



A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE, AND ESCROW AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the governing body of the City of Orangeburg (the "Lessee"), at a duly called meeting of the governing body held on the 15th day of January, 2013, the following resolution was introduced and adopted:

RESOLVED, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of Various Equipment as described in the Request for Proposal and Exhibit "A" attached hereto, in the amount of \$551,275.00 at 1.08% APR for three (3) years, by entering into an Lease Purchase Agreement with First Citizens Bank as Lessor and the City of Orangeburg as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from First Citizens Bank the Equipment will be used by the Lessee for the following purpose: To provide new and cost efficient equipment for the operation of City government.

RESOLVED, whereas the governing body of Lessee has taken the necessary steps including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

RESOLVED, 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.

BE IT RESOLVED, by the governing body of the lessee that:

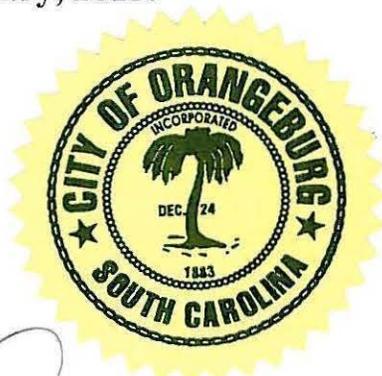
The terms of said Agreement are in the best interests of Lessee for the acquisition of such equipment and the governing body of Lessee designates and confirms the following person(s) to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the translations contemplated by the Agreement.

Name and Title of Person(s) to Execute Agreement:

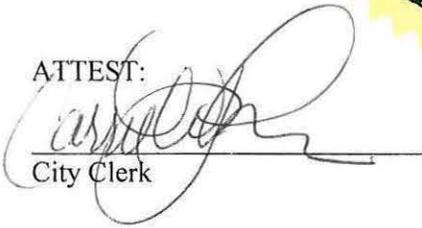
John H. Yow, City Administrator

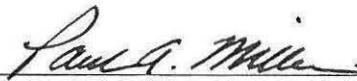
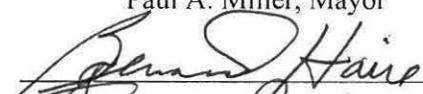
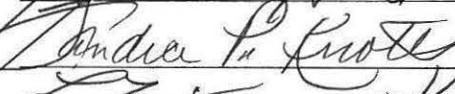
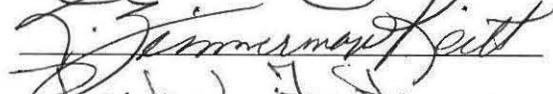
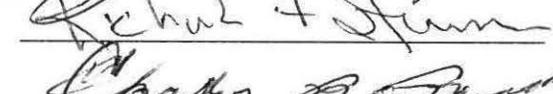
RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Rental Payments coming due under the Agreement will at all times remain exempt from Federal income taxation under the laws and regulations of the United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

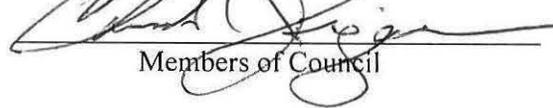
Passed by the City Council of the City of Orangeburg, South Carolina this 15th day of January, 2013.



ATTEST:


City Clerk


Paul A. Miller, Mayor






Members of Council

CITY COUNCIL MINUTES
January 15, 2013

2235

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 15, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles B. Barnwell, Jr.
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made Councilmember Keitt, seconded by Councilmember Barnwell, to approve the December 18, 2012, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Bobby Bowers, Director of SC Office of Research and Statistics, made a presentation before Council on the redistricting process for the 2010 Census. He stated the following criteria for City Council redistricting plan..

1. Adhere to the court ordered constitutional requirement of one person, one vote,
 - a. County Councils must adhere to a state law of population variance under 10% (under Home Rule); does not necessarily apply to City but is advised to follow.
2. Adherence to the 1965 Voting Rights Act as amended and by controlling court decisions.
3. Ensure that parts of the districts are contiguous
4. Respect Communities of Interest
5. Attempt to maintain constituent consistency
6. Avoid splitting voting precincts
7. Solicit public input

He stated, "If Council wants to change the plan, don't change deviation and retrogression. The City Attorney has to make the submission. Council should take this under advisement as the Justice Department has sixty (60) days to approve the plan."

Councilmember Barnwell asked, "Is there any requirement to be done this year?"

Mr. Bowers stated, "No, but Council needs to adopt the criteria accepting the plan."

Councilmember Jernigan asked "Are the figures taking into consideration annexations after 2010?"

Mr. Bowers stated, " No, they are out of date already."

Mayor Miller stated "So what you are saying is to adopt the criteria and get comfortable with the plan. Council will take this information under advisement."

Ms. Bernice Tribble made an appearance before Council thanking the City for their twenty years of support to DORA. She stated she has been the Executive Director of DORA seventeen years of the twenty. Ms. Tribble introduced Ms. Jennifer Hoelsing who will be taking over the position of Executive Director due to her retirement.

Ms. Bernice Tribble introduced Ms. Kristina Thomas who will be the Director of the Community of Character program due to Mr. Don Tribble's retirement.

Mr. Marion Moore of the Century 21 Moore Group made an appearance before Council. He addressed Council in regards to United Developers, Inc., for a housing project in Orangeburg."

2236
Mr. Bill Owen addressed Council in regards to his company building the apartments in North Carolina and South Carolina. He stated, "A first development in South Carolina was in Hartsville in 1981. In 1997, focus was changed to a Federal tax credit program adopted by South Carolina State Housing and Financing Authority. Developers requested an application for tax credit award. We have received twenty (26) tax credit awards. In 2012, we received an award for best rental design in North Carolina. We have been interested in Orangeburg for some time. The last time an award was made in Orangeburg County was in 2006 on St. Matthews Road. We will be targeting incomes of up to 60% of county median income. Tenants go through criminal, credit and background checks. Applications are competitive and points are given to where services are. We found a site on Columbia Road, adjacent to Glenfield Apartments, which is currently zoned A-2. This plan shows a site layout which is a proposed eight unit building of brick and hardi-plank. Development would be fifty-six units of which eight are one-bedroom, thirty-two are two-bedroom and sixteen are three-bedroom units. The units will have energy saving appliances. The tax credit program must be controlled. We must maintain an operating fund, a replacement fund, and we will have an annual compliance review and quarterly unit inspections. A local manager reports to a regional manager. We as developers, compete for awards. In 2012, eighty-two apartments were submitted and only sixteen were awarded. I am here tonight to ask for positive support for a proposed development to accompany our application. If we receive an award in August, we would close on property and begin construction in 2014. The budget is \$6,600,000."

Councilmember Keitt stated "What are your prices?"

Mr. Owen stated, "Rent calculation is still in the application process and the rent will be competitive for the market?"

Mayor Pro Tem Haire asked, "In each of the cities you named, are they still owned and managed by you?"

Mr. Owen stated, "Yes."

Mayor Pro Tem Haire asked, "Can you give me names and addresses of sites you own?"

Mr. Owen stated, "Yes, I can give you that information."

Mayor Pro Tem Haire asked, "Are you asking for support tonight because I would like to see your track record?"

Mr. Owen stated, "Application is due March 1, 2013."

Councilmember Jernigan asked, "What are the security plans for the residents?"

Mr. Owen stated, "On staff will be a retired deputy sheriff that visits and corrects problems as needed."

Councilmember Jernigan asked, "Is the Manager full time employee?"

Mr. Owen stated, "Not always, usually four days a week."

Councilmember Keitt asked, "I would like a listing of security complaints and to which site they are from."

Councilmember Jernigan asked, "Are you aware that sewer would have to be extended to this area and you would have to pay for it?"

Mr. Owen stated, "I am aware of it and we are prepared and have it in our budget."

Mayor Miller asked, "What is the project cost, \$6.6 million?"

Mr. Owen stated, "Yes."

Councilmember Stroman asked, "Where will you get materials?"

Mr. Owen stated, "We will buy locally and have items shipped in due to standards by SCDHA."

Councilmember Stroman asked, "Is the laundromat being operated by a third vendor, is that legal?"

City Administrator Yow stated, "We will check on that?"

Mayor Pro Tem Haire asked, "Will there be washer and dryer hook-ups in each unit?"

Mr. Owen stated, "Yes."

Councilmember Keitt asked, "Do you seek minority construction workers?"

Mr. Owen stated, "We have to provide information on this each month."

Mayor Pro Tem Haire stated, "You are aware of City infrastructure as it relates to roads and sidewalks."

Mr. Owen stated, "Yes."

Mayor Miller stated that Council will take this information under advisement tonight and this item will be placed back on a future City Council Meeting agenda.

Ms. Kristina Thomas, Community of Character Director, accepted the January 2013 Character Trait Proclamation, "Patriotism".

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve a Resolution authorizing the execution and delivery of a Master Lease Agreement, Equipment Schedule and Escrow Agreement and related instruments and determining other matters in connection with First Citizens Bank at 1.08% Annual Percentage Rate. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Stroman, to approve a Resolution to authorize the granting for a meter and regulating easement to Carolina Gas Transmission Corporation for waste distribution system. This motion was unanimously approved.

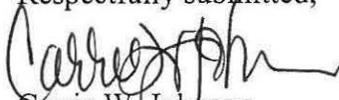
Mayor Pro Tem Haire stated, "Can you give us an update on this project?"

DPU Manager Miller stated, "The project is 51% complete, tap has been made and completion date is the end of march. Gas will be available to farmers at this time.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to enter into an Executive Session for a legal matter concerning Hospitality and Accommodations Tax-Sodexo. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk





RESOLUTION TO AUTHORIZE THE GRANTING OF A METER AND REGULATING EASEMENT TO CAROLINA GAS TRANSMISSION CORPORATION

WHEREAS, the City of Orangeburg purchased property on Bonnette Road in the County of Orangeburg, State of South Carolina for the purpose of constructing thereon a gas distribution station in conjunction with its West Gas Distribution System extension; and

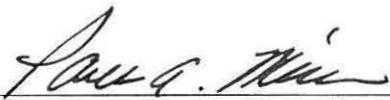
WHEREAS, Carolina Gas Transmission Corporation agreed to construct at its expense on said property its meter and regulation station for the purpose of providing natural gas to the Department of Public Utilities of the City of Orangeburg, and

WHEREAS, it is necessary that the City grant to Carolina Gas Transmission Corporation a Meter & Regulating Easement for the construction and operation of its facilities.

NOW, THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED on the 15th day of January, 2013, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities of the City of Orangeburg, State of South Carolina is hereby authorized to execute the attached Meter & Regulating Easement granting said easement to Carolina Gas Transmission Corporation its successors and assigns; said agreement being attached hereto and made a part hereof by reference as Exhibit "A".

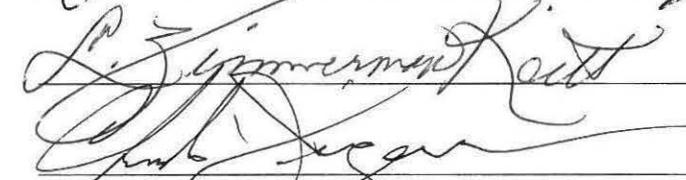
AND IT IS SO RESOLVED.




MAYOR



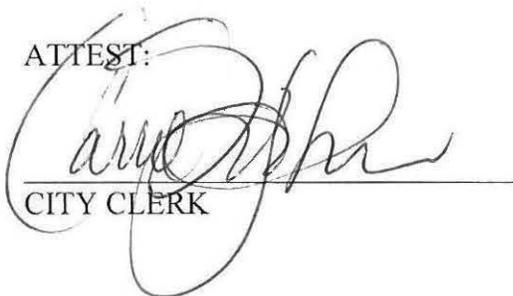






MEMBERS OF COUNCIL

ATTEST:


CITY CLERK



2013 Cities Mean Business and Legislative Priorities

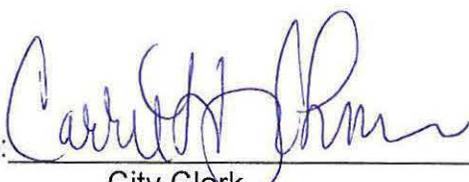
- WHEREAS,** cities and towns in South Carolina are the government closest to the people providing the core services residents and businesses demand for a high quality of life; and,
- WHEREAS,** residents and businesses want their local city and town councils to have the flexibility to make decisions that are best for their communities while also being held accountable by their residents to spend wisely and govern locally; and,
- WHEREAS,** cities and towns support increasing the economic strength of the state to enable job creation for residents and encourage business development and success; and,
- WHEREAS,** the partnership between local officials and business leaders is critical to the new knowledge economy and future of regional workforce development; and,
- WHEREAS,** cities and towns offer a positive quality of life that attracts business, industry and new jobs to the region; and,
- WHEREAS,** the Municipal Association Board of Directors approved the 2013 legislative priorities that supports local elected leaders making decisions based on local needs and priorities; and,
- WHEREAS,** the three legislative priorities are based around creating places and delivering services that support a healthy local economy and offer a positive quality of life; and,
- WHEREAS,** finding solutions to dilapidated structures, securing a dependable revenue source and providing quality transportation and infrastructure maintenance are the three major legislative issues that local elected leaders determined can have the greatest impact on their hometowns; and,
- WHEREAS,** the priorities focus on fiscal stability, economic development and infrastructure that are important to cities and towns of all sizes and in all parts of the state; and,
- WHEREAS,** success of the state relies upon the economic success and prosperity of hometowns; and,
- WHEREAS,** the City of Orangeburg fully supports the legislative priorities set forth by cities and towns to govern locally for residents.

BE IT, THEREFORE, RESOLVED that the Council of the City of Orangeburg, South Carolina, affirms on this day, **February 19, 2013**, its support for the "**Municipal Association's 2013 Legislative Priorities**" to encourage local decision making by the local elected officials that govern the state's 270 cities and towns.

BE IT, THEREFORE, FURTHER RESOLVED that the Council of the City of Orangeburg declares February as "**Cities Mean Business Month**" to emphasize the importance of local businesses and their contribution to the local economy.

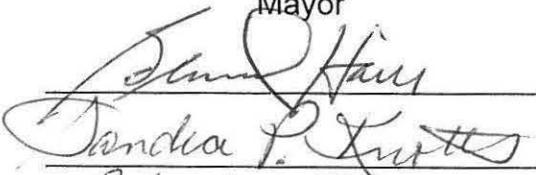
DONE AND RATIFIED THIS FEBRUARY 19, 2013.

Attest:


City Clerk



Mayor











Members of Council

CITY COUNCIL MINUTES
February 5, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 5, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire

Charles B. Barnwell, Jr.

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the January 15, 2013, Minutes as distributed. This motion was unanimously approved.

Ms. Kristina Thomas, Community of Character Trait Director, accepted the February 2013, Character Trait Proclamation, "Sincerity".

Mayor Pro Tem Haire addressed Council. He stated, "When I received a letter from Time Warner, once again, I had heart burn due to rates increasing. I know here in America we have the free enterprise system. I am troubled with the fact that there are individuals that are wage earners who cannot pay these prices as their salaries are not going up. Every year we get the same information about these rates going up. I know the power we have had to have some influence has been taken away by the state legislature. I am here as a citizen who cares about the average wage earner as to being put across the barrel as it relates to these rates. I noticed that we have had spikes in the cost of gasoline and it just seems to me that those companies don't have the same cost structure. With service stations, one with one price, all have the same price. These companies have no concern in being good cooperative citizens. They are just being greedy. The average citizen is just being squeezed to death."

Councilmember Barnwell stated, "Most of the time, I don't look at my bill, I did in January. I saw where Time Warner was charging us \$3.95 for a lease for a modem. I called and I was told that Time Warner sent out postcards to every customer. They in turn sent me the language that I sent to City Administrator Yow. For years and years, they have been paying the lease in the overall charge. Not only is Time Warner going up on the rates, they are also charging us for a modem. We can pay for our own modem, but with technology changing, it may be more. I agree with Bernard, rates keep going up and up and people can't afford this. I don't think there is anything we can do with the price increase."

Mayor Miller stated, "If you would like, Mr. Yow stated that Time Warner agreed to come down and answer any questions and address Council's concerns at our next meeting and let us voice our opinions. I know that several citizens called Mr. Yow when they saw it was on the agenda."

City Administrator Yow stated, "I want to add that one other time, you addressed concern about publishing phone numbers and about not getting through to Time Warner and I had a phone call today from a lady about that as well. She cannot get through. I will also convey that to them. I will also let them know and place it on the agenda."

Council agreed to request a Time Warner representative attend a future meeting.

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Councilmember Keitt stated, "This is not the first time they have been increasing the bills. Why not stop sending them your money? That is the best way to stop sending them a bill each year. Delete them."

A motion was made by Mayor Pro tem Haire, seconded by Councilmember Stroman, to accept a P.A.R.D. Grant in the amount of \$5,000.00 for repaving the parking lot at the City Landing in the Gardens. This motion was unanimously approved.

City Attorney Walsh gave Council a handout on election guidelines for the upcoming election as well as the redistricting schedule. The upcoming election is scheduled for September 10, 2013. The proposed redistricting schedule was presented by City Attorney Walsh.

Mayor Pro Tem Haire asked, "These dates, the February 25th date or final date to submit plans, is that the final date? Is there no play in there?"

City Attorney Walsh replied, "That is a date that fits in within this proposal."

Councilmember Barnwell asked, "After that date, no one can submit plans?"

City Attorney Walsh replied, "We have in the past, plans have been submitted after the date, but Council has submitted those plans to the Justice Department but with the understanding that they were not submitted in a timely manner."

Mayor Pro Tem Haire asked, "Instead of February 25th, I know we have a first reading on March 5th, I just have a little problem that we are in February now and the 25th is the final day for submission. I know that there are individuals looking that would like to submit plans for redistricting and I don't know if that would give them enough time, which is only twenty days from today."

City Attorney Walsh stated, "I have not looked at the calendar, but it could be very easy to move the first meeting up to March 19th, but I don't know the calendar. We may have to have a special meeting. We would just move everything up."

Mayor Miller asked, "What kind of time frame is adequate?"

Mayor Pro Tem Haire stated, "Another two weeks or so, maybe March 11th for the date to submit plans."

A motion by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the redistricting schedule, including changing the date to March 11th for submitting final plans for redistricting and to change other dates as necessitated by the changes. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve a Resolution adopting criteria for Municipal Council Redistricting as required by the 2010 Census. This was a 6-0-1 vote, as Mayor Pro Tem Haire abstained.

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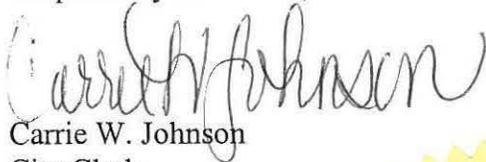
A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the following appointments to the DPU Grievance Committee. This motion was unanimously approved.

Linda Blanks (Chair)	Adm. Division	January 2013 - January 2016
Wade Holmes	Elec. Division	January 2013 - January 2016
Brittany Garrick	Gas Division	January 2011 - January 2014
Michael Owens	Water Division	January 2011 - January 2014
Dawn Collins	Wastewater Division	January 2013 - January 2016
Beverly Thomas	Alternate	January 2012 - January 2015
Janice Price	Alternate	January 2012 - January 2015

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to enter into an Executive Session for (1) a legal and contractual matter concerning the lease of the old former First National Bank Building/Palmetto Development Group and (2) a contractual matter concerning sale of real property, First Citizens Bank Building.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES
February 19, 2013

2241

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 19, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles B. Barnwell, Jr.
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the February 5, 2013, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Tom Dandridge, Administrator of The Regional Medical Center (TRMC), addressed Council, concerning Medicaid Expansion in South Carolina.

He stated, "Healthcare premiums are increasing and with the President's Affordable Care Act with getting everyone insured with two mass majorities in the House and Senate and it failed in his first term.

This has happened since the presidency of Lyndon Johnson. The first step is to get everyone insured. The way the President was going to do that is to have the states to expand their Medicaid Program up to 138% of the Federal poverty guidelines. After 138%, if your employer does not provide it for you, you get a subsidy, the more well off you are, the smaller the subsidy, to go out and buy your own insurance on an exchange or website. So then approximately 98% of the population should be insured. Twenty six states filed suit claiming the Federal Government could not force you to buy anything. The Supreme Court ruled that it was constitutional, not because of the commerce clause, but because the penalty you pay if you don't buy it. The Supreme Court says it is a tax, if you don't buy it, the Federal Government can tax you. The Supreme Court also ruled that states cannot be forced to expand Medicaid. Immediately, a number of Governors said they were not going to expand, our state being one of those. Once, President Obama became re-elected, a number of those states have changed their minds. South Carolina has the fourth greatest benefit from the Medicaid expansion, if we expand. For the first three years of the expansion, states put up no money. After the first seven years, the Federal Government gives the state \$11.24 billion dollars and the state has to give \$442 million dollars. For every \$1 the state puts up, the Federal Government puts up \$9. This expansion was given to the Darla Moore School of Business and in their analysis by 2020, this expansion will create 44,000 new jobs. The tax revenue would more than pay for the \$442 million dollars and add another \$9 million to it. No matter what the decision the state makes on Medicaid expansion, our state will see a reduction in Medicare reimbursement from 2014 to 2020 of over \$2 billion dollars. Hospitals will also see over \$735 million in reductions in Medicaid DSH funds from 2014 to 2020 with or without Medicaid expansion. If Medicaid is expanded, hospitals get \$11.7 billion dollars. The cuts will happen regardless. The Regional Medical Center will take the following cuts from 2014 to 2020 in Medicaid and Medicare reimbursements in the amount of \$72 million dollars. If Medicaid were expanded, the Regional Medical Center would receive \$94 million dollars. Small rural hospitals will be bankrupt if Medicaid is not expanded. Medical University of South Carolina will get hit with a \$400 million dollar cut which the state has to find the money to cover because it is a state supported hospital. I would be more than happy to answer any questions."

