

RESOLUTION

A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2014 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE

WHEREAS, by Resolution of Orangeburg City Council dated December 18, 2012 certain retirement and health insurance benefits of City employees were adopted; and

WHEREAS, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

WHEREAS, City Council has reviewed its present benefits and finds that for financial reasons it is now necessary to amend and change the present health insurance benefits provided its employees and retirees.

NOW THEREFORE BE IT RESOLVED, by City Council duly assembled this 7th day of January, 2014, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City (hereinafter referred to as "employees") as of January 1, 2014 to obtain health insurance benefits from the City are set forth and shown on Exhibit A attached hereto and made a part hereof by reference. Said health insurance benefits shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

BE IT FURTHER RESOLVED, that regardless of any prior review the health insurance benefits of employees shall be reviewed, established and defined annually by budget adoption during the adoption of the annual budgets of the City of Orangeburg and its Department of Public Utilities.

BE IT FURTHER RESOLVED, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

RESOLVED BY City Council duly assembled this 7th day of January, 2014.



Michael C. Butler
MAYOR

Ben Hays

Danda P. Kirtles

L. J. ...

Richard F. ...

MEMBERS OF COUNCIL

ATTEST:
[Signature]
CITY CLERK

A RESOLUTION OF SUPPORT OF THE MUNICIPAL ASSOCIATION'S 2014 LEGISLATION AGENDA



- BE IT RESOLVED**, 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 Municipal Association Board of Directors approved the 2014 legislative priorities that supports local elected leaders making decisions based on local needs and priorities; and,
- WHEREAS**, the four 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, providing quality transportation and infrastructure maintenance and increasing public safety are the four major legislative issue that local elected leaders determined can have the greatest impact on their hometowns; and,
- WHEREAS**, the priorities focus on fiscal stability, economic development, infrastructure and public safety that are important to cities and towns of all sizes and in all parts of the state; 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 affirms on this 21st day of January, 2014, its support for the Municipal Association's 2014 legislative priorities to encourage local decision making by the local elected officials that govern the state's 270 cities and towns.

DONE AND RATIFIED THIS 21st DAY OF JANUARY, 2014.



Michael C. Butler
MAYOR

Sam Hane
Doreen P. Qualls

Charles B. Bennett

L. Zimmerman

Paul Degan

Richard G. Brown
MEMBERS OF COUNCIL

ATTEST:
Carmel J. Hane
City Clerk



City Council Minutes January 7, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 7, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Councilmember Keitt.

PRESENT:

Michael C. Butler, Mayor

Bernard Haire

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

ABSENT:

Charles B. Barnwell, Jr.

Charles W. Jernigan

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the December 17, 2013, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the Third 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 is a state and FEMA document for flood map acceptance which affects flood insurance for Orangeburg. This motion was unanimously approved.

Ms. Kristina Thomas, Executive Director of the Community of Character, accepted the Character Trait Proclamation for January 2014, "Responsibility".

Mayor Butler read a Proclamation proclaiming January, 2014, as National Mentoring Month and expressing the City's support for Orangeburg School District Five Mentoring Foundation. School Superintendent for District Five, Ms. Cynthia Wilson, accepted the Proclamation along with other board members from School District Five.

City Administrator Yow presented to Council the name of Colonel Richard Leonard, nominated by Councilmember Stroman, to serve on the Construction Board of Adjustments and Appeals as an alternate. This is a four (4) year term expiring January 2018.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to appoint Colonel Richard Leonard to the Construction Board of Adjustments and Appeals as an alternate. This motion was unanimously approved.

City Administrator Yow presented to Council a Resolution to adopt health insurance benefits and rates for the employees and retirees of the City of Orangeburg effective January 1, 2014, and repealing any conflicting Resolution or Ordinance. The City will now be under a self insurance program.

A ~~motion~~ **2320** was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Resolution to adopt health insurance benefits and rates for the employees and retirees of the City of Orangeburg effective January 1, 2014, and repealing any conflicting Resolution or Ordinance. This motion was unanimously approved.

Department of Public Utilities Manager, Tommy Miller, nominated the following employees to the DPU Grievance Committee.

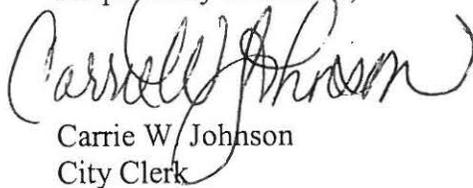
Brittany Garrick	Gas Division	January 2014 - January 2017
Reggie Robinson	Water Division	January 2014 - January 2017

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the above appointments to the DPU Grievance Committee. This motion was unanimously approved.

A motion was made by Councilmember Stroman, 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



/pfb



**A RESOLUTION TO DECLARE FEBRUARY 2014
AS "CITIES MEAN BUSINESS" MONTH**

WHEREAS, cities and towns are the economic engines of South Carolina; 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, success of the state relies upon the economic success and prosperity of hometowns; and,

WHEREAS, "Cities Mean Business" month celebrates that cities and towns are committed to a strong and positive relationship with local business leaders.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Council of the City Orangeburg, South Carolina, affirms on this day, February 4, 2014, its dedication to businesses that operate in this hometown and its commitment to the economic success and competitiveness of South Carolina and is proud to declare February 2014 as,

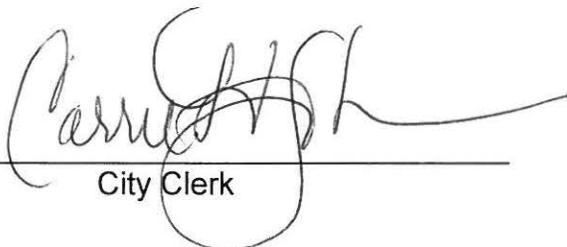
"Cities Mean Business Month"

in the City of Orangeburg.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 4th day of February 2014.

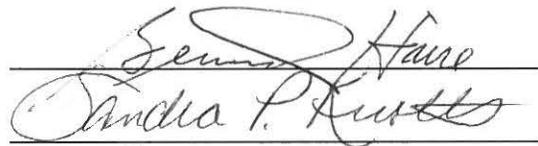


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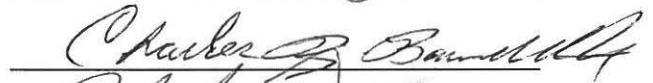


City Clerk

Mayor



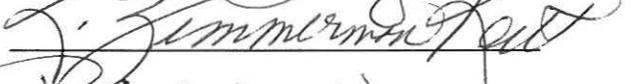
Sandra P. Kuyler



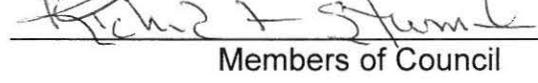
Charles B. Bannell



Charles B. Bannell



F. Zimmerman



Richard A. Stern

Members of Council



CITY COUNCIL MINUTES January 21, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 21, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Shane Stutzman from Northside Baptist Church.

PRESENT:

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

Mr. Andrew D. Jordan, Jr., Field Representative for U.S. Senator Tim Scott was in attendance and recognized by Mayor Butler.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the January 7, 2014, City Council Minutes, as distributed. This was a 5-0-2 vote as Councilmember Barnwell and Mayor Pro Tem Jernigan abstained, as they were not present at the meeting.

City Administrator Yow presented Council a Downtown Façade Improvement Grant Program for initial discussion. He stated, "No action is needed tonight. We have had a previous Façade Grant Program and we decided we would attempt another façade improvement grant program. We hope it will improve the appearance and spur economic development in the Downtown. There is currently \$50,000.00 appropriated. Council stated that we will start with this amount and see how successful it is. In the guidelines as they are set forth now, it is a \$10,000 maximum per building, per applicant and we would require a 20% match from the applicant and we would need to establish a committee of three to five persons to review applications. We don't need to put any of the downtown building owners on the Committee due to conflict of interest. We could put staff, Council Members or others from DORA. I would say five or three could constitute a quorum, if everyone couldn't attend. This is open for Council's review and suggestions. We have had a lot of volunteers over the years. I do plan on bringing this back at the next meeting for final approval to start the process."

Mayor Pro Tem Jernigan asked, "If a person applied last time and got the grant, is that person eligible this time?"

City Administrator Yow replied, "I would say yes, depending on if it was for additional work or improvement, but if they got it before and didn't maintain it, that will be something the Committee will need to take into consideration. In the guidelines, there are eligible and in-eligible items that are covered. We would not allow a person or applicant to be deficient in their licenses or taxes. We would give the applicant 180 days to complete the project. The area that we are talking about is the Russell Street Corridor as well as portions of Middleton and Broughton Streets; (map was shown) mainly the central business district. None of it is etched in stone yet."

Mayor Pro Tem Jernigan asked, "Does the applicant have to submit plans?"

City Administrator Yow stated, "Yes, they have to submit plans or sketches and we also have to have an architect to review them, if needed. There will be a point rating system for the applications."

Mayor Pro Tem Jernigan asked, "Can only building owners submit an application?"

City Administrator Yow stated, "They could and also the tenant with the owner's permission. I am also going to ask Attorney Walsh to look at the liens associated with any buildings."

Councilmember Barnwell asked if the Committee would have condemnation powers?

City Administrator Yow replied, "No, that would only be the City."

City Administrator Yow stated, "We will learn from this but I don't anticipate any major hurdles." Discussion on this agenda item was completed.

Mayor Butler nominated Lenard Huggins (At Large) for an appointment to the Zoning Board of Appeals.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the appointment of Lenard Huggins to the Zoning Board of Appeals. This is a four year term expiring January, 2018. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve a Resolution of Support of the Municipal Association's 2014 Legislative Agenda. This motion was unanimously approved.

Department of Public Utilities Manager Tommy Miller addressed Council concerning the adoption of new and amended water and wastewater rates for the Department of Public Utilities. He stated, "We are asking for your approval of Ordinance 2014-2 titled "Adopting New and Amended Water and Wastewater Rates for the Department of Public Utilities to be effective April 1, 2014. The last water and wastewater rate increases went into effect October 1, 2010, three and one-half years ago. These increases are needed to recover the increasing costs of water and wastewater treatment due to cover increasing regulations and the significant capital improvements that have been and are proposed for both the water and wastewater system. We are proposing to increase water rates by about nine percent (9%). This is all water rates involving all customer classes (residential, commercial, industrial and wholesale). A typical inside City residential water customer will see their monthly bill increase from about \$11.00 per month to \$12.00 per month (\$1.00 a month increase). The average in-side City residential water rates in South Carolina in 2012, was about \$25.00 per month. Even after the proposed DPU increase, residents of Orangeburg will still only be paying less than half what residents of other cities in South Carolina paid for water service on a monthly basis in 2012. A typical outside City residential water customer will see their monthly bill increase from about \$22.00 per month to \$24.00 per month, (\$2.00 per month). This compares to the state-wide outside city average of \$39.00 per month. We are also proposing a rate for rural water service to customers outside of the Department core service territory. A typical rural residential customer's monthly water bill will increase from \$23.00 per month to \$29.00 per month, still well below the state average for outside City customers (\$6.00 per month). On wastewater, we are proposing to increase wastewater rates by about thirteen

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percent (13%). This is all wastewater rates involving all customer classes (residential, commercial, industrial and wholesale). A typical inside City residential wastewater customer will see their monthly bill increase from about \$15.00 per month to \$17.00 per month. The average in-side City residential wastewater rate in South Carolina in 2012, was about \$33.00 per month. Just like the water rates, even after the proposed DPU increase, residents of Orangeburg will still only be paying about half what residents of other cities in South Carolina pay for wastewater service on a monthly basis. A typical outside City residential wastewater customer will see their monthly bill increase from about \$30.00 per month to \$ 35.00 per month. This compares to the state-wide outside City average of \$50.00 per month. While we never like to raise rates, these increases are needed to cover our increasing costs and the capital improvements that will allow us to serve our customers for the next two decades. The rates we are proposing are still among the lowest in South Carolina.”

Councilmember Barnwell stated, “I have got some heartburn on the increasing of rates in light of the economy today and people on fixed incomes. Is there any way we can address some expenses instead of burdening our citizens.”

DPU Manager Miller replied, “Unfortunately, these projects that are proposed are meeting the regulations as required by the Department of Health and Environmental Control (DHEC). Of course, our wastewater plant is thirty-five years old and we are looking at spending over twenty million dollars to upgrade that plant. At the water plant, the roof on reservoir #2 needs to be replaced, it was built in 1964. A lot of the infrastructure that needs to be replaced is legislative driven. Our expenses in wastewater have decreased \$115,000 over a three year period and in water, our expenses have decreased \$120,000 over a three year period. We have been prudent in our operations and rates are one-half what other cities are. Unfortunately, we don’t have a lot of choice.”

Councilmember Stroman asked, “What was the last increase?”

DPU Manager Miller responded, “It was 10% in 2010, about 3% per year. We are asking for 9% for 2014. We can then evaluate things in 2014 and see if we could possibly decrease the rates.”

Councilmember Stroman stated, “I have a problem with a rate increase. In operating a business, I know that overall you should be in the black on the bottom line. I have people complaining to me every day about water rates. A lot of businesses are struggling, some are closing.”

Councilmember Barnwell asked, “Have we lost customers?”

DPU Manager Miller responded, “We have shown a reduction in the number of customers in all divisions.”

Councilmember Barnwell stated, “What about the industries that are closing like Federal Mogul and other companies that recently closed?”

DPU Manager Miller replied, “We recently received some good news that Federal Mogul would not be closing until next year and they will still be around this year. Carpenter announced that they are closing and to our surprise they are actually putting in equipment and we may actually see an increase in service this year.”

Mayor Butler asked, "How would this affect you if this is not passed?"

DPU Manager Miller responded, "The water and wastewater departments will continue to lose money. They are in the red right now."

Councilmember Keitt stated, "We have been over this. We have talked about this. If you didn't go and sit in on the meetings, then yes, you have fifty million questions tonight. We went over this with a fine tooth comb. We knew this was coming. I talked to a group last Sunday and explained what has happened and they took it very good and that is what you are supposed to do with your constituents. Some of you should have gone out and talked to your people so they will know what is coming. This isn't new to us. Let's stop doing this in the public like you weren't there and asking all of these questions. We have been over this."

Councilmember Barnwell stated, "I pulled all my notes from last time and we have been over this, but I still have some concerns."

Mayor Butler stated, "We all have questions and so that we can be clear in answering the questions, because questions will come up, and we want to be sure in answering them."

Mayor Pro Tem Jernigan stated, "Ms. Keitt, I was at all of the meetings that we had and I understand where he is coming from, but that doesn't mean that I can't have a question at this time. I didn't get all my questions answered and if I did, I may not have remembered all of them. I kind of take issue in how you apply that to everybody and I don't particularly like it. I have a question for DPU Manager Miller, have we had a lesser demand on our water or a greater demand?"

DPU Manager Miller replied, "We have a lesser demand. Whether we are selling large volumes of water or not, we still have a treatment plant that we still have to maintain and pay depreciation on. There are a lot of expenses. I don't know an exact percentage, but I do know that there is lesser consumption."

Mayor Pro Tem Jernigan asked, "What can you attribute to this?"

DPU Manager Miller replied, "Some of that could be contributed to the wet summer we have had and the efficiency in plumbing fixtures such as showerheads and low flush toilets. In new homes, they are using less water and it is part of the government regulations to be more efficient."

Mayor Pro Tem Jernigan stated, "That is something we cannot do anything about. If revenues are down, we don't have as much money coming in and we have been losing money in the water department to begin with. We may lose more money that we have been. I can certainly understand why we need to increase the water rates and I agree that we need to look at everything we can to offset the shortage of revenue as well as looking at everything else."

Councilmember Haire stated, "I think we need to work together as in this country working together. I think there is going to be creations of more jobs, bringing in more people. This will help our problem, but until our economy gets moving on a more steady course, I don't see salvation as it relates to our plight here. I am like any other Council Member, I have to pay these rates also and I plan to support this."

DPU Manager Miller stated, "We haven't had any rate increases except in industrial gas and, I think in electric, it has been seven years and water and wastewater over three years and in residential gas probably five years. We are very aware in keeping our rates down and we work very hard in keeping our rates low. You reach a point where you have to ask for an increase sometimes just based on inflation."

Mayor Butler stated, "We are sensitive, but we understand."

Mayor Pro Tem Jernigan asked, "Are we losing any customers?"

DPU Manager Miller replied, "We are."

Mayor Pro Tem Jernigan stated, "That is what concerns me the most, why are we losing customers? That is something we need to address and look at, why are we losing these customers. If they are moving out, they are moving out of our service area. I think this is something that we, as a Council, should address and look at this. If we are losing customers, we are losing people and that is not good."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance for the adoption of proposed water and wastewater rates for the Department of Public Utilities effective April 1, 2014. This was a 5-2 vote, as Councilmembers Stroman and Barnwell opposed.

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

There being no further business the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

/pfb





A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT WITH ATTACHED PAYMENT SCHEDULE, PROJECT FUND 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 18th day of February, 2014, 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 Equipment as described in the Request for Proposal and Exhibit "A" attached hereto, in the amount of \$646,300.00 at an annual interest rate of 0.93% for three (3) years, by entering into an Lease Agreement with Branch Banking and Trust Company ("BB&T") as Lessor and the City of Orangeburg as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from BB&T (Exhibit "B"). 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 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 And Attest Agreement:

John H. Yow, City Administrator and Carrie W. Johnson, City Clerk

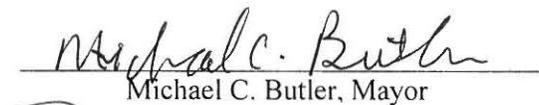
RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the rental payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United 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 that 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.

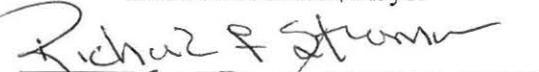
Passed by the City Council of the City of Orangeburg, South Carolina this 18th day of February 2014.



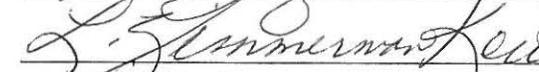
ATTEST:


Carrie W. Johnson
City Clerk


Michael C. Butler, Mayor











Members of Council



CITY COUNCIL MINUTES February 4, 2014

Orangeburg City Council held a Public Hearing Tuesday, February 4, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Councilmember Haire.

The purpose of the Public Hearing was for public comment on proposed water and wastewater rates for the Department of Public Utilities.

Public Hearing was opened for comments.

Mr. Mike Pooser of 4455 Cainbridge Drive, Orangeburg, addressed Council. He stated, "I wanted to address this issue. I realize that it does take a profit to run a business as I have been in business here in Orangeburg for thirty-nine and one-half (39½) years. A concern I have about the water rate is that I have been told that the Department of Public Utilities had a net profit of about \$10 million dollars last year. (DPU Manager Miller confirmed that before transfer.) I am concerned as when I drive around Orangeburg, I see businesses closing and buildings vacant. I was born here and I plan to die here. I think it is time for us to address this and I understand we need to continue making a profit. It bothers me when I see people leaving and going elsewhere. I ask you to reconsider this and postpone it with this economy like it is now, we don't need any increases. I talk to people every week that are having financial difficulties and are losing their jobs. It is a tough situation in our community. My understanding is that if you increase this percentage this year, what about next year? I understand that it is a good possibility that we are going to be faced with this for the next three years. Let's be honest with the public. Don't come here with an 8% to 9% increase and next year hit us again. Let's look at the whole picture and you decide whether or not you think it is fair, I certainly don't."

Councilmember Haire asked, "Mr. Pooser, you stated that businesses are closing and people are moving, do you think this is a direct correlation as it relates to the DPU rates?"

Mr. Pooser replied, "Honestly, it is a lot of different issues. One of them being the school system lacks some things, jobs are another. I see some of my customers live in other areas such as Lexington and Summerville, and drive back and forth to work here but are living elsewhere. Let's attract them and keep them in this community."

Councilmember Haire stated, "Are you aware of the fact that our rates are the cheapest rates around?"

Mr. Pooser replied, "I don't doubt that at all, I look at communities like Lexington that is growing with leaps and bounds and if we had some of that growth here, I'd be glad for you to triple my rates. We are in a depressed area."

Councilmember Haire stated, "If we had that kind of growth then it wouldn't be necessary to increase them. Because of these factors, we don't have that larger population and you said because of our school system, what are you referring to in particular?"

Mr. Pooser replied, "I just hear complaints about the school system. I go back to what I said earlier, if DPU had a ten million dollar net profit, I don't see the necessity to jack rates up this time. Look at it next year. All that I am asking is to reconsider what you are voting on."

Councilmember Barnwell stated, "I have already expressed basically what you said, not on the \$10 million dollar profit, but I feel the same way."

Mayor Pro Tem Jernigan stated, "I realize that DPU has several different departments. The water department is not making money. Anybody knows in business that when you have one area making money and one not, you take money from the one that is making money to support the one that is not. That can be done for a length of time, but when you factor in the case that we are losing customers for DPU, we may be losing electric customers as well. If we are taking money from the electric to run the water and we are losing electric revenue, we are going downhill from the get go. I hate anytime to raise rates, especially in the economy we have now. We have to do that now, it is you pay me now or pay me later. It could very easily be a bigger increase later than it is now."

Councilmember Keitt stated, "We thank you very much for coming. If we look at the overall picture, there are some areas that we are not bringing in enough funds to cover the areas we need to cover. We have to build up some things that have not been built up in a long time. Our rates are the lowest, those around us are higher. We have not raised the water rates in about three years. We know it is hard on everyone. We are going to have to really consider what we are spending money on and cut back. We aren't increasing it that much. We have to look at the big picture. Some may have to cut back; we have to pay it too. We are just hoping we can all get through it."

Councilmember Haire stated, "It has been stated that as Council Members, we have to endure these increasing rates also. I have been concerned because I have seen where in Columbia there is quite a bit of repairs to the water system there. It seems there are boil water advisories every few weeks. I have been concerned because I have seen ruptures here in Orangeburg. I have asked DPU to provide me with a printout of those ruptures within the last five years. It totals \$169,340. That tells me if we don't address these problems and provide DPU with funds to address these issues, then we are going to be in a similar situation as Columbia. I think citizens would think harsh of me if we don't do our due diligence to keep these systems up and running. It is not an easy thing for me to vote for an increase in rates. I want to be a good Councilmember and take care of the needs of the citizens, I feel this is needed. I appreciate the comments that were made, but this is something we cannot take lightly."

Councilmember Stroman stated, "I voted against it last time and in my district no one has said anything to me and I hope that I am taking everyone's interest at heart. I try to be fair to everyone. I will vote for an increase one time for one year and look at it again. I can't go along with three years, I am sorry."

Councilmember Barnwell asked DPU Manager Miller, "How old are our water pipes under the streets?"

DPU Manager Miller replied, "Some are from the 1920's, most are cast iron and old plastic pipe. Most of the breaks occur in the winter. Both are breaking."

Councilmember Barnwell stated, "That is what concerns me."

DPU Manager Miller stated, "We have to invest money in our infrastructure and replace what is needed or we will be behind the eight ball. There are areas where we need to replace pipe again. With improvements, there is a lot better PVC today than in the

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1960's. It is an ongoing problem. We have had some breaks over the last few weeks on Brookside and on Highway 4/400."

Hearing no further comments, the Public Hearing was closed.

Council entered into the regular scheduled City Council meeting.

PRESENT:

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

ABSENT:

Michael C. Butler, Mayor

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the January 21, 2014, City Council minutes as distributed. This motion was unanimously approved.

City Administrator Yow addressed Council in regards to adopting a Façade Grant Program. He stated, "This is a follow up to a program that was discussed in City Council's budget workshops and at the last meeting. It is our intent to offer incentives to spur economic development and invest in our downtown buildings to help create jobs and improve appearance. The program is a Façade Improvement Program. This is a program where a building owner could apply for a maximum of \$10,000 or a tenant with an owner's consent form. They would have to apply a 20% match. Someone could apply for \$1,000.00 if they just wanted to do a sign or awning. There are items that are eligible and some that are not eligible. The business must be up to date on all licenses and other taxes. They have to be an allowable use under the current code. The grant is funded on a reimbursable basis; we will not front people money to enter into a contract. The work would have to be done and inspected and reimbursed. I pointed out that we would propose a committee, it could be made up of City staff or DORA representative, and I would ask for Council to have some names. As Council instructs us to get three other people, we will. We have also come up with a name, Mr. Donald Jarvis, because he has some interest in architecture. We have to be careful not to appoint contractors or architects in case they would get some work from this. The applications are rated on a score basis."

Councilmember Haire asked, "In the document, it states remedy default and collecting any outstanding balances, is that a moot point? There shouldn't be any defaults because they would submit claims to the City?"

City Administrator Yow replied, "What it is saying is that for a period of two years, they will keep up their building and the façade for two years."

Councilmember Haire asked, "I was reading some of the things that were eligible and I was concerned about the window bar removal. What is the thought process for this? I would think that window bars are a safety issue?"

City Administrator Yow replied, "They may need to remove the bars in case the windows are replaced. The bars are going to have to be removed to do that."

Councilmember Keitt stated, "If we find someone out of the City, is it ok?"

City Administrator Yow stated, "Yes, and we purposely didn't make it as strict as last time. We are experimenting. Vacant buildings are eligible as well."

Mayor Pro Tem Jernigan stated, "I know what we are doing is approving this program's guidelines, so we don't have to have three readings?"

City Administrator Yow stated, "No, once the guidelines are approved, it is then up to the committee. If it is successful, we may come back and tell you we need to extend the program. We will learn and may come back to you to appropriate additional funding."

Mayor Pro Tem Jernigan asked, "When do you anticipate on rolling this out?"

City Administrator Yow replied, "We are going to have to get all the committee positions filled. We have a few other things to check and I have asked someone with the Municipal Association of South Carolina (MASC) to come down and work with DORA to educate persons on other programs for tax credit. I think it will be 30-45 days before we are ready."

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve adoption of the Façade Grant Program. This motion was unanimously approved.

Ms. Katrina Thomas, Director of the Community of Character Program, accepted the Community of Character Proclamation Character Trait for February, 2014, "Perseverance".

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

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the nomination of Colonel Rick Leonard to the Aviation Commission. This is a four year term expiring January, 2018. This motion was unanimously approved.

(Note: Colonel Leonard was appointed at the January 7, 2014, City Council Meeting, as an alternate to the Construction Board of Adjustments and Appeals. He wishes to be removed from this Board and be appointed to the Aviation Commission. Mr. Samuel Glover resigned from the Aviation Commission due to his recent election to the Department of Transportation Highway Commission for the State of South Carolina by the General Assembly.)

DPU Manager Miller addressed Council asking for approval of the Second Reading of Ordinance 2014-2, titled "Adopting New and Amended Water and Wastewater Rates for the Department of Public Utilities to be effective April 1, 2014. He stated, "The last water and wastewater rate increases went into effect October 1, 2010, three and one half (3½) years ago. These increases are needed to recover the increasing costs of water and wastewater treatment due to ever increasing regulations and the significant capital improvements that have been and are proposed for both the water and wastewater system. We are proposing to increase water rates by about nine (9%) percent. This is all water rates involving all customer classes. On wastewater, we are proposing to increase rates by about thirteen (13%). This is all wastewater rates involving all customer classes. Like the water rates, even after the proposed DPU increase, residents of Orangeburg will still only be paying about half what residents of other cities in South Carolina pay for wastewater service on a monthly basis."

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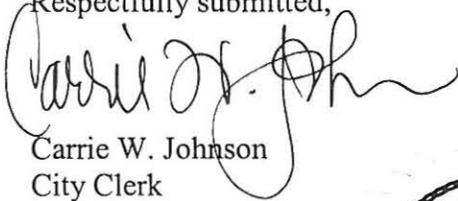
A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Second Reading of Ordinance 2014-2, titled "Adopting New and Amended Water and Wastewater Rates for the Department of Public Utilities to be effective April 1, 2014.

This was a 4-2 vote as Councilmembers Stroman and Barnwell opposed.

A motion was made by Councilmember Haire, seconded by Knotts, to enter into an Executive Session for (1) Sale of Real Property on Stonewall Jackson Boulevard and (2) a legal and contractual matter concerning Russell Street property. Councilmembers Stroman and Keitt will not return to open session.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





2331

City Council Minutes February 18, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 18, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Nathaniel McMillan from the South Carolina Baptist Convention.

PRESENT:

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

ABSENT:

Sandra P. Knotts

Mayor Butler thanked all City employees, as well as the Department of Public Utilities, for their efforts during the ice storm and the cleanup.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the February 4, 2014, City Council Minutes as distributed. This was a 5-0-1 vote as Mayor Butler abstained, as he was not present at the meeting.

Mr. David Farr, of Wiles Street, addressed Council concerning the adoption of the proposed Department of Public Utilities water and wastewater rates. He stated, "I am always against increases of any sort. Mr. Yow explained to me in detail why the increase was necessary and I appreciate that. He explained why reserves were necessary for capital improvements. There are a lot of people that are on fixed incomes just like those sitting here in the audience. About 25% of their income goes to utilities. It bothers me to complain about DPU because I appreciate them and what Mr. Miller does. People are struggling to pay bills and you need to take that into consideration. There are a lot of low income residents in Ms. Knotts district and I feel there are probably low income residents in Mr. Haire's district. Consider them."

City Administrator Yow explained that the Palmetto Development Advisory Incubator Group wants to establish an eleven (11) person committee. He stated, "As you know they are located in the old First National Bank building on Russell Street. Three (3) people will need to be appointed from the City to be on this Advisory Council."

Councilmember Haire stated, "Since we just got the agenda packet, I feel we have not had the time to take this into consideration." He made a motion to bring this item back at the next meeting. This motion was seconded by Councilmember Barnwell. This was a 6-0 unanimous vote.

Public Works Director Bowden addressed Council in regards to the consideration of a rear loader sanitation garbage truck from Amick Equipment in the amount of \$196,977.14. He stated, "We use these trucks for ten (10) years on the front line and an additional five years as a backup. These trucks are dual steering and have a Pak Mor body on the back. This is a single source item; other cities usually get only seven (7) years out of these trucks and we are getting more. We typically use the same style of truck to standardize parts and use parts interchangeably. We have checked around to

other cities to make sure we are getting a good deal. The City of Clemson purchased this same truck in August of 2012, and it is competitive in pricing.”

Mayor Pro Tem Jernigan asked, “Is this the same truck that was on the lease purchase list?”

Director Bowden stated “Yes, it was budgeted at \$210,000.00 and it came in under that cost.”

Councilmember Barnwell asked, “How many trucks do you have now?”

Director Bowden replied, “We have four, two on the front line and two on the back. We generally run three trucks.”

Councilmember Haire asked “I understand the sole source, but have you investigated other cities to see what they are running in trucks?”

Director Bowden replied, “We have and most cities run a rear loader and running trucks with three (3) guys and we are only using two (2) guys with the lower body. We have always stayed on schedule except for the ice storm in 2004 and the ice storm in 2014.”

A motion was made by Mayor Pro Tem Jernigan, seconded by Councilmember Keitt, to approve the purchase of a sanitation rear loader garbage truck from Amick Equipment, Lexington, SC, in the amount of \$196,977.14. This motion was unanimously approved.

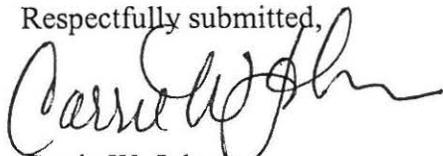
A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve a Resolution authorizing the execution and delivery of a Lease Agreement with payment schedule, Project Fund Agreement and related instruments with Branch Banking and Trust Company (BB&T) for three years in the amount of \$646,300.00. This motion was unanimously approved.

