That's a heck of a statement for a Mayor of a town to make when we pay for law enforcement here. Ms. Keitt, I agree with what you said except when you said we shouldn't get upset. I think the time has passed for upset because we are upset. We should be upset. I don't think

CITY COUNCIL MINUTES
OCTOBER 19, 1999
PAGE 4

we can dismiss this lightly and I appreciate that you all are working hard to try to resolve this problem and get assistance in enforcing the laws"

Mr. David Farr stated, "Perhaps since the Mayor and City Council feel so badly about Mr. Hutto's loss, a tremendous loss of historic property, maybe they should take some of that 2% Accommodations Tax that was collected over the weekend and donate it to him to help him with his financial loss."

Mayor Cheatham stated, "Let me assure you that we work on this problem every year and we're not sitting idly by. We know its a bad situation, tough situation and we're not taking it lightly, I can assure you that."

Mr. A. J. Hutto stated, "I guess what I'm sitting here hearing tonight is the law is the law and the law will be enforced 364 days a year but on that day of homecoming we're just overwhelmed and we can't enforce the law. But I think we better let the people know, however, we might figure out a way to let them know that this kind of unlawful behavior will not be tolerated. If necessary, we'll get the support of our citizens before the homecoming weekend to get whatever support we need to keep our city safety maintained that weekend. We can get the support if we get our citizenry behind us."

Mayor Cheatham stated, "You're going to see the law enforced 365 days a year."

Councilmember Haire nominated Mayor Pro Tem Keitt to be appointed to the Firemen's Inspection Fund Committee. Councilmember Rheney closed the nominations.

A motion was made by Councilmember Miller, seconded by Councilmember Knotts, to appoint Mayor Pro Tem Keitt to the Firemen's Insurance Inspection Fund Committee. This motion was unanimously approved.

Mayor Cheatham appointed Mr. A. J. Hutto to the Aviation Commission to replace a newly elected Councilmember Jernigian.

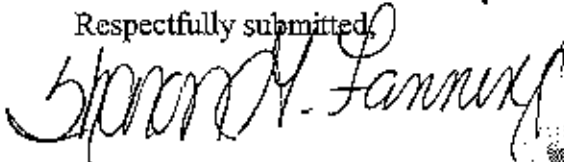
There was no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a contractual matter concerning a municipal parking lot and a personnel matter concerning a City Grievance pertaining to the Parks and Recreation Department.

Council returned to open session. A motion was made by Councilmember Haire, seconded by Councilmember Miller, to uphold the supervisor's decision of termination of a City Grievance concerning a Parks and Recreation Department employee. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES OCTOBER 25, 1999

Orangeburg City Council held a Special City Council Meeting on Monday, October 25, 1999, at 1:00 P.M. in Council Chambers with Mayor Cheatham presiding.

PRESENT:

Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to enter into an Executive Session for discussion of employment for a Municipal Judge.

There being no further business the meeting was adjourned.

City Council did not return to open session.

Respectfully submitted,



Kim M. Johnson

/ptb

CITY COUNCIL MINUTES NOVEMBER 2, 1999

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 2, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Harry Memminger.

PRESENT:

Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for discussion of employment on the Municipal Judge position. Council entered back into open session.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the October 19, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve the October 25, 1999, Special City Council Minutes as distributed. This motion was unanimously approved.

Ms. Bernice Tribble, DORA Director, thanked Council and City staff for their assistance with the "Taste of Orangeburg" that DORA hosted.

Reverend Harry Memminger of New Life Redemption Center asked Council to help resolve some issues that need to be addressed in the Maxcy Street area. Issues he addressed were as follows:

- (1) Dirt Streets that are in need of paving off Maxcy Street.
- (2) Vacant lots, abandoned homes, buildings and vehicles around the City. Enforcement of City Ordinances prohibiting this should be addressed.
- (3) The Cemetery on Maxcy Street needs cleaning.
- (4) The Basketball court is in need of asphalt repair.
- (5) Better visibility is needed at the intersection of Maxcy and Whitman Street.

He stressed he was willing to work with the City on these specific issues. He stated he would like to see all of the Councilmembers come in to the neighborhoods and talk to the homeowners.