Mayor Pro Tem Haire asked, "People who don't have insurance and they have to go to website to get insurance, what is going to prevent them from getting scammed?"

Mr. Dandridge replied, "The government is already putting out warnings on this, states can do an exchange or the Federal Government can do an exchange for the state. The websites must have certain characteristics for it to be on the exchange."

Councilmember Keitt asked, "What can we do?"

Mr. Dandridge replied, "You should consider writing your Governor, House and Senate to reconsider the Medicaid expansion position in the State."

Councilmember Jernigan asked, "What kind of statistics have been done on who will not have insurance?"

Mr. Dandridge replied, "If we don't expand, those people making \$11,000 or less will not have insurance which is over 200,000 people, which is who cannot afford it and will not get a subsidy. The more educated or richer, the more apt they will go to the exchange. There is still going to be a lot of people that will be uninsured. We cannot continue to be these people's primary care doctor's, these patients go the emergency room when they are sick."

Mayor Miller asked, "If this does not pass in South Carolina, what are the chances of the Regional Medical Center staying open and how can it service the area?"

Mr. Dandridge replied, "First we take the service line and say what Mission Critical is, a few years ago we closed our Hospice, we were the first in town and now there are five, so the population is still being served. The waits in the emergency room will be longer because of the decrease in staff. We will weather this, but there will be several hospitals that won't make it and some may say that is just business."

Mayor Miller replied, "We cannot afford to be without a hospital in Orangeburg. TRMC is just as important for economic development as we got going."

Mayor Pro Tem Haire asked, "Has our Chamber taken a position on this?"

Mr. Dandridge replied, "No, I have spoken to several."

Councilmember Jernigan asked, "Does Doctor's Care take the pressure off of you?"

Mr. Dandridge replied, "Yes, and the Family Health Center takes a lot of pressure off of us, but there you pay on a sliding scale and at the hospital it is free."

Councilmember Barnwell asked, "Where do the jobs come in?"

Mr. Dandridge stated, "Many will be in healthcare, insurance will be able to use the system for healthcare, going to the doctor. The multiplier effect comes into play when the money is put into the local economy."

Mayor Pro Tem Haire made a motion that the City encourage the Governor and the State Legislature to support Medicaid Expansion in the State and a support letter be sent, seconded by Councilmember Keitt. This motion was unanimously approved.

J.W. Hunt and Company presented the annual City of Orangeburg and the Department of Public Utilities Audits for Fiscal Year ending 2012. Mrs. Anne Ross overviewed the City's audit. She reported the City received a clean unqualified opinion. She stated, "As

your MD&A stated, originally you budgeted \$600,000 to spend in fund balance and you only spent \$22,000 so someone did a good job with the budget. Hospitality tax came in better than usual.”

She overviewed the financial statements and noted cash in other funds and noted property tax collections, debt and post retirement benefits. She also overviewed the Enterprise Funds on page 76 for Hillcrest and the Airport. She also noted that a single audit had to be completed for grants which were on page 84.

The required communication letter was overviewed with Council by Mrs. Ross.

Councilmember Barnwell asked, “On page 5, expend limited fund balance, do you anticipate that?”

Mrs. Ross replied, “This part is written by your staff, I talked about that, you budgeted \$600,000 that you thought you may have to use, but you only used \$22,000 in the year we audited. They are putting you on notice that may be your option if your expected revenues don’t come in, you came real close this year.”

City Administrator Yow stated, “We do an Amended Budget Ordinance and we always strive not to use fund balance. In fact, in the amended budget presented to Council we projected using \$200,000 of the Fund Balance. That is a proper use of fund balance to maintain your level of services.”

Mr. Creech addressed Council in regards to the Department of Public Utilities. He stated, “The audit is unqualified which is the best you can possibly get. On the balance sheet, the total current assets went up about \$8.8 million dollars, the total assets increased about 9 million dollars and primarily the increase was in cash, unbilled receivables and investments. As far as liabilities, these increased about \$ 7.5 million dollars and the operating expenses also went down by about \$7.7 million dollars. Operating income went up about \$100,000. The change in the net assets this year is about \$500,000 less than it was last year.”

City Administrator Yow addressed Council in regards to information in their packet in regards to a multi-family housing project for United Developers, Inc. at 2574 Columbia Road. It was now Council’s decision whether to endorse this project via a letter to the State Housing and Finance Authority for a Tax Credit Project. At a prior meeting, Council asked for various information and data and Council was provided this as requested. City Administrator Yow also recognized Mr. Bill Owen of United Developers who was present to answer Council’s questions.

Councilmember Barnwell asked, “Is this a tax credit?”

Mr. Owen replied, “The state will receive \$10 million dollars in tax credits and developers apply for these, it is a vehicle to help fund a development. If awarded, they are passed to a financial institution.”

Councilmember Barnwell asked, “Are tenants rent subsidized?”

Mr. Owen replied, “That is confidential because it is in the packet. If you look I have included it and it is based on income.”

Councilmember Jernigan asked, “Can you tell us more about the contingency fund?”

Mr. Owen replied, “This program is highly controlled, more than if you just went out and did a commercial project on your own. You have to maintain an operating fund and a

maintenance fund monthly. The operating fund is in case, if units are not filled and to make sure it is operating. The maintenance fund is used for roofs, etc. There has not been a tax credit project in Orangeburg since 2006 and it is on St. Matthews Road.”

Councilmember Jernigan asked, “What would a buyer be required to do if you decided in two years to sell this project?”

Mr. Owen replied, “We have built sixty (60) developments since 1979 and we have never sold one and we do not intend on selling any, we make a thirty year commitment and we get additional points if we make a thirty-five year commitment.”

Mayor Pro Tem Haire made a motion to endorse the proposal from United Developers, seconded by Councilmember Keitt. This motion was unanimously approved.

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Haire, to approve a Cities Mean Business Resolution. This motion was unanimously approved.

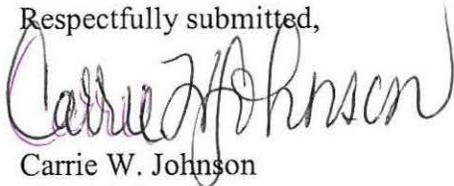
City Administrator Yow presented an Ordinance to approve the First Reading of an Ordinance authorizing the lease of property at 1170 Russell Street to Palmetto Development Group. A motion was made by Councilmember Keitt, seconded by Councilmember Knotts. This was a 6-1 vote as Councilmember Barnwell opposed.

There were no utility matters brought before Council.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to enter into an Executive session for a contractual matter concerning discussion on purchase of real property on Middleton Street. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES
March 5, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 5, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire

Charles B. Barnwell, Jr.

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the February 19, 2013, City Council Minutes as distributed. This motion was unanimously approved.

City Administrator Yow presented an Ordinance to approve the Second Reading of an Ordinance authorizing the lease of property at 1170 Russell Street (Old First National Bank Building) to Palmetto Development Group.

Councilmember Barnwell asked, "What will they do?"

City Administrator Yow stated, "They are an organization that would serve as a business incubator and are provided technical assistance to upstart businesses.."

Councilmember Stroman stated, "Have you checked these people out? This building needs a lot of work. If you told me I could have it, I wouldn't take it."

City Administrator Yow stated, "Yes, I have and they will have to do repairs and they will take bids. Once the repairs are done, the City will reimburse for repairs for Phase I."

Councilmember Keitt stated, "I certainly hope this will come to fruition because we need businesses to come downtown."

Councilmember Jernigan stated, "Small businesses provide income and jobs and these people are going to assist in that and are they going to be in conjunction with South Carolina State University?"

City Administrator Yow replied, "Yes, their board chair stated that in the Times and Democrat article that one of the reasons they wanted to locate in Orangeburg was the presence of a Small Business Development Group at South Carolina State University."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance authorizing the lease of property at 1170 Russell Street to Palmetto Development Group. This was a 6-1 vote as Councilmember Barnwell opposed.

Ms. Catherine Thomas, Executive Director of the Community of Character, accepted the March 2013, Character Trait Proclamation "Cooperation".

City Administrator Yow presented information to Council on the building next door to City Hall (formerly Fast Phones). He stated, "As you know, we received a donation of property from DORA that goes from the parking lot drive up to this property so obtaining this property will give us all the way to the corner and will immediately give us nine (9)

additional parking spaces which are already being used by city staff and by Stevenson Auditorium patrons. The negotiated amount for the purchase of this property is \$63,600 and with the City paying the closing costs of several hundred dollars”.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve a Resolution to purchase property at 1009 Middleton Street. This motion was unanimously approved.

A motion was made by Mayor Miller, seconded by Councilmember Stroman, to approve the nomination of Mr. Don Tribble to fill the unexpired term (January, 2014) on the Planning Commission due to Mr. Randy Snell’s resignation. This motion was unanimously approved.

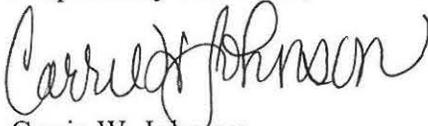
A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Keitt, to approve the reappointment of Ms. Ellen Robinson Ricoma to the Election Commission. This is a six (6) year term ending March, 2019. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for (1) Economic Development concerning discussion of matters relating to proposed location of industry update on proposed prospects, (2) Legal Matter concerning Hospitality and Accommodations Tax/Sodexo and (3) Contractual Matter concerning sale of real property/First Citizens Bank Building.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES
March 19, 2013

2247

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 19, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles B. Barnwell, Jr.
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a legal matter concerning Council Redistricting.

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, for Council to return to Open Session.

Council returned to Open Session.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the March 5, 2013, City Council Minutes as distributed. This motion was unanimously approved.

An appearance was made by Orangeburg Wilkinson Bruinettes Basketball Team, Superintendent of District 5 Cynthia Wilson and Coach Joshua Staley. Mayor Miller presented the team with a Proclamation for an eighteen game winning streak (regular season and playoffs) with a 27-2 overall record, 23-1 regular-season record and 10-0 in conference play.

Time Warner Vice President Dan Jones and Vice President Charlene Keys addressed Council in regards to comments and concerns Council had at previous meetings concerning service with Time Warner Cable.

Mr. Dan Jones stated, "We try to work together with franchise holders and we are here to address any concerns."

Mayor Pro Tem Haire stated, "I have had problems with my picture freezing and I cannot get the problem resolved and I have to turn the program to a different channel and it is fine. I am concerned about rates increasing each year. The rationale that is given is that there is better service given and better programming given. A lot of the programs that I get presently are re-runs and programs that I have no interest in and programs I do not need. The public has no kind of opportunity to voice their concern on changes and it troubles me. Each year the rates go up and the quality isn't getting any better. A situation where I was getting channel 30 and all of a sudden I wasn't getting it, so I went to the local office and was informed that I needed a modem. To me, you are creating more problems than you are solving and I am concerned about those things and also there is the problem of making contact with someone locally. There are numbers listed in the local directory and we cannot reach anyone at those numbers. I think we should be able to contact someone when we have a problem."

Councilmember Keitt addressed Council, "My concern is for my constituents. Every year with the bill going up is not good especially with the economy the way it is. I don't see why you send it out because your programs are not that great."

”Councilmember Barnwell stated, “My one concern is that I got a bill that had a fee for a modem for \$3.95 and I called and was told we just started charging for that and I was told that I could buy my own. The phone number was on the bill and that was the only way I could get in touch with you. To me, that makes no sense or justification to charge for it when you weren’t charging before.”

Councilmember Jernigan stated, “The only concern that I have heard from my constituents is that the ones that have Time Warner TV service and the phone service is that their name is not listed in the telephone book with their telephone number. In fact, one time I had all three services and my name was not listed when I had telephone service with Time Warner.”

Councilmember Knotts stated, “The concern that I have is that whenever there is an interruption in service, do customers ever see credits, if their cable is out? If you go and pay your bill, they do not remember when their cable may have been out to ask for a credit.”

Councilmember Stroman stated, “I have a bill here and a bill from my neighbor and we have the exact same service, why is his bill less than mine? I think people should be treated fair and all rates should be the same.”

Mayor Miller stated, “You are always sending out bundling packages, but when you are with your company, there is no direct savings. I think everyone should be treated fairly, why would you charge two rates?”

City Administrator Yow stated, “The complaints I have been getting are from fixed income subscribers that are on the basic tier, these rates are always increasing and they are least able to afford it. I have a concern for those on the basic tier.”

Councilmember Keitt stated, “I hope one day you will have better competition.”

Mayor Miller stated, “I changed and saved over \$100 a month.”

Vice President Charlene Keys addressed Council’s concerns. She stated, “Thank you for allowing us to be here and address your concerns one at a time.”

She stated, “ Let me address the issue of credits, if your service is interrupted. If you call, we will oblige and give you credit, we will believe you and offer you a credit. There are some instances where your cable goes out due to a power outage and creates a situation for us and we don’t know whose services have gone out, we will take your word for it and give you a credit. We do not have a system in place where we look at everyone and see where the system is down, house #1234 is out and was out for two minutes and we need to offer a credit. Maybe we can think about looking forward to putting systems in place, but right now that is not where we are. Today, we advise our customers that if you advise us, we will make adjustments to your bills.”

Mayor Pro Tem Haire asked, “How have you made that known to your customers; is there something in writing that they have been provided as it relates to that policy?”

Ms. Keys replied, “I am going to go back and confirm, but one thing that we offer is our customer bill of rights and I think that is also included in our bill of rights. I will go back and check that the information is in there.

My entire career has been in Telecom, I relocated to Columbia to launch their telephone services in the State of South Carolina. I absolutely know that your numbers can be

listed and should be listed in the telephone directory. The company made a decision that listings would include a fee so at the point of ordering your services you could include your listing. In the Bell days, the Bell companies owned the telephone book and you actually paid not to be listed. You have the right to be listed. If you have specific examples of those who wanted their numbers in the phone book who do not have their numbers listed for some reason, I will give you my personal information and if you get me that information we will run it down and make sure those numbers are listed in the next publishing of those books. As far as the Internet, that cannot be changed, we have researched this; those should be listed and changed. The information that is loaded digitally is almost like a scanned document and cannot be changed, but if you have examples, there is no reason that those numbers are not listed.”

Mayor Miller stated, “But, they are not. It is all of them. I keep an old phone book around to look up phone numbers who used to be listed. So, I think that every Time Warner telephone customer you have, is not in the phone book.”

Ms. Keys replied, “That should not be the case. I am going to accept your feedback that you have offered us and we are going to go back and follow up on those who have Time Warner phone service and who has asked who have had their numbers published and do some research.”

Councilmember Jernigan stated, “One concern I have is if I was on the other side of the fence, is that how many customers have gone away from Time Warner because they couldn’t get their phone number listed in the telephone book.”

Ms. Keys replied, “One of the things we look at on a daily basis is the number of customers who leave Time Warner and the reason why they left. I will be honest and say I never see a reason that they left Time Warner because their number was not published in the phone book. They may say they left because they found a better rate. We don’t have any data today to support that, but I am going to go back and look and report back to Mr. Yow or we can come back.”

Councilmember Jernigan stated, “I changed from Time Warner to a local internet provider, NTI Net, they provide internet and phone service and my phone number is still not in the phone book.”

Ms. Keys stated, “In reference to the annual rates, which is what I anticipated most, one of the things we do is figure how much the rates go up over the last eight years. We purchase programming, we are not programmers. We deliver this to customers’ homes, we deliver it by satellite through cable to a customer’s home. The rate we have to pay to programmers has increased 30%, the rates we have increased to our customers have only increased 15% over the last eight years. I think you have seen over the past four years where Time Warner is fighting back with programmers and customers are concerned. The economy has been in a downward spiral and people are on a fixed income and customers do not want to have a rate increase. Networks that people don’t watch, we are dropping from our channel lineup. We are trying to be smart about this. We are trying to think about what matters to the consumer. One of the questions Mr. Haire asked was why can’t I pick the channels I want? One of the things we do, you can choose the premium channels. We get push back from the programmers that say we are not ready for you to offer customers to pick eight, ten, fifteen channels they want. We are looking at ways to do this, but as you and I both know, both broadcast providers and cable television providers make their money through advertising and they limit what we can do through a la carte offerings. We push back at rate increase time. You will see broadcast commercials from Time Warner Cable and in newspapers where we have to go through a retransmission consent. Every New Years, I am on the phone talking about rate increases, talking to our lawyers. What we have been very successful at and what you can share with your constituents is that we are not increasing their rates at the rates at

2250
Whose rates are increasing.”

Vice President Dan Jones stated, “We also have to pay the local stations to broadcast. There was a time where they were begging us to include their stations, but now we have to buy them.”

Ms. Keys stated, “We talked about picture quality, we have done a lot to upgrade our network. If you had that conversation with me eighteen months ago about pixilation, I would have said let me tell you what we are doing. I want to get some specifics about where you live Mr. Haire to follow up on that. We just have not had those kinds of service issues as it relates to quality of our picture that we had because we have been building our network so that we can provide a better level of service to our customers. Every now and then, there may be problems. Today, we have qualm sharing throughout our network, both standard video service and video on demand services. So the quality of picture that you get should be better than anything you have ever gotten with Time Warner, so if something is specifically happening in your environment, I want to get to the bottom of it. I will personally get back in touch with you.”

“Let’s talk about getting in touch with Time Warner Cable. In June of last year, as a company, we made some decisions that we would aggregate some of our call centers and we would create virtual call centers to make the most of our resources that we had. Prior to that, we had individual call centers that served individual areas. South Carolina was a division where you called and spoke to someone at our Platt Springs Road location and they dealt with your issues. Our new call structure has your calls routed around the Carolinas. Today, we have four call centers in Raleigh, Charlotte, Greensboro and in West Columbia. They share calls. We also made a decision to size this. That caused some decreases in our service levels and today we have opened up our head counts so the centers are staffed properly. Last year, the service levels decreased significantly, nothing that we are proud of. Today, we have service levels like we did several years ago where we could answer 80% of our calls and we are doing that today. It keeps us competitive. We are competitive and we fight for every customer we have and we value every customer we have. You have an 800 number and a number on your bill, there is access on the internet and there are live chats on the internet. I think Dan said the numbers are not listed in the telephone book. As a service provider, we have interconnection agreements and our numbers should be provided in those books.”

Mr. Jones stated, “The white pages is where business don’t pay and the yellow pages is where businesses pay, so I think if you look in the yellow pages, you will find our numbers there. The white pages we cannot control and the numbers are incorrect, if you call one of them, you get no answer. Phone books are a lot different than they used to be. We are going to look into the phone number issues and get them corrected.”

Mayor Miller stated, “That is one of the things that people call me about and I have called and I have experienced the same thing. I think it validates what I said earlier that all of your customers are not in the phone book.”

Mr. Jones replied, “All service providers are supposed to be listed in the front and we aren’t listed also. We are going to have to address that as well.”

Ms. Keys stated, “On modem fees, you have the option to lease your modem from Time Warner Cable in reference to Mr. Barnwell’s question. That was just a business decision. If you think of all the modems we go through and all of the modem expense in managing them, it makes business sense to add a modem fee. I will tell you it is something that all other cable companies do as well. Whether or not customers are happy with it, it is a decision the company has made.”

Mayor Miller asked, “How do you justify the 15% increase where your increase was 30%, that doesn’t make good business sense, how do you not go broke?”

Ms. Keys replied, "The justification is that the company makes that decision and if you track the rate increases and the rates increases are 15% to the customers and 30% from the programmers to us. We are operating more efficiently than before. When your revenues grow and you need to have a certain margin, what we find ourselves doing is managing our expenses more aggressively."

Ms. Keys stated, "As far as bills being different, rates are different as when you subscribed and I would have to look at the bills. You see specials on television and there is a lot print advertising on promotions and if you call into the call center and ask about discounts, the reps are trained to look at the products to possibly migrate you into a new offering. There are a lot of things that could be going on; your neighbor could be on a different campaign. Digital services are different. There is a phone number on your bill you can call."

Councilmember Jernigan stated, "I had the same problem as Mr. Haire but I was told that my problem was because I was at the end of the street."

Ms. Keys stated, "We have a top rate team down here and if we have some technical problems down here, I am positive they can straighten it out. We are going to look at your bill, Mr. Stroman, and give you some options. There is a product offering called TV Everywhere that is suitable for families on a fixed income. We have gone through a lot and I think what a lot of you want is what can we give to customers on a fixed income. We give you information on what you want to do. I want to thank you for the opportunity to address you and hear your concerns and you always have the opportunity to call on us and we will do everything we can and we are very proud to serve Orangeburg and the community and we value the relationship we have with our customers."

Mayor Miller replied, "We thank you for coming and giving you our concerns that we hear on a daily basis."