A motion as made by Councilmember Haire, seconded by Mayor Pro Tem Jernigan, to approve the Third Reading of an Ordinance for adoption of proposed water and wastewater rates for the Department of Public Utilities effective April 1, 2014. This was a 4-2 vote. Councilmembers Stroman and Barnwell opposed.

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,



Carrie W. Johnson
City Clerk

/pfb





2333

**City Council Minutes
March 4, 2014**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 4, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Lewis Ehrhardt of Northgate Baptist Church.

PRESENT:

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

Orangeburg Wilkinson High School's Government Class students were recognized.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the February 18, 2014, City Council Minutes as distributed. This was a 6-0-1 vote as Councilmember Knotts abstained, as she was not present at the meeting.

City Administrator Yow stated, "Agenda Item #2, Appointments to Palmetto Development Group Incubator Advisory Committee was tabled at the last meeting until this meeting. As you know, the Palmetto Development Group requested that City Council appoint three (3) people to their Incubator Advisory Committee. The City will have three (3) representatives on an eleven (11) member committee. I welcome your nominations for appointment."

Councilmember Haire nominated Dr. Gloria S. McCutheons. Councilmember Keitt nominated herself to serve. Mayor Butler nominated Dede Cook, Executive Director, Orangeburg County Chamber of Commerce.

Councilmember Haire stated, "Hearing no other nominations, I move that the nominations be closed and we appoint those stated. This motion was seconded by Councilmember Knotts and unanimously approved.

Dede Cook, Executive Director, Orangeburg County Chamber of Commerce accepted the March, 2014, Character Trait Proclamation, "Honesty".

Councilmember Haire addressed Council in regards to Legislative bills impacting on local government. He stated, "I am concerned that we are still having things put upon us with the State Legislature. We are supposed to cooperate under Home Rule, but it doesn't seem so. I have been here in Orangeburg all of my life. As I grew up, there were those in the Legislature who cried as it relates to the Federal Government imposing different types of Legislation that should have been state's rights. I am here to talk about what is happening as it relates to state government and local governments. When I was at the Municipal Association in February, it was brought to my attention that there was a proviso in the budget bill and the proviso states that all local elections be on the same day as the state elections. This is the proposed recommendation coming from the House. (*The Election Commission shall work with local entities to standardize all elections and in a valid referendum for dates across the state. Every effort should be made such that all elections should be held on the first Tuesday after the first Monday in November.*) I feel if we allow them to dictate this to us, what is next? We are

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supposed to have Home Rule and this to me is not Home Rule when they are dictating to us, how to do it and when to do it. Our system of elections has been without problems and I do not see any reason to change. I would hope that if they come up with some type of Legislation as it relates to mandating this particular proviso that they have attached to the budget bill and I would hope that we fight this. In addition, cities and counties could no longer charge a fee for those who use a credit card to pay property taxes. As you know, when businesses allow someone to charge an item in their place of business, they have to pay a fee for it to the credit card company. If cities and towns are to absorb this, I don't think it is fair. Here is another case in the State Legislature that they are mandating items to us and we don't have any input, it is unfair. That is why I have asked these items to be put on the agenda tonight for discussion."

Councilmember Jernigan stated, "One of the things that concerns me about this, especially the municipal elections, is that our election is non-partisan and if we hold the election on the same day there will be partisan and non-partisan elections. The next thing is that municipalities have to declare whether we are Republican or Democrat. I don't really have a problem with having elections on the same day, but I think there has got to be some kind of separation in partisan and non-partisan elections. I think if they did have the election on the same day, there will be a lot of confusion and I am not for it. It would save money if we did it all on one day, but I don't think it would save that much money. Then again, our terms are different than anyone else's. That means either we are going to have to change our terms or they are and you know who will have to, us. I am not for it and I think we should let the Legislators know we are not in favor of it."

"As far as the credit cards go, I know just like gas, there's a cash price and a credit price. All that is doing is charging the fee to the customer for the credit cards. Some of the businesses have to pay 3% to 4%. I think this law is stating that we could not pass the fee along to the customer; we will have to pay it so it would be a reduction in taxes. So, we would have to raise taxes to offset the fees. I think the State and Federal Government is inching their way in taking money here and there. We lose a lot of money to them. We only have so many ways to raise money and we cannot continually put the burden on the citizens in Orangeburg. I think they are interfering too much, I thought they passed Home Rule a long time ago."

Councilmember Barnwell stated, "I agree with you 100%. Since I have been on Council, the Federal and State Governments have been taking money from us and it is wrong. As far as the election, we have staggered terms and that is none of their business. I feel we should fight the Legislature or have someone to write our Legislature."

Councilmember Haire stated, "They are putting this as a proviso on the Budget Bill, this has nothing to do with the budget, to slip it in, it is criminal."

Councilmember Keitt stated, "I would like to see us meet with them to find out the plans to see what they are referring to in regards to the election. I would like to hear both sides; I cannot go against something until I can hear the plans they have for this."

Councilmember Barnwell replied, "We have heard their side. We need to reject any plan the state has."

City Administrator Yow stated, "As it stands now, the Election Commission will work with local entities to develop a plan to standardize all elections in the state. Every effort should be

made such that all elections should be held on the first Tuesday after the first Monday in November. This is the plan.” 2335

Councilmember Jernigan stated, “We talk about how we want to change things. It is an election year before long and we have fought time and again to preserve the right to vote and pick our Legislature. We can make our voices heard at election time as loud as anything.”

Councilmember Stroman stated, “I was at the same meeting and I agree that we shouldn’t change our election, if it isn’t broke, why fix it?”

Councilmember Barnwell stated, “If we are not careful, we don’t have to agree and it could pass.”

Councilmember Knotts asked, “Has this already occurred or is it still up for debate?”

City Administrator Yow replied, “No, it has not passed yet. Councilmember Haire just wanted to make Council aware of these items.”

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

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a contractual matter concerning sale of real property on Stonewall Jackson Boulevard.

Council will not return to Open Session.

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 1st day of April 2014.



Michael C. Butch
MAYOR

Barry Hane

Richard F. Strone

Liz Thompson Keit

Chris Siga

Charles W. Bennett III

Dimitra P. Pappas
MEMBERS OF COUNCIL

ATTEST:

Carrie Johnson
City Clerk



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO PARTICIPATE IN THE SOUTH CAROLINA LOCAL GOVERNMENT INVESTMENT POOL

WHEREAS, Section 6-6-10 of the 1976 South Carolina Code of Laws, as amended, provides for the establishment of a Local Government Investment Pool to be managed by the State Treasurer; and

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina has determined participation and investment of funds in said Pool pursuant to statute would be in the best interest of the Department of Public Utilities of the City of Orangeburg, South Carolina; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, that the Department of Public Utilities of the City of Orangeburg is hereby authorized to participate in the South Carolina Local Government Investment Pool for the purpose of investment; 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 documents and do all the things necessary in order to participate in said Pool.

RESOLVED BY City Council duly assembled this 1st day of April, 2014.

Michael C. Butler
MAYOR

Dennis Haire
Danda P. Krotter

Charles B. Beavelle
Lizimmeron Keith
Chris Joyce

Richard T. Hum-
MEMBERS OF COUNCIL



ATTEST:
Came H. 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 (the "City") 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 has determined that it is in its 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 Michael C. Butler, 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 \$27,454,700.00 to finance the costs of improvements to the 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 revenue of the City's Combined Utility System for repayment of the loan, such pledge and lien to be on a parity with other Bonds as such term is defined in a Bond Ordinance adopted January 20, 2004, providing for the issuance and sale of Combined Public Utility System Revenue Bonds of the City.
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 15th day of April, 2014.



Michael C. Butler
Mayor

Brend Haire
Dan P. Kutt

Charles B. ...

L. ...

...

Richard F. ...
Members of Council

ATTEST:
Carrie H. Johnson
City Clerk



RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIVE BID BY STATE UTILITY CONTRACTORS, INC. OF MONROE, NORTH CAROLINA IN THE AMOUNT OF \$22,897,000.00 FOR IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on March 4, 2014 for the improvements to the Wastewater Treatment Plant; and

WHEREAS, the low responsive bid for this work was submitted by State Utility Contractors, Inc. of Monroe, North Carolina in the amount of \$22,897,000.00,

WHEREAS, application has or will be made to the South Carolina Water Quality Revolving Fund Authority for a low interest loan from the Water Pollution Control Revolving Fund, which loan will provide the financing necessary to construct such improvements.

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 contingent upon receipt of funding from the South Carolina Water Quality Revolving Fund Authority, the low responsive bid of State Utility Contractors, Inc., in the amount of \$22,897,000.00 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 15th day of April, 2014.

Michael C. Butch
MAYOR

Benjamin Harris
Dandra P. Kirtland

Charles B. Sandberg

L. Zimmerman Kirtland

Chris Dugan

Richard S. Stone
MEMBERS OF COUNCIL



ATTEST:
Carrick Johnson
CITY CLERK



2336

**CITY COUNCIL MINUTES
MARCH 18, 2014**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, March 18, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Willie J. Heggins, II, Williams Chapel AME church staff.

PRESENT:

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

A motion as made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the March 4, 2014, City Council Minutes, as corrected. This motion was unanimously approved.

Ms. Deloris Frazier of 2689 Frazier Lane, Orangeburg, addressed Council in regards to rental fees of the Zimmerman Center. She stated, "The issue before you is a matter of life and death of the members of the Silver Slippers. We are trying to be pro-active with our health and set a better example for our families and community. This has been made easier for us with access to the facility for the last two years. Many of us in the group have had major health concerns such as knee and hip replacements, heart attacks, breathing complications, obesity, cancer survivors and others fighting health issues. Not only, does the Zimmerman Youth Center help us to remain active, but also the prime location allows many to walk to the Center. Many have no means of transportation. This gives more opportunity for the Silver Slippers to exercise on a regular basis. Many of us are on a fixed income and cannot afford luxuries. The use of the Center, free of charge, for the past two years has been helpful and appreciated. If there was a fee, the participation at the Center would be impossible for some. All that we ask is that we be grandfathered in, so we can continue to use the facility free of charge. This will ensure that all the gains we have made to have a healthy and social lifestyle will continue. We are asking that you support the matriarchs and patriarchs of this community. They are taxpayers and we want your support in this effort in order for us to be vibrant and healthy. The Silver Slippers show that they are striving for a good life and lifestyle by participating in exercise, fellowship and social interaction. We want you to join us. It would be a shame for Council to charge us a fee for the use of this facility. In conclusion, it would be disheartening for Council to remove this opportunity for many of our Silver Slippers to have mobility and support from our community. The Asian community is known for its revering and uplifting of its senior citizens as they are known as a representative of wisdom and life. Let's show support and good gesture and continue to let the Silver Slippers use this facility free of charge. In the words of Michelle Obama, Let's move, Let's Stay Healthy."

Councilmember Haire asked, "How many members do you have?"

Ms. Frazier stated, "There are 150 members on the roll, at least 50 show up each week."

Councilmember Barnwell asked, "Is there a fee to belong to the Silver Slippers?"

Ms. Frazier stated, "No, we use our own money to attend functions and participate in events. We use the facility one hour each Tuesday and Thursday."

Councilmember Stroman asked, "Do the Silver Slippers live in the City?"

Ms. Frazier stated, "Some do and some live in the County."

Councilmember Stroman asked, "Since you have been using it for free, how much do they want to charge you now?"

Ms. Frazier stated, "Twenty-five dollars (\$25) per day from 11:45 am to 1:15 pm each Tuesday and Thursday."

Mayor Pro Tem Jernigan asked, "Where did you go since you were not able to use the facility for free and did they charge you somewhere else? What is your reason for wanting to come back to the Center?"

Ms. Frazier stated, "No, they were not charging us. We are presently at a facility using it free, but we are told to put the tables and chairs back exactly like they were. They told us we are welcomed, but don't move anything and don't turn the music up. We feel we are not welcome there and our home is the Zimmerman Youth Center. We don't have any money."

Mayor Pro Tem Jernigan stated, "I am happy to hear that you feel the Zimmerman Youth Center is your home. Although, the money that is being requested doesn't appear to be substantial. According to your numbers, that would equate to about \$.50 per member per day. This is hardly anything to cover utilities, water, electricity, opening and closing of the facility. This is hardly anything. The City has a certain amount of maintenance to maintain that facility. This is more or less a token to help take care of expenses so you would have a place to use. If we let you use it for free, then we would have to let everyone use it free of charge. Then that means, we would have to increase taxes to cover these maintenance costs. Therefore, it would put pressure on all of the citizens. I just can't see where this is a substantial amount of money for the use of this City building."

Ms. Frazier stated, "Many of the people walk to the Center and are on a fixed incomes and they are scraping for money. Yes, we can find money for anything else and \$.50 may be a lot at some time."

Councilmember Keitt asked, "Was there ever a contract with the Recreation Department?"

Ms. Frazier stated, "None, and no one ever came to let us in. We came in and we left."

Mayor Butler stated, "As I understand, this arrangement was made prior with the former Director and I would want to take what you are saying under advisement and we will get back to you."

Mr. Clarence Jenkins Jr., of 945 Wire Road, Neeses, SC, addressed Council. He stated, "I would like you to know the Orangeburg Department of Public Safety is not operating in the best interest of the City. They have no oversight and I am determined to seek justice. I am not going to allow an agency who is supposed to protect me, to violate me. I will not be railroaded and I will seek a higher authority, if I have to. I am asking the Council for more oversight of the Department of Public Safety. You do your own investigation. I don't know if what happened to me, happened to anyone else, but I can tell you what happened to me was unjust and unnecessary."

Councilmember Barnwell asked, "How were you violated?"

Mr. Jenkins stated, "I was violated at a traffic stop, just look at the DVD from December 6, 2013. The officer was Trevor Hall and then pull the DVD of the Jury Trial of February 11, 2014."

City Attorney Walsh stated, "Mr. Jenkins was charged with going over the speed limit in a school district and was clocked by radar. It is on a DVR and he was found guilty by a jury. The proper procedure was to appeal that conviction at that time."

Mr. Jenkins stated, "This is not all true. After they came back with a hung jury they were told to go back and come back with a unanimous vote and due to the impending ice storm as a factor, they came back after twenty minutes with a guilty verdict. One of the jurors even told me that I

was not guilty, but said don't worry about it. I am here to seek justice. The officer lied in his testimony. 2338

Mayor Butler stated, "Council got the message for asking for more oversight at the Department of Public Safety."

Councilmember Haire asked, "Besides this body, who have you made a complaint to?"

Mr. Jenkins stated, "I have sent Chief Davis an email and made phone calls and I filed a citizen complaint with Captain Mike Adams."

Mayor Butler stated, "You have followed all the procedures and have talked to the City Administrator, so we are going to take this under advisement."

Ms. Anne Ross and Mr. John Creech with J.W. Hunt and Company, LLP, presented the FY 2012-13 audit. Ms. Ross stated, "I first want to thank the staff with their help with the audit. The opinion is on page 1 with a clean, unqualified opinion with the City. The governmental opinions, which are very long are next and then the management discussion and analysis are next for the City and DPU. The government wide financial statements are on pages 20 and 21 and they are full accrual, like a business. On page 23, are the governmental fund statements that are probably the ones you are most interested in, which is on the modified accrual basis. On page 25, is the statement of revenues and expenses and on page 33 start the notes. In the current year on the balance sheet, you are up \$1.3 million from the prior year. Your liabilities are up \$250,000 and your governmental fund balance has increased about \$964,000. On the income statement side, you are up \$121,000 in income and down \$254,000 in expenses and your overall governmental fund balance was up \$964,000. The Enterprise Funds follow the General Fund and one thing that I would like to call your attention to, is on the bottom of page 43, of the City and DPU's investments. You are pretty solid, cash wise, in the State Treasurer's Fund for the City and US Treasury Securities for DPU. Your capital assets are on pages 47 and 48, The City's total \$20,215,000 and DPU's total is \$213,646,832. On Page 50, is the long term debt, which is continuing to decrease. On page 55, you have big changes coming in 2015 in the retirement plan. The State has to do their report to show what the city's share is and the liability to pay the retirement in the future years. This has not had to be done in the past. The accounting standards have changed and we expect to enter another large liability like Other Post Employment Benefits (OPEB), this note is on page 10. The rate has slowed over the last three years. On page 62, is your budget to actual and pages 67-74 is a detailed budget. Finally, there is a single audit in the back due to Federal funds and two opinions in the back. We did not have any findings as it relates to the single audit."

Councilmember Barnwell asked, "In 2015, what exactly are you talking about?"

Ms. Ross replied, "You are going to have a liability that will hit your books. We won't know what it will be until the State Retirement system shows it in 2014. They have had three years to get it done. We think you are going to have a book a liability and incur an expense at least on the government wide statements."

City Yow asked, "If you are paying into their system and it is a liability, why would we put that on our statement?"

Ms. Ross stated, "They are making the local governments show their liability just like OPEB?"

Councilmember Jernigan asked, "Does it show up on their side as an asset?"

Ms. Ross replied, "No, it is not an asset on the state. It shows as a total liability on their side. You are going to have a liability for future payments."

City Administrator Yow stated, "What Ms. Ross is saying is that if we continue to offer state retirement then this is what it will require."

Mayor Pro Tem Jernigan stated, "How will that affect our budget?"

2339

Councilmember Barnwell asked, "Do we have any other options?"

City Administrator Yow stated, "You would still have the same liability on the books even with another retirement option."

Ms. Ross stated, "If there were any problems or issues, we would let you know and if there were any other audit findings or issues, we would let you know."

Councilmember Barnwell asked about cutting back expenses and the implementation of the new accounting standards.

Mr. John Creech addressed Council in regards to the DPU audit. He stated, "We have always had good cooperation with them as far as their audit and they are very easy to work with. If you look at the audit report, pages 1-3 are an unqualified opinion which is what you want. On pages 4-9 are the MDA and on page 10 are the financial statements and the statement of position. That lists your assets, which increased over \$6.5 million and over \$4.5 million in cash. Liabilities on page 11, went up about \$2.5 million and the net position changed by \$4.5 million. On page 13 and 14 are the statements of cash flows. Page 15 lists the significant accounting policies of DPU in which how revenues and expenses are recognized. On page 19 are cash and investments and on page 21 is a reconciliation of the listing of property, plant, equipment and the depreciation and amortization by division. On Note 4 on page 22, is the breakdown of inventories and page 25 is the retirement plan. On page 28 are the long term obligations.

Councilmember Keitt asked, "Since some of us have not gone through this, if we have any questions, can we call you?"

Mr. Creech stated, "I can come down or you can call me."

Councilmember Haire asked, "I'd like to ask staff that perhaps we need longer to review this material as we just got it Friday. We need to schedule this kind of presentation once we have the audit for at least a week or so."

Mr. Creech stated, "One of the things we were waiting on was the OPEB report and that took longer than usual."

City Administrator Yow stated, "We could put it on the agenda again if Council requests."

Councilmember Barnwell asked, "On page 11, it looks like the expenses seem to have gone up since 2011, is that a trend in the general economy?"

City Administrator Yow stated, "It would depend on the Department and what capital they are approved for in that year, like large pieces of equipment from one year to the next. If you look at all the departments, expenses in several have gone down."

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve the audit for Fiscal Year 2012-2013. This motion was unanimously approved.

There were no utility matters brought before Council.

Mayor Butler stated, "We are here for the people that elected us and we appreciate those who come to speak and feel comfortable in coming to talk to us. We are here for you and our role in this community is to try to work with you and I want to go on record that we are here for the people and our obligations in any matter."

Councilmember Haire stated, "In respect to that, I would also ask that the chain of command be followed also."

Page 5

A ²³⁴⁰motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for Contractual Matters concerning (1) Sale and purchase of real property at 1099 Russell Street—Cox Industries and (2) Purchase of real property, 1000 Block of Russell Street. This motion was unanimously approved.

Council will not return to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





**City Council Minutes
April 1, 2014**

2341

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 1, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Hester with Way of Life Assembly Church.

PRESENT:

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

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the March 18, 2014, City Council Minutes as distributed. This was unanimous.

Chief Davis with the Department of Public Safety recognized officers who received recognition at their recent Awards Banquet. Officer of the Year was Kevin Dukes, Engineer of the Year was Steven Murdaugh and those that received the Medal of Valor were: Hall Fischer, Jason Sturkie and Jordon Hawkins.

Ms. Christina Thomas, Executive Director of Orangeburg Community of Character, accepted the April, 2014, Character Trait Proclamation, "Cleanliness".

Assistant City Administrator Singh addressed Council in regards to Fair Housing Month and stated, "The City will be hosting a program on Fair Housing and Lending on April 23, 2014, at 5:30 PM in the City Council Chambers."

Councilmember Stroman asked, "Will this be in the newspaper?"

Assistant City Administrator Singh stated, "That it could be done."

City Administrator Yow addressed Council in regards to store front churches and stated, "That this has been an item of interest for quite some time and I was asked to bring it before Council for discussion as a collective body." He asked that Council decide how they would want to regulate store front churches either in all areas of the City or in the Downtown Overlay District.

Mayor Butler stated, "In order for the City to grow and bring in business to liven the Downtown and meet the needs of the citizens, we need to restrict storefront churches and not affect those already in place."

Councilmember Keitt stated, "I go to church a lot and I, too, think that we need to bring entities Downtown and to bring the economy into the Downtown District. We are not moving in that direction and we do not need any more downtown."

Councilmember Barnwell asked, "What about malls? I think there is one locating in the old movie theater."

City Administrator Yow stated, "That one is already going there, you would have to broaden your scope to all areas of the City."

Mayor Pro Tem Jernigan asked, "What about taxes and licenses?"

2342
City Administrator Yow replied, "They themselves do not pay taxes or licenses. If they own the building, we would not see any tax revenue. However, the property owner who rents to the church would have to have a business license for rentals."

Councilmember Haire stated, "I am opposed to extending it outside the Overlay District."

City Administrator Yow explained the Downtown Overlay District and what streets are affected with a detailed map shown.

Councilmember Haire asked, "If a storefront church is in the overlay district and they cease operation, can another church come in?"

City Administrator Yow stated, "If the church ceases operation, another church cannot come back in."

Council decided to regulate storefront churches in the Downtown Overlay District and asked that an Ordinance be brought back before Council.

City Administrator Yow stated, "For some time there has been discussion of the scheduling of the time for the Council meetings and I was asked to bring this up for discussion."

Mayor Butler stated, "I think before we speak we need to be considerate of those who work and who are not retired and our citizens."

Councilmember Keitt stated, "We are not here because of what we want, we are here for our constituents and our employees. Our meeting time is 7:00 PM and it could be earlier. If we have the meeting at 6:00 PM we could meet, and get out at a decent time and go home. This would allow citizens the opportunity to come to the meetings, if it were earlier and it was still light outside. I know it is light now, but once the time changes it is dark."

Councilmember Haire stated, "I am opposed to changing the time from 7:00 PM to 6:00 PM. Some of us are in our waning years and we need to attract younger people that work out of town. Those of staff who have to go home and change for an hour to go home is not fair."

Councilmember Barnwell stated, "I concur with Councilmember Haire. I work until 5:30 PM and then I go home and freshen up. People can come at 7:00 PM just as well as at 6:00 PM."

Councilmember Keitt replied, "You have to understand that some are working here already and cannot go home at all. We have to look at the whole picture so others can get home to their families also."

Councilmember Jernigan stated, "It doesn't make any difference to me. I can see Councilmembers Barnwell and Haire's position, but I think it needs to be a unanimous decision."

Councilmember Knotts stated, "At one time, I was the problem, the time couldn't be changed because I was working full-time. I may be transitioning from full time to retirement. The seven o'clock hour may cause a problem with me if things change at my employment. My preference is at 6:00 PM. I would prefer an earlier time. I will do my best to be here at 7:00 PM, if the meetings stay at that time, but it may not be possible all the time."

Councilmember Stroman stated, "I don't care when the meeting is, I think also that it needs to be unanimous."

Mayor Pro Tem Jernigan made a motion that we table this item until a later time and it was seconded by Councilmember Haire. The vote was unanimous.

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

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter pertaining to Dept of Public Utilities Third Party Software Implementation of Services and a contractual matter concerning Department of Public Utilities-Loan Application, State Revolving Fund for Wastewater Treatment Plant Improvements.

A motion was made by Councilmember Barnwell and seconded by Councilmember Haire to return to Open Session.

Council returned to Open Session.

DPU Manager Tommy Miller stated, "During the past 2-3 years, we have been working on the planning and cost analysis on upgrading and improving the Wastewater Treatment Plant. This year, you approved money in the budget to allow us to complete the engineering and determine the construction cost, which has been done.

The upgrading and improvements involve:

1. Installing a new grit removal system
2. A fine bubble diffused aeration basin and clarifier
3. A sludge holding tank

It also included upgrading the SCADA System Control which will better monitor the existing and new equipment and improve the efficiency and operation of the plant.

This upgrade will increase the Biochemical Oxygen Demand (DOB) concentration from 200 mg per liter to 300 mg per liter. Plant to remain with permitted capacity of 9 mgd.

Sealed bids were received on March 4, 2014, and the low responsive bid was submitted by State Utility Contractors, Inc. of Monroe, North Carolina, in the amount of \$ 22,897,000, which will be addressed in the next item on our agenda, that I will present in a few minutes."

First, I need to ask you to consider a Resolution authorizing the City of Orangeburg to apply for a loan from the State Revolving Fund (SRF) for Wastewater Treatment Plant Improvements.

In order to finance this project, DPU has the opportunity to obtain a State Revolving Fund (SRF) loan. This financing can be secured at an interest rate of 2.0% with a term of twenty (20) years. A portion of the loan \$ 6,416,145 is considered "green money" and loan be secured at an interest rate of 1.0%, which will also be for twenty (20) years.

The bid amount of \$22,897,000, which I mentioned earlier, is for construction only we are asking for your approval to submit an application to the SRF for a loan in the amount of approximately \$ 27,454,700. This includes construction, engineering planning and design, construction contingency and construction inspection over site.

Being approved for this amount is not a commitment to borrow the entire amount. When that decision is made, the final terms and conditions of the loan and the loan documents will require your final approval through an Ordinance. This Ordinance will have to receive three readings and final approval in order for the loan documents to be filed by June 30, 2014."

A motion was made by Councilmember Haire, seconded by Councilmember Stroman to approve the Resolution authorizing the City of Orangeburg to apply for the loan from the State Revolving Fund. The vote was unanimous.

DPU Manager Thomas Miller stated, "I need to ask you to consider the Resolution to accept the low bid in the \$22,897,000 from State Utility Contractors, Inc., of Monroe, North Carolina, for the Wastewater Treatment Plant Improvements. I have provided you with a list of all the bids that we submitted. The low responsive bid was submitted by State Utility Contractors, Inc. of Monroe, North Carolina, in the amount of \$ 22, 897,000. Signing a contract is contingent upon receipt of funding from the SRF. We will need to sign a contract by June 1, 2014. This contractor is presently working on a similar project for the City of Camden Wastewater Plant. Our engineer at URS said they are one of the best contractors that he has ever worked with. We feel confident based on his recommendation. The bid is valid for ninety (90) days and expires on June 2, 2014."

A motion was made by Councilmember Keitt, seconded by Councilmember Haire to accept the low bid in the amount of \$22,987,000 from State Utility Contractors, Inc., of Monroe, North Carolina, for the Wastewater Treatment Plant Improvements. The vote was unanimous.

DPU Manager Tommy Miller stated, "Over the past twenty years, the Department of Public Utilities has had multiple debt holders. Because of this, an impartial third party was required by the debt holders to serve as the custodian of the sinking funds for outstanding debt. The sinking fund is essentially a bank account which holds bond payments. There is a fairly high fee for this service. This is no longer needed as there is only one debt holder, which is the State of South Carolina's Revolving Fund.

The State of South Carolina can now serve as its own custodian through the State Local Government Investment Pool. The Department of Public Utilities is required to pass a Resolution allowing it to open an account with the State Local Government Investment Pool. This is essentially a bank account that holds payments on bonds and has a very low cost per year, about 0.1% of the account balance.

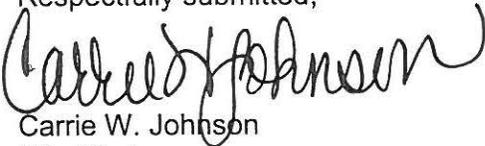
This option would save the Department of Public Utilities roughly \$ 112,599 over the next fifteen (15) years. There is no risk of default in this account and the State Revolving Fund is encouraging us to do this. The City of Orangeburg is already a member of the State Local Government Investment Pool and the Department of Public Utilities is simply requesting the ability to do the same."

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to authorize the City of Orangeburg Department of Public Utilities to participate in the South Carolina Local Government Investment Pool. The vote was unanimous.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to adjourn the meeting. The vote was unanimous.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk



RESOLUTION REQUESTING THE COUNTY OF ORANGEBURG TO REDUCE THE ASSESSMENT RATIO APPLICABLE IN DETERMINING THE ASSESSED VALUE OF GENERAL AVIATION AIRCRAFT TO FOUR PERCENT (4%)

WHEREAS, the City of Orangeburg accepted the ownership and operation of its municipal airport in 1985, and

WHEREAS, since said acceptance the airport has been upgraded and because of various improvements and additions, including the extension of runways, the City's Municipal Airport is presently classified as a General Aviation Airport by the Federal Aviation Administration and as SC-III, Business\Recreation Airport by the South Carolina Aeronautics Commission, and

WHEREAS, it is the goal of the City and its Aviation Commission to upgrade the airport to a SC-II, Corporate\Business Airport, and

WHEREAS, because of economic development within the County of Orangeburg the use of said airport has increased by various corporate operators although the situs of corporate aircraft is in other counties of the State because of lower property taxes, and

WHEREAS, the City finds that additional corporate aircraft will be housed at its municipal airport if the existing tax assessment of 10.5% is reduced to 4%, thus providing additional funds for upgrades.

NOW THEREFORE BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED that the City of Orangeburg requests the County of Orangeburg to enact an ordinance pursuant to S.C. Code Ann. §12-43-360 reducing the aircraft tax assessment rate from 10.5% to 4% effective for the tax year of 2014.

AND IT IS SO RESOLVED.



Michael C. Butch

Mayor

James Hain

Donda P. Lutes

Charles B. ...

L. Zimmerman

Richard F. Stuman

Members of Council

ATTEST:
City Clerk

Carrie W. Johnson



CITY COUNCIL MINUTES
April 15, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 15, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Asbury Wolfe, retired military United Methodist minister.

PRESENT:

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

Mayor Butler thanked Mr. Durwood Bowden, Public Works Director and Mr. Roger Brant, Service Department Director and their staff, for their work efforts in the removal of dilapidated houses and commended them for a job well done.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the April 1, 2014, City Council Minutes, as distributed. This motion was unanimously approved.

Mr. Benjamin Brown, age 7 and an honor student at Mellichamp Elementary School made an appearance before Council. He spoke to his testament of faith and resilience. He noted that he will be attending the National Youth Leadership Forum in Raleigh, North Carolina.

Mayor Pro Tem Jernigan stated, "Mr. Brown has a lot to show us and Council's decisions will affect his life." Councilmembers thanked him for attending and wished him well.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Jernigan, to approve the appointment of Mr. Spencer Dixon, 570 Brewton Street, to the Planning Commission for District #3. This appointment is to fulfill an unexpired term of the late Bill Sandifer which expires January, 2018. This is a four (4) year term. This motion was unanimously approved.

Appointment to the Aviation Commission (District #3) was postponed until a later date.

Mr. Tommy Miller, DPU Manager, stated that Bond Attorney Charlton deSaussure, Jr., would present two DPU Ordinances to Council.