Mayor Cheatham stated, "The cemetery is privately owned. It was cleaned and contacts were made to the family to keep it clean and no response was received. No efforts were made to try to keep it clean. Houses have been torn down on Maxcy Street. I think we've torn down eleven, twelve or thirteen. Ten new houses have been built on Maxcy Street. Progress is being made. The basketball court was one of the first ones we did when we started renovating. We've torn down houses and removed old junk cars. I understand your comments and appreciate them. We still have a lot to do. We'll work on it and we'll work with you. We appreciate your coming and chastising us."

Councilmember Haire stated, "I grew up in the area and I'm concerned about it. The cemetery you have referenced to, I know what you're talking about. There have been attempts made to the family members to take care of that project. I would like to volunteer to assist you with the cleanup. I would be more than willing to try to get some students off campus to help." Mayor Cheatham stated he also had some people that would help.

Ms. Deloris Frazier, an Edisto Drive resident stated, "We're here tonight, the residents from off the Edisto Drive and we're concerned about the sewer. Some years ago, I'd like to say maybe three years ago, we were given something to the sum of 3 million dollars in order to do a sewer project for the Edisto Drive area. Since that time, we have been going back and forth talking with the County. Mr. Boatwright has come to Salley Chapel Church and talked with us about the sewer and it seems like the sewer is not going anywhere. I've seen a sign out on 301 south, and the sign says, DPU supplies your electricity, your sewer, your water and natural gas. The thing is I cannot agree with is that, being that I am from the Edisto Drive area. You do not supply the sewer for us, however, we are interested in having you to be the supplier of the sewer for the Edisto Drive area. Now what the problem is, and why there's a stalemate when federal dollars are being spent and we would like to have sewers of our own, I don't know. But there are quite few correspondences, and I'm not gonna go through them but I'd like to read just one paragraph of one. And Mr. Boatwright you do have copies of these letters because they are from County Council. I'll give you the dates, one is August 18th, another one August 6th coming from you, another one August 19th coming from you, another one August 18th from the County to you, another one August 18th to you, but the interesting one that I'd like to read to you all tonight, and it says. It's going from Donnie to Mr. Boatwright. To make amends we're offering to sign an agreement stating unequivocally that the Department of Public Utilities and their staff will have design and construction oversight with final approval on all design and construction work as it relates the project as referenced above. I suggest that you draft such an agreement in the manner that you deem necessary to make this project a reality and forward it to me. I will then forward it to Council for their approval. I don't know what else County Council needs to do, but we as citizens of the Orangeburg area, we'd like very much for somebody to do something to help us. And Mayor, I want put it in your hands, since you are Mr. Boatwright's boss, and DPU is in the business of doing sewer, then we'd like to have the 3million dollars spent for the sewer for the Edisto Drive area. My closing remarks to that is, we need to come together and do the right thing in the name of unity. And this is from the community of concerned citizens from the Edisto Drive area."

Mr. Fred Boatwright, DPU Manager stated, "Ms. Frazier and Ladies and Gentleman of the Council. I wholeheartedly agree and understand the frustration of Ms. Frazier and those other folks who live out there in this area. They have been wanting sewer, she has been working very, very hard to put a package together so that, that wastewater can be made available. My staff and I has also been working with the County as I've tried to keep you posted from time to time on the situation that was going out there. From our point of view Deloris, this is our situation. We have worked very successfully with the County for many years on many sewer projects, in fact we're involved in the number 5 phase of New Brooklyn (#769) is ongoing at this time. We had a set group of rules around which we worked, and it turned out to be, as far as I know extremely beneficial to both of us, it worked out very well. The project west of the Edisto you referred to the funding makes this project somewhat different in that the funding is coming from a different agency. Instead of coming from CDBG Funds it is coming from Rural Development. The Rural Development people have different set of rules. We understand that. Also, as I understand it, and they have the money, please understand that. As I understand it, there is insufficient grant monies in the package to cover the project. So some of the project has to be covered from another funding source. Either a contribution from the City of Orangeburg and/or a loan package where about the County borrows some money, which is (#807) further development which of course is the County's responsibility. We worked very hard on putting together a number of documents which would document the way we worked together with the County and Mr. Walsh was involved with us in helping us look at it from a legal point of view. From our perspective, the County continued to change position at every meeting, and every time we met wanted us to give more and more and more. Finally to the point that they excluded us from design and construction considerations. Now I understand what Mr. Henry wrote in his letter, but Deloris you and I know that whoever pays the bill is going to have the final say. Regardless, of whatever agreements may be in place. We have always taken the position that we will have the responsibility for the design and construction of a system that we are going to own. Now if we are not going to own the system, and thats perfectly alright with us, then we don't need to have input into that. But if we are going to be charged with the responsibility of operating and maintaining the system it is important to us to have input and control over the design and construction of the system. For some reason that the County, and I'm sure they have a good reason, I don't know what it is, and I'm sure they have a good reason, but they are essentially dead set against that. Now I want to emphasize that the door is not closed and this all came about several months ago, the door is not