Mr. Paul Cullen of 458 Murray Road addressed Council in regards to Time Warner Cable. He stated, "I am very impressed with the presentation and I am thrilled that all of you have similar concerns. I feel that I need to add a little comment to this because my situation is a little unique. My service has been exceptionally good. I have the lowest basic tier available. Each year, it has increased, more so than other packages. I have the statistics and I have been bringing them to the Mayor's office every year. The rate has increased from last year 16%, the other rates for the other services were more like 5% and 6%. So the others that are getting more expensive packages have less of an increase, but those of us with the basic tier have the largest percentage of increase. Over the last few years, the percentage of increases on the basic tiers were 11%, 13%, 9%, 1%, 18%, and 14.5% in 2006. So, that is a large increase on my particular service. I wish there was some smaller packages. I don't need twelve channels. I need news channels and an education channel. Of course, you have a monopoly on cable, for those of us who cannot afford a higher rate, there should be some smaller package that would keep us informed. We can only afford a small amount for our communication and so I think it would be good to have a smaller package and this is my concern and I think I am not alone. Someone mentioned advertising, why can't they share the brunt of these increases. I know that is not easy to do. Is there some way to convince them that everyone needs some information? Thank you and thank the Board for taking up this issue."

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to approve the Third Reading of an Ordinance authorizing the lease of property at 1170 Russell Street to Palmetto Development Group for six (6) months with a renewal of six (6) months to operate a small business incubator program. This was a 6-0-1 vote as Councilmember Barnwell opposed.

2252

City Administrator Yow addressed Council, "As Council knows, there was a 2010 Census and it is incumbent upon Council to look at redistricting. As you know, Mr. Bobby Bowers with the State Office of Research and Statistics, came down and addressed Council in regards to redistricting and presented Council with an overview of a redistricting process and at the next meeting Council adopted the criteria for redistricting and a schedule. Mr. Bowers presented a Benchmark Plan which is the existing Plan with new populations and demographics showing the breakout with deviations and a Plan 1. In adopting your schedule, you adopted a timeframe in which alternate plans could be submitted by March 11th. A plan was presented as I covered in a memo to you. For the public's information, Plan 1 is the Plan Mr. Bobby Bowers from the State presented and Plan 2 is the Alternative Plan that was submitted by the minority members of Council, so those are the questions you have before you. You will need to proceed in adopting a plan. You have one Ordinance that adopts Plan 1 and one that adopts the Alternative Plan."

Councilmember Barnwell asked, "What is the purpose of the Second Plan?"

Mayor Pro Tem Haire stated, "It better reflects the population breakdown."

"Councilmember Barnwell asked, "You don't consider this gerrymandering?"

Mayor Pro Tem Haire replied, "No, I don't."

Councilmember Barnwell stated, "That plan, my district #3 runs from the By-pass to Riverside and it basically shifts me out of my district except my house. I don't know who prepared the Plan, but I cannot make heads or tails of it."

Mayor Pro Tem Haire made a motion to adopt the Alternate Plan (#2), seconded by Councilmember Keitt. This was a 3-4 vote as Councilmembers Jernigan, Stroman, Barnwell and Mayor Miller opposed, The motion did not carry.

Councilmember Barnwell made a motion to adopt Plan 1 from the State, seconded by Councilmember Jernigan. This was a 4-3 vote as Mayor Pro Tem Haire, Councilmembers Keitt and Knotts opposed.

Councilmember Jernigan asked if there was anything that was going to be presented on the Alternative Plan if a better map could be done, it could not be read.

There were no utility matters brought before Council.

A motion was made by Councilmember Stroman seconded Councilmember Keitt, to enter into an Executive Session for a personnel and legal matter regarding the Department of Public Utilities Administration Division.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



City Council Minutes
Special Meeting
March 26, 2013

2253

Orangeburg City Council held a Public Hearing on Tuesday, March 26, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

The purpose of the Public Hearing was for discussion on redistricting of the City of Orangeburg six (6) Single-Member Council Districts.

The Mayor asked for public comments.

Hearing none, the Public Hearing was closed.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire

Charles B. Barnwell, Jr.

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

Council entered into the regularly scheduled City Council meeting.

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to approve the Second reading of an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg for the purpose of establishing six (6) Municipal Council Districts pertaining to Plan 1. Mayor Pro Tem Haire and Councilmembers Keitt and Knotts opposed.

DPU Director Tommy Miller addressed Council in reference to the First Reading of an Ordinance amending industrial gas rates for the Department of Public Utilities of the City of Orangeburg, deleting gas rate code 3F Propane Peaking Service and correcting a typographical error in the existing Gas Rate Code 3N. He stated, "This proposal would be effective June 1, 2013, which would increase the industrial gas rates from .80 per dekatherm to .95 per dekatherm. This proposed rate change has no effect whatsoever on any residential or commercial gas customers. The last time natural gas rates increased was in 2009. Since the price of natural gas has declined since peaking in 2007, the customer total bills will be less than they paid in 2002."

Councilmember Keitt asked, "What would happen if we did not increase?"

Director Miller replied, "Our regulatory compliance costs would increase and our operations costs would increase and it has been three and a half years since we have had an increase and we are still the lowest in the Carolinas."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance adopting amended Industrial Gas Rates for the Department of Public Utilities of the City of Orangeburg, SC, deleting Gas Rate Code 3F Propane Peaking Service and correcting a typographical error in existing Gas Rate Code 3N. This motion was unanimously approved.

Councilmember Keitt asked for a moment of privilege.

She stated, "I would like to ask everyone's help in keeping the City and County clean. We need to make our areas clean, keep our houses up, even if it is just raking our yard or cutting the grass. I ride around and am just displeased at the way we have our areas. We have to keep our areas clean to bring people in and get jobs here. On Bleakley Street, a lady was cleaning out a ditch and I stopped to thank her. It is a team effort."

Councilmember Barnwell stated, "We have to pick up old sofas and stoves to keep the streets clean."

Councilmember Keitt stated, "The sanitation guys do a wonderful job and I would like to thank the police too, but we can do better."

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





RESOLUTION FOR FAIR HOUSING

- WHEREAS,** the City of Orangeburg desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and,
- WHEREAS,** the City of Orangeburg rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental or provision of other housing services; and,
- WHEREAS,** the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and,
- WHEREAS,** April is recognized nationally as Fair Housing Month.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Orangeburg, South Carolina, in Council assembled, do officially recognize April as:

“Fair Housing Month”

Passed By the City Council of the City of Orangeburg, State of South Carolina, this 2nd day of April 2013.



Laura M. Min

 MAYOR

James Hare

Stephanie F. Smith

Charles B. Bonner

James Keith

Charles J. ...

Richard J. ...

MEMBERS OF COUNCIL

ATTEST:
Dean Sant

 Assist. City Clerk

CITY COUNCIL MINUTES
April 2, 2013

2255

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 2, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire

Charles B. Barnwell, Jr.

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

Mayor Miller welcomed everyone. He asked that everyone take a moment of silence in honor of the passing of Mr. Yow's mother and Gregg Robinson's mother.

Mayor Miller opened the Public Hearing for comments.

Hearing no public comments, the Public Hearing was closed.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the March 19, 2013, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to approve the March 26, 2013, Special City Council Minutes. This motion was unanimously approved.

Mayor Miller and DPU Manager Tommy Miller presented Ms. Linda Reid with a Retiree Resolution and a gold watch for her thirty-three years and two months of service to the Department of Public Utilities. Mayor Miller wished her enjoyment in her retirement. Ms. Reid thanked DPU and Council.

City Attorney Walsh presented Council with the Ordinance to amend for redistricting in accordance with Plan 1. Attorney Walsh stated that the plan would be submitted on Thursday of this week and that would follow the timeline to have it approved in time to have the normal City election on September 13, 2013.

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend Section 2-3.1, Chapter II, of the Code of Ordinances for the City of Orangeburg for the purpose of establishing six (6) Municipal Council Districts. This was a 4-3 vote with Mayor Pro Tem Haire, Councilmembers Keitt and Knotts voting against the Ordinance.

Mayor Miller presented Mr. Don Tribble the Character Trait Proclamation for April 2013, "Integrity".

Assistant City Administrator Singh addressed Council on a Resolution for April 2013, as Fair Housing Month. He stated, "It is important in two ways, the first is just the fact of recognizing the need for safe and fair housing with rentals and purchasing within our City and the second, is the need with the CDBG Grant program. This is a requirement that also must be met."

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Resolution for Fair Housing Month for April, 2013. This motion was unanimously approved.

2256

Mr. Buster Smith addressed Council on the acceptance of a \$10,000 Heritage Corridor Grant. He stated, "The grant will be used to establish an interpreter counter and exhibit in the Gardens. It will display the value of the wetlands on our environment and the history of the North leg of the Edisto River. The City has been notified by PRT that the grant has been approved. The \$10,000 grant will be coupled with a \$10,000 private donation and a \$10,000 match from the City's 2% Fund, for a total of a \$30,000 project.

Mayor Pro Tem Haire asked, "Are there funds out there to assist with cleaning of the Edisto River from down trees."

Mr. Smith stated, "It has been inquired about, but the maintenance of the river systems in South Carolina are controlled by the Corp of Engineers and they state they have no funds for that."

Councilmember Barnwell asked, "Exactly, where will the corridor run."

Mr. Smith stated, "The South Carolina National Heritage Corridor runs from the upstate down to Charleston, South Carolina, basically parallel with the Savannah River, it includes seventeen or eighteen counties. Orangeburg has an active Heritage Corridor Committee."

Councilmember Jernigan asked, "Would the Corp of Engineers object to a private group cleaning out the river from the water plant to the boat landing."

Mr. Smith stated, "My opinion would be that they would not object but would have to have some approval on the process."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Stroman, to approve the acceptance of a South Carolina National Heritage corridor Grant in the amount of \$10,000. This motion was unanimously approved.

DPU Manger Tommy Miller presented Councilmember Sandra P. Knotts with her twenty year service pin from the Department of Public Utilities.

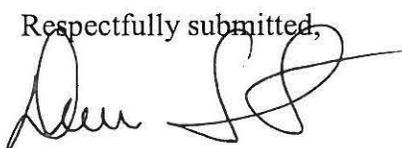
DPU Manger Tommy Miller addressed Council on the Second reading of an Ordinance to amend Industrial Gas Rates. The proposal would increase the industrial gas rate from .80 per dekatherm to .95 dekatherm. It would be effective on June 1, 2013. This proposed rate change has no affect whatsoever on any residential or commercial gas customers. The last time gas rates were increased was in 2009.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell , to approve the Second Reading of an Ordinance adopting amended Industrial Gas Rates for the Department of Public Utilities of the City of Orangeburg, SC, Deleting Gas Rate Code- 3F- Propane Peaking Service and correcting a typographical error in existing Gas Rate Code -3N. This motion was unanimously approved

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Duane Tarrant
Assistant City Clerk



CITY COUNCIL MINUTES
April 16, 2013

2257

Orangeburg City Council held a Public Hearing on Tuesday, April 16, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Pro Tem Haire presiding.

The purpose of the Public Hearing was for adoption of Proposed Gas Rate Changes for the Department of Public Utilities.

Hearing no public comments, the meeting was closed.

PRESENT:

Bernard Haire
Charles B. Barnwell, Jr. (arrived late)
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

ABSENT:

Paul A. Miller, Mayor

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the April 16, 2013, City Council Minutes as distributed. This motion was unanimously approved. Councilmember Barnwell not present at Voting.

Ms. Claudia Brooks, representative of United Way of the Midlands, made an appearance before Council. She stated, "The United Way of the Midlands is not only supported with donations, but they also write grants. We wrote a Housing Urban Development (HUD) Grant for the Samaritan House for \$100,000. United Way of the Midlands gave \$250,000 back to the Orangeburg community last year. An amount of \$11,418 was raised by the City of Orangeburg with 62% participation and was awarded the Bronze Award. The City is one of the great supporters of the United Way and has been for years."

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to approve First Reading of an Ordinance to amend Section 2-1.2, Chapter II, of the Code of Ordinances for the City of Orangeburg, for the purpose of providing for the election procedure for Mayor and Council Members in compliance with State Statutory Law.

Mayor Pro Tem Haire asked, "Can we to start our petition drive six (6) months before the period?"

Attorney Walsh answered, "Certification, is as of a certain date of registered voters, but I will be happy to look into the matter."

The motion to approve the First Reading of an Ordinance to amend Section 2-1.2, Chapter II, of the Code of Ordinances for the City of Orangeburg, for the purpose of providing for the election procedure for Mayor and Council Members in compliance with State Statutory Law was unanimously approved.

For information, Fiscal Year 2013-14 Budget Calendar was provided to Council. It will be on the next Council meeting for adoption. Council was asked to review key dates with their personal calendar.

2258

2

Page 2

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance adopting amended Industrial Gas Rates for the Department of Public Utilities of the City of Orangeburg, SC, Deleting Gas Rate Code- 3F- Propane Peaking Service and correcting a typographical error in existing Gas Rate Code -3N. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter concerning an annexation covenant. This motion was unanimously approved.

Council did not return to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

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RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIVE BID BY MCCLAM & ASSOCIATES, INC. OF LITTLE MOUNTAIN, SOUTH CAROLINA IN THE AMOUNT OF \$480,297.00 FOR THE RIVERSIDE PUMP STATION UPGRADE

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on January 23, 2013 for the Riverside Pump Station Upgrade; and

WHEREAS, the low responsive bid for this work was submitted by McClam & Associates, Inc. of Little Mountain, South Carolina in the amount of \$480,297.00.

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 responsive bid of McClam & Associates, Inc., in the amount of \$480,297.00 be accepted; and

BE IT FURTHER RESOLVED, that O. Thomas Miller, Jr., 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 21st day of May, 2013.



O. Thomas Miller, Jr.
MAYOR

Sam Hairs
Dandra P. Kuytt

Charles B. Bowdler

L. Zimmerman

Phil [unclear]

Richard F. [unclear]
MEMBERS OF COUNCIL

ATTEST:
[Signature]
CITY CLERK

CITY COUNCIL MINUTES

May 21, 2013

2261

Orangeburg City Council held a Public Hearing on Tuesday, May 21, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding. Mayor Miller asked for a moment of silence for the tragedy in Moore, Oklahoma.

The purpose of the Public Hearing was to amend an Ordinance for Zoning Code Chapter XXIV for revision to Section 24-6.4 Design Overlay District and Section C. (Permitted Uses) to allow existing pawn shops to relocate in the Design Overlay District.

Hearing no comments, the Public Hearing was closed.

PRESENT:

Paul A. Miller, Mayor

Bernard Haire

Charles B. Barnwell, Jr.

Charles W. Jernigan

L. Zimmerman Keitt (arrived late)

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to approve the May 7, 2013, City Council Minutes. This motion was unanimously approved

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the Third Reading of an Ordinance to amend Section 2-1.2 Chapter II, of the Code of Ordinances for the City, for the purpose of providing for the Election Procedure for Mayor and Council Members in compliance with State Statutory Law. This motion was unanimously approved.

City Attorney Walsh stated that he confirmed with the State Ethics Commission that you can start getting signatures for a petition anytime after an election, but you increase the risk of obtaining signatures that may not be valid. Attorney Walsh also informed Council that he provided the County with the new Council Districts prior to hearing from the Justice Department to start their process.

Mayor Pro Tem Haire stated, "Since the Director of Voter Registration at the County has resigned, will this cause a problem?"

Assistant City Administrator Singh stated, "He will be there another two weeks, but he indicated it shouldn't be a problem."

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve the Second Reading of an Ordinance to amend the Zoning Code, Chapter XXIV for revision to Section 24-6.4 Design Overlay District and Section C (Permitted Uses) to allow existing pawn shops to relocate in the Overlay District. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the reappointments to the City Grievance Committee as follows:

Jacque Fogle	Parks and Recreation	3 year term ending June 2016
LeAndrea Felder	Service Department	3 year term ending June 2016

This motion was unanimously approved.

DPU Manger Miller presented a Resolution for acceptance of the Low Bid-Upgrade-Riverside Pump Station, McClam and Associates, Inc., of Little Mountain, South Carolina, in the amount of \$480,297.00 to Council. He stated, "The County of Orangeburg has committed to pay its portion of \$359,751.00 as previously agreed upon and DPU's cost will be \$120,546.00. The County will give DPU ownership of the system."

Mayor Pro Tem Haire asked, "What are your plans for the old pump station?"

DPU Manager Miller stated, "We have those same pumps elsewhere and we will be able to use those for spare parts.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve a Resolution for acceptance of the Low Bid-Upgrade-Riverside Pump Station, McClam and Associates, Inc., of Little Mountain, South Carolina. This motion was unanimously approved.

A motion was by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to enter into an Executive Session for Legal Matters concerning (1) Substandard Building and (2) Hospitality and Accommodations Tax (Sodexo) and a Contractual Matter concerning the Department of Public Utilities regarding gas line capacity.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to return to Open Session. This motion as unanimously approved.

DPU Manager Miller presented a Resolution to Council authorizing the execution of a Service Agreement for Rate Schedule FT with Carolina Gas Transmission Corporation for a period beginning June 1, 2013 and expiring October 31, 2016.

Councilmember Knotts stated, "Did you say you would be asking for an increase in rates again, passing it on to customers and then do this increase again. I'm not at peace with this. It is already a hardship on some people. I'm not opposed to what you are doing, I'm thinking about the average customer."

Mayor Miller stated, "I'm not comfortable with it at this time."

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to approve a Resolution authorizing the execution of a Service Agreement for Rate Schedule FT with Carolina Gas Transmission Corporation for a period beginning June 1, 2013, and expiring October 31, 2016. This was a 4-3 vote as Councilmembers Barnwell, Knotts and Mayor Miller opposed.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

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CITY COUNCIL MINUTES
June 4, 2013

2263

Orangeburg City Council held its regularly scheduled City Council Meeting on Tuesday, June 4, 2013, at 7:00 P.M., in the Council Chamber Building with Mayor Miller presiding

PRESENT:

Paul A. Miller, Mayor
Bernard Haire
Charles B. Barnwell, Jr.
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the May 21, 2013, City Council Minutes. This motion was unanimously approved.

Mr. Jim Johnson from Eat Smart, Move More and Dr. Linda Payne from Ways to Wellness addressed Council.

Mr. Johnson stated, "Eat Smart, Move More, is a collation of sixteen (16) wellness minded agencies in Orangeburg County founded in 2010 that is a 501 c3 organization. We have three workgroups as follows:

The Community Workgroup focusing on safe walking and bicycling routes. I am the leader of this group.

The Farmer's Market Group is currently working with the Family Health Center. Dr. Edith Anadu is the leader of this group.

The School Workgroup partnered with Mellichamp Elementary School setting up wellness activities at the school. Ms.. Rosa Kennerly Dance is the leader of this group."

Mr. Johnson further discussed the Comprehensive Plan of the Lower Savannah region and stated that now the City has a Plan and referenced a map. He stated walking audits were done to note where ramps were not at the end of sidewalks or if sidewalks were in disrepair or if there were no sidewalks at all to develop an inventory where people can walk or ride their bikes. The map from Lower Savannah Council of Governments Regional Bicycle and Pedestrian Study was passed out to Council, as information, with proposed bicycle and pedestrian facilities.

Dr. Linda Payne addressed Council from Ways to Wellness. She stated, "Ways to Wellness is founded by Orangeburg Calhoun Technical College, The Regional Medical Center, Four Winds Empowerment Group and Midlands Society for Human Resource Management and we have been working since the beginning of 2012. For 2013-14, we are focusing on three (3) major areas which is improving access to healthy foods, active community environments and faith based tobacco initiatives." Flyers and information were given to Council.

A motion as made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve the Third Reading of an Ordinance to amend the Zoning Code, Chapter XXIV for revision to Section 24-6.4 Design Overlay District and Section C (Permitted Uses) to allow existing pawn shops to relocate in the Overlay District.

Ms. Knotts asked Mr. Chan Holman, "What's going to be in the store?"

Mr. Holman answered, "I am carrying on my current business and expanding other retail items as well."

Councilmember Stroman stated, "It is great to have something in the Old Winn Dixie store."

Councilmember Barnwell stated, "It is good to have you in that area of town,"

The motion and second was unanimously approved for the Third Reading of an Ordinance to amend the Zoning Code, Chapter XXIV for revision to Section 24-6.4 Design Overlay District and Section C (Permitted Uses) to allow existing pawn shops to relocate in the Overlay District.

City Administrator Yow reported that Redistricting Plan 1 submitted by Council was approved as submitted in the allotted period. We have sent copies to our Election Commission, County Election Commission, State Election Commission and the State, Mr. Bobby Bowers. Some persons from the public have requested copies and they are available for the public. We have time to adhere to the deadline.

Mrs. Kristina Thomas, Community of Character Director, accepted the June Character Trait Proclamation, "Cheerfulness".

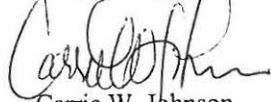
A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to amend Section 24-4.1, District Boundaries and Maps of the Code of Ordinances of the City of Orangeburg and the Zoning Map of the City of Orangeburg, property belonging to Claflin University, #0173-10-14-001.000. The Planning Commission approved the change to O-I, Office Institutional. This was a 6-0-1 vote as Councilmember Knotts recused herself from voting. (See Attached Recusal Statement).