Attorney deSaussure presented to Council the First Reading of a Series Ordinance of the City of Orangeburg, SC, approving the financing for the Wastewater Treatment Plant improvement not exceeding \$27,454,700 and authorizing the money to be borrowed.

Attorney deSaussure stated, "The Second Ordinance is one which amends a similar Ordinance City Council approved for a previous borrowing by DPU for capital improvements. With EPA and DHEC and aging infrastructure there is constant renewing of new capital needs. The amendment to the existing loan documents is to expand some of the legalease that says what eligible investments could be invested in or what DPU may invest in. Since those Ordinances were adopted, the State Treasurer's Local Government Investment Pool (LGIP) has become a very good investment vehicle for local governments. The State Treasurer's office aggregates a lot of monies from other local governments around the state. With the benefit of that larger dollar amount, they are able to get higher rates of return. This is the flip side; we want to borrow money at the low rate we get from the State Revolving Fund.

Councilmember Barnwell asked, "The money to be used for wastewater treatment plant, why would we want to reinvest it?"

It is not proceeds from the borrowing; it's when customers pay their bills to DPU. There can be money that is in reserve just as you may have money in your household account and you may go to the bank and invest in a savings or CD (certificate of deposit). We are not talking about investing the operating revenues of DPU.

City Administrator Yow stated, "The city has been using this same LGIP for quite some time and it is very fluid and you can deposit and pull it back out when needed."

Councilmember Haire asked, "We borrowed from some pool before; why do we have to do it now, we didn't have that strategy before?"

Attorney deSaussure stated, "It was invested before. In SC, Code Section 6-5-10, which is eligible investments for political subdivisions; so the money was invested pursuant to Code Section 6-5-10. The State Treasurer's Office came up with another investment vehicle and that's what's called the LGIP. In the old documents, it may say you may invest obligations, we are added to that Code Section 6-6-10, which allows you to invest in SCLGIP. DPU has always invested its money, this is just another vehicle.

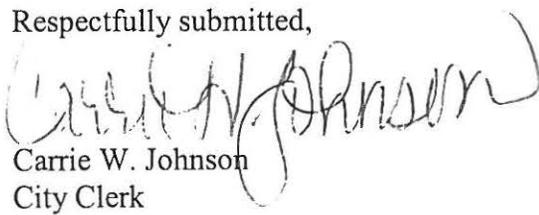
A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the First Reading of a Series Ordinance of the City of Orangeburg, SC. approving the financing for the Wastewater Treatment Plant improvement not exceeding \$27,454.700 and authorizing the money to be borrowed. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance approving amendments to existing loan agreement related to the City of Orangeburg, Department of Public Utilities Revenue Debt. This motion was unanimously approved.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb





2347

City Council Minutes May 6, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, May 6, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Reverend Larry McCutcheon of Trinity United Methodist Church.

PRESENT:

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

ABSENT:

Charles W. Jernigan

Students from various classes at Claflin University were recognized.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the April 15, 2014, City Council minutes as distributed. This motion was unanimously approved.

Mayor Butler, City Council and Department of Public Utilities Manager Tommy Miller, presented a Retiree Resolution and a gold watch to William M. Epting, Jr., for his twenty years and three days of service to the Department of Public Utilities.

Ms. Sarah Monroe of 840 Chestnut Street addressed Council. She stated, "I am here to talk about the pollution of the environment during the week of April 7, 2014. It first began around the first of March at which time I had communication with the City Administrator on March 3, 2014. This is concerning the trees and debris from the ice storm. I was fearful that the trees were dry and would be a fire hazard and that someone would set a fire. On April 7, the sawdust from the grinding invaded my living space. The City came and washed my house. I would like to go on record for the City to find a suitable area for the sawmill operation for next time."

City Administrator Yow stated that the City washed down her house when she stated dust was an issue.

Councilmember Haire asked, "Since we have a request, are we looking at finding an alternative site?"

City Administrator Yow replied, "I was only aware of the dust on one day and we will have to investigate that since this location gets our streets and roads open quickly."

Mayor Butler stated that Council would take this under advisement.

Mr. Sammy Clifton, owner of Southern Gentlemen Trading Post on Wolfe Trail addressed Council. He stated, "I have had several break-ins. The first being last August and I lost from eight to ten thousand dollars worth of industrial equipment. Three days later, after my dog went missing, and I was trying to find him, I found a cut in my fence and found some debris off of some of the equipment in the woods. I called and DPS came out and took fingerprints. In November, someone was at my back door, spotted by a neighbor, and I called DPS to notify them and to let them know that I would be out of town. When I returned, my TV's were gone. The break-ins have continued and on April 15, 2014, I was hit again. I suffered a loss of \$2,085.00.

2348
I am getting some help now. Officer Fairey came out to do an assessment of my property. I want to point out that when I ride down Broughton Street that an officer may have a car pulled over with three patrol cars there. I ask you, what is more important, a speeding ticket or grand larceny? I am getting some help now, but I just wanted you to be aware of what is going on. There are bad neighborhoods and it seems there needs to be more patrolling of these neighborhoods.”

Councilmember Keitt stated, “Hopefully, something will become of this.”

Mr. Dennis Powers of the Cope area addressed Council. He stated, “I am here on behalf of those that are disabled as well as disabled Veterans. I am particularly here concerning the CVS on Magnolia and Chestnut Streets. I went there last week and I was trying to buy some bottled water and some other things and I had a little bit of difficulty getting some help there. Upon exiting the store, I noticed there was no access for anyone in a wheel chair. I asked the manager if there was a ramp. I noticed that all along the sidewalk and all across the store there was a four (4) to six (6) inch drop all around the store. The manager said there was a ramp in the back because I had a hard time getting the cart off the sidewalk and the ramp was in the back of the store down by the drive through window. Upon exiting, I noticed that this was an uphill climb. If someone is in a wheelchair, they would have to roll uphill 70 to 80 feet into the store, access a ramp and then come down the sidewalk in the store. Unlike the store on John C. Calhoun Drive, Mrs. Guffey contracted with a local contractor to install a concrete incline up the side. I noticed since then, the corporate offices have retrofitted a section of the sidewalk for easy access for proper use and it is painted yellow so anyone can see this. It is not like that at the Magnolia CVS store. On Friday afternoon, I called the corporate offices in Colorado and I was told that the District Manager would call me sometime soon. The District Manager, Mr. Lesnyak, from the Regional Southeast called me and he informed me he was coming down to Orangeburg from Columbia, probably today. Mr. Lesnyak called the store manager to inquire about handicapped spaces and a ramp. The manager sent him information on the spaces that are painted and the van accessible spaces. The manager avoided the request for the ramp. Mr. Lesnyak called again concerning a ramp at the door. The manager stated that there isn't one at the door. Mr. Lesnyak explained that probably the laws were different ten to fifteen years ago. I was going to pursue this and request from City Council, and then I have found out that this location is in the City limits concerning this issue. Mr. Lesnyak called back and stated he had found a contractor that was supposed to rectify the issue soon. He did not have a timeframe when the job would be completed. I was hoping that you take his phone number and name and have a City inspector follow-up and document what is necessary. If they fall through, certainly the City inspector should be able to contact him for completion and follow up. Everything seems to be taking care of itself. Also, there is a problem with some of the phone numbers on your website for Council that are no longer in use, so I would suggest that the numbers be corrected. I believe Mr. Yow is checking into this.”

City Administrator Yow stated that the numbers have been corrected.

President Henry Tisdale of Claflin University addressed Council. “We are here seeking approval of a Plan to enhance Goff Avenue. We will then have to take this Plan to the South Carolina Department of Transportation (SCDOT) for approval as well. In beginning the Plan, we have had conversations all along the way on and off campus. We are here to speak about the 700 and 800 block of Goff Avenue. Much has been going on down Goff Avenue for a number of years. We want to make certain that Goff Avenue is an exciting neighborhood and a vibrant street running through both Universities, Claflin and SCSU. We often talk about making Orangeburg a college town and this is a street running through the colleges. We also want to talk about connections and this Plan connects with the City's Plan for Downtown Orangeburg's Revitalization. We believe this Plan does connect.

Some of the recent developments at Claflin now is the new Health Center in the 800 block of Goff Avenue. There are ongoing plans to upgrade additional parking along the 800 block of

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Goff, actually two-hundred and fifty (250) spaces. Of course, we have seen the new construction that is ongoing, which is a residential center along Goff, which is Claflin ²³⁴⁹comps. Before coming here, we have had conversations sharing our plans and working to see if we need to make compromises ensuring we are good neighbors for the common good. We have had conversations with the property owners of the 700 and 800 blocks of Goff as well as with SCSU. We not only spoke to people in those blocks, but further down Goff to share our plans.

We are seeking approval of three specific requests which are removal of several parking spaces in the 700 and 800 blocks, enhancing crosswalks and adding three “traffic calming devices” or speed humps. I am sharing with you the detailed Plan also. In this Plan, we are proposing that we would remove the parking between 824 Goff Avenue all the way down to 898, but retain approximately ten (10) parking spaces close to John W. Matthews 1890 Extension Center and the SC State University Public Safety office. In addition, Claflin is requesting parking spaces be removed from 747 to 897 Goff Avenue with the exception of two (2) parking spaces at 767 Goff Avenue.”

Mr. Tisdale shared pictures of cars on Goff Avenue showing how congested it is. He stated, “There are two (2) crosswalks in place on Goff Avenue. With approval by the City and SCDOT, the two will be enhanced and an additional crosswalk added. Claflin University would also like for three (3) speed humps to be placed on the road to help slow down traffic.”

Councilmember Bernard Haire asked President Tisdale if two (2) homes, one at 747 Goff Avenue and the other at 753 were in Claflin University’s plans to eventually own.

President Tisdale stated, “The University is currently in negotiation with one property owner about purchasing a home and the other property owner has expressed that when the time comes to consider selling the parcel, Claflin University would be considered as a buyer.”

Councilmember Haire stated, “I recently was on campus and had to meet with the acting Chaplin. I was instructed to park near a building and there was very little space on campus to park and I went down Goff and found a space to park in. Are we pushing for more revenue for students having to pay for parking spaces?”

President Tisdale stated, “Claflin University plans to add 250 enhanced parking spaces on campus and the students are charged \$25.00 annually to park on campus. He stated we believe in making a campus more pedestrian-friendly and there is an emphasis on student wellness on the campus.”

Mr. Haire replied, “When I came on campus, I told them where I was going and I was instructed to park in the visitor parking space and I did not find one and then I was told that I would have to park off campus. I am just concerned when we are having people visit the campus.”

President Tisdale stated, “We will have to address that because that is not our expectation.”

Councilmember Haire asked, “The fence on Goff Street is close to the sidewalk and students are walking on the street. Can we alleviate that problem so that they don’t have to walk on the street?”

President Tisdale replied, “We will share that with the construction team.”

Mayor Butler stated that Council would take this under advisement and further discuss the proposal.

Councilmember Barnwell made a motion, seconded by Councilmember Stroman, to appoint Mr. Jim Albergotti to the Aviation Commission to fill an unexpired term for District #3 (Councilmember Charles B. Barnwell). This is a four (4) year term expiring January, 2018. This motion was unanimously approved.

Ms. Dede Cook, Executive Director of the Chamber of Commerce, accepted the Character Trait Proclamation for the month of May, 2014, “Self-Control”.

Mayor Butler presented a Proclamation declaring May, 2014, as “Lupus Awareness Month” to Dr. Martin Luther King, Jr. 2350

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, for City Council Planning Sessions on July 1st and 2nd with a possible Council Meeting on July 8th and to approve the Budget Calendar for Fiscal Year 2014-15. This motion was unanimously approved.

Also, budget workshops are scheduled for July 15th and July 16th. The regularly scheduled meetings for July 1st and July 15th are canceled.

Assistant City Administrator Singh overviewed the Russell Street Streetscape Project (Lowman Street to Boulevard Street) and stated that the City would be receiving \$500,000 CDBG Grant monies in the 1% Fund as well as other designated budgeted funds, notice of intent to award to the low bid and we would have to present to the Department of Commerce. The City Administrator will then enter into the agreement with AOS Specialty Contractors in the amount of \$690,800.00.

Councilmember Haire asked, “What is this referring to in item #2 for Traffic Control. Is that signals at Magnolia?”

Assistant City Administrator Singh stated, “It is for barricades and cones as the project does not call for signalization changes.”

Councilmember Haire stated, “I have a concern as it relates to the signaling and the cycling of the signals.”

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the low bid of \$690,800.00 for approval of Russell Street Streetscape (Lowman Street to Boulevard Street) and for authorization for City Administrator to enter into a contract with AOS Specialty Contractors, Inc., from Lexington, South Carolina. This motion was unanimously approved.

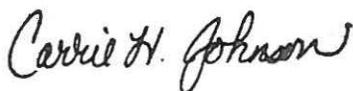
A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Second Reading of a Series Ordinance of the City of Orangeburg, SC, approving the financing for the Wastewater Treatment Plant improvements not exceeding \$27,454,700 with interest rates from 1% to 1.9%. This motion was unanimously approved.

A motion was made by Councilmember Knotts, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance approving amendments to existing loan agreements related to the City of Orangeburg, Department of Public Utilities Revenue Debt. This motion was unanimously approved.

A motion was made by Councilmember Knotts, seconded by Councilmember Keitt, to enter into an Executive Session for Contractual Matters (1) Sale and purchase of real property at 1099 Russell Street—Cox Industries, (2) Lease of real property from Norfolk Southern Railroad and (3) Rental of City facilities and a Legal Matter concerning Store Front Churches. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson,
City Clerk

/pfb





2351

City Council Minutes May 20, 2014

Orangeburg City Council held its regularly scheduled meeting, May 20, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding. An invocation was given by Councilmember Keitt.

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 welcomed Dr. Henry N. Tisdale, President of Claflin University, Mr. Drexel Ball, Vice-President for Administration, Ms. Tijuana R. Hudson, Vice-President for Fiscal Affairs and Dr. Leroy A. Durant, Vice-President for Student Development and Service and other guests.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the May 6, 2014, City Council Minutes as distributed. This was a 6-0 vote as Councilmember Jernigan abstained as he was not present at the meeting.

Mr. Jeffrey Fender, Downtown Orangeburg Revitalization Association President thanked Mayor Butler for listing him on the agenda. He stated, "DORA Executive Director Ms. Hoelsing was out of town on DORA business and I am representing her. We want to inform Council of the Charrette process is planned and how it will help DORA with its goals and operations. They will focus on retail analysis, marketing, branding of image, communication and strategies. Our partners in this are the City of Orangeburg, County of Orangeburg, Chamber of Commerce and other business organizations. DORA wanted to invite Council and the public to a Public Hearing on June 16, 2014, at 6:00 P.M. at the Bluebird Theater and on June 19, 2014, at the Fine Arts Center. If you have any questions, please contact me or Ms. Hoelsing for any other information.

Mayor Butler asked for Mr. Fender to explain the Charrette process.

Mr. Fender stated, "It is a study of Orangeburg to give DORA a vision plan. The last Charrette was done around twelve or thirteen years ago. The Charrette will give DORA a vision for Downtown Orangeburg. As many know, Downtown Orangeburg runs from Claflin to the lower end of Russell Street. This will be a long term plan and process."

City Administrator Yow stated, "Ms. Deloris Frazier from the Silver Slippers appeared before a prior City Council meeting on March 18, 2014, and requested that they be permitted to use the Zimmerman Center free of charge. At that meeting, Council delayed action until a later time and that is why it is back on the agenda tonight."

A motion was made by Councilmember Keitt to allow the Silver Slippers to have free rental use of the Zimmerman Center for the remainder of the year. Prior to the end of the calendar year

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Council will evaluate this matter with the new director of Parks and Recreation, at which time she can investigate the matter further as to the use of the Center without a rental fee.

Mr. Stroman asked if the motion could be adjusted to go until December 31, 2014. Ms. Keitt stated that would give the new director enough time to see all the people that were using the facilities and which ones were making contributions and which ones were not making contributions to be sure we were going in the right direction. Councilmember Stroman seconded Ms. Keitt motion. This was a 5-2 vote as Mayor Pro Tem Jernigan and Councilmember Knotts, opposed.

Councilmember Knotts reclused herself from discussion and voting on Item #4 – Request from Claflin University to remove parking spaces on Goff Avenue as part of the Goff Avenue Enhancement Plan.

Councilmember Keitt made a motion, seconded by Mayor Butler, to permit Claflin University to remove parking spaces from Goff Avenue.

Councilmember Haire stated, “I have unreadiness. I am aware that the University contacted the individuals on Goff Avenue and that there was other individuals that would be affected by this proposal, residents of Clark Street and Dutton Street. I asked President Tisdale if anyone had contacted those folks as it relates to the proposal. Dr. Tisdale stated that the University had not contacted all of the individuals but that they had contacted some of the individuals, particularly those on Goff Street past Clark Street such as the Hubbard family and the Evans family, but we did not contact all of the individuals. I also asked him if anyone contacted the ones on Dutton Street.”

Dr. Tisdale stated, “No one was contacted on Dutton Street. Dr. Tisdale stated that there were several families that had some concerns before, but now they were all okay with the plan to remove the parking spaces.”

Councilmember Haire stated, “With the new proposal he felt that it would impact the individuals on those two (2) streets as well.”

Dr. Tisdale stated, “This proposal, as presented does provide for public parking. We are not asking to remove all the spaces, just the spaces that create blind spots and do not contribute to the safety and welfare of the public. We are leaving a number of spaces on Goff Avenue.”

Councilmember Barnwell stated, “I have been up and down Goff Avenue twice since the last meeting as I wanted to know from a safety standpoint how painting these yellow lines on the street would help.”

Dr. Tisdale stated, “With the cars parked all along Goff Avenue in these spaces, it creates blind spots and the vehicles have to actually pull out into the street to get a clear view. This is clear evidence it is a safety hazard.”

Councilmember Barnwell stated, “Maybe speed bumps, crosswalks or flashing lights, like in school zones, work for a safety view. “

Councilmember Jernigan stated, “I had a concern and asked how many additional students they were expecting in the new facility?”

Dr. Tisdale stated, “The new facility will house two –hundred (200) students and of that amount, most of them are already enrolled at Claflin University. Some of the students already reside down Goff Avenue in some units off of Millwood, which will be demolished once the new facility is completed and the students will just transfer to the new facility. There are some students living in some apartments there and some in the Eutaw Hotel and all that will be transferred to the new facility. The complex is not being built to expand enrollment, but to consolidate enrollment already at Claflin University.”

Councilmember Jernigan stated, “I am still concerned over removing parking that is provided with the number of students and making sure that there is enough parking for everyone that is over there. I cannot see where it is that much of an advantage to remove parking spaces and maybe the speed limit could be changed to help with the traffic.”

City Administrator Yow stated, “If you put in speed bumps, it will have effect of changing the speed limit.”

Mayor Butler stated, “On behalf of the school, there is parking behind the high-rise dorm and parking near the President’s house, so there are areas for parking.”

Dr. Tisdale stated, “Once the new facility is completed and based on the number of students, there will be a surplus of parking spaces. I want Council to look at it from the view of safety, quality of life and the welfare for the students that are traveling up and down the highway as we are only trying to do something positive and improve Claflin and the City of Orangeburg. I am asking for Council to look at the bigger picture and how this would add to our community, the quality of life for students and faculty that are moving about. This is not just for Claflin, it is also for South Carolina State University.”

Councilmember Jernigan stated, “As a follow-up for all the work done at Claflin University and Claflin has been a true asset for the City of Orangeburg, but on occasion there are things that are not agreed upon and I am not convinced where removing a few parking spaces will be that beneficial.”

Councilmember Stroman stated, “When they put the parking spaces back, he had a friend that complained about having a blind spot so I supported this plan.”

Councilmember Haire stated, “I have had some contact with other individuals on other streets such as Clark and Dutton Streets. I make a motion to delay this action and have a Public Hearing so those other individuals could come and have an opportunity to speak.”

Councilmember Jernigan seconded the motion to delay action on Claflin University’s request to remove parking spaces on Goff Avenue as part of the Goff Avenue Enhancement Program. This was a 4-2-0 vote as Councilmembers Jernigan and Barnwell were against it and Councilmember Knotts recused herself from all matters related to this item.

City Administrator Yow stated, “This will have to be advertised by law.”

Attorney Walsh stated there will be sufficient time to advertise and have this item on the City Council Agenda for the June 2, 2014, meeting.

Assistant City Administrator John Singh stated, The South Carolina Department of Transportation has accepted the low bid of \$533,205.00 from AOS Contractors for this

Streetscape Project on Middleton Street. SCDOT will be in charge of administering the contract. This will run from Amelia to Henley. SCDOT has not given a start date, which is generally sixty (60) to ninety (90) days from the award date; however, they gave a date to the contractor for a completion date, which is April 30, 2015. It will be done before this date but that is just the final date for completion. This project is a little different than others since SCDOT will be handling the project. SCDOT awarded a \$400,000 grant and the City will contribute the remaining amount.”

City Administrator Yow stated that Item #6 would be referred to the Planning Commission and then placed back on City Council agenda since it is a change in the Zoning Ordinance.

Department of Public Utilities Manager Miller asked Council to consider the Third Reading of an Ordinance 2014-3 and 2014-4 to allow DPU to acquire a loan not exceeding 27,454,700 with interest rates ranging from 1% to 1.9% for improvements to the Water Treatment Plant.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Third Reading of an Series Ordinance of the City of Orangeburg, SC, approving the financing for the Wastewater Treatment Plant improvements not exceeding \$27,454,700. This motion was unanimously approved.

DPU Manager Miller stated, This Ordinance, 2014-4 amends a 2004 Ordinance for permitting investments by placing funds with the State Treasurer.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance approving amendments to existing loan agreements related to the City of Orangeburg, Department of Public Utilities Revenue Debt. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to enter into an Executive Session for a personnel matter involving the Department of Public Safety's Grievance Hearing. This motion was unanimously approved.

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

Council Returned to Open Session

A motion was made by Councilmember Haire, seconded by Councilmember Knotts to accept the City Grievance Committee's recommendations. This was a 5-2 vote as Councilmembers Barnwell and Stroman opposed.

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

June 3, 2014

Orangeburg City Council held a Public Hearing on Tuesday, June 3, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding.

The purpose of the Public Hearing was for public comment on the request from Claflin University to remove parking spaces as part of Goff Avenue Enhancement Plan.

The Public Hearing was opened for comments.

Dr. Henry N. Tisdale, President of Claflin University addressed Council. He stated, "We are here again on behalf of the Enhancement Plan for the 700-800 blocks of Goff Avenue. Before us on the screen is the Plan design. I just want to acknowledge that there are many others here to support the Plan and Claflin University. This Plan is designed to enhance the safety and the welfare of all concerned. I want to admit to this Council that in our great desire to make a positive change in our neighborhood, we made some mistakes. Maybe we even offended some. Some things we didn't do very well such as interacting with our City leaders. In particular, in the early stage, we did not get all of our neighbors of the community to evaluate our Plan. We want you to know that throughout this process, we have made some mistakes, but we have learned. We are committed to creating connections and partnerships. During our last appearance, we informed the Council that we had shared the Plan with the 700-800 blocks of Goff Avenue with only one opposition. We have discussed the Plan with South Carolina State University and all in all we have their support. The last time we were here, you asked if we talked to residents on other streets such as Clark and Dutton. No, we have not talked to those residents and after the meeting, we set out to do just that. I am pleased to inform Council that my staff and I have made contact with everyone in question on Goff Avenue, Clark and Dutton Streets. When we made contact with our neighbors, we shared the Plan with whoever answered the doors. We connected with more than twenty (20) neighbors on these three (3) streets. We then asked the following: We asked for their feedback on the Plan and we also asked if they would be interested in serving on a Neighborhood Advisory Committee. Out of twenty-one (21) neighbors, seventeen (17) were in favor of the Plan, three (3) of the twenty-one (21) were in favor of some of the Plan and only one (1) was totally opposed to the Plan. I am pleased to share with you that nineteen (19) would serve on the Advisory Committee. There are many other entities that are supportive of improving this neighborhood and I think you will hear from South Carolina State University (SCSU). President Thomas Elzey and I have been in conversation for quite some time. We thank you for the opportunity to speak with you again."

Ms. Kay Snider from SCSU Office of Marketing and Campus Relations, addressed Council. She stated, "I come to you this evening with a response from President Elzey from SCSU as he could not be here tonight. In the spirit of collaboration with Claflin University and the City of Orangeburg, I offer President Elzey's response. President Elzey acknowledges that President Tisdale has presented components of the Enhancement Plan with him that specifically impacted SCSU. Additionally, President Tisdale expresses his desire to provide a more pedestrian friendly environment for the community, campuses and the general public. President Elzey admires and supports Claflin's efforts to do so. President Elzey has reviewed the Plan components and he concedes that the Plan will have no adverse impact on SCSU and the University will continue to collaborate with the Department of Public Safety to ensure a mutual beneficial outcome of the completion of this Plan. President Elzey has confirmed that SCSU will have sufficient parking for our staff, faculty, students and visitors."

Reverend Caesar Richburg of Williams Chapel AME Church addressed Council. He stated, "I was privileged to be in a meeting in Washington DC, recently and a member of the Department of Education commended Claflin University and its accomplishments. By the way, Claflin

University 2356 the mother of South Carolina State. I am very pleased to know that President Elzey is amenable to this Plan. I think you will agree that both Universities are major components of our County and of our City. The worst thing to do is to impede growth. Thank you and we trust when the ruling is done that it is affirmative.”

Mrs. Winningham addressed Council. She stated, “I was born and raised in Orangeburg County. I may be the only one here who walked Goff Avenue when it was clay. I am here for the support of the Enhancement Plan. For those of you that don’t know, Dr. Tisdale is a man of vision. The safety of the Claflin family is at stake. I don’t want to be wrong, but I don’t know if anyone in here remembers the tragedies in Orangeburg. People on Goff Avenue and in the New Brooklyn area have been asking for years for traffic lights. At the end of Goff Avenue and Highway 21 By-pass, we wanted a traffic light and we couldn’t get it done. When a prominent Orangeburg citizen, Mrs. Helen Sheffield was killed at that spot, she was the daughter of the second President of SCSU, we were then able to get the light. Another tragedy that happened was at the entrance of SCSU. A light and median had been requested and we couldn’t get it. A male student was killed crossing the street. Shortly after that, the median and light was installed. Check the records. I don’t think we need to wait until there is a tragedy on Goff. I travel Goff every Sunday and I am blindsided and I can’t see when I come around the curve. You can enhance Goff all you want after a tragedy. I am in total support of Claflin and the Plan and I thank Dr. Tisdale for his vision.”

Mr. Sam Glover addressed Council. He stated, “I am on the South Carolina Department Of Transportation as one of the Commissioner Members and this happens to be in our district. I am not representing SCDOT, but I am here in support of Claflin University and Dr. Tisdale and this Enhancement Plan. We can see the tremendous amount of growth on Goff Avenue and from all indications, it will continue to be that way. I am in favor of this and I am hoping Council will vote positive in this effort. Claflin is one of the best Universities in the State and I am hoping to enhance the progress.”

Ms. Gloria Kirkland addressed Council and asked all other alumni and faculty to stand who are here in support of this Enhancement Plan.

Mr. Donald Jarvis addressed Council. He stated, “I was reared on Clark Street and I have spent many hours on Claflin University and I know how Claflin University has impacted the community. I think we must allow for growth and this has to do with the safety of the students. Students impact the economy. I respect Dr. Tisdale and his vision.”

Mr. William Evans addressed Council. He stated, “I live at 940 Goff Avenue and I am opposed to closing the parking spaces on Goff Avenue. During school time, people are forced to park on both sides of Goff Avenue when parking spaces were changed a few months ago. Speeding increased in the area, loud music from automobiles, litter increased and visitors had to park down the street. All of this changed back to normal when the parking spaces were installed back again.”

City Administrator Yow stated, “For the record, we have a letter from Ms. Norma Murdaugh who could not be here tonight. I know she has spoken to some of you. She is opposed to eliminating the parking and adding speed bumps. She wanted this to be entered into the record and I will give this to the City Clerk.”

Hearing no further comments, the Public Hearing was closed.

Council entered into the regularly scheduled City Council Meeting. An invocation was given by Reverend Caesar Richburg of Williams Chapel AME Church.

2357

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 Knotts, to approve the May 20, 2014, City Council Minutes as distributed. This motion was unanimously approved

Ms. Jennifer Hoelsing, DORA Executive Director addressed Council in regards to the upcoming community wide input meeting. She stated, "There are several meetings scheduled and there will be one on Monday, June 16, 2014, at 6:00 P.M., at the Blue Bird Theatre. The final presentation will be presented by the planning team on Thursday, June 19, 2014, at 12 Noon. This will be a preview of what we can do downtown."

Mayor Pro Tem Jernigan asked, "How long has this group been working on this project?"

Ms. Hoelsing stated, "We engaged them in this project in January and we have been working with them in establishing some information before they come into town. This group is a member of Main Street South Carolina and of Main Street National and that is how we identified them. They have done three-hundred (300) communities across the country. In South Carolina they have done market analysis in Manning and in Beaufort. I am traveling there to see some of their market analyses and they are familiar with Orangeburg. The majority of the planners are from South Carolina."

Councilmember Keitt stated, "I just want to congratulate you on the kinds of implementation that is going on. We support you in all the endeavors that you are engaging in."

City Administrator Yow introduced the new Parks & Recreation Director, Ms. Shaniqua Simmons to Mayor and Council.

Mr. Timothy Brett, spokesman for Cypress Acquisitions addressed Council. He stated, "It is a privilege being here in Orangeburg tonight. I am from Greenville and I represent Cypress Acquisitions. Also, I would like to recognize Mr. Scott Harrington who is a principal with the company. Cypress is developing twenty-two (22) neighborhood grocery stores for Wal-Mart in the Southeast. They propose to develop two (2) within the City of Orangeburg. One would be located on Stonewall Jackson Boulevard on property that we are buying from the City and it is already zoned correctly. We want to build a second store between Columbia Road and Boulevard Street. This property is currently zoned multi-unit residential. The developer has a competitive agreement to acquire this property from a family trust. It is their intention to build fifty-two (52) state subsidized three bedroom units which equal one-hundred and fifty-six (156) bedrooms. The property will become rent and income restricted. The multi-unit housing project is slated to use tax credits through the IRS Income Housing Tax Credit Program. You can go online and see why this piece of property is highly favorable for that development. Last week, this location received the second highest rating of any project in South Carolina because it falls within the underserved category. Cypress Acquisitions entered into an agreement with these developers to acquire their position on buying this property. If we don't get rezoned, then the multi-use apartments will be built instead. These neighborhood grocery stores that we want to

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build are 42,000 square feet each, they are about one-fourth of the size of a normal Wal-Mart store, these are grocery stores only. Cypress Acquisitions will invest \$20 million dollars in the City to build these stores and will create over 200 jobs. This development brings a fresh, healthy affordable grocery store in this area. You need it. There are grocery stores closing and you need to have more options. The Planning Commission met on May 22nd and my partner was here and approximately fifteen (15) people attended the meeting, four spoke in opposition of the rezoning and two spoke in favor. The jest of the arguments of the rezoning and the building of the grocery store are the same arguments I have heard over and over again when building in other areas. In my judgment, they are baseless. The citizens want us to build somewhere else, some other commercial site that is restricted. They do not understand the research that goes into a project that Wal-Mart does to determine locations and sites. Generally, grocery stores should be within one mile within residential areas and no more than 500 feet. This is so people don't have to drive long distances to shop. Additionally, a Wal-Mart neighborhood grocery will increase, not decrease, the property values. Most people like to have the convenience of not having to drive across town for groceries. Traffic was a complaint. This is not a Cabella's or a Bass Pro Shop or a Wal-Mart Super Center. This is a neighborhood grocery store and these do not increase traffic. Walmart chooses sites where traffic patterns already exist. Several arguments were presented just like this in Greenville where we built one. And you would be amazed at what it looks like. I urge you to vote against the Planning Commission's recommendation and allow the building of this store."