closed. We gave the County two options that which we will be happy to work with them on. One is where the County through its own funding sources grants loans, build their own the sewer system, and pump the wastewater to our collections system. We would collect it at that point transport it to our plant and treat for, of course for a charge. We have a standard rate and place for that to work if the County as indicated by the Council Chairman in the newspaper this morning has the money. I don't understand why they don't go ahead and do that. The second option is we would agree and be glad to work with them in the same way as we worked with them in all of these other projects that we would be their agents in the design and construction and ultimately the owner of the sewer system. I understand that rural development has some problem with the County transferring ownership when there is indebtedness involved, we certainly understand and we can work around that. To sum it all up Deloris, I am very sorry. We have come to this position, but I cannot in due conscious put myself before this Council and recommend that we accept the liabilities of this system without having some control over it. That would not be a wise thing in my opinion for the City of Orangeburg to do. The County Administrator and I have worked together on many, many projects. I have a great deal of respect for Mr. Hilliard. We continued to work together and I hope that we can work together some how to resolve this. The essential problem here Deloris is the County may have the 3 million dollars unfortunately it cost approximately 40. They are looking for sources of funding I'm sure."

Mayor Pro Tem Keitt stated, "May I suggest that the City and the County sit down and get together. They've been waiting for a long time. Let's sit down and draw up some kind of agreement and we must understand that the City and County isn't about us, its about the people, the citizens that are here. So we have to work for them, that's why we are here. We are gonna have to sit down and come to some agreement and stop thinking about just individuals and do what we have to do."

Councilmember Haire stated "Let me understand what you are saying Mr. Boatwright, you're saying that the present 3 million dollars that is on hand is not enough to do the project that is needed for transporting sewage from Edisto Drive. That's what you're saying?"

DPU Manager Boatwright stated, "Yes sir. And that's my understanding. I could be wrong because they have the numbers, I don't. When this project first got started, the County came to me and I agreed to pay for an preliminary engineering report which was done for the County covering this whole area out there and that's where this whole estimate of money comes from. The County got their preliminary engineering report. Of course what we're dealing with is an estimate here, and it my understanding that there is a short flow of funds and that the County wants us to contribute money. Which I agree we can do, I would recommend that to you provided that we have some control over how the system is built, because they also seem to want us to operate it for them. We should not put ourselves in the position where we are charged in operating the system where we cannot be assured that it is built according to our plans of specification."

Councilmember Haire stated, "Okay, so what needs to happen at this point is that; the County needs to draw up a document that will provide us that kind of guarantee that we will have that kind of control. Is that what I'm hearing?"

DPU Manager Boatwright stated, "Yes sir. The County in my opinion needs to do exactly what we've done on any other project, draw up a document allowing us to act as their agent."

Councilmember Haire stated, "Now, I understand because, as you might have mentioned because of the nature of the funds of which it comes, we cannot assume control outright but there is a way in which you can do that. When can we get moving from where we are now. It we're at a standstill at an end pass. What needs to be done by DPU, to move the project, or what needs to be done by the County to move the project forward."

DPU Manager Boatwright stated, "The County Administrator and I need to be instructed by our Councils to meet together and work it out."

Mayor Cheatham stated that Council has given DPU Manager Boatwright this authority.

Item #5 was deleted from the agenda.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to pass a Resolution to lease a parking lot on Middleton Street from Lenaire F. Wolfe, II, for \$2,900 per year for a five year period. This motion was unanimously approved.

DPU Manager Boatwright asked Council to execute an agreement between DPU and SCSU for the cleaning and cement motar lining of old pipes for both the City and SCSU. This is a joint project. He stated after infrastructure problems were discovered on campus SCSU agreed to allow the utility to act as their representative in the construction phase of the work. By combining the SCSU work and City work good bids were received.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to authorize DPU Manger to execute agreement between DPU and SCSU. This motion was unanimously approved.