There were no utility matters brought before Council.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to adjourn.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

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RESOLUTION

**BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA
MAKING DECLARATION OF INTENT PURSUANT TO UNITED STATES
TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE,
REGULATION 1.150-2**

WHEREAS, the City Council of the City of Orangeburg, South Carolina ("City Council") intends to issue bonds to defray the cost of certain capital improvements contained in the Capital Improvement Program (the "Project") for the City of Orangeburg Department of Public Utilities ("Department"); and,

WHEREAS, City Council expects that funds for the Project will be advanced from the General Revenue Fund of the Department and it is the expectation that the proceeds of the bonds received as reimbursement will be deposited to the General Revenue Fund of the Department to replenish this account; and

WHEREAS, City Council is mindful of the fact that, in order for the use of federally tax-exempt obligation proceeds to be considered "expended" for purposes of United States Treasury Department Internal Revenue Service Regulation 1.150-2 ("Reg. 1.150-2") when used to reimburse the Department for expenditures made prior to the issuance of the obligations, certain conditions including the making of a declaration of intent to reimburse such expenditures must be met; and

WHEREAS, with the intent of supplementing, but not to supersede, any prior declarations of intent of City Council with respect to the Project, City Council desires to make such declaration of intent;

NOW THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED on the 18th day of June, 2013, that the declaration of intent to reimburse expenditures on the Project with the proceeds of federally tax-exempt obligations not exceeding \$10,000,000.00 pursuant to Reg. 1.150-2 is hereby made, and that the Clerk of City Council is hereby directed to maintain a copy of this declaration in the files and records of City Council.

AND IT IS SO RESOLVED.



Sam Munn

Mayor
Sharon Haice

Andrea P. Austin

L. Zimmerman

Richard J. Stone

Chris Ferguson

Members of Council

ATTEST:

Carole Johnson

City Clerk



RESOLUTION

WHEREAS, the South Carolina Water Quality Revolving Fund Authority (the "State Authority") provides low-interest loan financing for the construction of publicly owned wastewater treatment facilities from the Water Pollution Control Revolving Fund (the "Fund") pursuant to the Federal Clean Water Act and Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, the City of Orangeburg is a legally constituted municipality in the State of South Carolina and is authorized to incur revenue debt pursuant to Title 6, Chapter 21, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, the City of Orangeburg has determined that it is in the best interests of the City to apply to the State Authority for a loan from the Fund;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orangeburg, South Carolina (the "Council"), in a meeting duly assembled:

1. That the Council hereby authorizes O. Thomas Miller, Jr., Manager of the Department of Public Utilities to complete, and Paul A. Miller, Mayor of the City of Orangeburg, South Carolina to execute and submit an application to the State Authority for a loan from the Fund in the amount of approximately \$20.3 million dollars to finance the costs of constructing improvements to the City's Wastewater Treatment Plant. The Manager of the Department of Public Utilities is authorized to take such actions as may be necessary or convenient to complete the application process.
2. That the City will grant to the State Authority a pledge of, and lien on, all revenues of the City's Combined Utility System for repayment of the loan.
3. That the final terms and conditions of the loan and the loan documents shall be subject to the approval of this Council.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 18th day of June, 2013.



Paul A. Miller
Mayor
James Haire
Bonnie P. Krotts
L. Zimmerman Keist
Richard A. Spence
Charles D. Dyer

Members of Council

ATTEST:
Carmel Johnson
City Clerk

RESOLUTION

A RESOLUTION CONTINUING PARTICIPATION IN THE LOWER SAVANNAH REGIONAL HOME CONSORTIUM

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the Home Investment Partnerships Program (hereinafter the "Home Program") to provide funds to states and local governments for affordable housing assistance with the flexibility to decide what kind of housing assistance or mix of housing assistance is most appropriate for local needs; and,

WHEREAS, the U.S. Department of Housing and Urban Development (hereinafter "HUD") subsequently issued regulations set forth in 24 CFR Part 92 allowing units of general local government to enter into mutual cooperation agreements to form consortia for the purpose of obtaining funding from the Home Program; and,

WHEREAS, the City of Orangeburg has affordable housing needs; and,

WHEREAS, the City of Orangeburg desires to increase affordable housing opportunities for its present and future residents, particularly for very low-income persons; and,

WHEREAS, the City of Orangeburg desires to enter into affordable housing development activities which are directed toward the above general purposes, and for those reasons, wishes to seek such federal funding as may be available to it pursuant to the Act; and,

WHEREAS, the City of Orangeburg desires to enter into the affordable housing activities and has determined that joint action with other units of local governments that choose to participate in accordance with the "Inter-Governmental Agreement Establishing the Lower Savannah Regional Home Consortium FY 2014-2017," the terms of which are incorporated by reference and such relevant HUD regulations and requirements as may now or hereafter be in effect would benefit the City of Orangeburg.

BE IT FURTHER RESOLVED, that the Mayor and City Council, in Council duly assembled, authorize John H. Yow, City Administrator of the City of Orangeburg to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional Home Consortium FY 2014-2017," on behalf of the City of Orangeburg, as well as all other documents necessary to form the Consortium and to carry out and fulfill its purposes.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 6th day of August 2013.



ATTEST:

Carrick Johnson
City Clerk

Paul M. Yow
Mayor

John H. Yow
Danda R. Yow

Charles B. Brumby
Elizabeth Keit
Richard T. Stone

Members of Council

CITY COUNCIL MINUTES
August 20, 2013

2287

Orangeburg City Council held two (2) Public Hearings on Tuesday, August 20, 2013, at 5:30 P.M., in Council Chambers with Mayor Miller presiding.

The purpose of the Public Hearing #1 was to raise revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2013, and ending September 30, 2014.

Mr. Abe Salama of 1495 Hillsboro Road, Orangeburg, SC, addressed Council. He stated, "The topic of my discussion is that I have had a change of heart and I thank you and commend you for coming up with a budget that doesn't require an increase in property taxes. All of you should be commended. But, for the record, the only member who during the original discussion and who was against the increase in property taxes was Ms. Liz Keitt. She was the only one among all of you to reject the increase. The question becomes what was the real motive for the changing of the heart. There are many people in the City of Orangeburg that think the motive is that some of the members are looking for re-election. Of course, there is a way to prove that we are wrong. You have a chance now to vote and freeze the property taxes for next year. Your position has nothing to do with being re-elected. Thank you for hearing about the economic suffering today."

City Attorney Walsh stated, "From a legal standpoint, City Council cannot take up tax issues for the upcoming year. The present City Council cannot bind future Councils."

Hearing no further comments, Public Hearing #1, was closed.

The purpose of Public Hearing #2 was to adopt a Budget for the operation of the Department of Public Utilities for the City of Orangeburg, SC, for Fiscal Year beginning October 1, 2013, and ending September 30, 2014.

Hearing no comments, Public Hearing #2 was closed.

Council entered into the regular scheduled City Council meeting.

PRESENT:

Paul A. Miller, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to approve the August 6, 2013, City Council Minutes as distributed. This was a 6-0-1 vote as Councilmember Jernigan abstained, as he was not present at the meeting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance amending the Budget for the City of Orangeburg, SC, for FY beginning October 1, 2012, and ending September 30, 2013. This motion was unanimously approved.

City Administrator Yow stated, "We anticipate finishing the year in the black with \$117,748 in revenues over expenditures."

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to approve the Second Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for FY beginning October 1, 2013, and ending September 30, 2014. This was a 6-0-1 vote, as Councilmember Keitt abstained.

City Administrator Yow stated, "It is a balanced budget with revenues and expenditures totaling \$17,479.750. For the record, the proposed budget has never included a proposed property tax increase."

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Stroman, giving City Administrator Yow authority to execute a General Aviation Administration Grant (FAA) in the amount of \$92,202 for the design of relocating fuel farm.

Councilmember Stroman stated, "This should have been done a long time ago."

Councilmember Jernigan asked, "What will happen to the old tanks?"

Public Works Director Bowden replied, "We can either dig them up or fill them with flowable fill, which would be the most cost effective."

Mayor Pro Tem Haire ask, "Is this an above ground operation and will we be at risk for tampering or sabotage?"

Director Bowman stated, "It is self contained for leaks, but I will have to find out more on the tampering."

City Administrator Yow stated, "There is nothing full proof, this project is tentatively approved by the FAA and there are gates and full perimeter fencing and security cameras at the airport."

This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance to adopt a Budget for the Department of Public Utilities for the City of Orangeburg, SC, for Fiscal Year beginning October 1, 2013, and ending September 30, 2014. This motion was unanimously approved.

Councilmember Barnwell asked, "Several students at the University of South Carolina found that meters could be hacked. I found out that theirs is not licensed and ours is, can you explain that?"

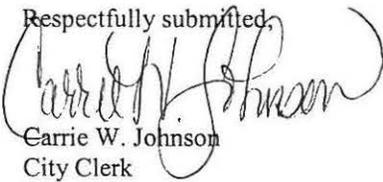
DPU Manager Miller stated, "We have looked to be sure it could not be hacked, our system is a licensed frequency and the one in Columbia is not. The electronic data is encrypted also. I cannot tell you it is 101% safe, but we should be fine and we are monitoring it all the time."

Mayor Pro Tem Haire asked, "Who is it licensed by?"

DPU Manager Miller stated, "The FCC."

A motion as made by Mayor Pro Tem Haire, seconded by Councilmember Knotts, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Carrie W. Johnson
City Clerk

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CITY COUNCIL MINUTES
SPECIAL SESSION - AUGUST 13, 2013

Orangeburg City Council held a Special Session Meeting on Tuesday, August 13, 2013, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1042 Russell Street with Mayor Paul A. Miller presiding.

Mayor Miller opened the meeting by welcoming everyone to the Special City Council Meeting at the Department of Public Utilities.

Mike Sells gave an invocation.

PRESENT: Paul A. Miller, Mayor
Bernard Haire, Mayor Pro Tem
Charles B. Barnwell
L. Zimmerman Keitt
Richard F. Stroman

ABSENT: Charles W. Jernigan
Sandra P. Knotts

The meeting was then turned over to O. Thomas (Tommy) Miller, Manager of the Department of Public Utilities.

Budget Presentation
Manager Tommy Miller to Mayor and Council

Manager Miller proceeded by thanking the Mayor and Members of Council for taking their time to attend the Special Meeting and allowing DPU to present its proposed budget for their consideration.

Next, he thanked the Directors and their staff for the many hours of work in putting this budget together. He went on to state "this is a team effort". He explained the management staff has the awesome responsibility of operating and maintaining your utility. They are also entrusted with responsibility of planning the future of your utility. He showed a slide that he felt was appropriate. He stated it summarizes what we do. We develop ideas, we discuss them, we plan them, and we develop a strategy to implement them. This is done for one purpose - "to meet the future goals and obligations of DPU and ensure that it remains as one of the most respected utilities in South Carolina. That is what this proposed budget does - it allows DPU to continue to provide quality utility service to its customers and continues to lay the foundation for the future.

Manager Miller continued with the meeting stating he was pleased to present a proposed budget for the City of Orangeburg's Department of Public Utilities for Fiscal Year 2013-2014. This proposed budget has an income of \$97,403,873, with expenses of \$85,883,153 for a net profit before the transfer of \$11,520,720. He stated this represents a return on equity for the citizens of City of Orangeburg of 4.4%. He continued stating that this proposed budget reflects changes in the cost of purchased power per our electric supply contract with South Carolina Electric & Gas Company (SCE&G). We are about to complete our second year under this contract. It does not, however, (and we mention this every year) anticipate the unpredictable costs of fuel that is used for electric generation.

He continued to explain the proposed budget also forecasts the costs of natural gas to remain relatively stable at levels that have been below recent history. The Department expects the cost to remain relatively low through 2014.

He stated the costs of providing water and wastewater services has and will continue to increase. The cost of many of our commodities, government regulations, and labor are expected to rise and add to the cost of doing business.

He stated the Department anticipates the costs will be offset by small increases in sales in the Electric and Gas Divisions, as well as slight increases in the Water and Wastewater Divisions.

He continued to explain how the budget numbers reflect the predicted changes in each Division:

Electric Division – In the Electric Division, we are predicting sales to increase slightly over last year's sales even though overall electric sales are still well below pre-recession levels. Due to increased SCE&G fuel and capacity cost, the cost of

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purchased electric power reflected in the Department's electric rates increased approximately 3% in July of 2013. He explained the power supply costs that we incur from our suppliers are directly passed through to DPU customers, so the net effect to our bottom line is zero. This has a significant impact on the price to our customers. Manager Miller reminded Council that the contract with SCE&G allows fuel costs to be more leveled. This removes the cost spikes that results from fuel cost fluctuations. This cost levelization has helped all of our customers which has proven to be a good thing. Manager Miller stated, at this time, he did not recommend a change in any of the electric rates.

Gas Division – In the Gas Division, we are also predicting that sales will increase slightly primarily due to the addition of customers in the "West Distribution System" a project that you approved in Fiscal Year 2013. The Gas Division is anticipating that the market cost of natural gas will be stable due to the continued production of shale gas. All our gas requirements are purchased on the open market. The price of natural gas remains relatively low to the cost of other energy options and we are continuing to look for opportunities to expand our natural gas customer base through marketing efforts. The combination of the "West Distribution System" project and the recently approved increase in industrial base rates should result in an increase in net revenues for the Gas Division in Fiscal Year 2014. Manager Miller stated, at this time, he did not recommend a change in any of the Gas Division rates.

Water Division – In the Water Division, sales and revenues declined approximately 5% in each of the Fiscal Years 2012 and 2013 in all categories, but primarily in the residential and small commercial sector. The Water Division is predicting that sales will stabilize at existing levels in Fiscal Year 2014. As we have reported many times, the cost of operating and maintaining our water system continues to rise. The rapidly increasing cost are primarily due to increases in chemical costs, depreciation costs and increased distribution flushing due to regulatory requirements. We are in the process of conducting a study on our water rates, but this study will not be finalized until after October 1, 2013. Manager Miller stated, at this times, he did not recommend a change in the Water Division rates.

Wastewater Division – In the Wastewater Division, which parallels the declines in the Water Division, sales and revenues are also down, but we are predicting that sales and revenues will stabilize in Fiscal Year 2014. As in water operations, the cost of wastewater operations continues to increase. These costs will increase significantly as the existing 35-year old Wastewater Treatment Plant is upgraded over the next couple of years. Manager Miller informed Council that the Department is in the process of conducting a study of our wastewater rates, just as we are in our water rates, but this study will be finalized until after October 1, 2013. Manager Miller stated, at this time, he did not recommend a change in the Wastewater Division rates.

Manager Miller reported the proposed spending on capital projects in Fiscal Year 2013-2014 is \$12,050,000, which is a substantial increase in capital spending from last year.

He said that in a few minutes, he was going to ask the Directors to present the proposed projects in their respective divisions and give you more details.

Manager Miller reported there is one (1) carry-over capital project for the Administrative Division, two (2) carry-over capital projects for the Electric Division, one (carry-over capital project for the Wastewater Division and one (1) new proposed project for the Water Division. There are no proposed capital projects for the Natural Gas Division for the next fiscal year.

He stated, this is a sound and responsible budget proposal and does not require any immediate rate increases or at least not at this time. The proposed budget does allow for a 2% cost of living increase for our employees and allows for an increase in the transfer to the City by \$71,500. It will also allow us to continue with the previously approved capital projects that will be presented to you in a few minutes and to add one (1) new proposed project.

Manager Miller stated there are three (3) obligations that the Department always strives to meet:

1. Providing our customers with the safest and best service at the lowest possible rates.
2. Providing a reasonable return on investments for the City of Orangeburg.

3. Continuing to maintain and invest in our utility infrastructure to meet the challenges of the future.

He stated we are confident that we can continue to meet these obligations with this proposed budget.

Manager Miller expressed that this concluded his portion of the budget presentation.

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Manager Miller stated since there are not any proposed projects in the Gas Division, he was going to ask Dave Durgin to come up first and give an update on the Gas Division. That way, this will keep all of the ongoing and proposed project budget presentations together.

Administrative Division..... Michael G. Sells, Director
Electric Division..... John B. Bagwell, Director
Gas Division Dave Durgin, Director
Water Division..... D. Eric Odom, Director
Wastewater Division Richard M. Labrador, Director

GAS DIVISION PROJECT UPDATE

Gas Division Director Dave Durgin stated the Gas Division did not have any new projects for the upcoming fiscal year. He proceeded by giving a brief update on one continuing project recently approved - "West Distribution System".

The contractor has completed their work and within the approved budget. Four poultry farms, two grain drying facilities and two residential customers have been connected and they seem very pleased with the new gas service. We have approximately 15 more service orders that we will turn on when the customers are ready. We will soon have a marketing effort to increase the awareness of natural gas in the area before this winter.

The "West Distribution System" was designated by Council as a Special Project to have a payback period of 10 years. Although it is still early, it appears to be on schedule and that we may be able to finish the payback quicker than expected.

Mayor Miller: Are the 15 service orders residential?

Dave Durgin: Yes, we have connected all the commercial orders except for one and we are currently pursuing them.

Mayor Miller: Are we getting many inquiries?

Dave Durgin: Yes Sir. We seem to get one or two a week. We hope to get more after we go forward with our marketing effort. The one thing that we have heard from customers out there is that they did not realize that gas was now available to them.

Mayor Miller: You have the main line, so obviously the people on the main trunk can get on very quickly. Will you vary off that to serve other residents?

Dave Durgin: Yes Sir. We currently have several summer job projects that will be starting shortly and those are to address several of the customers who have signed up.

ADMINISTRATIVE DIVISION PROJECT UPDATE

Administrative Division Director Michael G. Sells stated the Administrative Division has one previously approved project which is the replacement of the Administrative Division's software.

The purpose of this five (5) year project is to replace and improve the Administrative Division's software for enhanced customer service, accounting, work order management and Human Resources. The enhancements must meet current and future needs for a least the next fifteen (15) years.

This past year, we identified 8,000 requirements needed in our software. We produced a RFP that was sent to approximately 25-30 vendors. Sixteen (16) responded and they were evaluated. Four (4) were selected to demo their product. Each demo lasted approximately 40 hours. We brought in as many as 40 employees to help in the evaluation. Through that, we selected Cayenta as the software vendor of choice. Cayenta has been in business over 20 years and they have over 115 employees and over 80 customers. They are part of the Harris Corporation, which is a major software producer that has 2,100 employees and actually has seven (7) different utility software companies. They were the only vendor that came close to meeting our 8,000 requirements. In addition, their product was over whelmingly voted by the staff as the

best solution for DPU. We are currently working out the best and final offer. We expect to sign a contract in September and the project to begin November 1st.

Mayor Pro Tem Haire: You said Cayenta came closest to meeting your needs. How much more is needed to completely meet the needs that you have? Will that trigger in the future additional things that we might have to do as far as software?

Mike Sells: No Sir. What we have to do out of the 8,000, there might have been a couple hundred and we had to sit down and evaluate them and see how important they were to us and a lot of times we asked them to do things the way we do things. So we had to look at them and say can we change, can we do it like all the rest of the utilities. If not, we would have to pay for a modification. We actually sat down with them and went through all the problems that did not meet our original requirements and we looked at their proposals. They said this is what it will cost and actually their cost for modifications were around \$750,000 and we axed out all but \$50,000. We said we could work around that. We just changed our parameters. We can figure out other ways to do things.

Mayor Miller: What were some of the things you wanted, but you compromised on, but decided that it was not worth the money?

Mike Sells: We spend a half a day reconciling our bills with Blue Cross, making sure that what is on our Human Resources records matches our bill. There are some companies that when Blue Cross sends in the bill it matches up with the payroll and reconciles itself. Theirs didn't. But when we saw the price, we said we can do it ourselves. We have been doing it for 100 years, we can just keep on doing it. Nothing critical. That alone knocked off \$650,000.

Mayor Pro Tem Haire: This system software is predicted to last how long? And we will not have to go back in between the expectancy of that life of that software.

Mike Sells: I am predicting 15 years. I will not be here, but you can call me up and let me know. Every so often, maybe every 7 or 9 years they have major upgrades where it changes dramatically. This would not be a full blown change, it would be a major upgrading. Our current software has lasted 20 years and I see no reason why this staff cannot continue using this, unless there is some major change in utilities that I cannot anticipate.

Mayor Miller: What were some of the major differences between the four (4) you narrowed it down to?

Mike Sells: One was Oracle and it their cost and it was actually too complicated for us. It was not even considered because the cost was too high (doubled) and it did not deliver as much as Cayenta did. Cogsdale was a little simpler, but they met the least of the 8,000 requirements and there was going to have to be a lot of modifications. They had not handled as many complicated utilities as ours, they were just missing a lot of parts. The third one had a very good customer service application, but that is all that they did, so they had to marry themselves with a finance software and a work management software. We looked at that and they were not that much cheaper. The integration was very difficult and we were afraid one might go out of style while the other was still in place.

Councilmember Keitt: Mike are you saying that the Administrative group that you have did an excellent job and got right in there and did what they needed to do to save us some money?

Mike Sells: Yes they did. We had a core team of 10 people that evaluated (they had to read the 16 proposals and evaluate. We had to vote on how to implement and how their screens looked and how things performed. Then we had the demonstrations. We had people from the Administrative, Electric, all the Divisions send representatives to look at the software, they got to vote and Cayenta won every vote - they were the best.