City Administrator Yow addressed Council. He stated, "The item for a request from Claflin University for the removal of parking spaces as a part of Goff Avenue Enhancement was presented at the Public Hearing. It is time for you to allow the request or not allow the request of the University."

Councilmember Keitt made a motion, seconded by Councilmember Stroman, for the removal of parking spaces and the installation of cross walks and traffic calming devices as presented.

Councilmember Haire stated, "I listened to the comments that were made tonight and there seems to be an opinion that we are trying to impede the progress of Claflin. There is no such intent, by me, as a Councilmember and, by me, as a graduate of Claflin. We have heard from a resident who resides on Goff and we have heard from a property owner on Goff who has expressed concern and these are weighing heavy on me. I would like to offer a substitute motion."

Councilmember Haire made a motion to support the enhancement of the crosswalks and the traffic calming devices, but once Phase I is completed and the parking lot completed, to revisit the parking issues and determine what to do. This motion as seconded by Councilmember Barnwell.

Councilmember Knotts stated openly that she wishes to recuse herself from discussion and voting, as she is employed at Claflin University. She stated that the recusal letter will be on file in the City Minute Book.

Mayor Pro Tem Jernigan asked, "Dr. Tisdale, would this impede the progress of the parking lots if those spaces were postponed?"

Dr. Tisdale stated, "Yes, it would impede the construction process and would not allow us to have the construction continue and in the timing of the construction. We are talking about the construction environment down Goff Avenue. That would create issues on Goff Avenue. This is planned for now and August."

Mayor Pro Tem Jernigan asked, "One of the things that has come up, is public parking down the street. This would eliminate most of them, with the exception of the right hand side ²³⁵⁹ going down the street with a total of twelve (12) spaces. Is there any planning in the parking lot to be designated public parking?"

Dr. Tisdale replied, "When we first worked on this, the Plan was to remove all of the parking spaces in the 700 to 800 blocks, but after speaking with our neighbors and officials at the City, we decided to leave twelve (12) spaces and these are for the public's use to accommodate that."

Councilmember Haire asked, "You mentioned that Phase I parking will be completed by August, is this not correct?"

Dr. Tisdale stated, "Some of them will be completed with hard surface and paving. We will be enhancing the surface of parking and a place where students will park. Phase I is proposed parking going all the way down Goff past the Health Center. It will have a hard surface for parking and we will also prepare other parking areas and one will be more completed than the other."

The substitute motion was voted on and the vote was 2-4. Councilmember Stroman, Mayor Pro Tem Jernigan, Councilmember Keitt and Mayor Butler opposed this motion. Councilmember Knotts recused herself from voting.

Mayor Pro Tem Jernigan stated, "I have spent a lot of time on this and I know everyone has. The citizens of Orangeburg expect us to make decisions for what is best for the overall citizens of the City and not just a few. We cannot make those decisions for one or two people. I have been down there, on more than one occasion, and looked at the parking lots and where they are going. What Claflin is going to do is further enhance the Orangeburg community and it goes right along with what DORA is trying to do and what the City is doing with streetscape projects downtown. It ties all of this in and we have plans to do more in Orangeburg to improve the community. Claflin has been, and will continue to be, an asset to the community. We are a college town and I realize we have to go through a discussion. At first I was not in favor of removing the parking and after I had had a chance to go look and study this, I am in favor of it and I am going to vote in favor of the entire thing."

The original motion for the Enhancement Plan, considering the entire Plan of removing the parking spaces, installation of cross walks, and the installation of traffic calming devices, made by Councilmember Keitt, seconded by Councilmember Stroman was voted on. The vote was 6-0, as Councilmember Knotts recused herself from voting.

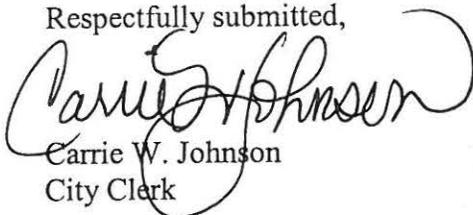
Ms. Kristina Thomas, Executive Director of the Community of Character, accepted the June 2014, Character Trait Proclamation, "Punctuality."

City Attorney Walsh stated, "We need to postpone item #3, for Cypress Acquisition, LLC., until we have a Public Hearing on this project."

There were no utility matters brought before Council.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to enter into an Executive Session for Economic Development Matters concerning (1) Project Saddle and (2) Project Panther.

Respectfully submitted,


Carrie W. Johnson
City Clerk



/pfb



CITY COUNCIL MINUTES June 17, 2014

Orangeburg City Council held a Public Hearing on June 17, 2014, at 7:00 P.M., in the Council Chambers with Mayor Butler presiding.

The purpose of the Public Hearing was to consider a zoning change from A-2 Multi-Unit Residential District to B-1, General Business, property belonging to South Carolina Bank and Trust as successor Trustee with Nancy D. Davis, Co-Trustee, under the will of Dorothy Brown, Tax Map # 0173-05-02-001.000.

Mayor Butler opened the meeting by greeting all who attended with special recognition to our former Mayor, Paul Miller and his wife, Bobbie.

Mayor Butler asks that as he calls the communities that they stand and be recognized. The Berry Woods Community, the Orange Grove Park Community and the Wells Drive Community and everyone else in the surrounding area, we welcome you all here tonight for our Public Hearing.

Mayor Butler opened the Public Hearing to consider zoning change from A-2 Multi-Unit Residential District to B-1, General Business, property belonging to SCB&T as Successor Trustee with Nancy B. Davis, Co-Trustee, under the Will of Dorothy S. Brown, Tax Map # 0173-05-02-001.000.

Mr. Tim Brett addressed the Mayor and City Council and stated, "Mayor, it is wonderful to be back in Orangeburg tonight and to see you nice people. We are here representing a project that has some controversies. I must say that your staff, Administrator, Assistant Administrator, and everyone has been very cordial to us and even the Council Members that we have talked to. We want to thank you for that. It is a wonderful community and it made us feel at home. I am Tim Brett. I am from Greenville, South Carolina. My business is in Greenville and I live at 10 Endeavor Circle, Mauldin, SC, which is a suburb of Greenville. I am here tonight representing Cypress Acquisitions and accompanying me from Cypress is Mr. Thomas Crowther. Thomas will be our project manager for this project, also Mr. Grayson Hughes, who is an engineer and who works for Berry, Inc. As you are aware, Cypress proposes to build two (2) Wal-Mart Neighborhood Grocery stores in the City of Orangeburg. One will be located on Stonewall Jackson Boulevard on a piece of property that we are buying from the City of Orangeburg and this property is already zoned correctly. It is entitled for this type of development. We want to build a second store between Columbia Road and Boulevard Street, this land is currently zoned multi-unit residential. It is zoned for a multi-family development. I will tell you that if we do not get rezoned and if you choose to not to allow this grocery store to move forward, then a government subsidized apartment complex will be built here. That is basically your choice tonight. Your choice is a grocery store or a subsidized apartment complex. Mr. Taylor Davis, one of the developers of that project, who we have purchased the rights of this land from, sent me a letter this week. I am going to read just a small section of it because I think it is very important for you to hear this.

"The tax credit application for Parkside at Boulevard has completed the scoring phase of the application process. Scores have been released and Parkside at Boulevard finishes second place in their category. Parkside at Boulevard is in the under underserved County category of scoring because there has not been a low income housing tax credit (LHTC) award in Orangeburg County in over four years. Two developments will be awarded tax credits in the under deserved county category and Parkside at Boulevard received the second award."

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Mr. Mayor, I am going to give you a copy of the correspondence along with the South Carolina Housing Authority numbers that just came out last week where you will see that this property ranks second and is going to be funded. These neighborhood grocery stores are 41,000 square feet and some change each, which is less than one fifth of the size of a Wal-Mart Superstore. These are basically grocery stores. Cypress proposes to invest twenty million dollars in the City of Orangeburg, ten million dollars per site. Each site will create almost one hundred jobs. This does not count the construction jobs; this would be just the employment at the grocery store. The average wage of these ninety-five jobs at each store is \$12.78 per hour. I will tell you that the City of Orangeburg and Orangeburg County has the tenth highest unemployment rate in the State of South Carolina, so that would tell you that you need the jobs. This development brings a fresh healthy affordable grocery store option to an area that certainly needs it. You have had a recent closing of three (3) grocery stores in the area. We realize that this project is not without controversies and we had a Public Hearing and some fine folks came out and spoke against it. The jest of their arguments against rezoning this property and allowing the construction of a grocery store are some of the same arguments that I have heard in other places where I have done projects like this, pretty much the same arguments. In my judgment, if you look at the facts those arguments are baseless. First traffic, this is not a Cabela's, it is not a Bass Pro Shop, and it is not even a 200,000 square foot super Wal-Mart. It is a 41,000 square foot grocery store. Companies choose their locations based on where traffic patterns already exist. Companies choose those locations and that is where they want to be in order to get customers. A traffic impact analysis, and a traffic engineering study was done by Stantec, which is one of the finest traffic engineering companies in the country and Mr. Mayor I will give you a copy of this. They are recognized throughout the country for being the best traffic engineering company. The study took in consideration all the intersections surrounding the site, it analyzed traffic patterns for key morning and afternoon hours, which was 7-9 AM and 4-6 PM, this is what we call peak hours. The study looked at current traffic patterns from 2014 and projected traffic growth rates. It uses those numbers to project future traffic rates with this new development. The study had some key findings that I think are important to you. First, it found that the road surrounding this site will see practically irrelevant traffic increase, between ten and twenty additional cars at the peak hours during the day. Second, the study found that with these few additional cars there would be no increases in traffic delays. Third, this study found that the roads surrounding the development currently built and used are perfectly structured to support an additional grocery store. No lanes are needed to be added or expanded because the traffic that is expected in the grocery store is the traffic already supported by these roads. The study clearly demonstrates that traffic is a non issue with this development. Other arguments that we hear are that citizens want us to build somewhere else, why can't you go here, why can't you go there. Generally, they want us to look at commercial sites where other grocery stores or businesses have not succeeded and have moved out. Most of these are deed restricted. Most of these the tenants have to pay rent on this property, although they are not currently occupying it. And the folks that are telling you that it should be in a different location do not understand the detailed research that a company like Wal-Mart uses to determine a location and to determine a site. I will tell you generally grocery stores want to be within a one mile or one square mile area of a residential area of five-hundred or more people and this site is perfect for that. Finally, we have heard that this is going to decrease property values and is going to make everybody's property values go down. I am going to tell you that a neighborhood grocery store will increase property values. Every neighborhood finds and needs to have a convenient place to buy high quality food at prices without having to drive across town. That is what makes a neighborhood, a neighborhood. So I urge you to vote in favor of rezoning this property tonight. I would like to introduce Thomas, who is going to show you some of the drawings and the renderings and he will show you the size, it will show you the buffering that we are doing and some other particular things that I think that are important for you to see. Thank you."

Mr. Thomas Crowther addressed the Mayor, City Council and citizens present and stated, "I would like to thank you for your time. We understand that everyone is busy; it is late in the night. I want to make this quick. I wanted to take the time to address some of the concerns as far

as property values and some of the things we have been hearing. I would like to tell a quick story, if it is okay with you. I married a girl from small town just like Orangeburg and often times I would hear my wife talking with her grandmother. She called her Granny. So this one time I heard her, Granny talking to my wife and she said, I would rather have a friend than a dollar. Of course my wife was pretty young she said, Granny I don't know about that, I think I would want a dollar. So Granny said, well if I have a friend I could always get a dollar, but if I have a dollar and I spent it, I could never get a friend and Granny said the way you build friendship is through trust. So with the spirit of partnership and communication, I would like to address some of the concerns that you have on behalf of Cypress Acquisitions. One, we have heard is that there has been a concern about water issues coming from this site, so I would like you to know that as early as today we have engaged an engineering firm from South Carolina called ECS. They met with the Army Corp of Engineers to assess any drainage that is on the site and I am confident to say that any development that we do will not cause any adversary effects or any drainage issues to any surrounding areas from our site. Second, we have engaged Berry Inc., a national engineering company, who works with all the civil and drainage issues from the site. Berry Inc, is currently working with us on nine (9) other sites throughout the South Carolina market. Third, we have engaged another firm called Stantec that has done a traffic analysis, detailed assessments and we would be more than happy to work with you and the community to address any concerns that you may have. So in the spirit of trust, here is another concern that I would like to address. We have brought some billboards to show you guys, especially residents, who own property around the area. So if you look at this billboard you will notice where the shopping center is located, it is really nested. It is nested behind a fifteen foot buffer of existing vegetation that runs between the property and the school and a thirty foot buffer that runs between Boulevard and the shopping center. And next to the residential apartments that are behind it, there is a fifteen foot buffer that it is nested in. So the store itself is really tucked away. It is not going to be a eye sore or is it not going to be adversely affecting anyone's property. Secondly, we wanted to bring you some sort of pictures of what the store would look like. As you can tell, I think it is a very high end facility. So, it is tucked away and this is going to give you guys a quality product and this is because there is an existing buffer that will remain. So again in the spirit of trust, we just wanted to present this to you. I am a homeowner myself, so I understand your concerns. I am a businessman myself, I get it. Cypress has invested over 4.5 billion dollars into retail investments for our partners. Our strategical plan is we go and obtain the property and we really don't make the return until after the property is developed. So for example, we are six to eight months away before we even break ground so the investment on our behalf is complete capital and human equity until our tenants occupy the space. We are here to partner. Just building each store is about ten million dollars. I was a college student once and I worked in a facility like this and I will tell you that \$12.00 dollars an hour would have done me real good. So thank you for your time. Thank you for your cooperation and thank you for hearing us, we are here. We would like to hear your concerns and we would like to partner with you over the next two years. Thank you."

Mayor Butler thanked Mr. Tim Brett and Mr. Thomas Crowther for their presentation and asked if anyone else wanted to speak at the Public Hearing.

Mr. Dan Hydrick addressed the Mayor and City Council. He stated, "It is nice to be here before the new Mayor and City Council. I live at 2495 Griffith Drive, which is in the County and not in the City. I am a property owner in the City for multiple properties, so I pay city taxes and that is why I am here. First of all I would like to commend them on their presentation. Excuse me for my notes, but I want to make sure I get it right. A study by Wal-Mart does not necessarily mean that you can trust it. The world's greatest scientists have been debating for years and years and decades on whether there is global warming or not. I do not trust the government; I do not trust Wal-Mart who is giving me a study, what actually happens is what happens. So let's move on from the trust factor. Columbia Road and Chestnut Street intersection is one of the most dangerous, if not the most dangerous in the City of Orangeburg, and I will leave that up to the police to decide which one it is, but it is one of the most dangerous. We have closed three grocery stores already in this area that have competed with the infrastructure although they need

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serious renovation. It would seem to me to be a shame to leave buildings like this vacant which drags down a community. Why don't we get a company that is willing to come and renovate and put another grocery store in there, instead we build a new one and leave those places vacant. Such as the fact of the building on Russell Street that has been vacant across from the old Eutaw Hotel that Chan Holman purchased and is remodeling. Do we want the outskirts of the City to go to heck in a hand basket or do we want to have an opportunity to restore them before we start building new buildings. Orange Park West does not need additional traffic to enter and interfere with their entrance and egress into Orange Park West. I am president of Orange Park West Homeowner's Association, so that is why I am bringing this point up. I am a property owner and obviously that is why I am the president of the Association, so I speak to defend our property values and we disagree that the property values will not go down, we think the property values will go down. We certainly need affordable groceries in the Orangeburg area and I do not think anyone here would disagree with that fact. That is the reason that we have a super Wal-Mart within two miles of this proposed little Wal-Mart grocery store. If you can drive a mile to a grocery store, you can drive two miles to a grocery store. That is not to be punitive. Wal-Mart is in bed with big government, we have heard that, we know that Donald Trump built a wonderful, gorgeous building in downtown Chicago, now he has put up the tackiest sign in the City of Chicago. We do not need that in Orangeburg. I am not inclined that they would do that. This building looks very beautiful, very aesthetic, but is it what we need in Orangeburg with the economic situation that we are in. We need to revitalize what is here, the infrastructure that is here and not create something new and additional and leave our plans blank and our friends blank on the buildings that have been vacated. Thank you very much for your time."

Mr. Michael Culler addressed the Mayor and City Council. He stated, "I am Michael Culler and I live at 370 Nansbrook, which is in the Berry Woods area. It is interesting that the word trust has been evoked by the second speaker. We know that we are not smarter than Wal-Mart number one; we know that if we do not build this building, by the way, we are going to have Section 8 Housing. So it is really not a choice that they are going to leave to you, it is more a gun barrel form. I would submit to you they are not coming in here and making their argument. In so far as the rendition with the buffers that is not going to have any impact on this area that is why they are building these big buffers, so you cannot really see it. I would suspect that it will change the character of the area substantially. I will echo what has been said earlier. I had a conversation with the gentleman who has been donating buildings essentially to the County and who will donate another one to the City if the City will have it, which is on the square. A big developer and I had an opportunity to talk with him, he said, "Michael what is going on with all the empty buildings in Orangeburg, what is being done?" Now, I use to go to Reid's on occasions, they had oysters; I liked to go to Reid's. I go to Piggy Wiggly and talked with Greg Waters, now I got to go to Bi-Lo, the neighborhood grocery store. See that is interesting, a neighborhood grocery store, it is only one fifth as large as a super store, which we got two miles away. I do not understand why it is so important to build a new building which potentially is going to be vacant in five or ten years. In addition, which we got ten million dollars, but we cannot go into the empty buildings, we just can't do that. We do not have enough lawyers, enough experts, that they can go into the empty buildings and rehab it, so we do not have empty buildings everywhere in Orangeburg. If this fails because it is going to compete with the other Wal-Mart, then we are left with another empty building and the gentleman is going back to Mauldin and we are left here in Orangeburg. One last point, in terms of property values decreasing and the tax revenue, you might get some money from this store. You could get money from the store located in the City anywhere, but if you start decreasing the property values as a direct result of this, it is a wash. You are not getting more money because the tax values are going to go down on these houses. This is what I have to say."

Ms. Sarah Ford addressed the Mayor and City Council. She stated, "Good evening Mayor. I am Sarah Ford and I live at 887 Carolina, here in the City of Orangeburg and I stand and urge you to vote against rezoning the property on Columbia Road to build a Wal-Mart grocery store. Mr. Brett spoke at this meeting and the last meeting about what is in the best interest of Cypress and his company that he represents, but not necessarily what is in the best interest of Orangeburg. So

I did a little research on Mr. Brett and his company and I noticed a quote that he has on his web page, it is right under his bio. It says that he puts bow ties on pigs and that is what we have here tonight. He is trying to put a bow tie on a pig and maybe tonight he will get some lipstick and a pretty party dress, but what it comes down to is this project and them asking you all to rezone this property, it is a pig that they are trying to bring here in Orangeburg. I am sure that most of you that are coming to this meeting, you have empty buildings, empty store fronts, we are all concerned about the grocery stores that have closed recently and on its face it seems like a great idea, but the last thing that council needs to do is to allow this property which is located in a residential area, to be rezoned when we have existing buildings that stand empty. Not only as an eyesore, but we must be good stewards of our land and development. We have already encouraged here in Orangeburg and to abandon these buildings and leave them struggling, it does nothing for Orangeburg County or the property values for the people who live in this area. When I was a kid, Wal-Mart was located in the Prince of Orange Mall and if you go by the Prince of Orange Mall where Wal-Mart used to be, what is there? Nothing, it is empty. I submit to you that in a few years that could be this building, here right next to a school, next to apartments, empty. Furthermore, it was mentioned that this is going to bring two-hundred jobs to Orangeburg. It sounds great, we all know that Orangeburg needs jobs, but what kind of jobs are these. Well, Mr. Brett mentioned \$12.50 an hour. I do not know about all of you but I worked at Piggly Wiggly on Russell Street and I made minimum wage for about a year and a half, but then I was in high school. I cannot imagine that people are going to start off at \$12.50 an hour at Wal-Mart. Minimum wage is \$7.25 an hour. I do not know about you all, but it would seem that it would be difficult to raise a family on \$ 7.25 an hour. I in fact, if we change and you all vote to rezone this property, I submit to you all that this threat about it is either this or low income housing. we are going to need low income housing because the people who work at Wal-Mart are going to need it. Ultimately, this does nothing long term for Orangeburg, it does not bring solid jobs that we need and it will only cause more strain on our economy. The long and short of it is, that Wal-Mart puts small businesses out of business. You and I both know someone or some business that has been affected by Wal-Mart. I call it the Wal-Mart machine. Long term this is bad for Orangeburg, bad for business and bad for property owners. This request to rezone is a pig maybe dressed up, may have a bow tie on it, but it is still a pig. I urge you and I implore each of you members of Council, to do what is in the best interest of Orangeburg and the people of Orangeburg, the pocketbooks in Orangeburg. Not the pocketbooks of Greenville or the pocketbooks of Bentonville, Arkansas, but the pocketbooks of the people of Orangeburg. So I ask you to please, please follow the recommendations of the Planning Commission and deny this request. Thank you all for your time.”

Reverend Larry McCutheon addressed the Mayor and City Council. He stated, “Good Evening, my name is Reverend Larry McCutheon and I live in the area. I am in support of what the prior speakers have said. I agree with the Planning Commission and I realize that we are all looking for new jobs, new opportunities, and we want our City to flourish, but I do not think our City will flourish by placing a store next to a middle school regardless of all the beautiful rendering of greenery and all of that stuff. We know about safety, we know about challenges that all of our schools have, so I support the Planning Commission and I would ask that you would not rezone that area and think about persons that have invested their energy, their resources in having a quiet and peaceful neighborhood. Thank you.”

Mr. Bob Bates addressed the Mayor and City Council. He stated, “My name is Bob Bates and I live on Brewton Street in the Berry Woods section and I would like to address Council as to how I feel about the proposed facility to be built here. I have my notes written, so I am going to read what I have to say to you. As a thirty-five year resident of the City, I strongly oppose the above proposal facility for the following reasons. Number one, the safety of school children crossing Columbia Road, numerous children who live in the neighborhood walk to school and have to cross Columbia Road and they have to cross four different streets and these four different streets are very close to this facility. They are Central Street, Brewton Street, Bennett Avenue and Berry Street. Columbia Road is heavily traveled and with additional cars and especially truck traffic, I believe it would propose considerable danger to these school children and this is one of

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my major concerns. Another concern that I have is major traffic congestion. At the present, there is little truck traffic between the traffic light at the intersection of Columbia Road and Boulevard, it may even be prohibited. I do not really know. But, if built as proposed, the facility will be serviced by trucks from the rear entrance and that rear entrance is on Columbia Road. Where there was no truck traffic before with a facility such as this, and it is larger than the Chestnut Street Bi-Lo, trucks will be serving this facility, twenty-four hours a day, seven days a week. In addition to congestion, we also have to deal with truck noise, which would be a negative to those who live close to Columbia Road in this area. My other concern is potential flooding, a two inch rain on seven and one-half acres of paving, which there would be paving, a building, a catch basin, all this would be seven and one-half acres of water and two inches of water would be four hundred and eight-thousand gallons of water. Where would it all go? What is going to happen to all this water, the only place that I know that it will go will be Hess Branch, which would be just south of the proposed site on Columbia Road. The back of my property and adjoining properties borders Hess Branch and I am being told that the back portion of our property along with numerous other properties in the vicinity, were at one time, many years ago, part of a pond. In the thirty-five years that I have lived on this property, the back portion of my property was flooded on two different occasions. With the addition of all this additional water, I see the potential of properties along Hess Branch would be subject to flooding during periods of hard rain. This means properties along Nansbrook, Broughton and Brookside, all the way to the North Edisto River. In closing, I would like to say that there are numerous sites in the Orangeburg area that are better suited for such a large facility that would have such a less negative impact on the citizens of the area and the City. Most people drive to where they shop anyway. That being the case any site in the City or near the City would be a short drive and be convenient for residents of the City and outlying areas. So it makes more sense to me, to build a facility such as this on a site that would have a much lesser impact on our citizens. Thank you.”

Reverend Gainey addressed the Mayor and City Council. He stated, “Good evening. I am Reverend Gainey from Edisto Fork United Methodist Church and I live on the drive, so I do not live in those areas where the store is looking to be. I have a lot of members, especially elderly who shared with me that it would be a good thing. That if they had a closer place to drive, because the elderly do not drive like they used to and they do not come to Bible Study like they used to. I understand the pros and cons of both that have been presented here tonight and on behalf of myself and the Edisto Fork, I heard the young lady say that we are getting pigs, well we lost two pigs in the Piggly Wiggly stores and it is not humorous, but it is real. It maybe the custom that when you lose two pigs and it looks like you might get two pigs, things may balance themselves out. I know it may not be what many may not want to hear tonight, but I am from the prospective of some things that people say, new things are bad. Not all new things are bad and I close by saying, as I listened to my good friend Reverend Larry McCutheon, and often we do not disagree on situations, but one thing I do know that here is an opportunity for this Council to make a decision and no matter what decision you make, some are going to like it and some won’t like it. That is the choice and price you pay in being elected to City Council. It is my prayer and hope that you would seek God in your decision making and whatever the Spirit of the Lord may lead you to do, do it for the work for our good.”

Ms. Linda Keith Stroman addressed the Mayor and City Council. She stated, “I do not live in the City but I shop in the City, but I have lived here in Orangeburg County over sixty years. So I have something to say today to support this facility that is coming to Orangeburg County. My name is Linda Keith Stroman and I am a resident here in Orangeburg County. Let me paint you a picture and it is not pretty. Three neighborhood stores have closed in the City in the past month. Not one, not two, but three, that leaves many of us with few options for healthy, affordable groceries. We have to drive across town which is more expensive. This neighborhood supermarket is the perfect solution. We have the opportunity to buy fresh produce, meat and dairy in a new clean environment. It is really an improvement over the older grocery stores that are closing and it desperately fills a need in our community. The conversation is not really about whether or not the citizens of Orangeburg are wanting this, the

Conversation is about whether the citizens of Orangeburg need this and the answer is a resounding, yes, we do need it. Thank you.”

Mr. Harvey Elwood addressed the Mayor and City Council. He stated, “Good evening everyone. My name is Harvey Elwood and I am not here as a member of the press this evening. I am here as a person who has some familiarity with urban development and urban building. I might be one of the only people in this room, I do not know, who grew up in the neighborhood. So I know what a neighborhood grocery store is. A real neighborhood from Queens, Staten Island, you name it, those are neighborhoods and we need supermarkets that we can get to easily and accessibly. We didn’t drive; we took the bus, we took the train. So if Wal-Mart is coming in here and say they are building a neighborhood supermarket, that is not what they are doing. Because I grew up in a neighborhood, I know the difference. Mr. Mayor, you grew up in a neighborhood as well, so you know the difference. Reality is that I do not support the project, but I support Wal-Mart. We need the jobs that they want to bring. They have not done the necessary research. In my opinion, irrespectively with the studies that they have conducted without real qualified community input from interested parties that could tell you the best locations for your supermarket. This gentleman that is behind you, he made mentioned we have too many abandoned properties in the City, we want to attract businesses here. Former Mayor Miller and I had a discussion some time ago, why don’t we go to Japan, why don’t we go to Germany, why don’t we go to some other countries in this world and attract them back here to do business and help establish this City and this County. Seeing what cities are doing, that is what mayors are doing, and that is what leaders are doing around the country. I hope we will begin that aggressive fight of finding people and they will not come and dictate to us and tell us what we got to have or what we should have, but it should be a collaborative effort where we all sit down and we agree and reason. Reverend Gainey, from Edisto Fork Church, we need something out there. Let me tell you about Wal-Mart and I will be brief. I am from the town of North, Wal-Mart attracts people from North and Neeses and all in that area that is what built up the western side, all the developments happened after they left the mall because of Wal-Mart. Why we are not concerned about what goes on at 301 on the other end. If we had a supermarket on that end, it would revitalize that community and attract from Neeses, Bamberg, and Denmark, that is community growth right there. That is economic development because we are considering our neighbors to the south and they will be bringing their money here instead of taking it where ever they have been taking it. That is development and that is what you have to think about. Those are the things you need to consider before you make this decision. So I am not against Wal-Mart, but I do not believe the right amount of consultation has been duly taken before you all made your decision. Time Warner gives the County almost one-half a million dollars every year just to function here, and the reason is because they know in order to do business they have to make it profitable for the City and the County. There is no difference, we do not let people walk in here and dictate to us about what we have to have or to hold something over our heads. I think it should be collaborative, I think we should work together to see what it is. The last thing that I am going to say, I love downtown Orangeburg, I did not want to see a gun range in a place in the City that we are trying to make modernized. I have nothing against Mr. Holman, I have nothing against what they want to do, but that is not the place for a gun range, it takes us back. I worked when Western Auto was there and the reason that I am saying this is , Wal-Mart needs to consider the properties that already exist downtown, any abandoned properties that exists, let’s revitalize those. If we have to tear down some structures and add some more money. I think it would be more reasonable situation because South Carolina State University, Claflin University and the whole downtown could be redeveloped and we would really applaud you there. You would mean something to us then. Thank you.”

Ms Cheryl Nugent addressed the Mayor and City Council. She stated, “That is a hard act to follow. Thank you for having me and my name is Cheryl Nugent and I live at 525 Wells Drive in a home that was built by Mr. Larry Wells, fifty or sixty five years ago and that is why we have Wells Drive. We moved her about ten years ago. We bought in a residential neighborhood because we liked that kind of area, it is quiet, it is peaceful, it is elegant and I am very happy to get into my car and go a mile or two to a grocery store. I would like us to have more. I think development for Orangeburg is so important. It is a little town that has problems and it needs

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help, but I think we have good citizens that can make that happen. With all due respect to the public relations firm from Wal-Mart, I think there are smoke and mirrors. I agree with several people who have spoken about statistics that can be manipulated, or at least put in a perspective to their favor. If Wal-Mart wants to come here, that is good; they are opening another store, the one they mentioned first, that is good. If they want to open another one, there surely has to be a better place. I would like to plant a little seed very similar to what the gentleman before me spoke of and that is Wal-Mart does have an image problem. I think it does, at least. It would do very well for DORA, for our downtown and it would do a good thing for the colleges if it could find a place where the old Piggy Wiggly or somewhere in that area, where it could provide something for the downtown and something for the college students. This is a college town and we should be proud of it, but I do not think it always acts as a college town. I would like to see those people considered. Thank you very much.”