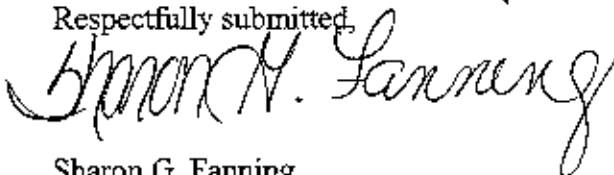
A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve a Resolution to accept the low bid of \$398,505.00 from Mainlining Service Inc., of Elma, New York for the cleaning and cement motar lining of old pipes from both the City and SCSU. This motion was unanimously approved.

Mr. D.M. Zimmerman, Jr., SCSU representative stated, "The University and the City have a long history of cooperation on many things at many levels. We're pleased with the cooperation of DPU. The work will have a huge impact on our infrastructure."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for a legal matter concerning the City Zoning Ordinance pertaining to group housing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES NOVEMBER 16, 1999

Orangeburg City Council held its regularly scheduled meeting on November 16, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Reverend Henry Murdaugh of Mt. Calvary Baptist Church.

PRESENT:

Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

Mayor Cheatham and Public Works Director Bowden presented Mr. E. Harold Haddock, a Retirement Resolution and watch for his long and faithful service of thirty-one years, two months and twenty-nine days in the Public works Department. Mr. Haddock retired on September 30, 1999.

Mayor Cheatham and City Administrator Yow presented Mrs. Sue S. Mulkey, a Retirement Resolution and watch for her long and faithful service of twenty-one years, eleven months and nineteen days in the Administrative Department. Mrs. Mulkey retired on October 30, 1999.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to approve the November 2, 1999, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Victor Fenton, Representative for the Orangeburg County Veteran's Council told Council that he would like a new veterans Memorial to be placed in the Edisto Memorial Gardens. He requested that a plot of land be designated for this Memorial in the Gardens. Mayor Cheatham stated that Council was 100% behind the request and that they would all visit the proposed site in the Gardens before the next Council meeting. This item was accepted as information.

Councilmember Miller stated, "I applaud you for your efforts and look forward to seeing your project completed." Mayor Cheatham stated that this was the expression of all Councilmembers.

Dr. Michael Wilson, a City resident, asked Council to consider putting an exploratory committee together to examine the issue of setting a youth curfew. He stated he was concerned about the number of young people he sees walking the street late at night and the effect this has on the crime rate. He suggested that a youth curfew could be a useable tool for law enforcement. He stated that he researched mandatory youth curfews that were already in place in Rock Hill, Sharon and Charlotte. "A committee needs to be formed to exam the issue. At least four (4) committee forums for public input and discussion of such issues as children's rights would be needed. A number of citizens, particularly elderly ones, feel that a youth curfew would help. We have strong support for this." Mayor Cheatham stated, "Council is also concerned about this issue. We've had a reduction in our crime rate. In 1998, the City's crime rate had a 10% reduction and 4% in previous years. Our County, unfortunately, has had an increase and we're concerned about that also. Let us take this and review it."

Mr. Chris Baxter, local resident, stated that he questions how far a parent can go in controlling a child. He sated that the power should be put back in the parents hands.

**RESOLUTION TO APPROVE AND AUTHORIZE THE LEASE
OF PROPERTY LOCATED ON MIDDLETON STREET FROM LENAIRE F. WOLFE, II**

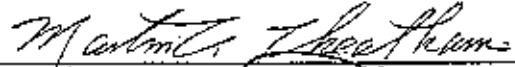
Be it resolved by City Council duly assembled that the City of Orangeburg lease the property described hereinbelow for the purposes of a municipal parking lot for a term of ten (10) years beginning November 15, 1999 at the annual rental of Two Thousand Nine Hundred and 00/100 (\$2,900.00) Dollars per year.

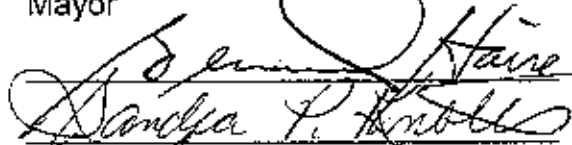
Be it further resolved, that the City Administrator is hereby authorized to execute a Lease Agreement between Lenaire F. Wolfe, II, Lessor, and the City of Orangeburg, Lessee, for the above purposes.