Mayor Miller: How many utilities - I know that we are kind of unique because we have all four services plus, everybody has Administrative. How many systems similar to what we have has this company dealt with?

Mike Sells: They have dealt with 80 customers, some have just have CIS, some have just work management and some have just finance, but I think that it was about 30 who had all, it is what you call ERP solutions - that is what we are getting - ERP means you are getting it all, but out of all the 80, I am going to take a stab, maybe 10 or 20 with four utilities. We just visited one last week that had two utilities and we asked them if having more than one utility complicate the software, they said they had no problems with it. Once they had everything lined up for one, it lined up for all.

Councilmember Barnwell: Mike, once this system becomes operational, how many meters I assume electric and gas will be read - I guess by riding by?

Mike Sells: That is actually going to be on John's project. He has the AMI. This is just the software in the office for billing and doing all our basic work.

Mayor Miller: Once you pull the trigger, what is the phase in to get fully operational?

Mike Sells: We will first be putting in financials, HR, payroll and work management. This will be a twelve (12) month progress and we will have to meet 3,000 or 4,000 requirements of ours and then we test and test and retest - we actually have to dedicate about 10 people - pull them out of our ranks to help test this product to make sure it works. After a year we will go live and run it for about three months and after that we start all over again with our Customer Service Program. We run the same configurations for 18 months - testing and testing and making sure (we want to really make sure you get your bill right) then we will go live and run it for about three months. After that and then for the next year after that you shake out any little things that you left behind, sometimes there are little small details that you don't want to slow the whole progress down.

Mayor Miller: So you will be running a dual system? You will be running the old system and the new system?

Mike Sells: For the next three years we will be on the old system while the people testing will be on the new system. We will go live with half of it in a year and a half and the other half will go live in three and half years from now.

Mike Sells Continued his Presentation:

The budget for this project is approximately \$11.6 million. We expect to spend \$300,000 by the end of this fiscal year for a total budget remaining of \$11.3 million. We expect to spend \$3.5 million on this project for the next fiscal year.

Mayor Miller: Is this going to come in under the budgeted figure?

Mike Sells: I do expect and we are pushing very hard and everything looks good for it to come significantly under budget. I have not signed a contract yet.

Mayor Miller: I understand. I think when you first proposed this to us the figure you gave us you thought that it was probably higher than what it was going to cost in the end.

Mike Sells: I expect to save a couple of million. That is what we are shooting for, unless we have missed something. I have not seen the whole contract yet and have not signed, but it is looking a lot better than we expected.

Mayor Miller: Mike it sounds to me that you have done a tremendous amount of work. He wanted to commend the Department for the work that you and the people that are under you have spent on it, because I know it has involved a lot of time and effort and a lot of hours, so I know that you are excited about it and we will be excited about it and hopefully it will move us into the next era we need to be.

ELECTRIC DIVISION PROJECT UPDATE

Electric Division Director John B. Bagwell stated his presentation by addressing Councilmember Barnwell's earlier question. "How many meters the AMI can read"?

John Bagwell: Mr. Barnwell we will put up seven towers that are capable of reading 20,000 meters at each tower which gives us a total of 140,000 meters that we could read with the system. Currently we have approximately 60,000 meters, so with could double the size of the meters that Orangeburg has and it will still would perform very well for us.

Councilmember Barnwell: Is that electric, gas and water?

John Bagwell: Yes Sir. Approximately 60,000 meters today, and we could read up to 140,00 meters with this system. We could add more towers and read more meters, but our current design, that is what we have.

Mayor Pro Tem Haire: Has any of this been started?

John Bagwell: Yes Sir. Please bare with me and I will give you some more information on this.

The Electric Division has no new projects for this upcoming fiscal year, but currently we do have two (2) projects that are continuing from last year and were previously approved. Project #1 is the Advanced Metering Infrastructure (AMI). Over the last twelve months the Department has been very busy keeping the AMI project on budget

and on schedule. The Department has installed servers and software for both the AMI and MDM systems. The AMI consisted of installing five (5) computer servers and seven (7) communication towers. The MDM (Meter Data Manager's Software) consisted of one server and some software currently. We have completed the data synchronization between the two (2) systems as well as our Customer information System which is currently ORCOM. This data synchronization allows for the flow of information between the systems to keep all systems with concise and consistent data. We have been working very hard installing electric, gas and water meters during this year. Before the end of June of this year we will have installed over 1,800 meters and end points in 3 metering routes. The communication of the system to the meters is very good. We have exceeded 99% in registered reads per day. We have integrated our geographical information system and our outage management systems to supply information between each of the systems (AMI and MDM). We have tested the electric connection and disconnection and have used the system to re-check meter readings that our meter readers have already read. Billing on the system should be completed by the end of this calendar year. A slide was shown outlining where the towers are located: We have installed two (2) towers at Substation #20 and one (1) at the Hillcrest Water Tank. Next year's time line beginning in October 2013, the plan is to purchase and install additional electric and gas meters sufficient enough to complete the entire gas system and half of the electric system. Near the end of this coming fiscal year which is 2013. We will be billing approximately 22,000 accounts of DPU's 60,000 accounts and start preparing for the upcoming integration with the pre-pay and the new ERP system. Overall the AMI project is definitely meeting our expectations.

The total project cost was this Advanced Metering Infrastructure is \$14,279,000. To date we have spent \$1,955,000 this fiscal year. The estimated 2013-2014 cost is \$2,925,000. Does anyone have any questions?

Councilmember Barnwell: Will this require all new meters - electric and gas

John Bagwell: Yes Sir. It will be brand new electric meters, gas meters will be retrofitted. It is only a communicational module that has to go on the gas meters. There will be certain gas meters that has to be changed but it will only be because of the age of the meter.

Electric Division Director John B. Bagwell presented Project #2 – Peak Shaving / Wastewater Plant Generator. This is an ongoing previously approved project.

Director Bagwell stated this project is about two (2) months behind schedule. This is primarily due to the relocation of the generator set. After reviewing with my staff and consulting engineers, it was concluded that the Wastewater Treatment Plant site installation did not allow DPU to peak-shave without additional cost for distribution system integration at Substation #20 which would make the project go over the initial budget set for this project. By moving the generation set to Substation #20, the tie to our distribution grid became electrically easier and kept us on budget. The new location will also allow for expandability of additional units in the future and back-up power to the Wastewater Treatment Facility as originally designed. The purchase order for the generator set and the generator step-up transformer has been issued. Expected delivery for both is November this calendar year. The construction documents are currently out for bid and will be back in late August. Distribution network tie material is also on order and scheduled to be shipped by the end of September. We have been busy on this project, but we are just a little behind. Although the generator set is behind schedule, the Department is comfortable with the completion date of February 2014. This date will still allow the Department to claim the 2 mega-watts for the summer peak in 2014 as originally planned. When this project is complete the Department will have 26 mega-watts of peak-shaving capacity installed. Deferring to our customers over \$2.5 million a year in electricity cost. The total project cost for this generator set was \$2,125,000. The total project expenditures to date are \$200,000. The total project cost remaining is \$1,925,000 which is expected to be spent this coming fiscal year.

Councilmember Barnwell: Is this within budget?

John Bagwell: Yes Sir.

Mayor Miller: Is most of that going to be for that generator?

John Bagwell: The generator cost is \$1,400,000. That is the engine and the generator.

Mayor Miller: John, what is the size of it?

John Bagwell: The physical size? The engine is approximately 25 feet long. We then add another 20 feet for the generator set and beyond there will be a control room added to it which will be about another 30 feet. Approximately 130 feet long - it will be shipped in two (2) sections.

WASTEWATER DIVISION PROJECT UPDATE

The Wastewater Division proposes no new projects for the upcoming fiscal year, but does have one continuation the Wastewater Treatment Plant Upgrade. This project will increase the capability of the existing 35-year old Wastewater Treatment Plant to treat an influent bio-chemical oxygen demand of 300 milligrams per liter (mg/l) while replacing the aging system components that exceeded their useful lives. As you recall the major new components include a grit removing system, fine bubble duration basin, clarifier, and sludge holding tanks. The project is on schedule and we have received the necessary construction permits and State approval for reduced interest "Green Funding" and will be soliciting bids this fall. The total project cost is approximately \$20.3 million of which \$500,000 has already been spent. We anticipate spending \$4-million during this upcoming fiscal year.

WATER DIVISION PROJECT UPDATE

Water Division Director Eric Odom stated that the Water Division has one new project for your consideration for the upcoming fiscal year - Rehabilitation of the 1974 Clearwell

The purpose of this project is two-fold.

1. First is to replace the existing ageing roofing system
2. And second is to rehabilitate and repair the internal structure as well as the internal piping components.

The existing clearwell was constructed and placed into operation approximately 39 years ago. The current roofing system is a precast concrete panel system that sits on top of reinforced concrete beams. Over time these concrete slabs began to shift due to thermal expansion and contraction. In order to solve this problem the concrete panels were eventually anchored to the concrete support beams below. While this fixed the issue of the roof panels shifting, the internal structure beneath the panels began to degrade.

In May of 2011, a structural assessment of the clearwell was conducted that revealed the condition of both the roofing system and internal beams as only in fair condition with several areas showing significant structural degrading. The report stated that many of the precast concrete roof panels are deteriorating and on the interior, several panels have major concrete chips leaving the rebar exposed.

The situation is further complicated by the fact that many of the piping components, valves, ladders etc. are severely deteriorated and at the end of their useful life.

The overall master plan for the elimination of existing problems is to replace the existing precast concrete panel system with a new light weight, low profile aluminum roofing system. Prior to the installation of the new aluminum system, the internal structure will be rehabilitated by coating all exposed rebar and repairing the concrete structure that will ultimately support the new aluminum roofing system. We also intend to rehabilitate and repair the internal piping components, valves, and ladders during this process as well.

The total estimated cost for this project is \$2,875,000. Of this we anticipate spending \$200,000 in the upcoming fiscal year, primarily for engineering and plan preparation.

This Completed the Presentation of Proposed Projects

Manager Miller stated to Mayor and Council that this concluded the Departments proposed capital projects and budget presentations and asked that they please consider the First Reading of the proposed DPU budget as presented for Fiscal Year 2013-2014. He asked again if there were any questions.

Mayor Miller presided over the First Reading of Ordinance No. 2013-9 to Adopt a Budget for the Operation of the Department of Public Utilities for the City of Orangeburg, State of South Carolina for Fiscal Year October 1, 2013 through September 30, 2014.

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Haire, to accept the First Reading of an Ordinance to Adopt the 2013-2014 Annual Budget for

the Department of Public Utilities for the City of Orangeburg. The motion was approved unanimously.

Councilmember Keitt: Tommy, I would like to commend you and your staff for the work that you are doing - continue to do it for us - I we appreciate all that you are doing.

Manager Miller: Thank you.

Mayor Miller: ²²⁸⁶ What we have going on is very good and these projects should move us into a new era and we look forward to seeing DPU continue to be the leader that it is. Again, Mike, I want to commend ya'll, because that is not a money making thing, like selling electricity, gas, water or wastewater, but it is an essential part of making a business run and if they don't watch those p's and g's these other components will not work.

He asked for a motion to adjourn if there was no further business.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt to adjourn. The motion was unanimous.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Becky A. Austin
Secretary to Manager
Department of Public Utilities



RESOLUTION

RESOLUTION OF CITY COUNCIL TO SET SUBURBAN FIRE PROTECTION RATES AS AUTHORIZED UNDER SECTION 18-4.2 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG SOUTH CAROLINA

WHEREAS, the City of Orangeburg, South Carolina provides fire protection and other related services to the suburban areas outside the city; and

WHEREAS, a large Majority of the emergency calls are in the suburban areas; and

WHEREAS, the City incurs substantial costs in providing this service; and

WHEREAS, the City strives to maintain and improve its level of Public Safety services.

NOW THEREFORE, BE IT RESOLVED, that the Orangeburg City Council sets the rate for fire protection for annual suburban fire contract protection, effective 7-17, 2013, as follows:

SUBURBAN FIRE PROTECTION RATES

1.	1st house less than 900 square feet	\$ 94.50
	All other miscellaneous structures on same lot	\$ 65.00
2.	1st house 900 square feet to 1499 square feet	\$140.00
	All other miscellaneous structures on same lot	\$110.00
3.	1st house 1500 square feet to 2099 square feet	\$150.00
	All other miscellaneous structures on same lot	\$118.00
4.	1st house 2100 square feet to 2699 square feet	\$159.00
	All other miscellaneous structures on same lot	\$129.00
5.	1st house 2700 square feet to 3299 square feet	\$169.00
	All other miscellaneous structures on same lot	\$140.00
6.	1st house 3300 square feet to 3899 square feet	\$178.50
	All other miscellaneous structures on same lot	\$150.00
7.	1st house 3900 square feet and larger	\$189.00
	All other miscellaneous structures on same lot	\$159.00
21.	Single Wide Trailer or Mobile Home	\$100.00
22.	Double Wide Trailer or Mobile Home	\$142.00
23.	Mobile Home Park, Each Single Wide Trailer or Mobile Home	\$100.00
	Mobile Home Park, Each Double Wide Trailer or Mobile Home	\$142.00
31.	Apartments, Duplexes, Townhouses or Condominiums less than 900 Square feet	\$100.00
	All other apartments	\$69.00
32.	Apartments, Duplexes, Townhouses or Condominiums greater than 900 Square feet	\$140.00
	All other apartments	\$110.00
35.	Hotels, Motels or Rooming Houses	\$525.00
36.	Recycling Centers greater than two acres	\$1,575.00
41.	Vacant Lot or parcel not exceeding 5 acres	\$ 84.00
42.	Vacant parcels larger than 5 acres	\$128.00
45.	Business under 1500 Square Feet (Sq feet must be verified)	\$157.50
46.	Business 1501 – 10,000 Square Feet (Sq feet must be verified)	\$315.00
47.	Business 10,001 – 30,000 Square Feet (Sq feet must be verified)	\$420.00
48.	Business 30,001 – 50,000 Square Feet (Sq feet must be verified)	\$630.00
49.	Business 50,001 – 100,000 Square Feet (Sq feet must be verified)	\$840.00
53.	Mall, Shopping Complex or Strip Malls (each unit), Sq. Feet must be verified	
	Under 1500 Square feet (each unit)	\$157.50
	1500 Square feet or Larger (each unit)	\$367.50
54.	Storage Warehouse - up to 3000 square feet (Sq ft must be verified)	\$173.00
61.	Industrial, Manufacturing, Institutions under 100,000 Square Feet	\$1,706.00
62.	Industrial, Manufacturing, Institutions or Businesses over 100,000 sq. feet	\$2,567.00

63.	Hospitals	\$8,542.00
71.	Gasoline Service Stations and/or Convenience Stores	\$420.00
74.	Gasoline, Propane or other Fuel Bulk Plant	\$630.00
81.	Dumpster Sites (per site), or Manned Convenience Stations (per site)	\$157.50
82.	All Vehicle Fires	\$550.00

No contracts: When the Department of Public Safety responds to a residential call without a valid contract, the minimum service charge will be \$1,645.00 plus the price of the contract. All institutions, commercial, manufacturing, or business calls will be billed for actual costs with a minimum charge of \$1,645.00 plus the cost of the fire contract. Fire reports will not be issued until the service charge is paid in full.

DONE AND RATIFIED BY Council duly assembled this 17th of Sept., 2013.



Lawrence A. Minin
Mayor

Samuel Haire
Jandra P. Kuttis
Charles B. Bennett
Richard J. Steiner
Whitney Ferguson
Council Members

Attest:
Carroll W. Johnson
City Clerk

CITY COUNCIL MINUTES

September 3, 2013

2289

Orangeburg City Council held its regularly scheduled meeting on Tuesday, September 3, 2013, at 7:00 P.M., in Council Chambers with Mayor Miller presiding.

PRESENT:

Paul A. Miller, Mayor

Charles B. Barnwell, Jr.

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

Mayor Miller recognized students from Orangeburg Wilkinson High School.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the August 13, 2013, Special City Council Minutes as distributed. This was a 5-0-2 vote as Councilmembers Jernigan and Knotts abstained, as they were not present at the meeting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the August 20, 2013, City Council Minutes. This motion was unanimously approved.

Councilmember Barnwell asked to address Council. He stated, "Last Friday, I was headed to the Methodist Oaks. On Broughton Street, the train was across the tracks at the CSX crossing. The train kept going back and forth and for twenty-five (25) minutes blocking traffic. I have looked into the State Statute and a train cannot block the intersection for more than twelve (12) minutes."

Councilmember Barnwell made a motion, seconded by Councilmember Stroman, to authorize the City Administrator to write CSX and state that they are in violation of the State Statute and they will be fined if this continues. This motion was unanimously approved.

Dr. Eugene Atkinson presented a slide show to City Council on the history of Orangeburg.

City Administrator Yow informed Council, "There will be no changes in the Ordinance amending the Budget for the City for FY beginning October 1, 2012, and ending September 30, 2013, and we anticipate finishing the year with a balance of revenues over expenditures of \$117,748."

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Haire, to approve the Third Reading of an Ordinance amending the Budget for the City of Orangeburg, SC, for FY beginning October 1, 2012, and ending September 30, 2013. This motion was unanimously approved.

City Administrator Yow informed Council, "There will be no changes in the Budget Ordinance to raise revenue and to adopt FY 2013-14 Budget for the City. It is a balanced budget with General Fund revenues and expenditures totaling \$17,479,750. For the record, there is not a tax increase proposed in this Budget."

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for the City of Orangeburg, SC, for FY beginning October 1, 2013, and ending September 30, 2014. This motion was unanimously approved.

Ms. Kristina Thomas, Director of Community of Character, accepted the September Character Trait Proclamation, "Courage".

Assistant City Administrator John Singh addressed Council in regards to the First Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC Chapter XXIV, Table 1-Schedule of permitted and conditional uses, Sector 71, to permit an indoor shooting range.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Haire, to approve the First Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, Chapter XXIV, Table 1-Schedule of permitted and conditional uses, Sector 71, to permit an indoor shooting range. This motion was unanimously approved.

Councilmember Barnwell stated, "I have visited shooting ranges in Columbia and they are outstanding and safe, I recommend we pass this."

City Administrator Yow stated, "Prior to the next meeting for Second Reading of the Ordinance, proposed special conditions or exceptions will be brought back to City Council.

Mayor Pro Tem Haire made a motion to accept that the City would bring back these conditions and exceptions at the next meeting. This motion was seconded by Councilmember Keitt. This motion was unanimously approved

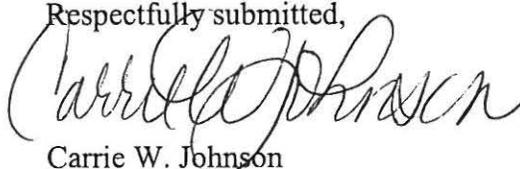
Tommy Miller, DPU Director addressed Council in regards to the Third Reading of the Budget for the Department of Public Utilities for FY beginning October 1, 2013, through September 30, 2014. He stated, "This Budget shows the income of \$97,403,873 with expenses of \$85,883,153 with a net profit of \$11,520,720 before transfers. This shows a 4.4% return on equity. This Budget does not require any rate increases at this time."

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the third Reading of an Ordinance to adopt a Budget for the Department of Public Utilities for the City of Orangeburg, SC, for FY beginning October 1, 2013, and ending September 30, 2014. This was a 6-1, vote as Mayor Pro Tem Haire opposed.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to enter into an Executive Session for (1) Economic Development -- location and expansion of industries and (2) Contractual Matter -- Spec Building, Orangeburg County/City Industrial Park. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk



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CITY COUNCIL MINUTES

September 17, 2013

Orangeburg City Council held a Public Hearing on Tuesday, September 17, 2013, at 7:00 P.M., in Council Chambers with Mayor Miller presiding.

The purpose of the Public Hearing was to receive comments on an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, Chapter XXIV, Article V. Table 1, Sector 71, Arts, Entertainment and Recreation and Article X, Section 24-10.7, Development Standards for conditional uses listed by Table 1, to permit indoor shooting ranges as conditional uses.

Assistant City Administrator Singh addressed Council in regards to the Proposed change to Zoning Ordinance and stated that the Ordinance has some fine tuning to be done prior to Third Reading. Mayor Miller then asked for comments.

Mr. Abe Salama, 1495 Hillsboro Road, addressed Council. "I am retired from SC State University and I understand and support wholeheartedly the activity and I feel that it would be a deterrent for people breaking into the businesses in the downtown area. The location is ideal and if classes were held during the day or night, this would be a deterrent for burglars on Russell Street."

Mayor Pro Tem Haire asked, "What type of firearms would be permitted in the facility?"

Attorney Ladson Beach responded, "It is designed for pistol shooting, there will be no automatic weapons or rifles allowed. This is set up in the criteria."

Mayor Pro Tem Haire asked, "In Section 2.02.5 in regards to no supervision for single users, what does that mean?"

Attorney Beach responded, "If a law enforcement officer came in, he would not need any supervision. A range control officer or safety officer would be present at all times otherwise; our number one focus is safety."

Mayor Pro Tem Haire asked, "In Section 2.03.1.7 concerning alcoholic beverages, is that allowed?"

Attorney Beach responded, "There would be no alcoholic beverages allowed."