Reverend Ceasar Richburg addressed the Mayor and City Council. He stated, “Thank you very much, my name is Ceasar Richburg and I am the pastor of Williams Chapel Baptist Church here in Orangeburg. Of course, I live in the County; however, many of my parishioners are residents of the City and some may say that pastors should not have anything to say or do with things of such. For me, the pastor is both prophet and priest and whatever it is that affects the people affects the church. I think we all know that our neighborhoods have seen businesses come over the years and we have seen businesses go. It is really frustrating to see these kinds of things happen. What has happened to us in the last short while, several supermarkets have closed for whatever reason or combinations of reasons. It looks as though what we are doing in Orangeburg, it appears that way, that we are exchanging opportunity for predatory lenders to come. Every corner you look at, there is a title or loan type of operation of which they have a right to come, but our people go there and they borrow \$500.00 and then in ten or fifteen days they owe \$1,000.00 and they lose their cars, of course. We are talking about water and run off all those things that are really controlled. Retention ponds are built primarily for flood purposes to prevent water from destroying properties. When we look at the monies that Time Warner gives us one-half a million dollars, we are a captive audience to them, it is a monopoly if you want to call it that and secondly, I believe that competition is good. I think one of the many reasons that taxes are so high in this area, is because we do not have the tax base that other municipalities of our size very possibly enjoy. Traffic, generally grocery stores do not generate traffic, all you have to do is do the research. Being that we have witnessed a lot of store closings, we talk about downtown; people do not build grocery stores on Main Street. Typically, they do not. They are built in neighborhoods and quite honestly Mr. Mayor, and Members of Council; I think it is a good thing. It brings jobs to the community, it offers opportunities for the students of these Universities to work. We talk about \$ 12.95 an hour, I will tell you there are a lot of companies in this area that are paying a lot less than that. Much less than that and a lot of people would like to get the increase from \$7.25 to \$12.95 an hour, so we have a chance to do that. Sometimes, I think we need to think about what is best for the community as a whole and not just for a few persons. Certainly, take into consideration their concerns and the lack. We are not talking about a super store, we are simply talking about a supermarket and living in Orangeburg these last eight years, I am not quite sure, and that is not to say we should take anything when it comes our way, but I am not quite sure that we can’t be super choosey about what it is that we are doing. We just lost a billion dollars, where a company came in, a spun off of Boeing, they passed Orangeburg. They decided not to domicile their business here and they placed it in Spartanburg, South Carolina. They decided to drive an additional one hundred miles rather than placing a business here to provide parts to a company that is only forty-five minutes from us. We need that type of boost, we need that type of impact in our area if Orangeburg is going to awake and be a beautiful city that it has the potential to be. Thank you, Mr. Mayor and Members of Council for allowing me to share this.”

Mr. West Summers addressed Council. He stated, “My name is West Summers and I live at 1105 Columbia Road with my wife, Frieda. We both are concerned about the site selection. We think site selection is very important, but this site is inappropriate. This site should be developed in the future. We have concerns about traffic and congestion, and I feel Wal-Mart needs to reconsider their site selection for a more suitable location.”

Mr. John Smith addressed Council, he stated, “My name is John Smith and I live on a little piece of property that people do not know is Bennett Street. I am actually four tenths of a mile from this site. I am not opposed to new businesses, new jobs or growth. I am concerned that changing zoning for non-conforming uses changes the integrity of the City’s Land Use Plan. It can initiate a domino effect for surrounding properties, especially vacant properties in the surrounding areas. To those sighting investments and jobs as justification, would they support rezoning next to their child’s school or next to their church for industry as long as it brought jobs? I don’t think so. I know why they are building new stores, their large stores are losing revenue now and these markets have increased revenue all year and I know this why they are pushing these. Why can’t they take these plans and go to another commercial site. In other research, in Cary, NC, a new Wal-Mart store was put in a vacant Kroger’s. In Hampton, Virginia, a shopping mall. In Rock Hill, SC, they tore down a restaurant and a car wash and built there. In Charlotte, NC, the Wal-Mart moved into a former Best Buy and renovated it. In Miami, Florida, they moved into a lumber company and renovated. In Joplin, MO, a new store was built in a Chevy dealership. In Harvard, Oklahoma, a homeland building was used. In Hickory, a hotel site was demolished and built. I have a long list here, In Bellevue, an old Kmart site was renovated and moved into it. A former grocery store site was used in Cape, Mo., so obviously, it is possible. Why treat Orangeburg differently? Why not work to make it fit the needs of the community within the current Land Use Plan? Why not treat Orangeburg citizens with the same respect they have for others?”

Hearing no further comments, the Public Hearing was closed.

Council entered into the regularly scheduled City Council Meeting. An invocation was given by Councilmember Knotts.

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 Barnwell, seconded by Councilmembers Keitt, to approve the June 3, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Deitra Dantzler addressed Council. She stated, “I am a parent and I live at 2167 Atlantic Avenue in Orangeburg. I am here to speak to have a voice. The conditions of the City Gym are deplorable, to say the least. There is no air conditioning whatsoever. The City Officials have put fans in the door way to cool the gym. This is only blowing hot air in. We have seen children and parents get sick. There are exposed electrical wires, the restrooms do not function properly and there are pot holes in the parking lot. There are not enough bleachers there for parents to sit. I am here to address the current conditions and to find out what can be done. I have heard talk about a new City Gym being built and have seen no action. I would like to hear what is going to happen.”

Mr. Kenneth Glover addressed Council. He stated, “My name is Kenneth Glover and I live at 110 Brookside Drive and I agree with everything that was said by Ms. Dantzler.. However, I did take some pictures of the conditions and these were handed out. You need to visit the gym and see when the kids practice. I grew up in that gym. I would joke that the gum on the floor has been there for thirty years. It is not funny because the place is nasty and there is not a strong word to describe the conditions. The bathrooms overflow. When it rains, you cannot get in the front door. I don’t want to know when we are building it because I have been hearing that since

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1994. What can we do to renovate the facilities we have now? There has been a lot of money that has been spent that wasn't needed, I urge you to clean the gym up, fix the plumbing, install air conditioning, because we owe it to our children to do this."

City Administrator Yow replied, "As you know there have been monies set aside for the new City Gym in the last round of the penny sales tax that the citizens voted on. I appreciate the speakers support towards the new gym. Hopefully, City Council will have the opportunity to vote on bids for the City Gym in late August or September. I hope you will keep your support in the City Gym. We will look into some of these things and I know that Ms. Simmons, P&R Director, has spoken with Ms. Dantzler on some of these issues. I hear what you are saying."

Councilmember Richard Stroman stated, "I went to the gym today at 6:00 P.M., and it was too hot. I spent ten years there in the National Guard and I can't remember it being that hot."

Mayor Butler stated, "I would really like to suggest that we look into an alternative spot until we build the gym. I talked to the YMCA and they stated they could play for \$1.00. If the plumbing is inadequate, I suggest that maybe we close the gym. I don't know what your feelings are?"

Mr. Thomas Crowder stated, "In the spirit of partnership, if you approve the rezoning, we would offer \$20,000 for the air conditioning for the gym. A lot was said about trust. That is why Wal-mart and Cypress Acquisitions would like to offer \$20,000 as a part of the community for the air conditioning."

There was a lot of commotion that went back and forth in the audience.

Councilmember Keitt stated, "Mayor and Council, let's talk to the City Administrator to see what can be done, along with the Mayor Butler, next week so our children can be safe. Give us a little time."

Council did not accept the \$20,000 offer.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the three (3) reappointments and one (1) appointment to the City Grievance Committee, which are as follows:

Duane Tarrant	Reappointment	Finance
Clatus Griddle	Reappointment	Hillcrest
Tripp Miller	Reappointment	Finance (Alternate)
Alfred L. Alexander	Appointment	Dept. of Public Safety

These are three (3) year terms expiring June, 2017. This motion was unanimously approved.

City Administrator Yow addressed Council. He stated, "You have a first reading of an Ordinance before you in reference to the Public Hearing tonight. This would amend the Zoning Code of Ordinances with the City rezoning it from Multi-Unit Family to Business."

Councilmember Barnwell stated, "I would like to address Mr. Brett first. He asked, "Do you intend to enter into a lease with Wal-Mart and for how long?"

Mr. Brett stated, "Yes, for twenty years."

Councilmember Barnwell asked, "Do you think they are going to honor it for twenty years?"

Mr. Thomas Crowder stated, "We have a contract with them prior to closing and as long as we own the building, it is our tenant. Wal-Mart can purchase the property from us and in turn, we can also sell the property. I heard a lot about proximity, but basically where they decide is that they build a neighborhood store within 2-5 miles of an existing Supercenter. If it is further, it is more of a laborious effort from a distribution standpoint. Of course, there are trucks and it is more costly"

Councilmember Barnwell asked, "You do realize that this property is wetlands?"

Mr. Crowder responded, "Yes, as I stated earlier. We have already engaged a firm (ECS) and they have met with the Army Corp of Engineers today."

Councilmember Barnwell stated, "As you have heard, no more water can go into Hess Branch. The earth is cracking now and my property backs up to it. Wal-Mart cannot put another drop in it."

Mr. Hughes stated, "That is a very good concern, if there is any water, it will be retained or detained on our site. Basically, there is nothing that the additional development will have an impact on. There are retention ponds on the property. There is a science behind it."

Councilmember Barnwell stated, "You put the cart before the horse. You said you were going to be a good neighbor. You don't mind destroying neighborhoods."

Mr. Brett addressed Council, "Mr. Barnwell, no disrespect, and the first time I asked to meet with you, you stated that nothing was going to change your mind and that you were opposed to this. You didn't want to meet with me and you didn't want to talk about it. Wal-Mart is not going to destroy anything, we are going to put a Wal-Mart store there if you agree, that will employ ninety-five (95) people at a wage of \$12.78 an hour and it is going to provide groceries for the neighborhood. It is not going to destroy any property. Nobody is going to come and spend 10 million dollars in a vacant building in the City of Orangeburg. You don't get that choice; the investors decide where they are going to be. That is why you have three empty grocery stores now and they are going to stay empty."

Councilmember Keitt stated, "We would like to thank Mr. Brett and his staff that came and presented their proposal. We thank the citizens of Orangeburg for coming out and letting us know what you are feeling. We appreciate you doing this to let us know what we need in Orangeburg. I am going to move that Council deny First Reading of the Ordinance to amend the district boundaries in the Code of Ordinances at this time. We ask that you take a look at other places"

The motion was seconded by Councilmember Knotts and unanimously approved.

There were no matters concerning the Department of Public Utilities.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to enter into an Executive Session for a contractual matter concerning Industrial Project WE. 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
Special Meeting
July 9, 2014

Orangeburg City Council held a Special City Council meeting on Tuesday, July 9, 2014, at 9:00 A.M. in the Council Chambers Building with Mayor Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

ABSENT:

Charles B. Barnwell
Charles W. Jernigan

Meeting was called to order by Mayor Michael C. Butler. An invocation was given by Councilmember Keitt.

City Administrator Yow presented the First Reading of an Ordinance authorizing the conveyance of 7.48 acres owned by the City as shown on an ALTA/ACSM land title survey prepared by Edisto engineers and Surveyors, Inc., dated March 14, 2014, last revised May 27, 2014, to Twister 109, LLC, for the consideration of One Million, Two-Hundred and Seventy-Five Thousand and No/100 dollars (\$1,275,000.00). City Administrator Yow, as well as, City Council Members thanked Mr. Alec Chaplin who donated the property to the City in 2010.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the First Reading of the Ordinance. This motion was unanimously approved.

A motion was made by Councilmember Stroman, 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

CWJ/pfb

**CITY COUNCIL MINUTES
SPECIAL MEETING
July 23, 2014**

2373

Orangeburg City Council held a special meeting on Wednesday, July 23, 2014, at 9:00 A.M. in Council with Mayor Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Charles W. Jernigan, Mayor Pro Tem
Richard Stroman
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts

ABSENT:

Charles B. Barnwell

City Administrator Yow addressed Council in regards to a Second Reading of an Ordinance authorizing the conveyance of 7.48 acres to Twister 109 LLC., for One Million, Two Hundred and Seventy-five Thousand Dollars (\$1,275,000). He stated that there were no changes and recommended that Council proceed with the Second Reading.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance authorizing the conveyance of 7.48 acres as shown on a ALTA/ACSM Land Title survey prepared by Edisto Engineers and Surveyors, Inc., dated March 14, 2014, and last revised May 27, 2014 to Twister 109, LLC., for the consideration of One Million, Two Hundred and Seventy-five Thousand Dollars (\$1,275,000). The vote was unanimous.

There was no further business.

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

Respectfully submitted,

Carrie W. Johnson

Carrie W. Johnson
City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING**

2374

July 24, 2014

Orangeburg City Council held a special meeting on Thursday, July 24, 2014 at 9:00 A.M. in Council with Mayor Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Charles W. Jernigan, Mayor Pro Tem
Richard Stroman
Bernard Haire
L. Zimmerman Keitt
Sandra P. Knotts

ABSENT:

Charles B. Barnwell

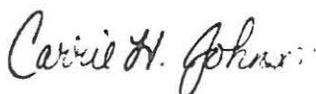
City Administrator Yow addressed Council in regards to a Third Reading of an Ordinance authorizing the conveyance of 7.48 acres to Twister 109 LLC., for One Million, Two Hundred and Seventy-five Thousand Dollars (\$1,275,000). He stated that there were no changes and recommended that Council proceed with the Third Reading.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance authorizing the conveyance of 7.48 acres as shown on a ALTA/ACSM Land Title survey prepared by Edisto Engineers and Surveyors, Inc., dated March 14, 2014, and last revised May 27, 2014, to Twister 109, LLC., for the consideration of One Million, Two Hundred and Seventy-five Thousand Dollars (\$1,275,000). The vote was unanimous.

There was no further business.

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

Respectfully submitted,



Carrie W. Johnson
City Clerk





**City Council Minutes
August 5, 2014**

2375

Orangeburg City Council a Public Hearing on Tuesday, August 5, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Pro Tem Jernigan presiding.

The purposes of the Public Hearings were as follows:

- 1. Public Hearing- To review adding Store Front Churches to the uses that are incompatible in the City of Orangeburg Design "Overlay" District as per Section 24-6.4, titled Design "Overlay" District, Subsection C**

- 2. Public Hearing- To consider six (6) applications for 100% annexation into the City of Orangeburg, SC, for properties on Putter Path as follows:**
 - 1095 -1101 Putter Path, TMP# 0152-10-01-001**
 - 1105 Putter Path, TMP#1052-10-01-002**
 - 1109 Putter Path, TMP# 0152-10-01-003**
 - 1110 Putter Path, TMP# 0152-09-02-003**
 - 1118 Putter Path, TMP#0152- 09-02-004**
 - 1132 Putter Path, TMP# 0152-09-02-005**

Mayor Pro Tem Jernigan opened Public Hearing #1 for comments.

Mr. Abe Salama stated, "I support the change for limiting store front churches but the grandfather clause defeats the purpose of the Ordinance. It should state that there should be additional wording to say that they have a year or two and then they will need to relocate. I have nothing against churches, but downtown Orangeburg is an ideal location for restaurants, but they will likely face hurdles if they plan to serve liquor. The state law doesn't allow restaurants to serve liquor if the restaurant applying for the license is within a certain distance from a church. However, a recently approved state law allows churches, within such distance of a restaurant, to sign a waiver of consent if they support the restaurant's application to obtain a liquor license. This is the case with the present restaurant, Rosalia's, who recently obtained a liquor license after getting the blessings from the church located next door."

Mr. David Farr stated, "I too am not against churches, but the storefront churches in downtown Orangeburg aren't helping to stimulate the economy or improve the downtown image. On Saturday, I took my dog for a walk and a nearby storefront church was holding an event and it was making such a racket. Events such as this at churches will not help attract shopping in the downtown. There are probably a dozen buildings tied up as storefront churches. I applaud the effort of Andrea's Jewelers for moving back to the downtown location. There are areas on Russell Street that are second rate, third rate, empty buildings and loitering and the storefront churches are not helping.

Mr. Harvey Elwood stated, "Orangeburg needs to attract more businesses, especially restaurants in the downtown area. You have lawyer offices and medical offices and they want to be able to take their clients to restaurants in the downtown area, but there aren't any places to do so."

Mr. Cleo Benjamin stated, "I moved back to Orangeburg from New York and there are areas in Orangeburg that look dead."

Mayor Pro Tem Jernigan stated, "If anyone knows of a business wanting to locate in the downtown area to please let the City know because we want to do everything in our power to bring downtown Orangeburg back."

Councilmember Stroman stated, "I suggest that Council meet in Executive Session at the next meeting to discuss details about the grandfather clause in reference to including a time limit in the Ordinance.

Hearing no other comments, the Public Hearing was closed.

Mayor Pro Tem Jernigan opened Public Hearing #2 for annexation of Putter Path properties.

Hearing no comments, the Public Hearing was closed.

Council entered into the regularly scheduled meeting.

PRESENT:

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

ABSENT:

Michael C. Butler, Mayor

A motion was made by Councilmember Keitt, seconded by Haire, to approve the June 17, 2014, City Council Minutes as distributed. This was a 5-1 vote, as Councilmember Barnwell abstained.

A motion was made by councilmember Haire, seconded by Councilmember Knotts, to approve the July 9, 2014, Special City Council Minutes. This was a 4-2 vote, as Mayor Pro Tem Jernigan and Councilmember Barnwell abstained.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the July 23, 2014, Special City Council Minutes as distributed. This was a 5-1 vote, as Councilmember Barnwell abstained.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the July 24, 2014 Special City Council Minutes as distributed. This was a 5-1 vote, as Councilmember Barnwell abstained.

Assistant City Administrator John Singh presented the First Reading of an Ordinance for annexation of Putter Path. He read all tax map numbers for the record. He stated, "This is for 100% annexation requested by the property owners. They are zoned A-1."

Councilmember Barnwell asked, "How many more on Putter Path are left to come in the City?"

Assistant City Administrator Singh stated, "There are about twenty (20) more left.

A motion as made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance for annexation of six (6) properties on Putter Path. This was a 5-1 vote as Councilmember Haire abstained.

Assistant City Administrator Singh presented the First Reading of an Ordinance to amend the District Map for the purpose of adding newly annexed properties to Council District #1. This was a 5-1 vote as Councilmember Haire abstained.

Assistant City Administrator Singh presented the First Reading of an Ordinance amending Section 24-6.4 (c) the Zoning Ordinance of the City to prohibit "Store Front Churches" in the Design Overlay District and to define "Store Front Church".

Councilmember Stroman suggested that this item be put on the next Council Agenda for August 19, 2014, in Executive Session to discuss the "grandfather clause". Council was in agreement to the suggestion

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the First Reading of an Ordinance amending Section 24-6.4 (c) the Zoning Ordinance of the City

to prohibit "Store Front Churches" in the Design Overlay District and to define "Store Front Church". This motion was unanimously approved.

City Administrator Yow presented the First Reading of Ordinance amending the Budget for Fiscal Year 2013-2014. He stated, "Revenues are projected to exceed expenses this year mostly in part to the pending sale of property to Cypress Acquisitions. There will be no cash reserve used this year, although it was previously budgeted."

A motion was made by Councilmember Haire, seconded by Keitt to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2013, and ending September 30, 2014. This motion was unanimously approved.

City Administrator Yow presented the First Reading of Ordinance to Raise Revenue and Adopt a Budget for the City of Orangeburg, SC, for the Fiscal year beginning October 1, 2014, and ending September 30, 2015. City Administrator Yow stated, "This was a balanced budget with revenues and expenses of \$17,861,984. There is no property tax increase for the third straight year, it remains at 90 mills, no increase in business license fees and there has not been one since 1969 and Council maintains working to keep it low to attract small business. No increase in the DPU transfer, no increase in commercial or residential sanitation fees, no increase in recreation fees; however, this is an item that will need to be reviewed in the future and there is no increase in fire contract fees. For expenses, there is budgeted \$600,000 in cash reserve for operating and \$300,000 for code enforcements and building demolitions. Council has stated that they want to take down several dilapidated buildings located in the downtown that the owners have not followed through with having removed. The City will work closely with Attorney Walsh and the Code Enforcement Department to be sure that all are in accordance with the state law regarding this. All services will continue as normal with no interruption of services. No new positions created; although two (2) part time dispatchers will be made fulltime. There is also a 3% Cost-of-Living raise for employees except for the Department of Public Safety, as the Public Safety Officers will receive a \$3,200.00 increase, fire engineers \$2000.00 and lieutenants and captains will receive \$2,500.00. This is done to keep our pay scale in line to remain competitive. There is \$50,000 budgeted for medical insurance increases in hopes that it will not be needed. In this year's budget it helped that we are not purchasing a fire truck or garbage truck; however, that will be coming in the future. There has been a lot of interest in the Facade Grant Program this year, which only has a 20% owner match required.

A motion was made by Councilmember Haire, seconded by Knotts, to approve the First Reading of an Ordinance to Raise Revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015.

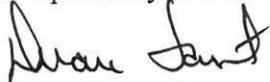
There were no Department of Public Utilities matters brought before Council.

DPU Manger Tommy Miller reminded Council of the Special Meeting on August 12, 2014, at 5:30 P.M, at the Department of Public Utilities.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to enter into an Executive Session for a contractual matter concerning an AT&T Grant concerning the Department of Public Utilities. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Duane Tarrant
Assistant City Clerk

/pfb





**Resolution
Slum and Blighted Areas**

WHEREAS, the City of Orangeburg is concerned about the economic viability of slum and blighted areas within its corporate limits; and,
WHEREAS, the slum and blighted areas projects a negative visual image of the community; and,
WHEREAS, the economic, social, physical, and cultural well-being of the City is adversely affected by the conditions of this slum and blighted areas; and,
WHEREAS, there exists the opportunity to improve, preserve, and re-develop this slum and blighted areas to the benefit of the community; and,
WHEREAS, the slum and blighted areas qualifies under the provisions of Ordinance No. 2010-01 passed in Council on February 2, 2010; and,
WHEREAS, the following detrimental conditions have been identified which qualify the areas under State law and Community Development Block Grant Program requirements:

- 1) Public Improvements are in a general state of deterioration; or
- 2) At least 25% of the buildings are deteriorated or deteriorating, and have the following characteristics:
 - Physical deterioration of buildings or improvements
 - Abandonment of properties
 - Chronic high turnover or vacancy rates in commercial/industrial buildings
 - Significant decline in property values or abnormally low property values in relation to other of the community
 - Known or suspected environmental contamination.

NOW, THEREFORE, BE IT RESOLVED, that the following areas is designated a "Slum and Blighted Areas."

Properties located in this two block areas beginning at Seaboard Street going East on Boswell Street to Gum Street over to Amelia Street and back to Seaboard Street, including Maple Street. Many of the homes are vacant, deteriorated and/or deteriorating.

Resolved and agreed upon this 2nd day of September, 2014.



Michael Butler

Mayor

Ben Hur

Sandra P. Kutt

Gabriel B. Brumley

J. J. Johnson

Chris Dyer

Richard L. Horn

Members of Council

Candice Johnson

Attest: City Clerk



**City Council Minutes
August 19, 2014**

2385

Orangeburg City Council a Public Hearing on Tuesday, August 19, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Butler presiding.

The purposes of the Public Hearings were as follows:

1. Public Hearing- To raise revenue and adopt a Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015
2. Public Hearing- To adopt a Budget for the operation of the Department of Public Utilities of the City of Orangeburg, SC, for Fiscal Year October 1, 2014, through September 30, 2015, including the adoption of new rates and charges from the Department of Public Utilities effective on the dates pertaining to natural gas.

Mayor Butler opened Public Hearing #1 for comments.

Mr. Abe Salama addressed Council. He stated, "I noticed that the current millage rate is 90 mills and the proposed millage rate is 90 mills. You should be commended on this because every time we turn around there are fees. I would like to know why the Airport has increased 53%?"

City Administrator Yow replied, "We record grants as they are awarded and this represents grant expenses. This was reported at previous budget reading."

Mr. Salama stated, "Several years ago, I wrote a letter to the editor and suggested that the best place to put an Airport would be near I-26 and Highway 33. Most airports are built around interstates. Why don't we take that money and have an accessible airport? Why not increase the lease from South Carolina State University from \$1 per year to \$2 per year since SCSU is in such bad shape. The terms need to be changed."

Councilmember Stroman suggested that Mr. Salama visit the Airport.

Hearing no further comments, the Public Hearing was closed.

Mayor Butler opened Public Hearing #2 for comments.

Mr. Abe Salama addressed Council. "The headline speaks for itself. City Council rejects proposed increase in electric. You should be commended."

Hearing no further comments, the Public Hearing was closed.

Council entered into the regularly scheduled meeting. An invocation was given by Reverend Henry Murdaugh.

Mayor Pro Tem Jernigan asked for a moment of personal privilege for remembering E. J. Lackey, a great Orangeburg citizen, who recently passed away at the age of 102.

PRESENT:

Michael C. Butler
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 enter into an Executive Session for a legal matter concerning the Zoning Ordinance on Store Front Churches.

A motion was made by Mayor Pro Tem Jernigan, seconded by Councilmember Haire, to enter into the regularly scheduled City Council meeting. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve the August 5, 2014, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Second Reading of an Ordinance for annexation of six (6) contiguous properties on Putter Path at 100% petition method. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion as made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to amend the Municipal District Map for the purpose of adding newly annexed six (6) contiguous properties to the Municipal Council District #1. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance amending Section 24-6.4 (c) of the Zoning Ordinance of the City of Orangeburg, SC, to prohibit "Store Front Churches" in the Design "Overlay" District and to define "Store Front Church". This motion as unanimously approved.

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

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

City Administrator Yow stated that the balanced General Fund Budget was \$17,861,984 with no tax increase, which is the third consecutive Budget without a tax increase. He thanked City Staff and City Council for being able to bring the current budget year in under expenses.

Ms. Kristina Thomas accepted the Community of Character Trait for the month of July 2014, "Forgiveness" and the Community Character Trait for the month of August 2014, "Respect".

Department of Public Utilities Director Tommy Miller addressed Council. He stated, "Last Tuesday, August 12, 2014, at the DPU Administration Building, you were presented with and subsequently approved, the First Reading of the proposed Budget for DPU for Fiscal Year 2014-15. That Budget was originally presented with an electric rate increase included, which has been removed from the Budget, prior to the First Reading approval. Tonight, I am presenting that same Budget (without the electric rate increase) for your Second Reading consideration. Ordinance No. 2014-13 (Item 11-A is in your folder) has been amended to reflect that change. This proposed Budget has an income of \$102,766,803 with expenses of \$90,314,000 for a net profit before the transfer of \$12,452,803. This represents a return on equity for the citizens of the City of Orangeburg of 5.1%. This proposed Budget reflects changes in the costs of purchased power per our electric supply contract with South Carolina Electric and Gas Company (SCE&G), which we are about to complete our third year under this contract. This proposed Budget forecasts the costs of natural gas to remain relatively stable and to remain relatively low through 2015. However, the costs of providing water and wastewater services has and will continue to increase. We anticipate these costs will be offset by small increases in sales in the Electric and Gas Divisions, as well as a slight increase in the Water and Wastewater Divisions. I do not recommend an increase in any of our utility rates at this time, but do recommend a

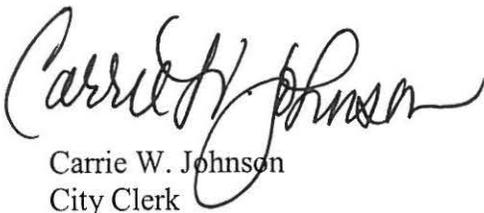
change in the natural gas rates that will add a Distribution Integrity Management Plan (DIMP) Rider that will recoup the cost of government mandated improvements. The maximum impact on our customers will be limited to \$0.015/therm, which is about \$6.00/year for a typical residential customer, which equates to \$0.50 per month. This change in the gas rates will have no cost effect on our customers in the upcoming Fiscal Year. This proposed Budget allows us to continue to provide safe and quality utility service to our customers and continues to lay the foundation for the future. We are confident that we can continue to meet these obligations, as well as, to meet your expectations with this proposed Budget. I would ask that you please consider Second Reading approval of the proposed DPU Budget and the natural gas rate changes as presented for Fiscal Year 2014-15.”

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the Second Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities of the City of Orangeburg, SC, for Fiscal Year October 1, 2014, through September 30, 2015, including the adoption of new rates and charges for the Department of Public Utilities effective on the dates pertaining to natural gas. (First Reading was approved at a Special City Council meeting on Tuesday, August 12, 2014.) This motion was unanimously approved.

A motion as made by Councilmember Keitt, seconded by Councilmember Haire, to enter into an Executive Session for personnel matters concerning Administration, Municipal Court, Municipal Attorney and the Department of Public Utilities. 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
SPECIAL SESSION - AUGUST 12, 2014

Orangeburg City Council held a Special Session Meeting on Tuesday, August 12, 2014, at 5:30 P.M. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Michael C. Butler presiding.

2379

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

Councilmember Keitt gave an invocation.

PRESENT: Michael C. Butler, Mayor
Charles W. Jernigan, Mayor Pro Tem
Charles B. Barnwell
Bernard Haire
L. Zimmerman Keitt
Richard F. Stroman

ABSENT: 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 tremendous amount of work that they put in getting the budget together. He went on to state "this is a team effort" and we always work as a team here. He explained the management staff and their personnel have the awesome responsibility of operating, maintaining and planning the future of your utility. You may ask "how do we do this"? We develop ideas, we discuss them, we plan them, and we develop a strategy to implement them. We do this for really one purpose and that is to meet the future goals and obligations of DPU and to insure that it remains 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 at just and reasonable rates and lays the foundation for the future.

Manager Miller continued with the meeting stating 2014 has actually been a very good year for DPU. Sales are up and that is what I am going to report. Sales are up primarily due to weather, the one thing unfortunately we cannot control. We have had a cold winter and we have had a reasonably hot summer and so our sales are up. This year has not been without challenges. You probably don't remember, but Dave Durgin and some of the guys in the Water Division remember the morning of January 7, 2014. It was 29 degrees high that day and a 21 degrees low. It was what we refer to as a 44 heating degree day. The Water Division's pipes were freezing and the Gas Division could not get enough gas to supply people. These are the type challenges that we have to deal with, in fact, in the month of January, four of the top ten coldest days in the last decade occurred. It was a tremendous amount of work on the utility company to make it through those days. I also don't have to remind you of the morning of February 12th. We came to work that morning and we spent the entire day watching the weather. During the evening of February 12th a 1/2-inch of ice accumulated on power lines and trees eventually interrupting power to almost 9,000 homes. We spent that entire night trying to maintain power to whatever we could; power lines were continuing to fail by broken limbs and ice. By the morning of February 13th more than 3/4-inch of ice was present and the outages had surpassed 15,000 homes and was getting worse. One February 14th, the next day, assistance arrived from other utilities and immediately before the sun went down that day, we were able to restore power to 5,000 homes and we spent the next three days restoring power to the remaining 9,000-10,000 homes and businesses. I cannot begin to tell you how proud I was of DPU through this entire ordeal. The one thing that these challenges do is to test ourselves. Where can we improve - how can we do a better job? I have watched these events over the years. I remember, I think it was "Hurricane Hugo", some 25 years ago, we did this on paper. Due to the resources that you have given us over the past 25 years, we now have an upgraded SCADA system entirely computerized. It monitors all of our utility systems and allows us to reroute electric power, it allows us to control and isolate problems. This is not just for electric; it is for all the utilities. Take our GIS system, Geographic

Information System. Our entire infrastructure, mapping systems, every component of our systems is on this mapping system. It is all computer driven. It is all intergraded to work together. Our vehicle tracking system gives us the ability to safely direct and manage our work crews to be sure that we have the right vehicles in the right places and it also allows us to safely monitor where they are.

2380
Manager Miller then discussed AMI. During this recent ice storm this was relatively a new product that we had installed. We were still in the "beta testing" pilot, but it was incredible the amount of information that came from the AMI meters that we had in place. You will hear from John Bagwell in a few minutes on that particular project. It is continuing to progress and all of these computer systems working together is what has made us be able to do what we were able to do during the ice storm. It takes money to do these kinds of things, it takes money to improve and increase the efficiency and make service better to customers. We thank you for the resources that you have given us and to allow us to continue adding these type of computer facilities which help us to improve your utility system.