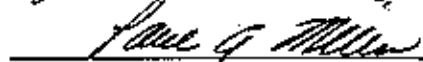
Description of property:

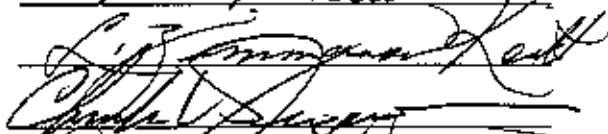
All that certain piece, parcel or lot of land situate, lying and being in the City of Orangeburg, Orangeburg County, South Carolina, on the southwesterly side of Middleton Street, N.E., measuring sixty-nine feet and six inches (69'6") on Middleton Street, N.E. one hundred forty-four feet and three inches (144'3") on the southern side line, one hundred forty-four feet five inches (144'5") on the northern side line and measuring sixty-four feet six inches (64'6") on the rear line, bounded now or formerly by a public alley separating this lot from property of Scoville, by a public alley at the rear separating this property from property of Mrs. Alma K. McLees and of Adden and by property of Wolfe, together with all of our right, title and interest in easements appurtenant thereto.

**DONE AND RATIFIED IN COUNCIL DULY ASSEMBLED THIS 2nd DAY OF
November, 1999.**


Mayor








Members of Council

ATTEST


City Clerk

RESOLUTION

A RESOLUTION AUTHORIZING THE MANAGER OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG TO EXECUTE AN AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC UTILITIES AND SOUTH CAROLINA STATE UNIVERSITY FOR THE PURPOSE OF COORDINATING THE CLEANING AND CEMENT MORTAR LINING OF WATER MAINS BELONGING TO AND ON THE CAMPUS OF SOUTH CAROLINA STATE UNIVERSITY

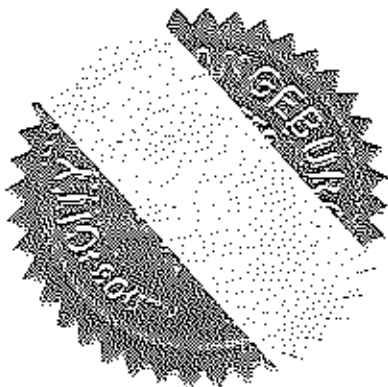
BE IT RESOLVED By the Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled, and by authority of the same;

That the Department of Public Utilities enter into an agreement between the Department of Public Utilities of the City of Orangeburg for the purpose of coordinating the cleaning and cement mortar lining of water mains belonging to and on the campus of South Carolina State University;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the agreement be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 2nd day of November, 1999.



Martin C. Heathman
MAYOR

Ben D. Hays
Sandra P. Knotts

Paul Miller

L. J. Jernigan
Keith

James W. Phereby
MEMBERS OF COUNCIL

ATTEST:

Sharon N. Lanning
CITY CLERK

RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIBLE BID BY MAINLINING SERVICE, INC. OF ELMA, NEW YORK IN THE AMOUNT OF \$398,505 (DIVISION I - \$321,398.75 AND DIVISION II - \$77,106.25) FOR THE CLEANING AND CEMENT MORTAR LINING OF NON-LINED CAST IRON WATER DISTRIBUTION PIPING WITHIN THE CITY LIMITS OF ORANGEBURG.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on October 27, 1999 for the cleaning and cement mortar lining of non-lined cast iron water distribution piping within the City Limits of Orangeburg; and

WHEREAS, the low responsible bid for this work was submitted by Mainlining Service, Inc. of Elma, New York in the amount of \$398,505 (Division I - \$321,398.75 and Division II - \$77,106.25); and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsible bid shown above be accepted; and

BE IT FURTHER RESOLVED, that Fred H. Boatwright, Manager of the Department of Public Utilities, be authorized and he is hereby directed to execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 2nd day of November, 1999.