City Administrator Yow asked Attorney Beach, "Since there is no alcoholic beverages allowed, would you be open to have that added to the Ordinance? I think that would go under the fine tuning that Assistant City Administrator Singh mentioned by adding it to the body of the Ordinance."

Attorney Beach agreed that anything that would add to the safety of the customers would be welcomed.

Mayor Pro Tem Haire asked, "In Section 2.03.5.1, it states member or membership, is this open to the public or is it just for members?"

Attorney Beach responded, "This is in regards to a 700 page manual, it would be a public range for use of the public or groups, there is no membership requirement."

Mayor Miller asked, "How many bays would it have?"

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Attorney Beach responded, "This is undetermined at this time, it could be up to ten, it would depend on the length and the market."

Mayor Miller asked, "What is the length of the lanes and what is to keep someone from shooting in the next lane?"

Attorney Beach responded, "Each lane is seventy-five (75) feet at the most and each lane is numbered along with the target. Each lane is surrounded by a barrier that is ten gauge steel which is under the normal criteria as stated in the manual. It will prevent stray shooting, but of course someone could shoot at another target. This will be monitored by the range."

Councilmember Jernigan asked, "Do you anticipate this being used for archery?"

Attorney Beach replied, "You could use it for archery, it would be more than adequate, but it is made for firearms and it would be too robust for archery; but it could be used for archery."

Mr. David Farr, 256 Wiles Street, addressed Council, "How much insulation is in the building? I live close by and I am worried about the noise."

Attorney Beach replied, "It will be steel reinforced and it is self-contained and air tight, you will be only able to hear very little sound, if any."

Hearing no other comments, the Public Hearing was closed.

PRESENT:

Mayor Paul A. Miller
Bernard Haire
Charles B. Barnwell, Jr.
Charles W. Jernigan
Sandra P. Knotts
Richard F. Stroman

ABSENT:

L. Zimmerman Keitt

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Haire, to approve the September 3, 2013, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Jerry Keitt, who was to be presented a Retiree Resolution, was unable to attend due to illness. Mr. Buster Smith, Parks & Recreation Director, made comments concerning Mr. Keitt.

Mr. Kevin Gantt of the SC Department of Transportation addressed Council in regards to the Russell Street and John C. Calhoun (US 33 & 301) intersection project and the Municipal agreement for the project.

He stated, "This project is something we have been working on for a few years. The project was identified by the Lower Savannah Council of Governments for safety reasons. They have funded it at an estimate for this project of \$1,000,000 which includes the design, survey, engineering and construction. We estimate that the preliminary engineering to be \$150,000, right of way fees are estimated at \$350,000 and \$500,000 for construction.

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Our schedule is to complete the construction by the Fall of 2014. We have completed the environmental paperwork. The Federal Highway Administration has approved the categorical exclusion or class of the document. We have also conducted a public information meeting on February 23, 2012. We had a robust turnout. We were able to do that and review the comments and incorporate it into the design. Subsequent to that meeting, we did a few small revisions to the design. Right now, we are ready to go to Right-of-Way Division, which is purchasing any property for the project and we are looking at twelve (12) months for that and looking for construction by next fall.

Our purpose for this intersection of improvement at US 33 and US 301, is basically going through the parking lot of Maurice's Barbeque. The scope of the project is to improve the safety of the intersection. When it was identified, we had high incidents of rear end accidents at the intersection. We will reconfigure that and create a stop position. By doing that, the drivers would have to stop on Russell Street approaching on US Highway 301. Right now, because of the geometry, people drive up, expect to merge and they can't and everyone behind them slams on the breaks and this creates unsafe conditions. Left turn lanes would be added to Highway 301. I noticed that once you turn onto Russell Street, the storage lane is not very deep, so when you have high volumes of traffic in the morning, it backs up into the middle lane. So adding a turn lane on 301 won't push back into traffic."

A map was shown of the location and a map of the proposed improvements. Mr. Gantt stated, "As you can see the traffic will turn at a 90 degree angle and stop and we think this is much safer. By creating a stop condition, you are coming and look out to oncoming traffic at a shorter angle. Now, at the existing condition, you have to pull up and look back over your shoulder. The LSCOG has several intersection improvement projects very similar to this all over the five or six county area. A lot of these older intersections come in at an awkward angle. What we are learning through the accident rates is, if you pull into a 90 degree angle and stop in either direction, it allows the driver to make a decision on whether to go or not and reduces the rear end accidents.

The next map is a little closer view of the proposed improvements. In the public information meeting, we found a monument and we wanted to avoid mitigation to the environment. If you notice on the map, a blue line is on the picture from the edge of the restaurant, we basically avoided the impact so that the monument wouldn't have to be relocated. We tweaked the drainage. These are the changes since we presented it to Council last.

The municipal agreement is standard policy for the Department of Transportation. Any project if we are in the City Limits of a jurisdiction, we have to come out with a municipal agreement so we are within the limits and for you to be aware of what we are doing so there is no conflict later on. There are certain legal items that we like to point out in these agreements. I will go through some of the highlights of this agreement. First of all, we are asking for consent for this project and to construct this project within your jurisdiction. The agreement gives us the right to waive certain ordinances that you would have for a contractor doing work, this would allow contractors that are approved by the State to come in and bid and give us a better price for the job. Some municipalities require a local business license and we would ask for those ordinances to be waived. We would also request the utility relocation within the right-of-way; we would ask the City's cooperation to get those moved within a timely manner. Another point is that there is a portion in the agreement that the City would take over the maintenance for the abandoned section of the right-of-ways. With this particular project, the SDOT would not abandon any right-of-way that we are going to have in the project. In the area hatched in pink, we are going to mill up those areas and later when the bridges are replaced, we will widen

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that to an acceleration lane. That project has been identified, but there is no funding, so it could be 10 to 15 years out. When that happens, the right-of-way will be in our inventory. It would not make sense to sell it and buy it back. So, that would not necessarily apply to this project.”

Mr. Gantt asked for questions.

Mayor Pro Tem Haire asked, “The amount is \$1,000,000, so basically the entities you would have to deal with is the City of Orangeburg and Bessinger’s, so would you be paying the City for any property that would be used?”

Mr. Gantt replied, “The \$1,000,000 is a budgeted amount that the LSCOG has identified. The City would be just like anyone else that we would have to pay fair market value.”

Mayor Pro Tem Haire asked, “Would the money be available if DPU had to relocate utilities, would DPU get paid?”

Mr. Gantt replied, “That is determined by prior rights, if the utility company is occupying that space before the Department built the road there, then it would be deemed that they would have prior rights and it would be at no cost for the utility company. Most of these are within the state’s right-of-ways, so it would be at the cost of the owner. We would be able to determine that once we move into the right of way phase. We send the plans to our District Office, they locate the utilities and they send a set of plans to each utility owner so that they can see where any conflicts are, so we work together to do that.”

Mayor Miller asked DPU Manager Miller, “What utilities would be affected by the Right of Way Change?”

DPU Director Miller responded, “Having not seen the detailed plans, I cannot answer accurately. But, looking at these plans, it looks like there are two gas mains on the Edisto Garden’s side and one sewer main on 301 and there appears to be a water tap at Bessinger’s. Without detailed drawings, I really cannot answer accurately.”

Mr. Gantt stated he would send DPU Director Miller those drawings.

Mayor Miller asked, “Have you thought about this before spending one million dollars on this project. Has any thought been given to abandoning that stretch of road and letting the traffic go out to Highway 301 by the Chamber by the stoplight to see if that would interfere with traffic?”

Mr. Gantt replied, “Our traffic study was performed and we looked at that option and the intersection at 301 by the Chamber and the way it comes in, that entire intersection would have to be realigned. So, that was not a viable option and if we did that, it would be considerably more than this proposal.”

Mayor Miller asked, “Who did your traffic study?”

Mr. Gantt replied, “Our traffic office performs those studies, I can provide those to you if you would like to have them for consideration before the municipal agreement is signed.”

Mayor Miller stated, “If you blocked off from the Chamber down Highway 301 and allowed no traffic on that small stretch, what kind of problem would it cause from a traffic standpoint.”

Mr. Gantt stated, “I have been down here in the evenings and what you find is that the traffic splits when it gets to that point. What would happen is that everyone would have to make a left turn and move the traffic across the bridge and also there is other traffic

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going across or to the left. What we would have to do is to reconfigure the entire intersection and allow turn lanes. Those improvements would be more costly and it may cause the left turn to fail at the gardens because you are turning everyone left.”

Mayor Miller asked, “I believe you said we would be responsible for the maintenance, I know you wanted to reserve some of the property for future use, what about the balance of the abandoned property?”

Mr. Gantt replied, “The only piece that I see that would come into our inventory is a stretch near the gardens. There may be another piece near the Maurice’s property that we would deem as an uneconomic remainder and until the appraiser would look at his property and see if that is not qualified to be used, then we will make an offer on that at fair market value.”

Mayor Miller stated, “I think that portion is mainly parking now, but I don’t know about the fall on that side of the building.”

Mr. Gantt said, “The building would be a take and the balance of the property would be a discussion with Mr. Bessinger. We wouldn’t need the entire piece, but if it isn’t a benefit to him, we have to offer him for the balance.”

Mayor Miller asked, “You are asking us to endorse the Resolution, what if we don’t endorse it?”

Mr. Gantt replied, “The balance of the funding would go back to Lower Savannah for another project. Their projects are already ranked so the money would just move to the next one on the list which would probably be in another area.”

Mayor Miller asked, “If we table this until we get a better idea of the costs, is that going to slow the project down?”

Mr. Gantt stated, “The projects that I manage, it is really not a requirement to get a municipal agreement until we move into construction. I feel that it is better to come out and speak to the municipality and get consent before we start purchasing right-of-way. It would really be a train wreck if we started purchasing right-of-way and we didn’t see eye to eye. In the properties that I manage, I like to come out and if we have conflict, we haven’t spent money on right-of-way.”

Councilmember Barnwell asked, “Would there be a traffic control device there?”

Mr. Gantt replied, “The traffic study did not warrant that during the construction project. What we did, is that once we pull the intersection into 90 degrees, it meets the geometric qualifications to put a light there. If it meets the warrants in the future, a light could be constructed there. Our engineer could put in signal poles there.”

Councilmember Barnwell stated, “I am concerned about someone running the stop sign.”

Mr. Gantt replied, “I would love for some money to fall out the sky and we could do the bridge and the intersection, but everyone’s money is running thin these days. We would like to see the ultimate. But for now, at the rate of the accidents, this would create a safer condition.”

Councilmember Jernigan asked, “Coming south off of 301, where will the traffic go and coming North also?”

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Mr. Gantt explained the improvements to the lanes of traffic and explained in detail on the map, the bridge, lanes of traffic and the movement.

Councilmember Jernigan asked, "There is not going to be a traffic light here at this intersection?"

Mr. Gantt responded, "Not at this time, but if it is warranted in the future, all that would have to be done is install the stoplight poles."

Mayor Miller asked, "Where are the accidents happening and how many have we had?"

Mr. Gantt replied, "They are happening at the end of Russell Street. I have sent the information to City Administrator Yow and I did not bring copies tonight. The accidents were very consistent rear end accidents. People cannot accelerate looking over their shoulder and then they have to stop and people behind are not stopping and rear ending."

Mayor Miller stated, "That is why I thought it would be a good idea to have people stop at a stoplight and then turn left or go straight just as an experiment."

Mr. Gantt stated, "The only thing about that is if we turn right here, the intersection does not line up. You not only have to account for those cars, but also the cars going through there already. That would have to be brought up to standards."

Mayor Miller asked Chief Davis about the accidents at the intersection.

Chief Davis replied, "I do not have that information with me, but I do know there is a frequency of accidents."

Mr. Gantt stated, "We have gone back to when we identified the project and it was over four or five years and the numbers are consistent."

Councilmember Jernigan stated, "Until we have some figures and know what it is going to cost the City, I am not ready to approve this. It looks like from the design, it is just going to make a bad situation worse and that is my personal opinion. With no stop light there, when those cars stop, they are going to have to make a left hand turn. That is not helping the situation at all. It is a trade off."

Mr. Gantt responded, "Our purpose was to stop the rear end accidents. We fulfilled the purpose and need with this design. To let it sit there and do nothing, we feel like from our study that this is our best fix to the project."

Mayor Miller asked if we could table this until we received more information.

Councilmember Jernigan made a motion to table this item until we received more information. This motion was seconded by Councilmember Barnwell and unanimously approved.

Councilmember Stroman asked, "Why can't we try the barricades for thirty days?"

Mr. Gantt responded, "We are afraid to put extra traffic on that intersection because we know what would happen."

Councilmember Stroman asked, "Try it for a week and take that money and fix other roads in the City."

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Mr. Gantt stated, "There are no professional engineers that would reroute the traffic in the other direction."

Mayor Miller thanked Mr. Gantt for answering the questions and will bring this item back to a future meeting.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg SC, Chapter XXIV, Article V. Table 1, Sector 71, Arts, Entertainment and Recreation and Article X. Section 24-10.7, Development Standards for conditional uses listed by Table 1, to permit indoor shooting ranges as conditional uses. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Haire, seconded by Councilmember Barnwell, to approve a Resolution for City Council to set Suburban Fire Protection Rates as authorized under Section 18-4.2 of the Code of Ordinances of the City of Orangeburg. The 5% increase was covered in the Fiscal Year 2013-14 Budget presentation and Public Hearing. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to adopt Nationally Recognized Codes and Standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60 and to repeal Sections 13-5.2, 13-5.3 and 13-5.4 of the Code of Ordinances of the City of Orangeburg. This motion was unanimously approved.

There were no utility matters brought before Council.

Mayor Miller stated, "First of all I would like to thank City staff for all their cooperation you have given me in the past eighteen years as a Councilmember and Mayor. I want to thank the Department of Public Utilities for all the cooperation that was given to me by that Department.

I just want to say that over the past eighteen years, Council has done many projects that we should be proud of. They are too numerous to name. I am proud of the streetscape that we have done at this point, which actually got started at the renovation of the downtown lot on the corner of Middleton and Russell Streets. It was a vacant lot where the Dime Store burned down, we were able to get about twenty entities to help with the revitalization of that lot, now known as the DORA Park. What has been interesting to me is that there has been no destruction of that property, it is respected. That was kind of the beginning of the streetscape. I was actually a part of the birth of DORA coming from the Chamber of Commerce Board.

We have built the Veteran's Park near the Chamber of Commerce which has been a long needed facility for our veteran's who had served in the armed forces and paid the ultimate sacrifice. This building that we are in, which was once a fire station and the courtyard outside is now beautiful. I am proud of what Public Safety has accomplished. The moving of Public Safety Headquarters downtown was a vision of my predecessor Martin Cheatham and this Council carried forth on it. Public Safety worked diligently to decrease the ISO rating from a 5 to a 3 which saves citizens a tremendous amount of money on their insurance premiums and saves lives and property. We are only one of 2,000 in the US that can boast of an ISO of 3. The accreditation of Public Safety is hard but reaccreditation is even harder and we have done that three times. We have had success with economic development and I point out the cooperation between the City and County with the development of the City/County Industrial Park and today, there has been over 1,000 new jobs created in that Industrial Park. The City was recognized by the Municipal Association of South Carolina for the cooperation between the City and County on that project. It is still in play and the Park has grown. That started with one

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80,000 square foot building between the City and County for a million dollars and our first tenant was Allied Air and today there are over five hundred people there and have over a million square feet. Some things that are on the horizon that you have agreed to is the City Gym and we are waiting until we get the last penny in when we build it on Broughton Street backing up to Mirmow Field. The plans are ready to go out for bid as soon as we get the penny in then we will be able to get that constructed. I have been working on something with Cox Industries for a long period of time and I think it is ready to come back to Council for approval. I talked to Cox CEO Mike Johnson and he stated I can divulge that information and we shall have a corporate headquarters downtown on Russell Street. One of the latest things that should be happening soon is adding a parking lot for our disabled veterans to visit the Memorial and that should be completed this fall. I want to say, let's continue to make it a great day in Orangeburg and I wish the Mayor Elect and the citizens of Orangeburg good luck. Thank you for letting me serve as your Mayor."

Councilmember Jernigan asked for a moment of personal privilege. He stated, "It's been a long sixteen years since I started on Council and the whole time you have been one of the best ambassadors to Orangeburg that we have had. You not only have been an ambassador to Orangeburg, but to the entire state. Being President of the Municipal Association put Orangeburg in the forefront that normally would not have been. All of the projects that you have mentioned under your leadership are projects that have furthered Orangeburg. It has been a pleasure working with you over these sixteen years, you and I have not always agreed on everything, but you and I have been friends for over forty years and friends may not always agree on everything. It has been a pleasure working with you and I will also say that I will pledge my support to the Mayor Elect and will work with him as I have worked with you for the betterment of Orangeburg and the citizens of Orangeburg and I wish you nothing but the best in the future. I won't be surprised if we don't hear from you down the road. God Bless you in your endeavors."

A motion was made by Councilmember Stroman, seconded by Councilmember Jernigan, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Carrie W. Johnson
City Clerk

/pfb



CITY COUNCIL MINUTES

October 1, 2013

2299

The Oaths of Office for Orangeburg City Council and Mayor were administered in Stevenson Auditorium on Tuesday, October 1, 2013, at 7:00 P.M., due to a large crowd attending. Mayor Pro Tem Haire called the meeting to order. An invocation was given by Reverend Haynes T. Gainey Jr., and the National Anthem was sung by Ms. Kristen Jamison. The Oaths of office were administered by Judge Pandora Jones Glover to, Councilmember Charles B. Barnwell, Jr., Councilmember L. Zimmerman Keitt, Councilmember Richard F. Stroman and Mayor Michael C. Butler.

The regularly scheduled meeting was immediately following in the Council Chamber Building (next door) with Mayor Butler presiding. An invocation was given by Roger Brant, City Service Department Director.

PRESENT:

Michael C. Butler, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

Councilmember Barnwell nominated Councilmember Charles Jernigan to serve as Mayor Pro Tem. Councilmember Haire made a motion that the nominations be closed and Councilmember Jernigan be elected to serve as Mayor Pro Tem. This motion was seconded by Councilmember Keitt and unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the September 17, 2013, City Council Minutes. This was a 5-0-2 vote as Mayor Butler (newly elected Mayor) and Councilmember Keitt abstained as they were not present at the last meeting.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Jernigan, to approve the Third Reading of an Ordinance to amend the Zoning Ordinance of the City of Orangeburg, SC, Chapter XXIV, Article V, Table 1, Sector 71, Arts, Entertainment and Recreation, and Article X, Section 24-10.7, Development Standards for conditional uses listed by Table 1, to permit indoor shooting ranges as conditional uses. This motion was unanimously approved.

Councilmember Barnwell asked if there were any changes. Assistant City Administrator Singh replied none other than what was asked for previously.

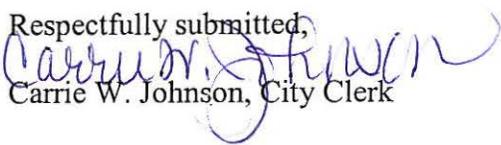
A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to adopt Nationally Recognized Codes and Standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60 and to repeal Sections 13-5.2, 13-5.3 and 13-5.4 of the Code of Ordinances of the City of Orangeburg. This motion was unanimously approved.

There were no utility matters brought before Council; however, Department of Public Utilities Manager Tommy Miller presented Councilmember Bernard Haire with a twenty-five (25) year service pin.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson, City Clerk





RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO CONTRACT WITH N. HARRIS COMPUTER CORPORATION IN THE AMOUNT \$5,993,537.00 FOR THE PURCHASE AND IMPLEMENTATION OF UTILITY SOFTWARE.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received a final proposal on August 19, 2013 for the purchase of utility software; and

WHEREAS, the low responsive, responsible proposal for this work was submitted by N. Harris Computer Corporation in the amount of \$5,993,537.00;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Orangeburg duly assembled and by authority of the same, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities is hereby authorized to accept after all contract documents have been approved by the City Attorney the low responsive, responsible proposal of N. Harris Computer Corporation in the amount of \$5,993,537.00; and

BE IT FURTHER RESOLVED, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities, is authorized and he is hereby directed to execute the contract documents in said amount and as approved by legal counsel with N. Harris Computer Corporation on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 15 day of October, 2013.

Michael C. Butler
MAYOR

[Signature]
[Signature]

Charles B. Bramwell

[Signature]

[Signature]

[Signature]
MEMBERS OF COUNCIL



ATTEST:

[Signature]
CITY CLERK



RESOLUTION

A RESOLUTION SUPPORTING RESIDENTIAL AND MULTI-UNIT HOUSING FOR THE CITY OF ORANGEBURG.