He went on to report that he was pleased to present a proposed budget for the City of Orangeburg's Department of Public Utilities for Fiscal Year 2014-2015. Just for the record, a Public Hearing has been scheduled for next Tuesday, August 19th at 7:00 PM in the City Council Chambers. The public was duly and properly notified by publication in the Times and Democrat on August 2, 2014. This proposed budget has an income of \$106,934,703, with expenses of \$90,314,000 for a net profit before the transfer of \$16,620,703. He stated this represents a return on equity for the citizens of the City of Orangeburg of 6.9%. 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). 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. The Department expects the cost to remain relatively low through 2015.

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.

How are we going to pay for this? We anticipate these costs to be offset by small increases in sales in Electric and Gas Divisions and we think that we are going to have 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, the electric sales have increased 2% in Fiscal Year 2014 compared to Fiscal Year 2013 after three straight years of declines. This is attributed to the weather because sales would have been down had not the winter been colder than normal and the summer thus far warmer than normal. This year so far, residential and general service electric sales are up about 10-million kilowatt-hours compared to last year. He stated he was pleased to report that so far this year, large industrial sales are also up slightly. The residential and commercial is primarily weather driven. We are predicting sales to increase slightly over last year's sales even though overall electric sales are still well below pre-recession levels. Power supply cost that we incur from our suppliers are a direct pass through to our customers. The net effect on our bottom line is zero, but it has a significant impact on the cost to our customers. As a reminder, the contract with SCE&G allows fuel costs to be levelized, which removes the cost spikes that results from fuel cost fluctuations. This fuel cost levelization has helped all of our customers which has proven to beneficial.

In order to continue providing quality and reliable electric service and to provide for future development, we are asking and we do recommend a change in our electric rates to be effective October 1, 2014.

Reasons for the Electric Rate Change:

- The cost of providing quality electric service to our customers continues to increase. The cost of wire, transformers, poles, fuel, equipment and labor continues to go up.
 - Electric rates for residential and commercial customers were last changed in 2007 (7 years ago). The industrial rates were last changed in 2009 (5 years ago).
- 2381**
- In order to offset these increasing costs and to continue providing quality service, we are proposing a 5% across the board increase in electric rates to be effective on October 1, 2014.
 - We structure these proposed rates in order to maintain highly competitive residential and commercial rates. What we are proposing will do that.
 - We also recognize the importance of retaining and attracting large industrial customers. The proposed rates are structured so that we still have that advantage.
 - A typical residential customer will see an increase from \$110 to \$119 per month and the typical commercial customer will see an increase from \$178 to \$195 per month.

Manager Miller stated, any rate increase is something that we take very serious and I know that you do too. It is something that no one likes to do and we certainly do not like to ask for. But it has been seven (7) years and according to the Department's reports and statistics and numbers, we really need to look into increasing the electric rates.

Mayor Butler: Mr. Miller my understanding is the residential electrical rate currently now is \$110.

Manager Miller: Yes Sir. That is based on a typical bill.

Mayor Butler: We are asking beginning this October that it will go up to \$119.

Councilmember Jernigan: I am concerned over a 9% rate increase on our residential and commercial customers when we are actually projecting a strong cash position next year.

Director Josh Nexsen: I would not disagree that the City of Orangeburg is in a blessed position as far as current assets go and its liabilities go, but we also have some major future expenditures that are coming.

Councilmember Barnwell: We borrowed money for that.

Director Josh Nexsen: No, not just in Wastewater. If you sit down and look, the vast majority of the cash flow for DPU comes from the Electric Division and that is why the emphasis on this is that it has been seven (7) years.

Manager Miller: Mr. Jernigan we obviously from our past experience and history, we have worked very hard in keeping our rates down. It has been seven (7) years. It is my understanding that SCE&G has raised their rates six (6) times in the last two (2) years. We can raise, the choice is yours, or we don't have to do anything. We can raise 8.2% (that is the number that we are asking for) now and probably will not ask again in another 5-6 years. It has been seven (7) years and we have been able to effectively maintain and operate this system based on that, but I can tell you that if City Council chooses and it is certainly your right to do that. If you say let's not do that at 8.2%, let's do 3% or 4%, we will be back here next year or I guarantee you the year after, because it won't go very far.

Councilmember Jernigan: You say that in another year or two, if we don't do a rate increase this year for next year, then in another year or two you will be back looking for a rate increase. Do you not think we will continue to increase our net billing? If you are projecting this rate increase for the next three or four years are you projecting net billings to go down?

Manager Miller: I hope not, I do not exactly know how to answer your question. So much of our business is weather related. This time last year, I had no idea that the winter was going to be cold and summer was going to be hot and the electric sales would be up 10 million kilowatt hours. I am excited to report that, but next year for all I know the winter may warm and we will not sell any electricity. If you don't sell electricity, we will not make any money. The money will not be there.

Councilmember Jernigan: Well, based on that, our net billings could go down next year.

Manager Miller: You are absolutely correct and that is what we are projecting. This is a projected budget. All budgets are projected. You try to predict the future. It is easier to do when you are buying some type of commodity or some type item that you know you will need. It is tougher when you are buying something that is weather related and you don't know what the weather is going to do. The weather drives a tremendous amount of our business.

Councilmember Jernigan: I am trying to understand for the citizens really. When we tell the citizen that we want to have a rate increase on our utilities and it is going to increase their utility bill and they say "why are you having to do a rate increase?" I don't know how to answer the citizens of Orangeburg or customers of DPU because when I look at the numbers, it doesn't appear to be a necessary thing to do. When you said that sales even though overall electric sales are still well below the pre-recession level, that also means that our customers are just now coming off of pre-recession. Some of their incomes are beginning to come up a little bit and we hit them with a rate increase and that throws them right back down again. I just can't put this on the citizens. I really honestly can't and this is my personal opinion and I am just one vote on Council.

Councilmember Keitt: What will happen if we do not increase this year?

Manager Miller: We would very possibly have to cut back on some of our projects. We certainly would look at all of our projects and see where we could cut back. We have obviously committed to some projects that we cannot stop. It would not advantages to stop them. There are some new projects that quite frankly we will not do. We will just have to take a look at them and see.

Councilmember Keitt: I am concerned because of the fact our constituencies have not gotten much of an increase in anything. There have not been that many new jobs. So, if we could look at it and say. If we do not increase and can really measure up. I'm concerned about our constituencies. They have been good. If we could look at that and see what we could really do.

Manager Miller: You are our Board of Directors. We are seeking guidance from you. You employ us to make these types of decisions for you. I hope that you agree that we have made some really good decisions. We are certainly progressing and doing quite well. I think our numbers show that. We would like to continue doing that. If Council would like to see something different, we can certainly go back and re-run the numbers. That would be left absolutely to you. Whatever you tell us to do, we will be more than happy to do it.

Councilmember Barnwell: Our customers are hurting. Today, a man came by my office and wanted to borrow \$200 to pay his utility bill. I did not know him and did not loan him the money, but I referred him to CCMO. I just can't justify in my mind putting an 8.2% rate increase on our customers this day in time.

Manager Miller: I understand.

Councilmember Jernigan: If we didn't do a rate increase, in other words, on this budget, and in the middle of the year, the indication is we are not getting close to these projected figures – why couldn't we have some kind of rate increase at that time?. Why couldn't you come back to us and say, ok – we didn't do it at the beginning of the year – we have got to do it now – we don't have any choice. Then it would be up to us to decide whether or not we want it at that time and go ahead and do it. I am just concerned about the projections – and if we stick with these projections, I can't see where we would be in any kind of trouble.

Manager Miller: We can do that. I think the key to it is, and we will have to get our numbers together and go back and re-visit them. That's why I tell everybody there is an eraser on a pencil and a delete and back-space key on a computer.

Mayor Butler: Tommy, I am speaking for me. We just voted on an increase not long ago for utilities and we are the ones that are out there with the citizens. We listen to their concerns and complaints. We want to be considerate of the citizens that we represent. I feel and I am talking for me, that at this point, we should leave it where it is and come back and review it.

Councilmember Keitt: I know that you all are doing the best you can, but if we can hold to where we are now, then when we come back and we need to do it in half of the year, then come back to us.

Councilmember Jernigan: We can pass the budget on First Reading, and leave off this "including the adoption of proposed electric and gas rates" and not have that in there and then we can go on with the rest of the budget presentation and between now and the third reading we can actually change our minds, so to speak.

THIS COMPLETED THE ELECTRIC DIVISION DISCUSSION

*****Manager Miller continued to explain how the budget numbers reflect the predicted changes in the Gas, Water and Wastewater Divisions:**

Gas Division – For fiscal year 2014, overall industrial sales are up compared to fiscal year 2013. Residential and commercial sales are up due to the colder than normal 2013-2014 winter. (4% total). The combination of the West System special project and the recently approved increase in industrial base rates resulted in an increase in net revenues for the Gas Division in fiscal year 2014. 2383

We are also predicting that sales in the Gas Division will increase slightly primarily due to the addition of customers in the West System special project that the City Council approved in fiscal year 2013. The West System cost recovery is on schedule. We are 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 low relative 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.

Manager Miller explained he did not recommend an increase in any of the gas rates at this time, but did recommend a change in the gas rates that will add a Distribution Integrity Management Plan (DIMP) Rider that will recoup the cost of government mandated improvements. This change in the gas rates will have no cost effect in the upcoming fiscal year.

Explanation of Distribution Integrity Management Plan (DIMP) Rider

The natural gas industry is highly regulated. These federally mandated regulations are designed to allow the gas distribution systems in this country to be the safest in the world. DPU feels providing safe service to our customers is our #1 priority. We are constantly inspecting, upgrading and replacing piping infrastructure to insure that safety.

The latest regulation requires all gas distribution systems to have a Distribution and Integrity Management Plan (DIMP). This plan requires replacement and relocation of some gas piping infrastructure as well as other things.

In order to prevent these regulatory costs (DIMP costs) from being rate-based, we are proposing a DIMP rider be added to each gas rate. This type of cost recovery mechanism is widely used throughout the United States.

What we are proposing will capture the DIMP related costs from the previous fiscal year. Because we did not have any costs this past year, there will be no cost to our customers during the upcoming fiscal year. If we incur costs this upcoming fiscal year, then those costs will be recovered the following year. The earliest there will be any impact on our customers will be after October 2015.

The maximum impact on our customers will be limited to \$0.015/therm which is about \$6/year for a typical residential customer. This equates to \$0.50 per month.

Water Division – In the Water Division, sales and revenues seem to have bottomed and are starting to increase in all categories, but primarily in the residential and small commercial sector. During 2014 water sales have been up compared to 2013 and revenues are up 8%. The increase in revenues is attributable to the increase in sales and the rate increase approved in April 2014. The Department is predicting that sales will continue to increase in fiscal year 2015. The cost of operating and maintaining our water system continues to rise. The rapidly increasing costs are primarily due to increases in chemical costs, depreciation costs and increased distribution flushing due to regulatory requirements. The increase in our water rates in April 2014 has been beneficial, but we are continuing to study our water rates to determine if future increases will be necessary. Manager Miller stated, at this time, he did not recommend a change in the Water Division rates.

Wastewater Division – In the Wastewater Division, paralleling the Water Division, sales and revenues appear to have bottomed and is headed up. During 2014 wastewater sales have been up 6 percent compared to 2013 and revenues are up 8 percent. The increase in revenues is attributable to the increase in sales and the rate increase approved in April 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. The increase in our wastewater rates in April 2014 has been beneficial, but we are

continuing to study our wastewater rates to determine if future increases will be necessary. 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 2014-2015 is \$22,567,000, with \$14,500,000 coming from the State Revolving Fund by means of low interest loans.

Manager Miller reported there is one (1) carry-over capital project for the Administrative Division, one (1) carry-over capital project and two new capital projects for the Electric Division, two (2) new capital projects for the Gas Division, one (1) carry-over capital project for the Water Division and one (1) carry-over project for the Wastewater Division.

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

He stated, this is a sound and responsible budget proposal and does require an increase in electric rates. The proposed budget does allow for a 3% cost of living increase for our employees.

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.

The meeting was then turned over to the Directors to present their capital projects.

ADMINISTRATION DIVISION PROJECT
JOSH NEXSEN - DIRECTOR

Project #1 – Replacement of Administrative Software
(Previously Approved – Continuing Project)

Total Project Cost:	\$11,600,000
Expenditures to Date:	\$ 2,434,155
Estimated 2014-2015 Cost:	\$ 2,017,000

The Administrative Division has one (1) capital project. It is a previously approved project. It is the replacement of Administrative Software that we started back in 2009-2010 investigating our options. Last year you allowed us to sign a contract with Cayenta out of Canada. We broke this project into two (2) phases. The first phase is the internal part – the financials, the general ledger, the payables, payroll, and work management. It is currently eight (8) months underway. The project is on budget, it is on time and we have an estimated go-live date of March 2015. We are currently in the intergraded testing phase. Some of the key benefits of this software are; first it replaces some of our current system that is over twenty years old, it gives us less alliance on manual processes, it allows us to take advantage of our AMI and GIS capabilities with the work management software, and gives us better access to information for management, employees, customers, vendors, and many other capabilities.

ELECTRIC DIVISION PROJECTS
John B. Bagwell - Director

Project #1 – Advanced Metering Infrastructure (AMI)
Previously Approved – Continuing Project)

Total Project Cost:	\$14,279,000
Expenditures to Date:	\$ 3,576,320
Estimated 2014-2015 Cost:	\$ 1,500,000

The introduction of “smart metering” and “smart grid” ideas have been discussed internally at DPU for a number of years. In 2003, Black and Veatch did an Automatic Meter Reading (AMR) feasibility study. The study concluded the DPU Meter Reading System was very efficient and the AMR system would not save DPU and the customer’s time and money. Today with the addition of many new functions which will be discussed in detail later, DPU is once again ready to introduce the “smart grid” technology.

Advanced metering infrastructure or AMI systems are comprised of state of the art electronic, digital hardware and specialized software which combine meter interval data into detailed time-based customer usage information. During the last decade, capital costs associated with installing the AMI systems have declined more than 30% according to the Electric Power Research Institute (EPRI). The decline in costs and new functions of the AMI system are two main drivers in our desire to install AMI.

As DPU continues to use advanced technologies to provide customers with excellent customer support and low rates, the advances in AMI have opened the door for many new service and operational benefits. Advances on the operational side include reduction in meter reads and associated management and administrative support, increased meter reading accuracy, improved utility asset management, easier theft detection, leak detection, outage management, and voltage control. Customer Service benefits include early detection of meter failures, billing accuracy improvements, faster service restoration, flexible billing cycle, prepay service, time of use rates for all customer classes, and creating energy profiles for targeting energy efficiency programs. The financial benefits of the AMI system include reduced equipment and equipment maintenance costs, reduced support costs, faster restoration and shorter outages, improved inventory management, and improved collections.

Installing and integrating an AMI system into DPU’s current software and hardware will be a formidable challenge to everyone involved. The AMI system will impact every facet of DPU. Because of the complexity of the AMI system, DPU plans to break the project into two (2) major parts. Part one which is the pilot phase has been completed. It consisted of purchasing both software and hardware that will coordinate with the current DPU systems. The primary piece of software needed is a data collection program called Meter Data Management (MDM). The program will connect to each of DPU’s current software systems to allow a seamless flow of data between them. Other smaller software programs are prepay software, and customer service software. The prepay software will allow DPU to reinitiate the prepay program we had several years ago. The AMI Head-In software will help aid our customer service representatives and intra-department staff in solving billing issues, consumption issues, day-to-day connects and reconnects and theft. In the technical arena, problems such as water leaks and voltage complaints, outage problems, and meter failures may be determined and corrected without a trip to the meter location. The hardware will consist of communication and metering. The communication hardware will vary depending on the system. The metering hardware will consist of electric, water, and gas meters. Each of the meters will have a transmitter or other means of communication to enable them to report their consumption. DPU will use its extensive fiber optic network backbone to accomplish the connection between a meter data collector and the main office. Using our fiber optic system will be very cost effective because the most expensive part of the communication system is the backhaul of the large mass of data to the office. Our fiber optic system is designed for just such a need.

The second and final part of the project is the meter deployment phase. This phase will consist of the full deployment of meters in the Electric, Gas, and Water systems. The Electric Division must replace all electric meters currently installed (approximately 27,500). The electric meter change out will be the quickest and easiest of all DPU meters. The Gas Division will be a retrofit index replacement. It will consist of removing the old numerical index register and replacing it with a new index register and a communication module. The approximate number of meters affected will be around 9,500. The water meters will be the most time consuming of all. There are approximately 24,200 water meters installed in the field. Since the water meter is located in a pit, the installation will be time consuming. In fact some meters due to their age may require some additional piping to install the new meter.

Over the last twelve months, the Department has been working hard keeping the AMI project on budget and on schedule. Beta phase of the pilot was completed in December 2013, this ended the early testing and deployment period. Meters were purchased for the Electric and Gas Divisions in late November 2013. Deployment was expected to start in March 2014, but was delayed 30 days due to an electric meter delivery problem. Deployment started on April 14, 2014 and to date over 5,000 electric and 2,000 gas meters have been upgraded to the advanced meter technology. The

deployed meters are communicating and the AMI customers are being billed by the new meters. Overall the project is meeting all expectations. Based upon current calculations and meter information, the project will be completed during the 2015-2016 fiscal year.

Project #2 – 115 KV Transmission Line Extension to Highway 601 Substation #10

Total Project Cost:	\$1,000,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 400,000

To enhance the DPU Electric transmission system by preparing for future growth and increasing the system reliability for the electric customers of DPU in the fast growing Highway 601 and Magnolia Street area.

Highway 601 – Magnolia Street and the surrounding area are currently one of the fastest growing areas in the Orangeburg DPU Electric System. DPU recently conducted a transmission load study to identify effects of future load growth on the transmission system. The study indicated the Highway 601 Substation loads could not be supported by the 46,000 volt transmission system in the event SCE&G's 46,000 KV system failed or was no longer available. This finding concluded that the Highway 601 Substation must be moved to the 115,000 volt transmission system for system reliability.

The 115,000 volt transmission system passes near the existing Highway 601 Substation. By extending this transmission line to the Highway 601 Substation and upgrading the substation (which is being proposed in Project #3), the Electric Division will be able to provide a more robust and reliable power feed to the area. This will also eliminate the potential of brown-outs and voltage sags due to overloading of the current 46,000 volt transmission system. The new transmission line will be built on existing 46,000 volt rights-of-way. The project will consist of two (2) self-supporting structures at both ends and galvanized steel poles in between. The construction will be mainly horizontal line post (HLP) with vertical take-off points.

Project #3 – Highway 601 Substation #10 Rebuild

Total Project Cost:	\$ 700,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 700,000

The purpose of this project is to provide the City of Orangeburg and surrounding areas with additional electrical capacity to improve reliability, and to provide future capacity for commercial and industrial development. The new substation will be a part of the Department's 115,000 volt transmission system and will eliminate the capacity constraints on the older 46,000 volt transmission system. In addition, the new substation will allow for live distribution switching with existing circuits in the area.

Highway 601 and the surrounding streets are currently one of the fastest growing areas in the Orangeburg DPU Electric System territory. DPU recently conducted a system load study to identify effects of future load growth on the transmission system and distribution substations. The current substation Highway 601 (Substation #10) which feeds the Highway 601 / I-26 area, Koyo Bearing, Carolina Regional Park and International Boulevard Industrial Park, has seen peaks as high as 80% capacity. Continued growth in the area would put the electric system area at a high risk for overloading. Replacement of the existing substation is needed to maintain the quality of reliable service and enhance the overall DPU distribution grid. In addition, the new substation will provide exposure relief for the North Road Substation (#16) Circuit 163 and Old Ellore Substation (#19) Circuit 194.

The estimated time frame for completion of this project is approximately three years. The site location for Highway 601 Substation will be located on existing Substation #10 property. There will be no need for additional site procurement. During the 2014-2015 fiscal year, design and engineering of the substation will be our main priority. The design, as mentioned previously, will be a part of the existing 115,000 volt transmission system. Connecting the substation in series with the DPU 115,000 volt transmission system will add a significant level of reliability and flexibility to the substation. It will provide additional support for the 46,000 volt transmission system as well as adding two circuits to the system. The Department will aid in the engineering of the station as much as possible, however, due to the complexity of the 115,000 volt transmission system, consultants will be needed to assist in synchronizing the substation with the other seven 115,000 volt substations. Substation specifications, material specifications and material purchases are planned for the fiscal year 2015-2016. Items such as the distribution buss, two (2) power transformers, and the transmission buss are among the

deployed meters are communicating and the AMI customers are being billed by the new meters. Overall the project is meeting all expectations. Based upon current calculations and meter information, the project will be completed during the 2015-2016 fiscal year.

Project #2 – 115 KV Transmission Line Extension to Highway 601 Substation #10

Total Project Cost:	\$1,000,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 400,000

To enhance the DPU Electric transmission system by preparing for future growth and increasing the system reliability for the electric customers of DPU in the fast growing Highway 601 and Magnolia Street area.

Highway 601 – Magnolia Street and the surrounding area are currently one of the fastest growing areas in the Orangeburg DPU Electric System. DPU recently conducted a transmission load study to identify effects of future load growth on the transmission system. The study indicated the Highway 601 Substation loads could not be supported by the 46,000 volt transmission system in the event SCE&G's 46,000 KV system failed or was no longer available. This finding concluded that the Highway 601 Substation must be moved to the 115,000 volt transmission system for system reliability.

The 115,000 volt transmission system passes near the existing Highway 601 Substation. By extending this transmission line to the Highway 601 Substation and upgrading the substation (which is being proposed in Project #3), the Electric Division will be able to provide a more robust and reliable power feed to the area. This will also eliminate the potential of brown-outs and voltage sags due to overloading of the current 46,000 volt transmission system. The new transmission line will be built on existing 46,000 volt rights-of-way. The project will consist of two (2) self-supporting structures at both ends and galvanized steel poles in between. The construction will be mainly horizontal line post (HLP) with vertical take-off points.

Project #3 – Highway 601 Substation #10 Rebuild

Total Project Cost:	\$ 700,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 700,000

The purpose of this project is to provide the City of Orangeburg and surrounding areas with additional electrical capacity to improve reliability, and to provide future capacity for commercial and industrial development. The new substation will be a part of the Department's 115,000 volt transmission system and will eliminate the capacity constraints on the older 46,000 volt transmission system. In addition, the new substation will allow for live distribution switching with existing circuits in the area.

Highway 601 and the surrounding streets are currently one of the fastest growing areas in the Orangeburg DPU Electric System territory. DPU recently conducted a system load study to identify effects of future load growth on the transmission system and distribution substations. The current substation Highway 601 (Substation #10) which feeds the Highway 601 / I-26 area, Koyo Bearing, Carolina Regional Park and International Boulevard Industrial Park, has seen peaks as high as 80% capacity. Continued growth in the area would put the electric system area at a high risk for overloading. Replacement of the existing substation is needed to maintain the quality of reliable service and enhance the overall DPU distribution grid. In addition, the new substation will provide exposure relief for the North Road Substation (#16) Circuit 163 and Old Ellore Substation (#19) Circuit 194.

The estimated time frame for completion of this project is approximately three years. The site location for Highway 601 Substation will be located on existing Substation #10 property. There will be no need for additional site procurement. During the 2014-2015 fiscal year, design and engineering of the substation will be our main priority. The design, as mentioned previously, will be a part of the existing 115,000 volt transmission system. Connecting the substation in series with the DPU 115,000 volt transmission system will add a significant level of reliability and flexibility to the substation. It will provide additional support for the 46,000 volt transmission system as well as adding two circuits to the system. The Department will aid in the engineering of the station as much as possible, however, due to the complexity of the 115,000 volt transmission system, consultants will be needed to assist in synchronizing the substation with the other seven 115,000 volt substations. Substation specifications, material specifications and material purchases are planned for the fiscal year 2015-2016. Items such as the distribution buss, two (2) power transformers, and the transmission buss are among the

most expensive items and will be purchased during this period. The 2016-2017 fiscal year will be dedicated to construction and commissioning the substation.

GAS DIVISION PROJECTS
DAVE DURGIN

Project #1 – Natural Gas Service on US Highway 301

Total Project Cost:	\$ 700,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 700,000

The purpose of this project is to provide natural gas service to the eastern area of Orangeburg County by installing 45,800 feet of 6-inch polyethylene natural gas main along US Highway 301 North.

Presently, natural gas service is not available in this area of Orangeburg County. Gas service ends at the intersection of US Highway 301 and US Highway 176. Previous DPU expansion projects in this area have been successful in acquiring new industrial and residential load. At present, there are a number of existing residences within the immediate project area and numerous sites suitable and marketed for commercial and industrial growth. A regulator station will be built with the ability to serve this area with low pressure distribution gas service and the Matthews Industrial Park while maximizing the integrity of the existing high pressure steel gas main. Construction of this gas main will allow DPU to serve one side of the "Global Logistics Triangle".

The project will require construction of 45,800 feet of 6-inch polyethylene natural gas main from the Matthews Industrial Park, near the end of the existing 10-inch high pressure steel main. A regulator station shall be constructed in the vicinity of the Matthews Industrial Park to reduce the pressure for distribution service. Stub outs shall be installed at all major intersections for future expansion. The proposed gas main will be installed on the existing highway right-of-way.

Project #2 – Natural Gas Service to Cleveland Street

Total Project Cost:	\$1,400,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$ 400,000

Installation of 90,000 feet of low pressure polyethylene gas main to serve Cleveland Street and the surrounding rural area. This project when completed will allow DPU to serve the existing loads and be prepared for future growth in the area. This project is expected to take 16-months to complete construction. This project will cost \$1,400,000 with \$400,000 budgeted for engineering and other related items in fiscal year 2015.

WATER DIVISION PROJECTS
ERIC ODOM - DIRECTOR

Project #1 – Rehabilitation of the 1974 Clearwell
Previously Approved – Continuing Project)

Total Project Cost:	\$2,875,000
Expenditures to Date:	\$ 0
Estimated 2014-2015 Cost:	\$2,875,000

The Water Division has no new projects for the upcoming fiscal year, however, we do one (1) continuing project that has been previously approved. Our previously approve project from last year is the rehabilitation of our 1974 clearwell. Currently we are still in the design phase of this project, which consist of replacing the old existing roofing system as well as all the internal piping and valve components. We plan on bidding this project early November 2014 with construction beginning in January 2015. This will be right after the Christmas Lights in the Gardens. We expect the construction to last 3-4 months which will give us enough time to get the construction completed and be once again cleaned up and out of there prior to the Rose Festival.

WASTEWATER DIVISION PROJECTS
RICHARD LABRADOR – DIRECTOR

Project #1 – Wastewater Treatment Plant Upgrade
Previously Approved – Continuing Project)

Total Project Cost (Phase I):	\$27,500,000
Expenditures to Date:	\$ 1,000,000
Estimated 2014-2015 Cost:	\$14,500,000

The Wastewater Division proposes no new projects for the upcoming fiscal year. We only have one (1) previously approved – continuing project the Wastewater Treatment Plant Upgrade.

This project will increase the capability of the Wastewater Treatment Plant (WWTP) to treat an influent five-day Biochemical Oxygen Demand (BOD₅) concentration of 300 milligrams per liter (mg/l) while replacing aging system components that have exceeded their useful lives.

The major new components include a grit removal system, fine bubble diffused aeration basin, clarifier and sludge holding tank.

This project is on schedule. The construction contract in the amount of \$22.9 million was awarded in May 2014 and actual construction construction started in July 2014. The estimated completion date of September 2016. The entire project is being funded by the State Revolving Fund at an interest rate of 1.69%.

This Completed the Presentation of Proposed Projects

Mayor Butler presided over the First Reading of Ordinance No. 2014-13 to adopt a Budget for the Operation of the Department of Public Utilities for the City of Orangeburg for Fiscal Year October 1, 2014 through September 30, 2015.

A motion was made by Councilmember Haire for the passage with deletion of the electric rate increase, seconded by Councilmember Barnwell, to accept the First Reading of an Ordinance to Adopt the 2014-2015 Annual Budget for the Department of Public Utilities for the City of Orangeburg. The motion was approved unanimously.

Mayor Butler informed everyone that Congressman Clyburn was in Orangeburg today and he spoke about our water system. He said that we have one of the best water systems in the nation and we wanted to thank DPU for that.

Mayor Butler then thanked Tommy and all the Department Directors for what they do to keep us healthy and to keep us comfortable in the City.

Mayor Butler thanked Tommy and all the Department Heads for their support. He stated that the second reading of this Ordinance will be at the next Council Meeting and there will also be a Public Hearing. He asked for a motion to adjourn if there was no further business.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, 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



**A RESOLUTION AUTHORIZING THE EXECUTION
OF A SERVICE AGREEMENT FOR RATE SCHEDULE FT
WITH CAROLINA GAS TRANSMISSION CORPORATION
FOR A TEN (10) YEAR TERM**

WHEREAS, the Department of Public Utilities of the City of Orangeburg obtains natural gas transmission service from Carolina Gas Transmission Corporation and presently has a pipeline capacity of 10,400 Maximum Daily Receipt Quantity (MDRQ); and,

WHEREAS, the said Department of Public Utilities has been offered additional capacity of 800 MDRQ (Dts.); and,

WHEREAS, the City of Orangeburg and its Department of Public Utilities are of the opinion that they should accept said offer for the purpose of reliable operations and future expansion of its natural gas system.

NOW THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED on the 16th day of September, 2014, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities of the City of Orangeburg is hereby directed and authorized to enter into a Service Agreement for Rate Schedule FT with Carolina Gas Transmission Corporation for the purpose of increasing the Department of Public Utilities pipeline capacity in an amount of 800 MDRQ (Dts) for a term beginning upon the completion of the Maximum Allowable Operating Pressure (MAOP) of Carolina Gas Transmission Corporation Line 2 between the existing Woodward Road MLV and Salley Junction MLV stations and continue in effect thereafter for a primary term of ten (10) years.

BE IT FURTHER RESOLVED, that the said Manager is hereby authorized to execute Exhibits A,B,C,D and E attached to the said Service Agreement and take any and all other actions as may be necessary to accomplish the purposes as stated herein.

AND IT IS SO RESOLVED.



Michael C. Smith
Mayor
Janet Hays
Janice P. Smith
Charles B. Burdette
Liz Zimmerman Keitt
Chris J. Jago
Richard L. Stroman
Members of Council

ATTEST:
Carrie J. [Signature]
City Clerk



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City Council Minutes September 2, 2014

Orangeburg City Council held a Public Hearing on Tuesday, September 2, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Michael C. Butler presiding.

The purposes of the Public Hearings were as follows:

1. Public Hearing- Updating the classification of Funeral Homes in Article V, Section 24-5.1, Table 1, Sector 81; Funeral Homes and Death Care Services of the City Code of Ordinances to permit Crematories in a B-1 District as a conditional permitted use under NAICS Industry Code 812210.
2. Public Hearing- A zoning change from A-2 Multi-Unit Residential District to B-1, General Business, property belonging to City of Orangeburg at Intersection of Whaley and Rowe Streets at Tax Map #'s 0172-06-03-006.000 and 0172-06-03-004.000.

Mayor Butler opened Public Hearing #1, Updating the classification of Funeral Homes in Article V, Section 24-5.1, Table 1, Sector 81; Funeral Homes and Death Care Services of the City Code of Ordinances to permit Crematories in a B-1 District as a conditional permitted use under NAICS Industry Code 81221, for comments.