Martin C. Cheatham
MAYOR

Sam S. Haire
Dandra P. Smith

James Miller

L. J. H. Haire
Charles J. Haire

James W. Haire
MEMBERS OF COUNCIL

ATTEST:

Sharon H. Lanning
CITY CLERK



RESOLUTION

WHEREAS,

Sue S. Mulkey faithfully served the City of Orangeburg's Administration Department for twenty-one years, eleven months and nineteen days with a retirement date of October 30, 1999; and

WHEREAS,

she, through her long and faithful service, contributed greatly to the successful operation of the City of Orangeburg; and

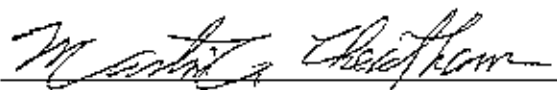
WHEREAS,

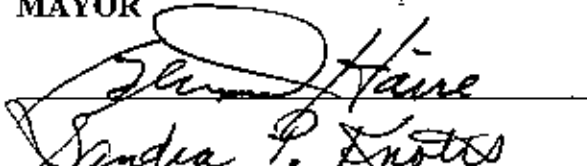
the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the City of Orangeburg in the capacities in which she served the City and we take pride in commending her for a job well done.

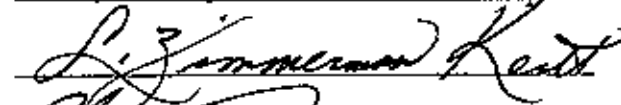
BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for her devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Mrs. Mulkey in recognition of her services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this sixteenth day of November, 1999.


MAYOR


Sandra P. Lott



Paul H. Miller


L. Zimmerman Kest


Charles F. Langston


MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

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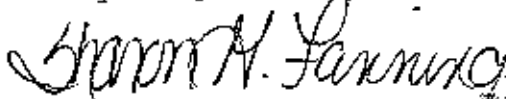
City Administrator Yow told Council that he had a request from the Orangeburg County Fine Arts Center to waive rental fees for the use of Stevenson Auditorium for the first five years of a Community Concert Series that is planned. He stated that the Board of Directors for the Arts Center recently agreed to revive the Community Concert Series. They anticipate beginning the performance series in the fall of 2000 and presenting three professional acts each season. He stated that Council had discussed the issue of waiving payments when the auditorium restoration process began. Council had decided to require all groups to pay for the auditorium use, with exception of those with reciprocating agreements for facility use, such as School District #5. At this time, Council accepted this as information.

There were no utility matters brought before Council.

A motion was made by Councilmember Rheney, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter concerning BellSouth vs City of Orangeburg and discussion of employment concerning the Municipal Judge position. This motion was unanimously approved.

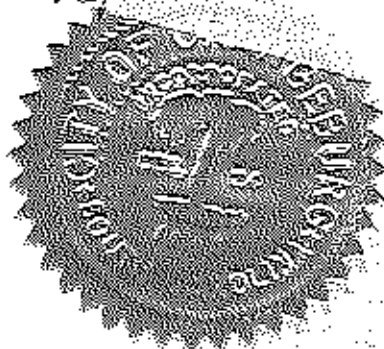
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES

NOVEMBER 29, 1999

Orangeburg City Council held a Special City Council Meeting on Monday, November 29, 1999, at 12:00 Noon in Council Chambers at City Hall with Mayor Cheatham presiding.

PRESENT:

Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

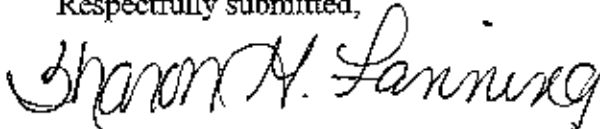
A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for discussion of employment/Municipal Judge. This motion was unanimously approved.

Council entered back into open session.

A motion was made by Councilmember Miller, seconded by Mayor Pro tem Keitt, to offer Mr. George Glassmeyer the position of Municipal Judge for the City of Orangeburg. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb





RESOLUTION

WHEREAS,

E. Harold Haddock faithfully served the City of Orangeburg's Public Works Department for thirty-one years, two months and twenty-nine days with a retirement date of September 30, 1999; and

WHEREAS,

he, through his long and faithful service, contributed greatly to the successful operation of the City of Orangeburg; and

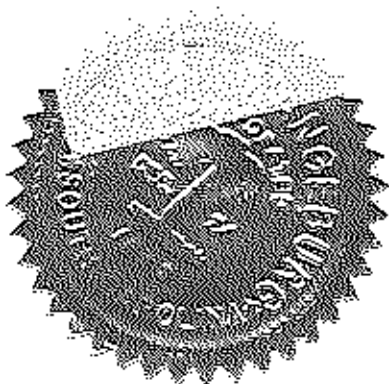
WHEREAS,

the City Council, in recognition of the fine contribution rendered the City of Orangeburg, wants to inscribe on the records its appreciation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Members of Council, in Council assembled, do officially recognize the faithful service rendered to the City of Orangeburg in the capacities in which he served the City and we take pride in commending him for a job well done.