WHEREAS, the City of Orangeburg adopted its most recent Comprehensive Plan which included the required Housing Element on May 16, 2006, and

WHEREAS, a goal of said Element was to increase the supply of affordable housing and assisted housing, and

WHEREAS, in achieving said goal the Element recommended that such housing be located on “scattered sites” as opposed to “project settings”, that such be designed for compatibility for the purpose of blending with proposed surroundings and that such housing be geographically dispersed to provide for “locational preference”, and

WHEREAS, said Element recommended that the City continue participation in various federal and state housing assistance programs as a means of increasing the supply of affordable housing, and

WHEREAS, by City Ordinance No. 2008-17 dated December 16, 2008 the below described property was annexed into the corporate limits of the City of Orangeburg and zoned as A-2, Multi-Unit, Residential, along with other properties zoned A-1, Single-Unit Residential and O-I, Office Institutional – Residential, and

WHEREAS, said annexation and zoning were in furtherance of the Housing Element of the above mentioned Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Orangeburg duly assembled that the annexation of the below described property, the zoning of said property as A-2, Multi-Unit, Residential and the development of said property with federal and/or state housing assistance is in furtherance of the goal of the Housing Element of the Comprehensive Plan of the City of Orangeburg.

DESCRIPTION OF PROPERTY:

All that certain piece, parcel or tract of land with buildings and other improvements thereon, situate, lying and being in Orange Township, Consolidated School District 5, County of Orangeburg, State of South Carolina, containing 7.27 acres and being set forth and shown on a Topographic Survey thereof prepared for Steve Patel by Edisto Engineers and Surveyors, Inc., dated December 18, 2007 and recorded in the Office of the Register of Deeds for the County of Orangeburg, State of South Carolina in Cabinet D95 at page 2 and having the following boundaries and measurements: North by property of Julia S. Wannamaker 226.98 feet; Northeast by property of Barbara K. Moorer 806.07 feet; East by property of American Tower Systems 185.4 feet, 12 feet and 228.50 feet; South by property of Glenfield Limited Partnership 483.60 feet and 172.94 feet; and West by property of Glenfield Limited Partnership 288.28 feet, the right of way of Columbia Road (US Route 21) and measuring thereon a total distance of 399.32 feet and property of Julia S. Wannamaker 89 feet.

Being the same property conveyed to Julia S. Wannamaker by Deed of Distribution of the Estate of Dewitt H. Wannamaker, Sr., dated February 25, 2000 and recorded in said Office of the Register of Deeds in Deed Book 799 at page 78.

RESOLVED BY City Council duly assembled this 5th day of November, 2013.

Michael C. Butler
MAYOR

Paul Hair
Donna R. Kates

L. Zimmerman Keitt
Richard J. Stone

Charles B. Bannock

Paul D. ...
MEMBERS OF COUNCIL



ATTEST:

[Signature]
CITY CLERK

City Council Minutes
October 15, 2013

2301

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 15, 2013, at 7:00 P.M., with Mayor Butler presiding. An invocation was given by Mayor Pro Tem Jernigan.

PRESENT:

Michael C. Butler, Mayor

Charles B. Barnwell, Jr.

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

Mayor Butler gave recognition to several ladies in the audience from Orangeburg County Leadership and thanked them for attending.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the October 1, 2013, City Council Minutes as distributed. This motion was unanimously approved.

Mayor Butler asked Thomas Washington, DPU Retiree, and his family along with DPU Manager Tommy Miller to come forward. Mr. Washington was presented with a Retiree Resolution and a gold watch for his twenty-seven years, ten months and twenty-three days of service to the Department of Public Utilities. DPU Manger Miller thanked Mr. Washington for his many years of service.

Mayor Bulter asked for Ms. Norma Murdaugh and Ms. Evelyn Hubbard to come forward to speak in reference to Goff Avenue Parking.

Ms. Murdaugh addressed Council stating, "I am a third generation owner of property on Goff Avenue in Orangeburg SC. Having said that, I am deeply upset with the decision to limit the parking spaces in front of my home without any consideration to the person or persons residing on that street. There was not a Public Hearing on this matter. It is as though we do not exist. The decision was made and we are supposed to just adjust to the situation, like it or not. Well, we are not going to roll over and play dead and pretend that we like what has happened to our street because we don't. Things are to be done in order, which was not the case in this matter. This is not how business is carried out in the City of Orangeburg. If changes are being made a Public Hearing should be held and all persons involved should state their opinion. Not so in this matter. I am here to say that I would like to have the parking restored on Goff Avenue down to Clark Street so that I don't have to park in my back yard. Thank you."

Ms. Evelyn Hubbard stated, "I ditto Norma's concerns. She has been a Goff Avenue resident for 30+ years and at present we have no parking spaces, maybe one or two, and those are being taken by the University's faculty and students. Now we have no space for our guest or visitors. I would like to get some explanation as to why because yellow lines were painted in the space all the way down to Claffin campus. I think we should have gotten some sort of explanation as to why this happened."

Mayor Bulter thanked the ladies for their concern and stated that the City wanted to be good neighbors.

Mayor Pro Tem Jernigan asked if anyone had heard anything about it. He also asked if anyone on Council knew about it.

Councilmember Haire stated, "I heard about it when Ms. Murdaugh called to complain about the spaces and painting of the curbs. This is not the first time this sort of thing has happened. At least three to four years ago there were speed bumps put in the middle of Goff Avenue and it did not come through Council. We knew nothing about it until the speed bumps were placed on Goff Avenue and this is another example of when the public is not informed about what is happening. I had a meeting with one of the representatives of the University and the University informed me that because of safety reasons an easement was acquired and the City was asked to paint the curbs. At present there are students that park on Oak Street between US 601 and College Street so where is the concern as it relates to safety for these students. These students have to cross US 601. There are students that park on Oak Street that have to cross Boulevard and US 601 and there is no kind of concern expressed for these students that I can see. In talking with an official, I was told they were in contact with Ms. Murdaugh and she was informed she could use the parking lot across the street near her housing. It does not only affect the residents, South Carolina State University has the 1890 building that it is affected. You have the ROTC building that is being affected. You also have South Carolina State University Police Department that is affected by this. No one can park from 601 down to Clark Street. This has put a burden on the residents and no one seems to care. The analogy that was given to me by the representative of the University is that these spaces do not belong to the residents. If we, for safety reasons, eliminate all the parking spaces on Russell Street from Middleton to Broughton Streets because people have to cross the street for safety reasons, then we will have traffic go back down from Middleton Street to Elliott Street and this will impact those businesses on Russell Street from Middleton to Elliott Streets. The same analogy that is used for this can also be used to eliminate parking downtown for safety reasons if that be the case. I am just disturbed that we are not being informed or not made aware of what is going on and it seems as if we don't matter as Ms. Hubbard and others have stated. I do not think that is the way it should be. If the institution wants to do something then I propose that one side of Goff Avenue be yellow lined. If you can't get the whole loaf why not half a loaf. I have not gotten any response but think it was negative to that position. So we are asking for the community to be considered when decisions are being made, don't just ram it down someone's throat and then inform them later as to what is going on. That is not the proper way to handle it. If the institution wants to fix the situation then let the ones that have been affected by the elimination of those spaces park in that parking lot without any fee, if the goal is not to raise any additional monies. This is a suggestion. I hope that we as Council would send a strong message that the City needs to be considered, be a part of these decisions and the residents need to be a part of the decisions and we will not tolerate not being involved in the future. I think the Mayor mentioned that there will be a meeting to resolve this. I hope that we can resolve this and I hope that individuals don't plan to gloss over this because it is impacting more than just one entity, it is impacting the community."

Mayor Pro Tem Jernigan asked a question of City Administrator Yow. "I'm kind of confused, are we not suppose to be involved in a decision like this, we are left out of the loop?"

City Attorney Walsh stated that the municipality controls all parking on streets and highways within the City. The authority to govern parking is in the hands of City Council.” 2303

Mayor Pro Tem Jernigan asked if they should have consulted us for our consideration and consent before they talked with the Department of Transportation.”

City Attorney Walsh stated, “By statute we have the authority.”

Mayor Pro Tem Jernigan stated, I don’t think that they consulted us and that Councilmember Haire has a good point. We need to make sure this is not left undone or swept under the rug.

Mayor Bulter stated, “We are asking all parties impacted by this be brought to the table and informed as to a resolution for the situation.”

Mayor Pro Tem Jernigan stated, “Once these parties have met then it needs to come back to Council.

Councilmember Barnwell asked, “Who got the encroachment and who painted the lines.”

City Administrator Yow stated, “The City painted the lines because we were asked to by the University. The City thought the encroachment gave the University the authority to paint off the spaces.”

Councilmember Barnwell stated he didn’t think they needed a meeting, but just put the spaces back like they were.”

City Administrator Yow stated that if the City Attorney advises Council that we can paint back the spaces, we will with Council’s direction.”

Mayor Pro Tem Jernigan stated, “I agreed with Councilmember Haire and they needed to let the University know that is not the way things are handled in Orangeburg. Council is here to represent the citizens of Orangeburg and if they are left out of the loop that doesn’t happen.”

Councilmember Barnwell made a motion to paint over and put the parking spaces back on Goff Avenue as they were and Councilmember Haire seconded the motion. This was a 4-2-1 vote, as Councilmember Knotts recused, Mayor Butler and Councilmember Keitt abstained.

Assistant City Administrator Singh presented the Third Reading of an Ordinance to adopt Nationally Recognized Codes and Standards pursuant to SC Code Section 6-9-10 and Section 6-9-60 and to repeal Sections 13-5.2, 13-5.3 and 13-5.4 of the Code of Ordinances of the City of Orangeburg, SC. He stated, “This is to bring our codes up to the standard codes as stated by the State of South Carolina.

Councilmember Knotts asked if there were any changes from last reading and Assistant City Administrator Singh, replied no.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to adopt Nationally Recognized Codes and Standards pursuant to SC Code Section 6-9-10 and Section 6-9-60 and to repeal Sections 13-5.2,

13-2304 13-5.4 of the Code of Ordinances of the City of Orangeburg, SC. This motion was unanimously approved.

Ms. Dede Cook, Executive Director of the Chamber of Commerce, accepted the Character Trait Proclamation for October 2013, "Fairness".

Chief Wendell Davis presented information on a DUI Special Enforcement Grant. He stated, "The City has had this grant for a number of years. This is a continuation of the grant from last year. We have purchased equipment with the previous grant and this grant is primarily used for salaries and fringes. There will be slight equipment for presentation that will be purchased. This is a 100% grant with no match.

A motion was made by Councilmember Haire, seconded by Councilmember Stroman, to approve authorization for City Administrator Yow to accept the SC Department of Public Safety DUI Special Enforcement Grant in the amount of \$61,526 with no local match. This motion was unanimously approved.

Chief Davis presented information on the 1st Judicial Circuit Law Enforcement Grant. He stated, "This grant that supports the 1st Judicial Circuit, and is made up of Orangeburg, Dorchester and Calhoun counties. We are the host agency for the circuit which means we coordinate efforts for highway safety by awarding many small grants from the \$28,000. We get \$7,000 of the \$28,000 for equipment and highway safety. It is a 100% grant with no match."

Councilmember Barnwell asked what is the purpose of the grant?

Chief Davis stated, "Orangeburg County has been identified as one of the counties with the highest alcohol related accidents. The grants purpose is two-fold, to try to deter DUI driving, to increase highway safety and to increase seatbelt usage. The State separates the grants it has between the sixteen different circuits in the state. Because of participation in this grant we are eligible for other things. For example, at the latest meeting we won an additional radar unit which will be used to promote safety. If you meet all the parameters and go to the yearly meeting, we are eligible to secure additional vehicles. So there is an incentive program attached to this grant"

Councilmember Knotts asked, "Is there any type of educational advertising that went along with this grant."

Chief Davis stated, "There was a huge component of it and they try to have news releases."

Mayor Pro Tem Jernigan asked, "What type of equipment was purchased from these grants."

Chief Davis stated, "The black DUI vehicles, along with the equipment inside, were purchased from the grant and countless other equipment."

A motion as made by Councilmember Stroman, seconded by Councilmember Keitt, to authorize City Administrator Yow to accept the SC Department of Public Safety 1st Judicial Circuit Law Enforcement Network Grant in the amount of \$28,000. This motion was unanimously approved.

There were no matters pertaining to the Department of Public Utilities.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to enter into an Executive Session for contractual matters, (1) Sale and purchase of real property at 1099 Russell Street by Cox Industries, (2) Blue Cross Blue Shield, Near Site Clinic Administration and (3) Department of Public Utilities, Computer Software from N. Harris Computer Corporation. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Jernigan, for Council to return back into Open Session. This motion was unanimously approved.

Council returned to Open Session.

DPU Manager Miller stated, "Two years ago DPU started investigating new software. This is the software that literally runs the entire Department as far as billing, accounting, assets and customer service. The current software is over nineteen years old and we all know how computers and software changes over the years. This new software will allow us to do more things than we can do now. After many months we have narrowed the choice down to N. Harris Computer Corporation in the amount of \$5,993,537. This company has software that is used all over the United States and all over North America.

A motion was made by Mayor Pro Tem Jernigan, seconded by Councilmember Keitt, to approve a Resolution for the City of Orangeburg, Department of Public Utilities to enter into a contract with N. Harris Computer Corporation in the amount of \$5,993,537 for the purchase and implementation of utility software. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Duane Tarrant
Assistant City Clerk

/pfb



CITY COUNCIL MINUTES
November 5, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 5, 2013, at 7:00 P.M., with Mayor Butler presiding. An invocation was given by Dr. Hill from Claflin University

PRESENT:**Michael C. Butler, Mayor****Charles B. Barnwell, Jr.****Bernard Haire****Charles W. Jernigan****L. Zimmerman Keitt****Sandra P. Knotts****Richard F. Stroman**

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the October 15, 2013, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Jerry Hannah of 591 Summers Avenue addressed Council. He stated, "Thank you for allowing me the opportunity to speak to you tonight on District #3. This District runs from Green Street and the Sunnyside section all the way up to Ellis Avenue turns and goes down Chestnut and Columbia Road. Orangeburg is on the Right Track. The Department of Public Utilities is one of the best in the state. You turn the website on and it's there. Fire and Police give great protection. The City is clean and the tax rate is one of the best you can get. The citizens in District #3 have issues just like everyone else. If you look in all directions in District #3, you have grocery stores, oriental restaurants, pharmacies and the old mall is booming. There are so many dentist offices in that area, it is a blessing. If you take a ride on the City Transit and look, there are homeless people in this District. Some may say they are not sleeping in the streets. Some can be homeless within four walls, some rent and some own. I have been asked, where do you present yourself? You come before City Council. I asked them who are some of the police officers or firemen and they cannot name any. No one stops to talk or look. Many of them can name those on the Sheriff's Office. Wi-Fi is here. District #3 is part of this community, we are on the right track, but sometimes we can't stay on the same track."

City Administrator Yow addressed Council and introduced Mr. Bill Owen, Orangeburg Green Affordable Housing Development, and stated that he was here before Council for an endorsement of a project for a 56 unit housing on property at 2574 Columbia Road. Council did endorse that project. That was last year's Federal Tax Credit grant application and it was not approved by State Housing and Finance and Council's endorsement does not carry over to this year. He is here to present it to Council again.

Mr. Owen stated, "We did submit our application in March this year. Across the state, there were sixty-five applications. It is a competitive business that we are in, the notifications came out in August and there were eighteen approved across the state. Our application had a perfect score. Unfortunately, it lost out on the fifth tie breaker concerning a desire of development in a revitalization area. We did not have that and we did not get the award. This is a new year. We have to do a new market study, environmental study and new drawings and engineering work. We believe in Orangeburg and our market study stated last year that there is a significant need for affordable housing that target up to 60% of the County median income. According to the estimate, it would take about six to nine months to completely lease the development. It is a fifty- six unit development which is eight (8) one bedroom units, thirty two (32) two bedroom units with two bath units and sixteen (16) three bedroom units with two bath units. It is a garden style development with a separate building for onsite management and a community center. The development is comprised of 75% brick and hardiplank.

This development would be adjacent to Glenfield Apartments. There are washers and dryers available as well as hook-ups in the units. Currently, we have sixty (60) tax credit investments in North and South Carolina. We own all of our units and have been in business since 1979. Every year, the application is tweaked some. One of the things that the application needs is services near the development. Today, I have been out to the malls, Historical Society and the South Carolina State University Museum and Planetarium. We will incorporate all of this in our application. I am asking you for two things. I am asking for a Resolution to support this area, it is not development specific. Since this area was annexed and what the Resolution indicates is that this area will support the housing need part of the consolidated plan for mixed use residential for single and multi-family. The second is a letter of endorsement of support, specifically for the development as you, the officials, supporting our application. That will help us in tie breaker #4 instead of #8 last year.”

Mayor Butler asked, “How will this affect Glenfield apartments?”

Mr. Owen replied, “We would be adjacent to them. They target a different tenant. Our tenants can earn up to 60% of the median income and Glenfield Apartments is federally subsidized. Their tenants are a different population. One of things we have to do is perform a new market study by a third party. This study looks at all the existing tax credit developments in the City and looks at market rate development and subsidized apartments. If the study was not as good as I said it was, we would not funded. They will not permit a new development to come in at the expense to the existing development. We just did one that is only seven to eight months old. This application will be submitted in March, so we will do one again in February.”

Councilmember Barnwell asked, “Is Mr. Marion Moore a partner in this?”

Mr. Owen replied, “He is just my real estate contact in this venture. He is representing us with the property owners. He is not a partner. He was the contact last time also. When I was looking for areas to consider, I went online and contacted him as to what I was looking for.”

Mayor Pro Tem Jernigan asked Mr. Owen to show the audience the Development and other developments in the state. Mr. Owen showed the audience displays of the proposed properties and others they own.

Councilmember Haire made a motion to approve the Resolution and send a letter of endorsement for the Development at 2574 Columbia Road, seconded by Councilmember Barnwell. This motion was unanimously approved.

Ms. Katrina Thomas, Executive Director of the Community of Character, accepted the November 2013, Proclamation, “Compassion”.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Resolution supporting Residential and Multi-Unit Housing for the City of Orangeburg and to send a letter of Endorsement. This motion as unanimously approved.

Councilmember Haire made a motion, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance amending Section 5-29, Titled “Weapons and Firearms” of the Code of Ordinances for the City of Orangeburg. This motion was unanimously approved.

City Administrator Yow stated, “The Ordinance is for the exchange of properties on corner of Broughton and Windsor Streets and Russell Street and \$75,000 for the First Citizens Bank building. The Department of Public Utilities and the City purchased the building in September of 2009 and it did have a tenant in the building who completed their lease and found another property after their lease was up. DPU used it for storage,

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but have addressed that need in another manner. We have been talking with Cox Industries about the trade of properties. We would be receiving property near the City parking lot known as the Mural Building on Russell Street and we would also receive 2.87 acres next to this bank building across from DPU, also plus \$75,000 in cash consideration. The community will be getting both properties up to code by removing those buildings on that property. We will be receiving two improved properties plus the cash. We would also be receiving a long standing corporation's headquarters into our downtown. When we make the exchange, Cox will be moving their headquarters into this bank building. We will not be closing on these properties until the other two properties are brought within code. We have been working on this about a year and we appreciate your patience."

Councilmember Stroman asked, "Wasn't something in the agreement that we would get first refusal if they decided to sell it?"

City Administrator Yow responded, "That is the plans."

City Attorney Walsh stated, "That is not in the Ordinance, it has not been finalized."

Mayor Pro Tem Jernigan asked, "When will they take occupancy?"

City Administrator Yow replied, "It would be after the first of the year. All the buildings would have to be removed from the other two properties. I believe they are getting a contractor to remove those buildings in November and December."

Councilmember Barnwell asked, "What about asbestos?"

City Administrator Yow replied, "That is a concern under their contractor doing the work. The City will receive the property code compliant."

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance to exchange the First Citizens Bank Building for properties located on Broughton and Windsor Streets and the amount of \$75,000. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a legal and contractual matter concerning the Department of Public Utilities Software Implementation Contract –Whitlock Consulting, LLC. This motion was unanimously approved.

Council went into Executive Session.

A motion was made by Councilmember Knotts, seconded by Councilmember Haire, to return to Open Session. This motion was unanimously approved.

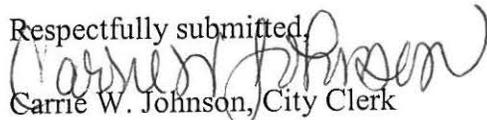
Council returned to Open Session.

Mayor Butler stated that Council would not be taking any action on Item 10, Department of Public Utilities Software Implementation Contract –Whitlock Consulting, LLC.

A motion as made by Councilmember Haire, seconded by Councilmember Keitt, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson, City Clerk





RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ENTER INTO CONTRACT WITH WHITLOCK CONSULTING GROUP IN THE AMOUNT OF NOT TO EXCEED \$1,332,800.00 FOR ASSISTANCE WITH IMPLEMENTATION OF UTILITY SOFTWARE.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received a final proposal on September 6, 2013 for implementation assistance service; and

WHEREAS, the low responsive, responsible proposal for this work was submitted by Whitlock Consulting Group in the amount of \$1,332,800.00;

NOW, THEREFORE, BE IT RESOLVED, by Council of the City of Orangeburg duly assembled and by authority of the same, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities is hereby authorized to accept after all contract documents have been approved by the City Attorney the low responsive, responsible proposal of Whitlock Consulting Group in an amount not exceeding \$1,332,800.00; and

BE IT FURTHER RESOLVED, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities, is authorized and he is hereby directed to execute the contract documents in said amount and as approved by legal counsel with Whitlock Consulting Group on behalf of the Department of Public Utilities of the City of Orangeburg.

RESOLVED BY City Council duly assembled this 3rd day of December, 2013.