Mr. Ladson Beach, Attorney, addressed Council. He stated, "I am here on behalf of Thompson Funeral Home and have assisted them with this process and various documents. We have appeared before the Planning Commission and have given them documents in reference to the people who make these facilities. We are requesting that you approve, subject to conditions, a crematory at Thompson Funeral Home. We have seen a tremendous increase in crematory services from the citizens in this area. Previously, that required the use of services of other facilities in other areas. We ask you grant us approval with a variance for the location of the crematory in Orangeburg in this area. The technical aspects of the Zoning Ordinance indicate, but it is a bit unclear, whether it was allowed in this area. Under NAICS, crematories and funeral homes are treated identical. There is a separate category if a crematory is free-standing. So, we really want to go forward and have full transparency before the citizens. The crematory will be under all the rules and regulations of the Federal, State and local jurisdictions. There are a number of technical aspects we could get into, but basically the facility will be invisible to the public. You will not see or hear it. We are asking that we be granted the authority to do this and there is a tremendous need here and we would like to fulfill it locally. I will answer any questions you may have?"

Councilmember Barnwell asked, "Will the location be free-standing?"

Mr. Beach replied, "It will not be in the main building, it will be directly adjacent within a matter of feet from the main building."

Councilmember Keitt asked, "Have you done a survey, with the constituents in the area, to see whether they would like this or not?"

Mr. Beach replied, "We have not done an official survey. The demand is increasing and is so nationwide. There is an interest by the general public. We have national statistics."

Councilmember Keitt asked, "People are living in the area and the first thing I would have done was to ask the neighbors. It may be Thompson Funeral Home, but there are neighbors in that area."

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Mr. Beach replied, "We have had hardly any response to any of the public notices, we haven't actually gone door to door. The Thompson property is very large and there is really no one in close proximity to them except across the street and down the street. We have had no negative response whatsoever. We have not gone door to door."

Councilmember Haire asked, "In your presentation, you said that the neighbors adjoining had no objection, how did you obtain that feedback?"

Mr. Beach replied, "When we looked at the tax maps to find out who is adjacent to the facility it was Thompson Funeral Home who owns the property adjacent to the facility."

Councilmember Haire stated, "In your presentation, you said that the neighbors had no objection to the construction, how did you obtain this information?"

Mr. Beach replied, "The statute for this particular type of variance requires publications. We have had no opposition with these publications. I can ask Mr. Jackson if he has spoken to anyone in the neighborhood."

Mr. Jackson stated, "No, I have not."

Councilmember Barnwell stated, "I think that is something you would want to do."

Mr. Beach stated, "We will be glad to do that if you could give me some guidance and if you would like to make that a condition of what we are doing. We went by the rules and that is outside of the rules, but we would be happy to do so."

Councilmember Haire asked, "Mr. Beach, would you want this in your neighborhood?"

Mr. Beach replied, "I would have no problem with it because I am familiar with the facility and that is what I am here for to answer any questions you may have. This facility will not have any environmental effects that you can perceive in the area."

Councilmember Stroman stated, "I noticed on the August 21st meeting of the Planning Commission with the Public Hearing, no one was opposed to it?"

Mr. Beach replied, "No, we had no opposition at all. We had no idea that there would be opposition. We went through the public notices as required and there was no opposition."

Councilmember Stroman stated, "It looks like you have gone through the proper channels."

Mr. David Farr of Wiles Street in Orangeburg addressed Council. He stated, "I hadn't planned to speak, but there seems to be some confusion with you on the funeral business and crematories. I don't have a dog in this fight. Thompson is my competitor as I manage Fogle Hungerpillar Funeral Home in Ellore. I have operated crematories and I am familiar with their operation. I used to assist with Sickles in Savannah that had a crematory within forty feet of the back door of several residences. There was never a problem with the crematories backed up to residential areas. There are many like that including Dukes Harley. Thompson has been in business since 1938 at their location before most of the people in that neighborhood got here. There may be a few that are left. They are not doing anything any differently other than cremating bodies since 1938. The building itself is contained and there will be less smoke than a back yard barbeque. In fact, I have seen people burning trash behind their property that emitted much more smoke

than that crematory ever will. You talk about the neighborhood, directly adjacent to them is an adult book store and that is certainly not real attractive. Everything else is a great distance away. You talk about Dukes Harley doing cremations, that is their competitor. In the funeral business, you don't take your business to your competitor. If the family wanted the competitor to do it, they would have called them. That is just not done. Dukes Harley would not bring their bodies to Thompson's and they didn't when they had their fire. They took their bodies out of town to be embalmed. It is a different business than most of you are familiar with. There shouldn't be a problem with this. In fact, the people you will poll, they don't know the first thing about crematories. All they know is that they will be burning bodies that is all they will know. I think you are splitting hairs here, they meet all the requirements and I think you should allow this to happen."

Mr. Beach replied, "We've certainly done everything we thought were required from the statute and the Ordinance. We think the use is compatible and under the NAICS Codes, it would be an allowed use automatically. It specifically says that funeral homes and crematories that are associated with funeral homes are permitted. It was sort of unclear and that is why we went through this process and we would just ask Council to request this crematory and allow us to proceed and there has been no objection to the public that we know."

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

Mayor Butler opened Public Hearing #2 for comments. A zoning change from A-2 Multi-Unit Residential District to B-1, General Business, property belonging to City of Orangeburg at Intersection of Whaley and Rowe Streets at Tax Map #'s 0172-06-03-006.000 and 0172-06-03-004-000.

Assistant City Administrator John Singh addressed Council. He stated, "This property is owned by the City and is where the new community center and gym is proposed. There is a parking area that is not zoned correctly. It is currently zoned A-2 and needs to be B-1. This was approved by the Planning Commission and we request your approval of this tonight and I will be happy to answer any questions you may have."

Hearing no comments, Public Hearing #2 was closed.

Council entered into the regularly scheduled meeting. An invocation was given by Mayor Pro Tem Jernigan.

PRESENT:

Michael C. Butler
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 August 12, 2014, Special City Council Minutes as distributed. This was a 6-0-1 vote as Councilmember Knotts abstained.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the August 19, 2014, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the ²³⁹⁶ Third Reading of an Ordinance for annexation of six (6) contiguous properties on Putter Path at 100% petition method. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion as made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to amend the Municipal District Map for the purpose of adding newly annexed six (6) contiguous properties to the Municipal Council District #1. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance amending Section 24-6.4 (c) of the Zoning Ordinance of the City of Orangeburg, SC, to prohibit "Store Front Churches" in the Design "Overlay" District and to define "Store Front Church". This motion as unanimously approved.

Mayor Butler stated, "I want people to know we are not putting them out of their present churches. We are just not allowing any new ones in the area. The ones that are there now will be permitted to stay and if one closes, another one cannot go in there."

A motion as made by Councilmember Haire, seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance amending the Budget for the City of Orangeburg, SC, for the Fiscal Year beginning October 1, 2013, and ending September 30, 2014. This motion was unanimously approved.

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

Interim DPS Chief Mike Adams accepted the Community of Character Trait for the month of September 2014, "Citizenship".

City Administrator Yow made a presentation on the planned Community Center/Gymnasium. He explained, "The City obtained seven (7) bids ranging from \$4,535,000 to \$5,275,000. The references have been checked on the low bidder of Marand Builders and the architect is satisfied with the references." City Administrator Yow also overviewed architectural renderings of the proposed building from different views. He stated, "The funds are budgeted primarily in the 1% Capital Sales Tax Fund and approximately \$500,000 in the 2% Hospitality Fund."

Councilmember Keitt asked, "What is the estimated date of completion?"

City Administrator Yow replied, "As you can see from the bid sheet, it is over a year, approximately 392 days. What we will start doing is getting builders risk insurance and some of those type things. The contractor will start with their performance bond."

Councilmember Barnwell asked, "When will we have the money?"

City Administrator Yow replied, "The only part we do not have now is the last round of the penny. As invoices are paid, we will submit them to the County for reimbursement. An example is where mobilization and site work are done. We do not get all the money at one time."

Councilmember Haire asked, "Didn't the County do a bond issue?"

City Administrator Yow replied, "That is why we were waiting to get this bid out."

Mayor Pro Tem Jernigan asked, "What are your future plans as for the parking at Mirmow? Will you be tying them all together?"

City Administrator Yow stated, "Yes, they will be tied together and parking can be used for both. Rowe Street will still be there and we will have an opportunity to clean that area up that was used for parking." 2397

Councilmember Barnwell asked, "Will this have a walking track?"

City Administrator Yow replied, "We talked previously with just building one court and Council decided that would not serve the best interest of the community. At one time, we discussed the walking track but it was omitted due to costs."

Councilmember Keitt stated, "We are happy about this. People in the neighborhood will be able to keep their weight down."

Councilmember Barnwell stated, "If anyone objects to this, they just need to go visit the old gym."

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve a bid in the amount of \$4,535,000.00 for the construction of the Community Center/Gymnasium and authorizing City Administrator Yow to execute the contract and related documents. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to deny the Ordinance to amend the Zoning Ordinance of the City of Orangeburg, Chapter XXIV, Zoning, Section 24-5.1, Article V, Table 1, Sector 81, Funeral Homes and Death Care Services to permit Crematories as conditional uses in B-1 District. This was a 4-3 vote. Mayor Pro Tem Jernigan, Councilmembers Barnwell and Stroman opposed the motion.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance of the City of Orangeburg and the Zoning Map of the City of Orangeburg, SC, property belonging to the City of Orangeburg at the intersection of Whaley and Rowe Streets at Tax Map #'s 0172-06-03-006.03-006.000 and 0172-06-03-004-000. This motion was unanimously approved.

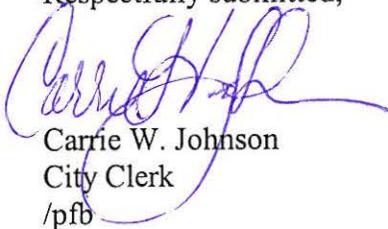
A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve a Resolution concerning Slum and Blighted Areas. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance to adopt a Budget for the operation of the Department of Public Utilities of the City of Orangeburg, SC, for Fiscal Year October 1, 2014, through September 30, 2015, including the adoption of new rates and charges for the Department of Public Utilities effective on the dates pertaining to natural gas. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to enter into an Executive Session for a contractual matter concerning an Agreement between the City of Orangeburg, the South Carolina Department of Transportation and Norfolk Southern Railroad. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk
/pfb





**A RESOLUTION THAT THE CITY OF ORANGEBURG
WILL SUPPLY MATCHING FUNDS
FOR A COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, the City of Orangeburg, South Carolina, desires to make improvements to its community in the Boswell Street area through demolition on Boswell Street, Gum Street, Amelia Street, Maple Street, and Seaboard Street; and,

WHEREAS, the City of Orangeburg, South Carolina, is applying for a Community Development Block Grant to create a healthy and sustainable community by demolishing vacant dilapidated buildings; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the City of Orangeburg, South Carolina, is committing the required 10% matching funds and additional funds needed to meet the grant application cost estimates.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 7th day of October.



Michael C. Butch

Mayor

Ben Haire

Darrel P. Quotts

Chuck B. Bond

Lizimmeran Keitt

Richard P. Stone

Members of Council

ATTEST: *Carrie Johnson*

City Clerk



City Council Minutes September 16, 2014

Orangeburg City Council held a Public Hearing on Tuesday, September 16, 2014, at 7:00 P.M., in the Council Chambers Building with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler
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 Barnwell, to approve the September 2, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Ted Creech, Director of External Affairs, AT&T addressed Council. He stated, "I am pleased to be here as an employee of AT&T and before then, Bellsouth for twenty-eight years and I have seen a lot of change in the communications industry. AT&T knows about investment, just about every year AT&T has led all public companies in the country in capital investment for the past several years in our operations and network. We do that to keep up with the demand on our wireless network and the interest in our new products and services such as UVerse TV. We have also pushed that into Orangeburg. We have gone to 4G LTE in Orangeburg, the highest speeds of wireless service for email, downloads and videos and also deploying UVerse in Orangeburg. One thing we haven't forgotten is investment in our communities. We have a strong interest in seeing our community thrive and seeing opportunities for new jobs and investments. We are very committed to economic development. I am here to present to the City a grant check of \$50,000 for Project We. This is going to be a part of a 4.6 million dollar investment in an economic development project in the City of Orangeburg. It is going to bring about a dozen new jobs. When one of our citizens has the opportunity to obtain a new job or a better job, or when someone has a job, a lot of other things take care of themselves. This utility tax grant is made possible through the State of South Carolina process through utility taxes. This process allows us to make a grant to an economic development project that qualifies. We are pleased to present this check for \$50,000.00 and Mr. Greg Robinson, Director of the Economic Development Commission is here also."

Mr. Greg Robinson addressed Council. He stated, "That is our third Canadian Company and per capita leads the South Carolina market and region. We have a significant international presence. The City of Orangeburg, along with Department of Public Utilities, has greatly assisted us in recruiting quality international companies. Our Chairman, Mr. Ken Middleton has a Proclamation he would like to read."

Mr. Ken Middleton addressed Council thanking the City of Orangeburg for their support of Economic Development and presented a Proclamation to the Mayor and Council. (The Proclamation will be put in the Minute Book for the record.)

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Second 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, SC, property belonging to the City of Orangeburg at the Intersection of Whaley and Rowe Streets at Tax Map #'s 0172-06-03-006.000 and 0172-06-03-004-000. This motion was unanimously approved.

City Administrator Yow presented to Council the need for reappointments or new appointments to be made to the Construction Board of Adjustments and Appeals. This item will appear on the next City Council Agenda for October 7, 2014, for Council to take action on this at that time.

City Administrator Yow presented to Council the need for reappointments or new appointments to be made to the Hillcrest Commission. This item will appear on the next City Council Agenda for October 7, 2014, for Council to take action on this at that time.

Mr. Tommy Miller, DPU Manager, had no utility matters to bring before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to enter into an Executive Session for (1) Economic Development – Project Saddle – Project Rose –Project Liberty Cap –Project Samba, (2) Contractual/Legal Matters concerning (a) Department of Public Utilities – Town of Norway, SC and (b) Department of Public Utilities – Natural Gas Division-Carolina Gas Transmission Corporation. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, for Council to Return to Open Session. This motion was unanimously approved.

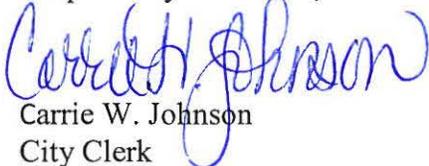
Council returned to Open Session.

A motion was made by Councilmember Knotts, seconded by Councilmember Barnwell, to approve a Resolution authorizing the execution of a Service Agreement for Rate Schedule FT with Carolina Gas Transmission Corporation for a ten (10) year term, authorizing DPU Manager Tommy Miller to execute.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,


Carrie W. Johnson
City Clerk

/pfb

CITY COUNCIL MINUTES
October 7, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 7, 2014, at 7:00 P.M. in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler

Charles B. Barnwell, Jr.

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve the September 16, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Department of Public Utilities Manager, Tommy Miller, Director of Electrical Division, John M. Bagwell, and Wade Holmes, Engineer in the Electrical Division, made presentations to Mr. Robert A. Baldwin. He received a Resolution and gold watch for his thirty-two years, eleven months and ten days of service to the Department of Public Utilities.

Mr. Tim Rogers of the Friends of Edisto (FRED) addressed Council. He stated, "I am here tonight to invite you to our annual fundraiser and invite you to eat some wonderful barbeque down by the Edisto River on October 18, 2014. Our service award this year is going to your own, Senator John Matthews, so I hope that would be one more reason for you to be with us. Registration starts at 9:00 A.M. and the event ends in the afternoon. This event is free to FRED members and for non-members it is \$10.00. Mr. Rogers went on to ask, "Is the Edisto in peril? We take it for granted because the damages of neglect can be severe. In 2010, South Carolina Department of Health and Environmental Control identified some two-hundred (200) locations of impaired waters on the Edisto. The waters are compromised to the point that you and I and our families cannot enjoy the river there. In my mind, the Edisto is pristine. The truth is we don't have the resources at the state level to even keep up with monitoring the water sites that have been identified. We are grateful for the support given to us by Orangeburg and for the identification that Orangeburg has with the river. I want to issue this invitation to all of you to join in this cause. If you cannot attend, please take a moment to go online at www.edistofriends.org. There will be a celebration and salvation of our river and the development of this beautiful City."

Flyers were passed out to Council about the event.

Councilmember Haire asked, "Has the portion of the river been addressed at the Gardens concerning fallen trees?"

Mr. Rogers replied, "You had a 500 year flood and ice storms and maintenance is needed. We are in the process of securing special funds to fulfill this purpose with DNR and DHEC."

Dr. Narayanachar Murali addressed Council in regards to property maintenance and code enforcement. He stated, "I would like to thank the City for allowing me to speak with individuals at the City and Mr. Stroman. As I drive in the City, it looks trashy. I feel embarrassed when I ride around town. There are large tracts that were bought by developers or investors that sit vacant, are overgrown or nothing is built on them. You need to trust the laws to maintain these areas. I understand that the City has been sued over lots that have been cleared.

You need to educate the judges and let them know that enforcing the laws is the City's business. I am here to let you know that when citizens get involved in the local community, things happen. In our neighborhood, we cut the lots that were overgrown and it now looks so much cleaner. I have sent pictures of before and after to Mr. Yow. People that put up signs like Century 21 should be made to clean up the lots. If you are short on money, use the force of the law to extract the money from the empty lot owners. Mow the lots and send them the bill. There is nothing wrong with that. Otherwise, we are going to be in a very un-civil society and I want something more in Orangeburg. I would like to thank Mr. Stroman for calling me and getting behind us and thank you Mr. Yow for being so responsive."

Mayor Butler stated, "We have been working on code enforcement. Public Works has been working on that."

Dr. Mirali stated, "Can the law be changed, why does it takes forty-five days to have someone cut their grass?"

Mayor Butler stated, "There are processes that have to be followed and the property owners have rights."

Dr. Mirali stated, "Rights come with responsibilities, tell them to shape up or pay the bill. There is no fear of consequences. They don't care. If the City mows the lawn, send them a bill."

Dr. Mirali asked, "Why don't we have better sidewalks in the town?"

Mayor Butler stated, "We have walking trails and tracks at the school."

Dr. Mirali stated, "People who come here, need to live here. If it doesn't look good, people won't stay."

Councilmember Keitt stated, "Thank you for coming and we appreciate all you are doing, you are absolutely right. If every community would get together and do better, it would be better. We are going to look more into this."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the Third 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 at the intersection of Whaley and Rowe Streets at Tax Map #'s 0172-06-03-006.000 and 0172-06-03-004-000. This motion was unanimously approved.

Councilmember Stroman asked, "When are we going to break ground?"

Assistant City Administrator Singh stated that there has already been a pre-construction meeting and City Administrator Yow replied that we are close to a date for a ground breaking ceremony for the City Gym. The Notice to Proceed has been issued to the contractor.

Ms. Kristina Thomas accepted the Character Trait Proclamation for the month of October 2014, "Safety".

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve a Resolution that the City of Orangeburg will supply matching funds for a Community Development Block Grant. This motion was unanimously approved.

Interim Department of Public Safety Chief Adams addressed Council in regards to the acceptance of a Federal Emergency Management Agency (FEMA) Grant in the amount of \$16,530.00 with a local match of \$870.00. He stated, "We recently received notification that the City has received a grant from FEMA for above stove automatic non-toxic chemical fire suppression units to extinguish stove top fires and prevent spread in pre-code apartment complexes. This is a fire prevention and safety grant. Kitchen fires were the cause of 34% of all of our residential fires in our jurisdiction. This grant will cover these canisters that go above the stoves in these units that have been identified. If a fire is started, the canister is triggered and dumps the chemical on top of the stove. Generally, kitchen fires are caused by unattended stove tops. These fires are more dangerous in multi-unit housing situations. A higher level of risk has been identified with units having no sprinklers, common attics with no intervening fire walls, which allows the rapid spread of fire. These units are also identified with high risk populations including the elderly, low-income, disabled or single parent households. We have identified the target multi-unit residential facilities that are pre-code with common attics with resident populations. In addition to fire hazards in these facilities, there is an additional risk of those fighting the fires in these facilities. We will partner with the Housing Authority and other management organizations at the identified risk facilities to initiate a comprehensive program to reduce the potential of kitchen fires in these pre-code multi-unit apartment complexes. This program will include the purchase and installation in every apartment of the automatic fire suppression units above every stove as well as the inspection and testing of fire and smoke alarms and the installation of replacement fire alarms, if needed. An educational component will include on-site presentations of fire safety to residents and special attention to cooking fires. The units cost about \$50 each and there will be two units placed over every stove and we will be able to outfit 179 apartments. We plan to start in the City and if we can get the pilot program going and are successful, we would like to get other complexes involved in our district."

Mayor Butler asked, "Is this just for apartments?"

Chief Adams replied, "Yes, we are targeting our high risk areas where fires start in pre-code construction, where fires burn in the ceiling through the common attic and where fire is pulled from one end to the other. The majority of these are kitchen fires and unattended cooking. Each unit contains nine ounces of dry chemical and when it is disbursed, the fire is hopefully put out. These have been tested by UL and NFTA. These are extremely effective in reducing fires. If it doesn't completely put the fire out, it can reduce the size of the fire to minimize the damage. Anything that can slow the progression of the fire will help."

Councilmember Knotts asked, "How are you going to identify which complexes you are going to start with?"

Chief Adams replied, "We have looked at the apartment complexes and we are targeting pre-code like St. Paul Apartments that are multi-dwelling that have common attics. Every time we have a fire at St. Paul, everything is sent."

Councilmember Barnwell asked, "Aren't these places supposed to have sprinklers?"

Chief Adams stated, "Apartments now have to be built by code and some of these complexes have been around a long time."

Councilmember Haire asked, "Did I hear that you will be doing inspections of these units?"

Chief Adams replied, “We hope to have this pilot program going and we will work closely with the Housing Authority and engage them and the maintenance personnel in testing and checking these units. We will be there in a supportive role and assist them.”

Councilmember Haire asked, “What is the life expectancy of these units?”

Chief Adams replied, “The useful life is around the ten year mark.”

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to accept a Federal Emergency Management Agency (FEMA) Grant in the amount of \$16,530.00 with local matching funds of \$870.00. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to reappoint West Summers to the Construction Board of Adjustments and Appeals for a four (4) year term expiring July 2018. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to reappoint Willie Hubbard to the Construction Board of Adjustments and Appeals for a four (4) year term expiring July 2018. This motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to reappoint the following individuals to the Hillcrest Commission for a three (3) year term expiring July 2017. This motion was unanimously approved.

Randy Shuler
Lee Harter
Marion Moore
Lynette Rhoad

Concerning matters pertaining to the Department of Public Utilities, Mayor Pro Tem Charles W. Jernigan was presented with his fifteen year service pin and Councilmember Richard F. Stroman was presented with his five year service pin.

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,


Carrie W. Johnson
Clerk

/pfb



CITY COUNCIL MINUTES OCTOBER 21, 2014

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 21, 2014, at 7:00 P.M., in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

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

Mr. Bill Taylor with the Municipal Association of South Carolina was introduced to City Council.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the October 7, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Michelle Shepherd and Mr. Randall Young of SC Department of Transportation (SCDOT) addressed Council. Ms. Shepherd asked if Commissioner Glover wanted to address Council first.

Commissioner Glover stated, "I am here on behalf of District 6 and this project is important and we are in favor of this due to the safety of the citizens in this area. We have been going to different meetings concerning this project and we thought you would need to be aware of this in particular since it is in the City of Orangeburg."

Ms. Shepherd addressed Council. She stated, "We have a public information meeting, not a Public Hearing, scheduled for next Thursday at Clark Middle School from 5:00 PM to 7:00 PM on October 30th. We will be presenting this project at this time. The existing footprint is shown here (on overview). We are looking at trying to balance the operational and safety capacity through this corridor. One thing we looked at were accidents. You have about seventeen (17) accidents identified at the intersection of Highway 601 and Zan Street, thirteen (13) were rear end collisions. Other existing conditions were at Peasley Street and there were three (3) vehicle/train collisions in the past five years and one (1) vehicle/train collision at Zan Street. These need to be addressed. From an operational standpoint, we need to look at the peak hours of traffic and accommodating all movements. We will be realigning Zan Street to approximately 40 degrees north, this will come to a 90 degree angle to Magnolia Street. There will be new traffic signals on Zan/Boulevard Streets and Zan/Magnolia Streets. There will be left lane storage on Magnolia Street to accommodate traffic as well as the traffic signalization. Crossings with Norfolk Southern Railroad will be closed. There will be no access to Boulevard from Sifly Street as well as eliminating access to Magnolia from the side street (College) due to unsafe configurations. This is a much better configuration. (This was all shown on the overview.)

We hope to have the right-of-way completed by the spring of 2015. We are required to submit a 4F document and included in the document are historical properties located on the project that are not labeled and there may be mitigation involved in these areas and this will be covered in the public information meeting. This will all be included in the 4F Document. Also, in front of the President's home at Claflin, there is a brick wall that will have to be replaced and we will have renderings of that at the public information meeting. Once the right-of-way acquisition is

Page 2

complete, then the environmental coordination process will take place. Construction is tentatively scheduled for the spring of 2016. The total project cost is \$3.5 million and we have anticipated a \$210,000 shortfall. There is \$3.2 million identified. We are re-evaluating some portions of this project, such as the addition of walls and perhaps walls for the historic properties that have not been identified in the cost estimate. There are also safety issues at Whitman Street and Glover Street that have not been identified. This is preliminary and subject to change.”

Councilmember Haire asked, “Initially, when meetings were held with Norfolk Southern and the Department of Transportation, there was a concern of the speed of the trains, this is not being addressed in this?”

Ms. Shepherd replied, “No sir, not from the SCDOT standpoint, but we are hoping that through coordination with the railroad that will be addressed.”

Councilmember Haire stated, “I want to see these improvements. I am concerned about the speed of the trains, about the possibility of derailment and the rate of speed coming through town with chemical spills that would greatly affect both Universities and the community. I would like to see us come to a resolution in that aspect. We have about 5,000 students in close proximity to this area and it would be catastrophic.”

Mr. Randall Young addressed Council in regards to the railroad. He stated, “We hope to engage the railroad in that conversation in regards to speed. Our project involves the hardscape, that conversation will take place with them and I think they have provided some assistance in that regard. We know that it is important to you and we will update you on that.”

Mr. Dalton Tresvant with Congressman Clyburn’s office stated, “I was part of those meetings, I have been in constant communication with Norfolk Southern. At the current time, Norfolk Southern is authorized to run trains through towns at a maximum train speed of 49 mph. They will reduce the maximum train speed once they have received something from Council approving this project. They currently do not run trains through town now at 49 mph. There was a train accident in July and that speed was 33 mph. The accident last week with the truck, the train speed was 35 mph. They will lower the train speed to 30 mph once they receive notification of approval of this project from Council.”

City Administrator Yow asked, “Is Norfolk Southern going to put that in writing, in a written agreement?”

City Administrator Yow stated, “The train speed has been brought up at every meeting.”

Mr. Tresvant replied, “You were part of that initial meeting as was Councilmember Haire and the railroad will not put that in writing.”

Councilmember Barnwell asked, “What do we have to enforce it?”

Mr. Tresvant replied, “We will have to negotiate that.”

Mayor Pro Tem Jernigan asked, “What is your thinking on the extra money you need? Will that shortfall be filled by the time the project is ready to begin?”

Ms. Shepherd replied, “Yes, as far as the railroad costs, we are hoping the railroad will provide some form of cost savings to the project. That would address that portion. There are potential safety improvements that could be funded through our safety program. With regards to walls and mitigation, we would have to address that as it comes. That may be the only question at this time as well as project funding.”

Page 3

Mayor Pro Tem Jernigan asked, "Will that delay the project if you do not have the funding in place?"

Ms. Shepherd replied, "The walls and the railroad coordination would delay the project. Any safety improvements would be coordinated as part of our schedule. I don't anticipate any delays."

Mayor Butler stated, "I would like to see this become safer and I hope you can coordinate this to come to fruition. I hope that we can work this out for the safety of our citizens."

Ms. Shepherd stated, "We are also proposing to add sidewalks to this project for pedestrians and there is no bicycle accommodations for this project."

Mr. Randall Young stated, "If there is a funding shortfall, we will continue to reach out to all of our partners to talk about the importance of this project. There is a possibility of decoding some items of the project, although we want the full scope of the project for safety issues. We believe with all the partners involved in this project, we feel it will be funded. The CTC has been supportive with funding we have received. We have always received support from the County and the City and there could be some other funding sources."

Councilmember Haire asked, "Have you made any attempt to contact the County since the City is in the County?"

Mr. Young replied, "The County has approved through the CTC, \$500,000 toward this project in this regard."

Mayor Butler thanked them for coming and will take this project under advisement and asked Lower Savannah Council of Governments (LSCOG) if they had anything to say.

LSCOG stated they are coordinating with SCDOT with this project and stated that they are in the very early planning stages.

Mr. Young stated that a municipal agreement will be brought back to Council before the right-of-way acquisition.

Councilmember Haire asked for item #3 to be placed on the agenda in regards to the proposed agreement for exchange of properties at 1099 and 1326 Russell Street for 1021 Russell Street.

He stated, "This has been going on over a year now with no resolution and there has been much done in the City as it relates to blight areas. Our Administrator has been in contact with the owner and this has been going on for quite some time now. I am proposing that we, as Councilmembers of the City discuss removing dilapidating homes over the City with property owners who are affected to have their property brought up to code or otherwise they will be removed. With this project, it has dragged on over a year and I would like to see our property at Russell and Broughton be removed from the agreement and put up for sale. It appears we will not have success with this project. I know the former Mayor and the current Mayor have been working diligently to get resolution to this."

Councilmember Haire made a motion to put the City property up for sale and remove this project from the proposed agreement. This motion was seconded by Councilmember Barnwell.

Mayor Pro Tem Jernigan asked, "Is this property holding up our progress in tearing down dilapidated buildings? I know we earmarked money in the budget."

Councilmember Haire stated, "I would think that it is interfering with it in that we are not moving on these properties because of the proposed agreement."

Page 4

Mayor Pro Tem Jernigan asked, "Do we have any new information on this agreement?"

City Administrator Yow stated, "Not as of today."

Councilmember Stroman asked, "Do we have an agreement?"

City Administrator Yow stated, "We had a proposed agreement that has not been signed by the other side."

Councilmember Stroman stated, "I think we should give them more time."

Mayor Pro Tem Jernigan stated, "It is not fair to the citizens in Orangeburg because people are afraid of driving down the street. We are here to take into consideration these concerns and move forward."

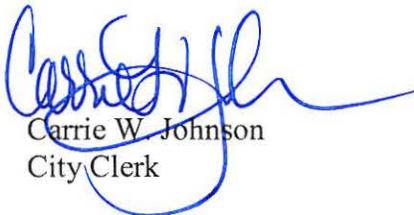
This was a 6-1 vote with Councilmember Stroman opposing.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the purchase of two (2) replacement Grapple Units from Carolina Industrial Equipment, (low bid) from Charlotte, NC in the amount of \$242,198.00. This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to enter into an Executive Session. This motion was unanimously approved.