BE IT FURTHER RESOLVED that a copy of this Resolution, in appreciation for his devotion of duty to the City of Orangeburg, be placed in the Minute Book of the City and a copy furnished to Mr. Haddock in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this sixteenth day of November, 1999.



Martin C. Cheatham
MAYOR

James Miller

James W. Rhea

Charles D. Ferguson

Sandra L. Brooks

Gerard Haire

L. J. Hammond

MEMBERS OF COUNCIL

ATTEST:
Shirley A. Lanning
CITY CLERK

CITY COUNCIL MINUTES DECEMBER 7, 1999

Orangeburg City Council held its regularly scheduled meeting on December 7, 1999, at 7:00 P.M., in Council Chambers with Mayor Cheatham presiding. An invocation was given by Mayor Cheatham.

PRESENT:

Martin C. Cheatham
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney

ABSENT:

Bernard Haire

A Public Hearing concerning Land Use and Zoning Ordinance changes was originally scheduled but postponed due to the public notice for this Hearing not being correctly advertised.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Rheney, to approve the November 16, 1999, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Keitt, to approve the November 29, 1999, Special City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to accept the recommendation from the Accommodations Tax Advisory Committee to elect Ms. Dede Blewer and Ms. Rachelle Jamerson to the committee. This motion was unanimously approved.

Mayor Cheatham proclaimed April 1, 2000, as "Census Day" in the City of Orangeburg.

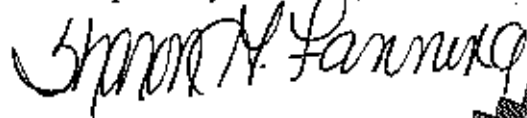
There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Miller, to enter into an Executive Session for discussion on the Municipal Judge position.

Council entered back into open session. Mayor Cheatham announced that the individual that was offered the Municipal Judge position did not accept the offer.

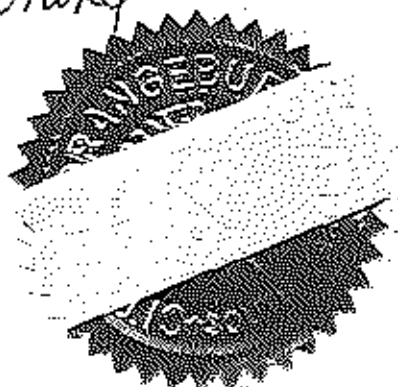
There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb



CITY COUNCIL MINUTES DECEMBER 21, 1999

Orangeburg City Council held a Public Hearing on December 21, 1999, at 7:00 P.M. in Council Chambers with Mayor Cheatham presiding to consider three separate matters. They were as follows:

- (1) Request to change Land Use Plan and Map from Single Family Residential District to Business Commercial District, property owned by Shiri P. Singh at the corner of Nelson and Chestnut Streets. Mayor Cheatham opened this up for public comments. There were no public comments.
- (2) Request to change from Single Family Residential District to Business Commercial District, property owned by Chandra S. Singh at the corner of Columbia Road and John Wesley Road. Mayor Cheatham opened discussion for the public. Ms. Penny Salley, a resident of John Wesley Drive asked Council to uphold the Planning Commissions's decision not to allow this change. There were no other comments.
- (3) Request made by Ms. Belinda Carter to amend text of the Zoning Ordinance to allow barber and beauty shops in O-I Office-Institutional Residential District. Mayor Cheatham opened the Public Hearing for discussion. Ms. Belinda Carter asked Council to allow this request because it had been allowed in this location before prior to the new Zoning Ordinance. Hearing no further comments the Public Hearing was closed.

City Council immediately entered into its regularly scheduled meeting. An invocation was given by Councilmember Haire.

PRESENT :

**Martin C. Cheatham
Bernard Haire
Charles W. Jernigan
Sandra P. Knotts
Paul A. Miller
Joyce W. Rheney**

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Miller, seconded by Councilmember Jernigan to approve the December 7, 1999, City Council Minutes as distributed. This was a 5-0 vote. Councilmember Haire abstained from voting as he was not present at that meeting.