Michael C. Butler

MAYOR

L. Zimmerman Kest

Chris J...

Richard J. Stone

Charles B. Barnisoff

Judith P. Quill

MEMBERS OF COUNCIL

ATTEST:

[Signature]

CITY CLERK



RESOLUTION

WHEREAS, the City of Orangeburg, South Carolina desires to increase economic competitiveness and stimulate private investment by revitalizing the downtown area of the City of Orangeburg; and,

WHEREAS, the City of Orangeburg, South Carolina is applying for a Community Development Block Grant for streetscape improvements in the downtown area of the City of Orangeburg; and,

WHEREAS, the City of Orangeburg, South Carolina must supply matching funds for a Community Development Block Grant application.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Orangeburg, South Carolina, in Council duly assembled, hereby has committed \$309,667 in matching funds.

PASSED BY the City Council of the City of Orangeburg, South Carolina, on this 3rd day of December, 2013.

Michael C. Butch

Mayor



Sam Haire

Sandra P. Kross

L. Zimmerman Keith

Richard A. Stone

Charles B. Bonnell

Chris Jones

Members of Council

Attest:

Candice Johnson

City Clerk



City Council Minutes November 19, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 19, 2013, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Hayes Gainey of Edisto Fork United Methodist Church.

PRESENT:

Michael C. Butler, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the November 5, 2013, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance amending Section 5-29, titled "Weapons and Firearms" of the Code of Ordinances for the City of Orangeburg, SC. This motion was unanimously approved.

City Administrator Yow stated, "The Ordinance is for the exchange of properties on the corner of Broughton and Windsor Streets and Russell Street and \$75,000 for the first Citizens Bank Building. We would be receiving property near the City parking lot known as the Mural Building on Russell Street and we would also receive 2.87 acres next to this bank building across from DPU, also plus \$75,000 in case consideration. The community will be getting both properties up to code by removing those buildings on that property.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance to exchange the First Citizens Bank Building for properties located on Broughton and Windsor Streets and the amount of \$75,000. This motion was unanimously approved.

City Administrator Yow addressed Council in regards to a Municipal Agreement from the South Carolina Department of Transportation (SCDOT) for the reconstruction of the intersection of John C. Calhoun Drive and Russell Street. He stated, "Mr. Kevin Gantt appeared before Council in September and the minutes are in the packet for you to review. At that time, Council asked many questions and received his report. Council did not take action on his request for a Municipal Agreement to be entered into by the City. Council asked for this to be brought back to Council and a sample Agreement is in your packet, the drawing of the proposed project and the minutes, as well as proposed costs from Department of Public Utilities (DPU) in the amount of \$35,600 from Mr. Tommy Miller. Also, included is an accident history on the intersection. Mr. Gantt has called to see if Council has come to a conclusion on the matter one way or the other."

Mayor Pro Tem Jernigan asked, "Have they considered any of our recommendations?"

2310

City Administrator Yow replied, "I have not received any proposed amendments to the property. I know one of the things was a traffic signal and rerouting straight out to Highway US 301 and turning right. Basically, they asked me to bring it before Council as it was presented last time."

Councilmember Haire stated, "I think in his presentation he addressed the problem with the rerouting on Highway US 301, that it would bottleneck."

City Administrator Yow replied, "I think it was all addressed in the minutes, it may not be enough to satisfy Council."

Councilmember Barnwell stated, "In my opinion, I think we are taking a less dangerous situation now and turning it into a worse situation. It is being proposed as a "T" intersection and where you will now have a nightmare."

Mayor Butler stated, "I believe we should go back and do a study for a traffic light there."

Councilmember Barnwell replied, "I thought he said one was not proposed."

City Administrator Yow replied, "He did say that at this time there was not one proposed. What you are saying is to ask if it has been reconsidered."

Councilmember Keitt stated, "They gave us a number of accidents there. My thought is to try something new and maybe it would eliminate some of the accidents we are having there. We certainly are in favor of eliminating accidents rather than continuing to have them. You never know how it is going to be until we try."

Mayor Pro Tem Jernigan asked, "If we rejected this, what happens?"

City Administrator Yow replied, "I think they could still do the project, but I doubt that they would. That is speculation on my part. What you are doing is rejecting the Municipal Agreement."

Mayor Butler asked if we could request a study to be done.

Councilmember Haire stated, "I think we are constantly kicking this ball down the street. I think we need to make a decision because he has been here at least two times and has talked about the need for this and the Highway Department has done the study. I think to delay this project may in essence cause this money to be shifted somewhere else. The Highway Department has come up with this proposal where their judgment is the best for this intersection and we need to stop kicking the ball around."

Councilmember Keitt stated, "I would just like to say that I have read in the minutes that if we do not agree with this proposal that the money would move on to the next project and we do not want them to do that."

Mayor Butler replied, "My question was how this will affect us in the future?"

City Administrator Yow replied, "I couldn't begin to answer that."

Councilmember Haire made a motion that the City move on with the Municipal Agreement with SCDOT. This motion was seconded by Councilmember Keitt. The vote was Councilmembers Haire, Knotts, Keitt and Mayor Pro Tem Jernigan, in favor. Councilmembers Stroman, Barnwell and Mayor Butler opposed. The motion did not pass.

City Administrator Yow asked Council to consider rescheduling the December 3, 2013, City Council meeting due to the “Messiah” being performed at the Stevenson Auditorium on the same date at 7:00 P.M. Last year, we rescheduled the meeting at a different time. If Council did reschedule this, we would ask that you reschedule the meeting for 12:00 Noon or 1:00 P.M., because we would still have a conflict with people coming in and setting up.”

Councilmember Barnwell asked, “I think we have to consider the final medical numbers in regards to Affordable Care and I don’t know if we will have much time.”

City Administrator Yow stated, “We do and that is one of the reasons I thought we would reschedule at 12:00 or 1:00 because it may be a two hour meeting. I know a lot of times

when we have a mid-day meeting it is relatively short. It may necessitate a special meeting also.”

Councilmember Barnwell stated, “I will have to check my calendar , but I think I may have a medical procedure that day.”

City Administrator Yow stated, “It doesn’t have to be on a Tuesday, the special meeting.”

Mayor Pro Tem Jernigan asked, “Why are we rescheduling again?”

City Administrator Yow stated, “Due to an event in Stevenson for the “Messiah”, but we don’t have to if Council wishes not to.”

Mayor Butler stated, “They have asked to use this building as a reception hall.”

Councilmember Keitt replied, “We did last year.”

City Administrator Yow stated, “We haven’t confirmed that and not if we have the meeting at the normal time.”

Mayor Pro Tem Jernigan asked, “I thought that we had agreed that this building would not be used for receptions and parties?”

City Administrator Yow stated, “This room here only, but we have not confirmed if they could use it.”

Mayor Pro Tem Jernigan asked, “Are we going to charge them if they do use it?”

City Administrator Yow stated, “No.”

Mayor Pro Tem Jernigan asked, “Why?”

Councilmember Barnwell asked, “Why, we would be setting an example that anyone that has a concert they could use Council Chambers.”

Councilmember Haire stated, “This is something that DORA is sponsoring and I think we need to support DORA in the best way we can.”

City Administrator Yow stated, “We have been a partner with DORA in presenting this to the community. We don’t even charge for the auditorium for that night because we are one of the co-sponsors.”

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Mayor Butler stated, "DORA is sponsoring the "Messiah".

Councilmember Keitt made a motion to reschedule the December 3, 2013, City Council Meeting to 12:00 Noon, seconded by Councilmember Haire. Councilmembers Haire and Keitt and Mayor Butler voted for the rescheduling and Councilmembers Barnwell, Stroman and Mayor Tem Jernigan voted against the motion. Councilmember Knotts abstained. The vote was 3-3-0.

City Administrator Yow stated, "There is no need to call me, I cannot change the meeting, it is Council's decision."

Councilmember Haire asked City Attorney Walsh if a Councilmember would need to recuse themselves from the vote.

City Attorney Walsh replied, "No, since there is not a financial interest."

Councilmember Haire asked that we reconsider the motion previously on rescheduling the Council Meeting. This was seconded by Councilmember Keitt. This was a 4-3 vote, as Councilmembers Stroman and, Barnwell and Mayor Pro Tem Jernigan opposed.

A motion was made by Councilmember Keitt to reschedule the December 3, 2013, City Council meeting at 12:00 Noon instead of 7:00 P.M., seconded by Councilmember Haire. This was a 4-3 vote as Councilmembers Stroman and Barnwell and Mayor Pro Tem Jernigan opposed.

Councilmember Barnwell asked, "What time will it be?"

City Administrator Yow replied, "12:00 Noon."

Councilmember Barnwell stated, "I have a medical procedure that day."

City Administrator Yow stated, "In your packet, there are several positions whose terms are expiring. Listed by those individuals is the District that they were nominated from. Individuals don't make appointments and nominations are provided by Council. Please take note if you have persons who were nominated from your District whose term is about to expire. If there is not a District by the name, it means they were nominated and appointed At Large. If there are Districts and one At Large, those are usually nominated by the Mayor. If you go to the Construction Board of Adjustments and Appeals, all of those are nominated At Large. I will point out to you that some of these Boards and Commissions must have backgrounds in certain fields. Most of these require the individuals to reside in the City. The Aviation Commission is an exception to that rule; they must reside in Orangeburg County. One that we do not have on the list that we will have for you at the December 3rd meeting, is the Accommodations Tax Committee. The state law is very specific in the background they must be from such as hospitality, lodging or tourism. I would propose nominations at the December 17th meeting."

Councilmember Haire stated, "Construction Board of Adjustments and Appeals that is another Board that may not have to reside in the City."

City Administrator Yow replied, "I will have to check the code, but you may be right."

City Administrator Yow stated, "If you could have nominations by December 10th for the City Council meeting on December 17th; however, you can make other nominations at the meeting."

First Reading of an Ordinance amending the existing Ordinance for flood damage prevention and to replace with definitions, policies and standards in conformity to the National Flood Insurance Program was postponed.

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

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to enter into an Executive Session for contractual and legal matters concerning acceptance of land for road construction and cost-sharing of construction contract costs – off North Road and Department of Public Utilities Software Implementation Contract. Council will not return to Open Session.

Respectfully submitted,



Carrie W. Johnson
City Clerk



pfb



A RESOLUTION AUTHORIZING A COST PARTICIPATION AGREEMENT WITH FORT MOTTE, LLC FOR THE CONSTRUCTION AND PAVING OF A ROADWAY TO AND FROM THE LANDS OF THE CITY OF ORANGEBURG AND FORT MOTTE, LLC

WHEREAS, the City of Orangeburg owns property designated generally as Tract A containing 131.74 acres, more or less, on a Concept Plan of Magnolia Village attached hereto as Exhibit "A", and

WHEREAS, Fort Motte, LLC owns lands generally set forth as Tract B containing 57.26 acres, more or less, on said Concept Plan, and

WHEREAS, the parties recognize that the construction of a roadway to and from their properties from U.S. Route 178 is beneficial to both parties and necessary for the development of both Tracts A and B, and

WHEREAS, the parties have agreed to share in the cost of the design, paving and construction of said roadway.

NOW, THEREFORE, BE IT RESOLVED, by the City Council duly assembled that John H. Yow, City Administrator is hereby authorized to enter into a Cost Sharing Participation Agreement with Fort Motte, LLC, a South Carolina limited liability company, for the purpose of design, paving and construction of a roadway sixty-six (66') feet wide, more or less, to and from the properties of the City of Orangeburg and across the properties of Fort Motte, LLC to U.S. Highway 178 and being highlighted in yellow on Exhibit "A" attached hereto. Costs and expenses of design, paving and construction shall be shared equally between Fort Motte, LLC and the City of Orangeburg.

BE IT FURTHER RESOLVED, that John H. Yow, City Administrator is hereby authorized to sign any and all other documents necessary to complete the construction of said roadway in compliance with this Resolution.

RESOLVED BY City Council duly assembled this 14th day of December, 2013.

Michael Butler
MAYOR

Benjamin Haire

Conda P. Krutts

L. Zimmerman

Richard A. Stone

Charles B. Bannwell

Chad Deagan
MEMBERS OF COUNCIL



ATTEST:

Carroll Johnson
CITY CLERK



City Council Minutes December 3, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 3, 2013, at 12:00 Noon, in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Harry McCutcheon of Trinity United Methodist Church.

PRESENT:

Michael C. Butler, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the November 19, 2013, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance amending Section 5-29, titled "Weapons and Firearms" of the Code of Ordinances for the City of Orangeburg, SC. This motion was unanimously approved.

City Administrator Yow stated, "This Ordinance is for the exchange of properties between Cox Industries and the City. We would receive properties located at (Broughton and Russell and Windsor that runs to Amelia Street and another property located on Russell Street) and 75,000 for the First Citizens Bank Building. We would be receiving property near the City parking lot known as the Mural Building on Russell Street and we would also receive 2.87 acres next to the bank building across from DPU, plus \$75,000 in cash consideration. The community will be getting both properties brought to code by the current owner removing the buildings on subject properties.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Third Reading of an Ordinance to exchange the First Citizens Bank Building for properties (Broughton and Russell and Windsor that runs to Amelia Street and another property located on Russell Street) and the amount of \$75,000. This motion was unanimously approved.

Assistant City Administrator Singh addressed Council concerning an Ordinance for flood damage prevention and to replace with definitions, policies and standards in conformity to the national Flood Insurance Program. He stated, "There may be a few additional changes to this Ordinance, which could be some updating of Federal and State regulations per City Attorney Walsh."

A motion was made by Councilmember Knotts, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance amending the existing Ordinance for flood damage prevention and to replace with definitions, policies and standards in conformity to the National Flood Insurance Program. This motion was unanimously approved.

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Mrs. Katrina Thomas, Executive Director of the Community of Character, accepted the December 2013, Character Trait Proclamation, "Virtue".

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve staff recommendations to the Accommodations Tax Advisory Committee to fill unexpired terms. Ms. Dede Cook was appointed to represent the hospitality sector and Mr. John L. Simmons representing the lodging sector. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve a Resolution committing to matching funds up to \$309,776 for a Community Block Grant application in the amount of \$500,000 for Streetscape project from Lowman Street to Boulevard Street. This motion was unanimously approved.

Assistant City Administrator John Singh stated, "This Streetscape will tie in to the other streetscapes that have been completed."

There were no utility matters brought before Council.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to enter into an Executive Session for a legal and contractual Matter concerning the Department of Public Utilities software implementation contract with Whitlock Consulting, LLC. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to return to Open Session. This motion was unanimously approved.

Council returned to Open Session.

DPU Manager Tommy Miller stated, "DPU went through the process, with your approval, to begin looking for a software company and also to contract with a company with implementation oversight. Bids were received and we are requesting City Council to approve the Department of Public Utilities to enter into a contract with Whitlock Consulting Group, LLC, in the amount of \$1,332,800 for assistance with implementation of utility software.

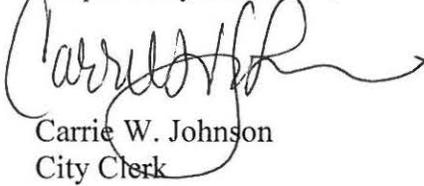
Councilmember Haire stated, "I am troubled about the process and I will be voting against the project."

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve a Resolution for the Department of Public Utilities to enter into a contract with Whitlock Consulting Group, LLC, in the amount of \$1,332,800 for assistance with implementation of utility software. This was a 6-1 vote, as Councilmember Haire opposed.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to adjourn. This motion was unanimously approved.

There being no other business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk



2314



City Council Minutes December 17, 2013

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 17, 2013, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Mr. Roger Brant, Director of City Service Department.

PRESENT:

Michael C. Butler, Mayor
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the December 3, 2013, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance amending the existing Ordinance for flood damage prevention and to replace with definitions, policies and standards in conformity to the National Flood Insurance Program. This motion was unanimously approved.

City Administrator Yow addressed Council. He stated, "An approval was needed for a contract with L-J Inc., for a parking lot at the Veterans Memorial in the amount of \$119,960. As Council knows, after the park was constructed, Council set as a goal to construct a parking area on that same side of the street so that elderly Veterans didn't have to cross the street. The drawing of the entire site is in your packet as well as the existing Memorial. It is not a large parking area. When we built the Veterans Memorial, we realized that the site required a lot of dirt excavation and bringing in more dirt and compact it. We will have the contractor time that in a manner to get the dry dirt in there. You have a bid tabulation sheet in your packet which ranges from \$119,960 to \$163,940. We have done reference checks on the contractor and we are pleased with the information received and this same contractor has done one job at the Airport for us in the past."

Councilmember Barnwell asked, "Why can't we save this money for some other project and have them utilize the Chamber parking lot?"

City Administrator Yow stated, "They do utilize it now, but that would be a question you would need to ask Council. Council issued a directive to move forward with this."

Councilmember Haire stated, "Lives are more important, you could have a Veteran cross the street and get hit."

City Administrator Yow stated, "The only thing I can say is the money was raised and appropriated and it was the understanding the money would be used for the parking lot. We have more than enough to cover this in the 1% Fund and the Hospitality Tax Fund."

Councilmember Keitt stated, "We have to look out for the elderly and we need to move forward with this."

March 2011

Mayor Butler stated, "How many handicapped parking spaces will there be." 2317

Mr. West Summers, architect for this project stated, "Two (2) handicapped with fifteen (15) total spaces."

A motion was made by Councilmember Haire, seconded by Council Keitt, to approve awarding a contract to L-J Inc., in the amount of \$119,960 for construction of a parking area for the Veterans Memorial Park. This was a 6-1 vote as Councilmember Barnwell opposed.

City Administrator Yow addressed Council. He stated, "As you know the city owns property off the North Road for a Recreational Complex. In your packet, is a Resolution in regards to splitting the cost of a road to our property off of the North Road. Fort Motte, LLC, and the City would split the cost of construction of the road and we would have permanent use of the road for the recreation area. A diagram is in your packet. We are talking about the City property behind Wal-Mart and Orangeburg Preparatory High School. Adjacent to the property is property owned by the YMCA. We discussed having another means of having an ingress and egress to that property. This would be an additional road that would cross Fort Motte, LLC, property to our property. In the agreement, we would have that the City would have a right-of-way for the construction of this road. Fort Motte, LLC, and the City would split the cost of the engineering and construction of the road. We would have permanent use of the road. One of the items I will point out, is that we have applied for Transportation Tax Fund monies and have been approved and this would go toward this and the remaining balance would be split. The engineer's estimate was around \$400,000, but this is not final due to the design. They are also willing to give up extra width at the entrance for turning lanes as well as a circle for delivery trucks which may add some cost to the road."

Mayor Pro Tem Jernigan asked, "Who is Fort Motte, LLC?"

City Administrator Yow stated, "The two partners are Johnny Evans and Marion Moore. It will be a commercial development."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve a Resolution authorizing a cost participation agreement with Fort Motte, LLC, for the construction and paving of a roadway to and from the lands of the City of Orangeburg and Fort Motte, LLC. This motion was unanimously approved.

Mr. Fred Broughton, Chairman of the Accommodations Tax Committee, presented the Committee's recommendation to Council.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the City Accommodations Tax Committee recommendations. This motion was unanimously approved. The following funding was approved.

Chamber of Commerce (Lead Agency)	\$5,600
Orangeburg Festival of Roses	\$4,000
Downtown Orangeburg Revitalization Association	\$2,500
Orangeburg County Fine Arts Center	\$1,000
City Parks and Recreation Department	<u>\$3,300</u>
TOTAL	\$ 16,400

A motion was made by Councilmember Barnwell, seconded by Councilmember Jernigan, to approve the following individuals to the Board of Zoning Appeals. This is a four (4) year term ending January, 2018. This motion was unanimously approved.

- Lucky Buck
- L. Hugh Smith
- Willie Brown

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the following individuals to the Construction Board of Adjustments and Appeals. This is a four (4) year term ending January, 2018. This motion was unanimously approved.

G. W. Berry
Louis Boone

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the following individuals to the Aviation Commission. This is a four (4) year term ending January, 2014. This motion was unanimously approved. This Commission does not require the individual to live within the City limits.

Reese Earley
Kevin Bell
Samuel Glover

Mayor Pro Tem Jernigan stated, "We took a member off of the Aviation Commission and put on a new one. Do we have information on him?"

Mayor Butler stated, "He is a retired Army pilot."

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the following individuals to the Planning Commission. This is a four (4) year term ending, January 2014. This motion was unanimously approved.

Guy Best
Bill Sandifer
Bill Barrett
Jesse Eargle
Don Tribble

There were no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Stroman, to enter into an Executive Session for a contractual matter concerning Blue Cross Blue Shield Health Services for TPA, and Healthstat, Inc., Near-Site Medical Clinic Administration. This motion was unanimously approved.

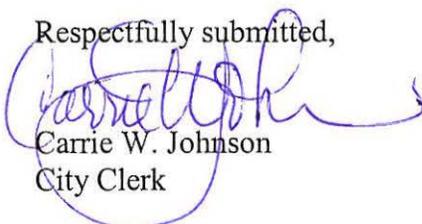
Council returned to Open Session.

A motion as made by Councilmember Keitt, seconded by Councilmember Haire, to authorize the City Administrator to enter into an agreement for Blue Cross Blue Shield for TPA (self insured). This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to adjourn. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