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb

**CITY COUNCIL MINUTES
NOVEMBER 4, 2014**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 4, 2014, at 7:00 P.M., in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler

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 21, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Adolphus Johnson of 1085 Chestnut Street addressed Council. He stated, "I am here on behalf of the proposal of reducing the train speed and the Zan Street Intersection Project. We all know that historically that we have had a lot of trouble with the streets that intersects the train line. It is good to see that we are finally gaining traction on coming up with solutions to that problem. I think one thing that all of us should consider is the social, economic and cultural impacts of this project. Just about a week ago, there was a Public Hearing on the Zan Street Intersection Project, I wasn't able to attend. The following day, I corresponded with the South Carolina Department of Transportation (SCDOT) and obtained drawings related to the project. I have been hearing about this particular improvement for a long time now and I didn't know what the project entailed until I got the proposal. Of course, it is a proposal and I understand that this is not set in stone. There are some concerns I had and other people had as well. One of those is the closure of Peasley Street. Initially, I didn't have the understanding that this street would be closed. I think it is important for us to understand that Peasley is a thoroughfare to the Zimmerman Center. Historically, this Community Center has been an important institution in this area. Also, it is important because it houses a Boys & Girls Club and baseball fields. We no longer have access from Highway 601 to the Zimmerman Center. One other thing to consider is that Peasley and Oak Streets are transitional neighborhoods which are poised for redevelopment because of the location and the proximity to Highway 601 and the universities. I think it is important not to do anything to hinder the redevelopment of the neighborhoods. Another thing to consider with Peasley Street is its proximity to Trinity United Methodist Church and New Mount Zion Baptist Church. Peasley Street has served as a travel point for college students to come to those churches. That would hinder this access. When New Mount Zion was built, the architects called that area the Quad area. Basically, we have two college institutions and two spiritual institutions. I think it is important to keep the viability of the quad vision. Some other considerations to consider is that the Plan has dead end streets. This is not a good thing. A lot of time they are harder to patrol from a Public Safety standpoint and many times they are more difficult to maintain and when overlooked crime and other activities will cultivate and take place. We really need to be careful how we go about this proposal in creating these dead end streets. I understand that the current project will utilize funds in the amount of 3.5 million dollars. I think that since we have that type of money on the table, we need to really look at how to create an intersection that can provide safety and also economic, cultural and social viability. I think we shouldn't rush and I think there is a possibility of coming up with a proposal even better at this time. I think it is up to the City of Orangeburg and the County of Orangeburg to really set the tone of having a grander vision in this area. I appreciate you allowing me to speak with you on this matter."

Ms. Kristina Thomas, Orangeburg County Community of Character Director, accepted the Character Trait Proclamation for the month of November 2014, "Gratitude".

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the appointment of Ms. Anna Bloome from the Parks and Recreation Department (Gardens Division) to fill an unexpired term (June 4, 2016) on the City's Grievance Committee. Grievance Committee terms are three (3) years. This motion was unanimously approved.

City Administrator Yow addressed Council in regards to the approval of two lease agreements with Norfolk Southern Railroad. He stated, "We have two (2) pieces of property that are slightly on the railroad right-of-way. One is on Boulevard and Magnolia Streets and the other is near Hillcrest Recreational Facility. (Maps were shown on the screen) When Hillcrest was built, there was an existing 1969 lease where part of the golf course and one recreation field is in the railroad right-of-way. There is a fence there. We would have to relocate sand traps, part of a green and a ball field if we did not do this lease. It is my recommendation that we approve these leases with Norfolk Southern Railroad so we can maintain our property. We will be paying the railroad \$300 per year for this right-of-way. There is a mention in the lease of a \$500 administration fee and this has been waived."

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the acceptance of Lease #1 with Norfolk Southern Railroad. This motion was unanimously approved.

City Administrator Yow stated, "The next lease is for the property between Magnolia and Boulevard Streets and the lease is also \$300 per year. It is being used for parking for college students. It is the same lease language. It is a pretty good deal for parking."

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the acceptance of Lease #2 with Norfolk Southern Railroad. This motion was unanimously approved.

A motion as made Councilmember Keitt, seconded by Councilmember Stroman, to reschedule the December 2, 2014, City Council meeting to 12:00 Noon instead of 7:00 P.M., as Claflin University is presenting "The Messiah" performance at this time at Stevenson Auditorium. This motion was unanimously approved.

Councilmember Haire addressed Council in regards to the train speed of Norfolk Southern. "I have spoken on this before as it refers to the speed of the train that comes through our City. I have brought it up to representatives at the meeting last week about the critical issue of the speed of the trains and if we had a derailment to occur. I am asking that this council go on record to ask the following agencies to endorse the effort of Norfolk Southern to reduce the speed coming through town, those agencies are: Orangeburg County Council, County Delegation, South Carolina State University, Claflin University, The Regional Medical Center, The Family Health Center, Consolidated School District 5, Orangeburg Calhoun Technical College and any others. I am asking TRMC because if a disaster, such as a derailment or a release of poisonous gas should occur, they would need to be on board whether or not they can handle such a catastrophe. As you know, the derailment that occurred over in Graniteville, I think there were nine lives lost. If a disaster like that happened here, it could be a hundred times greater. I am not sure TRMC could address our needs. I move that a letter be sent to these agencies that I have named asking for their support in sending letters and also to Norfolk Southern asking for reduction in speed permanently in the City of Orangeburg."

Councilmember Barnwell stated, "It seems that we should make that a part of the Agreement before the project is done."

Councilmember Haire stated, "It is supposed to be, but it seems we are on a fast track. I would agree to what you are saying."

Councilmember Keitt stated, "I would also like for Zeus to be asked to be put on the list. I think that if we do this, we are not only writing a letter, I think we should ask for a meeting of all entities. I think we have not gone far enough to them to really get them to understand what they are saying. I would like to add Zeus to that list. I think they should have to hear someone."

Councilmember Barnwell stated, "I think we need to use this as leverage against the railroad."

Mayor Pro Tem Jernigan asked, "If Norfolk Southern says no, does that mean we are not going to do the project with SC Department of Transportation? If so, I am not in favor of that. This project would be a benefit to the City and to the safety of our citizens. If it is a stipulation, I will not go along with that."

First Amendment to the motion, Councilmember Barnwell made a motion that an Agreement be worked out to decrease the Norfolk Southern Train Speed to 30 mph prior to the Municipal Agreement being approved, seconded by Mayor Pro Tem Jernigan. This motion was unanimously approved.

Second Amendment to the motion. Councilmember Keitt asked that Zeus be made a part of the entities asked to support the train reduction speed. This motion was seconded by Councilmember Barnwell and unanimously approved. The main motion to send letters to agencies mentioned by Councilmember Haire and as amended was seconded by Councilmember Knotts. This motion was unanimously approved.

Concerning the First Reading of an Ordinance to adopt Amended General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg, Councilmember Barnwell asked, "Are there any administrative changes." DPU Manager Miller stated, "No."

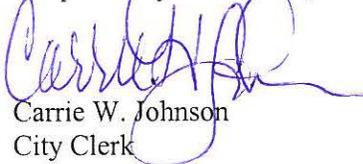
Councilmember Knotts asked, "Were the changes made that we previously went over?"

DPU Manger Miller stated, "Yes, those changes are in the terms and conditions."

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to enter into an Executive Session for a legal matter concerning a request from the Orangeburg County Fair Association. 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
November 18, 2014

2411

Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 18, 2014, at 7:00 P.M., in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

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

Ms. Shelia Sherman Foskey of 1959 Windsor Street addressed Council. She stated, "I am the Field Director for Eastern South Carolina Girl Scouts. I wanted to ask for your support because we are trying to do great things. We are working with the girls to become strong women. We hope that they will strive to be whatever they want to be in life. One of the issues I see is that I feel that some of the girls do not want to participate is that there is not enough to do in the troops. What I would like to do is start some trends in having a show choir or a theater group. We could have artists show their work and I would like to ask for your support in any way you see fit. I think the parents would like to see their child involved in something like this. It is expensive for some parents. It would put Orangeburg on the map to be one of the first cities to do this. I appreciate you listening to me."

Mayor Butler asked, "What kind of help are you asking of us?"

Ms. Foskey stated, "At the very least perhaps use of the Stevenson Auditorium one time a year that we would put on a show. At the end of each session of them learning a routine, I would like to put on a show to show the public what we are doing?"

Ms. Keitt asked, "How many troops would be coming together, is it all troops throughout your region?"

Ms. Foskey replied, "We all come together when there is a large event in the Charleston area, I am trying to get them to come together. Mostly, the issue is we are all volunteers and we will probably take turns, one city hosting so that we can all come together. I think it is important that we share ideas."

Ms. Keitt stated, "Take my card, I would love to talk with you because our young people need all the help they can get to see what we can do to help."

Mayor Pro Tem Jernigan asked, "How many different troops are there?"

Ms. Foskey replied, "There are about 15-20 troops and there has to be five girls in a troop. This is in Orangeburg and Calhoun Counties."

Councilmember Haire asked, "When you bring everyone together, what are you talking about? Are you just talking about Orangeburg and Calhoun County or the total Eastern Council? If you had an event in Stevenson, who would be involved?"

Ms. Foskey replied, "It would depend on who was putting the event on. Some events are just in one area and others would include other troops, so it just depends. This December, we have a father-daughter dance and it is just this unit."

Mayor Pro Tem Jernigan asked, "How many fundraisers do you have a year?"

Ms. Foskey stated, "Not enough, most troops do their own fundraising. We do a lot of community service, such as getting items for The Regional Medical Center for the children and we have done food drives also. Our biggest event is selling cookies where we get \$.80 per box."

Dr. James L Solomon Jr., of the Palmetto Development Group addressed Council. He stated, "I am coming tonight to give you an update on the first phase renovations on 1770 Russell Street. We opened the Incubator last November, so we have been operating about a year now. The first phase cost about \$70,000 and the City and County helped with this. It is estimated that the second phase will cost anywhere from \$400,000 to \$600,000 depending on how extravagant we get with our renovations to include all the bells and whistles. The Board has approved the floor plans developed by the Architect for Phase II renovations. We have obtained all the approvals for historic preservation for the renovations. We have commissioned a feasibility study to qualify for an EDA Grant. We are planning to go there for one-half of the money for renovation. Our challenges are finding the money because we have to have in hand fifty percent of the total amount of the funds we ask for in order to submit the application. We hope to have those funds in place in about six to eight months. Another challenge is that we need to have the deed to the building from the City, we currently have a lease. The EDA Grant application will require that the PDG have a deed to the property or the City sign as a co-sponsor. If the City signs as a co-sponsor, you are in it for the duration of the grant. The City will need to make a decision when we are ready to submit the application in about six to eight months. Once the application is done, we expect to complete the second phase renovations in 2015. Programs are ongoing. We are working with other entities in the City and the County to make this incubator a success. We also have a small revolving loan fund and I am pleased to say our first loan application has been approved by the Loan Committee, the Board and USDA. We are moving as diligently as we can to acquire the funds to get the building renovated."

Mayor Pro Tem Jernigan stated, "The EDA Grant required you to have one-half of the funding, how much is half, is it for \$400,000 or \$600,000?"

Dr. Solomon replied, "We are working on the \$600,000 figure. When we reach the \$400,000 figure, we are going to submit the application. The building is old and we are now having trouble with email because there is so much interference."

Mayor Pro Tem Jernigan asked, "Do you seek private funds?"

Dr. Solomon replied, "We will take from anyone. Funds are hard to come by. If the building was deeded to PDG, we could acquire some loans from the USDA as well."

Mayor Pro Tem Jernigan asked, "You are going to submit the grant application once you get \$200,000 and the grant will be \$200,000? Will you submit an additional application if you acquire the \$300,000?"

Dr. Solomon stated, "We could go back to EDA, it is easier to raise \$200,000 than \$300,000. If we had the deed to the building, we would go to USDA for a loan and then use the loan funds for the EDA Grant funds."

A motion was made by Councilmember Jernigan, seconded by Councilmember Keitt, to approve the authorization for the City Administrator to execute an Agreement for a Community Enrichment Grant from the Community Development Block Grant (CDBG) Program for Boswell Street Demolition Project in the amount of \$150,000. This motion was unanimously approved.

Councilmember Haire asked, "Aren't there cities that have absentee landlords where they go in and rehab the homes in order to salvage them before they get too deteriorated?"

City Administrator Yow asked Councilmember Haire to get that information to him to research.

Mayor Butler asked, "In what area of Boswell Street does this cover?"

Assistant City Administrator Singh stated, "Amelia and around through Boswell to Seaboard."

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance to adopt Amended General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg. This motion was unanimously approved.

Director Miller addressed Council in regards to a Resolution for the City of Orangeburg Department of Public Utilities to accept the low responsive bid by Foremost Pipeline Construction Company Inc of Gaston, South Carolina in the amount of \$850,911.27 for Natural Gas Service on US Hwy 301. He stated, "We received two bids on this project and two no bids. Foremost Construction is qualified to do this work and the next lowest bid was \$282,000 more or 33% more. The contractor expected to bid on this project submitted a no bid. He stated, he did not have enough people to perform this work as he is tied up through 2015. Our project budget for this is \$700,000. If Council approves this, we will transfer the shortfall from the Cleveland Street project. I would recommend we complete this project to expand gas for future industrial development."

Councilmember Barnwell asked, "Is the SC Department of Transportation putting money in this project area?"

Director Miller stated, "They are putting in 40,000,000 in this project area for highway construction costs."

Councilmember Haire asked, "If the project was only funded at the \$700,000 level, how much would not be complete?"

Director Miller stated, "Approximately three-fourths of the project would only be completed. The costs have escalated from last year. We received a budget quote a year ago and the costs have increased since that time. In fact, the cost for the pipe will increase as of December 1st if we do not get approval on this. The price for the pipe is being held."

Councilmember Keitt asked, "If you transfer the money from the other project, how will it affect that project?"

Director Miller stated, "It will not affect it at all. We will still have over \$250,000 and we can do that project with that funding."

Councilmember Haire asked, "With the construction going on in that area, are you going to be in the vicinity? How much of the territory will we be in as it relates to new construction?"

Director Miller replied, "This construction will provide us territory all the way to I-95."

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve a Resolution for the City of Orangeburg, Department of Public Utilities to accept the low responsible bid by Foremost Pipeline Construction Company, Inc., of Gaston, SC, in the amount of \$850,911.27 for the Natural Gas Service on US Highway 301. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session for legal matters concerning (1) Code Enforcement on Substandard Properties/Dilapidated Buildings, (2) Request from Orangeburg County Fair

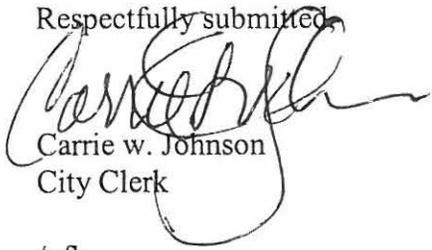
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Association and (3) Delinquent Accounts/Piggly Wiggly Store #15 and Piggly Wiggly Store #75, Economic Development Matter and Legal Matter concerning (1) Project Green and a Economic Development Matter concerning (1) Project Samba. This motion was unanimously approved.

There being no further business, the meeting was adjourned

Respectfully submitted,



Carrie W. Johnson
City Clerk

/pfb



**CITY COUNCIL MINUTES
December 2, 2014**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 2, 2014, at 12:00 Noon in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

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

ABSENT:

- Bernard Haire**

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the November 18, 2014, City Council Minutes as distributed. This motion was unanimously approved.

Ms. Kristina Thomas, Director of Community of Character, accepted the December 2014, Character Trait Proclamation "Generosity" along with DPS Interim Director Mike Adams.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to adopt Amended General Terms and Conditions for the Department of Public Utilities of the City of Orangeburg. This motion was unanimously approved.

Department of Public Utilities Manager Tommy Miller addressed Council in regards to a Resolution for the City of Orangeburg, Department of Public Utilities to accept the low, responsive bid by Garney Companies Inc., of Winter Garden, Florida, in the amount of \$2,290,000.00 for improvements to the John F. Pearson Water Treatment Clearwell. He stated, "As you may remember, this was discussed in budget sessions and this Clearwell was built in 1974 and up to four million gallons of drinking water is stored here. We inspect the facility regularly and this facility is in need of additional work. We received three (3) bids on this project with the lowest bid being from Garney Companies Inc." Councilmember Barnwell asked, "What is the budget?"

DPU Manager Miller replied, "The budget for this project was \$2,875,000.00 and this will be below budget."

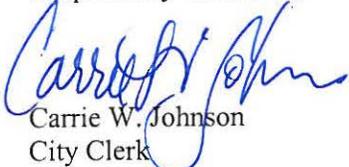
City Attorney Walsh stated, "The bid tabulation would be a part of the Resolution."

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman, to approve the Resolution for the City of Orangeburg, Department of Public Utilities to accept the low responsive, responsible bid by Garney Companies, Inc., of Winter Garden, Florida, in the amount of \$2,290,000.00 for improvements to the John F. Pearson Water Treatment Plant Clearwell Improvements. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to enter into an (1)Executive Session for an Economic Development Matter concerning Project Samba, (2) Legal and Economic Development Matter concerning Project Green and a (3) Contractual Matter concerning Claflin University and SIAC Conference. This motion was unanimously approved.

There being no further business the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
City Clerk

RESOLUTION

A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2015 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE

WHEREAS, by Resolution of Orangeburg City Council dated December 16, 2014 certain retirement and health insurance benefits of City employees were adopted; and

WHEREAS, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

WHEREAS, City Council has reviewed its present benefits and finds that for financial reasons it is now necessary to amend and change the present health insurance benefits provided its employees and retirees.

NOW THEREFORE BE IT RESOLVED, by City Council duly assembled this 16th day of December, 2014, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City (hereinafter referred to as "employees") as of January 1, 2015 to obtain health insurance benefits from the City are set forth and shown on Exhibit A attached hereto and made a part hereof by reference. Said health insurance benefits shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

BE IT FURTHER RESOLVED, that regardless of any prior review the health insurance benefits of employees shall be reviewed, established and defined annually by budget adoption during the adoption of the annual budgets of the City of Orangeburg and its Department of Public Utilities.

BE IT FURTHER RESOLVED, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

RESOLVED BY City Council duly assembled this 16th day of December, 2014.



Michael C. Butler

MAYOR

Terrence Haire

Amelia R. Kell

Charles B. Barritt

L. J. J. J. J.

[Signature]

THIS IS NOT A CONTRACT

HEALTH INSURANCE BENEFITS CALENDAR YEAR 2015 Exhibit A

The within benefits may be increased, decreased or abolished at any time, with or without cause.

Definitions:

“Dental, Vision and Term Life”, collectively and individually, is defined as the insurance benefits provided by the City of Orangeburg and administered by BlueCross BlueShield (BCBS) of South Carolina and Companion Life.

“Employees” are defined as all City of Orangeburg employees, including employees of the Department of Public Utilities.

“Dependent” is defined as an individual who is an employee’s spouse: Is a lawful spouse or; a former spouse who is required to be covered by a divorce decree. Dependent is also defined as an employee’s child: Is a child under the age of 26 which includes a natural child, adopted child, foster child, stepchild, or child for whom an employee has custody or legal guardianship unless child has other federal or state insurance coverage. The term “child” also includes an incapacitated dependent, a child who is on a medically necessary leave of absence, a child of a divorced or divorcing employee who, under a qualified medical child support order, has a right to enroll under the employer’s group health plan. The term “child” does not include the spouse of an eligible child. Under the Patient Protection and Affordable Care Act and the Health Coverage and the Education Reconciliation Act, a child does not include an individual who is eligible for other employer sponsored coverage if the group health plan is grandfathered plan beginning for plan years before January 1, 2015.

“Health Insurance Benefits” are defined as medical, vision, hospitalization and prescription drug benefits available to active full-time employees of the City and provided by the City of Orangeburg and administered by insurance providers under contract with the City.

“1500 HSA” plan is the 2015 Preferred Blue Plan-HDHP administered by BlueCross BlueShield of South Carolina.

“500 PPO” plan is the 2015 Preferred Blue Plan administered by BlueCross BlueShield of South Carolina.

“TERI” is defined as the Teacher and Employee Incentive Program administered by the South Carolina Retirement System.

Active Employees

Active Full Time Employees

The City of Orangeburg (hereinafter referred to as “City”) will provide medical, hospitalization, prescription drug, dental and vision insurance and (\$15,000) term life insurance to active full-time employees with 100% of the premiums paid by the City. The insurance is offered through providers chosen by the City. New employees are eligible to be covered at the beginning of the month following 30 days of continuous employment. Terminated employees are only covered until their last day of employment. Councilmembers, City Administrator, Manager of the Department of Public Utilities, and the City Attorney are considered active full-time employees for purposes of qualifying for health insurance benefits.

Dependents of Active Full Time Employees

Dependents, as defined by the insurance providers, are eligible for dependent Health Insurance Benefits, with the City contributing up to the following dollar amounts towards the premium costs and the employee paying all additional costs and premiums, including any future increases:

\$ 276.99 per month for spouse coverage for the BCBS 500 PPO plan

\$ 241.00 per month for spouse coverage for the BCBS 1500 HSA plan

\$ 101.00 per month for spouse coverage for the BCBS 500 PPO plan

at the beginning of the month following 30 days of continuous employment of the employee. Dental and Vision for dependents of terminated employees are only covered until their last day of employment of the employee.

Dependents of current active full-time employees are eligible to be added or dropped during the City's annual enrollment period or as defined by law. All dependent coverage will be subject to the then terms and conditions of the City's benefit package being offered to dependents and the terms and conditions of the insurance policy or policies of the then insurance provider.

Employees who select medical coverage under the BlueCross BlueShield 1500 HSA plan will forfeit all other benefits referred to herein, but will receive the following amounts deposited quarterly into their Health Saving Account (hereinafter referred to as "HSA" account).

\$150 per month for active full-time employee coverage only

\$180 per month for active full-time employee and spouse coverage

\$175 per month for active full-time employee and children coverage

\$185 per month for active full-time employee and family coverage

Spouses of active full-time employees who are eligible for Health Insurance Benefits and/or Dental, Vision and Term Life with their employer(s), regardless of coverage limits or conditions, must select and obtain coverage under their employer's plan or plans before they can become eligible for coverage under any City plan which, if selected, will be secondary insurance.

Effective January 1, 2016 and thereafter; employees or any dependent of an employee covered by the City's Health Insurance Benefits who uses tobacco products shall be subject to a surcharge of \$50 per employee per month. Employee will be subject to this surcharge for the full calendar year if they or their dependent is a tobacco user during any part of the year. The employee is subject to repay the employer for this surcharge if they willfully disregard rule or fail to properly notify employer.

Eligibility for Post Employment Benefits

Present Active Full Time Employees hired prior to June 1, 1993

These employees may be eligible for the continuation of Health Insurance Benefits and Dental and Vision insurance coverage if they meet one of the following:

- a. The employee has 15 years employment with the City and is over age 65.
- b. The employee has 20 years employment with the City and is over age 60.
- c. The employee has 25 years employment with the City.
- d. The employee has 25 years employment with the City Department of Public Safety.
- e. The employee has 28 years of service under the SC Retirement System; with at least 15 years of continuous employment with the City.
- f. The employee has 25 years of service under the SC Police Retirement System; with at least 15 years of continuous employment with the City.

Present Active Full Time Employees hired on or after June 1, 1993 and before January 1, 2010

These employees may retire with the City and be eligible for continuation of Health Insurance Benefits and Dental and Vision if an employee meets one of the following conditions.

- a. The employee works 25 years for the City.
- b. The employee works 25 years for the City Department of Public Safety.

State of South Carolina TERI Retirement Program

Years of employment with the City while participating in the TERI program are included in employee tenure calculation for Post Employment Benefits eligibility.

Active Full Time Employees Retired under the SC Retirement System or SC Police Retirement System

Total years of City employment of an active full-time employee who has retired under either the SC Retirement System or the SC Police Retirement System are included in employee tenure calculation for Post-Employment Benefits eligibility.

Retirees with Post Employment Benefits

Retiree Insurance

Retirees over the age of 65 and/or their spouses over the age of 65 are eligible to receive any enhanced Medicare or Medicare supplemental plan being provided by the City. The City will pay up to \$100 per month towards an HRA for the retiree to be used for insurance coverage and/or for HRA approved medical expenses for the Retiree and /or spouse. The above City contributions are capped as of January 1, 2013.

The Retirees under the age of 65 are also eligible for the continuation of Health Insurance Benefits and Dental and Vision for dependents. The retiree will be responsible for the entire cost of the Health Insurance Benefits dependent coverage and the entire cost of the Dental and Vision retiree and dependent coverage.

A Retiree must elect coverage at the time of retirement. Failure to make an election for available retiree, spouse or dependent coverage upon retirement shall constitute a waiver and forfeiture of all retiree Health Insurance Benefits, including Dental and Vision insurance provided by the City.

Retirees (excluding TERI employees) returning to full time employment with the City will be required to pay fifty (50) percent of premiums for employee coverage of medical, dental and vision insurance regardless of age of employee or other terms previously expressed in this paragraph.

Spouses of Deceased Retirees

Spouses of deceased retirees, who are receiving Group PPO Health Insurance Benefits from the City at the death of a retiree, may continue the insurance coverage then in existence, and shall continue up to the age of 65 and shall pay the required premium while covered.

Retirees with No Post Employment Benefits

Employees hired on or after January 1, 2010

These employees upon retirement or termination will not be provided and may not continue any benefits referred to herein, including without limitation, Health Insurance Benefits, and Dental, Vision and Term Life.

Election to HSA Plans

Current active full-time employees who elect to be covered under a City's HSA medical insurance coverage waive any future rights to be eligible for any benefits referred to herein, including without limitation, Health Insurance Benefits and Dental, Vision and Term Life upon termination of or retirement from employment. However, an employee may return to coverage under the standard 500 PPO plan, however all post employment benefits remain forfeited and shall not be reinstated.

Spouse & Dependents, over 65, of Active Full Time Employees, Who Would Qualify as a Dependent

Spouse and Dependents, over the age of 65, of active full-time employees are eligible for the standard dependent 500 PPO insurance plan or the Medicare Advantage Plus plan. Spouses and dependents shall be subject to the same restriction for spouse eligibility referred to above if coverage is available at their place of work.

Active Full Time Employees on FMLA Leave or Long Term Disability

The City will continue to pay the monthly health and dental insurance cost of an employee who is placed on long-term disability or Family Medical Leave for a period of three (3) months following the last month worked. Upon expiration of three (3) month the employee has the option of continuing health and/or dental coverage (COBRA) at his own expense for a period of 18 months or up to 29 months (if totally disabled as defined by the Social Security Administration). COBRA coverage ceases once the employee becomes eligible for Medicare or Medicaid.

Dependent medical, dental, vision and life insurance shall remain in force on dependents for a period

If COBRA is elected after this three-month period, employee will make full premium payments the first of each month, payable to the City.

CITY COUNCIL MINUTES December 16, 2014

2417

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 16, 2014, at 7:00 P.M., in Council Chambers with Mayor Michael C. Butler presiding.

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 December 2, 2014, City Council Minutes as distributed. This was a 6-0 vote as Councilmember Haire was not present at the December 2, 2014, meeting.

Students were recognized from the School of Health Professions.

Ms. Nancy Wilson Young of Miami, Florida, and Orangeburg, South Carolina, addressed Council. She stated, "I am here concerning the Dr. Robert E. Howard, Wilkinson High School Scholarship Fund. I did take the time to provide you with background information. This Scholarship honors the legacy of Wilkinson High School's last principal. About five years ago, I approached several classmates to join me in establishing a scholarship honoring our principal. At the time, he was still alive and we came to his home and at first he said, no. As we looked at his legacy, we convinced him that this scholarship would be in his name and represent his legacy, he agreed. For the past five years, several of us have been fundraising and we were able to start the fund in 2010. To date, we have awarded \$1,100 to four students. Those students are at South Carolina State University and Claflin University. My appearance before you tonight is seeking a partnership. I am not going to specify an amount of money because I do not know your budget. I do want to leave it open, but I do want to try and establish a partnership with the City like I have with Claflin University. These young people are worthy students and honor students. With changes in the financial aid package, students have to take out loans like never before. One way to bridge that gap is with this scholarship fund. We have two students at Claflin University and I appealed to the University and they were able to give an additional \$3,000 for these students. My appearance tonight is to ask for a partnership through the Council so we can provide additional scholarship monies to those selected based on high test scores and their major. A newspaper article is included on the last student selected. These are worthy students and there is a committee that meets each March to select the students. The Fund is controlled by the Central Carolina Community Foundation in Columbia. We do not control the funds; it is administered by a Foundation. As we deposit money, it is interest bearing and this scholarship will endure when we are not around. The students must go to South Carolina State University, Claflin or Orangeburg Calhoun Technical College. We meet with the students monthly. We help them as we can. I appreciate the opportunity and would appreciate any consideration."

Councilmember Jernigan asked, "When are these awarded?"

Ms. Young replied, "In March."

Councilmember Jernigan asked, "Does the scholarship amount vary?"

Ms. Young replied, "It started out at \$1,000 and we are now at \$1,100.00. We would like to increase that."

Councilmember Haire asked, "Is this a onetime scholarship?"

Ms. Young replied, "No, it is continuous based on the grade point average and so far it has been continuous with \$1,100.00 each semester."

Councilmember Barnwell asked, "Is this a onetime partnership?"

Ms. Young replied, “No, this is ongoing. Each year I go to Claflin University and ask for more money. We are going to approach Orangeburg Calhoun Technical College and also later South Carolina State University once they get their finances in order.”

Mayor Butler stated that Council would take this under advisement.

Dr. Jerome Fitch addressed Council regarding funding for SIAC. “I would like to speak on a partnership with the City as well as both public and private sectors to develop a proposal to bring SIAC baseball and softball tournaments to Orangeburg in 2015. We believe that our students deserve the best opportunity to be recognized on a more celebrated stage. In 2008, the University moved from the NAIA to the NCAA Division II and the SIAC. As we anticipated, our athletic programs have made an impressive transition. We think hosting these tournaments in Orangeburg is a win-win. Over thirty contests will be held in Orangeburg with over sixteen teams from North Carolina, Georgia, Kentucky, Tennessee and Ohio. These will be held in April, 2015. Why not Orangeburg? There is a potential boost in revenue from these tournaments. I believe your support will help make this a reality.”

Councilmember Keitt stated, “I want to thank you on allowing us to hear what you have to say about these tournaments. It would be a great asset to Orangeburg.”

City Administrator Yow stated, “I think Mr. Fitch is under a time line to submit a bid and as you may know we have funding in our Hospitality and Accommodations Tax Fund which can be used for tourism which supports our mission. It would be appropriate for Council to address that tonight.”

Councilmember Stroman made a motion to promote tourism and athletic tournaments and give the City Administrator the authority to provide up to \$15,000.00. This motion was seconded by Councilmember Keitt and unanimously approved. Ms. Knotts recused herself in the discussion or voting as being employed by Claflin University.

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve the recommendations of the City’s Accommodations Tax Advisory Committee’s requests as follows:

- a. Orangeburg County Chamber of Commerce—Tourism/Promotional Items \$ 4,650.00
- b. Orangeburg County Chamber of Commerce/City of Orangeburg-Festival of Roses \$ 4,500.00
- c. Orangeburg County Fine Arts Center—Festival of Roses and Showcase \$ 1,000.00
\$10,150.00

This motion was unanimously approved.

There were no utility matters brought before Council.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire to enter into an Executive Session for (1) Purchase of Property, (a) Seaboard Avenue, (2) Contractual Matter, (a) Contracts for Health Insurance, Dental Insurance and Re-insurance and (3) Legal Matter (a) Access to Public Information—Department of Public Utilities. This motion was unanimously approved.

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

RETURN TO OPEN SESSION

A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve a Resolution to adopt Health Insurance Benefits for City employees for 2015. This motion was unanimously approved.

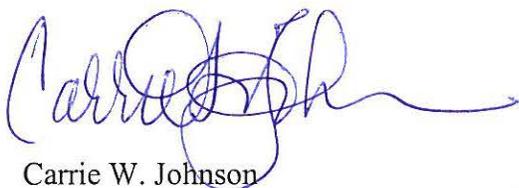
City Administrator Yow proposed to Council to cancel the January 6, 2015, City Council meeting due to lack of business and vacation schedules.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to cancel the City Council Meeting on January 6, 2015. This motion was unanimously approved.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson
Clerk

/pfb