Mr. J. Leonard Gattison told Council that for the past ten years he has been charged for two service charges for his electric meters and two (2) charges for water services, plus a commercial water rate at his residence at 289 Dutton Street. He stated this was his legal residence and he does not rent any of his duplex. He stated he has received \$273.77 in refunds for thirty-seven months of service. He is now requesting an additional \$940.98 refund for ninety-two months from DPU. He stated that since nothing has changed since he first asked for a refund in 1990, if he's due a refund for part of the time, he should receive a refund for the entire time.

Mayor Cheatham stated that Council would look into the matter.

CITY COUNCIL MINUTES
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Parks and Recreation Director Smith, Trustee for the Dick Horne Foundation, asked Council for permission to place several pieces of sculpture in the Edisto Memorial Gardens in memory of Ms. Leonra Player, a longtime Foundation Trustee. The life-sized children sculpture will be placed in the area near the pond. He stated that the project will be funded through the City's budget but the Dick Horne Foundation will donate all costs. The project should take about eight months to complete. He told council that the foundation will also be donating a picnic area and a batting tunnel for the Hillcrest Recreational Complex.

City Administrator Yow recommended to Council to enter into an agreement with Engineering, Surveying and Planning, Inc., for services related to the design and construction of the Downtown Streetscape Project. He stated that principals of this firm have extensive experience in streetscape projects across the state. The surveying of the downtown area is almost complete but whether the City will return to a downtown square concept will still need to be determined. While traffic studies for the square are being done, design and construction work will be done for areas away from the square. Once a decision has been made on the question of a square, the design and construction will begin there. The decision to retain the present traffic design or return to a square will be made by City Council and then the SCDOT will have review authority.

A motion was made by Councilmember Haire, seconded by Councilmember Miller, to authorize City Administrator Yow to enter into an agreement with Engineering Surveying and Planning, Inc., for services related to design and construction of Downtown Streetscape Project. This motion was unanimously approved.

There was no motion made on item #5 for First Reading of an Ordinance to change Land Use Plan and Map from Single Family Residential District to Business Commercial District, property owned by Shiri P. Singh at the corner of Nelson and Chestnut Streets.

There was no motion made on item #6 for First Reading of an Ordinance to change from Single Family Residential District to Business Commercial District, property owned by Chandra S. Singh at the corner of Columbia Road and John Wesley Road.

A motion was made by Councilmember Miller, seconded by Councilmember Rheney, to approve the First Reading of an Ordinance to consider a request made by Ms. Belinda Carter to amend text of the Zoning Ordinance to allow barber and beauty shops in O-I Office-Institutional Residential District. This was a 4-0 vote. Mayor Cheatham and Councilmember Haire abstained from voting.

There were no utility matters brought before Council.

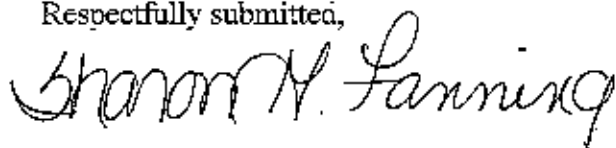
Mr. Gene Marlow, Executive Director of the Orangeburg County Disabilities and Special Needs Board requested to address City Council concerning a group home at 2231 Pineridge Street. Mr. Marlow was not listed on the City Council Agenda but was allowed to address City Council. Mr. Marlow stated that he would like to know when Council would make a decision on granting reasonable accommodations for the proposed group home at 2231 Pineridge Street. City Council did not provide Mr. Marlow a date. City Administrator Yow reminded Mr. Marlow that he had just recently submitted on December 17, 1999, a letter to the City requesting reasonable accommodations and also informed City Council that Mr. Marlow's previous application was in error as his application requested reasonable accommodations from the City Board of Zoning Appeals, not City Council. Mr. Marlow stated that he had first notified City Council of this on November 22, 1999. City Administrator Yow stated that the City had agreed to the Board's previous request for reasonable accommodations for group homes on Columbia Road and George Pickett Street and his agency filed a complaint against the City which still has not been resolved. Mr. Marlow stated that the two issues are separate. City Attorney Walsh stated, "Legally, they're one issue." Mr. Marlow asked for a written response to his request.

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A motion was made by Councilmember Rheney, seconded by Councilmember Haire, to enter into an Executive Session for discussion of the Municipal Judge position. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Sharon G. Fanning
City Clerk

/pfb

